

FILED FOR RECORD
R. B. SHORE

2009 FEB -2 AM 9: 50

CLERK OF THE COUNTY COURT
MANATEE CO. FLORIDA

MANATEE COUNTY ZONING ORDINANCE

PDPI-06-43(Z)(P) – MANATEE COUNTY / BENNETT PARK (COUNTY INITIATED)
(DTS # 20060272)

FILED
2009 JAN 22 10:10:00
CLERK OF THE COUNTY COURT
MANATEE COUNTY FLORIDA

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE NO. 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE) RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR THE REZONING OF APPROXIMATELY 180.46 ACRES SOUTH OF I-75 WEST OF KAY ROAD AND ± ¼ MILE NORTH OF SR 64 AT 280 KAY ROAD, FROM A-1 (SUBURBAN AGRICULTURE), A-1/CH (SUBURBAN AGRICULTURE/ COASTAL HIGH HAZARD OVERLAY), PDMU (PLANNED DEVELOPMENT MIXED USE), AND PDMU/CH (PLANNED DEVELOPMENT MIXED USE/COASTAL HIGH HAZARD OVERLAY) TO THE PDPI (PLANNED DEVELOPMENT PUBLIC INTEREST) ZONING DISTRICT, RETAINING THE COASTAL HIGH HAZARD OVERLAY WHERE APPROPRIATE; APPROVE A PRELIMINARY SITE PLAN FOR A PUBLIC DISTRICT PARK AND ENVIRONMENTAL PRESERVE; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Manatee County (County Initiated) (the "Applicant") filed an application to rezone approximately 180.46 acres described in Exhibit "A", attached hereto, (the "property") from from A-1 (Suburban Agriculture), A-1/CH (Suburban Agriculture/ Coastal High Hazard Overlay), PDMU (Planned Development Mixed Use), and PDMU/CH (Planned Development Mixed Use/Coastal High Hazard Overlay) to the PDPI (Planned Development Public Interest) zoning district, retaining the Coastal High Hazard Overlay where appropriate; and

WHEREAS, the applicant filed a Preliminary Site Plan for a public district park and environmental preserve on the property; and

WHEREAS, the applicant filed a request for Special Approval for a project: 1) in an Entranceway; 2) partially in the Coastal High Hazard Overlay; and 3) adjacent to a Perennial Stream; and

WHEREAS, the applicant filed a request for Specific Approvals for alternatives to Sections 722.1.4.4., 737.4., 737.5.1.1., 709, and 710 of the Land Development Code; and

WHEREAS, Planning staff recommended approval of the rezone, Preliminary Site Plan, Special Approval, and Specific Approval, subject to the stipulations contained in the staff report; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on November 13, 2008 to consider the rezone, Preliminary Site Plan, Special Approval, and Specific Approval, received the staff recommendation, and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

WHEREAS, the Manatee County Planning Commission, as the County's Local Planning Agency, found the applications consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval of the applications, subject to the stipulations contained in the staff report, and

WHEREAS, after the first of two required public hearings on December 4, 2008, this Ordinance was inappropriately filed with the Office of the Secretary of State, Florida Department of State.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. FINDINGS OF FACT. The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

The Board of County Commissioners after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission, as well as all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. The Board of County Commissioners received and considered the report of the Manatee County Planning Commission concerning the application for Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance from A-1 (Suburban Agriculture), A-1/CH (Suburban Agriculture/ Coastal High Hazard Overlay), PDMU (Planned Development Mixed Use), and PDMU/CH (Planned Development Mixed Use/Coastal High Hazard Overlay) to the PDPI (Planned Development Public Interest) zoning district, retaining the Coastal High Hazard Overlay where appropriate.

B. The Board of County Commissioners held duly noticed public hearings on December 4, 2008 and January 8, 2009 regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 90-01, the Manatee County Land Development Code, and has further considered the information received at the public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the 2020 Manatee County Comprehensive Plan.

D. For the purposes of granting Special Approval, the Board finds that the project, as detailed on the Preliminary Site Plan and as conditioned herein, will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.

E. Notwithstanding the failure of this plan to comply with the LDC Section 722.1.4.4., the Board finds that the public purpose and intent of the Land Development Code regulations will be satisfied to an equivalent degree by providing a crosswalk linking the park to the residential neighborhood across Kay Road.

F. Notwithstanding the failure of this plan to comply with the LDC Section 737.4. foundation landscaping requirements in the Entranceway for the proposed concession/restroom building and land uses, the Board finds that the public purpose and intent of the Land Development Code regulations will be satisfied to an equivalent degree by permitting plantings at alternate locations within the park visible from the Entranceway.

G. Notwithstanding the failure of this plan to comply with the LDC Section 737.5.1.1., the Board finds that the public purpose and intent of the Land Development Code regulations will be satisfied to an equivalent degree by the park itself.

H. Notwithstanding the failure of this plan to comply with the LDC Section 710, the Board finds that the public purpose and intent of the Land Development Code regulations will be satisfied to an equivalent degree by providing flexibility in parking lot design requirements.

I. Notwithstanding the failure of this plan to comply with the LDC Section 709, the Board finds that the public purpose and intent of the Land Development Code regulations will be satisfied to an equivalent degree by providing flexibility in design and usage for lighting in Bennett Park.

Section 2. PRELIMINARY SITE PLAN. The Preliminary Site Plan is hereby approved for a public district park and environmental preserve; subject to the following Stipulations:

STIPULATIONS

A. TRANSPORTATION CONDITIONS:

1. A full access turning movement at the northern most access to the park shall be provided concurrent with, or prior to, future park phase (as shown on site plan – the active park uses/activities). Design details shall be reviewed and approved with Final Site Plan and subject to Public Works Department approval. Any alternative shall be approved by the Public Works Department.
2. A northbound left turn movement shall be provided at both southern and northern most access points to park. Design details, including striping and markings, shall be reviewed and approved with Final Site Plan and subject to

Public Works Department approval. Any alternative shall be approved by the Public Works Department.

B. INFRASTRUCTURE CONDITIONS:

1. This development will provide all necessary facilities to connect to County potable water and sewer.
2. At least one handicap accessible restroom facility shall be provided in the initial phase of construction to include a paved, smooth, dustless surface to and from paved handicap parking spaces.
3. A pedestrian crosswalk with signs shall be provided from the single-family development on the east side of Kay Road to the west side of Kay Road in compliance with the Manual of Uniform Traffic Control Devices.
4. Handicap accessibility shall be provided to recreation facilities whenever possible using paved, smooth, dustless surfaces to and from handicap parking spaces.
5. Bicycle access into the park shall be provided at the primary and secondary entrances to the park from the surrounding residential neighborhoods in accordance with all appropriate design criteria and codes. This shall not be construed to indicate a requirement to provide bicycle lanes where none currently exist, in the surrounding neighborhoods, but simply to provide appropriate bicycle access from the beginning of each park entrance into the park proper.

C. STORMWATER CONDITIONS:

1. Any fill within the FEMA 100-year floodplain of the Cypress Strand shall be compensated by the creation of an equal or greater storage volume above seasonal high water table.
2. There shall be full 25-year attenuation on all stormwater ponds within the development.
3. Routing and modeling of the existing conditions shall be provided with the Drainage Model and Construction Plan for all natural drainage systems within and surrounding this project taking into consideration all wetland storage and ground depressions.
4. The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to neighboring property surrounding the site in respect to drainage routing, grading, and runoff.
5. Stormwater systems design may include bioswales, multi-purpose "wetland" ponds, and other types of stormwater attenuation systems that provide

ecological, recreation and interpretation opportunities.

D. ENVIRONMENTAL CONDITIONS:

1. Development of this park shall comply with *Objective 3.3.1 Wetland Protection* of the Comprehensive Plan. A copy of the Environmental Resource Permit (ERP) approved by SWFWMD shall be submitted to the Planning Department for review prior to Final Site Plan approval.
2. All proposed nature trails, board walks and shade structures in wetland buffers and areas where native vegetation is to remain shall be designed in a manner that minimizes impacts to trees or areas of significant vegetation and in accordance with Section 719 of the LDC, if applicable. All nature trails within wetland buffers shall be constructed of pervious materials unless otherwise approved by the Planning Department.
3. Existing native vegetation within any required landscape buffer shall be preserved to the greatest extent possible. There shall be no overhead or underground power lines, swales, or stormwater facilities within any proposed landscape buffer containing desirable native vegetation, with the exception of limited crossings.
4. Tree barricades for trees to be preserved shall be located at the drip line, unless approved by the Planning Department and shall be shown with the Final Site Plan. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed. The following activities are prohibited within the drip line of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. The tree protection barricades shall consist of chain link fence (new or used) with a minimum 5' height, unless otherwise approved by the Planning Department.
5. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Final Site Plan in accordance with Section 519 of the LDC.
6. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the Planning Department for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:
 - Digital photographs of the well along with nearby reference structures (if existing).
 - GPS coordinates (latitude/longitude) of the well.
 - The methodology used to secure the well during construction (e.g. fence, tape).
 - The final disposition of the well - used, capped, or plugged.

7. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.

E. HEALTH:

1. A permit for the water distribution system is required from the Health Department prior to start of construction.
2. Public swimming pools and spas shall meet the standards in Chapter 64E-9, Florida Administrative Code, and require a Health Department permit.

Section 3. SPECIAL AND SPECIFIC APPROVALS. Special Approval is hereby granted for a project: 1) in an Entranceway; 2) partially in the Coastal High Hazard Overlay; and 3) adjacent to a Perennial Stream. The Special Approval shall continue in effect and shall expire concurrent with the Preliminary Site Plan for the project approved pursuant to Section 2 hereof. Specific Approval is hereby granted for alternatives to Sections 722.1.4.4., 737.4., 737.5.1.1., 709, and 710 of the Land Development Code. The Specific Approval shall continue in effect and shall expire concurrent with the Preliminary Site Plan for the project approved pursuant to Section 2 hereof.

Section 4. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County (Ordinance No. 90-01, the Manatee County Land Development Code) is hereby amended by changing the zoning classification of the property identified in Exhibit "A" herein from A-1 (Suburban Agriculture), A-1/CH (Suburban Agriculture/ Coastal High Hazard Overlay), PDMU (Planned Development Mixed Use), and PDMU/CH (Planned Development Mixed Use/Coastal High Hazard Overlay) to the PDPI (Planned Development Public Interest) zoning district, retaining the Coastal High Hazard Overlay where appropriate, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning Department, are hereby instructed to cause such amendment to the Official Zoning Atlas.

Section 5. TRUE AND CORRECT ORDINANCE. This Ordinance is the true and valid Ordinance PDPI-06-43(Z)(P), notwithstanding the inappropriate filing of a similarly numbered ordinance after only one to two required public hearings on December 4, 2008.

Section 6. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, clause, sentence, or other provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 7. CODIFICATION. Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

Section 8. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 8th day of January, 2009.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

BY: *Dr. Gwendolyn Y. Brown*
Dr. Gwendolyn Y. Brown, Chairman

ATTEST:

R. B. SHORE
Clerk of the Circuit Court

BY:

Jessie Thomas
Deputy Clerk



EXHIBIT "A"

LEGAL DESCRIPTION

DESCRIPTION: PARCEL "A"

COMMENCE AT THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE RUN S 00°08'31" W ALONG THE EAST LINE OF SAID SECTION 27, A DISTANCE OF 3075.18 FEET; THENCE N 89°42'41" W, A DISTANCE OF 810.00 FEET TO THE POINT OF BEGINNING; THENCE N 89°42'41" W, A DISTANCE OF 2085.00 FEET TO THE CENTERLINE OF A SMALL STREAM; THENCE NORTHERLY ALONG THE CENTERLINE OF SAID STREAM TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE 75 (STATE ROAD 93, SECTION 13075-2404) SAID POINT LYING N 08°16'32" W AT A DISTANCE OF 3231.50 FEET; THENCE S 65°45'33" E ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 3563.00 FEET; THENCE S 00°05'03" W CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 121.49 FEET; THENCE N 89°42'41" W, A DISTANCE OF 707.50 FEET; THENCE S 00°08'31" W, A DISTANCE OF 1421.67 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, CONTAINING 153.08 ACRES

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

DESCRIPTION: PARCEL "B"

COMMENCING AT THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE RUN S 00°08'31" W ALONG THE EAST LINE OF SAID SECTION 27, A DISTANCE OF 3075.18 FEET; THENCE N 89°42'41" W, A DISTANCE OF 627.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 89°42'41" W, A DISTANCE OF 182.09 FEET; THENCE N 00°08'31" W, A DISTANCE OF 1421.67 FEET; THENCE S 89°42'41" E, A DISTANCE OF 707.50 FEET; THENCE S 05°56'19" E ALONG THE SOUTHERLY LIMITED ACCESS RIGHT OF WAY LINE OF I-75 (SR 93, SECTION 13075-2404), A DISTANCE OF 582.28 FEET; THENCE S 89°51'29" E ALONG THE WESTERLY RIGHT OF WAY LINE OF KAY ROAD, A DISTANCE OF 8.82 FEET; THENCE S 23°16'33" W, A DISTANCE OF 223.80 FEET TO A POINT ON THE ARC OF A NON-TANGENTIAL CURVE TO THE RIGHT WHOSE RADIUS POINT LIES N 71°31'49" W, A DISTANCE OF 1110.00; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 641.21 FEET THROUGH A CENTRAL ANGLE OF 33°05'53" TO THE POINT OF TANGENCY; THENCE S 51°34'04" W, A DISTANCE OF 187.26 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, CONTAINING 20.49 ACRES

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL

DESCRIPTION: "BENNETT PARK SOUTHWEST SWAP PARCEL"

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18

EAST; THENCE N 00°08'31" E ALONG THE EAST LINE OF SAID SECTION 27 A DISTANCE OF 2222.25 FEET; THENCE N 89°42'41" W A DISTANCE OF 1929.53 FEET TO THE POINT OF BEGINNING; THENCE S 47°09'10" W A DISTANCE OF 31.73 FEET TO THE PC OF CURVE TO THE LEFT WHOSE RADIUS POINT LIES S 42°50'50" E A DISTANCE OF 113.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 55.30 FEET THROUGH A CENTRAL ANGLE OF 28°02'20" TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES N 70°53'09" W A DISTANCE OF 100.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 33.66 FEET THROUGH A CENTRAL ANGLE OF 19°17'05" TO THE END OF SAID CURVE; THENCE N 42°36'49" W A DISTANCE OF 105.84 FEET; THENCE S 47°09'53" W A DISTANCE OF 176.31 FEET; THENCE S 90°00'00" W A DISTANCE OF 618.92 FEET; THENCE N 08°53'14" E A DISTANCE OF 144.88 FEET; THENCE S 89°42'41" E A DISTANCE OF 866.79 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY FLORIDA. CONTAINING 2.37 ACRES

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

DESCRIPTION: "BENNETT PARK NORTHWEST SWAP PARCEL"

COMMENCING AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY FLORIDA; THENCE RUN S 89°32'32" E ALONG THE NORTH LINE OF SAID SECTION 27 A DISTANCE OF 1342.14 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S 89°32'32" E ALONG SAID NORTH LINE A DISTANCE OF 104.46 FEET TO THE CENTERLINE OF A CREEK; THENCE SOUTHERLY ALONG SAID CENTERLINE THE FOLLOWING 11 COURSES; (1)THENCE S 55°18'39" W A DISTANCE OF 104.62 FEET; (2) THENCE S 09°35'08" W A DISTANCE OF 91.83 FEET; (3) THENCE S 37°50'20" E A DISTANCE OF 81.81 FEET; (4) THENCE N 71°47'49" E A DISTANCE OF 113.46 FEET; (5) THENCE N 73°42'53" E A DISTANCE OF 92.25 FEET; (6)THENCE S 09°50'24" E A DISTANCE OF 296.23 FEET; (7)THENCE S 64°17'16" E A DISTANCE OF 143.03 FEET; (8)THENCE S 72°55'04" E A DISTANCE OF 219.07 FEET; (9)THENCE S 56°58'44" E A DISTANCE OF 166.91 FEET; (10)THENCE S 12°23'45" E A DISTANCE OF 111.18 FEET; (11) THENCE S 20°00'23" W A DISTANCE OF 18.58 FEET TO THE END OF SAID CENTERLINE; THENCE S 89°54'07" W A DISTANCE 803.15 FEET; THENCE N 00°31'01" E A DISTANCE OF 790.91 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. CONTAINING 6.94 ACRES

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:

DESCRIPTION: "PUBLIC ROAD"

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST; THENCE N 00°08'31" E ALONG THE EAST LINE OF SAID SECTION 27 A DISTANCE OF 2222.25 FEET; THENCE N 89°42'41" W A DISTANCE OF 1929.53 FEET TO THE POINT OF BEGINNING; THENCE N 47°09'10" E A DISTANCE OF 47.44 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES S 42°50'50" E A DISTANCE OF 250.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 154.28 FEET THROUGH A CENTRAL ANGLE OF 35°21'33" TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE LEFT WHOSE RADIUS POINT LIES N 34°38'25" W A DISTANCE OF 87.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 18.55 FEET THROUGH A CENTRAL ANGLE OF 12°12'52"

TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES S 46°51'18" E, A DISTANCE OF 88.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 22.90 FEET THROUGH A CENTRAL ANGLE OF 14°54'45" TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE LEFT WHOSE RADIUS POINT LIES N 31°56'33" W A DISTANCE OF 47.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 47.39 FEET THROUGH A CENTRAL ANGLE OF 57°46'09"; THENCE S 89°42'41" E A DISTANCE OF 50.00 FEET TO THE BEGINNING OF THE CURVE TO THE LEFT WHOSE RADIUS POINT LIES S 89°42'41" E A DISTANCE OF 47.00 FEET THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 47.39 FEET THROUGH A CENTRAL ANGLE OF 56°46'09" TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES S 32°31'10" W A DISTANCE OF 88.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 16.97 FEET THROUGH A CENTRAL ANGLE OF 11°02'50" TO A POINT OF REVERSE CURVATURE WITH A CURVE TO THE LEFT WHOSE RADIUS POINT LIES N 43°34'00" E A DISTANCE OF 87.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 24.47 FEET THROUGH A CENTRAL ANGLE OF 16°07'00"; THENCE S 89°42'41" E A DISTANCE OF 579.23 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT WHOSE RADIUS POINT LIES S 00°17'19" W A DISTANCE OF 300.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 225.98 FEET THROUGH A CENTRAL ANGLE OF 43°09'31" TO THE END OF SAID CURVE; THENCE S 46°33'10" E A DISTANCE OF 27.54 FEET; THENCE N 89°42'41" W A DISTANCE OF 1134.98 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. CONTAINING 2.42 ACRES.



STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 20th day of January, 2009
R.B. SHORE
Clerk of Circuit Court
By: [Signature] D.C.



FILED FOR RECORD
R. B. SHORE

2009 FEB -2 AM 9:50

FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

KURT S. BROWNING
Secretary of State

January 26, 2009

Honorable R. B. "Chips" Shore
Clerk of Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Ms. Vicki Jarratt

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated January 20, 2009 and certified copies of Manatee County Ordinance Nos. PDPI-06-46(Z) (G), PDPI-06-43(Z) (P), PDO/PDC-05-12 (P), PDR-06-27(Z) (P) and 09-13, which were filed in this office on January 22, 2009.

As requested, one date stamped copy is being returned for your records.

Sincerely,

Liz Cloud
Program Administrator

LC/srd
Enclosure

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
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