

**CREDIT AUTHORIZATION #CA-17-02(T)**  
**PORT HARBOUR PARKWAY EXTENSION/MOORE'S DAIRY**

**THIS AUTHORIZATION IS APPROVED BY MANATEE COUNTY,  
FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA  
(COUNTY) AUTHORIZING IMPACT FEE CREDITS FOR UPPER  
MANATEE 288, LLC 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 Port Harbour Parkway Extension (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 "SE."

**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 as stated below:

- A. Dedication of Right-of-Way: Owner/Developer will dedicate right-of-way for the Port Harbour Parkway extension.
- B. Stormwater Facilities(s): Owner/Developer will provide stormwater drainage easements and construct stormwater facilities for Port Harbour Parkway extension.
- C. Road Construction: Owner/Developer will construct Port Harbour Parkway extension (two travel lanes) from the current terminus of Port Harbour Parkway to Upper Manatee River Road.

The estimated value of improvements is \$3,948,056. Public Works will reimburse developer \$2,299,202 from account 304 6076660 366656. The remainder of \$1,648,854 is eligible for transportation impact fee credits.

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 Manatee County Ordinance PDMU-98-08(G)(R7), as amended from time to time, and the Land Development Agreement approved by the Board of County Commissioners September 4, 2014.

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

25h Day of July, 2017.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: \_\_\_\_\_  
Chairperson

ATTEST

BY: \_\_\_\_\_  
Angelina Coloneso  
Clerk of the Circuit Court