

CREDIT AUTHORIZATION #CA-16-01 (T)

**LONG BAR POINTE, LLLP & CARGOR PARTNERS VIII – LONG BAR POINTE,
LLLP / AQUA / SEAGRASS**

THIS AUTHORIZATION IS APPROVED BY MANATEE COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA (COUNTY) AUTHORIZING IMPACT FEE CREDITS FOR LONG BAR POINTE, LLLP & CARGOR PARTNERS VIII – LONG BAR POINTE, LLLP, 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, 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, upon its property located at El Conquistador Parkway (Subject Property), has undertaken certain required contributions, payments, construction and/or dedications which shall be eligible for credit against impact fees due in Benefit District "SW"; and

PAGE 2

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LONG BAR POINTE, LLLP & CARGOR PARTNERS VIII – LONG BAR POINTE,
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WHEREAS, OWNER/DEVELOPER and Manatee County have entered into a Settlement Agreement, which, in part, contains stipulations involving impact fee credits for land and easement dedications previously made by the OWNER/DEVELOPER.

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

1. CONSTRUCTION, DEDICATION, CONTRIBUTION OR PAYMENT

Under the terms of Development Order PDR-03-32(P)(R), OWNER/DEVELOPER was required to dedicate right-of-way, and related stormwater retention capacity, for the construction of El Conquistador Parkway. In return, OWNER/DEVELOPER was to receive transportation impact fee credits for any land values in accordance with the Manatee County Land Development Code's requirements.

2. TIME OF CONSTRUCTION, DEDICATION, CONTRIBUTION OR PAYMENT

All construction, dedication, contributions, or payments described above was to have been completed concurrent with development of the neighborhoods in the Project. Presently, the OWNER/DEVELOPER is in the process of seeking approvals from Manatee County for a development on the Subject Property. The credits approved herein are based upon the Final Site Plan for Long Bar Pointe, Phase (PDR-13-28/14-S—05(P)(R)/FSP-14-10(R)), and the vacation of easements previously conveyed to the County, and conveyance of alternative easement areas, that are to be replaced or relocated pursuant to such Final Site Plan. In the event such vacations and dedications do not take place by December 31, 2016, the OWNER/DEVELOPER may submit a supplemental application for impact fee credits which application shall correspond with these land and easement dedications, previously conveyed to Manatee County. Manatee County shall then approve such additional impact fee credits, in accordance with the Settlement Agreement between the parties entered into on April 7, 2016.

PAGE 3

**CREDIT AUTHORIZATION #CA-16-01 (T)
LONG BAR POINTE, LLLP & CARGOR PARTNERS VIII – LONG BAR POINTE,
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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. 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 1ST
DAY OF SEPTEMBER, 2016.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____
Chairman

ATTEST

BY: _____
ANGELINA M. COLONNESO
Clerk of the Circuit Court