

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



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

May 2, 1994

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

Re: Resolution No. R94-0102 - Amending the Development Order for
Advance Leasing and Development Mall (DRI #192)

Dear Ms. Cooper:

Attached is a certified copy of referenced resolution, which was
adopted by the Hillsborough County Board of County Commissioners on
April 26, 1994.

We are providing this copy for your files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: *Linda Bryman*
Linda Bryman
Manager, BOCC Records

LF:ADF

Attachment

Certified Mail

cc: Board files (orig.)

J. Thomas Beck, Florida Department of Community Affairs
Rhea F. Law, Esquire - Fowler, White, Gillen, Boggs,
Villareal and Banker, P.A.

Jeanie E. Hanna, Assistant County Attorney

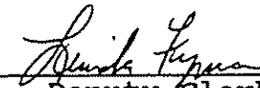
Gene Boles, Director, Planning and Development Management

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. R94-0102 Amending the Development Order for Advance Leasing and Development Mall (DRI #192) approved by the Board in its regular meeting of April 26, 1994, as the same appears of record in MINUTE BOOK 215 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 2nd day of May, 1994.

RICHARD AKE, CLERK

By: 
Deputy Clerk

Resolution No. R94-0102
RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
DRI # 192 Development ORDER FOR
ADVANCE LEASING AND DEVELOPMENT MALL

Upon motion by Commissioner Jim Norman, seconded by
Commissioner Lydia Miller, the following Resolution was
adopted by a vote of 6 to 0, Commissioner(s) _____
_____ voting "No".

WHEREAS, on October 17, 1988, Forbes/Cohen Development filed an application for development approval of a Development of Regional Impact ("DRI") and subsequently filed sufficiency responses on January 3, 1989, and April 19, 1989 and after acquiring the legal and equitable interest from Forbes/Cohen, on February 28, 1992, Advance Leasing and Development, Inc., a Florida corporation (hereinafter referred to as "Developer") filed an Application for Development Approval Update (the "Update"), and subsequently filed sufficiency responses on August 3, 1992 and October 21, 1992 (collectively, the "ADA"), all with the Hillsborough County Board of County Commissioners ("County"), Florida Department of Community Affairs ("DCA"), the Tampa Bay Regional Planning Council ("TBRPC"), and other appropriate agencies pursuant to the provisions of Section 380.06, Florida Statutes, as amended ("Chapter 380"); and

WHEREAS, the ADA proposed development of Advance Leasing Mall (formerly known as the Forbes/Cohen Regional Mall) a 1.28 million square foot regional commercial mall (the "Development" or "Project") located on approximately one hundred ninety-three (193) acres in northern Hillsborough County (the "Property"); and

WHEREAS, the Property is located within the unincorporated area of Hillsborough County; and

WHEREAS, the Hillsborough 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 Development Approval of Developments of Regional Impact; and

WHEREAS, the public notice requirements of Chapter 380 and applicable sections of the County Land Development Code (Ordinance 92-5), as amended, have been satisfied; and

WHEREAS, the Zoning Hearing Master ("ZHM") appointed pursuant to the Land Development Code (the "LDC"), held a duly noticed public hearing on the ADA on April 12, 1993, considered testimony and other documents and evidence, reviewed the ADA and filed a recommendation regarding the ADA with the Board; and

WHEREAS, thereafter the Developer modified its accompanying zoning application for the Project, causing the ZHM to reconsider the zoning, as modified, along with the ADA, at a duly noticed public hearing on June 29, 1993, where he considered testimony and other documents and evidence, received the ADA and filed a recommendation regarding the ADA with the Board; and

WHEREAS, thereafter the Developer again modified its accompanying zoning application for the Project, causing the Zoning Hearing Master to reconsider the zoning, as modified, along with the ADA, at a duly noticed public hearing on November 2, 1993, where he considered testimony and other documents and evidence, received the ADA and filed a recommendation regarding the ADA with the Board; and

WHEREAS, thereafter, the Developer, on December 1, 1993, submitted a letter wherein he offered for consideration an alternative proposal with regard to the ADA and accompanying zoning application, and has not formally modified the ADA; and

WHEREAS, thereafter, the Board on December 16, 1993, indicated an intent to approve the ADA and accompanying zoning at a significantly reduced intensity (643,600 square feet of commercial and 53,400 square feet of office) subject to the Developer preparing a Master Plan which complied with the ZHM recommendation from the November 2, 1993 Hearing, and with the additional stipulations that the entire site previously proposed for development could be utilized for site design purposes and that the Developer strive to achieve a 35% maximum impervious surface standard on site; and

WHEREAS, thereafter, the Developer submitted a revised Master Plan showing 643,600 square feet of commercial and 53,400 square feet of office development (the "Development Alternative"); and

WHEREAS, the Board, on March 29, 1994, held a duly noticed public hearing on the ADA and heard and considered testimony and other documents and evidence; and

WHEREAS, the Board has received and considered the report and recommendation of the TBRPC; and

WHEREAS, the Board has solicited, received and considered reports, comments and recommendations from interested citizens, County and other governmental agencies as well as the review and report of the Hillsborough County Administration; and

WHEREAS, all interested parties and members of the public were afforded an opportunity to participate in the hearings on the subject DRI before the ZHM and the Board; and

WHEREAS, the Board found that the Developer had not submitted a revised Master Plan which satisfied the requirements contained in the Board's December 16, 1993 action and voted to deny the ADA; and

WHEREAS, on or about April 22 and 23, 1994, unpermitted felling of trees occurred on the Property, which appears to be in violation of the Land Development Code.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA IN REGULAR MEETING ASSEMBLED THIS 26th DAY OF April, 1994, AS FOLLOWS:

SECTION I. FINDINGS OF FACT

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

- A. The recitals set forth in the "Whereas" paragraphs described above are true, accurate and correct, and are incorporated herein by reference.
- B. The Developer's Certification, attached hereto as Exhibit "A", affirming that copies of the ADA have been delivered to all persons as required by law, is attached hereto, and incorporated herein by reference.
- C. The real property that is the subject of the ADA, is legally described in Exhibit "B" attached hereto and incorporated herein by reference.
- D. The proposed Development/Development Alternative is not in an Area of Critical State Concern as designated pursuant to Section 380.05, Florida Statutes.
- E. A comprehensive review of the impacts generated by the Development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City - County Planning Commission ("HCCCPC"), TBRPC and other affected agencies.
- F. The Zoning Hearing Master, following the November 2, 1993 public hearing, recommended approval of the rezoning to PD-MU and approval of the accompanying ADA at a much reduced magnitude and encompassing a much smaller land area than requested.

- G. An RC (Regional Commercial) land use designation applies to the subject property on the Future Land Use Map, and an ES (Environmentally Sensitive) designation also applies to the property. Any development order for the property must comply with the provisions of the Comprehensive Plan relating to said designations and must also comply with all applicable provisions of the LDC.
- H. The HCCCPC staff does not object to the Project.
- I. The Property is a 193.84-acre tract which, for this Project, was carved out of a 420-acre parent parcel. The portions of the parent tract not included in this Property include three isolated parcels fronting Dale Mabry Highway and Van Dyke Road. These three excluded frontage parcels comprise approximately 70 percent of the entire parcel's Dale Mabry frontage and 90 percent of the developable Van Dyke Road frontage. The Property and the excluded parcels are under one ownership and constitute the zoning application; however, only the Property is part of the subject DRI at this time. The Development Order presented to the Board on March 29, 1994, would require incorporation of the three isolated parcels fronting Dale Mabry Highway and Van Dyke Road into the Development Order. (The legal descriptions of these parcels are attached hereto as Exhibit "C".)
- J. The Board on March 29, 1994, voted to deny the ADA and accompanying zoning establishing the Reasons for Denial (set forth in Section III, hereof) and Changes That Would Make The Development Eligible To Receive Approval (set forth in Section IV, hereof).
- K. The Property contains significant upland wildlife habitat which is subject to applicable provisions of the Land Development Code. The Property is part of a larger upland and wetland ecosystem which it shares with the parent tract. The Master Plan has preserved most of the wetlands now in existence, including a five acre wetland within the central portion of the site.
- L. The subject site is located within the North Dale Mabry Corridor adopted by the Board of County Commissioners in November, 1989, as part of the North Dale Mabry Corridor Plan. The Development must comply with the North Dale Mabry Corridor Plan land development regulations. The westernmost portion of the loop road contained within the site plan is found to serve the purpose and function of a frontage road for this project.

- M. Concerns have been expressed regarding access to the proposed mall from the east and the impact of the project upon the local residential roadway system. In a previous recommendation, staff had proposed a condition requiring that an independent study be made following a rezoning to determine the impact upon the local road system and the improvements deemed necessary. Petitioner has since undertaken a study of the affected roadways utilizing its own engineers, which study concludes that no adverse impacts on levels of service will be placed upon the local road system and that no improvements thereof will be necessary. Opponents assert that the subject study was not the result of an independent analysis and that their consultant concludes that adverse impacts on the quality of life of area residents will occur, especially considering the residential nature of the roads.
- N. The site has been designated as a location for a HARTline bus transit facility and a separate mass transit facility (fixed guideway system). The Master Plan depicts a location for said facilities at the intersection of the loop road and the frontage road at the southern end of the site. It is found that a preferred location for these urban facilities is at or closer to the southwest corner of the property adjacent to Dale Mabry Highway and property related to the arterial roadway system and fixed guideway corridor.
- O. Concern has been raised concerning the compatibility of the proposed project with the surrounding community, both with regard to the overall land use compatibility of the project with the existing semi-rural character and intensity of use and in regard to the direct impact which the project may have on immediately adjoining properties.

With regard to the first concern, petitioner stated that: 1) the mall will serve an extensive market area extending far to the north and south; and 2) that the area is in a state of change due to the Regional Commercial land use designation and the advent of the Veteran's Expressway. It is found, however, that the immediate and existing surrounding community is predominantly of a semi-rural character not supportive of the magnitude of commercial development being proposed.

To address the second concern, petitioner had proposed to place four free-standing office structures, totaling 95,000 square feet of floor area, and four free-standing retail structures, totaling 136,000 square feet of floor area, along the south boundary of the property.

An additional 232,600 square feet of retail space is proposed at the north boundary in two free-standing structures. Parking areas to serve such structures extend virtually to the property lines at both the south and north locations. While the described structures are of less building mass and area than the main mall structures, their combined intensity and nearness to the property lines substantially diminish their effectiveness in providing a meaningful transition between the mall facility and the existing semi-rural character of the surrounding area.

The Development Alternative Master Plan did not depict building footprints or square footages per tract, thereby leaving the concern for meaningful transition of land uses unresolved.

- P. The applicant has demonstrated that the land uses, intensities, and size of the proposed development are consistent with the Future Land Use Map. The applicant has not demonstrated, however, whether the project is compatible with the surrounding community.

SECTION II. CONCLUSIONS OF LAW

The Board, having made the above findings of fact, and based upon the provisions of the ADA, and the reports, recommendations and testimony heard and considered by the ZHM and the Board, hereby reaches the following conclusions of law:

- A. The Development/Development Alternative is inconsistent with local land development regulations, including, but not limited to, those listed below:
1. The Purpose and Intent of the Code, LDC Section 2.1.4.1.
 2. The demonstration of changed or changing conditions, LDC Section 2.7.1.1.
 3. Provisions relating to gradual transition of intensities between varying land uses, and the requirement that the development be suitable in location, area and character for the uses and structures proposed, LDC Section 2.2.9.1.
 4. Provisions related to transportation planning and impacts, LDC Section 2.2.9.3.

- B. The Development/Development Alternative is inconsistent with policies and objectives of the County's Future of Hillsborough Comprehensive plan adopted pursuant to the Local Government Comprehensive Planning Act, Chapter 163, Florida Statutes, (the "Comprehensive Plan"), including, but not limited to, those listed below:
1. FLUE Policy C-33.3, as it relates to the existing land use pattern;
 2. FLUE Policy C-33.9, as it relates to the impact on environmentally-sensitive land.
- C. In considering whether the Development/Development Alternative should be approved, denied, or approved subject to conditions, restrictions and limitations, the County has considered the criteria stated in Section 380.06, and more specifically, in subsection 380.06(14), Florida Statutes.
- D. The Development/Development Alternative is inconsistent with the State Comprehensive Plan, Chapter 187, Florida Statutes.
- E. The Development/Development Alternative is inconsistent with the report and recommendation of the TBRPC and is inconsistent with the TBRPC's adopted policy document, Future of the Region, a Comprehensive Regional Policy Plan for the Tampa Bay Region.
- F. The Development/Development Alternative will unreasonably interfere with the achievement or objectives of the adopted state land development plan applicable to the area.
- G. The ADA is denied pursuant to all terms and conditions of this Development Order.
- H. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County, Florida in accordance with Section 380.06, Florida Statutes.

SECTION III. REASONS FOR DENIAL

- A. The magnitude, scale, intensity and design of the Development fail to achieve an appropriate balance between reasonable use of the Property as permitted by the Comprehensive Plan and the sensitive environmental characteristics of the site and its immediate environs. The design of the Development Alternative fails to achieve an appropriate balance between reasonable use of the Property as permitted by the Comprehensive Plan and the sensitive environmental characteristics of the site and its immediate environs; and semi-rural nature of the existing nearby neighborhood.
- B. The failure of the Development/Development Alternative to comply with applicable provisions of the Comprehensive Plan and the local Land development regulations;
- C. The excessively large scale of the Project, in light of the project's significant impacts on the surrounding established and future community; a community which is today largely low-density and semi-rural in nature and is planned generally for future low-density and rural residential land uses.
- D. The failure of the Development/Development Alternative to adequately address the gradual transition of uses and intensities to provide compatibility with existing, surrounding land uses.
- E. The prematurity of the Development/Development Alternative relative to the scattered nature of residential development in the larger general area and the large proportion of undeveloped residential land in the surrounding areas, and relative to the finalization of plans for the Veterans' Expressway and its northerly extension, which roadways are critical to project viability and appropriateness at this location.
- F. The failure of the Development/Development Alternative to demonstrate that its impact on local roads was not unreasonable in terms of adversely changing their residential character.

**SECTION IV.
CHANGES THAT WOULD MAKE THE DEVELOPMENT
ELIGIBLE TO RECEIVE APPROVAL**

- A. The Development would be eligible to receive approval if:
1. The magnitude, intensity and design of the Project were planned at a maximum of 643,600 square feet of commercial and 53,400 square feet of office, to appropriately balance the proposed development and its on- and off-site impacts on roadways, wellfields, aquifer recharge, stormwater management, upland wildlife habitat, and local residential areas; and
 2. The Project were part of a unified plan of development which includes the three excluded parcels with frontage on Dale Mabry Highway and Van Dyke Road, and sufficient acreage to adequately address upland and wetland issues on site. Such a unified plan of development may have a maximum of two access points on Dale Mabry Highway which shall be subject to approval by FDOT in consideration of final Veteran's Expressway design and a maximum of one access point along Van Dyke Road; and
 3. The following were provided:
 - a. A gradual transition of uses, scales, and intensities were provided on site to provide less intensive uses on the perimeter of the site implement the NDM corridor plan, and protect environmentally sensitive resources as follows:
 - b. A frontage road giving interior access to all uses;
 - c. Four one-story office buildings, totaling 53,400 square feet of floor area within Tract VII;
 - d. Inclusion of Tract 1 in an accompanying zoning for use only as habitat preservation;
 - e. No development within the southern half (approximately southern 3,000 feet of Tract IV) of Tract IV;

- f. A maximum of three retail buildings along Dale Mabry Highway, totaling 161,600 square feet of floor area within Tracts II and V;
 - g. A minimum 150-foot landscaped buffer, containing no buildings or parking areas, along the entire Van Dyke Road frontage; and
 - h. Bus/fixed guideway facilities either in Tract V or VI; and
4. The remaining Master Plan Tracts not previously identified above for specific maximum increments of development, were allocated specific amounts of development in terms of square footage; and
 5. The plan were to indicate for each tract such planning and design parameters as uses, setbacks, FAR, open space ratios, impervious surface ratios, height, bulk restrictions, generalized access and circulation both vehicular and pedestrian, in sufficient detail that the tract may stand on its own with regards to the regulations that govern it; and
 6. The Project were designed to ensure upland wildlife preservation on site and protection of wetlands including in particular the five-acre wetland in the center of the site; and
 7. The Project were reassessed to evaluate the transportation impacts on the roads through the Lutz community, and if significant negative impacts are identified the appropriate mitigative measures be provided or the Project be either reduced in scale, intensity and/or design so as to not create said negative impacts; and
 8. The Developer were to provide written notice to the County within 30 days of Board action, of intent to either move forward with the Project (i.e. subsequent submittal of a revised Master Plan for County approval) or to withdraw from the ADA process. If a written notice of intent is not received by the County within 30 days, the ADA shall be considered withdrawn. If the Developer provides written notice with intent to move forward in the process, within 120 days thereafter of receiving notice, the Developer shall submit a revised Master Plan to the County; and

If a revised Master Plan is not received within 120 days of receiving notice by the Developer to proceed, the ADA shall be considered withdrawn, unless the Board extends this time frame for good cause. If the time frame is extended significantly, as determined by the County, new analysis may be required; and

9. The Developer were to provide a plan for the reclamation, restoration or mitigation of all environmentally sensitive areas as existed prior to April 22, 1994, to the same or equivalent state or condition as would otherwise be required by the Land Development Code and as specified in any final resolution of the outstanding Natural Resource violation resulting from the April 22 and 23 tree-felling activity; and
10. The project complies with Upland Habitat provisions of the Land Development Code, especially Essential Wildlife Habitat regulations.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its Regular Meeting of April 26, 1994 as same appears of record in Minute Book 215 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 2nd day of May, 1994.

RICHARD AKE, CLERK

By: *Quinta Feyman*
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

BY *[Signature]*
Approved As To Form And
Legal Sufficiency.

EXHIBIT "A"
LAW OFFICES
ANNIS, MITCHELL, COCKEY, EDWARDS & ROEHN

PROFESSIONAL ASSOCIATION
SUITE 2100
ONE TAMPA CITY CENTER BUILDING
POST OFFICE BOX 3433
TAMPA, FLORIDA 33601
(813) 229-3321
TELEX 441688
FAX (813) 223-9067

JOHN J. AGLIANO
RUSSELL T. ALBA
MICHAEL D. ANNIS
PRESTON O. COCKEY, JR.
ROBERT M. DAISLEY
JEFFREY M. DEAN
JOSEPH O. EDWARDS
CYNTHIA A. HENDERSON
NICHOLAS J. HENNESSY
MARK S. HOWARD
MICHELE R. HUDSICK
BARBARA HARDY HUNT
LAWRENCE P. INGRAM
GARY W. JOHNSON
STEPHEN L. KUSSNER

DAVID L. LAPIDES
ROBERT D. MCLEAN, JR.
STEPHEN J. MITCHELL
JENNIFER PHELAN DE HERNANDEZ
JOHN M. RAINS, III
FRED S. RIDLEY
ROBERT L. ROCKE
THOMAS J. ROEHN
STEVEN M. SAMAHA
OLIN G. SHIVERS
DEBRA K. SMETANSKI
GLENN T. SUNDIN
STEPHEN J. SZABO, III
RUSSELL S. THOMAS
RANDOLPH J. WOLFE
BRENDA S. ZNACHKO

February 28, 1992

VIA HAND DELIVERY

Ms. Shirley Gersholowitz
Manager
Hillsborough County Planning &
Zoning Department
800 E. Twiggs, Room 201
Tampa, FL 33601

Ms. Suzanne Cooper
DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Blvd.
Suite 219
St. Petersburg, FL 33702

Re: Advance Leasing Regional Mall - DRI No. 192
Our File No.: 3713-001

Dear Shirley and Suzanne:

Attached is the submittal made by Advance Leasing & Development, Inc. with respect to the modification of the development formally known as the Forbes/Cohen Regional Mall. As you know, Advance Leasing has succeeded to all of Forbes/Cohen's rights with respect to the property and DRI.

The enclosure modifies all of the land-based questions and public facilities questions to reflect the shifting of the mall in a southerly direction. As you know, this shift was possible based on the DOT's abandonment of the plan to continue the Northwest Expressway east across Dale Mabry Highway through our property. The shift to the south has enabled us to improve the environmental impacts of the project.

The mall is located directly across from the terminus of the Northwest Expressway in an area designated as regional commercial pursuant to the Hillsborough County comprehensive plan.

As always, there will be issues that will need to be discussed and resolved. We are hopeful, however, that we can continue and conclude the review process in a constructive and expeditious manner.

In the event there is any inconsistency between this submittal and the prior ADA and sufficiency responses, this submittal will control.

We look forward to working with you.

Kindest regards.

Sincerely,

Steven M. Samaha

SMS/sll

cc: Advance Leasing & Development, Inc. - Mr. George M. Brown
Reynolds Smith & Hill - Mr. William A. Ockunzzi
FDOT (Hillsborough, Pasco, Pinellas) - Mr. J. Kent Fast
FDOT (Manatee) - Ms. Stacey Wilson
DER - Mr. Mack Craig, Mr. Louis Fernandez
Div. of Historical Resources - Mr. George W. Percy
Fla. Game & Fresh Water Fish Commission - Mr. James Beever III
SFWMD - Ms. Ellen Hemmert
DNR - Mr. David Trimble
FDNR - Mr. William B. Brooks
Florida Department of Commerce - Mr. Dennis Harmon
DCA - Ms. Julia Magee
U.S. Army Corps of Engineers - Mr. A. J. Salem
Marine Fisheries Commission - Mr. Connor Davis
West Coast Regional Water Supply Authority - Mr. Harold Aiken
U.S. Dept. of Agriculture (Hillsb.) - Mr. William Saalman, III
U.S. Dept. of Agriculture (Manatee) - Mr. Anthony Polizos
Fla. Natural Areas Inventory - Mr. Jim Muller
U.S. Fish & Wildlife Ser. (Hillsb., Manatee, Pinellas) -
Mr. David Ferrell
U.F. Fish & Wildlife Service (Pasco) - Mr. David Wesley
Dept. of Wildlife & Range Sciences - Mr. Craig N. Huegel
3713-001-65651

ORDER No. 930212
 ADAVANCE LEASING
 OCTOBER 7, 1993

DESCRIPTION OF

TOWN CENTER PARCEL

A portion of Section 15, Township 27 South, Range 18 East, Hillsborough County, Florida, being further described as follows:

Commence at Northwest corner of said Section 15; thence along the Westerly boundary line of said Section 15, South 00°49'34" West, a distance of 2371.12 feet; thence South 89°10'26" East, a distance of 271.94 feet to the Easterly right-of-way line of North Dale Mabry Highway (S.R. 597), as it is now established, for a POINT OF BEGINNING; thence along the said Easterly right-of-way line of North Dale Mabry Highway (S.R. 597), a distance of 982.97 feet along the arc of a curve to the right, said curve having a radius of 5661.58 feet, a central angle of 09°56'52" and a chord of 981.74 feet which bears North 21°13'29" East; thence leaving said Easterly right-of-way line of North Dale Mabry Highway (S.R. 597), South 67°29'11" East, a distance of 355.31 feet; thence North 75°42'38" East, a distance of 1062.83 feet; thence South 75°41'54" East, a distance of 276.98 feet; thence South 48°48'06" East, a distance of 178.80 feet; thence South 20°49'08" East, a distance of 435.00 feet; thence South 55°42'40" East, a distance of 732.75 feet; thence South 16°54'56" East, a distance of 365.98 feet; thence South 55°51'21" West, a distance of 852.52 feet; thence South 28°38'27" East, a distance of 108.39 feet; thence North 84°03'01" East, a distance of 413.72 feet; thence South 06°30'06" East, a distance of 56.10 feet; thence South 21°19'43" East, a distance of 194.48 feet; thence South 26°00'12" West, a distance of 101.23 feet; thence South 30°42'54" West, a distance of 245.21 feet; thence South 00°31'03" East, a distance of 1286.41 feet; thence South 46°01'04" West, a distance of 389.02 feet to the Northerly right-of-way line of Van Dyke Road, as it is now established; thence along said Northerly right-of-way line of said Van Dyke Road the following four courses and distances: North 89°36'10" West, 260.84 feet; North 88°48'30" West, 32.12 feet; North 01°11'30" East, 5.00 feet; North 88°48'30" West, 380.07 feet; thence continue along Northerly right-of-way line of said Van Dyke Road and the Northwesterly extension thereof, North 53°57'50" West, a distance of 414.01 feet; thence North 03°29'36" West, a distance of 220.35 feet; thence North 87°26'20" West, a distance of 298.40 feet; thence South 82°26'17" West, a distance of 115.77 feet; thence North 86°11'37" West, a distance of 172.55 feet; thence South 07°35'43" West, a distance of 86.13 feet; thence South 83°55'46" West, a distance of 188.58 feet; thence South 42°37'00" West, a distance of 37.65 feet; thence North 64°41'52" West, a distance of 49.22 feet; thence North 48°22'55" West, a distance of 47.29 feet; thence North 34°35'05" West, a distance of 83.45 feet; thence North 27°46'46" West, a distance of 95.59 feet; thence North 39°39'57" West, a distance of 60.49 feet; thence North 52°50'08" West, a distance of 71.04 feet; thence North 72°28'00" West, a distance of 54.56 feet; thence North 36°19'27" East, a distance of 265.82 feet; thence North 43°17'52" West, a distance of 262.69 feet; thence North 02°58'15" East, a distance of 548.76 feet; thence North 76°00'10" West, a distance of 463.77 feet to the said Easterly right-of-way line of North Dale Mabry Highway (S.R. 597); thence along said Easterly right-of-way line of North Dale Mabry Highway (S.R. 597); a distance of 146.02 feet along the arc of a curve to the right, said curve having a radius of 5661.58 feet, a central angle of 01°28'40" and a chord of 146.02 feet which bears North 04°33'15" East; thence South 89°13'16" East, a

distance of 200.89 feet; thence South 53°09'53" East, a
distance of 175.81 feet; thence South 79°41'35" East, a
distance of 115.97 feet; thence North 70°26'45" East, a
distance of 82.55 feet; thence North 23°02'38" East, a
distance of 426.50 feet; thence North 06°12'00" East, a
distance of 356.76 feet; thence North 31°36'29" West, a
distance of 74.58 feet; thence North 17°36'30" West, a
distance of 57.65 feet; thence North 36°47'53" West, a
distance of 62.10 feet; thence North 14°46'36" West, a
distance of 63.34 feet; thence North 33°17'45" West, a
distance of 34.86 feet; thence North 21°56'23" West, a
distance of 71.98 feet; thence North 45°23'28" West, a
distance of 49.74 feet; thence North 12°27'36" West, a
distance of 32.00 feet; thence North 66°59'01" West, a
distance of 78.65 feet; thence North 81°08'11" West, a
distance of 35.40 feet; thence South 87°09'24" West, a
distance of 231.57 feet, to the POINT OF BEGINNING.

The above described parcel contains 193.185 acres, more or less.

tcp-less.doc

Exhibit "C"

ORDER No. 930212
ADAVANCE LEASING
OCTOBER 6, 1993

DESCRIPRION OF

TOWN CENTER UPLAND MITIGATION PARCEL REVISED

A portion of Section 15, Township 27 South, Range 18 East, Hillsborough County, Florida, being further described as follows:

Commence at Northwest corner of said Section 15; thence along the Westerly boundary line of said Section 15, South 00°49'34" West, a distance of 2371.12 feet; thence South 89°10'26" East, a distance of 271.94 feet to the Easterly right-of-way line of North Dale Mabry Highway (S.R. 597), as it is now established; thence along the said Easterly right-of-way line of North Dale Mabry Highway (S.R. 597), a distance of 982.97 feet along the arc of a curve to the right, said curve having a radius of 5661.58 feet, a central angle of 09°56'52" and a chord of 981.74 feet which bears North 21°13'29" East; thence leaving said Easterly right-of-way line of North Dale Mabry Highway (S.R. 597), South 67°29'11" East, a distance of 355.31 feet; thence North 75°42'38" East, a distance of 994.61 feet, for a POINT OF BEGINNING; thence North 00°00'00" East, a distance of 1100.00 feet; thence North 45°31'05" West, a distance of 333.96 feet to the North boundary line of the Northwest 1/4 said Section 15; thence along the North boundary line of the Northwest 1/4 of said Section 15, South 89°26'07" East, a distance of 1205.71 feet to the North 1/4 corner of said Section 15; thence along the North boundary line of the Northeast 1/4 of said Section 15, South 89°28'28" East, a distance of 57.57 feet to the Westerly boundary line of the Peter Geraci Parcel as described in Official Record Book 5541, pages 1018, 1019, 1020 and 1021 of the Public Records of Hillsborough County, Florida; thence along the Westerly boundary line of said Peter Geraci Parcel, South 10°58'13" East, a distance of 1509.13 feet; thence North 89°28'28" West, a distance of 862.90 feet; thence North 48°48'06" West, a distance of 152.53 feet; thence North 75°41'54" West, a distance of 276.98 feet; thence South 75°42'38" West, a distance of 68.22 feet, to the POINT OF BEGINNING.

The above described parcel contains 39.130 acres, more or less.

DESCRIPTION OF

N AND P OUTPARCELS REVISED

A portion of Section 15, Township 27 South, Range 18 East, Hillsborough County, Florida, being further described as follows:

Commence at the Northwest corner of said Section 15, thence along the Westerly boundary line of said Section 15; South 00°49'34" West, a distance of 2371.12 feet; thence South 89°10'26" East, a distance of 271.94 feet to the Easterly right-of-way line of, North Dale Mabry Highway (S.R. 597) as it is now established, for a POINT OF BEGINNING; thence North 87°09'24" East, a distance of 231.57 feet; thence South 81°08'11" East, a distance of 35.40 feet; thence South 66°59'01" East, a distance of 78.65 feet; thence South 12°27'36" East, a distance of 32.00 feet; thence South 45°23'28" East, a distance of 49.74 feet; thence South 21°56'23" East, a distance of 71.98 feet; thence South 33°17'45" East, a distance of 34.86 feet; thence South 14°46'36" East, a distance of 63.34 feet; thence South 36°47'53" East, a distance of 62.10 feet; thence South 17°36'30" East, a distance of 57.65 feet; thence South 31°36'29" East, a distance of 74.58 feet; thence South 06°12'00" West, a distance of 356.76 feet; thence South 23°02'38" West, a distance of 426.50 feet; thence South 70°26'45" West, a distance of 82.55 feet; thence North 79°41'35" West, a distance of 115.97 feet; thence North 53°09'53" West, a distance of 175.81 feet; thence North 89°13'16" West, a distance of 200.89 feet to the Easterly right-of-way line of said North Dale Mabry Highway (S.R. 597); thence along the Easterly right-of-way line of North Dale Mabry Highway (S.R. 597) a distance of 1082.81 feet along the arc of a curve to the right TO THE POINT OF BEGINNING, said curve having a radius of 5661.58 feet, a central angle of 10°57'30" and a chord of 1081.16 feet which bears North 10°46'19" East.

AND: Commence at the Northwest corner of said Section 15, thence along the Westerly boundary line of said Section 15; South 00°49'34" West, a distance of 2371.12 feet; thence South 89°10'26" East, a distance of 271.94 feet to the Easterly right-of-way line of, North Dale Mabry Highway (S.R. 597); thence along the Easterly right-of-way line of said North Dale Mabry Highway (S.R. 597) a distance of 1228.84 feet along the arc of a curve to the left for POINT OF BEGINNING No. 2, said curve having a radius of 5661.58 feet, a central angle of 12°26'10" and a chord of 1226.43 feet which bears South 10°01'59" West; thence South 76°00'10" East, a distance of 463.77 feet; thence South 02°58'15" West, a distance of 548.76 feet; thence South 43°17'52" East, a distance of 262.69 feet; thence South 36°19'27" West, a distance of 265.82 feet; thence South 72°28'00" East, a distance of 54.56 feet; thence South 52°50'08" East, a distance of 71.04 feet; thence South 39°39'57" East, a distance of 60.49 feet; thence South 27°46'46" East, a distance of 95.59 feet; thence South 34°35'05" East, a distance of 83.45 feet; thence South 48°22'55" East, a distance of 47.29 feet; thence South 64°41'52" East, a distance of 49.22 feet; thence North 42°37'00" East, a distance of 37.65 feet; thence North 83°55'46" East, a distance of 188.58 feet; thence North 07°35'43" East, a distance of 86.13 feet; thence South

86°11'37" East, a distance of 172.55 feet; thence North
82°26'17" East, a distance of 115.77 feet; thence South
87°26'20" East, a distance of 298.40 feet; thence South
03°29'36" East, a distance of 220.35 feet; thence South
53°57'50" East, a distance of 22.00 feet to the Northerly
right-of-way line of Van Dyke Road as it is now established,
thence along the Northerly right-of-way line of said Van Dyke
Road the following four courses and distances: North 78°08'10"
West, 100.58 feet; South 80°23'28" West, 89.44 feet; South
75°34'44" West, 978.32 feet; North 89°36'10" West, 502.34 feet
to the Easterly right-of-way line of North Dale Mabry Highway
(S.R. 597); thence along the Easterly right-of-way line of
said North Dale Mabry Highway (S.R. 597) the following two
courses and distances: North 00°49'34" East, 1426.06 feet;
295.37 feet along the arc of a curve to the right TO POINT OF
BEGINNING No. 2, said curve having a radius of 5661.58 feet, a
central angle of 02°59'21" and a chord of 295.34 feet which
bears North 02°19'14" East.

The above described parcel contains 41.919 acres, more or less.

DESCRIPTION OF

TOWN CENTER OVERALL PARCEL (INCLUDING OUTPARCELS "N" AND "P" ALSO UPLAND MITIGATION PARCEL REVISED)

A portion of Section 15, Township 27 South, Range 18 East, Hillsborough County, Florida, being further described as follows:

Commence at Northwest corner of said Section 15; thence along the Westerly boundary line of said Section 15, South 00°49'34" West, a distance of 2371.12 feet; thence South 89°10'26" East, a distance of 271.94 feet to the Easterly right-of-way line of North Dale Mabry Highway (S.R. 597), as it is now established, for a POINT OF BEGINNING; thence along the said Easterly right-of-way line of North Dale Mabry Highway (S.R. 597), a distance of 982.97 feet along the arc of a curve to the right, said curve having a radius of 5661.58 feet, a central angle of 09°56'52" and a chord of 981.74 feet which bears North 21°13'29" East; thence leaving said Easterly right-of-way line of North Dale Mabry Highway (S.R. 597), South 67°29'11" East, a distance of 355.31 feet; thence North 75°42'38" East, a distance of 994.61 feet; thence North 00°00'00" East, a distance of 1100.00 feet; thence North 45°31'05" West, a distance of 333.96 feet to the North boundary line of the Northwest 1/4 said Section 15; thence along the North boundary line of the Northwest 1/4 of said Section 15, South 89°26'07" East, a distance of 1205.71 feet to the North 1/4 corner of said Section 15; thence along the North boundary line of the Northeast 1/4 of said Section 15, South 89°28'28" East, a distance of 57.57 feet to the Westerly boundary line of the Peter Geraci Parcel as described in Official Record Book 5541, pages 1018, 1019, 1020 and 1021 of the Public Records of Hillsborough County, Florida; thence along the Westerly boundary line of said Peter Geraci Parcel, South 10°58'13" East, a distance of 1509.13 feet; thence North 89°28'28" West, a distance of 862.90 feet; thence South 48°48'38" East, a distance of 26.28 feet; thence South 20°49'08" East, a distance of 435.00 feet; thence South 55°42'40" East, a distance of 732.75 feet; thence South 16°54'56" East, a distance of 365.98 feet; thence South 55°51'21" West, a distance of 852.52 feet; thence South 28°38'27" East, a distance of 108.39 feet; thence North 84°03'01" East, a distance of 413.72 feet; thence South 06°30'06" East, a distance of 56.10 feet; thence South 21°19'43" East, a distance of 194.48 feet; thence South 26°00'12" West, a distance of 101.23 feet; thence South 30°42'54" West, a distance of 245.21 feet; thence South 00°31'03" East, a distance of 1286.41 feet; thence South 46°01'04" West, a distance of 389.02 feet to the Northerly right-of-way line of Van Dyke Road, as it is now established; thence along said Northerly right-of-way line of said Van Dyke Road the following nine courses and distances: North 89°36'10" West, 260.84 feet; North 88°48'30" West, 32.12 feet; North 01°11'30" East, 5.00 feet; North 88°48'30" West, 380.07 feet; North 53°57'50" West, 392.01 feet; North 78°08'10" West, 100.58 feet; South 80°23'28" West, 89.44 feet; South 75°34'44" West, 978.32 feet; North 89°36'10" West, 502.34 feet to the said Easterly right-of-way line of North Dale Mabry Highway (S.R. 597); thence along said Easterly right-of-way line of North Dale Mabry Highway (S.R. 597), the following two courses and distances: North 00°49'34" East, 1426.06 feet; 1524.21 feet along the arc of a curve to the right, to the POINT OF BEGINNING, said curve having a radius of 5661.58 feet, a central angle of 15°25'31" and a chord of 1519.61 feet which bears North 08°32'18" East.

The above described parcel contains 274.234 acres, more or less.