MANATEE COUNTY ZONING ORDINANCE
PDMU-99-02(P)(R2)
RIVER CLUB PARK OF COMMERCE, PHASES 2 & 5

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, APPROVING AND AMENDING ZONING ORDINANCE PDMU-99-02(P), REVISED PRELIMINARY SITE PLAN, AMENDING STIPULATION K.2.c. ELIMINATING AN 8' HIGH WALL, AND SUBSTITUTE WITH ENHANCED LANDSCAPING IN AN AREA WHERE THE WALL WAS TO BE CONSTRUCTED AND EXTENDING THE BUILD OUT DATE AND EXPIRATION DATE PURSUANT TO EXTENSIONS GRANTED WITH SENATE BILL (SB) 380.06 (19)b(14)c, HOUSE BILL 7207 AND 252.363 FLORIDA STATUTES AT RIVER CLUB PARK OF COMMERCE ON APPROXIMATELY 69.78± ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF I-75 AND SR 70, EXTENDING SOUTH TO LINGER LODGE ROAD AND EAST TO BRADEN WOODS; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. Ordinance PDMU-99-02(P) is hereby amended regarding a stipulation pertaining to buffer requirements and with regard to extension of the build out and expiration dates. All stipulations hereby not hereby amended by this ordinance shall remain in full force and effect as previously approved in PDMU-99-02(P) and PDMU-99-02(P)(R).

SECTION 2. FINDINGS OF FACT. The Board of County Commissioners, after considering the testimony, evidence, documentation, application for approval of revised stipulations, and 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 held a duly noticed public hearing on June 7, 2012 regarding the application for amendment to stipulation K.2.c. described herein in accordance with the requirements of Manatee County Ordinance No. 90-01, (the Manatee County Land Development Code), and has further considered information received at the public hearing.

B. The amendment to stipulation K.2.c. regarding the property described in Section "5" herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the 2020 Manatee County Comprehensive Plan.

SECTION 3. The Board of County Commissioners finds that the public purpose of the LDC regulations is satisfied by the proposed enhanced landscape design in lieu of an 8' high wall because adequate provisions have been taken to promote and enhance aesthetic quality and appearance and to preserve natural beauty in this area. Therefore, the Board hereby amends stipulation K.2.c. to read as follows:
K. GENERAL CONDITIONS

2. Buffers and Fences

c. An enhanced landscape plan will be planted north from the borrow pit to where the main internal roadway crosses the FP&L easement prior to the second Certificate of Occupancy for the Project. The landscape plan shall be in strict conformance with the Landscape Plan submitted by Stewart Washmuth dated April 6, 2012 attached hereto as Exhibit A.

SECTION 4. Pursuant to extensions granted with House Bill 7207 and Chapter 252.363, Florida Statutes, the expiration date of the project is extended to August 9, 2015.

SECTION 5. LEGAL DESCRIPTION.

PARCEL 1

THAT PORTION OF SECTION 13, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF RANCH LAKE PLAZA, AS RECORDED IN PLAT BOOK 37, PAGES 1 – 6, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE FUN N 01°11'43" E ALONG THE WESTERLY LINE OF SAID RANCH LAKE PLAZA, 685.74 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 70; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: 1) S 19°39'57" W, 12.41 FEET; 2) N 70°20'03" W, 16.51 FEET TO THE POINT OF BEGINNING; THENCE S 19°39'57" W, 267.45 FEET; THENCE ALONG A CURVE TO THE RIGHT, CONCAVE NORTHWEST HAVING A RADIUS OF 258.00 FEET, AN ARC OF 203.14 FEET, CHORD BEARING S 42°13'20" W, 197.93 FEET; THENCE S 64°46'42" W, 7.71 FEET; THENCE ALONG A CURVE TO THE LEFT, CONCAVE SOUTHEAST HAVING A RADIUS OF 342.00 FEET, AN ARC OF 383.04 FEET, CHORD BEARING S 32°41'33" W, 363.33 FEET; THENCE S 00°36'23" W, 140.10 FEET; THENCE ALONG A CURVE TO THE RIGHT, CONCAVE NORTHWEST HAVING A RADIUS OF 258.00 FEET, AN ARC OF 396.78 FEET, CHORD BEARING S 44°39'50" W, 358.82 FEET; THENCE S 88°43'17" W, 989.64 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 93 (I-75); THENCE ALONG SAID EASTERN RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: 1) N 03°12'44" E, 364.42 FEET; 2) ALONG A CURVE TO THE RIGHT, CONCAVE SOUTHEAST, HAVING A RADIUS OF 5635.58 FEET, AN ARC OF 951.38 FEET; CHORD BEARING N 09°44'51" E, 950.25 FEET; 3) N 37°47'42" E, 221.34 FEET; 4) N 84°10'55" E, 221.34 FEET; 5) S 72°37'29" E, 748.74 FEET; 6) S 70°20'03" E, 443.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 41.38 ACRES MORE OR LESS

PARCEL 2:

THAT PORTION OF SECTIONS 13 & 24, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF RANCH LAKE PLAZA, AS RECORDED IN PLAT BOOK 37, PAGES 1 – 6 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, ALSO BEING THE NORTHWEST CORNER OF LOT 554, BRADEN WOODS SUBDIVISION,
PHASE V, AS RECORDED IN PLAT BOOK 22, PAGES 97 – 106 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE RUN ALONG THE WESTERNLY BOUNDARY OF SAID BRADEN WOODS SUBDIVISION THE FOLLOWING FOUR (4) COURSES: 1.) N 70°20'03" W, 30.00 FEET; 2.) S 28°55'06" W, 464.42 FEET; 3.) S 01°11'43" W, 1,286.17 FEET; 4.) S 00°36'23" W, 231.86 FEET; THENCE N 89°23'37" W, 275.00 FEET; THENCE N 74°33'00" W, 314.69 FEET; THENCE N 02°11'41" W, 1,315.98 FEET; THENCE N 88°43'17" E, 227.38 FEET; THENCE ALONG A CURVE TO THE LEFT, CONCAVE NORTHWEST HAVING A RADIUS OF 342.00 FEET, AN ARC OF 535.96 FEET, CHORD BEARING N 44°39'50" E,475.64 FEET;THENCE N 00°36'23" E, 140.10 FEET; THENCE ALONG A CURVE TO THE RIGHT, CONCAVE SOUTHEAST HAVING A RADIUS OF 258.00 FEET, AN ARC OF 288.96 FEET, CHORD BEARING N 32°41'33" E, 274.09 FEET; THENCE N 64°46'42" E, 7.71 FEET; THENCE ALONG A CURVE TO THE LEFT, CONCAVE NORTHWEST HAVING A RADIUS OF 342.00 FEET, AN ARC OF 240.93 FEET, CHORD BEARING N 44°35'35" E, 235.98 FEET; THENCE ALONG A REVERSE CURVE TO THE RIGHT, CONCAVE SOUTHEAST HAVING A RADIUS OF 28.10 FEET, AN ARC OF 41.81 FEET, CHORD BEARING N 67°02'33" E, 38.06 FEET TO THE WESTERNLY BOUNDARY LINE OF AFORESAID RANCH LAKE PLAZA; THENCE ALONG SAID WESTERLY LINE S 01°11'43" W, 388.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 23.99 ACRES MORE OR LESS

CONTAININ IN PARCELS 1 & 2, TOTALING 69.78 ACRES MORE OR LESS.

SECTION 6. 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 WITH A QUORUM PRESENT AND VOTING BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA THIS 7TH DAY OF JUNE, 2012.

BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA

By: John R. Chappie, Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

By: Deputy Clerk
EXHIBIT A

ENHANCED LANDSCAPE PLAN
RIVER CLUB PARK OF COMMERCE
MINOR MODIFICATION – EAST BUFFER ADDENDUM

FINAL LANDSCAPE PLANS
SECTION 13, TOWNSHIP 35 SOUTH, RANGE 18 EAST

Developed by:
Casvay River Club, LLC
401 North Cattlemen Road
Sarasota, Florida 34232

INDEX OF DRAWINGS

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ISSUE DATE: 05/20/05
REVISION #1: 08/11/05
REVISION #2: 08/05/05
REVISION #3: 03/01/05 – CHANGES ON ALL SHEETS
REVISION #4: 06/01/05 – ADDENDUM SHEETS LA13 & IR16
June 19, 2012

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

Attention: Ms. Nancy Harris, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated June 12, 2012 and certified copies of Manatee County Ordinance Nos. PDR-11-09 (Z)(P), PDMU-11-13(G), PDR-12-02 (P), PDMU-99-02(P)(R2), 12-16 and PDMU-99-02 (G)(R5), which were filed in this office on June 18, 2012.

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

Sincerely,

[Signature]

Liz Cloud
Program Administrator

LC/srd

Enclosure