

Manatee County Ordinance

PDMU-14-22(P)(R2) -TREVESTA / VK TREVESTA, LLC - PLN1906-0064

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING ZONING ORDINANCE PDMU-14-22(P)(R) AND APPROVING A REVISED PRELIMINARY SITE PLAN TO ALLOW SINGLE FAMILY ATTACHED, SEMI-DETACHED, AND DETACHED UNITS IN PHASE 3; TO INCREASE THE NUMBER OF RESIDENTIAL UNITS IN PHASE 3 FROM 341 UNITS TO 457 UNITS; TO INCREASE THE TOTAL NUMBER OF RESIDENTIAL UNITS FROM 1,103 UNITS (300 MULTI-FAMILY) TO 1,219 RESIDENTIAL UNITS (300 MULTI-FAMILY); TO ALLOW AN INCREASE OF THE MULTI-FAMILY BUILDING HEIGHT FROM 35-FEET TO 4-STORIES; AND REVISING STIPULATIONS FOR A PROJECT ON APPROXIMATELY 441.3 ACRES AND IS CURRENTLY ZONED PDMU (PLANNED DEVELOPMENT MIXED USE); GENERALLY LOCATED EAST OF I-75 AND SOUTH OF 69TH STREET EAST, PALMETTO (MANATEE COUNTY); SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, VK Trevesta, LLC (the “Applicant”) filed an application for an amended Zoning Ordinance PDMU-14-22(P)(R) and approving a revised Preliminary Site Plan to allow single family attached, semi-detached, and detached units in Phase 3; to increase the number of residential units in Phase 3 from 341 units to 457 units; to increase the total number of residential units from 1,103 units (300 multi-family) to 1,219 residential units (300 multi-family); to allow an increase of the multi-family building height from 35-feet to 4-stories; and revising stipulations for a project on approximately 441.3 acres as described in Exhibit “A”, attached hereto, (the “Property”); and

WHEREAS, the Building and Development Services staff recommended approval of the amended Zoning Ordinance and revised Preliminary Site Plan 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 December 12, 2019 to consider the amended Zoning Ordinance and revised Preliminary Site Plan 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 amended Zoning Ordinance and revised Preliminary Site Plan 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 subject to the stipulations 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, 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 a revised Preliminary Site Plan and Specific Approval as it relates to the real property described in Exhibit “A” of this Ordinance.

B. The Board of County Commissioners, after due public notice, held a public hearing on January 9, 2020 regarding the proposed Ordinance 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 Ordinance 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.

Section 2. REVISED PRELIMINARY SITE PLAN. The revised General Development Plan is hereby approved to allow single family attached, semi-detached, and detached units in Phase 3; to increase the number of residential units in Phase 3 from 341 units to 457 units; to increase the total number of residential units from 1,103 units (300 multi-family) to 1,219 residential units (300 multi-family); to allow an increase of the multi-family building height from 35-feet to 4-stories upon the property subject to the following Stipulations:

STIPULATIONS

A. DESIGN AND LAND USE STIPULATIONS

1. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions. The following language shall be included in the Notice to Buyers and also in a separate addendum to the sales contract.
 - a. Portions of the internal streets within this subdivision are privately owned and maintained by either a Homeowner’s Association or other appropriate legal entity.
 - b. This project includes commercial development (maximum 100,000 square feet with a 0.14 FAR) and multi-family residential development (300 units) and these uses may be developed without notice to adjoining property owners.
 - c. Buffalo Road may be completed to four (4) lanes in the future.
 - d. The property located to the north of Village A residential lots 21 – 41 is approved for commercial development.
 - e. An active train track is adjacent to the southern property line.

2. Prior to Final Plat approval for Village A, Lots 1 - 10, the required 8-foot high noise abatement barrier wall shall be constructed as shown on the Master Site Plan Sheet and the Landscaping Plan of the Preliminary Site Plan set. The landscaping shall be placed on the Buffalo Road side of the barrier wall. *(Completed)*
3. Prior to Final Plat approval for Village B lots which would be located in the area south of Lot 1 (Village A), west of Loop A for approximately 1,152 linear feet, the required 8-foot high noise abatement barrier wall shall be constructed as shown on the Master Site Plan Sheet and the Landscaping Plan of the Preliminary Site Plan set. The landscaping shall be placed on the Buffalo Road side of the barrier wall. *(Completed)*
4. Prior to Final Plat approval for Village E lots located north of Street J and adjacent to Court K, the required 8-foot high noise abatement barrier wall shall be constructed as shown on the Master Site Plan Sheet and the Landscaping Plan of the Preliminary Site Plan set. The landscaping shall be placed on the Buffalo Road side of the barrier wall.
5. The multi-family development is required to provide the following noise abatement construction techniques. These techniques are required for all of the multi-family buildings.
 - a. All exterior windows, including sliding glass doors, shall be double paned or laminated glass with a STC rating of approximately 38 dB or higher.
 - b. All entrance doors shall be solid core soundproof type doors with soft resilient perimeter gaskets and threshold seals.
 - c. Air gaps around prefabricated door assemblies shall be sealed before installation of finish molding.
 - d. Holes through exterior walls for gas, water pipes, electrical conduits, etc. must be sealed airtight with a resilient non-setting caulking compound. Exterior vent openings shall be minimized and, to the extent possible, oriented away from the noise source.
 - e. All exterior walls of living areas shall be constructed of poured concrete, cinder block, brick or other masonry materials. A combination stucco/frame wall may be utilized provided that a minimum of 7/8 inch stucco is used and fiberglass building insulation is placed between the studs.
6. The maximum commercial square footage shall not exceed 100,000 square feet (a 0.14 FAR).
7. In accordance with LDC Section 531.37.D.4.a. no residential lots are approved within the 220' fall down radius of the existing cell tower. The fall down radius shall be shown on any future development applications.
8. All project buffers shall be provided as shown on the PSP Landscaping Plan. The location and details of the proposed berms within the buffer shall be reviewed and approved concurrent with Final Site Plan. Buffers shall also meet the minimum requirements of LDC Section 900.6.A. (Entranceway Landscaping).

9. At the time of Final Site Plan, the applicant shall demonstrate that vegetation within areas identified as Natural Vegetation Buffers on the Preliminary Site Plan is adequately protected during construction and that the vegetation that remains after nuisance, exotic species removal will meet or exceed the buffering requirements of the Land Development Code. Areas not meeting the minimum buffer requirements shall be planted with vegetation as necessary to meet Land Development Code standards.
10. A Buffer Type B shall be provided between the commercial development and the residential uses in Village A (generally lots 21- 41). *(Completed)*
11. Final Site Plan (FSP) review and approval is required for recreational area(s) and any proposed amenities. Any structures and/or uses shall comply with the LDC requirements for parking, screening buffer (recreational use to single family), structure height, signage, etc. Recreation Area structure(s) shall have a minimum setback of 20-feet from property lines.

B. TRANSPORTATION STIPULATION

1. A trip generation table that includes an estimate of cumulative project trips shall be provided with every Final Site Plan submittal.

C. STORMWATER STIPULATIONS

1. 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 Buffalo Canal/Frog Creek 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 local 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.
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. There shall be a minimum of ten (10) foot separation between accessory equipment and structures alongside adjoining houses with 5 foot side yard setbacks.
 4. The large existing lake (designated as Lake “L-10”) is being utilized as the irrigation source for the subdivision. In conjunction with Final Site Plan and Construction Plan submittal of Phase 3, the applicant shall provide a contingency plan to utilize shut-off valves on irrigation pump system. The contingency plan shall identify the shut-off elevations(s) for Lake “L-10” with respect to the stormwater design Normal Water Level (NWL) in order to identify the allowable fluctuations below the NWL of the lake to prevent excessive drawdown. A recovery well or other irrigation source shall be provided to mitigate and further prevent excessive drawdown of Lake “L-10”.

D. ENVIRONMENTAL STIPULATIONS

1. The developer 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 Planning Department for any listed species found on-site, prior to Final Site Plan approval.
2. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas that will serve as mitigation, shall be dedicated to the County prior to or concurrent with Final Plat approval.
3. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas.
4. 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.
5. 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.

6. All other applicable state or federal permits shall be obtained prior to commencement of construction.

7. Wetland acreage impacts are limited to 8.01 acres.

Section 3. 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 4. 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 5. 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 6. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, 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

LESS "100 ACRE" PARCEL

DESCRIPTION:

PARCEL 1:

ALL THAT PART OF SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 LYING SOUTH OF ERIE ROAD LESS 0.6230 ACRES, MORE OR LESS, FOR ERIE ROAD RIGHT-OF-WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 945, PAGE 741, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, ALL IN SECTION 28, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

PARCEL 2:

LOTS 30, 31, 32, 33, 47, 48, 49, MECCA PARK COLONY, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 192A, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 3:

LOT 46, MECCA PARK COLONY, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 192A, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

DESCRIPTION:

THE LAND REFERRED TO HEREON BELOW IS SITUATED IN THE COUNTY OF MANATEE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

PARCEL 1a:

THAT PART OF THE WEST 3/4 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, LYING SOUTH OF ERIE ROAD, LESS THE WEST 179 FEET, ALSO LESS THE NORTH 284 FEET OF THE EAST 180 FEET OF THE WEST 619 FEET, ALSO LESS THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 1452, PAGE 3969, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF AFORESAID SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, RUN N88°21'38"E ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 179.12 FEET TO THE POINT OF BEGINNING; THENCE N00°27'36"E, ALONG THE EAST LINE OF AFORESAID WEST 179.00 FEET, A DISTANCE OF 609.32 FEET, TO THE SOUTHERLY RIGHT-OF-WAY LINE OF ERIE ROAD; THENCE N89°39'12"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 260.03 FEET TO THE WEST LINE OF AFORESAID NORTH 284 FEET OF THE EAST 180 FEET OF THE WEST 619 FEET; THENCE S00°27'36"W, ALONG SAID WEST LINE, A DISTANCE OF

242.00 FEET TO THE SOUTH LINE OF SAID NORTH 284 FEET OF THE EAST 180 FEET OF THE WEST 619 FEET; THENCE N89°39'12"E, ALONG SAID SOUTH LINE, A DISTANCE OF 180.02 FEET TO THE WEST LINE OF AFORESAID PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 1452, PAGE 3969; THENCE S00°27'36"W, ALONG SAID WEST LINE A DISTANCE OF 357.39 FEET TO THE AFORESAID SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4; THENCE S88°21'38"W, ALONG SAID SOUTH LINE, A DISTANCE OF 440.30 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 28, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

PARCEL 1b:

BEGINNING AT A FOUND CONCRETE MONUMENT AT THE OCCUPIED CENTER OF SECTION 33, TOWNSHIP 33 SOUTH, RANGE 18 EAST; THENCE N89°18'51"E, A DISTANCE OF 1325.21 FEET TO A FOUND CONCRETE MONUMENT AT THE OCCUPIED NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 33; THENCE S01°57'32"W, A DISTANCE OF 1301.20 FEET TO A FOUND CONCRETE MONUMENT AT THE OCCUPIED SOUTHWEST CORNER OF THE SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4; THENCE N89°50'11"E, A DISTANCE OF 783.37 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THESEABOARD COASTLINE RAILROAD; THENCE S63°25'30"W, ALONG SAID RIGHT- OF-WAY LINE, A DISTANCE OF 2902.06 FEET TO THE SOUTH LINE OF SAID SECTION 33; THENCE S89°44'42"E, ALONG SAID RIGHT-OF-WAY LINE, ALSO BEING THE SOUTH LINE OF SAID SECTION 33, A DISTANCE OF 77.55 FEET; THENCE S63°25'30"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 831.13 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD #93 (INTERSTATE 75); THENCE NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75, THE FOLLOWING THREE COURSES; N10°16'18"W, A DISTANCE OF 323.58 FEET; THENCE N14°33'39"W, A DISTANCE OF 200.56 FEET; THENCE N10°16'18"W, A DISTANCE OF 2458.73 FEET TO THE OCCUPIED NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE N89°18'11"E, A DISTANCE OF 418.70 FEET TO A FOUND CONCRETE MONUMENT AT THE OCCUPIED NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE N89°18'51"E, A DISTANCE OF 1325.21 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 33, TOWNSHIP 33 SOUTH, RANGE 18 EAST AND SECTION 4, TOWNSHIP 34 SOUTH, RANGE 18 EAST, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 1c:

THAT CERTAIN PROPERTY LOCATED IN THE COUNTY OF MANATEE, STATE OF FLORIDA, LYING EAST OF U.S. INTERSTATE 75 HIGHWAY AND DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 33 SOUTH, RANGE 18 EAST, LYING SOUTH OF ERIE ROAD AND EAST OF U.S. INTERSTATE 75 HIGHWAY LESS THAT PART TO FLORIDA DEPARTMENT OF TRANSPORTATION FOR ROAD RIGHT-OF-WAY DESCRIBED IN INSTRUMENT RECORDED IN OFFICIAL RECORD BOOK 915, PAGE 868, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND ALSO LESS THAT PART FOR ERIE ROAD RIGHT-OF-WAY DESCRIBED IN INSTRUMENT RECORDED IN OFFICIAL RECORD BOOK 955, PAGE 147, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 1d:

THAT PART OF LOTS 26, 27, 28, 29, 42, 43, 44 AND 45, MECCA PARK COLONY AS RECORDED IN PLAT BOOK 1, PAGE 192-A, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, LYING EAST OF U.S. INTERSTATE 75 HIGHWAY LESS THAT PART TO FLORIDA DEPARTMENT OF TRANSPORTATION FOR ROAD RIGHT-OF- WAY DESCRIBED IN INSTRUMENT RECORDED IN OFFICIAL RECORD BOOK 915, PAGE 868, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 1e:

THAT PART OF THE EAST 139.0 FEET OF THE WEST 179.0 FEET OF THE WEST 3/4 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, LYING SOUTH OF ERIE ROAD, LESS AND EXCEPT THAT CERTAIN PARCEL OF LAND DEEDED TO THE COUNTY OF MANATEE BY WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 1200, PAGE 3862 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 1f:

LOTS 34, 35, 36, 37, 50, 51, 52 AND 53 MECCA PARK COLONY AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 192-A OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

ALSO:

PARCEL 1g:

THE WEST 10 ACRES OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA;

ALSO:

PARCEL 1h:

THE WEST 40 FEET OF THE FOLLOWING DESCRIBED LAND:

THE WEST 3/4 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 33 SOUTH, RANGE 18 EAST, LYING SOUTH OF ERIE ROAD IN MANATEE COUNTY, FLORIDA, AND IS TO BE USED FOR THE PURPOSE OF BEING MEANS OF INGRESS AND EGRESS TO SAID LOT 50, MECCA PARK COLONY.

PARCEL 2:

FROM THE NORTHWEST CORNER OF SECTION 34, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA, RUN N89°28'12"E, ALONG THE NORTH LINE OF SAID SECTION 34, A DISTANCE OF 69.51 FEET TO THE CENTERLINE OF THE FLORIDA POWER AND LIGHT POLE LINE; THENCE S00°55'08"W, ALONG SAID POLE LINE, A DISTANCE OF 2626.71 FEET TO THE POINT OF BEGINNING; THENCE S00°55'08"W, ALONG SAID POLE LINE, A DISTANCE OF 975.05 FEET TO THE NORTH RIGHT-OF-WAY

LINE OF THE SEABOARD COASTLINE RAILROAD; THENCE S63°24'39"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 755.47 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE S89°49'52"W, A DISTANCE OF 784.05 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4; THENCE N01°57'10"E, A DISTANCE OF 1301.20 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4; THENCE N89°21'52"E, A DISTANCE OF 1324.79 FEET TO THE NORTHEAST CORNER OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SAID SECTION 34; THENCE N89°52'26"E, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 106.21 FEET TO THE POINT OF BEGINNING, LYING AND BEING IN SECTIONS 33 AND 34, TOWNSHIP 33 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA