

**CREDIT AUTHORIZATION #CA-17-03(T)
RELOCATION AND IMPROVEMENT OF
BUFFALO ROAD AT MOCCASIN-WALLOW
BY GATEWAY COMMONS OF MANATEE, LLC**

**THIS AUTHORIZATION IS APPROVED BY MANATEE COUNTY, FLORIDA, A
POLITICAL SUBDIVISION OF THE STATE OF FLORIDA (COUNTY) AUTHORIZING
IMPACT FEE CREDITS FOR GATEWAY COMMONS OF MANATEE, LLC AND THEIR
SUCCESSORS AND ASSIGNS (“OWNER/DEVELOPER”).**

WHEREAS, on JUNE 27, 1986, MANATEE COUNTY ADOPTED ORDINANCE 86-09, establishing an Impact Fee Program ("ORDINANCE") and,

WHEREAS, the Board of County Commissioners of Manatee County, Florida, adopted Ordinance 90-01, the new Manatee County Land Development Code (LDC), effective October 15, 1990; and,

WHEREAS, the Board of County Commissioners of Manatee County, Florida adopted Ordinance 04-19, February 24, 2004, effective June 19, 2004; and,

WHEREAS, the Board of County Commissioners of Manatee County, Florida adopted Ordinance 06-75, November 7, 2006, effective February 17, 2007; and,

WHEREAS, the Board of County Commissioners of Manatee County, Florida adopted Ordinance 11-20, June 21, 2011, effective October 1, 2011; and,

WHEREAS, the Board of County Commissioners of Manatee County, Florida adopted Ordinance 15-43, December 3, 2015, effective April 18, 2016; and,

WHEREAS, Chapter 11, Section 1106, of the Manatee County Land Development Code (LDC) provides for the authorization, by the Board of County Commissioners, of Impact Fee Credits for contributions, payments, construction or dedications made to Manatee County against the applicable components of the impact fee; and,

WHEREAS, OWNER/DEVELOPER, as part of real property known as Imperial Lakes (the “Project”), will undertake certain required contributions, payments, construction and/or dedications which shall be eligible for credit against transportation impact fees due in Benefit District “NE.”

NOW, THEREFORE, MANATEE COUNTY authorizes credit against Impact Fees as follows:

1. CONSTRUCTION, DEDICATION, CONTRIBUTION OR PAYMENT

Owner/Developer does hereby stipulate to make the following dedications, contributions, or conveyances for the future construction of public facilities and services as stated below:

- A. Dedication of Land: Owner/Developer will dedicate approximately 2.42 acres of land, with an estimated valuation of \$426,931, for right-of-way and related stormwater ponds needed to relocate and improve Buffalo Road at Moccasin-Wallow.
- B. Construction of Improvements: Owner/Developer will install a traffic signal at Buffalo Road and Moccasin-Wallow, relocate Buffalo Road to improve intersection geometry, construct turn lanes and stormwater facilities.

2. TIME OF CONSTRUCTION, DEDICATION, CONTRIBUTION OR PAYMENT

All construction, dedication, contributions, or payments described above shall be completed concurrent with development of the Project as set forth in “AGREEMENT FOR RELOCATION AND IMPROVEMENT OF BUFFALO ROAD / MOCCASIN-WALLOW ROAD”, as amended from time to time.

3. OTHER FEES

Prior to issuance of a Certificate of Occupancy, all other applicable impact fee components and, if the creditable amount of the road improvement is less than the transportation impact fee component, then, any difference due between the required transportation impact fee component and the creditable amount of the improvement, will be paid by the OWNER/DEVELOPER.

4. FAILURE TO PAY, CONSTRUCT OR DEDICATE

Failure of the OWNER/DEVELOPER to pay, construct, contribute or dedicate as provided for in this Authorization, the COUNTY may withhold any credit against impact fees for any Development Unit until such time as said payment, construction, contribution, or dedication occur.

5. FINAL CREDIT APPROVAL

The final amount of credit, as authorized by this Credit Authorization, shall be approved by the Board of County Commissioners before the credit is issued.

APPROVED IN OPEN SESSION WITH A QUORUM PRESENT AND VOTING THIS

25th Day of July, 2017.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____
Chairperson

ATTEST

BY: _____
Angelina Coloneso
Clerk of the Circuit Court