

## CREDIT AUTHORIZATION

#CA-14-02(T)

### NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC / THE RIDGE AT CROSSING CREEK

**THIS AUTHORIZATION IS APPROVED BY MANATEE COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA (COUNTY) AUTHORIZING IMPACT FEE CREDITS FOR NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC / THE RIDGE AT CROSSING CREEK, 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 05-52, October 6, 2005; 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 8, Section 807, 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 property located at the intersection of 44th Avenue East and Creekwood Boulevard, will undertake certain required contributions, payments, construction, or dedications which have been determined to be eligible for credit against 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 design, permit, and construct the following improvements as generally shown on Exhibit A attached hereto and incorporated herein:

a. Creekwood Boulevard Extension.

The extension of Creekwood Boulevard and construction as a two-lane facility with a T-intersection into the 44<sup>th</sup> Avenue Extension, including the removal of the existing Creekwood Boulevard, in accordance with County engineering standards.

b. 44th Avenue Extension.

The construction of two (2) outside two lanes of a portion of the 44th Avenue Extension from its current intersection with Creekwood Boulevard east to the Project entrance, in accordance with County engineering standards.

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 and Approvals known as Z-84-76/PSP-05-49/FSP-06-37, 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 roadway improvements 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 and all Certificates of Occupancy for the Project. The County may also 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

\_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

BOARD OF COUNTY  
COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: \_\_\_\_\_  
Chairman

ATTEST

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

R. B. Shore  
Clerk of the Circuit Court