

Gulf Coast Consulting, Inc.

Land Development Consulting • Engineering • Planning • Transportation • Permitting

ICOT Center
13825 ICOT Boulevard, Suite 605
Clearwater, FL 33760
Phone: (727) 524-1818
Fax: (727) 524-6090

September 23, 2004

Mr. John Meyer, DRI Coordinator
Tampa Bay Regional Planning Council
4000 Gateway Centre Boulevard, Suite 100
Pinellas Park, FL 33782

Re: ICOT Center DRI Annual Report (DRI # 177)

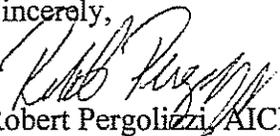
Dear Mr. Meyer:

Per our conversation this correspondence is to confirm that the developer has implemented the trade-off mechanism contained in Map H, Note # 5 and Section 3.2.3 of the Amended Development Order (Ordinance # 2002-79) that permits the trade-off of office space for multi-family units on Lots 15-19. The approved conversion ratio is 1,000 s.f. of office space = 2.4 multi-family units.

During the reporting year the developer began construction on 288-multi-family units, which results in a corresponding reduction of 120,000 s.f. of "planned" office space on Lots 15-19.

I hope this information is useful in preparing your report summary.

Sincerely,


Robert Pergolizzi, AICP
Principal

Cc Michael Staffopoulos, City of Largo
Patricia Scuderi, ICOT Center, Ltd.
Tim Johnson
03-012

ORDINANCE NO. 2000 - 88

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, ANNEXING THE WITHIN DESCRIBED TRACT OF LAND LOCATED IN PINELLAS COUNTY, FLORIDA, DESCRIBED AS PARCEL ID NO. 04/30/16/77515/000/2200, 2500, 2501, 2502 AND 2601, AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF LARGO, FLORIDA, PURSUANT TO THE PETITION AND APPLICATION OF THE LANDOWNER; WITH CITY LAND USE DESIGNATION OF INDUSTRIAL LIMITED, AND TRANSPORTATION/UTILITY; REDEFINING THE CORPORATE BOUNDARY OF THE CITY OF LARGO TO INCLUDE SAID ADDITION, ACCORDING TO THE PROVISIONS OF CHAPTER 171, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 171, Florida Statutes, a petition by the landowner has been duly filed with the City Commission of Largo, Florida, seeking annexation of the property hereinafter described into the corporate limits of the City of Largo; and

WHEREAS, all requirements of Chapter 171 have been complied with, and the planning procedures set forth in the Interlocal Agreement between Pinellas County, Florida, and the cities of Largo, Pinellas Park, and St. Petersburg, Florida, dated November 13, 1990, have been met, it having appeared to the Largo City Commission that the owner of land within said area to be annexed voluntarily consented to such annexation, and that said petition should be approved by the affirmative vote of the Largo City Commission; now, therefore:

THE CITY OF LARGO HEREBY ORDAINS:

Section 1. That the City of Largo, acting by and through its City Commission, under the authority of Chapter 171, Florida Statutes, hereby annexes into the corporate limits of the City of Largo, Florida, and accordingly redefines the boundary of said city, so as to include the following:

All that tract or parcel of land lying and being in the County of Pinellas, Florida, to wit:

A PORTION OF LOTS 21-24, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOTS 25-26, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOT 31, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR ICOT BOULEVARD, LYING IMMEDIATELY EAST OF, AND ADJACENT TO, LOTS 22-24, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR 58TH STREET NORTH, LYING IMMEDIATELY EAST OF, AND ADJACENT TO, LOT 25, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALL LOCATED IN THE IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST; THENCE RUN N 00°16'17" W, ALONG THE EAST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5, SAID LINE ALSO BEING THE CENTERLINE OF 58TH STREET NORTH, A DISTANCE OF 211.39 FEET; LEAVING SAID EAST BOUNDARY LINE, THENCE RUN 135.94 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°31'09" E, AND A CHORD DISTANCE OF 135.48 FEET; THENCE RUN N 16°40'18" E, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 50.93 FEET; LEAVING SAID CENTERLINE, THENCE RUN N 73°19'42" W, A DISTANCE OF 49.90 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING [P.O.B.].

FROM THE POINT OF BEGINNING, RUN N 57°44'21" W, A DISTANCE OF 83.23 FEET; THENCE RUN N 68°06'04" W, A DISTANCE OF 119.44 FEET; THENCE RUN N 31°27'38" E, A DISTANCE OF 21.30 FEET; THENCE RUN 60.50 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 60.11 FEET, A CHORD BEARING OF S 72°50'15" W, AND A CHORD DISTANCE OF 57.98 FEET, TO A POINT OF REVERSE CURVATURE; THENCE RUN 71.15 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTH, HAVING A RADIUS OF 88.14 FEET, A CHORD BEARING OF S 67°06'30" W, AND A CHORD DISTANCE OF 69.23 FEET; THENCE RUN N 89°45'12" W, A DISTANCE OF 469.12 FEET; THENCE RUN 12.91 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF S 75°27'13" W, AND A CHORD DISTANCE OF 12.77 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ICOT BOULEVARD; THENCE RUN N 02°36'38" W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, A DISTANCE OF 33.49 FEET; LEAVING SAID EAST RIGHT-OF-WAY LINE, THENCE RUN 10.51 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTH, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF S 78°59'07" E, AND A CHORD DISTANCE OF 10.43 FEET; THENCE RUN S 89°45'12" E, A DISTANCE OF 472.98 FEET; THENCE RUN 48.55 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 60.15 FEET, A CHORD BEARING OF N 67°06'04" E, AND A CHORD DISTANCE OF 47.24 FEET, TO A POINT OF REVERSE CURVATURE; THENCE RUN 12.23 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 88.11 FEET, A CHORD BEARING OF N 48°50'49" E, AND A CHORD DISTANCE OF 12.22 FEET, TO A POINT OF REVERSE CURVATURE; THENCE RUN 27.71 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE WEST, HAVING A RADIUS OF 20.00 FEET, A CHORD BEARING OF N 13°09'03" E, AND A CHORD DISTANCE OF 25.55 FEET; THENCE RUN 32.26 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 46.00 FEET, A CHORD BEARING OF N 38°46'22" W, AND A CHORD DISTANCE OF 31.60 FEET; THENCE RUN N 60°00'00" W, A DISTANCE OF 192.79 FEET; THENCE RUN 7.79 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 15.00 FEET, A CHORD BEARING

OF N 74°52'36" W, AND A CHORD DISTANCE OF 7.70 FEET; THENCE RUN N 89°45'12" W, A DISTANCE OF 142.44 FEET; THENCE RUN N 37°31'56" E, A DISTANCE OF 30.17 FEET; THENCE RUN S 89°45'12" E, A DISTANCE OF 146.00 FEET; THENCE RUN N 10°55'46" W, A DISTANCE OF 137.18 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 34.32 FEET; THENCE RUN N 83°29'28" W, A DISTANCE OF 67.81 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 85.00 FEET; THENCE RUN N 03°18'20" W, A DISTANCE OF 37.58 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 275.58 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ICOT BOULEVARD; THENCE RUN 24.54 FEET, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 517.00 FEET, A CHORD BEARING OF N 15°18'52" W, AND A CHORD DISTANCE OF 24.53 FEET; THENCE RUN N 16°40'26" W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, A DISTANCE OF 191.06 FEET; LEAVING SAID EAST RIGHT-OF-WAY LINE, THENCE RUN S 73°19'34" W, A DISTANCE OF 80.00 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, THE SAME ALSO BEING THE SOUTHEAST CORNER OF LOT 21, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN N 89°34'42" W, ALONG THE SOUTH PROPERTY LINE OF SAID LOT 21, A DISTANCE OF 147.59 FEET; LEAVING SAID SOUTH PROPERTY LINE, THENCE RUN N 48°18'20" W, A DISTANCE OF 321.40 FEET, TO A POINT ON THE WEST PROPERTY LINE OF SAID LOT 21; THENCE RUN S 00°23'46" E, ALONG THE WEST PROPERTY LINE OF SAID LOT 21, A DISTANCE OF 212.04 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 21, THE SAME ALSO BEING A POINT ON THE NORTH PROPERTY LINE OF LOT 22, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N 89°46'10" W, ALONG THE NORTH PROPERTY LINE OF SAID LOT 22, A DISTANCE OF 331.28 FEET, TO THE NORTHWEST CORNER OF SAID LOT 22; THENCE RUN S 00°25'38" E, ALONG THE WEST BOUNDARY LINE OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, A DISTANCE OF 1,165.19 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ULMERTON ROAD [STATE ROAD 688]; THENCE RUN S 89°45'12" E, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, THE SAME ALSO BEING THE SOUTH BOUNDARY LINE OF SAID "RUBIN ICOT CENTER", A DISTANCE OF 1,757.77 FEET; LEAVING SAID NORTH RIGHT-OF-WAY LINE, THENCE RUN 78.09 FEET, ALONG THE SOUTHWESTERLY PROPERTY LINE OF SAID LOT 1, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 50.00 FEET, A CHORD BEARING OF N 45°00'44" W, AND A CHORD DISTANCE OF 70.39 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; THENCE RUN N 00°16'17" W, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 0.95 FEET; THENCE RUN 183.01 FEET, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE EAST, HAVING A RADIUS OF 661.00 FEET, A CHORD BEARING OF N 07°39'36" E, AND A CHORD DISTANCE OF 182.42 FEET; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN N 77°06'50" W, A DISTANCE OF 94.85 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING.

CONTAINING 1,474,377.94 SQUARE FEET, OR 33.8471 ACRES, MORE OR LESS.

ALSO KNOWN AS TAX ROLL PARCEL ID NUMBER 04/30/16/77515/000/2200, 2500, 2501, 2502 AND 2601, AND AS DEPICTED IN EXHIBIT "A."

Section 2. That the above-described property shall be annexed with a land use designation of Industrial Limited, and Transportation/Utility, pursuant to the land use in the Pinellas County Future Land Use Map, and as generally depicted on the map at Exhibit "B."

Section 3. That the Largo City Commission hereby formally and according to law accepts the dedication of all easements, streets, parks, plazas, places, rights-of-way, and other dedications to the public which have heretofore been made by plat, deed, or user within the area so annexed.

Section 4. That it is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 5. That this Ordinance shall take effect on September 30, 2000. However, if the Board of County Commissioners fails to act on ICOT's proposed NOPC on September 26, 2000, the effective date shall be October 30, 2000.

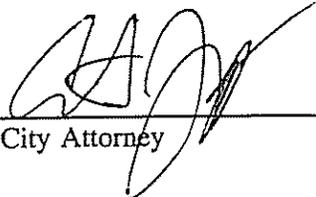
APPROVED ON FIRST READING July 18, 2000

PASSED AND ADOPTED ON
SECOND AND FINAL READING September 19, 2000

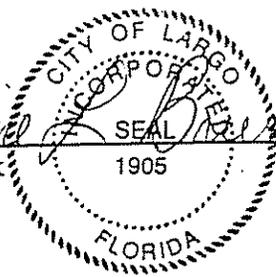
ATTEST:



Mayor

REVIEWED AND APPROVED:


City Attorney




City Clerk

SEAL

A TRUE AND CORRECT COPY ON
RECORD AND FILE IN THE OFFICIAL
RECORDS OF THE CITY OF LARGO,
FLORIDA

BY 

City Clerk's Office

DATE 5/15/01

TIME 8:58 AM _____ PM

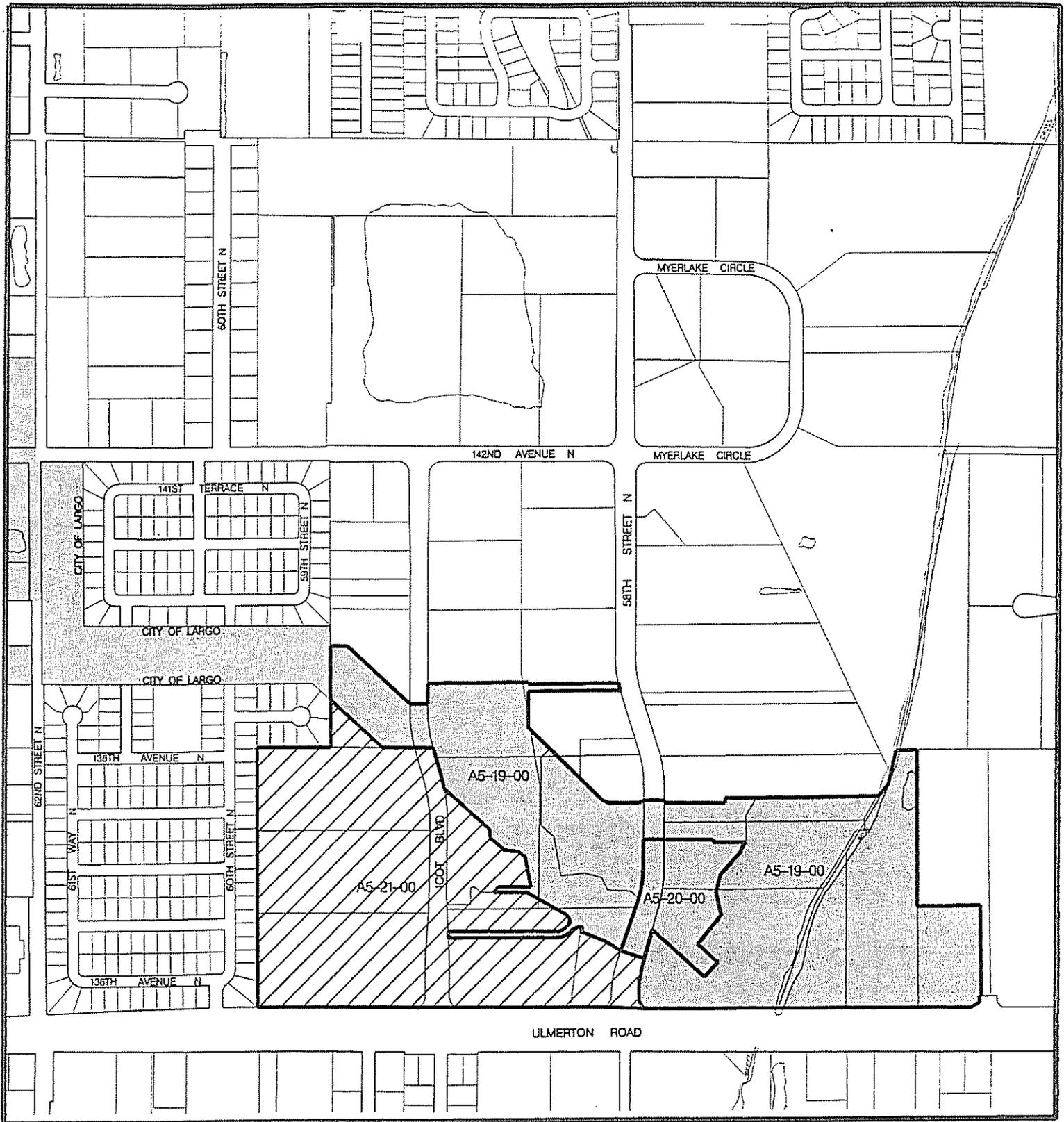


EXHIBIT "A"

Ord. #: 2000-88 (Case #A5-21-00)

Subject: Rubin Icot/Westfalia Annexation 3

Location: 043016775150002200, 2500, 2501,
2502, & 2601.



Subject Property



Future City of Largo Boundary



City of Largo



Scale: 1" = 600'

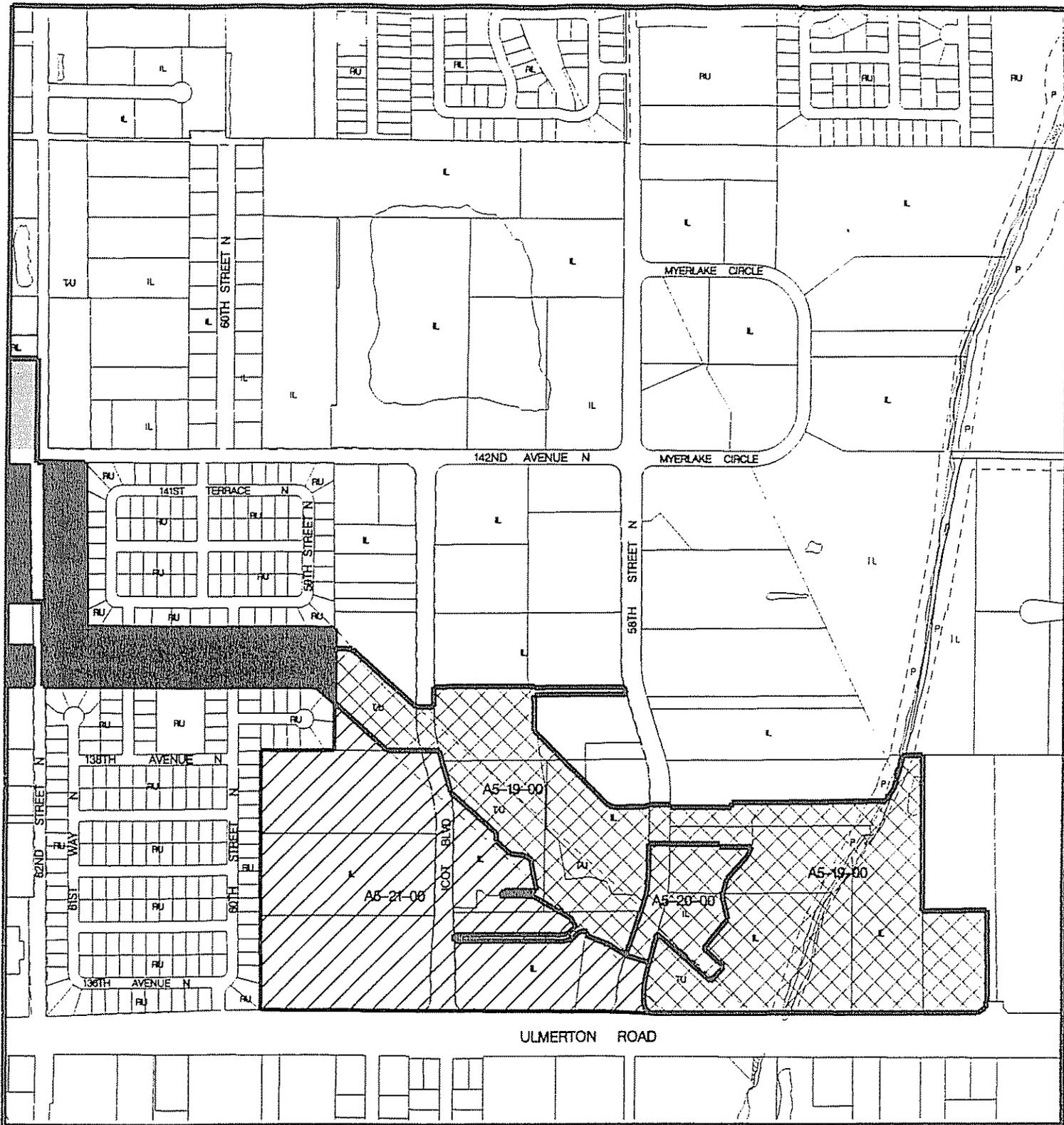


EXHIBIT "B"

EXISTING FUTURE LAND USE MAP

Ord. #: 2000-88 (Case #A5-21-00)
 Subject: Rubin Icot/Westfalia Annexation 3
 Location: 43016/77515/000/2200, 2500, 2501,
2502, & 2601.

-  Subject Property
-  TU Transportation /Utility
-  Residential Low Medium
-  P Preservation

-  IL Industrial Limited
-  RU Residential Urban
-  Largo City Limit
-  Future City of Largo



Scale: 1" = 600'

ORDINANCE NO. 2000 - 86

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, ANNEXING THE WITHIN DESCRIBED TRACT OF LAND LOCATED IN PINELLAS COUNTY, FLORIDA, DESCRIBED AS PARCEL ID NO. 04/30/16/77515/000/0100, 0200, 0201, 0301, 2100, 2600, 3100, 04/30/16/70902/300/1100, AND 1202, AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF LARGO, FLORIDA, PURSUANT TO THE PETITION AND APPLICATION OF THE LANDOWNER; WITH CITY LAND USE DESIGNATION OF INDUSTRIAL LIMITED, TRANSPORTATION/UTILITY AND PRESERVATION; REDEFINING THE CORPORATE BOUNDARY OF THE CITY OF LARGO TO INCLUDE SAID ADDITION, ACCORDING TO THE PROVISIONS OF CHAPTER 171, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 171, Florida Statutes, a petition by the landowner has been duly filed with the City Commission of Largo, Florida, seeking annexation of the property hereinafter described into the corporate limits of the City of Largo; and

WHEREAS, all requirements of Chapter 171 have been complied with, and the planning procedures set forth in the Interlocal Agreement between Pinellas County, Florida, and the cities of Largo, Pinellas Park, and St. Petersburg, Florida, dated November 13, 1990, have been met, it having appeared to the Largo City Commission that the owner of land within said area to be annexed voluntarily consented to such annexation, and that said petition should be approved by the affirmative vote of the Largo City Commission; now, therefore:

THE CITY OF LARGO HEREBY ORDAINS:

Section 1. That the City of Largo, acting by and through its City Commission, under the authority of Chapter 171, Florida Statutes, hereby annexes into the corporate limits of the City of Largo, Florida, and accordingly redefines the boundary of said city, so as to include the following:

All that tract or parcel of land lying and being in the County of Pinellas, Florida, to wit:

A PORTION OF LOTS 1-3, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOT 21, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOTS 25-27, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOTS 30-31, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOTS 10-12, OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, OF "PINELLAS GROVES", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR ICOT BOULEVARD, LYING IMMEDIATELY EAST OF, AND ADJACENT TO, LOT 21, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR 58TH STREET NORTH, LYING IMMEDIATELY EAST OF, AND ADJACENT TO, LOT 31, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALL LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST; THENCE RUN N 00°16'17" W, ALONG THE EAST BOUNDARY LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 5, SAID LINE ALSO BEING THE CENTERLINE OF 58TH STREET NORTH, A DISTANCE OF 211.39 FEET; LEAVING SAID EAST BOUNDARY LINE, THENCE RUN 135.94 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°31'09" E, AND A CHORD DISTANCE OF 135.48 FEET; THENCE RUN N 16°40'18" E, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 50.93 FEET; LEAVING SAID CENTERLINE, THENCE RUN N 73°19'42" W, A DISTANCE OF 49.90 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING [P.O.B.].

FROM THE POINT OF BEGINNING, RUN N 57°44'21" W, A DISTANCE OF 83.23 FEET; THENCE RUN N 68°06'04" W, A DISTANCE OF 119.44 FEET; THENCE RUN N 31°27'38" E, A DISTANCE OF 21.30 FEET; THENCE RUN 60.50 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 60.11 FEET, A CHORD BEARING OF S 72°50'15" W, AND A CHORD DISTANCE OF 57.98 FEET, TO A POINT OF REVERSE CURVATURE; THENCE RUN 71.15 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTH, HAVING A RADIUS OF 88.14 FEET, A CHORD BEARING OF S 67°06'30" W, AND A CHORD DISTANCE OF 69.23 FEET; THENCE RUN N 89°45'12" W, A DISTANCE OF 469.12 FEET; THENCE RUN 12.91 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF S 75°27'13" W, AND A CHORD DISTANCE OF 12.77 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ICOT BOULEVARD; THENCE RUN N 02°36'38" W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, A DISTANCE OF 33.49 FEET; LEAVING SAID EAST RIGHT-OF-WAY LINE, THENCE RUN 10.51 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTH, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF S 78°59'07" E, AND A CHORD DISTANCE OF 10.43 FEET; THENCE RUN S 89°45'12" E, A DISTANCE OF 472.98 FEET; THENCE RUN 48.55 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 60.15 FEET, A CHORD BEARING OF N 67°06'04" E, AND A CHORD DISTANCE OF 47.24 FEET, TO A POINT OF REVERSE CURVATURE; THENCE RUN 12.23 FEET, ALONG THE

ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 88.11 FEET, A CHORD BEARING OF N 48°50'49" E, AND A CHORD DISTANCE OF 12.22 FEET, TO A POINT OF REVERSE CURVATURE; THENCE RUN 27.71 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE WEST, HAVING A RADIUS OF 20.00 FEET, A CHORD BEARING OF N 13°09'03" E, AND A CHORD DISTANCE OF 25.55 FEET; THENCE RUN 32.26 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 46.00 FEET, A CHORD BEARING OF N 38°46'22" W, AND A CHORD DISTANCE OF 31.60 FEET; THENCE RUN N 60°00'00" W, A DISTANCE OF 192.79 FEET; THENCE RUN 7.79 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 15.00 FEET, A CHORD BEARING OF N 74°52'36" W, AND A CHORD DISTANCE OF 7.70 FEET; THENCE RUN N 89°45'12" W, A DISTANCE OF 142.44 FEET; THENCE RUN N 37°31'56" E, A DISTANCE OF 30.17 FEET; THENCE RUN S 89°45'12" E, A DISTANCE OF 146.00 FEET; THENCE RUN N 10°55'46" W, A DISTANCE OF 137.18 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 34.32 FEET; THENCE RUN N 83°29'28" W, A DISTANCE OF 67.81 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 85.00 FEET; THENCE RUN N 03°18'20" W, A DISTANCE OF 37.58 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 275.58 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD; THENCE RUN 24.54 FEET, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 517.00 FEET, A CHORD BEARING OF N 15°18'52" W, AND A CHORD DISTANCE OF 24.53 FEET; THENCE RUN N 16°40'26" W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, A DISTANCE OF 191.06 FEET; LEAVING SAID EAST RIGHT-OF-WAY LINE, THENCE RUN S 73°19'34" W, A DISTANCE OF 80.00 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, THE SAME ALSO BEING THE SOUTHEAST CORNER OF LOT 21, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN N 89°34'42" W, ALONG THE SOUTH PROPERTY LINE OF SAID LOT 21, A DISTANCE OF 147.59 FEET; LEAVING SAID SOUTH PROPERTY LINE, THENCE RUN N 48°18'20" W, A DISTANCE OF 321.40 FEET, TO A POINT ON THE WEST PROPERTY LINE OF SAID LOT 21; THENCE RUN N 00°23'46" W, ALONG THE WEST PROPERTY LINE OF SAID LOT 21, A DISTANCE OF 240.20 FEET; LEAVING SAID WEST PROPERTY LINE, THENCE RUN S 89°49'05" E, A DISTANCE OF 80.70 FEET; THENCE RUN S 48°18'20" E, A DISTANCE OF 383.76 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF ICOT BOULEVARD; LEAVING SAID WEST RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 80.00 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD; THENCE RUN N 00°16'17" W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, A DISTANCE OF 93.00 FEET; LEAVING SAID EAST RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 451.00 FEET; THENCE RUN S 00°16'17" E, A DISTANCE OF 7.50 FEET; THENCE RUN N 89°43'43" E, A DISTANCE OF 402.26 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; THENCE RUN 20.62 FEET, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 517.00 FEET, A CHORD BEARING OF S 14°24'58" E, AND A CHORD DISTANCE OF 20.62 FEET; LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, THENCE RUN S 89°43'43" W, A DISTANCE OF 407.30 FEET; THENCE RUN S 00°16'17" E, A DISTANCE OF 177.13 FEET; THENCE RUN S 45°16'17" E, A DISTANCE OF 469.33 FEET; THENCE RUN S 67°46'17" E, A DISTANCE OF 31.38 FEET; THENCE RUN N 89°43'43" E, A DISTANCE OF 137.15 FEET; THENCE RUN N 64°15'15" E, A DISTANCE OF 23.26 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 80.00 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH; THENCE RUN S 00°16'17" E, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 2.48 FEET; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 274.75 FEET; THENCE RUN N 00°16'17" W, A DISTANCE OF 23.00 FEET; THENCE RUN N 89°43'43" E, A DISTANCE OF 692.80 FEET, TO A POINT ON THE EAST PROPERTY LINE OF LOT 3, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN N 31°06'19" E, ALONG THE EAST PROPERTY LINE OF SAID LOT 3, A DISTANCE OF 74.24 FEET; THENCE RUN N 14°03'08" E, ALONG THE EAST PROPERTY LINE OF SAID LOT 3, A DISTANCE OF 40.31 FEET, TO THE EAST CORNER OF SAID LOT 3, THE SAME ALSO BEING

THE SOUTH CORNER OF LOT 8, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN N 14°03'08" E, ALONG THE EASTERLY PROPERTY LINE OF SAID LOT 8, A DISTANCE OF 109.61 FEET; LEAVING SAID EASTERLY PROPERTY LINE, THENCE RUN S 89°48'31" E, A DISTANCE OF 99.90 FEET, TO THE NORTHEAST CORNER OF LOT 11, OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, OF "PINELLAS GROVES", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN S 00°36'32" E, ALONG THE EAST PROPERTY LINE OF SAID LOT 11, A DISTANCE OF 709.06 FEET; LEAVING SAID EAST PROPERTY LINE, THENCE RUN S 89°45'07" E, A DISTANCE OF 289.50 FEET; THENCE RUN S 00°42'09" E, A DISTANCE OF 401.64 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ULMERTON ROAD [STATE ROAD 688]; THENCE RUN S 89°37'53" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, A DISTANCE OF 4.68 FEET; THENCE RUN S 00°22'07" E, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, A DISTANCE OF 25.00 FEET; THENCE RUN S 52°05'43" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, A DISTANCE OF 49.19 FEET; THENCE RUN N 89°45'07" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, A DISTANCE OF 246.24 FEET; THENCE RUN N 89°50'01" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, A DISTANCE OF 642.31 FEET, TO THE SOUTHEAST CORNER OF LOT 1, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN N 89°45'12" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, THE SAME ALSO BEING THE SOUTH PROPERTY LINE OF SAID LOT 1, A DISTANCE OF 573.25 FEET; LEAVING SAID NORTH RIGHT-OF-WAY LINE, THENCE RUN 78.09 FEET, ALONG THE SOUTHWESTERLY PROPERTY LINE OF SAID LOT 1, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 50.00 FEET, A CHORD BEARING OF N 45°00'44" W, AND A CHORD DISTANCE OF 70.39 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; THENCE RUN N 00°16'17" W, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 0.95 FEET; THENCE RUN 183.01 FEET, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE EAST, HAVING A RADIUS OF 661.00 FEET, A CHORD BEARING OF N 07°39'36" E, AND A CHORD DISTANCE OF 182.42 FEET; THENCE RUN N 15°35'31" E, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 132.50 FEET; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN S 48°18'20" E, A DISTANCE OF 318.15 FEET; THENCE RUN N 41°41'40" E, A DISTANCE OF 89.00 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 122.00 FEET; THENCE RUN N 38°58'05" E, A DISTANCE OF 168.19 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 105.26 FEET; THENCE RUN N 14°53'54" E, A DISTANCE OF 81.94 FEET; THENCE RUN N 42°29'38" E, A DISTANCE OF 132.32 FEET; THENCE RUN N 24°30'19" E, A DISTANCE OF 49.64 FEET; THENCE RUN S 89°43'43" W, A DISTANCE OF 143.60 FEET; THENCE RUN N 00°16'17" W, A DISTANCE OF 12.00 FEET; THENCE RUN S 89°43'43" W, A DISTANCE OF 223.11 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN S 89°43'43" W, A DISTANCE OF 80.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH; THENCE RUN S 00°16'17" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 140.43 FEET; THENCE RUN 146.92 FEET, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 437.00 FEET, A CHORD BEARING OF S 09°21'36" W, AND A CHORD DISTANCE OF 146.23 FEET; THENCE RUN S 18°59'33" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 235.57 FEET, TO THE POINT OF BEGINNING.

CONTAINING 1,909,428.63 SQUARE FEET, OR 43.8344 ACRES, MORE OR LESS.

ALSO KNOWN AS TAX ROLL PARCEL ID NUMBER 04/30/16/77515/000/0100, 0200, 0201, 0301, 2100, 2600, 3100, 04/30/16/70902/300/1100, AND 1202, AND AS DEPICTED IN EXHIBIT "A."

Section 2. That the above-described property shall be annexed with a land use designation of Industrial Limited, Transportation/Utility and Preservation, pursuant to the land use in the Pinellas County Future Land Use Map, and as generally depicted on Exhibit "B."

Section 3. That the Largo City Commission hereby formally and according to law accepts the dedication of all easements, streets, parks, plazas, places, rights-of-way, and other dedications to the public which have heretofore been made by plat, deed, or user within the area so annexed.

Section 4. That it is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 5. That this Ordinance shall take effect on September 30, 2000. However, if the Board of County Commissioners fails to act on ICOT's proposed NOPC on September 26, 2000, the effective date shall be October 30, 2000.

APPROVED ON FIRST READING July 18, 2000

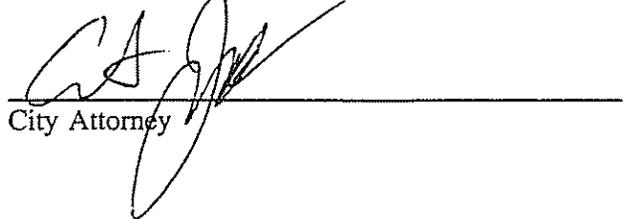
PASSED AND ADOPTED ON
SECOND AND FINAL READING September 19, 2000

ATTEST:

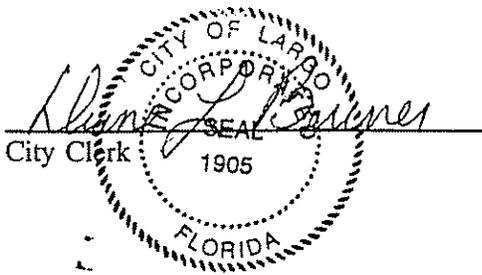


Mayor

REVIEWED AND APPROVED:



City Attorney



SEAL

A TRUE AND CORRECT COPY ON
RECORD AND FILE IN THE OFFICIAL
RECORDS OF THE CITY OF LARGO,
FLORIDA

BY 
City Clerk's Office

DATE 5/15/01

TIME 8:56 AM _____ PM

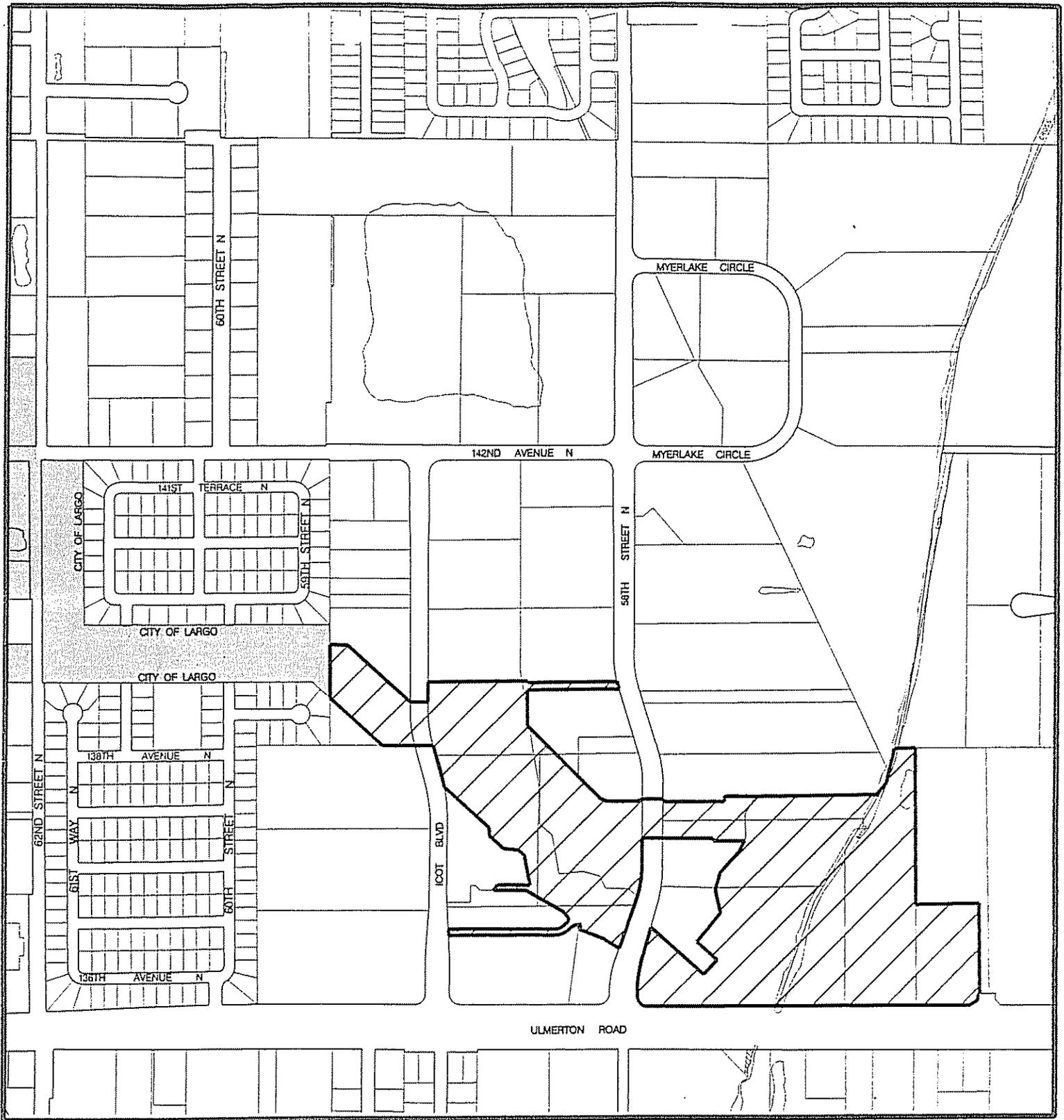


EXHIBIT "A"

Ord. #: 2000-86 (Case #A5-19-00)

Subject: Rubin Icot/Westfalia Annexation-1

Location: 04/30/16/77515/0000100, 0200, 0201,
0301, 2100, 2600, & 3100.
04/30/16/70902/3001100 & 1202



Subject Property



City of Largo



Scale: 1" = 600'

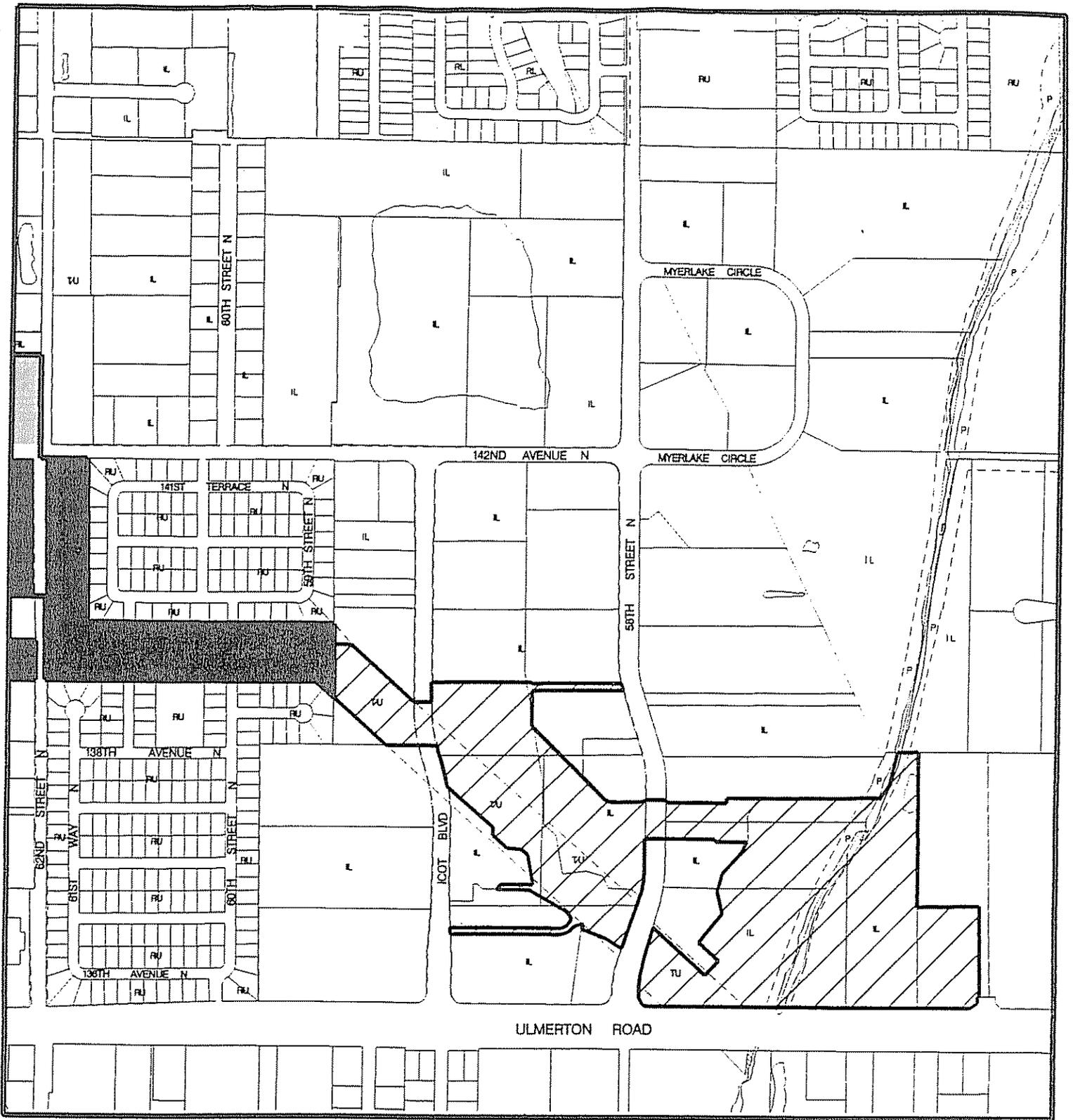


EXHIBIT "B"

EXISTING FUTURE LAND USE MAP

Ord. #: 2000-86 (Case #A5-19-00)
 Subject: Rubin Icot/Westfalia Annexation 1
 Location: 43016/77515/0000100, 0200, 0201,
 0301, 2100, 2600 & 3100.
 43016/70902/3001100/& 1202.

-  Subject Property
-  TU Transportation /Utility
-  Residential Low Medium
-  P Preservation
-  IL Industrial Limited
-  RU Residential Urban
-  Largo City Limit



Scale: 1" = 600'

ORDINANCE NO. 2000 - 87

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, ANNEXING THE WITHIN DESCRIBED TRACT OF LAND LOCATED IN PINELLAS COUNTY, FLORIDA, DESCRIBED AS PARCEL ID NO. 04/30/16/77515/000/0101, AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF LARGO, FLORIDA, PURSUANT TO THE PETITION AND APPLICATION OF THE LANDOWNER; WITH CITY LAND USE DESIGNATION OF INDUSTRIAL LIMITED, AND TRANSPORTATION/UTILITY; REDEFINING THE CORPORATE BOUNDARY OF THE CITY OF LARGO TO INCLUDE SAID ADDITION, ACCORDING TO THE PROVISIONS OF CHAPTER 171, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 171, Florida Statutes, a petition by the landowner has been duly filed with the City Commission of Largo, Florida, seeking annexation of the property hereinafter described into the corporate limits of the City of Largo; and

WHEREAS, all requirements of Chapter 171 have been complied with, and the planning procedures set forth in the Interlocal Agreement between Pinellas County, Florida, and the cities of Largo, Pinellas Park, and St. Petersburg, Florida, dated November 13, 1990, have been met, it having appeared to the Largo City Commission that the owner of land within said area to be annexed voluntarily consented to such annexation, and that said petition should be approved by the affirmative vote of the Largo City Commission; now, therefore:

THE CITY OF LARGO HEREBY ORDAINS:

Section 1. That the City of Largo, acting by and through its City Commission, under the authority of Chapter 171, Florida Statutes, hereby annexes into the corporate limits of the City of Largo, Florida, and accordingly redefines the boundary of said city, so as to include the following:

All that tract or parcel of land lying and being in the County of Pinellas, Florida, to wit:

A PORTION OF LOTS 1 AND 2, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR 58TH STREET NORTH, LYING IMMEDIATELY WEST OF, AND ADJACENT TO, LOTS 1 AND 2, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALL LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST; THENCE RUN N 00°16'17" W, ALONG THE EAST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5, SAID LINE ALSO BEING THE CENTERLINE OF 58TH STREET NORTH, A DISTANCE OF 211.39 FEET; LEAVING SAID EAST BOUNDARY LINE, THENCE RUN 135.94 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°31'09" E, AND A CHORD DISTANCE OF 135.48 FEET; THENCE RUN N 16°40'18" E, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 50.93 FEET; LEAVING SAID CENTERLINE, THENCE RUN N 73°19'42" W, A DISTANCE OF 49.90 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING [P.O.B.].

FROM THE POINT OF BEGINNING, RUN S 77°06'50" E, A DISTANCE OF 94.85 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; THENCE RUN N 15°35'31" E, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 132.50 FEET; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN S 48°18'20" E, A DISTANCE OF 318.15 FEET; THENCE RUN N 41°41'40" E, A DISTANCE OF 89.00 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 122.00 FEET; THENCE RUN N 38°58'05" E, A DISTANCE OF 168.19 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 105.26 FEET; THENCE RUN N 14°53'54" E, A DISTANCE OF 81.94 FEET; THENCE RUN N 42°29'38" E, A DISTANCE OF 132.32 FEET; THENCE RUN N 24°30'19" E, A DISTANCE OF 49.64 FEET; THENCE RUN S 89°43'43" W, A DISTANCE OF 143.60 FEET; THENCE RUN N 00°16'17" W, A DISTANCE OF 12.00 FEET; THENCE RUN S 89°43'43" W, A DISTANCE OF 223.11 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN S 89°43'43" W, A DISTANCE OF 80.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH; THENCE RUN S 00°16'17" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 140.43 FEET; THENCE RUN 146.92 FEET, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 437.00 FEET, A CHORD BEARING OF S 09°21'36" W, AND A CHORD DISTANCE OF 146.23 FEET; THENCE RUN S 18°59'33" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 235.57 FEET, TO THE POINT OF BEGINNING.

CONTAINING 185,342.91 SQUARE FEET, OR 4.2549 ACRES, MORE OR LESS.

ALSO KNOWN AS TAX ROLL PARCEL ID NUMBER 04/30/16/77515/000/0101, AND AS DEPICTED IN EXHIBIT "A."

Section 2. That the above-described property shall be annexed with a land use designation of Industrial Limited, and Transportation/Utility, pursuant to the land use in the Pinellas County Future Land Use Map, and as generally depicted on the map at Exhibit "B."

Section 3. That the Largo City Commission hereby formally and according to law accepts the dedication of all easements, streets, parks, plazas, places, rights-of-way, and other dedications to the public which have heretofore been made by plat, deed, or user within the area so annexed.

Section 4. That it is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 5. That this Ordinance shall take effect on September 30, 2000. However, if the Board of County Commissioners fails to act on ICOT's proposed NOPC on September 26, 2000, the effective date shall be October 30, 2000.

APPROVED ON FIRST READING July 18, 2000

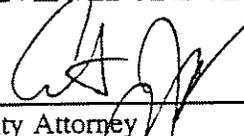
PASSED AND ADOPTED ON
SECOND AND FINAL READING September 19, 2000

ATTEST:



Mayor

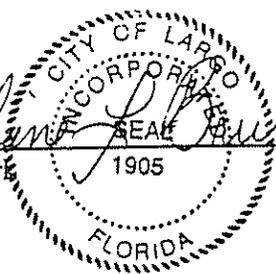
REVIEWED AND APPROVED:



City Attorney



City Clerk



CITY OF LARGO
INCORPORATED
1905
FLORIDA

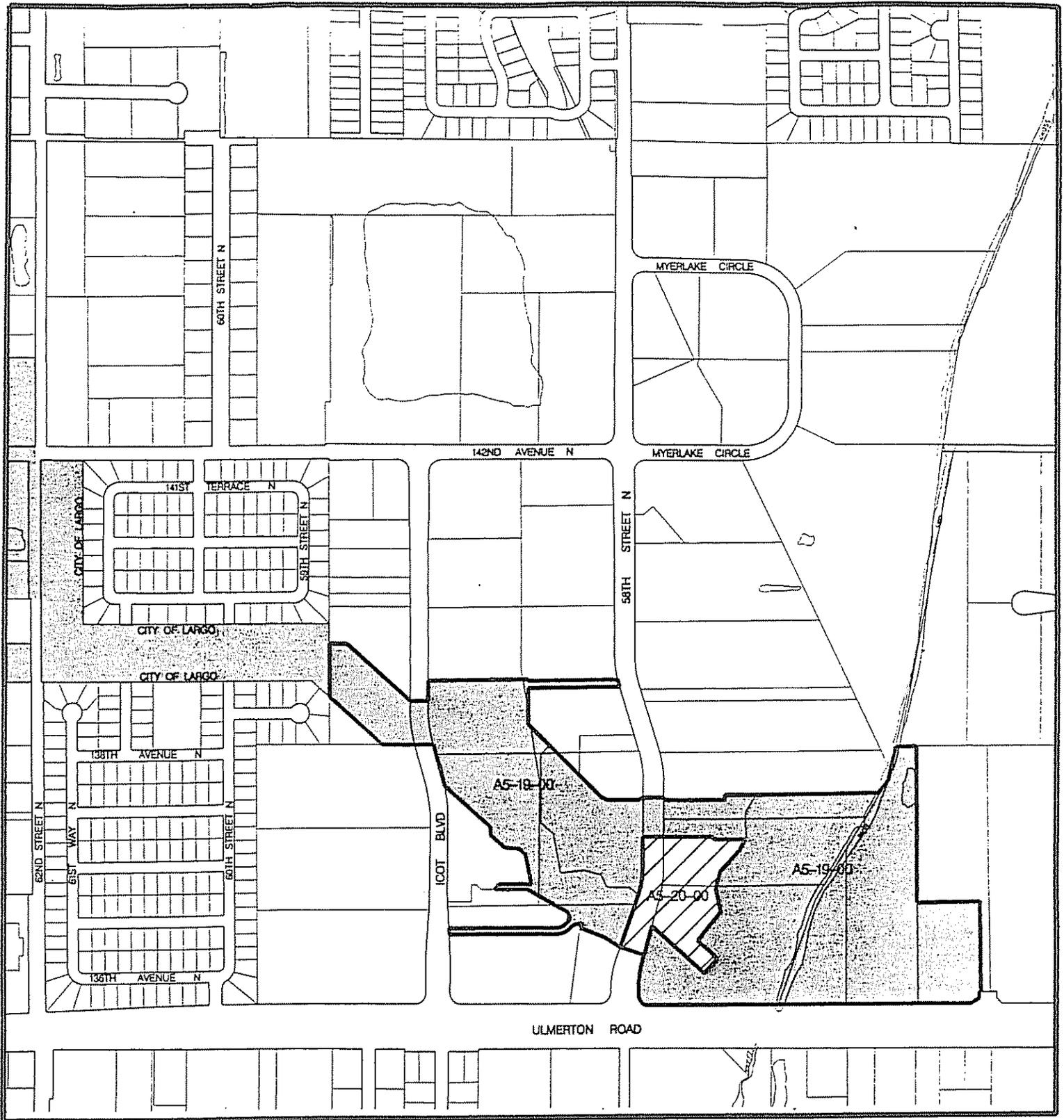


EXHIBIT "A"

Ord. #: 2000-87 (Case #A5-20-00)

Subject: Rubin Icot/Westfalia Annexation 2

Location: 13575 58th Street N

043016775150000101



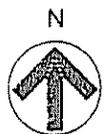
Subject Property



Future City of Largo Boundary



City of Largo



Scale: 1" = 600'

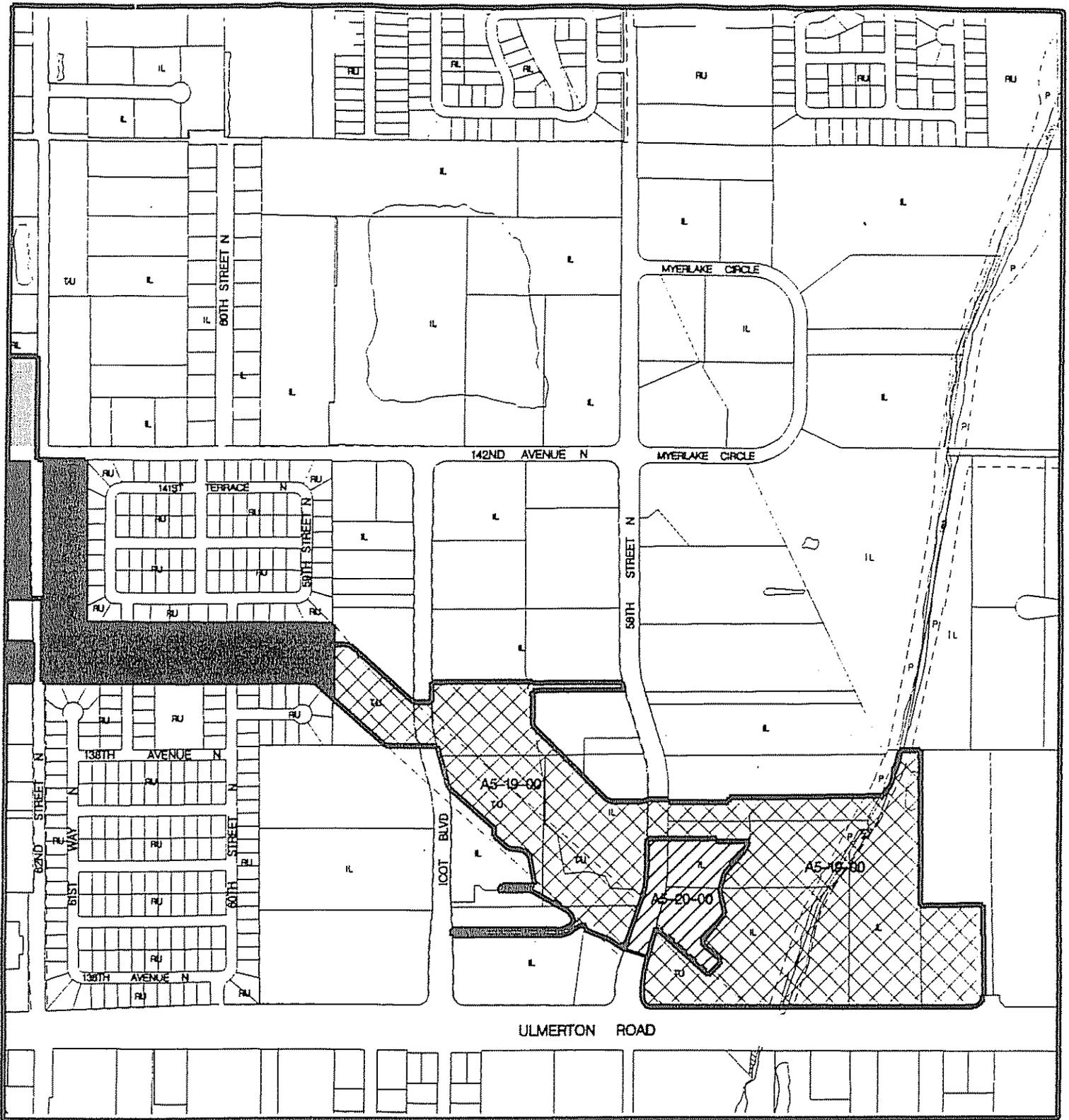


EXHIBIT "B"

EXISTING FUTURE LAND USE MAP

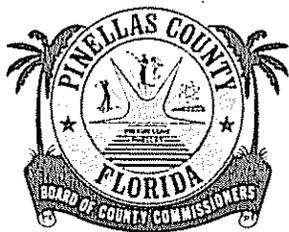
Ord. #: 2000-87 (Case #A5-20-00)
 Subject: Rubin Icot/Westfalia Annexation 2
 Location: 13575 58th Street N
 43016775150000101

-  Subject Property
-  TU Transportation /Utility
-  Residential Low Medium
-  P Preservation

-  IL Industrial Limited
-  RU Residential Urban
-  Largo City Limit
-  Future City of Largo



Scale: 1" = 600'



BOARD OF COUNTY COMMISSIONERS
Development Review Services Department

Working Together to Serve You Better

COMMISSIONERS

SALLIE PARKS - CHAIRMAN
ROBERT B. STEWART - VICE CHAIRMAN
CALVIN D. HARRIS
KAREN WILLIAMS SEEL
BARBARA SHEEN TODD

November 9, 2000

John Meyer
Tampa Bay Regional Planning Council
9455 Koger Boulevard, Suite 219
St. Petersburg, FL 33702

Re: ICOT Center Development - Ordinance No. 00-74

Dear Mr. Meyer,

Please disregard the previously sent copy of the Development Order for the ICOT Center DRI. The previous was a copy rather than an original certification. Enclosed please find the original certified Development Order.

Sincerely,

Al Navaroli
DRS Manager

F:\USERS\DRS\ZONING\NAVAROLI\00-11-09.wpd\ts

ORDINANCE NO. 00-74

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, AMENDING PINELLAS COUNTY ORDINANCE 89-6, AS AMENDED, RESTATED, AND RATIFIED BY ORDINANCES 94-69, 94-73 AND 99-7, THE DEVELOPMENT ORDER FOR THE ICOT CENTER DEVELOPMENT OF REGIONAL IMPACT, PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTICE OF PROPOSED CHANGE APPLICATION, FILED BY ICOT LAND, LTD., PROPOSING TO REVISE THE APPROVED LAND USE SCHEDULE AND EXTEND THE BUILD-OUT DATE; PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR GENERAL PROVISIONS INCLUDING APPROVAL OF THE NOPC; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Pinellas County Board Of County Commissioners (the "Board"), on February 14, 1989, issued Development of Regional Impact ("DRI") development order approval, pursuant to Chapter 380.06, Florida Statutes, for the Rubin ICOT Center DRI, DRI #177, now known as ICOT Center DRI, (hereinafter referred to as the "Development"), pursuant to Pinellas County Ordinance 89-6; and

WHEREAS, the Board, on August 2, 1994, adopted Ordinance 94-69 which accomplished an amendment of Ordinance 89-6, but which may have been improperly advertised, and

WHEREAS, the Board, on August 30, 1994, to assure that the amendment of Ordinance 89-6 as accomplished by Ordinance 94-69 was effective and immune from challenge because of possible advertising deficiencies, adopted Ordinance 94-73; and

WHEREAS, upon its adoption, Ordinance 94-73 superseded and replaced in its entirety the development order adopted pursuant to Ordinance 89-6, as amended by Ordinance 94-69, and

WHEREAS, the Board, on January 26, 1999, adopted Ordinance 99-7 which further amended Ordinance 94-73; and

WHEREAS, on April 13, 2000, ICOT Land, Ltd., a Florida limited partnership ("ICOT"), the owner of certain undeveloped areas of the Development, filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact ("DRI") Subsection 380.06(19), Florida Statutes," Form RPM-BSP-PROPCHANGE-1, (the "NOPC") with the County, with copies provided to the Tampa Bay Regional Planning Council ("TBRPC") and the Department of Community Affairs ("DCA"); and

WHEREAS, the changes proposed in the NOPC include (i) amendment of the land use schedule for the DRI increase office space and simultaneously decrease

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2000 OCT 6 AM 10:36
DINA LECHE, CLERK
TAMPA BAY REGIONAL PLANNING COUNCIL
FLORIDA

commercial/retail space and industrial park space, and (ii) a five-year extension of the build-out date (collectively, the "Proposed Changes"); and

WHEREAS, certain of the Proposed Changes, are presumed to create a substantial deviation, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the NOPC has satisfactorily addressed all regional issues related to the Development and any presumption of a substantial deviation has been rebutted; and

WHEREAS, the Board, as the governing body of the local government having jurisdiction pursuant to Chapter 380, is authorized and empowered to consider applications for proposed changes to previously approved DRIs; and

WHEREAS, the public notice requirements of Chapter 380 and the County have been satisfied; and

WHEREAS, the Board has held a duly noticed public hearing on the NOPC and heard and considered testimony and documents received thereon; and

WHEREAS, the County has solicited, received, and considered reports, comments and recommendations from interested citizens, the County and state and regional agencies; and

WHEREAS, the Board has received a recommendation from the Pinellas Land Planning Agency, the findings of which determine that the Proposed Changes and this Ordinance are consistent with the adopted Comprehensive Plan for Pinellas County, Florida; and

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

This Ordinance, together with Ordinances 94-73 and 99-7, constitutes the ICOT Center DRI Development Order ("Development Order").

ARTICLE 1. FINDINGS OF FACT.

The Board, having received the NOPC, and having received all related comments, testimony, and evidence submitted by ICOT, appropriate reviewing agencies and the public, finds there is substantial competent evidence to support the following findings of fact:

Section 1.1. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 1.2. ICOT, the owner of certain undeveloped areas of the Development, submitted the NOPC to the County.

Section 1.3. The property which is the subject of the NOPC and which describes the area of Development is legally described as set forth in Exhibit "A" (hereinafter referred to as "Property").

Section 1.4. The NOPC proposes to add conversion ratios and to modify the transportation mitigation provisions and certain other related provisions.

Section 1.5. The Proposed Changes are not located in an area of critical state concern, designated as such pursuant to Section 380.05, Florida Statutes (1993).

Section 1.6. Subject to review under the County's Vested Rights Ordinance, Ordinance 89-6, as amended by and restated in Ordinances 94-69 and 94-73, and amended by Ordinance 99-7, is a valid final development order within the provisions of Section 163.3167(8), Florida Statutes.

ARTICLE 2. CONCLUSIONS OF LAW.

The Board, having made the above findings of fact, reaches the following conclusions of law:

Section 2.1. The Development as built to date is consistent with the local comprehensive plan and local land development regulations under which it was developed.

Section 2.2. The Development, as modified herein, and as depicted on the Revised Map H, Master Plan, dated March 13, 2000, attached hereto as Exhibit "B," will not interfere with the achievement of the objectives of the adopted state land development plan applicable to the area.

Section 2.3. The Proposed Changes are consistent with the adopted local comprehensive plan and the local land development regulations currently in effect.

Section 2.4. Review of the NOPC by the County, TBRPC, and DCA reveals that impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Ordinance.

Section 2.5. The County, having considered the Proposed Changes, concludes that such changes individually and cumulatively do not constitute a substantial deviation requiring further DRI review, pursuant to Chapter 380, Florida Statutes, and as a result, subject to review under the County's Vested Rights Ordinance, nothing herein shall

limit or modify the rights originally approved by Ordinance 94-73 or the protection afforded under Section 163.3167, Florida Statutes.

Section 2.6. Subject to review under the County's Vested Rights Ordinance, and provided that the transportation provisions of the ICOT Center DRI Development Order, as the same is amended from time to time, are complied with, the ICOT Center DRI is vested against the transportation provisions of Ordinance 89-69, as amended, all subject to compliance with the ICOT Center DRI Development Order. Timely payment of impact fees is specifically required to maintain this vesting.

ARTICLE 3 GENERAL PROVISIONS.

Section 3.1. Approval of the NOPC and Amendment of Existing Development Order

3.1.1. NOPC Approval: These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the NOPC is hereby approved, subject to the conditions, restrictions and limitations set forth herein.

3.1.2. Based on the foregoing findings of fact and conclusions of law, this Ordinance, amends Ordinance 94-73, as amended by Ordinance 99-7. This Ordinance, Ordinance 94-73 and Ordinance 99-7 constitute the Development Order for the ICOT Center DRI ("Development Order").

Section 3.2. Subsection 3.2.2, of Ordinance 94-73, regarding Exhibit "B," the adopted Revised Map H, is hereby amended to read:

3.2.2 The Revised Map H, dated March 13, 2000, attached hereto and made a part hereof as Exhibit "B," is hereby approved and adopted and becomes part of the Development Order. This Revised Map H supersedes any prior approved maps for the Development.

Section 3.4. Subsection 3.3.2, of Ordinance 94-73, The Name of the Development and the Developer, is hereby amended to read:

3.3.2. The Developer is ICOT Land Ltd., hereinafter referred to as the "Developer," which can be located at 13925 58th Street North, Clearwater, Florida 33760. The Developer agrees that its authorized agent shall be Marvin Slovacek. Mr. Slovacek can be located at the above address. The Developer may change its address and authorized agent by notifying the County, TBRPC, and DCA in writing and such change shall not require an amendment to this Development Order.

Section 3.5. Section 3.8.1 of Ordinance 94-73, is hereby amended to read:

Section 3.8.1. This Development Order shall remain in effect through December 31, 2004, the build-out date. Any development activity for which plans have been submitted to the County for its review and approval no later than 60 days prior to the expiration of this Development Order may, upon receipt of approval, be completed, regardless of when such approval is ultimately issued, subject to review by any applicable Pinellas County vested rights administrative process in operation at the expiration of this Development Order. This Development Order may be extended by the Board on a finding of excusable delay in any proposed development activity, subject to the provisions of Section 380.06(19), Florida Statutes. This section is not to be construed as a waiver of any development rights which may arise at law or at equity as a result of this Development Order.

ARTICLE 4. SEVERABILITY.

If any Section, Subsection, sentence, clause, phrase or provision of this Ordinance is for any reason held invalid, or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional. Findings of Facts or Conclusions of Law in this Ordinance are not dispositive for purposes of collateral quasi-judicial proceedings.

ARTICLE 5. FILING OF ORDINANCE; EFFECTIVE DATE.

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Manager of Board Records within ten (10) days after enactment by the Board. This Ordinance shall become effective upon receipt of notice of such filing, or, if an appeal is filed, at the conclusion of such appeal, whichever is later.

ARTICLE 6. RENDERING

This Development Order shall be deemed rendered upon transmittal of copies of this Development Order to the recipients specified in Chapter 380 Florida Statutes.

ARTICLE 7. NOTICE OF ADOPTION

The Developer shall record a notice of adoption of this Development Order amendment as required pursuant to Chapter 380, Florida Statutes.

PASSED AND ORDAINED BY THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS.

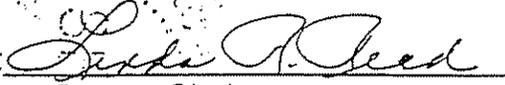


CHAIRMAN,
BOARD OF COUNTY COMMISSIONERS

ATTEST: KARLEEN F. DeBLAKER, CLERK



APPROVED AS TO FORM
OFFICE OF THE COUNTY ATTORNEY

By: 
Deputy Clerk

07/26/00 3:27 PM d-1
38232.102134
#211059 v2 - ICOT 2000 NOPC/Ordinance

EXHIBIT "A"
TO ORDINANCE NO. 00- 74

LEGAL DESCRIPTION

LEGAL DESCRIPTION

PARCEL I: All of Lot 8, all of Lot 9, that portion of Lot 10 lying West of Cross Bayou, and that portion of Lot 11 lying West and North of Cross Bayou, Pinellas Groves Subdivision, all in the Southwest 1/4 of Section 4, Township 30 South, Range 16 East, as recorded in Plat Book 1, Page 55, Public Records of Pinellas County, Florida: LESS that part lying within 120 feet of survey line of State Road S-688, Section 15120, as described in order of taking recorded in O.R. Book 2061, Page 344 (Clerk's Instrument No. 251226B), Public Records of Pinellas County, Florida.

AND

PARCEL II: The Northwest 1/4 of Southwest 1/4 of Section 4, Township 30 South, Range 16 East, LESS that part East of Cross Bayou, Pinellas County, Florida.

AND

PARCEL III: That part of the Northeast 1/4 of the Southwest 1/4 of Section 4, Township 30 South, Range 16 East, lying West of Cross Bayou Canal, Pinellas County, Florida.

AND

PARCEL IV: The Southwest 1/4 of the Northwest 1/4, LESS the North 1/4 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 4, Township 30 South, Range 16 East, Pinellas County, Florida.

AND

PARCEL V: That part of Lots 12 and 13 in the Northwest 1/4 of Section 4, Township 30 South, Range 16 East, lying West and North of Cross Bayou, as shown on plat of Pinellas Groves, Pinellas County, Florida; TOGETHER with any and all riparian rights appertaining thereto.

AND

PARCEL VI: The East 1/2 of Lot 11, all of Lot 12, all of Lot 13, all of Lot 14, and all of Lot 15, Pinellas Groves Subdivision, all in the Southeast 1/4 of the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, as recorded in Plat Book 1, Page 55, Public Records of Pinellas County, Florida: LESS that part lying within 120 feet of survey line of State Road S-688, Section 15120, as described in order of taking recorded in O.R. Book 2061, Page 344 (Clerk's Instrument No. 251226B), Pinellas County records.

AND

PARCEL VII: The Northeast 1/4 of the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, Pinellas County, Florida.

AND

PARCEL VIII: Beginning at the Southeast corner of said Lot 14; thence N 89°49'02" W, along the South line of said Lots 14, 13, 12 and 11 (said line being 15.00 feet North of and parallel to the South line of said quarter section), 1335.00 feet to the West line of the East 22.00 feet of said Lot 11; thence N 00°26'47" W, along said West line, 215.01 feet to the North line of the South 215.00 feet of said Lot 11; thence, S 89°49'02" E, along said North line 22.00 feet to the West line of said Lot 12, thence N 00°26'47" W, along said West line, 524.14 feet to the South line of the North 310.00 feet of the South 8.0 acres of said Lot 12; thence S 89°49'02" E, along said South line 10.00 feet to the East line of the West 10.00 feet of said Lot 12; thence N 00°26'47" W, along said East line 310.02 feet to the North line of the South 8.0 acres of said Lot 12; thence N 89°49'02" W, along said North line 10.00 feet to the East line of said Lot 11; thence N 00°26'47" W, along said East line, 4.03 feet to the North line of the South 1053.16 feet of said Lot 11; thence N 89°49'02" W along said North line, 332.34 feet to the West line of said Lot 11; thence N 00°27'55" W along said West line 348.20 feet to the Northwest corner of said Lot 11; thence S 89°33'07" E along the North line of said Lots 11, 12, 13 and 15, 1647.39 feet to the Northeast corner of said Lot 15; thence S 00°22'18" E along the East line of said Lots 15 and 14 (said line being 15.00 feet West of and parallel to the East line of said quarter section), 1393.76 feet to the Point of Beginning.

AND

PARCEL IX: The West 1/2 of Lot 11 in the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, Pinellas Groves, as recorded in Plat Book 1, Page 55, of the Public Records of Pinellas County, Florida, Less Ulmerton Road right-of-way.

Containing 243.71 acres more or less.

Subject to any easements, restrictions and rights-of-way of record.

AND

The South eight (8) acres of Lot 11, PINELLAS GROVES, in the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida, LESS the East 22 feet of the South 215 feet of said lot 11; and

the North 210 feet of the West 10 feet of the South eight (8) acres of Lot 12, PINELLAS GROVES, in the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida; and

The North 4 feet of South 1,053.16 feet of Lot 11, PINELLAS GROVES, in the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida,

EXHIBIT "B"
TO ORDINANCE NO. 00- 74

REVISED MAP H, DATED MARCH 13, 2000

STATE OF FLORIDA

COUNTY OF PINELLAS

I, KARLEEN F. De BLAKER, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on September 26, 2000 relative to:

ORDINANCE NO. 00-74

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, AMENDING PINELLAS COUNTY ORDINANCE 89-6, AS AMENDED, RESTATED, AND RATIFIED BY ORDINANCES 94-69, 94-73 AND 99-7, THE DEVELOPMENT ORDER FOR THE ICOT CENTER DEVELOPMENT OF REGIONAL IMPACT, PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTICE OF PROPOSED CHANGE APPLICATION, FILED BY ICOT LAND, LTD., PROPOSING TO REVISE THE APPROVED LAND USE SCHEDULE AND EXTEND THE BUILD-OUT DATE; PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR GENERAL PROVISIONS INCLUDING APPROVAL OF THE NOPC; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 4 day of October, 2000.

KARLEEN F. De BLAKER
Clerk of the Circuit Court
and Ex-officio Clerk to the
Board of County Commissioners

By: 
Linda R. Reed, Deputy Clerk

(SEAL)

FILED
2000 OCT -6 AM 11:36
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA



Gulf Coast Consulting, Inc.

Land Development Consulting • Engineering • Planning • Transportation • Permitting

ICOT Center
13825 ICOT Boulevard, Suite 605
Clearwater, FL 33760
Phone: (727) 524-1818
Fax: (727) 524-6090

September 23, 2004

Mr. John Meyer, DRI Coordinator
Tampa Bay Regional Planning Council
4000 Gateway Centre Boulevard, Suite 100
Pinellas Park, FL 33782

Re: ICOT Center DRI Annual Report (DRI # 177)

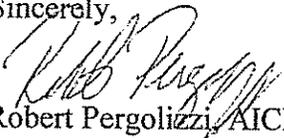
Dear Mr. Meyer:

Per our conversation this correspondence is to confirm that the developer has implemented the trade-off mechanism contained in Map H, Note # 5 and Section 3.2.3 of the Amended Development Order (Ordinance # 2002-79) that permits the trade-off of office space for multi-family units on Lots 15-19. The approved conversion ratio is 1,000 s.f. of office space = 2.4 multi-family units.

During the reporting year the developer began construction on 288-multi-family units, which results in a corresponding reduction of 120,000 s.f. of "planned" office space on Lots 15-19.

I hope this information is useful in preparing your report summary.

Sincerely,


Robert Pergolizzi, AICP
Principal

Cc Michael Staffopoulos, City of Largo
Patricia Scuderi, ICOT Center, Ltd.
Tim Johnson
03-012

JOHNSON, POPE, BOKOR, RUPPEL & BURNS, LLP
ATTORNEYS AND COUNSELLORS AT LAW

E. D. ARMSTRONG III
BRUCE H. BOKOR
JOHN R. BONNER, SR.*
GUY M. BURNS
JONATHAN S. COLEMAN
STACY COSINER
MICHAEL T. CRONIN
ELIZABETH J. DANIELS
BECKY FERRELL-ANTON

COLLEEN M. FLYNN
MARION HALE
SCOTT C. ILGENFRITZ
FRANK R. JAKES
TIMOTHY A. JOHNSON, JR.
SHARON E. KRICK
ROGER A. LARSON
JOHN R. LAWSON, JR.*
LEANNE LETIZE

MICHAEL G. LITTLE
MICHAEL C. MARKHAM
ZACHARY D. MESSA
A.R. "CHARLIE" NEAL
TROY J. PERDUE
F. WALLACE POPE, JR.
ROBERT V. POTTER, JR.
AUDREY B. RAUCHWAY
DARRYL R. RICHARDS

PETER A. RIVELLINI
DENNIS G. RUPPEL*
CHARLES A. SAMARKOS
PHILIP M. SHASTREN
JOAN M. VECCHIOLI
STEVEN H. WEINBERGER
JOSEPH J. WEISSMAN
STEVEN A. WILLIAMSON
*OF COUNSEL

PLEASE REPLY TO CLEARWATER

FILE NO. 43983.108477

July 22, 2004

Mr. Michael J. Staffopoulos, Director
Department of Community Development
201 Highland Avenue, Bldg 1,
P.O. Box 296
Largo, FL 33779

Re: ICOT Center DRI

Dear Mr. Staffopoulos:

We represent ICOT Land, Ltd., the Developer of ICOT Center DRI. Pursuant to Subsection 3.2.3. and Section 6.D.6. of the development order for ICOT Center DRI, request is hereby made on behalf of the Developer for approval by the City of Largo of the conversion of 34,124 square feet of Industrial use into 14,912 square feet of Office use, utilizing the tradeoff ratio of 1 to 0.437 provided in the development order.

The Industrial square footage sought to be converted is comprised of unused Industrial entitlements on Lots 7-14 (24,200 square feet) and Lot 20 (9,924 square feet). This square footage of Industrial is intended to be transferred by the Developer to Lot 28, then converted by the contract purchaser thereof into 14,912 square feet of Office use.

Please call the undersigned if you have any questions.

Sincerely,

Timothy A. Johnson, Jr.

CC: Tampa Bay Regional Planning Council via facsimile
Florida Department of Community Affairs via facsimile
Robert Williams, Esquire via facsimile
Ms. Beth Wohlwend via facsimile

Signed in Attorney's
Absence To Prevent
Delay in Mailing.

CLEARWATER OFFICE
911 CHESTNUT ST
POST OFFICE BOX 1768
CLEARWATER, FLORIDA 33757-1768
TELEPHONE: (727) 461-1518
TELECOPIER: (727) 462-0365

TAMPA OFFICE
100 N. TAMPA ST.
SUITE 1800
POST OFFICE BOX 1100
TAMPA, FLORIDA 33601-1100
TELEPHONE: (813) 225-2500
TELECOPIER: (813) 297-7118

#177



City of Largo, Florida
Post Office Box 296, Largo, Florida 33779-0296

August 30, 2002

Mr. John Meyer
Tampa Bay Regional Planning Council
9455 Koger Blvd.
Suite 219
St. Petersburg, FL 33702

RE: Amended Development Order for ICOT Center

Dear Mr. Meyer:

I have enclosed certified copies of Ordinance Nos. 2002-78 and 2002-79 regarding the ICOT Center. These Ordinances were adopted by the Largo City Commission on August 6, 2002.

Please contact me at 587-6710, extension 7003 if I may be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Diane L. Bruner".

Diane L. Bruner, CMC
City Clerk

Enclosures

ORDINANCE NO. 2002-78

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, ADOPTING AN AMENDED DEVELOPMENT ORDER FOR THE RUBIN ICOT CENTER DEVELOPMENT OF REGIONAL IMPACT (DRI) NO. 177; PROVIDING SEVERABILITY, PROVIDING AN EFFECTIVE DATE

WHEREAS, the Pinellas County Board of County Commissioners ("the Board"), on February 14, 1989, issued Development of Regional Impact ("DRI") development order approval, pursuant to Chapter 380.06, Florida Statutes, for the Rubin ICOT Center DRI, DRI #177, now known as ICOT Center DRI, (hereinafter referred to as the "Development"), pursuant to Pinellas County Ordinance 89-6; and

WHEREAS, the Board, on August 2, 1994, adopted Ordinance 94-69 which accomplished an amendment of Ordinance 89-6, but which may have been improperly advertised, and

WHEREAS, the Board, on August 30, 1994, to assure that the amendment of Ordinance 89-69 was effective and immune from challenge because of possible advertising deficiencies, adopted Ordinance 94-73; and

WHEREAS, upon its adoption, Ordinance 94-73 superseded and replaced in its entirety the development order adopted pursuant to Ordinance 89-6, as amended by Ordinance 94-69, and

WHEREAS, the Board, on January 26, 1999, adopted Ordinance 99-7 which further amended Ordinance 94-73 by providing additional conversion ratios and modifying certain transportation mitigation provisions; and

WHEREAS, the Board, on September 26, 2000, adopted Ordinance No. 00-74 which further amended Ordinance 94-73 by revising the approved land use schedule and extending the build out date; and

WHEREAS, on September 30, 2000, the City of Largo ("City") annexed the entire DRI property pursuant to Ordinance Nos. 2000-86, 2000-87, 2000-88, 2000-89, 2000-90, 2000-91 and 2000-92 adopted by the Largo City Commission ("Commission"); and

WHEREAS, Subsection 380.06(15)(h), Florida Statutes (1998 Supplement), requires that if property subject to a DRI is annexed by another local jurisdiction, the annexing jurisdiction shall adopt a new development order that incorporates all previous rights and obligations specified in the prior development order." Now therefore:

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF LARGO, FLORIDA, THAT:

Section 1: Findings of Fact. The City Commission, having received the above referenced documents, and having received all related documents, testimony and evidence submitted by all persons and members of the general public, finds that there is substantial competent evidence to support the following facts:

- A. The City of Largo has annexed the real property subject to the Rubin ICOT Center DRI into the City of Largo.
- B. The DRI development is not located in a area of critical state concern as designated pursuant to Section 380.05, Florida Statutes (1998 Supplement).
- C. The Development is consistent with the local comprehensive plan and substantially consistent with the local land development regulations.
- D. All statutory procedures have been adhered to.
- E. The findings of fact and conclusions of law made in the Development Order as amended are hereby reaffirmed and are incorporated herein by reference, provided; however, that to the extent that a finding of facts or conclusion of law in the Development Order adopted by Ordinance 89-6, or any amendment thereto, conflicts with another finding or conclusion in a different amendment, the more recent in time shall control.

Section 2. Conclusions of Law. The City Commission having made the above findings of fact, reaches the following conclusions of law:

- A. That the City Commission has jurisdiction in this matter;
- B. That these proceedings have been duly conducted pursuant to applicable laws and regulations, and based upon the record of these proceedings, the Developer and/or its assigns, or successors in interest, is authorized to conduct the Development as described in Development Order No. 89-6 as amended.

Section 3. Order. That, having made the above findings of fact and conclusions of law, it is ordered:

- A. The Rubin ICOT Center DRI No. 177 Development Order as amended is hereby reaffirmed in its entirety.

Section 4. Definitions. The definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Development Order

Section 5. Development Order, As Amended. Ordinance No. 89-6, No. 94-69, Ordinance No. 94-73, Ordinance No. 99-7, and Ordinance No. 00-74 shall constitute, collectively, the Development Order as passed and ordained by the Largo City Commission. All provisions of the Development Order, as amended, shall remain in full force and effect and shall be considered conditions of the Development.

Section 6. Government Agencies. It is understood that any reference herein to any governmental agencies shall be construed to mean any future instrumentality which may be created or designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Ordinance.

Section 7. Severability. In the event any portion or section this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

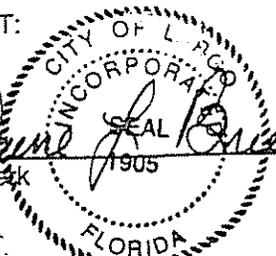
Section 8. Transmittals. The City Clerk is directed to send copies of this Ordinance, within five (5) days of its becoming law, to the present property owners subject to the Development Order as amended, the Florida Department of Community Affairs (Bureau of State Planning), and the Tampa Bay Regional Planning Council.

Section 9. Effective Date: This Ordinance shall take effect ten (10) days after final enactment.

APPROVED ON FIRST READING July 16, 2002

PASSED AND ADOPTED ON
SECOND AND FINAL READING August 6, 2002

ATTEST:


Maime R. Briones
City Clerk

Robert E. Jackson
Mayor

REVIEWED AND APPROVED:

[Signature]
City Attorney

SEAL

A TRUE AND CORRECT COPY ON
RECORD AND FILE IN THE OFFICIAL
RECORDS OF THE CITY OF LARGO,
FLORIDA

BY William R. Bruner
City Clerk's Office

DATE 08/29/02

TIME _____ AM 4:36 PM

ORDINANCE NO. 2002-79

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, APPROVING AN AMENDMENT TO A DEVELOPMENT ORDER RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, REGARDING ICOT CENTER, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT, IN RESPONSE TO A NOTICE OF PROPOSED CHANGE APPLICATION FILED BY ST. PETERSBURG COLLEGE, PROPOSING TO REVISE THE APPROVED LAND USE SCHEDULE AND ADD COLLEGE AND MULTIFAMILY USES AS APPROVED USES; PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR GENERAL PROVISIONS INCLUDING APPROVAL OF THE NOPC; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Pinellas County Board Of County Commissioners (the "Board"), on February 14, 1989, issued Development of Regional Impact ("DRI") development order approval, pursuant to Chapter 380.06, Florida Statutes, for the Rubin ICOT Center DRI, DRI #177, now known as ICOT Center DRI, (hereinafter referred to as the "Development"), pursuant to Pinellas County Ordinance 89-6; and

WHEREAS, the Board, on August 2, 1994, adopted Ordinance 94-69 which accomplished an amendment of Ordinance 89-6, but which may have been improperly advertised, and

WHEREAS, the Board, on August 30, 1994, to assure that the amendment of Ordinance 89-6 as accomplished by Ordinance 94-69 was effective and immune from challenge because of possible advertising deficiencies, adopted Ordinance 94-73; and

WHEREAS, upon its adoption, Ordinance 94-73 superseded and replaced in its entirety the development order adopted pursuant to Ordinance 89-6, as amended by Ordinance 94-69, and

WHEREAS, the Board, on January 26, 1999, adopted Ordinance 99-7 which further amended Ordinance 94-73; and

WHEREAS, the Board adopted Ordinance No. 00-74 which further amended Ordinance 94-73; and

WHEREAS, the City of Largo ("City") annexed the entire DRI Property, pursuant to Ordinance Nos. 2000-87, 2000-88, 2000-89, 2000-90, 2000-91, 2000-92 adopted by the Largo City Commission ("Commission"), effective September 30, 2000; and

WHEREAS, on August 6, 2002, the City, by Ordinance 2002-78, adopted the ICOT Center DRI development order previously adopted by the Board;

WHEREAS, on May 17, 2002, ST. PETERSBURG COLLEGE ("SPC"), the contract purchaser of certain areas of the Development, filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact ("DRI") Subsection 380.06(19), Florida Statutes," Form RPM-BSP-PROPCHANGE-1, (the "NOPC") with the County, with copies provided to the Tampa Bay Regional Planning Council ("TBRPC") and the Department of Community Affairs ("DCA"); and

WHEREAS, the changes proposed in the NOPC include (i) decrease office use on the parcel described on Exhibit "B" attached hereto ("Flex Parcel") by 50,000 square feet; (ii) increase office use on Lots 6 and 7S by 25,000 square feet; (iii) allow the potential transfer of up to 100,000 square feet of office use from Lots 6 and 7S to the parcel described on Exhibit "C" attached hereto ("College Parcel") or other areas within the DRI on which office use is allowed; (iv) convert the use of the College Parcel from industrial use to school and/or office use; (v) decrease industrial use on the College Parcel by 82,676 square feet;

(vi) add to the College Parcel school use of 1,280 full-time equivalent students; (vii) add multifamily residential use as an approved use on the Flex Parcel; (viii) add a trade-off mechanism for conversion of office use to multifamily residential use; (ix) add a trade-off mechanism for conversion of office use to school use; and (x) amend Map H to reflect these changes; and

WHEREAS, certain of the Proposed Changes, are presumed to create a substantial deviation, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the NOPC has satisfactorily addressed all regional issues related to the Development and any presumption of a substantial deviation has been rebutted; and

WHEREAS, the Commission, as the governing body of the local government having jurisdiction pursuant to Chapter 380, is authorized and empowered to consider applications for proposed changes to previously approved DRIs; and

WHEREAS, the public notice requirements of Chapter 380 and the City have been satisfied; and

WHEREAS, the Commission has held a duly noticed public hearing on the NOPC and heard and considered testimony and documents received thereon; and

WHEREAS, the City has solicited, received, and considered reports, comments and recommendations from interested citizens and state and regional agencies; and

WHEREAS, the Commission has received a recommendation from the Pinellas Land Planning Agency, the findings of which determine that the Proposed Changes and this Ordinance are consistent with the adopted Comprehensive Plan for the City of Largo, Florida; now, therefore:

THE CITY OF LARGO HEREBY ORDAINS:

This Ordinance, together with Ordinances Nos. 94-73, 99-7 and 00-74, constitute the ICOT Center DRI Development Order ("Development Order").

ARTICLE 1. FINDINGS OF FACT.

The Commission, having received the NOPC, and having received all related comments, testimony, and evidence submitted by SPC, appropriate reviewing agencies and the public, finds there is substantial competent evidence to support the following findings of fact:

Section 1.1. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 1.2. SPC, the contract purchaser of certain areas of the Development, submitted the NOPC to the City.

Section 1.3. The property which is the subject of the NOPC and which describes the area of development is legally described as set forth in Exhibit "A" (hereinafter referred to as "Property").

Section 1.4. The NOPC proposes to (i) decrease office use on the parcel described on Exhibit "B" attached hereto ("Flex Parcel") by 50,000 square feet; (ii) increase office use on Lots 6 and 7S by 25,000 square feet; (iii) allow the potential transfer of up to 100,000 square feet of office use from Lots 6 and 7S to the parcel described on Exhibit "C" attached hereto ("College Parcel") or other areas within the DRI on which office use is allowed; (iv) convert the use of the College Parcel from industrial use to school and/or office use; (v) decrease industrial use on the College Parcel by 82,676 square feet; (vi) add to the

College Parcel school use of 1,280 full-time equivalent students; (vii) add multifamily residential use as an approved use on the Flex Parcel; (viii) add a trade-off mechanism for conversion of office use to multifamily residential use; (ix) add a trade-off mechanism for conversion of office use to school use; and (x) amend Map H to reflect these changes (collectively, the "Proposed Changes").

Section 1.5. The Proposed Changes are not located in an area of critical state concern, designated as such pursuant to Section 380.05, Florida Statutes (1993).

Section 1.6. This Ordinance when adopted by the Commission will be a valid final development order within the provisions of Section 163.3167(8), Florida Statutes.

ARTICLE 2. CONCLUSIONS OF LAW.

The Board, having made the above findings of fact, reaches the following conclusions of law:

Section 2.1. The Development as built to date is consistent with the local comprehensive plan and local land development regulations under which it was developed.

Section 2.2. The Development, as modified herein, and as depicted on the Revised Map H, Master Plan, dated June 21, 2002, attached hereto as Exhibit "B," will not interfere with the achievement of the objectives of the adopted state land development plan applicable to the area.

Section 2.3. The Proposed Changes are consistent with the adopted local comprehensive plan and the local land development regulations currently in effect.

Section 2.4. Review of the NOPC by the City, TBRPC, and DCA reveals that impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Ordinance.

Section 2.5. The City, having considered the Proposed Changes, concludes that such changes individually and cumulatively do not constitute a substantial deviation requiring further DRI review, pursuant to Chapter 380, Florida Statutes, and as a result, nothing herein shall limit or modify the rights originally approved by Ordinance 94-73, as amended, or the protection afforded under Section 163.3167, Florida Statutes.

Section 2.6. The ICOT Center DRI is vested against the transportation provisions of Ordinance 89-69, Pinellas County, Florida, as amended.

ARTICLE 3 GENERAL PROVISIONS.

Section 3.1. Approval of the NOPC and Amendment of Existing Development Order

3.1.1. NOPC Approval: These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the NOPC and Proposed Changes are hereby approved, subject to the conditions, restrictions and limitations set forth herein.

3.1.2. Based on the foregoing findings of fact and conclusions of law, this Ordinance, together with Ordinance 94-73, as amended by Ordinances 99-7 and 00-74, Pinellas County, Florida, (collectively "Development Order"), constitutes the development order for the ICOT Center DRI.

Section 3.2. Subsection 3.2.2, of Ordinance 94-73, regarding Exhibit "B," the adopted Revised Map H, is hereby amended to read:

3.2.2 The Revised Map H, dated June 21, 2002, attached hereto and made a part hereof as Exhibit "B," ("Revised Map H") is hereby approved and adopted and becomes part of the Development Order. This Revised Map H supersedes any prior approved maps for the Development.

Section 3.3. Subsection 3.2.3, of Ordinance 94-73, regarding conversion ratios, is hereby amended to read:

3.2.3. Conversion ratios of 1 square foot of office development to 2.287 square feet of industrial park development and/or 1 square foot of industrial park development to 0.437 square feet of office development are hereby established for the Office and Industrial Park areas shown on the Revised Map H. Conversion ratios of 1 square foot of retail development to 2.029 square feet of office development and/or 1 square foot of retail development to 3.447 square feet of industrial park development are hereby established for the Retail, Office and Industrial Park areas shown on Revised Map. Conversion ratios of 1,000 square feet of office development to 2.4 multifamily units and 1 multifamily unit to 416 square feet of office development are hereby established for the areas designated for Office or Multifamily use on Revised Map H. Conversion ratios of 1,000 square feet of office development to 8.76 students or 1 student to 114 square feet of office development are hereby established for the areas designated for Office or College use shown on Revised Map H. Development of the Office and Industrial Park parcels shall occur consistent with these conversion ratios, so long as the maximum amount of Office development does not exceed 613,160 square feet (308,187 square feet existing plus a maximum trade-off for 304,973 square feet of additional Office) and the maximum amount of Industrial Park development does not exceed 1,518,000 square feet (745,733 existing plus a maximum trade-off for 772,267 square feet of additional Industrial Park). Notwithstanding the forgoing, use of the conversion from office to multifamily shall require a prior land use plan amendment to allow multi-family use of the affected property. Development of the Multifamily parcel shall occur consistent with these conversion ratios provided, however, the maximum amount of multifamily development may not exceed 300 units. Thirty days prior to issuance of any permit which utilizes the conversion factors, DCA shall receive notice, from the Developer, of the proposed use of the conversion ratio.

Section 3.4 Subsection 4.3.1.8 is hereby added to the Development Order:

4.3.1.8. The City of Largo shall provide potable water and sanitary sewer service for the college uses and multifamily uses, if any, subject to concurrency review.

Section 3.5 Section 6.D.5 is hereby added to the Development Order:

6.D.5 The Pinellas County School Board shall be notified of any/all conversions to residential uses for the project.

Section 3.6 Section 6.D.6 is hereby added to the Development Order:

6.D.6 The City of Largo must approve any/all land use equivalency matrix conversion requests. At the time of submittal to the City, the applicant shall provide copies of such requests, including all analyses, to the Tampa Bay Regional Planning Council and the Florida Department of Community Affairs for review and comment. In addition, the developer shall document any approval of conversion(s) granted in the next Annual Report submitted for the project.

ARTICLE 4. SEVERABILITY.

If any Section, Subsection, sentence, clause, phrase or provision of this Ordinance is for any reason held invalid, or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

ARTICLE 5. FILING OF ORDINANCE; EFFECTIVE DATE.

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State within three (3) days after enactment by the Commission. This Ordinance shall become effective upon receipt of notice of such filing, or, if an appeal is filed, at the conclusion of such appeal.

ARTICLE 6. RENDERING.

This Development Order shall be deemed rendered upon transmittal of copies of this Development Order to the recipients specified in Chapter 380 Florida Statutes.

ARTICLE 7. NOTICE OF ADOPTION.

The Developer shall record a notice of adoption of this Development Order amendment as required pursuant to Chapter 380, Florida Statutes.

APPROVED ON FIRST READING July 16, 2002

PASSED AND ADOPTED ON
SECOND AND FINAL READING August 6, 2002

Robert E. Jahnke

Mayor

REVIEWED AND APPROVED:
[Signature]

City Attorney

ATTEST:

[Signature]
City Clerk



[SEAL]

A TRUE AND CORRECT COPY ON
RECORD AND FILE IN THE OFFICIAL
RECORDS OF THE CITY OF LARGO,
FLORIDA

BY [Signature]
City Clerk's Office

DATE 08/29/02

TIME 4:37 PM

ORDINANCE NO. 2002-79
EXHIBIT "A"

LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND THAT PART OF LOTS 12 AND 13 IN THE NORTHWEST 1/4 AND ALL OF LOT 8 AND THAT PART OF LOTS 9, 10, AND 11 IN THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, LYING WEST OF THE CENTERLINE OF CROSS BAYOU CANAL AS SHOWN ON THE PLAT OF "PINELLAS GROVES," AS RECORDED IN PLAT BOOK 1, PAGE 55 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 AND ALL OF LOTS 11, 12, 13, 14 AND 15 IN THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, AS SHOWN ON THE PLAT OF SAID "PINELLAS GROVES," ALL OF WHICH BEING FURTHER DESCRIBED AS FOLLOWS:

BEGIN AT THE WEST 1/4 CORNER OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST; THENCE N. 00°22'18"W., 1232.60 FEET ALONG THE WEST LINE OF THE NORTH-WEST 1/4 OF SAID SECTION 4; THENCE S.89°33'31"E., 650.18 FEET; THENCE N.00°30'20"W., 175.59 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTH-WEST 1/4 OF SAID SECTION 4; THENCE ALONG SAID NORTH LINE, S.89°30'51"E., 1222.19 FEET TO THE CENTERLINE OF CROSS BAYOU CANAL; THENCE ALONG SAID CENTERLINE THE FOLLOWING: S.21°30'22"W., 955.37 FEET; THENCE S.08°05'54"W., 542.25 FEET; THENCE S.07°25'14"W., 899.45 FEET; THENCE S.14°03'08"W., 563.33 FEET, THENCE S.31°06'19"W., 630.25 FEET; THENCE S.19°18'42"W., 508.05 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ULMERTON ROAD (STATE ROAD 688) AS RECORDED IN OFFICIAL RECORDS BOOK 2061, PAGES 344 THROUGH 365, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, N.89°45'12"W., 2331.02 FEET TO THE WEST LINE OF SAID LOT 11 IN THE SOUTH-EAST 1/4 OF SAID SECTION 5; THENCE ALONG SAID WEST LINE, N.00°25'38"W., 1165.19 FEET TO THE NORTH LINE OF SAID LOT 11; THENCE ALONG SAID NORTH LINE, S.89°46'10"E., 331.28 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 5; THENCE N.00°23'46"W., 1320.81 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 5; THENCE S.89°49'02"E., 1327.98 FEET ALONG THE EAST-WEST CENTER-LINE OF SAID SECTION 5 TO THE POINT OF BEGINNING.

CONTAINING 199.69 ACRES MORE OR LESS.

TOGETHER WITH:

THAT PART OF LOT 11 AND 12, ALL OF LOTS 13, 14, AND 15 IN THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, AS SHOWN ON THE PLAT OF "PINELLAS GROVES", AS RECORDED IN PLAT BOOK 1, PAGE 55 OF PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 5; THENCE N.00°22'18"W., 15.00 FEET ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE N.89°49'02"W., 15.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14 FOR THE POINT OF BEGINNING; SAID POINT ALSO LYING ON THE NORTH RIGHT-OF-WAY LINE OF 142ND AVENUE NORTH (15.00 FOOT 1/2 RIGHT-OF-WAY); THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE, N. 89°49'02"W., 1335.00 FEET; THENCE N. 00°26'47"W., 215.01 FEET; THENCE S. 89°49'02"E., 22.00 FEET TO THE WEST LINE OF SAID LOT 12; THENCE ALONG SAID WEST LINE, N.00°26'47" W., 524.14 FEET; THENCE S. 89°49'02" E., 10.00 FEET; THENCE N00°26'47"W., 310.02 FEET; THENCE N. 89°49'02"W., 10.00 FEET TO THE WEST LINE OF SAID LOT 12; THENCE ALONG SAID WEST LINE N. 00°26'47"W., 4.03 FEET;

THENCE N. 89°49'02"W., 332.34 FEET TO THE WEST LINE OF SAID LOT 11; THENCE ALONG SAID WEST LINE, N.00°27'55"W., 348.20 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 5; THENCE ALONG SAID NORTH LINE S.89°33'07"E., 1647.37 FEET TO THE WEST RIGHT-OF-WAY LINE OF 58TH STREET NORTH (15.00 FOOT ½ RIGHT-OF-WAY); THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, S.00°22'18"E., 1393.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 44.82 ACRES MORE OR LESS.

ORDINANCE NO. 2002-79
EXHIBIT "C"
COLLEGE PARCEL

PARCEL 1

LOT 3, RUBIN ICOT CENTER, AS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85 INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LESS THE FOLLOWING DESCRIBED PARCEL:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 3, THENCE N00°16'17"W, ALONG THE WEST LINE OF SAID LOT 3, 87.01 FEET; THENCE N89°43'43"E, LEAVING SAID WEST LINE, 274.75 FEET; THENCE N00°16'17"W, 23.00 FEET, THENCE N89°43'43"E, 143.13 FEET TO THE WEST LINE OF A DRAINAGE EASEMENT AS SHOWN ON SAID PLAT; THENCE CONTINUE N89°43'43"E, 549.68 FEET TO THE EAST LINE OF SAID LOT 3; THENCE ALONG SAID LINE, S31°06'19"W, 128.85 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE S89°43'43"W, ALONG THE SOUTH LINE OF SAID LOT 900.47 FEET TO THE POINT OF BEGINNING AND CONTAINING 4.51 ACRES MORE OR LESS.

AND

LOT 4, RUBIN ICOT CENTER, AS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85 INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, LESS THE NORTH 55 FEET THEREOF AND CONTAINING 5.13 ACRES, MORE OR LESS.

HAVING A TOTAL ACREAGE OF 9.64 ACRES, MORE OR LESS.



City of Largo, Florida

Post Office Box 296, Largo, Florida 33779-0296

August 15, 2002

Tampa Bay Regional Planning Council
9455 Koger Blvd.
Suite 219
St. Petersburg, FL 33702

RE: City of Largo Ordinance No. 2002-78

Dear Sir/Madam:

Attached is a copy of Ordinance No. 2002-78, adopted by the Largo City Commission on August 6, 2002. The Ordinance adopted an amended Development Order for the Rubin ICOT Center Development of Regional Impact (DRI) No. 177. A copy of this Ordinance has been sent to all current property owners subject to the Development Order as amended, as well as the Department of Community Affairs and Tampa Bay Regional Planning Council, pursuant to Section 8 of the Ordinance..

Any questions about the amended DRI should be directed to the Community Development Department at (727) 586-7490.

Sincerely,

Diane L. Bruner, CMC
City Clerk

Attachment

ORDINANCE NO. 2002-78

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, ADOPTING AN AMENDED DEVELOPMENT ORDER FOR THE RUBIN ICOT CENTER DEVELOPMENT OF REGIONAL IMPACT (DRI) NO. 177; PROVIDING SEVERABILITY, PROVIDING AN EFFECTIVE DATE

WHEREAS, the Pinellas County Board of County Commissioners ("the Board"), on February 14, 1989, issued Development of Regional Impact ("DRI") development order approval, pursuant to Chapter 380.06, Florida Statutes, for the Rubin ICOT Center DRI, DRI #177, now known as ICOT Center DRI, (hereinafter referred to as the "Development"), pursuant to Pinellas County Ordinance 89-6; and

WHEREAS, the Board, on August 2, 1994, adopted Ordinance 94-69 which accomplished an amendment of Ordinance 89-6, but which may have been improperly advertised, and

WHEREAS, the Board, on August 30, 1994, to assure that the amendment of Ordinance 89-69 was effective and immune from challenge because of possible advertising deficiencies, adopted Ordinance 94-73; and

WHEREAS, upon its adoption, Ordinance 94-73 superseded and replaced in its entirety the development order adopted pursuant to Ordinance 89-6, as amended by Ordinance 94-69, and

WHEREAS, the Board, on January 26, 1999, adopted Ordinance 99-7 which further amended Ordinance 94-73 by providing additional conversion ratios and modifying certain transportation mitigation provisions; and

WHEREAS, the Board, on September 26, 2000, adopted Ordinance No. 00-74 which further amended Ordinance 94-73 by revising the approved land use schedule and extending the build out date; and

WHEREAS, on September 30, 2000, the City of Largo ("City") annexed the entire DRI property pursuant to Ordinance Nos. 2000-86, 2000-87, 2000-88, 2000-89, 2000-90, 2000-91 and 2000-92 adopted by the Largo City Commission ("Commission"); and

WHEREAS, Subsection 380.06(15)(h), Florida Statutes (1998 Supplement), requires that if property subject to a DRI is annexed by another local jurisdiction, the annexing jurisdiction shall adopt a new development order that incorporates all previous rights and obligations specified in the prior development order." Now therefore:

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF LARGO, FLORIDA, THAT:

Section 1: Findings of Fact. The City Commission, having received the above referenced documents, and having received all related documents, testimony and evidence submitted by all persons and members of the general public, finds that there is substantial competent evidence to support the following facts:

- A. The City of Largo has annexed the real property subject to the Rubin ICOT Center DRI into the City of Largo.
- B. The DRI development is not located in a area of critical state concern as designated pursuant to Section 380.05, Florida Statutes (1998 Supplement).
- C. The Development is consistent with the local comprehensive plan and substantially consistent with the local land development regulations.
- D. All statutory procedures have been adhered to.
- E. The findings of fact and conclusions of law made in the Development Order as amended are hereby reaffirmed and are incorporated herein by reference, provided; however, that to the extent that a finding of facts or conclusion of law in the Development Order adopted by Ordinance 89-6, or any amendment thereto, conflicts with another finding or conclusion in a different amendment, the more recent in time shall control.

Section 2. Conclusions of Law. The City Commission having made the above findings of fact, reaches the following conclusions of law:

- A. That the City Commission has jurisdiction in this matter;
- B. That these proceedings have been duly conducted pursuant to applicable laws and regulations, and based upon the record of these proceedings, the Developer and/or its assigns, or successors in interest, is authorized to conduct the Development as described in Development Order No. 89-6 as amended.

Section 3. Order. That, having made the above findings of fact and conclusions of law, it is ordered:

- A. The Rubin ICOT Center DRI No. 177 Development Order as amended is hereby reaffirmed in its entirety.

Section 4. Definitions. The definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Development Order

Section 5. Development Order, As Amended. Ordinance No. 89-6, No. 94-69, Ordinance No. 94-73, Ordinance No. 99-7, and Ordinance No. 00-77 shall constitute, collectively, the Development Order as passed and ordained by the Largo City Commission. All provisions of the Development Order, as amended, shall remain in full force and effect and shall be considered conditions of the Development.

Section 6. Government Agencies. It is understood that any reference herein to any governmental agencies shall be construed to mean any future instrumentality which may be created or designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Ordinance.

Section 7. Severability. In the event any portion or section this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 8. Transmittals. The City Clerk is directed to send copies of this Ordinance, within five (5) days of its becoming law, to the present property owners subject to the Development Order as amended, the Florida Department of Community Affairs (Bureau of State Planning), and the Tampa Bay Regional Planning Council.

Section 9. Effective Date: This Ordinance shall take effect ten (10) days after final enactment.

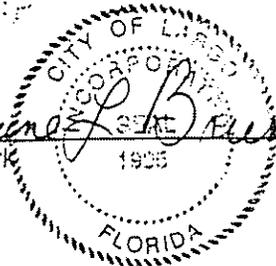
APPROVED ON FIRST READING July 16, 2002

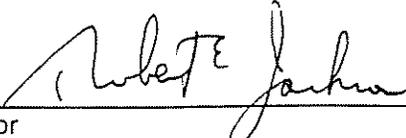
PASSED AND ADOPTED ON
SECOND AND FINAL READING August 6, 2002

ATTEST:



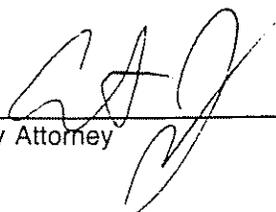
 City Clerk





 Mayor

REVIEWED AND APPROVED:



 City Attorney



City of Largo, Florida
Post Office Box 296, Largo, Florida 33779-0296

May 14, 2001

Mr. John Meyers
Tampa Bay Regional Planning Council.
9455 Koger Blvd
Suite 219
St. Petersburg, FL 33702

RE: Ordinance No. 99-29

Dear Mr. Meyers:

Per a request from Ric Goss, Community Development Director, I have enclosed a certified copy of Ordinance No. 99-29, which adopts an amended Development Order for Bay Area Outlet Mall's DRI. I have also enclosed Pinellas County Ordinance No. 00-74, which amends the development order for ICOT Center and certified copies of Largo Ordinances 2000-86 through 2000-92 annexing the ICOT Center, in accordance with our telephone conversation on Friday.

Please call me at 587-6710 if I may be of additional assistance.

Sincerely,

A handwritten signature in cursive script that reads "Diane L. Bruner".

Diane L. Bruner, CMC
City Clerk

Enclosures

STATE OF FLORIDA

COUNTY OF PINELLAS

I, KARLEEN F. De BLAKER, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on September 26, 2000 relative to:

ORDINANCE NO. 00- 74

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, AMENDING PINELLAS COUNTY ORDINANCE 89-6, AS AMENDED, RESTATED, AND RATIFIED BY ORDINANCES 94-69, 94-73 AND 99-7, THE DEVELOPMENT ORDER FOR THE ICOT CENTER DEVELOPMENT OF REGIONAL IMPACT, PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTICE OF PROPOSED CHANGE APPLICATION, FILED BY ICOT LAND, LTD., PROPOSING TO REVISE THE APPROVED LAND USE SCHEDULE AND EXTEND THE BUILD-OUT DATE; PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR GENERAL PROVISIONS INCLUDING APPROVAL OF THE NOPC; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 4 day of October, 2000.

KARLEEN F. De BLAKER
Clerk of the Circuit Court
and Ex-officio Clerk to the
Board of County Commissioners

By:


Linda R. Reed, Deputy Clerk

(SEAL)

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DEPT. OF STATE
TALLAHASSEE, FLORIDA

ORDINANCE NO. 00-74

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, AMENDING PINELLAS COUNTY ORDINANCE 89-6, AS AMENDED, RESTATED, AND RATIFIED BY ORDINANCES 94-69, 94-73 AND 99-7, THE DEVELOPMENT ORDER FOR THE ICOT CENTER DEVELOPMENT OF REGIONAL IMPACT, PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTICE OF PROPOSED CHANGE APPLICATION, FILED BY ICOT LAND, LTD., PROPOSING TO REVISE THE APPROVED LAND USE SCHEDULE AND EXTEND THE BUILD-OUT DATE; PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR GENERAL PROVISIONS INCLUDING APPROVAL OF THE NOPC; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Pinellas County Board Of County Commissioners (the "Board"), on February 14, 1989, issued Development of Regional Impact ("DRI") development order approval, pursuant to Chapter 380.06, Florida Statutes, for the Rubin ICOT Center DRI, DRI #177, now known as ICOT Center DRI, (hereinafter referred to as the "Development"), pursuant to Pinellas County Ordinance 89-6; and

WHEREAS, the Board, on August 2, 1994, adopted Ordinance 94-69 which accomplished an amendment of Ordinance 89-6, but which may have been improperly advertised, and

WHEREAS, the Board, on August 30, 1994, to assure that the amendment of Ordinance 89-6 as accomplished by Ordinance 94-69 was effective and immune from challenge because of possible advertising deficiencies, adopted Ordinance 94-73; and

WHEREAS, upon its adoption, Ordinance 94-73 superseded and replaced in its entirety the development order adopted pursuant to Ordinance 89-6, as amended by Ordinance 94-69, and

WHEREAS, the Board, on January 26, 1999, adopted Ordinance 99-7 which further amended Ordinance 94-73; and

WHEREAS, on April 13, 2000, ICOT Land, Ltd., a Florida limited partnership ("ICOT"), the owner of certain undeveloped areas of the Development, filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact ("DRI") Subsection 380.06(19), Florida Statutes," Form RPM-BSP-PROPCHANGE-1, (the "NOPC") with the County, with copies provided to the Tampa Bay Regional Planning Council ("TBRPC") and the Department of Community Affairs ("DCA"); and

WHEREAS, the changes proposed in the NOPC include (i) amendment of the land use schedule for the DRI increase office space and simultaneously decrease

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PINELLAS COUNTY
FLORIDA

commercial/retail space and industrial park space, and (ii) a five-year extension of the build-out date (collectively, the "Proposed Changes"); and

WHEREAS, certain of the Proposed Changes, are presumed to create a substantial deviation, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the NOPC has satisfactorily addressed all regional issues related to the Development and any presumption of a substantial deviation has been rebutted; and

WHEREAS, the Board, as the governing body of the local government having jurisdiction pursuant to Chapter 380, is authorized and empowered to consider applications for proposed changes to previously approved DRIs; and

WHEREAS, the public notice requirements of Chapter 380 and the County have been satisfied; and

WHEREAS, the Board has held a duly noticed public hearing on the NOPC and heard and considered testimony and documents received thereon; and

WHEREAS, the County has solicited, received, and considered reports, comments and recommendations from interested citizens, the County and state and regional agencies; and

WHEREAS, the Board has received a recommendation from the Pinellas Land Planning Agency, the findings of which determine that the Proposed Changes and this Ordinance are consistent with the adopted Comprehensive Plan for Pinellas County, Florida; and

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

This Ordinance, together with Ordinances 94-73 and 99-7, constitutes the ICOT Center DRI Development Order ("Development Order").

ARTICLE 1. FINDINGS OF FACT.

The Board, having received the NOPC, and having received all related comments, testimony, and evidence submitted by ICOT, appropriate reviewing agencies and the public, finds there is substantial competent evidence to support the following findings of fact:

Section 1.1. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 1.2. ICOT, the owner of certain undeveloped areas of the Development, submitted the NOPC to the County.

Section 1.3. The property which is the subject of the NOPC and which describes the area of Development is legally described as set forth in Exhibit "A" (hereinafter referred to as "Property").

Section 1.4. The NOPC proposes to add conversion ratios and to modify the transportation mitigation provisions and certain other related provisions.

Section 1.5. The Proposed Changes are not located in an area of critical state concern, designated as such pursuant to Section 380.05, Florida Statutes (1993).

Section 1.6. Subject to review under the County's Vested Rights Ordinance, Ordinance 89-6, as amended by and restated in Ordinances 94-69 and 94-73, and amended by Ordinance 99-7, is a valid final development order within the provisions of Section 163.3167(8), Florida Statutes.

ARTICLE 2. CONCLUSIONS OF LAW.

The Board, having made the above findings of fact, reaches the following conclusions of law:

Section 2.1. The Development as built to date is consistent with the local comprehensive plan and local land development regulations under which it was developed.

Section 2.2. The Development, as modified herein, and as depicted on the Revised Map H, Master Plan, dated March 13, 2000, attached hereto as Exhibit "B," will not interfere with the achievement of the objectives of the adopted state land development plan applicable to the area.

Section 2.3. The Proposed Changes are consistent with the adopted local comprehensive plan and the local land development regulations currently in effect.

Section 2.4. Review of the NOPC by the County, TBRPC, and DCA reveals that impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Ordinance.

Section 2.5. The County, having considered the Proposed Changes, concludes that such changes individually and cumulatively do not constitute a substantial deviation requiring further DRI review, pursuant to Chapter 380, Florida Statutes, and as a result, subject to review under the County's Vested Rights Ordinance, nothing herein shall

limit or modify the rights originally approved by Ordinance 94-73 or the protection afforded under Section 163.3167, Florida Statutes.

Section 2.6. Subject to review under the County's Vested Rights Ordinance, and provided that the transportation provisions of the ICOT Center DRI Development Order, as the same is amended from time to time, are complied with, the ICOT Center DRI is vested against the transportation provisions of Ordinance 89-69, as amended, all subject to compliance with the ICOT Center DRI Development Order. Timely payment of impact fees is specifically required to maintain this vesting.

ARTICLE 3 GENERAL PROVISIONS.

Section 3.1. Approval of the NOPC and Amendment of Existing Development Order

3.1.1. NOPC Approval: These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the NOPC is hereby approved, subject to the conditions, restrictions and limitations set forth herein.

3.1.2. Based on the foregoing findings of fact and conclusions of law, this Ordinance, amends Ordinance 94-73, as amended by Ordinance 99-7. This Ordinance, Ordinance 94-73 and Ordinance 99-7 constitute the Development Order for the ICOT Center DRI ("Development Order").

Section 3.2. Subsection 3.2.2, of Ordinance 94-73, regarding Exhibit "B," the adopted Revised Map H, is hereby amended to read:

3.2.2 The Revised Map H, dated March 13, 2000, attached hereto and made a part hereof as Exhibit "B," is hereby approved and adopted and becomes part of the Development Order. This Revised Map H supersedes any prior approved maps for the Development.

Section 3.4. Subsection 3.3.2, of Ordinance 94-73, The Name of the Development and the Developer, is hereby amended to read:

3.3.2. The Developer is ICOT Land Ltd., hereinafter referred to as the "Developer," which can be located at 13925 58th Street North, Clearwater, Florida 33760. The Developer agrees that its authorized agent shall be Marvin Slovacek. Mr. Slovacek can be located at the above address. The Developer may change its address and authorized agent by notifying the County, TBRPC, and DCA in writing and such change shall not require an amendment to this Development Order.

Section 3.5. Section 3.8.1 of Ordinance 94-73, is hereby amended to read:

Section 3.8.1. This Development Order shall remain in effect through December 31, 2004, the build-out date. Any development activity for which plans have been submitted to the County for its review and approval no later than 60 days prior to the expiration of this Development Order may, upon receipt of approval, be completed, regardless of when such approval is ultimately issued, subject to review by any applicable Pinellas County vested rights administrative process in operation at the expiration of this Development Order. This Development Order may be extended by the Board on a finding of excusable delay in any proposed development activity, subject to the provisions of Section 380.06(19), Florida Statutes. This section is not to be construed as a waiver of any development rights which may arise at law or at equity as a result of this Development Order.

ARTICLE 4. SEVERABILITY.

If any Section, Subsection, sentence, clause, phrase or provision of this Ordinance is for any reason held invalid, or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional. Findings of Facts or Conclusions of Law in this Ordinance are not dispositive for purposes of collateral quasi-judicial proceedings.

ARTICLE 5. FILING OF ORDINANCE; EFFECTIVE DATE.

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Manager of Board Records within ten (10) days after enactment by the Board. This Ordinance shall become effective upon receipt of notice of such filing, or, if an appeal is filed, at the conclusion of such appeal, whichever is later.

ARTICLE 6. RENDERING

This Development Order shall be deemed rendered upon transmittal of copies of this Development Order to the recipients specified in Chapter 380 Florida Statutes.

ARTICLE 7. NOTICE OF ADOPTION

The Developer shall record a notice of adoption of this Development Order amendment as required pursuant to Chapter 380, Florida Statutes.

PASSED AND ORDAINED BY THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS.

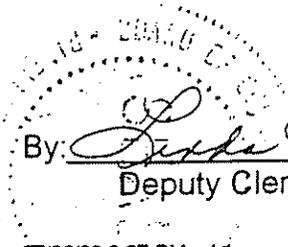


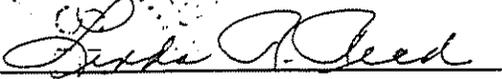
CHAIRMAN,
BOARD OF COUNTY COMMISSIONERS

ATTEST: KARLEEN F. DeBLAKER, CLERK



APPROVED AS TO FORM
OFFICE OF THE COUNTY ATTORNEY



By: 
Deputy Clerk

07/26/00 3:27 PM d-1
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#211059 v2 - ICOT 2000 NOPC/Ordinance

EXHIBIT "A"
TO ORDINANCE NO. 00- 74

LEGAL DESCRIPTION

LEGAL DESCRIPTION

PARCEL I: All of Lot 8, all of Lot 9, that portion of Lot 10 lying West of Cross Bayou, and that portion of Lot 11 lying West and North of Cross Bayou, Pinellas Groves Subdivision, all in the Southwest 1/4 of Section 4, Township 30 South, Range 16 East, as recorded in Plat Book 1, Page 55, Public Records of Pinellas County, Florida: LESS that part lying within 120 feet of survey line of State Road S-688, Section 15120, as described in order of taking recorded in O.R. Book 2061, Page 344 (Clerk's Instrument No. 251226B), Public Records of Pinellas County, Florida.

AND

PARCEL II: The Northwest 1/4 of Southwest 1/4 of Section 4, Township 30 South, Range 16 East, LESS that part East of Cross Bayou, Pinellas County, Florida.

AND

PARCEL III: That part of the Northeast 1/4 of the Southwest 1/4 of Section 4, Township 30 South, Range 16 East, lying West of Cross Bayou Canal, Pinellas County, Florida.

AND

PARCEL IV: The Southwest 1/4 of the Northwest 1/4, LESS the North 1/4 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 4, Township 30 South, Range 16 East, Pinellas County, Florida.

AND

PARCEL V: That part of Lots 12 and 13 in the Northwest 1/4 of Section 4, Township 30 South, Range 16 East, lying West and North of Cross Bayou, as shown on plat of Pinellas Groves, Pinellas County, Florida; TOGETHER with any and all riparian rights appertaining thereto.

AND

PARCEL VI: The East 1/2 of Lot 11, all of Lot 12, all of Lot 13, all of Lot 14, and all of Lot 15, Pinellas Groves Subdivision, all in the Southeast 1/4 of the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, as recorded in Plat Book 1, Page 55, Public Records of Pinellas County, Florida: LESS that part lying within 120 feet of survey line of State Road S-688, Section 15120, as described in order of taking recorded in O.R. Book 2061, Page 344 (Clerk's Instrument No. 251226B), Pinellas County records.

AND

PARCEL VII: The Northeast 1/4 of the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, Pinellas County, Florida.

AND

PARCEL VIII: Beginning at the Southeast corner of said Lot 14; thence N 89°49'02" W, along the South line of said Lots 14, 13, 12 and 11 (said line being 15.00 feet North of and parallel to the South line of said quarter section), 1335.00 feet to the West line of the East 22.00 feet of said Lot 11; thence N 00°26'47" W, along said West line, 215.01 feet to the North line of the South 215.00 feet of said Lot 11; thence, S 89°49'02" E, along said North line 22.00 feet to the West line of said Lot 12, thence N 00°26'47" W, along said West line, 524.14 feet to the South line of the North 310.00 feet of the South 8.0 acres of said Lot 12; thence S 89°49'02" E, along said South line 10.00 feet to the East line of the West 10.00 feet of said Lot 12; thence N 00°26'47" W, along said East line 310.02 feet to the North line of the South 8.0 acres of said Lot 12; thence N 89°49'02" W, along said North line 10.00 feet to the East line of said Lot 11; thence N 00°26'47" W, along said East line, 4.03 feet to the North line of the South 1053.16 feet of said Lot 11; thence N 89°49'02" W along said North line, 332.34 feet to the West line of said Lot 11; thence N 00°27'55" W along said West line 348.20 feet to the Northwest corner of said Lot 11; thence S 89°33'07" E along the North line of said Lots 11, 12, 13 and 15, 1647.39 feet to the Northeast corner of said Lot 15; thence S 00°22'18" E along the East line of said Lots 15 and 14 (said line being 15.00 feet West of and parallel to the East line of said quarter section), 1393.76 feet to the Point of Beginning.

AND

PARCEL IX: The West 1/2 of Lot 11 in the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, Pinellas Groves, as recorded in Plat Book 1, Page 55, of the Public Records of Pinellas County, Florida, Less Ulmerton Road right-of-way.

Containing 243.71 acres more or less.

Subject to any easements, restrictions and rights-of-way of record.

AND

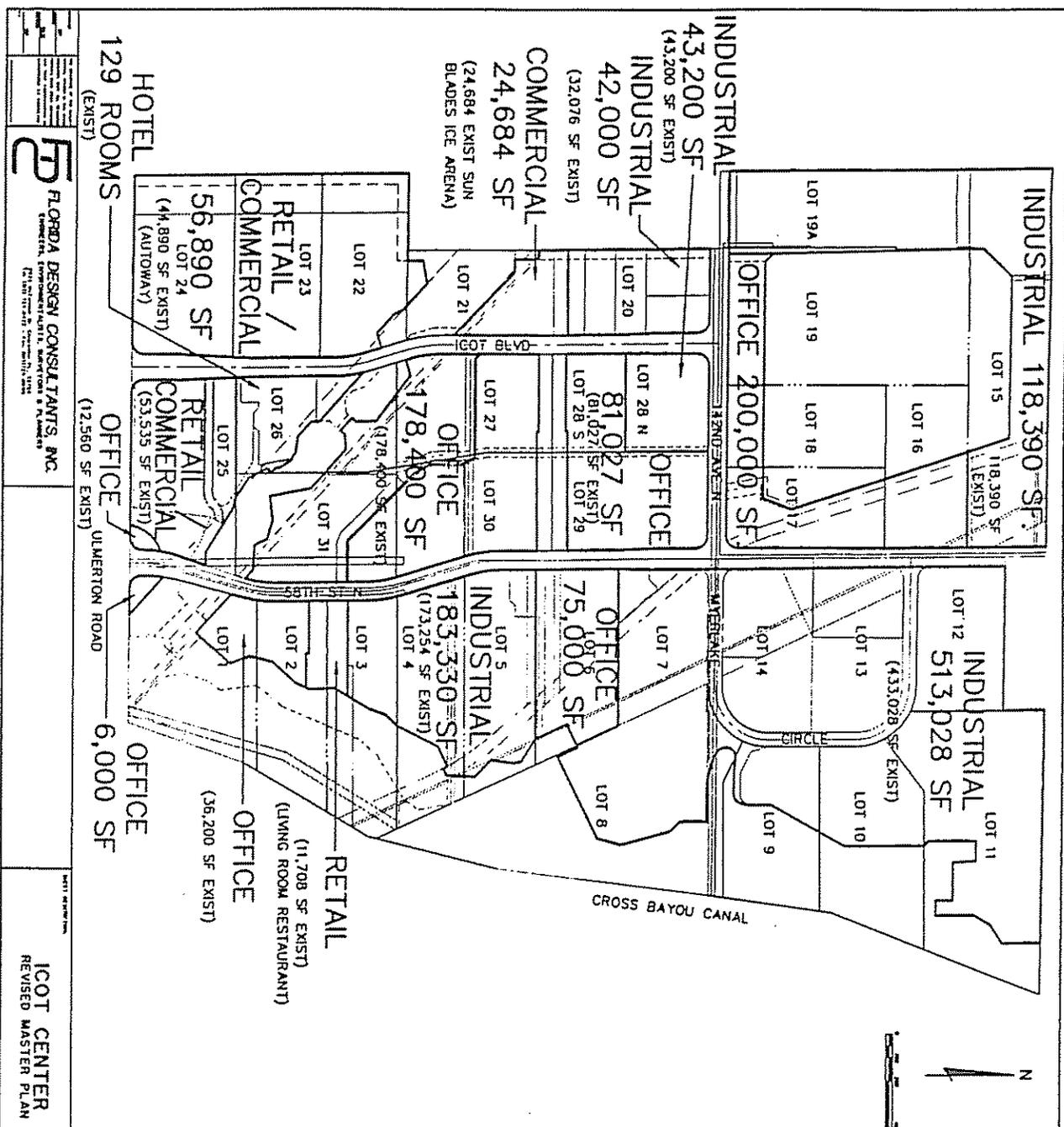
The South eight (8) acres of Lot 11, PINELLAS GROVES, in the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida, LESS the East 22 feet of the South 215 feet of said lot 11; and

the North 310 feet of the West 10 feet of the South eight (8) acres of Lot 12, PINELLAS GROVES, in the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida; and

The North 4 feet of South 1,053.16 feet of Lot 11, PINELLAS GROVES, in the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida,

EXHIBIT "B"
TO ORDINANCE NO. 00- 74

REVISED MAP H, DATED MARCH 13, 2000



LAND USE SCHEDULE

LAND USE	ACREAGE	EXISTING	PLANNED	TOTAL
INDUSTRIAL	211.8 AC	134,817 SF	12,000 SF	146,817 SF
OFFICE	4.32 AC	179 ROOMS	0	179 ROOMS
RETAIL	28.30 AC	328,187 SF	281,000 SF	609,187 SF
INDUSTRIAL PARK (P/D/AM)	94.78 AC	778,848 SF	100,000 SF	878,848 SF
RETAIL	24.80 AC	-	-	-
ROAD R.I.G.B.	17.33 AC	-	-	-
RETENTION	28.79 AC	-	-	-
INDUSTRIAL PARK (P/D/AM)	10.00 AC	-	-	-
TOTAL	281.71 AC	1,242,653 SF	281,000 SF	1,523,653 SF

- NOTES:
- INDUSTRIAL PARK INCLUDES WATER/ACTIVITY/RESTRICTION
 - SPACES 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

FLORIDA DESIGN CONSULTANTS, INC.
 12101 WINDYBUSH DRIVE, SUITE 200, WINDYBUSH, FLORIDA 33549
 (256) 333-2222

ICOT CENTER
 REVISED MASTER PLAN

MAP H
 REVISED MARCH 15, 2000

ORDINANCE NO. 2000 - 92

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, ANNEXING THE WITHIN DESCRIBED TRACT OF LAND LOCATED IN PINELLAS COUNTY, FLORIDA, DESCRIBED AS PARCEL ID NO. 04/30/16/77515/000/0700, 0800, 0900, 1000, 1001, 1100, 1200, 1201, 1300, 1301, 1302, 1400, 1401, AND 04/30/16/00000/230/0100, AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF LARGO, FLORIDA, PURSUANT TO THE PETITION AND APPLICATION OF THE LANDOWNER; WITH CITY LAND USE DESIGNATION OF INDUSTRIAL LIMITED AND PRESERVATION; REDEFINING THE CORPORATE BOUNDARY OF THE CITY OF LARGO TO INCLUDE SAID ADDITION, ACCORDING TO THE PROVISIONS OF CHAPTER 171, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 171, Florida Statutes, a petition by the landowner has been duly filed with the City Commission of Largo, Florida, seeking annexation of the property hereinafter described into the corporate limits of the City of Largo; and

WHEREAS, all requirements of Chapter 171 have been complied with, and the planning procedures set forth in the Interlocal Agreement between Pinellas County, Florida, and the cities of Largo, Pinellas Park, and St. Petersburg, Florida, dated November 13, 1990, have been met, it having appeared to the Largo City Commission that the owner of land within said area to be annexed voluntarily consented to such annexation, and that said petition should be approved by the affirmative vote of the Largo City Commission; now, therefore:

THE CITY OF LARGO HEREBY ORDAINS:

Section 1. That the City of Largo, acting by and through its City Commission, under the authority of Chapter 171, Florida Statutes, hereby annexes into the corporate limits of the City of Largo, Florida, and accordingly redefines the boundary of said city, so as to include the following:

All that tract or parcel of land lying and being in the County of Pinellas, Florida, to wit:

A PORTION OF LOTS 7-14, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, OF "PINELLAS GROVES", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

ALL OF THE RIGHT-OF-WAY FOR MYERLAKE CIRCLE, AS DESCRIBED IN "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR 58TH STREET NORTH, LYING IMMEDIATELY EAST OF, AND ADJACENT TO, LOTS 15-17, AND LOT 29, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALL LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST; THENCE RUN N 00°16'17" W, ALONG THE EAST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5, SAID LINE ALSO BEING THE CENTERLINE OF 58TH STREET NORTH, A DISTANCE OF 211.39 FEET; LEAVING SAID EAST BOUNDARY LINE, THENCE RUN 135.94 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°31'09" E, AND A CHORD DISTANCE OF 135.48 FEET; THENCE RUN N 16°40'18" E, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 304.00 FEET; THENCE RUN 141.05 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°12'00" E, AND A CHORD DISTANCE OF 140.54 FEET; THENCE RUN N 00°16'17" W, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 386.40 FEET; THENCE RUN 141.05 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE WEST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°44'34" W, AND A CHORD DISTANCE OF 140.54 FEET; THENCE RUN N 17°12'52" W, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 304.00 FEET; THENCE RUN 141.05 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE EAST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°44'34" W, AND A CHORD DISTANCE OF 140.54 FEET; THENCE RUN N 00°16'17" W, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 628.20 FEET; LEAVING SAID CENTERLINE, THENCE RUN S 89°43'43" W, A DISTANCE OF 45.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING [P.O.B.].

FROM THE POINT OF BEGINNING, RUN N 89°44'04" E, A DISTANCE OF 90.00 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 38.68 FEET; THENCE RUN N 48°44'05" E, A DISTANCE OF 56.51 FEET; THENCE RUN S 41°15'55" E, A DISTANCE OF 221.35 FEET, TO A POINT ON THE SOUTH PROPERTY LINE OF LOT 7, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THE SAME ALSO BEING THE NORTH PROPERTY LINE OF LOT 6, OF SAID "RUBIN ICOT CENTER"; THENCE RUN N 89°43'43" E, ALONG THE NORTH PROPERTY LINE OF SAID LOT 6, A DISTANCE OF 433.51 FEET, TO THE NORTHEAST CORNER OF SAID LOT 6, THE SAME ALSO BEING A POINT ON THE WESTERLY PROPERTY LINE OF LOT 8, OF SAID "RUBIN ICOT CENTER"; THENCE RUN S 25°28'09" E, ALONG THE WESTERLY PROPERTY LINE OF SAID LOT 8, A DISTANCE OF 1,130.09 FEET, TO THE SOUTH CORNER OF SAID LOT 8, THE SAME ALSO BEING THE EASTERLY BOUNDARY LINE OF SAID "RUBIN ICOT CENTER"; THENCE RUN N 14°03'08" E, ALONG THE EASTERLY BOUNDARY LINE OF SAID "RUBIN ICOT CENTER", A DISTANCE OF 523.02 FEET; THENCE RUN N 07°25'14" E, ALONG THE EASTERLY BOUNDARY LINE OF SAID "RUBIN ICOT CENTER", A DISTANCE OF 899.45 FEET; THENCE RUN N 08°05'54" E, ALONG THE EASTERLY BOUNDARY LINE OF SAID "RUBIN ICOT CENTER", A DISTANCE OF 542.25 FEET; THENCE RUN N 21°30'22" E, ALONG THE EASTERLY BOUNDARY LINE OF SAID "RUBIN ICOT CENTER", A DISTANCE OF 955.65 FEET, TO THE NORTHEAST CORNER OF LOT 11, OF SAID "RUBIN ICOT CENTER", THE SAME ALSO BEING A POINT ON THE NORTH BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP

30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; THENCE RUN N 89°31'07" W, ALONG THE NORTH BOUNDARY LINE OF SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4, A DISTANCE OF 573.21 FEET, TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4, THE SAME ALSO BEING THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4; THENCE RUN N 89°31'07" W, ALONG THE NORTH BOUNDARY LINE OF SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4, A DISTANCE OF 1,269.66 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN N 89°32'32" W, A DISTANCE OF 69.56 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH, THE SAME ALSO BEING THE NORTHEAST CORNER OF LOT 15, OF SAID "RUBIN ICOT CENTER"; THENCE RUN S 00°22'19" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 926.19 FEET; THENCE RUN S 02°29'27" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 100.12 FEET; THENCE RUN S 00°22'19" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 292.15 FEET; THENCE RUN S 00°26'13" E, A DISTANCE OF 180.21 FEET; THENCE RUN S 00°16'17" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH, A DISTANCE OF 196.02 FEET, TO THE POINT OF BEGINNING.

CONTAINING 3,253,721.27 SQUARE FEET, OR 74.6952 ACRES, MORE OR LESS.

ALSO KNOWN AS TAX ROLL PARCEL ID NUMBER 04/30/16/77515/000/0700, 0800, 0900, 1000, 1001, 1100, 1200, 1201, 1300, 1301, 1302, 1400, 1401, AND 04/30/16/00000/230/0100, AND AS DEPICTED IN EXHIBIT "A."

Section 2. That the above-described property shall be annexed with a land use designation of Industrial Limited and Preservation, pursuant to the land use in the Pinellas County Future Land Use Map, and as generally depicted on the map at Exhibit "B".

Section 3. That the Largo City Commission hereby formally and according to law accepts the dedication of all easements, streets, parks, plazas, places, rights-of-way, and other dedications to the public which have heretofore been made by plat, deed, or user within the area so annexed.

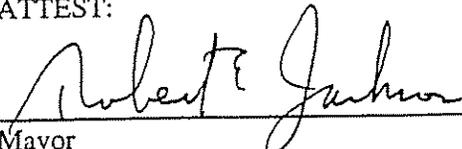
Section 4. That it is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 5. That this Ordinance shall take effect on September 30, 2000. However, if the Board of County Commissioners fails to act on ICOT's proposed NOPC on September 26, 2000, the effective date shall be October 30, 2000.

APPROVED ON FIRST READING July 18, 2000

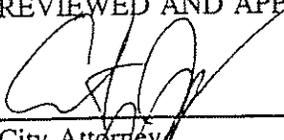
PASSED AND ADOPTED ON
SECOND AND FINAL READING September 19, 2000

ATTEST:



Mayor

REVIEWED AND APPROVED:



City Attorney

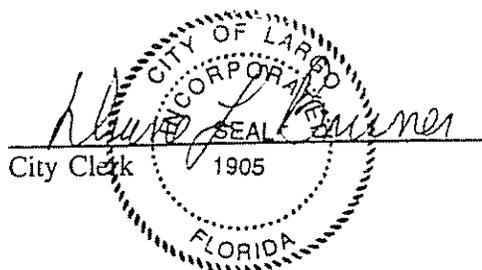
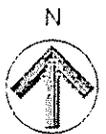




EXHIBIT "A"

Ord. #: 2000-92 (Case #A5-25-00)
 Subject: Rubin Icot/Westfalia Annexation 7
 Location: 043016000002300100
 043016775150000700, & 0800
 thru 1401

-  Subject Property
-  Future City of Largo Boundary
-  City of Largo



Scale: 1" = 600'

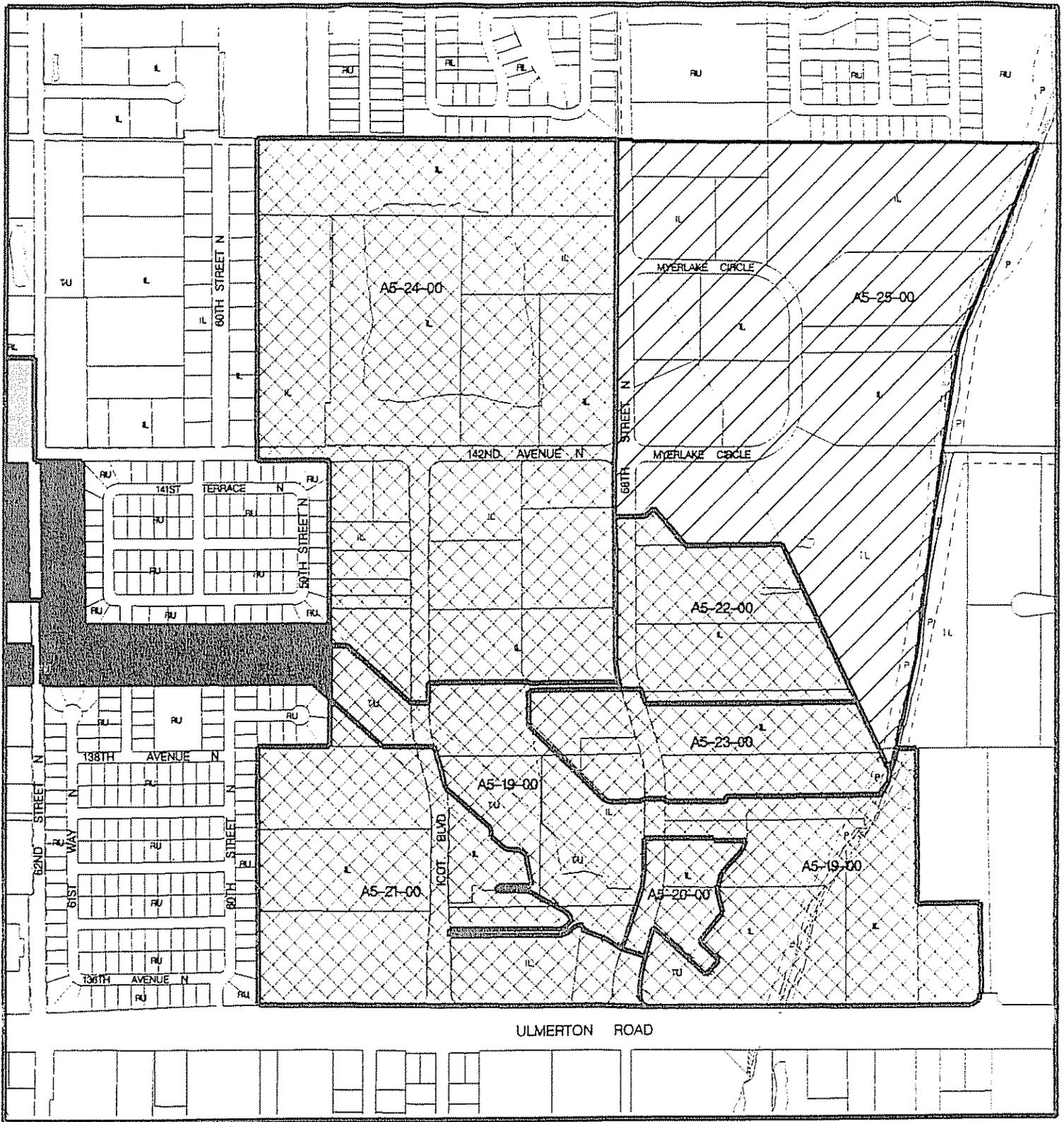


EXHIBIT "B"

EXISTING FUTURE LAND USE MAP

Ord. #: 2000-92 (Case #A5-25-00)
 Subject: Rubin /cot/Westfalia Annexation 7
 Location: 043016000002300100
 043016775150000700 & 0800
 thru 1401

- Subject Property
- TU Transportation /Utility
- Residential Low Medium
- P Preservation
- IL Industrial Limited
- RU Residential Urban
- Largo City Limit
- Future City of Largo



Scale: 1" = 600'

ORDINANCE NO. 2000 - 91

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, ANNEXING THE WITHIN DESCRIBED TRACT OF LAND LOCATED IN PINELLAS COUNTY, FLORIDA, DESCRIBED AS PARCEL ID NO. 04/30/16/77515/000/1500, 1501, 1600, 1700, 1800, 1900, 2000, 2002, 2003, 2004, 2101, 2102, 2701, 2800, 2801, 2900, 2901, 2903, 05/30/16/70920/100/1100, AND 05/30/16/88983/001/0010, AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF LARGO, FLORIDA, PURSUANT TO THE PETITION AND APPLICATION OF THE LANDOWNER; WITH CITY LAND USE DESIGNATION OF INDUSTRIAL LIMITED AND TRANSPORTATION/UTILITY; REDEFINING THE CORPORATE BOUNDARY OF THE CITY OF LARGO TO INCLUDE SAID ADDITION, ACCORDING TO THE PROVISIONS OF CHAPTER 171, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 171, Florida Statutes, a petition by the landowner has been duly filed with the City Commission of Largo, Florida, seeking annexation of the property hereinafter described into the corporate limits of the City of Largo; and

WHEREAS, all requirements of Chapter 171 have been complied with, and the planning procedures set forth in the Interlocal Agreement between Pinellas County, Florida, and the cities of Largo, Pinellas Park, and St. Petersburg, Florida, dated November 13, 1990, have been met, it having appeared to the Largo City Commission that the owner of land within said area to be annexed voluntarily consented to such annexation, and that said petition should be approved by the affirmative vote of the Largo City Commission; now, therefore:

THE CITY OF LARGO HEREBY ORDAINS:

Section 1. That the City of Largo, acting by and through its City Commission, under the authority of Chapter 171, Florida Statutes, hereby annexes into the corporate limits of the City of Largo, Florida, and accordingly redefines the boundary of said city, so as to include the following:

All that tract or parcel of land lying and being in the County of Pinellas, Florida, to wit:

A PORTION OF LOTS 15-21, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOTS 27-30, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

ALL OF THAT TRACT OF LAND AS DESCRIBED IN "TADIRAN SITE", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 115, PAGE 75, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOTS 11-12, OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, OF "PINELLAS GROVES", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR ICOT BOULEVARD, LYING IMMEDIATELY EAST OF, AND ADJACENT TO, LOTS 20-21, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR 142ND AVENUE NORTH [COUNTY ROAD 124], LYING IMMEDIATELY SOUTH OF, AND ADJACENT TO, LOTS 17-19, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR 142ND AVENUE NORTH, LYING IMMEDIATELY SOUTH OF, AND ADJACENT TO, ALL OF THAT TRACT OF LAND AS DESCRIBED IN "TADIRAN SITE", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 115, PAGE 75, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALL LOCATED IN THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST; THENCE RUN N 00°16'17" W, ALONG THE EAST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5, SAID LINE ALSO BEING THE CENTERLINE OF 58TH STREET NORTH, A DISTANCE OF 211.39 FEET; LEAVING SAID EAST BOUNDARY LINE, THENCE RUN 135.94 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°31'09" E, AND A CHORD DISTANCE OF 135.48 FEET; THENCE RUN N 16°40'18" E, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 304.00 FEET; THENCE RUN 141.05 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°12'00" E, AND A CHORD DISTANCE OF 140.54 FEET; THENCE RUN N 00°16'17" W, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 386.40 FEET; THENCE RUN 141.05 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE WEST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°44'34" W, AND A CHORD DISTANCE OF 140.54 FEET; THENCE RUN N 17°12'52" W, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 304.00 FEET; THENCE RUN 141.05 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE EAST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°44'34" W, AND A CHORD DISTANCE OF 140.54 FEET; THENCE RUN N 00°16'17" W, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 628.20 FEET; LEAVING SAID CENTERLINE, THENCE RUN S 89°43'43" W, A DISTANCE OF 45.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING [P.O.B.].

FROM THE POINT OF BEGINNING, RUN N 00°16'17" W, ALONG THE WESTERLY RIGHT-OF-

WAY LINE OF 58TH STREET NORTH, A DISTANCE OF 196.02 FEET; THENCE RUN N 00°26'13" W, A DISTANCE OF 180.21 FEET; THENCE RUN N 00°22'19" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 292.15 FEET; THENCE RUN N 02°29'27" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 100.12 FEET; THENCE RUN N 00°22'19" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 926.19 FEET; LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, THENCE RUN N 89°33'36" W, ALONG THE NORTH BOUNDARY LINE OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, A DISTANCE OF 1,622.49 FEET, TO THE NORTHWEST CORNER OF LOT 15, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN S 00°28'39" E, A DISTANCE OF 1,376.40 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 142ND AVENUE NORTH [COUNTY ROAD 124]; LEAVING SAID NORTH RIGHT-OF-WAY LINE, THENCE RUN S 00°10'31" W, A DISTANCE OF 73.00 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID 142ND AVENUE NORTH; THENCE RUN S 89°49'29" E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID 142ND AVENUE NORTH, A DISTANCE OF 332.41 FEET, TO THE NORTHWEST CORNER OF LOT 20, OF SAID "RUBIN ICOT CENTER"; THENCE RUN S 00°26'20" E, ALONG THE WEST BOUNDARY LINE OF SAID "RUBIN ICOT CENTER, A DISTANCE OF 740.13 FEET; THENCE RUN S 00°23'46" E, ALONG THE WEST BOUNDARY LINE OF SAID "RUBIN ICOT CENTER, A DISTANCE OF 95.38 FEET; LEAVING SAID WEST BOUNDARY LINE, THENCE RUN S 89°49'05" E, A DISTANCE OF 80.70 FEET; THENCE RUN S 48°18'20" E, A DISTANCE OF 383.76 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF ICOT BOULEVARD; LEAVING SAID WEST RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 80.00 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD; THENCE RUN N 00°16'17" W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, A DISTANCE OF 93.00 FEET; LEAVING SAID EAST RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 451.00 FEET; THENCE RUN S 00°16'17" E, A DISTANCE OF 7.50 FEET; THENCE RUN N 89°43'43" E, A DISTANCE OF 402.26 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; THENCE RUN 117.32 FEET, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE EAST, HAVING A RADIUS OF 517.00 FEET, A CHORD BEARING OF N 06°46'21" W, AND A CHORD DISTANCE OF 117.07 FEET; THENCE RUN N 00°16'17" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH, A DISTANCE OF 503.20 FEET; THENCE RUN N 02°33'43" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH, A DISTANCE OF 125.10 FEET, TO THE POINT OF BEGINNING.

CONTAINING 3,607,264.03 SQUARE FEET, OR 82.8114 ACRES, MORE OR LESS.

ALSO KNOWN AS TAX ROLL PARCEL ID NUMBER 04/30/16/77515/000/1500, 1501, 1600, 1700, 1800, 1900, 2000, 2002, 2003, 2004, 2101, 2102, 2701, 2800, 2801, 2900, 2901, 2903, 05/30/16/70920/100/1100, AND 05/30/16/88983/001/0010, AND AS DEPICTED IN EXHIBIT "A."

Section 2. That the above-described property shall be annexed with a land use designation of Industrial Limited and Transportation/Utility, pursuant to the land use in the Pinellas County Future Land Use Map, and as generally depicted on the map at Exhibit "B."

Section 3. That the Largo City Commission hereby formally and according to law accepts the dedication of all easements, streets, parks, plazas, places, rights-of-way, and other dedications to the public which have heretofore been made by plat, deed, or user within the area so annexed.

Section 4. That it is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 5. That this Ordinance shall take effect on September 30, 2000. However, if the Board of County Commissioners fails to act on ICOT's proposed NOPC on September 26, 2000, the effective date shall be October 30, 2000.

APPROVED ON FIRST READING July 18, 2000

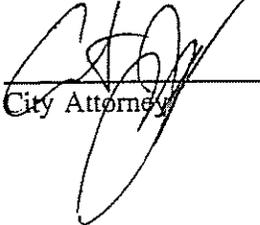
PASSED AND ADOPTED ON
SECOND AND FINAL READING September 19, 2000

ATTEST:

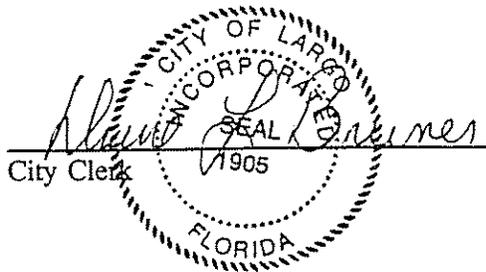


Mayor

REVIEWED AND APPROVED:

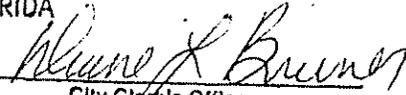


City Attorney



SEAL

A TRUE AND CORRECT COPY ON
RECORD AND FILE IN THE OFFICIAL
RECORDS OF THE CITY OF LARGO,
FLORIDA

BY 

City Clerk's Office

DATE 5/15/01

TIME 9:00 AM _____ PM

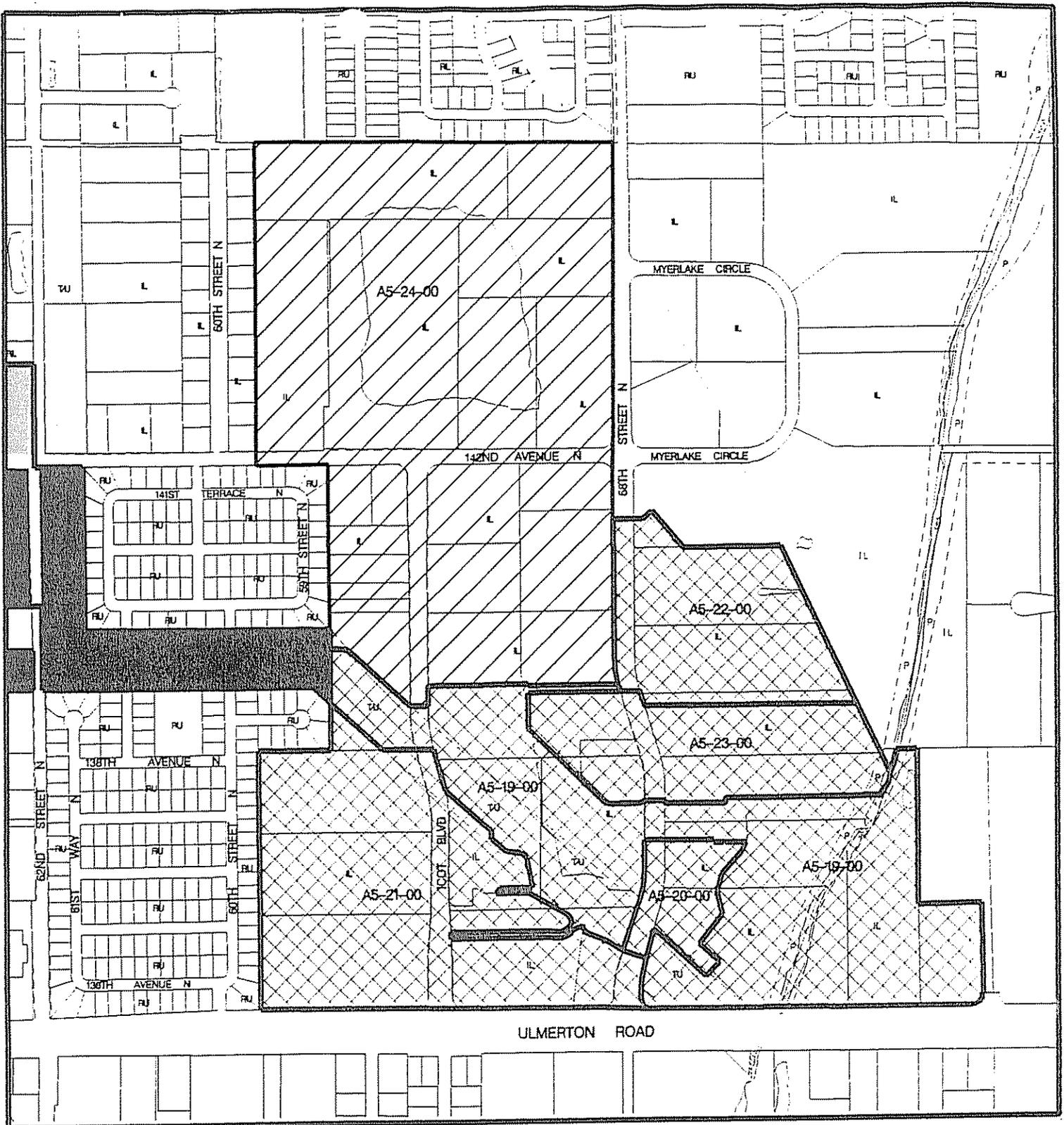


EXHIBIT "B"

EXISTING FUTURE LAND USE MAP

Ord. #: 2000-91 (Case #A5-24-00)
 Subject: Rubin Icot/Westfalia Annexation 6
 Location: 043016775150001500 thru 2004, 2101, 2102
 2701 thru 2903, 053016709201001100 &
 053016889830010010

-  Subject Property
-  TU Transportation /Utility
-  Residential Low Medium
-  P Preservation
-  IL Industrial Limited
-  RU Residential Urban
-  Largo City Limit
-  Future City of Largo



Scale: 1" = 600'

ORDINANCE NO. 2000 - 90

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, ANNEXING THE WITHIN DESCRIBED TRACT OF LAND LOCATED IN, PINELLAS COUNTY, FLORIDA, DESCRIBED AS PARCEL ID NO. 04/30/16/77515/000/0300, AND 05/30/16/59393/000/0010 AND 0020, AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF LARGO, FLORIDA, PURSUANT TO THE PETITION AND APPLICATION OF THE LANDOWNER; WITH CITY LAND USE DESIGNATION OF INDUSTRIAL LIMITED AND PRESERVATION; REDEFINING THE CORPORATE BOUNDARY OF THE CITY OF LARGO TO INCLUDE SAID ADDITION, ACCORDING TO THE PROVISIONS OF CHAPTER 171, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 171, Florida Statutes, a petition by the landowner has been duly filed with the City Commission of Largo, Florida, seeking annexation of the property hereinafter described into the corporate limits of the City of Largo; and

WHEREAS, all requirements of Chapter 171 have been complied with, and the planning procedures set forth in the Interlocal Agreement between Pinellas County, Florida, and the cities of Largo, Pinellas Park, and St. Petersburg, Florida, dated November 13, 1990, have been met, it having appeared to the Largo City Commission that the owner of land within said area to be annexed voluntarily consented to such annexation, and that said petition should be approved by the affirmative vote of the Largo City Commission; now, therefore:

THE CITY OF LARGO HEREBY ORDAINS:

Section 1. That the City of Largo, acting by and through its City Commission, under the authority of Chapter 171, Florida Statutes, hereby annexes into the corporate limits of the City of Largo, Florida, and accordingly redefines the boundary of said city, so as to include the following:

All that tract or parcel of land lying and being in the County of Pinellas, Florida, to wit:

ALL OF THAT TRACT OF LAND AS DESCRIBED IN "M.R.D.M. CENTER CONDOMINIUM", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 120, PAGE 57, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOTS 3-4, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOT 27, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOTS 30-31, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR 58TH STREET NORTH, LYING IMMEDIATELY WEST OF, AND ADJACENT TO, LOTS 30-31, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALL LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST; THENCE RUN N 00°16'17" W, ALONG THE EAST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5, SAID LINE ALSO BEING THE CENTERLINE OF 58TH STREET NORTH, A DISTANCE OF 211.39 FEET; LEAVING SAID EAST BOUNDARY LINE, THENCE RUN 135.94 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°31'09" E, AND A CHORD DISTANCE OF 135.48 FEET; THENCE RUN N 16°40'18" E, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 304.00 FEET; THENCE RUN 141.05 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°12'00" E, AND A CHORD DISTANCE OF 140.54 FEET; THENCE RUN N 00°16'17" W, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 386.40 FEET; THENCE RUN 141.05 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE WEST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°44'34" W, AND A CHORD DISTANCE OF 140.54 FEET; THENCE RUN N 17°12'52" W, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 304.00 FEET; THENCE RUN 13.78 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE EAST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 16°23'12" W, AND A CHORD DISTANCE OF 13.78 FEET; LEAVING SAID CENTERLINE, THENCE RUN S 74°26'28" W, A DISTANCE OF 40.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING [P.O.B.].

FROM THE POINT OF BEGINNING, RUN S 89°43'43" W, A DISTANCE OF 407.30 FEET; THENCE RUN S 00°16'17" E, A DISTANCE OF 177.13 FEET; THENCE RUN S 45°16'17" E, A DISTANCE OF 469.33 FEET; THENCE RUN S 67°46'17" E, A DISTANCE OF 31.38 FEET; THENCE RUN N 89°43'43" E, A DISTANCE OF 137.15 FEET; THENCE RUN N 64°15'15" E, A DISTANCE OF 23.26 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 80.00 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH; THENCE RUN S 00°16'17" E, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 2.48 FEET; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 274.75 FEET; THENCE RUN N 00°16'17" W, A DISTANCE OF 23.00 FEET; THENCE RUN N 89°43'43" E, A DISTANCE OF 692.80 FEET, TO A POINT ON THE EAST PROPERTY LINE OF LOT 3, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN N 31°06'19" E, ALONG THE EAST PROPERTY LINE OF SAID LOT 3, A DISTANCE OF 74.24 FEET; THENCE RUN N 14°03'08" E, ALONG THE EAST PROPERTY LINE OF SAID LOT 3, A DISTANCE OF 40.31 FEET, TO THE EAST CORNER OF SAID LOT 3, THE SAME ALSO BEING THE SOUTH CORNER OF LOT 8, OF

"RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN N 25°28'09" W, ALONG THE WESTERLY PROPERTY LINE OF SAID LOT 8, A DISTANCE OF 350.94 FEET; LEAVING SAID WESTERLY PROPERTY LINE, THENCE RUN S 89°43'43" W, A DISTANCE OF 953.59 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; THENCE RUN N 17°12'52" W, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 83.07 FEET; THENCE RUN 12.63 FEET, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 437.00 FEET, A CHORD BEARING OF N 16°23'12" E, AND A CHORD DISTANCE OF 12.62 FEET; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN S 74°26'28" W, A DISTANCE OF 80.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING.

CONTAINING 653,279.27 SQUARE FEET, OR 14.9972 ACRES, MORE OR LESS.

ALSO KNOWN AS TAX ROLL PARCEL ID NUMBER 04/30/16/77515/000/0300, AND 05/30/16/59393/000/0010 AND 0020, AND AS DEPICTED IN EXHIBIT "A."

Section 2. That the above-described property shall be annexed with a land use designation of Industrial Limited and Preservation, pursuant to the land use in the Pinellas County Future Land Use Map, and as generally depicted on the map at Exhibit "B".

Section 3. That the Largo City Commission hereby formally and according to law accepts the dedication of all easements, streets, parks, plazas, places, rights-of-way, and other dedications to the public which have heretofore been made by plat, deed, or user within the area so annexed.

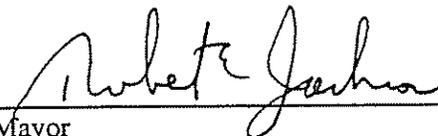
Section 4. That it is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 5. That this Ordinance shall take effect on September 30, 2000. However, if the Board of County Commissioners fails to act on ICOT's proposed NOPC on September 26, 2000, the effective date shall be October 30, 2000.

APPROVED ON FIRST READING July 18, 2000

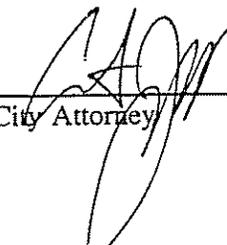
PASSED AND ADOPTED ON
SECOND AND FINAL READING September 19, 2000

ATTEST:



Mayor

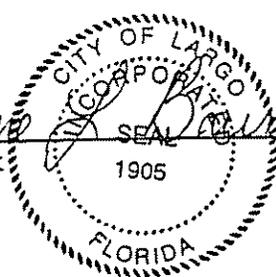
REVIEWED AND APPROVED:



City Attorney



City Clerk



CITY OF LARGO
INCORPORATED
1905
FLORIDA

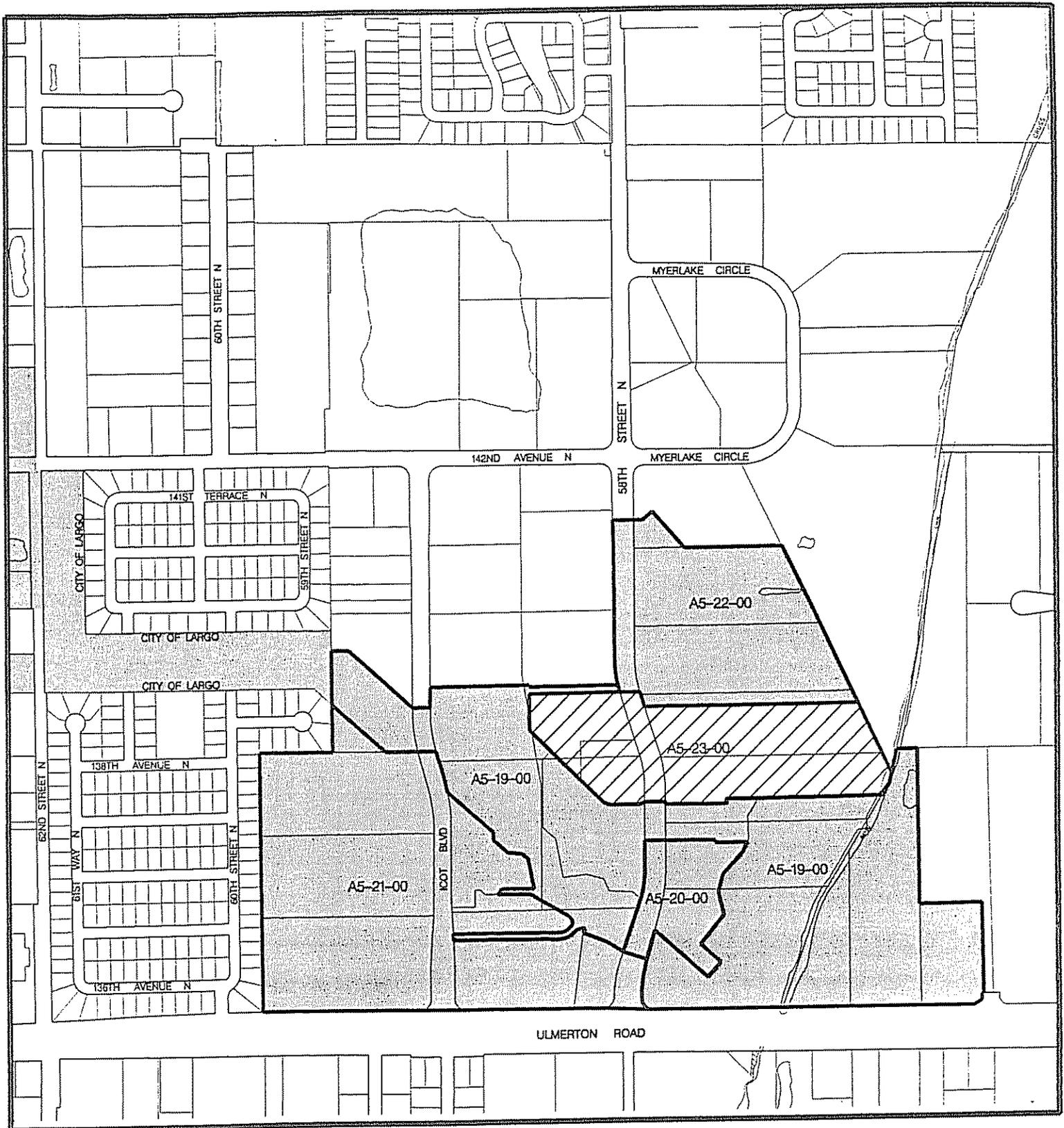


EXHIBIT "A"

Ord. #: 2000-90 (Case #A5-23-00)
 Subject: Rubin Icot/Westfalia Annexation 5
 Location: 043016775150000300
053016593930000010 & 0020

-  Subject Property
-  Future City of Largo Boundary
-  City of Largo



Scale: 1" = 600'

ORDINANCE NO. 2000 - 89

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, ANNEXING THE WITHIN DESCRIBED TRACT OF LAND LOCATED IN PINELLAS COUNTY, FLORIDA, DESCRIBED AS PARCEL ID NO. 04/30/16/77515/000/0500, 0600, AND 0701, AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF LARGO, FLORIDA, PURSUANT TO THE PETITION AND APPLICATION OF THE LANDOWNER; WITH CITY LAND USE DESIGNATION OF INDUSTRIAL LIMITED; REDEFINING THE CORPORATE BOUNDARY OF THE CITY OF LARGO TO INCLUDE SAID ADDITION, ACCORDING TO THE PROVISIONS OF CHAPTER 171, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 171, Florida Statutes, a petition by the landowner has been duly filed with the City Commission of Largo, Florida, seeking annexation of the property hereinafter described into the corporate limits of the City of Largo; and

WHEREAS, all requirements of Chapter 171 have been complied with, and the planning procedures set forth in the Interlocal Agreement between Pinellas County, Florida, and the cities of Largo, Pinellas Park, and St. Petersburg, Florida, dated November 13, 1990, have been met, it having appeared to the Largo City Commission that the owner of land within said area to be annexed voluntarily consented to such annexation, and that said petition should be approved by the affirmative vote of the Largo City Commission; now, therefore:

THE CITY OF LARGO HEREBY ORDAINS:

Section 1. That the City of Largo, acting by and through its City Commission, under the authority of Chapter 171, Florida Statutes, hereby annexes into the corporate limits of the City of Largo, Florida, and accordingly redefines the boundary of said city, so as to include the following:

All that tract or parcel of land lying and being in the County of Pinellas, Florida, to wit:

A PORTION OF LOTS 4-7, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR 58TH STREET NORTH, LYING IMMEDIATELY WEST OF, AND ADJACENT TO, LOTS 5-7, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALL LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST; THENCE RUN N 00°16'17" W, ALONG THE EAST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5, SAID LINE ALSO BEING THE CENTERLINE OF 58TH STREET NORTH, A DISTANCE OF 211.39 FEET; LEAVING SAID EAST BOUNDARY LINE, THENCE RUN 135.94 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 477.00

FEET, A CHORD BEARING OF N 08°31'09" E, AND A CHORD DISTANCE OF 135.48 FEET; THENCE RUN N 16°40'18" E, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 304.00 FEET; THENCE RUN 141.05 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°12'00" E, AND A CHORD DISTANCE OF 140.54 FEET; THENCE RUN N 00°16'17" W, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 386.40 FEET; THENCE RUN 141.05 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE WEST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°44'34" W, AND A CHORD DISTANCE OF 140.54 FEET; THENCE RUN N 17°12'52" W, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 304.00 FEET; THENCE RUN 141.05 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE EAST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°44'34" W, AND A CHORD DISTANCE OF 140.54 FEET; THENCE RUN N 00°16'17" W, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 628.20 FEET; LEAVING SAID CENTERLINE, THENCE RUN S 89°43'43" W, A DISTANCE OF 45.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING [P.O.B.].

FROM THE POINT OF BEGINNING, RUN N 89°44'04" E, A DISTANCE OF 90.00 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 38.68 FEET; THENCE RUN N 48°44'05" E, A DISTANCE OF 56.51 FEET; THENCE RUN S 41°15'55" E, A DISTANCE OF 221.35 FEET, TO A POINT ON THE SOUTH PROPERTY LINE OF LOT 7, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THE SAME ALSO BEING THE NORTH PROPERTY LINE OF LOT 6, OF SAID "RUBIN ICOT CENTER"; THENCE RUN N 89°43'43" E, ALONG THE NORTH PROPERTY LINE OF SAID LOT 6, A DISTANCE OF 433.51 FEET, TO THE NORTHEAST CORNER OF SAID LOT 6, THE SAME ALSO BEING A POINT ON THE WESTERLY PROPERTY LINE OF LOT 8, OF SAID "RUBIN ICOT CENTER"; THENCE RUN S 25°28'09" E, ALONG THE WESTERLY PROPERTY LINE OF SAID LOT 8, A DISTANCE OF 779.15 FEET; LEAVING SAID WESTERLY PROPERTY LINE, THENCE RUN S 89°43'43" W, A DISTANCE OF 953.59 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; THENCE RUN N 17°12'52" W, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 83.07 FEET; THENCE RUN 12.63 FEET, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 437.00 FEET, A CHORD BEARING OF N 16°23'12" E, AND A CHORD DISTANCE OF 12.62 FEET; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN S 74°26'28" W, A DISTANCE OF 80.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH; THENCE RUN 137.95 FEET, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE EAST, HAVING A RADIUS OF 517.00 FEET, A CHORD BEARING OF N 07°54'55" W, AND A CHORD DISTANCE OF 137.54 FEET; THENCE RUN N 00°16'17" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 503.20 FEET; THENCE RUN N 02°33'43" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 125.10 FEET, TO THE POINT OF BEGINNING.

CONTAINING 667,421.71 SQUARE FEET, OR 15.3219 ACRES, MORE OR LESS.

ALSO KNOWN AS TAX ROLL PARCEL ID NUMBER 04/30/16/77515/000/0500, 0600, AND 0701, AND AS DEPICTED IN EXHIBIT "A."

Section 2. That the above-described property shall be annexed with a land use designation of Industrial Limited.

Section 3. That the Largo City Commission hereby formally and according to law accepts the dedication of all easements, streets, parks, plazas, places, rights-of-way, and other dedications to the public which have heretofore been made by plat, deed, or user within the area so annexed.

Section 4. That it is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 5. That this Ordinance shall take effect on September 30, 2000. However, if the Board of County Commissioners fails to act on ICOT's proposed NOPC on September 26, 2000, the effective date shall be October 30, 2000.

APPROVED ON FIRST READING July 18, 2000

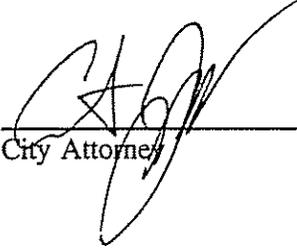
PASSED AND ADOPTED ON
SECOND AND FINAL READING September 19, 2000

ATTEST:

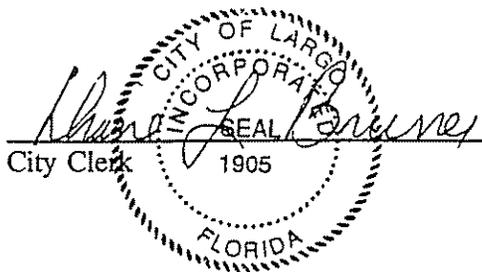


Mayor

REVIEWED AND APPROVED:

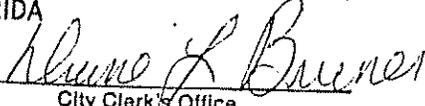


City Attorney



SEAL

A TRUE AND CORRECT COPY ON
RECORD AND FILE IN THE OFFICIAL
RECORDS OF THE CITY OF LARGO,
FLORIDA

BY 

City Clerk's Office

DATE 5/15/01

TIME 8:59 AM _____ PM

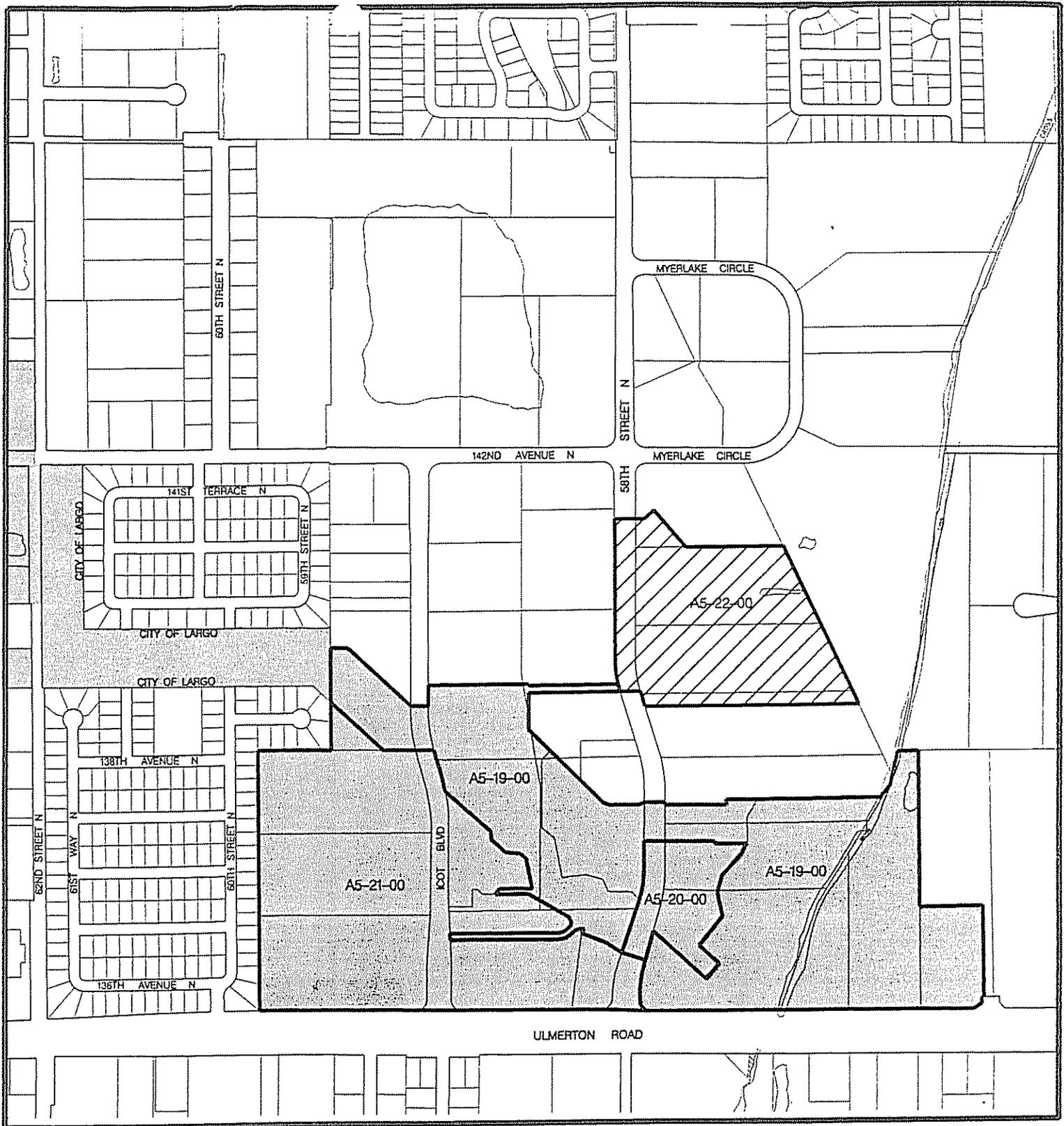


EXHIBIT "A"

Ord. #: 2000-89 (Case #A5-22-00)
 Subject: Rubin Icot/Westfalia Annexation 4
 Location: 043016775150000500, 0600, & 0701



Subject Property



Future City of Largo Boundary



City of Largo



Scale: 1" = 600'

ORDINANCE NO. 2000 - 88

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, ANNEXING THE WITHIN DESCRIBED TRACT OF LAND LOCATED IN PINELLAS COUNTY, FLORIDA, DESCRIBED AS PARCEL ID NO. 04/30/16/77515/000/2200, 2500, 2501, 2502 AND 2601, AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF LARGO, FLORIDA, PURSUANT TO THE PETITION AND APPLICATION OF THE LANDOWNER; WITH CITY LAND USE DESIGNATION OF INDUSTRIAL LIMITED, AND TRANSPORTATION/UTILITY; REDEFINING THE CORPORATE BOUNDARY OF THE CITY OF LARGO TO INCLUDE SAID ADDITION, ACCORDING TO THE PROVISIONS OF CHAPTER 171, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 171, Florida Statutes, a petition by the landowner has been duly filed with the City Commission of Largo, Florida, seeking annexation of the property hereinafter described into the corporate limits of the City of Largo; and

WHEREAS, all requirements of Chapter 171 have been complied with, and the planning procedures set forth in the Interlocal Agreement between Pinellas County, Florida, and the cities of Largo, Pinellas Park, and St. Petersburg, Florida, dated November 13, 1990, have been met, it having appeared to the Largo City Commission that the owner of land within said area to be annexed voluntarily consented to such annexation, and that said petition should be approved by the affirmative vote of the Largo City Commission; now, therefore:

THE CITY OF LARGO HEREBY ORDAINS:

Section 1. That the City of Largo, acting by and through its City Commission, under the authority of Chapter 171, Florida Statutes, hereby annexes into the corporate limits of the City of Largo, Florida, and accordingly redefines the boundary of said city, so as to include the following:

All that tract or parcel of land lying and being in the County of Pinellas, Florida, to wit:

A PORTION OF LOTS 21-24, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOTS 25-26, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOT 31, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR ICOT BOULEVARD, LYING IMMEDIATELY EAST OF, AND ADJACENT TO, LOTS 22-24, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR 58TH STREET NORTH, LYING IMMEDIATELY EAST OF, AND ADJACENT TO, LOT 25, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALL LOCATED IN THE IN THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST; THENCE RUN N 00°16'17" W, ALONG THE EAST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5, SAID LINE ALSO BEING THE CENTERLINE OF 58TH STREET NORTH, A DISTANCE OF 211.39 FEET; LEAVING SAID EAST BOUNDARY LINE, THENCE RUN 135.94 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°31'09" E, AND A CHORD DISTANCE OF 135.48 FEET; THENCE RUN N 16°40'18" E, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 50.93 FEET; LEAVING SAID CENTERLINE, THENCE RUN N 73°19'42" W, A DISTANCE OF 49.90 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING [P.O.B.].

FROM THE POINT OF BEGINNING, RUN N 57°44'21" W, A DISTANCE OF 83.23 FEET; THENCE RUN N 68°06'04" W, A DISTANCE OF 119.44 FEET; THENCE RUN N 31°27'38" E, A DISTANCE OF 21.30 FEET; THENCE RUN 60.50 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 60.11 FEET, A CHORD BEARING OF S 72°50'15" W, AND A CHORD DISTANCE OF 57.98 FEET, TO A POINT OF REVERSE CURVATURE; THENCE RUN 71.15 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTH, HAVING A RADIUS OF 88.14 FEET, A CHORD BEARING OF S 67°06'30" W, AND A CHORD DISTANCE OF 69.23 FEET; THENCE RUN N 89°45'12" W, A DISTANCE OF 469.12 FEET; THENCE RUN 12.91 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF S 75°27'13" W, AND A CHORD DISTANCE OF 12.77 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ICOT BOULEVARD; THENCE RUN N 02°36'38" W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, A DISTANCE OF 33.49 FEET; LEAVING SAID EAST RIGHT-OF-WAY LINE, THENCE RUN 10.51 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTH, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF S 78°59'07" E, AND A CHORD DISTANCE OF 10.43 FEET; THENCE RUN S 89°45'12" E, A DISTANCE OF 472.98 FEET; THENCE RUN 48.55 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 60.15 FEET, A CHORD BEARING OF N 67°06'04" E, AND A CHORD DISTANCE OF 47.24 FEET, TO A POINT OF REVERSE CURVATURE; THENCE RUN 12.23 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 88.11 FEET, A CHORD BEARING OF N 48°50'49" E, AND A CHORD DISTANCE OF 12.22 FEET, TO A POINT OF REVERSE CURVATURE; THENCE RUN 27.71 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE WEST, HAVING A RADIUS OF 20.00 FEET, A CHORD BEARING OF N 13°09'03" E, AND A CHORD DISTANCE OF 25.55 FEET; THENCE RUN 32.26 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 46.00 FEET, A CHORD BEARING OF N 38°46'22" W, AND A CHORD DISTANCE OF 31.60 FEET; THENCE RUN N 60°00'00" W, A DISTANCE OF 192.79 FEET; THENCE RUN 7.79 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 15.00 FEET, A CHORD BEARING

OF N 74°52'36" W, AND A CHORD DISTANCE OF 7.70 FEET; THENCE RUN N 89°45'12" W, A DISTANCE OF 142.44 FEET; THENCE RUN N 37°31'56" E, A DISTANCE OF 30.17 FEET; THENCE RUN S 89°45'12" E, A DISTANCE OF 146.00 FEET; THENCE RUN N 10°55'46" W, A DISTANCE OF 137.18 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 34.32 FEET; THENCE RUN N 83°29'28" W, A DISTANCE OF 67.81 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 85.00 FEET; THENCE RUN N 03°18'20" W, A DISTANCE OF 37.58 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 275.58 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ICOT BOULEVARD; THENCE RUN 24.54 FEET, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 517.00 FEET, A CHORD BEARING OF N 15°18'52" W, AND A CHORD DISTANCE OF 24.53 FEET; THENCE RUN N 16°40'26" W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, A DISTANCE OF 191.06 FEET; LEAVING SAID EAST RIGHT-OF-WAY LINE, THENCE RUN S 73°19'34" W, A DISTANCE OF 80.00 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, THE SAME ALSO BEING THE SOUTHEAST CORNER OF LOT 21, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN N 89°34'42" W, ALONG THE SOUTH PROPERTY LINE OF SAID LOT 21, A DISTANCE OF 147.59 FEET; LEAVING SAID SOUTH PROPERTY LINE, THENCE RUN N 48°18'20" W, A DISTANCE OF 321.40 FEET, TO A POINT ON THE WEST PROPERTY LINE OF SAID LOT 21; THENCE RUN S 00°23'46" E, ALONG THE WEST PROPERTY LINE OF SAID LOT 21, A DISTANCE OF 212.04 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 21, THE SAME ALSO BEING A POINT ON THE NORTH PROPERTY LINE OF LOT 22, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE N 89°46'10" W, ALONG THE NORTH PROPERTY LINE OF SAID LOT 22, A DISTANCE OF 331.28 FEET, TO THE NORTHWEST CORNER OF SAID LOT 22; THENCE RUN S 00°25'38" E, ALONG THE WEST BOUNDARY LINE OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, A DISTANCE OF 1,165.19 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ULMERTON ROAD [STATE ROAD 688]; THENCE RUN S 89°45'12" E, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, THE SAME ALSO BEING THE SOUTH BOUNDARY LINE OF SAID "RUBIN ICOT CENTER", A DISTANCE OF 1,757.77 FEET; LEAVING SAID NORTH RIGHT-OF-WAY LINE, THENCE RUN 78.09 FEET, ALONG THE SOUTHWESTERLY PROPERTY LINE OF SAID LOT 1, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 50.00 FEET, A CHORD BEARING OF N 45°00'44" W, AND A CHORD DISTANCE OF 70.39 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; THENCE RUN N 00°16'17" W, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 0.95 FEET; THENCE RUN 183.01 FEET, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE EAST, HAVING A RADIUS OF 661.00 FEET, A CHORD BEARING OF N 07°39'36" E, AND A CHORD DISTANCE OF 182.42 FEET; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN N 77°06'50" W, A DISTANCE OF 94.85 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING.

CONTAINING 1,474,377.94 SQUARE FEET, OR 33.8471 ACRES, MORE OR LESS.

ALSO KNOWN AS TAX ROLL PARCEL ID NUMBER 04/30/16/77515/000/2200, 2500, 2501, 2502 AND 2601, AND AS DEPICTED IN EXHIBIT "A."

Section 2. That the above-described property shall be annexed with a land use designation of Industrial Limited, and Transportation/Utility, pursuant to the land use in the Pinellas County Future Land Use Map, and as generally depicted on the map at Exhibit "B."

Section 3. That the Largo City Commission hereby formally and according to law accepts the dedication of all easements, streets, parks, plazas, places, rights-of-way, and other dedications to the public which have heretofore been made by plat, deed, or user within the area so annexed.

Section 4. That it is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 5. That this Ordinance shall take effect on September 30, 2000. However, if the Board of County Commissioners fails to act on ICOT's proposed NOPC on September 26, 2000, the effective date shall be October 30, 2000.

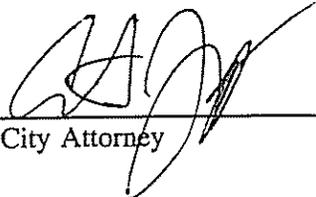
APPROVED ON FIRST READING July 18, 2000

PASSED AND ADOPTED ON
SECOND AND FINAL READING September 19, 2000

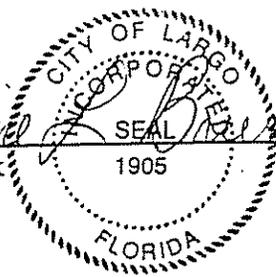
ATTEST:



Mayor

REVIEWED AND APPROVED:


City Attorney




City Clerk

SEAL

A TRUE AND CORRECT COPY ON
RECORD AND FILE IN THE OFFICIAL
RECORDS OF THE CITY OF LARGO,
FLORIDA

BY 

City Clerk's Office

DATE 5/15/01

TIME 8:58 AM _____ PM

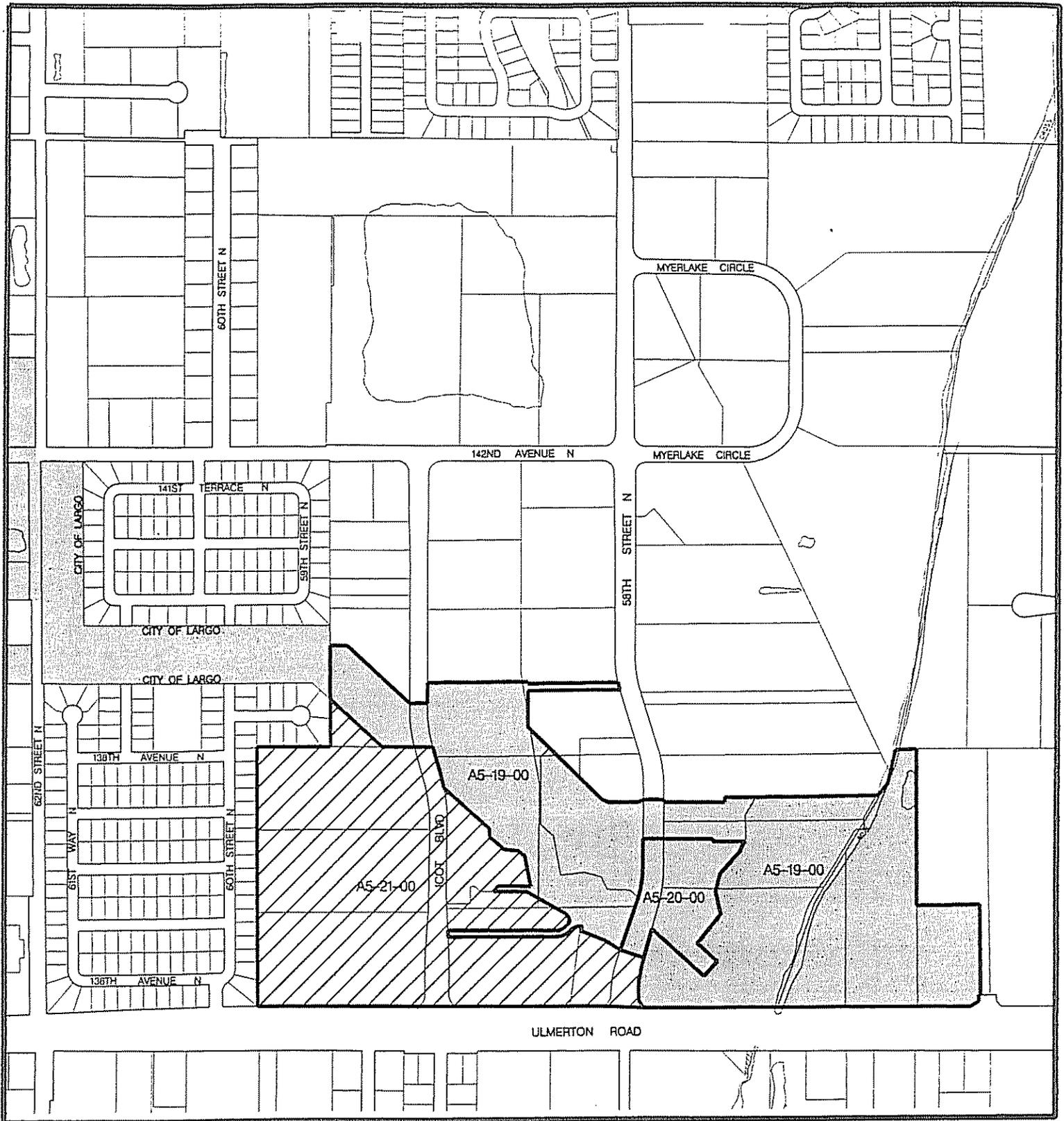


EXHIBIT "A"

Ord. #: 2000-88 (Case #A5-21-00)

Subject: Rubin Icot/Westfalia Annexation 3

Location: 043016775150002200, 2500, 2501, 2502, & 2601.



Subject Property



Future City of Largo Boundary



City of Largo



Scale: 1" = 600'

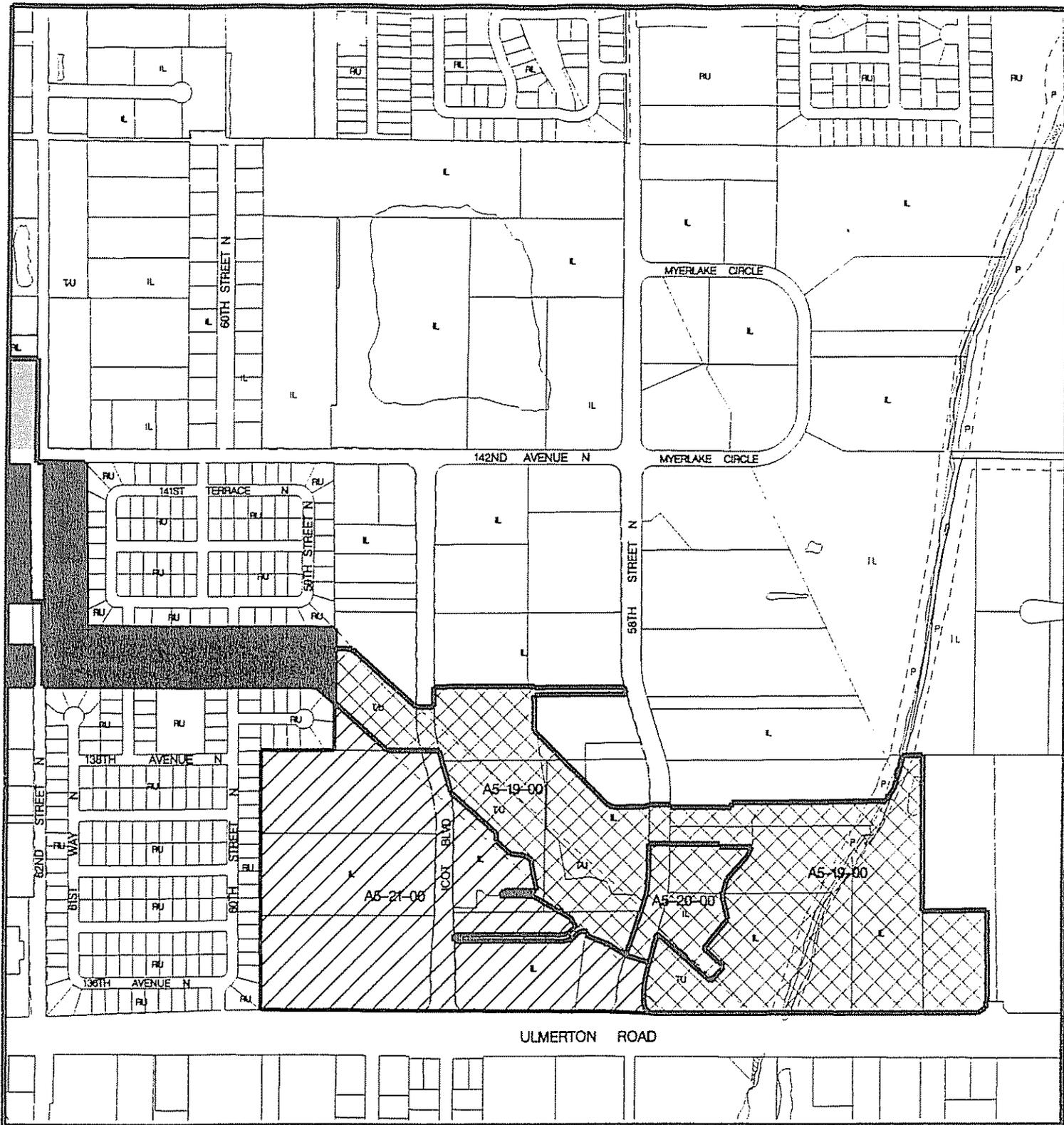


EXHIBIT "B"

EXISTING FUTURE LAND USE MAP

Ord. #: 2000-88 (Case #A5-21-00)
 Subject: Rubin Icot/Westfalia Annexation 3
 Location: 43016/77515/000/2200, 2500, 2501,
2502, & 2601.

- Subject Property
- TU Transportation /Utility
- Residential Low Medium
- P Preservation

- IL Industrial Limited
- RU Residential Urban
- Largo City Limit
- Future City of Largo



Scale: 1" = 600'

ORDINANCE NO. 2000 - 86

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, ANNEXING THE WITHIN DESCRIBED TRACT OF LAND LOCATED IN PINELLAS COUNTY, FLORIDA, DESCRIBED AS PARCEL ID NO. 04/30/16/77515/000/0100, 0200, 0201, 0301, 2100, 2600, 3100, 04/30/16/70902/300/1100, AND 1202, AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF LARGO, FLORIDA, PURSUANT TO THE PETITION AND APPLICATION OF THE LANDOWNER; WITH CITY LAND USE DESIGNATION OF INDUSTRIAL LIMITED, TRANSPORTATION/UTILITY AND PRESERVATION; REDEFINING THE CORPORATE BOUNDARY OF THE CITY OF LARGO TO INCLUDE SAID ADDITION, ACCORDING TO THE PROVISIONS OF CHAPTER 171, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 171, Florida Statutes, a petition by the landowner has been duly filed with the City Commission of Largo, Florida, seeking annexation of the property hereinafter described into the corporate limits of the City of Largo; and

WHEREAS, all requirements of Chapter 171 have been complied with, and the planning procedures set forth in the Interlocal Agreement between Pinellas County, Florida, and the cities of Largo, Pinellas Park, and St. Petersburg, Florida, dated November 13, 1990, have been met, it having appeared to the Largo City Commission that the owner of land within said area to be annexed voluntarily consented to such annexation, and that said petition should be approved by the affirmative vote of the Largo City Commission; now, therefore:

THE CITY OF LARGO HEREBY ORDAINS:

Section 1. That the City of Largo, acting by and through its City Commission, under the authority of Chapter 171, Florida Statutes, hereby annexes into the corporate limits of the City of Largo, Florida, and accordingly redefines the boundary of said city, so as to include the following:

All that tract or parcel of land lying and being in the County of Pinellas, Florida, to wit:

A PORTION OF LOTS 1-3, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOT 21, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOTS 25-27, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOTS 30-31, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF LOTS 10-12, OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, OF "PINELLAS GROVES", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR ICOT BOULEVARD, LYING IMMEDIATELY EAST OF, AND ADJACENT TO, LOT 21, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR 58TH STREET NORTH, LYING IMMEDIATELY EAST OF, AND ADJACENT TO, LOT 31, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALL LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST; THENCE RUN N 00°16'17" W, ALONG THE EAST BOUNDARY LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 5, SAID LINE ALSO BEING THE CENTERLINE OF 58TH STREET NORTH, A DISTANCE OF 211.39 FEET; LEAVING SAID EAST BOUNDARY LINE, THENCE RUN 135.94 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°31'09" E, AND A CHORD DISTANCE OF 135.48 FEET; THENCE RUN N 16°40'18" E, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 50.93 FEET; LEAVING SAID CENTERLINE, THENCE RUN N 73°19'42" W, A DISTANCE OF 49.90 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING [P.O.B.].

FROM THE POINT OF BEGINNING, RUN N 57°44'21" W, A DISTANCE OF 83.23 FEET; THENCE RUN N 68°06'04" W, A DISTANCE OF 119.44 FEET; THENCE RUN N 31°27'38" E, A DISTANCE OF 21.30 FEET; THENCE RUN 60.50 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 60.11 FEET, A CHORD BEARING OF S 72°50'15" W, AND A CHORD DISTANCE OF 57.98 FEET, TO A POINT OF REVERSE CURVATURE; THENCE RUN 71.15 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTH, HAVING A RADIUS OF 88.14 FEET, A CHORD BEARING OF S 67°06'30" W, AND A CHORD DISTANCE OF 69.23 FEET; THENCE RUN N 89°45'12" W, A DISTANCE OF 469.12 FEET; THENCE RUN 12.91 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF S 75°27'13" W, AND A CHORD DISTANCE OF 12.77 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ICOT BOULEVARD; THENCE RUN N 02°36'38" W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, A DISTANCE OF 33.49 FEET; LEAVING SAID EAST RIGHT-OF-WAY LINE, THENCE RUN 10.51 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTH, HAVING A RADIUS OF 25.00 FEET, A CHORD BEARING OF S 78°59'07" E, AND A CHORD DISTANCE OF 10.43 FEET; THENCE RUN S 89°45'12" E, A DISTANCE OF 472.98 FEET; THENCE RUN 48.55 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 60.15 FEET, A CHORD BEARING OF N 67°06'04" E, AND A CHORD DISTANCE OF 47.24 FEET, TO A POINT OF REVERSE CURVATURE; THENCE RUN 12.23 FEET, ALONG THE

ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 88.11 FEET, A CHORD BEARING OF N 48°50'49" E, AND A CHORD DISTANCE OF 12.22 FEET, TO A POINT OF REVERSE CURVATURE; THENCE RUN 27.71 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE WEST, HAVING A RADIUS OF 20.00 FEET, A CHORD BEARING OF N 13°09'03" E, AND A CHORD DISTANCE OF 25.55 FEET; THENCE RUN 32.26 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 46.00 FEET, A CHORD BEARING OF N 38°46'22" W, AND A CHORD DISTANCE OF 31.60 FEET; THENCE RUN N 60°00'00" W, A DISTANCE OF 192.79 FEET; THENCE RUN 7.79 FEET, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 15.00 FEET, A CHORD BEARING OF N 74°52'36" W, AND A CHORD DISTANCE OF 7.70 FEET; THENCE RUN N 89°45'12" W, A DISTANCE OF 142.44 FEET; THENCE RUN N 37°31'56" E, A DISTANCE OF 30.17 FEET; THENCE RUN S 89°45'12" E, A DISTANCE OF 146.00 FEET; THENCE RUN N 10°55'46" W, A DISTANCE OF 137.18 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 34.32 FEET; THENCE RUN N 83°29'28" W, A DISTANCE OF 67.81 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 85.00 FEET; THENCE RUN N 03°18'20" W, A DISTANCE OF 37.58 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 275.58 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD; THENCE RUN 24.54 FEET, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 517.00 FEET, A CHORD BEARING OF N 15°18'52" W, AND A CHORD DISTANCE OF 24.53 FEET; THENCE RUN N 16°40'26" W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, A DISTANCE OF 191.06 FEET; LEAVING SAID EAST RIGHT-OF-WAY LINE, THENCE RUN S 73°19'34" W, A DISTANCE OF 80.00 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, THE SAME ALSO BEING THE SOUTHEAST CORNER OF LOT 21, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN N 89°34'42" W, ALONG THE SOUTH PROPERTY LINE OF SAID LOT 21, A DISTANCE OF 147.59 FEET; LEAVING SAID SOUTH PROPERTY LINE, THENCE RUN N 48°18'20" W, A DISTANCE OF 321.40 FEET, TO A POINT ON THE WEST PROPERTY LINE OF SAID LOT 21; THENCE RUN N 00°23'46" W, ALONG THE WEST PROPERTY LINE OF SAID LOT 21, A DISTANCE OF 240.20 FEET; LEAVING SAID WEST PROPERTY LINE, THENCE RUN S 89°49'05" E, A DISTANCE OF 80.70 FEET; THENCE RUN S 48°18'20" E, A DISTANCE OF 383.76 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF ICOT BOULEVARD; LEAVING SAID WEST RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 80.00 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD; THENCE RUN N 00°16'17" W, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID ICOT BOULEVARD, A DISTANCE OF 93.00 FEET; LEAVING SAID EAST RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 451.00 FEET; THENCE RUN S 00°16'17" E, A DISTANCE OF 7.50 FEET; THENCE RUN N 89°43'43" E, A DISTANCE OF 402.26 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; THENCE RUN 20.62 FEET, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE LEFT, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 517.00 FEET, A CHORD BEARING OF S 14°24'58" E, AND A CHORD DISTANCE OF 20.62 FEET; LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, THENCE RUN S 89°43'43" W, A DISTANCE OF 407.30 FEET; THENCE RUN S 00°16'17" E, A DISTANCE OF 177.13 FEET; THENCE RUN S 45°16'17" E, A DISTANCE OF 469.33 FEET; THENCE RUN S 67°46'17" E, A DISTANCE OF 31.38 FEET; THENCE RUN N 89°43'43" E, A DISTANCE OF 137.15 FEET; THENCE RUN N 64°15'15" E, A DISTANCE OF 23.26 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 80.00 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH; THENCE RUN S 00°16'17" E, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 2.48 FEET; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN N 89°43'43" E, A DISTANCE OF 274.75 FEET; THENCE RUN N 00°16'17" W, A DISTANCE OF 23.00 FEET; THENCE RUN N 89°43'43" E, A DISTANCE OF 692.80 FEET, TO A POINT ON THE EAST PROPERTY LINE OF LOT 3, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN N 31°06'19" E, ALONG THE EAST PROPERTY LINE OF SAID LOT 3, A DISTANCE OF 74.24 FEET; THENCE RUN N 14°03'08" E, ALONG THE EAST PROPERTY LINE OF SAID LOT 3, A DISTANCE OF 40.31 FEET, TO THE EAST CORNER OF SAID LOT 3, THE SAME ALSO BEING

THE SOUTH CORNER OF LOT 8, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN N 14°03'08" E, ALONG THE EASTERLY PROPERTY LINE OF SAID LOT 8, A DISTANCE OF 109.61 FEET; LEAVING SAID EASTERLY PROPERTY LINE, THENCE RUN S 89°48'31" E, A DISTANCE OF 99.90 FEET, TO THE NORTHEAST CORNER OF LOT 11, OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, OF "PINELLAS GROVES", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN S 00°36'32" E, ALONG THE EAST PROPERTY LINE OF SAID LOT 11, A DISTANCE OF 709.06 FEET; LEAVING SAID EAST PROPERTY LINE, THENCE RUN S 89°45'07" E, A DISTANCE OF 289.50 FEET; THENCE RUN S 00°42'09" E, A DISTANCE OF 401.64 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ULMERTON ROAD [STATE ROAD 688]; THENCE RUN S 89°37'53" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, A DISTANCE OF 4.68 FEET; THENCE RUN S 00°22'07" E, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, A DISTANCE OF 25.00 FEET; THENCE RUN S 52°05'43" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, A DISTANCE OF 49.19 FEET; THENCE RUN N 89°45'07" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, A DISTANCE OF 246.24 FEET; THENCE RUN N 89°50'01" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, A DISTANCE OF 642.31 FEET, TO THE SOUTHEAST CORNER OF LOT 1, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE RUN N 89°45'12" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ULMERTON ROAD, THE SAME ALSO BEING THE SOUTH PROPERTY LINE OF SAID LOT 1, A DISTANCE OF 573.25 FEET; LEAVING SAID NORTH RIGHT-OF-WAY LINE, THENCE RUN 78.09 FEET, ALONG THE SOUTHWESTERLY PROPERTY LINE OF SAID LOT 1, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 50.00 FEET, A CHORD BEARING OF N 45°00'44" W, AND A CHORD DISTANCE OF 70.39 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; THENCE RUN N 00°16'17" W, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 0.95 FEET; THENCE RUN 183.01 FEET, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE EAST, HAVING A RADIUS OF 661.00 FEET, A CHORD BEARING OF N 07°39'36" E, AND A CHORD DISTANCE OF 182.42 FEET; THENCE RUN N 15°35'31" E, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 132.50 FEET; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN S 48°18'20" E, A DISTANCE OF 318.15 FEET; THENCE RUN N 41°41'40" E, A DISTANCE OF 89.00 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 122.00 FEET; THENCE RUN N 38°58'05" E, A DISTANCE OF 168.19 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 105.26 FEET; THENCE RUN N 14°53'54" E, A DISTANCE OF 81.94 FEET; THENCE RUN N 42°29'38" E, A DISTANCE OF 132.32 FEET; THENCE RUN N 24°30'19" E, A DISTANCE OF 49.64 FEET; THENCE RUN S 89°43'43" W, A DISTANCE OF 143.60 FEET; THENCE RUN N 00°16'17" W, A DISTANCE OF 12.00 FEET; THENCE RUN S 89°43'43" W, A DISTANCE OF 223.11 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN S 89°43'43" W, A DISTANCE OF 80.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH; THENCE RUN S 00°16'17" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 140.43 FEET; THENCE RUN 146.92 FEET, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 437.00 FEET, A CHORD BEARING OF S 09°21'36" W, AND A CHORD DISTANCE OF 146.23 FEET; THENCE RUN S 18°59'33" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 235.57 FEET, TO THE POINT OF BEGINNING.

CONTAINING 1,909,428.63 SQUARE FEET, OR 43.8344 ACRES, MORE OR LESS.

ALSO KNOWN AS TAX ROLL PARCEL ID NUMBER 04/30/16/77515/000/0100, 0200, 0201, 0301, 2100, 2600, 3100, 04/30/16/70902/300/1100, AND 1202, AND AS DEPICTED IN EXHIBIT "A."

Section 2. That the above-described property shall be annexed with a land use designation of Industrial Limited, Transportation/Utility and Preservation, pursuant to the land use in the Pinellas County Future Land Use Map, and as generally depicted on Exhibit "B."

Section 3. That the Largo City Commission hereby formally and according to law accepts the dedication of all easements, streets, parks, plazas, places, rights-of-way, and other dedications to the public which have heretofore been made by plat, deed, or user within the area so annexed.

Section 4. That it is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 5. That this Ordinance shall take effect on September 30, 2000. However, if the Board of County Commissioners fails to act on ICOT's proposed NOPC on September 26, 2000, the effective date shall be October 30, 2000.

APPROVED ON FIRST READING July 18, 2000

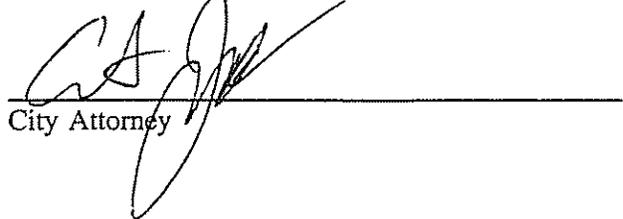
PASSED AND ADOPTED ON
SECOND AND FINAL READING September 19, 2000

ATTEST:

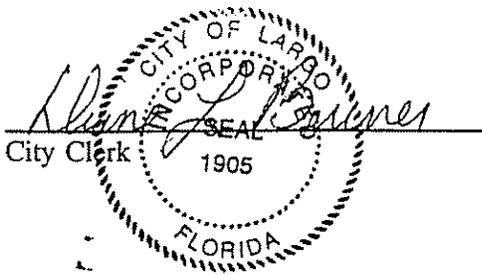


Mayor

REVIEWED AND APPROVED:



City Attorney



SEAL

A TRUE AND CORRECT COPY ON
RECORD AND FILE IN THE OFFICIAL
RECORDS OF THE CITY OF LARGO,
FLORIDA

BY 
City Clerk's Office

DATE 5/15/01

TIME 8:56 AM _____ PM

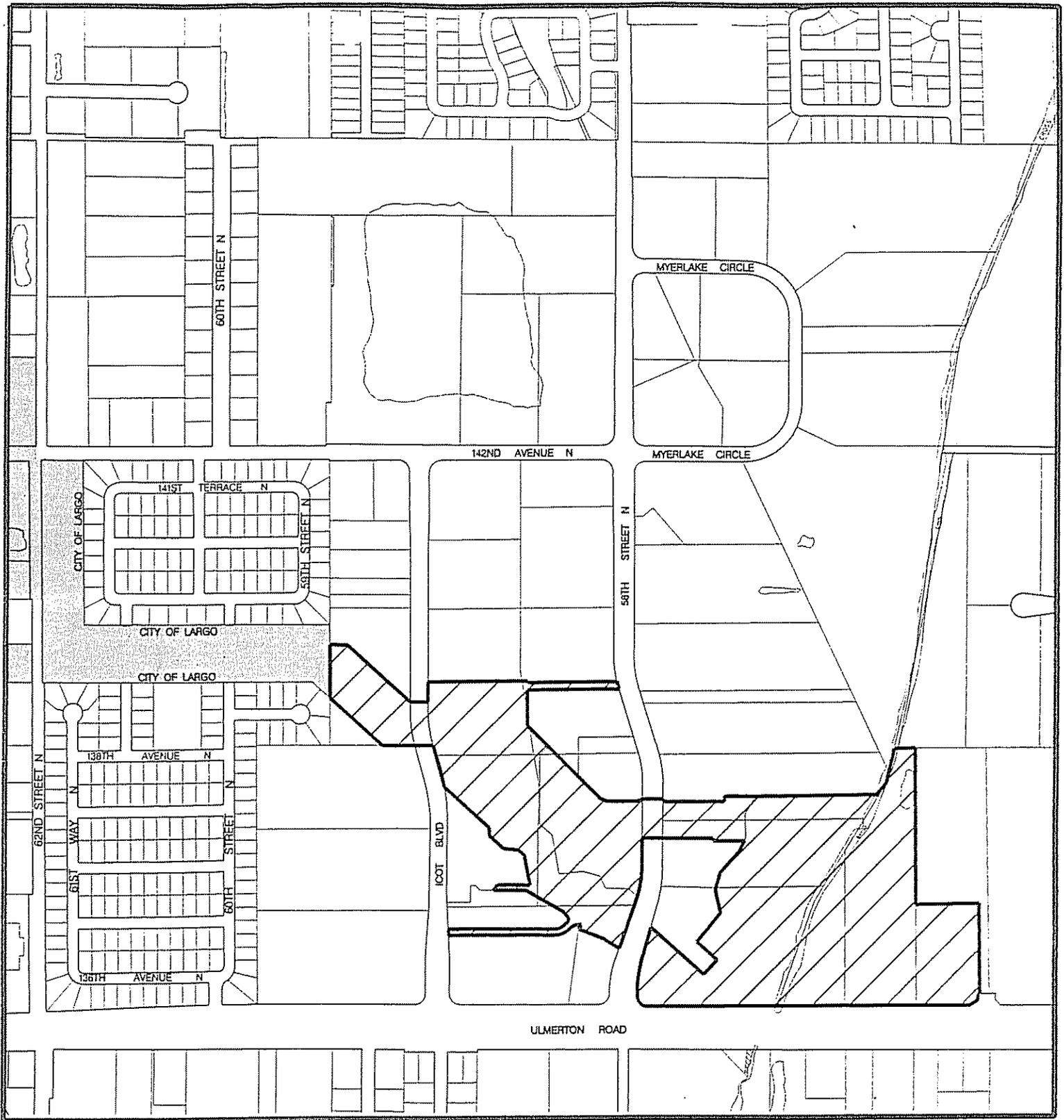


EXHIBIT "A"

Ord. #: 2000-86 (Case #A5-19-00)

Subject: Rubin Icot/Westfalia Annexation-1

Location: 04/30/16/77515/0000100, 0200, 0201,
0301, 2100, 2600, & 3100.
04/30/16/70902/3001100 & 1202



Subject Property



City of Largo



Scale: 1" = 600'

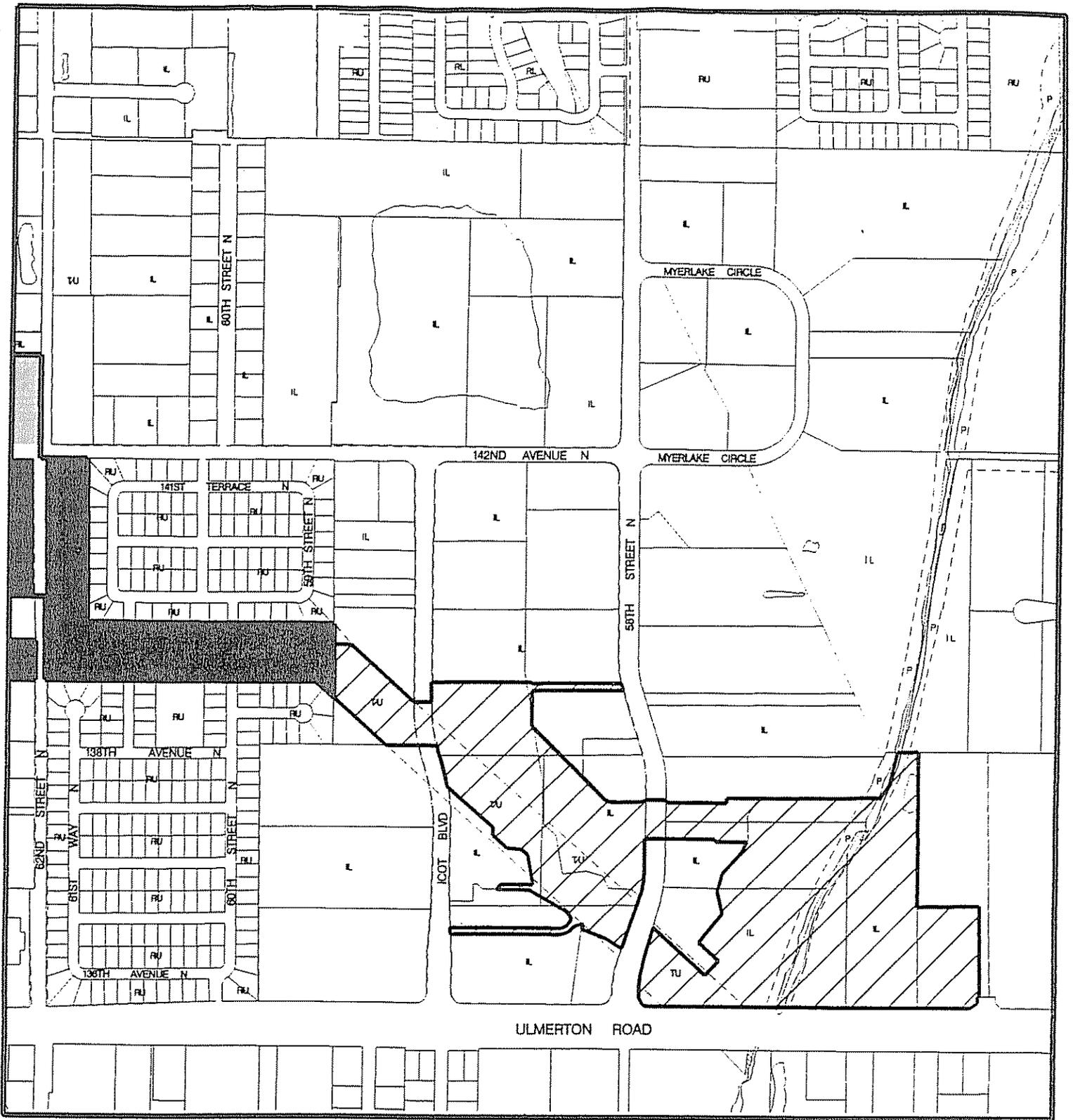


EXHIBIT "B"

EXISTING FUTURE LAND USE MAP

Ord. #: 2000-86 (Case #A5-19-00)
 Subject: Rubin Icot/Westfalia Annexation 1
 Location: 43016/77515/0000100, 0200, 0201,
 0301, 2100, 2600 & 3100.
 43016/70902/3001100/& 1202.

-  Subject Property
-  TU Transportation /Utility
-  Residential Low Medium
-  P Preservation
-  IL Industrial Limited
-  RU Residential Urban
-  Largo City Limit



Scale: 1" = 600'

ORDINANCE NO. 2000 - 87

AN ORDINANCE OF THE CITY OF LARGO, FLORIDA, ANNEXING THE WITHIN DESCRIBED TRACT OF LAND LOCATED IN PINELLAS COUNTY, FLORIDA, DESCRIBED AS PARCEL ID NO. 04/30/16/77515/000/0101, AND CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF LARGO, FLORIDA, PURSUANT TO THE PETITION AND APPLICATION OF THE LANDOWNER; WITH CITY LAND USE DESIGNATION OF INDUSTRIAL LIMITED, AND TRANSPORTATION/UTILITY; REDEFINING THE CORPORATE BOUNDARY OF THE CITY OF LARGO TO INCLUDE SAID ADDITION, ACCORDING TO THE PROVISIONS OF CHAPTER 171, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 171, Florida Statutes, a petition by the landowner has been duly filed with the City Commission of Largo, Florida, seeking annexation of the property hereinafter described into the corporate limits of the City of Largo; and

WHEREAS, all requirements of Chapter 171 have been complied with, and the planning procedures set forth in the Interlocal Agreement between Pinellas County, Florida, and the cities of Largo, Pinellas Park, and St. Petersburg, Florida, dated November 13, 1990, have been met, it having appeared to the Largo City Commission that the owner of land within said area to be annexed voluntarily consented to such annexation, and that said petition should be approved by the affirmative vote of the Largo City Commission; now, therefore:

THE CITY OF LARGO HEREBY ORDAINS:

Section 1. That the City of Largo, acting by and through its City Commission, under the authority of Chapter 171, Florida Statutes, hereby annexes into the corporate limits of the City of Largo, Florida, and accordingly redefines the boundary of said city, so as to include the following:

All that tract or parcel of land lying and being in the County of Pinellas, Florida, to wit:

A PORTION OF LOTS 1 AND 2, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

TOGETHER WITH,

A PORTION OF THE RIGHT-OF-WAY FOR 58TH STREET NORTH, LYING IMMEDIATELY WEST OF, AND ADJACENT TO, LOTS 1 AND 2, OF "RUBIN ICOT CENTER", ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 88, PAGES 79 THROUGH 85, INCLUSIVE, OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA;

ALL LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 30 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 30 SOUTH, RANGE 16 EAST; THENCE RUN N 00°16'17" W, ALONG THE EAST BOUNDARY LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5, SAID LINE ALSO BEING THE CENTERLINE OF 58TH STREET NORTH, A DISTANCE OF 211.39 FEET; LEAVING SAID EAST BOUNDARY LINE, THENCE RUN 135.94 FEET, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 477.00 FEET, A CHORD BEARING OF N 08°31'09" E, AND A CHORD DISTANCE OF 135.48 FEET; THENCE RUN N 16°40'18" E, ALONG THE CENTERLINE OF SAID 58TH STREET NORTH, A DISTANCE OF 50.93 FEET; LEAVING SAID CENTERLINE, THENCE RUN N 73°19'42" W, A DISTANCE OF 49.90 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, AND THE POINT OF BEGINNING [P.O.B.].

FROM THE POINT OF BEGINNING, RUN S 77°06'50" E, A DISTANCE OF 94.85 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; THENCE RUN N 15°35'31" E, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 132.50 FEET; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN S 48°18'20" E, A DISTANCE OF 318.15 FEET; THENCE RUN N 41°41'40" E, A DISTANCE OF 89.00 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 122.00 FEET; THENCE RUN N 38°58'05" E, A DISTANCE OF 168.19 FEET; THENCE RUN N 48°18'20" W, A DISTANCE OF 105.26 FEET; THENCE RUN N 14°53'54" E, A DISTANCE OF 81.94 FEET; THENCE RUN N 42°29'38" E, A DISTANCE OF 132.32 FEET; THENCE RUN N 24°30'19" E, A DISTANCE OF 49.64 FEET; THENCE RUN S 89°43'43" W, A DISTANCE OF 143.60 FEET; THENCE RUN N 00°16'17" W, A DISTANCE OF 12.00 FEET; THENCE RUN S 89°43'43" W, A DISTANCE OF 223.11 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF 58TH STREET NORTH; LEAVING SAID EASTERLY RIGHT-OF-WAY LINE, THENCE RUN S 89°43'43" W, A DISTANCE OF 80.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH; THENCE RUN S 00°16'17" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 140.43 FEET; THENCE RUN 146.92 FEET, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, ALONG THE ARC OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 437.00 FEET, A CHORD BEARING OF S 09°21'36" W, AND A CHORD DISTANCE OF 146.23 FEET; THENCE RUN S 18°59'33" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 58TH STREET NORTH, A DISTANCE OF 235.57 FEET, TO THE POINT OF BEGINNING.

CONTAINING 185,342.91 SQUARE FEET, OR 4.2549 ACRES, MORE OR LESS.

ALSO KNOWN AS TAX ROLL PARCEL ID NUMBER 04/30/16/77515/000/0101, AND AS DEPICTED IN EXHIBIT "A."

Section 2. That the above-described property shall be annexed with a land use designation of Industrial Limited, and Transportation/Utility, pursuant to the land use in the Pinellas County Future Land Use Map, and as generally depicted on the map at Exhibit "B."

Section 3. That the Largo City Commission hereby formally and according to law accepts the dedication of all easements, streets, parks, plazas, places, rights-of-way, and other dedications to the public which have heretofore been made by plat, deed, or user within the area so annexed.

Section 4. That it is the intention of the Largo City Commission that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 5. That this Ordinance shall take effect on September 30, 2000. However, if the Board of County Commissioners fails to act on ICOT's proposed NOPC on September 26, 2000, the effective date shall be October 30, 2000.

APPROVED ON FIRST READING July 18, 2000

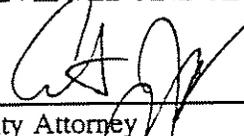
PASSED AND ADOPTED ON
SECOND AND FINAL READING September 19, 2000

ATTEST:



Mayor

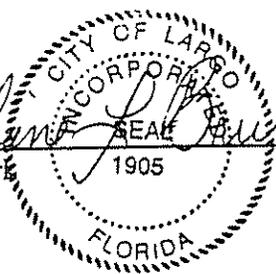
REVIEWED AND APPROVED:



City Attorney



City Clerk



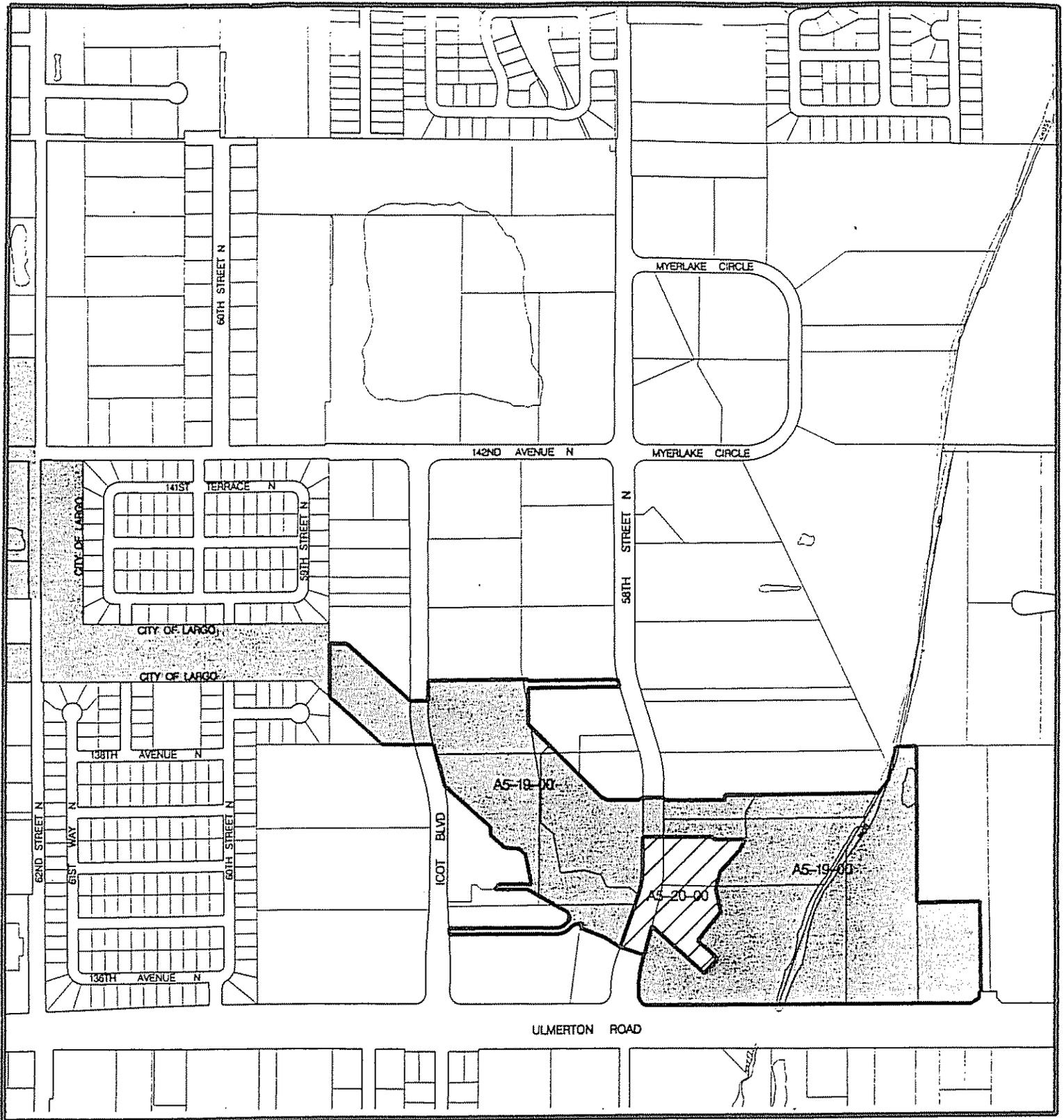


EXHIBIT "A"

Ord. #: 2000-87 (Case #A5-20-00)

Subject: Rubin Icot/Westfalia Annexation 2

Location: 13575 58th Street N

043016775150000101



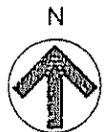
Subject Property



Future City of Largo Boundary



City of Largo



Scale: 1" = 600'

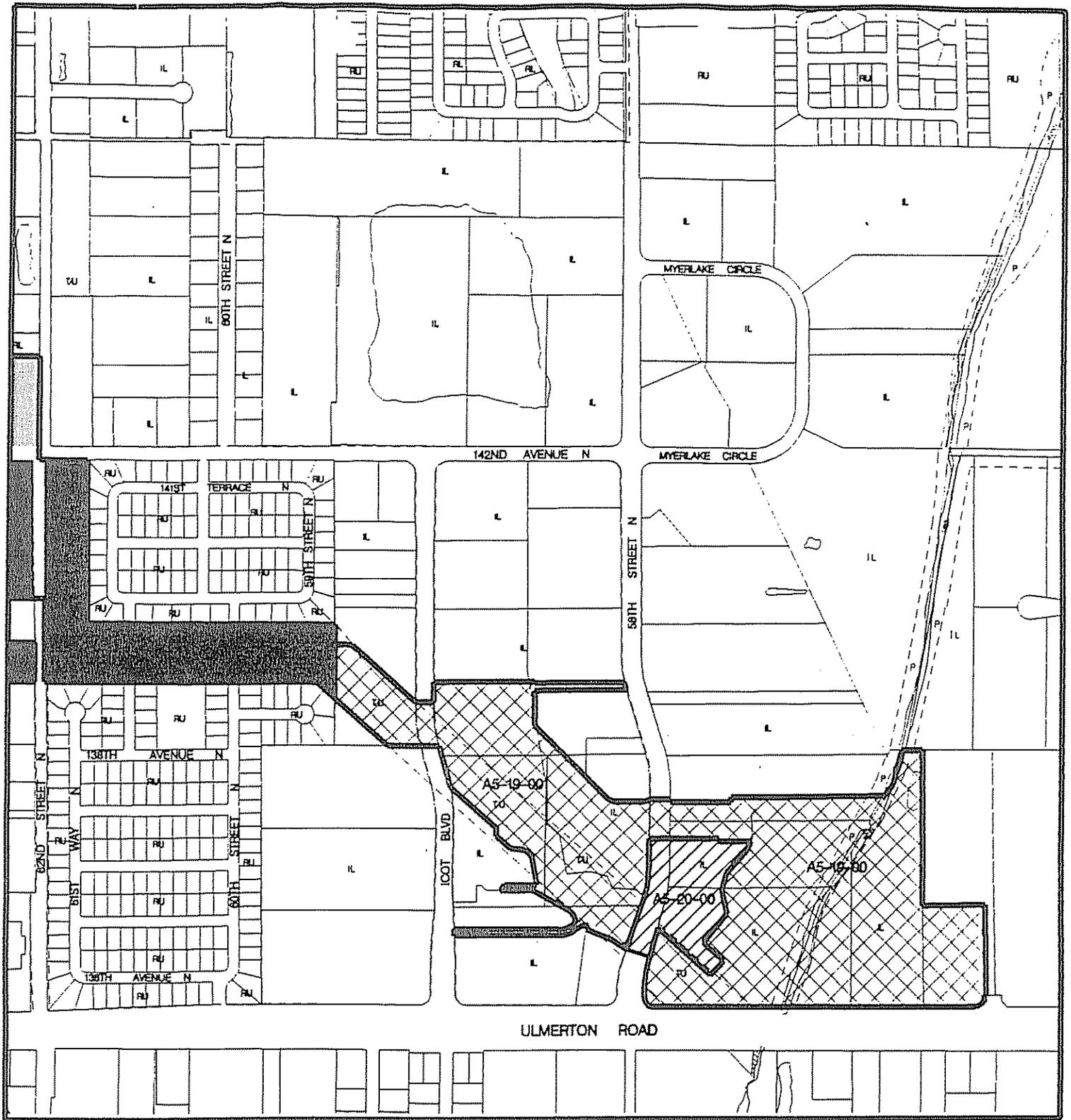


EXHIBIT "B"

EXISTING FUTURE LAND USE MAP

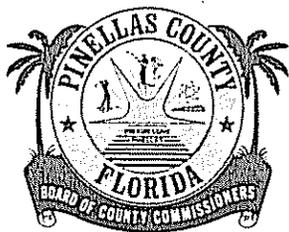
Ord. #: 2000-87 (Case #A5-20-00)
 Subject: Rubin Icot/Westfalia Annexation 2
 Location: 13575 58th Street N
 43016775150000101

-  Subject Property
-  TU Transportation /Utility
-  Residential Low Medium
-  P Preservation

-  IL Industrial Limited
-  RU Residential Urban
-  Largo City Limit
-  Future City of Largo



Scale: 1" = 600'



BOARD OF COUNTY COMMISSIONERS
Development Review Services Department

Working Together to Serve You Better

COMMISSIONERS

SALLIE PARKS - CHAIRMAN
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KAREN WILLIAMS SEEL
BARBARA SHEEN TODD

November 9, 2000

John Meyer
Tampa Bay Regional Planning Council
9455 Koger Boulevard, Suite 219
St. Petersburg, FL 33702

Re: ICOT Center Development - Ordinance No. 00-74

Dear Mr. Meyer,

Please disregard the previously sent copy of the Development Order for the ICOT Center DRI. The previous was a copy rather than an original certification. Enclosed please find the original certified Development Order.

Sincerely,

Al Navaroli
DRS Manager

F:\USERS\DRS\ZONING\NAVAROLI\00-11-09.wpd\ts

ORDINANCE NO. 00-74

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, AMENDING PINELLAS COUNTY ORDINANCE 89-6, AS AMENDED, RESTATED, AND RATIFIED BY ORDINANCES 94-69, 94-73 AND 99-7, THE DEVELOPMENT ORDER FOR THE ICOT CENTER DEVELOPMENT OF REGIONAL IMPACT, PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTICE OF PROPOSED CHANGE APPLICATION, FILED BY ICOT LAND, LTD., PROPOSING TO REVISE THE APPROVED LAND USE SCHEDULE AND EXTEND THE BUILD-OUT DATE; PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR GENERAL PROVISIONS INCLUDING APPROVAL OF THE NOPC; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Pinellas County Board Of County Commissioners (the "Board"), on February 14, 1989, issued Development of Regional Impact ("DRI") development order approval, pursuant to Chapter 380.06, Florida Statutes, for the Rubin ICOT Center DRI, DRI #177, now known as ICOT Center DRI, (hereinafter referred to as the "Development"), pursuant to Pinellas County Ordinance 89-6; and

WHEREAS, the Board, on August 2, 1994, adopted Ordinance 94-69 which accomplished an amendment of Ordinance 89-6, but which may have been improperly advertised, and

WHEREAS, the Board, on August 30, 1994, to assure that the amendment of Ordinance 89-6 as accomplished by Ordinance 94-69 was effective and immune from challenge because of possible advertising deficiencies, adopted Ordinance 94-73; and

WHEREAS, upon its adoption, Ordinance 94-73 superseded and replaced in its entirety the development order adopted pursuant to Ordinance 89-6, as amended by Ordinance 94-69, and

WHEREAS, the Board, on January 26, 1999, adopted Ordinance 99-7 which further amended Ordinance 94-73; and

WHEREAS, on April 13, 2000, ICOT Land, Ltd., a Florida limited partnership ("ICOT"), the owner of certain undeveloped areas of the Development, filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact ("DRI") Subsection 380.06(19), Florida Statutes," Form RPM-BSP-PROPCHANGE-1, (the "NOPC") with the County, with copies provided to the Tampa Bay Regional Planning Council ("TBRPC") and the Department of Community Affairs ("DCA"); and

WHEREAS, the changes proposed in the NOPC include (i) amendment of the land use schedule for the DRI increase office space and simultaneously decrease

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2000 OCT 6 AM 10:36
DINA DEWITT, CLERK
TAMPA BAY REGIONAL PLANNING COUNCIL
FLORIDA

commercial/retail space and industrial park space, and (ii) a five-year extension of the build-out date (collectively, the "Proposed Changes"); and

WHEREAS, certain of the Proposed Changes, are presumed to create a substantial deviation, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the NOPC has satisfactorily addressed all regional issues related to the Development and any presumption of a substantial deviation has been rebutted; and

WHEREAS, the Board, as the governing body of the local government having jurisdiction pursuant to Chapter 380, is authorized and empowered to consider applications for proposed changes to previously approved DRIs; and

WHEREAS, the public notice requirements of Chapter 380 and the County have been satisfied; and

WHEREAS, the Board has held a duly noticed public hearing on the NOPC and heard and considered testimony and documents received thereon; and

WHEREAS, the County has solicited, received, and considered reports, comments and recommendations from interested citizens, the County and state and regional agencies; and

WHEREAS, the Board has received a recommendation from the Pinellas Land Planning Agency, the findings of which determine that the Proposed Changes and this Ordinance are consistent with the adopted Comprehensive Plan for Pinellas County, Florida; and

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

This Ordinance, together with Ordinances 94-73 and 99-7, constitutes the ICOT Center DRI Development Order ("Development Order").

ARTICLE 1. FINDINGS OF FACT.

The Board, having received the NOPC, and having received all related comments, testimony, and evidence submitted by ICOT, appropriate reviewing agencies and the public, finds there is substantial competent evidence to support the following findings of fact:

Section 1.1. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 1.2. ICOT, the owner of certain undeveloped areas of the Development, submitted the NOPC to the County.

Section 1.3. The property which is the subject of the NOPC and which describes the area of Development is legally described as set forth in Exhibit "A" (hereinafter referred to as "Property").

Section 1.4. The NOPC proposes to add conversion ratios and to modify the transportation mitigation provisions and certain other related provisions.

Section 1.5. The Proposed Changes are not located in an area of critical state concern, designated as such pursuant to Section 380.05, Florida Statutes (1993).

Section 1.6. Subject to review under the County's Vested Rights Ordinance, Ordinance 89-6, as amended by and restated in Ordinances 94-69 and 94-73, and amended by Ordinance 99-7, is a valid final development order within the provisions of Section 163.3167(8), Florida Statutes.

ARTICLE 2. CONCLUSIONS OF LAW.

The Board, having made the above findings of fact, reaches the following conclusions of law:

Section 2.1. The Development as built to date is consistent with the local comprehensive plan and local land development regulations under which it was developed.

Section 2.2. The Development, as modified herein, and as depicted on the Revised Map H, Master Plan, dated March 13, 2000, attached hereto as Exhibit "B," will not interfere with the achievement of the objectives of the adopted state land development plan applicable to the area.

Section 2.3. The Proposed Changes are consistent with the adopted local comprehensive plan and the local land development regulations currently in effect.

Section 2.4. Review of the NOPC by the County, TBRPC, and DCA reveals that impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Ordinance.

Section 2.5. The County, having considered the Proposed Changes, concludes that such changes individually and cumulatively do not constitute a substantial deviation requiring further DRI review, pursuant to Chapter 380, Florida Statutes, and as a result, subject to review under the County's Vested Rights Ordinance, nothing herein shall

limit or modify the rights originally approved by Ordinance 94-73 or the protection afforded under Section 163.3167, Florida Statutes.

Section 2.6. Subject to review under the County's Vested Rights Ordinance, and provided that the transportation provisions of the ICOT Center DRI Development Order, as the same is amended from time to time, are complied with, the ICOT Center DRI is vested against the transportation provisions of Ordinance 89-69, as amended, all subject to compliance with the ICOT Center DRI Development Order. Timely payment of impact fees is specifically required to maintain this vesting.

ARTICLE 3 GENERAL PROVISIONS.

Section 3.1. Approval of the NOPC and Amendment of Existing Development Order

3.1.1. NOPC Approval: These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the NOPC is hereby approved, subject to the conditions, restrictions and limitations set forth herein.

3.1.2. Based on the foregoing findings of fact and conclusions of law, this Ordinance, amends Ordinance 94-73, as amended by Ordinance 99-7. This Ordinance, Ordinance 94-73 and Ordinance 99-7 constitute the Development Order for the ICOT Center DRI ("Development Order").

Section 3.2. Subsection 3.2.2, of Ordinance 94-73, regarding Exhibit "B," the adopted Revised Map H, is hereby amended to read:

3.2.2 The Revised Map H, dated March 13, 2000, attached hereto and made a part hereof as Exhibit "B," is hereby approved and adopted and becomes part of the Development Order. This Revised Map H supersedes any prior approved maps for the Development.

Section 3.4. Subsection 3.3.2, of Ordinance 94-73, The Name of the Development and the Developer, is hereby amended to read:

3.3.2. The Developer is ICOT Land Ltd., hereinafter referred to as the "Developer," which can be located at 13925 58th Street North, Clearwater, Florida 33760. The Developer agrees that its authorized agent shall be Marvin Slovacek. Mr. Slovacek can be located at the above address. The Developer may change its address and authorized agent by notifying the County, TBRPC, and DCA in writing and such change shall not require an amendment to this Development Order.

Section 3.5. Section 3.8.1 of Ordinance 94-73, is hereby amended to read:

Section 3.8.1. This Development Order shall remain in effect through December 31, 2004, the build-out date. Any development activity for which plans have been submitted to the County for its review and approval no later than 60 days prior to the expiration of this Development Order may, upon receipt of approval, be completed, regardless of when such approval is ultimately issued, subject to review by any applicable Pinellas County vested rights administrative process in operation at the expiration of this Development Order. This Development Order may be extended by the Board on a finding of excusable delay in any proposed development activity, subject to the provisions of Section 380.06(19), Florida Statutes. This section is not to be construed as a waiver of any development rights which may arise at law or at equity as a result of this Development Order.

ARTICLE 4. SEVERABILITY.

If any Section, Subsection, sentence, clause, phrase or provision of this Ordinance is for any reason held invalid, or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional. Findings of Facts or Conclusions of Law in this Ordinance are not dispositive for purposes of collateral quasi-judicial proceedings.

ARTICLE 5. FILING OF ORDINANCE; EFFECTIVE DATE.

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Manager of Board Records within ten (10) days after enactment by the Board. This Ordinance shall become effective upon receipt of notice of such filing, or, if an appeal is filed, at the conclusion of such appeal, whichever is later.

ARTICLE 6. RENDERING

This Development Order shall be deemed rendered upon transmittal of copies of this Development Order to the recipients specified in Chapter 380 Florida Statutes.

ARTICLE 7. NOTICE OF ADOPTION

The Developer shall record a notice of adoption of this Development Order amendment as required pursuant to Chapter 380, Florida Statutes.

PASSED AND ORDAINED BY THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS.



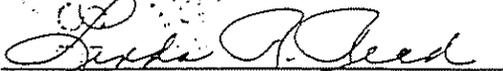
CHAIRMAN,
BOARD OF COUNTY COMMISSIONERS

ATTEST: KARLEEN F. DeBLAKER, CLERK



APPROVED AS TO FORM
OFFICE OF THE COUNTY ATTORNEY

By:



Deputy Clerk

07/26/00 3:27 PM d-1
38232.102134
#211059 v2 - ICOT 2000 NOPC/Ordinance

EXHIBIT "A"
TO ORDINANCE NO. 00- 74

LEGAL DESCRIPTION

LEGAL DESCRIPTION

PARCEL I: All of Lot 8, all of Lot 9, that portion of Lot 10 lying West of Cross Bayou, and that portion of Lot 11 lying West and North of Cross Bayou, Pinellas Groves Subdivision, all in the Southwest 1/4 of Section 4, Township 30 South, Range 16 East, as recorded in Plat Book 1, Page 55, Public Records of Pinellas County, Florida: LESS that part lying within 120 feet of survey line of State Road S-688, Section 15120, as described in order of taking recorded in O.R. Book 2061, Page 344 (Clerk's Instrument No. 251226B), Public Records of Pinellas County, Florida.

AND

PARCEL II: The Northwest 1/4 of Southwest 1/4 of Section 4, Township 30 South, Range 16 East, LESS that part East of Cross Bayou, Pinellas County, Florida.

AND

PARCEL III: That part of the Northeast 1/4 of the Southwest 1/4 of Section 4, Township 30 South, Range 16 East, lying West of Cross Bayou Canal, Pinellas County, Florida.

AND

PARCEL IV: The Southwest 1/4 of the Northwest 1/4, LESS the North 1/4 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 4, Township 30 South, Range 16 East, Pinellas County, Florida.

AND

PARCEL V: That part of Lots 12 and 13 in the Northwest 1/4 of Section 4, Township 30 South, Range 16 East, lying West and North of Cross Bayou, as shown on plat of Pinellas Groves, Pinellas County, Florida; TOGETHER with any and all riparian rights appertaining thereto.

AND

PARCEL VI: The East 1/2 of Lot 11, all of Lot 12, all of Lot 13, all of Lot 14, and all of Lot 15, Pinellas Groves Subdivision, all in the Southeast 1/4 of the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, as recorded in Plat Book 1, Page 55, Public Records of Pinellas County, Florida: LESS that part lying within 120 feet of survey line of State Road S-688, Section 15120, as described in order of taking recorded in O.R. Book 2061, Page 344 (Clerk's Instrument No. 251226B), Pinellas County records.

AND

PARCEL VII: The Northeast 1/4 of the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, Pinellas County, Florida.

AND

PARCEL VIII: Beginning at the Southeast corner of said Lot 14; thence N 89°49'02" W, along the South line of said Lots 14, 13, 12 and 11 (said line being 15.00 feet North of and parallel to the South line of said quarter section), 1335.00 feet to the West line of the East 22.00 feet of said Lot 11; thence N 00°26'47" W, along said West line, 215.01 feet to the North line of the South 215.00 feet of said Lot 11; thence, S 89°49'02" E, along said North line 22.00 feet to the West line of said Lot 12, thence N 00°26'47" W, along said West line, 524.14 feet to the South line of the North 310.00 feet of the South 8.0 acres of said Lot 12; thence S 89°49'02" E, along said South line 10.00 feet to the East line of the West 10.00 feet of said Lot 12; thence N 00°26'47" W, along said East line 310.02 feet to the North line of the South 8.0 acres of said Lot 12; thence N 89°49'02" W, along said North line 10.00 feet to the East line of said Lot 11; thence N 00°26'47" W, along said East line, 4.03 feet to the North line of the South 1053.16 feet of said Lot 11; thence N 89°49'02" W along said North line, 332.34 feet to the West line of said Lot 11; thence N 00°27'55" W along said West line 348.20 feet to the Northwest corner of said Lot 11; thence S 89°33'07" E along the North line of said Lots 11, 12, 13 and 15, 1647.39 feet to the Northeast corner of said Lot 15; thence S 00°22'18" E along the East line of said Lots 15 and 14 (said line being 15.00 feet West of and parallel to the East line of said quarter section), 1393.76 feet to the Point of Beginning.

AND

PARCEL IX: The West 1/2 of Lot 11 in the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, Pinellas Groves, as recorded in Plat Book 1, Page 55, of the Public Records of Pinellas County, Florida, Less Ulmerton Road right-of-way.

Containing 243.71 acres more or less.

Subject to any easements, restrictions and rights-of-way of record.

AND

The South eight (8) acres of Lot 11, PINELLAS GROVES, in the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida, LESS the East 22 feet of the South 215 feet of said lot 11; and

the North 210 feet of the West 10 feet of the South eight (8) acres of Lot 12, PINELLAS GROVES, in the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida; and

The North 4 feet of South 1,053.16 feet of Lot 11, PINELLAS GROVES, in the Northeast Quarter (NE $\frac{1}{4}$) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida,

EXHIBIT "B"
TO ORDINANCE NO. 00- 74

REVISED MAP H, DATED MARCH 13, 2000

STATE OF FLORIDA

COUNTY OF PINELLAS

I, KARLEEN F. De BLAKER, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on September 26, 2000 relative to:

ORDINANCE NO. 00-74

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, AMENDING PINELLAS COUNTY ORDINANCE 89-6, AS AMENDED, RESTATED, AND RATIFIED BY ORDINANCES 94-69, 94-73 AND 99-7, THE DEVELOPMENT ORDER FOR THE ICOT CENTER DEVELOPMENT OF REGIONAL IMPACT, PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTICE OF PROPOSED CHANGE APPLICATION, FILED BY ICOT LAND, LTD., PROPOSING TO REVISE THE APPROVED LAND USE SCHEDULE AND EXTEND THE BUILD-OUT DATE; PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR GENERAL PROVISIONS INCLUDING APPROVAL OF THE NOPC; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

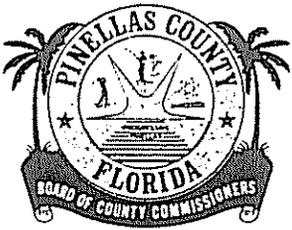
IN WITNESS WHEREOF, I hereunto set my hand and official seal this 4 day of October, 2000.

KARLEEN F. De BLAKER
Clerk of the Circuit Court
and Ex-officio Clerk to the
Board of County Commissioners

By: 
Linda R. Reed, Deputy Clerk

(SEAL)

FILED
2000 OCT -6 AM 11:36
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA



#177 part 2

BOARD OF COUNTY COMMISSIONERS
PINELLAS COUNTY, FLORIDA

COMMISSIONERS

SALLIE PARKS - CHAIRMAN
ROBERT B. STEWART - VICE CHAIRMAN
CALVIN D. HARRIS
KAREN WILLIAMS SEEL
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315 COURT STREET
CLEARWATER, FLORIDA 33756

PHONE: (727) 464-3354
FAX: (727) 464-4147

February 12, 1999

SUSAN H. CHURUTI
COUNTY ATTORNEY

Ms. Marina Pennington
Florida Department of
Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Mr. Tim Butts
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

Timothy A. Johnson, Jr., Esq.
P.O. Box 1368
Clearwater, FL 33757

Re: ICOT Center Development of Regional Impact - Development Order Amendment

Ms. Pennington and Gentlemen:

Enclosed are certified copies of the above-referenced ordinance. Please feel free to call if you have any questions

Sincerely,

James L. Bennett
Chief Assistant County Attorney

JLB/mjm
cc: Al Navaroli, Development Review Services

GAUSERS\ATTY\ATYKB03\DRS\LTRS\ICOT.212

ORDINANCE NO. 99-7

99 FEB -5 11:42 AM '97
Pinellas County
TALLAHASSEE

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, AMENDING PINELLAS COUNTY ORDINANCE 89-6, AS AMENDED, RESTATED, AND RATIFIED BY ORDINANCES 94-69 AND 94-73, THE DEVELOPMENT ORDER FOR THE ICOT CENTER DEVELOPMENT OF REGIONAL IMPACT, PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTICE OF PROPOSED CHANGE APPLICATION, FILED BY ICOT LAND, LTD. TO PROVIDE FOR ADDITIONAL CONVERSION RATIOS AND TO MODIFY CERTAIN TRANSPORTATION MITIGATION PROVISIONS; PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR GENERAL PROVISIONS INCLUDING APPROVAL OF THE NOPC AND AMENDMENTS TO THE TRANSPORTATION MITIGATION OPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Pinellas County Board Of County Commissioners (the "Board"), on February 14, 1989, issued Development of Regional Impact ("DRI") development order approval, pursuant to Chapter 380.06, Florida Statutes, for the Rubin ICOT Center DRI, DRI #177, now known as ICOT Center DRI, (hereinafter referred to as the "Development"), pursuant to Pinellas County Ordinance 89-6; and

WHEREAS, the Board, on August 2, 1994, adopted Ordinance 94-69 which accomplished an amendment of Ordinance 89-6, but which may have been improperly advertised, and

WHEREAS, the Board, on August 30, 1994, to assure that the amendment of Ordinance 89-6 as accomplished by Ordinance 94-69 was effective and immune from challenge because of possible advertising deficiencies, adopted Ordinance 94-73; and

WHEREAS, upon its adoption, Ordinance 94-73 superseded and replaced in its entirety the development order adopted pursuant to Ordinance 89-6, as amended by Ordinance 94-69, and

WHEREAS, on August 13, 1998, ICOT Land, Ltd., a Florida limited partnership ("ICOT"), the owner of certain undeveloped areas of the Development, filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact ("DRI") Subsection 380.06(19), Florida Statutes." Form RPM-BSP-PROPCHANGE-1, (the "NOPC") with the County, with copies provided to the Tampa Bay Regional Planning Council ("TBRPC") and the Department of Community Affairs ("DCA"); and

WHEREAS, the changes proposed in the NOPC include additional conversion ratios, amendments to certain provisions in the transportation mitigation section of the Development Order and, as applicable, amendments to certain other provisions related to the transportation mitigation provisions (the "Proposed Changes"); and

WHEREAS, certain of the Proposed Changes, are presumed not to create a substantial deviation, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the NOPC has satisfactorily addressed all regional issues related to the Development and any presumption of a substantial deviation has been rebutted; and

WHEREAS, the Board, as the governing body of the local government having jurisdiction pursuant to Chapter 380, is authorized and empowered to consider applications for proposed changes to previously approved DRIs; and

WHEREAS, the public notice requirements of Chapter 380 and the County have been satisfied; and

WHEREAS, the Board has held a duly noticed public hearing on the NOPC and heard and considered testimony and documents received thereon; and

WHEREAS, the County has solicited, received, and considered reports, comments and recommendations from interested citizens, the County and state and regional agencies; and

WHEREAS, the Board has received a recommendation from the Pinellas Land Planning Agency, the findings of which determine that the Proposed Changes and this Ordinance are consistent with the adopted Comprehensive Plan for Pinellas County, Florida; and

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

The provisions of Ordinance 94-73, as modified herein, are readopted. This Ordinance, together with Ordinance 94-73, constitutes the ICOT Center DRI Development Order ("Development Order").

ARTICLE 1. FINDINGS OF FACT.

The Board, having received the NOPC, and having received all related comments, testimony, and evidence submitted by ICOT, appropriate reviewing agencies and the public, finds there is substantial competent evidence to support the following findings of fact:

Section 1.1. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 1.2. ICOT, the owner of certain undeveloped areas of the Development, submitted the NOPC to the County.

Section 1.3. The property which is the subject of the NOPC and which describes the area of Development is legally described as set forth in Exhibit "A" (hereinafter referred to as "Property").

Section 1.4. The NOPC proposes to add conversion ratios and to modify the transportation mitigation provisions and certain other related provisions.

Section 1.5. The Proposed Changes are not located in an area of critical state concern, designated as such pursuant to Section 380.05, Florida Statutes (1993).

Section 1.6. Subject to review under the County's Vested Rights Ordinance, Ordinance 89-6, as amended by and restated in Ordinances 94-69 and 94-73, is a valid final development order within the provisions of Section 163.3167(8), Florida Statutes. The Proposed Changes do not, individually or cumulatively, create additional regional impacts or impacts that were not previously reviewed or impacts that meet or exceed any of the criteria set forth in Section 380.06(19), Florida Statutes.

ARTICLE 2. CONCLUSIONS OF LAW.

The Board, having made the above findings of fact, reaches the following conclusions of law:

Section 2.1. The Development as built to date is consistent with the local comprehensive plan and local land development regulations under which it was developed.

Section 2.2. The Development, as modified herein, and as depicted on the Revised Map H, Master Plan, dated January 13, 1999, attached hereto as Exhibit "B," will not interfere with the achievement of the objectives of the adopted state land development plan applicable to the area.

Section 2.3. The Proposed Changes are consistent with the adopted local comprehensive plan and the local land development regulations currently in effect.

Section 2.4. Review of the NOPC by the County, TBRPC, and DCA reveals that impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Ordinance.

Section 2.5. The County, having considered the Proposed Changes, concludes that such changes individually and cumulatively do not constitute a substantial deviation requiring further DRI review, pursuant to Chapter 380, Florida Statutes, and as a result, subject to review under the County's Vested Rights Ordinance, nothing herein shall limit or modify the rights originally approved by Ordinance 89-6 or the protection afforded under Section 163.3167, Florida Statutes.

Section 2.6. Subject to review under the County's Vested Rights Ordinance, and provided that the transportation provisions of the ICOT Center DRI Development Order, as the same is amended from time to time, are complied with, the ICOT Center DRI is vested against the transportation provisions of Ordinance 89-69, as amended, all subject to compliance with the ICOT Center DRI Development Order. Timely payment of impact fees is specifically required to maintain this vesting.

ARTICLE 3 GENERAL PROVISIONS.

Section 3.1. Approval of the NOPC and Amendment of Existing Development Order

3.1.1. NOPC Approval: These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the NOPC is hereby, subject to the conditions, restrictions and limitations set forth herein.

3.1.2. Based on the foregoing findings of fact and conclusions of law, this Ordinance amends Ordinance 94-73. This Ordinance, together with Ordinance 94-73, constitutes the Development Order for the ICOT Center DRI ("Development Order").

Section 3.2. Subsection 3.2.2, of Ordinance 94-73, regarding Exhibit "B," the adopted Revised Map H, is hereby amended to read:

3.2.2 The Revised Map H, dated January 13, 1998, attached hereto and made a part hereof as Exhibit "B," is hereby approved and adopted and becomes part of the Development Order. This Revised Map H supersedes any prior approved maps for the Development.

Section 3.3. Subsection 3.2.3, of Ordinance 94-73, regarding conversion ratios, is hereby amended to read:

3.2.3. Conversion ratios of 1 square foot of office development to 2.287 square feet of industrial park development and/or 1 square foot of industrial park development to 0.437 square feet of office development are hereby established for the Office and Industrial Park areas shown on the Revised Map H, Master Plan attached as Exhibit "B." Conversion ratios of 1 square foot of retail development to 2.029 square feet of office development and/or 1 square foot of retail development to 3.447 square feet of industrial park development are hereby established for the Retail, Office and Industrial Park areas shown on the Revised Map H Master Plan. Development of the Office and Industrial Park parcels shall occur consistent with these conversion ratios, so long as the maximum amount of Office development does not exceed 613,160 square feet (308,187 square feet existing plus a maximum trade-off for 304,973 square feet of additional Office) and the maximum amount of Industrial Park development does not exceed 1,518,000 square feet (745,733 existing plus a maximum trade-off for 772,267 square feet of additional Industrial Park). Thirty days prior to

issuance of any permit which utilizes the conversion factors, DCA shall receive notice, from the Developer, of the proposed use of the conversion ratio.

Section 3.4. Subsection 3.3.2, of Ordinance 94-73, The Name of the Development and the Developer, is hereby amended to read:

3.3.2. The Developer is ICOT Land Ltd., hereinafter referred to as the "Developer," which can be located at 13630 58th Street North, Suite 110, , Clearwater, Florida 34620. The Developer agrees that its authorized agent shall be Scott Makala. Mr. Makala can be located at the above address. The Developer may change its address and authorized agent by notifying the County, TBRPC, and DCA in writing and such change shall not require an amendment to this Development Order.

Section 3.5. Section 3.7 of Ordinance 94-73, Reporting Requirements, is hereby amended to correct a scrivener's error:

Section 3.7. Reporting Requirements

In addition to the other reporting requirements of this Order and the other requirements of law, the Developer shall file an annual report in accordance with Section 380.06(18), Florida Statutes (1993), and the rules promulgated by the DCA under Chapter 380. Such report shall be due on the annual anniversary of the date of the adoption of Ordinance 94-69, August 2, 1994 (which date of adoption is referred to herein as the "Effective Date of this Development Order") for each year beginning on the first annual anniversary date following the Effective Date of this Development Order until and including such time as all terms and conditions of this Development Order have been satisfied. In addition to the filing requirements of Chapter 380, such report shall be submitted to the County Administrator who shall, after appropriate review, submit it for review to the Board. The Board shall review the report for compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board hearing at which such report is to be reviewed, provided, however, that the receipt and review by the Board shall not be considered as a substitute of a waiver of any of the terms or conditions of this Development Order. This annual report shall contain:

Section 3.6. Subsection 4.1.3, of Ordinance 94-73, which provided an introduction of the transportation mitigation options, is amended to read as follows:

4.1.3. Three options to mitigate the impacts of the Development upon the regional transportation system were made available to the Developer in Ordinance 94-73. The first option required funding commitments for the necessary improvements prior to approval of any further development. The second option required continued traffic analysis of regionally significant roadways throughout the development period with subsequent approvals

conditioned to the maintenance of an adequate Level of Service ("LOS") (LOS "D" at peak hour). The third option entailed the Pipelining of the Developer's monetary mitigation of transportation impacts into the actual construction of one or more identified roadway improvements.

The Developer elected Option 3. Subsequent to the adoption of Ordinance 94-73, the County and FDOT agreed to reevaluate improvements to the Ulmerton Road Corridor. This agreement conflicted in part with the terms of Option 3, thereby requiring the amendment of Option 3 as described below, in Section 3. of this Ordinance.

Section 3.7. Subsection 4.1.3.1 and Subsection 4.1.3.2, of Ordinance 94-73, regarding descriptions of Option 1 and Option 2, respectively, are hereby deleted in their entirety.

Section 3.8. Subsection 4.1.3.3, of Ordinance 94-73, including all subparagraphs under the heading of Subsection 4.1.3.3., regarding Option 3. Pipelining, is deleted in its entirety and replaced with the following:

4.1.3.3. Option 3: Pipelining.

A. Proportionate Share: The proportionate share of the costs of the transportation improvements necessary to accommodate the impacts of the Development has been calculated to be \$554,347.00. ("Proportionate Share Contribution"). The Developer has paid \$479,231.00 to Pinellas County toward the "60% complete design plans" for the design of a six lane divided roadway segment, including turn lanes and tapers, for Ulmerton Road, between U.S. Highway 19 and Roosevelt Boulevard, the previously agreed upon "Pipelining Segment."

In lieu of continuing the design of the previously approved Pipelining Segment, which, as described in the following paragraph, is being reevaluated by the County and FDOT, the Developer shall pay the remaining Proportionate Share Contribution, \$75,116.00, directly to the County thirty (30) days after the effective date hereof.

B. Joint Participation Agreement: Pursuant to the terms of a Joint Participation Agreement ("JPA") entered into on January 8, 1998, by the County and FDOT, FDOT shall reevaluate the existing designs and studies for Ulmerton Road, between SR 699 (Gulf Boulevard) and Interstate-275, to determine future improvements and priorities for construction of future improvements on Ulmerton Road.

The County has, pursuant to the terms of the JPA, agreed to contribute to FDOT \$1,100,000.00 to advance the reevaluation study, and \$14,000,000.00 to advance construction of improvements to Ulmerton Road.

The Developer's remaining Proportionate Share Contribution of \$75,116.00 will help satisfy the County's commitments to advance the reevaluation study of Ulmerton Road.

C Fiscal Non-funding and Regulatory Restrictions: The Developer and the County recognize and accept the funding restrictions set forth in Sections 129.07, 129.08, and 129.09 Florida Statutes (1993), those in Sections 339.135(6)(a), Florida Statutes (1993), the regulatory restrictions of the County's transportation impact fee ordinance, and of the MPO's long range plan which may affect the County's or FDOT's obligations, if any, hereunder.

D. Impact Fee Credits:

(1) The Developer will be fully credited against the County's transportation impact fee requirements for the total amount of the Proportionate Share, \$554,347.00. Such credits shall be utilized based upon the impact fee schedule in effect as of the date of utilization of the credit, and shall be exhausted before impact fee payments will be payable incident to construction within the Development.

Impact fees payable incident to existing structures within the Development, at the time Ordinance 94-73 was approved, totaled \$356,570.64. Once the Developer's Proportionate Share has been paid, and prior to the utilization of any impact fee credits earned, the Developer's credit shall be subject to a one time reduction in the amount of \$356,570.64. Impact fee payments for future development will be determined by the specific type of development approval, e.g., warehouse, manufacturing, etc., and not by the "industrial park" designation.

(2) Except as provided in Section (3), below, the County shall issue transportation impact fee credits only to ICOT, or its affiliates, or authorized successors. In order to receive such credits, ICOT shall notify the County Zoning Administrator, or his designee, in writing, of the dollar value of the credit being taken and the specific property to which the credit is to be applied.

(3) Transportation impact fee credits shall be assignable by ICOT, at ICOT's sole discretion, for use by other persons or entities developing land within the Development. Any such person or entity must provide evidence of such assignment to the County Zoning Administrator, or his designee, in order to receive any credit against transportation impact fees from the County. Evidence of such assignment shall be in the form of a written assignment, specifying the dollar value of the credit being assigned, with an original notarized signature of ICOT's representative authorized for such purpose. ICOT is responsible for keeping the County Zoning Administrator informed, in writing.

(4) In the event transportation impact fees exceed the Proportionate Share, ICOT, or another person or entity developing property within the Development, shall be responsible for paying the transportation impact fee in effect at the time of utilization.

E. Additional Contributions:

(1) Nothing contained herein shall prohibit the Developer from voluntarily contributing more than its Proportionate Share for additional tasks required to complete an approved roadway improvement to the regionally significant highway network, including right-of-way dedications and cash contributions, but any such contribution may not be required as a condition of any development approval. For purposes of the Development Order, "approved roadway improvements and/or right-of-way dedications" are those improvements and/or right-of-way dedications which correspond to road links, intersections, and/or other improvements which are part of the regionally significant highway network within Pinellas County Planning District No. 8. Such additional contributions in excess of the Proportionate Share, shall be a credit against future transportation impact fees, subject to appropriate review of appropriate financial records, by the County, limitations of the transportation impact fee ordinance, and the credit utilization provisions of this Development Order.

(2) Lot 1 as referenced in Exhibit "B" to this Development Order, might be used for drainage improvements or permit requirements resulting from the widening of State Road 688. Nothing herein precludes a redesign of the roadway plans to avoid using Lot 1 or any other real property for these purposes, at the suggestion of FDOT and the County. If, however all or a portion of Lot 1 located within the Development, is required for these purposes, and if FDOT is responsible for acquisition of that property, then FDOT will provide written notice to the Developer of the need to acquire the real property. Within thirty (30) days after receiving the written notice, the Developer shall convey the real property owned or controlled by it that is necessary to accommodate the drainage improvements. If the Developer conveys the property to FDOT then FDOT shall pay the value of the property as determined by the simplified appraisal procedure in the following paragraph. In the event that the County is responsible for acquisition of the property, then the same process shall apply, except that the County shall have the option of either paying the Developer the value of the property, or providing the Developer an equivalent credit against future transportation impact fees. Conveyance of real property shall be by general warranty deed, unless waived by the County and FDOT.

(3) The County, or FDOT, as applicable, and the Developer will each select one firm to appraise the property conveyed. The appraisers shall use as comparable sales only arm's length transactions between unrelated third parties and shall assume that the property being appraised may be used for the highest and best use using standard appraisal techniques. The

appraisals shall be exchanged simultaneously by the County or FDOT, as applicable, and the Developer.

(a) In the event the County, or FDOT requests the Developer to convey only a portion of Lot 1, then the appraisers shall, in all respects, appraise the property as though for a condemnation proceeding taking into account, without limitation, severance damages, if applicable. No attorney's fees shall be due and owing.

(b) The appraisers' charges shall be paid by the County, or FDOT, as applicable. The average of the two appraisals shall be accepted as binding on the parties except in the case of patent error or a variance of such that the higher appraised value exceeds the lower appraised value by one hundred and twenty percent (120%) or more. If a variance of twenty percent (20%) or more exists between the two independent certified appraisals, then either a third independent certified appraisal or an independent certified review appraisal shall be obtained. The third appraiser or review appraiser shall be selected by the two appraisers. The average of the two closest appraisals shall be accepted as binding upon the Developer and the County or FDOT, as applicable under the JPA. This condition is also subject to fiscal funding and appropriation by the County or by FDOT as referenced in Section 4.1.3.3.D.2.

H. Transportation Demand Management ("TDM"):

(1) Upon the issuance of Certificates of Occupancy for development in excess of that specifically approved in the IDA, the Developer shall prepare and submit to the County, TBRC, Pinellas County MPO, the PSTA, and FDOT, a TDM program that promotes and encourages transit ridership, ride-sharing, flexible work hours, etc. in order to divert vehicle trips from the PM peak hour.

(2) The TDM program shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour. If more than one TDM measure is used, the assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TDM measure. If a single TDM measure is used, it shall be monitored as part of the annual traffic monitoring program. Results of the TDM program shall be included in the annual report.

(3) If the annual report indicates that the total peak hour external forecasts are not being met, the County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19), Florida Statutes, and may amend the Development Order if necessary to change TDM objectives and/or require additional roadway improvements. The results of the TDM study

may serve as a basis for the Developer or reviewing agencies to request Development Order amendments.

(4) In addition, this TDM program shall be developed in cooperation with FDOT, the Pinellas County MPO, PSTA and TBRC. This program shall seek to implement, and will be measured by, the TDM objectives and policies set forth in the Florida Transportation Plan.

(5) In addition to the TDM measures stated above, one further acceptable measure for evaluating the TDM objectives is any change in uses and/or reduction in intensity of the Development that results in a reduction in PM peak hour trips from the assumptions used to prepare the Application.

ARTICLE 4. SEVERABILITY.

If any Section, Subsection, sentence, clause, phrase or provision of this Ordinance is for any reason held invalid, or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional. Findings of Facts or Conclusions of Law in this Ordinance are not dispositive for purposes of collateral quasi-judicial proceedings.

ARTICLE 5. FILING OF ORDINANCE; EFFECTIVE DATE.

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Manager of Board Records within ten (10) days after enactment by the Board. This Ordinance shall become effective upon receipt of notice of such filing, or, if an appeal is filed, at the conclusion of such appeal, whichever is later.

ARTICLE 6. RENDERING

This Development Order shall be deemed rendered upon transmittal of copies of this Development Order to the recipients specified in Chapter 380 Florida Statutes.

ARTICLE 7. NOTICE OF ADOPTION

The Developer shall record a notice of adoption of this Development Order amendment as required pursuant to Chapter 380, Florida Statutes.

PASSED AND ORDAINED BY THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS.

Bellie Parks

CHAIRMAN,
BOARD OF COUNTY COMMISSIONERS

ATTEST: KARLEEN F. DeBLAKER, CLERK

JL Bennett

APPROVED AS TO FORM
OFFICE OF THE COUNTY ATTORNEY

By: *Karleen F. DeBlaker*
Deputy Clerk

01/20/99 2:42 PM d-1
38232 97133
#0131298 08

EXHIBIT "A"

LEGAL DESCRIPTION

LEGAL DESCRIPTION

PARCEL I: All of Lot 8, all of Lot 9, that portion of Lot 10 lying West of Cross Bayou, and that portion of Lot 11 lying West and North of Cross Bayou, Pinellas Groves Subdivision, all in the Southwest 1/4 of Section 4, Township 30 South, Range 16 East, as recorded in Plat Book 1, Page 55, Public Records of Pinellas County, Florida: LESS that part lying within 120 feet of survey line of State Road S-688, Section 15120, as described in order of taking recorded in O.R. Book 2061, Page 344 (Clerk's Instrument No. 251226B), Public Records of Pinellas County, Florida.

AND

PARCEL II: The Northwest 1/4 of Southwest 1/4 of Section 4, Township 30 South, Range 16 East, LESS that part East of Cross Bayou, Pinellas County, Florida.

AND

PARCEL III: That part of the Northeast 1/4 of the Southwest 1/4 of Section 4, Township 30 South, Range 16 East, lying West of Cross Bayou Canal, Pinellas County, Florida.

AND

PARCEL IV: The Southwest 1/4 of the Northwest 1/4, LESS the North 1/4 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 4, Township 30 South, Range 16 East, Pinellas County, Florida.

AND

PARCEL V: That part of Lots 12 and 13 in the Northwest 1/4 of Section 4, Township 30 South, Range 16 East, lying West and North of Cross Bayou, as shown on plat of Pinellas Groves, Pinellas County, Florida; TOGETHER with any and all riparian rights appertaining thereto.

AND

PARCEL VI: The East 1/2 of Lot 11, all of Lot 12, all of Lot 13, all of Lot 14, and all of Lot 15, Pinellas Groves Subdivision, all in the Southeast 1/4 of the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, as recorded in Plat Book 1, Page 55, Public Records of Pinellas County, Florida: LESS that part lying within 120 feet of survey line of State Road S-688, Section 15120, as described in order of taking recorded in O.R. Book 2061, Page 344 (Clerk's Instrument No. 251226B), Pinellas County records.

AND

PARCEL VII: The Northeast 1/4 of the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, Pinellas County, Florida.

AND

PARCEL VIII: Beginning at the Southeast corner of said Lot 14; thence N 89°49'02" W, along the South line of said Lots 14, 13, 12 and 11 (said line being 15.00 feet North of and parallel to the South line of said quarter section), 1335.00 feet to the West line of the East 22.00 feet of said Lot 11; thence N 00°26'47" W, along said West line, 215.01 feet to the North line of the South 215.00 feet of said Lot 11; thence, S 89°49'02" E, along said North line 22.00 feet to the West line of said Lot 12, thence N 00°26'47" W, along said West line, 524.14 feet to the South line of the North 310.00 feet of the South 8.0 acres of said Lot 12; thence S 89°49'02" E, along said South line 10.00 feet to the East line of the West 10.00 feet of said Lot 12; thence N 00°26'47" W, along said East line 310.02 feet to the North line of the South 8.0 acres of said Lot 12; thence N 89°49'02" W, along said North line 10.00 feet to the East line of said Lot 11; thence N 00°26'47" W, along said East line, 4.03 feet to the North line of the South 1053.16 feet of said Lot 11; thence N 89°49'02" W along said North line, 332.34 feet to the West line of said Lot 11; thence N 00°27'55" W along said West line 348.20 feet to the Northwest corner of said Lot 11; thence S 89°33'07" E along the North line of said Lots 11, 12, 13 and 15, 1647.39 feet to the Northeast corner of said Lot 15; thence S 00°22'18" E along the East line of said Lots 15 and 14 (said line being 15.00 feet West of and parallel to the East line of said quarter section), 1393.76 feet to the Point of Beginning.

AND

PARCEL IX: The West 1/2 of Lot 11 in the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, Pinellas Groves, as recorded in Plat Book 1, Page 55, of the Public Records of Pinellas County, Florida, Less Ulmerton Road right-of-way.

Containing 243.71 acres more or less.

Subject to any easements, restrictions and rights-of-way of record.

AND

The South eight (8) acres of Lot 11, PINELLAS GROVES, in the Northeast Quarter (NE ¼) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida, LESS the East 22 feet of the South 215 feet of said lot 11; and

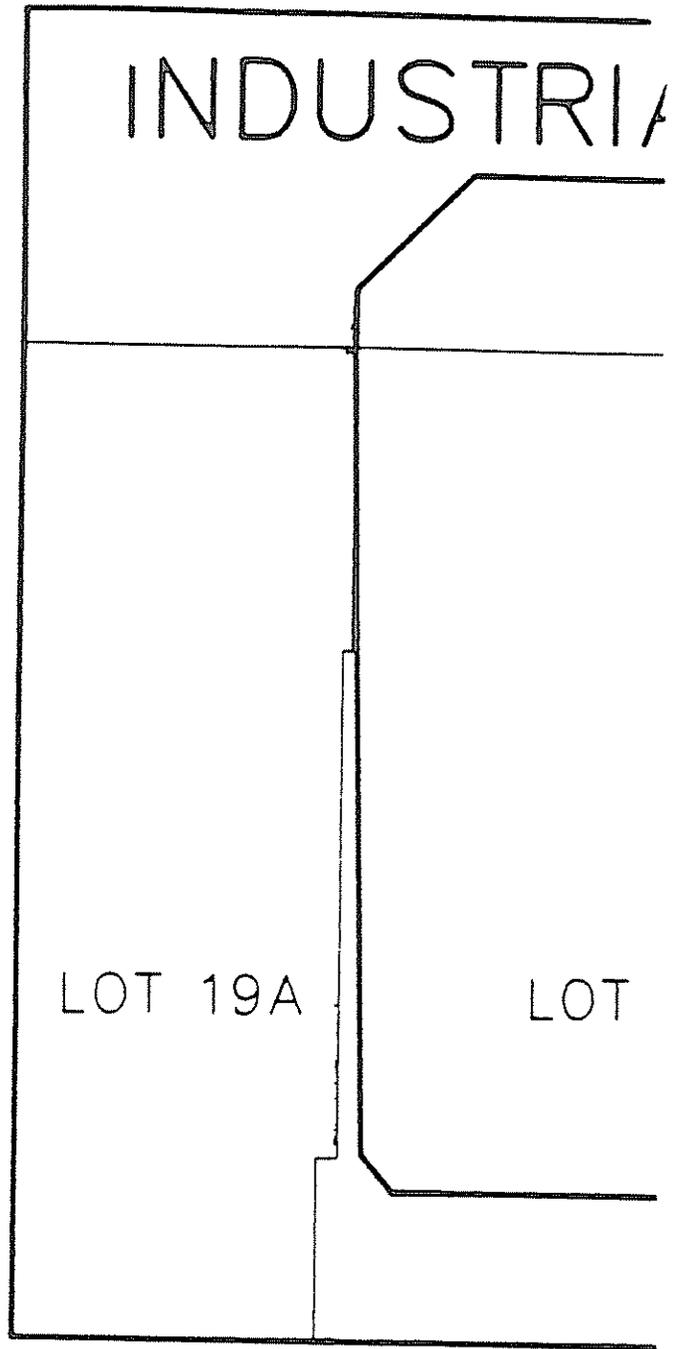
the North 310 feet of the West 10 feet of the South eight (8) acres of Lot 12, PINELLAS GROVES, in the Northeast Quarter (NE ¼) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida; and

The North 4 feet of South 1,053.16 feet of Lot 11, PINELLAS GROVES, in the Northeast Quarter (NE ¼) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida,

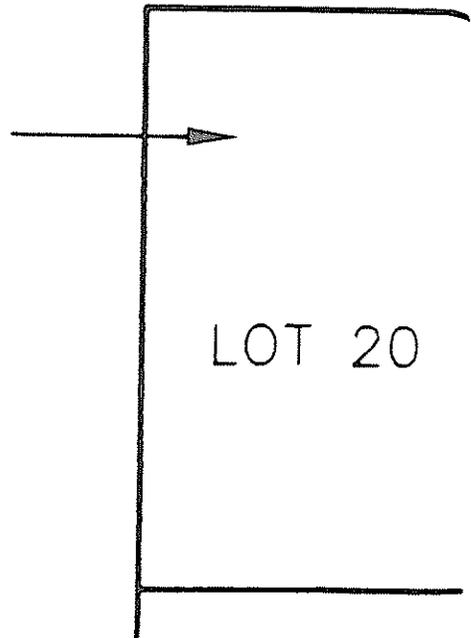
TOTAL: 43,150.00
ADJ. AMT. RECORDED: 43,150.00

EXHIBIT "B"

REVISED MAP H, DATED JANUARY 13, 1999



INDUSTRIAL
42,000 SF
(32,076 SF EXIST)



310,000 SF

LOT 15

(107,375 SF
EXIST)

LOT 16

LOT 18

LOT 17

142ND AVE N

OFFICE

116,027 SF

(81,027 SF EXIST)

LOT 28

LOT 29

LOT 12

INDU:
523,0

(433,028

LOT 13

LOT 14

MYERLAKE

LOT 7

LOT 6

INDUSTRIAL
1000 SF

LOT 11

(1000 SF EXIST)

LOT 10

CIRCLE

LOT 9

LOT 8

CROSS BAYOU CANAL

N



LAND USE SCHEDULE

LAND USE	ACREAGE	EXISTING	PLANNED	TOTAL
RETAIL / COMMERCIAL	25.16 AC	134,817 SF	130,110 SF	264,927 SF
HOTEL	6.35 AC	129 ROOMS	0	129 ROOMS
OFFICE	36.50 AC	308,187 SF	41,000 SF	349,187 SF
INDUSTRIAL PARK (M/D/HT)	94.78 AC	745,733 SF	382,267 SF	1,128,000 SF
WETLANDS/ PRESERVATION	24.80 AC	-	-	-
ROAD R.O.W.	17.33 AC	-	-	-
RETENTION	36.79 AC	-	-	-
FLORIDA POWER CORP EASEMENT	10.00 AC	-	-	-
TOTAL	251.71 AC	1,188,737 SF 129 ROOMS	553,377 SF	1,742,114 SF 129 ROOMS

COMMERCIAL

24,684 SF

(EXIST SUN BLADES
ICE ARENA)

LOT 21

LOT 22

LOT 23

RETAIL /
COMMERCIAL

175,000 SF

LOT 24

HOTEL

129 ROOMS

(EXIST)

SCALE

THE SIGNATURE OF THE QUALITY
CONTROL OFFICER IN THE SPACE
INDICATES THAT ALL REQUIRED



FLORIDA DESIGN

LOT 27

LOT 30

OFFICE

178,400 SF

(178,400 SF EXIST)

LOT 5
INDUSTRIAL

253,000 SF

(173,254 SF EXIST)

LOT 4

LOT 3

LOT 31

58TH ST N

LOT 2

LOT 26

LOT 1

LOT 25

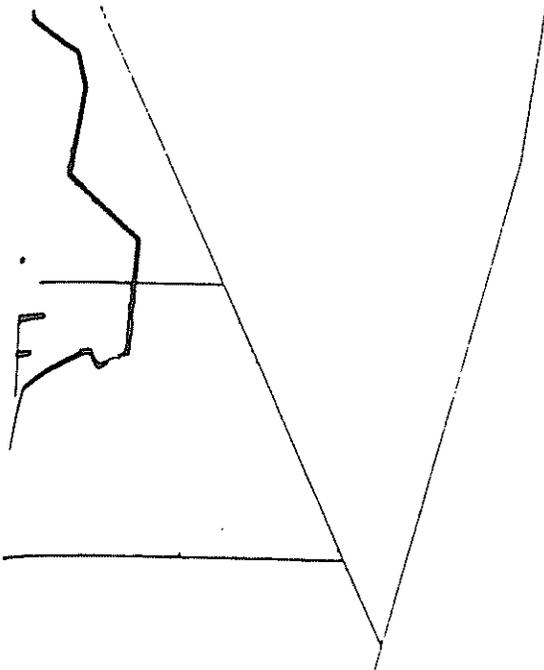
RETAIL /
COMMERCIAL
(53,535 SF EXIST)

OFFICE

(12,560 SF EXIST)

ULMERTON ROAD

6,



RETAIL

(11,708 SF EXIST)

OFFICE

(36,200 SF EXIST)

OFFICE

3,000 SF

NOTES

INDUSTRIAL PARK INCLUDES MANUFACTURING/DISTRIBUTION

1. SUNBLADES ICE ARENA (24,684 SQUARE FEET) HAS TRIP CHARACTERISTICS SIMILAR TO THOSE OF THE INDUSTRIAL PARK. FOR THE PURPOSES OF THIS LAND USE SCHEDULE, HOWEVER, SUNBLADES IS INCLUDED AS AN EXISTING COMMERCIAL USE.
2. THE PROPOSED AMOUNT OF SQUARE FOOTAGE FOR INDIVIDUAL UNDEVELOPED PARCELS ARE BASED ON BEST AVAILABLE MARKET INFORMATION AND ARE SUBJECT TO CHANGE. THE AMOUNT OF TOTAL DEVELOPMENT, HOWEVER, WILL NOT EXCEED THE AMOUNT OF DEVELOPMENT APPROVED BY THE DEVELOPMENT ORDER.
3. CONVERSION RATIOS OF 1 SQUARE FOOT OF OFFICE DEVELOPMENT TO 2.287 SQUARE FEET OF INDUSTRIAL PARK DEVELOPMENT AND/OR 1 SQUARE FOOT OF INDUSTRIAL PARK DEVELOPMENT TO 0.437 SQUARE FEET OF OFFICE DEVELOPMENT ARE HEREBY ESTABLISHED FOR PARCELS SHOWN HEREIN AS OFFICE OR AS INDUSTRIAL PARK. CONVERSION RATIOS OF 1 SQUARE FOOT OF RETAIL DEVELOPMENT TO 2.029 SQUARE FEET OF OFFICE DEVELOPMENT AND/OR 1 SQUARE FOOT OF RETAIL DEVELOPMENT TO 3.447 SQUARE FEET OF INDUSTRIAL PARK DEVELOPMENT ARE HEREBY ESTABLISHED FOR RETAIL PARCELS 22, 23, AND 24, AND PARCELS SHOWN HEREIN AS OFFICE OR AS INDUSTRIAL PARK. THE TOTAL MAXIMUM AMOUNT OF OFFICE DEVELOPMENT SHALL NOT EXCEED 613,160 SQUARE FEET, AND THE TOTAL MAXIMUM AMOUNT OF INDUSTRIAL PARK DEVELOPMENT SHALL NOT EXCEED 1,518,000 SQUARE FEET.
4. THAT PORTION OF THE DEVELOPMENT THAT REMAINS TO BE DEVELOPED IS REFERRED TO AS THE "PLANNED DEVELOPMENT". THE BUILDOUT DATE FOR THE PLANNED DEVELOPMENT AND FOR THE TOTAL PROJECT IS DECEMBER 31, 1999.

STATE OF FLORIDA

COUNTY OF PINELLAS

I, KARLEEN F. De BLAKER, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on January 26, 1999 relative to:

ORDINANCE NO. 99-7

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, AMENDING PINELLAS COUNTY ORDINANCE 89-6, AS AMENDED, RESTATED, AND RATIFIED BY ORDINANCES 94-69 AND 94-73, THE DEVELOPMENT ORDER FOR THE ICOT CENTER DEVELOPMENT OF REGIONAL IMPACT, PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTICE OF PROPOSED CHANGE APPLICATION, FILED BY ICOT LAND, LTD. TO PROVIDE FOR ADDITIONAL CONVERSION RATIOS AND TO MODIFY CERTAIN TRANSPORTATION MITIGATION PROVISIONS; PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR GENERAL PROVISIONS INCLUDING APPROVAL OF THE NOPC AND AMENDMENTS TO THE TRANSPORTATION MITIGATION OPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this 2nd day of February, 1999.

KARLEEN F. De BLAKER
Clerk of the Circuit Court
and Ex-officio Clerk to the
Board of County Commissioners

By: Linda R. Reed
Linda R. Reed, Deputy Clerk

(SEAL)

99 FEB -5 PM 12:47
RECORDS OF STATE
TALLAHASSEE, FLORIDA

ORDINANCE NO. 94-73

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, AMENDING PINELLAS COUNTY ORDINANCE 89-6 AND RATIFYING THE ADOPTION OF ORDINANCE 94-69 TO AMEND AND RESTATE THE DEVELOPMENT ORDER FOR THE ICOT CENTER DEVELOPMENT OF REGIONAL IMPACT, PURSUANT TO CHAPTER 380, FLORIDA STATUTES, ON A NOTICE OF PROPOSED CHANGE, FILED BY ICOT LAND, LTD. BY PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR GENERAL PROVISIONS INCLUDING APPROVAL OF THE APPLICATION AND THE NOPC, AMENDMENT OF THE EXISTING DEVELOPMENT ORDER, DETAILING THE EXHIBITS, NAMING THE DEVELOPMENT AND THE DEVELOPER, OUTLINING CONTINUING OBLIGATIONS AND BENEFITS, DETAILING CONVENTIONAL REFERENCES, PROVIDING FOR THE CESSATION OF DEVELOPMENT, DETAILING REPORTING REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE AND A PERIOD OF EFFECTIVENESS INCLUDING A BUILD-OUT DATE; PROVIDING FOR AMENDMENTS AND OUTLINING APPLICABLE RULES; PROVIDING FOR REGIONAL CONDITIONS, RESTRICTIONS AND LIMITATIONS, INCLUDING TRANSPORTATION OPTIONS, ENVIRONMENTAL AND NATURAL RESOURCE ISSUES, AND PUBLIC FACILITIES; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING SEVERABILITY; PROVIDING FOR THE STATUS OF PRIOR DEVELOPMENT ORDER; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE AND AN EFFECTIVE DATE.

WHEREAS, in 1983, construction of a business park known as Rubin ICOT Center, commenced; and

WHEREAS, in December, 1987, Pinellas County (the "County") notified the owner of the business park that it would not issue any further site plan approvals until issues concerning the Development of Regional Impact ("DRI") status were resolved; and

WHEREAS, on December 23, 1987, pursuant to the provisions of Section 380.06, Florida Statutes (1987) (hereinafter referred to as "Chapter 380"), R. F. Properties, Ltd. (the "Original Developer") filed an Application for Development Approval for the Rubin ICOT Center (which together with later sufficiency responses, is referred to herein as the "Application or the ADA") with the County, the Tampa Bay Regional Planning Council ("TBRPC"), the Florida Department of Community Affairs ("DCA") and other appropriate entities; and

WHEREAS, the Original Developer and the DCA entered into an Interim Development Agreement ("IDA") pursuant to Section 380.032, Florida Statutes, which went into effect on March 7, 1988, which allowed completion of any development in Rubin ICOT Center for which Pinellas County had issued construction permits and construction had begun before August 11, 1987, as well as certain "Interim Development" as defined in the IDA; and

WHEREAS, the Rubin ICOT Center DRI, DRI #177, now known as ICOT Center DRI, (hereinafter referred to as the "Development"), received development order approval on February 14, 1989, pursuant to Pinellas County Ordinance 89-6 ; and

WHEREAS, on March 21, 1994, ICOT Land, Ltd., a Florida limited partnership, ("ICOT") the owner of certain undeveloped areas of the Development, filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact ("DRI") Subsection 380.06(19), Florida Statutes," Form RPM-BSP-PROPCHANGE-1, (the "NOPC") with the County, with copies provided to the TBRPC, and the DCA; and

WHEREAS, the changes proposed in the NOPC include amendments to (i) Ordinance 89-6 and the approved Map H, Master Plan for the Development, to reflect modifications to the approved land uses, an extension of the build-out date of Development, and a conversion factor for office and industrial land uses; (ii) the legal description to add 8.0 acres of real property to the Development, (iii) certain provisions in the transportation mitigation section of Ordinance 89-6, and (iv) certain provisions of ordinance 89-6 either to be consistent with changes described in the NOPC or to respond to issues raised by the County and DCA (the "Proposed Changes"); and .

WHEREAS, certain of the Proposed Changes, are presumed to create a substantial deviation, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the NOPC has satisfactorily addressed all regional issues related to the Development and the presumption of a substantial deviation has been rebutted; and

WHEREAS, the Pinellas County Board of County Commissioners (the "Board "), as the governing body of the local government having jurisdiction pursuant to Chapter 380, is authorized and empowered to consider applications for proposed changes to previously approved DRIs; and

WHEREAS, in the interest of clarity, the County wishes to amend and restate the Development Order in its entirety; and

WHEREAS, the public notice requirements of Chapter 380 and the County have been satisfied; and

WHEREAS, the Board has held a duly noticed public hearing on the NOPC and heard and considered testimony and documents received thereon; and

WHEREAS, the County has solicited, received, and considered reports, comments and recommendations from interested citizens, the County and state and regional

agencies; and

WHEREAS, the Board has received a recommendation from the Pinellas Land Planning Agency, the findings of which determine that the Proposed Changes and this Ordinance are consistent with the adopted Comprehensive Plan for Pinellas County, Florida; and

WHEREAS, the Board on August 2, 1994 adopted Ordinance 94-69 which accomplished the amendment of the Ordinance 89-6 but which may have been improperly advertised, and

WHEREAS, the Board wishes to assure that the amendment of Ordinance 89-6 as accomplished by Ordinance 94-69 is effective and immune from challenge because of possible advertising deficiencies;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

The provisions of Ordinance 94-69 as they were adopted on August 2, 1994 and as they are modified herein, in Sections 3.6.2, 3.7, 3.9.2, 4.1.3.3.C.2, and ARTICLE 6, are adopted as the Development Order for the ICOT Center Development Order.

ARTICLE 1. FINDINGS OF FACT.

The Board, having received the Application and the NOPC, and having received all related comments, testimony and evidence submitted by ICOT, appropriate reviewing agencies and the public, finds there is substantial competent evidence to support the following findings of fact:

Section 1.1. The foregoing recitals are true and correct and are incorporated herein by reference.

Section 1.2. ICOT, the owner of certain undeveloped areas of the Development, submitted the NOPC to the County.

Section 1.3. The property which is the subject of the NOPC is legally described as set forth in Exhibit "A," which legal description describes the Development and the property

proposed for addition to the DRI, combined (hereinafter referred to as "Property").

Section 1.4. The Original Developer was in substantial compliance with Ordinance 89-6, but was not in strict compliance with the timely completion of all the transportation requirements thereof and may not have been in strict compliance with the water quality monitoring requirements thereof.

Section 1.5. The successor of the rights and responsibilities imposed upon the Original Developer is ICOT.

Section 1.6. The NOPC proposes to modify the amount and type of approved Development, to add 8.0 acres of real property to the DRI (which results in an amendment to the DRI legal description), to permit a conversion factor for office and industrial development, to extend the build-out date for the Planned Development and for the total project, and to amend Ordinance 89-6 to reflect changes in the transportation study network and certain other environmental and natural resource, and public facilities issues raised by the County.

Section 1.7. The Proposed Changes are not located in an area of critical state concern, designated as such pursuant to Section 380.05, Florida Statutes (1993).

Section 1.8. ICOT proposes future development in addition to the existing development, for a total project build-out of 264,927 square feet of commercial; 129 hotel rooms; 379,307 square feet of office; and 1,128,000 square feet of industrial park uses subject, however, to the conversion ratios described in Subsection 3.2.3 of this Development Order.

Section 1.9. Subject to review under the County's Vested Rights Ordinance, Ordinance 89-6, is a valid final development order within the provisions of Section 163.3167(8), Florida Statutes. The Proposed Changes do not, individually or cumulatively, create additional regional impacts or impacts that were not previously reviewed or impacts that meet or exceed any of the criteria set forth in Section 380.06(19), Florida Statutes.

ARTICLE 2. CONCLUSIONS OF LAW.

The Board, having made the above findings of fact, reaches the following conclusions of law:

Section 2.1. The Development as built to date is consistent with the local comprehensive plan and local land development regulations under which it was developed.

Section 2.2. The Development, as modified herein, and as depicted on the Revised Map H, Master Plan, dated July 6, 1994, attached hereto as Exhibit "B," will not interfere with the achievement of the objectives of the adopted state land development plan applicable to the area.

Section 2.3. The Proposed Changes are consistent with the adopted local comprehensive plan and the local land development regulations currently in effect.

Section 2.4. Review of the NOPC by the County, TBRPC, and DCA reveals that impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380 within the terms and conditions of this Ordinance.

Section 2.5. The County, having considered the Proposed Changes, concludes that such changes individually and cumulatively do not constitute a substantial deviation requiring further DRI review, pursuant to Chapter 380 and as a result, subject to review under the County's Vested Rights Ordinance, nothing herein shall limit or modify the rights originally approved by Ordinance 89-6 or the protection afforded under Section 163.3167, Florida Statutes.

Section 2.6. Subject to review under the County's Vested Rights Ordinance, and provided that the transportation provisions of the ICOT Center DRI Development Order, as the same is amended from time to time, are complied with, including the building of the Pipeline Segment, as defined and proposed in Section 4.1.3.3(A) by the Florida Department of Transportation ("FDOT") or the County, as applicable, or the Alternate Pipelining Segment as defined in Section 4.1.3.3(I), the ICOT Center DRI is vested against the transportation provisions of Ordinance 89-69, as amended, all subject to compliance with the ICOT Center DRI Development Order. Timely payment of impact fees is specifically required to maintain this vesting.

ARTICLE 3 GENERAL PROVISIONS

Section 3.1. Approval of the Application and NOPC and Amendment of Existing Development Order

3.1.1. Application and NOPC Approval: These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the Application and the NOPC are hereby approved and commencement of the Development is hereby authorized, subject to the conditions, restrictions and limitations set forth herein.

3.1.2. Based on the foregoing findings of fact and conclusions of law, this Ordinance, restates and amends Ordinance 89-6 to read as follows, and constitutes the Development Order for the ICOT Center DRI ("Development Order").

Section 3.2 Exhibits to this Development Order Controlling the ICOT Center DRI

3.2.1. The amended ICOT Center DRI legal description, attached hereto and made a part hereof as Exhibit "A," is hereby approved and adopted and becomes part of the Development Order.

3.2.2. The Revised Map H, dated July 6, 1994, attached hereto and made a part hereof as Exhibit "B," is hereby approved and adopted and becomes part of the Development Order.

3.2.3. Conversion ratios of 1 square foot of office development to 2.287 square feet of industrial park development and/or 1 square foot of industrial park development to 0.437 square feet of office development are hereby established for the Office and Industrial Park areas shown on the Revised Map H, Master Plan attached as Exhibit "B." Development of the Office and Industrial Park parcels shall occur consistent with these conversion ratios, so long as the maximum amount of Office development does not exceed 462,685 square feet, and the maximum amount of Industrial Park development does not exceed 1,267,446 square feet. Thirty days prior to issuance of any permit which utilizes the conversion factors, DCA shall receive notice, from the Developer, of the proposed use of the conversion ratio.

Section 3.3 The Name of the Development and the Developer

3.3.1 The name of the Development is ICOT Center DRI.

3.3.2 The Developer is ICOT Land Ltd, hereinafter referred to as the "Developer, which can be located at 17755 US Highway 19 North, Suite 400, Clearwater, Florida 34624. The Developer agrees that its authorized agent shall be Drew A. Smith. Mr. Smith can be located at the above address. The Developer may change its address and authorized agent by notifying the County, TBRPC, and DCA in writing and such change shall not require an amendment to this Development Order.

Section 3.4 Continuing Obligations and Benefits

3.4.1. This Development Order shall be binding upon and inure to the benefit of the Developer, its successors and assigns, including any entity which may assume any of the rights bestowed or responsibilities imposed upon the Developer by this Development Order.

3.4.2. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at the Development, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private body or bodies created to perform such responsibilities, provided, however, that before such transfer may be effective, the body to which responsibilities have been or will be transferred must be approved by the County, or any other affected governmental agency, 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.

3.4.3. The approved ICOT Center DRI shall not be subject to down-zoning or intensity reduction for the duration of this Development Order, as set forth in Subsection 3.8.1 of this Ordinance, unless the local government can demonstrate that:

3.4.3.1. substantial changes in the conditions underlying the approval of the Development Order have occurred; or

3.4.3.2. the Development Order was based on substantially inaccurate information provided by the Developer; or

3.4.3.3. the change is clearly established by local government to be essential to the public health, safety or welfare.

3.4.4. Any change to the project which departs significantly from the parameters set forth in the land use schedule on page 12-3 of the ADA, shall require a substantial deviation determination, pursuant to Subsection 380.06(19), Florida Statutes.

3.4.5. Any approval of the ICOT Center DRI shall, at minimum, satisfy the provision of Subsection 380.06(15), Florida Statutes, which specifies the inclusion of certain provisions in the Development Order.

3.4.6. All of the Developer's commitments set forth in the ADA, and as summarized at the conclusion of the Report and Recommendations of the TBRPC issued on November 14, 1988, will be honored, except as they may be superseded by specific terms of the Development Order.

3.4.7. The "Rubin ICOT Center Development Standards", as presented in the ADA shall be enforced by the Developer, as committed in the ADA.

Section 3.5 Conventional References

3.5.1. Any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor to, or which otherwise possesses any of the powers and duties of, any branch of government or governmental agency.

3.5.2. 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 to review DRI applications as well as all governmental agencies and departments set forth under applicable laws and rules governing DRIs.

3.5.3. The definitions contained in Chapter 380 shall control the interpretation and construction of any terms of this Development Order, unless the context indicates otherwise.

Section 3.6 Cessation of Development

3.6.1. Development activity constituting a substantial deviation from the terms or conditions of this Development Order as defined in Chapter 380 shall result in further DRI review pursuant to Chapter 380, which may result in the County suspending such development activity pending such review.

3.6.2. The County Administrator of Pinellas County (the "County Administrator") 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 the TBRPC or any County department or agency and all state agencies (such as the Southwest Florida Water Management District ("SWFWMD") having particular

jurisdiction over the Property or subject matter involved. The County Administrator shall report to the Board any findings of deviation from the terms and conditions of this Development Order, including the timely agreement on the Joint Project Agreement ("JPA") between the County and the FDOT as referenced in Section 4.1.3.3.D, and shall issue a notice of such non-compliance to the Developer. If, in the judgment of the County Administrator, the deviation is not corrected within a reasonable amount of time, or if the deviation is of such a nature that it cannot be corrected within a reasonable amount of time and the Developer fails or is unable to pursue appropriate corrective action, the County Administrator shall recommend that the Board establish a hearing to consider the deviation and to take any action it deems necessary, in its discretion, reasonably exercised, to insure compliance with this Development Order, including suspension of any further development activity until the Developer is in substantial compliance with the Development Order.

In all circumstances where the Developer is required by the terms of this Development Order to diligently pursue an objective, or other words of similar import, the County Administrator's judgment, reasonably exercised shall be dispositive of the issue, for purposes of reporting non-compliance to the Board. In like manner, the Board's judgment, reasonably exercised, shall be dispositive of non-compliance issues.

Section 3.7 Reporting Requirements

In addition to the other reporting requirements of this Order and the other requirements of law, the Developer shall file an annual report in accordance with Section 380.06(18), Florida Statutes (1993), and the rules promulgated by the DCA under Chapter 380. Such report shall be due on the annual anniversary of the date of the adoption of Ordinance 89-69, August 2, 1994 (which date of adoption is referred to herein as the "Effective Date of this Development Order") for each year beginning on the first annual anniversary date following the Effective Date of this Development Order until and including such time as all terms and conditions of this Development Order have been satisfied. In addition to the filing requirements of Chapter 380, such report shall be submitted to the County Administrator who shall, after appropriate review, submit it for review to the Board. The Board shall review the report for compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board hearing at which such report is to be reviewed, provided, however, that the receipt and review by the Board shall not be considered as a substitute of a waiver of any of the terms or conditions of this Development Order. This annual report shall contain:

3.7.1. The information required by the DCA to be included in the annual report, which information is described in the rules promulgated by the DCA under to Chapter 380 Florida Statutes;

3.7.2. 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;

3.7.3. A statement listing all applications required pursuant to applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report;

3.7.3.1. A statement setting forth the name(s) and address(es) of the Developer's successors and assigns, if any, with respect to any portion of the Development; and

3.7.3.2. All required monitoring results and a discussion of those results. Where ongoing monitoring has indicated that non-compliance with governmental regulatory requirements exists, the County shall be notified immediately and appropriate corrective measures shall be taken; and

3.7.3.3. A statement listing all development approved during the reporting period that utilized the conversion ratios contained herein for Office and/or Industrial Park.

Section 3.8 Effective Date and Period of Effectiveness

3.8.1. This Development Order shall remain in effect through December 31, 1999, the build-out date. Any development activity for which plans have been submitted to the County for its review and approval no later than 60 days prior to the expiration of this Development Order may, upon receipt of approval, be completed, regardless of when such approval is ultimately issued, subject to review by any applicable Pinellas County vested rights administrative process in operation at the expiration of this Development Order. This Development Order may be extended by the Board on a finding of excusable delay in any proposed development activity, subject to the provisions of Section 380.06(19), Florida Statutes. This section is not to be construed as a waiver of any development rights which may arise at law or at equity as a result of this Development Order.

3.8.2. Upon adoption, executed copies of this Development Order shall be transmitted by the Manager of Board Records, via certified mail, to the DCA, the TBRPC, and the Developer.

3.8.3. The Developer shall record a Notice of Adoption of this Development Order as required pursuant to Chapter 380, and shall furnish the County Clerk a copy of the recorded Notice.

3.8.4. This Development Order shall be deemed rendered upon transmittal of copies of this Development Order to the recipients specified in Chapter 380 Florida Statutes.

3.8.5. This Development Order shall take effect immediately upon becoming a law as provided for in ARTICLE 9, herein, and a copy hereof shall be located in the Pinellas County Zoning Division for the convenience of the public.

Section 3.9 Amendments and Applicable Rules

3.9.1. Unless otherwise provided herein, any revisions to this Development Order shall be subject to review by the TBRPC and DCA to the extent provided in Chapter 380 Florida Statutes. Further review, pursuant to Chapter 380 Florida Statutes, shall be required if a Substantial Deviation, as defined in Chapter 380, is found to exist. The Developer shall be given due notice, and an opportunity to be heard with respect to any hearing to determine whether or not a proposed change to the Development is a Substantial Deviation.

3.9.2. The Developer shall be bound by the rules adopted pursuant to Chapters 403 and 373, Florida Statutes, in effect on the Effective Date of this Development Order. Accordingly, all applicants for permits pursuant to those chapters and which are revised for the Development authorized by this Development Order shall be subject to the rules adopted pursuant to Chapters 403 and 373, Florida Statutes, in effect on the Effective Date of this Development Order.

3.9.3. Any amendment to this Development Order will be subject to applicable provisions of the Pinellas County Comprehensive Plan which is in effect at the time of the amendment. Those portions of the development which are not affected by a proposed amendment shall remain vested and not subject to limitation or modification, as provided in Section 163.3167(8), Florida Statutes, subject to review under Pinellas County's Vested Rights Ordinance.

3.9.4. This Development Order in no way exempts the Development from applicable Pinellas County impact fees, either existing or new, including any increases therein. However, pursuant to Section 380.06.16, Florida Statutes, ICOT shall be given appropriate credits against impact fees, which impact fee credits may be utilized as set forth in Section 4.1.3.3(F), below.

3.9.5. Except as herein specifically permitted to the contrary, all development activity and construction conducted on the property shall be in accordance with all applicable local, state and federal regulations current at the time that development permits are sought.

ARTICLE 4. REGIONAL CONDITIONS, RESTRICTIONS, AND LIMITATIONS.

The Board having made the above findings of fact and conclusions of law, hereby approves the Application and the NOPC in their entirety, subject to the following general conditions, restrictions and limitations:

Section 4.1. Transportation.

4.1.1. If the Original Developer, or its assigns, has not already contributed its pro-rata amount to the Gateway/High Point Area Transportation Study, as required by Ordinance 89-6, then the Developer shall contribute its fair share of the cost of funding the establishment and operation of a Gateway Transportation Initiative or their successor organization for the Gateway Area of Pinellas County ("Transportation Management Organization") as determined by the Metropolitan Planning Organization ("MPO"), not to exceed \$32,446.00 within ten (10) days after receipt of a written request by the MPO for such funds. Such contribution shall be credited against the Developer's Proportionate Share.

4.1.2. An annual monitoring program to provide peak-hour traffic counts at the project entrances shall be instituted to verify that the projected number of project external trips for the development are not exceeded. Counts will continue on an annual basis through build-out. This information shall be supplied in the required annual report, beginning with the first annual report. If an annual report is not submitted within 30 days of the due date, or if the annual report indicates that the total project external trips exceed projected counts for the total project as presented in the NOPC by more than 15 percent ("Variance"), the County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19), Florida Statutes, and may, if appropriate, amend the Development Order to change or require additional roadway improvements. The results of the study may also serve as a basis for the Developer or reviewing agencies to request Development Order amendments.

If the Variance is determined to be a substantial deviation, the revised transportation analysis required pursuant to Subsection 380.06(19), Florida Statutes will be based upon results of the monitoring program and agreements reached at another transportation methodology meeting to be held prior to the preparation of the new analysis.

4.1.3. Three options to mitigate the impacts of the Development upon the regional transportation system are available to the Developer. The first option requires funding commitments for the necessary improvements prior to approval of any further development. The second option requires continued traffic analysis of regionally significant roadways throughout the development period with subsequent approvals conditioned to the maintenance of an adequate Level of Service ("LOS") (LOS "D" at peak hour). The

third option entails the Pipelining of the Developer's monetary mitigation of transportation impacts into the actual construction of one or more identified roadway improvements.

4.1.3.1. Option 1.

A. Any approval of this Development shall require funding commitments from responsible entities for the following roadway improvements:

(1) Ulmerton Road (66th Street - 49th Street), widen to six lanes divided including all intersections, and

(2) At the 62nd Street/142nd Avenue intersection, construct a westbound right turn lane, construct a southbound left turn lane, and signalize upon satisfaction of Manual on Uniform Traffic Control Devices warrants.

(B) Phasing is permitted under Option 1. If phasing is elected by the Developer, funding commitments will be required for all regionally significant improvements necessary to accommodate the traffic impacts of a particular phase of development identified by the Developer in a "Phase Report" approved by TBRPC prior to the commencement of that particular phase of the Development. Due to this requirement of funding commitments, the Developer may elect to proceed on a phasing basis under the square footage thresholds identified in the Phase Report. For the purposes of this Development Order, the square footage thresholds in the Phase Report shall be computed with reference to a limitation on building permits issued for the Development.

(1) Prior to issuance of building permits beyond the square footage identified with the first phase, the improvements identified in this Phase Report as being associated with the next succeeding threshold must be the subject of funding commitments from responsible entities, where those facilities are projected to operate below LOS "D" peak-hour and the Development would contribute five percent (5%) or more of the then existing LOS "D" peak-hour capacity to any such facility. Without funding commitments for these improvements, building permits shall not be issued where construction of the Development, or any portion thereof, would exceed the square footage thresholds associated with improvements in the Phase Report for which there are funding commitments. In the event of a suspension of the Development, a new Chapter 380 traffic analysis may be submitted, or the Developer may demonstrate that the actual and projected impacts of the Development are such that construction may proceed beyond the trip generation thresholds identified in the Phase Report while maintaining the above-referenced levels of service on the affected regionally significant facilities. If the Developer so demonstrates to the satisfaction of the County and TBRPC, then construction may proceed to the extent that the above-referenced levels of service are maintained on the affected regionally significant facilities.

(2) Upon the issuance of Certificates of Occupancy for development in excess of that specifically approved in the IDA, the Developer shall prepare and submit to the County, TBRPC, Pinellas County MPO, the Pinellas Suncoast Transit Authority ("PSTA"), and FDOT, a Transportation Demand Management ("TDM") program that promotes and encourages transit ridership, ridesharing, flexible work hours, etc. in order to divert vehicle trips from the PM peak hour.

(3) The TDM program shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TDM measures. If more than one TDM measure is used, the assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TDM measure. If a single TDM measure is used it shall be monitored as part of the annual traffic monitoring program. Results of the TDM program shall be included in the annual report.

(4) If the annual report indicates that the total peak hour external project traffic forecasts are not being met, Pinellas County may conduct a substantial deviation determination pursuant to Subsection 380.06(19), Florida Statutes, and may amend the Development Order if necessary to change TDM objectives and/or require additional roadway improvements. The results of the TDM study may serve as a basis for the Developer or reviewing agencies to request Development Order amendments.

(5) In addition, this TDM program shall be developed in cooperation with FDOT, and the MPO, PSTA, TBRPC and the Gateway Transportation Initiative or their successor organization. This program shall seek to implement, and will be measured by, the TDM objectives and policies set forth in the Florida Transportation Plan.

(6) In addition to the TDM measures stated above, one further acceptable measure for evaluating the TDM objectives is any change in uses and/or reduction in intensity of the Development that results in a reduction in PM peak hour trips from the assumptions used to prepare the Application.

4.1.3.2. Option 2. In the event that commitments for transportation improvements are adequate to permit approval of only a portion of the Development, the capacity and loading of transportation facilities in the ICOT Center DRI transportation area, including but not limited to the regional roadways and intersections referenced in Option 1, shall be limiting factors in any subsequent approvals. Accordingly, the Developer shall generate and provide the County, the MPO, FDOT and TBRPC, pursuant to the provisions of Chapter 380 Florida Statutes, with updated current traffic counts on the above roadways and projections of traffic volumes that will result from the completion of the currently approved portion of the Development plus that to be generated by the remainder of the Development. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (set forth in Option 1 above) or shall indicate alternate transportation

improvements or mechanisms which, when implemented, will maintain the roadways referenced in Option 1 at LOS "D" at peak hour. Both the traffic counts and the projection of traffic volume shall be prepared consistent with generally accepted traffic engineering practices. Prior to any specific approval beyond Option 1 approval, the County or its designee shall confirm, in written findings of fact, that the above roadways are operating at or above LOS"D" at peak hours and that the expected trips to be generated by such approval would not cause the roadways to operate below LOS "D" at peak hours.

4.1.3.3. Option 3: Pipelining.

(A) Pipelining Segment: Subject to the Developer's Funding Obligations described in Subsection 4.1.3.3.C.1, below, the Developer will design and prepare construction documents and prepare complete permit information for FDOT construction of Ulmerton Road between U.S. 19 and Roosevelt Boulevard (SR686), a minimum of six lanes divided with turn-lanes and tapers, the "Pipelining Segment", a regional road network improvement in the area of the Development, using the proportionate share amount calculated pursuant to Rule 9J-2.0255, Florida Administrative Code (F.A.C.).

(B) Proportionate Share: The proportionate share of the costs of the transportation improvements necessary to accommodate the impacts of the Development, as modified herein, has been calculated to be \$554,347.00 in 1994 dollars. ("Proportionate Share").

(C) Design of Pipelining Segment: Having selected Option 3, and subject to confirmation by appropriate review of appropriate financial records, the Developer has paid \$270,000.00 toward the "60% complete design plans" for the Pipelining Segment. The remaining Proportionate Share contribution is, \$284,347. This remaining contribution shall be satisfied by the Developer continuing to fund and diligently pursue completion of the design of the Pipelining Segment. The design must be completed within one year of the Effective Date of this Development Order.

(1) Developer's Funding Obligations.

(a) In the event the cost of the remaining design work, construction documents and permit information for the Pipelining Segment is less than \$284,347, the Developer, in lieu of commencing construction of the Pipelining Segment, shall pay the remaining sum of the Proportionate Share to the County, or FDOT, as applicable, which will apply the funds for the design and/or construction of the Pipelining Segment.

(b) In the event the cost of the remaining design work, construction documents and permit information for the Pipelining Segment exceeds the remaining Proportionate Share amount, the Developer shall not be required to pay any

Proportionate Share amount in excess of \$284,347.

(2) Developer's Design Obligations.

The Developer shall contract with an engineering firm to prepare the design for the Pipelining Project (the "Project Engineer") to include the design work, preparation of construction documents and of permitting information for the Pipelining Segment. Within 30 days after the Effective Date of this Development Order, if the Developer's contract with the Project Engineer does not already so provide, the Developer shall amend its contract with the Project Engineer to require the Project Engineer:

(a) to prepare the design in accordance with applicable local, state and Federal requirements and specifications and in compliance with the FDOT's Plans Preparation Manual and current indexes; and

(b) to provide the FDOT and the County reasonable opportunity to review and comment on the design as it is being developed at 60%, 90% and 100% plans completion, and to provide 14 days' written notice to FDOT's Project Manager prior to the 60% and 90% field review meetings; and

(c) to, no later than August 16, 1994, provide FDOT with a schedule of events as required by FDOT's Plans Preparation Manual pursuant to subsection (a) of this subsection 4.1.3.3.C.2.; and

(d) to incorporate the suggestions of FDOT the Department and the County into the design; and

(e) to complete the design within twelve (12) months from the Effective Date of this Development Order; and

(f) to submit the final design plans and specifications to the FDOT for final review and approval; and

(g) to deliver to the entity responsible for constructing the Pipelining Project under the JPA ("Contracting Entity), after all approvals for the design of the Pipelining Segment have been granted, final design plans and specifications, permit information, and signed, sealed surveys of right-of-way and proposed drainage ponds, reflecting the real property requirements of the Pipelining Project; and

(h) to provide for amendment of the Developer's contract with the Project Engineer to substitute the Contracting Entity as a party to the contract upon satisfaction of all outstanding obligations of the Developer, if the Developer's Funding Obligations have been exhausted prior to all approvals for the design of the Pipelining

Segment having been granted.

(i) as an alternative to the immediately foregoing subsection (h), to provide, upon satisfaction of the foregoing requirements, for amendment of the Developer's contract with the Project Engineer to substitute the Contracting Entity as a party to the contract upon satisfaction of all outstanding obligations of the Developer.

The Developer recognizes that the County desires to enter into a JPA with FDOT for the construction of the Pipelining Segment and further recognizes that the County's ability to perform under any JPA with the FDOT is dependent upon the Developer's performance. Thus the Developer shall diligently pursue enforcement of these provisions of its contract with the Project Engineer.

(D) Construction of Pipelining Segment:

(1) The FDOT and the County may agree separately by JPA on the identity of the Constructing Entity and on matters associated with implementation of the construction of the Pipelining Segment including the County's commitment to fund construction of the Pipelining Project. Timely agreement by JPA between the County and FDOT is a term and condition of the Development Order, for all purposes including the provisions of subsection 3.6.2 of this Development Order. Timeliness shall be viewed in terms of the ability of the FDOT and the County to realistically adhere to the timeframes established in this Development Order including the one year delay provided in Subsection 4.1.3.3.E for design completion and the commencement and completion of construction of the Pipeline Segment. If the County is the Constructing Entity, construction documents will be prepared accordingly. If the Project Engineer is not otherwise obligated to obtain the necessary permits, the Constructing Entity will apply for and diligently pursue all necessary approvals and permits from the appropriate regulatory agencies necessary to construct and complete the Pipelining Segment. Any added cost to convert the construction documents to accommodate the requirements of the Constructing Entity, or to pursue permits and accommodate permitting requirements, may be paid from the remaining Developer's Funding Obligation, subject to the limitation of the total Proportionate Share. The construction of the Pipelining Project shall commence within two (2) years of the Effective Date of this Development Order and shall be completed within three (3) years of the Effective Date of this Development Order.

(2) Fiscal Non-funding and Regulatory Restrictions:

The Developer and the County recognize and accept the funding restrictions set forth in Sections 129.07, 129.08, and 129.09 Florida Statutes (1993), those in Sections 339.135(6)(a), Florida Statutes (1993), the regulatory restrictions of the County's transportation impact fee ordinance, and of the MPO's long range plan which may affect the County's or FDOT's obligations, if any, hereunder.

(E) Delays in Construction of the Pipelining Segment:

Notwithstanding the foregoing, in the event that the performance by the Developer, the County, or FDOT, as applicable, of any of the commitments set forth herein and as further implemented by the provisions of the JPA referenced in Subsection 4.1.3.3.D of this Section 4.1, is interrupted or delayed for more than one year, whether because of an act of God or the result of war, riot, or civil commotion, or otherwise, the Developer shall submit an NOPC application to address the delay. In the event that such delay occurs the County shall cease issuing development permits. No further development permits shall be issued until the Development Order is amended to address the delay and to establish a new timeframe to complete the required improvements.

(F) Impact Fee Credits:

(1) Subject to review and approval by the County of appropriate financial records, the Developer will be fully credited against the County's transportation impact fee requirements for the total amount of the Proportionate Share, \$554,347.00. Credits shall be available for use once the expenditures are verified as creditable, which verification shall not be unreasonably delayed or withheld. Such credits shall be utilized based upon the impact fee schedule in effect as of the date of utilization of the credit, and shall be exhausted before impact fee payments will be payable incident to construction within the Development.

Impact fees payable incident to existing structures within the Development presently total \$356,570.64. Once the Developer's Proportionate Share has been paid, and prior to the utilization of any impact fee credits earned, the Developer's credit shall be subject to a one time reduction in the amount of \$356,570.64. Impact fee payments for future development will be determined by the specific type of development approval, e.g., warehouse, manufacturing, etc., and not by the "industrial park" designation.

(2) Except as provided in Section (3), below, the County shall issue transportation impact fee credits only to ICOT, or its affiliates, or authorized successors. In order to receive such credits, ICOT shall notify the County Zoning Administrator, or his designee, in writing, of the dollar value of the credit being taken and the specific property to which the credit is to be applied.

(3) Transportation impact fee credits shall be assignable by ICOT, at ICOT's sole discretion, for use by other persons or entities developing land within the Development. Any such person or entity must provide evidence of such assignment to the County Zoning Administrator, or his designee, in order to receive any credit against transportation impact fees from the County. Evidence of such assignment shall be in the form of a written assignment, specifying the dollar value of the credit being assigned, with an original notarized signature of ICOT's representative authorized for such purpose.

ICOT is responsible for keeping the County Zoning Administrator informed, in writing.

(4) In the event transportation impact fees exceed the Proportionate Share, ICOT, or another person or entity developing property within the Development, shall be responsible for paying the transportation impact fee in effect at the time of utilization.

(G) Additional Contributions:

Nothing contained herein shall prohibit the Developer from voluntarily contributing more than its Proportionate Share for additional tasks required to complete the Pipelining Segment, or for a separate approved roadway improvement to the regionally significant highway network, including right-of-way dedications and cash contributions, but any such contribution may not be required as a condition of any development approval. For purposes of the Development Order, "approved roadway improvements and/or right-of-way dedications" are those improvements and/or right-of-way dedications which correspond to road links, intersections, and/or other improvements which are part of the regionally significant highway network within Pinellas County Planning District No. 8. Such additional contributions in excess of the Proportionate Share, shall be a credit against future transportation impact fees, subject to appropriate review of appropriate financial records, by the County, limitations of the transportation impact fee ordinance, and the credit utilization provisions of this Development Order.

(1) Lot 1 as referenced in Exhibit "B" to this Development Order, might be used for drainage improvements or permit requirements resulting from the widening of State Road 688. Nothing herein precludes a redesign of the roadway plans to avoid using Lot 1 or any other real property for these purposes, at the suggestion of FDOT and the County. If, however all or a portion of Lot 1 located within the Development, is required for these purposes, and if FDOT is responsible for acquisition of that property under the JPA, then FDOT will provide written notice to the Developer of the need to acquire the real property. Within thirty (30) days after receiving the written notice, the Developer shall convey the real property owned or controlled by it that is necessary to accommodate the drainage improvements. If the Developer conveys the property to FDOT, then FDOT shall pay the value of the property as determined by the simplified appraisal procedure in the following paragraph. In the event that the County is responsible for acquisition of the property, then the same process shall apply, except that the County shall have the option of either paying the Developer the value of the property, or providing the Developer an equivalent credit against future transportation impact fees. Conveyance of real property shall be by general warranty deed, unless waived by the County and FDOT.

(2) The County, or FDOT, as applicable under the JPA, and the Developer will each select one firm to appraise the property conveyed. The appraisers shall use as comparable sales only arm's length transactions between unrelated third

parties and shall assume that the property being appraised may be used for the highest and best use using standard appraisal techniques. The appraisals shall be exchanged simultaneously by the County or FDOT, as applicable, and the Developer.

(a) In the event the County, or FDOT, as applicable under the JPA, requests the Developer to convey only a portion of Lot 1, then the appraisers shall, in all respects, appraise the property as though for a condemnation proceeding taking into account, without limitation, severance damages, if applicable. No attorney's fees shall be due and owing.

(b) The appraisers' charges shall be paid by the County, or FDOT, as applicable under the JPA. The average of the two appraisals shall be accepted as binding on the parties except in the case of patent error or a variance of twenty percent (20%) or more. If a variance of twenty percent (20%) or more exists between the two independent certified appraisals, then either a third independent certified appraisal or an independent certified review appraisal shall be obtained. The third appraiser or review appraiser shall be selected by the two appraisers. The average of the two closest appraisals shall be accepted as binding upon the Developer and the County or FDOT, as applicable under the JPA. This condition is also subject to fiscal funding and appropriation by the County or by FDOT as referenced in Section 4.1.3.3.D.2.

(H) Transportation Demand Management ("TDM")

(1) Upon the issuance of Certificates of Occupancy for development in excess of that specifically approved in the IDA, the Developer shall prepare and submit to the County, TBRPC, Pinellas County MPO, the PSTA, and FDOT, a TDM program that promotes and encourages transit ridership, ride-sharing, flexible work hours, etc. in order to divert vehicle trips from the PM peak hour.

(2) The TDM program shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour. If more than one TDM measure is used, the assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TDM measure. If a single TDM measure is used, it shall be monitored as part of the annual traffic monitoring program. Results of the TDM program shall be included in the annual report.

(3) If the annual report indicates that the total peak hour external forecasts are not being met, the County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19), Florida Statutes, and may amend the Development Order if necessary to change TDM objectives and/or require additional roadway improvements. The results of the TDM study may serve as a basis for the Developer or reviewing agencies to request Development Order amendments.

(4) In addition, this TDM program shall be developed in cooperation with FDOT, the Pinellas County MPO, PSTA and TBRPC. This program shall seek to implement, and will be measured by, the TDM objectives and policies set forth in the Florida Transportation Plan.

(5) In addition to the TDM measures stated above, one further acceptable measure for evaluating the TDM objectives is any change in uses and/or reduction in intensity of the Development that results in a reduction in PM peak hour trips from the assumptions used to prepare the Application.

(I) Alternate Pipelining Segment

In the event that an Alternate Pipelining Segment is selected by the Developer, pursuant to Subsection 4.1.3.3(E), the Developer shall then, in lieu of funding the design of the Pipelining Segment, identify an alternate road improvement, acceptable to the County, and DCA (the "Alternate Pipelining Segment"). The Developer shall diligently pursue written approval from the County and DCA for the Alternate Pipelining Segment through submittal of an NOPC and amendment of the Development Order, if necessary. In no event shall the Developer be required to expend in the aggregate for both the Pipelining Segment and the Alternate Pipelining Segment an amount in excess of the Proportionate Share, \$554,347.00.

Section 4.2. Environment and Natural Resources.

4.2.1. Habitat and Floodplain Issues

4.2.1.1 A representative tract of the mesic hardwood community described on page SR 11 & SR 12-16 of the Application, shall be preserved on-site in a manner which will ensure its continued natural function and value. During the site plan review process and subsequent permitting of land clearing activities for future development activity, at the permit applicant's request, the County may consider the enhancement of the "Wetland/Preservation" land use classification as identified on Map H (Master Site Plan). The areas identified as Land Use Codes 741, 641, 622, and 642 on Maps D and F shall be preserved.

4.2.1.2. In order to protect the natural value of the preserved wetland areas, no hydroperiod alteration shall be permitted in conservation areas as identified on the Master Site Plan, Map H of the ADA, as presented in the First Sufficiency Response, and Maps D and F, "Existing Land Uses and Vegetative Associations," Exhibit 16-1 of the First Sufficiency Response, as may be modified herein.

4.2.1.3. In the event that any species listed in Sections 39-27.003-.005, F.A.C., are observed frequenting the site for nesting, feeding, or breeding, proper protection/mitigation measures shall be employed immediately in cooperation with the Florida Game and Fresh Water Fish Commission.

4.2.1.4. There shall be neither filling of, nor construction within, the Cross Bayou Canal floodplain, as committed in the ADA.

4.2.2. Air Quality: The County shall reserve the right to require mitigation measures or a revision of the master plan to alleviate any potential impacts of the project on ambient air quality. Article V of the Rubin ICOT Center Development Standards forbids noxious activities on-site.

4.2.3. Historical Resources: The discovery of any historical or archaeological resources shall be reported to the Florida Division of Historical Resources and the disposition of such resources shall be determined in cooperation with the Division of Historical Resources and Pinellas County.

4.2.4. Hazard Mitigation:

4.2.4.1. The Developer shall promote awareness of, and shall cooperate with, local and regional authorities having jurisdiction to insure 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 building after a Level C evacuation order is issued by (1) ordering all buildings closed for the duration of a hurricane evacuation order; (2) informing all employees of evacuation routes out of the flood prone area and measures to be followed in the event of same; and (3) making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans. This plan shall be included in the first annual report. In addition, the applicant is encouraged to discuss with local authorities the possibility of utilizing the site as a parking area for dispatch and/or storage of public agency vehicles and mobile equipment in the event of a hurricane or similar emergency situation.

4.2.4.2. All future deeds by the Developer, or its assigns, for sale of land and/or structures for ICOT Center DRI must be accompanied by a hazard disclosure statement generally describing the property(ies)'s relative probability of damage from hurricane surge.

4.2.4.3. The soil conservation measures referenced on page 14-4 of the ADA and page SF 14-2 of the First Sufficiency Response, and the measures to reduce erosion, fugitive dust and air emissions referenced on pages 13-8 and 13-9 of the ADA, at minimum, shall be implemented. The methods discussed on page 14-3 of the ADA associated with the particular soil types in the ADA shall be utilized, as well as other appropriate best management practices. Any additional land fill dirt required for the ICOT

Center DRI shall be obtained from a licensed source.

4.2.4.4. Elevations for all future habitable structures beyond those approved in the IDA shall be above the storm surge elevation.

Section 4.3. Public Facilities.

4.3.1. Water Quality

4.3.1.1. Any reconfiguration of the on-site stormwater management systems shall be designed, constructed, and maintained to meet or exceed Chapter 17-25, F.A.C., and 40D-4, Rules of SWFWMD. Existing retention areas shall not be reduced in size, except as mitigated for or as permitted by local government.

4.3.1.2. In order to protect water quality in the Cross Bayou Canal, a Class III water, there shall be no degradation of water quality standards by stormwater exiting the ICOT Center DRI site, beyond those allowable by the rules and regulations of the agencies having jurisdiction. Therefore, it is appropriate that the Developer provide for a semiannual surface water quality monitoring program, conducted within each pond which discharges directly into the Cross Bayou Canal, to be instituted before ground-breaking for development beyond that approved in the IDA takes place and to continue through project build-out, at minimum. Monitoring of the retention ponds and drainage ditches shall continue as presently conducted by Aquatic systems, Inc., or a comparable service, in compliance with all applicable rules and regulations. Any violation of Chapter 17-302.560, F.A.C., shall require corrective measures as set forth by the Florida Department of Environmental Protection ("DEP"). The following shall apply:

(A) All water quality analytical methods and procedures shall be thoroughly documented and shall comply with EPA/DEP Quality Control Standards and Requirements for Class III waters.

(B) The monitoring results shall be submitted to County, DEP and SWFWMD. Should the monitoring indicate that applicable state water quality standards are not being met, the violation shall be reported to County immediately and all construction within the sub-basin(s) where the violation is noted shall cease until the violation is corrected; or if the specific construction activities can be identified as causing the violation, all such activity shall cease until the violation is corrected.

4.3.1.3. The following additional surface water quality monitoring shall be required. All sampling, at a minimum, shall include all previously reported parameters.

No later than June, 1995, one of the stormwater outfall structures shall be modified to accept a continuous, event-triggered sampling device. Composite samples of all storm event discharges will be required for this outfall until such time that the discharge proves to be within state water quality standards for the parameters monitored.

4.3.1.4. The detention ponds and control structures will be owned and maintained by the Developer, or its assigns. A regular maintenance program was developed for the ICOT Center DRI within one year after adoption of Ordinance 89-6 Development Order that was similar to the "Operating and Maintenance Instructions" listed on pages SR 16-2, SR 16-6 and SR 22-5 of the First Sufficiency Response. A copy of the program was included in the first annual report, and shall be subject to review and comment by TBRPC, and approval by SWFWMD and County.

Within 90 days after the Effective Date of this Development Order, the Developer shall resubmit an updated maintenance program for the on-site stormwater management systems for review and approval by the County. The maintenance program shall provide, in the reasonable judgment of the County, for the establishment of desirable wetland plant communities and the minimization of non-native, undesirable wetland plant species.

4.3.1.5. The following information pertaining to the on-site stormwater management system shall be included in each annual report:

- (A) the extent and frequency of herbicide use or other aquatic plant control techniques;
- (B) the status of wetland plant communities; and
- (C) the results of all water quality monitoring.

4.3.1.6. After the Effective Date of this Development Order, should the County determine that management practices result in discharges to the Cross Bayou Canal which are in violation of state water quality standards or failure to properly manage wetland plant communities, the Developer or its assigns shall submit a remediation plan addressing the wetland plant communities and water quality within the stormwater management systems for review and approval by the County. All aspects of remediation shall be the responsibility of the Developer or its assigns.

4.3.1.7. There shall be no on-site treatment of wastewater; if on-site treatment is proposed, the proposal shall be reviewed and the Development Order shall be amended to include conditions concerning this previously unreviewed land use.

4.3.2 Fire, Emergency Services, and Law Enforcement

4.3.2.1. Adequate Fire and Emergency Management services shall be provided to the ICOT Center DRI by the County as confirmed by the letter of Stephen Dean, Director, the County Fire and EMERGENCY MANAGEMENT Administration dated January 3, 1989.

4.3.2.2. Adequate law enforcement services shall be provided to the ICOT Center DRI by the County Sheriff's Office as confirmed by the letter from Colonel Michael L. Hawkins, dated October 22, 1987.

4.3.2.3. The Developer shall provide to all ICOT Center DRI businesses information (to be provided to the Developer by TBRPC) that:

(A) Indicates the types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers/areas; and

(B) Describes construction requirements of hazardous waste holding areas; and

(C) Advises of applicable statutes and regulations regarding hazardous water and materials; and.

(D) Notifies tenants that there shall be no disposal of commercial or hazardous wastes into the sewer system.

A description of compliance with this condition 4.3.2.3 shall be required in each annual report.

4.3.2.4. ICOT Center DRI shall annually notify all businesses in the Development to report to Developer, the County, and TBRPC where hazardous materials and water are stored, handled or transported and the ultimate fate or disposal of the substances. A copy of such notification to businesses and their responses to Developer, along with a site plan or map of the Property indicating the location of any such storage or handling on site, shall be reported to the County and TBRPC in each annual report.

4.3.3. Conservation Measures

The following energy and water conservation measures shall be encouraged where economically feasible:

4.3.3.1. Development of energy policies, energy use monitoring and energy conservation for ICOT Center DRI shall be accomplished by a qualified energy use analyst. An energy audit by Florida Power Corporation may satisfy part of this requirement;

4.3.3.2. Programs to promote energy conservation by employees, buyers, suppliers and the public. Information regarding these programs shall be made available to all owners/tenants of the ICOT Center DRI;

4.3.3.3. Programs to reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours;

4.3.3.4. Recycling programs;

4.3.3.5. The elimination of advertising requiring lighting after business hours;

4.3.3.6. Innovative energy alternatives such as solar energy, resource recovery, waste heat recovery and co-generation; and

4.3.3.7. Total energy systems on large facilities installed when cost effective.

Progress on these measures in this subsection 4.3.3 shall be included in each annual report.

4.3.14. The common open space areas shall continue to be maintained by the Developer, or its assigns.

4.3.15. Water-saving devices mandated by the Florida Water Conservation Act (Section 533.14, Florida Statutes, 1985) shall be required as part of the "Rubin ICOT Center Development Standards" and native vegetation shall be used in landscaping, wherever feasible.

4.3.16. Outdoor watering needs may not be satisfied by potable water. Potable shall not be deemed to be water obtained from on-site wells, recovered wastewater or detention facilities unless such restrictions apply generally. Wherever feasible, the ICOT Center DRI shall utilize recovered wastewater provided by the City of Largo to meet its non-potable water needs. All on-site wells not in use shall be capped per SWFWMD requirements, unless project non-potable water needs cannot be met by the City of Largo or other providers. This provision shall be enforced through Article V of the existing Rubin ICOT Center Development Standards.

ARTICLE 5 . ENFORCEMENT AND PENALTIES.

In addition to the enforcement remedies provided in Chapter 380, Florida Statutes, the County shall have the following authority:

Section 5.1. The authorized representative, agents or employees of the County, may enter and inspect any portion of the Property or improvements thereon, which are reasonably and customarily accessible to the general public, for the purpose of inspecting the same to determine whether a violation of this ordinance is occurring, or to verify achievement of compliance with the provisions of this development Order. Inspections conducted pursuant to this section shall be limited to obtaining that information which is reasonably necessary for the above purposes and shall be conducted in such a manner as to not interfere with normal business operations or uses of the premises. The owner or operator of the premises shall, upon request receive a report setting forth all facts found which relate to compliance status. Pursuant to Chapter 380.11, Florida Statutes, the state and land planning agency, a state attorney and the County are each authorized to bring an action for injunctive relief, both temporary and permanent, against any person or developer found to be in violation of Chapter 380.06, Florida Statutes, rules and regulations thereunder, or this Development Order.

Section 5.2. Violations of this Ordinance shall be subject to prosecution pursuant to Section 125.69, Florida Statutes, and upon conviction, shall be punished by a fine not to exceed \$500, or by imprisonment in the County Jail for a term not to exceed sixty (60) days or by both such fine and imprisonment.

Section 5.3. In addition to the penalties provided by subsection 5.1 and 5.2 of this ARTICLE 5 for violation of this Ordinance, any violation of this ordinance shall be subject to review under Section 3.6.2. of this Ordinance and to appropriate civil action in the court of appropriate jurisdiction.

Section 5.4. Nothing in this Development Order constitutes a waiver of any rights of the County or the Developer which may have arisen at law or equity.

ARTICLE 6 STATUS OF PRIOR DEVELOPMENT ORDER.

This Development Order shall be binding upon the Developer, its successors and assigns. Upon its effective date, as established in Article 9, this Development Order supersedes and replaces in its entirety the development order adopted by the County on

February 14, 1989, Pinellas County Ordinance 89-6 and, with the changes noted in Sections 3.6.2, 3.7, 3.9.2, 4.1.3.3.C.2, and ARTICLE 6, ratifies the provisions of Ordinance 94-69.

ARTICLE 7 TABLE OF CONTENTS, SUMMARY AND HEADINGS

The Table of Contents, captions and headings in this Order are for ease of reference and do not constitute a part of this Order.

ARTICLE 8. SEVERABILITY. If any Section, Subsection, sentence, clause, phrase or provision of this Ordinance is for any reason held invalid, or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional. Findings of Facts or Conclusions of Law in this Ordinance are not dispositive for purposes of collateral quasi-judicial proceedings.

ARTICLE 9. FILING OF ORDINANCE; EFFECTIVE DATE. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Manager of Board Records within ten (10) days after enactment by the Board. This Ordinance shall become effective upon receipt of notice of such filing, or, if an appeal is filed, at the conclusion of such appeal, whichever is later.

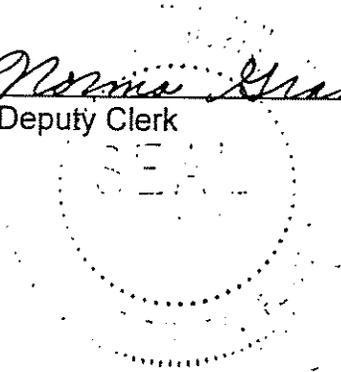
PASSED AND ORDAINED BY THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS.

Bruce Indall
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

ATTEST: KARLEEN F. DeBLAKER, CLERK

James L. Bennett
APPROVED AS TO FORM
OFFICE OF THE COUNTY ATTORNEY

By: *Norma Grant*
Deputy Clerk



I, KARLEEN F. DeBLAKER, Clerk of the Circuit Court and Clerk of the Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida.
Witness my hand and seal of said County, this 1st day of Sept, A.D. 1994
KARLEEN F. DeBLAKER, Clerk of the Circuit Court and Clerk of the Board of County Commissioners, Pinellas County, Florida.
By: *Norma Grant*
Deputy Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

LEGAL DESCRIPTION

PARCEL I: All of Lot 8, all of Lot 9, that portion of Lot 10 lying West of Cross Bayou, and that portion of Lot 11 lying West and North of Cross Bayou, Pinellas Groves Subdivision, all in the Southwest 1/4 of Section 4, Township 30 South, Range 16 East, as recorded in Plat Book 1, Page 55, Public Records of Pinellas County, Florida: LESS that part lying within 120 feet of survey line of State Road S-688, Section 15120, as described in order of taking recorded in O.R. Book 2061, Page 344 (Clerk's Instrument No. 251226B), Public Records of Pinellas County, Florida.

AND

PARCEL II: The Northwest 1/4 of Southwest 1/4 of Section 4, Township 30 South, Range 16 East, LESS that part East of Cross Bayou, Pinellas County, Florida.

AND

PARCEL III: That part of the Northeast 1/4 of the Southwest 1/4 of Section 4, Township 30 South, Range 16 East, lying West of Cross Bayou Canal, Pinellas County, Florida.

AND

PARCEL IV: The Southwest 1/4 of the Northwest 1/4, LESS the North 1/4 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 4, Township 30 South, Range 16 East, Pinellas County, Florida.

AND

PARCEL V: That part of Lots 12 and 13 in the Northwest 1/4 of Section 4, Township 30 South, Range 16 East, lying West and North of Cross Bayou, as shown on plat of Pinellas Groves, Pinellas County, Florida; TOGETHER with any and all riparian rights appertaining thereto.

AND

PARCEL VI: The East 1/2 of Lot 11, all of Lot 12, all of Lot 13, all of Lot 14, and all of Lot 15, Pinellas Groves Subdivision, all in the Southeast 1/4 of the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, as recorded in Plat Book 1, Page 55, Public Records of Pinellas County, Florida: LESS that part lying within 120 feet of survey line of State Road S-688, Section 15120, as described in order of taking recorded in O.R. Book 2061, Page 344 (Clerk's Instrument No. 251226B), Pinellas County records.

AND

PARCEL VII: The Northeast 1/4 of the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, Pinellas County, Florida.

AND

PARCEL VIII: Beginning at the Southeast corner of said Lot 14; thence N 89°49'02" W, along the South line of said Lots 14, 13, 12 and 11 (said line being 15.00 feet North of and parallel to the South line of said quarter section), 1335.00 feet to the West line of the East 22.00 feet of said Lot 11; thence N 00°26'47" W, along said West line, 215.01 feet to the North line of the South 215.00 feet of said Lot 11; thence, S 89°49'02" E, along said North line 22.00 feet to the West line of said Lot 12, thence N 00°26'47" W, along said West line, 524.14 feet to the South line of the North 310.00 feet of the South 8.0 acres of said Lot 12; thence S 89°49'02" E, along said South line 10.00 feet to the East line of the West 10.00 feet of said Lot 12; thence N 00°26'47" W, along said East line 310.02 feet to the North line of the South 8.0 acres of said Lot 12; thence N 89°49'02" W, along said North line 10.00 feet to the East line of said Lot 11; thence N 00°26'47" W, along said East line, 4.03 feet to the North line of the South 1053.16 feet of said Lot 11; thence N 89°49'02" W along said North line, 332.34 feet to the West line of said Lot 11; thence N 00°27'55" W along said West line 348.20 feet to the Northwest corner of said Lot 11; thence S 89°33'07" E along the North line of said Lots 11, 12, 13 and 15, 1647.39 feet to the Northeast corner of said Lot 15; thence S 00°22'18" E along the East line of said Lots 15 and 14 (said line being 15.00 feet West of and parallel to the East line of said quarter section), 1393.76 feet to the Point of Beginning.

AND

PARCEL IX: The West 1/2 of Lot 11 in the Southeast 1/4 of Section 5, Township 30 South, Range 16 East, Pinellas Groves, as recorded in Plat Book 1, Page 55, of the Public Records of Pinellas County, Florida, Less Ulmerton Road right-of-way.

Containing 243.71 acres more or less.

Subject to any easements, restrictions and rights-of-way of record.

AND

The South eight (8) acres of Lot 11, PINELLAS GROVES, in the Northeast Quarter (NE ¼) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida, LESS the East 22 feet of the South 215 feet of said lot 11; and

the North 310 feet of the West 10 feet of the South eight (8) acres of Lot 12, PINELLAS GROVES, in the Northeast Quarter (NE ¼) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida; and

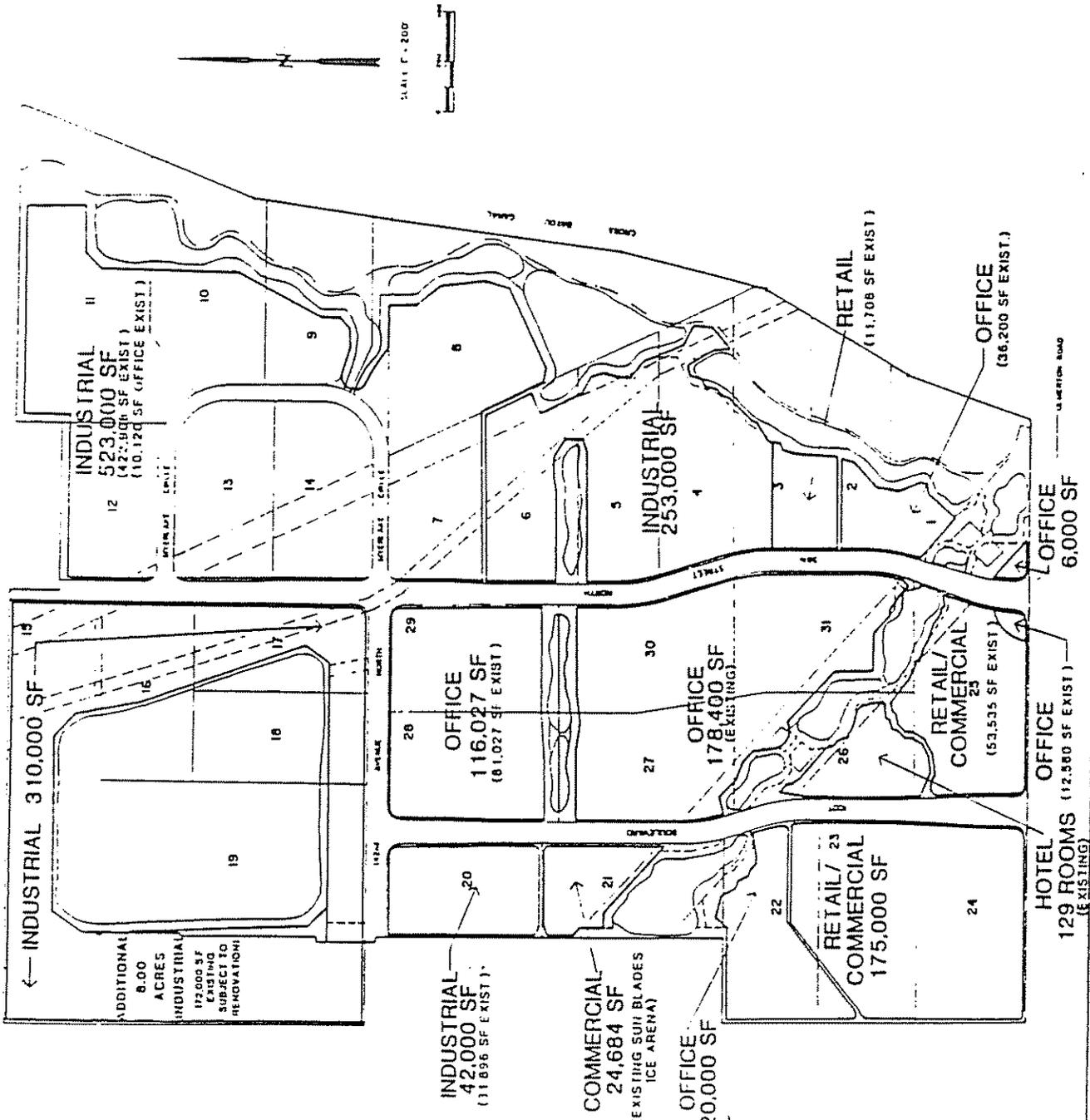
The North 4 feet of South 1,053.16 feet of Lot 11, PINELLAS GROVES, in the Northeast Quarter (NE ¼) of Section 5, Township 30 South, Range 16 East, according to the plat thereof recorded in Plat Book 1, page 55, public records of Pinellas County, Florida,

RECORDING FEE \$12.00
OF LED-RUBIN LOT CENTER LINE
RECORDING \$12.00
LVA STAMP COLLECTION \$12.00
TOTAL \$36.00
LVA UNIT. FEES \$12.00

EXHIBIT "B"

REVISED MAP H

1:1000 (SEE SHEET 1001)



LAND USE	ACREAGE	EXISTING	% BUILT UP	EXISTING ROOMS
RETAIL/COMMERCIAL	29.16 AC	89,927 SF	17.000 SF	264,927 SF
HOTEL	6.35 AC	129 ROOMS	0	129 ROOMS
OFFICE	36.50 AC	318,307 SF	61,000 SF	379,307 SF
INDUSTRIAL PARK (DAVIDSON)	94.78 AC	326,804 SF	60,196 SF	128,000 SF
WETLANDS/TYPE SP/RAILWAY	24.80 AC			
ROAD R.O.W.	17.33 AC			
RETENTION	36.79 AC			
FLORIDA POWER CORP. EASEMENT	10.00 AC	952,018 SF	837,996 SF	677,254 SF
TOTAL	251.71 AC	129 ROOMS		129 ROOMS



NOTES

- INDUSTRIAL PARK (LOT 5) MAINTAIN EXISTING DEVELOPMENT.
- INDUSTRIAL PARK (LOT 4) MAINTAIN EXISTING DEVELOPMENT.
- INDUSTRIAL PARK (LOT 3) MAINTAIN EXISTING DEVELOPMENT.
- INDUSTRIAL PARK (LOT 2) MAINTAIN EXISTING DEVELOPMENT.
- INDUSTRIAL PARK (LOT 1) MAINTAIN EXISTING DEVELOPMENT.
- INDUSTRIAL PARK (LOT 0) MAINTAIN EXISTING DEVELOPMENT.



KING ENGINEERING ASSOCIATES, INC.
Planners, Engineers, Surveyors

ICOT CENTER - REVISED MASTER PLAN

7-15-1989
MCC 2/21/89
file

ORDINANCE NO. 89-6

AN ORDINANCE OF PINELLAS COUNTY, FLORIDA, RENDERING A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380, FLORIDA STATUTES, ON AN APPLICATION FOR DEVELOPMENT APPROVAL, FILED BY R. F. PROPERTIES, LTD. FOR RUBIN ICOT CENTER, A DEVELOPMENT OF REGIONAL IMPACT, PROVIDING FOR AN INCORPORATION OF RECITALS BY REFERENCE, AND PROVIDING FOR A SCOPE OF DEVELOPMENT; PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR APPLICATION APPROVAL SUBJECT TO CONDITIONS; PROVIDING FOR GENERAL CONDITIONS, RESTRICTIONS AND LIMITATIONS; PROVIDING FOR REGIONAL CONDITIONS, RESTRICTIONS AND LIMITATIONS, INCLUDING TRANSPORTATION OPTIONS, ENVIRONMENTAL AND NATURAL RESOURCE ISSUES, PUBLIC FACILITIES, AND PROVIDING FOR GENERAL CONDITIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING SEVERABILITY; PROVIDING FOR FILING OF THE ORDINANCE AND AN EFFECTIVE DATE.

WHEREAS, on December 23, 1987, pursuant to the provisions of Section 380.06, Florida Statutes (1987) ("Chapter 380"), Leslie A. Rubin, as authorized agent of R. F. Properties, Ltd. (the "Developer") filed an Application for Development Approval (which together with later sufficiency responses is referred to herein as the "Application") with the County, the Tampa Bay Regional Planning Council ("TBRPC"), the Florida Department of Community Affairs ("DCA") and other appropriate entities;

WHEREAS, since 1983, the Developer has been developing a business park known as Ruben ICOT Center on a 243.71-acre site (the "Property"), with the original intention of not exceeding DRI guidelines and standards, but was notified in December, 1987 that Pinellas County would issue no further site plan approvals until issues concerning the DRI status of the project were resolved;

WHEREAS, the Applicant and the Department of Community Affairs entered into an Interim Development Agreement ("IDA") pursuant to subparagraph 380.032, Florida Statutes, which went into effect on March 7, 1988, which allowed completion of any development in Ruben ICOT Center for which Pinellas County had issued construction permits and construction had begun before August 11, 1987, as well as certain "Interim Development" as defined in the IDA;

WHEREAS, the Application seeks approval to complete development of the Property for a total of 89,400 s.f. of commercial; 300 hotel rooms; 912,676 s.f. of office; 694,601 s.f. of manufacturing distribution; and 97,400 s.f. of high tech uses (the "Development");

WHEREAS, the Application has satisfactorily addressed all regional issues related to the Ruben ICOT Center DRI;

WHEREAS, the Pinellas County Board of County Commissioners (the "Commission"), as the governing body of the local government having jurisdiction pursuant to Chapter 380, is authorized and empowered to consider applications for proposed changes to previously approved DRIs;

WHEREAS, the public notice requirements of Chapter 380 and the County have been satisfied;

WHEREAS, the Commission has, on the 14th day of February, 1989, held a duly noticed public hearing on the Application and heard and considered testimony and documents received thereon;

#117 file
D.O.M. 17

WHEREAS, the Commission has received and considered the Report and recommendations of the TBRPC issued on November 14, 1988 (the "Report");

WHEREAS, the County has solicited, received, and considered reports, comments and recommendations from interested citizens, the County and state and regional agencies;

WHEREAS, the Commission has received a recommendation from the Pinellas Land Planning Agency, the findings of which determine that the proposed Ordinance is consistent with the adopted Comprehensive Plan for Pinellas County.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA:

Section 1. INCORPORATION BY REFERENCE; SCOPE OF DEVELOPMENT.

- A. The recitals set forth hereinabove are true, accurate and correct and are incorporated herein in their entirety by this reference.
- B. This Ordinance shall constitute the Development Order issued in response to the Application for the Rubin ICOT DRI. The scope of development to be permitted pursuant to this Development Order includes the representations set forth in the Rubin ICOT Application for Development Approval filed with the County, the TBRPC and the DCA on December 23, 1987, and sufficiency responses related thereto, which are made a part hereof by reference as Exhibit "A."

Section 2. FINDINGS OF FACT. The Commission, having received the Application, and having received all related comments, testimony and evidence submitted by the Developer, appropriate reviewing agencies and the public, finds there is substantial competent evidence to support the following findings of fact:

- A. The Developer submitted the Application to the County, including sufficiency responses.
- B. The Property which is the subject of the Application is legally described as set forth in Exhibit "A".
- C. The proposed Development is not located in an area of critical state concern, designated as such pursuant to Section 380.05, Florida Statutes (1987).
- D. The Developer proposes future development in addition to the existing development, for a total project buildout of 89,400 s.f. of commercial; 300 hotel rooms; 912,676 s.f. of office; 694,601 s.f. of manufacturing distribution; and 97,400 s.f. of high tech uses.
- E. The Rubin ICOT DRI is consistent with the Report.
- F. The Rubin ICOT DRI will not unreasonably interfere with the achievement of the objectives of the adopted state land development plan applicable to the area.

Section 3. CONCLUSIONS OF LAW. The Commission, having made the above findings of fact, reaches the following conclusions of law:

- A. Based upon compliance with the terms and conditions of this Development Order, the provisions of the Application, the Report and the recommendations and testimony heard and considered by the Commission, it is concluded that:
 - 1. The Development will not interfere with the achievement of the objectives of the adopted state land development plan applicable to the area;
 - 2. The Development is consistent with the local comprehensive plan and the local land development regulations; and
 - 3. The Development is consistent with the Report.
- B. The reviews by the County, the TBRPC, and other participating agencies and interested citizens have conclusively determined that all impacts are adequately addressed pursuant to the requirements of Chapter 380 within the terms and conditions of this Development Order.

Section 4. APPLICATION APPROVAL. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the Application is hereby approved and commencement of the Development is hereby authorized, subject to the conditions, restrictions and limitations set forth herein.

Section 5. GENERAL CONDITIONS, RESTRICTIONS, AND LIMITATIONS. The Commission having made the above findings of fact and conclusions of law, it is ordered that the Application is hereby approved in its entirety, subject to the following general conditions, restrictions and limitations:

- A. This Development Order shall be binding upon and inure to the benefit of the Developer, its successors and assigns, including any entity which may assume any of the rights bestowed or responsibilities imposed upon the Developer by this Development Order.
- B. Any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor to, or which otherwise possesses any of the powers and duties of, any branch of government or governmental agency.
- C. 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 Commission to review DRI applications as well as all governmental agencies and departments set forth under applicable laws and rules governing DRIs.
- D. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at the Development, the

Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private body or bodies created to perform such responsibilities, provided, however, that before such transfer may be effective, the body to which responsibilities have been or will be transferred must be approved by the County, or any other affected governmental agency, 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.

- E. Development activity constituting a substantial deviation from the terms or conditions of this Development Order as defined in Chapter 380 shall result in further DRI review pursuant to Chapter 380, which may result in the County suspending such development activity pending such review.
- F. The approved Rubin ICOT DRI shall not be subject to down-zoning for intensity reduction for the duration of this Development Order, as set forth in Subsection I of this Section, unless the local government can demonstrate that substantial changes in the conditions underlying the approval of the Development Order have occurred or that the Development Order was based on 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.
- G. The County Administrator of Pinellas County (the "County Administrator") 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 the TBRPC or any County department or agency and all state agencies (such as the Southwest Florida Water Management District) having particular jurisdiction over the Property or subject matter involved. The County Administrator shall report to the Commission any findings of deviation from the terms and conditions of this Development Order and shall issue a notice of such non-compliance to the Developer. If the deviation is not corrected within a reasonable amount of time, or if the deviation is of such a nature that it cannot be corrected within a reasonable amount of time and the Developer fails to pursue corrective action, the County Administrator shall recommend that the Commission establish a hearing to consider the deviation and to take any action it deems necessary to insure compliance with this Development Order, including suspension of any further development activity until the Developer is in substantial compliance with the Development Order.
- H. The Developer shall file an annual report in accordance with Section 380.06(18), Florida Statutes (1987), and the rules promulgated by the DCA under Chapter 380. Such report shall be due on the annual anniversary of the date of the adoption of this Ordinance (which date of adoption is referred to herein as the "Effective Date") for each year beginning on the first annual anniversary date following the Effective Date until and

including such time as all terms and conditions of this Development Order have been satisfied. In addition to the filing requirements of Chapter 380, such report shall be submitted to the County Administrator who shall, after appropriate review, submit it for review to the Commission. The Commission shall review the report for compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Commission hearing at which such report is to be reviewed, provided, however, that the receipt and review by the Commission shall not be considered as a substitute or a waiver of any of the terms or conditions of this Development Order. This annual report shall contain:

1. The information required by the DCA to be included in the annual report, which information is described in the rules promulgated by the DCA under to Chapter 380;
 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;
 3. A statement listing all applications required pursuant to applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report;
 4. A statement setting forth the name(s) and address(es) of the Developer's successors and assigns, if any, with respect to any portion of the Development; and
 5. All required monitoring results and a discussion of those results. Where ongoing monitoring has indicated that non-compliance with governmental regulatory requirements exists, the County shall be notified immediately and appropriate corrective measures shall be taken.
- I. This Development Order shall remain in effect for a period of ten (10) years from the Effective Date and the expiration of the period for filing appeals of this original Development Order and the resolution of any such appeals. Any development activity for which plans have been submitted to the County for its review and approval no later than 60 days prior to the expiration of this Development Order may, upon receipt of approval, be completed, regardless of when such approval is ultimately issued, subject to review by any applicable Pinellas County vested rights administrative process in operation at the expiration of this Development Order. This Development Order may be extended by the Commission on a finding of excusable delay in any proposed development activity, subject to the provisions of §380.06(19). This section is not to be construed as a waiver of any development rights which may arise at law or at equity as a result of this Development Order.
- J. Upon adoption, executed copies of this Development Order shall be transmitted by the Clerk of the

Commission, via certified mail, to the DCA, the TBRPC, and the Developer.

- K. Unless otherwise provided herein, any revisions to this Development Order shall be subject to review by the TBRPC to the extent provided in Chapter 380. Further review, pursuant to Chapter 380, shall be required if a Substantial Deviation, as defined in Chapter 380, is found to exist. The Developer shall be given due notice, and an opportunity to be heard with respect to any hearing to determine whether or not a proposed change to the Development is a Substantial Deviation.
- L. The definitions contained in Chapter 380 shall control the interpretation and construction of any terms of this Development Order, unless the context indicates otherwise.
- M. The Developer shall record a Notice of Adoption of this Development Order as required pursuant to Chapter 380, and shall furnish the County Clerk a copy of the recorded Notice.
- N. This Development Order shall be deemed rendered upon transmittal of copies of this Development Order to the recipients specified in Chapter 380.
- O. This Development Order shall take effect immediately upon becoming a law, and a copy hereof shall be located in the Pinellas County Planning and Zoning Department for the convenience of the public.
- P. The Developer shall be bound by the rules adopted pursuant to Chapters 403 and 373, Florida Statutes, in effect on the Effective Date of this Development Order. Accordingly, all applicants for permits pursuant to those chapters and which are revised for the Development authorized by this Development Order shall be subject to the rules adopted pursuant to Chapters 403 and 373, Florida Statutes, in effect on the Effective Date.
- Q. Any amendment to this Development Order will be subject to applicable provisions of the Pinellas County Comprehensive Plan which is in effect at the time of the amendment. Those portions of the development which are not affected by a proposed amendment shall remain vested and not subject to limitation or modification, as provided in Section 163.3167(8), Florida Statutes.
- R. This Development Order in no way exempts the Development from applicable Pinellas County impact fees, either existing or new, including any increases therein. However, pursuant to Section 380.06.16, Florida Statutes, R.F. Properties, Ltd. shall be given appropriate credits against impact fees. Such credits shall be assignable by R.F. Properties, Ltd. for use by other entities developing on the Property. Any such entity must produce evidence of such assignment to Pinellas County in order to receive any credit against impact fees.

Section 6. REGIONAL CONDITIONS, RESTRICTIONS, AND LIMITATIONS. The Commission having made the above findings of fact and

conclusions of law, it is ordered that the Application is hereby approved subject to the following regional conditions, restrictions and limitations:

A. TRANSPORTATION.

1. The Developer shall participate in the Gateway/High Point Area Transportation Study by making a pro-rata contribution in the amount of \$22,536.00, to be paid within 10 days following receipt of a written request for same from the Pinellas County MPO, but in no event earlier than 10 days from the Effective Date of this Development Order and the expiration of the period for filing appeals hereof and the resolution of any such appeals.

2. An annual monitoring program to provide peak-hour traffic counts at the project entrance shall be instituted to verify that the projected number of external trips for the development are not exceeded. Counts will continue on an annual basis through buildout. This information shall be supplied in the required annual report, beginning with the first annual report. If an annual report is not submitted within 30 days of this due date, or if the annual report indicates that the total project trips exceed projected counts for the total project as presented in the ADA by more than 15 percent, Pinellas County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19), F.S., and may, if appropriate, amend the Development Order to change or require additional roadway improvements. The results of the study may also serve as a basis for the Developer or reviewing agencies to request Development Order amendments.

If the variance is determined to be a substantial deviation, the revised transportation analysis required pursuant to Subsection 380.06(19), F.S. will be based upon results of the monitoring program and agreements reached at another transportation methodology meeting to be held prior to the preparation of the new analysis.

3. Three options to mitigate the impacts of the Development upon the regional transportation system are available to the Developer. The first option requires funding commitments for the necessary improvements prior to approval of any further development. The second option requires continued traffic analysis of regionally significant roadways throughout the development period with subsequent approvals conditioned to the maintenance of an adequate Level of Service (LOS D at peak hour). The third option entails the pipelining of the Developer's monetary mitigation of transportation impacts into the actual construction of one or more identified roadway improvements.

a. Option 1.

- (1) Any approval of this Development shall require funding commitments from responsible entities for the following roadway improvements:
 - (i) The link improvements indicated in Table 1.
 - (ii) The intersection improvements indicated in Table 2.
- (2) Phasing is permitted under Option 1. If phasing is elected by Developer, funding commitments will be required for all regionally significant improvements necessary to accommodate the traffic impacts of a particular phase of development identified by the Developer in a "Phase Report" approved by TBRPC prior to the commencement of that particular phase of the Development. Due to this requirement of funding commitments, the Developer may elect to proceed on a phasing basis under the square footage thresholds identified in the Phase Report. For the purposes of this Development Order, the square footage thresholds in the Phase Report shall be computed with reference to a limitation on building permits issued for the Development.

Prior to issuance of building permits beyond the square footage identified with the first phase, the improvements identified in the Phase Report as being associated with the next succeeding threshold must be the subject of funding commitments from responsible entities, where those facilities are projected to operate below LOS "D" peak-hour and the Development would contribute five percent (5%) or more of the then existing LOS "D" peak-hour capacity to any such facility. Without funding commitments for these improvements, building permits shall not be issued where construction of the Development, or any portion thereof, would exceed the square footage thresholds associated with improvements in the Phase Report for which there are funding commitments. In the event of a suspension of the Development, a new Chapter 380 traffic analysis may be submitted, or the Developer may demonstrate that the actual and projected impacts of the Development are such that construction may proceed beyond the trip generation thresholds identified in the Phase

Report while maintaining the above-referenced levels of service on the affected regionally significant facilities. If the Developer so demonstrates to the satisfaction of the County and TBRPC, then construction may proceed to the extent that the above-referenced levels of service are maintained on the affected regionally significant facilities.

The Applicant, or its assigns, shall prepare and implement a Transportation Systems Management ("TSM") program prior to issuance of any Certificates of Occupancy for development beyond that specifically approved in the IDA, which will divert a number of vehicle trips from the PM peak hour which is consistent with the assumptions used to prepare the ADA. The plan shall be reviewed by Pinellas County, the Pinellas Suncoast Transit Authority ("PSTA"), the Pinellas County MPO, the TBRPC and the Florida Department of Transportation ("FDOT").

The TSM program shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. If more than one TSM measure is used, the assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure. If a single TSM measure is used it shall be monitored as part of the annual traffic monitoring program. Results of the TSM program shall be included in the annual report.

If the annual report indicates that the total peak hour external traffic forecasts are not being met, Pinellas County may conduct a substantial deviation determination pursuant to Subsection 380.06(19), F.S., and may amend the Development Order if necessary to change TSM objectives and/or require additional roadway improvements. The results of the TSM study may serve as a basis for the Developer or reviewing agencies to request Development Order amendments.

In addition, this TSM program shall be developed in cooperation with FDOT, the Pinellas County MPO, PSTA, and TBRPC. This program shall seek to implement, and will be measured by, the TSM objectives

and policies set forth in the Florida Transportation Plan.

b. Option 2.

- (1) In the event that commitments for transportation improvements are adequate to permit approval of only a portion of the Development, the capacity and loading of transportation facilities in the Ruben ICOT DRI transportation area, including but not limited to the regional roadways and intersections referenced in Option 1, shall be limiting factors in any subsequent approvals. Accordingly, the Developer shall generate and provide the County, the Pinellas County MPO, the FDOT and the TBRPC, pursuant to the provisions of Chapter 380, with updated current traffic counts on the above roadways and projections of traffic volumes that will result from the completion of the currently approved portion of the Development plus that to be generated by the remainder of the Development. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (set forth in Option 1 above) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways referenced in Option 1 at Level of Service D at peak hour. Both the traffic counts and the projection of traffic volume shall be prepared consistent with generally accepted traffic engineering practices. Prior to any specific approval beyond Option 1 approval, the County or its designee shall conform, in writing findings of fact, that the above roadways are operating at or above Level of Service D at peak hours and that the expected trips to be generated by such approval would not cause the roadways to operate below LOS D at peak hours.

c. Option 3: Pipelining.

Under this option, the Developer may elect to fund, or to fund, design and construct, as provided herein, one or more transportation improvement(s) to the regional road network in the area of the Development using Developer's proportionate share amount calculated pursuant to Rule 9J-2.0255, Florida Administrative Code (1987) (the "F.A.C."), as interpreted in accordance with TBRPC, DCA and County policies regarding pipeline mitigation of transportation impacts. Development approval

shall be based upon the Developer's commitment to fund or construct a specific regional facility as mitigation for the Development's impact on the transportation network, pursuant to TBRPC Policy 19.8.14, Future of the Region, A Comprehensive Regional Policy Plan for the Tampa Bay Region (the "F.R."). For purposes of this Development Order, Developer's proportionate share of the costs of the transportation improvements necessary to accommodate the impacts of the Development has been calculated to be Two Million Three Hundred Thirty-eight Thousand Nine Hundred Dollars and No Cents (\$2,338,900.00).

- (1) Pipelining Segment: The Florida Department of Transportation ("FDOT") is currently preparing a Preliminary Design and Environmental ("PD&E") Study for Ulmerton Road (SR 688). Upon completion of this PD&E Study, Developer shall fund, design, and construct a portion of the recommended Ulmerton Road improvements east of U.S. 19 in the immediate vicinity of the Development at a cost not to exceed the proportionate share, less appropriate credits as set forth in this Development Order (the "Adjusted Proportionate Share"). Final determination of the specific Ulmerton Road improvement to be built by Developer (the "Pipeline Segment") shall be made in cooperation with the FDOT and the County. Such final determination shall occur approximately six (6) months from the adoption of this development order and the expiration of the period for filing appeals and the resolution of any appeals hereof.

The design of the Pipeline Segment shall be prepared in a manner normally used by the entity which will ultimately be responsible for the transportation improvements. The design shall be completed within twelve (12) months after the date on which the FDOT, County and Developer finally determine the specific Pipeline Segment. The design shall be reviewed and approved, as appropriate, by FDOT and the County within such 12-month period.

Upon completion of the design, and approval by the FDOT and the County, Developer shall apply for and diligently pursue all necessary permits, approvals, utility relocations, rights-of-way, and easements within twelve (12)

months of the date of the last of such approvals. The County shall assist the Developer, when appropriate, in obtaining all permits, approvals, utility relocations, rights-of-way, and easements necessary to complete the Pipeline Segment.

Upon completion of the design, and securing of necessary permits, approvals, utility relocations, rights-of-way, and easements, Developer shall construct the Pipeline Segment and shall complete the Pipeline Segment within twelve (12) months from the date of commencement of construction.

If, prior to commencement of construction of the Pipeline Segment, it can be demonstrated that, for reasons beyond the Developer's control, it is impossible or impractical for the Developer to complete the Pipeline Segment, or that the costs of designing, acquiring right-of-way for, and/or constructing the Pipeline Segment exceeds Developer's Adjusted Proportionate Share, Developer shall notify the County. The County and FDOT shall expeditiously determine whether to make the additional funding commitments necessary to fully fund completion of the Pipeline Segment. If the County and/or FDOT elects to make the additional funding commitments, it shall enter into the appropriate agreements with Developer for completion of the Pipeline Segment by the Developer using the remaining unexpended portion of Developer's Adjusted Proportionate Share supplemented by the County's and/or FDOT's additional funding commitment. If the County and FDOT determine not to make such funding commitment, or otherwise fail to secure such funding commitment, Developer may either: (1) complete the Pipeline Segment at its own expense; or (2) propose appropriate alternative improvements, which if approved by the entity having responsibility for the improvements, the County, and TBRPC pursuant to applicable laws, rules, and regulations, shall be pipelined and this Development Order shall be amended accordingly. The amendment shall not constitute a substantial deviation requiring further DRI review. If the Developer has expended any money on design, permitting, utility relocation, rights-of-way, or easement acquisition, or construction of the

Pipeline Segment prior to notification to the County, the amount of money required to be pipelined to alternative roadway improvements shall be reduced by the amount of such previous expenditures.

Notwithstanding the foregoing, in the event that the performance by the Developer or the County of the commitments set forth herein shall be interrupted or delayed by an occurrence, and not occasioned by conduct of either, whether such occurrence be an act of God or the result of war, riot, or civil commotion, or otherwise, then it shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.

- (2) Alternative Pipelining Segment: In the event that, based on the findings of the PD&E Study, the FDOT, the County, the TBRPC, and the Developer agree that a reasonable pipeline project cannot be identified on Ulmerton Road within approximately six (6) months from the adoption of this Development Order and the expiration of the appeals period and the resolution of any appeal hereof, Developer shall, in lieu of making improvements to Ulmerton Road, fund, design, and construct a six-lane divided road improvement on Roosevelt Boulevard from 62nd Street eastward, at a cost not to exceed the Adjusted Proportionate Share. Final determination of the specific Roosevelt Boulevard improvement to be built by Developer (the "Alternative Pipeline Segment") shall be made in cooperation with the FDOT and the County, which final determination shall occur within approximately nine (9) months of the adoption of this Development Order and the expiration of the period for filing appeals and any the resolution of appeals hereof.

The design of the Alternative Pipeline Segment shall be prepared in a manner normally used by the entity which will ultimately be responsible for the improvements. The design shall be completed within twelve (12) months of the date on which the FDOT, County and Developer finally determine the specific Alternative Pipeline Segment. The design shall be reviewed and approved, as

appropriate, by FDOT and the County within such 12-month period.

Upon completion of the design and approval by the FDOT and the County, Developer shall apply for and diligently pursue all necessary permits, approvals, utility relocations, rights-of-way, and easements within twelve (12) months of the date of the last of such approvals. The County shall assist the Developer, when appropriate, in obtaining all permits, approvals, utility relocations, rights-of-way, and easements necessary to complete the Alternative Pipeline Segment.

Upon completion of the design, and securing of necessary permits, rights-of-way and easements, approvals, utility relocations, Developer shall construct the Alternative Pipeline Segment and shall complete the Alternative Pipeline Segment within twelve (12) months from the date of commencement of construction.

If, prior to commencement of construction of the Alternative Pipeline Segment, it can be demonstrated that, for reasons beyond the Developer's control, it is impossible or impractical for the Developer to complete the Alternative Pipeline Segment, or that the costs of designing, acquiring right-of-way for, and/or constructing the Alternative Pipeline Segment exceeds Developer's Adjusted Proportionate Share amount for the Development, Developer shall notify the County. The County and FDOT shall expeditiously determine whether to make the additional funding commitments necessary to fully fund completion of the Alternative Pipeline Segment. If the County and/or FDOT elects to make the additional funding commitments, it shall enter into the appropriate agreements with Developer for completion of the Alternative Pipeline Segment by the Developer using the remaining unexpended portion of Developer's Adjusted Proportionate Share supplemented by the County's and/or FDOT's additional funding commitment. If the County and FDOT determine not to make such funding commitment, or otherwise fail to secure such funding commitment, Developer may either: (1) complete the Alternative Pipeline Segment at its own expense; or (2) propose appropriate alternative

improvements, which if approved by the entity having responsibility for the improvements, the County, and TBRPC pursuant to applicable laws, rules, and regulations shall be pipelined and this Development Order shall be amended accordingly. The amendment shall not constitute a substantial deviation requiring further DRI review. If the Developer has expended any money on design, permitting, utility relocation, rights-of-way or easement acquisition, or construction of the Alternative Pipeline Segment prior to notification to the County, the amount of money required to be pipelined to alternative roadway improvements shall be reduced by the amount of such previous expenditures.

Notwithstanding the foregoing, in the event that the performance by the Developer or the County of the commitments set forth herein shall be interrupted or delayed by an occurrence, and not occasioned by conduct of either, whether such occurrence be an act of God or the result of war, riot, or civil commotion, or otherwise, then it shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.

- (3) Approved roadway improvements to the regionally significant highway network and/or right-of-way dedications to the above-mentioned network or cash contributions required under this Development Order or previously made by Developer or its successors in connection with development of Rubin ICOT Center prior to adoption of this Development Order shall be credited against the proportionate share. The Developer shall submit cost estimates and property appraisals prepared by qualified professionals to the Director of Public Works of Pinellas County to support a determination of the amount of the credit. For purposes of this Development Order, "approved roadway improvements and/or right-of-way dedications" are those improvements and/or right-of-way dedications which correspond to road links, intersections, and/or other improvements which are part of the regionally significant highway network within Pinellas County Planning District No. 8, or those minor improvements reasonably approved by the Director of Public

Works of Pinellas County, such as lane tapers, which are necessary to make a regionally significant roadway improvement functional.

- (4) Developer shall receive a credit against the proportionate share in an amount equal to transportation impact fees collected in connection with development of Rubin-ICOT Center prior to adoption of this Development Order (\$17,431.80), as well as any impact fees collected for the Development between the adoption of this Development Order and Developer's commencement under Option 3, provided that such credit is acceptable to the DCA.

4. Upon the the issuance of Certificates of Occupancy for development in excess of that specifically approved in the IDA, the Developer shall prepare and submit to the County, TBRPC, Pinellas County MPO, the Pinellas Suncoast Transit Authority ("PSTA"), and FDOT, a Transportation Systems Management ("TSM") Program in order to divert a number of vehicle trips from the PM peak hour which is consistent with the assumptions used to prepare the Application.

The TSM program shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. If more than one TSM measure is used, the assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure. If a single TSM measure is used, it shall be monitored as part of the annual traffic monitoring program. Results of the TSM program shall be included in the annual report.

If the annual report indicates that the total peak hour external forecasts are not being met, Pinellas County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19), F.S., and may amend the Development Order if necessary to change TSM objectives and/or require additional roadway improvements. The results of the TSM study may serve as a basis for the Developer or reviewing agencies to request Development Order amendments.

In addition, this TSM program shall be developed in cooperation with FDOT, the Pinellas County MPO, PSTA and TBRPC. This program shall seek to implement, and will be measured by, the TSM objectives and policies set forth in the Florida Transportation Plan.

B. ENVIRONMENT AND NATURAL RESOURCES.

1. A representative tract of the mesic hardwood community described on page SR 11 & SR 12-16 shall be preserved on-site in a manner which will ensure its continued natural function and value. The areas identified as Land Use Codes 741, 641, 622, and 642 on Maps D and F shall be preserved.
2. In order to protect the natural value of the preserved wetland areas, no hydroperiod alteration shall be permitted in conservation areas as identified on the Master Site Plan, Map H of the ADA, as presented in the First Sufficiency Response, and Maps D and F, "Existing Land Uses and Vegetative Associations," Exhibit 16-1 of the First Sufficiency Response.
3. In the event that any species listed in Sections 39-27.003-.005, F.A.C., are observed frequenting the site for nesting, feeding, or breeding, proper protection/mitigation measures shall be employed immediately in cooperation with the Florida Game and Fresh Water Fish Commission ("FGFWFC").
4. There shall be neither filling of, nor construction within, the Cross Bayou Canal floodplain, as committed in the ADA.
5. Pinellas County shall reserve the right to require mitigation measures or a revision of the master plan to alleviate any potential impacts of the project on ambient air quality. Article V of the Rubin ICOT Center Development Standards forbids noxious activities on-site.
6. Prior to issuance of building permits for development beyond 1,743,396 sq. ft. of the project, the Developer shall submit to Pinellas County, TBRPC and DER, for review and approval, an air quality modelling study of the intersection of Belleair Road/U.S. 19 for the year 1990. If the study indicates an exceedance of the National Ambient Air Quality Standards for the pollutant carbon monoxide, the Developer shall also include in the submittal a mitigation plan to remedy the projected exceedance.

If a mitigation plan is required it shall outline in detail what steps are necessary to reduce the negative air quality impacts. The plan shall be reviewed and approved by Pinellas County, TBRPC and DER.

Subsequent to approval of the mitigation plan, all steps necessary to reduce the negative air quality impacts shall be in place, prior to issuance of Certificates of Occupancy for development in excess of 1,743,396 sq. ft.

7. The discovery of any historical or archaeological resources shall be reported to the Florida Division of Historical Resources

and the disposition of such resources shall be determined in cooperation with the Division of Historical Resources and Pinellas County.

8. The Developer shall promote awareness of, and shall cooperate with, local and regional authorities having jurisdiction to insure 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 building after a Level C evacuation order is issued by (1) ordering all buildings closed for the duration of a hurricane evacuation order; (2) informing all employees of evacuation routes out of the flood prone area and measures to be followed in the event of same; and (3) making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans. This plan shall be included in the first annual report. In addition, the applicant is encouraged to discuss with local authorities the possibility of utilizing the site as a parking area for dispatch and/or storage of public agency vehicles and mobile equipment in the event of a hurricane or similar emergency situation.
9. All future deeds by R. F. Properties, Ltd. for sale of land and/or structures for Rubin ICOT Center must be accompanied by a hazard disclosure statement generally describing the property(ies)'s relative probability of damage from hurricane surge.
10. The soil conservation measures referenced on page 14-4 of the ADA and page SF 14-2 of the First Sufficiency Response, and the measures to reduce erosion, fugitive dust and air emissions referenced on pages 13-8 and 13-9 of the ADA, at minimum, shall be implemented. The methods discussed on page 14-3 of the ADA associated with the particular soil types in the ADA shall be utilized, as well as other appropriate best management practices. Any additional land fill dirt required for the Rubin ICOT Center shall be obtained from a licensed source.
11. Elevations for all future habitable structures beyond those approved in the IDA shall be above the storm surge elevation.

C. PUBLIC FACILITIES.

1. Any reconfiguration of the on-site stormwater management systems shall be designed, constructed, and maintained to meet or exceed Chapter 17-25, F.A.C., and 40D-4, Rules of SWFWMD. Existing retention areas shall not be reduced in size, except as mitigated for or as permitted by local government.
2. In order to protect water quality in the Cross Bayou Canal, a Class III water, there shall be no degradation of water quality

standards by stormwater exiting the Rubin ICOT Center site, beyond those allowable by the rules and regulations of the agencies having jurisdiction. Therefore, it is appropriate that the Developer provide for a semiannual surface water quality monitoring program, conducted at the outfall(s) of the drainage system into the Cross Bayou Canal, to be instituted before ground-breaking for development beyond that approved in the IDA takes place and to continue through project build-out, at minimum. Monitoring of the retention ponds and drainage ditches shall continue as presently conducted by Aquatic Systems, Inc., or a comparable service, in compliance with all applicable rules and regulations. Any violation of Chapter 17-3, F.A.C., shall require corrective measures as set forth by FDER. The following shall apply:

- a. All water quality analytical methods and procedures shall be thoroughly documented and shall comply with EPA/FDER Quality Control Standards and Requirements for Class III waters.
 - b. The monitoring results shall be submitted to Pinellas County, FDER and SWFWMD. Should the monitoring indicate that applicable state water quality standards are not being met, the violation shall be reported to Pinellas County immediately and all construction within the subbasin(s) where the violation is noted shall cease until the violation is corrected; or if the specific construction activities can be identified as causing the violation, all such activity shall cease until the violation is corrected.
3. The detention ponds and control structures will be owned and maintained by R. F. Properties, Ltd., or its assigns. A regular maintenance program shall be developed for Rubin ICOT Center within one year after Development Order approval similar to the "Operating and Maintenance Instructions" listed on pages SF 16-2, SR 16-6 and SR 22-5 of the First Sufficiency Response. A copy of the program shall be included in the first annual report, and shall be subject to review and comment by TERPC, and approval by SWFWMD and Pinellas County.
 4. The following information pertaining to the on-site stormwater management system shall be included in each annual report:
 - the extent and frequency of herbicide use;
 - the status of desirable wetland plant communities; and
 - the results of all water quality monitoring.

5. There shall be no on-site treatment of wastewater; if on-site treatment is proposed, the proposal shall be reviewed and the Development Order shall be amended to include conditions concerning this previously unreviewed land use.
6. Adequate Fire and EMS services shall be provided to Rubin ICOT Center by Pinellas County as confirmed by the letter of Stephen Dean, Director, Pinellas County Fire and EMS Administration dated January 3, 1989.
7. Adequate law enforcement services shall be provided to Rubin ICOT Center by the Pinellas County Sheriff's Office as confirmed by the letter from Colonel Michael L. Hawkins, dated October 22, 1987.
8. Wherever feasible, Rubin ICOT Center shall utilize recovered wastewater provided by the City of Largo to meet its nonpotable water needs. All on-site wells not in use shall be capped per SWFWMD requirements, unless project non-potable water needs cannot be met by the City of Largo or other providers. This provision shall be enforced through Article V of the existing Rubin ICOT Center Development Standards.
9. The applicant shall provide to all Rubin ICOT Center businesses information (to be provided to applicant by TBRPC) that:
 - a. Indicates the types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers/areas; and
 - b. Describes construction requirements of hazardous waste holding areas; and
 - c. Advises of applicable statutes and regulations regarding hazardous water and materials.
 - d. Notifies tenants that there shall be no disposal of commercial or hazardous wastes into the sewer system.

A description of compliance with this condition shall be required in each annual report.
10. Rubin ICOT Center shall annually notify all businesses in the Development to report to Developer, Pinellas County, and TBRPC where hazardous materials and water are stored, handled or transported and the ultimate fate or disposal of the substances. A copy of such notification to businesses and their responses to Developer, along with a site plan or map of the Property indicating the location of any such storage or handling on site, shall be reported to Pinellas County and TBRPC in each annual report.
11. The energy and water conservation measures shall be encouraged as economically feasible:

- a. Energy policies, energy use monitoring and energy conservation for Rubin ICOT Center using a qualified energy use analyst. An energy audit by Florida Power Corporation may satisfy part of this requirement;
- b. Programs to promote energy conservation by employees, buyers, suppliers and the public. Information regarding these programs made available to all owners/tenants of Rubin ICOT Center;
- c. Programs to reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours;
- d. Recycling programs;
- e. The elimination of advertising requiring lighting after business hours;
- f. Innovative energy alternatives such as solar energy, resource recovery, waste heat recovery and cogeneration; and
- g. Total energy systems on large facilities installed when cost effective.

Progress on these measures shall be included in each annual report.

12. The common open space areas shall continue to be maintained by R. F. Properties, Ltd., or its assigns.
13. Water-saving devices mandated by the Florida Water Conservation Act (Section 533.14, F.S., 1985) shall be required as part of the Rubin ICOT Center Development Standards and native vegetation shall be used in landscaping, wherever feasible.

D. GENERAL CONDITIONS.

1. Any change to the project which departs significantly from the parameters set forth in the land use schedule on page 12-3 of the ADA shall require a substantial deviation determination, pursuant to Subsection 380.06(19), F.S.
2. Any approval of the Rubin ICOT Center DRI shall, at minimum, satisfy the provision of Subsection 380.06(15), F.S. which specifies the inclusion of certain provisions in the Development Order.
3. All of the Developer's commitments set forth in the ADA, and as summarized at the conclusion of the Report, will be honored, except as they may be superceded by specific terms of the Development Order.
4. The "Rubin ICOT Center Development Standards", as presented in the ADA shall be enforced by the Applicant, as committed in the ADA.

Section 7. ENFORCEMENT AND PENALTIES. In addition to the enforcement remedies provided in Chapter 380, Florida Statutes, the County shall have the following authority:

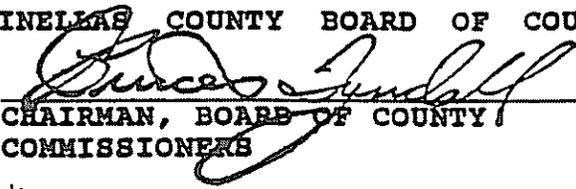
- A. The authorized representative, agents or employees of the County, may enter and inspect any portion of the Property or improvements thereon, which are reasonably and customarily accessible to the general public, for the purpose of inspecting the same to determine whether a violation of this ordinance is occurring, or to verify achievement of compliance with the provisions of this development order. Inspections conducted pursuant to this section shall be limited to obtaining that information which is reasonably necessary for the above purposes and shall be conducted in such a manner as to not interfere with normal business operations or uses of the premises. The owner or operator of the premises shall, upon request receive a report setting forth all facts found which relate to compliance status. Pursuant to Chapter 380.11, the state land planning agency, a state attorney and the County are each authorized to bring an action for injunctive relief, both temporary and permanent, against any person or developer found to be in violation of Chapter 380.06, rules and regulations thereunder, or this Development Order.
- B. Violations of this Ordinance shall be subject to prosecution pursuant to Section 125.69, Florida Statutes, and upon conviction, shall be punished by a fine not to exceed \$500, or by imprisonment in the County Jail for a term not to exceed sixty (60) days or by both such fine and imprisonment.
- C. In addition to the penalties provided by subsection A and B of this Section 7 for violation of this Ordinance, any violation of this Ordinance shall be subject to appropriate civil action in the court of appropriate jurisdiction.

This section is not to be construed as a waiver of any development rights which may arise at law or at equity as a result of this Development Order.

Section 8. SEVERABILITY. 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.

Section 9. FILING OF ORDINANCE; EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Secretary of State. This Ordinance shall take effect upon receipt of acknowledgement from the Secretary of State that it has been filed.

PASSED AND ORDAINED BY THE PINELLAS COUNTY BOARD OF COUNTY COMMISSIONERS.


CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

ATTEST: KARLEEN F. De BLAKER, CLERK

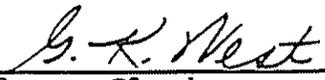
By: 
Deputy Clerk

Table 1
 Year 1990 Required Link Improvements for Rubin ICOT Center Based on
 Five Percent of LOS D Peak-Hour Service Volumes

Road & Segment	Total Traffic LOS Prior to Improvement	Development Contribution (Percent)		Required Improvement
		NB/EB	SB/WB	
<u>U.S. 19</u>				
SR 60 to Belleair Road	F	7.8	4.9	Construct 8-Lane Divided Arterial
Belleair Road to Roosevelt Blvd.	F	11.7	7.3	Construct 8-Lane Freeway
49th Street to Gateway Center	F	2.0	6.0	Construct 8-Lane Divided Arterial
<u>66TH STREET</u>				
Ulmerton Road to 118th Avenue	F	4.5	13.6	Construct 6-Lane Divided Arterial
118th Avenue to Bryan Dairy Road	F	5.2	8.3	Construct 6-Lane Divided Arterial
<u>58TH STREET</u>				
Southern Bay Vista Access to Roosevelt	F	12.1	7.8	Construct 4-Lane Undivided Arterial
Roosevelt Blvd. to 150th Avenue	E	36.5	23.5	Construct 4-Lane Undivided Arterial
150th Avenue to Rubin ICOT Center	F	48.5	31.4	Construct 4-Lane Undivided Arterial

Road & Segment	Total Traffic LOS Prior to Improvement	Development Contribution (Percent)		Required Improvement
		NB/EB	SB/WB	
<u>BELLEAIR ROAD</u>				
Starkey Rd. to Belcher Rd.	F	4.1	6.0	Construct 4-Lane Undivided Arterial
Belcher Rd. to U.S. 19	F	9.2	14.2	Construct 4-Lane Undivided Arterial
<u>ULMERTON ROAD</u>				
Starkey Rd. to Belcher Rd.	F	4.6	7.3	Construct 6-Lane Divided Arterial
Belcher Rd. to 66th St.	F	7.6	12.0	Construct 6-Lane Divided Arterial
66th St. to U.S. 19	F	13.0	20.6	Construct 6-Lane Divided Arterial
U.S. 19 to West Rubin ICOT Access	F	26.9	42.7	Construct 6-Lane Divided Arterial
West Ruben ICOT Access to 58th St.	F	32.8	22.9	Construct 6-Lane Divided Arterial
58th St. to 49th St.	F	55.4	18.5	Construct 6-Lane Divided Arterial
49th St. to Roosevelt Blvd. (West)	F	30.2	19.0	Construct 6-Lane Divided Arterial
Roosevelt Blvd. (West) to Roosevelt Blvd. (East)	F	20.0	12.6	Construct 8-Lane Freeway
Roosevelt Blvd. (East) to Carillon	F	34.7	11.4	Construct 6-Lane Divided

Arterial

Road & Segment	Total Traffic LOS Prior to Improvement	Development Contribution (Percent)		Required Improvement
		NB/EB	SB/WB	
Carillon to 9th St.	F	33.2	11.0	Construct 6-Lane Divided Arterial
9th St. to I-275 (West)	F	0	12.1	Construct WB Off-Ramp Lane Drop at I-275
I-275 (West) to I-275 (East)	F	26.4	0	Construct 2nd EB On-Ramp Lane at I-275
<u>I-275</u>				
9th St. to 4th St.	F	15.5	7.1	Construct 6-Lane Freeway
Memorial Highway to Westshore Blvd.	F	7.5	3.4	Construct 8-Lane Freeway
Westshore Blvd. to Lois Ave.	F	7.0	3.2	Construct 10-Lane Freeway
Lois Ave. to Dale Mabry Highway	F	7.0	3.2	Construct 10-Lane Freeway
Dale Mabry Highway to Howard/Armenia Ave.	F	6.0	2.7	Construct 12-Lane Freeway
Howard/Armenia Ave. Ashley St.	F	6.0	2.7	Construct to 12-Lane Freeway

Table 2
 Year 1990 Required Intersection Improvements for Rubin ICOT Center
 Based on 5 Percent of LOS D Peak-Hour Service Volumes

Intersection	Total Traffic LOS Prior to Improvement	Development Contribution (Percent)	Required Improvement
U.S. 19 at Belleair Rd.	F	8.6	Construct one through lane NB and SB
U.S. 19 at 142nd Ave.	F	16.6	Signalize when warranted by MUTCD
66th St. at Ulmerton Rd.	F	14.1	Construct one through lane NB and SB. Construct two through lanes EB and WB. Construct left-turn lane WB
58th St. at Roosevelt Blvd.	F	22.2	Construct left-turn lane SB. Construct one through lane EB and WB
49th St. at Ulmerton Rd.	F	19.9	Construct one through lane NB, SB, EB, and WB
Belleair Rd. at Belcher Rd.	F	6.6	Construct left-turn lane and right-turn lane NB. Construct right-turn lane WB
Ulmerton Rd. at Belcher Rd.	F	8.3	Construct left-turn lane NB and SB. Construct one through lane EB and WB
Ulmerton Rd. at 58th St.	E	25.7	Construct left-turn lane SB
Ulmerton Rd. at ICOT Blvd.	F	NA*	Signalize when warranted by MUTCD

* Project Entrance Driveway