TITLE CERTIFICATION

SUBDIVISION NAME:  Oak Trail

LEGAL DESCRIPTION:  (Attach as Exhibit “A"

I, Andrew Conaboy, the (Attorney-at-Law or Abstractor of Title Insurance Company) hereby confirm that apparent record title to the land described above and shown on Oak Trail (Subdivision Name) is in the name of Estero Development Partners, LP (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:
Quest IRA Inc., FBO William Randall Cline IRA #1795811 (20%)
Lawrence Chan
Rodney L. Blower and Phyllis M. Blower

LIENS:

OFFICIAL RECORD BOOK AND PAGE (S):
Official Records Book(s) 2717, Page(s) 7632

WITNESS my hand and official seal at Manatee County, Florida, this 2 day of July 2019.

Signature

(Attorney or Abstractor)
Andrew Conaboy
Berlin Patten Ebling, PLLC
3700 S. Tamiami Trail, Suite 200, Sarasota, FL 34239
(941)954-9991

(Type Name, Title, Law Firm or Title Insurance Company and Address)
FL. Bar No. or FL Certificate No. 0114391
JUNE 26, 2018

OAK TRAIL, PHASE II, A SUBDIVISION

DESCRIPTION:

A REPLAT OF PHASE II OF OAK TRAIL, A LAND CONDOMINIUM AS PER PLAT THEREOF RECORDED IN CONDOMINIUM BOOK 35, PAGE 32 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND BEING A REPLAT OF A PORTION OF LOTS 4, 6 AND 7 OF HOLMES & PUGH, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 140 OF SAID PUBLIC RECORDS, LYING IN SECTION 1, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE COMMON CORNER OF LOTS 4, 5, 6 AND 7 OF SAID HOLMES & PUGH; THENCE S 88°37'56" E, ALONG THE NORTH LINE OF SAID PHASE II, A DISTANCE OF 638.30 FEET TO AN INTERSECTION WITH THE WEST MAINTAINED RIGHT OF WAY LINE OF 4th AVENUE EAST AS RECORDED IN ROAD PLAT BOOK 7, PAGE 153 OF SAID PUBLIC RECORDS; THENCE S 01°06'40" E, ALONG SAID WEST MAINTAINED RIGHT OF WAY LINE, A DISTANCE OF 308.22 FEET TO AN INTERSECTION WITH THE NORTH MAINTAINED RIGHT OF WAY LINE OF 45th STREET EAST AS RECORDED IN ROAD PLAT BOOK __, PAGE ___ OF SAID PUBLIC RECORDS; THENCE N 88°36'18" W, ALONG THE SOUTH LINE OF SAID PHASE II AND IT'S EASTERLY EXTENSION SAID NORTH MAINTAINED RIGHT OF WAY LINE, A DISTANCE OF 1141.94 FEET TO AN INTERSECTION WITH SAID PHASE II; THENCE ALONG SAID PHASE II THE FOLLOWING SIX (6) COURSES: (1) N 50°50’13" E, A DISTANCE OF 192.11 FEET; (2) N 31°27’18" E, A DISTANCE OF 91.12 FEET TO A POINT ON THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS N 31°27’18" E, AT A DISTANCE OF 152.50 FEET; (3) NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58°48’55", A DISTANCE OF 156.54 FEET TO A POINT OF TANGENCY; (4) N 00°16’13" E, A DISTANCE OF 15.53 FEET; (5) S 89°43’47" E, A DISTANCE OF 373.45 FEET; (5) S 00°28’47" E, A DISTANCE OF 48.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.54 ACRES, MORE OR LESS.
MANATEE COUNTY BUILDING & DEVELOPMENT SERVICES DEPARTMENT
AFFIDAVIT OF OWNERSHIP/AGENT AUTHORIZATION AFFIDAVIT

Property Owner (Company or individual) (print): Estero Development Partners, LP
Mailing Address (print): 725 Cherry Road, Suite 3234, Rock Hill, SC 29732
Officer’s Name and Title (print): Kevin Burrill / President

Being first duly sworn, deposite(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: See Attached

2. That this property constitutes the property for which a request for Emergency Order Extensions

(Type of Application Approval Requested)

Is being applied for to Manatee County, Florida;

3. That the undersigned has (have) appointed and does (do) appoint ZNS Engineering, LC/Jeb C. Mulock, P.E. 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 2/15/19 by Kevin Burrill who is personally known to me or who has produced DL as identification.

(type of identification)

My Commission Expires: 2/25/26

Signature of Person Taking Acknowledgment

Name

Operations May/Notary Public
Title or Rank

Rev 2/8/10 B2
MARCH 29, 2019

OAK TRAIL, PHASE II, A SUBDIVISION

DESCRIPTION:

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CONTAINING 7.54 ACRES, MORE OR LESS.
MARCH 29, 2019

OAK TRAIL, PHASE II, A SUBDIVISION

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CONTAINING 7.54 ACRES, MORE OR LESS.
OAK TRAIL
PHASE II, A SUBDIVISION
A REPLAT OF A PORTION OF LOTS 4, 6 & 7 OF
HOLMES & PUGH, A SUBDIVISION
RECORDED IN PLAT BOOK 2, PAGE 140 OF PUBLIC
RECORDS OF MANATEE COUNTY, FLORIDA
A REPLAT OF A PHASE II OF
OAK TRAIL, A LAND CONDOMINIUM
RECORDED IN CONDOMINIUM BOOK 31, PAGE 135
OF PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA
SECTION 1, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

ZNS ENGINEERING, L.C.
ENGINEERS, PLANNERS, SURVEYORS & LANDSCAPE ARCHITECTS
201 - 5th AVENUE DRIVE EAST, BRADENTON, FLORIDA 34208
June 28, 2018

Case Manager
Manatee County Building and Development Services
1112 Manatee Ave, West 4th Floor
Bradenton, FL 34205

Re: Oak Trail Phase II Plat
ZNS Project No.: 43927

This letter will certify that the following items are not a requirement of this Plat.

- There are no private improvements in the public right of way (paver brick, right of way islands, etc.)
- The POMD/BOS will be executed as a part of the Defect Turnover
- There are no off-site easements
- This Project will not be bonded

We trust the above satisfies your requirements for Plat submittal. If you have any further questions, please contact us.

Sincerely,
ZNS Engineering, L.C.

[Signature]

Michael Ferdinand, P.E.
Project Manager
MANATEE COUNTY GOVERNMENT
PROJECT MANAGEMENT DEPARTMENT
Infrastructure Inspection Services Division

MEMORANDUM

DATE: January 25, 2006

TO: Richard Hurter, P.E.
Planning Implementation Division

FROM: Charlie Bishop, Division Manager
Robert M. Zingg, Division Supervisor
Infrastructure Inspection Services, Project Management Department

SUBJECT: CERTIFICATE OF COMPLETION – WITH STIPULATIONS ATTACHED

PROJECT: OAKVIEW PHASE 1
PDR-04-06

The final inspection for approval on the above project was held on 1/24/06, and conducted by the following individual(s):
Claude Jones – PMD
Dale Reaume – Cyrix
Derrick Barwick – DeMorgan Communities
Richard Bedford – DeMorgan Communities

CONCLUSION

( X ) Final inspection passed. Please see comments on the following page.

NOTE: All items on the attached lists to be completed with the construction of the next phase of the project per the agreement with Manatee County Project Management Department, Planning Department, Developer, and Engineer of Record.

BZ/cl

c: Engineer of Record
Robert Zingg-Inspections Supervisor
Project Inspector
Mike Harrison, Jane Oliver, Debbie Perron, Vicki Fenton, John Osborne – Planning Dept.
Craig England, Donnie Hicks, Don Stillwell – Transportation Dept.
Tim LaBarr – Information Services

S:\PGM_TRN_Inspections\Admin\Cloverman\WPOOCS\COC (DOT) Letters\Oakview Phase 1 Cert of Comp OK (with list) page 1.doc
The following listed items were noted as deficiencies during the DOT final inspection as they did not meet Manatee County requirements. Final review and approval will be made upon completion of these items.

2. Submit test reports/results to Mark Mayer, Plan Implementation Div.-Planning Department.
3. Installment of traffic control devices and applicable striping according to Manatee County Traffic Control Engineer.
4. Pond 3 wier wall has exposed steel needs to be mudded up.
5. Replace curb at lot 175,115,198.
6. Finish cleanup on 17th St E and on 28th Ave E.
7. Blue RPM’s need to be in place for all hydrant’s in Phase I.
8. Repaint curb inlet kick plates gray epoxy paint.
9. All curb inlet boxes and piping to be flushed/cleaned.

*NOTE:* Due to site conditions and activities in Phase I, additional punchlist items may be noted on the final inspections of all phases.

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**ALL REVISIONS/CHANGES TO PLANS MUST BE APPROVED THROUGH OR BY PLAN IMPLEMENTATION DIVISION OF PLANNING AND PERMITTING DEPARTMENT, AND A COPY SENT BY THEM TO THE INSPECTIONS DEPARTMENT AFTER APPROVAL.**

**PUNCHLIST ITEMS MAY BE ADDED AT TIME OF FINAL INSPECTION.**
July 26, 2005

Zoller, Najjar & Shroyer, L.C.
201 5th Avenue Drive East
Bradenton, FL 34208

ATT: Mr. Steve J. Lopes, P.E. (stevel@znsgeng.com)
Project Engineer

RE: Oak Trail (a.k.a. Town & Country Villas)
PDR-03-04/FSP-04-05
Record Drawings – Water/Sewer

Dear Mr. Lopes,

We have received acceptance from Project Management for the above project. We are returning one set of drawings for your use stamped "ACCEPTED" along with an attached copy of the Project Management Department’s acceptance letter dated July 7, 2005.

We will retain one copy of the Record Drawings for our Planning department records.

Our Project Management Department has acknowledged receipt of the record mylars and disk copies and they have been forwarded to Olga Rosier in the Utility Records Department.

The original DEP Water and Wastewater Certification of Completion of Construction forms have been forwarded to you by Project Management.

If we can be of further assistance, please contact me at 749-3070.

Sincerely,

[Signature]

Richard Hurter, P.E.
Development Review Engineer

cc: PD Records (w/1 set of plans)

VIA EMAIL:

Olga Rosier, MCPMD
Debbie Perron, MCPD
Jane Oliver, MCPD
Bob Fluke, MCPMD - 26th. Ave. E.
Mohan Thampi, P.E., MCPMD - 26th Ave. E.
Sia Mollanaazar, P.E., MCTD – 26th Ave. E.
H. Wayne Roberts, P.E., MCTD – 26th Ave. E.
DATE: July 7, 2005

TO: Richard Hurter, P.E. – Planning Department

FROM: Bill Sagatys

SUBJECT: Record Drawing Acceptance and Completion of Construction for Oak Trail aka Town & Country Villas - Water & Sewer Privately Owned & Maintained Utilities PDR-03-04/ESP-04-05

The record drawings are acceptable for the above referenced project. Attached you will find two signed and sealed copies. Please notify the engineer that the record drawings are acceptable. Since he has already given me the mylar and disk copies, I will forward them to Olga Rosier in the Utility Records Division.

Also you will find for your records, a copy of the water and wastewater DEP Certification of Completion of Construction forms, a copy of a cover letter of the Engineer of Record, the completed infrastructure inspections test results, and the bacteriological tests.

I have forwarded the original DEP Water and Wastewater Certification of Completion of Construction forms to the Engineer of Record. I have done this based on the facts that the record drawings, to the best of our knowledge, are complete and correct and the Infrastructure Inspections Division has notified me that the project is substantially complete. Please be advised that there may be minor infrastructure inspection issues still outstanding. Our Inspections Division will not release this project to Utilities Customer Service until all inspection issues are completed and the certification approvals are issued by the appropriate regulatory agencies.

If you have any questions, give me a call on extension 5077.

cc: Mohan Thampi, P.E., Projects and Engineering Manager
    Olga Rosier- Utility Records - w/mylar and disk copies
    June Oliver - Planning Department
    Dave Schofield, Distribution Superintendent - w/copy of DEP Water Certification
    Rob Fluke, Infrastructure Inspections Division Manager
    File
    RDtoRHOakTrailW&S070705
June 24, 2005

Timothy Hochuli, PE
MC Project Management Department
1026 26th Avenue East
Bradenton, FL 34208

Mr. Harry Messick
MC Health Department
Environmental Health Services
410 Sixth Avenue East
Bradenton, FL 34208-1986

RE: Oak Trail
MC File Number: PDR-03-04/FSP-04-05
ZNS File Number: 00-28318

Dear Gentlemen:

I hereby certify to Manatee County that, to the best of my knowledge and belief and based on observable site conditions only, the site work improvements consisting of gravity sewer and potable water line extensions have been completed in substantial compliance with the approved plans to serve Oak Trail, except as may be noted herein, or on the project record drawings.

Enclosed please find four (4) signed and sealed print sets of the water and sewer record drawings, plus one (1) mylar of same, and one (1) CD containing water and sewer record drawing information. Upon review and approval, please return one (1) approved print to our office for further processing. The opposite water line has been previously certified and accepted.

This certification is based on inspections conducted by Manatee County and Zoller, Najjar & Shroyer, L.C. personnel as follows:

1. Bacteriological clearance (attached).................................05/24/05
2. Potable water pressure test (attached)............................05/16/05
   02/07/05
3. Lamping/TV and air testing (attached)............................05/31/05
   05/17/05
   05/16/05
4. Sanitary punch list satisfied (attached)..........................06/07/05
5. Water punch list satisfied (attached)..............................06/07/05

By this letter to the Manatee County Project Management Department, we are providing them with three signed and sealed "Request for Letter of Release to Place Water Supply System into Service" forms and three signed and sealed "Domestic Wastewater Collection/Transmission Systems Certification of Completion of Construction forms, and requesting that they have the forms executed by the appropriate party and return two executed copies of each to the Engineer for distribution.
Please note that the bacteriologials expire on July 25, 2005.

This letter does not relieve the contractor from completion of his obligations under the terms of the contract.

Please do not hesitate to call if you should have any questions or require additional information.

Very truly yours,

**ZOLLER, NAJJAR & SHROYER, L.C.**

[Signature]

Steve J. Lopes, PE  6/24/05
Project Engineer

/rm

Attachments (To Timothy Hochuli only):
- DEP Form 62-555.900(9)(originals),
- DEP Form 62-604.300(7)(b)(originals),
- Inspection Reports, Bacteriological Clearance
- 4 Print Sets of Record Drawings
- 1 Mylar Set of Record Drawings
- 1 CD of Record Drawing Information

cc:  Debbie Perron
    Jane Oliver-Mason (sealed copy)
    Bill Furst
    Steve Appel
    Mike Drapala
    Jill Winters
March 15, 2006

William C. Furst  
Town & Country Developers of Florida, Inc.  
2 North Tamiami Trail, Suite 410  
Sarasota, FL 34236

Subject: Transfer to Operation Phase

Project Name: Oak Trail, (f.k.a. Town & Country Villas)
Permit No.: 44025557.001
Compliance No.: CT 160413
Sec/Twp/Rge: 1/34S/17E
County: Manatee

Dear Mr. Furst:

The request to transfer the permit referenced above to the operation phase has been approved. District staff has reviewed the as-built drawings, inspected the project, and determined the surface water management system in compliance at the time of our inspection. Minor deviation(s) (listed below), which do not appear to adversely affect the functions of the permitted system at this time, were discovered.

- If the responsibility for the operation and maintenance of the surface water management system is transferred from Town and Country Developers of Florida, Inc., to the Homeowners' Association, or any other new owner, the related District permit(s) must be appropriately assigned at that time. Additionally, copies of the final recorded Deed Restrictions and Articles of Incorporation for the Association will be required at the time of transfer.

These minor deviation(s) should be corrected as soon as possible to comply with the permit, but no later than the time of the next required inspection. The District reserves the right to inspect the project in the future to ensure continued compliance with state law and District rules.

The Permit contains conditions requiring periodic inspection and maintenance. The inspections are required every 18 to 24 months. The inspection results must be reported to the District on the enclosed form entitled "Statement of Inspection for Proper Operation and Maintenance." Please refer to the permit to determine the inspection schedule and when this form should be filed.

As outlined in Subsection 40D-4.351(1)(a), "A Permittee shall notify the District within 30 days of any sale, conveyance or any other transfer for a permitted surface water management system or the real property at which the system is located." For your convenience, we have enclosed a "Notification and Request for Transfer of Environmental Resource Permit" form to submit for transferring the permit.
If you have questions, please contact Kathleen A. Kastner, P.E., at extension 6540 or via e-mail at kathleen.kastner@swfwmd.state.fl.us, or contact Mitchell G. Malone at extension 6524, in the Sarasota Service Office.

Sincerely,

James P. Guida, P.G., Director
Sarasota Reclamation Department

Enc.: Executed Statement of Completion, As-Built Drawings, Approved Permit, Notification and Request to Transfer Form

cc: File of Record 44026557.001/CT 160413
Leonard J. Najjar, P.E., Zoller, Najjar & Shroyer, L.C.
Within 30 days after completion of construction of the surface water management system, the owner or authorized agent must submit the original plus one copy of this form and two complete sets of certified as-built drawings for the surface water management system structures and appurtenances. Upon receipt, this Statement of Completion will be reviewed and the system may be inspected for compliance with the approved permit and as-built drawings. The operation phase of this permit is effective when the Statement of Completion for is signed by an authorized District representative.

1. SURFACE WATER MANAGEMENT SYSTEM INFORMATION:

   Permit No.: 44026557.001  County: Manatee
   Project Name: Oak Trail (aka Town & Country Villas)
   Address: 2 North Tamiami Trail, Suite 410
   City, State, Zip: Sarasota, Fl. 34236
   Telephone: (941) 955-1177

2. I HEREBY CERTIFY THAT (please choose accurately and check only one box):
   X A. At the time of final inspection, the surface water management system was completed substantially in accordance with the permitted construction plans and information. Any minor deviations from the permitting plans and specifications will not prevent the system from functioning in compliance with the requirements of Chapters 40D-4 and 40D-40, or 40D-45, or 40D-6, Florida Administrative Code (F.A.C.). (The as-built drawings and information submitted to the District shall confirm this certification.)

   B. At the time of final inspection, the system was NOT completed in substantial conformance with the permitted construction plans and information. (The registered professional engineer shall describe the deviation(s) in writing, and provide confirming depiction on the as-built drawings and information.)

This certification shall be verified by TWO COPIES of attached "as-built" drawings (as-built drawings must be signed, dated and sealed by a Florida Registered Professional Engineer or Professional Land Surveyor and Mapper, as required by State Law).

Leonard J. Najjar, PE  23445
Name (please type)  Fla P.E. Reg. No.

Zeller, Najjar & Shroyer, L.C.
Company Name

PO Box 9448
Company Address

Bradenton, Fl. 34206
City, State, Zip

Date: 2-20-06

Phone: (941) 748-8080

Signature of Engineer of Record

A FFIX S E A L

FORM 547.27/SOC(8-00)

PAGE 1 OF 2Rule 40D-1.659, F.A.C.
3. **NOTIFICATION OF COMPLETION:** The District is hereby notified that construction of the surface water management system is completed, and the Permittee requests that the surface water management permit be transferred to the legal entity (individual owner or corporate) responsible for operation and maintenance (O&M) as named in Section 4. An authorized agent must submit a letter of authorization from the permittee authorizing him or her to execute this notification.

**By:**

Signature of Permittee or Authorized Agent

William C. Furst, Senior Vice President
Name and Title (please type)

Town & Country Developers of Florida, Inc.
Company Name

2 Tamiami Trail, Suite 410
Company Address

Sarasota, FL 34236
City, State, Zip

4. **AGREEMENT FOR SYSTEM OPERATION AND MAINTENANCE RESPONSIBILITY:** The below-named legal entity responsible for O&M agrees to operate and maintain the surface water management system in compliance with all permit conditions and the provisions of Chapter 40D-4 and 40D-40, or 40D-45, or 40D-6, F.A.C. An authorized agent must submit a letter of authorization from the owner or other legal entity authorizing him or her to execute this agreement.

**By:**

Signature of Representative of Acceptable O&M Entity or Authorized Agent

Y. William C. Furst, Senior Vice President
Name and Title (please type)

44026557.001
Permit Number

Y. Town & Country Developers of Florida, Inc.
Name of Owner or Other Acceptable Legal Entity for O&M

Y. 2 Tamiami Trail, Suite 410
Address

Y. Sarasota, FL 34236
City, State, Zip

Y. 941-955-1177
Phone

2/20/06
Date

RESPONSIBILITY FOR OPERATION AND MAINTENANCE MAY BE TRANSFERRED TO ANOTHER ENTITY ONLY UPON WRITTEN NOTICE AND APPROVAL BY THE DISTRICT IN ACCORDANCE WITH RULE 40D-4.351, F.A.C.

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**AGENCY USE ONLY**

OPERATION AUTHORIZATION: Based upon the certification by the Engineer of Record in Section 2. and the notice of completion in Section 3., the responsibility for operation and maintenance of the system is transferred to the legal entity named in Section 4., and the operation phase of this permit is effective on the date indicated below.

**Southwest Florida Water Management District:**

Authorized District Representative

James P. Guida, P.G., Director
Sarasota Regulation Department
Name and Title

Effective Date

March 15, 2006
Permit Number

(enter month and day, two-digits each; and year, four digits)
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE
GENERAL CONSTRUCTION
PERMIT NO. 44026557.001

Expiration Date: October 28, 2009

PERMIT ISSUE DATE: October 28, 2004

TRANSFERRED TO OPERATION PHASE

This permit is issued under the provisions of Chapter 373, Florida Statutes (F.S.), and the Rules contained in Chapters 40D-4 and 40, 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: Oak Trail, f.k.a. Town & Country Villas

GRANTED TO: Town & Country Developers of Florida, Inc.
2 North Tamiami Trail, Suite 410
Sarasota, FL 34236

ABSTRACT: This permit authorizes the construction of a surface water management system to serve the construction of 66 single family attached villas with parking areas, access drives, and associated facilities. The project area is 19.32 acres and includes 5.1 acres of impervious area. The site is located at the intersection of Experimental Farm Road (49th Street East) and U.S. Highway 19, in Manatee County. Surface water run-off is directed through swales, catch basins and drainage pipes to three wet detention ponds SWF#1, SWF#2, and SWF#3. The required permanent pool volume is 6.144 acre-feet and a permanent pool volume of 6.572 acre-feet is available. The control devices are each sized so that one-half inch of runoff volume is discharged in no less than 24 hours using the Alternate 3 Wet Detention Conservation Method design. The ponds provide attenuation for a 25-year storm event, from 1,212 cfs per acre in the pre-development phase to 0.535 cfs per acre in the post-development phase. There is one wetland totaling 2.73 acres located within the project area. This wetland will be incorporated into the surface water management system. No wetland impacts will occur to this onsite wetland. There is one other surface water feature located within the project area that will be permanently impacted. No mitigation will be required for the other surface water impact.

OP. & MAINT. ENTITY: Oak Trail Condominium Association, Inc.

COUNTY: Manatee

SEC/TWP/RGE: 1/34S/17E

TOTAL ACRES OWNED OR UNDER CONTROL: 19.32

PROJECT SIZE: 19.32 Acres

LAND USE: Single-family Residential

DATE APPLICATION FILED: May 12, 2004

AMENDED DATE: N/A
October 28, 2004

Mr. William C. Furst
Town & Country Developers of Florida, Inc.
2 North Tamiami Trail, Suite 410
Sarasota, FL 34236

Subject: Final Agency Action Transmittal Letter

ERP General Construction

Permit No.: 44028557.001
Project Name: Oak Trail, f.k.a. Town & Country Villas

County: Manatee
Sec/Twp/Range: 1/34S/17E

Dear Mr. Furst:

This letter constitutes notice of Final Agency Action for approval of the permit referenced above. Final approval is contingent upon no objection to the District’s action being received by the District within the time frames described below.

You or any person whose substantial interests are affected by the District’s action regarding a permit may request an administrative hearing in accordance with Sections 120.569 and 120.57, Florida Statute (F.S.), and Chapter 28-106, Florida Administrative Code (F.A.C.), of the Uniform Rules of Procedure. A request for hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's action, or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no disputed facts, and (3) otherwise comply with Chapter 28-106, F.A.C. Copies of Sections 28-106.201 and 28-106.301, F.A.C. are enclosed for your reference. A request for hearing must be filed with (received by) the Agency Clerk of the District at the District’s Brooksville address within 21 days of receipt of this notice. Receipt is deemed to be the fifth day after the date on which this notice is deposited in the United States mail. Failure to file a request for hearing within this time period shall constitute a waiver of any right you or such person may have to request a hearing under Sections 120.569 and 120.57, F.S. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding the District’s action in this matter is not available prior to the filing of a request for hearing.

Enclosed is a "Noticing Packet" that provides information regarding the District Rule 40D-1.1010, F.A.C., which addresses the notification of persons whose substantial interests may be affected by the District’s action in this matter. The packet contains guidelines on how to provide notice of the District’s action, and a notice that you may use.
The enclosed approved construction plans are part of the permit, and construction must be in accordance with these plans.

If you have questions concerning the permit, please contact Elizabeth Wong, P.E., at the Sarasota Service Office, extension 6506. For assistance with environmental concerns, please contact Richard R. Repperger, extension 6538.

Sincerely,

James P. Guida, P.G., Director
Sarasota Regulation Department

Enclosures: Approved Permit w/Conditions Attached
Approved Construction Drawings
Statement of Completion
Notice of Authorization to Commence Construction
Noticing Packet (42.00-039)
Sections 28-106.201 and 28-106.301, F.A.C.

cc/enc: File of Record 44026557.001
Steven J. Lopes, P.E., Project Engineer, Zoller, Najjar & Shroyer, L.C.
This permit is issued under the provisions of Chapter 373, Florida Statutes (F.S.), and the Rules contained in Chapters 40D-4 and 40, 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: Oak Trail, f.k.a. Town & Country Villas

GRANTED TO: Town & Country Developers of Florida, Inc.
2 North Tamiami Trail, Suite 410
Sarasota, FL 34236

ABSTRACT: This permit authorizes the construction of a surface water management system to serve the construction of 66 single family attached villas with parking areas, access drives, and associated facilities. The project area is 19.32 acres and includes 5.1 acres of impervious area. The site is located at the intersection of Experimental Farm Road (49th Street East) and U.S. Highway 19, in Manatee County. Surface water run-off is directed through swales, catch basins and drainage pipes to three wet detention ponds SWF#1, SWF#2, and SWF#3. The required permanent pool volume is 6.144 acre-feet and a permanent pool volume of 6.572 acre-feet is available. The control devices are each sized so that one-half inch of runoff volume is discharged in no less than 24 hours using the Alternate 3 Wet Detention Conservation Method design. The ponds provide attenuation for a 25-year storm event, from 1,212 cfs per acre in the pre-development phase to 5.353 cfs per acre in the post-development phase. There is one wetland totaling 2.73 acres located within the project area. This wetland will be incorporated into the surface water management system. No wetland impacts will occur to this onsite wetland. There is one other surface water feature located within the project area that will be permanently impacted. No mitigation will be required for the other surface water impact.

OP. & MAINT. ENTITY: Oak Trail Condominium Association, Inc.

COUNTY: Manatee

SEC/TWP/RGE: 1/34S/17E

TOTAL ACRES OWNED OR UNDER CONTROL: 19.32

PROJECT SIZE: 19.32 Acres

LAND USE: Single-family Residential

DATE APPLICATION FILED: May 12, 2004

AMENDED DATE: N/A
I. Water Quantity/Quality:

<table>
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<tr>
<th>POND NO.</th>
<th>AREA ACRES @ TOP OF BANK</th>
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<tr>
<td>SWF #1</td>
<td>0.892</td>
<td>Wet Detention</td>
</tr>
<tr>
<td>SWF #2</td>
<td>1.277</td>
<td>Wet Detention</td>
</tr>
<tr>
<td>SWF #3</td>
<td>0.640</td>
<td>Wet Detention</td>
</tr>
<tr>
<td>TOTAL</td>
<td>2.809</td>
<td></td>
</tr>
</tbody>
</table>

Comments: SWF No. 1 is interconnected with SWF No. 2. SWF No. 1 provides attenuation volume only. SWF No. 2 provides treatment for both SWF No. 1 and SWF No. 2 drainage areas.

A mixing zone is not required.
A variance is not required.

II. 100-Year Floodplain:

Comments: There is no FEMA floodplain within the project area.

III. Environmental Considerations:

<table>
<thead>
<tr>
<th>Wetland Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>WETLAND NO.</td>
</tr>
<tr>
<td>WL-A</td>
</tr>
<tr>
<td>TOTAL</td>
</tr>
</tbody>
</table>

Comments: The wetland onsite has had the hydrology altered in the past by the urban residential areas surrounding the wetland. It has also been impacted by exotic and nuisance vegetation consisting of Primrose willow and Brazilian pepper. The existing hydrology will be maintained, and a 30 foot enhanced buffer around the wetland will be provided. One 0.04 acre other surface water will be permanently impacted by the construction of this project. This other surface water provides no habitat for threatened or endangered species and no compensation will be required pursuant to Section 3.2.2.2 of the Basis of Review, 40D-4, F.A.C.

Mitigation Information:

Comments: No wetland impacts will occur to the onsite wetland and no mitigation will be required.

Watershed Name: South Coastal Drainage, Tampa Bay Drainage

A regulatory conservation easement is not required.

A proprietary conservation easement is not required.

**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 shall terminate, pursuant to Section 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. Unless specified otherwise herein, two copies of all information and reports required by this permit shall be submitted to:

Sarasota Regulation Department
Southwest Florida Water Management District
6750 Fruitville Road
Sarasota, FL 34240-9711

The permit number, title of report or information and event (for recurring report or information submittal) shall be identified on all information and reports submitted.

3. The Permittee shall retain the design engineer, or other professional engineer registered 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 professional engineer so employed. This information shall be submitted prior to construction.

4. Within 30 days after completion of construction of the permitted activity, the Permittee shall submit to the Sarasota Service Office a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1.659, F.A.C., and signed, dated and sealed as-built drawings. The as-built drawings shall identify any deviations from the approved construction drawings.

5. The District reserves the right, upon prior notice to the Permittee, to conduct on-site research to assess the pollutant removal efficiency of the surface water management system. The Permittee may be required to cooperate in this regard by allowing on-site access by District representatives, by allowing the installation and operation of testing and monitoring equipment, and by allowing other assistance measures as needed on site.

6. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance.

7. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:

   - wetland preservation
   - wetland buffers
   - limits of approved wetland impacts

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

8. Wetland WL-A boundaries shown on the approved construction drawings shall be binding upon the Permittee and the District.

9. The following language shall be included as part of the deed restrictions for each lot:

"No owner of property within the subdivision may construct or maintain any building, residence, or structure, or undertake or perform any activity in the wetlands, wetland mitigation areas, buffer areas, upland conservation 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, Sarasota Regulation Department."
10. Rights-of-way and easement locations necessary to construct, operate and maintain all facilities, which constitute the permitted surface water management system, shall be shown on the final plat recorded in the County Public Records. Documentation of this plat recording shall be submitted to the District with the Statement of Completion and Request for Transfer to Operation Entity Form, and prior to beneficial occupancy or use of the site. The plat shall include the locations and limits of the following:

- all wetlands
- wetland buffers

11. Copies of the following documents in final form, as appropriate for the project, shall be submitted to the Sarasota Regulation Department Service Office:
   
a. homeowners, property owners, master association or condominium association articles of incorporation, and
   
b. declaration of protective covenants, deed restrictions or declaration of condominium.
   
c. The Permittee shall submit these documents either: (1) within 180 days after beginning construction or within the Statement of Completion and as-built construction plans if construction is completed prior to 180 days, or (2) prior to any lot or unit sales within the project served by the surface water management system, whichever occurs first.

12. The following language shall be included as part of the deed restrictions for each lot:

"Each property owner within the subdivision at the time of construction of a building, residence, or structure shall comply with the construction plans for the surface water management system approved and on file with the Southwest Florida Water Management District (SWFWMD)."

13. The operation and maintenance entity shall submit inspection reports in the form required by the District, in accordance with the following schedule.

For systems utilizing retention or wet detention, the inspections shall be performed two (2) years after operation is authorized and every two (2) years thereafter.

14. The removal of littoral shelf vegetation (including cattails) from wet detention ponds is prohibited unless otherwise approved by the District. Removal includes dredging, the application of herbicide, cutting, and the introduction of grass carp. Any questions regarding authorized activities within the wet detention ponds shall be addressed to the District's Surface Water Regulation Manager, Sarasota Service Office.

15. All lots abutting wet detention ponds shall have the following language (or similar language as approved in writing by the Sarasota Regulation Department) as part of the deed restrictions.

"The lot owners shall not remove native vegetation (including cattails) that becomes established within the wet detention ponds abutting their property. Removal includes dredging, the application of herbicide, cutting, and the introduction of grass carp. Lot owners shall address any questions regarding authorized activities within the wet detention ponds to SWFWMD, Sarasota Service Office, Surface Water Regulation Manager."

16. This permit is issued based upon the design prepared by the Permittee's consultant. If at any time it is determined by the District that the Conditions for Issuance of Permits in Rules 40D-4.301 and 40D-4.302, F.A.C., have not been met, upon written notice by the District, the Permittee shall obtain a permit modification and perform any construction necessary thereunder to correct any deficiencies in the system design or construction to meet District rule criteria. The Permittee is advised that the correction of deficiencies may require re-construction of the surface water management system and/or mitigation areas.
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.

Authorized Signature
EXHIBIT "A"

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.

2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

3. For general permits authorizing incidental site activities, the following limiting general conditions shall also apply:

   a. If the decision to issue the associated individual permit is not final within 90 days of issuance of the incidental site activities permit, the site must be restored by the permittee within 90 days after notification by the District. Restoration must be completed by re-contouring the disturbed site to previous grades and slopes re-establishing and maintaining suitable vegetation and erosion control to provide stabilized hydraulic conditions. The period for completing restoration may be extended if requested by the permittee and determined by the District to be warranted due to adverse weather conditions or other good cause. In addition, the permittee shall institute stabilization measures for erosion and sediment control as soon as practicable, but in no case more than 7 days after notification by the District.

   b. The incidental site activities are commenced at the permittee's own risk. The Governing Board will not consider the monetary costs associated with the incidental site activities or any potential restoration costs in making its decision to approve or deny the individual environmental resource permit application. Issuance of this permit shall not in any way be construed as commitment to issue the associated individual environmental resource permit.

4. Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and a pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

5. Water quality data for the water discharged from the permittee's property or into the surface waters of the state shall be submitted to the District as required by the permit. Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency. If water quality data are required, the permittee shall provide data as required on volumes of water discharged, including total volume discharged during the days of sampling and total monthly volume discharged from the property or into surface waters of the state.

ERP General Conditions
Individual (Construction, Conceptual, Mitigation Banks), General,
Incidental Site Activities, Minor Systems
Page 1 of 3
41.00-023(03/04)
6. 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.

7. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.

8. 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.

9. The permittee shall complete construction of all aspects of the surface water 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.

10. 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.

11. All surface water 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.

12. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a written notification of commencement indicating the actual start date and the expected completion date.

13. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the occupation of the site or operation of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

14. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form identified in Chapter 40D-1, F.A.C. Additionally, if deviation from the approved drawings are discovered during the certification process the certification must be accompanied by a copy of the approved permit drawings with deviations noted.

ERP General Conditions
Individual (Construction, Conceptual, Mitigation Banks), General,
Incidental Site Activities, Minor Systems
Page 2 of 3

41.00-023(03/04)
15. 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.

16. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the conditions herein, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District accepts responsibility for operation and maintenance of the system. The permit may not be transferred to the operation and maintenance entity approved by the District until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible operation and maintenance entity approved by the District, if different from the permittee. Until a transfer is approved by the District, the permittee shall be liable for compliance with the terms of the permit.

17. Should any other regulatory agency require changes to the permitted system, the District shall be notified of the changes prior to implementation so that a determination can be made whether a permit modification is required.

18. This permit does not eliminate the necessity to obtain any required federal, state, local and special District authorizations including a determination of the proposed activities' compliance with the applicable comprehensive plan prior to the start of any activity approved by this permit.

19. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40D-4 or Chapter 40D-40, F.A.C.

20. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.

21. 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 section 373.421(2), F.S., provides otherwise.

22. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rule 40D-4.351, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

23. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to ensure conformity with District rules, regulations and conditions of the permits.

24. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District and the Florida Department of State, Division of Historical Resources.

25. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

ERP General Conditions
Individual (Construction, Conceptual, Mitigation Banks), General,
Incidental Site Activities, Minor Systems
Page 3 of 3
41.00-023(03/04)
January 22, 2018

Rachel Layton  
ZNS Engineering, L.C.  
201 5th Avenue Drive East  
Bradenton, FL 34208

RE: Conversion of (30) Residential Units from Multi-Family to Single Family Attached  
Project Number: AD-17-26  
Project Name: Oak Trail  
Address: 4505 1st Avenue E., Palmetto, FL 34221  
PIN: 2292600259  
DTS#: 20170732  
Section: 01, Township: 34S, Range: 17E  
Owner: Gdawg Ventures LLC  
Zoning: (PD-R) Planned Development Residential

Dear Ms. Layton:

In response to your December 20, 2017 request for and Administrative Determination for the above referenced project to convert (30) residential units from multi-family to single family attached dwelling units, the following has been determined.

Based on the staff’s review of the Land Development Code (LDC), Sections 324.2.A, 324.2.B, 324.2.C, 324.3.A-C, and your specific response to these sections, your request to convert (30) residential units from multi-family dwelling units to single family attached dwelling units is granted. This approval, is based on the fact that the conversion does not result in a substantial modification to the previously approved General Development Plan [PDR-03-04/FSP-15-20].

If you have any questions or comments regarding the above, please contact Greg Marcotte at (941)748-4501, extension 6215 or greg.marcotte@mymanatee.org.

Sincerely,

[Signature]

Fred Goodrich  
Development Services Division Manager  
Building and Development Services

Encl: Receipt  
Copy of Original Request
December 20, 2017

Manatee County Building and Development Services
1112 Manatee Avenue West, 4th Floor
Bradenton, FL 34205
ATTN: Phyllis Strong

RE: Oak Trail – Administrative Determination Request
MEPS 411/20150096/PDR-03-04/FSP-15-20

Dear Mrs. Strong:

ZNS Engineering respectfully submits an Administrative Determination request for the approval granted to PDR-03-04/FSP-15-20 by the Manatee County on July 11, 2015. Please find the review fee attached to this request. The Final Site Plan approval includes 66 multi-family dwelling units approved for the property with a breakdown of 24 units constructed and 42 units remaining.

Thirty-six multi-family units were platted as Oak Trail, A Land Condominium (CB 35 Page 32). The remaining thirty units have not been subdivided or included in a Condominium Plat. The property owner wishes to maintain the current Condominium Plat and develop the remaining 30 lots as a townhouse development to be subdivided. The Final Site Plan approved in 2015 is unchanged for the layout, access points, open space, etc.

The property owner is requesting an Administrative Determination on whether a change of thirty (30) residential units from multi-family to single family attached can be granted administratively as indicated in the Manatee County Land Development Code Section 324.2.A.12. The first thirty-six (36) units will remain a condominium with multi-family dwelling units as appropriate under the definition: “Dwelling, Multi-Family shall mean any residential building containing three (3) or more separate dwelling units located on a single lot or parcel of ground such as triplexes, quadruplexes, condominiums and apartments.” The remaining thirty units will not belong to a condominium association. The remaining units will be developed as a townhouse development under the following definition: “Dwelling, Single Family Attached shall mean three (3) single family dwellings or more attached to one another by a common wall. This term includes townhouse development.”

If determined to be an appropriate administrative change, the Final Plat would reflect thirty (30) single family attached dwelling units. In support of this Administrative Determination request, please find the criteria reviewed below:

324.2.A. Administrative Approval for a Change to an Approved Final Site Plan

1. Any change in the required number of parking spaces resulting in an increase of less than ten (10) percent in the number of spaces approved;
RESPONSE: There is no change in the required number of parking spaces.

2. Structural alterations not significantly affecting the basic size and form of the building(s) as shown on the approved plan. Changes in form will only be considered substantial if they occur within fifty (50) feet of the boundaries of the site (or district in the case of a PD GDP) or within fifty (50) feet of any part of any of the structures which have been constructed or sold to any owner or owners different from the applicant requesting the change;

RESPONSE: The structural alteration would be the change from Multi-Family to Single Family Attached. No change is occurring to the building configurations within fifty feet of the boundaries of the site or district. No portion of the site has been sold to an owner different than the applicant.

3. Any reduction in the amount of open space of less than five (5) percent or any non-substantial change in the location or characteristics of open space;

RESPONSE: The open space is unchanged with the proposed change from Multi-Family to Single Family Attached for thirty (30) units.

4. Non-substantial changes in location or type of pedestrian or vehicular accesses or circulation, which will still adhere to the Manatee County Development Standards;

RESPONSE: No changes in the location or type of pedestrian or vehicular accesses or circulation are proposed.

5. Any increase in density or intensity for a portion of the project beyond five hundred (500) feet of the site boundaries or beyond two hundred (200) feet from any part of the site which has been constructed or sold to an owner or owners different from the applicant requesting the change. For Planned Development GDPs, it shall be one hundred (100) feet from the district boundaries and beyond fifty (50) feet from any part of the site which has been constructed or sold to an owner or owners different from the applicant requesting the change. (This does not authorize an increase in overall density or intensity);

RESPONSE: No change in the density or intensity of the project is proposed.

6. An increase in structure height less than eight (8) feet, or within fifteen (15) percent of the approved height, whichever is less, provided there is no increase in number of stories;

RESPONSE: No change to the structure height is proposed.

7. Any increase in the number of pedestrian access points;

RESPONSE: There is no change in the number of pedestrian access points.

8. Any changes in the phasing schedule which do not impact timing, amount, or completion of improvements; or the satisfaction of specific conditions;

RESPONSE: There is no change to the phasing schedule.
9. Any change in required yard setbacks of less than ten (10) percent, except any yard change which would encroach upon or affect any utility or drainage easement. In PDs, such changes may only be approved either on the perimeter of the project or in a nonresidential project;

RESPONSE: There is no change to the required yard setbacks.

10. Any increase in gross floor area of less than or equal to five (5) percent of the gross floor area for the project, since the adoption of this Code; and

RESPONSE: There is no change to gross floor area. This is a residential development.

11. The addition of any of the following uses, if no specific approval is required: family care homes, permitted home occupations, bed and breakfast facilities, utility uses, and waterfront structure (residential); provided that any applicable use criteria in Chapter 5, Part IV shall be met.

RESPONSE: There is no addition of uses, this is a residential development.

12. A change from multi-family to single family, if it does not increase external impacts such as, but not limited to transportation, schools, parks or utilities; and is consistent in lot size, coverage and yards with other single-family portions of the development. If the zoning district does not specify dimensional requirements for single family units, or no single-family units were included in the original PD GDP approval, the minimum requirements of the RMG-9 district shall be met.

RESPONSE: The requested change is to convert thirty (30) Multi-Family units to thirty (30) Single-Family Attached units. There is no change to transportation, schools, parks or utilities and the change will be consistent with the approved lot sizes, coverage and yards.

324.2.B. Board Approval for a Change to an Approved General Development Plan

All other changes shall require approval by the Board at a noticed public hearing, except for those noted below as requiring a new application.

RESPONSE: We do not believe that the change requires a new application or a revision of the Final Site Plan to be heard by the Board of County Commissioners. Please see the review criteria addressed below.

324.2.C. Changes Requiring a New Application for a Change to an Approved Final Site Plan

1. An increase in intensity of use of more than five (5) percent of the usable floor area, or an increase of more than three (3) percent of the number of dwelling units, or an increase of more than five (5) percent of the amount of outside land area devoted to sales, displays or demonstrations. In no case shall the intensity or density be increased over the maximum permitted by the zoning district or the Comprehensive Plan.
RESPONSE: There is no change in the number of dwelling units (66) approved with the Final Site Plan FSP-15-20 and PDR-03-04(Z)(P).

2. Any change in use from the approved use, except as noted in subsection, A, above.

RESPONSE: There is no change in use from the approved residential use.

3. Any increase in traffic generation by more than ten (10%) percent.

RESPONSE: There is no increase in traffic, as the Institute of Transportation Engineers uses Code 230 for Residential Condominium/Townhouse.

4. Any change in structure height greater than fifteen (15) feet.

RESPONSE: There is no proposed change to the structure heights.

5. Any combination of changes which cumulatively are deemed by the Department Director to be of such significance that a new application is required.

RESPONSE: There is only one requested change, to convert thirty (30) Multi-Family units to thirty (30) Single Family Attached units. There is no change to access, overall design, or open space with this request.

6. Any new airport runway or expansion to an existing airport runway.

RESPONSE: The project is a residential project. No runway is included.

7. Any change of a similar nature to the foregoing.

RESPONSE: There is only one requested change, to convert thirty (30) Multi-Family units to thirty (30) Single Family Attached units.

324.3 Review Criteria

Plan changes may only be approved if the Department Director (for changes listed under section 324.2.A) or the Board (for changes listed under section 324.2.B) determine that such changes are consistent with the requirements of this Code and the Comprehensive Plan, but only upon making a finding that such changes are:

A. In accord with all applicable regulations in effect at the time of the original plan approval;

RESPONSE: The requested change is in accord with all applicable regulations in effect at the time of the original plan approval.

B. In accord with all applicable regulations currently in effect; and

RESPONSE: The requested change is in accord with all applicable regulations currently in effect.
C. In accord with all the conditions and requirements specified in the amendment creating the Planned Development, in cases where the site is zoned PD.

RESPONSE: The requested change is in accord with all conditions and requirements of the amendment creating the Planned Development.

Please do not hesitate to contact us if you require any additional information to review this request or if you have any further questions.

Sincerely,

Rachel W. Layton

ZNS Engineering, L.C.
Rachel W. Layton, AICP
Director of Planning
cc: Dr. Gino Sedillo, GDAWG Ventures, LLC
Nathan Kragt, PE, ZNS Engineering, LC
Enclosures: PDR-03-04(Z)(P) Zoning Ordinance
FSP-15-20 Approval Letter
FSP-15-20 Approved Plans
Condominium Plat (CB 35, Page 32)
MANATEE COUNTY

ITEM 1 OF 1

MISC FEES RECEIPT

RECEIPT # : 31000026849
RECEIPT DATE : 12/27/2017
RECEIVED BY : DFINSTED
REC'D. FROM : CARDIOVASCULAR SOLU

PRINT DATE : 12/27/2017
PRINT TIME : 09:36:46
OPERATOR : dfinsted
COPY # : 1
CASH DRAWER: 31

Notes ..............: DTS#20170732 OAK TRAIL

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July 11, 2015

Mr. Nathan Kragt; PE
ZNS Engineering, Inc.
201 5th Avenue Drive West
Bradenton, Florida 34135

Case Number: PDR-03-04/FSP-15-20
DTS Number: 20150096
MEPS: 411
PROJECT NAME: Oak Trail Villas(Town and Country Villas)
Type of Approval: 42 condominium units
PIN: 2292600259
Sec./Twp./Rge.: 8/35/19
Zoning: PDR
FLUC: RES-9
Acres: 19.32 + acres
Flood zone: A, X Panel: 120153 0162E

Dear Mr. Kragt:

This Final Site Plan for Oak Trail has been reviewed by the appropriate reviewing agencies and is found to be in compliance with the Manatee County Land Development Code and Comprehensive Plan.

The site plan approval shall expire July 11 2019. This plan is approved by the Planning Director under the provisions of Section 323.4 of the Land Development Code.

Applicant is advised that all building permits for this project must be issued prior to the expiration of the Certificate of Level of Service (CLOS). Construction may continue after the CLOS expiration if the building permit(s) remain valid and do not expire. Otherwise, each site plan will be subject to a full concurrency review.

The issuance of this 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 undertake actions that result in a violation of state or federal law.

Approval is based on the following conditions and requirements stipulated by the respective departments:

A. Building & Development Services/Planning Conditions:
   1. The Site Plan submitted with this application shall be part of the approval.
If there are any questions pertaining to the planning conditions, please contact Bernard Salmon, Planner, at (941) 748-4501, extension 6902.

B. Concurrency/Transportation Conditions:
Applications for Certificate of Level of Service Compliance for potable water, sanitary sewer, solid waste, parks, transit, drainage, fire flow, and traffic have been reviewed and will be approved upon project approval.

A 42' ½ right of way is required along Experimental Farm Road; consistent with the Comprehensive Plan's Future Traffic Circulation Map.

The future right of way is located within the landscape buffer. If the County widens the roadway, the developer/owner will be responsible for replacing all landscaping that is removed to accommodate the widened road.

As this is a state road (US 19), applicant is advised that additional right-of-way may be required for future roadway improvements. Please contact the Land Acquisition Division of Florida Department of Transportation at (800) 292-3368 for additional information.

722.1.3.3.9. No structures or parking, landscaping, or retention required facilities by this Code shall be located within the land needed to accommodate the full width of the right-of-way needed for such roadway as shown on the Future Traffic Circulation Map, including without limitation land reserved or dedicated pursuant to Section 722.1.3.3.2.

Applicant is advised that all phases must receive final plat approval prior to the expiration of the Certificate of Level of Service (CLOS). Otherwise, each phase not platted by this expiration date shall be subject to a full concurrency review.

If there are any questions pertaining to concurrency, please contact Susan Barfield at (941) 748-4501, extension 6876.

C. HRS/Manatee County Health Department Conditions:

The Health Department has reviewed the revised plans for the project referenced above and has no additional comments or objection to this project moving forward to signoff.

- The project is served by county water and county sewer.

The FL Department of Health has reviewed the plans for this project. We have no additional comments and no objection to this project moving forward.

If there are any questions pertaining to the Health Department, please contact Terri Stripling, Environmental Specialist II, at (941) 748-0747, extension 1415.

D. Fire District Conditions: need comments

The above referenced plans have been reviewed under the Florida Fire Prevention Code 2007 Edition, the Manatee County Land Development Code and Ordinance 07-03 Fire Prevention Code of the North River Fire Department and all fire protection and building code referenced therein.
This office has reviewed the above captioned plan, and has no objections to its approval based on the following:

- Adequate fire emergency access must be provided with the required turn around provision for fire apparatus prior to CO
- Adequate water supply and fire hydrants are provided for the minimum fire flow
- All new private fire hydrants to be certified and flow tested by licensed contractor and results sent to this office
- Electronic entrance gates must comply with the Manatee County Gate Ordinance

Fire department review for code compliance shall not be construed as authority to violate, cancel alter or set aside any provisions of the adopted codes; nor shall such review prevent the Fire Marshal from thereafter requiring a correction of errors in plans, or in construction, or of violation of the codes.

The proposed project is located within the jurisdiction of the North River Fire Department and the contact person is, Bob Tollise; Fire Inspector. Telephone: (941) 721-6700.

E. Impact Fee Division Conditions

Please be advised that Impact Fees are reviewed at issuance of a building permit.

Contact Person: Sharla Fouquet, Impact Fee Coordinator
Telephone: (941) 748-4501, extension 3966.

F. Environmental Planning Division Conditions:

The Environmental Planning Division has no objection to the Final Site Plan going forward to sign-off with the stipulations below:

Proposed stipulations (no response required):

1. The following items must be completed in accordance with the approved Final Site Plan and inspected prior to Final Plat/Certificate of Occupancy or Certificate of Completion issuance:
   - Nuisance, exotic plant species removal

2. Two separate inspections by EPD staff are required prior to authorization of construction and/or land clearing activities:
   - You are authorized to stake erosion and sediment control (ESC) device locations. After staking ESC measures, EPD staff must be contacted to inspect the staked locations.
   - After the installation of ESC devices has been completed, a second inspection is required to ensure adequacy.

When ready for inspections, please contact the Environmental Planning Division at 748-4501, ext. 6851.

G. Floodplain Management Conditions (Building & Development Services):
No objections to this project.

**FYI:** Project site lies in Zones X and A with no base flood elevation determined per FIRM Panel 12081C0162E and 12081C0166E, effective 3/17/2014.

If there are any questions pertaining to the Floodplain Management Division conditions, please contact Sandy Tudor, CFM, Floodplain Investigator, at (941) 746-3090, extension 3843.

**H. Stormwater Management Conditions:**
Please be advised that we have reviewed the Amended Final Site Plan dated May 28, 2015, and no objection. Our no objection refers to stormwater engineering related information on the sheets and latest dates listed below:

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Please be advised this no objection is valid with respect to the referenced sheets and dates listed above. Staff has the option to require a re-submittal of the plans should there be any later revisions, additions, or deletions that impact any of the above listed sheets.

Should you have any questions, please feel free to call 708-7450, extension 7228.

**I. Growth Managements Public Works:**

**Growth Management Engineering Review Comments:**
The Public Works Growth Management Engineering Section has reviewed the above referenced "Final Site Plans" submitted for "Oak Trail Villas – aka Town & Country Villas" on May 28, 2015 for review and I have no objection to this submittal.

The following are suggestions, comments and concerns for this proposal; they do not require a revision to your application at this time:
1. The "Private Zoning Inspection Fee" (PZI) was paid in full. $460.00 (03/23/2015).

2. Record Drawings were approved July 26, 2005.

3. Construction Drawings were approved on September 29, 2004.

**II. Applicable Stipulations To Be Placed Within The Approval Letter:**
1. For "Certification", a letter (signed and sealed) or a letter requesting final zoning inspection approval (aka) "Certificate of Completion" (COC) approval from the property owner shall be submitted to Mr. Ken LaBarr with the Public Works Department once the project is 100% complete and meets substantial compliance with the approved plans. A Final Zoning Inspection will be completed within 48 hours. (two working days) If inadequate, a Deficiency Notice will be forwarded to the Engineer of record and or the owner noting same. Certifications or letters of inspection request listing outstanding construction or substantial deviations are considered STATUS/PROGRESS reports.
NOTE: Any changes to existing approved plans must be re-submitted through the review process for acceptance.

The issuance of a C.O. is dependent on reaching the minimum improvements indicated on the Final Site Plan. Stipulations that condition the C.O. must be approved in writing by the respective department, prior to the C.O. being issued. A Temporary C.O. may be issued by the Building Official once all safety considerations and minimum improvements have been met. There shall be NO extensions of any T.C.O. issued, except by application and express approval of the appropriate departments, prior to issuance by the Building Official.

A copy of this letter, signed by the property owner/developer/agent, must be presented when applying for a building permit along with the approved plan.

Sincerely,

[Signature]

Bernard Salmon, MSP
Building and Development Services

I have read and understand this letter and agree to the conditions and regulations herein. I will provide a copy of this letter and approved Site Plan to the General Contractor prior to commencement of construction for this Project.

[Signature]

Date

[Signature]

Property Owner, Developer, Agent
(Responsible for overseeing site development)
MANATEE COUNTY ZONING ORDINANCE

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING
THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY, ORDINANCE NO.
90-01 (THE MANATEE COUNTY LAND DEVELOPMENT CODE) RELATING
TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE
COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM
NC-M (NEIGHBORHOOD COMMERCIAL-MEDIUM), GC (GENERAL
COMMERCIAL) AND RSF-4.5 (RESIDENTIAL SINGLE-FAMILY, 4.5
DWELLING UNITS PER ACRE) TO PDR (PLANNED DEVELOPMENT
RESIDENTIAL); PROVIDING AN EFFECTIVE DATE; AND APPROVAL OF A
PRELIMINARY SITE PLAN TO ALLOW SIXTY-SIX (66) MULTI-FAMILY UNITS
AT A GROSS DENSITY OF 3.42 DWELLING UNITS PER ACRE.

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

Section 1. FINDINGS OF FACT. The Board of County Commissioners of said
County, after considering the testimony, evidence, documentation, application for amendment of
the Official Zoning Atlas, the recommendation and findings of the Planning Commission of said
County, as well as all other matters presented to said 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 Amendment as it relates to the real property described in Section 4 of this
Ordinance from NC-M (Neighborhood Commercial-Medium), GC (General Commercial) and
RSF-4.5 (Residential Single-Family, 4.5 dwelling units per acre) to PDR (Planned Development
Residential).

B. The Board of County Commissioners held a public hearing on October
28, 2003 regarding said proposed Official Zoning Atlas Amendment described herein in
accordance with the requirements of Manatee County Ordinance No. 90-01, 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 Section 4 herein is found to be consistent with the requirements of
Manatee County Ordinance No. 89-01, the Manatee County Comprehensive Plan.

Section 2. The Preliminary Site Plan is hereby APPROVED to allow sixty-six
(66) multi-family units at a gross density of 3.42 dwelling units per acre with the following
stipulations:

STIPULATIONS

1. A six foot (measured from the highest elevation of the road) high decorative wall with a
stucco and painted finish (or a wall of material with equivalent appearance) and noise
reduction properties shall be provided along U.S.19. A six foot (measured from the
highest elevation of the road) high decorative wall with a stucco and painted finish (or a
wall of material with equivalent appearance) or decorative fence shall be provided along
45th Street East. All required landscaping shall be placed on the outside or roadway side
of the wall or fence.

2. The design for the project shall be in substantial conformance with the elevation
drawings entered into the record for this project including the facade details.

3. At time of Final Site Plan submittal, the applicant shall identify the L_{10} 65 and L_{10} 70dBA
noise level contours. No residential dwelling units shall be allowed between the L_{10} 70dBA noise level contour and U.S. 19 unless such residences are protected by some
performance equivalent measure to achieve the L_{10}60 to 70dBA range. Buildings shall
be positioned to maximize the distance between the residential units and the noise
source. The use of existing vegetation, earthen berms, decorative walls and significant
landscape buffering shall be provided between the residential units and the noise
source.

Additionally, residential units constructed within noise level contours in excess of the
L_{10}65 contour must meet the interior sound levels identified by the EPA as sufficient to
protect public health and welfare. The applicant shall demonstrate compliance with
these standards at the time of Final Site Plan approval.

4. A 20 foot wide roadway buffer, containing 2 offset rows of canopy and understory trees
(12 ft. tall, 4 ft. spread and placed 30 ft. on center), shall be installed along U.S.19, 45th
Street East, 49th Street East, and 4th Avenue East. This buffer shall be 60% opaque to a
height of 6 feet within two (2) years.

5. Perimeter buffer plantings as shown on the landscape plan shall be provided in
accordance with Section 715 of the LDC.

6. To the maximum extent possible, existing indigenous vegetation shall remain within the
required landscape buffers and be utilized to meet the buffering and screening
requirements.

7. The recreational facility shall include a commercial grade tot lot, benches, shade trees,
and picnic tables. The details of the type of equipment and layout shall be shown on the
Final Site Plan.

8. A typical cross-section at a scale no greater than 1" =60' and descriptions of all
proposed activities within 25' of the wetland buffers shall be included in the Final Site
Plan submittal. Other than those activities authorized by Section 719.11.1.2 of the LDC
and approved by the EMD, wetland buffers are to remain in an unaltered state.

9. A Wetland Buffer Restoration Plan should be submitted to EMD for review with the Final
Site Plan in accordance with Section 719.11.2.1 of the LDC. The plan shall include both
supplemental plantings and ongoing removal of exotic, nuisance vegetation.

10. The developer shall provide signs adjacent to wetland buffers/conservation easements
indicating that the area is a "Conservation Area", as required in Section 719.11.1.3.3 of
the LDC. The type and location of such signs shall be shown and approved by the EMD
with the Final Site Plan.
11. All nuisance exotic plant species shall be removed from upland portions of the site prior to the first Certificate of Occupancy, in accordance with Section 715.4 of the LDC.

12. An Erosion and Sediment Control Plan (ESCP) shall be submitted to the EMD for review and approval pursuant to Section 508.3.4.7 of the LDC.

13. The design and shielding of any on-site lighting for the common and recreational areas shall comply with Sections 709.2.2. In addition, pole and building mounted lights shall be limited to 20 feet in height and directed to the interior of the development using horizontal cutoffs. Use of decorative street lights or house lights may be permitted. A photometric plan shall be submitted to the Planning Department along with the Final Site Plan for approval.

14. Prior to development-related land clearing activities, all applicable County approvals must be obtained through the Planning Department. If burning of trees or branches is required for land clearing, a burn permit must first be obtained from the Environmental Management Department. No burn permits will be issued until Final Site Plans and Construction Plans are approved.

15. The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited throughout the project.

16. Unless otherwise approved by Environmental Management Department, native or drought tolerant landscape materials shall be utilized in common areas.

17. Final engineering drainage design must be approved prior to Final Site Plan approval.

18. Prior to Final Site Plan approval, the Engineer of Record/Architect must provide documentation to prove that concurrency has been met relative to fire flow.

19. All traffic control signage and pavement markings, if warranted, shall conform to FDOT and MUTCD standards.

20. The entrance gates to the project shall be accessible to emergency service providers by either a remote control or siren activated system. Prior to Final Site Plan approval, the applicant shall receive written approval from Department of Public Safety and the Fire Marshal approving the proposed system.

21. Prior to Final Site Plan approval, the applicant shall make a required payment in the amount of $1,492.00 to the County's Affordable Housing Trust Fund for homes to be removed from the site.

22. Any significant historical or archaeological resources discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the 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.
23. The stormwater management system shall be designed to provide a reduction of up to 50% of the allowable pre-development flow from the 25 year 24-hour storm event discharge.

24. Prior to Final Site Plan Approval, the applicant shall gain approval of a Hurricane Evacuation Plan and Disaster Plan from the Director of Public Safety. The plan shall ensure delivery of the Manatee County “All Hazard guide” and Red Cross brochure “Your Family Disaster Plan” to each homeowner, and assure of receipt or posting of an evacuation zone map. The homeowner's/condo association shall ensure that all subsequent purchasers receive copies of these documents. The Homeowners Documents and Final Site Plan shall include a notice to inform homeowners that they are purchasing a home in the Coastal Evacuation and Planning Areas.

Section 3. **AMENDMENT OF THE OFFICIAL ZONING ATLAS.** The Official Zoning Atlas of Manatee County, Ordinance No. 90-01, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property identified in Section 4 herein from NC-M (Neighborhood Commercial-Medium), GC (General Commercial) and RSF-4.5 (Residential Single-Family, 4.5 dwelling units per acre) to PDR (Planned Development Residential), and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. **LEGAL DESCRIPTION.**

A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF EXPERIMENTAL FARM ROAD (49TH STREET EAST) AND THE EAST LINE OF LOT 1 OF HOLMES & PUGH SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 140 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S 00° 28' 47" E ALONG THE EAST LINE OF SAID LOT 1 AND LOTS 3 AND 4 OF SAID HOLMES & PUGH SUBDIVISION, A DISTANCE OF 955.85 FEET; THENCE S 88° 37' 56" E ALONG THE NORTH LINE OF LOT 7 OF SAID HOLMES & PUGH SUBDIVISION, A DISTANCE OF 638.30 FEET TO AN INTERSECTION WITH THE WEST MAINTAINED RIGHT OF WAY LINE OF 4TH AVENUE EAST; THENCE S 01° 06' 40" E ALONG SAID WEST MAINTAINED RIGHT OF WAY LINE, A DISTANCE OF 308.22 FEET; THENCE N 88° 36' 18" W ALONG THE SOUTH LINE OF SAID LOT 7 AND THE SOUTH LINE OF LOT 6 OF SAID HOLMES & PUGH SUBDIVISION AND WESTERLY EXTENSION THEREOF, A DISTANCE OF 1141.94 FEET TO AN INTERSECTION WITH THE EASTERN RIGHT OF WAY LINE OF U.S. HIGHWAY 19 (STATE ROAD 55); THENCE ALONG SAID EASTERN RIGHT OF WAY LINE THE FOLLOWING TWO COURSES: (1) N 21° 10' 58" W, A DISTANCE OF 154.41 FEET; (2) N 00° 16' 13" E, A DISTANCE OF 852.51 FEET TO AN INTERSECTION WITH THE NORTH LINE OF AFORESAID LOT 1; THENCE S 88° 59' 02" E ALONG SAID NORTH LINE, A DISTANCE OF 163.00 FEET; THENCE N 00° 16' 13" E ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 264.50 FEET TO AN INTERSECTION WITH AFORESAID SOUTH RIGHT OF WAY LINE OF EXPERIMENTAL FARM ROAD; THENCE S 88° 59' 07" E ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 377.12 FEET TO THE POINT OF BEGINNING.

CONTAINING 19.32 ACRES, MORE OR LESS SUBJECT TO THE PERTINENT EASEMENTS, RIGHTS OF WAY, AND RESTRICTIONS OF RECORD.
Section 5. **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 28th day of October, 2003.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: [signature]
Chairman

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

[Signature]

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 3rd day of November, 2003

R.B. SHORE
Clerk of Circuit Court

[Signature]
November 6, 2003

Honorable R. B. Shore
Clerk of the Circuit Court and Comptroller
Manatee County
Post Office Box 1000
Bradenton, Florida 34206

Attention: Diane E. Vollmer

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated November 3, 2003 and certified copies of Manatee County Ordinance Nos. PDC-03-16(Z)(G), PDR-03-01(Z)(G), Z-03-06, PDR-03-15(Z)(P) and PDR-03-04(Z)(P), which were filed in this office on November 6, 2003.

Please be advised that the Florida County Ordinance Data Retrieval System (CODRS) Coding Forms were not received for the above mentioned ordinances.

As requested, the date stamped originals are being returned for your records.

Sincerely,

[Signature]

Liz Cloud
Program Administrator

LC/mp