# PLN1809-0094 - McMullin Creek Subdivision

**Menu**
*Help*

**File Date:** 09/07/2018

**Application Status:** In Review

**Application Type:** Subdivision Final Plat

**Application Detail:** Detail

**Description of Work:** 369 RV lots fka Bayside Lake RV parcels 2115000007; 2235000003; 2233900006; 2119600001; 2119700002

**Application Name:** McMullin Creek Subdivision

**Address:** 6200 BAYSHORE RD, PALMETTO, 34221

**Owner Name:** BAYSIDE LAKE RV LLC

**Owner Address:** 6547 N AVONDALE AVE, CHICAGO, IL 60631

**Parcel No:** 223500000000-2695284847

**Contact Info:**
- **Name:** BAYSIDE LAKE RV LLC
- **Contact Type:** Applicant
- **Organization Name:** Water Resource Associates
- **Contact Type:** Engineer
- **Contact Primary Address:** Mailing, 2917 NW 97th
- **Status:** Active
- **Contact Primary Address:** Mailing, 7976 Cooper C
- **Status:** Active
- **License Number:**
- **License Type:** Active

**Licensed Professionals Info:**
- **Primary:**
- **Business Name:**
- **Business License #:**

**Total Fee Assessed:** $10,890.00

**Balance:** $0.00

**Custom Fields:**
- **Subdivision Final Plat Major**
- **Type of Development:** Residential
- **Is Owner a Corporation or Trust?** Yes
- **Was there a Pre-Application Meeting?** No
- **Are there wetlands or native habitat in the project boundary?** No

**Location Information:**
- **Historic Status:** No
- **Historic Status Description:**
- **Water Provider:** County
- **Sewer Provider:** County
- **Roads:** Private

**Existing Land Use (This Parcel):**
- Residential
- Commercial
- Industrial
- Vacant
- Other

**Project Information:**
- **Type of Development:** Residential
- **Project Number:** PDRV-12-16/18-S-53(F)
- **Original/Related Case Number:** PDRV-12-16/ZJQ-PDRV-12-16/E5P17-70
- **Total Project Area:** 92.13
- **Number of Lots - Existing:**
- **Total Project Area Units:**
  - Number of Lots - Proposed: 305
  - Number of Residential Units - Existing: 0
  - Mylars Received: 0
  - Flood Zone Firm Panel: X, AE 1208100158E

https://av3.accela.com/portlets/web/en-us/#/spacev360/pln18090094
McMULLEN CREEK SUBDIVISION

A REPLAT OF LOTS 2 & 3 OF MEAD SMITH'S ADDITION TO HONIBONIA AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 60, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LIVING AND BEING IN SECTION 25, TOWNSHIP 33 SOUTH, RANGE 17 EAST, COUNTY OF MANATEE, STATE OF FLORIDA. STATE OF FLORIDA.

LEGAL DESCRIPTION
LOT 2 & 3, OF MEAD SMITH'S ADDITION TO HONIBONIA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 60, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, TOGETHER WITH THE RIGHT-OF-WAY FOR LINCOLN AVENUE AND ADJACENT TO SADDLE 10 TO SADDLE 7 & 8, AS SHOWN ON SADDLE PLAT, LIVING AND BEING IN SECTION 25, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA. THE ABOVE IS MORE PARTICULARLY DESCRIPTIVE AS FOLLOWS:


CONTAINING 370,671 SQUARE FEET OR 8.51 ACRES, MORE OR LESS.

CERTIFICATE OF APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS

STATE OF FLORIDA
COUNTY OF MANATEE

IT IS HEREBY CERTIFIED THAT THE PLAT HAS BEEN OFFICIALLY APPROVED FOR RECORD AND ALL OFFERS OF DEDICATION ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THIS ___ day of ___, 20__.

CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS

CERTIFICATE OF THE CLERK OF THE CIRCUIT COURT

STATE OF FLORIDA
COUNTY OF MANATEE

I, ANGELINA C. ZEWAJ, CLERK OF THE CIRCUIT COURT OF MANATEE COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND THAT IT CONFORMS IN FORM AND COPY TO ALL THE REQUIREMENTS OF THE STATUTES OF FLORIDA RELATING TO MAPS AND PLATS, AND THAT THIS PLAT HAS BEEN FILED FOR RECORD IN PLAT BOOK ___ PAGES THROUGH ___ PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, THIS ___ day of ___, 20__.

CLERK OF THE CIRCUIT COURT, MANATEE COUNTY, FLORIDA

CERTIFICATE OF APPROVAL OF THE COUNTY SURVEYOR

STATE OF FLORIDA
COUNTY OF MANATEE

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY WITH THE PLATING REQUIREMENTS OF CHAPTER 177, PART I OF THE FLORIDA STATUTES AND THE LAND DEVELOPMENT CODE OF MANATEE COUNTY, FLORIDA. THE GEOMETRIC DATA HAS NOT BEEN VERIFIED. SURVEYOR'S SEAL

DATE

CERTIFICATE OF SURVEY


DATE OF CERTIFICATION:

SURVEYOR'S SEAL
**RECEIPT**

**Record and Payer Information**

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<td>Desc. of Work</td>
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<tr>
<td>Property Address</td>
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<td>Owner</td>
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**Payment Detail**

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TITLE CERTIFICATION

SUBDIVISION NAME: Mead Smith's Addition to Rubonia (Plat Book 7 Page 60)

LEGAL DESCRIPTION: (Attach as Exhibit “A”)

I, Brian A. Block, Esq., the (Attorney-at-Law or Abstractor of Title Insurance Company) hereby confirm that apparent record title to the land described above and shown on Mead Smith's Addition to Rubonia (Plat Book 7 Page 60) (Subdivision Name) is in the name of Bayside Lake RV, LLC (Property Owner) the (person(s) (or organization) executing the offer of dedication appearing on the above plat. All property taxes have been paid on the land described as of the date of certification. All mortgagees or liens not satisfied or released of record are as follows:

MORTGAGEES: Branch Banking & Trust Company
Branch Banking & Trust Company
Branch Banking & Trust Company

OFFICIAL RECORD BOOK AND PAGE (S):
2725, 5592 (Mortgage)
2725, 5613 (Assignment of Leases & Rents)
2725, 5620 (UCC Financing Statement)

LIENS:
None

WITNESS my hand and official seal at Manatee County, Florida, this 29th day of
November 2018.

Signature
Brian Block
(Attorney or Abstractor)

Brian A. Block, Esq.
3921 NW 97th Blvd.
Gainsville, FL 32606

(Type Name, Title, Law Firm or Title Insurance Company and Address)
FL. Bar No. or FL Certificate
No. 351940
EXHIBIT A

DESCRIPTION:

LOTS 2 AND 3, OF MEAD SMITH'S ADDITION TO RUBONIA, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 60 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, TOGETHER WITH THE RIGHT-OF-WAY FOR LINCOLN AVENUE AND THAT PORTION OF THE RIGHT-OF-WAY FOR RUBONIA DRIVE LYING WEST OF AND ADJACENT TO SAID LOTS 2 AND 3, AS SHOWN ON SAID PLAT, LYING AND BEING IN SECTION 25, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


CONTAINING 370,581 SQUARE FEET OR 8.51 ACRES, MORE OR LESS.
MANATEE COUNTY PLANNING DEPARTMENT
AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION AFFIDAVIT

Property Owner (Company or individual) (print): Saylora Lake RV LLC
Mailing Address (print): 6547 North Avondale Avenue, Chicago, IL
Officer’s Name and Title (print): Mr. Edward Zeman, Manager

Being first duly sworn, deposes(s) and say(s):

1. That I am (we are) the owner’s and record title holder(s) of the following described property legal description, to wit: Parcel ID 2119730010, Parcel ID 2119500001, and Parcel ID 2119500007

2. That this property constitutes the property for which a request for Re-Plat of Mead Smith’s Addition to Rubonia (Plat Book 7 Page 60)

(TYPE of Application Approval Requested)
Is being applied for to Manatee County, Florida;

3. That the undersigned has (have) appointed and does (do) appoint Claudia Calle, P.E., WPA, LLC

________________________
as
agent(s) to execute any petitions or other documents necessary to affect such petition; and request that you accept my agent(s) signature as representing my agreement of all terms and conditions of the approval process;

4. That this affidavit has been executed to induce Manatee County, Florida to consider and act on the foregoing request;

5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

________________________
Owner’s Signature/Print Title

________________________
Owner’s Signature/Print Title

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 23rd day of August, 2018 by Edward C. Zeman, (name of person acknowledging) who is personally known to me or who has produced his driver’s license as identification.

My Commission Expires: 03.19.19

________________________
Signature of Person Taking Acknowledgment

________________________
Name

Administrative Assistant of Operations
Title of Rank

Rev 2/8/10 B2
CONCURRENcy CERTIFICATE OF LEVEL OF SERVICE COMPLIANCE
Public Works Department
Manatee County, Florida

Public facilities must serve land development adequately according to adopted level-of-service standards. This certificate verifies adequacy or exemption and will reserve impacts unless expired. It offers no other assurance, does not approve any development order and does not grant any development rights. It applies only to the identified proposed project and must accompany development order(s) for the project.

Date Issued: October 19, 2018  Expiration Date: October 19, 2021
Certificate Number: CLOS-18-077
Project Name: Bayside Lake RV Park
Project File No.: PDRV-12-16/FSP-17-76
Type of Development Order: Final Site Plan
Location: Sec.: 36  Twp.: 33  Range: 17
DP# See Application  Wastewater Treatment Plant: N  Land Acres: 92.13
Address: 6200 Bayshore Road, NCT

MUST THE DEVELOPMENT ORDER CONTAIN CONDITIONS AND AGREEMENTS TO ASSURE COMPLIANCE?
YES  NO  XX

APPROVAL:

This development complies with the Comprehensive Plan Concurrency requirements:

Approved by: Public Works Dept., Transportation Planning Division
(Traffic circulation, mass transit, drainage, solid waste, potable water, sanitary sewer)
* 389 RV Spaces, 12,000 sq. ft. community center, 800 sq. ft. restroom/laundry building, 2,400 sq. ft. maintenance building with all associated parking and infrastructure.
May 17, 2018

Bayside Lakes RV, LLC
Attn: Zeman Edward
6547 North Avondale Avenue
Chicago, IL 60631

Subject: Notice of Intended Agency Action - Approval ERP Individual Construction

Project Name: Bayside Lake RV
App ID/Permit No: 754168 / 43006443.002
County: Manatee
Sec/Twp/Rge: S25/T33S/R17E, S35/T33S/R17E

Dear Permittee(s):

The Southwest Florida Water Management District (District) has completed its review of the application for Environmental Resource Permit. Based upon a review of the information you have submitted, the District hereby gives notice of its intended approval of the application.

The File of Record associated with this application can be viewed at http://www18.sfwmd.state.fl.us/erp/erp/search/ERPSearch.aspx and is also available for inspection Monday through Friday, except for District holidays, from 8:00 a.m. through 5:00 p.m. at the District’s Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

If you have any questions or concerns regarding the application or any other information, please contact the Environmental Resource Permit Bureau in the Tampa Service Office.

Sincerely,

Michelle K. Hopkins, P.E.
Bureau Chief
Environmental Resource Permit Bureau
Regulation Division

cc: Florida Department of Environmental Protection
May 17, 2018

Bayside Lakes RV, LLC
Attn: Zeman Edward
5547 North Avondale Avenue
Chicago, IL 60631

Subject: Notice of Agency Action - Approval
ERP Individual Construction

Project Name: Bayside Lake RV
App ID/Permit No: 754168 / 43006443.002
County: Manatee
Sec/Twp/Rga: S25/T33S/R17E, S36/T33S/R17E

Dear Permittee(s):

The Southwest Florida Water Management District (District) is in receipt of your application for the Environmental Resource Permit. Based upon a review of the information you submitted, the application is approved.

Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action on the permit application described in this letter.

If approved construction plans are part of the permit, construction must be in accordance with these plans. These drawings are available for viewing or downloading through the District's Application and Permit Search Tools located at www.WaterMatters.org/permits.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notices of agency action, as well as a noticing form that can be used, are available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of agency action, a copy of the affidavit of publication provided by the newspaper should be sent to the District's Tampa Service Office for retention in this permit's File of Record.
If you have any questions or concerns regarding your permit or any other information, please contact the Environmental Resource Permit Bureau in the Tampa Service Office.

Sincerely,

Michelle K. Hopkins, P.E.,
Bureau Chief
Environmental Resource Permit Bureau
Regulation Division

Enclosures:  Approved Permit w/Conditions Attached
As-Built Certification and Request for Conversion to Operation Phase
Notice of Authorization to Commence Construction
Notice of Rights

cc: Florida Department of Environmental Protection
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE
INDIVIDUAL CONSTRUCTION
PERMIT NO. 43006443.002

EXPIRATION DATE: May 17, 2023
PERMIT ISSUE DATE: May 17, 2018

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapter 62-330, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME: Bayside Lake RV

GRANTED TO: Bayside Lakes RV, LLC
Attn: Zeman Edward
6547 North Avondale Avenue
Chicago, IL 60631

OTHER PERMITTEES: N/A

ABSTRACT: This permit is for the construction of a stormwater management system to serve a 95.34-acre residential project, including lots for recreational vehicle parking, roadways, and infrastructure. One existing borrow pit is being converted to a wet detention pond which will provide permanent pool volume below the control elevation. A new pond will be constructed and equalized with the converted borrow pit. The project discharges to McMullen Creek. Peak discharge rate attenuation is not required for discharges to this tidally influenced waterway. The project is located on Bayshore Road, at 61st Street East, in Manatee County.

OP. & MAIN. ENTITY: Bayside Lakes RV, LLC
OTHER OP. & MAIN. ENTITY: N/A
COUNTY: Manatee
SEC/TWP/RGE: S25/T33S/R17E, S36/T33S/R17E
TOTAL ACRES OWNED OR UNDER CONTROL: 95.34
PROJECT SIZE: 95.34 Acres
LAND USE: Residential
DATE APPLICATION FILED: October 27, 2017
AMENDED DATE: N/A
I. Water Quantity/Quality

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**Water Quality/Quantity Comment:** The project discharges to an Outstanding Florida Water. The water quality treatment volume has been increased by 50% to meet requirements for discharges to Outstanding Florida Waters. The stormwater management system consists of two equalized wet detention ponds. The plans reference the North American Vertical Datum of 1988 (NAVD 88).

A mixing zone is not required.

A variance is not required.

II. 100-Year Floodplain

<table>
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<td>0.00</td>
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**Floodplain Comment:** The project is located within a FEMA tidal surge zone. Compensation for fill placement in the tidal floodplain is not required. The proposed project proposes no fill placement within the 100-year riverine floodplain.

*Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims Minimal Impact type of compensation.

III. Environmental Considerations

**Wetland/Other Surface Water Information**

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<th>Wetland/Other Surface Water Name</th>
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*For impacts that do not require mitigation, their functional loss is not included.
**Mitigation Information**

**Mitigation Comments:**

Wetland mitigation for permanent filling impacts will be provided by the purchase of 0.01 freshwater marsh credits from the Tampa Bay Mitigation Bank, ERP No. 43020546.042. The results of the UMAM analysis indicate a relative functional gain of 0.01 units. The UMAM analysis determined that the mitigation provided by the permit adequately offsets the project's proposed impacts to functional wetland habitat.

Wetland mitigation is not required for permanent filling impacts to Wetland B pursuant to Subsection 10.2.2.1 of the ERP Applicant's Handbook Vol. I. Under this Subsection, wetland mitigation is not required for impacts to isolated wetlands less than one half acre in size that do not provide significant habitat for threatened or endangered species.

Mitigation will not be required for permanent filling impacts to 0.19 acre of surface waters pursuant to Subsection 10.2.2 of the ERP Applicant's Handbook Vol. I. Under this Section, mitigation is not required for impacts that have been determined to be de minimis to fish, wildlife and listed species.

In order to provide reasonable assurance that the project will not cause adverse secondary impacts to wetlands, as described in Subsection 10.2.7 of the Applicant's Handbook Volume I, wetland buffer plantings are required in this permit as shown on Sheet C-209 of the permitted construction plans due to the fact that an average 25 foot, minimum 15 foot wetland buffer will not be fully maintained between the adjacent wetlands and the upland activity. The supplemental wetland buffer plantings will provide the District with reasonable assurance that the project will not have adverse secondary impacts to the adjacent wetlands.
Specific Conditions

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit may be terminated, unless the terms of the permit are modified by the District or the permit is transferred pursuant to Rule 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.

2. The Permittee shall retain the design professional registered or licensed in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the design professional so employed. This information shall be submitted prior to construction.

3. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance. No owner of property may perform any work, construction, maintenance, clearing, filling or any other type of activities within the wetlands, wetland buffers, buffer compensation areas and drainage easements described in the approved permit and recorded plat of the subdivision, unless prior approval is received from the Southwest Florida Water Management District.

4. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:
   a. wetland and surface water areas
   b. wetland buffers
   c. limits of approved wetland and surface water impacts

   The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.

5. If limestone bedrock is encountered during construction of the stormwater management system, the District must be notified and construction in the affected area shall cease.

6. The Permittee shall notify the District of any sinkhole development in the stormwater management system within 48 hours of discovery and must submit a detailed sinkhole evaluation and repair plan for approval by the District within 30 days of discovery.

7. The Permitted Plan Set for this project includes the set received by the District on May 8, 2018.

8. The operation and maintenance entity shall provide for the inspection of the permitted project after conversion of the permit to the operation and maintenance phase. For systems utilizing retention or wet detention, the inspections shall be performed five (5) years after operation is authorized and every five (5) years thereafter.

   The operation and maintenance entity must maintain a record of each inspection, including the date of inspection, the name and contact information of the inspector, whether the system was functioning as designed and permitted, and make such record available upon request of the
Within 30 days of any failure of a stormwater management system or deviation from the permit, an inspection report shall be submitted using Form 62-330.311(1), "Operation and Maintenance Inspection Certification" describing the remedial actions taken to resolve the failure or deviation.

9. District staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the District as a permit prior to the dewatering event as a permit modification. A water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.

10. Off-site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operating schedules satisfactory to the District.

11. The permittee shall complete construction of all aspects of the stormwater management system, including wetland compensation (grading, mulching, planting), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.

12. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:
   a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.
   b. Any existing septic tanks on site shall be abandoned at the beginning of construction.
   c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction.

13. All stormwater management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property.

14. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the District, unless a modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.

15. The Permittee shall not begin construction within the project area until the Tampa Bay Mitigation Bank has received a permit modification authorizing the withdrawal of 0.01 freshwater marsh credits from mitigation bank permit number 43020546.002, and a copy of this modification is provided to the District, or this permit has been modified to provide an equivalent level of mitigation to be completed by the Permittee. Initiation of construction prior to issuance of the required permit modification shall be a violation of this permit.
16. A "Recorded notice of Environmental Resource Permit," Form No. 62-330.090(1), shall be recorded in the public records of the County(s) where the project is located.

17. The approved wetland buffer plantings, as shown on Sheet C-209 of the construction plans, are required in order to provide the District with reasonable assurance that the project will not have adverse secondary impacts to the adjacent wetlands, as described in Subsection 10.2.7 of the Applicant's Handbook Volume I. The buffer plantings shall be completed prior to the transfer to operation of the facility. The buffer plantings shall meet a success criteria of 80 percent survival for and shall be maintained such that they remain in their intended condition for the life of the system.

18. Cleared sites such as areas that have undergone surface scraping may attract ground nesting species such as least terns or other imperiled beach-nesting birds (IBNB) during nesting season. IBNB nests have been documented on a variety of disturbed sites, including construction sites (FWC 2013). IBNB deposit their eggs in shallow depressions or scrapes in the substrate, possibly lined with pebbles, grasses, or coquina shells (FWC 2013). Egg-laying for colonial and solitary beach nesting birds usually begins in mid-February. Colonies can range in size from a few breeding pairs to many hundreds (FWC 2013). FWC staff recommends the following measures to reduce nesting potential during construction:

a. Conduct construction activities outside of the breeding season (generally April through August),
b. Clear the site only when ready to build, and
c. Avoid leaving cleared areas with little to no activity for an extended amount of time.

If nesting is observed, we recommend contacting FWC staff to discuss necessary nest buffers and potential permitting alternatives. For additional information, please refer to FWC's Breeding Bird Protocol for Florida's Seabirds and Shorebirds located at the following web address: https://public.myfwc.com/crossdoil/shorebirds/PDF-files/BreedingBirdProtocolForFloridaSeabirdsAndShorebirds.pdf.

**GENERAL CONDITIONS**

1. The general conditions attached hereto as Exhibit "A" are hereby incorporated into this permit by reference and the Permittee shall comply with them.

Michelle K. Hopkins, P.E.

Authorized Signature
EXHIBIT A

GENERAL CONDITIONS:

1. The following general conditions are binding on all individual permits issued under this chapter, except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate, project-specific conditions.

   a. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C., or the permit may be revoked and the permittee may be subject to enforcement action.

   b. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

   c. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation, June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector’s Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(8)(b)5, F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

   d. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), “Construction Commencement Notice,”[effective date], incorporated by reference herein (<http://www.frules.org/Gateway/reference.asp?No=Ref-02505>), indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.

   e. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

   f. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

      1. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex - “Construction Completion and Inspection Certification for Activities Associated with a Private Single-Family Dwelling Unit” [Form 62-330.310(3)]; or

      2. For all other activities - “As-Built Certification and Request for Conversion to Operational Phase” [Form 62-330.310(1)].

      3. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

   g. If the final operation and maintenance entity is a third party:

      1. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction
needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.

2. Within 30 days of submittal of the as-built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

h. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

i. This permit does not:

1. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;

2. Convey to the permittee or create in the permittee any interest in real property;

3. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or

4. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

j. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

k. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

l. The permittee shall notify the Agency in writing:

1. Immediately if any previously submitted information is discovered to be inaccurate; and

2. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

m. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

n. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-5333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification
shall be provided in accordance with Section 872.05, F.S. (2012).

o. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

p. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

q. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

r. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

2. In addition to those general conditions in subsection (1) above, the Agency shall impose any additional project-specific special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in Rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.
NOTICE OF
AUTHORIZATION
TO COMMENCE CONSTRUCTION

Bayside Lake RV
PROJECT NAME

Residential
PROJECT TYPE

Manatee
COUNTY

S25/T33S/R17E, S36/T33S/R17E
SEC(S)/TWP(S)/RGE(S)

Bayside Lakes RV, LLC
PERMITTEE

APPLICATION ID/PERMIT NO: 754168 / 43006443.002
DATE ISSUED: May 17, 2018

Michelle K. Hopkins, P.E.
Issuing Authority

THIS NOTICE SHOULD BE CONSPICUOUSLY DISPLAYED AT THE SITE OF THE WORK
Notice of Rights

ADMINISTRATIVE HEARING

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.

2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of state-owned submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.

3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.

4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.

5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.

6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28-106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.

7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-9776. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.
JUDICIAL REVIEW

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.

2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.
QUIT CLAIM DEED

THIS QUIT-CLAIM DEED is executed on the 2\textsuperscript{nd} day of August, 2018 by the SOLE AND ONLY HEIRS AT LAW OF THE ESTATE OF MEAD SMITH, being the following individuals: Paul Marshall Thompson, Jennifer Thompson Fogarty, Stephen Thompson, John Thompson, Jonathan Smith, Janet Smith, Josephine Smith Hardee, Judy Smith, Jeff Smith, Jason Roy Smith, Jennifer Smith McLaughlin, and Marcia Carol Gilbert “Grantor”, to BAYSIDE LAKE RV, LLC, a Florida limited liability company, whose post office address is 6547 N. Avondale Avenue, Chicago, IL 60631 “Grantee”.

WITNESSETH, that the Grantor, for and in consideration of ten dollars ($10.00) and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, remise, release and quit-claim to the Grantee, and to the Grantee’s assigns forever, so that neither Grantor nor Grantor’s heirs, successors, legal representatives, or assigns shall claim or demand any right or title to the property, premises, appurtenances or any part thereof, all of the Grantor’s rights, title, and interest in and to the following described real estate, situated in Manatee County, State of Florida, to wit:

LOT “A” OF “MEAD SMITH’S ADDITION TO RUBONIA”, AS RECORDED IN PLAT BOOK 7, PAGE 60, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING AND LYING IN SECTION 25, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

{signature pages to follow}
The foregoing instrument was acknowledged before me this 9/24 day of July 2018 by Paul W. Thompson who is: □ personally known to me, or who has □ produced [ ] as identification.

By: [Seal]

Print Name: Stacey L. Stout
Notary Public – State of Florida
Commission No.: 904401
My Commission Expires: 9-19-2020
The foregoing instrument was acknowledged before me this 30 day of July, 2018 by JENNIFER T. COTTER, who is: ☑ personally known to me, or who has ☑ produced GADL # 057018546 7/21/2020 as identification.
The foregoing instrument was acknowledged before me this 24th day of July, 2018 by John Thompson, who is: □ personally known to me, or who has □ produced Florida Driver's License as identification.

By: Kimberlyn Matos
Print Name: Kimberlyn Matos
Notary Public – State of Florida
Commission No.: 191,203
My Commission Expires: 1/1/2022
The foregoing instrument was acknowledged before me this 14th day of July, 2018 by Stephen Thompson, who is: [] personally known to me, or who has [✓] produced (CPL) as identification.

By: Beatriz E. Millor
Print Name: Beatriz Millor
Notary Public – State of Florida
Commission No.: FF 012249
My Commission Expires: 07/25/2020

State of Florida
My Commission Expires 07/25/2020
Commission No. FF 012249
[seal]
STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 9th day of July, 2018 by Jonathan Smith who is: ☑️ personally known to me, or who has ☐ produced __________________________ as identification.

By: __________________________
Print Name: Jay Redditt
Notary Public - State of Florida
Commission No.: FF 984375
My Commission Expires: 6-7-20
STATE OF FL
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 6th day of July, 2018 by Janet L. Smith, who is: ☐ personally known to me, or who has ☑ produced FLDL 5530-432-63-911-0 as identification.

By: Angela C. Fateley
Print Name: Angela C. Fateley
Notary Public – State of FL
Commission No.: CG-175000
My Commission Expires: 2/13/22 [seal]
STATE OF Florida
COUNTY OF Seminole

The foregoing instrument was acknowledged before me this 11th day of July, 2018 by Josephine S. Hardee
who is: ☑ personally known to me, or who has ☑ produced
FL DL 1630-4477-56-648-0 as identification.

By: Hisham Kureshi
Print Name: Hisham Kureshi
Notary Public - State of Florida
Commission No.: GG 84310
My Commission Expires: 08/16/2023 [seal]
STATE OF Florida
COUNTY OF Volusia

The foregoing instrument was acknowledged before me this 6th day of
July, 2018 by Judith Smith

who is: □ personally known to me, or who has ☑ produced
FLDL as identification.

By: Maria Salinas
Print Name: Maria Salinas
Notary Public — State of Florida
Commission No.: GG 146544
My Commission Expires: 9/12/2021
STATE OF FLORIDA  
COUNTY OF BROWARD  

The foregoing instrument was acknowledged before me this 27 day of  
JULY, 2018 by Jeffrey A. Smith,  
who is: ☐ personally known to me, or who has ☐ produced  
[illegible] as identification.  

By:  
Print Name: JAW RING  
Notary Public – State of FL  
Commission No.: FF902361  
My Commission Expires: Aug 16, 2019  

[seal]
STATE OF __________  
COUNTY OF __________

The foregoing instrument was acknowledged before me this 10TH day of __________, 2018 by ________________________

who is: ☑ personally known to me, or who has ☐ produced ________________________ as identification.

By: ________________________
Print Name: ________________________
Notary Public – State of __________
Commission No.: __________
My Commission Expires: __________

[Stamp of Notary Public]
STATE OF Maryland
COUNTY OF Washington

The foregoing instrument was acknowledged before me this 11 day of July 2018 by Jennifer Smith-McLaughlin who is: ☑ personally known to me, or who has ☑ produced Maryland Drivers License as identification.

By: Jessica Brashears
Print Name: Jessica Brashears
Notary Public – State of Maryland
Commission No.: 006568
My Commission Expires: Aug 3, 2019
Witness signature: 

Lois Berry

Witness Printed Name:

Lois Berry

Witness signature:

Robert L. Everly

Witness Printed Name:

Robert L. Everly

STATE OF Florida

COUNTY OF Manatee

The foregoing instrument was acknowledged before me this 9th day of July, 2018 by Marcia Carol Gilbert, who is: □ personally known to me, or who has □ produced as identification.

By: ____________________________

Print Name: Joyce A. Everly

Notary Public – State of Florida
Commission No.: BG 012183
My Commission Expires: Oct 25, 2020

Marcia Carol Gilbert
5619 Bayshore Road, Lot 429
Palmetto, FL 34221-1230
VICINITY MAP / 1" = 200' SCALE DRAWING

FOR: BAYSIDE LAKE RV, LLC
DATE: 8/28/18

SECTION 25, TOWNSHIP 33 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA

LEGEND
R/W = RIGHT-OF-WAY
P.T. = POINT OF TANGENCY
P.C. = POINT OF CURVATURE
(P) = PLAT OF MEAD SMITH'S ADDITION TO RUBONIA

JOE NO. E0179

GRAPHIC SCALE IN FEET
SCALE: 1" = 200'
FILE INDEX NO. E0179.CGO

DWG. FILE: McMULLINS CREEK SUBDIVISION-200 SCALE MAP.DWG
GHC COGO FILE: E0179.CGO