

**MANATEE COUNTY ORDINANCE
PDR-14-14(P)(R) – SUMMERWOODS – PH I, II, &, III
PLN1804-0093**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; TO AMEND ORDINANCE PDR-14-14(P)(R) TO APPROVE A REVISED PRELIMINARY SITE PLAN; THE REVISION IS TO ALTER THE ACCESS POINTS OF THE DEVELOPMENT; ADD A PEDESTRIAN ACCESS; AND ADD AN INTERNAL GATE; SAID PRELIMINARY SITE PLAN PERTAINS TO 268.14± ACRES OF PROPERTY LOCATED ON THE SOUTHERN SIDE OF MOCCASIN WALLOW ROAD, WEST OF 115TH AVE E, AND APPROXIMATELY 3 MILES EAST OF I-75, PALMETTO (MANATEE COUNTY) IN THE PDR (PLANNED DEVELOPMENT RESIDENTIAL) ZONING DISTRICT; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, VK Summerwoods, LLC (the “Applicant”) filed an application to approve a revised Preliminary Site Plan to alter the access points of the development; add a pedestrian access; and add an internal gate pertaining to 268.14± acres as described in Exhibit “A”, attached hereto, (the “Property”); and

WHEREAS, the applicant also filed a request for previously granted Special Approvals for a project: 1) in the UF-3 FLUC with a gross residential density exceeding one (1) dwelling unit per acre and 2) adjacent to a perennial lake or stream; and

WHEREAS, the applicant also filed a request for a Specific Approval for an alternative to Section 1001.1.C.3 of the Land Development Code (secondary access requirements) and previously approved Specific Approval for alternative to Land Development Code Section 403.12.D.3.k (North Central Overlay accessory setbacks); and

WHEREAS, the Building and Development Services Department staff recommended approval of the revised Preliminary Site Plan, Special Approval and Specific Approval Applications; and

WHEREAS, the Board of County Commissioners held a duly noticed public hearing on December 6, 2018 to consider the revised Preliminary Site Plan, Special Approval and Specific Approval Applications; and

WHEREAS, the Board of County Commissioners, upon receiving the staff report and public testimony and evidence at the public hearing, found and determined that the applications were consistent with the Manatee County Comprehensive Plan.

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 a revised ordinance, the recommendation and findings of staff, 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 has received and considered the report of the Manatee County Building and Development Services Staff concerning the application for revised Preliminary Site Plan as it relates to the real property described in Exhibit “A” of this Ordinance.

B. The Board of County Commissioners held a duly noticed public hearing on December 6, 2018, regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of Manatee County Ordinance No. 15-17, the Manatee County Land Development Code, and further considered the information received at said public hearing.

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

D. For the purposes of granting Special Approval, the Board found 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 requirements of Land Development Code section 1001, the Board finds that the purpose of the LDC regulations is satisfied to an equivalent degree by the proposed design because of the unique locations of project relative to major roadways and because appropriate access points will be provided relative to the number of residential dwelling units constructed.

F. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 403.12.D.3.k [previously numbered 604.10.3.3.(k)], the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree, as providing a wider roadway and greenbelt buffer in the location of the reduction of the setback and the stipulation provided will require planting of the trees with enough separation and from rear lot lines to allow for no conflicts within the adjacent lots, between tree canopies and structures at the reduced setback distance.

Section 2. REVISED PRELIMINARY SITE PLAN. The revised Preliminary Site Plan is hereby approved to alter the access points of the development; add a pedestrian access; and add an internal gate, upon the property subject to the following Stipulations:

STIPULATIONS

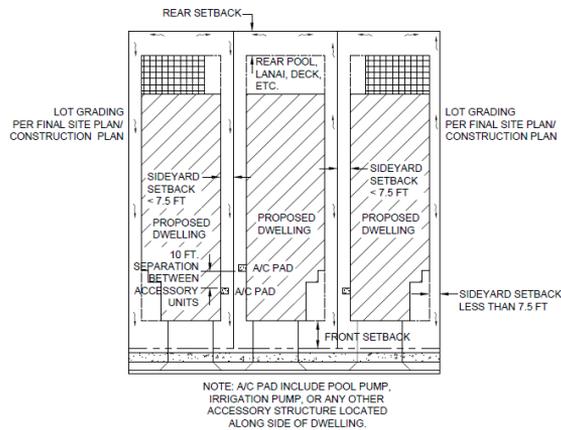
A. INFRASTRUCTURE STIPULATIONS

1. The project will be required to connect to Central Potable Water and Sanitary Sewer at the developer’s expense.
2. The sewer and reclaim tie-in points and transmission lines shall be in accordance with the current version of the applicable master plan for that system.
3. The locations of the potable water and wastewater facilities shown on the Preliminary Site Plan are considered to be conceptual only. The actual locations of these facilities shall be finalized during the Construction Plan review process.
4. Connection to the County potable water and wastewater systems is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the design, permitting and construction of off-site extensions of lines, shall be the responsibility of the Applicant. Such off-site extension shall be designed and constructed in accordance with the appropriate County Master Plan. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by the County Engineer through the construction plans review process for the project.

B. STORMWATER STIPULATIONS

1. The applicant is hereby noticed that all building construction will be reviewed based on a delineation of the floodplain, as shown on the 2014 FIRM. If the applicant proposes to formally revise the 100-year floodplain, a Letter of Map Revision (OMR) must be approved by FEMA prior to Final Site Plan approval.

2. All fill within the 100-year floodplain shall be compensated by the creation of an equal or greater storage volume above seasonal high water table. The 100-year compensation shall be compensated in sole use compensation areas not dual use facilities (i.e., stormwater attenuation and floodplain compensation), except as provided below. The applicant must demonstrate one of the following:
 - The available storage volume above the 25-year Design High Water Level of any proposed compensation requirement; or
 - Provide a stormwater routing model that utilizes reverse flow into the on-site lakes during a 100-year, 24-hour storm event. The volume of stormwater that backfeeds into the on-site lakes will be credited as floodplain compensation volume; or
 - Provide a stormwater routing model which utilizes adopted watershed studies to demonstrate, in post-development condition, that no adverse impacts are created within the watershed with respect to flood stages, volume, or flow rates associated with the 100-year storm event.
3. The Engineer of Record will have the option of submitting a watershed analysis that would demonstrate an alternative stormwater design that would create no adverse impacts to the watershed with respect to staging and flow rates; or the Engineer of Record shall demonstrate, through modeling, a 50% peak rate reduction for the project.
 - If the watershed approach is utilized, it shall utilize the Buffalo Canal Watershed Study to create and analyze pre- versus post-development condition;
 - If the EOR chooses the peak rate reduction option, the reduction shall only apply to the internal subdivision roadway system and the residential lots. Over-attenuation is not required on open-space areas, upland preservation areas, wetlands and their buffers, and landscape buffers. Attenuation is not required on the stormwater flows that discharge onto and through this property from adjacent roadways, subdivisions, and properties.
4. A Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plat along Buffalo Canal/Creek within the project boundaries. In addition, a twenty (20) foot Drainage-Maintenance Access Easement shall be provided along Buffalo Canal/Creek. The Drainage-Maintenance Access Easements may be inclusive of the perimeter Landscape Buffer such that a minimum of 15 feet is clear of proposed trees. Existing vegetation shall not be removed to provide access to or along this easement. Manatee County is responsible only for maintaining the free flow of drainage through these systems.
5. A Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plat along all drainage conveyance systems between Moccasin Wallow Road and Buffalo Canal/Creek within the project boundaries. In addition, a twenty (20) foot Drainage-Maintenance Access Easement shall be provided along at least one side of these drainage systems. The Drainage-Maintenance Access Easements may be inclusive of the perimeter Landscape Buffer such that a minimum of 15 feet is clear of proposed trees. Existing vegetation shall not be removed to provide access to or along this easement. Manatee County is responsible only for maintaining the free flow of drainage through these systems.
6. Ten (10) feet separation shall be provided between accessory structures (i.e., Heat Pumps, A/C Handlers, pool pumps, etc.) along the side yards of properties with a side yard setback of less than 7.5 feet.



C. ENVIRONMENTAL STIPULATIONS

1. For landscape buffers adjacent to residential units, canopy trees shall be planted midway from the edge of the buffer (i.e. 10' in a 20' buffer or 25' in a 50' buffer). Understory or columnar form trees may be planted within 15' of an accessory structure if, at time of Final Site Plan, it is determined that the species utilized are likely to minimize conflicts with accessory structures.
2. A Conservation Easement for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas that will serve as wetland mitigation areas shall be dedicated to Manatee County prior to, or concurrent with, Final Plat approval or Certificate of Occupancy or Certificate of Completion issuance.
3. The development shall provide an updated study, consistent with Policy 3.3.2.3 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to Final Site Plan approval. A Management Plan, approved by the appropriate State or federal agency, shall be provided to the Environmental Planning Section of Building and Development Services for any listed species found on-site, prior to Final Site Plan approval.
4. No lots shall be platted through post-development wetlands, wetland buffers, or upland preservation areas.
5. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the Environmental Planning Division 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); and
 - The final disposition of the well – used, capped, or plugged.
6. The project shall be in compliance with the landscaping requirements of the North Central Overlay district, with the exception of any Specific Approvals granted with this project. This shall be demonstrated with the Final Site Plan.

D. PUBLIC WORKS STIPULATIONS

1. Construct an eastbound (EB) right-turn lane (queue length 230 feet + 185 feet deceleration & taper) at Moccasin Wallow Road and the main project driveway.
2. Construct a westbound (WB) left-turn lane (queue length 300 feet + 1856 feet deceleration and taper) at Moccasin Wallow Road and the main project driveway.

3. A paved and stabilized emergency access that is a minimum of 20 feet in width shall be provided at terminus of the cul-de-sac located in the northeast corner of the overall development, also known as Day Break Trail.
4. The western emergency access will remain as a temporary, stabilized access, unless future connections are unavailable at the time Phase 2 commences, at which time this access shall be converted to a permanent, fully functioning right-in/right-out access point for the development.
5. Abandoned septic tanks shall be pumped out, bottoms ruptured, and filled with clean sand or other suitable material. A permit is required from FL Department of Health unless work is approved by County Public Works.

E. NOTICES

1. A Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, in a separate addendum to the sales contract, and in the Final Site. The Notice to Buyers shall include language informing prospective home buyers of the following:
 - a. The potential uses associated with adjacent agriculture zoning may have a negative impact on residences (e.g., noise and odor); and
 - b. Portions of the site are in the 100- and 25-year floodplains.

Section 3. SPECIAL AND SPECIFIC APPROVALS. Special Approval is hereby granted for a project previously granted Special Approvals for a project: 1) in the UF-3 FLUC with a gross residential density exceeding one (1) dwelling unit per acre and 2) adjacent to a perennial lake or stream. The Special Approval shall continue in effect and shall expire concurrent with the Revised Preliminary Site Plan for the project approved pursuant to Section 2 hereof. Specific Approval is hereby granted for an alternative to Land Development Code Section 1001.1.C.3 (secondary access requirements) and restating a previously granted Specific Approval of an alternative to Land Development Code Section 403.12.D.3.k (previously numbered 604.10.3.3) (North Central Overlay accessory setbacks). The Specific Approval shall continue in effect and shall expire concurrent with the Revised Preliminary Site Plan for the project approved pursuant to Section 2 hereof.

Section 4. 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 5. 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 6. STATE AND FEDERAL PERMITTING. The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

Section 7. 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 6th day of December, 2018.

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

BY: _____
Priscilla Trace, Chairman

**ATTEST: ANGELINA COLONNESO
 Clerk of the Circuit Court**

BY: _____
Deputy Clerk

EXHIBIT "A"
LEGAL DESCRIPTION

EXHIBIT A

PARCEL 1

DESCRIPTION Part of MANATEE RIVER FARMS UNIT NO. 1, according to the plat thereof, recorded in Plat Book 6, Page 45, of the Public Records of Manatee County, Florida, lying in Section 19, Township 33 South, Range 19 East; Together with lands lying in Section 24, Township 33 South, Range 18 East, Manatee County, Florida, and being more particularly described as follows:

COMMENCE at the Center 1/4 corner of said Section 24, run thence along the North boundary of the Southeast 1/4 of said Section 24, the following two (2) courses: 1) S.89°43'11"E., a distance of 1818.37 feet to the POINT OF BEGINNING; 2) continue S.89°43'11"E., a distance of 239.57 feet to the South right of way line of Moccasin Wallow Road, according to Official Records Book 2633, Page 5780, of the Public Records of Manatee County, Florida; thence along said South right of way line, the following two (2) courses: 1) Easterly, 614.53 feet along the arc of a non-tangent curve to the left having a radius of 2939.93 feet and a central angle of 11°58'35" (chord bearing S.83°09'10"E., 613.41 feet); 2) S.89°08'28"E., a distance of 1987.57 feet to a point on the East boundary of Parcel C, according to Official Records Book 2496, Page 3206, of the Public Records of Manatee County, Florida; thence along said East boundary of Parcel C, S.00°10'54"E., a distance of 1748.28 feet to a point on the Centerline of Buffalo Canal, said point also being the North boundary of COPPERSTONE, PHASE 1, according to the plat thereof, recorded in Plat book 51, Page 178, of the Public Records of Manatee County, Florida; thence along said Centerline of Buffalo, the following four (4) courses: 1) along aforesaid North boundary of COPPERSTONE PHASE I, S.89°59'36"W, a distance of 2711.69 feet to the Northwest corner of said COPPERSTONE PHASE I; 2) S.89°56'55"W, a distance of 562.20 feet; 3) Westerly, 265.42 feet along the arc of a tangent curve to the right having a radius of 600.00 feet and a central angle of 25°20'44" {chord bearing N.77°22'43"W., 263.26 feet); 4) N.64°42'22"W., a distance of 418.37 feet; thence N.04°13'09"E., a distance of 185.50 feet; thence N.15°59'06"E., a distance of 74.94 feet; thence Easterly, 49.55 feet along the arc of a non-tangent curve to the right having a radius of 1160.00 feet and a central angle of 02°26'51" {chord bearing S.74°18'25"E., 49.55 feet); thence Easterly, 238.08 feet along the arc of a reverse curve to the left having a radius of 640.00 feet and a central angle of 21°18'51" (chord bearing S.83°44'25"E., 236.71 feet); thence Southeastly, 433.57 feet along the arc of a non tangent curve to the left having a radius of 46500 feet and a central angle of 53°25'21" (chord bearing S.54°18'16"E., 418.03 feet); thence Easterly, 1001.56 feet along the arc of a compound curve to the left having a radius of 1640.00 feet and a central angle of 34°59'28" {chord bearing N.81°29'19"E., 986.07 feet); thence N.26°00'24"W, a distance of 115.00 feet; thence Southwesterly, 35.41 feet along the arc of a non-tangent curve to the right having a radius of 1525.00 feet and a central angle of 01°19'50" {chord bearing S.64°39'30"W., 35.41 feet); thence N.24°40'35"W., a distance of 200.00 feet; thence S.66°21'42"W., a distance of 48.01 feet; thence S.68°44'57"W, a distance of 62.41 feet; thence S.71°26'53"W., a distance of 62.41 feet; thence S.73°50'09"W, a distance of 48.01 feet; thence S.74°00'27"W., a distance of 48.06 feet; thence N.07°57'27"E., a distance of 47.19 feet; thence N.11°34'59"E., a distance of 34.18 feet; thence N.15°06'20"E., a distance of 36.51 feet; thence N.18°44'39"E., a distance of 36.51 feet; thence N.22°21'00"E., a distance of 37.41 feet; thence N.21°15'14"E., a distance of 49.12 feet; thence N.17°13'57"E., a distance of 49.12

feet; thence N.12°42'30"E. a distance of 61.39 feet; thence N.05°09'09"E. a distance of 109.16 feet; thence N.60°05'18"E., a distance of 38.64 feet; thence N.48°17'32"E., a distance of 72.03 feet; thence N.39°32'36"E., a distance of 57.63 feet; thence N.31°46'06"E., a distance of 57.63 feet; thence N.22°35'39"E.. a distance of 79.25 feet; thence N 05°01'28"E., a distance of 240.06 feet; thence N.85°23'05"W.. a distance of 141.61 feet; thence S.04°36'55"W., a distance of 28.81 feet; thence N.85°23'05"W., a distance of 50.00 feet; thence S.04°36'55"W., a distance of 118.75 feet; thence Southwesterly, 144.40 feet along the arc of a tangent curve to the right having a radius of 225.00 feet and a central angle of 36°46'14" (chord bearing S.23°00'02"W., 141.93 feet); thence N.54°51'47"W., a distance of 240.74 feet thence N.00°00'00"E.. a distance of 520.33 feet to the **POINT OF BEGINNING**

Containing 113.075 acres, more or less.

PARCEL 2

DESCRIPTION: A parcel of land lying in Section 24, Township 33 South, Range 18 East, Manatee County, Florida, and being more particularly described as follows:

COMMENCE at the Center 1/4 corner of said Section 24, run thence along the North boundary of the Southeast 1/4 of said Section 24, the following two (2) courses: 1) S.89°43'11"E., a distance of 519.00 feet to the **POINT OF BEGINNING**; 2) S.89°43'11"E., a distance of 1299.37 feet; thence S.00°00'00"W., a distance of 520.33 feet; thence S.54°51'47"E., a distance of 240.74 feet; thence Northeastly, 144.40 feet along the arc of a non-tangent curve to the left having a radius of 225.00 feet and a central angle of 36°46'14" (chord bearing N.23°00'02"E., 141.93 feet); thence N.04°36'55"E., a distance of 118.75 feet; thence S.85°23'05"E. a distance of 50.00 feet; thence N.04°36'55"E., a distance of 28.81 feet; thence S.85°23'05"E., a distance of 141.61 feet; thence S.05°01'28"W., a distance of 240.06 feet; thence S.22°35'39"W., a distance of 79.25 feet; thence S.31°46'06"W., a distance of 57.63 feet; thence S.39°32'36"W.. a distance of 57.63 feet; thence S.48°17'32"W., a distance of 72.03 feet; thence S.60°05'18"W., a distance of 38.64 feet; thence S.05°09'09"W., a distance of 109.16 feet; thence S.12°42'30"W a distance of 61.39 feet; thence S.17°13'57"W., a distance of 49.12 feet; thence S.21°15'14"W., a distance of 49.12 feet; thence S.22°21'00"W., a distance of 37.41 feet; thence S.18°44'39"W., a distance of 36.51 feet; thence S.15°06'20"W., a distance of 36.51 feet; thence S.11°34'59"W., a distance of 34.18 feet; thence S.07°57'27"W., a distance of 47.19 feet; thence N 74°00'27"E., a distance of 48.06 feet; thence N.73°50'09"E., a distance of 48.01 feet; thence N.71°26'53"E., a distance of 62.41 feet; thence N.68°44'57"E., a distance of 62.41 feet; thence N.66°21'42"E.. a distance of 48.01 feet; thence S.24°40'35"E., a distance of 200.00 feet; thence Northeasterly 35.41 feet along the arc of a non-tangent curve to the left having a radius of 1525.00 feet and a central angle of 01°19'50" (chord bearing N.64°39'30"E., 35.41 feet); thence S.26°00'24"E., a distance of 115.00 feet; thence Westerly, 1001.56 feet along the arc of a non-tangent curve to the right having a radius of 1640.00 feet and a central angle of 34°59'28" (chord bearing S.81°29'19"W., 986.07 feet); thence Northwesterly, 433.57 feet along the arc of a compound curve to the right having a radius of 465.00 feet and a central angle of 53°25'21" (chord bearing N.54°18'16"W., 418.03 feet); thence Westerly, 238.08 feet along the arc of a non-tangent curve to the right having a radius of 640.00 feet and a central angle of 21°18'51" (chord bearing N.83°44'25"W., 236.71 feet); thence Westerly, 49.55 feet along the arc of a reverse curve to the left having a radius of 1160.00 feet and a central angle

of 02°26'51" (chord bearing N.74°18'25"W., 49.55 feet); thence S.15°59'06"W., a distance of 74.94 feet; thence S.04°13'09"W., a distance of 185.50 feet to the centerline of Buffalo Canal; thence along said centerline of Buffalo Canal, the following three (3) courses: 1) N.64°42'22"W., a distance of 29.96 feet; 2) Westerly, 125.15 feet along the arc of a tangent curve to the left having a radius of 175.00 feet and a central angle of 40°58'26" (chord bearing N.85°11'35"W , 122.50 feet); 3) S.74°19'12"W., a distance of 647.25 feet to the West boundary of aforesaid Southeast 1/4 of Section 24; thence along said West boundary, N.00°41'37"E , a distance of 426.67 feet; thence S.89°18'23"E., a distance of 280.81 feet; thence N.83°54'04"E., a distance of 209.27 feet; thence N.01°07'21"W., a distance of 115.00 feet; thence N.18°45'49"W., a distance of 52.37 feet; thence N.01°48'32"W., a distance of 115.00 feet; thence Westerly, 118.26 feet along the arc of a non-tangent curve to the left having a radius of 1440.00 feet and a central angle of 04°42'20" (chord bearing S 85°50'18"W., 118.23 feet); thence Westerly, 42.10 feet along the arc of a reverse curve to the right having a radius of 360.00 feet and a central angle of 06°42'00" (chord bearing S.86°50'09"W., 42.07 feet); thence N.89°48'51"W., a distance of 302.73 feet to aforesaid West boundary of the Southeast 1/4 of Section 24; thence N.00°41'37"E., a distance of 727.17 feet; thence S.89°43'08"E., a distance of 209.35 feet; thence Southeasterly, 712.13 feet along the arc of a non-tangent curve to the left having a radius of 465.00 feet and a central angle of 87°44'48" (chord bearing S.55°10'56"E., 644.55 feet); thence N.09°03'20"W., a distance of 115.00 feet; thence N.41°11'23"E., a distance of 85.27 feet; thence N.13°58'13"W., a distance of 136.74 feet; thence N.82°02'13"W., a distance of 153.36 feet; thence N.39°21'05"W., a distance of 89.19 feet; thence N.09°11'58"W., a distance of 181.07 feet; thence N.16°44'56"W., a distance of 56.88 feet; thence **N 26°01'51"E** , a distance of 75.84 feet to the **POINT OF BEGINNING**.

Containing 65.638 acres, more or less.

PARCEL 3

DESCRIPTION: A parcel of land lying in Section 24, Township 33 South, Range 18 East, Manatee County, Florida, and being more particularly described as follows:

BEGIN at the Center 1/4 corner of said Section 24, run thence along the North boundary of the Southeast 1/4 of said Section 24, S.89°43'11"E., a distance of 519.00 feet; thence S.26°01'51"W., a distance of 75.84 feet; thence S.16°44'56"E., a distance of 56.88 feet; thence S 09°11'58"E., a distance of 181.07 feet; thence S.39°21'05"E., a distance of 89.19 feet; thence S.82°02'13"E , a distance of 153.36 feet; thence S.13°58'13"E., a distance of 136.74 feet; thence S.41°11'23"W., a distance of 85.27 feet; thence S.09°03'20"E., a distance of 115.00 feet; thence Northwesterly, 712.13 feet along the arc of a non-tangent curve to the right having a radius of 465.00 feet and a central angle of 87°44'48" (chord bearing N.55°10'56"W., 644.55 feet); thence N.89°43'08"W., a distance of 209.35 feet; thence S.00°41'37"W., a distance of 727.17 feet; thence S.89°48'51"E., a distance of 302.73 feet; thence Easterly, 42.10 feet along the arc of a tangent curve to the left having a radius of 360.00 feet and a central angle of 06°42'00" (chord bearing N.86°50'09"E., 42.07 feet); thence Easterly, 118.26 feet along the arc of a reverse curve to the right having a radius of 1440.00 feet and a central angle of 04°42'20" (chord bearing N.85°50'18"E., 118.23 feet); thence S.01°48'32"E., a distance of 115.00 feet; thence

S.18°45'49"E., a distance of 52.37 feet; thence S.01°07'21"E., a distance of 115.00 feet; thence S.83°54'04"W., a distance of 209.27 feet; thence N.89°18'23"W., a distance of 280.81 feet to the West boundary of aforesaid Southeast 1/4 of Section 24; thence along said West boundary of the Southeast 1/4 of Section 24, N.00°41'37"E., a distance of 43.18 feet to the Southeast corner of the North 1/2 of the Southwest 1/4 of said Section 24; thence along the South boundary of said North 1/2 of the Southwest 1/4 of Section 24, N.89°08'46"W., a distance of 2465.39 feet to the East boundary of a 120-foot Manatee County Right of Way, recorded in Official Records Book 2633, Page 5780, of the Public Records of Manatee County, Florida; thence along said East boundary, N.00°39'29"E., a distance of 1279.27 feet to the North boundary of aforesaid Southwest 1/4 of Section 24; thence along said North boundary, S.89°48'45"E., a distance of 2466.27 feet to the POINT OF BEGINNING.

Containing 83.778 acres, more or less.

LESS AND EXCEPT: A 120-foot Manatee County Right of Way recorded in Official Records Book 2633, Page 5780, of the Public Records of Manatee County, Florida, and being more particularly described as:

DESCRIPTION: The West 120.00 feet of the North *1n* of the Southwest 1/4 of Section 24, Township 33 South, Range 18 East, Manatee County, Florida.

D. TOGETHER WITH:

Tract 170I, Copperstone, Phase I, a subdivision, as per plat thereof recorded in Plat Book SI, Page 178, of the Public Records of Manatee County, Florida.

E. TOGETHER WITH:

PARCEL D (NON-EXCLUSIVE EASEMENT ESTATE)

A NON-EXCLUSIVE PERPETUAL SANITARY SEWER EASEMENT, AS SET FORTH IN OFFICIAL RECORDS BOOK 2305, PAGE 2330, AND JOINDER AND GRANT OF NON EXCLUSIVE, PERPETUAL SANITARY SEWER EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 2308, PAGE 6631, AND REAFFIRMED BY REAFFIRMATION AND CONVEYANCE OF EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 2411, PAGE 1961, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND DESCRIBED AS FOLLOWS:

A UTILITY EASEMENT LYING IN SECTION 19, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; DESCRIBED AS FOLLOWS:

COMMENCE AT A 1" AXLE FOUND MARKING THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 33 SOUTH, RANGE 19 EAST; THENCE N. 82 DEGREES 59'08" W., A DISTANCE OF 4038.43 FEET FOR A POINT OF BEGINNING; THENCE S. 89 DEGREES 59'48" W., A DISTANCE OF 20.00 FEET; THENCE N. 00 DEGREES 00'00"E., A DISTANCE OF 10.00 FEET TO A POINT ON THE CENTERLINE OF BUFFALO CANAL AND

THE NORTHERLY LINE OF TRACT 1608 COPPERSTONE PHASE I; THENCE N. 89 DEGREES 59'48" E., ALONG SAID NORTHERLY LINE, A DISTANCE OF 20.00 FEET; THENCE LEAVING SAID NORTHERLY LINE, S. 00 DEGREES 00'00" E., A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING

F. TOGETHER WITH:

A NON-EXCLUSIVE PERPETUAL SECONDARY ACCESS EASEMENT AGREEMENT, AS SET FORTH IN OFFICIAL RECORDS BOOK 2305, PAGE 2343, AND JOINDER AND GRANT OF NON-EXCLUSIVE, ACCESS EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 2307, PAGE 3141, AND REAFFIRMED BY REAFFIRMATION AND CONVEYANCE OF EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 2411, PAGE 1959, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA AND DESCRIBED AS FOLLOWS:

A UTILITY AND ACCESS EASEMENT LYING IN SECTION 19, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; DESCRIBED AS FOLLOWS:

COMMENCE AT A 1" AXLE FOUND MARKING THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 33 SOUTH, RANGE 19 EAST; THENCE N. 60 DEGREES 26'49" W., A DISTANCE OF 3,547.19 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF 115TH AVENUE EAST AND THE POINT OF BEGINNING; THENCE N. 14 DEGREES 20'00" W., A DISTANCE OF 39.60 FEET; THENCE N. 59 DEGREES 20'00" W., A DISTANCE OF 70.14 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 275.00 FEET, A CENTRAL ANGLE OF 29 DEGREES 10'17", A CHORD BEARING OF N. 73 DEGREES 55'09" W., AND A CHORD LENGTH OF 138.51 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 140.01 FEET; THENCE N. 88 DEGREES 30'17" W., A DISTANCE OF 13.52 FEET TO A POINT ON THE WESTERLY LINE OF COPPERSTONE PHASE I; THENCE N. 00 DEGREES 10'19" W., ALONG SAID WESTERLY LINE, A DISTANCE OF 60.03 FEET; THENCE LEAVING SAID WESTERLY LINE, S. 88 DEGREES 30'17" E., A DISTANCE OF 15.27 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 335.00 FEET, A CENTRAL ANGLE OF 29 DEGREES 10'17", A CHORD BEARING OF S. 73 DEGREES 55'09" E., AND A CHORD LENGTH OF 168.72 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 170.56 FEET; THENCE S. 59 DEGREES 20'00" E., A DISTANCE OF 66.00 FEET; THENCE N. 75 DEGREES 40'00" E., A DISTANCE OF 45.46 FEET TO A POINT ON SAID WESTERLY RIGHT OF WAY LINE; THENCE S. 30 DEGREES 40'00" W., ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 120.14 FEET TO THE POINT OF BEGINNING.