106

Corporex

July 15, 2014

Mr. John E. Healey, AICP, Executive Planner
Development Services Department
Hillsborough County
601 E. Kennedy Blvd, 19th Floor
Tampa, FL 33602

Re: Corporex Development of Regional Impact (DRI #106) Build-out Date Extension Pursuant to CS/HB 7023 –Economic Development as Codified in Chapter No. 2014-218, Laws of Florida

Dear Mr. Healy,

This letter is to notify Hillsborough County that the Corporex Development of Regional Impact (DRI #106) is extending its build-out date and the associated transportation mitigation from April 30, 2014, for a period of two (2) years. The extended build-out date and associated transportation mitigation is April 30, 2016. This extended date is pursuant to CS/HB 7023- Economic Development as codified in Chapter No. 2014-218, Laws of Florida. CS/HB 7023 includes conditions for the extension of the build-out date and associated mitigation. The Corporex DRI is consistent with these conditions as shown below:

- The current expiration/build-out date must be between January 1, 2014, and January 1, 2016: The current build-out date for the Corporex DRI is April 30, 2014, which is within the stated timeframe; and

- The 2-year extension does not result in a cumulative extension of more than 4-years from any previous extensions under Chapters 2009-96, 2010-147, 2011-139, or 2012-205, Laws of Florida, or Section 380.06(19)(c)2, Florida Statutes: This 2-year extension will not result in a cumulative extension of more than 4-years under any previous applicable statutory extensions. The Corporex DRI only took advantage of a 2–year extension under Chapter 2009-96, Laws of Florida, to extend the build-out and mitigation date from December 31, 2010, to December 31, 2012. The extension from December 2012 to April 2014 was due to the Governors Emergency Declarations pursuant to Section 252.363, Florida Statutes, and not the other statutory extensions under Chapters 2010-147, 2011-139, Chapter 2012-205, Laws of Florida or Section 380.06(19)(c)2, Florida Statutes.

Do not hesitate to contact Brad Cornelius with Wade Trim, Inc. at 813-882-8366 with any questions or concerns.

Sincerely,

Bob Fessler

Robert Fessler
Corporex Companies, LLC

cc: John Meyer, Tampa Bay Regional Planning Council
Brad Cornelius, Wade Trim, Inc.

#106

BOARD OF COUNTY COMMISSIONERS
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Hillsborough County
Florida

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Bonnie M. Wise

DEPUTY COUNTY ADMINISTRATORS
Lucia E. Garsys
Sharon D. Subadan

June 19, 2013

Robert Fessler
Senior Vice President
Corporex
100 E. Rivercenter Blvd.
Suite 1100
Covington, KY 41011

RE: Corporex, Development of Regional Impact #106
Build Out and Expiration Date Extensions Pursuant to Section 252.363, F.S and Executive Orders 12-140, 12-192, and 12-199

Dear Mr. Fessler:

We have received your letter notifying the County that you intend to utilize the provisions of Section 252.363, F.S and Executive Orders 12-140, 12-192, and 12-199 to extend the build out date of the Corporex DRI.

The project's current build out date is December 31, 2012 and the Development Order's expiration date is December 31, 2015 (Resolution Number R10-178).

The Florida Department of Economic Opportunity has indicated that the cumulative extension period associated with Executive Orders for both Tropical Storm Debby and Tropical Storm Isaac, is one year plus one hundred and twenty (120) days. Pursuant to the present notification, the build out date for the Corporex DRI is extended to April 30, 2014 and the Development Order's expiration date is extended to April 30, 2017.

If you have any questions, please call me at 813.276.8393.

Sincerely,

John E. Healey, AICP

cc: John Meyer, Tampa Bay Regional Planning Council (via e-mail)
Nancy Takemori (via e-mail)
Brad Cornelius, WadeTrim (via e-mail)

#106

PAT FRANK

Clerk of the Circuit Court
13th Judicial Circuit

December 8, 2010

JOHN MEYER DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
4000 GATEWAY CENTER BLVD SUITE 100
PINELLAS PARK FL 33782

Re: Resolution No. R10-178 – Amended and Restated Development Order for Corporex Business Park NOPC 10-1005 (DRI #106)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on December 7, 2010.

We are providing this original for your files.

Sincerely,

Julia Poupart

Julia Poupart,
Director, BOCC Records/VAB

md
Certified Mail Receipt # 7003 3110 0004 4684 3677
Attachment
cc: Board files (orig.)
James H. Shimberg, Esq., Holland & Knight LLP (orig. ltr.)
Charles Gauthier, Chief, DCA Bureau of State Planning (orig. ltr.)
Nancy Y. Takemori, Assistant County Attorney
John Healey, Senior Planner, Planning and Growth Management
Jacky Gasper, County Attorney's Office
Christopher Weiss, Property Appraiser's Office
Mary Mahoney, Management and Budget
Paige Ward, County Attorney's Office
Sharon Sweet, BOCC Records

AMENDED AND RESTATED DEVELOPMENT ORDER (DO)

Resolution No. R10-178

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA ISSUING AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR DRI #106 CORPOREX BUSINESS PARK

Upon motion, the following Resolution was adopted on this 7th day of December, 2010, by a vote of 7 to 0, Commissioner(s) _____ voting "no".

WHEREAS, on April 29, 1985 the Board of County Commissioners approved a Development Order, Resolution No. R85-0063 for Corporex Business Park Development of Regional Impact ("DRI") No. 106 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and,

WHEREAS, on February 22, 1994, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R94-0054 (Amendment #1); and

WHEREAS, on April 11, 1995, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R95-083 (Amendment #2); and

WHEREAS, on May 23, 2000, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R00-097 (Amendment #3); and

WHEREAS, on September 27, 2005, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R05-215 (Amendment #4); and

WHEREAS, Hillsborough County granted a two year extension of the project buildout and Development Order expiration through correspondence from Hillsborough County on December 23, 2009 pursuant to statutory changes; and

WHEREAS, on September 16, 2010, Corporex Properties Of Tampa, Inc. filed a "Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI)", for the Corporex Business Park DRI in accordance with Section 380.06 (19), Florida Statutes (Amendment #5); and

WHEREAS, the proposed Amendment #5 requested approval of an extension to the required completion date of transportation improvements until December 31, 2012; and

WHEREAS, this Amendment has been reviewed and approved by the Tampa Bay Regional Planning Council.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. Corporex Properties of Tampa, Inc., hereinafter referred to as "Developer," submitted the proposed Amendment #5 to Hillsborough County which requested approval of an extension to the required completion date of transportation improvements until December 31, 2012.

B. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration and the Tampa Bay Regional Planning Council.

C. The proposed changes approved herein do not result in any new or additional regional impacts.

II. CONCLUSIONS OF LAW

A. The proposed amendments, together with all previous amendments, do not create a reasonable likelihood of additional impact, or any type of regional impact not previously reviewed by the regional planning agency, over those treated under the Development Order. The proposed amendments, therefore, do not constitute a "substantial deviation" from the Corporex Business Park Development Order, pursuant to Chapter 380.06, Florida Statutes.

B. All applicable statutory and regulatory procedures have been adhered to.

C. The Corporex Business Park Development Order, as amended hereby, is consistent with the Future of Hillsborough County Comprehensive Plan, and development in accordance with the Development Order, as amended, will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

D. Nothing contained in this Amended and Rested Development Order shall limit or modify the rights originally approved by the Development Order or the protection afforded under Subsection 163.3167(8), Florida Statutes.

E. The Developer's Affidavit of Certification, Part I, Item 1 of the Department of Community Affairs Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06 (19), F.S., attached hereto as Exhibit B, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

F. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

G. Within thirty (30) days after adoption, a certified copy of this Resolution, together with all exhibits hereto, shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail or other delivery service for which a receipt as proof of service is required, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients in accordance with Section 380.06, Florida Statutes.

H. Based on the above findings of fact, the Board of County Commissioners hereby approves the approval of an extension to the required completion date of transportation improvements until December 31, 2012.

III. GENERAL PROVISIONS

A. This resolution shall constitute the Development Order of Hillsborough County in response to the Application for Development Approval for the Corporex Business Park Development of Regional Impact (ADA).

B. The legal description set forth in Exhibit C and Map H provided as Exhibit D are hereby incorporated into and by reference made a part of this Development Order.

C. All provisions contained within the ADA and Sufficiency Response shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.

D. The definitions contained in Chapter 380, Florida Statutes, shall govern and apply to this Development Order.

E. This Development Order shall be binding upon the Developer and his heirs, assignees or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be constructed to include any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of any branch of government or governmental agency.

F. In the event that any portion or section of this Development Order is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Development Order which shall remain in full force and effect.

G. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all

directly affected governmental agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review developments set forth under applicable laws and rules governing Developments of Regional Impact.

H. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at Corporex Business Park, the Developer may transfer any or all of his responsibilities to improve and maintain those facilities to an appropriate private body created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, and/ or other agencies having jurisdiction, concurrent or otherwise, now or later, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order, which approval shall not be unreasonably withheld.

I. Development activity constituting a substantial deviation from the terms or conditions of this Development Order as defined by the criteria of Ch. 380.06(19)(b), Florida Statutes, as amended, or other changes to the approved development plans which create a reasonable likelihood of additional adverse regional impact, or any other regional impact not previously reviewed by Hillsborough County and the Tampa Bay Regional Planning Council shall result in further Development of Regional Impact review pursuant to Chapter 380.06, Florida Statutes, as amended, and may result in Hillsborough County ordering a termination of development activity pending such review.

J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The County shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. In the event of a deviation, the County may issue a notice of such noncompliance to the Developer, or the County may immediately recommend that the Board of County Commissioners establish a hearing to consider such deviations.

K. The Developer shall file an annual report in accordance with Section 380.06(18), Florida Statutes as amended, and appropriate rules and regulations. The report shall be submitted on Florida Department of Community Affairs Form BLWM-07-85 as amended. Such report shall be due on the anniversary of the effective date of this Development Order for each following year until and including such time as all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the County which shall, after appropriate review, submit it for review by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioners' hearing wherein such report is to be reviewed. The receipt and review by the Board of County Commissioners shall not be considered a substitute or a wavier of any terms or conditions of this Development Order. This report shall contain:

1. The information required by the State Land Planning Agency to be included in the Annual Report, which information is described in the Rules and Regulations promulgated by the State Land Planning Agency pursuant to Section 380.06, Florida Statutes; and

2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately following the submittal of the annual report; and

3. A statement listing all Applications for Incremental Review required pursuant to this Development Order or other applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report; and

4. A statement setting forth the name(s) and address(es) of any heir, assignee or successor in interest to this Development Order.

L. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation, or ordinance of Hillsborough County, its agencies and commissions, and to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable rules, regulations, and ordinances in effect at the time of the review.

M. This Development Order became effective upon adoption by the Board of County Commissioners of Hillsborough County and transmittal in accordance with Section 380.06, Florida Statutes (1981).

N. Upon adoption, the Development Order shall be transmitted to the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the Developer.

O. Revisions to the Development Order not addressed herein shall be subject to review by TBRPC including the payment of the incremental review fee.

P. The Developer and the County do not waive any rights to which the Developer and the County their successors and assigns my become entitled to as the result of evolving case law and statutory determinations.

(Condition added: Resolution No. R94-0054)

Q. Compliance with Local Development Regulations.
All development undertaken pursuant to this Order shall be in accordance with all applicable local codes and ordinances in effect at the time of permitting; provided however, that this section shall not be construed as waiver of Developer's or County's rights at law or equity in conjunction with the adoption of, or pursuant to, this

Development Order amendment. Additionally, the Developer has elected to be bound by the rules adopted pursuant to Chapters 403 and 373, Florida Statutes, in effect at the time of adoption of this Development Order amendment in accordance with Section 380.06 (5) 2(c), Florida Statutes. Accordingly, all applications for permits pursuant to those chapters which are necessary for, and consistent with, the development authorized by this Development Order amendment, shall be subject to the rules adopted pursuant to chapters 403 and 373, Florida Statutes, in effect at the time of issuance of this Development Order amendment, except as otherwise provided in Section 380.06 (5) 2 (c), Florida Statutes.

(Condition added: Resolution No. 94-0054)

IV. CONDITIONS

A. Area Studies

(amended: Resolution No. R94-0054; deleted Resolution No. R05-215)

B. Development Schedule

The development of the project in accordance with the proposed development schedule attached hereto as Amended Exhibit A is an integral part of the Development Order conditions. Therefore, if the Developer elects to amend the proposed development schedule, it shall submit said amendments to the County for review and approval. If the County finds that amendments to the terms of this Development Order are required by amendments to the development schedule, then said amendments to the extent consistent herewith shall be included as conditions of approval of the changes to the development schedule. It is the intent of this provision to insure that all prerequisites for development of the project are complied with. For purposes of this Order, an increment of development shall be considered complete upon issuance of the final certificate of occupancy for that increment of development that generates the cumulative PM Peak Hour trips indicated in the development schedule. No building permits or other approvals shall be issued for subsequent development until completion of the preceding increment.

(amended: Resolution No. R94-0054; amended: Resolution No. R05-215)

C. Stormwater System/Drainage

1. The stormwater system shall be designed and constructed in accordance with the design guidelines of the Southwest Florida Water Management District, Hillsborough County, and the criteria contained on page 113 of the Stormwater and Lake Systems Maintenance and Design Guidelines (Tampa Bay Regional Planning Council, 1978). The design criteria of the system shall include the following elements:
   a. 30 to 50 percent of the surface area of the detention pond at the normal water level (NWL) should consist of a shallow all vegetated littoral shelf.
   b. The littoral shelf can be incorporated into the pond bank, preferably near the pond outlet, to provide a final polishing treatment for the stormwater.

As an alternative, the littoral shelf can be established on a shallow submerged island in the middle of the pond.

c. A sediment sump shall be provided at all influent pipes to accumulate sediment and to provide easy access for sediment removal.

d. The littoral shelf, if located along the pond bank, should have side slopes no greater than 4:1 with the top of the shelf NWL and sloping to a depth of three feet or less.

e. The littoral shelf shall be vegetated with a diverse group of native species which can include "Sagittaria, pickerelweed, Juncus, water lilies, cypress, etc. These species aid in nutrient and heavy metal uptake as well as enhance the pond by providing blooming flowers and presenting a more natural appearance.

f. A copy of an operation and maintenance schedule for the detention areas shall be prepared by the Developer and submitted to Tampa Bay Regional Planning Council. The operation and maintenance schedule shall include an estimation of the frequency of sediment removal operation and shall mention the periodic need for removing dead vegetation. An annual update of the operation and maintenance schedule showing compliance with its terms shall be included in the annual report.

g. The master drainage system shall comply with the Department of Environmental Regulations Stormwater Rule, Chapter 17-25, Florida Administrative Code.

In the event that there is a conflict between any of the criteria and guidelines referenced herein, the stricter criteria shall apply.

2. Prior to final plat approval or detailed site plan approval if the project is not to be platted, the Developer shall submit to the Hillsborough County Environmental Protection Commission a copy of the Southwest Florida Water Management District's Stormwater Discharge Permit or Exemption.

3. The elevation for all habitable structures shall be at or above the 100 year base flood elevation as required by the Federal Flood Insurance Program.

D. Public Facilities

1. Prior to issuance of detailed site plan approval for each phase of the development, the Developer shall provide to the Hillsborough County Department of Development Coordination verification that adequate police, fire service and emergency medical service facilities are available to serve the described phase.

2. The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said ordinance.

3. No building permits shall be issued without a commitment from the City of Tampa or other responsible entity to provide wastewater disposal capacity for that portion of the building construction. No detailed site plan approval shall be granted without an approved, permitted wastewater collection system. Documentation of approvals from all appropriate local and State agencies shall be provided to the DDC prior to detailed site plan approval.

4. No building permits shall be issued without an approved, permitted potable water distribution system and available capacity for that portion of the building

construction. Approval shall be obtained from all appropriate local and State agencies.

5. The City will provide water service to Corporex Business Park on the following terms and conditions:
   a. The Developer shall design, construct and install, in accordance with prevailing City design criteria and subject to prior City inspection and approval, all on-site improvements required by the City to connect the development to the City's water system. [On-site improvements shall be defined as all water and sanitary sewer facilities, including but not limited to all lines, mains, equipment, improvements, easements, rights-of-way or utilities, located within the development including all water mains, up to and including water meters.]
   b. After City inspection and approval, the Developer shall convey to the City, by instruments acceptable to the City, said on-site improvements for water and sanitary sewer. In addition, the Developer, at its own expense, shall acquire and convey to the City necessary and reasonable permits, rights-of-way, easements, property interests, or things specified by the City to provide the development with a working water system. Upon inspection and acceptance of said facilities, permits, easements, rights- of-way, property, interests or things, the City shall operate and maintain said facilities and improvements as part of the City's utility system and subject to the City's ordinances.
   c. Excess infrastructure capacity required to serve phases II, III and IV shall be at the Developer's risk and development of phase I shall not, as to the need for infrastructure for each phase, vest Phase II, III or IV development rights for each phase.

E. Open Space

1. The Developer, his assigned agent or successor shall be responsible for the maintenance of all open space/ recreational areas and landscaped areas within each phase of the development.
2. Those portions of the stormwater drainage system and retention and detention ponds not dedicated to Hillsborough County shall remain the responsibility of the Developer, his assigned agent, or his successor.
3. The Developer or successor shall undertake parking lot sweeping as a routine maintenance function.
4. The Developer or successor shall be responsible for the operation and maintenance of all on-site wells and landscape irrigation systems. The Developer shall be required to utilize either shallow on-site wells, pumping from retention areas, or acceptance of non-potable water for open space and landscape irrigation.

F. Wildlife

In the event that any rare, endangered or threatened species are observed on-site, the Developer shall immediately institute appropriate mitigation measures to avoid harm to the species. The mitigation measures employed shall be undertaken in cooperation with The Florida Game and Freshwater Fish Commission.

G. Hazardous Waste

In the event hazardous wastes, as defined by the appropriate Federal and State agencies or subdivisions thereof, are to be introduced to the area then prior approval for permission to introduce these hazardous materials will be required with proof therefore provided to the Staff or appropriate County agency. The Developer shall provide separate hazardous waste storage containers/areas within the project. These containers/ areas shall be accessible to all project businesses, and shall be clearly marked and/or colored so as to clearly distinguish the containers/areas intended for hazardous wastes and materials. The Developer shall provide to all businesses information that:

1. Indicates types of waste and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers.
2. Indicates the location of specially-designated hazardous waste and materials containers.
3. Advises of applicable statutes and regulations regarding hazardous wastes and materials.

The Developer shall require that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

Underground storage of hazardous, toxic or flammable materials, liquids or chemicals shall not be permitted, except that combustible and flammable liquids and liquified gas, as defined in NFPA 30, 54 and 58 to include gasoline, kerosene, petroleum, distillates, diesel fuel and liquified gas, may be stored only in underground tanks which shall be designed, installed, constructed and located to prevent seepage of contained products into surrounding sub-surface areas and which shall comply with NFPA codes, FDER Chapter 17-6 and all prevailing statutory and regulatory requirements and standards. In addition, the Developer shall require installation and maintenance of leak detectors for such underground tanks, if any, in accordance with County standards and criteria.

H. Energy

The energy conservation measures described in the application shall be instituted by the Developer.

I. Archaeological Resources

The disposition of any archaeological resources discovered during project construction shall be reported to and the disposition shall be determined in cooperation with the Florida Division of Archives. All identified archaeological sites shall be subjected to investigative excavation as approved by the Division of Archives, the data and artifacts recovered shall be reported to the Division of Archives prior to land clearing for Construction in those specific areas.

J. Air Quality

The measures designed to reduce air emissions referenced in the application shall be required. The Developer shall as a means of reducing fugitive dust accomplish the following:

1. Undertake chemical stabilization over heavily traveled primary haul route road sections as necessary.
2. Undertake periodic cleaning of dirt during construction on paved roads adjacent to the site or as required by grading permit.
3. Wherever possible use selective clearing to allow natural seeding to stabilize the disturbed soil and berms to minimize wind erosion.
4. Water all dirt roads as necessary.
5. Develop asphalt roads as soon as practical.
6. Stage clearing of lands within development areas to reduce land opened and exposed to windy conditions.
7. Undertake watering and spraying at all stages of clearing to ensure dust control.
8. Undertake mulching, seeding and sodding as soon as possible after final grading is completed.
9. Undertake progressive development of roadways, landscaping and buildings for purposes of reducing fugitive dust emissions.

K. Hurricane Evacuation

The Developer shall promote awareness of and shall cooperate with local and regional authorities having jurisdiction to issue hurricane evacuation orders. The Developer shall prepare a plan to ensure the safe and orderly evacuation of hotel guests and those employees who, for security or administrative reasons, are in the buildings after an evacuation order is issued. The plan shall include the following elements:

a. Procedures calling for the closing of all buildings for the duration of the hurricane evacuation order.
b. Procedures for informing all employees of evacuation routes out of the flood prone area and measures to be followed in the same event.
c. Procedures mandating coordination with appropriate public authorities of building closings, security and safety measures, and evacuation plans.

The aforementioned plan shall be included in the first annual report submitted after occupancy of any portion of the project.

(amended: Resolution No. R94-0054)

L. Wind and Water Cause Soil Erosion Control

The wind and water-cause soil erosion control measures referenced in the application shall be required.

M. Street Cleaning Program

The Developer shall implement a street cleaning program for the parking and roadway areas within the development, pursuant to the Area-Wide Water Quality Management Plan for the Tampa Bay Region, (1978).

N. Transportation - Impact Analysis Methodology

(amended: Resolution No. R94-0054; deleted Resolution No. R05-215)

O. Transportation Improvements

(amended: Resolution No. R94-0054; deleted: Resolution No. R05-215)

P. (Text Deleted)

(amended: Resolution No. R94-0054; deleted: Resolution No. R05-215)

Q. The following incremental improvements will be required.

1. Prior to December 31, 2005 and in connection with the construction of the 26,313 square foot GSA (Homeland Security) office building, the Developer shall work with Hartline for the establishment of a transit shelter at the existing project bus stop location at the front of the project along Martin Luther King (MLK) Boulevard. This shall be a monetary payment or construction of the physical improvements. The improvements shall be initiated, or monetary payment shall be made, no later than December 31 2006.

2. For construction of the next increment of development which will include up to 32,000 square feet of retail space and up to 120 hotel rooms or the equivalent of 190 p.m. peak hour trips, the Developer shall design intersection improvements at MLK Boulevard and Orient Road. The design of the intersection improvements shall be submitted with construction plans for this increment of development. It shall be the responsibility of the Developer to obtain approval of the intersection improvements no later than 6 months after construction plan approval or prior to certificate of occupancy for this increment of development. The design shall be for the following improvements:

    a. restripe the northbound and southbound approaches of the MLK / Orient Road intersection and modify signalization to allow dual left turn lanes;
    b. modify the eastbound approach of the MLK / Orient Road intersection to provide dual left turn lanes, and extend the receiving lanes to a total distance of 600 feet on Orient Road north of MLK Boulevard within existing right-of-way; and
    c. modify the westbound approach of the MLK / Orient Road intersection to provide dual left turn lanes, including extending the receiving lanes to a total distance of 600 feet on Orient Road and south of MLK Boulevard within the existing right-of-way.

3. The remaining development, as analyzed in the 2004/2005 NOPC Traffic Analysis, is 183,080 s.f. of light industrial space, 123,687 s.f. of office space and 130 hotel rooms. The Developer shall construct, and complete, the improvements referenced in 2.a., b., and c. prior to the earlier to occur of either, (1) certificates of occupancy being issued for any development identified in this paragraph, or (2) December 31, 2012, whichever comes first.

(amended: Resolution No. R05-215; amended: Resolution No. **R10-178** *)*

4. No building permit applications shall be accepted by the County for any of the development listed in IV.Q.3 above until such time as either (1) the improvements listed in IV.Q.2.a., b., and c. are constructed and accepted for maintenance; or (2) the construction plans for the improvements listed in IV.Q.2.a., b. and c., have been approved, and a financial guarantee in an amount equal to 125% percent of the estimated costs to construct the remaining improvements listed in IV.Q.2.a., b., and c., in a form acceptable to the County and subject to the approval of the Florida Department of Transportation, District Seven Office, has been provided to the County. In any event, the construction plans for the improvements listed in IV.Q.2.a., b., and c. shall be submitted to the County and FDOT by no later than June 1, 2011.

(Condition added: Resolution No. **R10-178***)*

R. (Text Deleted)

(deleted: Resolution No. R05-215)

S. Transportation Systems Management

The Developer shall submit for approval by TBRPC, the County, and the Hillsborough Area Transit Authority (HART), a plan of transportation systems management (TSM) measures to be instituted and implemented for each trip generation increment. The plan shall provide for sufficient TSM measures to divert a substantial percentage of total peak hour trips away from the peak traffic hours over and above those projected in the ADA. The plan shall be submitted to the reviewing agencies within one year of issuance of any Development Order approving this project and shall address the following at minimum:

1. Worker flex time.
2. Worker ridesharing strategies.
3. Provision of transit and service facilities and programs to increase transit ridership.
4. I-275/I-4 High Occupancy Vehicle Study.

If Developer desires the opportunity to seek credit against transportation impact fees for any lowering of traffic impacts resulting from TSM measures, each annual report for this development after the issuance of certificates of occupancy for the development shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure. The results of the TSM study may serve as a basis for the Developer to request Development Order amendments.

To assure that the transportation impacts of this development have been accurately projected by the ADA traffic analysis, field surveys and a report of findings shall be

conducted every two years after the issuance of certification of occupancy for the development. The results of these surveys shall be included in the required annual report.

(amended: Resolution No. R94-0054)

T. The Developer shall provide hydrogeologic information regarding the degree of leakance of the confining layer which separates the surficial and Floridian aquifers. This information shall be provided to Hillsborough County for consideration in final site plan approval.

U. The Developer shall provide for review an annual water quality. This shall include taking a single grab sample at the point of the project's stormwater system discharge. The following parameters shall be measured:

- BOD
- COS
- TSS
- Total Phosphorus
- Total Nitrogen
- Total Coliforms
- Dissolved Oxygen
- Ph
- Temperature
- Oils and Greases

This data shall be provided to Hillsborough County and the City of Tampa. If the monitoring data indicate that this development is having a negative impact on water quality, additional design criteria or remedial measures for regional concerns shall be developed prior to approval of any subsequent phases.

(amended: Resolution No. R00-097)

V. Developer agrees that representative stands of each upland vegetative community type shall be preserved.

W. <u>Downzoning/Intensity Reduction</u>
Prior to December 30, 2013 Hillsborough County agrees that DRI and changes to the DRI shall not be subject to downzoning, unit density reduction or intensity reduction unless the local government can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred or the development order was based upon substantially inaccurate information provided by the developer or that the change is clearly established by local government to be essential to the public health, safety or welfare.

(amended: Resolution No. R94-0054; amended Resolution No. R05-215)

1. [Text Deleted]

(Condition added: Resolution No. R95-083; condition deleted Resolution No. R05-215)

1. Impact Fees
   a. CORPOREX was not subject to the assessment of transportation and/or right-of-way impact fees pursuant to the applicable impact fee ordinance(s) until January 1, 2000. Beginning on January 1, 2000, all new construction within the CORPOREX Business Park DRI is subject to the payment of impact fees.
   b. The Developer shall be entitled to impact fee offsets for the percentage of excess capacity provided by those eligible transportation improvements to be constructed to the extent that they are included on the Metropolitan Planning Organization's Adopted Needs Assessment Map and/or the Board of County Commissioner's adopted County Corridor Plan. No impact fee offsets shall be recognized for the transportation improvements if they are not included on the Metropolitan Planning Organization's Adopted Needs Assessment Map and/or the Board of County Commissioner's adopted County Corridor Plan on the date of dedication to the County.
   c. Any impact fee offsets recognized for eligible transportation improvements shall be limited to the costs and expenses authorized by the Consolidated Impact Assessment Program Ordinance.
   d. Impact fee offsets for eligible transportation improvements will be granted only upon acceptance by the County of the improvement(s) identified in Section Q of this Amended and Restated Development Order in their entirety.
   e. The payment by CORPOREX of any Proportionate Share amount through December 31, 1999 will not be credited against the assessment of impact fees for the development of the Project occurring subsequent to January 1, 2000.

(Condition amended: Resolution No. R05-215)

2. Traffic Analyses and Proportionate Share Amount

(Condition added: Resolution No. R95-083; deleted Resolution No. 05-215)

3. Build-Out Date
   The project is approved for buildout through December 31, 2012 (herein "buildout" or "buildout date"). The termination and expiration dates for the Project will be December 31, 2015. In the event CORPOREX desires to extend the build-out date beyond December 31, 2012, CORPOREX will be subject to all laws, ordinances, rules regulations and procedures in effect at the time of the requested amendment.

*(Condition added: Resolution No. R95-083; amended: Resolution No. R05-215; amended: Resolution No. R10-**178**)*

4. Right-of-Way Dedication
CORPOREX will waive any and all credits that CORPOREX may have with respect to the previous dedication of land for right-of-way along Dr. Martin Luther King, Jr. Blvd. (excluding any pending condemnation awards).

(Condition added: Resolution No. R95-083)

5. Non-Waiver
Subject to the terms and conditions of the Settlement Agreement and vesting of the Project for the specific approvals granted to the Project on or before July 26, 1989 (and extensions of same) through December 31, 2010 and thereafter to the extent of vested rights under this DRI from, for example, concurrency and related requirements to implement the County Comprehensive Plan, CORPOREX shall otherwise be subject to all applicable law, ordinances, rules and regulations in effect at the time in which building permits for the Project are pulled.

(Condition added: Resolution No. R95-083)

6. Future Amendments
CORPOREX will be subject to all procedural requirements for the amendment of DRIs in the event CORPOREX chooses to amend the subject Development Order. CORPOREX will be subject to those procedures, as required by law, which are in effect at the time of the requested amendment.

(Condition added: Resolution No. R95-083)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, PAT FRANK, Clerk for the Circuit Court and Ex-officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its December 7, 2010 meeting as same appears of record in Minute Book 415 of the Public Records of Hillsborough County, Florida,

WITNESS my hand and official seal this 8th day of December, 2010.

ATTEST: PAT FRANK, CLERK

By: Beverly Anne Miller
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS HILLSBOROUGH COUNTY GREAT SEAL OF THE STATE OF FLORIDA IN GOD WE TRUST

APPROVED BY COUNTY ATTORNEY
BY
Approved as to Form and Legal Sufficiency

AMENDED EXHIBIT A

DEVELOPMENT SCHEDULE FOR CORPOREX BUSINESS PARK				
YEAR OF BUILDOUT December 31, 2012		*CUMULATIVE TRIPS GENERATED BY DEVELOPMENT FOR PM PEAK HOUR 1371		
*For use in determining fair share payment installment only.				
USE	LIGHT INDUSTRIAL	OFFICE	COMMERCIAL	HOTEL
EXISTING	336,920 S.F.	143,500 S.F.	0 S.F.	98 Rooms
REMAINING	183,080 S.F.	150,000 S.F.	32,000 S.F.	152 Rooms
TOTAL	520,000 S.F.	293,500 S.F.	32,000 S.F.	250 Rooms

EXHIBIT B
DEVELOPER'S AFFIDAVIT

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

Before me, the undersigned authority, personally appeared Allen S. Murphy, Murphy LaRocca Consulting Group, Inc. to me well known, who being first duly sworn, says upon oath as follows:

1. He is a consultant for Corporex Properties of Tampa, Inc., which has filed a Notice of a Proposed Change to a Previously Approved Development of Regional Impact ("Notification").

2. The aforementioned Notification was filed with Hillsborough County, the Florida Department of Community Affairs, and the Tampa Bay Regional Planning Counsel as required by law.

Allen S. Murphy

SWORN TO AND SUBSCRIBED BEFORE ME, this 11th day of November, 2010 by Allen S. Murphy, who is personally known to me, or has produced a current driver's license, valid in the state of Florida, as identification.

JOHN N. LAROCCA
MY COMMISSION EXPIRES
October 21, 2013
#DD 934866
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

Notary Public, State of Florida

My Commission Expires: October 21, 2013

EXHIBIT C
LEGAL DESCRIPTION

PARCEL 1

That part of the N 1/2 of the NW 1/4 of Section 11, Township 29 S, Range 19 E, Hillsborough County, Florida, described as follows: BEGINNING at the SE corner of said N 1/2 of the NW 1/4, run thence S 89°59'46" W, 2652.62', along the S boundary of said N 1/2 of the NW 1/4, to the SW corner thereof; thence N 00°00'32" W, 751.80', along the W boundary of said N 1/2 of the NW 1/4, to the Southeasterly right-of-way line of Interstate 4 (Intersection right-of-way for State Road No. 400 at Buffalo Avenue); thence N 61°33'09" E, 126.17', along said right-of-way line (limited access); thence N 62°55'50" E, 903.78', along said right-of-way line (limited access) to the beginning of a curve to the right; thence Easterly, 236.33', along said curve (limited access) right-of-way line (having a radius of 500.00', a central angle of 27°04'52", and a chord bearing and distance of N 76°30'50" E, 234.13'), to the end of said curve; thence S 89°56'44" E, 176.41', along said intersection right-of-way line, to the end of limited access right-of-way; thence S 00°03'16" W, 210.00'; thence S 89°56'44" E, 210.00'; thence N 00°03'16" E, 231.36' to the Southerly right-of-way line of State Road No. 400 (Interstate 4) exit to State Road 574-A (Buffalo Avenue); thence N 84°14'43" E, 75.44', along said right-of-way line; thence S 89°56'44" E, 300.00', along said right-of-way line; thence N 00°03'16" E, 23.16', along said right-of-way line; thence S 89°50'08" E, 415.45', along said right-of-way line, to the NW corner of the S 924.00' to the N 954.00' of the E 330.00' of the NE 1/4 of the NW 1/4 of said Section 11; thence S 00°06'13" E, 924.00', along the W boundary of the said S 924.00' of the N 954.00' of the E 330.00' of the NE 1/4 of the NW 1/4 to the SW corner thereof; thence S 89°50'08" E, 330.00', along the S boundary of said S 924.00' of the N 954.00' of the E 330.00' of the NE 1/4 of the NW 1/4, to the SE corner thereof; thence S 00°06'13" E, 402.90', along the E boundary of the N 1/2 of the NW 1/4 of said Section 11 to the POINT OF BEGINNING.

Less and except the following:

That part of the N 1/2 of the NW 1/4 of Section 11, Township 29 S, Range 19 E, Hillsborough County, Florida, described as follows: From the SE corner of the N 1/2 of the NW 1/4 of said Section 11, run thence S 89°59'46" W, 1272.97' along the S boundary of the N 1/2 of the NW 1/4 of said Section 11 to the POINT OF BEGINNING; thence S 89°59'46" W, 1379.65' along said S boundary to the SW corner thereof; thence N 00°00'32" W, 751.80' along the W boundary of said N 1/2 of the NW 1/4 to the Southeasterly right-of-way line of Interstate 4 (Intersection right-of-way for State Road No. 400 at Buffalo Avenue); thence N 61°33'09" E, 126.17' along said right-of-way line (limited access); thence N 62°55'50" E, 500.02' along said right-of-way line (limited access); thence S 26°13'05" E, 492.51' to a point on a curve, being the Northerly right-of-way line of the proposed Lakeview Boulevard; run thence along said proposed right-of-way line the following (7) seven courses, (1) Westerly, 96.06' along the arc of a curve to the left having a radius of 1530.00', a central angle of 03°35'50", and a chord

bearing and distance of S 78°04'08" W, 96.04' to a point of tangency; (2) thence S 76°16'13" W, 187.37' to a point of curvature; (3) thence Westerly, 31.82' along the arc of a curve to the right having a radius of 40.00', a central angle of 45°34'23", and a chord bearing and distance of N 80°56'36" W, 30.98' to a point of reverse curvature; (4) thence Westerly, Southerly, and Easterly, 283.95' along the arc of a curve to the left having a radius of 60.00', a central angle of 271°08'46", and a chord bearing and distance of S 13°43'47" E, 84.00' to a point of reverse curvature; (5) thence Northeasterly, 31.82' along the arc of a curve to the right, having a radius of 40.00', a central angle of 45°34'23", and a chord bearing and a distance of N 53°29'02" E, 30.98' to a point of tangency; (6) thence N 76°16'13" E, 187.37' to a point of curvature; (7) thence Easterly, 228.61' along the arc of a curve to the right having a radius of 1470.00', a central angle of 08°54'38", and a chord bearing and distance of N 80°43'32" E, 228.38'; thence S 34°04'11" E, 425.00'; thence S 47°26'07" E, 301.76' to the POINT OF BEGINNING. Containing 48 acres, more or less.

PARCEL 2

N 400' of the S 740' of SW 1/4 of NW 1/4 less W 200' Section 11, Township 29 S, Range 19 E, containing 10.33 acres, more or less.

PARCEL 3

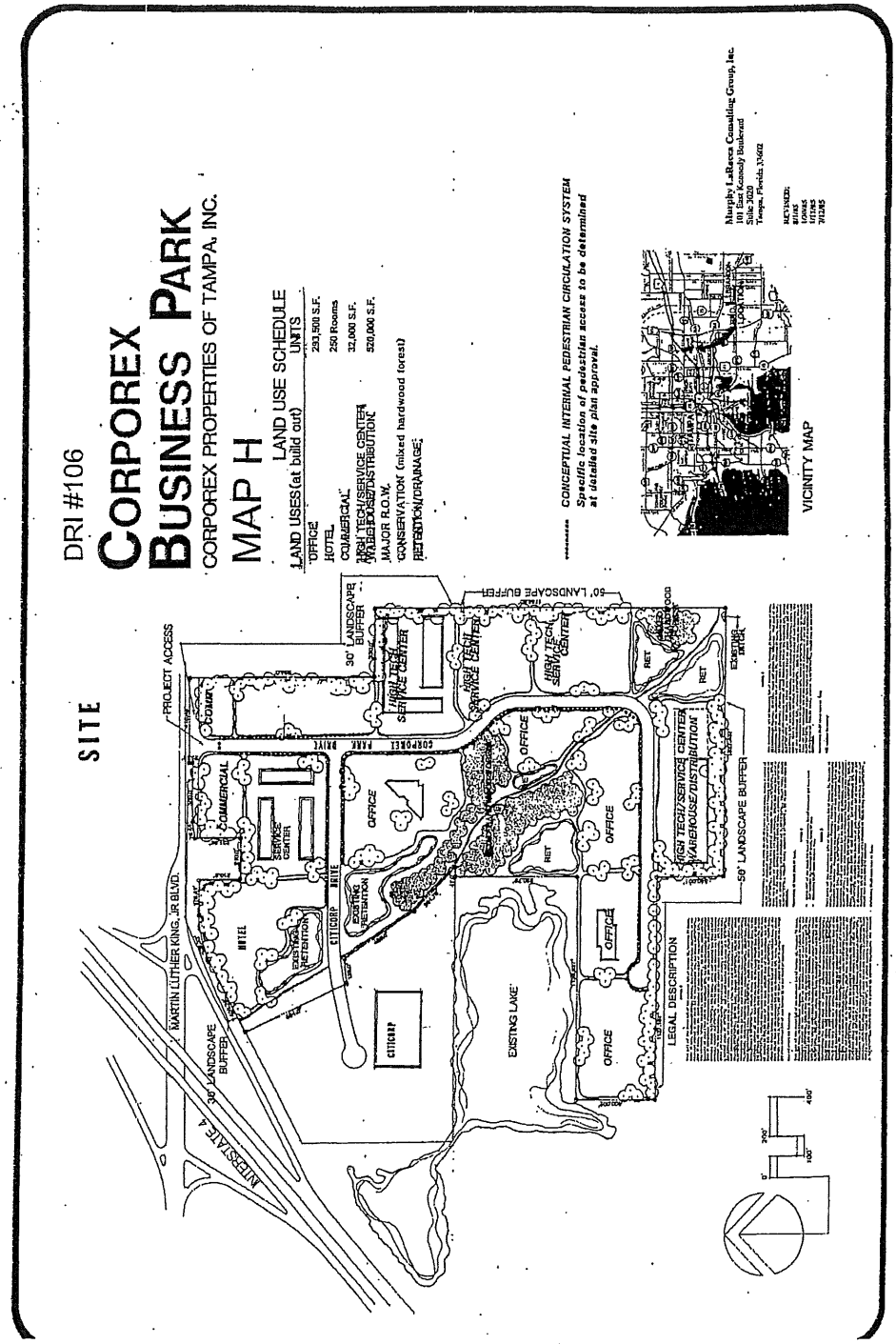
That part of the SE 1/4 of the NW 1/4 of Section 11, Township 29 S, Range 19 E, Hillsborough County, Florida, being more particularly described as follows: Commence at the NE corner of said SE 1/4 of the NW 1/4, thence S 89°59'46" W, 760', along the N line of said SE 1/4 of the NW 1/4 to the POINT OF BEGINNING, thence continue S 89°59'46" W, along said N line a distance of 566.31' to the NW corner of said SE 1/4 of the NW 1/4, thence S 00°03'22" E, 1020.79' along the W line of said SE 1/4 of the NW 1/4, thence N 89°49'41" E parallel to the S line of said SE 1/4 of the NW 1/4 a distance of 867.16', thence N 00°06'13" W. parallel to the E line of said SE 1/4 of the NW 1/4 a distance 718.25', thence N 45°03'14" W, 424.63' to the POINT OF BEGINNING. Containing 19.25 acres, more or less.

PARCEL 4

Ferman Parcel:
The SE 1/4 of the NW 1/4 of Section 11, Township 29 S, Range 19 E, Hillsborough County, Florida, less and except the following: That part of the SE 1/4 of the NW 1/4 of Section 11, Township 29 S, Range 19 E, Hillsborough County, Florida, being more particularly described as follows: Commence at the NE corner of said SE 1/4 of the NW 1/4, thence S 89°59'46" W, 760', along the N line of said SE 1/4 of the NW 1/4 to the POINT OF BEGINNING, thence continue S 89°59'46" W, along said N line a distance of 566.31' to the NW corner of said SE 1/4 of the NW 1/4, thence S 00°03'22" E, 1020.79', along the W line of said SE 1/4 of the NW 1/4, thence N 89°49'41" E parallel to the S line of said SE 1/4 of the NW 1/4 a distance of 867.16', thence N 00°06'13" W parallel to the E line of said SE 1/4 of the NW 1/4 a distance of 718.25', thence N 45°03'14" W, 424.63' to the POINT OF BEGINNING. Containing 22.14 acres, more or less

All subject to survey.

EXHIBIT D
MAP H



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BOARD OF COUNTY COMMISSIONERS
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Rose V. Ferlita
Ken Hagan
Al Higginbotham
Jim Norman
Mark Sharpe
Kevin White

Hillsborough County
Florida

Office of the County Administrator
Patricia G. Bean

ADMINISTRATORS
Lucia E. Garsys
Carl S. Harness
Eric R. Johnson
michael S. Merrill
Manus J. O' Donnell
Edith M. Stewart

December 23, 2009

Mr. James H Shimberg, Jr.
Holland & Knight
100 North Tampa Street, Suite 4100
Tampa, FL 33602-3644

RE: Corporex Development of Regional Impact #106
Amended Build Out Date Extension

Dear Mr. Shimberg:

Staff agrees with your request to exchange the previously acknowledged 3-year build out date extension for the Corporex Development of Regional Impact (DRI) authorized by s.380.06(19)(c), *Florida Statutes*, for a 2-year extension pursuant to Senate Bill 360 (SB 360). The purpose of your request is to obtain the 2-year extension to required mitigation also authorized by SB 360.

Pursuant to your request, the project's build out date is changed from December 31, 2013 to December 31, 2012. The exchange also changes the date by which the Developer is required to construct and complete improvements to the Martin Luther King Boulevard/Orient Road intersection (described in Section I.V.Q.2. a., b., and c.) from the earlier of the first Certificate of Occupancy (CO) for development identified in Section I.V.Q.3 or December 31, 2008, to the earlier of the first CO for development identified in Section I.V.Q.3 or December 31, 2010. The DO's effective date is extended to December 31, 2015.

No other mitigation requirements have been identified as being eligible for extension.

If you have any questions, please contact me by phone at 813.276.8393 or by e-mail at healeyj@hillsboroughcounty.org

Sincerely,

John E. Healey, AICP

cc: Allen Murphy, Murphy LaRocca Consulting Group, Inc. (via e-mail)
John Meyer, Tampa Bay Regional Planning Council (via e-mail)

EXHIBIT A-2

BOARD OF COUNTY COMMISSIONERS
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Hillsborough County
Florida

Office of the County Administrator
Patricia G. Bean

ADMINISTRATORS
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Edith M. Stewart

May 13, 2009

Mr. James H. Shimberg, Jr.
Holland + Knight LLP
100 North Tampa St., Suite 4100
Tampa, FL 33602-3644

RE: Corporex, Development of Regional Impact #106
Revised Build Out Date Extension

Dear Mr. Shimberg:

Staff has reviewed the documentation you provided to demonstrate that the Corporex Development of Regional Impact (DRI) was under active construction on July 1, 2007 and therefore eligible for the 3 year build out date extension authorized by s.380.06(19)(c) *Florida Statutes*. Staff has determined that, based upon the documentation submitted, the Corporex DRI is eligible for the build out date extension. Therefore, as provided by s.380.06(19)(c) *Florida Statutes*, the build out date is extended by three (3) years to December 31, 2013 and the effective date of the Development Order is extended to December 31, 2016.

If you have any questions, please call me at 813.276.8393.

Sincerely,

John E. Healey, AICP

cc: Allen Murphy, Murphy LaRocca Consulting Group, Inc. (via e-mail)
John Meyer, Tampa Bay Regional Planning Council (via e-mail)
Nancy Takemori, County Attorney's Office

Post Office Box 1110 · Tampa, Florida 33601
www.hillsboroughcounty.org
An Affirmative Action/Equal Opportunity Employer

#106

PAT FRANK
Clerk of the Circuit Court
Hillsborough County, Florida

P.O. Box 1110
Tampa, Florida 33601
Telephone (813) 276-8100

October 21, 2005

JOHN MEYER DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
4000 GATEWAY CENTER BLVD SUITE 100
PINELLAS PARK FL 33782

Re: Resolution No. R05-215 - Amended and Restated Development Order for Corporex Business Park (DRI #106)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on September 27, 2005.

We are providing this original for your files.

Sincerely,

Gail M. Letzring,
Manager, BOCC Records

md
Attachment
Certified Mail 7002 2410 0001 4265 0570
cc: Board files (orig.)
James H. Shimberg, Jr., Attorney at Law, Holland and Knight (orig.ltr.)
Charles Gauthier, Chief, DCA Bureau of State Planning (orig. ltr.)
Nancy Y. Takemori, Assistant County Attorney
John Healy, Senior Planner, Planning & Growth Management
Sandra Davidson, County Attorney's Office
Jim Glaros, Assistant Chief Deputy, Valuation, Property Appraiser's Office
Mary Mahoney, Management & Budget

AMENDED AND RESTATED DEVELOPMENT ORDER (DO)

Resolution No. R05-215

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA ISSUING AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR DRI #106 CORPOREX BUSINESS PARK

Upon motion, the following Resolution was adopted on this 27th day of September, 2005, by a vote of 6 to 0, Commissioner(s) _____ voting "no".

WHEREAS, on April 29, 1985 the Board of County Commissioners approved a Development Order, Resolution No. R85-0063 for Corporex Business Park Development of Regional Impact ("DRI") No. 106 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and,

WHEREAS, on February 22, 1994, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R94-0054 (Amendment #1); and

WHEREAS, on April 11, 1995, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R95-083 (Amendment #2); and

WHEREAS, on May 23, 2000, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R00-097 (Amendment #3); and

WHEREAS, on December 8, 2004, Corporex Properties Of Tampa, Inc. filed a "Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI)", for the Corporex Business Park DRI in accordance with Section 380.06 (19), Florida Statutes (Amendment #4); and

WHEREAS, the proposed Amendment #4 requested approval of an extension to the buildout year for by six (6) years to December 31, 2010; an extension to the expiration date for the DRI by six (6) years to December 31, 2013; and a reduction in the amount of approved retail use by 15,000 square feet, a reduction in approved office use by 270,500 square feet, and an increase in light industrial use by 53,000 square feet; and

WHEREAS, this Amendment has been reviewed and approved by the Tampa Bay Regional Planning Council; and

WHEREAS, the Developer previously paid to Hillsborough County traffic mitigation payments totaling $101,107.00 per the previous Development Order requirements of the Developer's fair share transportation contribution:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. Corporex Properties Of Tampa, Inc., hereinafter referred to as "Developer", submitted the proposed Amendment #4 to Hillsborough County which requested approval of an extension to the buildout year for the project by six (6) years to December 31, 2010; an extension of the expiration date until December 31, 2013, a reduction in the amount of approved retail use by 15,000 square feet, a reduction in approved office use by 270,500 square feet, and an increase in light industrial use by 53,000 square feet.

B. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council.

C. The proposed changes approved herein do not result in any new or additional regional impacts.

II. CONCLUSIONS OF LAW

A. The proposed amendments, together with all previous amendments, do not create a reasonable likelihood of additional impact, or any type of regional impact not previously reviewed by the regional planning agency, over those treated under the Development Order. The proposed amendments, therefore, do not constitute a "substantial deviation" from the Corporex Business Park Development Order, pursuant to Chapter 380.06, Florida Statutes.

B. All applicable statutory and regulatory procedures have been adhered to.

C. The Corporex Business Park Development Order, as amended hereby, is consistent with the Future of Hillsborough County Comprehensive Plan, and development in accordance with the Development Order, as amended, will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

D. Nothing contained in this Amended and Rested Development Order shall limit or modify the rights originally approved by the Development Order or the protection afforded under Subsection 163.3167(8), Florida Statutes.

E. The Developer's Affidavit of Certification, Part I, Item 1 of the Department of Community Affairs Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06 (19), F.S., attached hereto as Exhibit B, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

F. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

G. Within thirty (30) days after adoption, a certified copy of this Resolution, together with all exhibits hereto, shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail or other delivery service for which a receipt as proof of

service is required, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients in accordance with Section 380.06, Florida Statutes.

H. Based on the above findings of fact, the Board of County Commissioners hereby approves the extension to the buildout year until December 31, 2010; the extension to the expiration date to December 31, 2013; and a reduction in the amount of approved retail use by 15,000 square feet, a reduction in approved office use by 270,500 square feet, and an increase in light industrial use by 53,000 square feet.

III. GENERAL PROVISIONS

A. This resolution shall constitute the Development Order of Hillsborough County in response to the Application for Development Approval for the Corporex Business Park Development of Regional Impact (ADA).

B. The legal description set forth in Exhibit C and Map H provided as Exhibit D are hereby incorporated into and by reference made a part of this Development Order.

C. All provisions contained within the ADA and Sufficiency Response shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.

D. The definitions contained in Chapter 380, Florida Statutes, shall govern and apply to this Development Order.

E. This Development Order shall be binding upon the Developer and his heirs, assignees or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be constructed to include any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of any branch of government or governmental agency.

F. In the event that any portion or section of this Development Order is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Development Order which shall remain in full force and effect.

G. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected governmental agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review developments set forth under applicable laws and rules governing Developments of Regional Impact.

H. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at Corporex Business Park, the Developer may transfer any or all

of his responsibilities to improve and maintain those facilities to an appropriate private body created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, and/ or other agencies having jurisdiction, concurrent or otherwise, now or later, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order, which approval shall not be unreasonably withheld.

I. Development activity constituting a substantial deviation from the terms or conditions of this Development Order as defined by the criteria of Ch. 380.06(19)(b), Florida Statutes, as amended, or other changes to the approved development plans which create a reasonable likelihood of additional adverse regional impact, or any other regional impact not previously reviewed by Hillsborough County and the Tampa Bay Regional Planning Council shall result in further Development of Regional Impact review pursuant to Chapter 380.06, Florida Statutes, as amended, and may result in Hillsborough County ordering a termination of development activity pending such review.

J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The County shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. In the event of a deviation, the County may issue a notice of such noncompliance to the Developer, or the County may immediately recommend that the Board of County Commissioners establish a hearing to consider such deviations.

K. The Developer shall file an annual report in accordance with Section 380.06(18), Florida Statutes as amended, and appropriate rules and regulations. The report shall be submitted on Florida Department of Community Affairs Form BLWM-07-85 as amended. Such report shall be due on the anniversary of the effective date of this Development Order for each following year until and including such time as all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the County which shall, after appropriate review, submit it for review by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioners' hearing wherein such report is to be reviewed. The receipt and review by the Board of County Commissioners shall not be considered a substitute or a wavier of any terms or conditions of this Development Order. This report shall contain:

1. The information required by the State Land Planning Agency to be included in the Annual Report, which information is described in the Rules and Regulations promulgated by the State Land Planning Agency pursuant to Section 380.06, Florida Statutes; and

2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately following the submittal of the annual report; and

3. A statement listing all Applications for Incremental Review required pursuant to this Development Order or other applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report; and

4. A statement setting forth the name(s) and address(es) of any heir, assignee or successor in interest to this Development Order.

L. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation, or ordinance of Hillsborough County, its agencies and commissions, and to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable rules, regulations, and ordinances in effect at the time of the review.

M. This Development Order became effective upon adoption by the Board of County Commissioners of Hillsborough County and transmittal in accordance with Section 380.06, Florida Statutes (1981).

N. Upon adoption, the Development Order shall be transmitted to the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the Developer.

O. Revisions to the Development Order not addressed herein shall be subject to review by TBRPC including the payment of the incremental review fee.

P. The Developer and the County do not waive any rights to which the Developer and the County their successors and assigns my become entitled to as the result of evolving case law and statutory determinations.

(Condition added: Resolution No. R94-0054)

Q. <u>Compliance with Local Development Regulations</u>
All development undertaken pursuant to this Order shall be in accordance with all applicable local codes and ordinances in effect at the time of permitting; provided however, that this section shall not be construed as waiver of Developer's or County's rights at law or equity in conjunction with the adoption of, or pursuant to, this Development Order amendment. Additionally, the Developer has elected to be bound by the rules adopted pursuant to Chapters 403 and 373, Florida Statutes, in effect at the time of adoption of this Development Order amendment in accordance with Section 380.06 (5) 2(c), Florida Statutes. Accordingly, all applications for permits pursuant to those chapters which are necessary for, and consistent with, the development authorized by this Development Order amendment, shall be subject to the rules adopted pursuant to chapters 403 and 373, Florida Statutes, in effect at the time of issuance of this Development Order amendment,except as otherwise provided in Section 380.06 (5) 2 (c), Florida Statutes.

(Condition added: Resolution No. 94-0054)

IV. CONDITIONS

A. Area Studies

(amended: Resolution No. R94-0054; deleted Resolution No. R05-215)

B. Development Schedule

The development of the project in accordance with the proposed development schedule attached hereto as Amended Exhibit A is an integral part of the Development Order conditions. Therefore, if the Developer elects to amend the proposed development schedule, it shall submit said amendments to the County for review and approval. If the County finds that amendments to the terms of this Development Order are required by amendments to the development schedule, then said amendments to the extent consistent herewith shall be included as conditions of approval of the changes to the development schedule. It is the intent of this provision to insure that all prerequisites for development of the project are complied with. For purposes of this Order, an increment of development shall be considered complete upon issuance of the final certificate of occupancy for that increment of development that generates the cumulative PM Peak Hour trips indicated in the development schedule. No building permits or other approvals shall be issued for subsequent development until completion of the preceding increment.

(amended: Resolution No. R94-0054; amended: Resolution No. R05-215)

C. Stormwater System/Drainage

1. The stormwater system shall be designed and constructed in accordance with the design guidelines of the Southwest Florida Water Management District, Hillsborough County, and the criteria contained on page 113 of the Stormwater and Lake Systems Maintenance and Design Guidelines (Tampa Bay Regional Planning Council, 1978). The design criteria of the system shall include the following elements:
   a. 30 to 50 percent of the surface area of the detention pond at the normal water level (NWL) should consist of a shallow all vegetated littoral shelf.
   b. The littoral shelf can be incorporated into the pond bank, preferably near the pond outlet, to provide a final polishing treatment for the stormwater. As an alternative, the littoral shelf can be established on a shallow submerged island in the middle of the pond.
   c. A sediment sump shall be provided at all influent pipes to accumulate sediment and to provide easy access for sediment removal.
   d. The littoral shelf, if located along the pond bank, should have side slopes no greater than 4:1 with the top of the shelf NWL and sloping to a depth of three feet or less.
   e. The littoral shelf shall be vegetated with a diverse group of native species which can include "Sagittaria, pickerelweed, Juncus, water lilies, cypress, etc. These species aid in nutrient and heavy metal uptake as well as enhance the pond by providing blooming flowers and presenting a more natural appearance.
   f. A copy of an operation and maintenance schedule for the detention areas shall be prepared by the Developer and submitted to Tampa Bay Regional Planning Council. The operation and maintenance schedule shall include an

estimation of the frequency of sediment removal operation and shall mention the periodic need for removing dead vegetation. An annual update of the operation and maintenance schedule showing compliance with its terms shall be included in the annual report.

g. The master drainage system shall comply with the Department of Environmental Regulations Stormwater Rule, Chapter 17-25, Florida Administrative Code.

In the event that there is a conflict between any of the criteria and guidelines referenced herein, the stricter criteria shall apply.

2. Prior to final plat approval or detailed site plan approval if the project is not to be platted, the Developer shall submit to the Hillsborough County Environmental Protection Commission a copy of the Southwest Florida Water Management District's Stormwater Discharge Permit or Exemption.

3. The elevation for all habitable structures shall be at or above the 100 year base flood elevation as required by the Federal Flood Insurance Program.

D. Public Facilities

1. Prior to issuance of detailed site plan approval for each phase of the development, the Developer shall provide to the Hillsborough County Planning and Growth Management Department (PGMD) verification that adequate police, fire service and emergency medical service facilities are available to serve the described phase.

2. The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said ordinance.

3. No building permits shall be issued without a commitment from the City of Tampa or other responsible entity to provide wastewater disposal capacity for that portion of the building construction. No detailed site plan approval shall be granted without an approved, permitted wastewater collection system. Documentation of approvals from all appropriate local and State agencies shall be provided to the DDC prior to detailed site plan approval.

4. No building permits shall be issued without an approved, permitted potable water distribution system and available capacity for that portion of the building construction. Approval shall be obtained from all appropriate local and State agencies.

5. The City will provide water service to Corporex Business Park on the following terms and conditions:

a. The Developer shall design, construct and install, in accordance with prevailing City design criteria and subject to prior City inspection and approval, all on-site improvements required by the City to connect the development to the City's water system. [On-site improvements shall be defined as all water and sanitary sewer facilities, including but not limited to all lines, mains, equipment, improvements, easements, rights-of-way or utilities, located within the development including all water mains, up to and including water meters.]

b. After City inspection and approval, the Developer shall convey to the City, by instruments acceptable to the City, said on-site improvements for water and sanitary sewer. In addition, the Developer, at its own expense, shall acquire and convey to the City necessary and reasonable permits, rights-of-way, easements, property interests, or things specified by the City to provide the development with a working water system. Upon inspection and

acceptance of said facilities, permits, easements, rights- of-way, property, interests or things, the City shall operate and maintain said facilities and improvements as part of the City's utility system and subject to the City's ordinances.

c. Excess infrastructure capacity required to serve phases II, III and IV shall be at the Developer's risk and development of phase I shall not, as to the need for infrastructure for each phase, vest Phase II, III or IV development rights for each phase.

E. Open Space

1. The Developer, his assigned agent or successor, shall be responsible for the maintenance of all open space/ recreational areas and landscaped areas within each phase of the development.
2. Those portions of the stormwater drainage system and retention and detention ponds not dedicated to Hillsborough County shall remain the responsibility of the Developer, his assigned agent, or his successor.
3. The Developer or successor shall undertake parking lot sweeping as a routine maintenance function.
4. The Developer or successor shall be responsible for the operation and maintenance of all on-site wells and landscape irrigation systems. The Developer shall be required to utilize either shallow on-site wells, pumping from retention areas, or acceptance of non-potable water for open space and landscape irrigation.

F. Wildlife

In the event that any rare, endangered or threatened species are observed on-site, the Developer shall immediately institute appropriate mitigation measures to avoid harm to the species. The mitigation measures employed shall be undertaken in cooperation with The Florida Fish and Wildlife Conservation Commission.

G. Hazardous Waste

In the event hazardous wastes, as defined by the appropriate Federal and State agencies or subdivisions thereof, are to be introduced to the area, then prior approval for permission to introduce these hazardous materials will be required with proof thereof provided to the Staff or appropriate County agency. The Developer shall provide separate hazardous waste storage containers/areas within the project. These containers/ areas shall be accessible to all project businesses, and shall be clearly marked and/or colored so as to clearly distinguish the containers/areas intended for hazardous wastes and materials. The Developer shall provide to all businesses information that:

1. Indicates types of waste and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers.
2. Indicates the location of specially-designated hazardous waste and materials containers.
3. Advises of applicable statutes and regulations regarding hazardous wastes and materials.

The Developer shall require that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

Underground storage of hazardous, toxic or flammable materials, liquids or chemicals shall not be permitted, except that combustible and flammable liquids and liquified gas, as

defined in NFPA 30, 54 and 58 to include gasoline, kerosene, petroleum, distillates, diesel fuel and liquified gas, may be stored only in underground tanks which shall be designed, installed, constructed and located to prevent seepage of contained products into surrounding sub-surface areas and which shall comply with NFPA codes, FDER Chapter 17-6 and all prevailing statutory and regulatory requirements and standards. In addition, the Developer shall require installation and maintenance of leak detectors for such underground tanks, if any, in accordance with County standards and criteria.

H. Energy

The energy conservation measures described in the application shall be instituted by the Developer.

I. Archaeological Resources

The disposition of any archaeological resources discovered during project construction shall be reported to and the disposition shall be determined in cooperation with the Florida Division of Archives. All identified archaeological sites shall be subjected to investigative excavation as approved by the Division of Archives, the data and artifacts recovered shall be reported to the Division of Archives prior to land clearing for Construction in those specific areas.

J. Air Quality

The measures designed to reduce air emissions referenced in the application shall be required. The Developer shall as a means of reducing fugitive dust accomplish the following:

1. Undertake chemical stabilization over heavily traveled primary haul route road sections as necessary.
2. Undertake periodic cleaning of dirt during construction on paved roads adjacent to the site or as required by grading permit.
3. Wherever possible use selective clearing to allow natural seeding to stabilize the disturbed soil and berms to minimize wind erosion.
4. Water all dirt roads as necessary.
5. Develop asphalt roads as soon as practical.
6. Stage clearing of lands within development areas to reduce land opened and exposed to windy conditions.
7. Undertake watering and spraying at all stages of clearing to ensure dust control.
8. Undertake mulching, seeding and sodding as soon as possible after final grading is completed.
9. Undertake progressive development of roadways, landscaping and buildings for purposes of reducing fugitive dust emissions.

K. Hurricane Evacuation

The Developer shall promote awareness of and shall cooperate with local and regional authorities having jurisdiction to issue hurricane evacuation orders. The Developer shall prepare a plan to ensure the safe and orderly evacuation of hotel guests and those employees who, for security or administrative reasons, are in the buildings after an evacuation order is issued. The plan shall include the following elements:

a. Procedures calling for the closing of all buildings for the duration of the hurricane evacuation order.

b. Procedures for informing all employees of evacuation routes out of the flood prone area and measures to be followed in the same event.

c. Procedures mandating coordination with appropriate public authorities of building closings, security and safety measures, and evacuation plans.

The aforementioned plan shall be included in the first annual report submitted after occupancy of any portion of the project.

(amended: Resolution No. R94-0054)

L. Wind and Water Cause Soil Erosion Control

The wind and water-cause soil erosion control measures referenced in the application shall be required.

M. Street Cleaning Program

The Developer shall implement a street cleaning program for the parking and roadway areas within the development, pursuant to the Area-Wide Water Quality Management Plan for the Tampa Bay Region, (1978).

N. Transportation - Impact Analysis Methodology

(amended: Resolution No. R94-0054; deleted Resolution No. R05-215)

O. Transportation Improvements

(amended: Resolution No. R94-0054; deleted: Resolution No. R05-215)

P. (Text Deleted)

(amended: Resolution No. R94-0054; deleted: Resolution No. R05-215)

Q. The following incremental improvements will be required:

1. Prior to December 31, 2005 and in connection with the construction of the 26,313 square foot GSA (Homeland Security) office building, the Developer shall work with Hartline for the establishment of a transit shelter at the existing project bus stop location at the front of the project along Martin Luther King (MLK) Boulevard. This shall be a monetary payment or construction of the physical improvements. The improvements shall be initiated, or monetary payment shall be made, not later than December 31, 2006.

2. For construction of the next increment of development which will include up to 32,000 square feet of retail space and up to 120 hotel rooms or the equivalent of 190 p.m. peak hour trips, the Developer shall design intersection improvements at MLK Boulevard and Orient Road. The design of the intersection improvements shall be submitted with construction plans for this increment of development. It shall be the responsibility of the Developer to obtain approval of the intersection improvements no later than 6 months after construction plan approval or prior to certificate of occupancy for this increment of development. The design shall be for the following improvements:

a. restripe the northbound and southbound approaches of the MLK / Orient Road intersection and modify signalization to allow dual left turn lanes;
b. modify the eastbound approach of the MLK / Orient Road intersection to provide dual left turn lanes, and extend the receiving lanes to a total distance of 600 feet on Orient Road north of MLK Boulevard within existing right-of-way; and
c. modify the westbound approach of the MLK / Orient Road intersection to provide dual left turn lanes, including extending the receiving lanes to a total distance of 600 feet on Orient Road and south of MLK Boulevard within the existing right-of-way.

3. The remaining development, as analyzed in the 2004/2005 NOPC Traffic Analysis, is 183,080 s.f. of light industrial space, 123,687 s.f. of office space and 130 hotel rooms. The Developer shall construct, and complete, the improvements referenced in 2.a., b., and c. prior to the earlier to occur of either, (1) certificates of occupancy being issued for any development identified in this paragraph, or (2) December 31, 2008, whichever comes first.

(amended: Resolution No. R05-215)

R. (Text Deleted)
(deleted: Resolution No. R05- 215)

S. Transportation Systems Management
The Developer shall submit for approval by TBRPC, the County, and the Hillsborough Area Transit Authority (HART), a plan of transportation systems management (TSM) measures to be instituted and implemented for each trip generation increment. The plan shall provide for sufficient TSM measures to divert a substantial percentage of total peak hour trips away from the peak traffic hours over and above those projected in the ADA. The plan shall be submitted to the reviewing agencies within one year of issuance of any Development Order approving this project and shall address the following at minimum:

1. Worker flex time.
2. Worker ridesharing strategies.
3. Provision of transit and service facilities and programs to increase transit ridership.
4. I-275/I-4 High Occupancy Vehicle Study.

If Developer desires the opportunity to seek credit against transportation impact fees for any lowering of traffic impacts resulting from TSM measures, each annual report for this development after the issuance of certificates of occupancy for the development shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure. The results of the TSM study may serve as a basis for the Developer to request Development Order amendments.

To assure that the transportation impacts of this development have been accurately projected by the ADA traffic analysis, field surveys and a report of findings shall be

conducted every two years after the issuance of certification of occupancy for the development. The results of these surveys shall be included in the required annual report.

(amended: Resolution No. R94-0054)

T. The Developer shall provide hydrogeologic information regarding the degree of leakance of the confining layer which separates the surficial and Floridian aquifers. This information shall be provided to Hillsborough County for consideration in final site plan approval.

U. The Developer shall provide for review an annual water quality profile. This shall include taking a single grab sample at the point of the project's stormwater system discharge. The following parameters shall be measured:

- BOD
- TSS
- Total Phosphorus
- Total Nitrogen
- Total Coliforms
- Dissolved Oxygen
- Ph
- Temperature
- Oils and Greases
- COS

This data shall be provided to Hillsborough County and the City of Tampa. If the monitoring data indicate that this development is having a negative impact on water quality, additional design criteria or remedial measures for regional concerns shall be developed prior to approval of any subsequent phases.

(amended: Resolution No. R00-097)

V. Developer agrees that representative stands of each upland vegetative community type shall be preserved.

W. Downzoning/Intensity Reduction
Prior to December 30, 2013 Hillsborough County agrees that DRI and changes to the DRI shall not be subject to downzoning, unit density reduction or intensity reduction unless the local government can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred or the development order was based upon substantially inaccurate information provided by the developer or that the change is clearly established by local government to be essential to the public health, safety or welfare.

(amended: Resolution No. R94-0054; amended Resolution No. R05-215)

1. [Text Deleted]

(Condition added: Resolution No. R95-083; condition deleted Resolution No. 05-215)

1. Impact Fees

a. CORPOREX was not subject to the assessment of transportation and/or right-of-way impact fees pursuant to the applicable impact fee ordinance(s) until January 1, 2000. Beginning on January 1, 2000, all new construction within the CORPOREX Business Park DRI is subject to the payment of impact fees.

b. The Developer shall be entitled to impact fee offsets for the percentage of excess capacity provided by those eligible transportation improvements to be constructed to the extent that they are included on the Metropolitan Planning Organization's Adopted Needs Assessment Map and/or the Board of County Commissioner's adopted County Corridor Plan. No impact fee offsets shall be recognized for the transportation improvements if they are not included on the Metropolitan Planning Organization's Adopted Needs Assessment Map and/or the Board of County Commissioner's adopted County Corridor Plan on the date of dedication to the County.The Hartline transit shelter at the existing project bus stop location along Martin Luther King Boulevard is not eligible for impact fee offsets.

c. Any impact fee offsets recognized for eligible transportation improvements shall be limited to the costs and expenses authorized by the Consolidated Impact Assessment Program Ordinance.

d. Impact fee offsets for eligible transportation improvements will be granted only upon acceptance by the County of the improvement(s) identified in Section Q of this Amended and Restated Development Order in their entirety.

e. The payment by CORPOREX of any Proportionate Share amount through December 31, 1999 will not be credited against the assessment of impact fees for the development of the Project occurring subsequent to January 1, 2000.

(Condition amended: Resolution No. R05-215)

3. Traffic Analyses and Proportionate Share Amount

(Condition added: Resolution No. R95-083; deleted: Resolution No. 05-215)

4. Build-Out Date

The project is approved for buildout through December 31, 2010(herein "buildout" or "buildout date"). The termination and expiration dates for the Project will be December 31, 2013. In the event CORPOREX desires to extend the build-out date beyond December 31, 2010, CORPOREX will be subject to all laws, ordinances, rules regulations and procedures in effect at the time of the requested amendment.

(Condition added: Resolution No. R95-083; amended: Resolution No. R05-215)

5. Right-of-Way Dedication

CORPOREX will waive any and all credits that CORPOREX may have with respect to the previous dedication of land for right-of-way along Dr. Martin Luther King, Jr. Blvd. (excluding any pending condemnation awards).

(Condition added: Resolution No. R95-083)

6. Non-Waiver
Subject to the terms and conditions of the Settlement Agreement and vesting of the Project for the specific approvals granted to the Project on or before July 26, 1989 (and extensions of same) through December 31, 2010 and thereafter to the extent of vested rights under this DRI from, for example, concurrency and related requirements to implement the County Comprehensive Plan, CORPOREX shall otherwise be subject to all applicable law, ordinances, rules and regulations in effect at the time in which building permits for the Project are pulled.

(Condition added: Resolution No. R95-083)

7. Future Amendments
CORPOREX will be subject to all procedural requirements for the amendment of DRIs in the event CORPOREX chooses to amend the subject Development Order. CORPOREX will be subject to those procedures, as required by law, which are in effect at the time of the requested amendment.

(Condition added: Resolution No. R95-083)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, PAT FRANK, Clerk for the Circuit Court and Ex-officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its September 27, 2005 meeting as same appears of record in Minute Book 352 of the Public Records of Hillsborough County, Florida,

WITNESS my hand and official seal this 21st day of ~~September~~ October, 2005.

ATTEST: PAT FRANK, CLERK

By: Mildred K. Dixon
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS FLORIDA SEAL HILLSBOROUGH COUNTY

APPROVED BY COUNTY ATTORNEY
BY James Yaklemmi
Approved as to Form and Legal Sufficiency

AMENDED EXHIBIT "A"

DEVELOPMENT SCHEDULE FOR CORPOREX BUSINESS PARK				
YEAR OF BUILDOUT December 31, 2010		*CUMULATIVE TRIPS GENERATED BY DEVELOPMENT FOR PM PEAK HOUR 1371		
*For use in determining fair share payment installment only.				
USE	LIGHT INDUSTRIAL	OFFICE	COMMERCIAL	HOTEL
EXISTING	336,920 S.F.	143,500 S.F.	0 S.F.	0 Rms.
REMAINING	183,080 S.F.	150,000 S.F.	32,000 S.F.	250 Rooms
TOTAL	520,000 S.F.	293,500 S.F.	32,000 S.F.	250 Rooms

EXHIBIT B
DEVELOPER'S AFFIDAVIT OF CERTIFICATION

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

Before me, the undersigned authority, personally appeared Allen S. Murphy, Murphy LaRocca Consulting Group, Inc., to me will known, who being first duly sworn, says upon oath as follows:

1. He is a consultant for Corporex Properties Of Tampa, Inc., which has filed a Notice of a Proposed Change to a Previously Approved Development of Regional Impact ("Notification").

2. The aforementioned Notification was filed with Hillsborough County, the State Department of Community Affairs and the Tampa Bay Regional Planning Council as required by law.

Allen S. Murphy

Sworn to and subscribed before me this 12 day of October, 2005 by Allen S. Murphy who is personally known to me.

Notary Public

Jennifer Riddle
Commission #DD271236
Expires: Dec 01, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

(Print, Type or Stamp)

My Commission Expires:

EXHIBIT C
LEGAL DESCRIPTION

PARCEL 1

That part of the N 1/2 of the NW 1/4 of Section 11, Township 29 S, Range 19 E, Hillsborough County, Florida, described as follows: BEGINNING at the SE corner of said N 1/2 of the NW 1/4, run thence S 89°59'46" W, 2652.62', along the S boundary of said N 1/2 of the NW 1/4, to the SW corner thereof; thence N 00°00'32" W, 751.80', along the W boundary of said N 1/2 of the NW 1/4, to the Southeasterly right-of-way line of Interstate 4 (Intersection right-of-way for State Road No. 400 at Buffalo Avenue); thence N 61°33'09" E, 126.17', along said right-of-way line (limited access); thence N 62°55'50" E, 903.78', along said right-of-way line (limited access) to the beginning of a curve to the right; thence Easterly, 236.33', along said curve (limited access) right-of-way line (having a radius of 500.00', a central angle of 27°04'52", and a chord bearing and distance of N 76°30'50" E, 234.13'), to the end of said curve; thence S 89°56'44" E, 176.41', along said intersection right-of-way line, to the end of limited access right-of-way; thence S 00°03'16" W, 210.00'; thence S 89°56'44" E, 210.00'; thence N 00°03'16" E, 231.36' to the Southerly right-of-way line of State Road No. 400 (Interstate 4) exit to State Road 574-A (Buffalo Avenue); thence N 84°14'43" E, 75.44', along said right-of-way line; thence S 89°56'44" E, 300.00', along said right-of-way line; thence N 00°03'16" E, 23.16', along said right-of-way line; thence S 89°50'08" E, 415.45', along said right-of-way line, to the NW corner of the S 924.00' to the N 954.00' of the E 330.00' of the NE 1/4 of the NW 1/4 of said Section 11; thence S 00°06'13" E, 924.00', along the W boundary of the said S 924.00' of the N 954.00' of the E 330.00' of the NE 1/4 of the NW 1/4 to the SW corner thereof; thence S 89°50'08" E, 330.00', along the S boundary of said S 924.00' of the N 954.00' of the E 330.00' of the NE 1/4 of the NW 1/4, to the SE corner thereof; thence S 00°06'13" E, 402.90', along the E boundary of the N 1/2 of the NW 1/4 of said Section 11 to the POINT OF BEGINNING.

Less and except the following:

That part of the N 1/2 of the NW 1/4 of Section 11, Township 29 S, Range 19 E, Hillsborough County, Florida, described as follows: From the SE corner of the N 1/2 of the NW 1/4 of said Section 11, run thence S 89°59'46" W, 1272.97' along the S boundary of the N 1/2 of the NW 1/4 of said Section 11 to the POINT OF BEGINNING; thence S 89°59'46" W, 1379.65' along said S boundary to the SW corner thereof; thence N 00°00'32" W, 751.80' along the W boundary of said N 1/2 of the NW 1/4 to the Southeasterly right-of-way line of Interstate 4 (Intersection right-of-way for State Road No. 400 at Buffalo Avenue); thence N 61°33'09" E, 126.17' along said right-of-way line (limited access); thence N 62°55'50" E, 500.02' along said right-of-way line (limited access); thence S 26°13'05" E, 492.51' to a point on a curve, being the Northerly right-of-way line of the proposed Lakeview Boulevard; run thence along said proposed right-of-way line the following (7) seven courses, (1) Westerly, 96.06' along the arc of a curve to the left having a radius of 1530.00', a central angle of 03°35'50", and a chord

bearing and distance of S 78°04'08" W, 96.04' to a point of tangency; (2) thence S 76°16'13" W, 187.37', to a point of curvature; (3) thence Westerly, 31.82' along the arc of a curve to the right having a radius of 40.00', a central angle of 45°34'23", and a chord bearing and distance of N 80°56'36" W, 30.98' to a point of reverse curvature; (4) thence Westerly, Southerly, and Easterly, 283.95' along the arc of a curve to the left having a radius of 60.00', a central angle of 271°08'46", and a chord bearing and distance of S 13°43'47" E, 84.00' to a point of reverse curvature; (5) thence Northeasterly, 31.82' along the arc of a curve to the right, having a radius of 40.00', a central angle of 45°34'23", and a chord bearing and a distance of N 53°29'02" E, 30.98' to a point of tangency; (6) thence N 76°16'13" E, 187.37' to a point of curvature; (7) thence Easterly, 228.61' along the arc of a curve to the right having a radius of 1470.00', a central angle of 08°54'38", and a chord bearing and distance of N 80°43'32" E, 228.38'; thence S 34°04'11" E, 425.00'; thence S 47°26'07" E, 301.76' to the POINT OF BEGINNING. Containing 48 acres, more or less.

PARCEL 2

N 400' of the S 740' of SW 1/4 of NW 1/4 less W 200' Section 11, Township 29 S, Range 19 E, containing 10.33 acres, more or less.

PARCEL 3

That part of the SE 1/4 of the NW 1/4 of Section 11, Township 29 S, Range 19 E, Hillsborough County, Florida, being more particularly described as follows: Commence at the NE corner of said SE 1/4 of the NW 1/4, thence S 89°59'46" W, 760', along the N line of said SE 1/4 of the NW 1/4 to the POINT OF BEGINNING, thence continue S 89°59'46" W, along said N line a distance of 566.31' to the NW corner of said SE 1/4 of the NW 1/4, thence S 00°03'22" E, 1020.79' along the W line of said SE 1/4 of the NW 1/4, thence N 89°49'41" E parallel to the S line of said SE 1/4 of the NW 1/4 a distance of 867.16', thence N 00°06'13" W. parallel to the E line of said SE 1/4 of the NW 1/4 a distance 718.25', thence N 45°03'14" W, 424.63' to the POINT OF BEGINNING. Containing 19.25 acres, more or less.

PARCEL 4

Ferman Parcel:
The SE 1/4 of the NW 1/4 of Section 11, Township 29 S, Range 19 E, Hillsborough County, Florida, less and except the following: That part of the SE 1/4 of the NW 1/4 of Section 11, Township 29 S, Range 19 E, Hillsborough County, Florida, being more particularly described as follows: Commence at the NE corner of said SE 1/4 of the NW 1/4, thence S 89°59'46" W, 760', along the N line of said SE 1/4 of the NW 1/4 to the POINT OF BEGINNING, thence continue S 89°59'46" W, along said N line a distance of 566.31' to the NW corner of said SE 1/4 of the NW 1/4, thence S 00°03'22" E, 1020.79', along the W line of said SE 1/4 of the NW 1/4, thence N 89°49'41" E parallel to the S line of said SE 1/4 of the NW 1/4 a distance of 867.16', thence N 00°06'13" W parallel to the E line of said SE 1/4 of the NW 1/4 a distance of 718.25', thence N 45°03'14" W, 424.63' to the POINT OF BEGINNING. Containing 22.14 acres, more or less

All subject to survey.

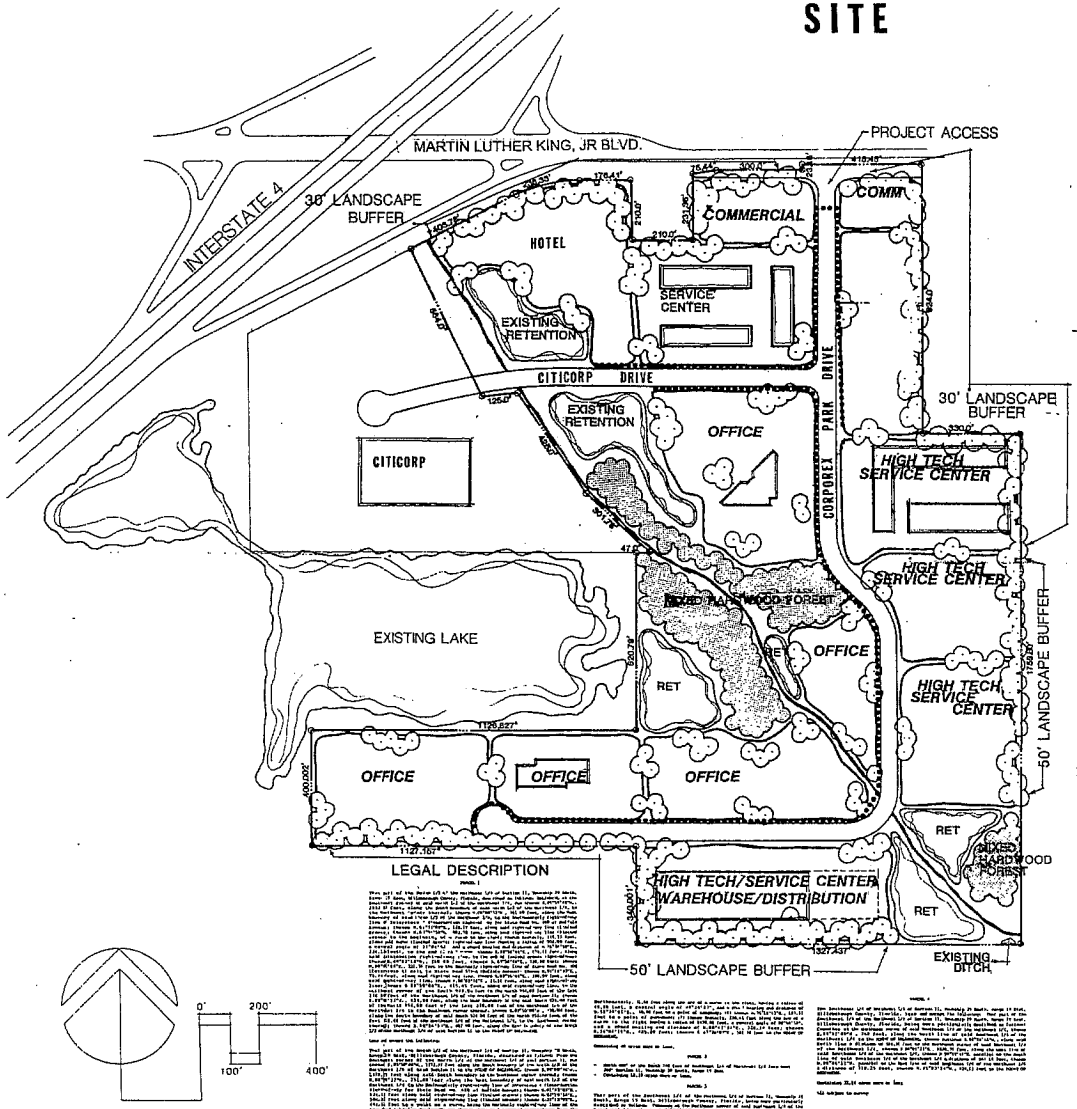
EXHIBIT D
MAP H

DRI #106

CORPOREX BUSINESS PARK

CORPOREX PROPERTIES OF TAMPA, INC.

MAP H



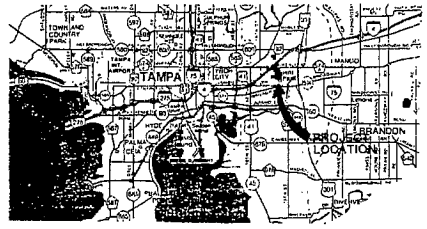
LEGAL DESCRIPTION

LAND USES (at build out)	UNITS
OFFICE	293,500 S.F.
HOTEL	250 Rooms
COMMERCIAL	32,000 S.F.
HIGH TECH/SERVICE CENTER WAREHOUSE/DISTRIBUTION	520,000 S.F.
MAJOR R.O.W.	
CONSERVATION (mixed hardwood forest)	
RETENTION/DRAINAGE	

LAND USE SCHEDULE

••••••••• *CONCEPTUAL INTERNAL PEDESTRIAN CIRCULATION SYSTEM*

Specific location of pedestrian access to be determined at detailed site plan approval.



VICINITY MAP

Murphy LaRocca Consulting Group, Inc.
101 East Kennedy Boulevard
Suite 3020
Tampa, Florida 33602

REVISED:
8/1/85
1/30/85
1/11/05
7/12/05

106

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida

P.O. Box 1110
Tampa, Florida 33601
Telephone (813) 276-8100

June 2, 2000

JOHN MEYER DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
9455 KOGER BOULEVARD SUITE 219
ST PETERSBURG FL 33702

Re: Resolution No. R00-097 - Amending the Development Order for Corporex Business Park (DRI #106)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on May 23, 2000.

We are providing this original for your files.

Sincerely,

Susan Boleman,
Deputy Clerk, BOCC Records

md
Attachment
Certified Mail #P220536077
cc: Board files (orig.)
J. Thomas Beck, Florida Department of Community Affairs
David M. Smith, Land Use Consultant, Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson, P.A.
Susan Fernandez, Senior Assistant County Attorney
John Healy, Senior Planner, Planning & Growth Management
Beth Novak, County Attorney's Office

RESOLUTION NO. R00-097

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA AMENDING THE CORPOREX BUSINESS PARK DRI DEVELOPMENT ORDER (NO. 106)

Upon motion by Commissioner Scott, **seconded by Commissioner** Wacksman, **the following Resolution was adopted by a vote of** 5 **to** 0, **with Commissioner(s** _____ **voting "No."**

WHEREAS, on April 29, 1985, the Board of County Commissioners ("BOCC") approved a Development Order (Resolution No. 85-0063) for the Corporex Business Park ("Corporex") Development of Regional Impact (DRI No. 106) ("Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and,

WHEREAS, on October 13, 1992, the BOCC found that Corporex was not in compliance with the Development Order and required that a Notice of Proposed Change ("NOPC") be filed by December 14, 1992; and,

WHEREAS, on December 14, 1992, Corporex Properties of Tampa, Inc., the developer of Corporex ("Developer") , through its authorized representative, filed an NOPC for Corporex, in accordance with Section 380.06, Florida Statutes; and,

WHEREAS, on February 22, 1994, the BOCC amended the Development Order (Resolution No. 94-0054) during a public hearing ("Amended Development Order"); and,

WHEREAS, the Amended Development Order included a consolidation of phases for the project, an extension of the buildout date for the project from December 29, 1989 to December 30, 1996, and a requirement that Corporex be subject to the payment of impact fees after December 30, 1996; and,

WHEREAS, the Amended Development Order included a provision which allowed the Developer and the County to enter into nonbinding mediation of a pending dispute between the Developer and the County regarding whether impact fees can or cannot be assessed after December 30, 1996; and,

WHEREAS, on May 24, 1994, the Developer filed a Petition for Writ of Certiorari and a Complaint for Declaratory and Injunctive Relief against Hillsborough County in Circuit Court, alleging that Corporex is not subject to the payment of impact fees and that Corporex should not be subject to a buildout date; and,

WHEREAS, on April 26, 1994, the Florida Department of Community Affairs ("DCA") appealed the Amended Development Order to the Florida Land and Water Adjudicatory Commission

("FLWAC") alleging that a buildout date for the project was not included within the Amended Development Order and that any buildout date beyond December 30, 1996 would constitute a substantial deviation; and,

WHEREAS, on April 29, 1994, the Developer appealed the Amended Development Order to FLWAC alleging that Corporex was not subject to the payment of impact fees or the establishment of a buildout date for the project; and,

WHEREAS, on May 10, 1994, the BOCC authorized the County Attorney's Office to enter into non-binding mediation with the Developer in an attempt to resolve the issues raised by the Developer in its appeals to Circuit Court and FLWAC; and,

WHEREAS, the Developer and the County mutually selected a Mediator and from May 11, 1994 through March 15, 1995, the Developer and the County, as well as DCA, entered into good faith negotiations, including the non-binding mediation authorized by the BOCC, in an attempt to resolve the appeals filed with respect to the Amended Development order; and,

WHEREAS, a "Stipulated Settlement Agreement and General Release," was executed by all Parties and approved by the County Commission on April 11, 1995, settling all pending and/or future litigation and administrative appeals with regard to the Amended Development Order for Corporex; and,

WHEREAS, the BOCC on April 11, 1995 approved an amendment of the Amended Development Order for Corporex in accordance with the terms and conditions of the "Stipulated Settlement Agreement and General Release"; and,

WHEREAS, on February 2, 2000 CORPOREX PROPERTIES OF TAMPA, INC. by its authorized agent Drew Smith, filed a Second Notification of Proposed Change to a Previously Approved Development of Regional Impact for Corporex Business Park DRI (the "NOPC") in accordance with Section 380.06(19), Florida Statutes; and,

WHEREAS, Section 380.06(19), Florida Statutes, as amended, requires that the Development Order be amended to reflect the revisions approved pursuant to the NOPC; and,

WHEREAS, pursuant to Section 380.06, Florida Statutes, public notice was given that a public hearing would be held by the County Commissioners on April 25, 2000, to consider a request to amend the Development Order as amended, that hearing was continued to May 9, 2000 and subsequently continued to May 23, 2000 ; and,

WHEREAS, the NOPC provides for an amendment of (a) the deadline for submission of a new traffic study due to significant roadway construction in the project area, and (b) modification of water quality monitoring provisions to more closely match permitting requirements; and,

WHEREAS, the staffs of the Tampa Bay Regional Planning Council, Hillsborough County and the Department of Community Affairs have reviewed this NOPC and determined that the proposed changes do not constitute a substantial deviation under applicable statutory law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING DULY ASSEMBLED, THIS 23TH DAY OF MAY, 2000, AS FOLLOWS:

1. That the following Findings of Fact are made:

   a. A review of the impacts generated by this amendment to the Corporex Business Park Development Order has been conducted by Hillsborough County, Tampa Bay Regional Planning Council and the Department of Community Affairs.

   b. The development is not located in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes, as amended.

   c. That the proposed changes will comply with local land development regulations and the local comprehensive plan, respectively, and be vested from compliance with concurrency pursuant to Section 163.3167(8), Florida Statutes, as amended.

   d. That the proposed change does not unreasonably interfere with achievement of the objections of the adopted state development plan applicable to the area and is consistent with the State Comprehensive Plan.

   e. The Findings of Fact and Conclusions of Law made in the Development Order are incorporated herein by reference.

2. That the following Conclusions of Law are made:

   a. This amendment to the Corporex Business Park DRI Development Order does not constitute a substantial deviation pursuant to Section 380.06(19), Florida Statutes, as amended.

   b. The Corporex Business Park Development Order as amended hereby is consistent with the Future of Hillsborough County Comprehensive Plan.

   c. Except as specifically amended hereby the Development Order as amended is hereby reaffirmed in its entirety and remains in full force and effect.

d. Nothing herein shall limit or modify the rights originally approved by the Development Order or the protection afforded under Section 163.3167(8), Florida Statutes.

3. Based on the above Findings of Fact and Conclusions of Law, the Corporex Business Park Development Order is hereby amended as follows:

a. Paragraph 3.C of the Stipulated Settlement Agreement and General Release is amended to read as follows:

> "On or before July 1, 2002, CORPOREX will submit to the COUNTY, for review and comment by the COUNTY (with a copy to DCA) as well as other reviewing agencies, if applicable, a standard traffic study for the entire project pursuant to the requirements of Section 380.06, Florida Statutes, the methodology for which is acceptable to the COUNTY, TBRPC, FDOT and DCA, as may be required pursuant to applicable law in effect at that time. Recognizing construction activity to Martin Luther King Blvd and Interstate 4 in the study area may result in skewed traffic counts compromising the analysis, the COUNTY agrees to defer the date for submittal of this analysis until such time as CORPOREX can submit an accurate traffic analysis based on completion of major area roadway construction in the study area. Prior to the submittal each DRI Annual Report for the years 1999, 2000, and 2001, CORPOREX shall meet with representatives of the Hillsborough County Planning and Growth Management to determine the status of ongoing roadway construction in the DRI study area (including I-4, Martin Luther King Boulevard, Broadway and Orient Road) and determine whether an accurate traffic analysis can be prepared for that year's Annual DRI Report. CORPOREX may provide evidence to justify a deferment of the traffic study for up to one additional year. The study shall be undertaken by July 1, 2002, unless the COUNTY agrees that roadway construction precludes it. In the event CORPOREX has failed to deliver the referenced traffic study on or before July 1, 2002, or other mutually agreed upon date, no permits for new development shall be issued until such time that CORPOREX has complied with the above requirement to provide the traffic study. The Development Order shall be amended to identify appropriate mitigation measures for traffic impacts of the unbuilt portion of the project after

July 1, 2002 in accord with the terms and conditions of this agreement. The Developer can, at its option, at the time of such required traffic study, use either (1) the methodology in effect at the time for similar projects, if any, for proportionate share calculations or similar counterpart requirements, if any, on July 1, 2002, or such sooner time hereafter before July 1, 2002, during which time such study is undertaken; or (2) the study methodology in effect at the time of the 1984-1985 original ADA/D.O. traffic study. A new Proportionate Share amount for the balance of the unbuilt portion of the Project will be calculated based upon the laws, ordinances, rules and regulations in effect at the time of submittal of the traffic analysis. CORPOREX will be required to pay the recalculated Proportionate Share amount in accordance with the payment schedule contained in the Development Order. The Proportionate Share amount will be fully credited against impact fees assessed after December 31, 1999. In the event impact fees exceed the Proportionate Share amount, such additional impact fees will be paid by CORPOREX as required by the Impact Fee Ordinance(s) in effect at that time."

b. Section IV Subparagraph U. of the Development Order is amended to read as follows:

"The Developer shall provide for review an annual water quality profile. This shall include taking a single grab sample at the point of the project's stormwater system discharge. The following parameters shall be measured:

- BOD
- COS
- TSS
- Total Phosphorus
- Total Nitrogen
- Total Coliforms
- Dissolved Oxygen
- Ph
- Temperature
- Oils and Greases

This data shall be provided to Hillsborough County and the City of Tampa. If the monitoring data indicate that this

development is having a negative impact on water quality, additional design criteria or remedial measures for regional concerns shall be developed prior to approval of any subsequent phases."

4. That the Developer's Affidavit, Exhibit "A", affirming that copies of the Notice of Prosed Change have been delivered to all persons as required by law, is attached hereto and incorporated herein by reference.

5. Except as otherwise provided herein, the previously approved Development Order as amended, Stipulated Settlement Agreement and General Release thereto shall remain unchanged and in full force and effect.

6. That the Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.061(15), Florida Statutes.

7. That this Resolution shall become effective upon rendition by the Board of County Commissioners in accordance with Section 380.06, Florida Statutes.

8. That upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the Department of Community Affairs, the Tampa Bay Regional Planning Council and other recipients specified by statute or rules.

STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

I, RICHARD AKE, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting of May 23, 2000, as the same appears of record in Minute Book 288 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 1st day of June, 2000.

RICHARD AKE, CLERK OF CIRCUIT COURT

BOARD OF COUNTY COMMISSIONERS HILLSBOROUGH COUNTY FLORIDA SEAL

By: Mildred K. Dixon
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

BY: _____
Approved as to form and legal sufficiency.

F:\W-LU\1206\046\Resolution.final
5/25/00

EXHIBIT "A"

A F F I D A V I T

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgments, personally appeared Ronald L. Weaver, as attorney for Corporex Development Services of Florida, INC., the applicant for the Corporex DRI Notice of Proposed Change No.2, to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Corporex Development Services of Florida, INC. filed its Notice of Proposed Change No. 2 for the Corporex DRI on February 2, 2000.

2. The aforementioned application was filed with Hillsborough County, the State of Florida Department of Community Affairs ("DCA"), and the Tampa Bay Regional Planning Council ("TBRPC") as required by law.

Ronald L. Weaver
Attorney for Corporex Development
Services of Florida, Inc.

SWORN TO and subscribed before me this 26th day of May, 2000.

EVONNE M. BAKER
MY COMMISSION # CC 771387
EXPIRES: September 19, 2002
Bonded Thru Notary Public Underwriters

Printed Name:
Notary Public
Serial Number (if any):
My Commission Expires:
(NOTARY SEAL)

F:\W-LU\1206\046\affidavit 5/26/00

106

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida

Clerk to Board of
County Commissioners
County Center, 12th Floor
601 E. Kennedy Blvd.
P.O. Box 1110
Tampa, Florida 33601
Telephone 276-2029, ext. 6730

September 5, 1995

TIM BUTTS DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
9455 KOGER BOULEVARD, SUITE 219
ST. PETERSBURG, FL 33702

Re: Resolution No. R95-083 - Amending the Development Order for Corporex Business Park (DRI #106) - with Exhibit "A", Stipulated Settlement Agreement and General Release in Florida Department of Community Affairs vs. Corporex Properties of Tampa, Inc. and Hillsborough County (H.C. Document No. 95-0552)

Dear Mr. Butts:

Attached is a certified copy of referenced resolution and exhibit, which was adopted by the Hillsborough County Board of County Commissioners on April 11, 1995.

We are providing the copy for your files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: Gary J. Klunk
Gary J. Klunk
Deputy Clerk - BOCC Records

GJK:ADF
Attachment
Certified Mail

An Affirmative Action — Equal Opportunity Employer

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. R95-083 Amending the Development Order for Corporex Business Park (DRI #106) approved by the Board in its regular meeting of April 11, 1995, as the same appears of record in MINUTE BOOK 227 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 5th day of September, 1995.

RICHARD AKE, CLERK

By: Gary Mack
Deputy Clerk

Final
4/6/95
VAM

RESOLUTION NO. R95-083

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA AMENDING THE CORPOREX BUSINESS PARK DRI DEVELOPMENT ORDER (NO. 106) IN ACCORDANCE WITH THE TERMS OF A "STIPULATED SETTLEMENT AGREEMENT AND GENERAL RELEASE"

Upon motion by Commissioner Turanchik, seconded by Commissioner Wilson, the following Resolution was adopted by a vote of 7 to 0, with Commissioner(s) _____ voting "No."

WHEREAS, on April 29, 1985, the Board of County Commissioners ("BOCC") approved a Development Order (Resolution No. 85-0063) for the Corporex Business Park ("Corporex") Development of Regional Impact (DRI No. 106) ("Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and,

WHEREAS, on October 13, 1992, the BOCC found that Corporex was not in compliance with the Development Order and required that a Notice of Proposed Change ("NOPC") be filed by December 14, 1992; and,

WHEREAS, on December 14, 1992, Corporex Properties of Tampa, Inc., the developer of Corporex ("Developer"), through its authorized representative, filed an NOPC for Corporex, in accordance with Section 380.06, Florida Statutes; and,

WHEREAS, on February 22, 1994, the BOCC did amend the Development Order (Resolution No. 94-0054) during a public hearing ("Amended Development Order"); and,

WHEREAS, the Amended Development Order included a consolidation of phases for the project, an extension of the buildout date for the project from December 29, 1989 to December 30, 1996, and a requirement that Corporex be subject to the payment of impact fees after December 30, 1996; and,

WHEREAS, the Amended Development Order included a provision which allowed the Developer and the County to enter into non-binding mediation of a pending dispute between the Developer and the County regarding whether impact fees can or cannot be assessed after December 30, 1996; and,

WHEREAS, on May 24, 1994, the Developer filed a Petition for Writ of Certiorari and a Complaint for Declaratory and Injunctive

Relief against Hillsborough County in Circuit Court, alleging that Corporex is not subject to the payment of impact fees and that Corporex should not be subject to a buildout date; and,

WHEREAS, on April 26, 1994, the Florida Department of Community Affairs ("DCA") appealed the Amended Development Order to the Florida Land and Water Adjudicatory Commission ("FLWAC") alleging that a buildout date for the project was not included within the Amended Development Order and that any buildout date beyond December 30, 1996 would constitute a substantial deviation; and,

WHEREAS, on April 29, 1994, the Developer appealed the Amended Development Order to FLWAC alleging that Corporex was not subject to the payment of impact fees or the establishment of a buildout date for the project; and,

WHEREAS, on May 10, 1994, the BOCC authorized the County Attorney's Office to enter into non-binding mediation with the Developer in an attempt to resolve the issues raised by the Developer in its appeals to Circuit Court and FLWAC; and,

WHEREAS, the Developer and the County did mutually select a Mediator and from May 11, 1994 through March 15, 1995, the Developer and the County, as well as DCA, entered into good faith negotiations, including the non-binding mediation authorized by the BOCC, in an attempt to resolve the appeals filed with respect to the Amended Development Order; and,

WHEREAS, a "Stipulated Settlement Agreement and General Release," attached hereto and incorporated herein as Exhibit "A," was developed by the Parties which, if approved by all Parties, would settle, in full, all pending and/or future litigation and administrative appeals with regard to the Amended Development Order for Corporex; and,

WHEREAS, the BOCC has determined that it is in the best interest of Hillsborough County to enter into the "Stipulated Settlement Agreement and General Release" as referred to herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING DULY ASSEMBLED, THIS 11TH DAY OF APRIL, 1995, AS FOLLOWS:

1. That the "WHEREAS" provisions recited above are true, correct and are hereby incorporated herein by reference.

2. That the Development Order and the Amended Development Order are hereby amended in accordance with the terms and conditions contained within the "Stipulated Settlement Agreement and General Release," attached hereto as Exhibit "A" and incorporated herein by reference.

3. That, except as modified by the terms and conditions of the "Stipulated Settlement Agreement and General Release," which is incorporated herein, the terms and conditions of the Development Order, as amended by the Amended Development Order, shall remain in full force and effect.

4. That the Chairman of the BOCC is hereby authorized to execute the "Stipulated Settlement Agreement and General Release," as attached hereto.

5. That this Resolution shall take effect immediately upon its adoption.

STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

I, RICHARD AKE, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting of April 11, 1995, as the same appears of record in Minute Book 227 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 13th day of April, 1995.

RICHARD AKE, CLERK OF CIRCUIT COURT

By: _____
Deputy Clerk Gary J. Klunk

APPROVED BY COUNTY ATTORNEY

BY _____

Approved as to form and legal sufficiency.

\VAH\CORPOREX.RES

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of Stipulated Settlement Agreement and General Release, in Florida Department of Community Affairs vs. Corporex Properties of Tampa, Inc. and Hillsborough County, Document No. 95-0552, as Exhibit "A" of Resolution No. R95-083 approved by the Board in its regular meeting of April 11, 1995, as the same appears of record in MINUTE BOOK 227 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 5th day of September, 1995.

RICHARD AKE, CLERK

By: Gary Clerk
Deputy Clerk

EXHIBIT A

STATE OF FLORIDA
LAND AND WATER ADJUDICATORY COMMISSION

DEPARTMENT OF COMMUNITY AFFAIRS

Petitioner,

Case No. APP-94-033

V.

CORPOREX PROPERTIES OF TAMPA, INC.,
a Florida Corporation; and
HILLSBOROUGH COUNTY, FLORIDA

Respondents

IN RE: RESOLUTION NO. R94-0054
OF HILLSBOROUGH COUNTY, FLORIDA
RENDERING A DEVELOPMENT ORDER
PURSUANT TO CHAPTER 380-06,
FLORIDA STATUTES, ON AN APPLICATION
FOR DEVELOPMENT APPROVAL FILED BY
CORPOREX PROPERTIES OF TAMPA, INC.
FOR CORPOREX BUSINESS PARK.

Case No. APP-94-037

STIPULATED SETTLEMENT AGREEMENT AND GENERAL RELEASE

THIS AGREEMENT is entered into by and between CORPOREX PROPERTIES OF TAMPA, INC. ("CORPOREX"), a Florida corporation, and HILLSBOROUGH COUNTY ("COUNTY"), a political subdivision of the State of Florida, and the FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS ("DCA"). CORPOREX, the COUNTY and DCA are collectively referred to as the "Parties", who hereby stipulate to a Settlement.

W I T N E S S E T H

WHEREAS, CORPOREX is the owner of certain real property known as the CORPOREX Business Park for which the COUNTY'S Board of County Commissioners, on April 29, 1985, approved a Development Order of Regional Impact ("DRI") Development Order (Resolution No. R85-0063) pursuant to the provisions of Section 380.06, Florida Statutes ("the Development Order"); and

WHEREAS, on February 22, 1994, the COUNTY's Board of County Commissioners approved Resolution No. R94-0054 which amended certain conditions of the Development Order pursuant to the provisions of Section 380.06, Florida Statutes ("the Amended Development Order"); and,

WHEREAS, DCA is the state land planning agency with the duty and responsibility of administering and enforcing the provisions of Chapter 380, Florida Statutes, the Florida Environmental Land and Water Management Act of 1972 ("The Act"), as amended, and the rules and regulations promulgated thereunder, which include statutory and rule provisions relating to DRI'S; and,

WHEREAS, on April 26, 1994, DCA timely appealed the Amended Development Order to the Florida Land and Water Adjudicatory Commission ("FLWAC"); and,

WHEREAS, on April 29, 1994, CORPOREX timely appealed the Amended Development Order to FLWAC; and,

WHEREAS, pursuant to Section 380.032(3), Florida Statutes, DCA is authorized to enter into agreements with any landowner, developer, or governmental agency as may be necessary to effectuate the provisions and purposes of The Act or any rules promulgated thereunder; and,

WHEREAS, the Parties wish to avoid the expense, delay and uncertainty of litigation regarding the Amended Development Order and, therefore, wish to resolve the above-styled administrative development order appeals and pending Circuit Court cases, as well as related issues under the terms and conditions set forth in this Agreement; and,

WHEREAS, the Parties have determined that entering into this Agreement is in their best interests.

NOW, THEREFORE, in consideration of the mutual promises, representations, warranties, understandings and agreements contained herein, and for other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, the Parties, intending to be legally bound, do undertake, promise, and agree for themselves, their successors and assigns, as follows:

I. RECITALS

The above recitals are incorporated herein and form a material part of this Agreement.

II. PURPOSE

The purpose of this Agreement is to resolve all issues and claims by and between the COUNTY and CORPOREX in the litigation pending in the Hillsborough County Circuit Court in the cases styled Corporex Properties of Tampa, Inc., a Florida corporation, v. Hillsborough County, a political subdivision of the State of Florida, and the Board of County Commissioners, Case No. 94-02042, and Case No. 94-02041; and to further resolve all issues and claims by and between the Parties in the administrative proceeding before FLWAC Case Nos. APP-94033 and APP-94-037, Division of Administrative Hearings Case Nos. 94-3412 DRI and 94-3413 DRI.

III. DEVELOPMENT ORDER AMENDMENTS

The Parties have negotiated, and have reached agreement as to the specific provisions to the Amended Development Order which, once adopted, will adequately address the issues raised by DCA in its administrative appeal and CORPOREX in its administrative appeal and Circuit Court cases. The following language agreed to by the

Parties shall be incorporated in a proposed Resolution amending the Development Order and the Amended Development Order, a copy of which is attached hereto, and incorporated herein as Exhibit "A." The specific language to be incorporated in the proposed amending Resolution shall be as follows:

1. Intent/Proportionate Share

A. The **COUNTY** and **CORPOREX** acknowledge that **CORPOREX's** proportionate share amount is currently less than the amount of Impact Fees, and the current relationship between Impact Fees and the Proportionate Share Amount is presumed by the parties to remain consistent and not be reversed throughout the buildout date as defined in paragraph 4 below. The **COUNTY** recognizes that the Developer has relied upon the current status of the Developer's Proportionate Share in developing the project. Therefore, if after December 31, 1999 until buildout, the recalculated Proportionate Share for the project under Paragraph 3.C below significantly exceeds the amount of Impact Fees due, as a result of a change in law, **COUNTY** Management practices, or similar changes which place the Developer at a competitive disadvantage vis-a-vis its competition, then, in that event, it is the intent of CORPOREX and the COUNTY that the **COUNTY's** Board of County Commissioners reasonably reconsider the Proportionate Share Amount. In the event of reconsideration, the Board of County Commissioners will take into account the historical and, then arising, relationship between impact fees and the Developer's Proportionate Transportation Share. If required under applicable law at the time of the new traffic analysis described in Section 3 herein, any reduction in the Proportionate Share Amount shall be accomplished through an amendment to the Development Order.

B. The DCA does not waive its rights to review and/or appeal any Development Order related to the study referred to in Paragraph 3 below, issued by the County with respect to reductions in the proportionate share amounts referenced in this section, provided that the laws of the State of Florida at the time allow for such review and/or appeal by the DCA. DCA shall exercise reasonable discretion in such review and/or appeal.

2. Impact Fees

CORPOREX will not be subject to the assessment of transportation and/or right-of-way impact fees pursuant to applicable Impact Fee Ordinance(s) until January 1, 2000. Therefore, any building permits pulled by CORPOREX for new construction within the Corporex Park DRI prior to that date will not be subject to the payment of transportation and/or right-of-way impact fees. After December 31, 1999, CORPOREX will be required to pay, in full, all applicable impact fees assessed against the Corporex Park DRI, pursuant to the provisions of the Impact Fee Ordinance(s) in effect at the time of building permit issuance, unless said Ordinance(s) exempts CORPOREX from the assessment of same.

3. Traffic Analysis and Proportionate Share Amount

A. Hillsborough County will recognize the traffic analysis previously submitted by CORPOREX during the Notice of Proposed Change process for the Development Order amendment which is the subject of the pending litigation and administrative proceedings referenced herein. Therefore, CORPOREX will be required to pay the Proportionate Share amount set forth in the 1985 Development order ($242,453), less the amounts previously paid to Hillsborough County.

B. The payment by CORPOREX of any Proportionate Share amount through December 31, 1999 will not be credited against the assessment of impact fees for development of the Project occurring subsequent to January 1, 2000.

C. On or before July 1, 1999, CORPOREX will submit to the COUNTY, for review and comment by the COUNTY (with a copy to DCA), as well as other reviewing agencies, if applicable, a standard traffic study for the entire project pursuant to the requirements of Section 380.06, Florida Statutes, the methodology for which is acceptable to the COUNTY, TBRPC, FDOT and DCA, as may be required pursuant to applicable law in effect at that time. In the event CORPOREX has failed to deliver the referenced traffic study on or before December 31, 1999, no permits for new development shall be issued until such time that CORPOREX has complied with the above requirement to provide the traffic study. The Development Order shall be amended to identify appropriate mitigation measures for traffic impacts of the unbuilt portion of the project after December 31, 1999 in accord with the terms and conditions of this agreement. The Developer can, at its option, at the time of such required traffic study, use either (1) the methodology in effect at the time for similar projects, if any, for proportionate share calculations or similar counterpart requirements, if any, on July 1, 1999, or such sooner time hereafter before July 1, 1999, during which time such study is undertaken; or (2) the study methodology in effect at the time of the 1984-1985 original ADA/D.O. traffic

study. A new Proportionate Share amount for the balance of the unbuilt portion of the Project will be calculated based upon the laws, ordinances, rules and regulations in effect at the time of submittal of the traffic analysis. CORPOREX will be required to pay the recalculated Proportionate Share amount in accordance with the payment schedule contained in the Development Order. The Proportionate Share amount will be fully credited against impact fees assessed after December 31, 1999. In the event impact fees exceed the Proportionate Share amount, such additional impact fees will be paid by CORPOREX as required by the Impact Fee Ordinance(s) in effect at that time.

D. In recognition of the COUNTY's previous approval of this Project, the traffic study referred to in Subsection C above shall be based upon the mitigation threshold of 7.5.% as previously considered in the ADA at that time, or such more favorable rules as are in effect for similar projects at the time of such study.

E. In the event CORPOREX has fully paid for an increment of the Project prior to January 1, 2000, but not all building permits for that prepaid increments have been pulled prior to that date, CORPOREX will be required to pay to the COUNTY the recalculated Proportionate Share amount referred to in this Section for that portion of the unbuilt increment, as well as all outstanding increments of the Project. CORPOREX will receive a reduction in the recalculated Proportionate Share in the amount paid by CORPOREX for the unbuilt portion of the phase if the recalculated Proportionate Share amount is higher than the original Proportionate Share Amount of that increment of the Project for which development began prior to January 1, 2000, but which has not yet been completed.

4. Build-Out Date

The project is approved for buildout through December 31, 2004, without prejudice to Developer's pursuit of approval for additional years beyond December 31, 2004 (herein "buildout" or "buildout date"). The termination and expiration dates for the Project will be December 31, 2007. In the event CORPOREX desires to extend the build-out date beyond December 31, 2004, CORPOREX will be subject to all laws, ordinances, rules, regulations and procedures in effect at the time of the requested amendment.

5. Right-of-Way Dedication

CORPOREX will waive any and all credits that CORPOREX may have with respect to the previous dedication of land for right-of-way along Dr. Martin Luther King, Jr. Blvd. (excluding any pending condemnation awards).

6. Non-Waiver

Subject to the terms and conditions of the Settlement Agreement and vesting of the Project for the specific approvals granted to the Project on or before July 26, 1989 (and extensions of same) through December 31, 2004 and thereafter to the extent of vested rights under this DRI from, for example, concurrency and related requirements to implement the County Comprehensive Plan, CORPOREX shall otherwise be subject to all applicable laws, ordinances, rules and regulations in effect at the time in which building permits for the Project are pulled.

7. Future Amendments

CORPOREX will be subject to all procedural requirements for the amendment of DRIs in the event CORPOREX chooses to amend the subject Development Order. CORPOREX will be subject to those procedures, as required by law, which are in effect at the time of the requested amendment.

IV. CONDITIONS PRECEDENT TO ENFORCEABILITY

1. This Agreement shall become effective, and the Parties obligated thereby after the following conditions are met: (1) this Agreement has been approved by the COUNTY's Board of County Commissioners and the Development Order amended accordingly in the form of a Resolution as generally set forth in Exhibit "A"; (2) this Agreement has been executed by an authorized representative of CORPOREX; (3) this Agreement has been executed by an authorized representative of DCA; and (4) the provisions of Sections 2 and 3 below have been complied with.

2. Dismissal of Administrative Appeals. Within ten (10) working days after the Amended Development Order consistent with this Agreement is rendered, DCA and CORPOREX shall file a Notice of Voluntary Dismissal with Prejudice of the FLWAC appeals referenced in Article II above and shall seek a final order from FLWAC concluding the pending appeals. The form of said Voluntary Dismissals shall be reviewed by each of the Parties within five (5)

working days from the date of rendering and must be reasonably acceptable to the Parties. A draft of said Voluntary Dismissals shall be prepared by the party initiating the respective appeal and shall be distributed to all other Parties within seven (7) days following execution of this Agreement. By execution of this Agreement, the Parties hereby join in any request to place this matter in abeyance pending rendition of an amended development order and the filing of the Notices of Voluntary Dismissal with Prejudice, and hereby join in any request for entry of a final order consistent with the terms and conditions of this Agreement. The Parties shall voluntarily withdraw all pleadings seeking damages, sanctions, attorneys' fees and costs, or any other relief.

3. Dismissal of Circuit Court Cases. Within ten (10) working days after the Amended Development Order consistent with this Agreement is rendered, **CORPOREX** shall file Notices of Voluntary Dismissal with Prejudice for the Circuit Court cases initiated by **CORPOREX** as referenced in Article II above and shall seek a final order from the presiding judge in each of the cases dismissing the pending cases with prejudice. The form of said Voluntary Dismissals shall be reviewed by the **COUNTY** within five (5) working days from the date of rendering and must be reasonably acceptable to the **COUNTY**. A draft of said Voluntary Dismissals shall be prepared by **CORPOREX** and shall be distributed to the **COUNTY** within seven (7) days following execution of this Agreement. **CORPOREX** shall voluntarily withdraw all pleadings seeking damages, sanctions, attorneys' fees and costs, or any other relief.

V. MISCELLANEOUS

1. Negotiated Agreement

This Agreement has been written and negotiated by the Parties to protect their respective interests. Furthermore, drafts of this Agreement and any other aspects of the settlement negotiations generally are inadmissible in evidence, and may not be used for any purpose other than settlement negotiations. In the event a court order requires use or production of any such documents or evidence of such negotiations, reasonable prior notice of such use shall be given to all Parties. Finally, the executed Agreement is inadmissible in evidence until all conditions precedent provided for in Article IV have occurred, and will not be disclosed, provided, or offered for any purpose in any court, except as required by court order, or required by applicable law.

2. Settlement-Non Waiver. The parties acknowledge their disagreement over whether the Amended Development Order is consistent with the provisions of Chapter 380, Florida Statutes, relating to DRI's and the administrative rules promulgated thereunder and have entered into this Agreement solely in the spirit of compromise. This Agreement resolves litigation and, therefore, is not subject to the Notice of Proposed Change process, but does require adoption of the language specified in Section III herein by the County Commission. This Agreement shall not be deemed to constitute a waiver of any Party's position with regard to the proper interpretation and implementation of statutory and regulatory provisions relating to a DRI and shall not be given precedential effect with regard to any other DRI.

3. Retention of Right to Final Hearing. Time is of the essence of this Agreement. If any Party fails to implement this Agreement within the time periods prescribed hereunder, or if this

Agreement is based upon materially false or inaccurate information, any Party shall be entitled to withdraw from this Agreement and seek a final hearing in this case by motion filed with FLWAC.

4. Release; Costs an Attorney's Fees. The Parties hereto release each other Party from any and all claims of whatever nature which arise or may arise out of the appeal of Amended Development Order. Each Party shall bear its own costs and attorney's fees incurred in the proceedings referenced in Article II above.

5. Scope of Authority. This Agreement affects the rights and obligations of the Parties under the provisions of Chapter 380, Florida Statutes, relating to a DRI. It is not intended to influence or determine the authority or decisions of any other state or local government or agency in issuance of any other permits or approvals that might be required by state law or local ordinance for any development authorized by this Agreement.

6. Applicable Law. This Agreement shall be construed according to the laws of the State of Florida.

7. Duplicate Originals. This Agreement may be executed in any number of originals, all of which shall evidence one agreement, and only one of which need be produced for any purpose.

8. Binding Effect; Recordation of Agreement. This Agreement shall be binding on the Parties, their heirs, successors and assigns as well as any person or entity to whom the property which is the subject of this Agreement is sold or otherwise conveyed and any such conveyance shall be subject to the terms and conditions of this Agreement. Within ten (10) days after entry of a final order by FLWAC concluding the referenced appeals and entry of a final order by the presiding judge in the referenced Circuit Court

proceedings, CORPOREX shall record this Agreement in the Public Records of Hillsborough County, Florida, and shall promptly provide proof of recordation to the COUNTY and the DCA, including the official record book and page where this Agreement is recorded. Proof of recordation shall be furnished by hand delivery or U.S. Mail, postage prepaid to the COUNTY by directing same to Vincent A. Marchetti, Assistant County Attorney, 601 E. Kennedy Blvd., Floor 27, Tampa, Florida 33602 and to DCA by directing same to J. Thomas Beck, Chief, Bureau of State Planning, Department of Community Affairs, 2740 Centerview Drive, Tallahassee, FL 32399-2100.

9. Entire Agreement/Amendment. This Agreement constitutes the entire agreement of the Parties. This Agreement may be modified or amended only by a separate writing signed by all parties hereto.

10. Date of Execution. The date of execution of this Agreement is the date the last party signs this Agreement.

11. Certification of Understanding and Voluntary Execution. The Parties and/or their authorized representatives each certify that they have read and understand the terms and conditions of this Agreement and that it is voluntarily executed for the purposes of making a full and final settlement of any and all claims, disputes or otherwise, which could have been asserted against the other Party as a result of the appeal of the Amended Development Order. The Parties have urged each other to consult independent counsel regarding this release, and each Party has done so.

12. Authority to Execute. The undersigned Parties certify that they are duly authorized to execute and enter into this Agreement as authorized representative of the Parties designated.

13. Drafting of the Agreement. The COUNTY, CORPOREX and DCA shall be deemed to have participated generally in the drafting of this Agreement. Accordingly, this Agreement shall be construed neutrally without regard to the Party or Parties responsible for its preparation, and any terms, conditions, uncertainty, or ambiguity shall not be construed against any of the Parties as a result of the drafting of such.

IN WITNESS WHEREOF, the parties, by their duly authorized undersigned representatives, have executed this Agreement on the dates and year below written.

DEPARTMENT OF COMMUNITY AFFAIRS,
An Agency of the State of Florida

Jane R. Bass
Witness

Jane R. Bass
Type/Print Name

Miriam Snipes
Witness

~~Jane~~ Miriam Snipes
Type/Print Name

By: Charles Pattison
Charles G. Pattison
Director, Division of Resource Planning and Management

5/3/95
Date

STATE OF FLORIDA
COUNTY OF LEON

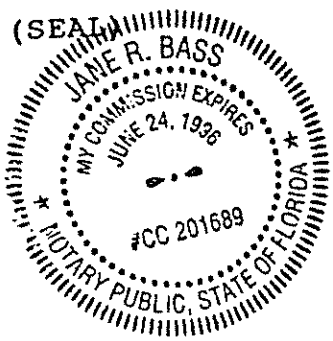
The foregoing instrument was acknowledged before me this 3rd day of May, 1995, by Charles Pattison, as Division Director, Department of Community Affairs, who is/~~are~~ personally known to me and who ~~did~~/(did not) take an oath.

Jane R. Bass
Notary Public, State of Florida

Jane R. Bass
Print/Type Notary Public Name

Commission Number: #CC201689

(SEAL)



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CORPOREX PROPERTIES OF TAMPA, INC.,
a Florida corporation

Sherrill G. Brondhaver
Witness

By: W. P. Butler
Name: W. P. Butler
Title: Pres

SHERRILL G BRONDHAVER
Type/Print Name

(CORPORATE SEAL)

Jennifer J. Ribber
Witness

May 9, 1995
Date

Jennifer J. Ribber
Type/Print Name

STATE OF Kentucky
COUNTY OF Fulton

The foregoing instrument was acknowledged before me this 9th day of May, 1995, by William P. Butler, as President, Corporex Properties of Tampa, Inc., who is/are personally known to me and who did/(did not) take an oath.

Elva Malott
Notary Public, State of ~~Florida~~ Kentucky

(SEAL)

ELVA MALOTT
Print/Type Notary Public Name

ELVA MALOTT
Notary Public, Kentucky State at Large
My Commission Expires August 5, 1995

Commission Number:

\VAM\CORP-2.SA

RICHARD AKE, CLERK

By: _____
Deputy Clerk

HILLSBOROUGH COUNTY, a political subdivision of the State of Florida
Board of County Commissioners

By: _____
Name: Dottie Berger
Title: Acting Chairman - BOCC

APR 1 3 1995
Date

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this _____ day of 13th day of April, 1995, by Dottie Berger, as Acting Chairman of the Board of County Commissioners, Hillsborough County, who is/~~are~~ personally known to me and who ~~did~~/(did not) take an oath.

(SEAL)

OFFICIAL NOTARY SEAL
GARY J KLUNK
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC232695
MY COMMISSION EXP. OCT. 6,1996

Notary Public, State of Florida
Gary J. Klunk
Print/Type Notary Public Name

Commission Number: _____

APPROVED BY COUNTY ATTORNEY
BY _____
Approved As To Form And
Legal Sufficiency.

BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY FLORIDA
DOCUMENT No. 95-0552

I:\W-LU\1206\046\STIPSETS.CHP
2\14\95

\VAH\CORP-2.SA

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida

Clerk to Board of
County Commissioners
County Center, 12th Floor
601 E. Kennedy Blvd.
P.O. Box 1110
Tampa, Florida 33601
Telephone 276-2029, ext. 6730

March 16, 1994

SUZANNE COOPER DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
9455 KOGER BOULEVARD SUITE 219
ST PETERSBURG FL 33702

Re: Resolution No. R94-0054 - Amending the Development Order for Corporex Business Park (DRI #106)

Dear Ms. Cooper:

Attached is a certified copy of referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on February 22, 1994.

We are providing this copy for your files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: Linda Fryman
Linda Fryman
Manager, BOCC Records

LF:ADF
Attachment
Certified Mail
cc: Board files (orig.)
J. Thomas Beck, Florida Department of Community Affairs
Ron Weaver, Esquire - Stearns, Weaver, Miller, Et al.
Vincent Marchetti, Assistant County Attorney
Gene Boles, Director, Planning and Development Management

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. R94-0054 Amending the Development Order for Corporex Business Park (DRI #106) approved by the Board in its regular meeting of February 22, 1994, as the same appears of record in MINUTE BOOK 213 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 16th day of March, 1994.

RICHARD AKE, CLERK

By: _____
Deputy Clerk

Resolution No. R94-0054

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #106 DEVELOPMENT ORDER
FOR CORPOREX BUSINESS PARK

Upon motion of Commissioner Ed Turanchik, seconded by Commissioner Lydia Miller, the following Resolution was adopted on this 22nd day of February, 1994.

WHEREAS, on October 13, 1992, the Board of County Commissioners found that Corporex Business Park DRI #106 was not in compliance with its Development Order and required that a Notice of Proposed Change (NOPC) be filed by December 14, 1992, or risk subjecting the development to the holding of permits; and

WHEREAS, the development of Corporex Business Park and other properties in the area has been significantly delayed by the ongoing economic recession, thereby also delaying the projected impacts of these properties on public facilities and services; and

WHEREAS, on April 29, 1985, the Board of County Commissioners approved a Development Order (Resolution No. 85-0063) for the CORPOREX BUSINESS PARK Development of Regional Impact (DRI) #106 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on December 14, 1992, CORPOREX PROPERTIES OF TAMPA, INC., by its representative, Thomas D. Harrington, Jr., filed Notification of Proposed Change to a Previously Approved Development of Regional Impact for the Corporex Business Park DRI (the "NOPC") in accordance with Section 380.06f(19), Florida Statutes; and

WHEREAS, Section 380.06(19), Florida Statute, as amended, requires that the Development Order be amended to reflect the revisions requested pursuant to the NOPC; and

WHEREAS, pursuant to Section 380.06, Florida Statutes, public notice was given that a public hearing would be held by the Board of County Commissioners on February 22, 1994, to consider a request to amend the Development Order; and

WHEREAS, the Notification of Proposed Change provides for an amendment to the Development Schedule such that the entire project shall become a single-phase project with a proposed estimated buildout through December 30, 1996; and

WHEREAS, the Developer previously selected transportation mitigation Alternative II, pursuant to Section IV.O. and P. of the Development Order; and

WHEREAS, the transportation analysis prepared for the Corporex Business park DRI was a one phase analysis with an estimated buildout schedule through 1989; and

WHEREAS, the fairshare payments called for under Alternative II were based upon trip percentages of estimated buildout (1989) and not based upon "analyzed sub-phase transportation" impact estimates; and

WHEREAS, Alternative II provides for the Developer to pay its fair share of the roadway improvements identified as needed to mitigate the impacts of the development on the transportation system; and

WHEREAS, the Developer has paid its fair share for the trips generated by the development of the Project to date; and

WHEREAS, the Notice of Proposed Change provides for an amendment of the land-use trade-off mechanism to reflect the development of the project as a single phase development; and

WHEREAS, the Notice of Proposed Change provides for an amendment to the timing of the payment of the Developer's fair share payment to mitigate the development's transportation impacts to be triggered by the generation of specific cumulative P.M. Peak Hour trips rates; and

WHEREAS, the Notice of Proposed Change provides for an amendment to add a provision setting the period during which Downzoning/Intensity reduction of the development cannot occur; and

WHEREAS, the staffs of the Tampa Bay Regional Planning Council, Hillsborough County, and the Department of Community Affairs have reviewed this Notification of Proposed Change and determined that the proposed changes do not constitute a substantial deviation under applicable statutory law; and

WHEREAS, mitigation of all Transportation Impacts is provided for in the Development Order, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA IN REGULAR MEETING DULY ASSEMBLED, THIS 22nd DAY OF February, 1994, AS FOLLOWS:

1. That the following Findings of Fact are made:

   a. All recitations are incorporated herein by reference.

   b. A review of the impacts generated by this

amendment to the Corporex Business Park Development Order has been conducted by Hillsborough County, Tampa Bay Regional Planning Council and the Department of Community Affairs.

c. The owner, Corporex Properties of Tampa, Inc. is in compliance with its required fair share transportation mitigation required contributions.

d. The development is not located in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes, as amended.

e. That the proposed changes will comply with local land development regulations and the local comprehensive plan, respectively, or be vested from compliance with concurrency, pursuant to Section 163.3167(8), Florida Statutes, as amended, as applicable.

f. That the proposed change does not unreasonably interfere with achievement of the objectives of the adopted state development plan applicable to the area and is consistent with the State Comprehensive Plan.

g. The Findings of Fact and Conclusions of Law made in the Development Order are incorporated herein by reference.

h. The transportation analysis prepared for the Corporex Business Park DRI was a one-phase analysis with an estimated buildout date of 1989. This is verified in Section 31-D, 31-E and 31F of the July 11, 1984 ADA.

i. The fair share payment thresholds were estimates of trip percentages of estimated buildout (1989) and not analyzed sub-phase transportation impact estimates.

j. All Statutory procedures have been adhered to.

2. That the following Conclusions of Law are made:

a. This amendment to the Corporex Business Park DRI Development Order does not constitute a substantial deviation pursuant to Section 380.06(19), Florida Statutes, as amended.

b. The Corporex Business Park Development Order as amended hereby is consistent with the Future of

Hillsborough County Comprehensive Plan or vested therefrom.

c. Except as specifically amended hereby the Development Order is hereby reaffirmed in its entirety and remains in full force and effect.

d. Nothing except as amended or modified herein, shall limit or modify the rights originally approved by the Development Order or the protection afforded under Section 163.3167(8), Florida Statutes.

3. Based on the above Findings of Fact and Conclusions of Law, the Corporex Business Park Development Order is hereby amended as follows:

a. Section III.P. is hereby added to read as follows:

"The Developer and the County do not waive any rights to which the Developer and the County their successors and assigns may become entitled to as the result of evolving case law and statutory determinations."

b. Section III.Q. is hereby added to read as follows:

<u>Compliance with Local Development Regulations</u>

All development undertaken pursuant to this Order shall be in accordance with all applicable local codes and ordinances in effect at the time of permitting; provided however, that this section shall not be construed as waiver of Developer's or County's rights at law or equity in conjunction with the adoption of, or pursuant to, this Development Order amendment. Additionally, the Developer has elected to be bound by the rules adopted pursuant to chapters 403 and 373, Florida Statutes, in effect at the time of adoption of this Development Order amendment in accordance with Section 380.06(5)2(c), <u>Florida Statutes</u>. Accordingly, all applications for permits pursuant to those chapters which are necessary for, and consistent with, the development authorized by this Development Order amendment shall be subject to the rules adopted pursuant to chapters 403 and 373, Florida Statutes, in effect at the time of issuance of this Development Order amendment, except as otherwise provided in Section 380.06(5)2(C), Florida Statutes.

c. Section IV.A.1. is amended to read as follows:

"A comprehensive transportation study of the Central Hillsborough/Interstate 4/Interstate 75 area in Hillsborough County analyzing transportation facilities will be prepared by the Hillsborough County City-County Planning Commission or any other appropriate entity designated by the Board of County Commissioners, in cooperation with the Tampa Bay Regional Planning Council, Florida Department of Transportation, Hillsborough County, Hillsborough County Metropolitan Planning Organization, County Environmental Protection Commission, Hillsborough Area Regional Transit Authority and other appropriate State agencies and developers in the area. The study will propose a transportation improvements plan and schedule for the area, involve citizens, interest groups and government agencies; and develop an implementation program to make the study workable. The study is being commenced as soon as possible after April 23, 1985 and on that date Developer shall pay Hillsborough County $15,000.00 to be added to funds obtainable from any other available source; and developer shall receive credit therefor against its first increment of development $46,649 contribution as described below. The issuance of a development order approving an area-wide development of regional impact shall satisfy the requirement of this study. The transportation section of the study or area-wide DRI traffic analysis shall include but not be limited to:

a. The regionally significant roadways which shall be included in the focus of the transportation plan, as well as identification of additional roadways to be constructed within the study area.

b. The existing, approved, and projected development to be included within the plan.

c. The manner by which the traffic impact of existing development will be documented and assessed.

d. The manner by which the traffic impact of approved and projected development will be documented and assessed.

e. The procedures by which mass transit will be studied as a viable alternative to alleviate overburdening of the roadways.

f. Identification of specific construction implementation goals, such as right-of-way acquisition and implementation of additional north/south and east/west corridors and/or additional north/south and east/west laneage and additional transit facilities designed to coincide with transportation improvement needs generated by each phase of completion for projects approved within the study area.

g. Funding commitments for the improvements identified."

d. Section IV.B. is amended to read as follows

"Development Schedule

The development of the project in accordance with the proposed development schedule attached hereto as Exhibit A is an integral part of the Development Order conditions. Therefore, if the Developer elects to amend the proposed development schedule, it shall submit said amendments to the County for review and approval. If the County finds that amendments to the terms of this Development Order are required by amendments to the development schedule, then said amendments to the extent consistent herewith shall be included as conditions of approval of the changes to the development schedule. It is the intent of this provision to insure that all prerequisites for development of the project are complied with. For purposes of this Order, an increment of development shall be considered complete upon issuance of the final certificate of occupancy for that increment of development that generates the cumulative PM Peak Hour trips indicated in the development schedule. No building permits or other approvals shall be issued for subsequent development until completion of the preceding increment.

e. Section IV.K. is amended to read as follows:

"Hurricane Evacuation

The Developer shall promote awareness of and shall cooperate with local and regional

authorities having jurisdiction to issue hurricane evacuation orders. The Developer shall prepare a plan to ensure the safe and orderly evacuation of hotel guests and those employees who, for security or administrative reasons, are in the buildings after an evacuation order is issued. The plan shall include the following elements:

(1) Procedures calling for the closing of all buildings for the duration of the hurricane evacuation order.

(2) Procedures for informing all employees of evacuation routes out of the flood prone area and measures to be followed in the same event.

(3) Procedures mandating coordination with appropriate public authorities of building closings, security and safety measures, and evacuation plans.

The aforementioned plan shall be included in the first annual report submitted after occupancy of any portion of the project".

f. Section IV.N. is amended to read as follows:

<u>Transportation - Impact Analysis Methodology</u>

CORPOREX BUSINESS PARK may have a substantial negative impact on several regionally significant transportation facilities within the project's impact area. This section and those immediately following it are designed to identify strategies to mitigate that negative impact by requiring certain actions and contributions by the Developer. Quantification of the impact of CORPOREX BUSINESS PARK on area transportation facilities is based on the following methodology. Existing traffic volumes on roadways in the impact area were determined by counting traffic on those roadways. Growth factors were then applied to determine the "existing background" traffic for each increment of the development. In addition to existing background traffic, allowances were made for traffic projected to be generated by approved developments which have not been built ("proposed background" traffic). The sum of existing background traffic and the proposed background traffic was used as the basis against which traffic generated by each increment of the project

were evaluated.

The conditions precedent to consideration of a roadway segment as an element of the total impact of the project are:

1. Because CORPOREX BUSINESS PARK is located in an area designated by the Tampa Bay Regional Planning Council as a sub-regional activity center, the project's traffic on the roadway segment must equal or exceed 7.5% of the daily level of service (LOS-C, or peak hour LOS-D) capacity of the existing roadway; and

2. CORPOREX BUSINESS PARK traffic, plus the total background traffic on the roadway segment, must result in a reduction of the level of service on the existing road segment to worse than LOS-C on a daily basis or worse than LOS-D at peak hours.

If traffic generated by the project increment on the specific road segment satisfies both of the above conditions, the Developer's proportionate share of the cost of improving said roadway segment to an acceptable service level shall be considered part of the Developer's total fiscal impact on the transportation system. The proportionate share is calculated by multiplying the project's daily traffic as a percentage of the daily LOS-C capacity of the improved roadway times the cost of the proposed improvement. Not considered as an element of the total fiscal impact are improvements which are under construction or which have been assigned a funding commitment in an approved transportation improvements program. The commitments by the Developer or other responsible entities for those transportation system improvements necessary to accommodate the development of CORPOREX BUSINESS PARK are identified below. The improvements listed in this Order are predicated on the TBRPC DRI report, dated March 11, 1985, as shown on Exhibit "B".

g. Section IV.O. Alternative II is amended to read as follows:

"In lieu of Alternate I, the Developer may,

at its option, either elect to pay its fair share of needed roadway improvements as set forth on Exhibit B, attached hereto and made a part hereof, according to the attached schedule of indicated amounts by PM Peak Hour Trip generation increment, prepared by the Hillsborough County Engineering Department. This schedule reflects that Department's total calculated fair share for all roads described above according to the above-described methodology of applicable roadway segments and the required contributions, if any, from the Developer, according to that methodology, which total $242,453 and are summarized and divided by Cumulative PM Peak Hour Trip generation increment as follows:

487	$ 46,749
1057	57,358
1379	31,532
2561	109,814

Developer's election of Alternative II and payment of the above-described amount based on cumulative PM Peak Hour Trip generation shall entitle the Developer to proceed to develop the property subject to the conditions of this Development Order through December 30, 1996, except that an inflation factor of two (2) percent per year shall also be paid by the Developer to Hillsborough County. The remaining fair share payments shall be indexed from December 31, 1989 to the date of payment to account for inflation. Unless otherwise determined by a Court of competent jurisdiction, Administrative Hearing Officer, or otherwise, the Developer, after December 30, 1996, shall be subject to the payment of impact fees throughout the remaining years of the project's buildout. Provided, however, the Developer hereby reserves all rights, whether in litigation or otherwise, to determine whether or not the Developer shall be entitled to pay the calculated fair share amounts as provided above in lieu of impact fees throughout the remaining years of the project's buildout after December 30, 1996 (herein "Impact Fee Applicability Dispute"), as well as a determination of the buildout date of the project.

The Developer and the County may agree to enter into non-binding mediation of a pending dispute between the Developer and the County regarding whether impact fees can or cannot be assessed after December 30, 1996. However, if non-binding

mediation is entered into by the County, the County does hereby reserve its rights to subject the Developer to the payment of impact fees after December 30, 1996, as set forth above.

Both the County and the developer reserve all rights in the event of litigation, or otherwise, if needed, but the Developer hereby waives any claims against the County for (1) current and past losses regarding this Impact Fee Applicability Dispute, including, but not limited to, lost purchasers, if any, and (2) as to future losses incurred by Developer from original Development Order Adoption through December 30, 1996, regarding the Impact Fee Applicability Dispute referenced herein provided, however, that (a) Developer is charged only the fair share contribution (up to $141,346 of which is remaining to be paid) through December 30, 1996, and (b) Developer reserves any claims against the County for any other actions or disputes, other than the above-described Impact Fee Applicability Dispute through December 30, 1996.

Further, authorization to develop through December 30, 1996, shall also be without prejudice to the Developer's ability to apply at any time hereafter for further extension of this proposed buildout beyond December 30, 1996, subject to all applicable laws, rules and regulations regarding the filing of said request without prejudice to the Developer or Hillsborough County regarding whether impact fees may or may not be assessed against the Developer after December 30, 1996 by Hillsborough County, and the Developer reserves all of its existing rights with respect to all disputes under the Development Order prior to this amendment, except as waived by the Developer above. Notwithstanding Developer's right to apply for said extension and its rights in the Impact Fee Applicability Dispute, County does hereby reserve its rights to subject the Developer to the payment of impact fees after December 30, 1996, as set forth above. Provided however, and in no event shall the County of Hillsborough require payment of impact fees before December 30, 1996. Notwithstanding the above, the Developer has agreed to pay the total calculated fair share totalling $242,453 ($141,346 of which is remaining to be paid) based on cumulative PM Peak Hour Trip generation increments described above through the total buildout of the project, except that an

inflation factor of two (2) percent per year shall also be paid by the Developer to Hillsborough County. The remaining fair share payments shall be indexed from December 31, 1989 to the date of payment to account for inflation.

h. Section IV.P. is amended as follows:

"P. If Developer elects to proceed under Alternative II to discharge its responsibility to mitigate its proportionate share of the negative transportation impact of the project, the Developer shall pay the County the assessed contribution for each project increment as set forth in Paragraph 0, above, before the first certificate of occupancy will be issued for the next increment of development that will generate cumulative trips in excess of the amount indicated, pursuant to the development schedule set forth in Exhibit A and referenced in Part IV, Section B of this Resolution.

The County agrees to hold all such transportation fair share contributions received from the Developer in escrow and to pay the applicable governmental entity (including itself, where appropriate) having jurisdiction over one or more of the enumerated roadway segments an amount equal to the amount the Developer has paid as its fair share contribution for said roadway segment(s) upon being furnished with evidence, satisfactory to the County that such governmental entity has committed to construct said transportation improvement. The County shall award contracts for the construction of the improvements identified above and referred to in Exhibit B, attached hereto and by reference made a part hereof, upon receipt of contribu-tions or impact fees from the Developer and from other development projects in the area which equal, in the aggregate, when coupled with funds allocated in the County transportation improvements programs, the cost of those improvements. On joint stipulation of all parties, the County, the Developer, and TBRPC may modify the above-referenced list of improvements, based on subsequent TSM measures and transportation studies."

i. Section IV.S. is amended to read as follows:

"S. Transportation Systems Management

The Developer shall submit for approval by TBRPC, the County, and the Hillsborough Area Transit Authority (HART), a plan of transportation systems management (TSM) measures to be instituted and implemented for each trip generation increment. The plan shall provide for sufficient TSM measures to divert a substantial percentage of total peak hour trips away from the peak traffic hours over and above those projected in the ADA. The plan shall be submitted to the reviewing agencies within one year of issuance of any Development Order approving this project and shall address the following at minimum:

(a) Worker flex time.

(b) Worker ridesharing strategies.

(c) Provision of transit and service facilities and programs to increase transit ridership.

(d) I-275/I-4 High Occupancy Vehicle Study.

If Developer desires the opportunity to seek credit against transportation impact fees for any lowering of traffic impacts resulting from TSM measures, each annual report for this development after the issuance of certificates of occupancy for the development shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure. The results of the TSM study may serve as a basis for the Developer to request Development Order amendments.

To assure that the transportation impacts of this development have been accurately projected by the ADA traffic analysis, field surveys and a report of findings shall be conducted every two years after the issuance of certification of occupancy for the development. The results of these surveys shall be included in the required annual report."

j. Section IV.W. is hereby added tc read as follows:

Downzoning/Intensity Reduction

Prior to December 30, 2001 Hillsborough County agrees that DRI and changes to the DRI shall not be subject to downzoning, unit density reduction or intensity reduction unless the local government can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred or the development order was based upon substantially inaccurate information provided by the developer or that the change is clearly established by local government to be essential to the public health, safety or welfare."

k. Exhibit "A" is amended as set forth in Amended Exhibit "A" attached hereto and incorporated herein by reference.

4. That the Developer's Affidavit, Exhibit "B", affirming that copies of the Notice of Change have been delivered to all persons as required by law, is attached hereto and incorporated herein by reference.

5. That the Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.061(15) Florida Statutes.

6. That this Resolution shall become effective upon rendition by the Board of County Commissioners in accordance with Section 380.06, Florida Statutes.

7. That upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk of the Board of County Commissioners by certified mail to the Department of Community Affairs, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting of February 22, 19 94, as the same appears of record in Minute Book 213 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal, this 16th day of March, 1994.

RICHARD AKE, CLERK

By: _____
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

By: _____

Approved as to Form and Legal Sufficiency

AMENDED EXHIBIT "A"

DEVELOPMENT SCHEDULE FOR CORPOREX BUSINESS PARK

ESTIMATED YEAR OF BUILDOUT	*CUMULATIVE TRIPS GENERATED BY DEVELOPMENT FOR PM PEAK HOUR
December 30, 1996	487
	1057
	1379
	2561

* For use in determining fair share payment installment only.

ADDITIONAL NEW USES*

- PM PEAK HOUR TRIP GENERATION	EXISTING USE	SERV./DISTR. OR	OFFICE OR	COMMERCIAL OR	HOTEL
487	94,000/S.F. Serv./Distr.	318,000 S.F.	184,000 S.F.	26,000 S.F.	516 Rms (250 Max)
570 (Cumulative 1057)		483,000 S.F. (467,000 Max)	279,000 S.F.	39,500 S.F.	783 Rms (250 Max)
322 (Cumulative 1379)		273,000 S.F.	158,000 S.F.	22,000 S.F.	442 Rms (250 Max)
1182 (Cumulative 2561)		1,000,000 S.F. (467,000 Max)	580,000 S.F. (564,000 Max)	82,000 S.F. (47,000 Max)	1,624 Rms (250 Max)

* May build any single new use up to the limit indicated or may mix the uses as long as total construction does not exceed specified trip generation as calculated using 3rd Edition ITE Trip Generation Report.

W:\U\120\0\48\DEVSCH

EXHIBIT "B"

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgements, personally appeared, Ronald L. Weaver, as representative for Corporex Properties of Tampa, Inc., the application for the Corporex Business Park DRI Notice of Proposed Change, to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Corporex Properties of Tampa, Inc. filed its Notice of Proposed Change for the Corporex Business Park DRI on 12/11/92.

2. The aforementioned application was filed with Hillsborough County, the State of Florida Department of Community Affairs ("DCA"), and the Tampa Bay Regional Planning Council ("TBRPC") as required by law.

Representative for Corporex
Properties of Tampa, Inc.

4 Sworn to and subscribed before me this 8th day of March, 1997, by Ronald L. Weaver who is personally known to me.

(SEAL)

Notary Public
My Commission Expires:

OFFICIAL NOTARY SEAL
JANA C GOBLE
COMMISSION NO. CC224478
MY COMMISSION EXP SEPT 24,1996

LAW OFFICES
ARKY, FREED, STEARNS, WATSON, GREER, WEAVER & HARRIS, P.A.
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R. LAWRENCE BONNER
CHRISTOPHER K. CASWELL
ANDY CHAIKOVSKY
GERALD B. COPE, JR.
RICHARD D. ECKHARD
LESLIE ROBERT EVANS
EDELBERTO J. FARRES
ALAN H. FEIN
OWEN S. FREED
ROSEMARY J. FURMAN
LESTER L. GOLDSTEIN
BRUCE W. GREER
JEANIE E. HANNA
CHARLES EDISON HARRIS
PETER W. HOMER
ROBERT F. HUDSON, JR.
J. GREGORY HUMPHRIES
ALICE R. HUNEYCUTT
PATRICIA IRELAND
GEORGE N. JAHN
TEDDY D. KLINGHOFFER
SUSAN LEVINE
D. MICHAEL LINS
BRIAN J. McDONOUGH
ROBERT A. MARK
ANTONIO R. MENENDEZ
ALISON W. MILLER
CELESTE NORRIS MITCHEL
JOHN N. MURATIDES
JILL NEXON
KEVYN D. ORR
RICHARD C. PFENNIGER, JR.
STEPHANIE L. PHILLIPS
STEPHEN J. POWELL
TRUDY STRINGER REEVES
DENNIS SCHOLL
GAIL DORFF SEROTA
CURTIS H. SITTERSON
DAVID LISLE SMITH
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ORLANDO, FLORIDA 32801
(305) 422-4800

OF COUNSEL
ALFREDO G. DURAN

May 1, 1985

BY HAND DELIVERY

Ms. Sheila Benz
Tampa Bay Regional Planning Commission
9455 Koger Boulevard
St. Petersburg, Florida 33702

Re: Corporex Development Order

Dear Sheila:

Attached is a signed copy of the Corporex Development Order.

We really appreciate your help and cooperation in this matter.

Sincerely,

Jeanie

Jeanie E. Hanna

JEH/mr

Attachment

#106

OFFICE OF
JAMES F. TAYLOR, JR.
CLERK OF CIRCUIT COURT
CLERK OF COUNTY COURT
P. O. BOX 1110
TAMPA, FLORIDA 33601
TELEPHONE 223-7811

CLERK BOARD OF COUNTY COMMISSIONERS
COUNTY AUDITOR
COUNTY RECORDER
CUSTODIAN OF COUNTY FUNDS
DEPENDENT'S SUPPORT COLLECTION
TAX DEED SALES

CERTIFIED MAIL

IN RESPONSE REFER TO:

May 15, 1985

Mr. William Ockunzzi
Director
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida 33702

Re: Corporex Development Order
H.C. Resolution No. R85-0063

Dear Mr. Ockunzzi:

Enclosed please find an executed copy of the above referenced Resolution which was adopted by the Hillsborough County Board of County Commissioners on April 29, 1985.

Sincerely,

JAMES F. TAYLOR, JR., CLERK
BOARD OF COUNTY COMMISSIONERS

By: Edna L. Fitzpatrick
Edna L. Fitzpatrick
Deputy Clerk

ELF/lt

cc: Board files
Elliott Dunn, Asst. County Attorney
Mark Gentry, Community Planner, Dept. of Development Coordination
Attorney Ronald L. Weaver (by separate letter)
State Land Planning (by separate letter)

Enclosure

DRI #106

RESOLUTION NO. R85-0063

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
DRI
DEVELOPMENT ORDER

Upon motion of Commissioner, Platt, seconded by Commissioner, Colson, the following Resolution was adopted this 29th day of April, 1985,

WHEREAS, in July, 1984, CORPOREX PROPERTIES OF TAMPA, INC., filed an application for development approval of a development of regional impact with the Hillsborough County Board of County Commissioners pursuant to the provisions of Section 380.06, Florida Statutes; and,

WHEREAS, said application proposed construction of a mixed-use office/research/warehouse/service center park located in central Hillsborough County, hereinafter referred to as Corporex Business Park.

WHEREAS, the Board of County Commissioners as the governing body of local government having jurisdiction pursuant to Section 380.06, Florida Statues, is authorized and empowered to consider applications for development approval for developments of regional impact; and,

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, have been satisfied; and,

WHEREAS, the Board of County Commissioners has on April 29, 1985 held a duly noticed public hearing on said application for development approval and has heard and considered testimony and documents received thereon; and,

WHEREAS, the Board of County Commissioners has received and considered the report and recommendations of the Tampa Bay Regional Planning Council; and,

WHEREAS, Hillsborough County has solicited, received and considered reports, comments and recommendations from interested citizens, County and City agencies as well as the review and report of Hillsborough County Administration.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. CORPOREX PROPERTIES OF TAMPA, INC., hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, an application for development approval and sufficiency response which are attached hereto and marked Composite Exhibit A and incorporated herein by reference. Hereinafter, the word "application" shall refer to the application for development approval, the sufficiency response and all other documents submitted.

B. The real property which is the subject of the application for development approval is legally described as set forth in Composite Exhibit A, attached hereto and make a part hereof by reference.

C. The proposed development is not an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes.

D. All development will occur in accordance with this Development Order and Application.

E. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council.

II. CONCLUSIONS OF LAW

A. Based upon the compliance with the terms and conditions of this Development Order, provisions of the application as set forth in Composite Exhibit A, the reports, recommendations and testimony heard and considered by the Board of County Commissioners, it is concluded that:

1. The development will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

2. The development is consistent with local land development regulations.

3. The development is consistent with the report and recommendations of the Tampa Bay Regional Planning Council.

B. In considering whether the development should be approved subject to conditions, restrictions and limitations, Hillsborough County has considered the criteria stated in subsection 380.06 (13), Florida Statutes.

C. The review by Hillsborough County, the Hillsborough County City-County Planning Commission, the Tampa Bay Regional Planning Council, and other participating agencies and interested citizens indicates that impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order and the application.

D. The application for development approval is approved subject to all terms and conditions of this Development Order.

III. GENERAL PROVISIONS

A. The legal description set forth in Composite Exhibit A is hereby incorporated into and by reference made part of this Development Order.

B. All provisions contained within the application marked "Composite Exhibit A" shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.

C. This Resolution shall constitute the Development Order of Hillsborough County in response to the application for development approval for the CORPOREX BUSINESS PARK Development

of Regional Impact.

D. The definitions contained in Chapter 380, Florida Statutes (1981), shall govern and apply to this Development Order.

E. This Development Order shall be binding upon the Developer and its heirs, assignees or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of, any branch of government or governmental agency.

F. In the event that any portion or section of this Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Development Order which shall remain in full force and effect.

G. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected government agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review development of regional impact applications as well as all governmental agencies and departments set forth under applicable laws and rules governing developments of regional impact.

H. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at CORPOREX BUSINESS PARK, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private body created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be

transferred must be approved by the County, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order, which approval shall not be unreasonably withheld.

I. Development activity constituting a substantial deviation from the terms or conditions of this Development Order or other changes to the approved development plans which create a reasonable likelihood of additional adverse regional impact, or any other regional impact not previously reviewed by the Regional Planning Council shall result in further development of regional impact review pursuant to 380.06, F.S. and may result in Hillsborough County ordering a termination of development activity pending such review.

J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area of subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. The County Administrator shall issue a notice of such noncompliance to the Developer and if the deviation is not corrected with a reasonable amount of time shall recommend that the Board of County Commissioners establish a hearing to consider such deviations.

K. The Developer shall file an annual report in accordance with Section 380.06 (16), Florida Statutes (1981), and appropriate rules and regulations. Such report shall be due on the anniversary of the effective date of this Development Order for each following year until and including such time as all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the County Administrator who shall after appropriate review, submit it for review by the Board of County Commissioners. The Board of County Commissioners shall

review the report for compliance with the terms and conditions of this Development Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed. Provided, however, that the receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of the Development Order. This report shall contain:

1. The information required by the State Land Planning Agency to be included in the Annual Report, which information is described in the Rules and Regulations promulgated by the State Land Planning Agency pursuant to Section 380.06, Florida Statutes; and

2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately following to the submittal of the annual report; and

3. A statement listing all applications of incremental review required pursuant to this Development Order or other applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report; and

4. A statement setting forth the name(s) and address of any heir, assignee or successor in interest to this Development Order.

L. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation, or ordinance of Hillsborough County, its agencies or commissions and to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable rules, regulations and ordinances in effect at the time of the review.

M. This Development Order shall become effective upon adoption by the Board of County Commissioners of Hillsborough

County in accordance with Section 380.06, Florida Statutes (1981).

N. Upon adoption, the Development Order shall be transmitted to the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning, Agency, the Tampa Bay Regional Planning Council, and the Developer.

O. Revisions to the Development Order not addressed herein shall be subject to review by TBRPC including the payment of the incremental review fee.

IV. CONDITIONS

A. Area Studies

1. A comprehensive transportation study of the Central Hillsborough/ Interstate 4 / Interstate 75 area in Hillsborough County analyzing transportation facilities will be prepared by the Hillsborough County City-County Planning Commission or any other appropriate entity designated by the Board of County Commissioners, in cooperation with the Tampa Bay Regional Planning Council, Florida Department of Transportation, Hillsborough County, Hillsborough County Metropolitan Planning Organization, County Environmental Protection Commission, Hillsborough Area Regional Transit Authority and other appropriate State agencies and developers in the area. The study will propose a transportation improvements plan and schedule for the area, involve citizens, interest groups and government agencies; and develop an implementation program to make the study workable. The study is being commenced as soon as possible after April 23, 1985 and on that date Developer shall pay Hillsborough County $15,000.00 to be added to funds obtainable from any other available source; and developer shall receive credit therefor against its Phase I $46,749 contribution as described below. The issuance of a development order approving an area-wide development of regional impact shall satisfy the requirement of this study. The transportation section of the study or area-wide DRI traffic analysis shall include but not be limited to:

a. The regionally significant roadways which shall be included in the focus of the transportation plan, as well as identification of additional roadways to be constructed within the study area.

b. The existing, approved, and projected development to be included within the plan.

c. The manner by which the traffic impact of existing development will be documented and assessed.

d. The manner by which the traffic impact of approved and projected development will be documented and assessed.

e. The procedures by which mass transit will be studied as a viable alternative to alleviate overburdening of the roadways.

f. Identification of specific construction implementation goals, such as right-of-way acquisition and implementation of additional north/south and east/west corridors and/or additional north/south and east/west laneage and additional transit facilities designed to coincide with transportation improvement needs generated by each phase of completion for projects approved within the study area.

g. Funding commitments for the improvements identified.

B. Phasing Schedule

The development of the project in accordance with the proposed phasing schedule attached hereto as Exhibit A is an integral part of the Development Order conditions. Therefore, if the Developer elects to amend the proposed phasing schedule, it shall submit said amendments to the County for review and approval, which approval shall not be withheld for mere acceleration of phases if the terms of this Order are otherwise fully complied with. If the County finds that amendments to the terms of this Development Order are required by amendments to the phasing schedule, then said amendments to the extent consistent herewith shall be included as conditions of approval of the changes to the phasing schedule. It is the intent of this provision to insure that all prerequisites for each phase of the project are complied with. For purposes of this Order, a phase shall be considered complete upon issuance of the final certificate of occupancy for the phase. No building permits or other approvals shall be issued for a subsequent phase until

completion of the preceding phase. Any significant departure in project buildout from the phasing schedule set forth in the application shall be declared to be a substantial deviation pursuant to Chapter 380.06, Florida Statutes.

C. Stormwater System/Drainage

1. The stormwater system shall be designed and constructed in accordance with the design guidelines of the Southwest Florida Water Management District, Hillsborough County, and the criteria contained on page 113 of the Stormwater and Lake Systems Maintenance and Design Guidelines (Tampa Bay Regional Planning Council, 1978). The design criteria of the system shall include the following elements:

a. 30 to 50 percent of the surface area of the detention pond at the normal water level (NWL) should consist of a shallow all vegetated littoral shelf.

b. The littoral shelf can be incorporated into the pond bank, preferably near the pond outlet, to provide a final polishing treatment for the stormwater. As an alternative, the littoral shelf can be established on a shallow submerged island in the middle of the pond.

c. A sediment sump shall be provided at all influent pipes to accumulate sediment and to provide easy access for sediment removal.

d. The littoral shelf, if located along the pond bank, should have side slopes no greater than 4:1 with the top of the shelf NWL and sloping to a depth of three feet or less.

e. The littoral shelf shall be vegetated with a diverse group of native species which can include "Sagittaria, pickerelweed, Juncus, water lilies, cypress, etc. These species aid in nutrient and heavy medal uptake as well as enhance the pond by providing blooming flowers and presenting a more natural appearance.

f. A copy of an operation and maintenance schedule for the detention areas shall be prepared by the Developer and submitted to Tampa Bay Regional Planning Council. The operation and maintenance schedule shall include an estimation of the frequency of sediment removal operation and shall mention the periodic need for removing dead vegetation. An annual update of the operation and maintenance schedule showing compliance with its terms shall be included in the annual report.

g. The master drainage system shall comply with

the Department of Environmental Regulations Stormwater Rule, Chapter 17-25, Florida Administrative Code.

In the event that there is a conflict between any of the criteria and guidelines referenced herein, the stricter criteria shall apply.

2. Prior to final plat approval or detailed site plan approval if the project is not to be platted, the Developer shall submit to the Hillsborough County Environmental Protection Commission a copy of the Southwest Florida Water Management District's Stormwater Discharge Permit or Exemption.

3. The elevation for all habitable structures shall be at or above the 100 year base flood elevation as required by the Federal Flood Insurance Program.

D. Public Facilities

1. Prior to issuance of detailed site plan approval for each phase of the development, the Developer shall provide to the Hillsborough County Department of Development Coordination verification that adequate police, fire service and emergency medical service facilities are available to serve the described phase.

2. The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said ordinance.

3. No building permits shall be issued without a commitment from the City of Tampa or other responsible entity to provide wastewater disposal capacity for that portion of the building construction. No detailed site plan approval shall be granted without an approved, permitted wastewater collection system. Documentation of approvals from all appropriate local and State agencies shall be provided to the DDC prior to detailed site plan approval.

4. No building permits shall be issued without an approved, permitted potable water distribution system and available capacity for that portion of the building construction. Approval shall be obtained from all appropriate local and State agencies.

5. The City will provide water service to CORPOREX BUSINESS PARK on the following terms and conditions:

a. The Developer shall design, construct and install, in accordance with prevailing City design criteria and subject to prior City inspection and approval, all on-site improvements required by the City to connect the development to the City's water system. [On-site improvements shall be defined as all water and sanitary sewer facilities, including but not limited to all lines, mains, equipment, improvements, easements, rights-of-way or utilities, located within the development including all water mains, up to and and including water meters.]

b. After City inspection and approval, the Developer shall convey to the City, by instruments acceptable to the City, said on-site improvements for water and sanitary sewer. In addition, the Developer, at its own expense, shall acquire and convey to the City necessary and reasonable permits, rights-of-way, easements, property interests, or things specified by the City to provide the development with a working water system. Upon inspection and acceptance of said facilities, permits, easements, rights-of-way, property, interests or things, the City shall operate and maintain said facilities and improvements as part of the City's utility system and subject to the City's ordinances.

c. Excess infrastructure capacity required to serve phases II, III and IV shall be at the Developer's risk and development of phase I shall not, as to the need for infrastructure for each phase, vest Phase II, III or IV development rights for each phase.

E. Open Space

1. The Developer, his assigned agent or successor shall be responsible for the maintenance of all open space/ recreational areas and landscaped areas within each phase of the development.

2. Those portions of the stormwater drainage system and retention and detention ponds not dedicated to Hillsborough County shall remain the responsibility of the Developer, his assigned agent, or his successor.

3. The Developer or successor shall undertake parking lot sweeping as a routine maintenance function.

4. The Developer or successor shall be responsible for the operation and maintenance of all on-site wells and

(b) Along the eastern property line (exterior project boundary) adjacent to C-2 zoning: maximum height of 3 stories or 42 feet;

(c) Along the southern property line (exterior project boundary), maximum height of 3 stories or 42 feet.

(d) Along the western property line (exterior project boundary), excluding the southwestern most development pod designated "office": maximum height of 4 stories or 52 feet.

(e) Within the southwestern most development pod designated "office": maximum height of 3 stories or 42 feet.

(f) For all other locations on the project site: office uses shall not exceed 4 stories or 52 feet; high/tech/service center or warehouse/distribution uses shall not exceed 2 stories or 35 feet; the hotel use shall not exceed 8 stories or 100 feet.

An additional 10% of the height limits stated above shall be permitted for the construction of architectural features and roof-top mechanical/service equipment.

30. For purposes of determining uses permitted within the development pods designated "High Tech/Service Center," the following definition shall be used:

A building designed with a high image appeal for the purpose of serving a wide range of uses, including but not limited to: Research and development activities; educational facilities; personal, business and professional services; showrooms; light restricted processing, assembling and manufacturing; offices related to any of the above; secondary office uses (defined as office uses in which no more than 49% of the net leasable area [if not on a building by building basis, then at least on a parcel by parcel basis among the four currently designated "high tech/service center" parcels] is pure office use); and similar uses.

31. A plan indicating proposed methods of security for the property shall be supplied to the Hillsborough County Sheriff's Department prior to Detailed Site Plan approval for any portion of the project. The plan shall be reviewed and approved by the Sheriff's Department prior to Detailed Site Plan certification.

32. The warehouse/distribution uses proposed along the eastern property boundary shall be relocated internal to the project or along the extreme southern property line. Research/service uses will be permitted along the eastern property boundary contiguous to the R-2 zoned residential area.

33. The maximum Floor Area Ratio (F.A.R.) for the office and research/warehouse/service uses shall be as follows:

    (a) for office uses - 0.60 maximum F.A.R. for all development pods designated "office," excluding the two southwestern-most office pods, said pods being restricted to a maximum F.A.R. of 0.40.

    (b) for research uses - 0.30 maximum F.A.R.

    (c) for warehouse uses - 0.40 maximum F.A.R.

    (d) for service uses - 0.35 maximum F.A.R.

34. Up to sixty days subsequent to rezoning approval by the Hillsborough County Board of County Commissioners, the developer shall submit to the County Department of Development Coordination a revised General Site Plan for certification which shall reflect all the conditions outlined above.

IV. GENERAL PROVISIONS

1. Any activity interfering with the integrity of the environmentally sensitive area(s) on site or contiguous thereto, such as clearing, filling, or excavating, shall be a violation of the County Environmental Protection Act.

2. If applicable, the developer shall comply with the County Subdivision Regulations.

3. The developer shall comply with Federal Emergency Management Agency requirements.

4. All impervious area shall require retention.

5. The development shall meet County Commercial Development Drainage Criteria.

6. Subsequent to approval and certification of the General Site Plan, the developer shall submit, to the County Department of Development Coordination, a Detailed Site Plan which shall be approved and certified prior to the issuance of any permits relative to on-site development.

landscape irrigation systems. The Developer shall be required to utilize either shallow on-site wells, pumping from retention areas, or acceptance of non-potable water for open space and landscape irrigation.

F. Wildlife

In the event that any rare, endangered or threatened species are observed on-site, the Developer shall immediately institute appropriate mitigation measures to avoid harm to the species. The mitigation measures employed shall be undertaken in cooperation with The Florida Game and Freshwater Fish Commission.

G. Hazardous Waste

In the event hazardous wastes, as defined by the appropriate Federal and State agencies or subdivisions thereof, are to be introduced to the area then prior approval for permission to introduce these hazardous materials will be required with proof therefore provided to the Staff or appropriate County agency. The Developer shall provide separate hazardous waste storage containers/areas within the project. These containers/areas shall be accessible to all project businesses, and shall be clearly marked and/or colored so as to clearly distinguish the containers/areas intended for hazardous wastes and materials. The Developer shall provide to all businesses information that:

1. Indicates types of waste and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers.

2. Indicates the location of specially-designated hazardous waste and materials containers.

3. Advises of applicable statutes and regulations regarding hazardous wastes and materials.

The Developer shall require that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

Underground storage of hazardous, toxic or flammable materials, liquids or chemicals shall not be permitted, except that combustible and flammable liquids and liquified gas, as

defined in NFPA 30, 54 and 58 to include gasoline, kerosene, petroleum, distillates, diesel fuel and liquified gas, may be stored only in underground tanks which shall be designed, installed, constructed and located to prevent seepage of contained products into surrounding sub-surface areas and which shall comply with NFPA codes, FDER Chapter 17-6 and all prevailing statutory and regulatory requirements and standards. In addition, the Developer shall require installation and maintenance of leak detectors for such underground tanks, if any, in accordance with County standards and criteria.

H. Energy

The energy conservation measures described in the application shall be instituted by the Developer.

I. Archaeological Resources

The disposition of any archaeological resources discovered during project construction shall be reported to and the disposition shall be determined in cooperation with the Florida Division of Archives. All identified archaeological sites shall be subjected to investigative excavation as approved by the Division of Archives, the data and artifacts recovered shall be reported to the Division of Archives prior to land clearing for Construction in those specific areas.

J. Air Quality

The measures designed to reduce air emissions referenced in the application shall be required. The Developer shall as a means of reducing fugitive dust accomplish the following:

1. Undertake chemical stabilization over heavily travelled primary haul route road sections as necessary.

2. Undertake periodic cleaning of dirt during construction on paved roads adjacent to the site or as required by grading permit.

3. Wherever possible use selective clearing to allow natural seeding to stabilize the disturbed soil and berms to minimize wind erosion.

4. Water all dirt roads as necessary.

5. Develop asphalt roads as soon as practical.

6. Stage clearing of lands within development areas

to reduce land opened and exposed to windy conditions.

7. Undertake watering and spraying at all stages of clearing to ensure dust control.

8. Undertake mulching, seeding and sodding as soon as possible after final grading is completed.

9. Undertake progressive development of roadways, landscaping and buildings for purposes of reducing fugitive dust emissions.

K. Hurricane Evacuation

The Developer shall promote awareness of and shall cooperate with local and regional authorities having jurisdiction to issue hurricane evacuation orders. The Developer shall prepare a plan to ensure the safe and orderly evacuation of hotel guests and those employees who, for security or administrative reasons, are in the buildings after an evacuation order is issued. The plan shall include the following elements:

a. Procedures calling for the closing of all buildings for the duration of the hurricane evacuation order.

b. Procedures for informing all employees of evacuation routes out of the flood prone area and measures to be followed in the same event.

c. Procedures mandating coordination with appropriate public authorities of building closings, security and safety measures, and evacuation plans.

The aforementioned plan shall be included in the first annual report submitted after occupancy of any portion or phase of the project.

L. Wind and Water Cause Soil Erosion Control

The wind and water-cause soil erosion control measures referenced in the application shall be required.

M. Street Cleaning Program

The Developer shall implement a street cleaning program for the parking and roadway areas within the development, pursuant to the Area-Wide Water Quality Management Plan for the Tampa Bay Region, (1978).

N. Transportation - Impact Analysis Methodology

CORPOREX BUSINESS PARK may have a substantial negative

impact on several regionally significant transportation facilities within the project's impact area. This section and those immediately following it are designed to identify strategies to mitigate that negative impact by requiring certain actions and contributions by the Developer. Quantification of the impact of CORPOREX BUSINESS PARK on area transportation facilities is based on the following methodology. Existing traffic volumes on roadways in the impact area were determined by counting traffic on those roadways. Growth factors were then applied to determine the "existing background" traffic for each phase of the development. In addition to existing background traffic, allowances were made for traffic projected to be generated by approved developments which have not been built ("proposed background" traffic). The sum of existing background traffic and the proposed background traffic was used as the basis against which traffic generated by each phase of the project were evaluated.

The conditions precedent to consideration of a roadway segment as an element of the total impact of the project are:

1. Because CORPOREX BUSINESS PARK is located in an area designated by the Tampa Bay Regional Planning Council as a sub-regional activity center, the project's traffic on the roadway segment must equal or exceed 7.5% of the daily level of service (LOS-C, or peak hour LOS-D) capacity of the existing roadway; and

2. CORPOREX BUSINESS PARK traffic, plus the total background traffic on the roadway segment, must result in a reduction of the level of service on the existing road segment to worse than LOS-C on a daily basis or worse than LOS-D at peak hours.

If traffic generated by the project phase on the specific road segment satisfies both of the above conditions, the Developer's proportionate share of the cost of improving said roadway segment to an acceptable service level shall be considered part of the Developer's total fiscal impact on the transportation system. The proportionate share is calculated by

multiplying the project's daily traffic as a percentage of the daily LOS-C capacity of the improved roadway times the cost of the proposed improvement. Not considered as an element of the total fiscal impact are improvements which are under construction or which have been assigned a funding commitment in an approved transportation improvements program. The commitments by the Developer or other responsible entities for those transportation system improvements necessary to accommodate each phase of CORPOREX BUSINESS PARK are identified below. The improvements listed in this Order are predicated on the TBRPC DRI report, dated March 11, 1985, as shown on Exhibit B.

O. Transportation Improvements

Developer, at its option, may select one of the following alternatives to mitigate the project's transportation impacts:

Alternative I:

Developer may elect to delay development until funding commitments are secured from responsible entities for the following roadway improvements:

1. Increase the capacity of Buffalo Avenue (SR 574) from 40th Street to US 41 by constructing one additional eastbound and one westbound lane. CORPOREX BUSINESS PARK will contribute 18.5 percent of the service volume of LOS-D during the PM peak hour.

2. Increase the capacity of Buffalo Avenue (SR 574) from US 41 to I-4 by constructing one additional eastbound and one additional westbound lane. CORPOREX BUSINESS PARK will contribute 25.6 percent of the two-way service volume of LOS-D during the PM peak hour.

3. Increase the capacity of Buffalo Avenue (SR 574) from I-4 to the site entrance by constructing two additional eastbound and two additional westbound lanes creating a six-lane, divided arterial section. CORPOREX BUSINESS PARK will contribute 39.4 percent of the two-way service volume of LOS-D during the PM peak hour.

4. Increase the capacity of I-4 from US 41 to Buffalo Avenue (SR 574) by constructing one additional eastbound and one additional westbound lane creating a six-lane freeway section. CORPOREX BUSINESS PARK will contribute a 7.7 percent of the two-way service volume of LOS-D during the PM peak hour.

5. Improve the Orient Road/Buffalo Avenue (SR 574)

intersection as follows: Add one exclusive southbound-to-westbound right turn lane; add one westbound through lane and convert existing through lane to an exclusive westbound-to-northbound right turn lane; add an exclusive westbound-to-southbound left turn lane; add one eastbound through lane and convert existing through lane to an exclusive eastbound-to-southbound right turn lane; add exclusive eastbound-to-northbound left turn lane. CORPOREX BUSINESS PARK will contribute 31.1 percent of the summation of critical movements of LOS-D during the PM peak period.

6. Improve the US 301/Buffalo Avenue (SR 574) intersection as follows: Add one westbound through lane; add one combined westbound through and westbound-to-northbound right turn lane; add one additional northbound-to-westbound left turn lane; add one exclusive eastbound-to-southbound right turn lane. CORPOREX BUSINESS PARK will contribute 13.0 percent of the summation of critical movements of LOS-D during the PM peak period.

7. Improve the 50th Street/Buffalo Avenue (SR 574) intersection as follows: Add two westbound through lanes; convert existing lane to an exclusive westbound-to-southbound left turn lane; add one westbound-to-northbound right turn lane; add two eastbound through lanes; convert existing lane to an exclusive eastbound-to-northbound left turn lane. CORPOREX BUSINESS PARK will contribute 20.6 percent of the summation of critical movements of LOS-D during the PM peak period.

8. Improve the 40th Street/Buffalo Avenue (SR 574) intersection as follows: Add one eastbound and one westbound through lane. CORPOREX BUSINESS PARK will contribute 16.4 percent of the summation of critical movements of LOS-D during PM peak hour.

9. Improve the Faulkenburg Road/Buffalo Avenue (574) intersections as follows: Signalize when warranted. CORPOREX BUSINESS PARK will contribute 10.4 percent of the summation of critical movements of LOS-D during PM peak hour.

10. Improve the 68th Street/Buffalo Avenue (574) intersection as follows: Signalize when warranted; add two westbound and two eastbound through lanes; add one additional eastbound-to-southbound exclusive right turn lane to create two exclusive right turn lanes; add one westbound-to-southbound left turn lane to create two left turn lanes. CORPOREX BUSINESS PARK will contribute 70.9 percent of the summation of critical movements of LOS-D during the M peak hour.

11. Improve the I-4 (East)/Buffalo Avenue (SR 574) intersection as follows: Signalize when warranted; add one additional northbound-to-eastbound right turn lane to create two right turn lanes; add one westbound through lane and one westbound through lane permitting westbound-to northbound right turn movements. CORPOREX BUSINESS PARK will contribute 24.7 percent of the summation of critical movements of LOS-D during the PM peak hour.

12. Improve the I-4 (West)/Buffalo Avenue (SR 574) intersection as follows: Signalize when warranted; add one additional westbound through lane; add one additional southbound-to-westbound right turn lane; coordinate signal phasing with I-4 (East)/Buffalo Avenue, Site Entrance/Buffalo Avenue, and Orient Road/Buffalo Avenue intersections. CORPOREX BUSINESS PARK will contribute 34.9 percent of the summation of critical movements of LOS-D during the PM peak hour.

-OR -

Alternative II

In lieu of Alternate I, the Developer may, at its option, elect to pay its fair share of needed roadway improvements as set forth on Exhibit B, attached hereto and made a part hereof, according to the attached schedule of indicated amounts by phase, prepared by the Hillsborough County Engineering Department. This schedule reflects that Department's total calculated fair share for all roads described above according to the above-described methodology of applicable roadway segments and the required contributions, if any, from the Developer, according to that methodology, which total $242,453 and are summarized and divided by Phase as follows:

Phase I	$ 46,749 #101,107
Phase II	54,358
Phase III	31,532
Phase IV	109,814

P. If Developer elects to proceed under Alternative II to discharge its responsibility to mitigate its proportionate share of the negative transportation impact of the project, the Developer shall pay the County the assessed contribution for each project phase as set forth in Paragraph O, above, before the first certificate of occupancy will be issued for a particular phase, pursuant to the phasing schedule set forth on Exhibit A and referenced in Part IV, Section B of this Resolution.

The County agrees to hold all such transportation fair share contributions received from the Developer in escrow and to pay the applicable governmental entity (including itself, where appropriate) having jurisdiction over one or more of the enumer-

ated roadway segments an amount equal to the amount the Developer has paid as its fair share contribution for said roadway segment(s) upon being furnished with evidence, satisfactory to the County that such governmental entity has committed to construct said transportation improvement. The County shall award contracts for construction of the improvements identified above and referred to in Exhibit B, attached hereto and by reference made a part hereof, upon receipt of contributions or impact fees from the Developer and from other development projects in the area which equal, in the aggregate, when coupled with funds received from other sources and funds allocated in the County transportation improvements programs, the cost of those improvements. On joint stipulation of all parties, the County, the Developer, and TBRPC may modify the above-referenced list of improvements, based on subsequent TSM measures and transportation studies.

Q. In addition to the above contributions, the following site access improvements will be required at buildout of the project, if determined to be necessary by the Hillsborough County Engineering Department at that time.

> The entrance to the development shall be constructed as a six-lane cross section with two inbound lanes and four outbound lanes. Two outbound lanes shall be designated as dual left turn lanes and the other two shall be right turn lanes.
>
> The developer shall meet with Florida Department of Transportation (FDOT) and make provisions for design of the intersection of this entrance with Buffalo Avenue to insure that it is constructed with the following geometry:
>
> (a) A dual left turn lane for westbound traffic turning into the project site.
>
> (b) An eastbound right turn lane to allow free flow into the project site.
>
> (c) Provisions for signalization of the project entrance when warrants are met.
>
> (d) Provide three eastbound and three westbound thru lanes on Buffalo Avenue.
>
> If the Developer elects to make the above access improvements in stages, then a plan for each improvement shall be submitted and approved by the Hillsborough County Engineering Department prior to the issuance of the final certificate of occupancy of of each phase. With the plan, the transportation analysis shall be provided which calculates the Level of Service

of the intersection after the proposed improvements are made and with existing background traffic and existing plus projected project traffic. The proposed improvement shall be projected to operate at Level of Service C Daily/Level of Service D peak hour, prior to approval of building permits for the project phase and shall be constructed prior to issuance of certificates of occupancy for the project phase.

R. In the event that any entity, other than FDOT or the County allocates funds in an approved transportation improvement program to cover all or a portion of the costs of any of the road improvements identified above, then, the following results shall occur, subject to the further adjustment described below.

1. If all of the funds are allocated, said improvements shall be deleted from the list of required improvements and the Developer's total proportionate share contribution shall be reduced accordingly, or

2. If a portion of the funds are allocated, then the Developer's contribution shall be calculated by applying the CORPORATE BUSINESS PARK share of the traffic, expressed as percentage of the improved capacity of the road segment or intersection, against the remaining cost of construction of the road improvement which must be paid by the County. As a result of the above-described process, the total proportionate share contribution of the Developer shall be reduced accordingly.

To the extent that the County receives road construction funds from sources other than: (1) gasoline taxes, (2) ad valorem taxes, (3) impact fees, or (4) special assessments and shall allocate said funds to an approved transportation improvement identified above, then said improvements shall be deleted from the list, or a proportionate share thereof shall be eliminated as required improvements, and the Developer's total proportionate share contribution shall be reduced accordingly, subject to the "further adjustment" as described herein.

The "further adjustment" referred to above to determine the Developer's proportionate reduction shall be calculated as follows:

1. At the time an adjustment is requested, the cost

of construction of the improvements shall be recalculated based on the then-projected construction costs (including right-of-way costs) [the "Revised Construction Costs"].

2. The Developer's proportionate share of the Revised Construction Costs for each improvement shall be calculated by applying the then-applicable criteria for determining required improvements and proportionate share contributions (the Developer's "Revised Proportionate Share").

3. The sum of the individual Revised Proportionate Shares as calculated above shall be the Developer's adjusted contribution; provided, however, that, that in no event, shall the adjusted contribution exceed the amounts referenced hereinabove.

S. Transportation Systems Management

The Developer shall submit for approval by TBRPC, the County, and the Hillsborough Area Transit Authority (HART), a plan of transportation systems management (TSM) measures to be instituted and implemented for each project phase. The plan shall provide for sufficient TSM measures to divert a substantial percentage of total peak hour trips away from the peak traffic hours over and above those projected in the ADA. The plan shall be submitted to the reviewing agencies within one year of issuance of any Development Order approving this project and shall address the following at minimum:

1. Worker flex time.
2. Worker ridesharing strategies.
3. Provision of transit and service facilities and programs to increase transit ridership.
4. I-275/I-4 High Occupancy Vehicle Study.

If Developer desires the opportunity to seek credit against transportation impact fees for any lowering of traffic impacts resulting from TSM measures, each annual report for this development after the issuance of certificates of occupancy for Phase I shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of

the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure. The results of the TSM study may serve as a basis for the Developer to request Development Order amendments.

To assure that the transportation impacts of this development have been accurately projected by the ADA traffic analysis, field surveys and a report of findings shall be conducted every two years after the issuance of certification of occupancy for Phase I. The results of these surveys shall be included in the required annual report.

T. The Developer shall provide hydrogeologic information regarding the degree of leakance of the confining layer which separates the surficial and Floridian aquifers. This information shall be provided to Hillsborough County for consideration in final site plan approval.

U. The Developer shall provide for review an annual water quality profile for stormwater runoff which enters Six Mile Creek-Tampa Bypass Canal, a potential source of potable water. This profile shall follow the water quality monitoring program described on pages 9-11 of the Response to Request for Additional Information and shall contain the following parameters:

BOD	Total Organic Carbon
COD	Total Coliforms
TSS	Dissolved Oxygen
Ortho-Phosphate	pH
Total Phosphorus	Total Lead
Nitrate	Total Cadmium
Nitrite	Total Copper
TKN	Temperature
Ammonia Nitrogen	Oils & Greases
Organic Nitrogen	Flow Rate
Total Nitrogen	

This data shall be provided to Hillsborough County and the City of Tampa. If the monitoring data indicate that this development is having a negative impact on water quality, additional design criteria or remedial measures for regional concerns shall be developed prior to approval of any subsequent phases.

V. Developer agrees that representative stands of each upland vegetative community type shall be preserved.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of April 29, 1985 as the same appears of record in Minute Book 107 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 1st day of May, 1985.

JAMES F. TAYLOR, JR., CLERK

By: James F. Taylor
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

Elliot Dunn

JEH7d
4/23/85

EXHIBIT A

PHASING SCHEDULE
FOR
CORPOREX BUSINESS PARK

PHASE	YEAR OF BUILDOUT	GROSS TRIPS GENERATED BY PHASE FOR PM PEAK HOUR
1	1986	487
2	1987	570
3	1988	322
4	1989	1,182

ADDITIONAL NEW USES*

PHASE	EXISTING USE	SERV./DISTR. or	OFFICE or	COMMERCIAL or	HOTEL
1	94,000/S.F. Serv./Distr.	318,000 S.F.	184,000 S.F.	26,000 S.F.	516 Rms (250 Max)
2		483,000 S.F. (467,000 Max)	279,000 S.F.	39,500 S.F.	783 Rms (250 Max)
3		273,000 S.F.	158,000 S.F.	22,000 S.F.	442 Rms (250 Max)
4		1,000,000 S.F. (467,000 Max)	580,000 S.F. (564,000 Max)	82,000 S.F. (47,000 Max)	1,624 Rms (250 Max)

* May build any single new use up to the limit indicated by Phase or may mix the uses as long as total construction does not exceed specified trip generation as calculated using 3rd Edition ITE Trip Generation Report.

EXHIBIT B

CORPOREX 1989

LINK	FROM	TO	SEGMENT LENGTH	LANES EXIST	LANES PROP.	R/W EXIST.	R/W NEEDED	R/W ACRES	R/W $/ACRE	R/W COST	CONST. $LN/MI	CONST. COST	TOTAL COST	EXIS LOS D CAP.
I-4	US 301	BUFFALO	10,300	4	8	0	0	0.00	0	0	2,900,000	22,628,788	22 628,788	3,116
	BUFFALO	50TH	7790	4	10	0	0	0.00	0	0	2,700,000	23,901,136	23,901,136	3,116
	50TH	40TH	4250	4	10	0	0	0.00	0	0	2,700,000	13,039,773	13 039,773	3,116
	40TH	22ND	7730	4	10	0	0	0.00	0	0	2,700,000	23,717 045	23,717 045	3 116
BUFFALO	I-4	50TH	5280	2	6	60	118	7.03	144,000	1,012,364	423,300	1,693,200	2,705,564	639
	50TH	40TH	3980	2	4	50	85	3.20	144,000	460,496	423,300	638,157	1,098,653	639
	CR 579	PARSONS	5280	2	4	60	118	7.03	144,000	1,012,364	423,300	846,600	1,858,964	639
BROADWAY	ORIENT	US 301	4330	2	4	60	118	5.77	144,000	830,215	423,300	694,276	1,524,491	639
40th	US 92	HANNA	2640	2	4	60	118	3.52	144,000	506,182	423,300	423,300	929,482	639
										3,821,620		87,582,275	91,403,895	

EXHIBIT C

BACK-GROUND TRAFFIC	PEAK HR DIRECT'L DEVEL TRAFFIC	TOTAL TRAFFIC	TOTAL % OF EXIS LOS D	EXIS LOS C ADT CAP	PROP LOS C ADT CAP	TOTAL DEVEL TRAFFIC	DEVEL % OF EXIS LOS C	DEVEL % OF PROP LOS C	1989 % OF DEVEL TOTAL ADT	TOTAL DEVEL SHARE	PHASE 1 1986 DEVEL TRAFFIC	% DEVEL OF PROP LOS C	1986 % OF DEVEL TOTAL ADT	1986 DEVEL SHARE
5,879	241	6120	196.41%	57,000	114,000	2,642	4.63%	NA	NA	0	503	NA	NA	0
7,039	183	7222	231.77%	57,000	114,000	4,260	7.47%	NA	NA	0	811	NA	NA	0
6,275	157	6432	206.42%	57,000	114,000	723	1.27%	NA	NA	0	138	A	NA	0
6,244	107	6351	203.82%	57,000	114,000	0	0.00%	NA	NA	0	0	NA	NA	0
1,285	241	1526	238.81%	11,800	42,700	2,642	22.39%	6.19%	100.00%	167,745	503	1.18%	19.03%	32,467
676	174	850	133.02%	11,800	27,900	1,910	16.18%	6.84%	100.00%	74,708	363	1.30%	19.03%	14,282
1,061	53	1114	174.33%	11,800	27,900	582	4.93%	NA	NA	0	111	NA	NA	0
973	40	1013	158.53%	11,800	27,900	440	3.73%	NA	NA	0	84	NA	NA	0
1400	53	1453	227.39%	11,800	27,900	440	3.73%	NA	NA	0	8	NA	NA	0
										242,453[a]				46,749*

a Total Fair Share Contribution for Phases 1, 2, 3, and 4

* Total Fair Share Contribution for Phase 1

PHASE 2				PHASE 3				PHASE 4			
1987 DEVEL TRAFFIC	DEVEL % OF PROP LOS C	1987 % OF DEVEL TOTAL ADT	1987 DEVEL SHARE	1988 DEVEL TRAFFIC	DEVEL % OF PROP LOS C	1988 % OF DEVEL TOTAL ADT	1988 DEVEL SHARE	1989 DEVEL TRAFFIC	DEVEL % OF PROP LOS C	1989 % OF DEVEL TOTAL ADT	1989 DEVEL SHARE
581	NA	NA	0	343	NA	NA	0	1,215	NA	NA	0
937	NA	NA	0	554	NA	NA	0	1,959	NA	NA	0
159	NA	NA	0	94	NA	NA	0	333	NA	NA	0
0	NA	NA	0	0	NA	NA	0	0	NA	NA	0
581	1.36%	21.98%	37,878	343	0.80%	12.99%	21,645	1,215	2.85%	45.99%	75,756
420	1.50%	21.98%	16,480	248	0.89%	12.99%	9,888	878	3.15%	45.99%	34,058
128	NA	NA	0	76	NA	NA	0	268	NA	NA	0
97	NA	NA	0	57	NA	NA	0	202	NA	NA	0
97	NA	NA	0	57	NA	NA	0	202	NA	NA	0
			54,358**				31,532***				109,814****

* Total Fair Share Contribution for Phase 2

** Total Fair Share Contribution for Phase 3

*** Total Fair Share Contribution for Phase 4

RESOLUTION # R85-0083

COMMUNITY UNIT REZONING
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
C-U #84-177

WHEREAS, in April, 1984, Corporex Properties of Tampa, Inc. filed a rezoning petition seeking the C-U zoning classification for construction of a mixed-use research corporate office park development, located in northeastern Hillsborough County; and,

WHEREAS, the Board of County Commissioners of Hillsborough County as the governing body of local government having jurisdiction is authorized and empowered to consider the rezoning petition filed by Corporex Properties of Tampa, Inc.

WHEREAS, concurrent with the consideration of the rezoning petition, the Board of County Commissioners of Hillsborough County has been engaged in the review of an application for development approval filed by Corporex Properties of Tampa, Inc. in July, 1984 pursuant to the terms contained in Section 380.06, Florida Statutes (1981); and;

WHEREAS, Chapter 83-416, Laws of Florida (1983), establishes the office of a zoning hearing master, which master is empowered to hear rezoning applications pertaining to the unincorporated areas of Hillsborough County; and,

WHEREAS, pursuant to the terms of the above-referenced statute, the Board of County Commissioners adopted Hillsborough County Ordinance 83-19, which ordinance establishes the office of the zoning hearing master and a procedure for hearing rezoning petitions,; and has submitted a recommendation to the Board; and,

WHEREAS, the public notice requirements contained in the Hillsborough County Ordinance 83-19 have been satisfied; and,

WHEREAS, the Zoning Hearing Master on March 28, 1985, conducted a public hearing on the described rezoning petition and has submitted a recommendation to the Board; and,

WHEREAS, the Board of County Commissioners of Hillsborough County has received and considered the report and recommendations of the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission and the Tampa Bay Regional Planning Council; and,

WHEREAS, the Board of County Commissioners of Hillsborough County has solicited, received and considered reports, comments and recommendations offered from interested citizens; and,

WHEREAS, the Zoning Hearing Master has filed pursuant to the terms of Hillsborough County Ordinance 83-19 a recommendation of approval with conditions for said rezoning petition; and,

WHEREAS, the Board of County Commissioners finds the proposed use to be consistent with the Hillsborough County Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. The Board of County Commissioners as the governing body of local government having jurisdiction is authorized and empowered to consider the petition for community unit zoning filed by Corporex Properties of Tampa, Inc., which petition is attached hereto as Composite Exhibit A and made a part hereof by reference.

B. The Board of County Commissioners of Hillsborough County having reviewed the described petition, accompanying documents, and having considered the report and recommendation of the Hillsborough County Administration and having received and considered testimony and other evidence submitted at the public hearing, finds that the proposed Corporex development is appropriate for consideration pursuant to the terms of the community unit zoning classification contained in the Zoning Regulations of Hillsborough County.

C. The terms and conditions contained in the recommended Development Order adopted by the Board of County Commissioners of Hillsborough County, a copy of which is attached hereto as Composite Exhibit B, are hereby incorporated into and made a part of this Resolution by reference.

D. The Board of County Commissioners of Hillsborough County having reviewed the described petition, accompanying documents, and having considered the report and recommendation of the Hillsborough County Administration, and having received and considered testimony and other evidence submitted during public hearing, finds that development of the Corporex project in accordance with the terms of this Resolution is consistent with the standards, policies, and objectives contained in the Comprehensive Land Use

Plan enacted by the Board of County Commissioners of Hillsborough County pursuant to the authority contained in Chapter 75-390, Laws of Florida (1975), as amended.

II. CONCLUSIONS OF LAW

A. Provisions of this Resolution shall not be construed as a waiver of or exception to any rule, regulation or ordinance of Hillsborough County, its agencies or commissions, and to the extent that further review is provided for in this Resolution or other regulations, said review shall be subject to all applicable rules, regulations, and ordinances in effect at the time of said review.

B. The petition for community unit zoning #84-177 filed by the Corporex Properties of Tampa, Inc. is approved subject to all terms and conditions contained herein.

III. CONDITIONS

A. The development of the Corporex project shall proceed in strict accordance with the terms and conditions contained in the Development Order attached hereto as Composite Exhibit B, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County. Approval is based upon the General Site Plan received January 17, 1985, and all data shown, defined, described, noted, referenced and listed thereon.

1. Land uses of the development shall be restricted to office, service center/warehouse distribution and a hotel. Retail uses shall be permitted only as accessory uses and such retail development shall be oriented internally to the project and access provided only from the internal roadways. Fast Food restaurants shall not be permitted within the retail portions of the site.

2. Development of the site shall be restricted to a maximum 250 room hotel, a maximum 564,000 square feet of gross leasable area of office, a maximum 467,000 square feet of gross leasable area of service/warehouse distribution uses and a maximum 32,000 square feet of gross leasable area of retail uses.

3. The development shall be constructed in four (4) phases, as indicated on the attached "Exhibit A."

4. A minimum of 35 percent of the total land area shall be reserved for landscaping and permeable open areas. Such areas may include landscaped buffers, retention areas, landscaped islands, unpaved recreation or seating areas and areas paved with permeable paving blocks, provided, however, that permeable paving blocks shall not constitute more than 10 percent of the total surface area of any individual parcel. On any individual parcel within the project, a minimum 20 percent of the parcel shall remain as permeable open area.

5. Prior to Detailed Site Plan certification, the Developer shall provide a parking plan showing the following:

   a. Location and number of parking spaces pursuant to the following requirements.

      i. Office uses - 3.2 spaces/1,000 square feet gross leasable area

      ii. Services uses - 2.0 spaces/1,000 square feet gross leasable area.

      iii. For warehouse/distribution uses - 0.6 spaces per employee of the largest shift.

      iv. For hotel uses - 1.1 spaces per room.

      In addition, accessory uses such as restaurants or retail commercial shall be required to provide parking as established by the Hillsborough County Zoning Code in effect at the time Detailed Site Plans are submitted for review for the particular accessory use requested.

   b. Location reserved for possible expansion of parking areas to accommodate additional parking of vehicles necessary to meet the following requirements:

      i. Office uses - 3.5 spaces/1,000 square feet gross leasable area

      ii. Service uses - 3.0 spaces/1,000 square feet gross leasable area.

6. One year subsequent to issuance of Certificates of Occupancy for any applicable structure, the Developer shall provide to the Hillsborough County Department of Development Coordination the following informa-

tion regarding actual usage of parking spaces in the office and service areas:

a. Number of spaces provided in each lot designated for office uses.

b. Number of spaces provided in each lot designated for service uses.

c. Average daily occupancy of each lot during peak hours of operation (the largest shift).

If the results of this survey indicate that an inadequacy of parking spaces exists in either the office or service areas, the Developer shall be required to submit a Revised Detailed Site Plan locating additional parking areas and spaces sufficient to accommodate the number of vehicles lacking parking spaces.

7. The retail portion of the project shall be restricted to a maximum height of one (1) story or 25 feet whichever shall be more restrictive.

8. The Floor Area Ratio of the retail portion of the project shall be restricted to 0.23 percent of the total land area designated for retail use.

9. Prior to General Site Plan certification, the developer shall indicate on said Site Plan a conceptual internal pedestrian circulation system linking each of the individual development sites with one another, and with parking areas, as well as with the retail portion of the site. Prior to Detailed Site Plan review, the exact location of the pedestrian circulation system shall be determined, and the nature of the system shall be delineated on the Detailed Site Plan prior to certification.

10. Prior to the issuance of Certificates of Occupancy, the developer shall provide sidewalks external to the project in the right-of-way area of the major roadway bordering the project (i.e., Buffalo Avenue). The exact location of said sidewalk shall be determined by the County Department of Development Coordination during Detailed Site Plan review, and same shall be indicated on the Detailed Site Plan.

11. The developer shall provide street lighting internal to the project.

12. The developer shall screen, prior to the issuance of Certificates of Occupancy, all mechanical equipment (for example, air conditioners),

service areas, trash receptacles, dumpsters, etcetera from view from public places and neighboring properties through the use of features, such as berms, fences, false facades, and dense landscaping.

13. The developer shall be required to utilize public water and public sewer and shall pay all costs to connect for service delivery. The developer shall submit to the County Department of Development Coordination, prior to the issuance of Certificates of Occupancy, evidence of commitment from the City of Tampa Water Department and City of Tampa Sewer Department to provide public water and public sewer services. Additionally, the developer shall submit to the County Department of Development Coordination, prior to the issuance of Certificates of Occupancy, evidence of agreement to pay necessary costs to enable the City of Tampa to provide public water and public sewer service delivery.

14. The developer shall have the option of either (a) installing fire hydrants, or (b) preparing a Fire Protection Plan.

    (a) If option (a) is selected, the developer shall install at the developer's expense, prior to the issuance of Certificates of Occupancy, fire hydrants and, if necessary, water lines of a size necessary to meet minimum fire flow and pressure requirements to provide adequate water resources for firefighting. The location of the hydrants and water lines shall be subject to approval of the County Department of Fire and the County Department of Water and Wastewater Utilities accordingly. The installation of the hydrants and water lines shall be subject to approval of the County Department of Water and Wastewater Utilities accordingly and prior to the issuance of Certificates of Occupancy.

    (b) If option (b) is selected, the developer shall prepare a Fire Protection Plan for the site and development thereof. The Plan shall be submitted to the County Department of Development Coordination prior to Detailed Site Plan approval along with evidence of approval, from the County Department of Fire of the Plan as submitted.

15. The developer shall conduct a tree survey of all non-conservation areas prior to General Site Plan certification and shall submit same to the County Department of Development Coordination for review and approval. The survey shall be submitted in such a manner that it can be superimposed over the General Site Plan. The survey shall identify which trees on site are to be removed and which are to be saved. The purpose of the survey shall be to save as many trees on site as possible, and the General Site Plan shall be designed accordingly.

16. Any illumination which may emanate from lights on site shall not concurrently illuminate any area and/or structure off site.

17. No obstruction, sign, fence, wall, hedge, shrub, tree, or structure exceeding four feet in height shall be permitted within 25 feet of a street intersection.

18. Signage shall be as permitted pursuant to the County Sign Ordinance. No portable signage shall be permitted on the parcel.

19. The developer shall provide, prior to the issuance of Certificates of Occupancy and pursuant to Federal and State of Florida regulations, parking for handicapped persons. Said area shall be shown on the Detailed Site Plan and labelled as "Parking for Handicapped" prior to Detailed Site Plan approval.

20. Stormwater detention/retention pond design requirements for the development shall be as listed below.

    a. The side slopes shall be no greater than 4:1.

    b. The banks shall be completely vegetated to the design low water elevation.

    c. The sides and the bottom of each pond shall not be constructed of impervious material.

21. Any proposals to include uses in the retail commercial portion of the project requiring more than five spaces per 1,000 square feet, such as restaurants and movie theaters, shall require submittal of revised Site Plan showing the additional parking spaces.

22. All buildings shall be architecturally finished on all sides.

23. A landscapc buffer, a minimum width as shown on the General Site Plan received January 17, 1985, shall be provided along the northern, eastern and/or southern boundaries of the project prior to issuance of Certificates of Occupancy for any development occurring on a tract of land contiguous with said external eastern, northern or southern boundary. Said landscape buffer shall retain all trees greater than 12 inches diameter at breast height (DBH) within the minimum width required. The developer shall augment this buffer area along the northern, eastern and southern property lines (excluding the proposed hotel site) with evergreen or semi-deciduous trees such that a minimum opacity standard of 75 percent is achieved within one (1) year of time of planting. Augmentation shall occur with vegetation which is a minimum 6 feet tall at time of planting. Vehicle parking and internal roadways will not be permitted within this landscape buffer area. The developer or the designate thereof shall be responsible for maintenance of the buffer.

24. Excluding the property boundaries adjacent to the off-site lake at the western edge of the project (on the eastern and southern boundaries of said lake), and excluding the proposed hotel site, minimum building setbacks from all remaining exterior property lines of the project shall be as follows:

(a) for structures 20 feet or less in height:

front yard - 30 feet

side yard - 15 feet

rear yard - 20 feet

(b) for structures greater than 20 feet but less than 35 feet in height:

front yard - minimum 30 feet, plus 1 additional foot of horizontal setback for each additional 1 foot of vertical building height increase above 20 feet;

side yard - minimum 15 feet, plus 1 additional foot of horizontal setback for each additional 1 foot of vertical building height increase above 20 feet;

rear yard - minimum 20 feet, plus 1 additional foot of horizontal setback for each additional 1 foot of vertical building height increase above 20 feet.

(c) for structures 35 feet or greater in height:

front yard - minimum 30 feet, plus 2 additional feet of horizontal setback for each additional 1 foot of vertical building height increase above 35 feet;

side yard - minimum 15 feet, plus 2 additional feet of horizontal setback for each additional 1 foot of vertical building height increase above 35 feet;

rear yard - minimum 20 feet, plus 2 additional feet of horizontal setback for each additional 1 foot of vertical building height increase above 35 feet.

25. For the hotel use, minimum setbacks shall be as follows:

(a) from the property line adjacent to the Interstate right-of-way - a minimum 30 foot setback (reflective of the 30 foot landscape buffer) for any structure less than 50 feet in height provided that each additional one (1) foot increase in height above 50 feet is accompanied by an additional two (2) foot horizontal setback from said property line.

(b) from the property line adjacent to the access road to the south of the hotel tract (known as Citicorp Drive) - for structures 35 feet or less in height, a minimum setback of 30 feet; for structures greater than 35 feet, a minimum setback of 30 feet with an additional 2 feet horizontal setback for each 1 foot vertical building height increase.

(c) side setbacks - a minimum 20 feet from each side lot line.

26. Minimum building setbacks along the western property boundary adjacent to the off-site lake shall be 20 feet.

27. Minimum building setbacks from all internal roadways shall be 35 feet.

28. Buildings shall be setback a minimum of 20 feet from one another.

29. The maximum height of structures shall be as follows:

(a) Along the eastern property line (exterior project boundary) adjacent to R-2 zoning: maximum height of 2 stories or 35 feet;

(b) Along the eastern property line (exterior project boundary) adjacent to C-2 zoning: maximum height of 3 stories or 42 feet;

(c) Along the southern property line (exterior project boundary), maximum height of 3 stories or 42 feet.

(d) Along the western property line (exterior project boundary), excluding the southwestern most development pod designated "office": maximum height of 4 stories or 52 feet.

(e) Within the southwestern most development pod designated "office": maximum height of 3 stories or 42 feet.

(f) For all other locations on the project site: office uses shall not exceed 4 stories or 52 feet; high/tech/service center or warehouse/distribution uses shall not exceed 2 stories or 35 feet; the hotel use shall not exceed 8 stories or 100 feet.

An additional 10% of the height limits stated above shall be permitted for the construction of architectural features and roof-top mechanical/service equipment.

30. For purposes of determining uses permitted within the development pods designated "High Tech/Service Center," the following definition shall be used:

A building designed with a high image appeal for the purpose of serving a wide range of uses, including but not limited to: Research and development activities; educational facilities; personal, business and professional services; showrooms; light restricted processing, assembling and manufacturing; offices related to any of the above; secondary office uses (defined as office uses in which no more than 49% of the net leasable area [if not on a building by building basis, then at least on a parcel by parcel basis among the four currently designated "high tech/service center" parcels] is pure office use); and similar uses.

31. A plan indicating proposed methods of security for the property shall be supplied to the Hillsborough County Sheriff's Department prior to Detailed Site Plan approval for any portion of the project. The plan shall be reviewed and approved by the Sheriff's Department prior to Detailed Site Plan certification.

32. The warehouse/distribution uses proposed along the eastern property boundary shall be relocated internal to the project or along the extreme southern property line. Research/service uses will be permitted along the eastern property boundary contiguous to the R-2 zoned residential area.

33. The maximum Floor Area Ratio (F.A.R.) for the office and research/warehouse/service uses shall be as follows:

    (a) for office uses - 0.60 maximum F.A.R. for all development pods designated "office," excluding the two southwestern-most office pods, said pods being restricted to a maximum F.A.R. of 0.40.

    (b) for research uses - 0.30 maximum F.A.R.

    (c) for warehouse uses - 0.40 maximum F.A.R.

    (d) for service uses - 0.35 maximum F.A.R.

34. Up to sixty days subsequent to rezoning approval by the Hillsborough County Board of County Commissioners, the developer shall submit to the County Department of Development Coordination a revised General Site Plan for certification which shall reflect all the conditions outlined above.

IV. GENERAL PROVISIONS

1. Any activity interfering with the integrity of the environmentally sensitive area(s) on site or contiguous thereto, such as clearing, filling, or excavating, shall be a violation of the County Environmental Protection Act.

2. If applicable, the developer shall comply with the County Subdivision Regulations.

3. The developer shall comply with Federal Emergency Management Agency requirements.

4. All impervious area shall require retention.

5. The development shall meet County Commercial Development Drainage Criteria.

6. Subsequent to approval and certification of the General Site Plan, the developer shall submit, to the County Department of Development Coordination, a Detailed Site Plan which shall be approved and certified prior to the issuance of any permits relative to on-site development.

V. EFFECTIVE DATE

This Resolution shall take effect upon passage by the Board of County Commissioners of Hillsborough County.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of April 29, 1985, as the same appears of record in Minute Book 107 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 24th day of May, 1985.

JAMES F. TAYLOR, JR., CLERK

By: Edna L. Fitzpatrick
Deputy Clerk

APPROVED BY COUNTY ATTORNEY
BY [signature]
Approved As To Form And
Legal Sufficiency.

ZONING APPLICATION

Applicant's Name (Last, First, Middle Initial): CORPOREX PROPERTIES OF TAMPA, INC.	FOR OFFICIAL USE ONLY
Applicant's Address (Number, Street): 4902 Eisenhower Boulevard, Suite 100	Zoning Application No.: 84-177
City, State, ZIP Code: Tampa, FL 33614	Phone Nos: Home: Work: 885-5000 Area Code:
Property Interest of Applicant: [X] Owner [ ] Lessee [X] Contract Purchaser [ ] Other	Current Zoning: C-2, A, & R2
Owner's Name if other than Applicant: (as to Parcel 4) FERMAN MOTOR CAR COPANY, INC	Requested Zoning: C-4
Owner's Address (Number & Street): Post Office Box 1141	Location of Site: SE COR I4 & Buffalo Ave
City, State, & ZIP Code: Tampa, Florida 33601	Home Phone: Work Phone: 253-0861
Presented By: RONALD L. WEAVER, ESQ.	
Address (Street): ARKY, FREED, STEARNS, WATSON, GREER, WEAVER & HARRIS, P.A. One Tampa City Center, Suite 330	
City, State, & ZIP Code: Tampa, Florida 33601	Home Phone: 837-2962 Work Phone: 223-4800

¼ Sec	Sec	TWP	RGE	Property Size (Acreage)	Atlas Page
NW	11	29	19	99.82 AC	C.3.1

County or State Maintained Road: YES	Lot of Record: [ ] Yes [ ] No
Subdivision Name: N/A	Site Plan: [X] Yes [ ] No
Plat Book & Page No.: N/A	HB 1001 Needed: [ ] Yes [X] No
ZONING ADMINISTRATOR (signature)	Date Reviewed

LEGAL DESCRIPTION OF PARCEL (Lot, Block, Subdivision or Metes and Bounds Description. Please provide a sketch of parcel being considered. Show size, building, etc. or sketch of survey).

RECEIVED
JAN 18 1985
CLERK TO BOARD OF COUNTY COMMISSIONERS

SEE ATTACHED EXHIBIT "A"

EXHIBIT "A" attached (must be legible instrument or typewritten)

Present Use of Property (Specify existing structures)	Proposed Use of Property (Specify structures to be constructed)
No. of Units [ ] Type of Units: 94,000 sq.ft. service, warehouse, distribution center under construction. Remainder is vacant.	No. of Units [ ] Type of Units: **SEE ATTACHED SITE PLAN**

Number of Structures on property after Rezoning (specify)
No. of Units [ ] Type of Units: **SEE ATTACHED SITE PLAN**

Type of Utilities (Please check one): X Public Water & Sewer; ___ Public Water & Septic Tank; ___ Well & Septic Tank

Request Rezoning to	Reason for Rezoning (intended use of Property)
C-U	Research/corporate/office park

Conditional Uses requiring Additional Exhibits:
[ ] Child Care [ ] Family Care [ ] Group Care [ ] Borrow Pit [ ] Airports [ ] Other
Specify _____

Have you had a preapplication conference with the Planning Staff of the Office of Development Coordination? XX (Yes) ___ (No)

Has an application for rezoning on this property been filed in the past year? [ ] Yes [ ] No
If yes, what was the application number?

It is understood that any permit issued on this application will not grant the right or privilege to erect any structure or use the premises [illegible] for any purpose or in any manner prohibited by the zoning ordinance or by other ordinances, or by [illegible] of Hillsborough County.

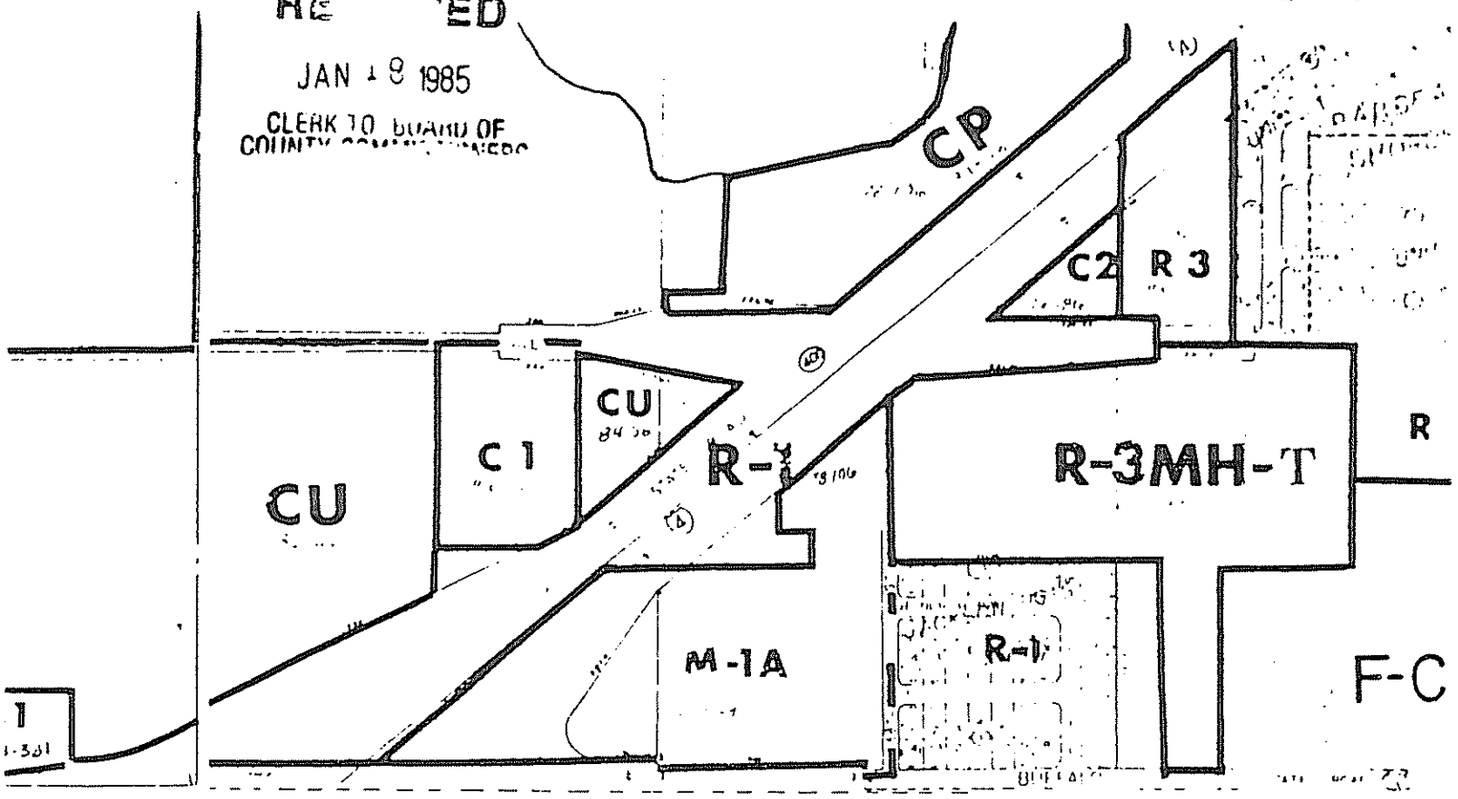
I, the applicant named in the above (and foregoing) application, do hereby certify under penalty of perjury, provided for in Section 837.06, Florida Statutes, that the information contained and the statements therein made are, to the best of my knowledge and belief, true, correct and complete.

RECEIVED APR 23 1984 Dept. of Development Coordination

DATE SIGNED BY APPLICANT	APPLICANT'S SIGNATURE
April 12, 1984	X [signature] on behalf of CORPOREX PROPERTIES OF TAMPA, INC.
DATE SIGNED BY OWNER: April 12, 1984	OWNER'S SIGNATURE X [signature] on behalf of CORPOREX PROPERTIES OF TAMPA, INC., and FERMAN MOTOR CAR COMPANY, INC., pursuant to attached

84-177
G-17..

RE 'ED
JAN 18 1985
CLERK TO BOARD OF
COUNTY COMMISSIONERS



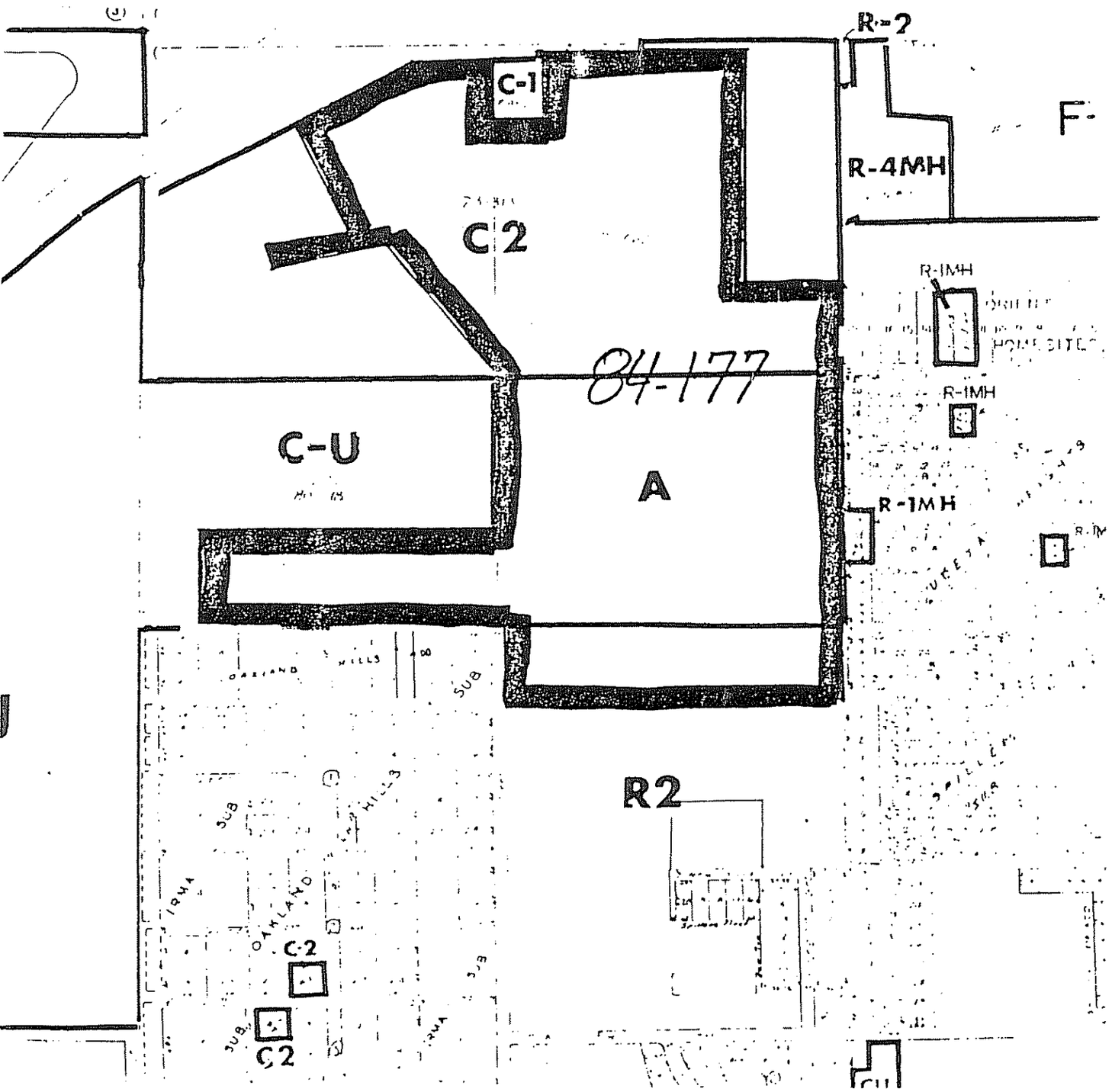


EXHIBIT "A"

PARCEL 1

That part of the North 1/2 of the Northwest 1/4 of Section 11, Township 29 South, Range 19 East, Hillsborough County, Florida, described as follows: BEGINNING at the Southeast corner of said North 1/2 of the Northwest 1/4, run thence S.89°59'46"W., 2652.62 feet, along the South boundary of said North 1/2 of the Northwest 1/4, to the Southwest corner thereof; thence N.00°00'32"W., 751.80 feet, along the West boundary of said North 1/2 of the Northwest 1/4, to the Southeasterly right-of-way line of Interstate 4 (Intersection right-of-way for State Road No. 400 at Buffalo Avenue); thence N.61°33'09"E., 126.17 feet, along said right-of-way line (limited access); thence N.62°55'50"E., 903.78 feet, along said right-of-way line (limited access) to the beginning of a curve to the right; thence Easterly, 236.33 feet, along said curve (limited access) right-of-way line (having a radius of 500.00 feet, a central angle of 27°04'52", and a chord bearing and distance of N.76°30'50"E., 234.13 feet), to the end of said curve; thence S.89°56'44"E., 176.41 feet, along said intersection right-of-way line, to the end of limited access right-of-way; thence S.00°03'16"W., 210.00 feet; thence S.89°56'44"E., 210.00 feet; thence N.00°03'16"E., 231.36 feet to the Southerly right-of-way line of State Road No. 400 (Interstate 4) exit to State Road 574-A (Buffalo Avenue); thence N.84°14'43"E., 75.44 feet, along said right-of-way line; thence S.89°56'44"E., 300.00 feet, along said right-of-way line; thence N.00°03'16"E., 23.16 feet, along said right-of-way line; thence S.89°50'08"E., 415.45 feet, along said right-of-way line, to the Northwest corner of the South 924.00 feet to the North 954.00 feet of the East 330.00 feet of the Northeast 1/4 of the Northwest 1/4 of said Section 11; thence S.00°06'13"E., 924.00 feet, along the West boundary of the said South 924.00 feet of the North 954.00 feet of the East 330.00 feet of the Northeast 1/4 of the Northwest 1/4 to the Southwest corner thereof; thence S.89°50'08"E., 330.00 feet, along the South boundary of said South 924.00 feet of the North 954.00 feet of the East 330.00 feet of the Northeast 1/4 of the Northwest 1/4, to the Southeast corner thereof; thence S.00°06'13"E., 402.90 feet, along the East boundary of the North 1/2 of the Northwest 1/4 of said Section 11 to the POINT OF BEGINNING.

Less and except the following:

That part of the North 1/2 of the Northwest 1/4 of Section 11, Township 29 South, Range 19 East, Hillsborough County, Florida, described as follows: From the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 11, run thence S.89°59'46"W., 1272.97 feet along the South boundary of the North 1/2 of the Northwest 1/4 of said Section 11 to the POINT OF BEGINNING: thence S.89°59'46"W., 1379.65 feet along said South boundary to the Southwest corner thereof; thence N.00°00'32"W., 751.80 feet along the West boundary of said North 1/2 of the Northwest 1/4 to the Southeasterly right-of-way line of Interstate 4 (Intersection right-of-way for State Road No. 400 at Buffalo Avenue); thence N.61°33'09"E., 126.17 feet along said right-of-way line (limited access); thence N.62°55'50"E., 500.02 feet along said right-of-way line (limited access); thence S.26°13'05"E., 492.51 feet to a point on a curve, being the Northerly right-of-way line of the proposed Lakeview Boulevard; run thence along said proposed right-of-way line the following (7) seven courses, (1) Westerly, 96.06 feet along the arc of a curve to the left having a radius of 1530.00 feet, a central angle of 03°35'50", and a chord bearing and distance of S.78°04'08"W., 96.04 feet to a point of tangency; (2) thence S.76°16'13"W., 187.37 feet to a point of curvature; (3) thence Westerly, 31.82 feet along the arc of a curve to the right having a radius of 40.00 feet, a central angle of 45°34'23", and a chord bearing and distance of N.80°56'36"W., 30.98 feet to a point of reverse curvature; (4) thence Westerly, Southerly, and Easterly, 283.95 feet along the arc of a curve to the left having a radius of 60.00 feet, a central angle of 271°08'46", and a chord bearing and distance of S.13°43'47"E., 84.00 feet to a point of reverse curvature; (5) thence

RE[illegible]ED

JAN 18 1985

CLERK TO BOARD OF
COUNTY COMMISSIONERS

Rec'd Apr. 3, 1984

Northeasterly, 31.32 feet along the arc of a curve to the right, having a radius of 40.00 feet, a central angle of 45°34'23", and a chord bearing and distance of N.53°29'02"E., 30.98 feet to a point of tangency; (6) thence N.76°16'13"E., 187.37 feet to a point of curvature; (7) thence Easterly, 228.61 feet along the arc of a curve to the right having a radius of 1470.00 feet, a central angle of 08°54'38", and a chord bearing and distance of N.80°43'32"E., 228.38 feet; thence S.34°04'11"E., 425.00 feet; thence S.47°26'07"E., 301.76 feet to the POINT OF BEGINNING.

Containing 48 acres more or less.

PARCEL 2

- North 400' of the South 740 feet of Southwest 1/4 of Northwest 1/4 less West 200' Section 11, Township 29 South, Range 19 East
- Containing 10.33 acres more or less.

PARCEL 3

That part of the Southeast 1/4 of the Northwest 1/4 of Section 11, Township 29 South, Range 19 East, Hillsborough County, Florida, being more particularly described as follows: Commence at the Northeast corner of said Southeast 1/4 of the Northwest 1/4, thence S.89°59'46"W., 760 feet, along the North line of said Southeast 1/4 of the Northwest 1/4 to the POINT OF BEGINNING, thence continue S.89°59'46"W., along said North line a distance of 566.31 feet to the Northwest corner of said Southeast 1/4 of the Northwest 1/4, thence S.00°03'22"E., 1020.79 feet, along the west line of said Southeast 1/4 of the Northwest 1/4, thence N.89°49'41"E. parallel to the South line of said Southeast 1/4 of the Northwest 1/4 a distance of 867.16 feet, thence N.00°06'13"W. parallel to the East line of said Southeast 1/4 of the Northwest 1/4 a distance of 718.25 feet, thence N.45°03'14"W., 424.63 feet to the POINT OF BEGINNING.

Containing 19.25 acres more or less.

PARCEL 4

The Southeast 1/4 of Northwest 1/4 of Section 11, Townsnip 29 South, Range 19 East, Hillsborough County, Florida, less and except the following: That part of the Southeast 1/4 of the Northwest 1/4 of Section 11, Township 29 South, Range 19 East, Hillsborough County, Florida, being more particularly described as follows: Commence at the Northeast corner of said Southeast 1/4 of the Northwest 1/4, thence S.89°59'46"W., 760 feet, along the North line of said Southeast 1/4 of the Northwest 1/4 to the POINT OF BEGINNING, thence continue S.89°59'46"W., along said North line a distance of 566.31 feet to the Northwest corner of said Southeast 1/4 of the Northwest 1/4, thence S.00°03'22"E., 1020.79 feet, along the west line of said Southeast 1/4 of the Northwest 1/4, thence N.89°49'41"E. parallel to the South line of said Southeast 1/4 of the Northwest 1/4 a distance of 867.16 feet, thence N.00°06'13"W. parallel to the East line of said Southeast 1/4 of the Northwest 1/4 a distance of 718.25 feet, thence N.45°03'14"W., 424.63 feet to the POINT OF BEGINNING.

Containing 22.14 acres more or less.

All subject to survey.

RE[illegible]ED
JAN 18 1985
CLERK TO BOARD OF
COUNTY COMMISSIONERS

Rec'd
Apr 13, 1987

EXHIBIT A

PHASING SCHEDULE
FOR
CORPOREX BUSINESS PARK

PHASE	YEAR OF BUILDOUT	GROSS TRIPS GENERATED BY PHASE FOR PM PEAK HOUR
1	1986	487
2	1987	570
3	1988	322
4	1989	1,182

ADDITIONAL NEW USES*

PHASE	EXISTING USE	SERV./DISTR.	or	OFFICE	or	COMMERCIAL	or	HOTEL
1	94,000/S.F. Serv./Distr.	318,000 S.F.		184,000 S.F.		26,000 S.F.		516 Rms (250 Max)
2		483,000 S.F. (467,000 Max)		279,000 S.F.		39,500 S.F.		783 Rms (250 Max)
3		273,000 S.F.		158,000 S.F.		22,000 S.F.		442 Rms (250 Max)
4		1,000,000 S.F. (467,000 Max)		580,000 S.F. (564,000 Max)		82,000 S.F. (47,000 Max)		1,624 Rms (250 Max)

* May build any single new use up to the limit indicated by Phase or may mix the uses as long as total construction does not exceed specified trip generation as calculated using 3rd Edition ITE Trip Generation Report.

2,074,000 1,204,000 169,500 3,365

EXHIBIT B

CORPOREX 1989

LINK	FROM	TO	SEGMENT LENGTH	LANES EXIST	LANES PROP.	R/W EXIST.	R/W NEEDED	R/W ACRES	R/W $/ACRE	R/W COST	CONST. $LN/MI	CONST. COST	TOTAL COST	EXIS LOS D CAP.
I-4	US 301	BUFFALO	10,300	4	8	0	0	0.00	0	0	2,900,000	22,628,788	22 628,788	3,116
	BUFFALO	50TH	7790	4	10	0	0	0.00	0	0	2,700,000	23,901,136	23,901,136	3,116
	50TH	40TH	4250	4	10	0	0	0.00	0	0	2,700,000	13,039,773	13 039,773	3,116
	40TH	22ND	7730	4	10	0	0	0.00	0	0	2,700,000	23,717 045	23,717 045	3 116
BUFFALO	I-4	50TH	5280	2	6	60	118	7.03	144,000	1,012,364	423,300	1,693,200	2,705,564	639
	50TH	40TH	3980	2	4	50	85	3.20	144,000	460,496	423,300	638,157	1,098,653	639
	CR 579	PARSONS	5280	2	4	60	118	7.03	144,000	1,012,364	423,300	846,600	1,858,964	639
BROADWAY	ORIENT	US 301	4330	2	4	60	118	5.77	144,000	830,215	423,300	694,276	1,524,491	639
40th	US 92	HANNA	2640	2	4	60	118	3.52	144,000	506,182	423,300	423,300	929,482	639
										3,821,620		87,582,275	91,403,895	

EXHIBIT C

BACK-GROUND TRAFFIC	PEAK HR DIRECT'L DEVEL TRAFFIC	TOTAL TRAFFIC	TOTAL % OF EXIS LOS D	EXIS LOS C ADT CAP	PROP LOS C ADT CAP	TOTAL DEVEL TRAFFIC	DEVEL % OF EXIS LOS C	DEVEL % OF PROP LOS C	1989 % OF DEVEL TOTAL ADT	TOTAL DEVEL SHARE	PHASE 1 1986 DEVEL TRAFFIC	PHASE 1 % DEVEL OF PROP LOS C	PHASE 1 1986 % OF DEVEL TOTAL ADT	PHASE 1 1986 DEVEL SHARE
5,879	241	6120	196.41%	57,000	114,000	2,642	4.63%	NA	NA	0	503	NA	NA	0
7,039	183	7222	231.77%	57,000	114,000	4,260	7.47%	NA	NA	0	811	NA	NA	0
6,275	157	6432	206.42%	57,000	114,000	723	1.27%	NA	NA	0	138	A	NA	0
6,244	107	6351	203.82%	57,000	114,000	0	0.00%	NA	NA	0	0	NA	NA	0
1,285	241	1526	238.81%	11,800	42,700	2,642	22.39%	6.19%	100.00%	167,745	503	1.18%	19.03%	32,467
676	174	850	133.02%	11,800	27,900	1,910	16.18%	6.84%	100.00%	74,708	363	1.30%	19.03%	14,282
1,061	53	1114	174.33%	11,800	27,900	582	4.93%	NA	NA	0	111	NA	NA	0
973	40	1013	158.53%	11,800	27,900	440	3.73%	NA	NA	0	84	NA	NA	0
1400	53	1453	227.39%	11,800	27,900	440	3.73%	NA	NA	0	8	NA	NA	0
										242,453[a]				46,749*

a Total Fair Share Contribution for Phases 1, 2, 3, and 4

* Total Fair Share Contribution for Phase 1

EXHIBIT D

PHASE 2				PHASE 3				PHASE 4			
1987 DEVEL TRAFFIC	DEVEL % OF PROP LOS C	1987 % OF DEVEL TOTAL ADT	1987 DEVEL SHARE	1988 DEVEL TRAFFIC	DEVEL % OF PROP LOS C	1988 % OF DEVEL TOTAL ADT	1988 DEVEL SHARE	1989 DEVEL TRAFFIC	DEVEL % OF PROP LOS C	1989 % OF DEVEL TOTAL ADT	1989 DEVEL SHARE
581	NA	NA	0	343	NA	NA	0	1,215	NA	NA	0
937	NA	NA	0	554	NA	NA	0	1,959	NA	NA	0
159	NA	NA	0	94	NA	NA	0	333	NA	NA	0
0	NA	NA	0	0	NA	NA	0	0	NA	NA	0
581	1.36%	21.98%	37,878	343	0.80%	12.99%	21,645	1,215	2.85%	45.99%	75,756
420	1.50%	21.98%	16,480	248	0.89%	12.99%	9,888	878	3.15%	45.99%	34,058
128	NA	NA	0	76	NA	NA	0	268	NA	NA	0
97	NA	NA	0	57	NA	NA	0	202	NA	NA	0
97	NA	NA	0	57	NA	NA	0	202	NA	NA	0
			54,358**				31,532***				109,814****

** Total Fair Share Contribution for Phase 2

*** Total Fair Share Contribution for Phase 3

**** Total Fair Share Contribution for Phase 4

RESOLUTION NO. R85-0063

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
DRI
DEVELOPMENT ORDER

Upon motion of Commissioner, Platt, seconded by Commissioner, Colson, the following Resolution was adopted this 29th day of April, 1985,

WHEREAS, in July, 1984, CORPOREX PROPERTIES OF TAMPA, INC., filed an application for development approval of a development of regional impact with the Hillsborough County Board of County Commissioners pursuant to the provisions of Section 380.06, Florida Statutes; and,

WHEREAS, said application proposed construction of a mixed-use office/research/warehouse/service center park located in central Hillsborough County, hereinafter referred to as Corporex Business Park.

WHEREAS, the Board of County Commissioners as the governing body of local government having jurisdiction pursuant to Section 380.06, Florida Statues, is authorized and empowered to consider applications for development approval for developments of regional impact; and,

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, have been satisfied; and,

WHEREAS, the Board of County Commissioners has on April 29, 1985 held a duly noticed public hearing on said application for development approval and has heard and considered testimony and documents received thereon; and,

WHEREAS, the Board of County Commissioners has received and considered the report and recommendations of the Tampa Bay Regional Planning Council; and,

WHEREAS, Hillsborough County has solicited, received and considered reports, comments and recommendations from interested citizens, County and City agencies as well as the review and report of Hillsborough County Administration.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. CORPOREX PROPERTIES OF TAMPA, INC., hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, an application for development approval and sufficiency response which are attached hereto and marked Composite Exhibit A and incorporated herein by reference. Hereinafter, the word "application" shall refer to the application for development approval, the sufficiency response and all other documents submitted.

B. The real property which is the subject of the application for development approval is legally described as set forth in Composite Exhibit A, attached hereto and make a part hereof by reference.

C. The proposed development is not an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes.

D. All development will occur in accordance with this Development Order and Application.

E. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council.

II. CONCLUSIONS OF LAW

A. Based upon the compliance with the terms and conditions of this Development Order, provisions of the application as set forth in Composite Exhibit A, the reports, recommendations and testimony heard and considered by the Board of County Commissioners, it is concluded that:

1. The development will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

2. The development is consistent with local land development regulations.

3. The development is consistent with the report and recommendations of the Tampa Bay Regional Planning Council.

B. In considering whether the development should be approved subject to conditions, restrictions and limitations, Hillsborough County has considered the criteria stated in subsection 380.06 (13), Florida Statutes.

C. The review by Hillsborough County, the Hillsborough County City-County Planning Commission, the Tampa Bay Regional Planning Council, and other participating agencies and interested citizens indicates that impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order and the application.

D. The application for development approval is approved subject to all terms and conditions of this Development Order.

III. GENERAL PROVISIONS

A. The legal description set forth in Composite Exhibit A is hereby incorporated into and by reference made part of this Development Order.

B. All provisions contained within the application marked "Composite Exhibit A" shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.

C. This Resolution shall constitute the Development Order of Hillsborough County in response to the application for development approval for the CORPOREX BUSINESS PARK Development

of Regional Impact.

D. The definitions contained in Chapter 380, Florida Statutes (1981), shall govern and apply to this Development Order.

E. This Development Order shall be binding upon the Developer and its heirs, assignees or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of, any branch of government or governmental agency.

F. In the event that any portion or section of this Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Development Order which shall remain in full force and effect.

G. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected government agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review development of regional impact applications as well as all governmental agencies and departments set forth under applicable laws and rules governing developments of regional impact.

H. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at CORPOREX BUSINESS PARK, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private body created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be

transferred must be approved by the County, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order, which approval shall not be unreasonably withheld.

I. Development activity constituting a substantial deviation from the terms or conditions of this Development Order or other changes to the approved development plans which create a reasonable likelihood of additional adverse regional impact, or any other regional impact not previously reviewed by the Regional Planning Council shall result in further development of regional impact review pursuant to 380.06, F.S. and may result in Hillsborough County ordering a termination of development activity pending such review.

J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area of subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. The County Administrator shall issue a notice of such noncompliance to the Developer and if the deviation is not corrected with a reasonable amount of time shall recommend that the Board of County Commissioners establish a hearing to consider such deviations.

K. The Developer shall file an annual report in accordance with Section 380.06 (16), Florida Statutes (1981), and appropriate rules and regulations. Such report shall be due on the anniversary of the effective date of this Development Order for each following year until and including such time as all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the County Administrator who shall after appropriate review, submit it for review by the Board of County Commissioners. The Board of County Commissioners shall

review the report for compliance with the terms and conditions of this Development Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed. Provided, however, that the receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of the Development Order. This report shall contain:

1. The information required by the State Land Planning Agency to be included in the Annual Report, which information is described in the Rules and Regulations promulgated by the State Land Planning Agency pursuant to Section 380.06, Florida Statutes; and

2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately following to the submittal of the annual report; and

3. A statement listing all applications of incremental review required pursuant to this Development Order or other applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report; and

4. A statement setting forth the name(s) and address of any heir, assignee or successor in interest to this Development Order.

L. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation, or ordinance of Hillsborough County, its agencies or commissions and to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable rules, regulations and ordinances in effect at the time of the review.

M. This Development Order shall become effective upon adoption by the Board of County Commissioners of Hillsborough

County in accordance with Section 380.06, Florida Statutes (1981).

N. Upon adoption, the Development Order shall be transmitted to the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning, Agency, the Tampa Bay Regional Planning Council, and the Developer.

O. Revisions to the Development Order not addressed herein shall be subject to review by TBRPC including the payment of the incremental review fee.

IV. CONDITIONS

A. Area Studies

1. A comprehensive transportation study of the Central Hillsborough/ Interstate 4 / Interstate 75 area in Hillsborough County analyzing transportation facilities will be prepared by the Hillsborough County City-County Planning Commission or any other appropriate entity designated by the Board of County Commissioners, in cooperation with the Tampa Bay Regional Planning Council, Florida Department of Transportation, Hillsborough County, Hillsborough County Metropolitan Planning Organization, County Environmental Protection Commission, Hillsborough Area Regional Transit Authority and other appropriate State agencies and developers in the area. The study will propose a transportation improvements plan and schedule for the area, involve citizens, interest groups and government agencies; and develop an implementation program to make the study workable. The study is being commenced as soon as possible after April 23, 1985 and on that date Developer shall pay Hillsborough County $15,000.00 to be added to funds obtainable from any other available source; and developer shall receive credit therefor against its Phase I $46,749 contribution as described below. The issuance of a development order approving an area-wide development of regional impact shall satisfy the requirement of this study. The transportation section of the study or area-wide DRI traffic analysis shall include but not be limited to:

a. The regionally significant roadways which shall be included in the focus of the transportation plan, as well as identification of additional roadways to be constructed within the study area.

b. The existing, approved, and projected development to be included within the plan.

c. The manner by which the traffic impact of existing development will be documented and assessed.

d. The manner by which the traffic impact of approved and projected development will be documented and assessed.

e. The procedures by which mass transit will be studied as a viable alternative to alleviate overburdening of the roadways.

f. Identification of specific construction implementation goals, such as right-of-way acquisition and implementation of additional north/south and east/west corridors and/or additional north/south and east/west laneage and additional transit facilities designed to coincide with transportation improvement needs generated by each phase of completion for projects approved within the study area.

g. Funding commitments for the improvements identified.

B. Phasing Schedule

The development of the project in accordance with the proposed phasing schedule attached hereto as Exhibit A is an integral part of the Development Order conditions. Therefore, if the Developer elects to amend the proposed phasing schedule, it shall submit said amendments to the County for review and approval, which approval shall not be withheld for mere acceleration of phases if the terms of this Order are otherwise fully complied with. If the County finds that amendments to the terms of this Development Order are required by amendments to the phasing schedule, then said amendments to the extent consistent herewith shall be included as conditions of approval of the changes to the phasing schedule. It is the intent of this provision to insure that all prerequisites for each phase of the project are complied with. For purposes of this Order, a phase shall be considered complete upon issuance of the final certificate of occupancy for the phase. No building permits or other approvals shall be issued for a subsequent phase until

completion of the preceding phase. Any significant departure in project buildout from the phasing schedule set forth in the application shall be declared to be a substantial deviation pursuant to Chapter 380.06, Florida Statutes.

C. Stormwater System/Drainage

1. The stormwater system shall be designed and constructed in accordance with the design guidelines of the Southwest Florida Water Management District, Hillsborough County, and the criteria contained on page 113 of the Stormwater and Lake Systems Maintenance and Design Guidelines (Tampa Bay Regional Planning Council, 1978). The design criteria of the system shall include the following elements:

a. 30 to 50 percent of the surface area of the detention pond at the normal water level (NWL) should consist of a shallow all vegetated littoral shelf.

b. The littoral shelf can be incorporated into the pond bank, preferably near the pond outlet, to provide a final polishing treatment for the stormwater. As an alternative, the littoral shelf can be established on a shallow submerged island in the middle of the pond.

c. A sediment sump shall be provided at all influent pipes to accumulate sediment and to provide easy access for sediment removal.

d. The littoral shelf, if located along the pond bank, should have side slopes no greater than 4:1 with the top of the shelf NWL and sloping to a depth of three feet or less.

e. The littoral shelf shall be vegetated with a diverse group of native species which can include "Sagittaria, pickerelweed, Juncus, water lilies, cypress, etc. These species aid in nutrient and heavy medal uptake as well as enhance the pond by providing blooming flowers and presenting a more natural appearance.

f. A copy of an operation and maintenance schedule for the detention areas shall be prepared by the Developer and submitted to Tampa Bay Regional Planning Council. The operation and maintenance schedule shall include an estimation of the frequency of sediment removal operation and shall mention the periodic need for removing dead vegetation. An annual update of the operation and maintenance schedule showing compliance with its terms shall be included in the annual report.

g. The master drainage system shall comply with

the Department of Environmental Regulations Stormwater Rule, Chapter 17-25, Florida Administrative Code.

In the event that there is a conflict between any of the criteria and guidelines referenced herein, the stricter criteria shall apply.

2. Prior to final plat approval or detailed site plan approval if the project is not to be platted, the Developer shall submit to the Hillsborough County Environmental Protection Commission a copy of the Southwest Florida Water Management District's Stormwater Discharge Permit or Exemption.

3. The elevation for all habitable structures shall be at or above the 100 year base flood elevation as required by the Federal Flood Insurance Program.

D. Public Facilities

1. Prior to issuance of detailed site plan approval for each phase of the development, the Developer shall provide to the Hillsborough County Department of Development Coordination verification that adequate police, fire service and emergency medical service facilities are available to serve the described phase.

2. The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said ordinance.

3. No building permits shall be issued without a commitment from the City of Tampa or other responsible entity to provide wastewater disposal capacity for that portion of the building construction. No detailed site plan approval shall be granted without an approved, permitted wastewater collection system. Documentation of approvals from all appropriate local and State agencies shall be provided to the DDC prior to detailed site plan approval.

4. No building permits shall be issued without an approved, permitted potable water distribution system and available capacity for that portion of the building construction. Approval shall be obtained from all appropriate local and State agencies.

5. The City will provide water service to CORPOREX BUSINESS PARK on the following terms and conditions:

a. The Developer shall design, construct and install, in accordance with prevailing City design criteria and subject to prior City inspection and approval, all on-site improvements required by the City to connect the development to the City's water system. [On-site improvements shall be defined as all water and sanitary sewer facilities, including but not limited to all lines, mains, equipment, improvements, easements, rights-of-way or utilities, located within the development including all water mains, up to and and including water meters.]

b. After City inspection and approval, the Developer shall convey to the City, by instruments acceptable to the City, said on-site improvements for water and sanitary sewer. In addition, the Developer, at its own expense, shall acquire and convey to the City necessary and reasonable permits, rights-of-way, easements, property interests, or things specified by the City to provide the development with a working water system. Upon inspection and acceptance of said facilities, permits, easements, rights-of-way, property, interests or things, the City shall operate and maintain said facilities and improvements as part of the City's utility system and subject to the City's ordinances.

c. Excess infrastructure capacity required to serve phases II, III and IV shall be at the Developer's risk and development of phase I shall not, as to the need for infrastructure for each phase, vest Phase II, III or IV development rights for each phase.

E. Open Space

1. The Developer, his assigned agent or successor shall be responsible for the maintenance of all open space/ recreational areas and landscaped areas within each phase of the development.

2. Those portions of the stormwater drainage system and retention and detention ponds not dedicated to Hillsborough County shall remain the responsibility of the Developer, his assigned agent, or his successor.

3. The Developer or successor shall undertake parking lot sweeping as a routine maintenance function.

4. The Developer or successor shall be responsible for the operation and maintenance of all on-site wells and

landscape irrigation systems. The Developer shall be required to utilize either shallow on-site wells, pumping from retention areas, or acceptance of non-potable water for open space and landscape irrigation.

F. Wildlife

In the event that any rare, endangered or threatened species are observed on-site, the Developer shall immediately institute appropriate mitigation measures to avoid harm to the species. The mitigation measures employed shall be undertaken in cooperation with The Florida Game and Freshwater Fish Commission.

G. Hazardous Waste

In the event hazardous wastes, as defined by the appropriate Federal and State agencies or subdivisions thereof, are to be introduced to the area then prior approval for permission to introduce these hazardous materials will be required with proof therefore provided to the Staff or appropriate County agency. The Developer shall provide separate hazardous waste storage containers/areas within the project. These containers/areas shall be accessible to all project businesses, and shall be clearly marked and/or colored so as to clearly distinguish the containers/areas intended for hazardous wastes and materials. The Developer shall provide to all businesses information that:

1. Indicates types of waste and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers.

2. Indicates the location of specially-designated hazardous waste and materials containers.

3. Advises of applicable statutes and regulations regarding hazardous wastes and materials.

The Developer shall require that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

Underground storage of hazardous, toxic or flammable materials, liquids or chemicals shall not be permitted, except that combustible and flammable liquids and liquified gas, as

defined in NFPA 30, 54 and 58 to include gasoline, kerosene, petroleum, distillates, diesel fuel and liquified gas, may be stored only in underground tanks which shall be designed, installed, constructed and located to prevent seepage of contained products into surrounding sub-surface areas and which shall comply with NFPA codes, FDER Chapter 17-6 and all prevailing statutory and regulatory requirements and standards. In addition, the Developer shall require installation and maintenance of leak detectors for such underground tanks, if any, in accordance with County standards and criteria.

H. Energy

The energy conservation measures described in the application shall be instituted by the Developer.

I. Archaeological Resources

The disposition of any archaeological resources discovered during project construction shall be reported to and the disposition shall be determined in cooperation with the Florida Division of Archives. All identified archaeological sites shall be subjected to investigative excavation as approved by the Division of Archives, the data and artifacts recovered shall be reported to the Division of Archives prior to land clearing for Construction in those specific areas.

J. Air Quality

The measures designed to reduce air emissions referenced in the application shall be required. The Developer shall as a means of reducing fugitive dust accomplish the following:

1. Undertake chemical stabilization over heavily travelled primary haul route road sections as necessary.

2. Undertake periodic cleaning of dirt during construction on paved roads adjacent to the site or as required by grading permit.

3. Wherever possible use selective clearing to allow natural seeding to stabilize the disturbed soil and berms to minimize wind erosion.

4. Water all dirt roads as necessary.

5. Develop asphalt roads as soon as practical.

6. Stage clearing of lands within development areas

to reduce land opened and exposed to windy conditions.

7. Undertake watering and spraying at all stages of clearing to ensure dust control.

8. Undertake mulching, seeding and sodding as soon as possible after final grading is completed.

9. Undertake progressive development of roadways, landscaping and buildings for purposes of reducing fugitive dust emissions.

K. Hurricane Evacuation

The Developer shall promote awareness of and shall cooperate with local and regional authorities having jurisdiction to issue hurricane evacuation orders. The Developer shall prepare a plan to ensure the safe and orderly evacuation of hotel guests and those employees who, for security or administrative reasons, are in the buildings after an evacuation order is issued. The plan shall include the following elements:

a. Procedures calling for the closing of all buildings for the duration of the hurricane evacuation order.

b. Procedures for informing all employees of evacuation routes out of the flood prone area and measures to be followed in the same event.

c. Procedures mandating coordination with appropriate public authorities of building closings, security and safety measures, and evacuation plans.

The aforementioned plan shall be included in the first annual report submitted after occupancy of any portion or phase of the project.

L. Wind and Water Cause Soil Erosion Control

The wind and water-cause soil erosion control measures referenced in the application shall be required.

M. Street Cleaning Program

The Developer shall implement a street cleaning program for the parking and roadway areas within the development, pursuant to the Area-Wide Water Quality Management Plan for the Tampa Bay Region, (1978).

N. Transportation - Impact Analysis Methodology

CORPOREX BUSINESS PARK may have a substantial negative

impact on several regionally significant transportation facilities within the project's impact area. This section and those immediately following it are designed to identify strategies to mitigate that negative impact by requiring certain actions and contributions by the Developer. Quantification of the impact of CORPOREX BUSINESS PARK on area transportation facilities is based on the following methodology. Existing traffic volumes on roadways in the impact area were determined by counting traffic on those roadways. Growth factors were then applied to determine the "existing background" traffic for each phase of the development. In addition to existing background traffic, allowances were made for traffic projected to be generated by approved developments which have not been built ("proposed background" traffic). The sum of existing background traffic and the proposed background traffic was used as the basis against which traffic generated by each phase of the project were evaluated.

The conditions precedent to consideration of a roadway segment as an element of the total impact of the project are:

1. Because CORPOREX BUSINESS PARK is located in an area designated by the Tampa Bay Regional Planning Council as a sub-regional activity center, the project's traffic on the roadway segment must equal or exceed 7.5% of the daily level of service (LOS-C, or peak hour LOS-D) capacity of the existing roadway; and

2. CORPOREX BUSINESS PARK traffic, plus the total background traffic on the roadway segment, must result in a reduction of the level of service on the existing road segment to worse than LOS-C on a daily basis or worse than LOS-D at peak hours.

If traffic generated by the project phase on the specific road segment satisfies both of the above conditions, the Developer's proportionate share of the cost of improving said roadway segment to an acceptable service level shall be considered part of the Developer's total fiscal impact on the transportation system. The proportionate share is calculated by

multiplying the project's daily traffic as a percentage of the daily LOS-C capacity of the improved roadway times the cost of the proposed improvement. Not considered as an element of the total fiscal impact are improvements which are under construction or which have been assigned a funding commitment in an approved transportation improvements program. The commitments by the Developer or other responsible entities for those transportation system improvements necessary to accommodate each phase of CORPOREX BUSINESS PARK are identified below. The improvements listed in this Order are predicated on the TBRPC DRI report, dated March 11, 1985, as shown on Exhibit B .

O. Transportation Improvements

Developer, at its option, may select one of the following alternatives to mitigate the project's transportation impacts:

Alternative I:

Developer may elect to delay development until funding commitments are secured from responsible entities for the following roadway improvements:

1. Increase the capacity of Buffalo Avenue (SR 574) from 40th Street to US 41 by constructing one additional eastbound and one westbound lane. CORPOREX BUSINESS PARK will contribute 18.5 percent of the service volume of LOS-D during the PM peak hour.

2. Increase the capacity of Buffalo Avenue (SR 574) from US 41 to I-4 by constructing one additional eastbound and one additional westbound lane. CORPOREX BUSINESS PARK will contribute 25.6 percent of the two-way service volume of LOS-D during the PM peak hour.

3. Increase the capacity of Buffalo Avenue (SR 574) from I-4 to the site entrance by constructing two additional eastbound and two additional westbound lanes creating a six-lane, divided arterial section. CORPOREX BUSINESS PARK will contribute 39.4 percent of the two-way service volume of LOS-D during the PM peak hour.

4. Increase the capacity of I-4 from US 41 to Buffalo Avenue (SR 574) by constructing one additional eastbound and one additional westbound lane creating a six-lane freeway section. CORPOREX BUSINESS PARK will contribute a 7.7 percent of the two-way service volume of LOS-D during the PM peak hour.

5. Improve the Orient Road/Buffalo Avenue (SR 574)

intersection as follows: Add one exclusive southbound-to-westbound right turn lane; add one westbound through lane and convert existing through lane to an exclusive westbound-to-northbound right turn lane; add an exclusive westbound-to-southbound left turn lane; add one eastbound through lane and convert existing through lane to an exclusive eastbound-to-southbound right turn lane; add exclusive eastbound-to-northbound left turn lane. CORPOREX BUSINESS PARK will contribute 31.1 percent of the summation of critical movements of LOS-D during the PM peak period.

6. Improve the US 301/Buffalo Avenue (SR 574) intersection as follows: Add one westbound through lane; add one combined westbound through and westbound-to-northbound right turn lane; add one additional northbound-to-westbound left turn lane; add one exclusive eastbound-to-southbound right turn lane. CORPOREX BUSINESS PARK will contribute 13.0 percent of the summation of critical movements of LOS-D during the PM peak period.

7. Improve the 50th Street/Buffalo Avenue (SR 574) intersection as follows: Add two westbound through lanes; convert existing lane to an exclusive westbound-to-southbound left turn lane; add one westbound-to-northbound right turn lane; add two eastbound through lanes; convert existing lane to an exclusive eastbound-to-northbound left turn lane. CORPOREX BUSINESS PARK will contribute 20.6 percent of the summation of critical movements of LOS-D during the PM peak period.

8. Improve the 40th Street/Buffalo Avenue (SR 574) intersection as follows: Add one eastbound and one westbound through lane. CORPOREX BUSINESS PARK will contribute 16.4 percent of the summation of critical movements of LOS-D during PM peak hour.

9. Improve the Faulkenburg Road/Buffalo Avenue (574) intersections as follows: Signalize when warranted. CORPOREX BUSINESS PARK will contribute 10.4 percent of the summation of critical movements of LOS-D during PM peak hour.

10. Improve the 68th Street/Buffalo Avenue (574) intersection as follows: Signalize when warranted; add two westbound and two eastbound through lanes; add one additional eastbound-to-southbound exclusive right turn lane to create two exclusive right turn lanes; add one westbound-to-southbound left turn lane to create two left turn lanes. CORPOREX BUSINESS PARK will contribute 70.9 percent of the summation of critical movements of LOS-D during the M peak hour.

11. Improve the I-4 (East)/Buffalo Avenue (SR 574) intersection as follows: Signalize when warranted; add one additional northbound-to-eastbound right turn lane to create two right turn lanes; add one westbound through lane and one westbound through lane permitting westbound-to northbound right turn movements. CORPOREX BUSINESS PARK will contribute 24.7 percent of the summation of critical movements of LOS-D during the PM peak hour.

12. Improve the I-4 (West)/Buffalo Avenue (SR 574) intersection as follows: Signalize when warranted; add one additional westbound through lane; add one additional southbound-to-westbound right turn lane; coordinate signal phasing with I-4 (East)/Buffalo Avenue, Site Entrance/Buffalo Avenue, and Orient Road/Buffalo Avenue intersections. CORPOREX BUSINESS PARK will contribute 34.9 percent of the summation of critical movements of LOS-D during the PM peak hour.

-OR -

Alternative II

In lieu of Alternate I, the Developer may, at its option, elect to pay its fair share of needed roadway improvements as set forth on Exhibit B, attached hereto and made a part hereof, according to the attached schedule of indicated amounts by phase, prepared by the Hillsborough County Engineering Department. This schedule reflects that Department's total calculated fair share for all roads described above according to the above-described methodology of applicable roadway segments and the required contributions, if any, from the Developer, according to that methodology, which total $242,453 and are summarized and divided by Phase as follows:

Phase I	$ 46,749
Phase II	54,358
Phase III	31,532
Phase IV	109,814

P. If Developer elects to proceed under Alternative II to discharge its responsibility to mitigate its proportionate share of the negative transportation impact of the project, the Developer shall pay the County the assessed contribution for each project phase as set forth in Paragraph O, above, before the first certificate of occupancy will be issued for a particular phase, pursuant to the phasing schedule set forth on Exhibit A and referenced in Part IV, Section B of this Resolution.

The County agrees to hold all such transportation fair share contributions received from the Developer in escrow and to pay the applicable governmental entity (including itself, where appropriate) having jurisdiction over one or more of the enumer-

ated roadway segments an amount equal to the amount the Developer has paid as its fair share contribution for said roadway segment(s) upon being furnished with evidence, satisfactory to the County that such governmental entity has committed to construct said transportation improvement. The County shall award contracts for construction of the improvements identified above and referred to in Exhibit B, attached hereto and by reference made a part hereof, upon receipt of contributions or impact fees from the Developer and from other development projects in the area which equal, in the aggregate, when coupled with funds received from other sources and funds allocated in the County transportation improvements programs, the cost of those improvements. On joint stipulation of all parties, the County, the Developer, and TBRPC may modify the above-referenced list of improvements, based on subsequent TSM measures and transportation studies.

Q. In addition to the above contributions, the following site access improvements will be required at buildout of the project, if determined to be necessary by the Hillsborough County Engineering Department at that time.

> The entrance to the development shall be constructed as a six-lane cross section with two inbound lanes and four outbound lanes. Two outbound lanes shall be designated as dual left turn lanes and the other two shall be right turn lanes.
>
> The developer shall meet with Florida Department of Transportation (FDOT) and make provisions for design of the intersection of this entrance with Buffalo Avenue to insure that it is constructed with the following geometry:
>
> (a) A dual left turn lane for westbound traffic turning into the project site.
>
> (b) An eastbound right turn lane to allow free flow into the project site.
>
> (c) Provisions for signalization of the project entrance when warrants are met.
>
> (d) Provide three eastbound and three westbound thru lanes on Buffalo Avenue.
>
> If the Developer elects to make the above access improvements in stages, then a plan for each improvement shall be submitted and approved by the Hillsborough County Engineering Department prior to the issuance of the final certificate of occupancy of of each phase. With the plan, the transportation analysis shall be provided which calculates the Level of Service

of the intersection after the proposed improvements are made and with existing background traffic and existing plus projected project traffic. The proposed improvement shall be projected to operate at Level of Service C Daily/Level of Service D peak hour, prior to approval of building permits for the project phase and shall be constructed prior to issuance of certificates of occupancy for the project phase.

R. In the event that any entity, other than FDOT or the County allocates funds in an approved transportation improvement program to cover all or a portion of the costs of any of the road improvements identified above, then, the following results shall occur, subject to the further adjustment described below.

1. If all of the funds are allocated, said improvements shall be deleted from the list of required improvements and the Developer's total proportionate share contribution shall be reduced accordingly, or

2. If a portion of the funds are allocated, then the Developer's contribution shall be calculated by applying the CORPORATE BUSINESS PARK share of the traffic, expressed as percentage of the improved capacity of the road segment or intersection, against the remaining cost of construction of the road improvement which must be paid by the County. As a result of the above-described process, the total proportionate share contribution of the Developer shall be reduced accordingly.

To the extent that the County receives road construction funds from sources other than: (1) gasoline taxes, (2) ad valorem taxes, (3) impact fees, or (4) special assessments and shall allocate said funds to an approved transportation improvement identified above, then said improvements shall be deleted from the list, or a proportionate share thereof shall be eliminated as required improvements, and the Developer's total proportionate share contribution shall be reduced accordingly, subject to the "further adjustment" as described herein.

The "further adjustment" referred to above to determine the Developer's proportionate reduction shall be calculated as follows:

1. At the time an adjustment is requested, the cost

of construction of the improvements shall be recalculated based on the then-projected construction costs (including right-of-way costs) [the "Revised Construction Costs"].

2. The Developer's proportionate share of the Revised Construction Costs for each improvement shall be calculated by applying the then-applicable criteria for determining required improvements and proportionate share contributions (the Developer's "Revised Proportionate Share").

3. The sum of the individual Revised Proportionate Shares as calculated above shall be the Developer's adjusted contribution; provided, however, that, that in no event, shall the adjusted contribution exceed the amounts referenced hereinabove.

S. Transportation Systems Management

The Developer shall submit for approval by TBRPC, the County, and the Hillsborough Area Transit Authority (HART), a plan of transportation systems management (TSM) measures to be instituted and implemented for each project phase. The plan shall provide for sufficient TSM measures to divert a substantial percentage of total peak hour trips away from the peak traffic hours over and above those projected in the ADA. The plan shall be submitted to the reviewing agencies within one year of issuance of any Development Order approving this project and shall address the following at minimum:

1. Worker flex time.
2. Worker ridesharing strategies.
3. Provision of transit and service facilities and programs to increase transit ridership.
4. I-275/I-4 High Occupancy Vehicle Study.

If Developer desires the opportunity to seek credit against transportation impact fees for any lowering of traffic impacts resulting from TSM measures, each annual report for this development after the issuance of certificates of occupancy for Phase I shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of

the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure. The results of the TSM study may serve as a basis for the Developer to request Development Order amendments.

To assure that the transportation impacts of this development have been accurately projected by the ADA traffic analysis, field surveys and a report of findings shall be conducted every two years after the issuance of certification of occupancy for Phase I. The results of these surveys shall be included in the required annual report.

T. The Developer shall provide hydrogeologic information regarding the degree of leakance of the confining layer which separates the surficial and Floridian aquifers. This information shall be provided to Hillsborough County for consideration in final site plan approval.

U. The Developer shall provide for review an annual water quality profile for stormwater runoff which enters Six Mile Creek-Tampa Bypass Canal, a potential source of potable water. This profile shall follow the water quality monitoring program described on pages 9-11 of the Response to Request for Additional Information and shall contain the following parameters:

- BOD
- COD
- TSS
- Ortho-Phosphate
- Total Phosphorus
- Nitrate
- Nitrite
- TKN
- Ammonia Nitrogen
- Organic Nitrogen
- Total Nitrogen
- Total Organic Carbon
- Total Coliforms
- Dissolved Oxygen
- pH
- Total Lead
- Total Cadmium
- Total Copper
- Temperature
- Oils & Greases
- Flow Rate

This data shall be provided to Hillsborough County and the City of Tampa. If the monitoring data indicate that this development is having a negative impact on water quality, additional design criteria or remedial measures for regional concerns shall be developed prior to approval of any subsequent phases.

V. Developer agrees that representative stands of each upland vegetative community type shall be preserved.