

Manatee County Zoning Ordinance

PDMU-19-07(Z)(G) IA MANATEE / IA MANATEE, LLC (PLN1904-0010)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 15-17, THE MANATEE LAND DEVELOPMENT CODE), RELATING TO THE ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR THE REZONING OF APPROXIMATELY 1,129.19 ACRES FROM A/NCO (AGRICULTURE/NORTH CENTRAL OVERLAY DISTRICT) TO THE PDMU/NCO (PLANNED DEVELOPMENT MIXED USE) ZONING DISTRICT, RETAINING THE NORTH CENTRAL OVERLAY DISTRICT; GENERALLY LOCATED AT THE SOUTHWEST CORNER OF BUCKEYE ROAD AND US 301, PARRISH (MANATEE COUNTY); APPROVING A GENERAL DEVELOPMENT PLAN (LARGE PROJECT) FOR 2,400 RESIDENTIAL UNITS (SINGLE-FAMILY DETACHED, SINGLE-FAMILY SEMI-DETACHED, AND SINGLE-FAMILY ATTACHED), AND 300,000 SQUARE FEET OF COMMERCIAL SPACE; APPROVING A SCHEDULE OF USES, AS VOLUNTARILY PROFFERED BY THE APPLICANT AND ATTACHED AS EXHIBIT "B"; SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, IA Manatee, LLC (the "Applicant") filed an application to rezone approximately 1,129.19 acres described in Exhibit "A", attached hereto, (the "Property") from A/NCO (Agriculture/North Central Overlay District) to the PDMU/NCO (Planned Development Mixed Use/North Central Overlay District) zoning district; and

WHEREAS, the applicant also filed a General Development Plan (Large Project) for 2,400 residential units (single-family detached, single-family semi-detached, and single-family attached), and 300,000 square feet of commercial space (the "project") on the property; and

WHEREAS, the applicant also filed a Schedule of Permitted and Prohibited Uses Exhibit "B" attached hereto; and

WHEREAS, the applicant also filed a request for Specific Approval for alternatives to Land Development Code Sections: 403.12.D.4.a (reduction of the roadway buffer width in the North Central Overlay District from 50 to 25 feet for commercial parcels), 403.12.D.5.a (allow a variable width roadway buffer in the North Central Overlay District adjacent to stormwater ponds for residential development), 403.12.G.6.a (allow a commercial building utilized by a single tenant in the North Central Overlay and within the UF-3 FLUC to exceed 75,000 square feet), 403.12.D.3.k (reduction of the setback for pool cages and accessory structures in the North Central Overlay District from a 15-foot building setback to a 5-foot setback); and

WHEREAS, the Building and Development Services staff recommended approval of the rezone, General Development Plan, Schedule of Permitted and Prohibited Uses (as voluntarily proffered by the applicant) and Specific Approval applications 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 14, 2019 to consider the rezone, General Development Plan, Schedule of Permitted and Prohibited Uses (as voluntarily proffered by the applicant) and Specific Approval applications, 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.

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 has 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/NCO (Agriculture/North Central Overlay District) to the PDMU/NCO (Planned Development Mixed Use/North Central Overlay District) zoning district.

B. The Board of County Commissioners, after due public notice, held public hearings on December 5, 2019 and January 9, 2020 regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of the Manatee County Land Development Code and has 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 is found to be consistent with the requirements of the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.

D. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 403.12.D.4.a, the Board finds that the purpose of the Land Development Code regulation is satisfied to an equivalent degree by the proposed twenty-five-foot roadway buffer designs for Buckeye Road, US 301 North and Fort Hamer Road with reduced buffer plantings. The reduced roadway buffer widths with proposed plantings provide adequate buffer screening from the roads for the intended commercial use of the site, and still meet the intent of the North Central Overlay District.

E. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 403.12.D.5.a, the Board finds that the purpose of the Land Development Code regulation is satisfied to an equivalent degree by the proposed variable width roadway buffer designs for Buckeye Road, US 301 North and Fort Hamer Road along stormwater

ponds within the residential development. The variable width roadway buffer provides adequate buffer screening from the roads, and still meet the intent of the North Central Overlay District.

F. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 403.12.G.6.a, the Board finds that the purpose of the Land Development Code regulation is satisfied to an equivalent degree by the proposed design which will maintain general consistency with the intent of the North Central Overlay which provides for regulations to address compatibility through screening, buffering, setbacks, and design features.

G. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 403.12.D.3.k, the Board finds that the purpose of the Land Development Code regulation is satisfied to an equivalent degree by the proposed design because special attention will be given to the placement of appropriate vegetation within the required landscape buffers, and there are no currently proposed conflicts with buffer vegetation.

H. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 700.3.I, the Board finds that the purpose of the Land Development Code regulation is satisfied to an equivalent degree by the proposed plan because the overall tree canopy that is lost will be replaced within ten (10) years.

I. Notwithstanding the failure of this plan to comply with the requirements of LDC Section 706.4.C, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the application of staff level review and approval of any potential variable width buffers meeting the intent of this Section. Wetland buffer encroachments shall be compensated for on the same wetland or wetland system and such compensation shall be of equal or better quality.

Section 2. GENERAL DEVELOPMENT PLAN. The General Development Plan (Large Project) is hereby approved 2,400 residential units (single-family detached, single-family semi-detached, and single-family attached), and 300,000 square feet of commercial space upon the property subject to the following Stipulations:

STIPULATIONS

A. DESIGN AND LAND USE STIPULATIONS

1. No lots shall be platted through any landscape buffers, retention ponds, wetlands, wetland buffers, or upland preservation areas.
2. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Plat, and shall include language to inform prospective homeowners of:
 - a. The presence of neighboring agricultural uses, which may possibly include pesticides and herbicides and may have odors and noises associated with such uses.
 - b. There are planned thoroughfares within the project area [i.e. Fort Hamer Road (4-lane arterial), and adjacent to the project [i.e. US 301 (6-lane arterial) and Buckeye Road (4-lane collector)], and potential noise associated with these planned roadways.

- c. The internal streets within this subdivision may be privately owned and maintained by the Homeowner’s Association or other appropriate legal entity.
- 3. Compliance with all applicable regulations of the Land Development Code, including but not limited to Land Development Code Section 403.12 (North Central Overlay District) shall be demonstrated at time of Preliminary/Final Site Plan, with exception of those requirements in which Specific Approval is granted with this request.
- 4. Any significant historical or archeological resources discovered during development activities shall be immediately reported to the Florida Department of State, Division of Historical Resources, and treatment of such resources shall be determined in cooperation with the Division of Historical Resources, and the County. The final determination of significance shall be made in conjunction with the Florida Department of State, Division of Historical Resources, and the County. The appropriate treatment of such resources (potentially including excavation of the site in accordance with the guidelines established by the Florida Department of State, Division of Historical Resources) must be completed before resource disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statutes (Offenses Concerning Dead Bodies and Graves) shall be followed.
- 5. Final Site Plan (FSP) review and approval is required for any recreational area/amenity center. Required number of parking spaces will be determined at FSP based on the type and square footage of the recreational uses. Any recreation or amenity structure shall have a minimum 20-foot setback from all property lines.
- 6. The uses approved for this project shall be limited to those voluntarily proffered by the applicant in the Schedule of Uses attached to the Zoning Ordinance PDMU-19-07(Z)(G) as Exhibit “B”.
- 7. Light Industrial uses are limited to Microbreweries only.
- 8. In the event that gates will be proposed within internal private roads, any gates shall be accessible to emergency providers in accordance with the requirements of applicable County ordinances and regulations.
- 9. All other applicable state or federal permits shall be obtained before commencement of the development.
- 10 All lots adjacent to active agricultural operation shall have an additional 35’ setback, unless separated by a street or other designated open space at least 35’ in width. If an adjoining agricultural operation is no longer in effect at the time of submittal of the Final Plat, then the requirements of Section 702.6.7 shall no longer apply, and the additional 35’ setback may be eliminated from the plat.
- 11. The following height restrictions and minimum setback requirements shall apply to lots adjacent to US 301, Buckeye Road, and Ft. Hamer Road:

Setback from U.S. 301, Buckeye Road & Ft. Hamer Road	Maximum Height
65-feet ¹	25-feet

95.5-feet ¹	35-feet
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¹ Setback is being measured from the property boundary and does not include the 20-foot of ROW that is included in the LDC Section 403.12.D.3.I formula.

12. In accordance with LDC Section 1001.6.A.1.a, the applicant shall construct a 5-foot sidewalk along local streets, and the frontage of all new or existing major thoroughfares (i.e. Buckeye Road, US 301 N, Fort Hamer Road).
13. Proposed commercial parcels shall be in compliance with the “Commercial Locational Criteria” of the Comprehensive Plan. The proposed commercial parcel at the intersection of Buckeye Road and Ft. Hamer Road shall not be developed until Ft. Hamer Road extension is constructed from Buckeye Road to Moccasin Wallow Road.
14. The “Spine Road” identify in the General Development Plan as Road “A”, as well as Road “Y” and Road “SS” will be public roads. A 10-foot wide sidewalk shall be provided on one side of the Spine Road.

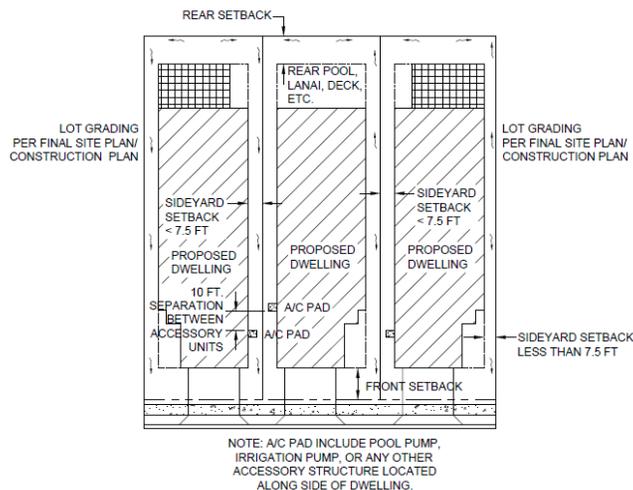
B. ENVIRONMENTAL STIPULATIONS

1. A 100 percent Gopher Tortoise (*Gopherus polyphemus*) survey shall be conducted within 90 days of construction. Prior to commencement of construction, the applicant shall demonstrate there is no requirement to obtain permits for the relocation of Gopher Tortoises on-site, or, if there is a need to, provide copies of the proper Florida Fish and Wildlife Conservation Commission (FWCC) permits, and maps showing locations of all burrows and any encounters, to Environmental Review Section staff.
2. The developer shall provide an updated study, consistent with Policy 3.3.2.1 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to Final Site Plan approval. The Management Plan, and correspondence and permits, approved by the State (Florida Fish and Wildlife Conservation Commission) shall be submitted prior to the commencement of development for any listed species found on site. Evaluation of the proposed development site shall contain dates of field review, name and qualifications of individual(s) conducting the field review – including authorized Gopher Tortoise Agents, a statement of the methodology used to conduct the habitat assessment and biological survey, a map indicating where listed species (or nests or burrows) were observed on the site, a list of all species observed on site, and a habitat management plan describing measures proposed by the applicant to ensure non-disturbance, relocation or other acceptable mitigative measures.
3. Wells have been identified on site. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the County 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.

- 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.

C. STORMWATER ENGINEERING STIPULATIONS

- Pursuant to Section 801 and 802 of the Land Development Code and Code of Federal Regulations (CFR), Title 44, Section 60.3, the subsequent Final Site Plan and Construction Plan submittal(s) and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect to proposed impacts to the FEMA 2014 FIRM 100-year floodplain and post-development discharge of runoff. Drainage Modeling shall be submitted to demonstrate compliance prior to commencement of construction.
- The Engineer of Record (EOR) shall submit drainage modeling to demonstrate the allowable pre-development rate of discharge has been reduced by fifty (50) percent for Gamble Creek Watershed.
- 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. Drainage modeling shall utilize the adopted Gamble Creek Watershed Management Plan and the Little Manatee River Watershed Management Plan (available through the Public Works Department) to demonstrate, in post-development condition, that no adverse impacts are created to adjacent property based upon a “no-rise” flood stage condition.
- There shall be a minimum of ten (10) foot separation between accessory equipment and structures alongside adjoining houses with 5-foot side yard setbacks.



D. UTILITY ENGINEERING STIPULATIONS

- Connection to the County water and wastewater system 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.

E. PARK AND NATURAL RESOURCES STIPULATIONS

1. The developer shall ensure the protection of monitoring wells and access to monitoring wells and surface water monitoring stations through build-out of the project. Should any of the monitoring wells be destroyed or surface water stations become inaccessible, the responsible entity shall provide written notification to EPD and an alternate site proposed.
2. The monitoring plan remains appropriate for the project as currently proposed. Any significant project changes (i.e., property boundaries, land use, drainage) may require monitoring plan modifications.
3. If development approval/project commencement is significantly delayed (i.e., >1 yr), the monitoring plan will need be resubmitted for EPD approval.

F. TRANSPORTATION

1. Developer may construct the mitigation projects identified in an approved traffic study addressing concurrency or may utilize the construction of Fort Hamer Road south of the project's access to address mitigation of such traffic impacts as a proportionate share project pursuant to a Local Development Agreement or other appropriate mechanism.

Section 3. SPECIFIC APPROVALS. Specific Approval is hereby granted for alternatives to Land Development Code Sections: 403.12.D.4.a (reduction of the roadway buffer width in the North Central Overlay District from 50 to 25 feet for commercial parcels), 403.12.D.5.a (allow a variable width roadway buffer in the North Central Overlay District adjacent to stormwater ponds for residential development), 403.12.G.6.a (allow a commercial building utilized by a single tenant in the North Central Overlay and within the UF-3 FLUC to exceed 75,000 square feet), 403.12.D.3.k (reduction of the setback for pool cages and accessory structures in the North Central Overlay District from a 15-foot building setback to a 5-foot setback) and 700.3.l (allow for a tree replacement method).

Section 4. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County (Ordinance No. 15-17, the Manatee County Land Development Code) is hereby amended by changing the zoning district classification of the property described in Exhibit "A", incorporated by reference herein, from A/NCO (Agriculture/North Central Overlay District) to the PDMU/NCO (Planned Development Mixed Use/North Central Overlay District) zoning district, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Building and Development Services Department, are hereby instructed to cause such amendment to the Official Zoning Atlas.

Section 5. 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, sentence, clause, or 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 6. 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 7. 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 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 9th day of January 2020.

**BOARD OF COUNTY
COMMISSONERS OF MANATEE
COUNTY, FLORIDA.**

BY: _____
Betsy Benac, Chairman

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

BY: _____
Deputy Clerk

Exhibit "A"

Legal Description

A TRACT OF LAND BEING A PORTION OF UNIT NO. 1 MANATEE RIVER FARMS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 45, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING IN SECTIONS 7, 8, 9 AND 10, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE ABOVE MENTIONED SECTION 7, (THE FOLLOWING THREE (3) CALLS ARE ALONG THE WEST LINE OF SAID SECTION 7); 1) THENCE N.00°27'45"E., A DISTANCE OF 1,809.08 FEET TO THE POINT OF BEGINNING; 2) THENCE N.00°27'45"E., A DISTANCE OF 871.77; 3) THENCE N.00°27'52"E., A DISTANCE OF 667.84 FEET TO A POINT ON THE EASTERLY MAINTAINED RIGHT-OF-WAY OF BUCKEYE ROAD (THE FOLLOWING TWO (2) CALLS ARE ALONG SAID EASTERLY MAINTAINED RIGHT-OF-WAY OF BUCKEYE ROAD); 1) THENCE N.01°19'56"E., A DISTANCE OF 1,959.11 FEET; 2) THENCE N.50°22'16"E., A DISTANCE OF 32.61 FEET TO A POINT ON THE SOUTHERLY MAINTAINED RIGHT-OF-WAY OF BUCKEYE ROAD (THE FOLLOWING FOUR (4) CALL ARE ALONG SAID SOUTHERLY MAINTAINED RIGHT-OF-WAY OF BUCKEYE ROAD); 1) THENCE S.89°22'17"E., A DISTANCE OF 5,270.00 FEET; 2) S.89°47'10"E., A DISTANCE OF 5,329.28 FEET; 3) THENCE S.89°42'43"E., A DISTANCE OF 5,352.51 FEET; 4) THENCE S.89°45'24"E., A DISTANCE OF 265.42 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 301; THENCE S.36°06'04"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. 301, A DISTANCE OF 2,679.45 FEET TO THE NORTH LINE OF LOT 11, BLOCK 1, OF SAID UNIT NO. 1 MANATEE RIVER FARMS (THE FOLLOWING TWO (2) CALLS ARE ALONG THE NORTH AND WEST LINES OF SAID LOT 11, BLOCK 1); 1) THENCE S.89°54'44"W., A DISTANCE OF 1,016.48 FEET; 2) THENCE S.00°09'05"E., ALONG SAID WEST LINE OF LOT 11, BLOCK 1 AND THE EXTENSION THEREOF, A DISTANCE OF 448.08 FEET TO THE CENTERLINE OF A VACATED 60 FOOT RIGHT-OF-WAY AS SHOWN ON SAID PLAT OF UNIT NO. 1 MANATEE RIVER FARMS; THENCE N.89°53'00"E., ALONG SAID CENTERLINE, A DISTANCE OF 688.15 FEET TO A POINT ON SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. 301; THENCE S.36°06'04"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. 301, A DISTANCE OF 2,486.77 FEET; THENCE N.53°53'56"W., A DISTANCE OF 509.73 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,000.00 FEET AND A CENTRAL ANGLE OF 44°28'10"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 776.14 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,400.00 FEET AND A CENTRAL ANGLE OF 67°34'16"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 1,651.07 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,990.00 FEET AND A CENTRAL ANGLE OF 108°30'13"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 3,768.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,100.00 FEET AND A CENTRAL ANGLE OF 49°18'03"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 946.51 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.90°00'00"W., A DISTANCE OF 1,220.57 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,500.00 FEET AND A CENTRAL ANGLE OF 48°48'45"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 1,277.91 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,962.46 FEET AND A CENTRAL ANGLE OF

97°43'17"; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 3,347.09 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1,000.00 FEET AND A CENTRAL ANGLE OF 48°54'32"; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 853.62 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.90°00'00"W., A DISTANCE OF 272.18 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT PARCEL 101 RIGHT-OF-WAY AND PARCEL 101 POND 2, DESCRIBED WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 1946, PAGE 3103, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.