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MANATEE COUNTY
FLORIDA

Certified Mail #7000 0520 0015 6095 9713

January 3, 2013

Mr. J. Thomas Beck, AICP
Department of Economic Opportunity
Division of Community Development
2555 Shumard Boulevard
Tallahassee, FL 32399-2100

Re: Development Order for Schroeder-Manatee Ranch, Inc. (aka SMR Communities Joint Venture, a Florida general partnership) (University Lakes) DRI Ordinance 12-34

Dear Mr. Beck:

Enclosed is a certified copy of Ordinance 12-34, the Amended DRI Development Order for Schroeder-Manatee Ranch, Inc. (aka SMR Communities Joint Venture, a Florida general partnership) (University Lakes) DRI, as adopted in open session by the Manatee County Board of County Commissioners on December 6, 2012, as required by 380.06(19)(e)2 of the Florida Statutes.

> F.S. 380.06(19)(e)2 states, "This subsection does not require the filing of a notice of proposed change but requires an application to the local government to amend the development order in accordance with the local government's procedures for amendment of a development order. In accordance with the local government's procedures, including requirements for notice to the applicant and the public, the local government shall either deny the application for amendment or adopt an amendment to the development order which approves the application with or without conditions. Following adoption, the local government shall render to the state land planning agency the amendment to the development order. The state land planning agency may appeal, pursuant to s. 380.07(3), the amendment to the development order if the amendment involves sub-subparagraph g., sub-subparagraph h., sub-subparagraph j., sub-subparagraph k., or sub-subparagraph l. and if the agency believes that the change creates a reasonable likelihood of new or additional regional impacts."

Building and Development Services Department
Mailing Address: P. O. Box 1000 1112 Manatee Avenue West, 2nd Floor, Bradenton, FL 34206-1000
WEB: *www.mymanatee.org* * PHONE: 941.748-4501 x6878 * FAX: 941.749-3071

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District 1 *District 2* *District 3* *District 4* *District 5* *District 6* *District 7*

If you have any questions or if I can be of further assistance, please contact me at (941)748-4501, extension 6878.

Sincerely,

Bobbi Roy
Planning Coordinator

/br
Enclosures

cc: Mr. John Meyer, DRI Coordinator
Tampa Bay Regional Planning Council w/ enclosures
via Certified Mail #7000 0520 0015 6095 9706

Applicant w/ enclosures via Certified Mail #7000 0520 0015 6095 9690

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Tampa Bay Regional
Planning Council

ORDINANCE 12-34
SCHROEDER-MANATEE RANCH, INC.
(SMR COMMUNITIES JOINT VENTURE, A FLORIDA GENERAL PARTNERSHIP)
(UNIVERSITY LAKES)

FILED
2012 DEC 13 PM 1:11
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING AND RESTATING A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380 FLORIDA STATUTES FOR THE UNIVERSITY LAKES DEVELOPMENT OF REGIONAL IMPACT (MANATEE COUNTY DRI #22, A/K/A TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI #216); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONCLUSIONS OF LAW; PROVIDING FOR DEFINITIONS; PROVIDING FOR RECOGNITION OF THE REVOCATION OF THE DEVELOPMENT REVIEW AGREEMENT THAT REQUIRED THE COMBINED REVIEW OF UNIVERSITY LAKES AND LAKEWOOD RANCH CORPORATE PARK FOR CERTAIN PURPOSES, TO MODIFY TRANSPORTATION CONDITIONS BASED UPON SUCH REVOCATION; MODIFICATION OF AFFORDABLE HOUSING CONDITIONS CONSISTENT WITH CURRENT PRACTICES; TO UPDATE TABLE 1 AND TABLE 2 FOR CONSISTENCY WITH PREVIOUSLY APPROVED LAND USE EXCHANGES; UPDATING CONDITIONS TO REFLECT COMPLIANCE WITH REQUIREMENTS CONTAINED THEREIN; PROVIDE FOR FLEXIBILITY IN UNIT ALLOCATION AMONG PARCELS; UPDATING THE PHASING AND BUILDOUT DATES TO REFLECT LEGISLATIVELY APPROVED EXTENSIONS; ELIMINATE MAXIMUM INCREASE IN LAND USE EXCHANGES (TABLE 1 – COLUMN E), MODIFY MAP H TO REFLECT PREVIOUSLY APPROVED LAND USE EXCHANGES, OTHER MINOR AMENDMENTS AND AMENDMENTS FOR INTERNAL CONSISTENCY. CODIFYING AND RESTATING THE EXISTING DEVELOPMENT ORDER FOR DRI #22; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 31, 1991, SMR Communities Joint Venture, a Florida general partnership filed an Application for Development Approval* (ADA*) of a Development of Regional Impact (DRI) with the Manatee County Board of County Commissioners (County*) pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said ADA* proposed construction of a multi-use project on approximately two-thousand three-hundred fifty-three (2,353) acres, located in southern Manatee County, hereinafter referred to as University Lakes DRI, or the Project*; and

WHEREAS, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, the Board of County Commissioners, on June 1, 1992, approved Ordinance 92-32, which granted local approval to University Lakes, DRI No. 22; and

WHEREAS, the Department of Community Affairs and the Tampa Bay Regional Planning Council appealed Ordinance 92-32 within the statutory time frame allowed; and

WHEREAS, the Developer* entered into a settlement agreement with the Department of Community Affairs and the Tampa Bay Regional Planning Council to resolve their concerns; and

WHEREAS, on October 24, 1993, the Board of County Commissioners of Manatee County adopted an amended Development Order (Ordinance 93-25) for the University Lakes DRI adopting language to settle administrative action between the Department of Community Affairs, Tampa Bay Regional Planning Council, and Schroeder-Manatee Ranch, Inc., et. al.; and

WHEREAS, on January 25, 1996, the Board of County Commissioners adopted Ordinance 95-44, approving amendments to modify development totals, add 69.8 acres, and modify various definitions and conditions of the Development Order for the University Lakes DRI, which amendments were not found to be a Substantial Deviation to the originally approved Development Order; and

WHEREAS, on October 28, 1997, the Board of County Commissioners adopted Ordinance 97-61, approving amendments to extend the buildout and expiration dates; amend Map H to modify acreage totals per land use, change one subphase from business to residential, modify the internal roadway network between I-75 and Lakewood Ranch Boulevard; amend transportation, wetland, and other conditions; employ the land use trade-off mechanism in the D.O. to modify development totals in Phases I, II and III; modify the Certificate of Level of Service for Phase I to address land use exchange; and approve Development Order modifications to more accurately reflect the status of compliance with certain conditions of approval; and

WHEREAS, on December 16, 1997, the Board of County Commissioners adopted Ordinance 97-81, to allow a hospital use in Phase II of the development; and

WHEREAS, on February 22, 2000, the Board of County Commissioners adopted Ordinance 00-45, to initiate Phase II construction; relocate the Town Center to the east side of Lakewood Ranch Blvd.; relocate an access point onto University Parkway; shift square footage amounts between different Regional Commercial and Business parcels; make changes to tables 1, 5 and 6 of the Development Order; and amend Transportation and Affordable Housing Conditions; and

WHEREAS, on December 18, 2001, the Board of County Commissioners adopted Ordinance 01-60 to decrease Retail uses by 74742 sq. ft.; increase Hotel uses by 300 rooms; increase Office uses by 93,000 sq. ft; relocate 75,258 sq. ft. of Retail from the NW quadrant of Lorraine Road and University Parkway from Community Commercial to Residential; decrease Single-Family Attached units by 153; increase Multi-family units by 125; and amend Tables C and D to reflect these changes; and

WHEREAS, on August 26, 2003, the Board of County Commissioners adopted Ordinance 03-35 to extend the phase date of Phase I by seven (7) years; extend the phase date of Phase II by two (2) years; accelerate the Phase III start date by eight (8) years; accelerate the Phase IV start date by four (4) years; increase Business Office acreage by 4.2 acres; decrease Wetland/Mitigation acreage by 4.2 acres; change the quantifying reference for hospital use from square footage to bed count; move 425,600 square feet of General Commercial Retail from Phase II to Phase IV; move 4,300 square feet of General Commercial Retail from Phase III to Phase IV; move 327,508 square feet of Business Industrial from Phase III to Phase IV; move 88,328 square feet of Business Office from Phase IV to Phase III; move 30,000 square feet of Neighborhood Commercial from Phase II to Phase IV; move 151 single-family dwelling units from Phase IV to Phase III and reduce the entitlements for single-family dwelling units by 294; move 105 single-family attached dwelling units from Phase IV to Phase III and reduce the total entitlements for Single Family Attached Dwelling Units by 93; increase Multi-Family Dwelling Units in Phase III by 387; move 106.0 acres from the University Lakes DRI to the Cypress Banks DRI; amend the name of the authorized agent from Rex Jensen to Tim Martin; replace all references to the University Place DRI to the Lakewood Ranch Corporate Park DRI; amend Tables 3 and 4 to update the entitlements for Lakewood Ranch

Corporate Park; establish February 22 as the annual reporting date; amend Section 4.C to update Attachment #5 (Land Use Equivalency) to the latest ITE generation rates; amend Tables 1 and 2 to reflect these changes; amend Section 5, Transportation and Affordable Housing to reflect updated analysis; and, amend Map H and the Development Order to reflect the above changes; and

WHEREAS, on October 19, 2004, the Board of County Commissioners adopted Ordinance 04-59 to add 1,804.7 acres (east of Lorraine road); add ten access points for new internal roadways; increase single-family detached dwelling units by 350 in Phase III; decrease single-family attached dwelling units by 135 in Phase III; decrease multi-family dwelling units by 292 in Phase III; increase general commercial (regional) retail by 251,578 square feet in Phase III; decrease neighborhood commercial (community) by 34,236 square feet in Phase I; decrease neighborhood commercial (community) by 31,143 square feet in Phase II; decrease business office by 58,323 square feet in Phase III; decrease general commercial (highway) retail by 150,000 square feet in Phase II; decrease general commercial (highway) hotel and motel by 85 rooms in Phase I; decrease general commercial (highway) hotel and motel by 405 rooms in Phase IV; increase residential acreage by 811.4 acres; increase community commercial acreage by 31.0 acres; increase open space acreage by 129.3 acres; increase recreational acreage by 9.9 acres; increase wetland acreage by 343.2 acres; increase lake acreage by 277.4 acres; increase road right-of-way acreage by 202.5 acres; changed the labeling of cluster villa (cv) residential units to multi-family (mf); amending the name of the authorized agent from Tim Martin to Todd Pokrywa; amending Tables 1 and 2 to reflect these changes; amending Map H and the Development Order to reflect the above changes; amending Map H to allow Community, Highway, and Regional Commercial uses on a Community Commercial parcel located west of the town center; amending Map H to allow commercial uses in certain Business parcels; amending the legal description to reflect the above referenced changes, and; various other changes to the Development Order and terminology and formatting changes; and

WHEREAS, the Developer* of University Lakes submitted and supplied information pursuant to the Notice of Proposed Change Provisions of Section 380.06, Florida Statutes, concerning the regional impacts of Traffic, Air Quality, and Affordable Housing to Manatee County concerning the proposed development in Phases I, II, III, and IV pursuant to the which information was reviewed by the Tampa Bay Regional Planning Council, Department of Community Affairs, and other applicable state agencies, each of which had opportunity to request additional information and make comments and suggestions, and each of which in fact did so. The Developer* further responded to questions and comments raised by said parties in the form of sufficiency responses; and

WHEREAS, on October 16, 2007 the Board of County Commissioners adopted Ordinance 07-72 to implement the following changes to the Development:

(1) Revising the project boundary to delete 73.0 acres (east of Lorraine Road) in favor of the Cypress Banks DRI;
(2) Revising the project boundary to add 53.8 acres (east of Lorraine Road);
(3) Increasing single family detached dwelling units by 434 in Phase IV;
(4) Increasing multifamily dwelling units by 578 in Phase IV;
(5) Decreasing General Commercial (Regional) Retail by 70,100 square feet in Phase III;
(6) Decreasing General Commercial (Regional) Retail by 429,900 square feet in Phase IV;
(7) Increasing (Business) Office by 120,000 square feet in Phase IV;
(8) Decreasing Industrial by 11,397 sq. ft. in Phase III.
(9) Decreasing Industrial (Business) by 778,088 square feet in Phase IV;
(10) Decreasing Community Commercial by 59,778 sq. ft. in Phase IV.
(11) Increasing General Commercial (Highway) Hotel and Motel by 405 rooms in Phase

IV;
(12) A decrease in residential acreage by 37.0 acres;
(13) A decrease in Community Commercial acreage by 8.8 acres;
(14) An decrease in open space acreage by 41.3 acres;
(15) An increase in recreational acreage by 8.1 acres;
(16) An decrease in wetland acreage by 8.8 acres;
(17) An increase in lake acreage by 54.8 acres;
(18) An increase in right-of-way acreage by 13.8 acres;
(19) An extension of The Masters Avenue to the proposed Dam Road in close proximity to the eastern boundary of the project;
(20) Initiate Phase IV;
(21) Accelerate the start date of Phase IV by five (5) years from 2011 to 2006;
(22) Amending Tables 1 and 2 to reflect these changes;
(23) Amending Map H and the Development Order to reflect these changes;
(24) Amending the legal description to reflect the above referenced changes, and
(25) Various other changes to the Development Order including terminology and formatting changes;
(26) Extending the buildout date of Phases II, III, and IV to 2014, 2014, and 2022, respectively; and
(27) Extend the project buildout date to 2022 and extend the Development Order expiration date to 2027.

WHEREAS, Schroeder-Manatee Ranch, Inc. filed a request to amend the Development Order pursuant to Section 380.06(19)(e)2, Florida Statutes, which does not require the filing of a notice of proposed change, but, requires an application to the local government to amend the development order in accordance with the local government's procedures; and
WHEREAS, on or about July 9, 2008, the Development Review Agreement entered into by and between DCA, TBRPC, SWFRPC and SMR related to the University Lakes DRI, among other matters, was revoked by mutual agreement and is of no future force or effect.

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

WHEREAS, the Planning Commission has held duly noticed public hearings on November 8, 2012 and found the development order and Map H consistent with the Manatee County Comprehensive Plan (Ordinance 89-01, as amended).

WHEREAS, the Board of County Commissioners has received and considered the recommendation of the Planning Commission; and

WHEREAS, the County* on December 6, 2012, held a duly noticed public hearing on the application and the language proposed by the Developer* to amend and replace Ordinance 07-72 as amended, and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County and City agencies, the applicant, as well as the review and report of the Manatee County Building and Development Services Department.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

SECTION 1. FINDINGS OF FACT

The Board of County Commissioners, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of Manatee County, and all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. All "WHEREAS" clauses Preceding Section 1 of this Ordinance are adopted as findings of fact.

B. The Developer* has received County approvals for and has commenced development in several sub-phases of the development, consistent with Ordinance 92-32, (as amended by Ordinances 93-25, 95-44, 97-61, 97-81, 00-45, 01-60, 03-35, 04-59 and 07-72).

C. The Board of County Commissioners of Manatee County has received and considered the recommendation of the Manatee County Planning Commission concerning the application to amend the Development Order and Zoning Ordinance as it relates to the real property described in Section 7 of this Ordinance, in accordance with the requirements of Manatee County Ordinance 90-01, as amended (the Manatee County Land Development Code) and Ordinance 89-01, as amended, (Manatee County Comprehensive Plan), and has further considered the testimony, comments, and information received at the Public Hearing.

D. The proposed changes to the DRI regarding the property described in Section 7. herein, are found to be consistent with the requirements of Manatee County Ordinance 89-01, as amended (the 2020 Manatee County Comprehensive Plan), provided it proceeds in accordance with the Development Conditions specified in Section 5 and the Developer* Commitments specified in Section 6 of this Development Order.

E. The Developer* of the Project* submitted to Manatee County, Florida, an ADA* for the original project and the above described Notices of Proposed Change, which are incorporated herein by reference.

F. The Developer* submitted an Affordable Housing Impact Analysis for Phases I, II, and III to Manatee County which describes the housing demand for low, very low and median income households and the existing housing supply (see Attachment #1 to Ordinance 07-72). As mitigation for the impact of Phase IV on affordable housing, the developer has committed to provide, within 10 miles of the project, a number of workforce housing units equal to 10% of the number of housing units constructed within University Lakes Phase IV.

G. The real property which is the subject of this Development Order is legally described as set forth in Section 7.

H. The Project* is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.

I. The authorized agent for the Project* is Todd Pokrywa, and his address is SMR Communities Joint Venture, a Florida general partnership, 14400 Covenant Way, Lakewood Ranch, Florida 34202.

J. The owner of the property is Schroeder-Manatee Ranch, Inc., a Delaware corporation.

SECTION 2. CONCLUSIONS OF LAW

A. Based upon the previous findings of fact and the development conditions, in Section 5 below, the Board of County Commissioners of Manatee County concludes that:

1. The Project* will not unreasonably interfere with the achievement of the objectives of the Adopted State Land Development Plan applicable to the area.

2. The Project* is consistent with the local land development regulations and is consistent with the State Comprehensive Plan (SCP), the Tampa Bay Regional Planning Council's Future of the Region, A Strategic Regional Policy Plan (SRPP), and Ordinance 89-01, as amended (The Manatee County Comprehensive Plan).

3. The Project* is consistent with the report and recommendations of TBRPC approved on February 10, 1992 and on January 8, 1996, regarding the first NOPC; in May 1997, regarding the second NOPC; on October 13, 1997 regarding the third NOPC; on December 16, 1997 regarding the fourth NOPC; on January 24, 2000 regarding the fifth NOPC; on September 21, 2001 regarding the sixth NOPC; on April 14, 2003 regarding the seventh NOPC; on October 22, 2003 regarding the eighth NOPC; on October 19, 2004 regarding the ninth NOPC; and on August 13, 2007 regarding the tenth NOPC.

B. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the Developer* is authorized to conduct development as described herein, subject to the conditions, restrictions, and limitations set forth below.

C. This Ordinance replaces Ordinance 07-72, which granted amendments to Ordinance, 92-32, 93-25, 95-44, 97-61, 97-81, 00-45, 01-60, 03-35 and 04-59 in their entirety and adequately addresses the impacts of the development, pursuant to the requirements of Chapter 380, Florida Statutes.

SECTION 3. DEFINITIONS

Note: An asterisk (*) denotes that the word is defined. The definitions contained in Chapter 380, Florida Statutes, shall apply to this Development Order, in addition to those listed herein.

A. "Application for Development Approval*" (or ADA*) shall mean University Lakes, Inc. Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer* on October 25, 1991, Appendix E Cumulative Affordable Housing Analysis; in May 1997, regarding the second NOPC; on October 13, 1997 regarding the third NOPC; on December 16, 1997 regarding the fourth NOPC; on January 24, 2000 regarding the fifth NOPC; and on September 21, 2001 regarding the sixth NOPC; on March 26, 2002 regarding the seventh NOPC; on October 22, 2003, regarding the eighth NOPC; on October 19, 2004 regarding the ninth NOPC, and on January 27, 2006 regarding the 10th NOPC and on July 17, 2012 regarding the amendment to the Development Order.

B. "Best Management Practices*" (BMP) shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code (BMP list of approved practices by Board resolution for Special Overlay Districts-Evers Reservoir and Lake Manatee Watershed Areas).

C. "County*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).

D. "Developer*" shall mean SMR Communities Joint Venture, a Florida general partnership, their heirs, assigns, designees, and successors in interest as to the Project* and all its conditions of approval.

E. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.

F. "Development Plans*" shall mean any Preliminary Site Plan issued by Manatee County or a site and development plan issued by Sarasota County.

G "District*" shall mean any unit of local special purpose government formed pursuant to Chapter 190, F.S., or any similar entity such as a Municipal Service Taxing Unit or Municipal Service Benefit Unit, from time to time created or previously existing, which acts in accordance with applicable law and regulations, to finance or fund: (i) the cost of such actions as the planning, acquiring, constructing, equipping, installing, operating, and maintaining various community facilities; (ii) the cost of providing certain community services; (iii) contributions of funds to other governmental and non-governmental entities with respect to such facilities, services, or related Development Order commitments and conditions and (iv) satisfaction of any of the commitments and conditions contained in this Development Order related to the foregoing. It is the declarative of the intent of this Development Order that any commitment or condition of this Development Order may be directly performed or satisfied by any District* which properly operates within its scope of authority. Such performance or satisfaction shall not be deemed or construed to constitute the discharge of any obligation of the Developer*.

H. "SRPP" shall mean the TBRPC's Future of the Region, a Strategic Regional Policy Plan for the Tampa Bay Region, December 11, 1995.

I. "Fair Market Rent Documentation System" shall mean a system established by the Department of Housing and Urban Development (HUD) that provides complete documentation of the development of the Fair Market Rents (FMRs) for any area of the country. FMRs are developed and updated from the metropolitan Core-Based Statistical Areas (CBSAs) as established by the Office of Management and Budget.

J. "Funding Commitments*" shall mean to assure the completion of any improvement required by this Development Order or any combination of the following: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County* for construction to be completed when the improvement is required as referenced in Table 5 of this Development Order; 2) actual construction; 3) the placement of the improvements in the first year of the Capital Improvements Element of the appropriate County or the current plus two years (or current plus first four years for FIHS

facilities) of the Adopted Five-Year Work Program of the Florida Department of Transportation; or 4) a commitment for construction and completion of the required roadway improvements, pursuant to a Developer Agreement which, if approved by the parties, shall be incorporated in this Development Order through an amendment of the Development Order, pursuant to the notice of proposed change provisions of Chapter 380 of the Florida Statutes. Said Agreement shall include a construction timetable which will set forth the completion of the required improvements consistent with the time frames specified in Table 5.

K "Post-Development Wetlands*" shall mean any lands determined to be within jurisdictional limits defined by Chapter 62-340, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Protection (FDEP), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development for this Project*.

L. "Project*" shall mean the land uses, phasing, and improvements described in the ADA* which are attributable to development on that property described in Section 7 herein and set forth on Revised Map H, December, 2012 and attached hereto.

M. "Transportation Impact Area*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the proposed phase or subphase shown on a proposed Preliminary Site Plan in combination with prior approvals of the Project* will be five percent (5%) (or whatever greater percentage may be employed from time to time by DEO, TBRPC, or the County*, provided the more restrictive percentage shall be used) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on Figure 21-2 dated July 2012 (which was attached as Attachment #4 to Ordinance 12-34) which was based on data submitted with the ADA*.

N. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.

SECTION 4. APPROVALS AND DEVELOPMENT COMPONENTS

A.

TABLE 1
UNIVERSITY LAKES DEVELOPMENT COMPONENTS

Column A Map H Land Use (Section 380.0651 F.S. Designation)	Column B Number Acres *****	Column C Square Feet	Column D Dwelling Units
Residential	1,444.2	n/a	**3,941**
General Commercial*			
Retail	56.6	677,506	n/a
Hospital	32.0	150 beds	n/a
Total General Commercial	**88.6**	**677,506/ 150 beds**	**n/a**
Neighborhood Commercial**	**39.7**	**141,298**	**n/a**
General Commercial***			
Retail	21.0	0	n/a
Hotel and Motel	7.0	250,000/ 620 rooms	n/a
Total General Commercial	**28.0**	**250,000 / 620 rooms**	**n/a**
Business			
Office	59.3	1,021,969	n/a
Industrial	55.0	18,603	n/a
Total Business	**114.3**	**1,040,572**	**n/a**
Right of Way	393.5		
Recreation	348.4		
Wetlands/Mitigation	674.3		
Lakes****	688.2		
Open Space	282.0		
TOTAL	**4,101.2**	**2,109,376 150 hospital beds / 620 hotel rooms**	**3,941**

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.

**** Additional lakes will be constructed within the Project* as required by the stormwater management system.

***** Acreages subject to verification and adjustment based upon future survey activities, consistent with the graphic depictions on revised Map H.

TABLE 2
UNIVERSITY LAKES PHASING SCHEDULE

Map H. Land Use Designation ('380.0651, F.S., Designation)	Phase I 1992-2011♦	Phase II 2000-2019♦	Phase III 2002-2019♦	Phase IV 2006 – 2027♦	Total
Residential Dwelling Units					
Single Family	970	361	450	402	2,183
Single Family Attached	88	0	0	0	88
Multi-Family	449	412	301	508	1,671
Total Residential	**1,507**	**773**	**751**	**910**	**3,941**
General Commercial* s.f. (Regional)					
Retail	275,557	114,543	287,406	0	677,506
Hospital	0	150 beds	0	0	150 beds
Total General Commercial	**275,557**	**114,543**	**287,406**	**0**	**677,506** **150 BEDS**
Neighborhood Commercial s.f.** (Community)					
Retail	52,764	0	0	88,534	141,298
Total Neighborhood Commercial	**52,764**	**0**	**0**	**88,534**	**141,298**
Business s.f.					
Office	323,318	381,700	191,677	125,274	1,021,969
Industrial	0	0	18,603	0	18,603
Total Business	**323,318**	**381,700**	**210,280**	**125,274**	**1,040,572**
General Commercial* s.f.** (Highway)					
Retail	0	0	0	0	0
Hotel and Motel	250,000/ 215 rooms	0	0	~~0~~ 405 rooms	250,000/ 620 rooms
Total General Commercial	**250,000**	**0**	**0**	**0**	**250,000**
Recreational Facilities****	Tennis & Boat Club+, Park, Golf Course & Park				

* Acreage and square footage are referred to as Regional Commercial in the ADA*.

** Acreage and square footage are referred to as Community Commercial in the ADA*.

*** Acreage and square footage are referred to as Highway Commercial in the ADA*.

**** Phasing of recreational facilities may be accelerated in accordance with the provisions of Sections 4.B., C. and E.

+ The Boat Club shall be located on the 160 ± acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such as sailboards, canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation, and such craft may be used on the manmade lake.
♦Buildout date is August 5th of each year indicated.

The amounts of residential, retail, hotel and motel, office, and industrial uses shown in Table 1 above within the Project* can be exchanged, with Board of County Commissioners approval of a revised General Development Plan, to allow flexibility in the exact land use mix shown in Columns B, C, and D of Table 1, above, and within each individual Phase shown in Table 2.The following uses designated in Table 1, shall not be reduced by the Developer* below the amounts set forth in Table 1, except as described elsewhere herein in specific provisions pertaining to those uses: lakes, recreation, wetlands/mitigation, open space.

B. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the proposed land use mix will not exceed the impacts for transportation, potable water, wastewater treatment, solid waste disposal, mass transit, drainage, and parks and recreation which are authorized in this Development Order and in any Certificate of Level of Service Compliance (CLOS) issued for that Phase. Additionally, the Developer* shall demonstrate that the proposed land use mix will not generate additional demand for affordable housing beyond the amount for which the supply of affordable housing has been demonstrated to be available and is described in Section P.(1) of this Development Order. If the impacts of a specific land use exchange exceeds the impacts authorized and approved for that phase in the Development Order, then the land use exchange shall be denied.

As to the CLOS, the Developer* must apply for a modification to the CLOS and if the proposed land use exchange results in impacts in excess of those previously approved, the Developer* may be granted approval for that excess only if and when capacity is available and in conformance with other provisions of this Section 4. However, reapplication shall not cause the Developer* to lose capacity already approved in the Certificate of Level of Service for that Project*. If the request for a land use exchange is approved, a modified CLOS shall be issued to replace the previously approved CLOS. Any modification to the CLOS shall not extend the time for which such capacity is reserved pursuant to the CLOS.

An application for a land use exchange must include a revised General Development Site Plan which will include a revised Table 2 showing the reallocation of square footage or units. Each proposal for a land use exchange and revised General Development Plan shall be reviewed for compliance with the provisions of this Development Order, the Manatee County Land Development Code, and the Manatee County Comprehensive Plan.

With the submittal of any application to amend this Development Order, the Revised Master Development Plan and Phasing Schedule shall be amended to reflect any Land Use Exchange(s) that have been approved since the issuance of the Development Order or last amendment to the Development Order. Such change considered by itself shall not

constitute a substantial deviation. Changes to the Phasing Schedule under this paragraph do not include extensions to the buildout date.

The land use exchange request shall contain information sufficient to enable the County* to determine that the impacts of the revised land use mix do not exceed the impacts of the land use mix being replaced. The quantifiable impacts will be measured based upon the relevant factors then currently used by the County* (e.g., ITE trip generation rates, EDU tables, solid waste generation factors, etc.) The Developer* shall verify the appropriate factors with County* staff prior to the submittal of any such land use exchange request.

The traffic impacts of the revised land use mix shall be deemed by the County* not to exceed the approved traffic impacts of the land use mix being replaced so long as the change does not increase the peak hour total traffic and the relative proportions of trips produced by attractors and the trips produced by generators remains substantially the same for the phase or subphase. In the event that the attractor or generator proportions are not substantially the same, as determined by the County*, additional information may be required to assess intersection performance, trip distribution, or particular roadway segments designated by the County*.

Attached hereto as Attachment #5 (updated February 2003) is a table of conversion factors for equating only traffic impacts of land use exchanges. The incorporation of this land use exchange mechanism shall not operate to permit the Developer* to develop any land use which will generate peak hour trips in excess of the total number of peak hour trips for which it has obtained specific Development Order approval.

Any amendments to the land use mix or proposed phasing schedule (Tables 1 and 2 respectively), other than those described herein, shall be submitted to the County* for review and approval, pursuant to Subsection 380.06(19), F.S., which approval shall not be withheld for mere acceleration of phases if otherwise there is compliance with the terms of this Development Order. Any departure in Project* buildout from the phasing schedule set forth in the Application shall be subject to review to determine if such departure constitutes a Substantial Deviation pursuant to Subsection 380.06(19), F.S.

Any specific land use exchange must result in a land use mix which is consistent with the requirements of the Manatee County Comprehensive Plan.

C. The list of required transportation improvements described in Table 5 are triggered by the construction of Phases I, II, III, and IV of University Lakes.

D. To foster intergovernmental coordination in the administration of University Lakes, the Developer* will furnish to the Sarasota County Planning Department, the SWFRPC, and the City of Bradenton for review and comment, copies of all Biennial Reports (together with any documents required to accompany said Biennial Reports), any applications or submissions by the Developer* under this Section 4, and any revisions to University Lakes resulting from determinations by the County* under this Section 4.

E. No provision of this Development Order shall serve to approve uses which were not previously reviewed and approved for University Lakes or which are inconsistent with the Manatee County Comprehensive Plan, including the WO-E Overlay District.

SECTION 5. DEVELOPMENT CONDITIONS

Transportation

A.(1) The revised and updated transportation analysis for Phases I, II, III, and IV for University Lakes determined the need for the roadway intersection improvement described in Table 5 below

Note: Tables 3 and 4 were deleted with Ordinance 12-34 revisions.

Table 5
Improvements

	Location	PM Peak Hour LOS Prior to Improvement LOS	Applicable Peak Hour LOS Standard	Development Traffic as A % of LOS Peak Hour Capacity	Required Improvement to Restore LOS	Total PM Peak Hour External Trips Before Need*
1	I-75 SB off-ramp at Fruitville Rd.	E	D	7.6	Extend ramp lane 200 feet	3681

This column represents the cumulative number of peak hour external trips for the Project before the need of the identified improvement for the respective phase Land Uses as depicted in Table 2 University Lakes which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

Note: Design details of improvements shall be determined in construction plan permitting phase.

A.(2) The improvements listed in Table 5 include critical link and intersection improvements for the development of Phase I II, III, and IV of University Lakes.

In the event that Funding Commitments* for transportation improvements are only adequate to permit approval of a portion (subphase) of the Development, the capacity and loading of transportation facilities in the Transportation Impact Area*, shall be limiting factors in any subsequent approvals. A subphase analysis has been performed, and cumulative subphases for the Project* have been identified in Table 5 together with subphase time frames that were used in the subphase study. An initial subphase of 3,681 external p.m. peak hour trips for the Project* has been identified as requiring no additional transportation improvements. The Developer* shall, at the time of each application for Final Site Plan approval, furnish to the County* an accurate, up to date report of the amount of development, defined in terms of external p.m. peak hour trips, which has previously been permitted in the Project*. The Developer* shall not be entitled to a Final Site Plan approval which would result in the cumulative number of external p.m. peak hour trips for the Project* to exceed the applicable subphase threshold unless Funding Commitments* have been obtained for the improvement required for such subphase.

In the event that the total external p.m. peak hour trips projected to be generated by the Project* has exceeded the levels described in Table 5 for the appropriate uncommitted

improvement, no further Final Site Plan approvals shall be granted unless the Developer* using the notice of change procedure has prepared an analysis which identifies the revised dates by which said improvement would be required under the new subphase analysis. The Development Order shall be amended to reflect these revised trip levels and dates.

The Developer* shall be bound by the subphase external trip thresholds and schedules set forth in Table 5, unless the Developer* files an amendment to this Ordinance and provides the County* an updated subphase traffic analysis for the Transportation Impact Area* that will result from the completion of construction of all of the previously permitted development in the Project* plus that to be generated by the next subphase for which the Developer* is seeking approval, and such proposed change is approved. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (referenced in Table 5) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways and intersections referenced in Table 5 at the appropriate Level of Service. In the event that the new analysis demonstrates the need for alternate improvements or different subphase thresholds, the Development Order may be amended to reflect the revised subphases or improvements. With each Preliminary Site Plan application, the Developer* shall submit to the County* a limited traffic study which shows the following:

1. External P.M. peak hour trips for the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvements in Table 5 will be required; and,

2. An assessment of the estimated traffic operations and turning movements together with the conceptual design of the driveways, serving the project covered by the Preliminary Site Plan application.

   Any revised transportation analysis for the Project* shall utilize the adopted Manatee County Level of Service, or that of any agency with jurisdiction, whichever Level of Service is higher, for determining deficiencies on all roads in Manatee County. If deficiencies exist on said roadways, then Funding Commitments* to correct such deficiencies shall be required in accordance with this Paragraph A.(2).

A.(3) The Developer* shall provide bicycle lanes as part of the roadway design for the collector facilities within the Project*. Inclusion of bicycle lanes as part of the roadway design does not mean the lanes themselves must be part of the roadway. That is, the lanes must be included in design but may be constructed separately or in separation from the roadway itself.

A.(4) The Developer* shall provide adequate sidewalks along all streets and roadways throughout the Project* as required by the Manatee County Land Development Code.

A.(5) As the Project* lies within the future Manatee County transit service area, the Developer* will work with the County* to coordinate the provision of transit service to the area in conjunction with development of University Lakes.

A.(6) Within three years of the effective date of Ordinance 00-45 or at the request of the County, an annual monitoring program consisting of peak hour traffic counts at the Project* entrances shall be instituted to verify that the projected number of external trips for the Project* are not exceeded. Counts will continue on a biennial basis through Project*

buildout, and the information shall be supplied in the required Biennial Report. If a Biennial Report is not submitted within thirty (30) days of its due date, or if the Biennial Report indicates that the total external trips exceed projected counts for the Project* by 15 percent or more, Manatee County shall conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), Florida Statutes. This change will be presumed to be a Substantial Deviation. The results of the Substantial Deviation determination may also serve as a basis for the Developer* or reviewing agencies to request Development Order amendments.

A. (7) The Developer shall seek to further the Transportation Systems Management ("TSM") objectives and Policies set forth in the Florida Transportation Plan by

promoting ride sharing by public and private sector employees with the goal of

increasing urban area peak hour automobile occupancy rates through expanded ride sharing efforts and by promoting the use of

Transit and other high occupancy vehicles with the goal of increasing peak hour occupancy rates.

A summary of TSM implementation measures and results shall be included as a part of each Biennial Report.

A.(8) The Developer* shall submit a Preliminary Site Plan for Phase I, or any subphase thereof, within twenty-four (24) months of the effective date of this Development Order. **(Completed).**

A.(9) The schedules of listed improvements may be adjusted at the Developer's* request with submission of adequate data to support any such adjustments, and the Development Order amended as needed in the event that the appropriate agencies determine that:

(a) The Project* is determined by the County* and TBRPC to be in a regional activity center or otherwise designated for alternative levels of service or alternative percentage thresholds in accordance with applicable rules and regulations; or

(b) The appropriate level of service standard for the particular roadway link or intersection is adjusted by the agency(ies) having jurisdiction over such link or intersection. In no event shall any level of service be adjusted if the result of said adjustment is to permit a lower level of service than established by that agency or agencies having jurisdiction at the time of the request for adjustment.

A. (10) Access to and from the site will be in accordance with state and local access regulations unless limited by the General Development Plan or any conditions placed thereon, whichever is most restrictive.

Wetlands

B.(1) The portions of the University Lakes site that meet the definition of Conservation or Preservation Areas as set forth in policies 10.1.2 and 10.3.1 of the Council's adopted (SRPP*) have been designated on Revised Map H.

(a) All wetlands and uplands on-site defined by Council policies as Preservation

Areas as shown on Revised Map H, shall be preserved. No dredging, filling, or development activities shall be allowed within Preservation Areas.

(b) All wetlands and uplands on-site defined by Council policies as Conservation Areas shall be protected from development as shown on Revised Map H.

B.(2) Except for wetland restoration or enhancement and naturally occurring fluctuations, no hydroperiod alteration shall be permitted in Preservation Areas as depicted on Revised Map H. Natural annual hydroperiods, normal pool elevations, and seasonal high water elevations shall be substantially maintained or improved. Hydroperiod monitoring shall be required semi-annually in selected preserved wetlands and initiated prior to on-site construction activity and continued for three years for herbaceous wetlands or five years for forested wetlands following buildout of the subbasin surrounding each wetland monitored. If the hydroperiod monitoring results demonstrate that Project* activities are inappropriately altering the hydroperiod in Preservation Areas, such activities shall cease until remedial measures are implemented.

B.(3) Any impacted wetlands, not required to be preserved in accordance with Condition B.(1) above and which are depicted as Conservation Areas on Revised Map H, shall be mitigated in accordance with the Manatee County Comprehensive Plan and Land Development Code and the SRPP* Policies.

B.(4) In addition to meeting the requirements of the Manatee County Land Development Code, the Developer* shall submit a wetland management and mitigation plan for the area to be developed to the County* for approval, and to TBRPC, and SWFWMD for review prior to any wetland alteration. This plan shall address, but not be limited to, identification of wetlands on-site, wetlands to be preserved, proposed wetland alterations, a detailed mitigation plan, control of on and off-site water quality, and methods for hydroperiod maintenance with a detailed narrative and construction plans for mitigated or significantly enhanced (as determined by the County*) wetlands. **(Completed).**

The Developer* shall include the following details, at a minimum, in the wetland management and mitigation plan prepared for submittal to the County*:

(a) Identification of existing dry and wet season site conditions;

(b) Narrative descriptions and evaluations of all wetlands to be disturbed by wetland type;

(c) Photographs and 24"x36" plans depicting conditions of the existing wetland creation site and proposed wetland creation plans. (This data shall demonstrate that the appropriate hydrologic requirements shall be provided);

(d) Narrative descriptions of any proposed wetland restoration activities and related issues;

(e) Estimated costs of wetland mitigation/restoration schemes including maintenance and monitoring for appropriate time periods; and

(f) Mitigation plans shall also include:

(1) Area and location of plantings;

(2) Species to be planted and spacing;

(3) Elevations for plantings;

(4) Source of plants or mulch;

(5) Source of wetland soil and depth proposed; and

(6) Monitoring and maintenance plans.

B.(5) If allowable wetland losses require type-for-type (herbaceous or forested) wetland replacement in accordance with stipulation B.(3), mitigation for wetland losses shall be implemented prior to, or concurrent with, the wetlands being disturbed. Created wetlands and littoral shelves shall require monitoring and maintenance activities. Percent survival of plant species in the created wetland or littoral shelf shall meet or exceed Manatee County Comprehensive Plan and Land Development Code success criteria and the SRPP* Policies. Yearly replanting and maintenance of the mitigation areas shall be required, if necessary, to ensure compliance with the conditions of the Development Order.

B.(6) The Developer* shall provide buffering around all Post-Development Wetlands* to provide an upland transition into the wetland areas and to protect natural systems from development impact. All such buffers shall be in compliance with the Manatee County Land Development Code.

Vegetation and Wildlife

C.(1) A cumulative assessment of the impacts of University Lakes and Lakewood Ranch Corporate Park on listed plant and animal species has been performed. The Developer* has provided open space for wildlife in the form of preserved wetlands and the wildlife corridor along Cooper Creek as depicted on Revised Map H. In addition, Developer* shall retain large pines (>4" dbh) where possible in golf course rough for kestrel habitat and include and maintain open grassy areas in golf course rough for burrowing owl habitat. The specific locations of retained pines and open grassy areas shall be shown on the final development plan containing the golf course and shall be submitted to Manatee County for review and approval and to the Florida Fish & Wildlife Conservation Commission (FFWCC) for comment. However, as the Developer* is planning a large wildlife management area on Lakewood Ranch Corporate Park, the Developer* has prepared a wildlife management plan, as revised June 16, 1992, for the 395 acre Open Use Conservation District within Lakewood Ranch Corporate Park which provides additional protection of any listed species found on University Lakes and Lakewood Ranch Corporate Park. The plan includes information on site maintenance, fire frequency, wetland management, and boundary protection.

In the event that Lakewood Ranch Corporate Park is not approved by Sarasota County with the 395 acre Open Use Conservation District within one (1) year of the effective date of this Development Order or if such Open Use Conservation District is reduced in size by more than ten (10) acres, then within one (1) year of either such date or action the Developer* shall prepare a wildlife management plan to address the impacts of the Project* on any listed species found on University Lakes, except for the gopher tortoise. The FFWCC found that a regionally significant population of gopher tortoise does not exist on University

Lakes. However, any taking must comply with FFWCC rules and the Developer* must obtain a gopher tortoise incidental take permit from the FFWCC. If a management plan is prepared, pursuant to this paragraph, the plan shall be submitted to the and the Department of Community Affairs for review and to the County* for review and approval. **(Completed).**

C.(2) The Developer* shall provide small wildlife crossings (18" culverts) under roadways at the two locations where the north/south collector roadways intersect with Cooper Creek. **(Completed).**

C.(3) In accordance with applicable law, the Developer* shall coordinate with the Florida Department of Agriculture and Consumer Services and the County* for proper relocation of any listed species found on-site in addition to the requirements of C.(1) above.

C.(4) Representative tracts of all major natural upland vegetative communities (Live Oak, Pine-Mesic Oak, Pine Flatwoods, Temperate Hardwoods), as depicted on Revised Map H, shall be set aside in their natural state to serve as conservation areas.

C.(5) The removal of naturally-occurring vegetation shall be limited in accordance with the Manatee County Comprehensive Plan. This limitation shall not include the removal of diseased trees or vegetation, or exotic species, or other species approved by the County* consistent with the provisions of the Manatee County Comprehensive Plan.

C.(6) Areas designated as Preservation Areas on Revised Map H shall be protected in perpetuity by conservation easement or other legal instrument approved by County*.

Land

D.(1) The Developer* shall initiate the following procedures to ensure erosion control during development of the Project*:

(a) Sod, seed, or plant embankment areas of stormwater detention or retention ponds;

(b) Sod, seed, mulch, or landscape cleared or disturbed areas as soon as possible after clearing and grading;

(c) Limit clearing and site work, construction, and clearing to areas needed for immediate development;

(d) Develop asphalt roads as soon as possible;

(e) Initiate landscaping before development work is completed on a site;

(f) Construct sediment basins at the start of each drainage system phase;

(g) Utilize straw filter barriers or filter fabric at discharge points including, but not limited to, temporary discharge points;

(h) Install temporary sediment basins and perimeter dike systems as a first step in the grading process and inspect and clean out the temporary sediment basins on a regular basis; and

(i) Preserve the existing natural vegetation along Foley Creek and Cooper Creek, as depicted on Revised Map H.

Air Quality

E.(1) The Developer* shall, subject to applicable water quality standards, institute the following procedures to ensure dust control during development of the Project*:

(a) Implement a watering program during excavation and dredge and fill operations;

(b) Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;

(c) Treat disturbed areas after clearing, grading, earth moving, or excavation is completed by watering, revegetation, spreading soil binders, or compacting fill material until areas are paved or developed;

(d) Keep soil stockpiles moist, or treat with soil binders or cover;

(e) Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;

(f) Remove dust producing materials as soon as possible;

(g) Maintain 15 mph or less vehicle and equipment speeds on temporary roads;

(h) Sod, seed, mulch, or landscape cleared or disturbed areas, including embankment areas, of stormwater detention or retention ponds as soon as possible after clearing and grading;

(i) Limit site work and construction to areas needed for immediate development;

(j) Develop asphalt roads as soon as possible;

(k) Initiate landscaping before development work is completed on-site; and

(l) Utilize water spray trucks to control dust generation in heavy construction areas.

E. (2) Further Section 380.06(6), Florida Statutes, review will be required for air quality impacts, of Phase IV. This Development Order* must be amended prior to granting specific approval to Phase IV to address any air quality impacts and to specify any necessary mitigation prior to the commencement of said Phases. This review shall be a cumulative assessment of the Project*.**(Completed).**

Water Quality and Drainage

F.(1) Prior to any site alteration associated with the Project*, the Master Drainage Plan for the Project* shall be submitted to DEP, SWFWMD, and EMD for review and to the County* for approval. (**The requirements of Condition F.(1) have been completed)**

The stormwater management system shall be designed, constructed, and maintained to meet or exceed the applicable requirements of Chapter 62-25, 40D-4, and 62-40, F.A.C. The stormwater management system shall be designed to comply with the provisions relating to the Evers Reservoir Watershed Protection Overlay District by providing treatment, at a minimum, of 150% of the criteria found in Chapter 62-25 and 40D-4, F.A.C. Nothing in this Section F.(1) shall be construed as a waiver by the Developer* of any vested rights, if any, pertaining to approved (as depicted in an approved Preliminary Site Plan for that Phase or subphase) or constructed stormwater facilities. With the exception of any such vested rights, if any, the Project* shall also comply with any special local watershed protection provisions adopted after the approval of this Development Order. An acceptable method for meeting such standards for the treatment of stormwater runoff for the majority of the site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2 of the ADA.

F.(2) Best Management Practices* (BMP) for reducing water quality impacts, as recommended by the County* and SWFWMD in accordance with adopted regulations of these agencies, shall be implemented and may include a street cleaning program for parking and roadway areas within the Project*.

F. (3) The Developer* shall be the entity responsible for maintaining the stormwater management system. The Developers* maintenance and inspection schedule for ensuring proper water quality treatment shall be submitted to the County* for approval, prior to site alteration activities associated with the Project*.

F. (4) Stormwater discharge shall not cause the receiving water body to violate the limits defined in the Class appropriate to that water body. Where background conditions in the water body in question do not meet the applicable standards due to natural causes outside the control of the Developer*, site specific, alternative criteria may be established in conjunction with the County*.

F. (5) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a surface water quality and quantity monitoring program approved by the County* **(Completed)**. This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include provisions for the characterization of pre-construction baseline water quality and quantity conditions of surface water entering and leaving the site. The surface water monitoring program shall also provide the monitoring of surface water quality during periods of construction. In addition, the surface water monitoring program shall include an ongoing plan for monitoring of post-construction surface water quality. The surface water quality monitoring program required pursuant to this condition shall include an identification of the locations, frequency, and duration of sampling, parameters to be monitored, collection and analytical methods, and reporting requirements. All water quality sample collections and laboratory analyses shall be made in accordance with USEPA/FDEP approved methodology. The laboratory performing the analyses shall be certified by the FDHRS and shall have an approved comprehensive quality assurance plan on file with the FDEP. Any violation of federal, state, or local water quality standards shall require corrective measures as required by that authority.

F. (6) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a groundwater monitoring program approved by the County* and EMD. This program shall also be submitted to the City of Bradenton for review and comment prior to

approval. The plan shall include appropriate provisions for the characterization of the pre-development baseline water quality and water level conditions of the site's groundwater. The groundwater monitoring program required pursuant to this condition shall include an identification of well locations, sampling frequency, and sampling duration, as well as parameters to be monitored and applicable collection and analytical methods. **(Completed)**

Upon completion of the pre-development groundwater program, a report of results will be submitted to the County* for review and approval. In addition to the official laboratory results, the report shall include recommendations regarding monitoring during construction and post-construction. Any proposed construction and post-construction monitoring plans developed pursuant to this condition shall be submitted to the County* for review and approval. **(Completed).**

F.(7) In the event that an overall watershed monitoring and reporting program is implemented and satisfies the intent of conditions F.(5) and F.(6), these programs may be discontinued upon the recommendation and approval of such by the County*. The City of Bradenton shall be notified prior to the approval of the discontinuance of this program.

F.(8) To the extent required by applicable law, any shoreline banks created along on-site stormwater detention lakes shall include littoral zones constructed on slopes no steeper than a 4:1 horizontal to vertical ratio and shall be planted in, or allowed to be colonized by, diverse native emergent and submergent vegetation. The Developer* shall ensure, by supplemental replanting, if necessary, at least eighty-five percent (85%) coverage by native aquatic vegetation is established within the littoral zone (to include at a minimum the area between ordinary high water and ordinary low water) in accordance with applicable regulations.

F.(9) The Developer* shall conduct biennial inspections of the environmental swale systems on the Project* site to ensure the swales are being properly maintained in keeping with their design and are capable of accomplishing the level of stormwater storage/treatment for which they were designed and intended. Verification of such inspection shall be supplied in each Biennial Report.

F.(10) Prior to any site alteration, the Developer* shall develop and submit for approval by the County* an Integrated Pesticide/Herbicide Management Plan (IPMP) and a Hazardous Materials Management Plan (HMMP). **(Completed)**

Historical and Archaeological Sites

G.(1) The discovery of any historical or archaeological resources during development activities of the University Lakes Project* shall be immediately reported to the Florida Division of Historical Resources (FDHR). If the significance of an archaeological or historical site, discovered during development, is unknown and the site is to be impacted by Project* activities, additional testing shall be required at the site to determine significance. Disposition of such resources shall be determined in cooperation with the FDHR, TBRPC, and Manatee County. Treatment of the resources shall be completed before resource-disturbing activities are allowed to continue.

Water

H.(1) The Developer* shall participate, as required by Manatee County ordinances and consistent with any Developer Agreements, in any necessary expansion of potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

H.(2) The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with the SWFWMD rules and regulations. Any existing on-site wells not intended for potable or non-potable uses shall be plugged and abandoned in accordance with Rule 40D-3.041(1), Florida Administrative Code.

H.(3) The Developer* shall require the installation of high efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices, if mandated by the Florida Water Conservation Act (Section 553.14, Florida Statutes). This will include the use of toilets requiring no more than 1.6 gallons per flush in all areas, and installation of self-closing or metered water faucets shall be required in all public and commercial restroom facilities.

H.(4) The Developer* shall maintain all water lines and fire hydrants not dedicated to the County*.

H.(5) The Developer* shall, to the extent non-potable water is available, use only non-potable water to meet non-potable water demands. For purposes of this Approval, "non-potable" water is defined as water emanating from any source other than a public water utility. The Developer* shall submit an acceptable plan to the County* and the TBRPC for the use of non-potable water on-site. The plan shall be completed prior to Final Site Plan approval for any phase or subphase and shall include an implementation timetable, as well as a determination of the availability and feasibility of using reclaimed wastewater or stormwater retention ponds for irrigation purposes, to the extent permitted by law. **(The last two sentences have been completed)**

H.(6) Adequate fire flow and water pressure shall be maintained within the Project's* water supply system.

H.(7) The Developer* shall conform to and further the applicable rules and adopted guidelines of the SWFWMD in regard to protection of the groundwater resources in the Eastern Tampa Bay Water Use Caution Area (WUCA) to the extent then in effect.

H.(8) The Developer* shall use the lowest quality water supply which meets the needs of the intended use, provided that such sources are economically feasible, practically available, and legally permissible.

A plan which investigates the use and feasibility of these alternatives shall be prepared by the Developer* and submitted with the first Biennial Report to TBRPC, SWFWMD, the County* for review and further action if warranted. **(Completed)**

H.(9) For the purpose of potable and/or reclaimed water conservation, utilization of xeriscape principles are required in landscaped areas. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall only be irrigated to the minimum extent required to ensure healthy vegetation.

Wastewater

I.(1) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements, in any necessary expansion of wastewater service to and consistent with any Developer Agreements for each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project*.

I.(2) No additional permanent septic system shall be permitted within the Project*.

I.(3) Sewer lift stations shall be designed and equipped in accordance with County* regulations.

I.(4) The Developer* shall submit to the County*, prior to each Final Site Plan approval, a monitoring plan to identify and correct any leaks or ruptures of the sewer lines which are maintained by the Developer*. This plan must be approved by the County* and should identify the entity responsible for the monitoring and a time schedule for conducting the inspections. Faulty lines shall be replaced as quickly as possible. A report of inspections, results, and repairs must be included in the Biennial Report.

I.(5) The disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (Ordinance 98-28).

I.(6) The Developer* shall implement a wastewater reuse system when feasible, as discussed in development condition H.(8) herein.

Solid Waste

J.(1) Within one year of the effective date of the Development Order, or prior to issuance of subsequent Development Approvals* for any non-residential land use within the Project*, whichever occurs later, the Developer* shall prepare a hazardous substances (including bio-hazardous wastes) and a hazardous waste management plan which shall be reviewed by DEP, TBRPC, approved by the County*, and then distributed by the Developer* to non-residential land users within the Project*.

At a minimum, the plan shall:

(a) Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;

(b) Provide a list of agencies which can be consulted regarding the types, sources, and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;

(c) Provide a list of agencies which can describe generally appropriate disposal methods;

(d) Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances and disposal of hazardous wastes;

(e) Provide a list of agencies which can describe construction requirements for hazardous waste holding areas;

(f) Describe a program to inform owners and tenants of the information contained in the Plan;

(g) Provide a list of agencies which can describe typical spill cleanup methods; and

(h) Be updated and distributed to each non-residential land user annually.

(Said Plan has been approved)

J.(2) All Project* tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use shall be included in each Biennial Report.

J.(3) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements in any necessary expansion of solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

J.(4) Surface impoundments of hazardous materials and hazardous wastes, land treatment of hazardous materials and hazardous wastes and landfills for hazardous materials and hazardous wastes are prohibited.

J.(5) Individual Tenants shall be required to transport and dispose of hazardous waste in a manner consistent with applicable regulations through restrictive covenants. Individual Tenants shall be encouraged to develop permittable temporary on-site hazardous waste treatment and storage capabilities prior to transport and shall remove hazardous and toxic wastes from the site as soon as is practical. Such transportation of toxic and hazardous materials shall be performed by a company that is accredited by all appropriate agencies in the transportation and handling of such materials.

J.(6) All aboveground and underground pollutant storage tanks systems will be installed, monitored, and managed according to applicable Federal, State, and Local regulations.

Recreation and Open Space

K.(1) The Project* shall contain, at a minimum, 1,992.9 acres of open space. This acreage consists of 348.4 acres of recreational areas including golf courses, a 16.1 tennis/boat club, a 9.7 acre swim/tennis center and a 22.6 acre park. The open space also includes 674.3 acres of wetlands, 688.2 acres of lakes and 282.0 acres of common space consisting of wetland buffers, upland habitat, greenbelt and perimeter buffering.

Notwithstanding the above, if the County* should decide the 22.6 acres of park is not needed, then the Developer* shall be able to use the applicable parcel for residential development or as a school site, provided the number of dwelling units is not increased.

K.(2) All recreation and open space areas not deeded to the County* or other state agencies shall be maintained as common open space through deed restrictions or owned by a property

owners' association for the Project* or neighborhood within the Project*, as may be appropriate in accordance with the Land Development Code.

K.(3) Except as described in K.(1) above, all recreation, park, and wetland sites, as shown on Revised Map H of the ADA*, shall not be utilized for other uses inconsistent with their designation on said map. Any proposal to change these uses shall be subject to a Substantial Deviation Determination if required by Subsection 380.06, Florida Statutes.

K.(4) The Project's* public parks and public recreational facilities shall be accessible to the elderly, the handicapped, and economically disadvantaged and may be subject to a reasonable agreement between the County* and the Developer* limiting the use as a park facility and times of operation.

Education

L.(1) The Development shall dedicate an elementary school site either adjacent to, or having direct access on, a constructed County-maintained right-of-way and meeting all State and Manatee County new school site requirements upon request by the School Board. The school site shall be deemed to be a part of the Phase I approvals for the Project* and shall be shown on an amendment to the General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. The dedicated school site shall be a minimum of 18 acres, depending upon the characteristics of the site selected and said site shall be selected from property shown as residential, commercial, or business on Revised Map H, and shall be reflected on a revised General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. If the Developer* and the County School Board agree, the dedicated school site may be located off-site on property owned by the Applicant*. If adjacent property is provided as a public park or for emergency services, this acreage may be reduced to a total of fifteen acres. (Completed)

L.(2) If the County School Board should decide the school is not required, or the selected location is inappropriate, the Developer* shall be permitted to exchange sites, to the School Board's satisfaction, and shall be permitted to use the originally selected parcel for residential development, provided the number of dwelling units approved for the Project* is not increased. Any such exchanges in school sites shall require an amendment to the General Development Plan. If additional recreational opportunities are required, the County* may require dedication of up to five acres of the designated school site parcel for active recreation. (No longer applicable. See Condition L (1))

Health Care, Police, and Fire

M.(1) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of emergency service facilities for emergency medical services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to December 31, 1997. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. **(Completed).**

M.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of fire protection service facilities for fire protection services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro- rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Final Site Plan or Final Plat for Vertical Development* for Phase I or any subphase thereof. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. **(Completed)**

M.(3) The Project* shall be designed and constructed to meet or exceed specifications of the applicable Fire Code.

M.(4) The height of buildings allowed in the Project* shall not exceed that appropriate for the available water pressure and fire flows, or exceed the reach of available fire fighting equipment at the time of any Preliminary Site Plan approval for any phase or subphase.

M.(5) Prior to approval of each Final Site Plan, the Developer* shall provide assurance for each increment of development that the site will be supplied to the extent required by applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number and appropriate locations to accommodate fire fighting operations. Additionally, the Developer* shall provide calculations by a Florida registered engineer to the County* indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Braden River Fire Department that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Certificate of Occupancy for the Project* by the County*.

M.(6) The Manatee County Sheriff's Office shall provide typical police protection to each phase or subphase of the Project*. The Developer* shall participate, in accordance with applicable County* ordinances or Developer Agreements, in any expansion of such services necessary to serve the Project* or any phase or subphase thereof.

Economics

N.(1) Excess infrastructure capacity constructed by the Developer* shall be at the Developer's* risk and shall not vest latter development rights not addressed in this approval.

N.(2) The Project* shall promote entrepreneurship and small and minority owned business start-up, and encourage nondiscriminatory employment opportunities, pursuant to Policies 21.2, SCP and 21.5.3, FCRPP, respectively.

N.(3) The development and promotion of a day care system should be encouraged on site and any such day care system shall be in compliance with the Manatee County Land Development Code and any other applicable regulations.

Energy

O.(1) Issuance of Development Approvals* for each phase or subphase shall be dependent upon the ability of electrical or gas utilities to meet the energy requirements of the development.

O.(2) All Project* tenants, businesses, residents, etc. shall be notified in writing by the Developer* prior to occupancy that the following energy related practices are encouraged:

(a) Use energy alternatives, such as solar energy, resource recovery, waste heat recovery, and cogeneration, where economically feasible;

(b) Obtain energy audits provided by energy companies or other qualified agencies;

(c) Install water heater timers and set water heaters at 130 degrees Fahrenheit or lower;

(d) Use landscaping and building orientation to reduce heat gain, where feasible, for all Project* construction;

(e) Promote energy conservation by employees, buyers, suppliers, and the public, as appropriate;

(f) Reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours, as appropriate;

(g) Institute and utilize recycling programs;

(h) Utilize energy efficient packaging or recyclable materials;

(i) Install total energy systems on large facilities when cost effective; and

(j) Elimination of advertising requiring lighting after business hours where feasible.

O.(3) Incorporation of the energy conservation measures referenced on pages 265 and 266 of the ADA* shall be required. A progress report on the energy conservation measures shall be included as a part of each Biennial Report.

Affordable Housing

P. (1) A cumulative assessment of the affordable housing needs of Phases I, II, III of the University Lakes DRI and Phase I of Lakewood Ranch Corporate Park has been performed. This assessment utilized the 2000 US Census as its source for rental vacancy data. This assessment was accepted by all reviewing agencies and determined no potential unmet need for affordable housing and a potential surplus of 390 affordable units. This analysis utilized the East Central Florida Regional Planning Council's (ECFRPC) "Housing Demand, Supply and Need Methodology for Assessing the Affordable Housing Impact of Developments of Regional Impact", April 1996.

P. (2) The Developer shall provide, within 10 miles of the project boundary, a number of residential units equal to 10% of the total number of residential units constructed in University Lakes, Phase IV, that qualify as workforce housing at a price as determined pursuant to the parameters as set forth in the definition contained within the Manatee County Land Development Code or at a rental rate as set forth in Stipulation P(4) below. The developer intends, but is not required, to locate the units within the Lakewood Centre DRI. Failure to construct such units shall result in the Developer making a fee-in-lieu payment in accordance with Condition P.(7). The workforce housing required herein is generally

designed to provide housing for essential workers such as local government employees, quasi-governmental employees, and private sector employees.

P. (3) Maximum home sale prices shall correspond to values as provided in the Manatee County Maximum Income Limits Table. These limits are updated periodically by Manatee County and shall be utilized accordingly. The maximum sale price in effect at the time a contract for purchase of a workforce housing unit is executed shall apply.

P. (4) Maximum rental rates shall correspond to values as provided for in the Fair Market Rent Documentation System. These rates are updated periodically by Manatee County and shall be utilized accordingly. The rental rate in effect at the time a lease is executed shall apply.

P (5) The Developer shall include in its biennial report data showing the number and sale prices of workforce sold or rented within the development during the reporting period. The biennial report shall also include the current Manatee County Maximum Income Limits Table and the current Fair Market Rent Documentation System. Only those units that have a sale price equal to or less than the maximum allowable home sales price or a rental rate equal to or less than the maximum allowable rental rate, as provided in P.(3) and P.(4), shall be counted toward the required mitigation.

P (6) Should the Developer be unable to provide the required number of workforce housing units, the Developer shall be required to pay a fee of $2,500 per workforce housing unit not provided. With each biennial report, the overall ratio of workforce housing units provided to the number of residential units constructed in University Lakes, Phase IV shall be determined. For each workforce housing unit under 10% the Developer shall make the payment of $2,500 into an escrow account for the benefit of the Manatee County Housing Trust Fund. In the event the Developer constructs any such workforce housing unit in the next reporting period, the applicable $2,500 payment shall be returned to Developer. In the event the developer fails to construct any such workforce housing unit by the next reporting period, the $2,500 payment for each workforce housing unit not provided shall be turned over to the Manatee County Housing Trust Fund. At build out any fees for workforce housing units not provided that remain in the escrow account shall be returned to the developer if the workforce housing units are then provided as required here.

General Conditions

Q.(1) Should the Project* significantly depart from the parameters set forth in this Development Order and the ADA*, the Project* will be subject to a Substantial Deviation Review, if required under the provisions of Section 380.06, Florida Statutes. Any change to the Project* which meets the criteria set forth in Subsection 380.06(19), Florida Statutes, shall require a hearing to determine if the change constitutes a Substantial Deviation.

Q.(2) The Developer's* commitments set forth in the ADA*, and, as summarized in Section 6 herein, shall be honored, except as they may be superseded by specific terms of the Development Order.

Q.(3) Should the Developer* divest itself of all interest in the Project* prior to the expiration of the Development Order, the Developer* shall designate the successor entity to be responsible for preparation of the Biennial Report, subject to approval by the County*.

Q.(4) All Development Approvals* shall be obtained prior to August 5, 2027. This Development Order shall expire 5 years after the buildout date to allow for post-development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

Q.(5) If required by the Land Development Code provisions in effect at the time of submittal, a Preliminary Site Plan for each phase shall be required.

Q.(6) The Developer* shall make appropriate efforts to coordinate with, and inform the appropriate public authorities of, the feasibility of the proposed school site for hurricane shelter, building closings, security and safety precautions, and evacuation plans.

Q.(7) Except for any existing use or for construction offices and similar temporary uses, or any use on the school site or park site, or other use by a public agency, any proposal to utilize mobile homes on the site shall require a Substantial Deviation Determination, pursuant to the procedures in 380.06(19)(a), Florida Statutes.

Q.(8) The Developer*, its successors, assigns or transferees, shall submit Biennial DRI Reports in accordance with Section 380.06(18), Florida Statutes to the County*, TBRPC, the State Land Planning Agency, and other agencies, as may be appropriate, on February 22nd of every other year until such time as all terms and conditions of this Development Order are satisfied. Six (6) copies of this report shall be submitted to the Director of the Manatee County Planning Department or the Director's designee, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the Planning Director decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification, or change of any conditions, or any terms or conditions of this Development Order. The Biennial Report shall contain the following:

(a) Any changes in the plan of development, or in the representations contained in the ADA*, or in the phasing or land uses for the reporting year and for the next year;

(b) A summary comparison of development activity proposed and actually conducted for the year;

(c) Undeveloped tracts of land, other than individual single-family lots, that have been sold to a separate entity or Developer*;

(d) Identification and intended use of lands purchased, leased, or optioned by the Developer* adjacent to the original DRI site since the Development Order was issued;

(e) An assessment of the Developer's* and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the Application for Development Approval* and which have been identified by the County*, TBRPC, or DEO, as being significant;

(f) Any known incremental DRI Applications for Development Approval* or requests for a Substantial Deviation Determination that were filed in the reporting year and to be filed during the next year;

(g) An indication of a change, if any, in local government jurisdiction for any portion of the Project* since the Development Order was issued;

(h) A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

(i) A copy of any recorded notice of the adoption of a Development Order for the subsequent modification of an adopted Development Order that was recorded by the Developer* pursuant to Subsection 380.06(15)(f), Florida Statutes;

(j) A statement that all persons have been sent copies of the Biennial Report in conformance with Subsection 380.06(15) and (18), Florida Statutes;

(k) Reports or information pursuant to pertinent conditions herein requiring copies of information to be provided in the Biennial Report.

Q.(9) The substantial deviation criteria set forth herein are not applicable to land use exchanges which are authorized pursuant to Sections 4.B. and 4.C. of this Development Order. Additions to the amount of development in a particular land use category resulting from the use of the exchange mechanism are permitted only in conjunction with the simultaneous reduction from another specifically approved use and do not authorize additional development beyond that which has received specific Development Order Approval.

Q.(10) Unless otherwise expressly stated in this Ordinance , the Project* shall comply with all future amendments to the Land Development Code and the Comprehensive Plan.

Q.(11) Wherever in this Development Order the Developer* is required to file a Notice of Proposed Change, the Developer* shall send a copy of said NOPC to Sarasota County and SWFRPC.

Q.(12) In the event of a Development Order appeal or other legal challenge of this Development Order by the Department of Community Affairs, the Developer* shall pay all reasonable costs and fees of County* staff and attorneys relating to said appeal or legal challenge at the rate for processing this Development Order under the current Planning fee schedule. Payment of all billings by the Developer* related to such fees and costs shall be paid within forty-five (45) days of submittal of an invoice.

Section 6. DEVELOPER* COMMITMENTS

The following are Developer* commitments set forth in the ADA* which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order or applicable law.

A. GENERAL PROJECT* DESCRIPTION

A.(1) The three designated community commercial areas will be developed in compliance with the adopted Comprehensive Plan in terms of permitted uses, maximum square footage, floor area ratio, and location on the road network. (SR, 17 & 18)

A.(2) All requirements of the Evers Reservoir Watershed Overlay District will be met within this Project*. (ADA*, 16)

A.(3) Neighborhood oriented retail areas will be located within the community commercial parcels which lie within the RES-1 Future Land Use Classification. (SR, 13)

A.(4) The Project* will construct, or cause to be constructed, two major thoroughfares, University Parkway and the extension of Upper Manatee River Road. (SR, 93)

B. WETLANDS

B.(1) The existing wetlands and proposed mitigation areas will have 50-foot wetland buffers around DEP wetlands and 30-foot buffers around wetlands within the jurisdiction of ACOE and SWFWMD, as shown on Revised Map H. (ADA*, 16)

B.(2) A total of approximately 674.3 Acres of native wetland habitats on-site will be preserved. (ADA*, 65)

B.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (ADA*, 21)

C. WATER

C.(1) The pesticides, herbicides, and fertilizers used on grassed areas of the University Lakes site will be applied in strict accordance with the manufacturer's application guidelines to avoid negative impacts on surface water quality. (SR, 175)

C.(2) Erosion controls will be of primary importance in preventing fertilizer runoff. Soil tests will be conducted to avoid application of unnecessary types, rates, and amounts of fertilizers. Applications will be made when adequate soil moisture exists and likelihood of major storm event is minimal. (SR, 32)

C.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (SR, 33)

D. SOILS

D.(1) All of the methods described on pages 140 and 143 of the ADA* will be utilized to overcome the soil limitations on-site. (ADA*, 140 & 143)

D.(2) The wind and soil erosion abatement methods listed in the ADA* will be followed. (ADA*, 143)

E. FLOODPLAINS

E.(1) Any loss of 100-year floodplain storage volume will be compensated by the excavation and creation of equal storage volume within the 100-year floodplain. (ADA*, 147)

F. WATER SUPPLY

F.(1) The internal potable water supply system will be constructed to Manatee County standards and dedicated to Manatee County where the potable system exists in proposed public rights-of-way. (ADA*, 155)

F.(2) Non-potable water conservation will be accomplished through the use of xeriscaping and preservation of existing native vegetation communities in accordance with applicable provisions in the Manatee County Land Development Code. (ADA*, 157)

G. STORMWATER MANAGEMENT

G.(1) All off-site runoff is to be routed through or around the property. There are five areas where off-site flow will be accepted into the stormwater management system, totaling 50.2 acres along the southern boundary and 12.6 acres along the northern boundary. (ADA*, 167)

G.(2) The stormwater management system will accept all existing off-site flows from Sarasota County. (SR, 190)

G.(3) The primary method for treatment of stormwater runoff for virtually the entire site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2. (ADA*, 172)

G.(4) The wet detention system will incorporate vegetated littoral zones which will equal approximately 15 to 20 percent of the surface area of the stormwater detention ponds. Sediment sumps will be provided at all inflow locations. (ADA*, 174)

G.(5) The hydroperiods of all on-site wetlands will be maintained except as depicted on Revised Map H. (ADA*, 176)

G.(6) Water levels in the detention ponds will be designed to be compatible with wetland seasonal high water tables and existing upland water tables. (ADA*, 183)

G.(7) Litter and debris which is captured within the stormwater treatment ponds will be periodically removed during routine clean-up of the Project's* open space areas and pond system. (SR, 104)

H. SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE

H.(1) The Applicant will investigate the possibility of mulching trees and brush that will be removed as land clearing operations commence, for the purpose of retaining mulch to meet the on-site needs. (SR, 109)

I. TRANSPORTATION RESOURCES

I.(1) The Project* will construct or cause to be constructed University Parkway and the extension of Upper Manatee River Road. (ADA*, 23)

I.(2) The segment of University Parkway through the site will be dedicated to Manatee County and will include 200 feet of right-of-way. (SR, 72)

I.(3) The Applicant is proposing dedication of all necessary right-of-way with regard to roadways located in the Project* as shown on Revised Map H. (SR, 132)

J. AIR

J.(1) The Project* will utilize current state-of-the-art methodologies for prevention of fugitive dust particulates during construction. (ADA*, 21)

J.(2) Clearing and grubbing operations will be performed only on individual parcels of land where construction is scheduled to proceed. Measures to be employed to minimize fugitive dust will include sodding, seeding, mulching, or landscape planting in cleared or disturbed areas. (ADA*, 226)

K. POLICE AND FIRE PROTECTION

K.(1) The Applicant/Developer* will provide a pro-rata share for any equipment or personnel needs that may be created by this Project* for police and fire protection and emergency medical services in accordance with applicable regulations. (ADA*, 25)

K.(2) The Developer* will provide a pro-rata share of the cost of building and equipping the facilities needed to provide emergency medical services to the Project*. (ADA*, 259)

L. RECREATION AND OPEN SPACE

L.(1) All proposed bike and pedestrian paths will be confined to appropriate areas outside of preservation areas in accordance with applicable laws and regulations. (SR, 83)

L. (2) The Project* will feature pedestrian ways and bikeways throughout the development, connecting the housing area to the recreational areas and the commercial areas. (ADA*, 9; SR, 207)

L.(3) University Lakes will have major active recreational land uses comprising over 18 percent of the total Project* acreage. The project will contain a tennis and swim club and boat clubhouse which will be located on the 160.4 acre lake. It will also contain a park, golf course, clubhouses, and driving ranges. (ADA*, 9)

L.(4) The recreational lakes, tennis and boat club, and golf course may be maintained and operated by a private owner and may require private membership or use permits. Open space and environmentally sensitive land will be protected by covenants or conservation easements to protect the natural qualities and will be conveyed to the appropriate homeowners' or master homeowners' association for maintenance. (ADA*, 252-253)

M. EDUCATION

M.(1) The Project* will provide a financial contribution or donation of land to the educational system for the purpose of building schools to service the residential component of the Project*, facilitating educational opportunities within close proximity for the school age children of the Project*. (ADA*, 24)

N. ENERGY

N.(1) The Project* will utilize both electric power and natural gas as sources of energy. Energy conservation techniques, including the use of landscaping, building orientation, and natural vegetation will be used to promote energy conservation. (ADA*, 27)

N.(2) If the need for an electric substation arises, a suitable location will be determined and provided to Florida Power and Light Company. (SR, 86)

N.(3) The traditional energy conservation methods will be used in the residential and non-residential building construction. Some of these methods are:

(a) increased insulation;

(b) high efficiency-type mechanical appliances;

(c) cross ventilation;

(d) window orientation;

(e) solar heating and cooling systems; and

(f) low pressure sodium lamps for exterior lighting. (ADA*, 265-266)

N.(4) The Developer* will implement, where feasible, the energy conservation measures described in the ADA*. (ADA*, p.263)

O. AIR

O.(1) The Developer* will implement the steps described in the ADA* to minimize fugitive dust emissions from wind erosion of disturbed soil surfaces, movement of construction equipment, and burning of cleared vegetative material. (ADA*, 226)

O.(2) The level of service of all roadways in the Transportation Impact Area* will be maintained at LOS D or better, thereby maintaining air quality. (ADA*, 228)

P. WATER SUPPLY

P.(1) The Developer* will consider the use of surface water from detention ponds as a supplement to groundwater resources. (ADA*, 154)

P.(2) Non-potable water conservation measures will include xeriscaping and preservation of native vegetative communities. If permitted, the Developer* would also consider the use of treated effluent from the County's* regional wastewater treatment facilities. (ADA*, 157)

Q. WATER QUALITY AND DRAINAGE

Q.(1) The primary method of treatment will be wet detention with effluent filtration utilizing a double underdrain system. The required level of treatment will be exceeded further by the use of biological filtration utilizing vegetated shallow shelves within the stormwater detention ponds. The on-site 160 acre lake will also be incorporated into the stormwater management system providing an opportunity to utilize extended residence time as an additional mitigative measure. (ADA*, 128)

Q.(2) Existing on-site wetlands will form an integral part of the stormwater management system, providing a mechanism for hydroperiod maintenance, storage, and improved surface water quality. (ADA*, 168)

Q.(3) All major drainageways and lake outfalls will be designed based upon a 25-year/24-hour storm event as provided in the ADA*. All interior and minor drainage systems are to be designed to a 10 year critical duration storm event. While runoff volume will increase with total development, the post-development 25-year/24-hour peak discharge rate will be maintained at or below to pre-development 25-year/24-hour peak discharge rate throughout the construction phases. (ADA*, 171)

Q.(4) The stormwater treatment system will meet FDEP Stormwater System Design Standards for discharge into Outstanding Florida Waters, as provided by Chapter 403, Florida Statutes, and Chapters 62-302, 62-4, and 62-25, F.A.C. (ADA*, 172)

Q.(5) Wetland hydroperiods will be maintained through the introduction of pre-treated stormwater ponds upstream of those wetlands. (ADA*, 176)

SECTION 7. LEGAL DESCRIPTION

Development of University Lakes shall be restricted to the 4,101.2 acres owned by the Developer* and described by the legal description included as Attachment # 4 attached to, and made a part of, this Development Order.

SECTION 8. DEADLINE FOR COMMENCEMENT OF CONSTRUCTION

Physical development of the Project* has commenced within three years of the effective date of this Ordinance unless the time period for commencement is extended by the Board of County Commissioners (Development has commenced). If more than three years shall elapse between approval of this order and commencement of actual development, or if construction of a phase is not begun or completed by the time frame contained in Section 4. above, or if any five year period shall expire without significant development activity on the site, the Board of County Commissioners may conduct a public hearing in accordance with the Land Development Code and may, at its option, rescind any and all approvals granted herein, including the Certificate of Level of Service. Any delay in construction commencement shall not be deemed to extend any time frame for completion of construction, commencement of subsequent phases, or the termination date of this Development Order. For the purpose of this provision, "significant development" shall be the actual construction of site improvements or buildings as part of an ongoing effort to prepare improved land or buildings for sale, lease, or use.

SECTION 9. RESTRICTIONS ON DOWN-ZONING

Prior to August 5, 2027, the County* may not down-zone or reduce the intensity or unit density permitted by this Order, unless the County* can demonstrate that:

(a) substantial changes in the conditions underlying the approval of the Order have occurred; or

(b) the Order was based upon substantially inaccurate information provided by the Developer*; or

(c) the change is clearly established by the County* to be essential for the public health, safety, or welfare.

Any down-zoning or reduction of intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for changes in local land development regulations.

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order.

The inclusion of this Section is not to be construed as evidencing any present or foreseeable intent on the part of the County* to down-zone or alter the density or intensity of the Project*, but is included herein to comply with Section 380.06(15)(c)3, Florida Statutes.

SECTION 10. COMPLIANCE WITH CODES AND ORDINANCES

All development undertaken pursuant to this Development Order shall be in accordance with all applicable local codes and ordinances in effect at the time of permitting, except as specifically provided herein.

SECTION 11. BINDING ORDER UPON DEVELOPER*

This Development Order shall be binding upon the Developer*.

SECTION 12. RENDITION

The Building and Development Services Department is hereby directed to send certified copies of this Order within thirty (30) days of the date of signature by the Chairman of the Board of County Commissioners to the Developer*, the Florida Department of Economic Opportunity (DEO) , and TBRPC.

SECTION 13. NOTICE OF RECORDING

The Developer* shall record a notice of adoption of this Order as required pursuant to Chapter 380, Florida Statutes, and shall furnish the Planning Department a copy of the recorded notice.

SECTION 14. SEVERABILITY

It is the intent of this Development Order to comply with the requirements of all applicable law and constitutional requirements. If any provision or portion of this Development Order is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then such provision or portion shall be deemed null and void, and to this end the provisions of this Ordinance are declared severable but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 15. EFFECTIVE DATE

Ordinance 12-34 shall take effect upon being signed by the Chairman of the Board of County Commissioners, and filing of a certified copy of the Ordinance with the Department of State provided, however, that the filing of a notice of appeal pursuant to Section 380.07, Fla. Statutes shall suspend development authorization for the changes granted by the Development Order until resolution of said appeal.

SECTION 16 . AMENDMENT OF DEVELOPMENT ORDER FOR DRI NO. 22.

The previous Development Order for University Lakes which was adopted on October 16, 2007, and all subsequent amendments are hereby replaced in their entirety.

ADOPTED AND APPROVED with a quorum present and voting the 6th Day of December, 2012.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____
John R. Chappie, Chairman

BOARD OF COUNTY COMMISSIONERS SEAL MANATEE CO., FLA.

ATTEST: R. B. SHORE
Clerk of the Circuit Court

By: _____
Deputy Clerk

ATTACHMENTS

1. Impact Analysis
2. 380 Review Agreement
3. Revised Map H (as attached herein)
4. Legal Description (as attached herein)
5. Equivalency Matrix (As attached herein)

ATTACHMENTS #1 AND 2, ARE NOT ATTACHED BUT ARE ON FILE AT THE CLERK'S OFFICE AS ATTACHMENTS TO THE PREVIOUSLY APPROVED ORDINANCE-93-25

ATTACHMENT #4

UNIVERSITY LAKES DRI

UNIVERSITY LAKES DRI

LEGAL DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Section 36, Township 35 South, Range 18 East, and Sections 25, 26, 28, 29, 31, 32, 33, 34, 35 and 36, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Begin at the southwest corner of said Section 29; thence N.00°22'41"E. along the west line of said Section 29, a distance of 2,656.56 feet; thence S.89°30'30"E., a distance of 211.38 feet; thence N.26°03'03"E., a distance of 41.16 feet; thence S.61°21'58"E., a distance of 186.34 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.61°21'58"E., a radial distance of 295.00 feet; thence northeasterly along the arc of said curve, through a central angle of 15°08'34", an arc length of 77.97 feet to the end of said curve; thence S.46°13'24"E. radial to the last described curve, a distance of 141.12 feet; thence N.33°11'55"E., a distance of 59.75 feet; thence N.85°03'09"E., a distance of 131.05 feet; thence S.61°13'40"E., a distance of 51.46 feet; thence S.89°30'48"E., a distance of 469.77 feet; thence N.00°29'12"E., a distance of 48.63 feet; thence S.89°30'30"E., a distance of 120.00 feet to the northeast corner of the West 1/2 of the Southwest 1/4 of the aforementioned Section 29; thence S.00°29'12"W. along the east line of the West 1/2 of the Southwest 1/4 of said Section 29, a distance of 2,658.57 feet to the north line of Section 32; thence S.89°30'25"E. along said north line, a distance of 1,269.55 feet to a point on the east line of Lakewood Ranch Country Club Village, Subphase C, Unit 1-A, recorded in Plat Book 30, Page 189 of the Public Records of Manatee County; the following 3 calls are along said east line; thence S.00°29'35"W., a distance of 166.41 feet; thence S.58°34'00"E., a distance of 423.22 feet; thence S.01°20'47"W., a distance of 240.50 feet to a point on the north line of Parcel 4, Legacy Golf Course as recorded in Road Plat Book 10, Page 126 of the aforementioned Public Records; the following 2 calls are along said north line; thence S.36°55'37"E., a distance of 85.33 feet; thence S.60°40'54"E., a distance of 184.30 feet to the west line of Lakewood Ranch Country Club Village, Subphase D, Unit 1 a/k/a Spyglass, recorded in Plat Book 34, Page 113; thence N.23°47'43"E. along said west line, a distance of 277.38 feet to the north line of said Lakewood Ranch Country Club Village, Subphase D, Unit 1 a/k/a Spyglass; thence N.90°00'00"E. along said north line, also being the north line of Lakewood Ranch Country Club Village, Subphase D, Unit 2, recorded in Plat Book 31, Page 33 of the aforementioned Public Records, a distance of 2,269.90 feet to a point on the north line of Lakewood Ranch Country Club Village, Subphase D, Unit 3B & 4 a/k/a Gleneagles, recorded on Plat Book 34, Page 181 of the aforementioned Public Records; the following 7 calls are along said north line; thence N.07°30'16"E., a distance of 437.56 feet; thence N.72°30'29"E., a distance of 190.11 feet; thence S.17°29'31"E., a distance of 20.40 feet; thence N.72°30'29"E., a distance of 161.83 feet; thence S.26°06'53"E., a distance of 49.82 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.26°06'53"E., a radial distance of 58.00 feet; thence easterly along the arc of said curve, through a central angle of 24°50'29", an arc length of 25.15 feet to the end of said curve; thence N.72°30'29"E. non-tangent to the last described curve, a distance of 181.80 feet; thence N.76°17'54"E., a distance of 33.84 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.76°17'54"W., a radial distance of 550.00 feet; thence northerly along the arc of said curve, through a central angle of

59°36'16", an arc length of 572.16 feet to the point of reverse curvature of a curve to the right having a radius of 600.00 feet and a central angle of 73°58'28"; thence northwesterly along the arc of said curve, a distance of 774.66 feet to the point of tangency of said curve; thence N.00°40'06"E., a distance of 221.36 feet; thence S.89°31'24"E. parallel with the north line of the aforementioned Section 28 and 4077.34 feet southerly therefrom, a distance of 2,614.09 feet to the west line of the East 1/2 of said Section 28; thence S.00°45'47"W. along said west line, a distance of 1,236.76 feet to the South 1/4 corner of said Section 28; thence S.89°30'25"E. along the south line of said Section 28, a distance of 2,662.03 feet to the northwest corner of the aforementioned Section 34; thence N.89°57'56"E. along the north line of said Section 34, a distance of 120.02 feet; thence S.00°51'27"W., a distance of 1.87 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.89°08'34"E., a radial distance of 2,190.00 feet; thence southerly along the arc of said curve, through a central angle of 13°14'44", an arc length of 506.28 feet to the point of tangency of said curve; thence S.12°23'18"E., a distance of 982.01 feet to the point of curvature of a curve to the right having a radius of 3,060.00 feet and a central angle of 10°28'18"; thence southerly along the arc of said curve, an arc length of 559.26 feet to the point of tangency of said curve; thence S.01°55'00"E., a distance of 1076.32 feet to the southwest corner of premises described in Official Record Book 1532, Page 5848, of said public records; the following 2 calls are along the lines of said premises described in Official Record Book 1532, Page 5848; thence N.88°07'20"E., a distance of 1,147.54 feet; thence N.00°45'04"W., a distance of 877.03 feet; thence N.88°05'00"E., a distance of 155.33 feet to the point of curvature of a curve to the left having a radius of 2,723.82 feet and a central angle of 23°07'59"; thence easterly along the arc of said curve, an arc length of 1,099.74 feet to the point of reverse curvature of a curve to the right having a radius of 1,690.00 feet and a central angle of 21°24'41"; thence easterly along the arc of said curve, a distance of 631.55 feet to the point of tangency of said curve; thence N.86°21'42"E., a distance of 275.42 feet to the point of curvature of a curve to the left having a radius of 1,940.00 feet and a central angle of 38°34'52"; thence northeasterly along the arc of said curve, an arc length of 1,306.33 feet to the point of tangency of said curve; thence N.47°46'50"E., a distance of 466.55 feet to the point of curvature of a curve to the right having a radius of 2,610.00 feet and a central angle of 28°29'57"; thence northeasterly along the arc of said curve, an arc length of 1,298.23 feet to the point of tangency of said curve; thence N.76°16'47"E., a distance of 615.98 feet to the point of curvature of a curve of to the right having a radius of 2,920.00 feet and a central angle of 30°55'19"; thence easterly along the arc of said curve, an arc length of 1,575.89 feet to the point of tangency of said curve; thence S.72°47'54"E., a distance of 1,139.89 feet to the point of curvature of a curve to the left having a radius of 2,940.00 feet and a central angle of 31°21'44"; thence easterly along the arc of said curve, an arc length of 1,609.28 feet to the point of tangency of said curve; thence N.75°50'22"E., a distance of 1,640.22 feet to the point of curvature of a curve to the right having a radius of 5,060.00 feet and a central angle of 14°11'52"; thence easterly along the arc of said curve, an arc length of 1,253.85 feet to the point of tangency of said curve; thence S.89°57'46"E., a distance of 1,827.12 feet to the east line of said Section 25; thence S.00°30'59"W. along said east line, a distance of 62.61 feet to the northeast corner of said Section 36; thence S.00°35'33"W. along the east line of said Section 36, a distance of 5,904.94 feet to the southeast corner of said Section 36; thence N.89°58'32"W. along the south line of said Section 36, a distance of 5,320.24 feet to the southeast corner of aforementioned Section 35; thence continue N.89°58'32"W. along the south line of said Section 35, a distance of 5,320.24 feet to the southeast corner of aforementioned Section 34; thence N.89°58'32"W. along the southerly line of Section 34, a distance of 5320.24 feet to the southwest corner of said Section 34; thence N.89°58'32"W. along the southerly line of the aforementioned Section 33, a distance of 5,320.24 feet to the southwest corner of said Section 33; thence N.89°58'32"W. along the southerly line of the aforementioned Section 32, a distance of 5,320.24 feet to the southwest corner of said Section 32; thence N.89°58'32"W. along the southerly line of the aforementioned Section 31, a distance of 4,602.00 feet to the southwest corner of said Section 31, also being a point on the easterly Limited Access Right-of-way of State Road 93

(Interstate 75); the following 15 calls are along the easterly Limited Access Right-of-way of State Road 93 (Interstate 75); thence N.00°37'10"E. along the west line of said Section 31, a distance of 615.67 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.68°06'12"E., a radial distance of 216.00 feet; thence northeasterly along the arc of said curve, through a central angle of 66°23'34", an arc length of 250.29 feet to the point of tangency of said curve; thence N.88°17'22"E., a distance of 628.58 feet; thence S.89°25'46"E., a distance of 298.15 feet; thence continue S.89°25'46"E., a distance of 133.30 feet; thence N.00°34'14"E., a distance of 336.00 feet; thence N.89°25'46"W., a distance of 606.88 feet; thence N.85°36'55"W., a distance of 460.53 feet to the point of curvature of a curve to the right having a radius of 396.00 feet and a central angle of 27°45'53"; thence westerly along the arc of said curve, an arc length of 191.90 feet to the end of said curve; thence S.01°15'38"W., a distance of 68.34 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.27°44'12"E., a radial distance of 456.00 feet; thence northwesterly along the arc of said curve, through a central angle of 34°29'47", an arc length of 274.55 feet to the point of tangency of said curve; thence N.27°46'01"W., a distance of 566.48 feet to the point of curvature of a curve to the right having a radius of 4,489.66 feet and a central angle of 12°57'00"; thence northerly along the arc of said curve, an arc length of 1,014.75 feet to the point of tangency of said curve; thence N.14°49'01"W., a distance of 899.55 feet; thence N.13°40'16"W., a distance of 1,016.33 feet; thence S.88°43'35"E., a distance of 1,369.65 feet; thence S.89°40'28"E., a distance of 1,438.64 feet; thence N.01°15'38"E., a distance of 1,532.73 feet to the north line of the aforementioned Section 31; thence S.89°40'28"E., a distance of 3,164.99 feet to the POINT OF BEGINNING.

Said tract contains 4131.64 acres, more or less.

LESS AND EXCEPT
THE TRACT KNOWN AS PARCELS NO.1, NO. 4, NO. 5 AND A PORTION OF COVENANT WAY

DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Section 34, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the southwest corner of Said Section 34; thence S.89°58'32"E. along the south line of said Section 34, a distance of 678.97 feet to a point on the easterly line of premises described in Official Records Book 1532, Page 5845 of the Public Records of Manatee County, Florida; thence N.00°01'28"E. along said easterly line and the east line of Lorraine Road also described in said Official Records Book 1532, Page 5845, a distance of 1,020.28 feet to the southwest corner of premises described in Official Record Book 1555, Page 4954 of the Public Records of Manatee County, Florida; thence S.89°58'32"E., along the south line of said premises, a distance of 488.93 feet; thence N.00°01'28"E., along the east line of said premises and the northerly extension thereof, a distance of 891.04 feet to a point on the north line of Covenant Way (84-foot wide private roadway) as shown on Covenant Way, A Roadway Plat and recorded in Plat Book 37, Page 148 of the Public Records of Manatee County, Florida, also being a point on the southerly line of premises described in Official Record Book 1571, Page 4068 of said public records; the following 28 calls are along line of said premises described in Official Record Book 1571, Page 4068; thence N.88°05'00"E. a distance of 151.89 feet to the point of curvature of a curve to the right having a radius of 292.00 feet and a central angle of 33°21'59"; thence easterly along the arc of said curve, an arc length of 170.05 feet to the point of tangency of said curve; thence S.58°33'01"E., a distance of 208.77 feet to the point of curvature of a curve to the left having a radius of 211.00 feet and a central angle of 31°25'31"; thence easterly along the arc of said curve, an arc length of 115.73 feet to the point of tangency of said curve; thence S.89°58'32"E., a distance of 38.37 feet; thence

N.00°01'28"E., a distance of 391.85 feet; thence N.53°08'42"W., a distance of 108.39 feet; thence N.64°51'52"W., a distance of 72.10 feet; thence N.51°15'29"W., a distance of 71.24 feet; thence N.88°53'01"W., a distance of 64.72 feet; thence S.42°31'45"W., a distance of 48.99 feet; thence S.57°15'03"W., a distance of 43.67 feet; thence N.75°08'44"W., a distance of 93.01 feet; thence N.36°23'58"W., a distance of 51.93 feet; thence N.30°15'09"W., a distance of 120.41 feet; thence N.26°03'26"W., a distance of 83.03 feet; thence N.11°24'03"E., a distance of 191.05 feet; thence N.77°32'10"W., a distance of 49.33 feet; thence N.54°48'49"W., a distance of 53.50 feet; thence S.83°25'42"W., a distance of 39.97 feet; thence N.77°03'04"W., a distance of 27.57 feet; thence N.76°42'11"W., a distance of 51.49 feet; thence S.09°58'45"W., a distance of 46.64 feet; thence S.17°32'46"W., a distance of 26.17 feet; thence N.55°40'30"W., a distance of 120.52 feet; thence S.34°19'30"W., a distance of 52.27 feet; thence S00°00'00"W, a distance of 86.03 feet; thence S.88°05'00"W., a distance of 286.50 feet to the aforementioned east line of Lorraine Road; the following 3 calls are along said east line of Lorraine Road; thence S.01°55'00"E., a distance of 791.84 feet to the point of curvature of a curve to the right having a radius of 10,560.00 feet and a central angle of 01°56'28"; thence southerly along the arc of said curve, an arc length of 357.76 feet to the point of tangency of said curve; thence S.00°01'28"W., a distance of 382.49 feet to the POINT OF BEGINNING.

Said tract contains 24.95 acres, more or less.

THE TRACT KNOWN AS THE CRICKET CLUB:

DESCRIPTION:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST; THENCE S89°58'32"E, ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 3762.59 FT.; THENCE N00°01'28"E, PERPENDICULAR WITH SAID SOUTH LINE, A DISTANCE OF 801.79 FT. FOR A POINT OF BEGINNING; THENCE N00°00'00"E (NORTH), A DISTANCE OF 358.16 FT.; THENCE N85°08'24"E, 58.79 FT.; THENCE N54°54'36"E, 292.35 FT.; THENCE N90°00'00"E (EAST), 221.92 FT.; THENCE S00°00'00"E (SOUTH), 528.25 FT.; THENCE N85°00'17"W, A DISTANCE OF 48.76 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 2303.68 FT.; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°44'23", A DISTANCE OF 472.02 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 5.52 ACRES MORE OR LESS.

The above tract contains in total 4,101.17 acres, more or less.

LAND USE EQUIVALENCY
UNIVERSITY LAKES, PHASE III
ATTACHMENT 5
DECEMBER 2005

"A"	"B" EQUIVALENT USES									
LAND USES THAT ARE TO BE TRADED	**# OF SINGLE-FAMILY DWELLING UNITS**	**# OF SINGLE-FAMILY ATTACHED UNITS**	**# OF MULTI-FAMILY APARTMENTS**	**# OF SQ. FT. NEIGHBORHOOD COMMERCIAL**	**# OF SQ. FT. COMMUNITY COMMERCIAL**	**# OF SQ. FT. OFFICE**	**# OF SQ. FT. LIGHT INDUSTRIAL**	**# OF SQ. FT. MANUFACTURING**	**# OF SQ. FT. WAREHOUSING**	**# OF HOTEL ROOMS**
ONE SINGLE FAMILY DETACHED DWELLING UNIT	(1.00)	(1.85)	(1.50)	(255.00)	(270.00)	(310.00)	(835.00)	(880.00)	(860.00)	(1.41)
SINGLE FAMILY ATTACHED	(0.48)	(1.00)	(0.83)	(120.00)	(127.00)	(147.00)	(392.00)	(410.00)	(405.00)	(0.65)
MULTI FAMILY APARTMENT	(0.58)	(1.20)	(1.00)	(146.00)	(155.00)	(180.00)	(475.00)	(500.00)	(490.00)	(0.80)
1000 SQ. FT.OF COMMUNITY RETAIL	(1.96)	(3.60)	(3.00)	(945.00)	(1000.00)	(1165.00)	(3050.00)	(3225.00)	(3175.00)	(5.00)
1000 SQ. FT.OF NEIGHBORHOOD RETAIL	(2.00)	(3.85)	(3.20)	(1000.00)	(1060.00)	(1225.00)	(3250.00)	(3425.00)	(3375.00)	(5.50)
1000 SQ. FT. OF OFFICE	(0.38)	(0.70)	(0.58)	(185.00)	(195.00)	(1000.00)	(1780.00)	(1050.00)	(1825.00)	(0.98)
1000 SQ. FT. OF MANUFACTURING	(0.37)	(0.65)	(0.55)	(175.00)	(190.00)	(365.00)	(950.00)	(1000.00)	(995.00)	(0.95)
1000 SQ. FT. WAREHOUSING	(0.21)	(0.39)	(0.32)	(100.00)	(105.00)	(370.00)	(950.00)	(575.00)	(1000.00)	(0.54)
1000 SQ. FT. OF LIGHT INDUSTRIAL	(0.22)	(0.40)	(0.34)	(105.00)	(115.00)	(575.00)	(1000.00)	(600.00)	(1050.00)	(0.55)
ONE HOTEL ROOM	(0.40)	(0.70)	(0.61)	(185.00)	(195.00)	(225.00)	(635.00)	(620.00)	(620.00)	(1.00)

* The calculations must always start in Column "A" and end in Column "B". Start in Column "A" at appropriate row, proceed horizontally, then vertically to the equivalent use in Column "B". The equivalent Column "B" land use is noted in the ( ) at the intersection of the "traded land use" horizontal row, and the "equivalent uses" vertical column. For example, one Single Family Attached unit (Column "A", second row) can be traded into 127 sq. feet of Community Commercial. The intersection of the Single Family Attached unit row, and the Community Commercial column is 127 Sq. Feet.

LAND USE SCHEDULE

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	1,444.2		3,941
REGIONAL COMMERCIAL	88.6	677,506 150 Hospital beds	
COMMUNITY COMMERCIAL	39.7	141,298	
HIGHWAY COMMERCIAL	28.0	250,000 *	
BUSINESS	114.3	1,040,572	
RIGHT-OF-WAY	393.5		
RECREATION	348.4		
WETLANDS	674.3		
LAKES	688.2		
OPEN SPACE	282.0		
TOTAL	4,101.2	2,109,376 150 Hospital beds	3,941

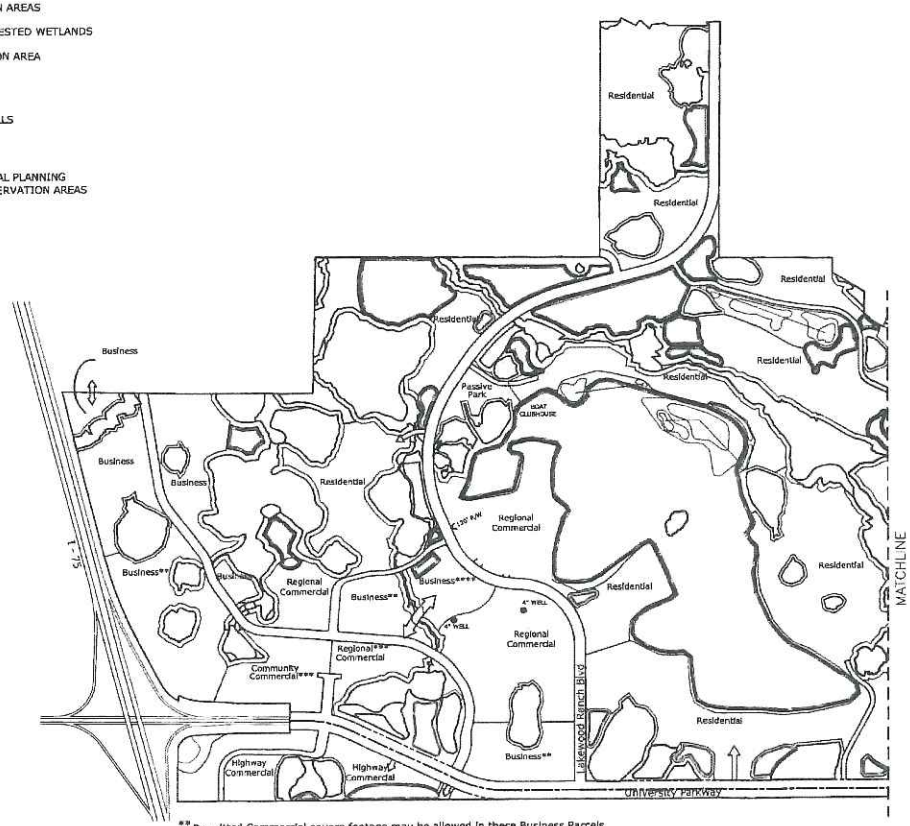
*Includes 620 hotel rooms

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- VEGETATED NON-FORESTED WETLANDS
- UPLAND PRESERVATION AREA
- LAKES
- EXISTING WATER WELLS
- CELL TOWER

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS

0' 300' 600' 1,200'



** Permitted Commercial square footage may be allowed in these Business Parcels.
*** Permitted Community, Highway and Regional Commercial square footage may be allowed in these Community Commercial Parcels.
**** Permitted Commercial square footage and Multifamily Residential may be allowed in this Business Parcel.

DRI#22/ORD-12-34
20120255(1)
University Lakes DRI
Development Order and Map H
Application

ACTIVITY	INITIALS/EMP. NO.	DATE
DESIGNED BY:	CVG/1995	07/21/05
DRAWN BY:		
CHECKED BY:		
CONTRACT ADMIN. BY:		
WM APPROVED BY:		

Wilson Miller
Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants
Wilson Miller, Inc.

CLIENT: SCHROEDER–MANATEE RANCH, INC
PROJECT: UNIVERSITY LAKES
DATE: JULY 2012
HORIZONTAL SCALE: 1"=600'
VERTICAL SCALE:
TITLE: MASTER DEVELOPMENT PLAN MAP H
PROJECT NUMBER: 215610613
SHEET NUMBER: 1 of 3

LAND USE SCHEDULE

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	1,444.2		3,941
REGIONAL COMMERCIAL	88.6	677,506 150 Hospital beds	
COMMUNITY COMMERCIAL	39.7	141,298	
HIGHWAY COMMERCIAL	28.0	250,000*	
BUSINESS	114.3	1,040,572	
RIGHT-OF-WAY	393.5		
RECREATION	348.4		
WETLANDS	674.3		
LAKES	688.2		
OPEN SPACE	282.0		
TOTAL	4,101.2	2,109,376 150 Hospital beds	3,941

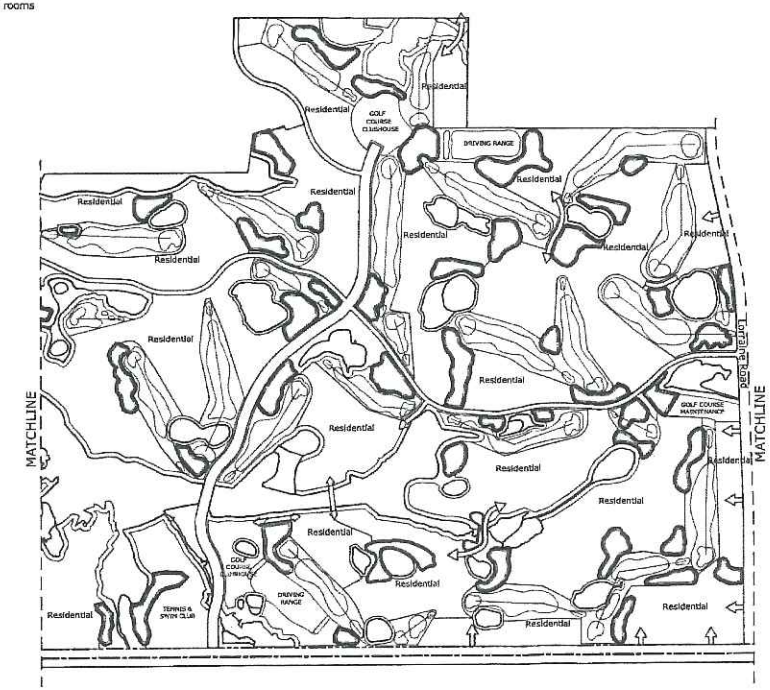
*Includes 620 hotel rooms

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- VEGETATED NON-FORESTED WETLANDS
- UPLAND PRESERVATION AREA
- LAKES
- EXISTING WATER WELLS

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS

0' 300' 600 1,200



Adopted June 1, 1992 (Ord. 92-32)
Amended October 28, 1993 (Ord. 93-25)
Amended January 25, 1996 (Ord. 95-44)
Amended October 28, 1997 (Ord. 97-61)
Amended December 16, 1997 (Ord. 97-81)
Amended February 22, 2000 (Ord. 00-45)
Amended December 18, 2001 (Ord. 00-60)
Amendment August 26, 2003 (Ord. 03-35)
Amendment October 19, 2004 (Ord. 04-59)
Amendment October 16, 2007 (Ord. 07-72)
Proposed Amendment Submitted July 2012

ACTIVITY	INITIAL/DIR. NO.	DATE	
DESIGNED BY:	CVD/1995	07/11/05	
DRAWN BY:			
CHECKED BY:			
CONTRACT ADMIN. BY:			
WM APPROVED BY:			

WilsonMiller
Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants
WilsonMiller, Inc.

CLIENT: SCHROEDER-MANATEE RANCH, INC
PROJECT: UNIVERSITY LAKES
DATE: JULY 2012
HORIZONTAL SCALE: 1"=600'
TITLE: MASTER DEVELOPMENT PLAN MAP H
PROJECT NUMBER: 215610613
SHEET NUMBER: 2 OF 3

LAND USE SCHEDULE

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	1,444.2		3,941
REGIONAL COMMERCIAL	88.6	677,506 150 Hospital beds	
COMMUNITY COMMERCIAL	39.7	141,298	
HIGHWAY COMMERCIAL	28.0	250,000*	
BUSINESS	114.3	1,040,572	
RIGHT-OF-WAY	393.5		
RECREATION	348.4		
WETLANDS	674.3		
LAKES	688.2		
OPEN SPACE	282.0		
TOTAL	4,101.2	2,109,376 150 Hospital beds	3,941

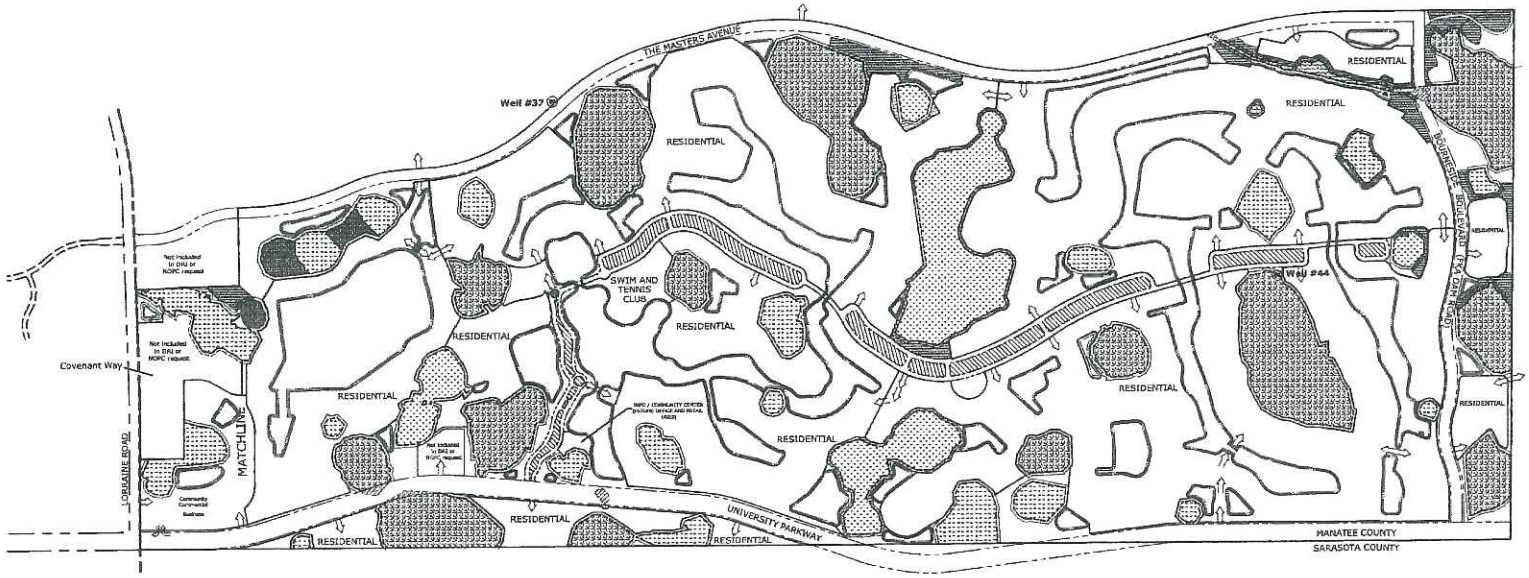
*Includes 620 hotel rooms

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- VEGETATED NON-FORESTED WETLANDS
- UPLAND PRESERVATION AREA
- PALMETTO PRAIRIE AREAS
- LINEAR PARK
- LAKES
- EXISTING WATER WELLS
- CELL TOWER TO BE RELOCATED OUTSIDE THE PROJECT BOUNDARY

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS

0' 300' 600' 1,200'



NOTE: ALL ROADS WILL BE TWO-WAY

ACTIVITY	INITIALS/BW. NO.	DATE
DESIGNED BY:	CVG/1995	07/21/03
DRAWN BY:		
CHECKED BY:		
CONTRACT ADMIN. BY:		
WM APPROVED BY:		

WilsonMiller
Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants
WilsonMiller, Inc.

CLIENT: SCHROEDER-MANATEE RANCH, INC
PROJECT: UNIVERSITY LAKES
DATE: JULY 2012
PRINCIPAL SCALE: 1"=600'
FIELD BOOK SCALE:
TITLE: MASTER DEVELOPMENT PLAN MAP H
PROJECT NUMBER: 215610613
SHEET NUMBER: 3 of 3

BOARD OF COUNTY COMMISSIONERS SEAL MANATEE CO. FLA.

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 14th day of December, 2010

R.B. SHORE
Clerk of Circuit Court

By: [signature] D.C.

#216

MANATEE COUNTY
FLORIDA

February 10, 2012

Todd Pokrywa
Schroeder Manatee Ranch, Inc.
14400 Covenant Way
Lakewood Ranch, Florida 34202

Re: Addendum to House Bill 7207 extension granted on 10/20/2011
University Lakes DRI # 22
Request pursuant to F.S. 252.363 F.S. - Tolling & Extension of Permits
Project Number: PDMU-92-01(Z)(G)(R12)/ORD-07-72(EXT) DTS #: 20110285

Dear Mr. Pokrywa:

In 2011 the Florida Legislature authorized the tolling of permits for the duration of a state of emergency declared by the Governor and for an additional six (6) month time period after termination of the emergency. On June 13, 2011, a State of Emergency (Executive Order 11-128) was declared for concerns with wildfires. The State of Emergency initially extended through August 12, 2011. On August 5, 2011, Executive Order Number 11-172 extended the State of Emergency for sixty days from August 5 to October 4, 2011. On October 4, 2011 Executive Order Number 11-202 extended the State of Emergency another thirty days to November 3. The State of Emergency terminated on November 3, 2011. Section 252.363, F.S., allows the developer of the development of regional impact 90 days after the termination of the emergency declaration to notify the local government of their intent to exercise the tolling and extension provided. This statute allows for the tolling and extension of development of regional impact buildout dates (and other defined permits and development orders) for emergency declarations covering the time period for the declaration and six months following the tolled period. For the wildfire emergency declarations the deadline for this notification is February 1, 2012. The length of the tolling and the six month extension is 10 months and 21 days (326 days total).

You have applied for extensions of your development approvals under FS 252.363 relative to the University Lakes Development of Regional Impact (DRI). Manatee County has determined that if you make a proper application and meet the other requirements of the law, then the deadlines are extended for the length of the tolling and the six month extension is 10 months and 21 days (326 days total) under FS 252.363. As you

have made an application and the development otherwise qualifies, your deadlines for the University Lakes DRI Ordinance 07-72 and its associated Zoning Ordinance/General Development Plan) PDMU-92-01(Z)(G)(R12) are eligible for the extension and have been extended as follows, with the dates set forth below reflecting the previous HB 7207 extension, and the additional F.S. 252.363 extension:

UNIVERSITY LAKES; DRI #22; ORDINANCE 07-72

TABLE 2 UNIVERSITY LAKES PHASING SCHEDULE

Map H. Land Use Designation (380.0651, F.S., Designation)	Phase I 1992-2011♦	Phase II 2000-~~2018~~ 2019♦	Phase III 2002-~~2018~~ 2019♦	Phase IV 2006 – ~~2026~~ 2027♦	Total
Residential Dwelling Units					
Single Family	970	361	450	434	2,215
Single Family Attached	88	0	0	0	88
Multi-Family	449	412	301	578	1,740
Total Residential	1,507	773	751	1,012	4,043
General Commercial* s.f. (Regional)					
Retail	275,557	114,543	181,478	0	571,578
Hospital	0	150 beds	0	0	150 beds
Total General Commercial	275,557	114,543	181,478	0	571,578
Neighborhood Commercial** s.f. (Community)					
Retail	52,764	0	0	128,337	181,101
Total Neighborhood Commercial	52,764	0	0	128,337	181,101
Business s.f.					
Office	323,318	608,608	191,677	125,274	1,248,877
Industrial	0	0	18,603	0	18,603
Total Business	323,318	608,608	210,280	125,274	1,267,480
General Commercial*** s.f. (Highway)					
Retail	0	0	0	0	0
Hotel and Motel	250,000/ 215 rooms	0	0	0 405 rooms	250,000/ 620 rooms
Total General Commercial	250,000	0	0	0	250,000
Recreational Facilities****	Tennis & Boat Club+, Park, Golf Course & Park				

* Acreage and square footage are referred to as Regional Commercial in the ADA*.

** Acreage and square footage are referred to as Community Commercial in the ADA*.

*** Acreage and square footage are referred to as Highway Commercial in the ADA*.

**** Phasing of recreational facilities may be accelerated in accordance with the provisions of Sections 4.B., C.and E.

\+ The Boat Club shall be located on the 160 +/- acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such as sailboards,

canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation, and such craft may be used on the manmade lake.

♦ Buildout date is ~~September 13th~~ August 5th of each year indicated.

Q.(4) All Development Approvals* shall be obtained prior to ~~September 13, 2026~~ August 5, 2027. This Development Order shall expire 5 years after the buildout date to allow for post- development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

SECTION 9. RESTRICTIONS ON DOWN-ZONING

Prior to ~~October 13, 2026~~ August 5, 2027, the County* may not down-zone or reduce the intensity or unit density permitted by this Order, unless the County* can demonstrate that:

(a) substantial changes in the conditions underlying the approval of the Order have occurred; or
(b) the Order was based upon substantially inaccurate information provided by the Developer*; or
(c) the change is clearly established by the County* to be essential for the public health, safety, or welfare.

Any down-zoning or reduction of intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for changes in local land development regulations.

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order.

The inclusion of this Section is not to be construed as evidencing any present or foreseeable intent on the part of the County* to down-zone or alter the density or intensity of the Project*, but is included herein to comply with Section 380.06(15)(c)3, Florida Statutes.

Please note that Table D in the accompanying Zoning Ordinance for University Lakes (PDMU-92-01(Z)(G)(R12) has been modified pursuant to a Land Use Exchange and the entitlements within Table 2 have not been formally updated through a Development Order amendment as of this date.

UNIVERSITY LAKES; ZONING ORDINANCE; PDMU-92-01(Z)(G)(R12)

TABLE D UNIVERSITY LAKES PHASING SCHEDULE

Map H. Land Use Designation ('380.0651, F.S., Designation)	Phase I 1992-2011♦	Phase II 2000-~~2018~~ 2019♦	Phase III 2002-~~2018~~ 2019♦	Phase IV 2006 – ~~2026~~ 2027♦	Total
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Single Family Attached	88	0	0	0	88
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General Commercial* s.f. (Regional)					
Retail	275,557	114,543	287,406	0	677,506
Hospital	0	150 beds	0	0	150 beds
Total General Commercial	275,557	114,543	287,406	0	677,506 150 beds
Neighborhood Commercial** s.f. (Community)					
Retail	52,764	0	0	88,534	141,298
Total Neighborhood Commercial	52,764	0	0	88,534	141,298
Business s.f.					
Office	323,318	381,700	191,677	125,274	1,021,969
Industrial	0	0	18,603	0	18,603
Total Business	323,318	381,700	210,280	125,274	1,040,572
General Commercial*** s.f. (Highway)					
Retail	0	0	0	0	0
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\+ The Boat Club shall be located on the 160 +/- acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such as sailboards, canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation, and such craft may be used on the manmade lake.

□ Buildout date is ~~September 13th~~ August 5th of each year indicated.

P.(4) All Development Approvals* shall be obtained prior to ~~September 13, 2022~~ August 5, 2027. This Development Order shall expire 5 years after the buildout date to allow for post-development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

Please accept this letter as confirmation of the extension. The phase date extensions reflected above for the University Lakes Development Order and Zoning Ordinance are also hereby confirmed for those corresponding dates shown on the associated Map H and the General Development Plan, respectively. At the next NOPC for your DRI, the development order and zoning ordinance will need to be updated to reflect these new

dates. By copy of this letter to the Tampa Bay Regional Planning Agency, I ask them to note these changed dates by placing a copy of this letter in their files. A copy of this letter will also be placed in all our DRI files to document the extensions and all future GDP, NOPC, or Substantial Deviation requests will recognize the extensions.

Please contact me should you have any questions regarding the above information.

Sincerely,

Lisa Barrett
Planning Manager

/sa

cc: John Meyer, Tampa Bay Regional Planning Agency (email)
Katie LaBarr AICP, Building and Development Services

#216

MANATEE COUNTY
FLORIDA

October 20, 2011

Todd Pokrywa
Schroeder Manatee Ranch, Inc.
14400 Covenant Way
Lakewood Ranch, Florida 34202

Re: **Revised Letter**
University Lakes DRI # 22 – Ordinance 07-72 and PDMU-92-01(Z)(G)(R12)
HB 7207 – 4 year extension of phase, buildout, and expiration dates
Project Number: PDMU-92-01(Z)(G)(R12)/ORD-07-72(EXT) DTS #: 20110285

Dear Mr. Pokrywa:

During the 2011 legislative session, the Florida Legislature approved a growth management bill (HB 7207) that included a four year extension, at the option of the developer, of all commencement, phase, buildout and expiration dates for projects that are currently valid Developments of Regional Impact (DRIs) regardless of any previous extensions. The legislation further states that the extension is not a substantial deviation, is not subject to further DRI review, and may not be considered when determining whether a subsequent extension is a substantial deviation. The legislation requires notification in writing to the local government prior to December 31, 2011 in order to receive the extensions.

You have applied for extensions of your development approvals under HB 7207 relative to the University Lakes Development of Regional Impact (DRI). Manatee County has determined that if you make a proper application and meet the other requirements of the law, then the deadlines are extended for four years under HB 7207. As you have made an application and the development otherwise qualifies, your deadlines for the University Lakes DRI Ordinance 07-72 and its associated Zoning Ordinance/General Development Plan PDMU-92-01(Z) (G) (R12) are eligible for the 4 year extension and have been extended as follows, with the dates set forth below reflecting the HB 7207extension.

UNIVERSITY LAKES; DRI #22; ORDINANCE 07-72

TABLE 2 UNIVERSITY LAKES PHASING SCHEDULE

Map H. Land Use Designation (380.0651, F.S., Designation)	Phase I 1992-2011♦	Phase II 2000-~~2014~~ 2018♦	Phase III 2002-~~2014~~ 2018♦	Phase IV 2006 – ~~2022~~ 2026♦	Total
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\+ The Boat Club shall be located on the 160 +/- acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such as sailboards, canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation, and such craft may be used on the manmade lake.

♦ Buildout date is September 13th of each year indicated.

Q.(4) All Development Approvals* shall be obtained prior to September 13, ~~2022~~ 2026. This Development Order shall expire 5 years after the buildout date to allow for post- development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

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For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order.

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Please note that Table D in the accompanying Zoning Ordinance for University Lakes (PDMU-92-01(Z)(G)(R12) has been modified pursuant to a Land Use Exchange and the entitlements within Table 2 have not been formally updated through a Development Order amendment as of this date.

UNIVERSITY LAKES; ZONING ORDINANCE; PDMU-92-01(Z)(G)(R12)

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P.(4) All Development Approvals* shall be obtained prior to September 13, ~~2022~~ 2026. This Development Order shall expire 5 years after the buildout date to allow for post-development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

Please accept this letter as confirmation of the extensions. At the next NOPC for your DRI, the development order and zoning ordinance will need to be updated to reflect these new dates. By copy of this letter to the Tampa Bay Regional Planning Agency, I ask them to note these changed dates by placing a copy of this letter in their files. A copy of this letter will also be placed in all our DRI files to document the extensions and all future GDP, NOPC, or Substantial Deviation requests will recognize the extensions.

Please contact me should you have any questions regarding the above information.

Sincerely,

Lisa Barrett

Lisa Barrett
Planning Manager

/sa
cc: John Meyer, Tampa Bay Regional Planning Agency

#216

Revocation of Development Review Agreement

Department of Community Affairs / Tampa Bay Regional Planning Council / Southwest Florida Regional Planning Council / Schroeder-Manatee, Inc. Agreement

The Development Review Agreement, attached as Exhibit A, entered into on the 6th day of September, 1991, by and between THE DEPARTMENT OF COMMUNITY AFFAIRS, hereinafter referred to as "DCA", THE TAMPA BAY REGIONAL PLANNING COUNCIL, hereinafter referred to as "TBRPC", THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL, hereinafter referred to as "SWFRPC", and "SCHROEDER-MANATEE, INC., (owner/developer), now SCHROEDER-MANATEE RANCH, INC., a Delaware corporation authorized to do business in the State of Florida, hereinafter referred to as "SMR" is hereby revoked, extinguished and terminated. The revocation of the subject Development Review Agreement is entered into this 9th day of July, 2008 and shall become immediately effective the date that the last party signs and acknowledges the Revocation of Development Review Agreement below.

Signed, Sealed and Delivered
in the Presence of:

Mike McDaniel
Bela Wright

THE DEPARTMENT OF COMMUNITY AFFAIRS

By: Thomas G. Pelham

Its Secretary

John Meyer
Roberta L. Jacoy

THE TAMPA BAY REGIONAL PLANNING COUNCIL

By: [signature]

Its Executive Director

Rebekah Heap
Meghan A. Marion

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

By: Daniel L. Trenoff

Its Project Service Manager / DRI Coordinator

Suzanne K. Dearts
Chad Nahan

SCHROEDER-MANATEE RANCH, INC.

By: Tom J. Pelham

Its VICE PRESIDENT OF PLANNING

EXHIBIT A
DEVELOPMENT REVIEW AGREEMENT

DEPARTMENT OF COMMUNITY AFFAIRS / TAMPA BAY REGIONAL PLANNING COUNCIL / SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL / SCHROEDER-MANATEE, INC. AGREEMENT

THIS AGREEMENT is entered into this the 6th day of Sept., 1991, by and between THE DEPARTMENT OF COMMUNITY AFFAIRS, hereinafter referred to as "DCA", THE TAMPA BAY REGIONAL PLANNING COUNCIL, hereinafter referred to as "TBRPC", THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL, hereinafter referred to as "SWFRPC", and SCHROEDER-MANATEE, INC., (owner/developer) a Delaware corporation authorized to do business in the State of Florida, hereinafter referred to as "SMI", subject to all other governmental approvals and solely at the risk of the owner and developer, SMI.

WHEREAS, the DCA is the state land planning agency having the power and duty to exercise general supervision of the administration and enforcement of Chapter 380, Florida Statutes, which includes provisions relating to Developments of Regional Impact ("DRI"); and

WHEREAS, the TBRPC is the regional planning agency having review authority over developments of regional impacts in Manatee County; and

WHEREAS, the SWFRPC is the regional planning agency having review authority over developments of regional impacts in Sarasota County; and

WHEREAS, pursuant to subsection 380.032(3), Florida Statutes, the parties hereto are authorized to enter into agreements as may be necessary to effectuate the provisions and purposes of Chapter 380; and

WHEREAS, SMI is the owner/developer of a large tract of land lying in both Manatee County and Sarasota County, Florida, which tract is generally depicted on Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, no other person or legal entity has any ownership interest in said land including, but not limited to, rights arising out of a contract for sale for any portion of said land; and

WHEREAS, Manatee County is a member county in the Tampa Bay Regional Planning Council while Sarasota County is a member county

C-DEC-1 - DEC

in the Southwest Florida Regional Planning Council; and

WHEREAS, SHI maintains that it is currently planning two (2) developments, one of which is located in Manatee County, adjacent to the Sarasota County line to be known as University Lakes, with the second in Sarasota County, adjacent to the Manatee County line to be known as University Place, both of which are generally depicted on Exhibit "A"; and

WHEREAS, each development alone constitutes a Development of Regional Impact subject to Florida Statutes Chapter 380 review; and

WHEREAS, the parties desire to enter into this Agreement to settle any disagreement and uncertainties in the review process as to the issues of aggregation of the two (2) developments or of combining the two (2) developments into one (1) for submittal purposes by agreeing on separate review for each development while assuring that with each development the information relative to certain identified impacts contained in each application for development approval will be reviewed and assessed on a cumulative basis with the impacts of the other development.

NOW, THEREFORE, in consideration of the foregoing and of the mutual promises contained herein, the parties agree as follows:

1. SHI asserts and warrants that all representations and statements concerning the subject development properties made to the DCA, TBRPC and SWFRPC, and contained in this Agreement are true, accurate, and complete. Based upon said representations and statements, the parties hereto conclude that this Agreement is in the best interest of the State, is beneficial to the Department in its role as the state agency with responsibility for the administration and enforcement of Chapter 380, Florida Statutes, and reasonably applies and effectuates the provisions and purposes of Chapter 380, Florida Statutes.

2. Provided the data submitted in each Applications for Development Approval (ADA) by SHI and the review process follows the agreement set forth herein, the DCA, TBRPC and SWFRPC agree that SHI may separately submit for review of the projects, each to undergo separate review under Chapter 380, Florida Statutes.

CSE:E:1-EE:1

3. The University Lakes ADA shall be submitted to the Tampa Bay Regional Planning Council for review and recommendation and to Manatee County for review and approval. Copies of the ADA shall be submitted to the DCA, SWFRPC, and Sarasota County and other review agencies. The University Place ADA shall be submitted to the Southwest Florida Regional Planning Council for review and recommendation, and to Sarasota County for review and approval. Copies of the ADA shall be submitted to the DCA, TBRPC, Manatee County, and other review agencies. The submittal of copies is not intended to increase the normal review fee payable in connection with the filing and review of the single DRI, but is to facilitate review and comment.

4. In determining the cumulative impacts of each project on traffic, each traffic study shall include the traffic generated by the other project as project traffic instead of as background traffic condition. Each study shall be prepared on a phase-by-phase basis, with subsequent phases including impacts of earlier phases, assuring that all traffic of both projects generated during the applicable phase is included as project traffic and not background traffic. The intent of this paragraph is to insure that the total cumulative traffic impact and impact mitigation is considered with each development.

5. In determining the cumulative impacts of each project on air quality, any required study shall include the development and traffic in the other project. Each study shall be prepared on a phase-by-phase basis, with subsequent phases including impacts of earlier phases, assuring that all development of both projects that may generate impacts on air quality during the applicable phase is included in the study. The intent of this paragraph is to assure that the total cumulative impact on air quality and its mitigation is considered with each development.

6. In determining the availability of affordable housing for each project, each ADA shall cumulatively assess the impacts of both projects with subsequent phases including impacts of earlier phases. The intent of this paragraph is to insure that the total

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cumulative impact on affordable housing and its impact mitigation is considered with each development.

7. In determining the cumulative impacts of each project on vegetation and wildlife, each ADA shall cumulatively assess the impacts of both projects on listed plant and animal species. The vegetation and wildlife study will also address the desirability (or lack therefore) of a continuous wildlife corridor between the projects. This study will be appended to both ADAs. The intent of this paragraph is to insure that the total cumulative impact on listed species and its mitigation is considered with each development.

8. DCA agrees not to appeal the Development Order of either development on the grounds of failure to aggregate the two (2) parcels, or on the basis of failing to submit the two (2) developments as one (1) DRI, provided that the conditions of this agreement are complied with.

9. Additionally, nothing in this Agreement shall constitute a waiver by DCA to the right to appeal either Development Order on other appropriate grounds as set forth in Chapter 380 and this Agreement, including the mitigation or assessment of cumulative impacts, set forth herein.

10. In the event either project does not receive approval from the applicable County, or receives a Development Order for only a portion of the request, SMI shall review the impacts of the other development to eliminate or adjust the cumulative assessment and mitigation of the impacts as warranted, and amend the Development Order of the approved development to reflect such changes.

11. For University Lakes, TBRPC shall provide to Manatee County, in its final DRI report, recommendations for addressing the issue of cumulative substantial deviations pursuant to the criteria in Subsection 380.06(19), Florida Statutes. For University Place, SWFRPC shall provide to Sarasota County, in its final DRI report, recommendations for addressing the issue of cumulative substantial deviations as defined in Subsection 380.06(19), Florida Statutes.

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The issue of cumulative substantial deviations between the two (2) projects shall be addressed in each Development Order for University Lakes and University Place.

12. For purpose of abandonment of a DRI pursuant to Subsection 380.06(26), Florida Statutes, the total amount of development in both projects shall be taken into consideration when determining eligibility to abandon pursuant to the criteria of Subsection 380.06(26), Florida Statutes, and Rule 9J-2.0251(5), Florida Administrative Code.

13. In the event the DCA, TBRPC or SWFRPC determine there is a breach of this Agreement or failure to comply with any condition of this Agreement, or if this Agreement is based upon materially inaccurate information, any party may terminate this Agreement or file suit to enforce this Agreement as provided in Section 380.06 and 380.11, Florida Statutes.

14. This Agreement affects the rights and obligations of the parties under Chapter 380, Florida Statutes. Except as provided herein, it is not intended to determine or influence the authority or decisions of any other state or local government or required by state law or local ordinance for the developments described in this Agreement.

15. The terms and conditions of this Agreement shall inure to the benefit of, and be binding upon, the heirs, personal representatives, successors and assigns of the parties hereto. SMI shall insure and provide that any party claiming by, through, or under SMI with respect to any of SMI's interest in the lands or parcels affected by this Agreement is bound by the terms of this Agreement.

16. The Agreement shall become effective the date that the last party signs and acknowledges this Agreement.

C5001-001

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals on the day and year first above written.

Signed, Sealed and Delivered
In the Presence of:

Pamela J. Coates

THE DEPARTMENT OF COMMUNITY AFFAIRS

By: Randall Kelley

Its Assistant Secretary

THE TAMPA BAY REGIONAL PLANNING COUNCIL

By: Julie E. Greene

Its Executive Director

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

By: [illegible]

Its Chairman of SWFRPC

SCHROEDER-MANATEE, INC.

By: [illegible]

Its Vice-President Real Estate

Marina Pennington

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MANATEE COUNTY GOVERNMENT

PLANNING DEPARTMENT

"TO SERVE WITH EXCELLENCE"

Certified Mail # 7006 0810 0002 8723 1465

October 26, 2007

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

Re: Development Order for Schroeder-Manatee Ranch, Inc. /University Lakes

Dear Mr. Meyer:

Enclosed is a certified copy of Ordinance 07-72, the DRI Development Order for Schroeder-Manatee Ranch, Inc. / University Lakes, as adopted in open session by the Manatee County Board of County Commissioners on October 16, 2007 as required by Rule 9J-2.025(5), Florida Administrative Code.

If I can be of further assistance, please contact me at (941)749-3070, extension 6833.

Sincerely,

for RP

Robert H. Pederson, AICP
Community Planning Administrator

RHP/br
Enlcosure

ORDINANCE 07-72
SCHROEDER-MANATEE RANCH, INC.
(SMR COMMUNITIES JOINT VENTURE, A FLORIDA GENERAL PARTNERSHIP)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING AND RESTATING A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380 FLORIDA STATUTES FOR THE UNIVERSITY LAKES DEVELOPMENT OF REGIONAL IMPACT (MANATEE COUNTY DRI #22, A/K/A TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI #216); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONCLUSIONS OF LAW; PROVIDING FOR DEFINITIONS; PROVIDING FOR AMENDED LIMITATIONS ON AND CONDITIONS OF APPROVAL; INITIATE PHASE 4 DEVELOPMENT; AMEND MAP H TO REMOVE 73.0 ACRES AND ADD 53.8 ACRES; VARIOUS OTHER CHANGES TO THE DEVELOPMENT ORDER INCLUDING TERMINOLOGY, CLARIFICATION CHANGES, CODIFYING AND RESTATING THE EXISTING DEVELOPMENT ORDER FOR DRI #22; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 31, 1991, SMR Communities Joint Venture, a Florida general partnership filed an Application for Development Approval* (ADA*) of a Development of Regional Impact (DRI) with the Manatee County Board of County Commissioners (County*) pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said ADA* proposed construction of a multi-use project on approximately two-thousand three-hundred fifty-three (2,353) acres, located in southern Manatee County, hereinafter referred to as University Lakes DRI, or the Project*; and

WHEREAS, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, a second development is planned, commonly known as Lakewood Ranch Corporate Park adjacent to the Manatee County line in Sarasota County; and

WHEREAS, the University Lakes and Lakewood Ranch Corporate Park DRI's have been reviewed pursuant to the terms of the 380 Review Agreement* defined in Section 3. below; and

WHEREAS, the Board of County Commissioners, on June 1, 1992, approved Ordinance 92-32, which granted local approval to University Lakes, DRI No. 22; and

WHEREAS, the Department of Community Affairs and the Tampa Bay Regional Planning Council appealed Ordinance 92-32 within the statutory time frame allowed; and

WHEREAS, the Developer* entered into a settlement agreement with the Department of Community Affairs and the Tampa Bay Regional Planning Council to resolve their concerns; and

WHEREAS, on October 24, 1993, the Board of County Commissioners of Manatee County adopted an amended Development Order (Ordinance 93-25) for the University Lakes DRI adopting language to settle administrative action between the Department of Community Affairs, Tampa Bay Regional Planning Council, and Schroeder-Manatee Ranch, Inc., et. al.; and

WHEREAS, on January 25, 1996, the Board of County Commissioners adopted Ordinance 95-44, approving amendments to modify development totals, add 69.8 acres, and modify various definitions and conditions of the Development Order for the University Lakes DRI, which amendments were not found to be a Substantial Deviation to the originally approved Development Order; and

WHEREAS, on October 28, 1997, the Board of County Commissioners adopted Ordinance 97-61, approving amendments to extend the buildout and expiration dates; amend Map H to modify acreage totals per land use, change one subphase from business to residential, modify the internal roadway network between I-75 and Lakewood Ranch Boulevard; amend transportation, wetland, and other conditions; employ the land use trade-off mechanism in the D.O. to modify development totals in Phases I, II and III; modify the Certificate of Level of Service for Phase I to address land use exchange; and approve Development Order modifications to more accurately reflect the status of compliance with certain conditions of approval; and

WHEREAS, on December 16, 1997, the Board of County Commissioners adopted Ordinance 97-81, to allow a hospital use in Phase II of the development; and

WHEREAS, on February 22, 2000, the Board of County Commissioners adopted Ordinance 00-45, to initiate Phase II construction; relocate the Town Center to the east side of Lakewood Ranch Blvd.; relocate an access point onto University Parkway; shift square footage amounts between different Regional Commercial and Business parcels; make changes to tables 1, 5 and 6 of the Development Order; and amend Transportation and Affordable Housing Conditions; and

WHEREAS, on December 18, 2001, the Board of County Commissioners adopted Ordinance 01-60 to decrease Retail uses by 74742 sq. ft.; increase Hotel uses by 300 rooms; increase Office uses by 93,000 sq. ft; relocate 75,258 sq. ft. of Retail from the NW quadrant of Lorraine Road and University Parkway from Community Commercial to Residential; decrease Single-Family Attached units by 153; increase Multi-family units by 125; and amend Tables C and D to reflect these changes; and

WHEREAS, on August 26, 2003, the Board of County Commissioners adopted Ordinance 03-35 to extend the phase date of Phase I by seven (7) years; extend the phase date of Phase II by two (2) years; accelerate the Phase III start date by eight (8) years; accelerate the Phase IV start date by four (4) years; increase Business Office acreage by 4.2 acres; decrease Wetland/Mitigation acreage by 4.2 acres; change the quantifying reference for hospital use from square footage to bed count; move 425,600 square feet of General Commercial Retail from Phase II to Phase IV; move 4,300 square feet of General Commercial Retail from Phase III to Phase IV; move 327,508 square feet of Business Industrial from Phase III to Phase IV; move 88,328 square feet of Business Office from Phase IV to Phase III; move 30,000 square feet of Neighborhood Commercial from Phase II to Phase IV; move 151 single-family dwelling units from Phase IV to Phase III and reduce the entitlements for single-family dwelling units by 294; move 105 single-family attached dwelling units from Phase IV to Phase III and reduce the total entitlements for Single Family Attached Dwelling Units by 93; increase Multi-Family Dwelling Units in Phase III by 387; move 106.0 acres from the University Lakes DRI to the Cypress Banks DRI; amend the name of the authorized agent from Rex Jensen to Tim Martin; replace all references to the University Place DRI to the Lakewood Ranch Corporate Park DRI; amend Tables 3 and 4 to update the entitlements for Lakewood Ranch Corporate Park; establish February 22 as the annual reporting date; amend Section 4.C to update Attachment #5 (Land Use Equivalency) to the latest ITE generation rates; amend Tables 1 and 2 to reflect these changes; amend Section 5, Transportation and Affordable Housing to reflect updated analysis; and, amend Map H and the Development Order to reflect the above changes; and

WHEREAS, on October 19, 2004, the Board of County Commissioners adopted Ordinance 04-59 to add 1,804.7 acres (east of Lorraine road); add ten access points for new internal roadways; increase single-family detached dwelling units by 350 in Phase III; decrease single-family attached dwelling units by 135 in Phase III; decrease multi-family dwelling units by 292 in Phase III; increase general commercial (regional) retail by 251,578 square feet in Phase III; decrease neighborhood commercial (community) by 34,236 square feet in Phase I; decrease neighborhood commercial (community) by 31,143 square feet in Phase II; decrease business office by 58,323 square feet in Phase III; decrease general commercial (highway) retail by 150,000 square feet in Phase II; decrease general commercial (highway) hotel and motel by 85 rooms in Phase I; decrease general commercial (highway) hotel and motel by 405 rooms in Phase IV; increase residential acreage by 811.4 acres; increase community commercial acreage by 31.0 acres; increase open space acreage by 129.3 acres; increase recreational acreage by 9.9 acres; increase wetland acreage by 343.2 acres; increase lake acreage by 277.4 acres; increase road right-of-way acreage by 202.5 acres; changed the labeling of cluster villa (cv) residential units to multi-family (mf); amending the name of the authorized agent from Tim Martin to Todd Pokrywa; amending Tables 1 and 2 to reflect these changes; amending Map H and the Development Order to reflect the above changes; amending Map H to allow Community, Highway, and Regional Commercial uses on a Community Commercial parcel located west of the town center; amending Map H to allow commercial uses in certain Business parcels; amending the legal description to reflect the above referenced changes, and; various other changes to the Development Order and terminology and formatting changes; and

WHEREAS, the Developer* of University Lakes submitted and supplied information pursuant to the Notice of Proposed Change Provisions of Section 380.06, Florida Statutes, concerning the regional impacts of Traffic, Air Quality, and Affordable Housing to Manatee County concerning the proposed development in Phases I, II, III, and IV pursuant to the which information was reviewed by the Tampa Bay Regional Planning Council, Department of Community Affairs, and other applicable state agencies, each of which had opportunity to request additional information and make comments and suggestions, and each of which in fact did so. The Developer* further responded to questions and comments raised by said parties in the form of sufficiency responses; and

WHEREAS, the developers of University Lakes have proposed the following changes to the Development:

(1) Revising the project boundary to delete 73.0 acres (east of Lorraine Road) in favor of the Cypress Banks DRI;
(2) Revising the project boundary to add 53.8 acres (east of Lorraine Road);
(3) Increasing single family detached dwelling units by 434 in Phase IV;
(4) Increasing multifamily dwelling units by 578 in Phase IV;
(5) Decreasing General Commercial (Regional) Retail by 70,100 square feet in Phase III;
(6) Decreasing General Commercial (Regional) Retail by 429,900 square feet in Phase IV;
(7) Increasing (Business) Office by 120,000 square feet in Phase IV;
(8) Decreasing Industrial by 11,397 sq. ft. in Phase III.
(9) Decreasing Industrial (Business) by 778,088 square feet in Phase IV;
(10) Decreasing Community Commercial by 59,778 sq. ft. in Phase IV.
(11) Increasing General Commercial (Highway) Hotel and Motel by 405 rooms in Phase IV;
(12) A decrease in residential acreage by 37.0 acres;
(13) A decrease in Community Commercial acreage by 8.8 acres;
(14) An decrease in open space acreage by 41.3 acres;
(15) An increase in recreational acreage by 8.1 acres;

(16) An decrease in wetland acreage by 8.8 acres;
(17) An increase in lake acreage by 54.8 acres;
(18) An increase in right-of-way acreage by 13.8 acres;
(19) An extension of The Masters Avenue to the proposed Dam Road in close proximity to the eastern boundary of the project;
(20) Initiate Phase IV;
(21) Accelerate the start date of Phase IV by five (5) years from 2011 to 2006;
(22) Amending Tables 1 and 2 to reflect these changes;
(23) Amending Map H and the Development Order to reflect these changes;
(24) Amending the legal description to reflect the above referenced changes, and
(25) Various other changes to the Development Order including terminology and formatting changes;
(26) Extending the buildout date of Phases II, III, and IV to 2014, 2014, and 2022, respectively; and
(27) Extend the project buildout date to 2022 and extend the Development Order expiration date to 2027.

WHEREAS, the above described changes, cumulatively with all previous changes, do not constitute a Substantial Deviation to the Development Order for University Lakes, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the Board of County Commissioners, as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes, has the statutory authority to consider and approve Notices of Proposed Changes (NOPC) for an amendment to an approved Development of Regional Impact; and

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

WHEREAS, the Planning Commission of Manatee County held a public hearing on October 11, 2007, has reviewed the NOPC, and has filed a recommendation on this NOPC with the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has received and considered the comments of the Tampa Bay Regional Planning Council and the Department of Community Affairs; and

WHEREAS, the County* on October 23, 2007, held a duly noticed public hearing on the NOPC and the language proposed by the Developer* to amend and replace Ordinance 04-59, as amended, and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County and City agencies, the applicant, as well as the review and report of the Manatee County Planning Department.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

SECTION 1. FINDINGS OF FACT

The Board of County Commissioners, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of Manatee County, and all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.

B. The Developer* has received County approvals for and has commenced development in several sub-phases of the development, consistent with Ordinance 92-32, (as amended by Ordinances 93-25, 95-44, 97-61, 97-81, 00-45, 01-60, 03-35, and 04-59).

C. An application has been submitted to Manatee County and is being processed concurrently with this NOPC to approve a revised General Development Plan to revise the project boundary to revise the project boundary to delete 73.0 acres (east of Lorraine Road) in favor of Cypress Banks DRI; revise the project boundary to add 53.8 acres (east of Lorraine Road); increase single family detached dwelling units by 434 in Phase IV; increase multifamily dwelling units by 578 in Phase IV; decrease General Commercial (Regional) Retail by 70,100 square feet in Phase III; decrease General Commercial (Regional) Retail by 429,900 square feet in Phase IV; increase Business Office by 120,000 square feet in Phase IV; decrease Industrial by 11,397 sq. ft. in Phase III; decrease Industrial by 778,088 square feet in Phase IV; increase General Commercial (Highway) Hotel and Motel by 405 rooms in Phase IV; decrease Community Commercial by 59,778 sq. ft. in Phase IV, decrease residential by 37.0 acres; decrease Community Commercial by 8.8 acres; decrease open space by 41.3 acres; increase recreational by 8.1 acres; decrease wetland by 8.8 acres; increase lake by 54.8 acres; increase right-of-way by 13.8 acres; extend The Masters Avenue to the proposed Dam Road in close proximity to the eastern boundary of the project; initiate Phase IV; accelerate the start date of Phase IV by five (5) years from 2011 to 2006; extend the buildout date of Phases II, III, and IV to 2014, 2014, and 2022, respectively; extend the project buildout date to 2022; extend the Development Order expiration date to 2027; amend Tables 1 and 2 to reflect these changes; amend Map H and the Development Order to reflect these changes; amend the legal description to reflect the above referenced changes; and make various other changes to the Development Order including terminology and formatting changes.

D. The Board of County Commissioners of Manatee County has received and considered the recommendation of the Manatee County Planning Commission concerning the NOPC and the application for Official Zoning Atlas Amendment as it relates to the real property described in Section 7 of this Ordinance of an NOPC pursuant to Section 380.06, Florida Statutes. The report was rendered on October 11, 2007, following public hearing regarding the NOPC and the proposed Official Zoning Atlas Ordinance Amendment described herein, in accordance with the requirements of Manatee County Ordinance No. 90-01, as amended (the Manatee County Land Development Code) and Ordinance No. 89-01, as amended, (Manatee County Comprehensive Plan), and has further considered the testimony, comments, and information received at the Public Hearing.

F. The proposed changes to the DRI regarding the property described in Section 7. herein, are found to be consistent with the requirements of Manatee County Ordinance No. 89-01, as amended (the 2020 Manatee County Comprehensive Plan), provided it proceeds in accordance with the Development Conditions specified in Section 5. and the Developer* Commitments specified in Section 6. of this Development Order.

G. The Developer* of the Project* submitted to Manatee County, Florida, an ADA* for the original project and the above described Notices of Proposed Change including this one, which are incorporated herein by reference.

H. The Developer* submitted an Affordable Housing Impact Analysis for Phases I, II, and III to Manatee County which describes the housing demand for low, very low and median income households and the existing housing supply (see Attachment #1 to Ordinance 07-72). As mitigation for the impact of Phase IV on affordable housing, the developer has committed to provide, within 10 miles of the project, a number of affordable housing units equal to 10% of the number of housing units constructed within University Lakes Phase IV.

I. The real property which is the subject of this Development Order is legally described as set forth in Section 7.

J. The Project* is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.

K. The authorized agent for the Project* is Todd Pokrywa, and his address is SMR Communities Joint Venture, a Florida general partnership, 14400 Covenant Way, Bradenton, Florida 34202.

L. The owner of the property, (which SMR Communities Joint Venture intends to develop), is Schroeder-Manatee Ranch, Inc., a Delaware corporation.

M. A comprehensive review of the impacts generated by the Development has been conducted by the departments of Manatee County, the Planning Commission, the Board of County Commissioners, TBRPC, Sarasota County, SWFRPC, and the Department of Community Affairs (DCA).

SECTION 2. CONCLUSIONS OF LAW

A. Based upon the previous findings of fact and the development conditions, in Section 5 below, the Board of County Commissioners of Manatee County concludes that:

1. The Project* will not unreasonably interfere with the achievement of the objectives of the Adopted State Land Development Plan applicable to the area.

2. The Project* is consistent with the local land development regulations and is consistent with the State Comprehensive Plan (SCP), the Tampa Bay Regional Planning Council's Future of the Region, A Strategic Regional Policy Plan (SRPP), and Ordinance 89-01, as amended (The Manatee County Comprehensive Plan).

3. The Project* is consistent with the report and recommendations of TBRPC approved on February 10, 1992 and on January 8, 1996, regarding the first NOPC; in May 1997, regarding the second NOPC; on October 13, 1997 regarding the third NOPC; on December 16, 1997 regarding the fourth NOPC; on January 24, 2000 regarding the fifth NOPC; on September 21, 2001 regarding the sixth NOPC; on April 14, 2003 regarding the seventh NOPC; on October 22, 2003 regarding the eighth NOPC; on October 19, 2004 regarding the ninth NOPC; and on August 13, 2007 regarding the tenth NOPC.

B. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the Developer* is authorized to conduct

development as described herein, subject to the conditions, restrictions, and limitations set forth below.

C. The review by the County*, TBRPC, and other participating agencies and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Development Order, the ADA*, the NOPC, and the Air Quality, Transportation, and Affordable Housing Analyses submitted pursuant to Chapter 380.06, Florida Statutes to initiate Phase IV. To the extent that the ADA* is inconsistent with the terms and conditions of this Development Order, the terms and conditions of this Development Order shall prevail.

D. This Ordinance replaces Ordinance 04-59, which granted amendments to Ordinance, 92-32, 93-25, 95-44, 97-61, 97-81, 00-45, 01-60, and 03-35 in their entirety and adequately addresses the impacts of the development, pursuant to the requirements of Chapter 380, Florida Statutes.

E. Pursuant to Sections 380.06(19)(c), 380.06(19)(e)3, and 380.06(19)(e)5.c, Florida Statutes, the Developer has submitted clear and convincing evidence to rebut the presumption that the changes proposed pursuant to the NOPC submitted on January 27, 2006 and approved pursuant to Ordinance 07-72, are Substantial Deviations.

SECTION 3. DEFINITIONS

Note: An asterisk (*) denotes that the word is defined. The definitions contained in Chapter 380, Florida Statutes, shall apply to this Development Order, in addition to those listed herein.

A. "380 Review Agreement*" shall mean the Agreement executed between DCA, TBRPC, the Southwest Florida Regional Planning Council ("SWFRPC"), and SMR Communities Joint Venture, a Florida general partnership, dated September 6, 1991 which governs the review of the University Lakes and Lakewood Ranch Corporate Park DRI's. A copy of the 380 Review Agreement* is on file with the Clerk's Office and previously supplied to DCA as Attachment #2 to Ordinance 93-25.

B. "Application for Development Approval*" (or ADA*) shall mean University Lakes, Inc. Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer* on October 25, 1991, Appendix E Cumulative Affordable Housing Analysis; in May 1997, regarding the second NOPC; on October 13, 1997 regarding the third NOPC; on December 16, 1997 regarding the fourth NOPC; on January 24, 2000 regarding the fifth NOPC; and on September 21, 2001 regarding the sixth NOPC; on March 26, 2002 regarding the seventh NOPC; on October 22, 2003, regarding the eighth NOPC; on October 19, 2004 regarding the ninth NOPC, and on January 27, 2006 regarding the 10th NOPC.

C. "Best Management Practices*" (BMP) shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code (BMP list of approved practices by Board resolution for Special Overlay Districts-Evers Reservoir and Lake Manatee Watershed Areas).

D. "Combined Projects*" shall refer to both University Lakes and the neighboring project, Lakewood Ranch Corporate Park.

E. "County*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).

F. "Developer*" shall mean SMR Communities Joint Venture, a Florida general partnership, their heirs, assigns, designees, and successors in interest as to the Project* and all its conditions of approval.

G. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.

H. "Development Plans*" shall mean any Preliminary Site Plan issued by Manatee County or a site and development plan issued by Sarasota County.

I. "District*" shall mean any unit of local special purpose government formed pursuant to Chapter 190, F.S., or any similar entity such as a Municipal Service Taxing Unit or Municipal Service Benefit Unit, from time to time created or previously existing, which acts in accordance with applicable law and regulations, to finance or fund: (i) the cost of such actions as the planning, acquiring, constructing, equipping, installing, operating, and maintaining various community facilities; (ii) the cost of providing certain community services; (iii) contributions of funds to other governmental and non-governmental entities with respect to such facilities, services, or related Development Order commitments and conditions and (iv) satisfaction of any of the commitments and conditions contained in this Development Order related to the foregoing. It is the declarative of the intent of this Development Order that any commitment or condition of this Development Order may be directly performed or satisfied by any District* which properly operates within its scope of authority. Such performance or satisfaction shall not be deemed or construed to constitute the discharge of any obligation of the Developer*.

J. "SRPP" shall mean the TBRPC's Future of the Region, a Strategic Regional Policy Plan for the Tampa Bay Region, December 11, 1995.

K. "Funding Commitments*" shall mean to assure the completion of any improvement required by this Development Order or any combination of the following: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County* for construction to be completed when the improvement is required as referenced in Table 5 of this Development Order; 2) actual construction; 3) the placement of the improvements in the first year of the Capital Improvements Element of the appropriate County or the current plus two years (or current plus first four years for FIHS facilities) of the Adopted Five-Year Work Program of the Florida Department of Transportation; or 4) a commitment for construction and completion of the required roadway improvements, pursuant to a Developer Agreement which, if approved by the parties, shall be incorporated in this Development Order through an amendment of the Development Order, pursuant to the notice of proposed change provisions of Chapter 380 of the Florida Statutes. Said Agreement shall include a construction timetable which will set forth the completion of the required improvements consistent with the time frames specified in Table 5.

L. "Post-Development Wetlands*" shall mean any lands determined to be within jurisdictional limits defined by Chapter 62-340, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Protection (FDEP), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development for this Project*.

M. "Project*" shall mean the land uses, phasing, and improvements described in the ADA* which are attributable to development on that property described in Section 7 herein and set forth on Revised Map H, January 2006 and attached hereto.

N. "Transportation Impact Area*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the proposed phase or subphase shown on a proposed Preliminary Site Plan in combination with prior approvals of the Combined Projects* will be five percent (5%) (or whatever greater percentage may be employed from time to time by DCA, TBRPC, or the County*, provided the more restrictive percentage shall be used) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on revised Map J, dated October 2003 (which was attached as Attachment #4 to Ordinance 01-60) which was based on data submitted with the ADA*. In determining the Transportation Impact Area* for this Project* all traffic generated by Lakewood Ranch Corporate Park shall be deemed project traffic for University Lakes.

O. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.

SECTION 4. 380 REVIEW AGREEMENT*, APPROVALS, AND DEVELOPMENT COMPONENTS

A. Some of the impacts of the University Lakes DRI have been reviewed in conjunction with the impacts of the proposed Lakewood Ranch Corporate Park DRI under the terms of the 380 Review Agreement*. The 380 Review Agreement* provides for a cumulative assessment of the impacts of both projects on the issues of transportation, air quality, affordable housing, and listed species.

Tables 1 through 4 list the appropriate land uses for University Lakes (Tables 1 and 2) and Lakewood Ranch Corporate Park (Tables 3 and 4) under the designations used by the respective Counties and the designations used in Section 380.0651, Florida Statutes, in parentheses ( ).

B. Subject to the possible exchange of land uses as described elsewhere herein, the Project* consists of the land uses, square footage, dwelling units, and approximate area described in Columns A through D of Table 1 and the land uses, square footage, dwelling units, and approximate area by phase as described in Table 2. Phase I, II, III, and IV of the Project* are approved subject to the conditions found within this Development Order. Upon its review and approval by staff, a Certificate of Level of Service will be issued as part of this approval, and is authorized until the dates for each Phase set forth in Table 2.

The conditions of approval of Phases I, II, and III of University Lakes and Phase I of Lakewood Ranch Corporate Park, (Combined Projects) with respect to the impacts that were cumulatively assessed, shall not necessarily apply to subsequent phases. In addition to obtaining a Development Order amendment, Certificates of Level of Service must be

obtained for Phase IV, but shall be limited to roadway capacity, mass transit, parks and recreation facilities, drainage, and solid waste, as required by the Manatee County Land Development Code. The Certificate of Level of Service for potable water and sanitary sewer must be obtained with each Final Site Plan.

TABLE 1
UNIVERSITY LAKES DEVELOPMENT COMPONENTS

Column A Map H Land Use (Section 380.0651 F.S. Designation)	Column B Number Acres *****	Column C Square Feet	Column D Dwelling Units	Column E Land Use Exchange Maximum Increase
Residential	1,444.2	n/a	**4,043**	An increase in dwelling units by 5% or 50 units, whichever is greater
General Commercial*				Land Area increased by 6 acres or increase by 50,000 s.f. of gross floor area, or the greater of a 5% increase in parking spaces or an increase of customer parking by 300 spaces
Retail	56.6	571,578	n/a	
Hospital	32.0	150 beds	n/a	
Total General Commercial	**88.6**	**571,578/ 150 beds**	**n/a**	
Neighborhood Commercial**	**39.7**	**181,101**	**n/a**	
General Commercial***				
Retail	21.0	0	n/a	
Hotel and Motel	7.0	250,000/ 620 rooms	n/a	
Total General Commercial	**28.0**	**250,000 / 620 rooms**	**n/a**	75 rooms
Business				Land area increased by the greater of 5% or 6 acres, which-ever is greater, or gross floor area increased by greater of 5% or 60,000 s.f. whichever is greater
Office	59.3	1,248,877	n/a	
Industrial	55.0	18,603	n/a	
Total Business	**114.3**	**1,267,480**	**n/a**	
Right of Way	393.5			
Recreation	348.4			
Wetlands/Mitigation	674.3			
Lakes****	688.2			
Open Space	282.0			
TOTAL	**4,101.2**	**2,270,159/150 hospital beds / 620 hotel rooms**	**4,043**	

* Acreage and square footage are referred to as Regional Commercial in the ADA*.

** Acreage and square footage are referred to as Community Commercial in the ADA*.

*** Acreage and square footage are referred to as Highway Commercial in the ADA*.

**** Additional lakes will be constructed within the Project* as required by the stormwater management system.

***** Acreages subject to verification and adjustment based upon future survey activities, consistent with the graphic depictions on revised Map H.

TABLE 2
UNIVERSITY LAKES PHASING SCHEDULE

Map H. Land Use Designation ('380.0651, F.S., Designation)	Phase I 1992-2011♦	Phase II 2000-2014♦	Phase III 2002-2014♦	Phase IV 2006 – 2022♦	Total
Residential Dwelling Units					
Single Family	970	361	450	434	2,215
Single Family Attached	88	0	0	0	88
Multi-Family	449	412	301	578	1,740
Total Residential	**1,507**	**773**	**751**	**1,012**	**4,043**
General Commercial* s.f. (Regional)					
Retail	275,557	114,543	181,478	0	571,578
Hospital	0	150 beds	0	0	150 beds
Total General Commercial	**275,557**	**114,543**	**181,478**	**0**	**571,578**
Neighborhood Commercial s.f.** (Community)					
Retail	52,764	0	0	128,337	181,101
Total Neighborhood Commercial	**52,764**	**0**	**0**	**128,337**	**181,101**
Business s.f.					
Office	323,318	608,608	191,677	125,274	1,248,877
Industrial	0	0	18,603	0	18,603
Total Business	**323,318**	**608,608**	**210,280**	**125,274**	**1,267,480**
General Commercial* s.f.** (Highway)					
Retail	0	0	0	0	0
Hotel and Motel	250,000/ 215 rooms	0	0	~~0~~ 405 rooms	250,000/ 620 rooms
Total General Commercial	**250,000**	**0**	**0**	**0**	**250,000**
Recreational Facilities**	Tennis & Boat Club+, Park, Golf Course & Park				

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.
**** Phasing of recreational facilities may be accelerated in accordance with the provisions of Sections 4.B., C. and E.
\+ The Boat Club shall be located on the 160 acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such as sailboards, canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation, and such craft may be used on the manmade lake.

♦Buildout date is September 13th of each year indicated.

TABLE 3

LAKEWOOD RANCH CORPORATE PARK DEVELOPMENT COMPONENTS

Sarasota County Land Use Designation (Section 380.06.0651, F.S. Designation)	Number of Acres	Square Feet
Interstate Regional Office Park (Office)	250.0	998,308
Major Employment Center (Office) (Industrial) (Retail)	728.9	(1,849,885) (2,774,827) (76,980)
Open Use Conservation	395	n/a
Totals	1,373.9	5,700,000

TABLE 4
LAKEWOOD RANCH CORPORATE PARK PHASING SCHEDULE

Sarasota county Land Use Designation (Section 380.0651, F.S. Designation)	Phase I	Phase II	Phase III	Total
Interstate Regional Office Park s.f. (Office)	436,000	365,334	196,974	998,308
Major Employment Center s.f. (Office)	957,600	555,219	337,066	1,849,885
(Industrial)	1,435,600	832,828	505,599	2,774,827
(Retail)	40,000	23,287	13,693	76,980
Total	2,869,200	1,776,668	1,053,332	5,700,000

The amounts of residential, retail, hotel and motel, office, and industrial uses shown in Table 1 above within the Project* can be exchanged, with Board of County Commissioners approval of a revised General Development Plan, to allow flexibility in the exact land use mix shown in Columns B, C, and D of Table 1, above, and within each individual Phase shown in Table 2, provided that the following conditions are satisfied:

1. No land use category in the final Project* shall contain more development than that reflected in Table 1 Columns B, C, and D, plus that amount reflected in Column E.

2. The following uses designated in Table 1, shall not be reduced by the Developer* below the amounts set forth in Table 1, except as described elsewhere herein in specific provisions pertaining to those uses: lakes, recreation, wetlands/mitigation, open space.

3. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 500 dwelling units.

4. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 400,000 square feet of General Commercial.

5. The mix of approved uses within an individual Phase shall not be increased by more than 170,000 square feet nor decreased by more than 100,000 square feet of Business.

6. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 75 hotel rooms.

7. All other uses not specifically mentioned in Paragraphs 3, 4, 5, and 6 above shall not be subject to an exchange pursuant to this section.

C. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a

request which demonstrates that the impacts generated by the proposed land use mix will not exceed the impacts for transportation, potable water, wastewater treatment, solid waste disposal, mass transit, drainage, and parks and recreation which are authorized in this Development Order and in any Certificate of Level of Service Compliance (CLOS) issued for that Phase. Additionally, the Developer* shall demonstrate that the proposed land use mix will not generate additional demand for affordable housing beyond the amount for which the supply of affordable housing has been demonstrated to be available and is described in Section P.(1) of this Development Order. If the impacts of a specific land use exchange exceeds the impacts authorized and approved for that phase in the Development Order, then the land use exchange shall be denied.

As to the CLOS, the Developer* must apply for a modification to the CLOS and if the proposed land use exchange results in impacts in excess of those previously approved, the Developer* may be granted approval for that excess only if and when capacity is available and in conformance with other provisions of this Section 4. However, reapplication shall not cause the Developer* to lose capacity already approved in the Certificate of Level of Service for that Project*. If the request for a land use exchange is approved, a modified CLOS shall be issued to replace the previously approved CLOS. Any modification to the CLOS shall not extend the time for which such capacity is reserved pursuant to the CLOS.

An application for a land use exchange must include a revised General Development Site Plan which will include a revised Table 2 showing the reallocation of square footage or units. Each proposal for a land use exchange and revised General Development Plan shall be reviewed for compliance with the provisions of this Development Order, the Manatee County Land Development Code, and the Manatee County Comprehensive Plan. Upon submission of a request to the County* to implement this section of the Development Order, all application materials and information necessary to support approval of such a request shall be provided to the Department of Community Affairs, TBRPC, SWFRPC, and Sarasota County by the Developer*. The Developer* shall provide written notification to the Department, TBRPC, SWFRPC, and Sarasota County of the approval or denial of any land use exchange requested by the Developer*.

With the submittal of any Notice of Proposed Change requiring changes to this Development Order, the Revised Master Development Plan and Phasing Schedule shall be amended to reflect any Land Use Exchange(s) that have been approved since the issuance of the Development Order or last amendment to the Development Order. Such change considered by itself shall not constitute a substantial deviation. Changes to the Phasing Schedule under this paragraph do not include extensions to the buildout date.

The land use exchange request shall contain information sufficient to enable the County* to determine that the impacts of the revised land use mix do not exceed the impacts of the land use mix being replaced. The quantifiable impacts will be measured based upon the relevant factors then currently used by the County* (e.g., ITE trip generation rates, EDU tables, solid waste generation factors, etc.) The Developer* shall verify the appropriate factors with County* staff prior to the submittal of any such land use exchange request.

The traffic impacts of the revised land use mix shall be deemed by the County* not to exceed the approved traffic impacts of the land use mix being replaced so long as the change does not increase the peak hour total traffic and the relative proportions of trips produced by attractors and the trips produced by generators remains substantially the same for the phase or subphase. In the event that the attractor or generator proportions are not

substantially the same, as determined by the County*, additional information may be required to assess intersection performance, trip distribution, or particular roadway segments designated by the County*.

Attached hereto as Attachment #5 (updated February 2003) is a table of conversion factors for equating only traffic impacts of land use exchanges. The incorporation of this land use exchange mechanism shall not operate to permit the Developer* to develop any land use which will generate peak hour trips in excess of the total number of peak hour trips for which it has obtained specific Development Order approval.

Any amendments to the land use mix or proposed phasing schedule (Tables 1 and 2 respectively), other than those described herein, shall be submitted to the County* for review and approval, pursuant to notice of change as required by Subsection 380.06(19), F.S., which approval shall not be withheld for mere acceleration of phases if otherwise there is compliance with the terms of this Development Order. Any departure in Project* buildout from the phasing schedule set forth in the Application shall be subject to review to determine if such departure constitutes a Substantial Deviation pursuant to Subsection 380.06(19), F.S.

Any specific land use exchange must result in a land use mix which is consistent with the requirements of the Manatee County Comprehensive Plan. The land use exchange may not be exercised more than once in any calendar year.

D. The list of required transportation improvements described in Table 5 are triggered by the construction of Phase I of the Combined Projects* and Phases II,III, and IV of University Lakes. In the event that at any time the amount of development authorized in the Lakewood Ranch Corporate Park Development Order is less than that shown as Phase I Table 4 of this Development Order, the Developer* may submit a Notice of Proposed Change requesting a Development Order amendment to increase the amount of development in Phase I, II, and III and IV of University Lakes by an amount equal in impacts to the Lakewood Ranch Corporate Park reduction. In reviewing such a Notice of Proposed Change, transportation issues shall not form the basis of a recommendation of Substantial Deviation if the impacts (trip generation or distribution) on transportation facilities remain essentially the same. Nothing herein shall operate as a waiver of the Developer's* obligation to obtain a CLOS for any and all development which the Developer* proposes to transfer from Lakewood Ranch Corporate Park to University Lakes. In making a request under this Section 4.D., the Developer* must meet all of the following conditions:

1. The impacts of the proposed change do not exceed the impacts which were approved in the Development Order, or any amendments thereto, for potable water, wastewater treatment, solid waste disposal, mass transit, drainage, affordable housing, and parks and recreation.

2. The Developer* must further demonstrate that the request is consistent with applicable provisions of the Comprehensive Plan and the Land Development Code.

3. The amount of any increase in any Land Use Category may not exceed the limitations set forth in Table 1 Column E above.

4. The County* shall not be required to approve any increase to Phase I, II, III, and IV of University Lakes unless adequate capacity exists to serve such increase and

assurance of corresponding decrease is demonstrated to the County's* satisfaction, in Phase I of Lakewood Ranch Corporate Park.

5. In the event that the amount of development is increased for Phase I of Lakewood Ranch Corporate Park after approval of an increase of the permitted uses, density, or intensity for Phase I, II, III, and IV of University Lakes under this Section 4.D., then this entire Development Order shall be subject to an additional Substantial Deviation review to address the impacts of development which was previously added to University Lakes.

   The intent of this provision is not to alter the size or land use mix of the Combined Projects* at buildout. There is no intent to change the land uses actually approved for University Lakes. It is intended to provide flexibility in the timing of development between phases of the respective projects in response to economic development opportunities or development constraints. The applicability of this provision "D" is limited to Phase I of the Combined Projects* and Phase II, III, and IV of University Lakes.

E. To foster intergovernmental coordination in the administration of University Lakes and Lakewood Ranch Corporate Park, the Developer* will furnish to the Sarasota County Planning Department, the SWFRPC, and the City of Bradenton for review and comment, copies of all Annual Reports (together with any documents required to accompany said Annual Reports), any applications or submissions by the Developer* under this Section 4, and any revisions to University Lakes resulting from determinations by the County* under this Section 4. Further, the Developer* shall furnish to the County* copies of all Annual Reports (together with any documents required to accompany said Annual Reports) regarding Lakewood Ranch Corporate Park.

F. No provision of this Development Order shall serve to approve uses which were not previously reviewed and approved for University Lakes or which are inconsistent with the Manatee County Comprehensive Plan, including the WO-E Overlay District.

SECTION 5. DEVELOPMENT CONDITIONS

Transportation

A.(1) The cumulative transportation analysis for Phases I, II, III, and IV for University Lakes and Phase I for Lakewood Ranch Corporate Park, conducted under the 380 Review Agreement* determined the need for the roadway intersection improvements described in Table 5 below:

Table 5
Ramp and Intersection Improvements

Improvement Number	Location	PM Peak Hour LOS Prior to Improvement LOS	Applicable Peak Hour LOS Standard	Development Traffic as A % of LOS Peak Hour Capacity	Required Improvement to Restore LOS	Total PM Peak Hour External Trips for Combined Projects Before Need*

1	I-75 SB on-ramp at University Pkwy	F	D	11.8	Add 1 lane to ramp	6615
2	I-75 SB off-ramp at University Pkwy	F	D	7.1	Add 1 lane to ramp, add 1 lane to interstate	5413
3	I-75 NB on-ramp at University Pkwy	F	D	7.1	Add 1 lane to ramp	8297
4	I-75 NB off-ramp at University Pkwy	F	D	11.8	Add 1 land to ramp	6251
5	I-75 NB off-ramp at Fruitville Rd.	F	D	9.9	Add 1 lane to ramp	8377
6	SR 64 & Lorraine Road	NB - F	D	8.1	Signalize	5413
7	SR 70 & 15th Street	F	D	5.2	WB, NB, SB add 1 left turn lane	5253
8	SR 70 & US 301	F	D	7.6	add 1 through lane, all approaches; add 1 EB right turn lane; extend NB left-turn lane and WB left-turn as need to accommodate future year storage requirements	6895
9	SR 70 & 33rd Street	F	D	9.1	EB & WB add 1 through lane	6134
10	SR 70 & 39th Street	E	D	9.4	EB & NB add 1 right turn lane	6735
11	SR 70 & 45th Street	F	D	9.4	NB add 1 left and 1 through lane, EB add 1 through lane, WB add 1 left and 1 through lane	5613
12	SR 70 & Caruso Road	F	D	13.9	EB & WB add 1 through lane	6535
13	University Parkway & 15th Street	F	D	5.5	WB add 1 right-turn lane	8137
14	University Parkway & US 301	E	D	12.2	EB & NB add 1 right turn lane	5693
15	University Parkway & Tuttle Avenue	F	D	14.2	NB add 1 through lane, SB add 1 left turn lane and 1 through and receiving lane	5429
16	University Parkway & Lockwood Ridge Road	F	D	17.2	add 1 through lane, all approaches	5133

17	University Parkway & Honore Avenue	E	D	37.5	WB & NB add 1 left turn lane, EB & NB add 1 right turn lane	4572
18	University Parkway & Cooper Creek Boulevard	F	D	45.2	EB & WB add 1 through lane	5333
19	University Parkway & I-75 Northbound	F	D	62.9	NB add 1 left turn lane	7336
20	Fruitville Road & Beneva Road	F	D	6.6	NB, SB, EB, WB add 1 through lane; EB, WB, SB add 1 left turn lane; EB add 1 right turn lane	7336
21	Fruitville Road & McIntosh Road	F	D	11.5	WB add 1 left turn lane; EB add 1 right turn lane	5814
22	Fruitville Road & Honore Ave	E	D	18.1	EB & WB add 1 left turn lane; Add WBL receiving lane. Add 2nd NB through lane and receiving lane	4933
23	Fruitville Road & I-75 Northbound	F	D	22.4	NB add 1 left turn lane	5330
24	Fruitville Road & I-75 Southbound	F	D	21	SB add 1 right-turn lane	5253
25	Fruitville Road & Coburn Road (east)	F	D	12.3	EB add 1 through lane; lengthen WB left-turn lane	4892
26	Fruitville Road & East Road/River Road	D (v/c > 1.0)	D	12.3	EB & WB add 1 through lane	7336
27	Bee Ridge Road & Honore Avenue	D (v/c > 1.0)	D	11.6	NB add 1 left turn lane	6134
28	Bee Ridge Road & Cattlemen Road	F	D	9.2	EB, WB, SB add 1 through lane; WB & SB add 1 left turn lane	6334
29	Bee Ridge Road & I-75 Northbound	F	D	9.2	NB add 1 left turn lane	7816
30	Bee Ridge Road & I-75 Southbound	N/A	D	5.8	Lengthen WB left-turn lane	7341
31	Clark Road & Honore Avenue	F	D	7.3	WB, NB, SB add 1 left turn lane; SB add 1 right turn lane	7015
32	Clark Road & I-75 NB	E	D	6.7	NB add 1 left turn lane	6535

33	Cattlemen Road & Bahia Vista Street	F	C	11.9	Grade separated interchange with 2 NB and 2 SB lanes on the overpass and 2 NB left-turn lanes and 2 WB left-turn lanes at the interchange intersection; or WB, NB add 1 left turn lane, SB add 1 through and 1 right turn lane, and adopt LOS D	5581
34	Cattlemen Road & Palmer Boulevard	F	C	14.9	Grade separated interchange with 2 NB and 2 SB lanes on the overpass; or EB add 1 right turn lane, NB add 1 left turn lane, and adopt LOS D	4852

This column represents the cumulative number of peak hour external trips for the Combined Projects before the need of the identified improvements for the respective phase Land Uses as depicted in Tables 2 and 4 for University Lakes and Phase I of Lakewood Ranch Corporate Park (or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

(1) No improvement is required if the Level of Service standard for the subject segment of I-75 is modified to LOS D by the appropriate governmental agency.

Note: Design details of intersection/ramp improvements shall be determined in construction plan permitting phase.

A.(2) The improvements listed in Table 5 include critical link and intersection improvements for the development of Phase I II, III, and IV of University Lakes.

In the event that Funding Commitments* for transportation improvements are only adequate to permit approval of a portion (subphase) of the Development, the capacity and loading of transportation facilities in the Transportation Impact Area*, shall be limiting factors in any subsequent approvals. A subphase analysis has been performed, and cumulative subphases for the Combined Projects* have been identified in Table 5 together with subphase time frames that were used in the subphase study. An initial subphase of 4,572 external p.m. peak hour trips for the Combined Projects* has been identified as requiring no additional transportation improvements. The Developer* shall, at the time of each application for Final Site Plan approval, furnish to the County* an accurate, up to date report of the amount of development, defined in terms of external p.m. peak hour trips, which has previously been permitted in the Combined Projects*. The Developer* shall not be entitled to a Final Site Plan approval which would result in the cumulative number of external p.m.

peak hour trips for the Combined Projects* to exceed the applicable subphase threshold unless Funding Commitments* have been obtained for improvements required for such subphase.

In the event that the total external p.m. peak hour trips projected to be generated by the Combined Projects* has exceeded the levels described in Table 5 by the expiration of the Annual Report Years listed in Table 5 for the appropriate uncommitted improvement, no further Final Site Plan approvals shall be granted unless the Developer* using the notice of change procedure has prepared an analysis which identifies the revised dates by which said improvement would be required under the new subphase analysis. The Development Order shall be amended to reflect these revised trip levels and dates.

The Developer* shall be bound by the subphase external trip thresholds and schedules set forth in Table 5, unless the Developer* files a Notice of Proposed Change and provides the County*, pursuant to the notice of change procedures, an updated subphase traffic analysis for the Transportation Impact Area* that will result from the completion of construction of all of the previously permitted development in the Combined Projects* plus that to be generated by the next subphase for which the Developer* is seeking approval, and such proposed change is approved. Copies of such Notice Of Proposed Change for revised subphase transportation analysis shall be submitted to Manatee County, Sarasota County, TBRPC, and SWFRPC for review and comment. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (referenced in Table 5) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways and intersections referenced in Table 5 at the appropriate Level of Service. In the event that the new analysis demonstrates the need for alternate improvements or different subphase thresholds, the Development Order may be amended to reflect the revised subphases or improvements. With each Preliminary Site Plan application, the Developer* shall submit to the County* a limited traffic study which shows the following:

1. External P.M. peak hour trips for the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvements in Table 5 will be required; and,

2. An assessment of the estimated traffic operations and turning movements together with the conceptual design of the driveways, serving the project covered by the Preliminary Site Plan application.

   Any revised transportation analysis for the Combined Projects* shall utilize the adopted Sarasota County Level of Service, or that of any agency with jurisdiction, whichever Level of Service is higher, for determining deficiencies on all roads in Sarasota County. If deficiencies exist on said roadways, then Funding Commitments* to correct such deficiencies shall be required in accordance with this Paragraph A.(2).

A.(3) The Developer* shall provide bicycle lanes as part of the roadway design for the collector facilities within the Project*. Inclusion of bicycle lanes as part of the roadway design does not mean the lanes themselves must be part of the roadway. That is, the lanes must be included in design but may be constructed separately or in separation from the roadway itself.

A.(4) The Developer* shall provide adequate sidewalks along all streets and roadways throughout the Project* as required by the Manatee County Land Development Code.

A.(5) As the Project* lies within the future Manatee County transit service area, the Developer* will work with the County* to coordinate the provision of transit service to the area in conjunction with development of University Lakes.

A.(6) Within three years of the effective date of Ordinance 00-45 or at the request of the County, an annual monitoring program consisting of peak hour traffic counts at the Project* entrances shall be instituted to verify that the projected number of external trips for the Project* are not exceeded. Counts will continue on an annual basis through Project* buildout, and the information shall be supplied in the required Annual Report. If an Annual Report is not submitted within thirty (30) days of its due date, or if the Annual Report indicates that the total external trips exceed projected counts for the Project* by 15 percent or more, Manatee County shall conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), Florida Statutes. This change will be presumed to be a Substantial Deviation. The results of the Substantial Deviation determination may also serve as a basis for the Developer* or reviewing agencies to request Development Order amendments.

A.(7) The transportation analysis in the ADA* was performed without consideration of the potential effects of a Transportation Systems Management ("TSM") program. Accordingly, the development thresholds described in Table 5 may reflect a "worst case" scenario, dependent upon future TSM measures. The Developer* or its assigns shall prepare and implement a TSM program which will endeavor to divert a number of vehicle trips from the PM peak hour. The TSM program shall be submitted to and be reviewed by the County*, the MPO, and the FDOT.

The TSM program shall be submitted with the first annual report subsequent to the monitoring program in Section A. (6) showing external trips exceeding 25% of the total external trips for Phase I of both University Lakes and Lakewood Ranch Corporate Park.

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 measure. Results of the TSM program shall be included in the Annual Report. The results of the TSM program may serve as a basis for the Developer* or reviewing agencies to request Development Order amendments which increase the applicable development thresholds or which will allow reduced impacts per square foot or dwelling unit of development in future phases. The TSM Program shall seek to further the TSM objectives and Policies set forth in the Florida Transportation Plan and shall include, but not be limited to:

(a) promote ride sharing by public and private sector employees;

(b) increase urban area peak hour automobile occupancy rates through expanded ride sharing efforts;

(c) increase peak hour occupancy rates for transit and other high occupancy vehicles; and

(d) other appropriate trip diversion measures.

A.(8) To allow for the finalization of interchange design relative to Improvements #3 and #4 in Table 6, Developer* agrees to reserve, until January 28, 1998, the property which it owns and which lies within the following description:

Commence at the easterly corner of the existing FDOT right of way north of University Parkway where the limited access terminates,-thence westerly along the FDOT right of way, a distance of 650 feet to the Point of Beginning. From the Point of Beginning, proceed northwest a distance of 1,500 feet to the existing FDOT right of way, thence southeasterly and easterly to the Point of Beginning.

This restriction shall expire on January 28, 1998. If the right of way is dedicated by the Developer* or otherwise acquired by the appropriate governmental agency, then the Developer* may transfer the impacted land uses to other appropriate areas within the Project* with approval of a revised General Development Plan. **(This item has been completed.)**

A.(9) The Developer* shall submit a Preliminary Site Plan for Phase I, or any subphase thereof, within twenty-four (24) months of the effective date of this Development Order. **(Completed).**

A.(10) The schedules of listed improvements may be adjusted at the Developer's* request with submission of adequate data to support any such adjustments, and the Development Order amended as needed in the event that the appropriate agencies determine that:

(a) The Project* is determined by the County* and TBRPC to be in a regional activity center or otherwise designated for alternative levels of service or alternative percentage thresholds in accordance with applicable rules and regulations; or

(b) The appropriate level of service standard for the particular roadway link or intersection is adjusted by the agency(ies) having jurisdiction over such link or intersection. In no event shall any level of service be adjusted if the result of said adjustment is to permit a lower level of service than established by that agency or agencies having jurisdiction at the time of the request for adjustment.

A.(11) The roadway shown on Revised Map H, which generally is oriented in a north/south alignment and connects to the proposed extension of Upper Manatee River Road, shall be required to be designated on the Future Traffic Circulation Map as a collector facility prior to providing any credits for right of way and/or construction. (**The requirements of Condition A.(11) have been completed)**

A.(12) Access to and from the site will be in accordance with state and local access regulations unless limited by the General Development Plan or any conditions placed thereon, whichever is most restrictive.

A.(13) The Developer shall conduct an annual monitoring assessment of the I-75 southbound off-ramp intersection and merge with University Parkway to determine if operating conditions become congested and negatively impact the mainline interstate traffic at this ramp. This monitoring assessment shall continue until such time as agreement is reached with the FDOT regarding future year conditions for the above referenced ramp and intersection, and the Development Order is amended if needed, pursuant to NOPC procedures.

If such impact is identified to the mainline diverging traffic at this ramp, no further Development Plans* will be issued until the deficiency has been mitigated and the Development Order is amended as appropriate, if such amendment is necessary. The following monitoring methodology will be performed.

1. The monitoring shall consists of existing traffic counts and visual observations of peak hour queues on the southbound off-ramp from I-75 to University Parkway, over a three day period during the p.m. peak hour (4:00 to 6:00), and the results factored to peak season. The historic annual growth rate for traffic volumes on this ramp shall also be determined and applied to estimate the maximum queue likely to develop in the coming year.

   Based on a 70 mph speed on southbound I-75 at this location, the safe stopping distance that a vehicle exiting I-75 would require, including perception and reaction time if required to immediately brake to a stop upon exiting I-75 onto the southbound off-ramp, shall be calculated, and the location of this point on the ramp at which the vehicle would come to a complete stop determined.

   If the back of the maximum existing peak season queue established in (1), above, extends beyond the safe stopping point established in (2) above, a safety hazard will be deemed to exist, and a stop order on all further development approvals shall be issued until such time that improvements sufficient to alleviate the hazard are implemented.

Wetlands

B.(1) The portions of the University Lakes site that meet the definition of Conservation or Preservation Areas as set forth in policies 10.1.2 and 10.3.1 of the Council's adopted (SRPP*) have been designated on Revised Map H.

   (a) All wetlands and uplands on-site defined by Council policies as Preservation Areas as shown on Revised Map H, shall be preserved. No dredging, filling, or development activities shall be allowed within Preservation Areas.

   (b) All wetlands and uplands on-site defined by Council policies as Conservation Areas shall be protected from development as shown on Revised Map H.

B.(2) Except for wetland restoration or enhancement and naturally occurring fluctuations, no hydroperiod alteration shall be permitted in Preservation Areas as depicted on Revised Map H. Natural annual hydroperiods, normal pool elevations, and seasonal high water elevations shall be substantially maintained or improved. Hydroperiod monitoring shall be required semi-annually in selected preserved wetlands and initiated prior to on-site construction activity and continued for three years for herbaceous wetlands or five years for forested wetlands following buildout of the subbasin surrounding each wetland monitored. If the hydroperiod monitoring results demonstrate that Project* activities are inappropriately altering the hydroperiod in Preservation Areas, such activities shall cease until remedial measures are implemented.

B.(3) Any impacted wetlands, not required to be preserved in accordance with Condition B.(1) above and which are depicted as Conservation Areas on Revised Map H, shall be mitigated

in accordance with the Manatee County Comprehensive Plan and Land Development Code and the SRPP* Policies.

B.(4) In addition to meeting the requirements of the Manatee County Land Development Code, the Developer* shall submit a wetland management and mitigation plan for the area to be developed to the County* for approval, and to TBRPC, and SWFWMD for review prior to any wetland alteration. This plan shall address, but not be limited to, identification of wetlands on-site, wetlands to be preserved, proposed wetland alterations, a detailed mitigation plan, control of on and off-site water quality, and methods for hydroperiod maintenance with a detailed narrative and construction plans for mitigated or significantly enhanced (as determined by the County*) wetlands. **(Completed).**

The Developer* shall include the following details, at a minimum, in the wetland management and mitigation plan prepared for submittal to the County*:

(a) Identification of existing dry and wet season site conditions;

(b) Narrative descriptions and evaluations of all wetlands to be disturbed by wetland type;

(c) Photographs and 24"x36" plans depicting conditions of the existing wetland creation site and proposed wetland creation plans. (This data shall demonstrate that the appropriate hydrologic requirements shall be provided);

(d) Narrative descriptions of any proposed wetland restoration activities and related issues;

(e) Estimated costs of wetland mitigation/restoration schemes including maintenance and monitoring for appropriate time periods; and

(f) Mitigation plans shall also include:

(1) Area and location of plantings;

(2) Species to be planted and spacing;

(3) Elevations for plantings;

(4) Source of plants or mulch;

(5) Source of wetland soil and depth proposed; and

(6) Monitoring and maintenance plans.

B.(5) If allowable wetland losses require type-for-type (herbaceous or forested) wetland replacement in accordance with stipulation B.(3), mitigation for wetland losses shall be implemented prior to, or concurrent with, the wetlands being disturbed. Created wetlands and littoral shelves shall require monitoring and maintenance activities. Percent survival of plant species in the created wetland or littoral shelf shall meet or exceed Manatee County Comprehensive Plan and Land Development Code success criteria and the SRPP* Policies.

Yearly replanting and maintenance of the mitigation areas shall be required, if necessary, to ensure compliance with the conditions of the Development Order.

B.(6) The Developer* shall provide buffering around all Post-Development Wetlands* to provide an upland transition into the wetland areas and to protect natural systems from development impact. All such buffers shall be in compliance with the Manatee County Land Development Code.

Vegetation and Wildlife

C.(1) A cumulative assessment of the impacts of the Combined Projects* on listed plant and animal species has been performed as required by the 380 Review Agreement*. The Developer* has provided open space for wildlife in the form of preserved wetlands and the wildlife corridor along Cooper Creek as depicted on Revised Map H. In addition, Developer* shall retain large pines (>4" dbh) where possible in golf course rough for kestrel habitat and include and maintain open grassy areas in golf course rough for burrowing owl habitat. The specific locations of retained pines and open grassy areas shall be shown on the final development plan containing the golf course and shall be submitted to Manatee County for review and approval and to the Florida Fish & Wildlife Conservation Commission (FFWCC) for comment. However, as the Developer* is planning a large wildlife management area on Lakewood Ranch Corporate Park, the Developer* has prepared (pursuant to the 380 Review Agreement*) a wildlife management plan, as revised June 16, 1992, for the 395 acre Open Use Conservation District within Lakewood Ranch Corporate Park which provides additional protection of any listed species found on University Lakes and Lakewood Ranch Corporate Park. The plan includes information on site maintenance, fire frequency, wetland management, and boundary protection.

In the event that Lakewood Ranch Corporate Park is not approved by Sarasota County with the 395 acre Open Use Conservation District within one (1) year of the effective date of this Development Order or if such Open Use Conservation District is reduced in size by more than ten (10) acres, then within one (1) year of either such date or action the Developer* shall prepare a wildlife management plan to address the impacts of the Project* on any listed species found on University Lakes, except for the gopher tortoise. The FFWCC found that a regionally significant population of gopher tortoise does not exist on University Lakes. However, any taking must comply with FFWCC rules and the Developer* must obtain a gopher tortoise incidental take permit from the FFWCC. If a management plan is prepared, pursuant to this paragraph, the plan shall be submitted to the and the Department of Community Affairs for review and to the County* for review and approval. **(Completed).**

C.(2) The Developer* shall provide small wildlife crossings (18" culverts) under roadways at the two locations where the north/south collector roadways intersect with Cooper Creek. **(Completed).**

C.(3) In accordance with applicable law, the Developer* shall coordinate with the Florida Department of Agriculture and Consumer Services and the County* for proper relocation of any listed species found on-site in addition to the requirements of C.(1) above.

C.(4) Representative tracts of all major natural upland vegetative communities (Live Oak, Pine-Mesic Oak, Pine Flatwoods, Temperate Hardwoods), as depicted on Revised Map H, shall be set aside in their natural state to serve as conservation areas.

C.(5) The removal of naturally-occurring vegetation shall be limited in accordance with the Manatee County Comprehensive Plan. This limitation shall not include the removal of diseased trees or vegetation, or exotic species, or other species approved by the County* consistent with the provisions of the Manatee County Comprehensive Plan.

C.(6) Areas designated as Preservation Areas on Revised Map H shall be protected in perpetuity by conservation easement or other legal instrument approved by County*.

Land

D.(1) The Developer* shall initiate the following procedures to ensure erosion control during development of the Project*:

(a) Sod, seed, or plant embankment areas of stormwater detention or retention ponds;

(b) Sod, seed, mulch, or landscape cleared or disturbed areas as soon as possible after clearing and grading;

(c) Limit clearing and site work, construction, and clearing to areas needed for immediate development;

(d) Develop asphalt roads as soon as possible;

(e) Initiate landscaping before development work is completed on a site;

(f) Construct sediment basins at the start of each drainage system phase;

(g) Utilize straw filter barriers or filter fabric at discharge points including, but not limited to, temporary discharge points;

(h) Install temporary sediment basins and perimeter dike systems as a first step in the grading process and inspect and clean out the temporary sediment basins on a regular basis; and

(i) Preserve the existing natural vegetation along Foley Creek and Cooper Creek, as depicted on Revised Map H.

Air Quality

E.(1) The Developer* shall, subject to applicable water quality standards, institute the following procedures to ensure dust control during development of the Project*:

(a) Implement a watering program during excavation and dredge and fill operations;

(b) Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;

(c) Treat disturbed areas after clearing, grading, earth moving, or excavation is completed by watering, revegetation, spreading soil binders, or compacting fill material until areas are paved or developed;

(d) Keep soil stockpiles moist, or treat with soil binders or cover;

(e) Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;

(f) Remove dust producing materials as soon as possible;

(g) Maintain 15 mph or less vehicle and equipment speeds on temporary roads;

(h) Sod, seed, mulch, or landscape cleared or disturbed areas, including embankment areas, of stormwater detention or retention ponds as soon as possible after clearing and grading;

(i) Limit site work and construction to areas needed for immediate development;

(j) Develop asphalt roads as soon as possible;

(k) Initiate landscaping before development work is completed on-site; and

(l) Utilize water spray trucks to control dust generation in heavy construction areas.

E.(2) Further Section 380.06(6), Florida Statutes, review will be required for air quality impacts, of Phase IV. This Development Order* must be amended prior to granting specific approval to Phase IV to address any air quality impacts and to specify any necessary mitigation prior to the commencement of said Phases. This review shall be a cumulative assessment of the Combined Projects*.**(Completed).**

Water Quality and Drainage

F.(1) Prior to any site alteration associated with the Project*, the Master Drainage Plan for the Project* shall be submitted to DEP, SWFWMD, and EMD for review and to the County* for approval. (**The requirements of Condition F.(1) have been completed)**

The stormwater management system shall be designed, constructed, and maintained to meet or exceed the applicable requirements of Chapter 62-25, 40D-4, and 62-40, F.A.C. The stormwater management system shall be designed to comply with the provisions relating to the Evers Reservoir Watershed Protection Overlay District by providing treatment, at a minimum, of 150% of the criteria found in Chapter 62-25 and 40D-4, F.A.C. Nothing in this Section F.(1) shall be construed as a waiver by the Developer* of any vested rights, if any, pertaining to approved (as depicted in an approved Preliminary Site Plan for that Phase or subphase) or constructed stormwater facilities. With the exception of any such vested rights, if any, the Project* shall also comply with any special local watershed protection provisions adopted after the approval of this Development Order. An acceptable method for meeting such standards for the treatment of stormwater runoff for the majority of the site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2 of the ADA.

F.(2) Best Management Practices* (BMP) for reducing water quality impacts, as recommended by the County* and SWFWMD in accordance with adopted regulations of these agencies, shall

be implemented and may include a street cleaning program for parking and roadway areas within the Project*.

F.(3) The Developer* shall be the entity responsible for maintaining the stormwater management system. The Developers* maintenance and inspection schedule for ensuring proper water quality treatment shall be submitted to the County* for approval, prior to site alteration activities associated with the Project*.

F.(4) Stormwater discharge shall not cause the receiving water body to violate the limits defined in the Class appropriate to that water body. Where background conditions in the water body in question do not meet the applicable standards due to natural causes outside the control of the Developer*, site specific, alternative criteria may be established in conjunction with the County*.

F.(5) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a surface water quality and quantity monitoring program approved by the County* **(Completed)**. This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include provisions for the characterization of pre-construction baseline water quality and quantity conditions of surface water entering and leaving the site. The surface water monitoring program shall also provide the monitoring of surface water quality during periods of construction. In addition, the surface water monitoring program shall include an ongoing plan for monitoring of post-construction surface water quality. The surface water quality monitoring program required pursuant to this condition shall include an identification of the locations, frequency, and duration of sampling, parameters to be monitored, collection and analytical methods, and reporting requirements. All water quality sample collections and laboratory analyses shall be made in accordance with USEPA/FDEP approved methodology. The laboratory performing the analyses shall be certified by the FDHRS and shall have an approved comprehensive quality assurance plan on file with the FDEP. Any violation of federal, state, or local water quality standards shall require corrective measures as required by that authority.

F.(6) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a groundwater monitoring program approved by the County* and EMD. This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include appropriate provisions for the characterization of the pre-development baseline water quality and water level conditions of the site's groundwater. The groundwater monitoring program required pursuant to this condition shall include an identification of well locations, sampling frequency, and sampling duration, as well as parameters to be monitored and applicable collection and analytical methods. **(Completed)**

Upon completion of the pre-development groundwater program, a report of results will be submitted to the County* for review and approval. In addition to the official laboratory results, the report shall include recommendations regarding monitoring during construction and post-construction. Any proposed construction and post-construction monitoring plans developed pursuant to this condition shall be submitted to the County* for review and approval. **(Completed).**

F.(7) In the event that an overall watershed monitoring and reporting program is implemented and satisfies the intent of conditions F.(5) and F.(6), these programs may be discontinued upon

the recommendation and approval of such by the County*. The City of Bradenton shall be notified prior to the approval of the discontinuance of this program.

F.(8) To the extent required by applicable law, any shoreline banks created along on-site stormwater detention lakes shall include littoral zones constructed on slopes no steeper than a 4:1 horizontal to vertical ratio and shall be planted in, or allowed to be colonized by, diverse native emergent and submergent vegetation. The Developer* shall ensure, by supplemental replanting, if necessary, at least eighty-five percent (85%) coverage by native aquatic vegetation is established within the littoral zone (to include at a minimum the area between ordinary high water and ordinary low water) in accordance with applicable regulations.

F.(9) The Developer* shall conduct annual inspections of the environmental swale systems on the Project* site to ensure the swales are being properly maintained in keeping with their design and are capable of accomplishing the level of stormwater storage/treatment for which they were designed and intended. Verification of such inspection shall be supplied in each Annual Report.

F.(10) Prior to any site alteration, the Developer* shall develop and submit for approval by the County* an Integrated Pesticide/Herbicide Management Plan (IPMP) and a Hazardous Materials Management Plan (HMMP). **(Completed)**

Historical and Archaeological Sites

G.(1) The discovery of any historical or archaeological resources during development activities of the University Lakes Project* shall be immediately reported to the Florida Division of Historical Resources (FDHR). If the significance of an archaeological or historical site, discovered during development, is unknown and the site is to be impacted by Project* activities, additional testing shall be required at the site to determine significance. Disposition of such resources shall be determined in cooperation with the FDHR, TBRPC, and Manatee County. Treatment of the resources shall be completed before resource-disturbing activities are allowed to continue.

Water

H.(1) The Developer* shall participate, as required by Manatee County ordinances and consistent with any Developer Agreements, in any necessary expansion of potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

H.(2) The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with the SWFWMD rules and regulations. Any existing on-site wells not intended for potable or non-potable uses shall be plugged and abandoned in accordance with Rule 40D-3.041(1), Florida Administrative Code.

H.(3) The Developer* shall require the installation of high efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices, if mandated by the Florida Water Conservation Act (Section 553.14, Florida Statutes). This will include the use of toilets

requiring no more than 1.6 gallons per flush in all areas, and installation of self-closing or metered water faucets shall be required in all public and commercial restroom facilities.

H.(4) The Developer* shall maintain all water lines and fire hydrants not dedicated to the County*.

H.(5) The Developer* shall, to the extent non-potable water is available, use only non-potable water to meet non-potable water demands. For purposes of this Approval, "non-potable" water is defined as water emanating from any source other than a public water utility. The Developer* shall submit an acceptable plan to the County* and the TBRPC for the use of non-potable water on-site. The plan shall be completed prior to Final Site Plan approval for any phase or subphase and shall include an implementation timetable, as well as a determination of the availability and feasibility of using reclaimed wastewater or stormwater retention ponds for irrigation purposes, to the extent permitted by law. **(Completed)**

H.(6) Adequate fire flow and water pressure shall be maintained within the Project's* water supply system.

H.(7) The Developer* shall conform to and further the applicable rules and adopted guidelines of the SWFWMD in regard to protection of the groundwater resources in the Eastern Tampa Bay Water Use Caution Area (WUCA) to the extent then in effect.

H.(8) The Developer* shall use the lowest quality water supply which meets the needs of the intended use, provided that such sources are economically feasible, practically available, and legally permissible.
A plan which investigates the use and feasibility of these alternatives shall be prepared by the Developer* and submitted with the first Annual Report to TBRPC, SWFWMD, the County* for review and further action if warranted. **(Completed)**

H.(9) For the purpose of potable and/or reclaimed water conservation, utilization of xeriscape principles are required in landscaped areas. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall only be irrigated to the minimum extent required to ensure healthy vegetation.

Wastewater

I.(1) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements, in any necessary expansion of wastewater service to and consistent with any Developer Agreements for each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project*.

I.(2) No additional permanent septic system shall be permitted within the Project*.

I.(3) Sewer lift stations shall be designed and equipped in accordance with County* regulations.

I.(4) The Developer* shall submit to the County*, prior to each Final Site Plan approval, a monitoring plan to identify and correct any leaks or ruptures of the sewer lines which are maintained by the Developer*. This plan must be approved by the County* and should identify the entity responsible for the monitoring and a time schedule for conducting the inspections. Faulty lines shall be replaced as quickly as possible. A report of inspections, results, and repairs must be included in the Annual Report.

I.(5) The disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (Ordinance No. 98-28).

I.(6) The Developer* shall implement a wastewater reuse system when feasible, as discussed in development condition H.(8) herein.

Solid Waste

J.(1) Within one year of the effective date of the Development Order, or prior to issuance of subsequent Development Approvals* for any non-residential land use within the Project*, whichever occurs later, the Developer* shall prepare a hazardous substances (including bio-hazardous wastes) and a hazardous waste management plan which shall be reviewed by DEP, TBRPC, approved by the County*, and then distributed by the Developer* to non-residential land users within the Project*.

At a minimum, the plan shall:

(a) Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;

(b) Provide a list of agencies which can be consulted regarding the types, sources, and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;

(c) Provide a list of agencies which can describe generally appropriate disposal methods;

(d) Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances and disposal of hazardous wastes;

(e) Provide a list of agencies which can describe construction requirements for hazardous waste holding areas;

(f) Describe a program to inform owners and tenants of the information contained in the Plan;

(g) Provide a list of agencies which can describe typical spill clean up methods; and

(h) Be updated and distributed to each non-residential land user annually.

(Completed)

J.(2) All Project* tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use shall be included in each Annual Report.

J.(3) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements in any necessary expansion of solid waste service to each phase or subphase

of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

J.(4) Surface impoundments of hazardous materials and hazardous wastes, land treatment of hazardous materials and hazardous wastes and landfills for hazardous materials and hazardous wastes are prohibited.

J.(5) Individual Tenants shall be required to transport and dispose of hazardous waste in a manner consistent with applicable regulations through restrictive covenants. Individual Tenants shall be encouraged to develop permittable temporary on-site hazardous waste treatment and storage capabilities prior to transport and shall remove hazardous and toxic wastes from the site as soon as is practical. Such transportation of toxic and hazardous materials shall be performed by a company that is accredited by all appropriate agencies in the transportation and handling of such materials.

J.(6) All aboveground and underground pollutant storage tanks systems will be installed, monitored, and managed according to applicable Federal, State, and Local regulations.

Recreation and Open Space

K.(1) The Project* shall contain, at a minimum, 1,992.9 acres of open space. This acreage consists of 348.4 acres of recreational areas including golf courses, a 16.1 tennis/boat club, a 9.7 acre swim/tennis center and a 22.6 acre park. The open space also includes 674.3 acres of wetlands, 688.2 acres of lakes and 282.0 acres of common space consisting of wetland buffers, upland habitat, greenbelt and perimeter buffering.

Notwithstanding the above, if the County* should decide the 22.6 acres of park is not needed, then the Developer* shall be able to use the applicable parcel for residential development or as a school site, provided the number of dwelling units is not increased.

K.(2) All recreation and open space areas not deeded to the County* or other state agencies shall be maintained as common open space through deed restrictions or owned by a property owners' association for the Project* or neighborhood within the Project*, as may be appropriate in accordance with the Land Development Code.

K.(3) Except as described in K.(1) above, all recreation, park, and wetland sites, as shown on Revised Map H of the ADA*, shall not be utilized for other uses inconsistent with their designation on said map. Any proposal to change these uses shall be subject to a Substantial Deviation Determination if required by Subsection 380.06, Florida Statutes.

K.(4) The Project's* public parks and public recreational facilities shall be accessible to the elderly, the handicapped, and economically disadvantaged and may be subject to a reasonable agreement between the County* and the Developer* limiting the use as a park facility and times of operation.

Education

L.(1) The Development shall dedicate an elementary school site either adjacent to, or having direct access on, a constructed County-maintained right-of-way and meeting all State and Manatee County new school site requirements upon request by the School Board. The

school site shall be deemed to be a part of the Phase I approvals for the Project* and shall be shown on an amendment to the General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. The dedicated school site shall be a minimum of 18 acres, depending upon the characteristics of the site selected and said site shall be selected from property shown as residential, commercial, or business on Revised Map H, and shall be reflected on a revised General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. If the Developer* and the County School Board agree, the dedicated school site may be located off-site on property owned by the Applicant*. If adjacent property is provided as a public park or for emergency services, this acreage may be reduced to a total of fifteen acres.

L.(2) If the County School Board should decide the school is not required, or the selected location is inappropriate, the Developer* shall be permitted to exchange sites, to the School Board's satisfaction, and shall be permitted to use the originally selected parcel for residential development, provided the number of dwelling units approved for the Project* is not increased. Any such exchanges in school sites shall require an amendment to the General Development Plan. If additional recreational opportunities are required, the County* may require dedication of up to five acres of the designated school site parcel for active recreation.

Health Care, Police, and Fire

M.(1) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of emergency service facilities for emergency medical services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to December 31, 1997. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. **(Completed).**

M.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of fire protection service facilities for fire protection services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro- rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Final Site Plan or Final Plat for Vertical Development* for Phase I or any subphase thereof. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. **(Completed)**

M.(3) The Project* shall be designed and constructed to meet or exceed specifications of the applicable Fire Code.

M.(4) The height of buildings allowed in the Project* shall not exceed that appropriate for the available water pressure and fire flows, or exceed the reach of available fire fighting equipment at the time of any Preliminary Site Plan approval for any phase or subphase.

M.(5) Prior to approval of each Final Site Plan, the Developer* shall provide assurance for each increment of development that the site will be supplied to the extent required by applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number

and appropriate locations to accommodate fire fighting operations. Additionally, the Developer* shall provide calculations by a Florida registered engineer to the County* indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Braden River Fire Department that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Certificate of Occupancy for the Project* by the County*.

M.(6) The Manatee County Sheriff's Office shall provide typical police protection to each phase or subphase of the Project*. The Developer* shall participate, in accordance with applicable County* ordinances or Developer Agreements, in any expansion of such services necessary to serve the Project* or any phase or subphase thereof.

Economics

N.(1) Excess infrastructure capacity constructed by the Developer* shall be at the Developer's* risk and shall not vest latter development rights not addressed in this approval.

N.(2) The Project* shall promote entrepreneurship and small and minority owned business start-up, and encourage nondiscriminatory employment opportunities, pursuant to Policies 21.2, SCP and 21.5.3, FCRPP, respectively.

N.(3) The development and promotion of a day care system should be encouraged on site and any such day care system shall be in compliance with the Manatee County Land Development Code and any other applicable regulations.

Energy

O.(1) Issuance of Development Approvals* for each phase or subphase shall be dependent upon the ability of electrical or gas utilities to meet the energy requirements of the development.

O.(2) All Project* tenants, businesses, residents, etc. shall be notified in writing by the Developer* prior to occupancy that the following energy related practices are encouraged:

(a) Use energy alternatives, such as solar energy, resource recovery, waste heat recovery, and cogeneration, where economically feasible;

(b) Obtain energy audits provided by energy companies or other qualified agencies;

(c) Install water heater timers and set water heaters at 130 degrees Fahrenheit or lower;

(d) Use landscaping and building orientation to reduce heat gain, where feasible, for all Project* construction;

(e) Promote energy conservation by employees, buyers, suppliers, and the public, as appropriate;

(f) Reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours, as appropriate;

(g) Institute and utilize recycling programs;

(h) Utilize energy efficient packaging or recyclable materials;

(i) Install total energy systems on large facilities when cost effective; and

(j) Elimination of advertising requiring lighting after business hours where feasible.

O.(3) Incorporation of the energy conservation measures referenced on pages 265 and 266 of the ADA* shall be required. A progress report on the energy conservation measures shall be included as a part of each Annual Report.

Affordable Housing

P.(1) A cumulative assessment of the affordable housing needs of Phases I, II, III of the University Lakes DRI and Phase I of Lakewood Ranch Corporate Park (Combined Projects*) had been performed as required by the 380 Review Agreement*. This assessment utilized the 2000 US Census as its source for rental vacancy data. This assessment was accepted by all reviewing agencies and determined no potential unmet need for affordable housing and a potential surplus of 390 affordable units. This analysis utilized the East Central Florida Regional Planning Council's (ECFRPC) "Housing Demand, Supply and Need Methodology for Assessing the Affordable Housing Impact of Developments of Regional Impact", April 1996.

P.(2) The Developer shall provide, within 10 miles of the project boundary, a number of residential units equal to 10% of the total number of residential units constructed in University Lakes, Phase IV, that qualify as workforce housing as defined in the Manatee County Land Development Code. These units shall be referred to as Worker Housing Units (WHUs). The developer intends, but is not required, to locate the WHUs within the Lakewood Centre DRI. Failure to construct such WHUs shall result in the Developer making a fee-in-lieu payment in accordance with Condition P.(7). The workforce housing required herein is generally designed to provide housing for essential workers such as local government employees, quasi-governmental employees, and private sector employees.

P.(3) Income limits and maximum home sale prices shall correspond to values as provided in the Manatee County Maximum Income Limits Table. These limits are updated periodically by Manatee County and shall be utilized accordingly. The sale price and income limits in effect at the time a contract for purchase of a WHU is executed shall apply.

P.(4) In conjunction with the Manatee County Community Services Department, the Developer shall devise and implement marketing guidelines designed to enhance the number of WHU sales to qualified purchasers.

P.(5) Should the Developer be unable to sell an advertised unit to a qualified purchaser within 120 days after the WHU is initially advertised for sale, the Developer may, at its sole option, sell the unit without any of the restrictions contained in these conditions at market rate. In such case, the unit shall not be counted for WHU purposes, and the Developer shall be required to designate another unit as a WHU or make a fee-in-lieu payment in accordance with Condition P. (7).

P.(6) The Developer shall include in its annual report data showing the number and sale prices of WHUs sold within the development during the reporting period. The annual report shall also

include the current Manatee County Maximum Income Limits Table. Only those units that have a sale price equal to or less than the maximum allowable home sales price, as provided in P.(3), shall be counted toward the required mitigation.

P.(7) Should the Developer be unable to provide the required number of WHUs, the Developer shall be required to pay a fee of $2,500 per WHU not provided. With each annual report, the overall ratio of WHU units provided to the number of residential units constructed in University Lakes, Phase IV, shall be determined. For each WHU under 10% the Developer shall make the payment of $2,500 into an escrow account for the benefit of the Manatee County Housing Trust Fund. In the event the Developer constructs any such WHU in the next reporting period, the applicable $2,500 payment shall be returned to Developer. In the event the developer fails to construct any such WHU by the next reporting period, the $2,500 payment for each WHU not provided shall be turned over to the Manatee County Housing Trust Fund. At build out any fees for WHU's not provided that remain in the escrow account shall be returned to the developer if the WHU's are then provided as required here.

General Conditions

Q.(1) Should the Project* significantly depart from the parameters set forth in this Development Order and the ADA*, the Project* will be subject to a Substantial Deviation Review, pursuant to Section 380.06, Florida Statutes. Any change to the Project* which meets the criteria set forth in Subsection 380.06(19), Florida Statutes, shall require a hearing to determine if the change constitutes a Substantial Deviation.

Q.(2) The Developer's* commitments set forth in the ADA*, and, as summarized in Section 6 herein, shall be honored, except as they may be superseded by specific terms of the Development Order.

Q.(3) Should the Developer* divest itself of all interest in the Project* prior to the expiration of the Development Order, the Developer* shall designate the successor entity to be responsible for preparation of the Annual Report, subject to approval by the County*.

Q.(4) All Development Approvals* shall be obtained prior to September 13, 2022. This Development Order shall expire 5 years after the buildout date to allow for post-development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

Q.(5) A Preliminary Site Plan for each phase shall be required.

Q.(6) The Developer* shall make appropriate efforts to coordinate with, and inform the appropriate public authorities of, the feasibility of the proposed school site for hurricane shelter, building closings, security and safety precautions, and evacuation plans.

Q.(7) Except for any existing use or for construction offices and similar temporary uses, or any use on the school site or park site, or other use by a public agency, any proposal to utilize mobile homes on the site shall require a Substantial Deviation Determination, pursuant to the procedures in 380.06(19)(a), Florida Statutes.

Q.(8) The Developer*, its successors, assigns or transferees, shall submit Annual DRI Reports in accordance with Section 380.06(18), Florida Statutes to the County*, TBRPC, the State

Land Planning Agency, and other agencies, as may be appropriate, on February 22nd of each year until such time as all terms and conditions of this Development Order are satisfied. Six (6) copies of this report shall be submitted to the Director of the Manatee County Planning Department or the Director's designee, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the Planning Director decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification, or change of any conditions, or any terms or conditions of this Development Order. The Annual Report shall contain the following:

(a) Any changes in the plan of development, or in the representations contained in the ADA*, or in the phasing or land uses for the reporting year and for the next year;

(b) A summary comparison of development activity proposed and actually conducted for the year;

(c) Undeveloped tracts of land, other than individual single-family lots, that have been sold to a separate entity or Developer*;

(d) Identification and intended use of lands purchased, leased, or optioned by the Developer* adjacent to the original DRI site since the Development Order was issued;

(e) An assessment of the Developer's* and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the Application for Development Approval* and which have been identified by the County*, TBRPC, or DCA, as being significant;

(f) Any known incremental DRI Applications for Development Approval* or requests for a Substantial Deviation Determination that were filed in the reporting year and to be filed during the next year;

(g) An indication of a change, if any, in local government jurisdiction for any portion of the Project* since the Development Order was issued;

(h) A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

(i) A copy of any recorded notice of the adoption of a Development Order for the subsequent modification of an adopted Development Order that was recorded by the Developer* pursuant to Subsection 380.06(15)(f), Florida Statutes;

(j) A statement that all persons have been sent copies of the Annual Report in conformance with Subsection 380.06(15) and (18), Florida Statutes;

(k) Reports or information pursuant to conditions A.(7), A.(8), J.(2), and O.(3).

Q.(9) All proposed modifications to University Lakes will be reviewed based on the Combined Projects* to determine whether the proposed modification will exceed any of the criteria set forth in Subsection 380.06(19), Florida Statutes.

In the event the Lakewood Ranch Corporate Park Development Order is amended by Sarasota County to allow development inconsistent with Table 3 or Table 4 of the University Lakes Development Order, then upon expiration of the 45-day appeal period of the amendment or, if the amendment is appealed, upon settlement of the appeal, the Developer* shall apply for an amendment to the University Lakes Development Order, and Manatee County subsequently shall consider an amendment to the University Lakes Development Order to make it consistent with the Lakewood Ranch Corporate Park Development Order. A Notice of Proposed Change, pursuant to Subsection 380.06(19), Florida Statutes, shall not be required for the amendment to the University Lakes Development Order, as described above, to make it consistent with the Lakewood Ranch Corporate Park Development Order, but shall require the requisite public hearings under Chapter 125, Florida Statutes, and the Land Development Code. However, such Development Order amendment adopted by Manatee County must be rendered to the Department, pursuant to Subsection 380.06(19), Florida Statutes. If the amendment to the University Lakes Development Order is consistent with the amendment to the Lakewood Ranch Corporate Park Development Order or any settlement of an appeal of the Lakewood Ranch Corporate Park Development Order amendment, then DCA shall not appeal the amendment.

The substantial deviation criteria set forth herein are not applicable to land use exchanges which are authorized pursuant to Sections 4.B. and 4.C. of this Development Order. Additions to the amount of development in a particular land use category resulting from the use of the exchange mechanism are permitted only in conjunction with the simultaneous reduction from another specifically approved use and do not authorize additional development beyond that which has received specific Development Order Approval.

Q.(10) Unless otherwise expressly stated in this Ordinance , the Project* shall comply with all future amendments to the Land Development Code and the Comprehensive Plan.

Q.(11) Wherever in this Development Order the Developer* is required to file a Notice of Proposed Change, the Developer* shall send a copy of said NOPC to Sarasota County and SWFRPC.

Q.(12) In the event of a Development Order appeal or other legal challenge of this Development Order by the Department of Community Affairs, the Developer* shall pay all reasonable costs and fees of County* staff and attorneys relating to said appeal or legal challenge at the rate for processing this Development Order under the current Planning fee schedule. Payment of all billings by the Developer* related to such fees and costs shall be paid within forty-five (45) days of submittal of an invoice.

Section 6. DEVELOPER* COMMITMENTS

The following are Developer* commitments set forth in the ADA* which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order or applicable law.

A. GENERAL PROJECT* DESCRIPTION

A.(1) The three designated community commercial areas will be developed in compliance with the adopted Comprehensive Plan in terms of permitted uses, maximum square footage, floor area ratio, and location on the road network. (SR, 17 & 18)

A.(2) All requirements of the Evers Reservoir Watershed Overlay District will be met within this Project*. (ADA*, 16)

A.(3) Neighborhood oriented retail areas will be located within the community commercial parcels which lie within the RES-1 Future Land Use Classification. (SR, 13)

A.(4) The Project* will construct, or cause to be constructed, two major thoroughfares, University Parkway and the extension of Upper Manatee River Road. (SR, 93)

B. WETLANDS

B.(1) The existing wetlands and proposed mitigation areas will have 50-foot wetland buffers around DEP wetlands and 30-foot buffers around wetlands within the jurisdiction of ACOE and SWFWMD, as shown on Revised Map H. (ADA*, 16)

B.(2) A total of approximately 674.3 Acres of native wetland habitats on-site will be preserved. (ADA*, 65)

B.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (ADA*, 21)

C. WATER

C.(1) The pesticides, herbicides, and fertilizers used on grassed areas of the University Lakes site will be applied in strict accordance with the manufacturer's application guidelines to avoid negative impacts on surface water quality. (SR, 175)

C.(2) Erosion controls will be of primary importance in preventing fertilizer runoff. Soil tests will be conducted to avoid application of unnecessary types, rates, and amounts of fertilizers. Applications will be made when adequate soil moisture exists and likelihood of major storm event is minimal. (SR, 32)

C.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (SR, 33)

D. SOILS

D.(1) All of the methods described on pages 140 and 143 of the ADA* will be utilized to overcome the soil limitations on-site. (ADA*, 140 & 143)

D.(2) The wind and soil erosion abatement methods listed in the ADA* will be followed. (ADA*, 143)

E. FLOODPLAINS

E.(1) Any loss of 100-year floodplain storage volume will be compensated by the excavation and creation of equal storage volume within the 100-year floodplain. (ADA*, 147)

F. WATER SUPPLY

F.(1) The internal potable water supply system will be constructed to Manatee County standards and dedicated to Manatee County where the potable system exists in proposed public rights-of-way. (ADA*, 155)

F.(2) Non-potable water conservation will be accomplished through the use of xeriscaping and preservation of existing native vegetation communities in accordance with applicable provisions in the Manatee County Land Development Code. (ADA*, 157)

G. STORMWATER MANAGEMENT

G.(1) All off-site runoff is to be routed through or around the property. There are five areas where off-site flow will be accepted into the stormwater management system, totaling 50.2 acres along the southern boundary and 12.6 acres along the northern boundary. (ADA*, 167)

G.(2) The stormwater management system will accept all existing off-site flows from Sarasota County. (SR, 190)

G.(3) The primary method for treatment of stormwater runoff for virtually the entire site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2. (ADA*, 172)

G.(4) The wet detention system will incorporate vegetated littoral zones which will equal approximately 15 to 20 percent of the surface area of the stormwater detention ponds. Sediment sumps will be provided at all inflow locations. (ADA*, 174)

G.(5) The hydroperiods of all on-site wetlands will be maintained except as depicted on Revised Map H. (ADA*, 176)

G.(6) Water levels in the detention ponds will be designed to be compatible with wetland seasonal high water tables and existing upland water tables. (ADA*, 183)

G.(7) Litter and debris which is captured within the stormwater treatment ponds will be periodically removed during routine clean-up of the Project's* open space areas and pond system. (SR, 104)

H. SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE

H.(1) The Applicant will investigate the possibility of mulching trees and brush that will be removed as land clearing operations commence, for the purpose of retaining mulch to meet the on-site needs. (SR, 109)

I. TRANSPORTATION RESOURCES

I.(1) The Project* will construct or cause to be constructed University Parkway and the extension of Upper Manatee River Road. (ADA*, 23)

I.(2) The segment of University Parkway through the site will be dedicated to Manatee County and will include 200 feet of right-of-way. (SR, 72)

I.(3) The Applicant is proposing dedication of all necessary right-of-way with regard to roadways located in the Project* as shown on Revised Map H. (SR, 132)

J. AIR

J.(1) The Project* will utilize current state-of-the-art methodologies for prevention of fugitive dust particulates during construction. (ADA*, 21)

J.(2) Clearing and grubbing operations will be performed only on individual parcels of land where construction is scheduled to proceed. Measures to be employed to minimize fugitive dust will include sodding, seeding, mulching, or landscape planting in cleared or disturbed areas. (ADA*, 226)

K. POLICE AND FIRE PROTECTION

K.(1) The Applicant/Developer* will provide a pro-rata share for any equipment or personnel needs that may be created by this Project* for police and fire protection and emergency medical services in accordance with applicable regulations. (ADA*, 25)

K.(2) The Developer* will provide a pro-rata share of the cost of building and equipping the facilities needed to provide emergency medical services to the Project*. (ADA*, 259)

L. RECREATION AND OPEN SPACE

L.(1) All proposed bike and pedestrian paths will be confined to appropriate areas outside of preservation areas in accordance with applicable laws and regulations. (SR, 83)

L.(2) The Project* will feature pedestrian ways and bikeways throughout the development, connecting the housing area to the recreational areas and the commercial areas. (ADA*, 9; SR, 207)

L.(3) University Lakes will have major active recreational land uses comprising over 18 percent of the total Project* acreage. The project will contain a tennis and swim club and boat clubhouse which will be located on the 160.4 acre lake. It will also contain a park, golf course, clubhouses, and driving ranges. (ADA*, 9)

L.(4) The recreational lakes, tennis and boat club, and golf course may be maintained and operated by a private owner and may require private membership or use permits. Open space and environmentally sensitive land will be protected by covenants or conservation easements to protect the natural qualities and will be conveyed to the appropriate homeowners' or master homeowners' association for maintenance. (ADA*, 252-253)

M. EDUCATION

M.(1) The Project* will provide a financial contribution or donation of land to the educational system for the purpose of building schools to service the residential component of the Project*, facilitating educational opportunities within close proximity for the school age children of the Project*. (ADA*, 24)

N. ENERGY

N.(1) The Project* will utilize both electric power and natural gas as sources of energy. Energy conservation techniques, including the use of landscaping, building orientation, and natural vegetation will be used to promote energy conservation. (ADA*, 27)

N.(2) If the need for an electric substation arises, a suitable location will be determined and provided to Florida Power and Light Company. (SR, 86)

N.(3) The traditional energy conservation methods will be used in the residential and non-residential building construction. Some of these methods are:

(a) increased insulation;

(b) high efficiency-type mechanical appliances;

(c) cross ventilation;

(d) window orientation;

(e) solar heating and cooling systems; and

(f) low pressure sodium lamps for exterior lighting. (ADA*, 265-266)

N.(4) The Developer* will implement, where feasible, the energy conservation measures described in the ADA*. (ADA*, p.263)

O. AIR

O.(1) The Developer* will implement the steps described in the ADA* to minimize fugitive dust emissions from wind erosion of disturbed soil surfaces, movement of construction equipment, and burning of cleared vegetative material. (ADA*, 226)

O.(2) The level of service of all roadways in the Transportation Impact Area* will be maintained at LOS D or better, thereby maintaining air quality. (ADA*, 228)

P. WATER SUPPLY

P.(1) The Developer* will consider the use of surface water from detention ponds as a supplement to groundwater resources. (ADA*, 154)

P.(2) Non-potable water conservation measures will include xeriscaping and preservation of native vegetative communities. If permitted, the Developer* would also consider the use of treated effluent from the County's* regional wastewater treatment facilities. (ADA*, 157)

Q. WATER QUALITY AND DRAINAGE

Q.(1) The primary method of treatment will be wet detention with effluent filtration utilizing a double underdrain system. The required level of treatment will be exceeded further by the use of biological filtration utilizing vegetated shallow shelves within the stormwater detention ponds. The on-site 160 acre lake will also be incorporated into the stormwater management system providing an opportunity to utilize extended residence time as an additional mitigative measure. (ADA*, 128)

Q.(2) Existing on-site wetlands will form an integral part of the stormwater management system, providing a mechanism for hydroperiod maintenance, storage, and improved surface water quality. (ADA*, 168)

Q.(3) All major drainageways and lake outfalls will be designed based upon a 25-year/24-hour storm event as provided in the ADA*. All interior and minor drainage systems are to be designed to a 10 year critical duration storm event. While runoff volume will increase with total development, the post-development 25-year/24-hour peak discharge rate will be maintained at or below to pre-development 25-year/24-hour peak discharge rate throughout the construction phases. (ADA*, 171)

Q.(4) The stormwater treatment system will meet FDEP Stormwater System Design Standards for discharge into Outstanding Florida Waters, as provided by Chapter 403, Florida Statutes, and Chapters 62-302, 62-4, and 62-25, F.A.C. (ADA*, 172)

Q.(5) Wetland hydroperiods will be maintained through the introduction of pre-treated stormwater ponds upstream of those wetlands. (ADA*, 176)

SECTION 7. LEGAL DESCRIPTION

Development of University Lakes shall be restricted to the 4,101.2 acres owned by the Developer* and described by the legal description included as Attachment # 4 attached to, and made a part of, this Development Order.

SECTION 8. DEADLINE FOR COMMENCEMENT OF CONSTRUCTION

Physical development of the Project* has commenced within three years of the effective date of this Ordinance unless the time period for commencement is extended by the Board of County Commissioners (Development has commenced). If more than three years shall elapse between approval of this order and commencement of actual development, or if construction of a phase is not begun or completed by the time frame contained in Section 4. above, or if any five year period shall expire without significant development activity on the site, the Board of County Commissioners may conduct a public hearing in accordance with the Land Development Code and may, at its option, rescind any and all approvals granted herein, including the Certificate of Level of Service. Any delay in construction commencement shall not be deemed to extend any time frame for completion of construction, commencement of subsequent phases, or the termination date of this Development Order. For the purpose of this provision, "significant development" shall be the actual construction of site improvements or buildings as part of an ongoing effort to prepare improved land or buildings for sale, lease, or use.

SECTION 9. RESTRICTIONS ON DOWN-ZONING

Prior to October 13, 2022, the County* may not down-zone or reduce the intensity or unit density permitted by this Order, unless the County* can demonstrate that:

(a) substantial changes in the conditions underlying the approval of the Order have occurred; or

(b) the Order was based upon substantially inaccurate information provided by the Developer*; or

(c) the change is clearly established by the County* to be essential for the public health, safety, or welfare.

Any down-zoning or reduction of intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for changes in local land development regulations.

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order.

The inclusion of this Section is not to be construed as evidencing any present or foreseeable intent on the part of the County* to down-zone or alter the density or intensity of the Project*, but is included herein to comply with Section 380.06(15)(c)3, Florida Statutes.

SECTION 10. COMPLIANCE WITH CODES AND ORDINANCES

All development undertaken pursuant to this Development Order shall be in accordance with all applicable local codes and ordinances in effect at the time of permitting, except as specifically provided herein.

SECTION 11. BINDING ORDER UPON DEVELOPER*

This Development Order shall be binding upon the Developer*.

SECTION 12. RENDITION

The Planning Department is hereby directed to send certified copies of this Order within thirty (30) days of the date of signature by the Chairman of the Board of County Commissioners to the Developer*, the Florida Department of Community Affairs, and TBRPC.

SECTION 13. NOTICE OF RECORDING

The Developer* shall record a notice of adoption of this Order as required pursuant to Chapter 380, Florida Statutes, and shall furnish the Planning Department a copy of the recorded notice.

SECTION 14. SEVERABILITY

It is the intent of this Development Order to comply with the requirements of all applicable law and constitutional requirements. If any provision or portion of this Development Order is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then such provision or portion shall be deemed null and void, and to this end the provisions of this Ordinance are declared

severable but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 15. EFFECTIVE DATE

This Ordinance, 07-72, shall take effect upon being signed by the Chairman of the Board of County Commissioners, and filing of a certified copy of the Ordinance with the Department of State provided, however, that the filing of a notice of appeal pursuant to Section 380.07, Fla. Statutes shall suspend development authorization for the changes granted by the Development Order until resolution of said appeal.

SECTION 16 . AMENDMENT OF DEVELOPMENT ORDER FOR DRI NO. 22.

The previous Development Order for University Lakes which was adopted on June 1, 1992 and all subsequent amendments are hereby replaced in their entirety.

ADOPTED AND APPROVED with a quorum present and voting the 16th day of October, 2007.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____

Vice Chairman, Jane von Hahmann

ATTEST: R. B. SHORE
Clerk of the Circuit Court

BOARD OF COUNTY COMMISSIONERS SEAL MANATEE CO., FLA.

By: _____
Deputy Clerk

ATTACHMENTS

1. Impact Analysis
2. 380 Review Agreement
3. Revised Map H (as attached herein)
4. Legal Description (as attached herein)
5. Equivalency Matrix (As attached herein)

ATTACHMENT #4

UNIVERSITY LAKES DRI

UNIVERSITY LAKES DRI

LEGAL DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Section 36, Township 35 South, Range 18 East, and Sections 25, 26, 28, 29, 31, 32, 33, 34, 35 and 36, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Begin at the southwest corner of said Section 29; thence N.00°22'41"E. along the west line of said Section 29, a distance of 2,656.56 feet; thence S.89°30'30"E., a distance of 211.38 feet; thence N.26°03'03"E., a distance of 41.16 feet; thence S.61°21'58"E., a distance of 186.34 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.61°21'58"E., a radial distance of 295.00 feet; thence northeasterly along the arc of said curve, through a central angle of 15°08'34", an arc length of 77.97 feet to the end of said curve; thence S.46°13'24"E. radial to the last described curve, a distance of 141.12 feet; thence N.33°11'55"E., a distance of 59.75 feet; thence N.85°03'09"E., a distance of 131.05 feet; thence S.61°13'40"E., a distance of 51.46 feet; thence S.89°30'48"E., a distance of 469.77 feet; thence N.00°29'12"E., a distance of 48.63 feet; thence S.89°30'30"E., a distance of 120.00 feet to the northeast corner of the West 1/2 of the Southwest 1/4 of the aforementioned Section 29; thence S.00°29'12"W. along the east line of the West 1/2 of the Southwest 1/4 of said Section 29, a distance of 2,658.57 feet to the north line of Section 32; thence S.89°30'25"E. along said north line, a distance of 1,269.55 feet to a point on the east line of Lakewood Ranch Country Club Village, Subphase C, Unit 1-A, recorded in Plat Book 30, Page 189 of the Public Records of Manatee County; the following 3 calls are along said east line; thence S.00°29'35"W., a distance of 166.41 feet; thence S.58°34'00"E., a distance of 423.22 feet; thence S.01°20'47"W., a distance of 240.50 feet to a point on the north line of Parcel 4, Legacy Golf Course as recorded in Road Plat Book 10, Page 126 of the aforementioned Public Records; the following 2 calls are along said north line; thence S.36°55'37"E., a distance of 85.33 feet; thence S.60°40'54"E., a distance of 184.30 feet to the west line of Lakewood Ranch Country Club Village, Subphase D, Unit 1 a/k/a Spyglass, recorded in Plat Book 34, Page 113; thence N.23°47'43"E. along said west line, a distance of 277.38 feet to the north line of said Lakewood Ranch Country Club Village, Subphase D, Unit 1 a/k/a Spyglass; thence N.90°00'00"E. along said north line, also being the north line of Lakewood Ranch Country Club Village, Subphase D, Unit 2, recorded in Plat Book 31, Page 33 of the aforementioned Public Records, a distance of 2,269.90 feet to a point on the north line of Lakewood Ranch Country Club Village, Subphase D, Unit 3B & 4 a/k/a Gleneagles, recorded on Plat Book 34, Page 181 of the aforementioned Public Records; the following 7 calls are along said north line; thence N.07°30'16"E., a distance of 437.56 feet; thence N.72°30'29"E., a distance of 190.11 feet; thence S.17°29'31"E., a distance of 20.40 feet; thence N.72°30'29"E., a distance of 161.83 feet; thence S.26°06'53"E., a distance of 49.82 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.26°06'53"E., a radial distance of 58.00 feet; thence easterly along the arc of said curve, through a central angle of 24°50'29", an arc length of 25.15 feet to the end of said curve; thence N.72°30'29"E. non-tangent to the last described curve, a distance of 181.80 feet; thence N.76°17'54"E., a distance of 33.84 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.76°17'54"W., a radial distance of 550.00 feet; thence northerly along the arc of said curve, through a central angle of

59°36'16", an arc length of 572.16 feet to the point of reverse curvature of a curve to the right having a radius of 600.00 feet and a central angle of 73°58'28"; thence northwesterly along the arc of said curve, a distance of 774.66 feet to the point of tangency of said curve; thence N.00°40'06"E., a distance of 221.36 feet; thence S.89°31'24"E. parallel with the north line of the aforementioned Section 28 and 4077.34 feet southerly therefrom, a distance of 2,614.09 feet to the west line of the East 1/2 of said Section 28; thence S.00°45'47"W. along said west line, a distance of 1,236.76 feet to the South 1/4 corner of said Section 28; thence S.89°30'25"E. along the south line of said Section 28, a distance of 2,662.03 feet to the northwest corner of the aforementioned Section 34; thence N.89°57'56"E. along the north line of said Section 34, a distance of 120.02 feet; thence S.00°51'27"W., a distance of 1.87 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.89°08'34"E., a radial distance of 2,190.00 feet; thence southerly along the arc of said curve, through a central angle of 13°14'44", an arc length of 506.28 feet to the point of tangency of said curve; thence S.12°23'18"E., a distance of 982.01 feet to the point of curvature of a curve to the right having a radius of 3,060.00 feet and a central angle of 10°28'18"; thence southerly along the arc of said curve, an arc length of 559.26 feet to the point of tangency of said curve; thence S.01°55'00"E., a distance of 1076.32 feet to the southwest corner of premises described in Official Record Book 1532, Page 5848, of said public records; the following 2 calls are along the lines of said premises described in Official Record Book 1532, Page 5848; thence N.88°07'20"E., a distance of 1,147.54 feet; thence N.00°45'04"W., a distance of 877.03 feet; thence N.88°05'00"E., a distance of 155.33 feet to the point of curvature of a curve to the left having a radius of 2,723.82 feet and a central angle of 23°07'59"; thence easterly along the arc of said curve, an arc length of 1,099.74 feet to the point of reverse curvature of a curve to the right having a radius of 1,690.00 feet and a central angle of 21°24'41"; thence easterly along the arc of said curve, a distance of 631.55 feet to the point of tangency of said curve; thence N.86°21'42"E., a distance of 275.42 feet to the point of curvature of a curve to the left having a radius of 1,940.00 feet and a central angle of 38°34'52"; thence northeasterly along the arc of said curve, an arc length of 1,306.33 feet to the point of tangency of said curve; thence N.47°46'50"E., a distance of 466.55 feet to the point of curvature of a curve to the right having a radius of 2,610.00 feet and a central angle of 28°29'57"; thence northeasterly along the arc of said curve, an arc length of 1,298.23 feet to the point of tangency of said curve; thence N.76°16'47"E., a distance of 615.98 feet to the point of curvature of a curve of to the right having a radius of 2,920.00 feet and a central angle of 30°55'19"; thence easterly along the arc of said curve, an arc length of 1,575.89 feet to the point of tangency of said curve; thence S.72°47'54"E., a distance of 1,139.89 feet to the point of curvature of a curve to the left having a radius of 2,940.00 feet and a central angle of 31°21'44"; thence easterly along the arc of said curve, an arc length of 1,609.28 feet to the point of tangency of said curve; thence N.75°50'22"E., a distance of 1,640.22 feet to the point of curvature of a curve to the right having a radius of 5,060.00 feet and a central angle of 14°11'52"; thence easterly along the arc of said curve, an arc length of 1,253.85 feet to the point of tangency of said curve; thence S.89°57'46"E., a distance of 1,827.12 feet to the east line of said Section 25; thence S.00°30'59"W. along said east line, a distance of 62.61 feet to the northeast corner of said Section 36; thence S.00°35'33"W. along the east line of said Section 36, a distance of 5,904.94 feet to the southeast corner of said Section 36; thence N.89°58'32"W. along the south line of said Section 36, a distance of 5,320.24 feet to the southeast corner of aforementioned Section 35; thence continue N.89°58'32"W. along the south line of said Section 35, a distance of 5,320.24 feet to the southeast corner of aforementioned Section 34; thence N.89°58'32"W. along the southerly line of Section 34, a distance of 5320.24 feet to the southwest corner of said Section 34; thence N.89°58'32"W. along the southerly line of the aforementioned Section 33, a distance of 5,320.24 feet to the southwest corner of said Section 33; thence N.89°58'32"W. along the southerly line of the aforementioned Section 32, a distance of 5,320.24 feet to the southwest corner of said Section 32; thence N.89°58'32"W. along the southerly line of the aforementioned Section 31, a distance of 4,602.00 feet to the southwest corner of said Section 31, also being a point on the easterly Limited Access Right-of-way of State Road 93

(Interstate 75); the following 15 calls are along the easterly Limited Access Right-of-way of State Road 93 (Interstate 75); thence N.00°37'10"E. along the west line of said Section 31, a distance of 615.67 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.68°06'12"E., a radial distance of 216.00 feet; thence northeasterly along the arc of said curve, through a central angle of 66°23'34", an arc length of 250.29 feet to the point of tangency of said curve; thence N.88°17'22"E., a distance of 628.58 feet; thence S.89°25'46"E., a distance of 298.15 feet; thence continue S.89°25'46"E., a distance of 133.30 feet; thence N.00°34'14"E., a distance of 336.00 feet; thence N.89°25'46"W., a distance of 606.88 feet; thence N.85°36'55"W., a distance of 460.53 feet to the point of curvature of a curve to the right having a radius of 396.00 feet and a central angle of 27°45'53"; thence westerly along the arc of said curve, an arc length of 191.90 feet to the end of said curve; thence S.01°15'38"W., a distance of 68.34 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.27°44'12"E., a radial distance of 456.00 feet; thence northwesterly along the arc of said curve, through a central angle of 34°29'47", an arc length of 274.55 feet to the point of tangency of said curve; thence N.27°46'01"W., a distance of 566.48 feet to the point of curvature of a curve to the right having a radius of 4,489.66 feet and a central angle of 12°57'00"; thence northerly along the arc of said curve, an arc length of 1,014.75 feet to the point of tangency of said curve; thence N.14°49'01"W., a distance of 899.55 feet; thence N.13°40'16"W., a distance of 1,016.33 feet; thence S.88°43'35"E., a distance of 1,369.65 feet; thence S.89°40'28"E., a distance of 1,438.64 feet; thence N.01°15'38"E., a distance of 1,532.73 feet to the north line of the aforementioned Section 31; thence S.89°40'28"E., a distance of 3,164.99 feet to the POINT OF BEGINNING.

Said tract contains 4131.64 acres, more or less.

LESS AND EXCEPT

THE TRACT KNOWN AS PARCELS NO.1, NO. 4, NO. 5 AND A PORTION OF COVENANT WAY

DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Section 34, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the southwest corner of Said Section 34; thence S.89°58'32"E. along the south line of said Section 34, a distance of 678.97 feet to a point on the easterly line of premises described in Official Records Book 1532, Page 5845 of the Public Records of Manatee County, Florida; thence N.00°01'28"E. along said easterly line and the east line of Lorraine Road also described in said Official Records Book 1532, Page 5845, a distance of 1,020.28 feet to the southwest corner of premises described in Official Record Book 1555, Page 4954 of the Public Records of Manatee County, Florida; thence S.89°58'32"E., along the south line of said premises, a distance of 488.93 feet; thence N.00°01'28"E., along the east line of said premises and the northerly extension thereof, a distance of 891.04 feet to a point on the north line of Covenant Way (84-foot wide private roadway) as shown on Covenant Way, A Roadway Plat and recorded in Plat Book 37, Page 148 of the Public Records of Manatee County, Florida, also being a point on the southerly line of premises described in Official Record Book 1571, Page 4068 of said public records; the following 28 calls are along line of said premises described in Official Record Book 1571, Page 4068; thence N.88°05'00"E. a distance of 151.89 feet to the point of curvature of a curve to the right having a radius of 292.00 feet and a central angle of 33°21'59"; thence easterly along the arc of said curve, an arc length of 170.05 feet to the point of tangency of said curve; thence S.58°33'01"E., a distance

of 208.77 feet to the point of curvature of a curve to the left having a radius of 211.00 feet and a central angle of 31°25'31"; thence easterly along the arc of said curve, an arc length of 115.73 feet to the point of tangency of said curve; thence S.89°58'32"E., a distance of 38.37 feet; thence N.00°01'28"E., a distance of 391.85 feet; thence N.53°08'42"W., a distance of 108.39 feet; thence N.64°51'52"W., a distance of 72.10 feet; thence N.51°15'29"W., a distance of 71.24 feet; thence N.88°53'01"W., a distance of 64.72 feet; thence S.42°31'45"W., a distance of 48.99 feet; thence S.57°15'03"W., a distance of 43.67 feet; thence N.75°08'44"W., a distance of 93.01 feet; thence N.36°23'58"W., a distance of 51.93 feet; thence N.30°15'09"W., a distance of 120.41 feet; thence N.26°03'26"W., a distance of 83.03 feet; thence N.11°24'03"E., a distance of 191.05 feet; thence N.77°32'10"W., a distance of 49.33 feet; thence N.54°48'49"W., a distance of 53.50 feet; thence S.83°25'42"W., a distance of 39.97 feet; thence N.77°03'04"W., a distance of 27.57 feet; thence N.76°42'11"W., a distance of 51.49 feet; thence S.09°58'45"W., a distance of 46.64 feet; thence S.17°32'46"W., a distance of 26.17 feet; thence N.55°40'30"W., a distance of 120.52 feet; thence S.34°19'30"W., a distance of 52.27 feet; thence S00°00'00"W, a distance of 86.03 feet; thence S.88°05'00"W., a distance of 286.50 feet to the aforementioned east line of Lorraine Road; the following 3 calls are along said east line of Lorraine Road; thence S.01°55'00"E., a distance of 791.84 feet to the point of curvature of a curve to the right having a radius of 10,560.00 feet and a central angle of 01°56'28"; thence southerly along the arc of said curve, an arc length of 357.76 feet to the point of tangency of said curve; thence S.00°01'28"W., a distance of 382.49 feet to the POINT OF BEGINNING.

Said tract contains 24.95 acres, more or less.

THE TRACT KNOWN AS THE CRICKET CLUB:

DESCRIPTION:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST; THENCE S89°58'32"E, ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 3762.59 FT.; THENCE N00°01'28"E, PERPENDICULAR WITH SAID SOUTH LINE, A DISTANCE OF 801.79 FT. FOR A POINT OF BEGINNING; THENCE N00°00'00"E (NORTH), A DISTANCE OF 358.16 FT.; THENCE N85°08'24"E, 58.79 FT.; THENCE N54°54'36"E, 292.35 FT.; THENCE N90°00'00"E (EAST), 221.92 FT.; THENCE S00°00'00"E (SOUTH), 528.25 FT.; THENCE N85°00'17"W, A DISTANCE OF 48.76 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 2303.68 FT.; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°44'23", A DISTANCE OF 472.02 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 5.52 ACRES MORE OR LESS.

The above tract contains in total 4,101.17 acres, more or less.

LAND USE EQUIVALENCY
UNIVERSITY LAKES, PHASE III
ATTACHMENT 5
DECEMBER 2005

"A"	"B" EQUIVALENT USES									
LAND USES THAT ARE TO BE TRADED	# OF SINGLE-FAMILY DWELLING UNITS	# OF SINGLE-FAMILY ATTACHED UNITS	# OF MULTI-FAMILY APARTMENTS	# OF SQ. FT. NEIGHBORHOOD COMMERCIAL	# OF SQ. FT. COMMUNITY COMMERCIAL	# OF SQ. FT. OFFICE	# OF SQ. FT. LIGHT INDUSTRIAL	# OF SQ. FT. MANUFACTURING	# OF SQ. FT. WAREHOUSING	# OF HOTEL ROOMS
ONE SINGLE FAMILY DETACHED DWELLING UNIT	(1.00)	(1.85)	(1.50)	(255.00)	(270.00)	(310.00)	(835.00)	(880.00)	(860.00)	(1.41)
SINGLE FAMILY ATTACHED	(0.48)	(1.00)	(0.83)	(120.00)	(127.00)	(147.00)	(392.00)	(410.00)	(405.00)	(0.65)
MULTI FAMILY APARTMENT	(0.58)	(1.20)	(1.00)	(146.00)	(155.00)	(180.00)	(475.00)	(500.00)	(490.00)	(0.80)
1000 SQ. FT.OF COMMUNITY RETAIL	(1.96)	(3.60)	(3.00)	(945.00)	(1000.00)	(1165.00)	(3050.00)	(3225.00)	(3175.00)	(5.00)
1000 SQ. FT.OF NEIGHBORHOOD RETAIL	(2.00)	(3.85)	(3.20)	(1000.00)	(1060.00)	(1225.00)	(3250.00)	(3425.00)	(3375.00)	(5.50)
1000 SQ. FT. OF OFFICE	(0.38)	(0.70)	(0.58)	(185.00)	(195.00)	(1000.00)	(1780.00)	(1050.00)	(1825.00)	(0.98)
1000 SQ. FT. OF MANUFACTURING	(0.37)	(0.65)	(0.55)	(175.00)	(190.00)	(365.00)	(950.00)	(1000.00)	(995.00)	(0.95)
1000 SQ. FT. WAREHOUSING	(0.21)	(0.39)	(0.32)	(100.00)	(105.00)	(370.00)	(950.00)	(575.00)	(1000.00)	(0.54)
1000 SQ. FT. OF LIGHT INDUSTRIAL	(0.22)	(0.40)	(0.34)	(105.00)	(115.00)	(575.00)	(1000.00)	(600.00)	(1050.00)	(0.55)
ONE HOTEL ROOM	(0.40)	(0.70)	(0.61)	(185.00)	(195.00)	(225.00)	(635.00)	(620.00)	(620.00)	(1.00)

* The calculations must always start in Column "A" and end in Column "B". Start in Column "A" at appropriate row, proceed horizontally, then vertically to the equivalent use in Column "B". The equivalent Column "B" land use is noted in the ( ) at the intersection of the "traded land use" horizontal row, and the "equivalent uses" vertical column. For example, one Single Family Attached unit (Column "A", second row) can be traded into 127 sq. feet of Community Commercial. The intersection of the Single Family Attached unit row, and the Community Commercial column is 127 Sq. Feet.

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 12th day of October, 2007
R.B. SHORE
Clerk of Circuit Court
By: Maggie Remillard D.C.

RESOLUTION NO. R-07-180

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; AUTHORIZING THE EXTENSION OF PHASE, BUILDOUT AND EXPIRATION DATES FOR PROJECTS THAT ARE DEVELOPMENTS OF REGIONAL IMPACT, PURSUANT TO SECTION 380.06(19)(c), FLORIDA STATUTES; AUTHORIZING AND DIRECTING THE PLANNING DIRECTOR TO CARRY OUT NECESSARY ACTIONS; PROVIDING FOR THE EFFECT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Manatee County, Florida, pursuant to Part II, Chapter 163, Florida Statutes, and Chapter 380, Florida Statutes, has issued development orders for developments of regional impact ("DRIs") for land development within the unincorporated areas of the County, with such stated expiration dates as are authorized and required pursuant to applicable law; and

WHEREAS, during the 2007 legislative session, the Florida Legislature amended Section 380.06(19)(c), Florida Statutes, to provide that *"In recognition of the 2007 real estate market conditions, all phase, buildout, and expiration dates for projects that are developments of regional impact and under active construction on July 1, 2007, are extended for 3 years regardless of any prior extension. The 3-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection";* and

WHEREAS, in order to comply with the amendments to Section 380.06(19)(c), Florida Statutes, the Board wishes to adopt this Resolution to authorize and direct the Planning Director to memorialize such statutory extensions as provided herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. EXTENSION OF PHASE, BUILDOUT AND EXPIRATION DATES FOR DRIS. The Board hereby recognizes the automatic three-year extension granted pursuant to Section 380.06(19)(c), Florida Statutes, for phase, buildout, and expiration dates for projects that are developments of regional impact and under active construction on July 1, 2007. In order to comply with the letter and intent of such provision, the following phase, buildout, and expiration dates for such DRIs shall be deemed extended by a period of three years from their stated expiration dates:

A. Development order buildout dates for individual phases which, as of July 1, 2007, had not expired;

B. Site plans for such individual phases which, as of July 1, 2007, had not expired; and

R-07-180

C. Expiration dates, including without limitation expiration dates for certificates of level of service (CLOS) for such individual phases.

Any phase, buildout, or expiration date (including without limitation any CLOS expiration date) for any individual phase of a DRI which has, as of July 1, 2007, expired, shall not be revived and extended, notwithstanding that other phases of such DRI may be subject to a phase, buildout, or expiration date that did not expire as of such date.

SECTION 2. EXTENSION OF IMPROVEMENT COMPLETION DEADLINES. Deadlines for completion of individual improvements, or any other deadlines not specifically addressed in Section 1 above, shall be evaluated on a case-by-case basis to determine whether such deadlines should be extended in order to comply with Section 380.06(19)(c), Florida Statutes. An applicant bears the responsibility of identifying any such deadlines that it believes should be extended, and obtaining a written determination from the Planning Department, before any such deadlines should be treated as extended by the applicant.

SECTION 3. DIRECTION TO PLANNING DIRECTOR. The Board hereby authorizes and directs the Planning Director, and such other necessary County officers and staff, subject to and in accordance with the terms and conditions of this Resolution and Section 380.06(19)(c), Florida Statutes, to review existing DRI development orders and related approvals and to provide written notice to applicants of the extensions recognized in to Section 1. The Planning Director is also authorized to consider and act upon requests of DRI applicants for extensions of other deadlines pursuant to Section 2.

SECTION 4. INCORPORATION INTO BOARD APPROVALS. For any DRI affected by this Resolution, the Planning Director shall include in any future ordinance, development order or other approval submitted to the board, language and expiration dates to assure that the Board action provides for the recognition of the extensions provided pursuant to Section 380.06(19)(c), Florida Statutes, as implemented pursuant to this Resolution.

SECTION 5. EFFECT OF RESOLUTION. This Resolution adopted solely for the purpose of implementing the statutory extensions made pursuant to Section 380.06(19)(c), Florida Statutes. Accordingly, this Resolution (a) shall be construed in a manner consistent with the intent of such statutory provision, and (b) shall not be construed to confer extensions or other development rights beyond those authorized and required pursuant to such statutory provision.

SECTION 6. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

R-07-180

ADOPTED THIS 9TH DAY OF OCTOBER, 2007.

MANATEE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____
Chairman of the Board of County Commissioners

ATTEST:

R.B. SHORE, Clerk of the Circuit Court

By: _____
Deputy Clerk

MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	Resolution No. R-07-180. Statutory extension of DRI phasing, buildout, and expiration dates	**TYPE AGENDA ITEM**	Consent
DATE REQUESTED	October 9, 2007	**DATE SUBMITTED/REVISED**	October 1, 2007
BRIEFINGS? Who?	None Required	**CONSEQUENCES IF DEFERRED**	Delay in notification to applicants and interested parties
DEPARTMENT/DIVISION	Planning/Community Planning	**AUTHORIZED BY TITLE**	Carol B. Clarke, AICP, Planning Director CBC
CONTACT PERSON TELEPHONE/EXTENSION	Robert H. Pederson, Community Planning Administrator. Ext. 6833	**PRESENTER/TITLE TELEPHONE/EXTENSION**	Robert H. Pederson, Community Planning Administrator. Ext. 6833
ADMINISTRATIVE APPROVAL			

ACTION DESIRED
INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED

Adoption of Manatee County Resolution R-07-180 authorizing the Planning Director to review DRI Development Orders and related approvals and to provide written notice to applicants of the extensions authorized by Section 380.06(19)(c), Florida Statutes

ENABLING/REGULATING AUTHORITY
Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy

- Chapter 380.06 Florida Statutes

BACKGROUND/DISCUSSION

- During the 2007 legislative session, Section 380.06(19)(c) was amended to extend all phase, buildout, and expiration dates for DRIs that are under "active construction" on July 1, 2007.
- The amendment was in recognition of the real estate market conditions in Florida.
- The attached Resolution recognizes the automatic 3 years extensions and authorizes the Planning Director to review all current DRI Development Orders and notify the applicants of the extensions and the new phase, buildout, and expiration dates for their DRI.
- Copies of this Resolution will be placed in all DRI files to documents the extensions and all future NOPC or Substantial Deviation requests will recognize the extensions.

COUNTY ATTORNEY REVIEW

Check appropriate box	
☐	**APPROVED IN OPEN SESSION** REVIEWED Written Comments: OCT 0 9 2007

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

	☐ Attached ☐ Available from Attorney (Attorney's initials: _____)
☐	NOT REVIEWED (No apparent legal issues.)
	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
☒	OTHER The County Attorney's Office prepared the draft Resolution and has reviewed this agenda memorandum

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
• Resolution No. R- 07-180		• Please forward a copy of the adopted Resolution to: County Attorney's Office – Bill Clague Planning Department – Bobbi Roy	
COST:	N/A	SOURCE (ACCT # & NAME):	N/A
COMMENTS:	N/A	AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	N/A

#216

MANATEE COUNTY GOVERNMENT

PLANNING DEPARTMENT

"TO SERVE WITH EXCELLENCE"

Certified Mail # 7000 0600 0024 5577 1903

November 9, 2004

Mr. John Meyer
DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

Re: Development Order for University Lakes

Dear Mr. Meyer:

Enclosed is a certified copy of Ordinance 04-59 the Development Order for University Lakes, as adopted in open session by the Manatee County Board of County Commissioners on October 19, 2004, as required by Rule 9J-2.025(5), Florida Administrative Code.

If I can be of further assistance, please contact me at (941)749-3070, extension 6834.

Sincerely,

Norman Luppino

Norman Luppino
Planning Manager

NL/ks
Enlcosure

#216

FILED FOR RECORD
R. B. SHORE

2004 NOV -8 AM 10:55

CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

ORDINANCE- 04-59
SCHROEDER-MANATEE RANCH, INC.
(SMR COMMUNITIES JOINT VENTURE, A FLORIDA GENERAL PARTNERSHIP)
DEVELOPMENT ORDER GRANTING AMENDMENTS TO AND REPLACING ORDINANCE 00-45, ORDINANCE-92-32, AS AMENDED BY ORDINANCE-93-25, ORDINANCE-95-44, ORDINANCE 97-61, ORDINANCE 97-81, ORDINANCE 00-45, ORDINANCE 01-60, AND ORDINANCE 03-35.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING AND RESTATING A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380 FLORIDA STATUTES FOR THE UNIVERSITY LAKES DEVELOPMENT OF REGIONAL IMPACT (MANATEE COUNTY DRI #22, A/K/A TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI #216); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONCLUSIONS OF LAW; PROVIDING FOR DEFINITIONS; PROVIDING FOR AMENDED LIMITATIONS ON AND CONDITIONS OF APPROVAL; ADD MAP H TO ADD 1804.7 ACRES; VARIOUS OTHER CHANGES TO THE DEVELOPMENT ORDER INCLUDING TERMINOLOGY, CLARIFICATION CHANGES, CODIFYING AND RESTATING THE EXISTING DEVELOPMENT ORDER FOR DRI #22; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

FILED

WHEREAS, on May 31, 1991, SMR Communities Joint Venture, a Florida general partnership filed an Application for Development Approval* (ADA*) of a Development of Regional Impact (DRI) with the Manatee County Board of County Commissioners (County*) pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said ADA* proposed construction of a multi-use project on approximately two-thousand three-hundred fifty-three (2,353) acres, located in southern Manatee County, hereinafter referred to as University Lakes DRI, or the Project*; and

WHEREAS, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, a second development is planned, commonly known as Lakewood Ranch Corporate Park adjacent to the Manatee County line in Sarasota County; and

WHEREAS, the University Lakes and Lakewood Ranch Corporate Park DRI's have been reviewed pursuant to the terms of the 380 Review Agreement* defined in Section 3. below; and

WHEREAS, the Board of County Commissioners, on June 1, 1992, approved Ordinance 92-32, which granted local approval to University Lakes, DRI No. 22,; and

WHEREAS, the Department of Community Affairs and the Tampa Bay Regional Planning Council appealed Ordinance 92-32 within the statutory time frame allowed; and

WHEREAS, the Developer* entered into a settlement agreement with the Department of Community Affairs and the Tampa Bay Regional Planning Council to resolve their concerns; and

WHEREAS, on October 24, 1993, the Board of County Commissioners of Manatee County adopted an amended Development Order (Ordinance 93-25) for the University Lakes DRI adopting

language to settle administrative action between the Department of Community Affairs, Tampa Bay Regional Planning Council, and Schroeder-Manatee Ranch, Inc., et. al.; and

WHEREAS, on January 25, 1996, The Board of County Commissioners adopted Ordinance 95-44, approving amendments to modify development totals, add 69.8 acres, and modify various definitions and conditions of the Development Order for the University Lakes DRI, which amendments were not found to be a Substantial Deviation to the originally approved Development Order; and

WHEREAS, on October 28, 1997, The Board of County Commissioners adopted Ordinance 97-61, approving amendments to extend the buildout and expiration dates; amend Map H to modify acreage totals per land use, change one subphase from business to residential, modify the internal roadway network between I-75 and Lakewood Ranch Boulevard; amend transportation, wetland, and other conditions; employ the land use trade-off mechanism in the D.O. to modify development totals in Phases I, II and III; modify the Certificate of Level of Service for Phase I to address land use exchange; approve Development Order modifications to more accurately reflect the status of compliance with certain conditions of approval; and

WHEREAS, on December 16, 1997, the Board of County Commissioners adopted Ordinance 97-81, to allow a hospital use in Phase II of the development; and

WHEREAS, on February 22, 2000, the Board of County Commissioners adopted Ordinance 00-45, to initiate Phase II construction; Relocate the Town Center to the east side of Lakewood Ranch Blvd.; Relocate an access point onto University Parkway; Shift square footage amounts between different Regional Commercial and Business parcels; Make changes to tables 1, 5 and 6 of the Development Order; and Amend Transportation and Affordable Housing Conditions; and

WHEREAS, on December 18, 2001, the Board of County Commissioners adopted Ordinance 01-60 to decrease Retail uses by 74742 sq. ft.; increase Hotel uses by 300 rooms; increase Office uses by 93,000 sq. ft; relocate 75,258 sq. ft. of Retail from the NW quadrant of Lorraine Road and University Parkway from Community Commercial to Residential; decrease Single-Family Attached units by 153; increase Multi-family units by 125; and amend Tables C and D to reflect these changes; and

WHEREAS, on August 26, 2003, the Board of County Commissioners adopted Ordinance 03-35 to extend the phase date of Phase I by seven (7) years; extend the phase date of Phase II by two (2) years; accelerate the Phase III start date by eight (8) years; accelerate the Phase IV start date by four (4) years; increase Business Office acreage by 4.2 acres; decrease Wetland/Mitigation acreage by 4.2 acres; change the quantifying reference for hospital use from square footage to bed count; move 425,600 square feet of General Commercial Retail from Phase II to Phase IV; move 4,300 square feet of General Commercial Retail from Phase III to Phase IV; move 327,508 square feet of Business Industrial from Phase III to Phase IV; move 88,328 square feet of Business Office from Phase IV to Phase III; move 30,000 square feet of Neighborhood Commercial from Phase II to Phase IV; move 151 single-family dwelling units from Phase IV to Phase III and reduce the entitlements for single-family dwelling units by 294; move 105 single-family attached dwelling units

from Phase IV to Phase III and reduce the total entitlements for Single Family Attached Dwelling Units by 93; increase Multi-Family Dwelling Units in Phase III by 387; move 106.0 acres from the University Lakes DRI to the Cypress Banks DRI; amend the name of the authorized agent from Rex Jensen to Tim Martin; replace all references to the University Place DRI to the Lakewood Ranch Corporate Park DRI; amend Tables 3 and 4 to update the entitlements for Lakewood Ranch Corporate Park; establish February 22 as the annual reporting date; amend Section 4.C to update Attachment #5 (Land Use Equivalency) to the latest ITE generation rates; amend Tables 1 and 2 to reflect these changes; amend Section 5, Transportation and Affordable Housing to reflect updated analysis; and, amend Map H and the Development Order to reflect the above changes; and

WHEREAS, the Developer* of University Lakes submitted and supplied information pursuant to the Notice of Proposed Change Provisions of Section 380.06, Florida Statutes, concerning the regional impacts of Traffic, Air Quality, and Affordable Housing to Manatee County concerning the proposed development in Phases I, II and III pursuant to the which information was reviewed by the Tampa Bay Regional Planning Council, Department of Community Affairs, and other applicable state agencies, each of which had opportunity to request additional information and make comments and suggestions, and each of which in fact did so. The Developer* further responded to questions and comments raised by said parties in the form of sufficiency responses; and

WHEREAS, the developers of University Lakes have proposed the following changes to the Development:

(1) Revising the project boundary to add 1,804.7 acres (east of Lorraine Road);
(2) Adding ten access points for new internal roadways;
(3) Increasing single family detached dwelling units by 350 in Phase III;
(4) Decreasing single family attached dwelling units by 135 in Phase III;
(5) Decreasing multi-family dwelling units by 292 in Phase III;
(6) Increasing General Commercial (Regional) Retail by 251,578 square feet in Phase III;
(7) Decreasing Neighborhood Commercial (Community) by 34,236 square feet in Phase I;
(8) Decreasing Neighborhood Commercial (Community) by 31,143 square feet in Phase II;
(9) Decreasing Business Office by 58,323 square feet in Phase III;
(10) Decreasing General Commercial (Highway) Retail by 150,000 square feet in Phase II;
(11) Decreasing General Commercial (Highway) Hotel and Motel by 85 rooms in Phase I;
(12) Decreasing General Commercial (Highway) Hotel and Motel by 300 rooms in Phase II;
(13) An increase in residential acreage by 811.4 acres;
(14) An increase in Community Commercial acreage by 31.0 acres;
(15) An increase in open space acreage by 129.3 acres;
(16) An increase in recreational acreage by 9.9 acres;
(17) An increase in wetland acreage by 343.2 acres;
(18) An increase in lake acreage by 277.4 acres;

(19) An increase in road right-of-way acreage by 202.5 acres;
(20) A change in the labeling of cluster villa (CV) residential units to multi-family (MF);
(21) Amending the name of the authorized agent from Tim Martin to Todd Pokrywa;
(22) Amending Tables 1 and 2 to reflect these changes;
(23) Amending Map H and the Development Order to reflect the above changes;
(24) Amending Map H to allow Community, Highway, and Regional Commercial uses on a Community Commercial parcel located west of the town center;
(25) Amending Map H to allow commercial uses in certain Business parcels;
(26) Amending the legal description to reflect the above referenced changes, and;
(27) Various other changes to the Development Order and terminology and formatting changes; and

WHEREAS, the above described changes, cumulatively with all previous changes, do not constitute a Substantial Deviation to the Development Order for University Lakes, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the Board of County Commissioners, as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes, has the statutory authority to consider and approve Notices of Proposed Changes (NOPC) for an amendment to an approved Development of Regional Impact; and

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

WHEREAS, the Planning Commission of Manatee County has reviewed the NOPC and has filed a recommendation on this NOPC with the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has received and considered the comments of the Tampa Bay Regional Planning Council and the Department of Community Affairs; and

WHEREAS, the County* on October 19, 2004, held a duly noticed public hearing on the NOPC and the language proposed by the Developer* to amend and replace Ordinance 03-35, as amended, and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County and City agencies, the applicant, as well as the review and report of the Manatee County Planning Department.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

SECTION 1. FINDINGS OF FACT

The Board of County Commissioners, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of Manatee County, and all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.

B. The Developer* has received County approvals for and has commenced development in several sub-phases of the development, consistent with Ordinance 92-32, (as amended by Ordinances 93-25, 95-44, 97-61, 97-81, 00-45, 01-60, and 03-35).

C. An application has been submitted to Manatee County and is being processed concurrently with this NOPC to approve a revised General Development Plan to revise the project boundary to add 1,804.7 acres (east of Lorraine Road); add ten access points for new internal roadways; increase single- family detached dwelling units by 350 in Phase III; decrease single- family attached dwelling units by 135 in Phase III; decrease multi-family units by 292 in Phase III; increase General Commercial (Regional) Retail by 251,578 square feet in Phase III; decrease Neighborhood Commercial (Community) by 34,236 square feet in Phase I; decrease Neighborhood Commercial (Community) by 31,143 square feet in Phase II; decrease Business Office by 58,323 square feet in Phase III; decrease General Commercial (Highway) Retail by 150,000 square feet in Phase II; decrease General Commercial (Highway) Hotel and Motel by 85 rooms in Phase I; decrease General Commercial (Highway) Hotel and Motel by 300 rooms in Phase II; increase residential acreage by 811.4 acres; increase Community Commercial acreage by 31.0 acres; increase open space acreage by 129.3 acres; increase recreational acreage by 9.9 acres; increase wetland acreage by 343.2 acres; increase lake acreage by 277.4 acres; increase road right-of-way acreage by 202.5 acres; change the labeling of cluster villa (CV) residential units to multi-family (MF); amend the name of the authorized agent from Tim Martin to Todd Pokrywa; amend Tables 1 and 2 to reflect these changes; amend Map H and the Development Order to reflect the above changes; amend Map H to allow Community, Highway, and Regional Commercial uses on a Community Commercial parcel located west of the town center; amend Map H to allow commercial uses in certain Business parcels; amending the legal description to reflect the above referenced changes, and; various other changes to the Development Order and terminology and formatting changes.

D. The Board of County Commissioners of Manatee County has received and considered the recommendation of the Manatee County Planning Commission concerning the NOPC and the application for Official Zoning Atlas Amendment as it relates to the real property described in Section 7 of this Ordinance of an NOPC pursuant to Section 380.06, Florida Statutes. The report was rendered on October 7, 2004, following public hearing.

E. The Board of County Commissioners held a public hearing on October 19, 2004, regarding the NOPC and the proposed Official Zoning Atlas Ordinance Amendment described herein, in accordance with the requirements of Manatee County Ordinance No. 90-01, as amended (the Manatee County Land Development Code) and Ordinance No. 89-01, as amended, (Manatee County Comprehensive Plan), and has further considered the testimony, comments, and information received at the Public Hearing.

F. The proposed changes to the DRI regarding the property described in Section 7. herein, are found to be consistent with the requirements of Manatee County Ordinance No. 89-01, as amended (the 2020 Manatee County Comprehensive Plan), provided it proceeds in

accordance with the Development Conditions specified in Section 5. and the Developer* Commitments specified in Section 6. of this Development Order.

G. The Developer* of the Project* submitted to Manatee County, Florida, an ADA* for the original project and the above described Notices of Proposed Change including this one, which are incorporated herein by reference.

H. The Developer* submitted an Affordable Housing Impact Analysis (dated September, 2002) to Manatee County which describes the housing demand for low, very low and median income households and the existing housing supply (see Attachment #1 to Ordinance 03-35).

I. The real property which is the subject of this Development Order is legally described as set forth in Section 7.

J. The Project* is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.

K. The authorized agent for the Project* is Todd Pokrywa, and his address is SMR Communities Joint Venture, a Florida general partnership, 6215 Lorraine Road, Bradenton, Florida 34202.

L. The owner of the property, which, SMR Communities Joint Venture, a Florida general partnership intends to develop, is Schroeder-Manatee Ranch, Inc., a Delaware corporation.

M A comprehensive review of the impacts generated by the Development has been conducted by the departments of Manatee County, the Planning Commission, the Board of County Commissioners, TBRPC, Sarasota County, SWFRPC, and the Department of Community Affairs (DCA).

SECTION 2. CONCLUSIONS OF LAW

A. Based upon the previous findings of fact and the following conditions of the Development Order, the Board of County Commissioners of Manatee County concluded that:

1. The Project* will not unreasonably interfere with the achievement of the objectives of the Adopted State Land Development Plan applicable to the area.

2. The Project* is consistent with the local land development regulations and is consistent with the State Comprehensive Plan (SCP), the Tampa Bay Regional Planning Council's Future of the Region, A Strategic Regional Policy Plan (SRPP), and Ordinance 89-01, as amended (The Manatee County Comprehensive Plan).

3. The Project* is consistent with the report and recommendations of TBRPC approved on February 10, 1992 and on January 8, 1996, regarding the first NOPC submitted on July 10, 1995, in May 1997, regarding the second NOPC; on October 13, 1997 regarding the third NOPC; on December 16, 1997 regarding the fourth

NOPC; on January 24, 2000 regarding the fifth NOPC; and on September 21, 2001 regarding the sixth NOPC; on April 14, 2003 regarding the seventh NOPC, and on October 22, 2003 regarding the eighth NOPC.

B. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the Developer* is authorized to conduct development as described herein, subject to the conditions, restrictions, and limitations set forth below.

C. That the review by the County*, TBRPC, and other participating agencies and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Development Order, the ADA*, the NOPC, and the Air Quality, Transportation, and Affordable Housing Analyses submitted pursuant to Chapter 380.06, Florida Statutes to initiate Phase III. To the extent that the ADA* is inconsistent with the terms and conditions of this Development Order, the terms and conditions of this Development Order shall prevail.

D. This Ordinance replaces Ordinance 03-35, which granted amendments to Ordinance, 92-32, 93-25, 95-44, 97-61, 97-81, 00-45, and 01-60 in their entirety and adequately addresses the impacts of the development, pursuant to the requirements of Chapter 380, Florida Statutes.

E. Pursuant to Subsection 380.06(19)(c), Paragraphs 380.06(19)(e)3, and 380.06(19)(e)5.c, Florida Statutes, the changes proposed pursuant to the NOPC submitted on October 22, 2003 and revised on July 26, 2004 and approved pursuant to Ordinance 04-59, do not constitute a Substantial Deviation requiring further Development of Regional Impact review.

SECTION 3. DEFINITIONS

Note: An asterisk (*) denotes that the word is defined. The definitions contained in Chapter 380, Florida Statutes, shall apply to this Development Order, in addition to those listed herein.

A. "380 Review Agreement*" shall mean the Agreement executed between DCA, TBRPC, the Southwest Florida Regional Planning Council ("SWFRPC"), and SMR Communities Joint Venture, a Florida general partnership, dated September 6, 1991 which governs the review of the University Lakes and Lakewood Ranch Corporate Park DRI's. A copy of the 380 Review Agreement* is on file with the Clerk's Office and previously supplied to DCA as Attachment #2 to Ordinance 93-25.

B. "Application for Development Approval*" (or ADA*) shall mean University Lakes, Inc. Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer* on October 25, 1991, Appendix E Cumulative Affordable Housing Analysis, in May 1997, regarding the second NOPC; on October 13, 1997 regarding the third NOPC; on December 16, 1997 regarding the fourth NOPC; on January 24, 2000 regarding the fifth NOPC; and on September 21, 2001

regarding the sixth NOPC, and on March 26, 2002 regarding the seventh NOPC, and on October 22, 2003, regarding the eighth NOPC.

C. "Best Management Practices*" (BMP) shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code (BMP list of approved practices by Board resolution for Special Overlay Districts-Evers Reservoir and Lake Manatee Watershed Areas).

D. "Combined Projects*" shall refer to both University Lakes and the neighboring project, Lakewood Ranch Corporate Park.

E. "County*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).

F. "Developer*" shall mean SMR Communities Joint Venture, a Florida general partnership, their heirs, assigns, designees, and successors in interest as to the Project* and all its conditions of approval.

G. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.

H. "Development Plans*" shall mean any Preliminary Site Plan issued by Manatee County or a site and development plan issued by Sarasota County

I. "District*" shall mean any unit of local special purpose government formed pursuant to Chapter 190, F.S., or any similar entity such as a Municipal Service Taxing Unit or Municipal Service Benefit Unit, from time to time created or previously existing, which acts in accordance with applicable law and regulations, to finance or fund: (i) the cost of such actions as the planning, acquiring, constructing, equipping, installing, operating, and maintaining various community facilities; (ii) the cost of providing certain community services; (iii) contributions of funds to other governmental and non-governmental entities with respect to such facilities, services, or related Development Order commitments and conditions and (iv) satisfaction of any of the commitments and conditions contained in this Development Order related to the foregoing. It is the declarative of the intent of this Development Order that any commitment or condition of this Development Order may be directly performed or satisfied by any District* which properly operates within its scope of authority. Such performance or satisfaction shall not be deemed or construed to constitute the discharge of any obligation of the Developer*.

J. "SRPP" shall mean the TBPRC's Future of the Region, a Strategic Regional Policy Plan for the Tampa Bay Region, December 11, 1995.

K. "Funding Commitments*" shall mean to assure the completion of any improvement required by this Development Order or any combination of the following: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in

a form satisfactory to the County* for construction to be completed when the improvement is required as referenced in Tables 5 and 6 of this Development Order; 2) actual construction; 3) the placement of the improvements in the first year of the Capital Improvements Element of the appropriate County or the current plus two years (or current plus first four years for FIHS facilities) of the Adopted Five-Year Work Program of the Florida Department of Transportation; or 4) a commitment for construction and completion of the required roadway improvements, pursuant to a Developer Agreement which, if approved by the parties, shall be incorporated in this Development Order through an amendment of the Development Order, pursuant to the notice of proposed change provisions of Chapter 380 of the Florida Statutes. Said Agreement shall include a construction timetable which will set forth the completion of the required improvements consistent with the time frames specified in Tables 5 and 6.

L. "Post-Development Wetlands*" shall mean any lands determined to be within jurisdictional limits defined by Chapter 62-301, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Protection (FDEP), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development for this Project*.

M. "Project*" shall mean the land uses, phasing, and improvements described in the ADA* which are attributable to development on that property described in Section 7. herein and set forth on Revised Map H, July 26, 2004 and attached hereto.

N. "Transportation Impact Area*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the proposed phase or subphase shown on a proposed Preliminary Site Plan in combination with prior approvals of the Combined Projects* will be five percent (5%) (or whatever greater percentage may be employed from time to time by DCA, TBRPC, or the County*, provided the more restrictive percentage shall be used) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on revised Map J, dated October 2003 (which was attached as Attachment #4 to Ordinance 01-60) which was based on data submitted with the ADA*. In determining the Transportation Impact Area* for this Project* all traffic generated by Lakewood Ranch Corporate Park shall be deemed project traffic for University Lakes.

O. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.

SECTION 4. 380 REVIEW AGREEMENT*, APPROVALS, AND DEVELOPMENT COMPONENTS

A. Some of the impacts of the University Lakes DRI have been reviewed in conjunction with the impacts of the proposed Lakewood Ranch Corporate Park DRI under the terms of the 380 Review Agreement*. The 380 Review Agreement* provides for a cumulative assessment of the impacts of both projects on the issues of transportation, air quality, affordable housing, and listed species.

Tables 1 through 4 list the appropriate land uses for University Lakes (Tables 1 and 2) and Lakewood Ranch Corporate Park (Tables 3 and 4) under the designations used by the respective Counties and the designations used in Section 380.0651, Florida Statutes, in parentheses ( ).

B. Subject to the possible exchange of land uses as described elsewhere herein, the Project* consists of the land uses, square footage, dwelling units, and approximate area described in Columns A through D of Table 1 and the land uses, square footage, dwelling units, and approximate area by phase as described in Table 2. Phase I, II and III of the Project* are approved subject to the conditions found within this Development Order. Upon its review and approval by staff, a Certificate of Level of Service will be issued as part of this approval, and is authorized until the dates for each Phase set forth in Table 2. Phase IV is conceptually approved. Approval of Phase IV is contingent upon further Section 380.06(6) review on the following issues: transportation, air quality, and affordable housing. The review of transportation, air quality, and affordable housing for Phases IV shall be based on a cumulative assessment of the impacts created by the Combined Projects*.

The conditions of approval of Phases I, II, and III of University Lakes and Phase I of Lakewood Ranch Corporate Park, (Combined Projects) with respect to the impacts that were cumulatively assessed, shall not necessarily apply to subsequent phases. In addition to obtaining a Development Order amendment, Certificates of Level of Service must be obtained for Phase IV, but shall be limited to roadway capacity, mass transit, sanitary sewer, parks and recreation facilities, drainage, and solid waste, as required by the Manatee County Land Development Code. The Certificate of Level of Service for potable water must be obtained with each Final Site Plan.

TABLE 1
UNIVERSITY LAKES DEVELOPMENT COMPONENTS

Column A Map H Land Use (Section 380.0651 F.S. Designation)	Column B Number Acres *****	Column C Square Feet	Column D Dwelling Units	Column E Land Use Exchange Maximum Increase
Residential	1,481.2	n/a	**3,031**	An increase in dwelling units by 5% or 50 units, whichever is greater
General Commercial*				Land Area increased by 6 acres or increase by 50,000 s.f. of gross floor area, or the greater of a 5% increase in parking spaces or an increase of customer parking by 300 spaces
Retail	56.6	1,071,578	n/a	
Hospital	32.0	150 beds	n/a	
Total General Commercial	**88.6**	**1,071,578**	**n/a**	
Neighborhood Commercial**	**48.5**	**240,879**	**n/a**	
General Commercial***				
Retail	21.0	0	n/a	
Hotel and Motel	7.0	250,000/ 215 rooms	n/a	75 rooms
Total General Commercial	**28.0**	**250,000**	**n/a**	
Business				Land area increased by the greater if 5% or 6 acres; whichever is greater, or gross floor area increased by greater of 5% or 60,000 s.f. whichever is greater
Office	59.3	1,128,877	n/a	
Industrial	55.0	808,088	n/a	
Total Business	**114.3**	**1,936,965**	**n/a**	
Right of Way	379.7			
Recreation	340.3			
Wetlands/Mitigation	683.1			
Lakes****	633.4			
Open Space	323.3			
TOTAL	**4,120.4**	**3,499,422/150 hospital beds**	**3,031**	

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.

**** Additional lakes will be constructed within the Project* as required by the stormwater management system
***** Acreages subject to verification and adjustment based upon future survey activities, consistent with the graphic depictions on revised Map H.

TABLE 2
UNIVERSITY LAKES PHASING SCHEDULE

Map H. Land Use Designation (§380.0651, F.S., Designation)	Phase I 1992-2011◆	Phase II 2000-2011◆	Phase III 2002-2011◆	Phase IV 2011 - 2019◆◆	Total
Residential Dwelling Units					
Single Family	970	361	450	0	1,781
Single Family Attached	88	0	0	0	88
Multi-Family	449	412	301	0	1,162
Total Residential	**1,507**	**773**	**751**	**0**	**3,031**
General Commercial* s.f. (Regional)					
Retail	275,557	114,543	251,578	429,900	1,071,578
Hospital	0	150 beds	0	0	150 beds
Total General Commercial	**275,557**	**114,543**	**251,578**	**429,900**	**1,071,578**
Neighborhood Commercial s.f. (Community)**					
Retail	52,764	0	0	188,115	240,879
Total Neighborhood Commercial	**52,764**	**0**	**0**	**188,115**	**240,879**
Business s.f.					
Office	323,318	608,608	191,677	5,274	1,128,877
Industrial	0	0	30,000	778,088	808,088
Total Business	**323,318**	**608,608**	**221,677**	**783,362**	**1,936,965**
General Commercial* s.f. (Highway)**					
Retail	0	0	0	0	0
Hotel and Motel	250,000/ 215 rooms	0	0	0	250,000/ 215 rooms
Total General Commercial	**250,000**	**0**	**0**	**0**	**250,000**
Recreational Facilities****	Tennis & Boat Club+, Park, Golf Course & Park				

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.
**** Phasing of recreational facilities may be accelerated in accordance with the provisions of Sections 4.B., C. and E.
\+ The Boat Club shall be located on the 160± acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such as

sailboards, canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation, and such craft may be used on the manmade lake.
◆ Buildout date is September 13th of each year indicated.
◆◆Phase IV has only received conceptual approval. Specific approval is pending further Chapter 380.06, F.S. review regarding transportation, affordable housing, and air quality analyses.

TABLE 3

LAKEWOOD RANCH CORPORATE PARK DEVELOPMENT COMPONENTS

Sarasota County Land Use Designation (Section 380.06.0651, F.S. Designation)	Number of Acres	Square Feet
Interstate Regional Office Park (Office)	250.0	998,308
Major Employment Center (Office) (Industrial) (Retail)	728.9	(1,849,885) (2,774,827) (76,980)
Open Use Conservation	395	n/a
Totals	1,373.9	5,700,000

TABLE 4
LAKEWOOD RANCH CORPORATE PARK PHASING SCHEDULE

Sarasota county Land Use Designation (Section 380.0651, F.S. Designation)	Phase I	Phase II	Phase III	Total
Interstate Regional Office Park s.f. (Office)	436,000	365,334	196,974	998,308
Major Employment Center s.f. (Office)	957,600	555,219	337,066	1,849,885
(Industrial)	1,435,600	832,828	505,599	2,774,827
(Retail)	40,000	23,287	13,693	76,980
Total	2,869,200	1,776,668	1,053,332	5,700,000

The amounts of residential, retail, hotel and motel, office, and industrial uses shown in Table 1 above within the Project* can be exchanged, with Board of County Commissioners approval of a revised General Development Plan, to allow flexibility in the exact land use mix shown in Columns B, C, and D of Table 1, above, and within each individual Phase shown in Table 2, provided that the following conditions are satisfied:

1. No land use category in the final Project* shall contain more development than that reflected in Table 1 Columns B, C, and D, plus that amount reflected in Column E.

2. The following uses designated in Table 1, shall not be reduced by the Developer* below the amounts set forth in Table 1, except as described elsewhere herein in specific provisions pertaining to those uses: lakes, recreation, wetlands/mitigation, open space.

3. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 500 dwelling units.

4. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 400,000 square feet of General Commercial.

5. The mix of approved uses within an individual Phase shall not be increased by more than 170,000 square feet nor decreased by more than 100,000 square feet of Business.

6. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 75 hotel rooms.

7. All other uses not specifically mentioned in Paragraphs 3, 4, 5, and 6 above shall not be subject to an exchange pursuant to this section.

C. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the proposed land use mix will not exceed the impacts for transportation, potable water, wastewater treatment, solid waste disposal, mass transit, drainage, and parks and recreation which are authorized in this Development Order and in any Certificate of Level of Service Compliance (CLOS) issued for that Phase. Additionally, the Developer* shall demonstrate that the proposed land use mix will not generate additional demand for affordable housing beyond the amount for which the supply of affordable housing has been demonstrated to be available and is described in Section P.(1) of this Development Order. If the impacts of a specific land use exchange exceeds the impacts authorized and approved for that phase in the Development Order, then the land use exchange shall be denied.

As to the CLOS, the Developer* must apply for a modification to the CLOS and if the proposed land use exchange results in impacts in excess of those previously approved, the Developer* may be granted approval for that excess only if and when capacity is available and in conformance with other provisions of this Section 4. However, reapplication shall not cause the Developer* to lose capacity already approved in the Certificate of Level of Service for that Project*. If the request for a land use exchange is approved, a modified CLOS shall be issued to replace the previously approved CLOS. Any modification to the CLOS shall not extend the time for which such capacity is reserved pursuant to the CLOS.

An application for a land use exchange must include a revised General Development Site Plan which will include a revised Table 2 showing the reallocation of square footage or units. Each proposal for a land use exchange and revised General Development Plan shall be reviewed for compliance with the provisions of this Development Order, the Manatee County Land Development Code, and the Manatee County Comprehensive Plan. Upon submission of a request to the County* to implement this section of the Development Order, all application materials and information necessary to support approval of such a request shall be provided to the Department of Community Affairs, TBRPC, SWFRPC, and Sarasota County by the Developer*. The Developer* shall provide written notification to the Department, TBRPC, SWFRPC, and Sarasota County of the approval or denial of any land use exchange requested by the Developer*.

With the submittal of any Notice of Proposed Change requiring changes to this Development Order, the Revised Master Development Plan and Phasing Schedule shall be amended to reflect any Land Use Exchange(s) that have been approved since the issuance of the Development Order or last amendment to the Development Order. Such change considered by itself shall not constitute a substantial deviation. Changes to the Phasing Schedule under this paragraph do not include extensions to the buildout date.

The land use exchange request shall contain information sufficient to enable the County* to determine that the impacts of the revised land use mix do not exceed the impacts of the land use mix being replaced. The quantifiable impacts will be measured based upon the relevant factors then currently used by the County* (e.g., ITE trip generation rates, EDU tables, solid waste generation factors, etc.) The Developer* shall verify the appropriate factors with County* staff prior to the submittal of any such land use exchange request.

The traffic impacts of the revised land use mix shall be deemed by the County* not to exceed the approved traffic impacts of the land use mix being replaced so long as the change does not increase

the peak hour total traffic and the relative proportions of trips produced by attractors and the trips produced by generators remains substantially the same for the phase or subphase. In the event that the attractor or generator proportions are not substantially the same, as determined by the County*, additional information may be required to assess intersection performance, trip distribution, or particular roadway segments designated by the County*.

Attached hereto as Attachment #5 (updated February 2003) is a table of conversion factors for equating only traffic impacts of land use exchanges. The incorporation of this land use exchange mechanism shall not operate to permit the Developer* to develop any land use which will generate peak hour trips in excess of the total number of peak hour trips for which it has obtained specific Development Order approval.

Any amendments to the land use mix or proposed phasing schedule (Tables 1 and 2 respectively), other than those described herein, shall be submitted to the County* for review and approval, pursuant to notice of change as required by Subsection 380.06(19), F.S., which approval shall not be withheld for mere acceleration of phases if otherwise there is compliance with the terms of this Development Order. Any departure in Project* buildout from the phasing schedule set forth in the Application shall be subject to review to determine if such departure constitutes a Substantial Deviation pursuant to Subsection 380.06(19), F.S.

Any specific land use exchange must result in a land use mix which is consistent with the requirements of the Manatee County Comprehensive Plan. The land use exchange may not be exercised more than once in any calendar year.

D. The list of required transportation improvements described in Tables 5 and 6 are triggered by the construction of Phase I of the Combined Projects* and Phases II and III of University Lakes. In the event that at any time the amount of development authorized in the Lakewood Ranch Corporate Park Development Order is less than that shown as Phase I Table 4 of this Development Order, the Developer* may submit a Notice of Proposed Change requesting a Development Order amendment to increase the amount of development in Phase I, II, and III of University Lakes by an amount equal in impacts to the Lakewood Ranch Corporate Park reduction. In reviewing such a Notice of Proposed Change, transportation issues shall not form the basis of a recommendation of Substantial Deviation if the impacts (trip generation or distribution) on transportation facilities remain essentially the same. Nothing herein shall operate as a waiver of the Developer's* obligation to obtain a CLOS for any and all development which the Developer* proposes to transfer from Lakewood Ranch Corporate Park to University Lakes. In making a request under this Section 4.D., the Developer* must meet all of the following conditions:

1. The impacts of the proposed change do not exceed the impacts which were approved in the Development Order, or any amendments thereto, for potable water, wastewater treatment, solid waste disposal, mass transit, drainage, affordable housing, and parks and recreation.

2. The Developer* must further demonstrate that the request is consistent with applicable provisions of the Comprehensive Plan and the Land Development Code.

3. The amount of any increase in any Land Use Category may not exceed the limitations set forth in Table 1 Column E_1 above.

4. The County* shall not be required to approve any increase to Phase I, II, and III of University Lakes unless adequate capacity exists to serve such increase and assurance of corresponding decrease is demonstrated to the County's* satisfaction, in Phase I of Lakewood Ranch Corporate Park.

5. In the event that the amount of development is increased for Phase I of Lakewood Ranch Corporate Park after approval of an increase of the permitted uses, density, or intensity for Phase I, II, and III of University Lakes under this Section 4.D., then this entire Development Order shall be subject to an additional Substantial Deviation review to address the impacts of development which was previously added to University Lakes.

The intent of this provision is not to alter the size or land use mix of the Combined Projects* at buildout. There is no intent to change the land uses actually approved for University Lakes. It is intended to provide flexibility in the timing of development between phases of the respective projects in response to economic development opportunities or development constraints. The applicability of this provision "D" is limited to Phase I of the Combined Projects* and Phase II and III of University Lakes, pending further review of additional phases.

E. To foster intergovernmental coordination in the administration of University Lakes and Lakewood Ranch Corporate Park, the Developer* will furnish to the Sarasota County Planning Department, the SWFRPC, and the City of Bradenton for review and comment, copies of all Annual Reports (together with any documents required to accompany said Annual Reports), any applications or submissions by the Developer* under this Section 4, and any revisions to University Lakes resulting from determinations by the County* under this Section 4. Further, the Developer* shall furnish to the County* copies of all Annual Reports (together with any documents required to accompany said Annual Reports) regarding Lakewood Ranch Corporate Park.

F. No provision of this Development Order shall serve to approve uses which were not previously reviewed and approved for University Lakes or which are inconsistent with the Manatee County Comprehensive Plan, including the WO-E Overlay District.

SECTION 5. DEVELOPMENT CONDITIONS

Transportation

A.(1) The cumulative transportation analysis for Phases I, II, and III for University Lakes and Phase I for University Place, conducted under the 380 Review Agreement* determined the need for the roadway segment and intersection improvements described in Tables 5 and 6 below:

Table 5
Phases I, II, and III Required Link Improvements

Roadway Segment Improvement Number	Road Segment Name (From and to)	Total Traffic Peak Hour LOS Prior to Improvement	Applicable Peak Hour Level of Service	Development Traffic as A % of LOS Peak Hour Capacity	Required Improvement to Restore LOS	Total PM Peak Hour External Trips for Combined Projects before Need*
1	University Parkway I-75 to Town Center Pkwy	F (in EB) F (in WB)	D D	90.0 129.4	Widen to 6 lanes	5,345
2	University Pkwy Town Center Pkwy to Lakewood Ranch Blvd	E (in EB) F (in WB)	D D	43.3 62.2	Widen to 6 lanes	5,345
3	University Pkwy through US 301	F (in EB) F (in WB)	D	9.6 13.8	Widen to 6 lanes	5,474
4	I-75 SR 70 to University Parkway	D (in NB) C (in SB)	C C	12.2 6.5	Widen to 8 lanes (1)	5,784
5	I-75: University Parkway to Fruitville Rd	D (in NB) C (in SB)	C C	10.6 20.1	Widen to 8 lanes (1)	6,005
6	I-75: Fruitville Rd to Bee Ridge Rd	C (in NB) D (in SB)	C C	8.4 15.9	Widen to 8 lanes (1)	6,714
7	I-75: Bee Ridge Rd to Clark Rd	C (in NB) D (in SB)	C C	5.0 9.4	Widen to 8 lanes (1)	6,537
8	I-75: Clark Rd to SR 681	C (in NB) D (in SB)	C C	3.0 5.7	Widen to 8 lanes (1)	6,448
9	I-75: SR 681 to Laurel Rd	C (in NB) D (in SB)	C C	2.9 5.4	Widen to 6 lanes (1)	6,625

This column represents the cumulative number of peak hour external trips for the Combined Projects before the need of the identified improvements for the respective phase Land Uses as depicted in Tables 2 and 4 for University Lakes and Phase I of University Place (or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

(1) No improvement is required if the Level of Service standard for the subject segment of I-75 is modified to LOS D by the appropriate governmental agency.

Table 6
Required Intersection/Ramp Improvements

Required Improvement Number	Improvement Name and Location	Total Traffic Peak Hour LOS Prior to Improvement	Applicable Peak Hour Level of Service	Development Traffic as a % of LOS Peak Hour Capacity	Required Improvement To Restore LOS	Total PM Peak Hour External Trips for Combined Projects Before Need*
Phase I, II, and III Required Intersection/Ramp Improvements						
1	University Parkway @ US 301	F	D	6.7	Provide dual left-turn and single right-turn lanes at all approaches and 6 lane east/west and north/south through movements.	5,474
2	University Parkway @ Town Center	F	D	100	SB right-turn lane protected signal phase.	4,263
					6- lane EB/WB	5,345
3	University Parkway @ Market St	F	D	41.4	Provide dual southbound left-turn lane.	5,345
					6- lane EB/WB	
4	Fruitville Rd @ Cattlemen	F	D	10.3	Provide northbound right-turn lane.	5,740
5	Fruitville Rd @ Coburn Rd	F	D	26.2	SB right-turn lane protected signal phase.	5,784
6	University Parkway @ 301 Boulevard	F	D	7.5	Provide southbound right-turn lane and protected right-turn signal phasing.	4,677
7	I-75 University Parkway northbound on ramp	D	C		Increase merge length to provide LOS C	5,828
8	University Pkwy @ I-75 East	C	C	100	**6 lane EB/WB based on need from west side	5345 (2007)
9	University Pkwy @ I-75 West	F	C	44.3	**6 lane EB/WB	5345 (2007)

This column represents the cumulative number of peak hour external trips for the Combined Projects before the need of the identified improvements for Phases I, II, and III land uses as depicted in Tables 2 and 4 for University Lakes and Phase I of Lakewood Ranch Corporate Park (or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

Note: Design details of intersection/ramp improvements shall be determined in construction plan permitting phase.

A.(2) The improvements listed in Tables 5 & 6 include critical link and intersection improvements for the development of Phase I II, and III of University Lakes.

In the event that Funding Commitments* for transportation improvements are only adequate to permit approval of a portion (subphase) of the Development, the capacity and loading of transportation facilities in the Transportation Impact Area*, shall be limiting factors in any subsequent approvals. A subphase analysis has been performed, and cumulative subphases for the Combined Projects* have been identified in Tables 5 and 6 together with subphase time frames that were used in the subphase study. An initial subphase of 2,585 external p.m. peak hour trips for the Combined Projects* has been identified as requiring no additional transportation improvements. The Developer* shall, at the time of each application for Final Site Plan approval, furnish to the County* an accurate, up to date report of the amount of development, defined in terms of external p.m. peak hour trips, which has previously been permitted in the Combined Projects*. The Developer* shall not be entitled to a Final Site Plan approval which would result in the cumulative number of external p.m. peak hour trips for the Combined Projects* to exceed the applicable subphase threshold unless Funding Commitments* have been obtained for improvements required for such subphase.

In the event that the total external p.m. peak hour trips projected to be generated by the Combined Projects* has exceeded the levels described in Tables 5 and 6 by the expiration of the Annual Report Years listed in Tables 5 and 6 for the appropriate uncommitted improvement, no further Final Site Plan approvals shall be granted unless the Developer* using the notice of change procedure has prepared an analysis which identifies the revised dates by which said improvement would be required under the new subphase analysis. The Development Order shall be amended to reflect these revised trip levels and dates.

The Developer* shall be bound by the subphase external trip thresholds and schedules set forth in Tables 5 and 6, unless the Developer* files a Notice of Proposed Change and provides the County*, pursuant to the notice of change procedures, an updated subphase traffic analysis for the Transportation Impact Area* that will result from the completion of construction of all of the previously permitted development in the Combined Projects* plus that to be generated by the next subphase for which the Developer* is seeking approval, and such proposed change is approved. Copies of such Notice Of Proposed Change for revised subphase transportation analysis shall be submitted to Manatee County, Sarasota County, TBRPC, and SWFRPC for review and comment. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (referenced in Tables 5 and 6) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways and intersections referenced in Table 5 and 6 at the appropriate Level of Service. In the event that the new analysis demonstrates the need for alternate improvements or different subphase thresholds, the Development Order may be amended to reflect the revised subphases or improvements. With each Preliminary Site Plan application, the Developer* shall submit to the County* a limited traffic study which shows the following:

1. External P.M. peak hour trips for the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvements in Table 5 & 6 will be required; and,

2. An assessment of the estimated traffic operations and turning movements together with the conceptual design of the driveways, serving the project covered by the Preliminary Site Plan application.

Any revised transportation analysis for the Combined Projects* shall utilize the adopted Sarasota County Level of Service, or that of any agency with jurisdiction, whichever Level of Service is higher, for determining deficiencies on all roads in Sarasota County. If deficiencies exist on said roadways, then Funding Commitments* to correct such deficiencies shall be required in accordance with this Paragraph A.(2).

Developer* agrees to construct the improvements identified in Number 3 of Table 6 on or before October 1, 2001, which satisfies any requirement that required improvements be constructed concurrently with the impacts of Phase II development as to such improvements, unless such improvement(s) are programmed for construction in the current plus two years of the Adopted Five-Year Work Program of the Florida Department of Transportation, in which event the responsible party for such improvement(s) shall be the FDOT. This commitment by the Developer shall satisfy the requirement that the construction of such improvements be pursuant to a Funding Commitment. Developer* shall receive impact fee credits pursuant to Manatee County Land Development Code regulations for such construction, if such construction is paid for by the Developer*. **(Completed)**

A.(3) The Developer* shall provide bicycle lanes as part of the roadway design for the collector facilities within the Project*. Inclusion of bicycle lanes as part of the roadway design does not mean the lanes themselves must be part of the roadway. That is, the lanes must be included in design but may be constructed separately or in separation from the roadway itself.

A.(4) The Developer* shall provide adequate sidewalks along all streets and roadways throughout the Project* as required by the Manatee County Land Development Code.

A.(5) As the Project* lies within the future Manatee County transit service area, the Developer* will work with the County* to coordinate the provision of transit service to the area in conjunction with development of University Lakes.

A.(6) Within three years of the effective date of Ordinance 00-45 or at the request of the County, an annual monitoring program consisting of peak hour traffic counts at the Project* entrances shall be instituted to verify that the projected number of external trips for the Project* are not exceeded. Counts will continue on an annual basis through Project* buildout, and the information shall be supplied in the required Annual Report. If an Annual Report is not submitted within thirty (30) days of its due date, or if the Annual Report indicates that the total external trips exceed projected counts for the Project* by 15 percent or more, Manatee County shall conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), Florida Statutes. This change will be presumed to be a Substantial Deviation. The results of the Substantial Deviation determination may also serve as a basis for the Developer* or reviewing agencies to request Development Order amendments.

A.(7) The transportation analysis in the ADA* was performed without consideration of the potential effects of a Transportation Systems Management ("TSM") program. Accordingly, the development thresholds described in Tables 5 and 6 may reflect a "worst case" scenario, dependent upon future TSM measures.

The Developer* or its assigns shall prepare and implement a TSM program which will endeavor to divert a number of vehicle trips from the PM peak hour. The TSM program shall be submitted to and be reviewed by the County*, the MPO, and the FDOT.

The TSM program shall be submitted with the first annual report subsequent to the monitoring program in Section A.(6) showing external trips exceeding 25% of the total external trips for Phase I of both University Lakes and Lakewood Ranch Corporate Park.

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 measure. Results of the TSM program shall be included in the Annual Report. The results of the TSM program may serve as a basis for the Developer* or reviewing agencies to request Development Order amendments which increase the applicable development thresholds or which will allow reduced impacts per square foot or dwelling unit of development in future phases. The TSM Program shall seek to further the TSM objectives and Policies set forth in the Florida Transportation Plan and shall include, but not be limited to:

(a) promote ride sharing by public and private sector employees;

(b) increase urban area peak hour automobile occupancy rates through expanded ride sharing efforts;

(c) increase peak hour occupancy rates for transit and other high occupancy vehicles; and

(d) other appropriate trip diversion measures.

A.(8) To allow for the finalization of interchange design relative to Improvements #3 and #4 in Table 6, Developer* agrees to reserve, until January 28, 1998, the property which it owns and which lies within the following description:

> Commence at the easterly corner of the existing FDOT right of way north of University Parkway where the limited access terminates, thence westerly along the FDOT right of way, a distance of 650 feet to the Point of Beginning. From the Point of Beginning, proceed northwest a distance of 1,500 feet to the existing FDOT right of way, thence southeasterly and easterly to the Point of Beginning.

This restriction shall expire on January 28, 1998. If the right of way is dedicated by the Developer* or otherwise acquired by the appropriate governmental agency, then the Developer* may transfer the impacted land uses to other appropriate areas within the Project* with approval of a revised General Development Plan. **(This item has been completed.)**

A.(9) The Developer* shall submit a Preliminary Site Plan for Phase I, or any subphase thereof, within twenty-four (24) months of the effective date of this Development Order. **(Completed).**

A.(10) The schedules of listed improvements may be adjusted at the Developer's* request with submission of adequate data to support any such adjustments, and the Development Order amended as needed in the event that the appropriate agencies determine that:

(a) The Project* is determined by the County* and TBRPC to be in a regional activity center or otherwise designated for alternative levels of service or alternative percentage thresholds in accordance with applicable rules and regulations; or

(b) The appropriate level of service standard for the particular roadway link or intersection is adjusted by the agency(ies) having jurisdiction over such link or intersection. In no event shall any level of service be adjusted if the result of said adjustment is to permit a lower level of service than established by that agency or agencies having jurisdiction at the time of the request for adjustment.

A.(11) The roadway shown on Revised Map H, which generally is oriented in a north/south alignment and connects to the proposed extension of Upper Manatee River Road, shall be required to be designated on the Future Traffic Circulation Map as a collector facility prior to providing any credits for right of way and/or construction. **(The requirements of Condition A.(11) have been completed)**

A.(12) Access to and from the site will be in accordance with state and local access regulations unless limited by the General Development Plan or any conditions placed thereon, whichever is most restrictive.

A.(13) The Developer shall conduct an annual monitoring assessment of the I-75southbound off-ramp intersection and merge with University Parkway to determine if operating conditions become congested and negatively impact the mainline interstate traffic at this ramp. This monitoring assessment shall continue until such time as agreement is reached with the FDOT regarding future year conditions for the above referenced ramp and intersection, and the Development Order is amended if needed, pursuant to NOPC procedures.

If such impact is identified to the mainline diverging traffic at this ramp, no further Development Plans* will be issued until the deficiency has been mitigated and the Development Order is amended as appropriate, if such amendment is necessary. The following monitoring methodology will be performed.

1. The monitoring shall consists of existing traffic counts and visual observations of peak hour queues on the southbound off-ramp from I-75 to University Parkway, over a three day period during the p.m. peak hour (4:00 to 6:00), and the results factored to peak season. The historic annual growth rate for traffic volumes on this ramp shall also be determined and applied to estimate the maximum queue likely to develop in the coming year.

   Based on a 70 mph speed on southbound I-75 at this location, the safe stopping distance that a vehicle exiting I-75 would require, including perception and reaction time if required to immediately brake to a stop upon exiting I-75 onto the southbound off-ramp, shall be calculated, and the location of this point on the ramp at which the vehicle would come to a complete stop determined.

   If the back of the maximum existing peak season queue established in (1), above, extends beyond the safe stopping point established in (2) above, a safety hazard will be deemed to exist, and a stop order on all further development approvals shall be issued until such time that improvements sufficient to alleviate the hazard are implemented.

Wetlands

B.(1) The portions of the University Lakes site that meet the definition of Conservation or Preservation Areas as set forth in policies 10.1.2 and 10.3.1 of the Council's adopted -(SRPP*) have been designated on Revised Map H.

(a) All wetlands and uplands on-site defined by Council policies as Preservation Areas, as shown on Revised Map H, shall be preserved. No dredging, filling, or development activities shall be allowed within Preservation Areas.

(b) All wetlands and uplands on-site defined by Council policies as Conservation Areas shall be protected from development as shown on Revised Map H.

B.(2) Except for wetland restoration or enhancement and naturally occurring fluctuations, no hydroperiod alteration shall be permitted in Preservation Areas as depicted on Revised Map H. Natural annual hydroperiods, normal pool elevations, and seasonal high water elevations shall be substantially maintained or improved. Hydroperiod monitoring shall be required semi-annually in selected preserved wetlands and initiated prior to on-site construction activity and continued for three years for herbaceous wetlands or five years for forested wetlands following buildout of the subbasin surrounding each wetland monitored. If the hydroperiod monitoring results demonstrate that Project* activities are inappropriately altering the hydroperiod in Preservation Areas, such activities shall cease until remedial measures are implemented.

B.(3) Any impacted wetlands, not required to be preserved in accordance with Condition B.(1) above and which are depicted as Conservation Areas on Revised Map H, shall be mitigated in accordance with the Manatee County Comprehensive Plan and Land Development Code and the SRPP* Policies.

B.(4) In addition to meeting the requirements of the Manatee County Land Development Code, the Developer* shall submit a wetland management and mitigation plan for the area to be developed to the County* for approval, and to TBRPC, and SWFWMD for review prior to any wetland alteration. This plan shall address, but not be limited to, identification of wetlands on-site, wetlands to be preserved, proposed wetland alterations, a detailed mitigation plan, control of on and off-site water quality, and methods for hydroperiod maintenance with a detailed narrative and construction plans for mitigated or significantly enhanced (as determined by the County*) wetlands. **(Completed).**

The Developer* shall include the following details, at a minimum, in the wetland management and mitigation plan prepared for submittal to the County*:

(a) Identification of existing dry and wet season site conditions;

(b) Narrative descriptions and evaluations of all wetlands to be disturbed by wetland type;

(c) Photographs and 24"x36" plans depicting conditions of the existing wetland creation site and proposed wetland creation plans. (This data shall demonstrate that the appropriate hydrologic requirements shall be provided);

(d) Narrative descriptions of any proposed wetland restoration activities and related issues;

(e) Estimated costs of wetland mitigation/restoration schemes including maintenance and monitoring for appropriate time periods; and

(f) Mitigation plans shall also include:

(1) Area and location of plantings;

(2) Species to be planted and spacing;

(3) Elevations for plantings;

(4) Source of plants or mulch;

(5) Source of wetland soil and depth proposed; and

(6) Monitoring and maintenance plans.

B.(5) If allowable wetland losses require type-for-type (herbaceous or forested) wetland replacement in accordance with stipulation B.(3), mitigation for wetland losses shall be implemented prior to, or concurrent with, the wetlands being disturbed. Created wetlands and littoral shelves shall require monitoring and maintenance activities. Percent survival of plant species in the created wetland or littoral shelf shall meet or exceed Manatee County Comprehensive Plan and Land Development Code success criteria and the SRPP* Policies. Yearly replanting and maintenance of the mitigation areas shall be required, if necessary, to ensure compliance with the conditions of the Development Order.

B.(6) The Developer* shall provide buffering around all Post-Development Wetlands* to provide an upland transition into the wetland areas and to protect natural systems from development impact. All such buffers shall be in compliance with the Manatee County Land Development Code.

Vegetation and Wildlife

C.(1) A cumulative assessment of the impacts of the Combined Projects* on listed plant and animal species has been performed as required by the 380 Review Agreement*. The Developer* has provided open space for wildlife in the form of preserved wetlands and the wildlife corridor along Cooper Creek as depicted on Revised Map H. In addition, Developer* shall retain large pines (>4" dbh) where possible in golf course rough for kestrel habitat and include and maintain open grassy areas in golf course rough for burrowing owl habitat. The specific locations of retained pines and open grassy areas shall be shown on the final development plan containing the golf course and shall be submitted to Manatee County for review and approval and to the Florida Fish & Wildlife Conservation Commission (FFWCC) for comment. However, as the Developer* is planning a large wildlife management area on Lakewood Ranch Corporate Park, the Developer* has prepared (pursuant to the 380 Review Agreement*) a wildlife management plan, as revised June 16, 1992, for the 395 acre Open Use Conservation District within Lakewood Ranch Corporate Park which provides additional protection of any listed species found on University Lakes and Lakewood Ranch Corporate Park. The plan includes information on site maintenance, fire frequency, wetland management, and boundary protection.

In the event that Lakewood Ranch Corporate Park is not approved by Sarasota County with the 395 acre Open Use Conservation District within one (1) year of the effective date of this Development Order or if such Open Use Conservation District is reduced in size by more than ten (10) acres, then within one (1) year of either such date or action the Developer* shall prepare a wildlife management plan to address the impacts of the Project* on any listed species found on University Lakes, except for the gopher tortoise. The FFWCC found that a regionally significant population of gopher tortoise does not exist on University Lakes. However, any taking must comply with FFWCC rules and the Developer* must obtain a gopher tortoise incidental take permit from the FFWCC. If a management plan is prepared, pursuant to this paragraph, the plan shall be submitted to the and the Department of Community Affairs for review and to the County* for review and approval. **(Completed).**

C.(2) The Developer* shall provide small wildlife crossings (18" culverts) under roadways at the two locations where the north/south collector roadways intersect with Cooper Creek. **(Completed).**

C.(3) In accordance with applicable law, the Developer* shall coordinate with the Florida Department of Agriculture and Consumer Services and the County* for proper relocation of any listed species found on-site in addition to the requirements of C.(1) above.

C.(4) Representative tracts of all major natural upland vegetative communities (Live Oak, Pine-Mesic Oak, Pine Flatwoods, Temperate Hardwoods), as depicted on Revised Map H, shall be set aside in their natural state to serve as conservation areas.

C.(5) The removal of naturally-occurring vegetation shall be limited in accordance with the Manatee County Comprehensive Plan. This limitation shall not include the removal of diseased trees or vegetation, or exotic species, or other species approved by the County* consistent with the provisions of the Manatee County Comprehensive Plan.

C.(6) Areas designated as Preservation Areas on Revised Map H shall be protected in perpetuity by conservation easement or other legal instrument approved by County*.

Land

D.(1) The Developer* shall initiate the following procedures to ensure erosion control during development of the Project*:

(a) Sod, seed, or plant embankment areas of stormwater detention or retention ponds;

(b) Sod, seed, mulch, or landscape cleared or disturbed areas as soon as possible after clearing and grading;

(c) Limit clearing and site work, construction, and clearing to areas needed for immediate development;

(d) Develop asphalt roads as soon as possible;

(e) Initiate landscaping before development work is completed on a site;

(f) Construct sediment basins at the start of each drainage system phase;

(g) Utilize straw filter barriers or filter fabric at discharge points including, but not limited to, temporary discharge points;

(h) Install temporary sediment basins and perimeter dike systems as a first step in the grading process and inspect and clean out the temporary sediment basins on a regular basis; and

(i) Preserve the existing natural vegetation along Foley Creek and Cooper Creek, as depicted on Revised Map H.

Air Quality

E.(1) The Developer* shall, subject to applicable water quality standards, institute the following procedures to ensure dust control during development of the Project*:

(a) Implement a watering program during excavation and dredge and fill operations;

(b) Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;

(c) Treat disturbed areas after clearing, grading, earth moving, or excavation is completed by watering, revegetation, spreading soil binders, or compacting fill material until areas are paved or developed;

(d) Keep soil stockpiles moist, or treat with soil binders or cover;

(e) Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;

(f) Remove dust producing materials as soon as possible;

(g) Maintain 15 mph or less vehicle and equipment speeds on temporary roads;

(h) Sod, seed, mulch, or landscape cleared or disturbed areas, including embankment areas, of stormwater detention or retention ponds as soon as possible after clearing and grading;

(i) Limit site work and construction to areas needed for immediate development;

(j) Develop asphalt roads as soon as possible;

(k) Initiate landscaping before development work is completed on-site; and

(l) Utilize water spray trucks to control dust generation in heavy construction areas.

E.(2) Further Section 380.06(6), Florida Statutes, review will be required for air quality impacts, of Phase IV. This Development Order* must be amended prior to granting specific approval to Phase IV to address any air quality impacts and to specify any necessary mitigation prior to the commencement of said Phases. This review shall be a cumulative assessment of the Combined Projects*.

Water Quality and Drainage

F.(1) Prior to any site alteration associated with the Project*, the Master Drainage Plan for the Project* shall be submitted to DEP, SWFWMD, and EMD for review and to the County* for approval. **(The requirements of Condition F.(1) have been completed)**

The stormwater management system shall be designed, constructed, and maintained to meet or exceed the applicable requirements of Chapter 62-25, 40D-4, and 62-40, F.A.C. The stormwater management system shall be designed to comply with the provisions relating to the Evers Reservoir Watershed Protection Overlay District by providing treatment, at a minimum, of 150% of the criteria found in Chapter 62-25 and 40D-4, F.A.C. Nothing in this Section F.(1) shall be construed as a waiver by the Developer* of any vested rights, if any, pertaining to approved (as depicted in an approved Preliminary Site Plan for that Phase or subphase) or constructed stormwater facilities. With the exception of any such vested rights, if any, the Project* shall also comply with any special local watershed protection provisions adopted after the approval of this Development Order. An acceptable method for meeting such standards for the treatment of stormwater runoff for the majority of the site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2 of the ADA.

F.(2) Best Management Practices* (BMP) for reducing water quality impacts, as recommended by the County* and SWFWMD in accordance with adopted regulations of these agencies, shall be implemented and may include a street cleaning program for parking and roadway areas within the Project*.

F.(3) The Developer* shall be the entity responsible for maintaining the stormwater management system. The Developers* maintenance and inspection schedule for ensuring proper water quality treatment shall be submitted to the County* for approval, prior to site alteration activities associated with the Project*.

F.(4) Stormwater discharge shall not cause the receiving water body to violate the limits defined in the Class appropriate to that water body. Where background conditions in the water body in question do not meet the applicable standards due to natural causes outside the control of the Developer*, site specific, alternative criteria may be established in conjunction with the County*.

F.(5) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a surface water quality and quantity monitoring program approved by the County* **(Completed)**. This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include provisions for the characterization of pre-construction baseline water quality and quantity conditions of surface water entering and leaving the site. The surface water monitoring program shall also provide the monitoring of surface water quality during periods of construction. In addition, the surface water monitoring program shall include an ongoing plan for monitoring of post-construction surface water quality. The surface water quality monitoring program required pursuant

to this condition shall include an identification of the locations, frequency, and duration of sampling, parameters to be monitored, collection and analytical methods, and reporting requirements. All water quality sample collections and laboratory analyses shall be made in accordance with USEPA/FDEP approved methodology. The laboratory performing the analyses shall be certified by the FDHRS and shall have an approved comprehensive quality assurance plan on file with the FDEP. Any violation of federal, state, or local water quality standards shall require corrective measures as required by that authority.

F.(6) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a groundwater monitoring program approved by the County* and EMD. This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include appropriate provisions for the characterization of the pre-development baseline water quality and water level conditions of the site's groundwater. The groundwater monitoring program required pursuant to this condition shall include an identification of well locations, sampling frequency, and sampling duration, as well as parameters to be monitored and applicable collection and analytical methods. **(Completed)**

Upon completion of the pre-development groundwater program, a report of results will be submitted to the County* for review and approval. In addition to the official laboratory results, the report shall include recommendations regarding monitoring during construction and post-construction. Any proposed construction and post-construction monitoring plans developed pursuant to this condition shall be submitted to the County* for review and approval. **(Completed).**

F.(7) In the event that an overall watershed monitoring and reporting program is implemented and satisfies the intent of conditions F.(5) and F.(6), these programs may be discontinued upon the recommendation and approval of such by the County*. The City of Bradenton shall be notified prior to the approval of the discontinuance of this program.

F.(8) To the extent required by applicable law, any shoreline banks created along on-site stormwater detention lakes shall include littoral zones constructed on slopes no steeper than a 4:1 horizontal to vertical ratio and shall be planted in, or allowed to be colonized by, diverse native emergent and submergent vegetation. The Developer* shall ensure, by supplemental replanting, if necessary, at least eighty-five percent (85%) coverage by native aquatic vegetation is established within the littoral zone (to include at a minimum the area between ordinary high water and ordinary low water) in accordance with applicable regulations.

F.(9) The Developer* shall conduct annual inspections of the environmental swale systems on the Project* site to ensure the swales are being properly maintained in keeping with their design and are capable of accomplishing the level of stormwater storage/treatment for which they were designed and intended. Verification of such inspection shall be supplied in each Annual Report.

F.(10) Prior to any site alteration, the Developer* shall develop and submit for approval by the County* an Integrated Pesticide/Herbicide Management Plan (IPMP) and a Hazardous Materials Management Plan (HMMP). **(Completed)**

Historical and Archaeological Sites

G.(1) The discovery of any historical or archaeological resources during development activities of the University Lakes Project* shall be immediately reported to the Florida Division of Historical Resources (FDHR). If the significance of an archaeological or historical site, discovered during development, is unknown and the site is to be impacted by Project* activities, additional testing shall be required at the site to determine significance. Disposition of such resources shall be determined in cooperation with the FDHR, TBRPC, and Manatee County. Treatment of the resources shall be completed before resource-disturbing activities are allowed to continue.

Water

H.(1) The Developer* shall participate, as required by Manatee County ordinances and consistent with any Developer Agreements, in any necessary expansion of potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

H.(2) The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with the SWFWMD rules and regulations. Any existing on-site wells not intended for potable or non-potable uses shall be plugged and abandoned in accordance with Rule 40D-3.041(1), Florida Administrative Code.

H.(3) The Developer* shall require the installation of high efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices, if mandated by the Florida Water Conservation Act (Section 553.14, Florida Statutes). This will include the use of toilets requiring no more than 1.6 gallons per flush in all areas, and installation of self-closing or metered water faucets shall be required in all public and commercial restroom facilities.

H.(4) The Developer* shall maintain all water lines and fire hydrants not dedicated to the County*.

H.(5) The Developer* shall, to the extent non-potable water is available, use only non-potable water to meet non-potable water demands. For purposes of this Approval, "non-potable" water is defined as water emanating from any source other than a public water utility. The Developer* shall submit an acceptable plan to the County* and the TBRPC for the use of non-potable water on-site. The plan shall be completed prior to Final Site Plan approval for any phase or subphase and shall include an implementation timetable, as well as a determination of the availability and feasibility of using reclaimed wastewater or stormwater retention ponds for irrigation purposes, to the extent permitted by law. **(Completed)**

H.(6) Adequate fire flow and water pressure shall be maintained within the Project's* water supply system.

H.(7) The Developer* shall conform to and further the applicable rules and adopted guidelines of the SWFWMD in regard to protection of the groundwater resources in the Eastern Tampa Bay Water Use Caution Area (WUCA) to the extent then in effect.

H.(8) The Developer* shall use the lowest quality water supply which meets the needs of the intended use, provided that such sources are economically feasible, practically available, and legally permissible.

A plan which investigates the use and feasibility of these alternatives shall be prepared by the Developer* and submitted with the first Annual Report to TBRPC, SWFWMD, the County* for review and further action if warranted. **(Completed)**

H.(9) For the purpose of potable and/or reclaimed water conservation, utilization of xeriscape principles are required in landscaped areas. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall only be irrigated to the minimum extent required to ensure healthy vegetation.

Wastewater

I.(1) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements, in any necessary expansion of wastewater service to and consistent with any Developer Agreements for each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project*.

I.(2) No additional permanent septic system shall be permitted within the Project*.

I.(3) Sewer lift stations shall be designed and equipped in accordance with County* regulations.

I.(4) The Developer* shall submit to the County*, prior to each Final Site Plan approval, a monitoring plan to identify and correct any leaks or ruptures of the sewer lines which are maintained by the Developer*. This plan must be approved by the County* and should identify the entity responsible for the monitoring and a time schedule for conducting the inspections. Faulty lines shall be replaced as quickly as possible. A report of inspections, results, and repairs must be included in the Annual Report.

I.(5) The disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (Ordinance No. 98-28).

I.(6) The Developer* shall implement a wastewater reuse system when feasible, as discussed in development condition H.(8) herein.

Solid Waste

J.(1) Within one year of the effective date of the Development Order, or prior to issuance of subsequent Development Approvals* for any non-residential land use within the Project*, whichever occurs later, the Developer* shall prepare a hazardous substances (including bio-hazardous wastes) and a hazardous waste management plan which shall be reviewed by DEP, TBRPC, approved by the County*, and then distributed by the Developer* to non-residential land users within the Project*.

At a minimum, the plan shall:

(a) Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;

(b) Provide a list of agencies which can be consulted regarding the types, sources, and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;

(c) Provide a list of agencies which can describe generally appropriate disposal methods;

(d) Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances and disposal of hazardous wastes;

(e) Provide a list of agencies which can describe construction requirements for hazardous waste holding areas;

(f) Describe a program to inform owners and tenants of the information contained in the Plan;

(g) Provide a list of agencies which can describe typical spill clean up methods; and

(h) Be updated and distributed to each non-residential land user annually.

(Said Plan has been approved)

J.(2) All Project* tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use shall be included in each Annual Report.

J.(3) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements in any necessary expansion of solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

J.(4) Surface impoundments of hazardous materials and hazardous wastes, land treatment of hazardous materials and hazardous wastes and landfills for hazardous materials and hazardous wastes are prohibited.

J.(5) Individual Tenants shall be required to transport and dispose of hazardous waste in a manner consistent with applicable regulations through restrictive covenants. Individual Tenants shall be encouraged to develop permittable temporary on-site hazardous waste treatment and storage capabilities prior to transport and shall remove hazardous and toxic wastes from the site as soon as is practical. Such transportation of toxic and hazardous materials shall be performed by a company that is accredited by all appropriate agencies in the transportation and handling of such materials.

J.(6) All aboveground and underground pollutant storage tanks systems will be installed, monitored, and managed according to applicable Federal, State, and Local regulations.

Recreation and Open Space

K.(1) The Project* shall contain, at a minimum, 403.4 acres of open space (approximately 339.9 acres of wetlands and an estimated minimum of 22.3 acres of mitigation) in addition to approximately 490.8

acres committed to recreation (a 22.6 acre park, a 16.1 acre tennis/boat club, 291.7 acres of golf course, and a lake of some 160.4 acres).

Notwithstanding the above, if the County* should decide the 22.6 acres of park is not needed, then the Developer* shall be able to use the applicable parcel for residential development or as a school site, provided the number of dwelling units is not increased.

K.(2) All recreation and open space areas not deeded to the County* or other state agencies shall be maintained as common open space through deed restrictions or owned by a property owners' association for the Project* or neighborhood within the Project*, as may be appropriate in accordance with the Land Development Code.

K.(3) Except as described in K.(1) above, all recreation, park, and wetland sites, as shown on Revised Map H of the ADA*, shall not be utilized for other uses inconsistent with their designation on said map. Any proposal to change these uses shall be subject to a Substantial Deviation Determination if required by Subsection 380.06, Florida Statutes.

K.(4) The Project's* public parks and public recreational facilities shall be accessible to the elderly, the handicapped, and economically disadvantaged and may be subject to a reasonable agreement between the County* and the Developer* limiting the use as a park facility and times of operation.

Education

L.(1) The Development shall dedicate an elementary school site either adjacent to, or having direct access on, a constructed County-maintained right-of-way and meeting all State and Manatee County new school site requirements upon request by the School Board. The school site shall be deemed to be a part of the Phase I approvals for the Project* and shall be shown on an amendment to the General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. The dedicated school site shall be a minimum of 18 acres, depending upon the characteristics of the site selected and said site shall be selected from property shown as residential, commercial, or business on Revised Map H, and shall be reflected on a revised General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. If the Developer* and the County School Board agree, the dedicated school site may be located off-site on property owned by the Applicant*. If adjacent property is provided as a public park or for emergency services, this acreage may be reduced to a total of fifteen acres.

L.(2) If the County School Board should decide the school is not required, or the selected location is inappropriate, the Developer* shall be permitted to exchange sites, to the School Board's satisfaction, and shall be permitted to use the originally selected parcel for residential development, provided the number of dwelling units approved for the Project* is not increased. Any such exchanges in school sites shall require an amendment to the General Development Plan. If additional recreational opportunities are required, the County* may require dedication of up to five acres of the designated school site parcel for active recreation.

Health Care, Police, and Fire

M.(1) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of emergency service facilities for emergency medical services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to December 31, 1997. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. **(Completed).**

M.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of fire protection service facilities for fire protection services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro- rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Final Site Plan or Final Plat for Vertical Development* for Phase I or any subphase thereof. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. **(Completed)**

M.(3) The Project* shall be designed and constructed to meet or exceed specifications of the applicable Fire Code.

M.(4) The height of buildings allowed in the Project* shall not exceed that appropriate for the available water pressure and fire flows, or exceed the reach of available fire fighting equipment at the time of any Preliminary Site Plan approval for any phase or subphase.

M.(5) Prior to approval of each Final Site Plan, the Developer* shall provide assurance for each increment of development that the site will be supplied to the extent required by applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number and appropriate locations to accommodate fire fighting operations. Additionally, the Developer* shall provide calculations by a Florida registered engineer to the County* indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Braden River Fire Department that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Certificate of Occupancy for the Project* by the County*.

M.(6) The Manatee County Sheriff's Office shall provide typical police protection to each phase or subphase of the Project*. The Developer* shall participate, in accordance with applicable County* ordinances or Developer Agreements, in any expansion of such services necessary to serve the Project* or any phase or subphase thereof.

Economics

N.(1) Excess infrastructure capacity constructed by the Developer* shall be at the Developer's* risk and shall not vest latter development rights not addressed in this approval.

N.(2) The Project* shall promote entrepreneurship and small and minority owned business start-up, and encourage nondiscriminatory employment opportunities, pursuant to Policies 21.2, SCP and 21.5.3, FCRPP, respectively.

N.(3) The development and promotion of a day care system should be encouraged on site and any such day care system shall be in compliance with the Manatee County Land Development Code and any other applicable regulations.

Energy

O.(1) Issuance of Development Approvals* for each phase or subphase shall be dependent upon the ability of electrical or gas utilities to meet the energy requirements of the development.

O.(2) All Project* tenants, businesses, residents, etc. shall be notified in writing by the Developer* prior to occupancy that the following energy related practices are encouraged:

(a) Use energy alternatives, such as solar energy, resource recovery, waste heat recovery, and cogeneration, where economically feasible;

(b) Obtain energy audits provided by energy companies or other qualified agencies;

(c) Install water heater timers and set water heaters at 130 degrees Fahrenheit or lower;

(d) Use landscaping and building orientation to reduce heat gain, where feasible, for all Project* construction;

(e) Promote energy conservation by employees, buyers, suppliers, and the public, as appropriate;

(f) Reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours, as appropriate;

(g) Institute and utilize recycling programs;

(h) Utilize energy efficient packaging or recyclable materials;

(i) Install total energy systems on large facilities when cost effective; and

(j) Elimination of advertising requiring lighting after business hours where feasible.

O.(3) Incorporation of the energy conservation measures referenced on pages 265 and 266 of the ADA* shall be required. A progress report on the energy conservation measures shall be included as a part of each Annual Report.

Affordable Housing

P.(1) A cumulative assessment of the affordable housing needs of Phases I, II, and III of the University Lakes DRI and Phase I of Lakewood Ranch Corporate Park (Combined Projects*) has been performed as required by the 380 Review Agreement*. This assessment utilized the 2000 US Census as its source for rental vacancy data. This assessment was accepted by all reviewing agencies and determined no potential unmet need for affordable housing and a potential surplus of 390 affordable units. This analysis utilized the East Central Florida Regional Planning council's (ECFRPC) "Housing Demand, Supply and Need Methodology for Assessing the Affordable Housing Impact of Developments of Regional Impact", April 1996.

P.(2) Specific approval of Phase IV of University Lakes is conditioned on further Section 380.06(6), Florida Statutes, (submittal of a substantial deviation application for development approval) review on affordable housing, as well as the other specific issues listed elsewhere in this Development Order. The Developer* shall conduct an affordable housing study based on a methodology agreed to pursuant to said review. If the study indicates that the additional development for which the Developer* is requesting approval will create the need for affordable housing that is not being provided within the Project* or within an area proximate (as determined by the approved methodology) to the Combined Projects*, the Development Order shall be amended to include appropriate mitigation. The affordable housing needs of the Combined Projects* shall be mitigated using those measures that are in effect at the time specific approval of a later phase is requested.

P.(~~3~~2) Payments made by the Applicant under the provisions of law may be credited against any contributions which may be required under the provisions of the HAIP or subsequent housing analyses, if requested by the Developer* and approved by the County*.

P.(~~4~~3) Pursuant to Rule 9J-2.048(8)(c)1, FAC, when a residential unit is constructed on-site and is within the affordable cost range as determined by that current year's annual median income as provided by the Department of Housing and Urban Development and calculated pursuant to the ECFRPC's April 1996 methodology, the Developer* shall receive credit for one and one-half (1.5) affordable housing units toward the affordable housing study.

General Conditions

Q.(1) Should the Project* significantly depart from the parameters set forth in this Development Order and the ADA*, the Project* will be subject to a Substantial Deviation Review, pursuant to Section 380.06, Florida Statutes. Any change to the Project* which meets the criteria set forth in Subsection 380.06(19), Florida Statutes, shall require a hearing to determine if the change constitutes a Substantial Deviation.

Q.(2) The Developer's* commitments set forth in the ADA*, and, as summarized in Section 6 herein, shall be honored, except as they may be superseded by specific terms of the Development Order.

Q.(3) Should the Developer* divest itself of all interest in the Project* prior to the expiration of the Development Order, the Developer* shall designate the successor entity to be responsible for preparation of the Annual Report, subject to approval by the County*.

Q.(4) All Development Approvals* shall be obtained prior to September 13, 2019. This Development Order shall expire 5 years after the buildout date to allow for post-development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

Q.(5) A Preliminary Site Plan for each phase shall be required.

Q.(6) The Developer* shall make appropriate efforts to coordinate with, and inform the appropriate public authorities of, the feasibility of the proposed school site for hurricane shelter, building closings, security and safety precautions, and evacuation plans.

Q.(7) Except for any existing use or for construction offices and similar temporary uses, or any use on the school site or park site, or other use by a public agency, any proposal to utilize mobile homes on the site shall require a Substantial Deviation Determination, pursuant to the procedures in 380.06(19)(a), Florida Statutes.

Q.(8) The Developer*, its successors, assigns or transferees, shall submit Annual DRI Reports in accordance with Section 380.06(18), Florida Statutes to the County*, TBRPC, the State Land Planning Agency, and other agencies, as may be appropriate, on February 22nd of each year until such time as all terms and conditions of this Development Order are satisfied. Six (6) copies of this report shall be submitted to the Director of the Manatee County Planning Department or the Director's designee, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the Planning Director decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification, or change of any conditions, or any terms or conditions of this Development Order. The Annual Report shall contain the following:

(a) Any changes in the plan of development, or in the representations contained in the ADA*, or in the phasing or land uses for the reporting year and for the next year;

(b) A summary comparison of development activity proposed and actually conducted for the year;

(c) Undeveloped tracts of land, other than individual single-family lots, that have been sold to a separate entity or Developer*;

(d) Identification and intended use of lands purchased, leased, or optioned by the Developer* adjacent to the original DRI site since the Development Order was issued;

(e) An assessment of the Developer's* and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the Application for Development Approval* and which have been identified by the County*, TBRPC, or DCA, as being significant;

(f) Any known incremental DRI Applications for Development Approval* or requests for a Substantial Deviation Determination that were filed in the reporting year and to be filed during the next year;

(g) An indication of a change, if any, in local government jurisdiction for any portion of the Project* since the Development Order was issued;

(h) A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

(i) A copy of any recorded notice of the adoption of a Development Order for the subsequent modification of an adopted Development Order that was recorded by the Developer* pursuant to Subsection 380.06(15)(f), Florida Statutes;

(j) A statement that all persons have been sent copies of the Annual Report in conformance with Subsection 380.06(15) and (18), Florida Statutes;

(k) Information on the actual prices and rents of housing units constructed relative to the then-current Department of Housing and Urban Development (HUD) affordable housing guidelines;

(l) Reports or information pursuant to conditions A.(7), A.(8), J.(2), and O.(3).

Q.(9) All proposed modifications to University Lakes will be reviewed based on the Combined Projects* to determine whether the proposed modification will exceed any of the criteria set forth in Subsection 380.06(19), Florida Statutes.

In the event the Lakewood Ranch Corporate Park Development Order is amended by Sarasota County to allow development inconsistent with Table 3 or Table 4 of the University Lakes Development Order, then upon expiration of the 45-day appeal period of the amendment or, if the amendment is appealed, upon settlement of the appeal, the Developer* shall apply for an amendment to the University Lakes Development Order, and Manatee County subsequently shall consider an amendment to the University Lakes Development Order to make it consistent with the Lakewood Ranch Corporate Park Development Order. A Notice of Proposed Change, pursuant to Subsection 380.06(19), Florida Statutes, shall not be required for the amendment to the University Lakes Development Order, as described above, to make it consistent with the Lakewood Ranch Corporate Park Development Order, but shall require the requisite public hearings under Chapter 125, Florida Statutes, and the Land Development Code. However, such Development Order amendment adopted by Manatee County must be rendered to the Department, pursuant to Subsection 380.06(19), Florida Statutes. If the amendment to the University Lakes Development Order is consistent with the amendment to the Lakewood Ranch Corporate Park Development Order or any settlement of an appeal of the Lakewood Ranch Corporate Park Development Order amendment, then DCA shall not appeal the amendment.

The substantial deviation criteria set forth herein are not applicable to land use exchanges which are authorized pursuant to Sections 4.B. and 4.C. of this Development Order. Additions to the amount of development in a particular land use category resulting from the use of the exchange mechanism

are permitted only in conjunction with the simultaneous reduction from another specifically approved use and do not authorize additional development beyond that which has received specific Development Order Approval.

Q.(10) Unless otherwise expressly stated in this Ordinance , the Project* shall comply with all future amendments to the Land Development Code and the Comprehensive Plan.

Q.(11) Wherever in this Development Order the Developer* is required to file a Notice of Proposed Change, the Developer* shall send a copy of said NOPC to Sarasota County and SWFRPC.

Q.(12) In the event of a Development Order appeal or other legal challenge of this Development Order by the Department of Community Affairs, the Developer* shall pay all reasonable costs and fees of County* staff and attorneys relating to said appeal or legal challenge at the rate for processing this Development Order under the current Planning fee schedule. Payment of all billings by the Developer* related to such fees and costs shall be paid within forty five (45) days of submittal of an invoice.

Section 6. DEVELOPER* COMMITMENTS

The following are Developer* commitments set forth in the ADA* which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order or applicable law.

A. GENERAL PROJECT* DESCRIPTION

A.(1) The three designated community commercial areas will be developed in compliance with the adopted Comprehensive Plan in terms of permitted uses, maximum square footage, floor area ratio, and location on the road network. (SR, 17 & 18)

A.(2) All requirements of the Evers Reservoir Watershed Overlay District will be met within this Project*. (ADA*, 16)

A.(3) Neighborhood oriented retail areas will be located within the community commercial parcels which lie within the RES-1 Future Land Use Classification. (SR, 13)

A.(4) The Project* will construct, or cause to be constructed, two major thoroughfares, University Parkway and the extension of Upper Manatee River Road. (SR, 93)

B. WETLANDS

B.(1) The existing wetlands and proposed mitigation areas will have 50-foot wetland buffers around DEP wetlands and 30-foot buffers around wetlands within the jurisdiction of ACOE and SWFWMD, as shown on Revised Map H. (ADA*, 16)

B.(2) A total of approximately 312.2 Acres of native wetland habitats on-site will be preserved. (ADA*, 65)

B.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (ADA*, 21)

C. WATER

C.(1) The pesticides, herbicides, and fertilizers used on grassed areas of the University Lakes site will be applied in strict accordance with the manufacturer's application guidelines to avoid negative impacts on surface water quality. (SR, 175)

C.(2) Erosion controls will be of primary importance in preventing fertilizer runoff. Soil tests will be conducted to avoid application of unnecessary types, rates, and amounts of fertilizers. Applications will be made when adequate soil moisture exists and likelihood of major storm event is minimal. (SR, 32)

C.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (SR, 33)

D. SOILS

D.(1) All of the methods described on pages 140 and 143 of the ADA* will be utilized to overcome the soil limitations on-site. (ADA*, 140 & 143)

D.(2) The wind and soil erosion abatement methods listed in the ADA* will be followed. (ADA*, 143)

E. FLOODPLAINS

E.(1) Any loss of 100-year floodplain storage volume will be compensated by the excavation and creation of equal storage volume within the 100-year floodplain. (ADA*, 147)

F. WATER SUPPLY

F.(1) The internal potable water supply system will be constructed to Manatee County standards and dedicated to Manatee County where the potable system exists in proposed public rights-of-way. (ADA*, 155)

F.(2) Non-potable water conservation will be accomplished through the use of xeriscaping and preservation of existing native vegetation communities in accordance with applicable provisions in the Manatee County Land Development Code. (ADA*, 157)

G. STORMWATER MANAGEMENT

G.(1) All off-site runoff is to be routed through or around the property. There are five areas where off-site flow will be accepted into the stormwater management system, totaling 50.2 acres along the southern boundary and 12.6 acres along the northern boundary. (ADA*, 167)

G.(2) The stormwater management system will accept all existing off-site flows from Sarasota County. (SR, 190)

G.(3) The primary method for treatment of stormwater runoff for virtually the entire site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2. (ADA*, 172)

G.(4) The wet detention system will incorporate vegetated littoral zones which will equal approximately 15 to 20 percent of the surface area of the stormwater detention ponds. Sediment sumps will be provided at all inflow locations. (ADA*, 174)

G.(5) The hydroperiods of all on-site wetlands will be maintained except as depicted on Revised Map H. (ADA*, 176)

G.(6) Water levels in the detention ponds will be designed to be compatible with wetland seasonal high water tables and existing upland water tables. (ADA*, 183)

G.(7) Litter and debris which is captured within the stormwater treatment ponds will be periodically removed during routine clean-up of the Project's* open space areas and pond system. (SR, 104)

H. SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE

H.(1) The Applicant will investigate the possibility of mulching trees and brush that will be removed as land clearing operations commence, for the purpose of retaining mulch to meet the on-site needs. (SR, 109)

I. TRANSPORTATION RESOURCES

I.(1) The Project* will construct or cause to be constructed University Parkway and the extension of Upper Manatee River Road. (ADA*, 23)

I.(2) The segment of University Parkway through the site will be dedicated to Manatee County and will include 200 feet of right-of-way. (SR, 72)

I.(3) The Applicant is proposing dedication of all necessary right-of-way with regard to roadways located in the Project* as shown on Revised Map H. (SR, 132)

J. AIR

J.(1) The Project* will utilize current state-of-the-art methodologies for prevention of fugitive dust particulates during construction. (ADA*, 21)

J.(2) Clearing and grubbing operations will be performed only on individual parcels of land where construction is scheduled to proceed. Measures to be employed to minimize fugitive dust will include sodding, seeding, mulching, or landscape planting in cleared or disturbed areas. (ADA*, 226)

K. POLICE AND FIRE PROTECTION

K.(1) The Applicant/Developer* will provide a pro-rata share for any equipment or personnel needs that may be created by this Project* for police and fire protection and emergency medical services in accordance with applicable regulations. (ADA*, 25)

K.(2) The Developer* will provide a pro-rata share of the cost of building and equipping the facilities needed to provide emergency medical services to the Project*. (ADA*, 259)

L. RECREATION AND OPEN SPACE

L.(1) All proposed bike and pedestrian paths will be confined to appropriate areas outside of preservation areas in accordance with applicable laws and regulations. (SR, 83)

L.(2) The Project* will feature pedestrian ways and bikeways throughout the development, connecting the housing area to the recreational areas and the commercial areas. (ADA*, 9; SR, 207)

L.(3) University Lakes will have major active recreational land uses comprising over 18 percent of the total Project* acreage. The project will contain a tennis and swim club and boat clubhouse which will be located on the 160.4 acre lake. It will also contain a park, golf course, clubhouses, and driving ranges. (ADA*, 9)

L.(4) The recreational lakes, tennis and boat club, and golf course may be maintained and operated by a private owner and may require private membership or use permits. Open space and environmentally sensitive land will be protected by covenants or conservation easements to protect the natural qualities and will be conveyed to the appropriate homeowners' or master homeowners' association for maintenance. (ADA*, 252-253)

M. EDUCATION

M.(1) The Project* will provide a financial contribution or donation of land to the educational system for the purpose of building schools to service the residential component of the Project*, facilitating educational opportunities within close proximity for the school age children of the Project*. (ADA*, 24)

N. ENERGY

N.(1) The Project* will utilize both electric power and natural gas as sources of energy. Energy conservation techniques, including the use of landscaping, building orientation, and natural vegetation will be used to promote energy conservation. (ADA*, 27)

N.(2) If the need for an electric substation arises, a suitable location will be determined and provided to Florida Power and Light Company. (SR, 86)

N.(3) The traditional energy conservation methods will be used in the residential and non-residential building construction. Some of these methods are:

(a) increased insulation;

(b) high efficiency-type mechanical appliances;

(c) cross ventilation;

(d) window orientation;

(e) solar heating and cooling systems; and

(f) low pressure sodium lamps for exterior lighting. (ADA*, 265-266)

N.(4) The Developer* will implement, where feasible, the energy conservation measures described in the ADA*. (ADA*, p.263)

O. AIR

O.(1) The Developer* will implement the steps described in the ADA* to minimize fugitive dust emissions from wind erosion of disturbed soil surfaces, movement of construction equipment, and burning of cleared vegetative material. (ADA*, 226)

O.(2) The level of service of all roadways in the Transportation Impact Area* will be maintained at LOS D or better, thereby maintaining air quality. (ADA*, 228)

P. WATER SUPPLY

P.(1) The Developer* will consider the use of surface water from detention ponds as a supplement to groundwater resources. (ADA*, 154)

P.(2) Non-potable water conservation measures will include xeriscaping and preservation of native vegetative communities. If permitted, the Developer* would also consider the use of treated effluent from the County's* regional wastewater treatment facilities. (ADA*, 157)

Q. WATER QUALITY AND DRAINAGE

Q.(1) The primary method of treatment will be wet detention with effluent filtration utilizing a double underdrain system. The required level of treatment will be exceeded further by the use of biological filtration utilizing vegetated shallow shelves within the stormwater detention ponds. The on-site 160 acre lake will also be incorporated into the stormwater management system providing an opportunity to utilize extended residence time as an additional mitigative measure. (ADA*, 128)

Q.(2) Existing on-site wetlands will form an integral part of the stormwater management system, providing a mechanism for hydroperiod maintenance, storage, and improved surface water quality. (ADA*, 168)

Q.(3) All major drainageways and lake outfalls will be designed based upon a 25-year/24-hour storm event as provided in the ADA*. All interior and minor drainage systems are to be designed to a 10 year critical duration storm event. While runoff volume will increase with total development, the post-development 25-year/24-hour peak discharge rate will be maintained at or below to pre-development 25-year/24-hour peak discharge rate throughout the construction phases. (ADA*, 171)

Q.(4) The stormwater treatment system will meet FDEP Stormwater System Design Standards for discharge into Outstanding Florida Waters, as provided by Chapter 403, Florida Statutes, and Chapters 62-302, 62-4, and 62-25, F.A.C. (ADA*, 172)

Q.(5) Wetland hydroperiods will be maintained through the introduction of pre-treated stormwater ponds upstream of those wetlands. (ADA*, 176)

SECTION 7. LEGAL DESCRIPTION

Development of University Lakes shall be restricted to the 4,210.4 acres owned by the Developer* and described by the legal description included as Attachment # 4 attached to, and made a part of, this Development Order.

SECTION 8. DEADLINE FOR COMMENCEMENT OF CONSTRUCTION

Physical development of the Project* has commenced within three years of the effective date of this Ordinance unless the time period for commencement is extended by the Board of County Commissioners (Development has commenced). If more than three years shall elapse between approval of this order and commencement of actual development, or if construction of a phase is not begun or completed by the time frame contained in Section 4. above, or if any five year period shall expire without significant development activity on the site, the Board of County Commissioners may conduct a public hearing in accordance with the Land Development Code and may, at its option, rescind any and all approvals granted herein, including the Certificate of Level of Service. Any delay in construction commencement shall not be deemed to extend any time frame for completion of construction, commencement of subsequent phases, or the termination date of this Development Order. For the purpose of this provision, "significant development" shall be the actual construction of site improvements or buildings as part of an ongoing effort to prepare improved land or buildings for sale, lease, or use.

SECTION 9. RESTRICTIONS ON DOWN-ZONING

Prior to October 13, 2019, the County* may not down-zone or reduce the intensity or unit density permitted by this Order, unless the County* can demonstrate that:

(a) substantial changes in the conditions underlying the approval of the Order have occurred; or

(b) the Order was based upon substantially inaccurate information provided by the Developer*; or

(c) the change is clearly established by the County* to be essential for the public health, safety, or welfare.

Any down-zoning or reduction of intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for changes in local land development regulations.

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order.

The inclusion of this Section is not to be construed as evidencing any present or foreseeable intent on the part of the County* to down-zone or alter the density or intensity of the Project*, but is included herein to comply with Section 380.06(15)(c)3, Florida Statutes.

SECTION 10. COMPLIANCE WITH CODES AND ORDINANCES

All development undertaken pursuant to this Development Order shall be in accordance with all applicable local codes and ordinances in effect at the time of permitting, except as specifically provided herein.

SECTION 11. BINDING ORDER UPON DEVELOPER*

This Development Order shall be binding upon the Developer*.

SECTION 12. RENDITION

The Planning Department is hereby directed to send certified copies of this Order within thirty (30) days of the date of signature by the Chairman of the Board of County Commissioners to the Developer*, the Florida Department of Community Affairs, and TBRPC.

SECTION 13. NOTICE OF RECORDING

The Developer* shall record a notice of adoption of this Order as required pursuant to Chapter 380, Florida Statutes, and shall furnish the Planning Department a copy of the recorded notice.

SECTION 14. SEVERABILITY

It is the intent of this Development Order to comply with the requirements of all applicable law and constitutional requirements. If any provision or portion of this Development Order is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then such provision or portion shall be deemed null and void, and to this end the provisions of this Ordinance are declared severable but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 15. EFFECTIVE DATE

This Ordinance, 04-59 , shall take effect upon being signed by the Chairman of the Board of County Commissioners, and filing of a certified copy of the Ordinance with the Department of State provided, however, that the filing of a notice of appeal pursuant to Section 380.07, Fla. Statutes shall suspend development authorization for the changes granted by the Development Order until resolution of said appeal.

SECTION 16 . AMENDMENT OF DEVELOPMENT ORDER FOR DRI NO. 22.

The previous Development Order for University Lakes which was adopted on June 1, 1992 and all subsequent amendments are hereby replaced in their entirety.

ADOPTED AND APPROVED with a quorum present and voting the 19th day of October, 2004.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____
Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

BY: _____ D.C.

SEAL
BOARD OF COUNTY COMMISSIONERS
MANATEE CO., FLA.

ATTACHMENTS

1. Impact Analysis
2. 380 Review Agreement
3. Revised Map H (as attached herein)
4. Legal Description (as attached herein)
5. Equivalency Matrix (As attached herein)

LAND USE SCHEDULE

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	1,481.2		3,031
REGIONAL COMMERCIAL	88.6	1,071,578 150 Hospital beds	
COMMUNITY COMMERCIAL	48.5	240,879	
HIGHWAY COMMERCIAL	28.0	250,000*	
BUSINESS	114.3	1,936,965	
RIGHT-OF-WAY	379.7		
RECREATION	340.3		
WETLANDS	683.1		
LAKES	633.4		
OPEN SPACE	323.3		
TOTAL	4120.4	3,499,427/ 150 Hospital beds	3,031

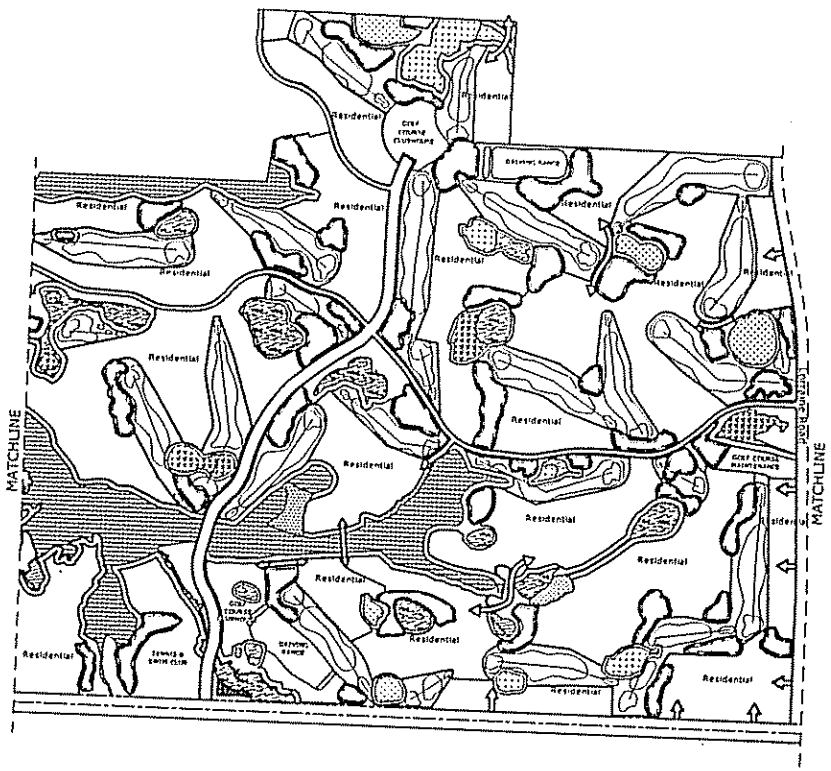
*Includes 215 hotel rooms

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- VEGETATED NON-FORESTED WETLANDS
- UPLAND PRESERVATION AREA
- LAKES
- EXISTING WATER WELLS
- GUIDE TOWER

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS

0' 300' 600' 1,200'



Adopted June 1, 1992 (Ord. 92-32)
Amended October 28, 1993 (Ord. 93-25)
Amended January 25, 1996 (Ord. 95-44)
Amended October 28, 1997 (Ord. 97-61)
Amended December 16, 1997 (Ord. 97-81)
Amended February 22, 2000 (Ord. 00-45)
Amended December 18, 2001 (Ord. 00-60)
Amendment August 26, 2003 (Ord. 03-35)
Proposed Amendment Submitted October, 2003

WilsonMiller

MASTER DEVELOPMENT PLAN
University Lakes

A PLANNED DEVELOPMENT

By Schroeder-Manatee, Inc.

JULY 26, 2004 | Sheet: 2 of 3

MAP H

Attachment #3

LAND USE SCHEDULE

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	1,481.2		3,031
REGIONAL COMMERCIAL	86.6	1,071,526 (50 Hospital beds	
COMMUNITY COMMERCIAL	48.5	240,879	
HIGHWAY COMMERCIAL	28.0	250,000 *	
BUSINESS	114.3	1,936,965	
RIGHT-OF-WAY	379.7		
RECREATION	340.3		
WETLANDS	603.1		
LAKES	633.4		
OPEN SPACE	323.3		
TOTAL	4120.4	3,499,422/ (50 Hospital beds	3,031

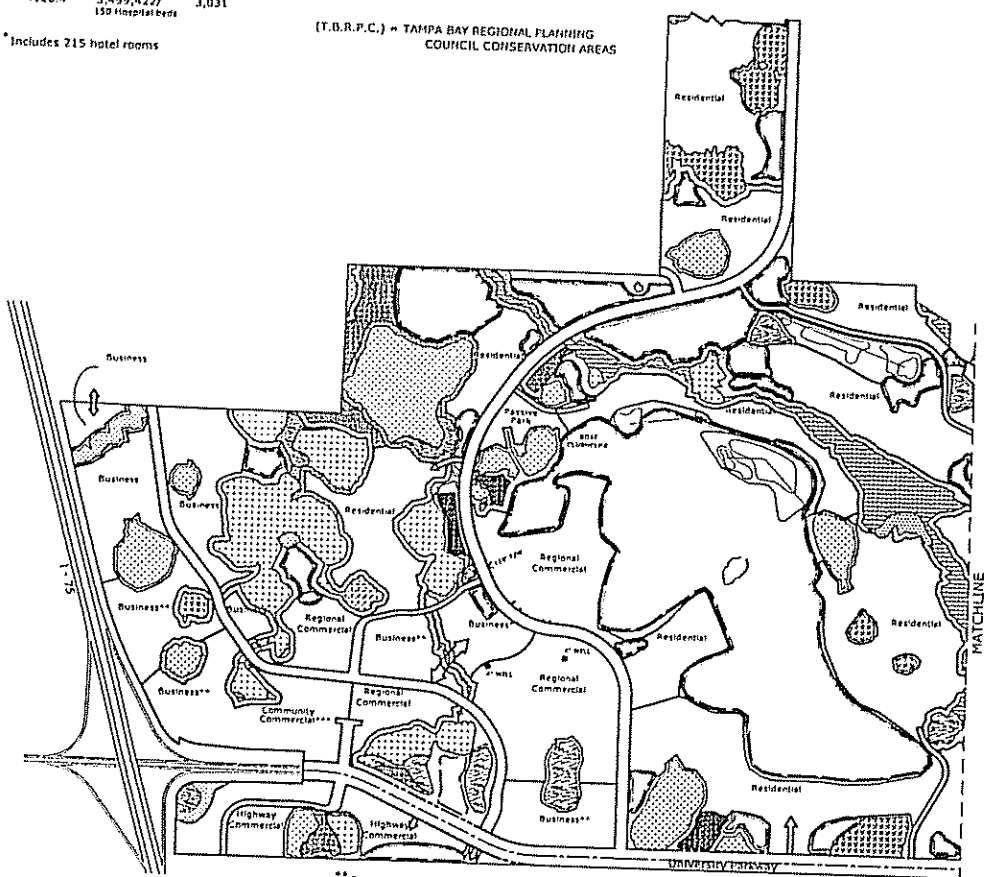
*Includes 215 hotel rooms

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- VEGETATED NON-FORESTED WETLANDS
- UPLAND PRESERVATION AREA
- LAKES
- EXISTING WATER WELLS
- GUIDE TOWER

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS

0' 200' 800' 1,200'



** Permitted Commercial square footage may be allowed in these Business Parcels.
*** Permitted Community, Highway and Regional Commercial square footage may be allowed in this Community Commercial Parcel.

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MASTER DEVELOPMENT PLAN
University Lakes

A PLANNED DEVELOPMENT

By Schroeder-Manatee, Inc.

JULY 26, 2004 | Sheet: 1 of 3

MAP H

LAND USE SCHEDULE

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	1,481.2		3,031
REGIONAL COMMERCIAL	88.6	1,071,578 150 Hospital beds	
COMMUNITY COMMERCIAL	40.5	240,879	
HIGHWAY COMMERCIAL	28.0	250,000*	
BUSINESS	114.3	1,936,965	
RIGHT-OF-WAY	379.7		
RECREATION	340.3		
WETLANDS	683.1		
LAKES	633.4		
OPEN SPACE	323.3		
TOTAL	4120.4	3,499,422/ 150 Hospital beds	3,031

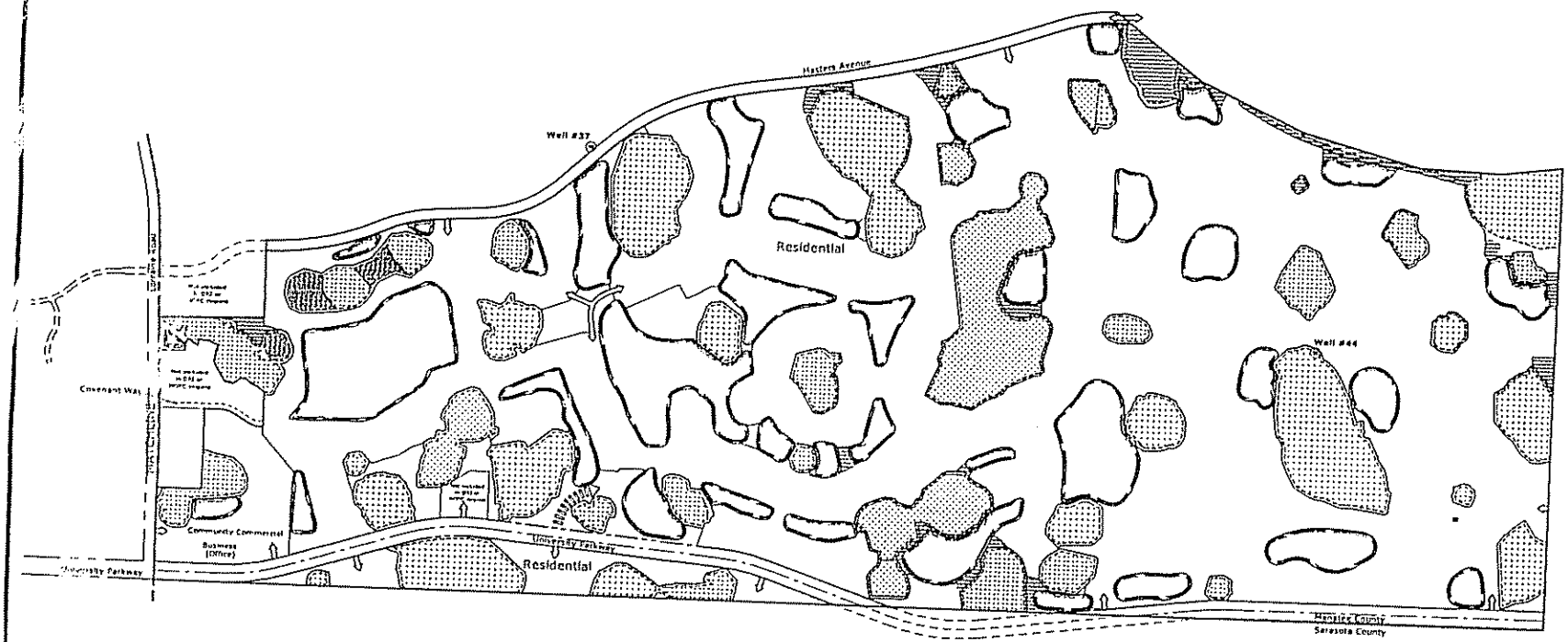
*Includes 215 hotel rooms

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- VEGETATED NON-FORESTED WETLANDS
- UPLAND PRESERVATION AREA
- LAKES
- EXISTING WATER WELLS
- GUIDE TOWER

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS

0' 300' 600' 1,200'



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MASTER DEVELOPMENT PLAN
University Lakes

A PLANNED DEVELOPMENT

By Schroeder-Manatee, Inc.

JULY 26, 2004 | Sheet: 2 of 3

MAP H

ATTACHMENT #4

UNIVERSITY LAKES DRI

LEGAL DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Section 36, Township 35 South, Range 18 East, and Sections 25, 26, 28, 29, 31, 32, 33, 34, 35 and 36, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Begin at the southwest corner of said Section 29; thence N.00°22'41"E. along the west line of said Section 29, a distance of 2,656.56 feet; thence S.89°30'30"E., a distance of 211.38 feet; thence N.26°03'03"E., a distance of 41.16 feet; thence S.61°21'58"E., a distance of 186.34 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.61°21'58"E., a radial distance of 295.00 feet; thence northeasterly along the arc of said curve, through a central angle of 15°08'34", an arc length of 77.97 feet to the end of said curve; thence S.46°13'24"E. radial to the last described curve, a distance of 141.12 feet; thence N.33°11'55"E., a distance of 59.75 feet; thence N.85°03'09"E., a distance of 131.05 feet; thence S.61°13'40"E., a distance of 51.46 feet; thence S.89°30'48"E., a distance of 469.77 feet; thence N.00°29'12"E., a distance of 48.63 feet; thence S.89°30'30"E., a distance of 120.00 feet to the northeast corner of the West ½ of the Southwest 1/4 of the aforementioned Section 29; thence S.00°29'12"W. along the east line of the West ½ of the Southwest 1/4 of said Section 29, a distance of 2,658.57 feet to the north line of Section 32; thence S.89°30'25"E. along said north line, a distance of 1,269.55 feet to a point on the east line of Lakewood Ranch Country Club Village, Subphase C, Unit 1-A, recorded in Plat Book 30, Page 189 of the Public Records of Manatee County; the following 3 calls are along said east line; thence S.00°29'35"W., a distance of 166.41 feet; thence S.58°34'00"E., a distance of 423.22 feet; thence S.01°20'47"W., a distance of 240.50 feet to a point on the north line of Parcel 4, Legacy Golf Course as recorded in Road Plat Book 10, Page 126 of the aforementioned Public Records; the following 2 calls are along said north line; thence S.36°55'37"E., a distance of 85.33 feet; thence S.60°40'54"E., a distance of 184.30 feet to the west line of Lakewood Ranch Country Club Village, Subphase D, Unit 1 a/k/a Spyglass, recorded in Plat Book 34, Page 113; thence N.23°47'43"E. along said west line, a distance of 277.38 feet to the north line of said Lakewood Ranch Country Club Village, Subphase D, Unit 1 a/k/a Spyglass; thence N.90°00'00"E. along said north line, also being the north line of Lakewood Ranch Country Club Village, Subphase D, Unit 2, recorded in Plat Book 31, Page 33 of the aforementioned Public Records, a distance of 2,269.90 feet to a point on the north line of Lakewood Ranch Country Club Village, Subphase D, Unit 3B & 4 a/k/a Gleneagles, recorded on Plat Book 34, Page 181 of the aforementioned Public Records; the following 7 calls are along said north line; thence N.07°30'16"E., a distance of 437.56 feet; thence N.72°30'29"E., a distance of 190.11 feet; thence S.17°29'31"E., a distance of 20.40 feet; thence N.72°30'29"E., a distance of 161.83 feet; thence S.26°06'53"E., a distance of 49.82 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.26°06'53"E., a radial distance of 58.00 feet; thence easterly along the arc of said curve, through a central angle of 24°50'29", an arc length of 25.15 feet to the end of said curve; thence N.72°30'29"E. non-tangent to the last described curve, a distance of 181.80 feet; thence N.76°17'54"E., a distance of 33.84 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.76°17'54"W., a radial distance of 550.00 feet; thence northerly along the arc of said curve, through a central angle of 59°36'16", an arc length of 572.16 feet to the point of reverse curvature of a curve to the right having a radius of 600.00 feet and a central angle of 73°58'28"; thence northwesterly along the arc of said curve, a distance of 774.66 feet to the point of tangency of said curve; thence N.00°40'06"E., a distance of 221.36 feet; thence S.89°31'24"E. parallel with the north line of the aforementioned Section 28 and 4077.34 feet southerly therefrom, a distance of 2,614.09 feet to the west line of the East ½ of said Section 28; thence S.00°45'47"W. along said west line, a distance of 1,236.76 feet to the South 1/4 corner of said Section 28; thence S.89°30'25"E. along the south line of said Section 28, a distance of 2,662.03 feet to the northwest corner of the aforementioned Section 34; thence N.89°57'56"E. along the north line of said Section 34, a distance of 120.02 feet; thence

S.00°51'27"W., a distance of 1.87 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.89°08'34"E., a radial distance of 2,190.00 feet; thence southerly along the arc of said curve, through a central angle of 13°14'44", an arc length of 506.28 feet to the point of tangency of said curve; thence S.12°23'18"E., a distance of 982.01 feet to the point of curvature of a curve to the right having a radius of 3,060.00 feet and a central angle of 10°28'18"; thence southerly along the arc of said curve, an arc length of 559.26 feet to the point of tangency of said curve; thence S.01°55'00"E., a distance of 1076.32 feet to the southwest corner of premises described in Official Record Book 1532, Page 5848, of said public records; the following 2 calls are along the lines of said premises described in Official Record Book 1532, Page 5848; thence N.88°07'20"E., a distance of 1,147.54 feet; thence N.00°45'04"W., a distance of 874.76 feet; thence N.87°18'18"E., a distance of 192.95 feet to the point of curvature of a curve to the left having a radius of 2,720.00 feet and a central angle of 22°21'53"; thence easterly along the arc of said curve, an arc length of 1,061.73 feet to the point of reverse curvature of a curve to the right having a radius of 1,690.00 feet and a central angle of 21°25'17"; thence easterly along the arc of said curve, a distance of 631.85 feet to the point of tangency of said curve; thence N.86°21'42"E., a distance of 524.40 feet to the point of curvature of a curve to the left having a radius of 1,275.00 feet and a central angle of 38°34'52"; thence northeasterly along the arc of said curve, an arc length of 858.54 feet to the point of tangency of said curve; thence N.47°46'50"E., a distance of 686.77 feet to the point of curvature of a curve to the right having a radius of 2,600.00 feet and a central angle of 25°16'06"; thence northeasterly along the arc of said curve, an arc length of 1,146.64 feet to the point of compound curvature of a curve to the right having a radius of 5,340.00 feet and a central angle of 09°58'44"; thence easterly along the arc of said curve, an arc length of 930.04 feet to the point of reverse curvature of a curve to the left having a radius of 13,380.00 feet and a central angle of 11°49'20"; thence easterly along the arc of said curve, a distance of 2,760.77 feet to the point of tangency of said curve; thence N.71°12'20"E., a distance of 506.17 feet to the point of curvature of a curve to the right having a radius of 1,775.00 feet and a central angle of 19°02'10"; thence easterly along the arc of said curve, an arc length of 589.73 feet to the end of said curve; thence S.51°30'06"E. along a line non-tangent to the last described curve, a distance of 490.81 feet; thence S.53°36'44"E., a distance of 729.73 feet; thence S.65°24'21"E., a distance of 1,251.74 feet; thence S.74°58'40"E., a distance of 1,330.51 feet; thence S.87°41'34"E., a distance of 911.28 feet; thence N.82°44'31"E., a distance of 667.72 feet to the east line of aforementioned Section 36; thence S.00°35'33"W. along said east line of Section 36, a distance of 5,153.87 feet to the southeast corner of said Section 36; thence N.89°58'32"W. along the south line of said Section 36, a distance of 5,320.24 feet to the southeast corner of aforementioned Section 35; thence continue N.89°58'32"W. along the south line of said Section 35, a distance of 5,320.24 feet to the southeast corner of aforementioned Section 34; thence N.89°58'32"W. along the southerly line of Section 34, a distance of 5320.24 feet to the southwest corner of said Section 34; thence N.89°58'32"W. along the southerly line of the aforementioned Section 33, a distance of 5,320.24 feet to the southwest corner of said Section 33; thence N.89°58'32"W. along the southerly line of the aforementioned Section 32, a distance of 5,320.24 feet to the southwest corner of said Section 32; thence N.89°58'32"W. along the southerly line of the aforementioned Section 31, a distance of 4,602.00 feet to the southwest corner of said Section 31, also being a point on the easterly Limited Access Right-of-way of State Road 93 (Interstate 75); the following 15 calls are along the easterly Limited Access Right-of-way of State Road 93 (Interstate 75); thence N.00°37'10"E. along the west line of said Section 31, a distance of 615.67 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.68°06'12"E., a radial distance of 216.00 feet; thence northeasterly along the arc of said curve, through a central angle of 66°23'34", an arc length of 250.29 feet to the point of tangency of said curve; thence N.88°17'22"E., a distance of 628.58 feet; thence S.89°25'46"E., a distance of 298.15 feet; thence continue S.89°25'46"E., a distance of 133.30 feet; thence N.00°34'14"E., a distance of 336.00 feet; thence N.89°25'46"W., a distance of 606.88 feet; thence N.85°36'55"W., a distance of 460.53 feet to the point of curvature of a curve to the right having a radius of 396.00 feet and a central angle of 27°45'53"; thence westerly along the arc of said curve, an arc length of 191.90 feet to the end of said curve; thence S.01°15'38"W., a distance of 68.34 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.27°44'12"E., a radial distance of 456.00 feet; thence northwesterly along the arc of said curve, through a central angle of 34°29'47", an arc length of 274.55 feet to the point of tangency of said curve; thence N.27°46'01"W., a distance of 566.48 feet to the point of curvature of a curve to the right having a radius of 4,489.66 feet and a central angle of 12°57'00"; thence northerly along the arc of said curve, an arc length of 1,014.75 feet to the point of tangency of said curve; thence N.14°49'01"W., a distance of 899.55 feet; thence N.13°40'16"W., a distance of 1,016.33 feet; thence S.88°43'35"E., a distance of 1,369.65 feet; thence

S.89°40'28"E., a distance of 1,438.64 feet; thence N.01°15'38"E., a distance of 1,532.73 feet to the north line of the aforementioned Section 31; thence S.89°40'28"E., a distance of 3,164.99 feet to the POINT OF BEGINNING.

Said tract contains 4150.94 acres, more or less.

LESS AND EXCEPT

THE TRACT KNOWN AS PARCELS NO.1, NO. 4, NO. 5 AND A PORTION OF COVENANT WAY

DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Section 34, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the southwest corner of Said Section 34; thence S.89°58'32"E. along the south line of said Section 34, a distance of 678.97 feet to a point on the easterly line of premises described in Official Records Book 1532, Page 5845 of the Public Records of Manatee County, Florida; thence N.00°01'28"E. along said easterly line and the east line of Lorraine Road also described in said Official Records Book 1532, Page 5845, a distance of 1,020.28 feet to the southwest corner of premises described in Official Record Book 1555, Page 4954 of the Public Records of Manatee County, Florida; thence S.89°58'32"E., along the south line of said premises, a distance of 488.93 feet; thence N.00°01'28"E., along the east line of said premises and the northerly extension thereof, a distance of 891.04 feet to a point on the north line of Covenant Way (84-foot wide private roadway) as shown on Covenant Way, A Roadway Plat and recorded in Plat Book 37, Page 148 of the Public Records of Manatee County, Florida, also being a point on the southerly line of premises described in Official Record Book 1571, Page 4068 of said public records; the following 28 calls are along line of said premises described in Official Record Book 1571, Page 4068; thence N.88°05'00"E. a distance of 151.89 feet to the point of curvature of a curve to the right having a radius of 292.00 feet and a central angle of 33°21'59"; thence easterly along the arc of said curve, an arc length of 170.05 feet to the point of tangency of said curve; thence S.58°33'01"E., a distance of 208.77 feet to the point of curvature of a curve to the left having a radius of 211.00 feet and a central angle of 31°25'31"; thence easterly along the arc of said curve, an arc length of 115.73 feet to the point of tangency of said curve; thence S.89°58'32"E., a distance of 38.37 feet; thence N.00°01'28"E., a distance of 391.85 feet; thence N.53°08'42"W., a distance of 108.39 feet; thence N.64°51'52"W., a distance of 72.10 feet; thence N.51°15'29"W., a distance of 71.24 feet; thence N.88°53'01"W., a distance of 64.72 feet; thence S.42°31'45"W., a distance of 48.99 feet; thence S.57°15'03"W., a distance of 43.67 feet; thence N.75°08'44"W., a distance of 93.01 feet; thence N.36°23'58"W., a distance of 51.93 feet; thence N.30°15'09"W., a distance of 120.41 feet; thence N.26°03'26"W., a distance of 83.03 feet; thence N.11°24'03"E., a distance of 191.05 feet; thence N.77°32'10"W., a distance of 49.33 feet; thence N.54°48'49"W., a distance of 53.50 feet; thence S.83°25'42"W., a distance of 39.97 feet; thence N.77°03'04"W., a distance of 27.57 feet; thence N.76°42'11"W., a distance of 51.49 feet; thence S.09°58'45"W., a distance of 46.64 feet; thence S.17°32'46"W., a distance of 26.17 feet; thence N.55°40'30"W., a distance of 120.52 feet; thence S.34°19'30"W., a distance of 52.27 feet; thence S00°00'00"W, a distance of 86.03 feet; thence S.88°05'00"W., a distance of 286.50 feet to the aforementioned east line of Lorraine Road; the following 3 calls are along said east line of Lorraine Road; thence S.01°55'00"E., a distance of 791.84 feet to the point of curvature of a curve to the right having a radius of 10,560.00 feet and a central angle of 01°56'28"; thence southerly along the arc of said curve, an arc length of 357.76 feet to the point of tangency of said curve; thence S.00°01'28"W., a distance of 382.49 feet to the POINT OF BEGINNING.

Said tract contains 24.95 acres, more or less.

THE TRACT KNOWN AS THE CRICKET CLUB:

DESCRIPTION:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST; THENCE S89°58'32"E, ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 3762.59 FT.; THENCE N00°01'28"E, PERPENDICULAR WITH SAID SOUTH LINE, A DISTANCE OF 801.79 FT. FOR A POINT OF BEGINNING; THENCE N00°00'00"E (NORTH), A DISTANCE OF 358.16 FT.; THENCE N85°08'24"E, 58.79 FT.; THENCE N54°54'36"E, 292.35 FT.; THENCE N90°00'00"E (EAST), 221.92 FT.; THENCE S00°00'00"E (SOUTH), 528.25 FT.; THENCE N85°00'17"W, A DISTANCE OF 48.76 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 2303.68 FT.; THENCE RUN WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°44'23", A DISTANCE OF 472.02 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

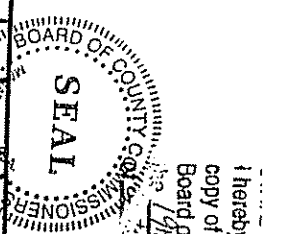
CONTAINING 5.52 ACRES MORE OR LESS.

The above tract contains in total 4,120.47 acres, more or less.

LAND USE EQUIVALENCY
UNIVERSITY LAKES, PHASE III
ATTACHMENT 5
FEBRUARY 2003

"A"	"B" EQUIVALENT USES									
LAND USES THAT ARE TO BE TRADED	# OF SINGLE-FAMILY DWELLING UNITS	# OF SINGLE-FAMILY ATTACHED UNITS	# OF MULTI-FAMILY APARTMENTS	# OF SQ. FT. NEIGHBORHOOD COMMERCIAL	# OF SQ. FT. COMMUNITY COMMERCIAL	# OF SQ. FT. OFFICE	# OF SQ. FT. LIGHT INDUSTRIAL	# OF SQ. FT. MANUFACTURING	# OF SQ. FT. WAREHOUSING	# OF HOTEL ROOMS
ONE SINGLE FAMILY DETACHED DWELLING UNIT	(1.00)	(1.85)	(1.50)	(255.00)	(270.00)	(310.00)	(835.00)	(880.00)	(860.00)	(1.41)
SINGLE FAMILY ATTACHED	(0.48)	(1.00)	(0.83)	(120.00)	(127.00)	(147.00)	(392.00)	(410.00)	(405.00)	(0.65)
MULTI FAMILY APARTMENT	(0.58)	(1.20)	(1.00)	(146.00)	(155.00)	(180.00)	(475.00)	(500.00)	(490.00)	(0.80)
1000 SQ. FT.OF COMMUNITY RETAIL	(1.96)	(3.60)	(3.00)	(945.00)	(1000.00)	(1165.00)	(3050.00)	(3225.00)	(3175.00)	(5.00)
1000 SQ. FT.OF NEIGHBORHOOD RETAIL	(2.00)	(3.85)	(3.20)	(1000.00)	(1060.00)	(1225.00)	(3250.00)	(3425.00)	(3375.00)	(5.30)
1000 SQ. FT. OF OFFICE	(0.38)	(0.70)	(0.58)	(185.00)	(195.00)	(1000.00)	(1780.00)	(1050.00)	(1825.00)	(0.98)
1000 SQ. FT. OF MANUFACTURING	(0.37)	(0.65)	(0.55)	(175.00)	(190.00)	(365.00)	(950.00)	(1000.00)	(995.00)	(0.95)
1000 SQ. FT. WAREHOUSING	(0.21)	(0.39)	(0.32)	(100.00)	(105.00)	(370.00)	(950.00)	(575.00)	(1000.00)	(0.54)
1000 SQ. FT. OF LIGHT INDUSTRIAL	(0.22)	(0.40)	(0.34)	(105.00)	(115.00)	(575.00)	(1000.00)	(600.00)	(1050.00)	(0.55)
ONE HOTEL ROOM	(0.40)	(0.70)	(0.61)	(185.00)	(195.00)	(225.00)	(635.00)	(620.00)	(620.00)	(1.00)

* The calculations must always start in Column "A" and end in Column "B". Start in Column "A" at appropriate row, proceed horizontally, then vertically to the equivalent use in Column "B". The equivalent Column "B" land use is noted in the ( ) at the intersection of the "traded land use" horizontal row, and the "equivalent uses" vertical column. For example, one Single Family Attached unit (Column "A", second row) can be traded into 127 sq. feet of Community Commercial. The intersection of the Single Family Attached unit row, and the Community Commercial column is 127 Sq. Feet.



I hereby certify that the foregoing is a true copy of ORDINANCE 03-51 adopted by the Board of County Commissioners of said County on the 4th day of March, 2003, this 24th day of March, 2003, in Bradenton, Florida.
R.B. Shore
Clerk of Circuit Court
By: [illegible] D.C.

RECEIVED
NOV 10 2004
Tampa Bay Regional
Planning Council

BOARD OF COUNTY COMMISSIONERS
SEAL
MANATEE CO., FLA.

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 4th day of November ,20 04
R.B. SHORE
Clerk of Circuit Court
By: G Acevedo D.C.

#216

MANATEE COUNTY GOVERNMENT

PLANNING DEPARTMENT
"TO SERVE WITH EXCELLENCE"

Certified mail # 7000 0600 0024 5577 2221

September 12, 2003

Mr. John Meyer
DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

Re: Development Order for University Lakes

Dear Mr. Meyer:

Enclosed is a certified copy of Ordinance 03-35, the Development Order for the University Lakes DRI, as adopted in open session by the Manatee County Board of County Commissioners on August 26, 2003, as required by Rule 9J-2.025(5), Florida Administrative Code.

If I can be of further assistance, please contact me at (941)749-3070, extension 6833.

Sincerely,

Robert H. Pederson, AICP
Community Planning Adminstrator

RHP/ks
Enlcosure

1112 Manatee Avenue West • Fourth Floor • Bradenton, Florida Tel. (941) 749-3070 • FAX: (941) 749-3071
P.O. Box 1000 • Bradenton, Florida 34206-1000

ORDINANCE-03-35
SCHROEDER-MANATEE RANCH, INC.
(SMR COMMUNITIES JOINT VENTURE, A FLORIDA GENERAL PARTNERSHIP)
DEVELOPMENT ORDER
GRANTING AMENDMENTS TO AND REPLACING ORDINANCE 00-45, ORDINANCE-92-32, AS AMENDED BY ORDINANCE-93-25, ORDINANCE-95-44, ORDINANCE 97-61, ORDINANCE 97-81, ORDINANCE 00-45 AND ORDINANCE 01-60.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE DEVELOPMENT ORDER FOR THE UNIVERSITY LAKES DEVELOPMENT OF REGIONAL IMPACT (MANATEE COUNTY DRI #22, A/K/A TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI #216); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONCLUSIONS OF LAW; PROVIDING FOR DEFINITIONS; PROVIDING FOR AMENDED LIMITATIONS ON AND CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 31, 1991, SMR Communities Joint Venture, a Florida general partnership filed an Application for Development Approval* (ADA*) of a Development of Regional Impact (DRI) with the Manatee County Board of County Commissioners (County*) pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said ADA* proposed construction of a multi-use project on approximately two-thousand three-hundred fifty-three (2,353) acres, located in southern Manatee County, hereinafter referred to as University Lakes DRI, or the Project*; and

WHEREAS, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, a second development is planned, commonly known as Lakewood Ranch Corporate Park adjacent to the Manatee County line in Sarasota County; and

WHEREAS, the University Lakes and Lakewood Ranch Corporate Park DRI's have been reviewed pursuant to the terms of the 380 Review Agreement* defined in Section 3. below; and

WHEREAS, the Board of County Commissioners, on June 1, 1992, approved Ordinance 92-32, which granted local approval to University Lakes, DRI No. 22,; and

WHEREAS, the Department of Community Affairs and the Tampa Bay Regional Planning Council appealed Ordinance 92-32 within the statutory time frame allowed; and

WHEREAS, the Developer* entered into a settlement agreement with the Department of Community Affairs and the Tampa Bay Regional Planning Council to resolve their concerns; and

WHEREAS, on October 24, 1993, the Board of County Commissioners of Manatee County adopted an amended Development Order (Ordinance 93-25) for the University Lakes DRI adopting language to settle administrative action between the Department of Community Affairs, Tampa Bay Regional Planning Council, and Schroeder-Manatee Ranch, Inc., et. al.; and

FILED FOR RECORD
R. B. SHORE
2003 SEP 10 PM 12: 33
CLERK OF CIRCUIT COURT
MANATEE COUNTY, FLORIDA

WHEREAS, on January 25, 1996, The Board of County Commissioners adopted Ordinance 95-44, approving amendments to modify development totals, add 69.8 acres, and modify various definitions and conditions of the Development Order for the University Lakes DRI, which amendments were not found to be a Substantial Deviation to the originally approved Development Order; and

WHEREAS, on October 28, 1997, The Board of County Commissioners adopted Ordinance 97-61, approving amendments to extend the buildout and expiration dates; amend Map H to modify acreage totals per land use, change one subphase from business to residential, modify the internal roadway network between I-75 and Lakewood Ranch Boulevard; amend transportation, wetland, and other conditions; employ the land use trade-off mechanism in the D.O. to modify development totals in Phases I, II and III; modify the Certificate of Level of Service for Phase I to address land use exchange; approve Development Order modifications to more accurately reflect the status of compliance with certain conditions of approval; and

WHEREAS, on December 16, 1997, the Board of County Commissioners adopted Ordinance 97-81, to allow a hospital use in Phase II of the development; and

WHEREAS, on February 22, 2000, the Board of County Commissioners adopted Ordinance 00-45, to initiate Phase II construction; Relocate the Town Center to the east side of Lakewood Ranch Blvd.; Relocate an access point onto University Parkway; Shift square footage amounts between different Regional Commercial and Business parcels; Make changes to tables 1, 5 and 6 of the Development Order; and Amend Transportation and Affordable Housing Conditions; AND

WHEREAS, on December 18, 2001, the Board of County Commissioners adopted Ordinance 01-60 to decrease Retail uses by 74742 sq. ft.; increase Hotel uses by 300 rooms; increase Office uses by 93,000 sq. ft; relocate 75,258 sq. ft. of Retail from the NW quadrant of Lorraine Road and University Parkway from Community Commercial to Residential; decrease Single-Family Attached units by 153; increase Multi-family units by 125; and amend Tables C and D to reflect these changes; AND

WHEREAS, the Developer* of University Lakes submitted and supplied information pursuant to the Notice of Proposed Change Provisions of Section 380.06, Florida Statutes, concerning the regional impacts of Traffic, Air Quality, and Affordable Housing to Manatee County concerning the proposed development in Phases I, II and III, pursuant to the which information was reviewed by the Tampa Bay Regional Planning Council, Department of Community Affairs, and other applicable state agencies, each of which had opportunity to request additional information and make comments and suggestions, and each of which in fact did so. The Developer* further responded to questions and comments raised by said parties in the form of sufficiency responses; AND

WHEREAS, the developers of University Lakes have proposed the following changes to the Development:

(1) Extend the phase date of Phase I by seven (7) years;
(2) Extend phase date of Phase II by two (2) years;
(3) Accelerate the Phase III start date by eight (8) years;
(4) Accelerate the Phase IV start date by four (4) years:
(5) Increase Business Office acreage by 4.2 acres;
(6) Decrease Wetland/Mitigation acreage by 4.2 acres;
(7) Change the quantifying reference for hospital use from square footage to bed count;
(8) Move 425,600 square feet of General Commercial Retail from Phase II to Phase IV;
(9) Move 4,300 square feet of General Commercial Retail from Phase III to Phase IV;
(10) Move 327,508 square feet of Business Industrial from Phase III to Phase IV;
(11) Move 88,328 square feet of Business Office from Phase IV to Phase III;
(12) Move 30,000 square feet of Neighborhood Commercial from Phase II to Phase IV;
(13) Move 151 Single Family Dwelling Units from Phase IV to Phase III and reduce the entitlements for Single Family Dwelling Units by 294;
(14) Move 105 Single Family Attached Dwelling Units from Phase IV to Phase III and reduce the total entitlements for Single Family Attached Dwelling Units by 93;
(15) Increase Multi-Family Dwelling Units in Phase III by 387;
(16) Move 106.0 acres from the University Lakes DRI to the Cypress Banks DRI;
(17) Amend the name of the authorized agent from Rex Jensen to Tim Martin;
(18) Replace all references to the University Place DRI to the Lakewood Ranch Corporate Park DRI;
(19) Amend Tables 3 and 4 to update the entitlements for Lakewood Ranch Corporate Park;
(20) Establish February 22 as the annual reporting date;
(21) Amend Section 4.C to update Attachment #5 (Land Use Equivalency) to the latest ITE generation rates;
(22) Amend Tables 1 and 2 to reflect these changes;
(23) Amend Section 5, Transportation and Affordable Housing to reflect updated analysis; and,
(24) Amend Map H and the Development Order to reflect the above changes.

WHEREAS, the above described changes, cumulatively with all previous changes, do not constitute a Substantial Deviation to the Development Order for University Lakes, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the Board of County Commissioners, as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes, has the statutory authority to consider and approve Notices of Proposed Changes (NOPC) for an amendment to an approved Development of Regional Impact; and

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

WHEREAS, the Planning Commission of Manatee County has reviewed the NOPC and has filed a recommendation on said NOPC with the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has received and considered the comments of the Tampa Bay Regional Planning Council and the Department of Community Affairs; and

WHEREAS, the County* on August 26, 2003, held a duly noticed public hearing on the NOPC and the language proposed by the Developer* to amend and replace Ordinance 01-06, as amended, and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County and City agencies, the applicant, as well as the review and report of the Manatee County Planning Department.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

SECTION 1. FINDINGS OF FACT

The Board of County Commissioners, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of Manatee County, and all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.

B. The Developer* has received County approvals for and has commenced development in several sub-phases of the development, consistent with Ordinance 92-32, (as amended by Ordinances 93-25, 95-44, 97-61, 97-81, 00-45, and 01-60).

C. An application has been submitted to Manatee County and is being processed concurrently with this NOPC to approve a revised General Development Plan for the entire 2,315.7 acre project, to extend the phase date of Phase I by seven (7) years; Extend phase date of Phase II by two (2) years; accelerate the Phase III start date by eight (8) years; Accelerate the Phase IV start date by four (4) years: Increase Business Office acreage by 4.2 acres; decrease Wetland/Mitigation acreage by 4.2 acres; change the quantifying reference for hospital use from square footage to bed count; Move 425,600 square feet of General Commercial Retail from Phase II to Phase IV; move 4,300 square feet of General Commercial Retail from Phase III to Phase IV; move 327,508 square feet of Business Industrial from Phase III to Phase IV; move 88,328 square feet of Business Office from Phase IV to Phase III; Move 30,000 square feet of Neighborhood Commercial from Phase II to Phase IV; move 151 Single Family Dwelling Units from Phase IV to Phase III and reduce the entitlements for Single Family Dwelling Units by 294; move 105 Single Family Attached Dwelling Units from Phase IV to Phase III and reduce the total entitlements for Single Family Attached Dwelling Units by 93; Increase Multi-Family Dwelling Units in Phase III by 387; move 106.0 acres from the University Lakes DRI to the Cypress Banks DRI; Amend the name of the authorized agent from Rex Jensen to Tim Martin; replace all references to the University Place DRI to the Lakewood Ranch Corporate Park DRI; amend Tables 3 and 4 to update the entitlements for Lakewood Ranch Corporate Park; establish February 22 as the annual reporting date; amend Section 4.C to update Attachment #5 (Land Use Equivalency) to the latest ITE generation rates and amend Tables 1 and 2 to reflect these changes, amend Section 5, transportation and affordable housing to reflect updated analysis, and, amend Map H and the Development Order to reflect these changes.

D. The Board of County Commissioners of Manatee County has received and considered the recommendation of the Manatee County Planning Commission concerning the NOPC and the application for Official Zoning Atlas Amendment as it relates to the real property described in Section 7 of this Ordinance of an NOPC pursuant to Section 380.06, Florida Statutes. The report was rendered on August 14, 2003, following public hearing.

E. The Board of County Commissioners held a public hearing August 26, 2003, regarding the NOPC and the proposed Official Zoning Atlas Ordinance Amendment described herein, in accordance with the requirements of Manatee County Ordinance No. 90-01, as amended (the Manatee County Land Development Code) and Ordinance No. 89-01, as amended, (Manatee County Comprehensive Plan), and has further considered the testimony, comments, and information received at the Public Hearing.

F. The proposed changes to the DRI regarding the property described in Section 7. herein, are found to be consistent with the requirements of Manatee County Ordinance No. 89-01, as amended (the 2020 Manatee County Comprehensive Plan), provided it proceeds in accordance with the Development Conditions specified in Section 5. and the Developer* Commitments specified in Section 6. of this Development Order.

G. The Developer* of the Project* submitted to Manatee County, Florida, an ADA* for the original project and the above described Notices of Proposed Change including this one, which are incorporated herein by reference.

H. The Developer* submitted an Affordable Housing Impact Analysis (dated September , 2002) to Manatee County which describes the housing demand for low, very low and median income households and the existing housing supply (see Attachment #1).

I. The real property which is the subject of this Development Order is legally described as set forth in Section 7.

J. The Project* is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.

K. The authorized agent for the Project* is Tim Martin, and his address is SMR Communities Joint Venture, a Florida general partnership, 6215 Lorraine Road, Bradenton, Florida 34202.

L. The owner of the property, which, SMR Communties Joint Venture, a Florida general partnership intends to develop, is Schroeder-Manatee Ranch, Inc., a Delaware corporation.

M A comprehensive review of the impacts generated by the Development has been conducted by the departments of Manatee County, the Planning Commission, the Board of County Commissioners, TBRPC, Sarasota County, SWFRPC, and the Department of Community Affairs (DCA).

SECTION 2. CONCLUSIONS OF LAW

A. Based upon the previous findings of fact and the following conditions of the Development Order, the Board of County Commissioners of Manatee County concluded that:

1. The Project* will not unreasonably interfere with the achievement of the objectives of the Adopted State Land Development Plan applicable to the area.

2. The Project* is consistent with the local land development regulations and is consistent with the State Comprehensive Plan (SCP), the Tampa Bay Regional Planning Council's Future of the Region, A Strategic Regional Policy Plan (SRPP), and Ordinance 89-01, as amended (The Manatee County Comprehensive Plan).

3. The Project* is consistent with the report and recommendations of TBRPC approved on February 10, 1992 and on January 8, 1996, regarding the first NOPC submitted on July 10, 1995, in May 1997, regarding the second NOPC; on October 13, 1997 regarding the third NOPC; on December 16, 1997 regarding the fourth

NOPC; on January 24, 2000 regarding the fifth NOPC; and on September 21, 2001 regarding the sixth NOPC; and on April 14, 2003 regarding the seventh NOPC.

B. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the Developer* is authorized to conduct development as described herein, subject to the conditions, restrictions, and limitations set forth below.

C. That the review by the County*, TBRPC, and other participating agencies and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Development Order, the ADA*, the NOPC, and the Air Quality, Transportation, and Affordable Housing Analyses submitted pursuant to Chapter 380.06, Florida Statutes to initiate Phase III. To the extent that the ADA* is inconsistent with the terms and conditions of this Development Order, the terms and conditions of this Development Order shall prevail.

D. This Ordinance replaces Ordinance 01-60, which granted amendments to Ordinance, 92-32, 93-25, 95-44, 97-61, 97-81 and 00-45 in their entirety and adequately addresses the impacts of the development, pursuant to the requirements of Chapter 380, Florida Statutes.

E. Pursuant to Subsection 380.06(19)(c), Paragraphs 380.06(19)(e)3, and 380.06(19)(e)5.c, Florida Statutes, the changes proposed pursuant to the NOPC submitted on March 25 ,2002, and revised on October 8, 2002 and approved pursuant to Ordinance 03-35, do not constitute a Substantial Deviation requiring further Development of Regional Impact review.

SECTION 3. DEFINITIONS

Note: An asterisk (*) denotes that the word is defined. The definitions contained in Chapter 380, Florida Statutes, shall apply to this Development Order, in addition to those listed herein.

A. "380 Review Agreement*" shall mean the Agreement executed between DCA, TBRPC, the Southwest Florida Regional Planning Council ("SWFRPC"), and SMR Communties Joint Venture, a Florida general partnership, dated September 6, 1991 which governs the review of the University Lakes and Lakewood Ranch Corporate Park DRI's. A copy of the 380 Review Agreement* is on file with the Clerk's Office and previously supplied to DCA as Attachment #2 to Ordinance 93-25.

B. "Application for Development Approval*" (or ADA*) shall mean University Lakes, Inc. Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer* on October 25, 1991, Appendix E Cumulative Affordable Housing Analysis, in May 1997, regarding the second NOPC; on October 13, 1997 regarding the third NOPC; on December 16, 1997 regarding the fourth

NOPC; on January 24, 2000 regarding the fifth NOPC; and on September 21, 2001 regarding the sixth NOPC, and on March 26, 2002 regarding the seventh NOPC.

C. "Best Management Practices*" (BMP) shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code (BMP list of approved practices by Board resolution for Special Overlay Districts-Evers Reservoir and Lake Manatee Watershed Areas).

D. "Combined Projects*" shall refer to both University Lakes and the neighboring project, Lakewood Ranch Corporate Park.

E. "County*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).

F. "Developer*" shall mean SMR Communties Joint Venture, a Florida general partnership, their heirs, assigns, designees, and successors in interest as to the Project* and all its conditions of approval.

G. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.

H. "Development Plans*" shall mean any Preliminary Site Plan issued by Manatee County or a site and development plan issued by Sarasota County

I. "District*" shall mean any unit of local special purpose government formed pursuant to Chapter 190, F.S., or any similar entity such as a Municipal Service Taxing Unit or Municipal Service Benefit Unit, from time to time created or previously existing, which acts in accordance with applicable law and regulations, to finance or fund: (i) the cost of such actions as the planning, acquiring, constructing, equipping, installing, operating, and maintaining various community facilities; (ii) the cost of providing certain community services; (iii) contributions of funds to other governmental and non-governmental entities with respect to such facilities, services, or related Development Order commitments and conditions and (iv) satisfaction of any of the commitments and conditions contained in this Development Order related to the foregoing. It is the declarative of the intent of this Development Order that any commitment or condition of this Development Order may be directly performed or satisfied by any District* which properly operates within its scope of authority. Such performance or satisfaction shall not be deemed or construed to constitute the discharge of any obligation of the Developer*.

J. "SRPP" shall mean the TBPRC's Future of the Region, a Strategic Regional Policy Plan for the Tampa Bay Region, December 11, 1995.

K. "Funding Commitments*" shall mean to assure the completion of any improvement required by this Development Order or any combination of the following: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County* for construction to be completed when the improvement is required as referenced in Tables 5 and 6 of this Development Order; 2) actual construction; 3) the placement of the improvements in the first year of the Capital Improvements Element of the appropriate County or the current plus two years (or current plus first four years for FIHS facilities) of the Adopted Five-Year Work Program of the Florida Department of Transportation; or 4) a commitment for construction and completion of the required roadway improvements, pursuant to a Developer Agreement which, if approved by the parties, shall be incorporated in this Development Order through an amendment of the Development Order, pursuant to the notice of proposed change provisions of Chapter 380 of the Florida Statutes. Said Agreement shall include a construction timetable which will set forth the completion of the required improvements consistent with the time frames specified in Tables 5 and 6.

L. "Post-Development Wetlands*" shall mean any lands determined to be within jurisdictional limits defined by Chapter 62-301, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Protection (FDEP), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development for this Project*.

M. "Project*" shall mean the land uses, phasing, and improvements described in the ADA* which are attributable to development on that property described in Section 7. herein and set forth on Revised Map H, March 20, 2003 and attached hereto.

N. "Transportation Impact Area*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the proposed phase or subphase shown on a proposed Preliminary Site Plan in combination with prior approvals of the Combined Projects* will be five percent (5%) (or whatever greater percentage may be employed from time to time by DCA, TBRPC, or the County*, provided the more restrictive percentage shall be used) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on revised Map J, dated 2/22/00 (which was attached as Attachment #4 to Ordinance 01-60) which was based on data submitted with the ADA*. In determining the Transportation Impact Area* for this Project* all traffic generated by Lakewood Ranch Corporate Park shall be deemed project traffic for University Lakes.

O. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.

SECTION 4. 380 REVIEW AGREEMENT*, APPROVALS, AND DEVELOPMENT COMPONENTS

A. Some of the impacts of the University Lakes DRI have been reviewed in conjunction with the impacts of the proposed Lakewood Ranch Corporate Park DRI under the terms of the 380 Review Agreement*. The 380 Review Agreement* provides for a cumulative assessment of the impacts of both projects on the issues of transportation, air quality, affordable housing, and listed species.

Tables 1 through 4 list the appropriate land uses for University Lakes (Tables 1 and 2) and Lakewood Ranch Corporate Park (Tables 3 and 4) under the designations used by the respective Counties and the designations used in Section 380.0651, Florida Statutes, in parentheses ( ).

B. Subject to the possible exchange of land uses as described elsewhere herein, the Project* consists of the land uses, square footage, dwelling units, and approximate area described in Columns A through D of Table 1 and the land uses, square footage, dwelling units, and approximate area by phase as described in Table 2. Phase I, II and III of the Project* are approved subject to the conditions found within this Development Order. Upon its review and approval by staff, a Certificate of Level of Service will be issued as part of this approval, and is authorized until the dates for each Phase set forth in Table 2. Phase IV is conceptually approved. Approval of Phase IV is contingent upon further Section 380.06(6) review on the following issues: transportation, air quality, and affordable housing. The review of transportation, air quality, and affordable housing for Phases IV shall be based on a cumulative assessment of the impacts created by the Combined Projects*.

The conditions of approval of Phases I, II and III of University Lakes and Phase I of Lakewood Ranch Corporate Park, (Combined Projects) with respect to the impacts that were cumulatively assessed, shall not necessarily apply to subsequent phases. In addition to obtaining a Development Order amendment, Certificates of Level of Service must be obtained for Phase IV, but shall be limited to roadway capacity, mass transit, , sanitary sewer, parks and recreation facilities, drainage, and solid waste, as required by the Manatee County Land Development Code. The Certificate of Level of Service for potable water must be obtained with each Final Site Plan.

TABLE 1
UNIVERSITY LAKES DEVELOPMENT COMPONENTS

Column A Map H Land Use (Section 380.0651 F.S. Designation)	Column B Number Acres *****	Column C Square Feet	Column D Dwelling Units	Column E Land Use Exchange Maximum Increase
Residential	**669.8**	n/a	**3,108**	An increase in dwelling units by 5% or 50 units, whichever is greater
General Commercial*				Land Area increased by 6 acres or increase by 50,000 s.f. of gross floor area, or the greater of a 5% increase in parking spaces or an increase of customer parking by 300 spaces
Retail	56.6	820,000	n/a	
Hospital	32.0	150 beds	n/a	
Total General Commercial	**88.6**	**820,000**	**n/a**	
Neighborhood Commercial**	**17.5**	**306,258**	**n/a**	
General Commercial***				
Retail	21.0	150,000	n/a	
Hotel and Motel	7.0	250,000/ 600 rooms	n/a	75 rooms
Total General Commercial	**28.0**	**400,000**	**n/a**	
Business				Land area increased by the greater if 5% or 6 acres, whichever is greater, or gross floor area increased by greater of 5% or 60,000 s.f. whichever is greater
Office	59.3	1,187,200	n/a	
Industrial	55.0	808,088	n/a	
Total Business	**114.3**	**1,995,288**	**n/a**	
Right of Way	177.2			
Recreation	330.4			
Wetlands/Mitigation	339.9			
Lakes****	356.0			
Open Space	194.0			
TOTAL	**2,315.7**	**3,521,546/150 Hospital beds**	**3,108**	

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.

**** Additional lakes will be constructed within the Project* as required by the stormwater management system.
***** Acreages subject to verification and adjustment based upon future survey activities, consistent with the graphic depictions on revised Map H.

TABLE 2
UNIVERSITY LAKES PHASING SCHEDULE

Map H. Land Use Designation (§380.0651, F.S., Designation)	Phase I 1992-2011◆	Phase II 2000-2011◆	Phase III 2002-2011◆	Phase IV 2011-2019◆◆	Total
Residential Dwelling Units					
Single Family	970	361	100	0	1,431
Single Family Attached	88	0	135	0	223
Multi-Family	449	412	593	0	1,454
Total Residential	**1,507**	**773**	**828**	**0**	**3,108**
General Commercial* s.f. (Regional)					
Retail	275,557	114,543	0	429,900	820,000
Hospital	0	150 beds	0	0	150 beds
Total General Commercial	**275,557**	**114,543**	**0**	**429,900**	**820,000**
Neighborhood Commercial s.f. (Community)**					
Retail	87,000	31,143	0	188,115	306,258
Total Neighborhood Commercial	**87,000**	**31,143**	**0**	**188,115**	**306,258**
Business s.f.					
Office	323,318	608,608	250,000	5,274	1,187,200
Industrial	0	0	30,000	778,088	808,088
Total Business	**323,318**	**608,608**	**280,000**	**783,362**	**1,995,288**
General Commercial* s.f. (Highway)**					
Retail	0	150,000	0	0	150,000
Hotel and Motel	250,000/ 300 rooms	300 rooms	0	0	250,000/ 600 rooms
Total General Commercial	**250,000**	**150,000**	**0**	**0**	**400,000**
Recreational Facilities**	Tennis & Boat Club+, Park, Golf Course & Park				

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.
**** Phasing of recreational facilities may be accelerated in accordance with the provisions of Sections 4.B., C. and E.
\+ The Boat Club shall be located on the 160± acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such

as sailboards, canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation, and such craft may be used on the manmade lake.
◆ Buildout date is September 13th of each year indicated.
◆◆ Phase IV has only received conceptual approval. Specific approval is pending further Chapter 380.06 F.S. review regarding transportation, affordable housing, and air quality analysis.

TABLE 3

LAKEWOOD RANCH CORPORATE PARK DEVELOPMENT COMPONENTS

Sarasota County Land Use Designation (Section 380.06.0651, F.S. Designation)	Number of Acres	Square Feet
Interstate Regional Office Park (Office)	250.0	998,308
Major Employment Center (Office) (Industrial) (Retail)	728.9	(1,849,885) (2,774,827) (76,980)
Open Use Conservation	395	n/a
Totals	1,373.9	5,700,000

TABLE 4
LAKEWOOD RANCH CORPORATE PARK PHASING SCHEDULE

Sarasota county Land Use Designation (Section 380.0651, F.S. Designation)	Phase I	Phase II	Phase III	Total
Interstate Regional Office Park s.f. (Office)	436,000	365,334	196,974	998,308
Major Employment Center s.f. (Office)	957,600	555,219	337,066	1,849,885
(Industrial)	1,435,600	832,828	505,599	2,774,827
(Retail)	40,000	23,287	13,693	76,980
Total	2,869,200	1,776,668	1,053,332	5,700,000

The amounts of residential, retail, hotel and motel, office, and industrial uses shown in Table 1 above within the Project* can be exchanged, with Board of County Commissioners approval of a revised General Development Plan, to allow flexibility in the exact land use mix shown in Columns B, C, and D of Table 1, above, and within each individual Phase shown in Table 2, provided that the following conditions are satisfied:

1. No land use category in the final Project* shall contain more development than that reflected in Table 1 Columns B, C, and D, plus that amount reflected in Column E.
2. The following uses designated in Table 1, shall not be reduced by the Developer* below the amounts set forth in Table 1, except as described elsewhere herein in specific provisions pertaining to those uses: lakes, recreation, wetlands/mitigation, open space.
3. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 500 dwelling units.
4. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 400,000 square feet of General Commercial.
5. The mix of approved uses within an individual Phase shall not be increased by more than 170,000 square feet nor decreased by more than 100,000 square feet of Business.
6. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 75 hotel rooms.
7. All other uses not specifically mentioned in Paragraphs 3, 4, 5, and 6 above shall not be subject to an exchange pursuant to this section.

C. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the proposed land use mix will not exceed the impacts for transportation, potable water, wastewater treatment, solid waste disposal, mass transit, drainage, and parks and recreation which are authorized in this Development Order and in any Certificate of Level of Service Compliance (CLOS) issued for that Phase. Additionally, the Developer* shall demonstrate that the proposed land use mix will not generate additional demand for affordable housing beyond the amount for which the supply of affordable housing has been demonstrated to be available and is described in Section P.(1) of this Development Order. If the impacts of a specific land use exchange exceeds the impacts authorized and approved for that phase in the Development Order, then the land use exchange shall be denied.

As to the CLOS, the Developer* must apply for a modification to the CLOS and if the proposed land use exchange results in impacts in excess of those previously approved, the Developer* may be granted approval for that excess only if and when capacity is available and in conformance with other provisions of this Section 4. However, reapplication shall not cause the Developer* to lose capacity already approved in the Certificate of Level of Service for that Project*. If the request for a land use exchange is approved, a modified CLOS shall be issued to replace the previously approved CLOS. Any modification to the CLOS shall not extend the time for which such capacity is reserved pursuant to the CLOS.

An application for a land use exchange must include a revised General Development Site Plan which will include a revised Table 2 showing the reallocation of square footage or units. Each proposal for a land use exchange and revised General Development Plan shall be reviewed for compliance with the provisions of this Development Order, the Manatee County Land Development Code, and the Manatee County Comprehensive Plan. Upon submission of a request to the County* to implement this section of the Development Order, all application materials and information necessary to support approval of such a request shall be provided to the Department of Community Affairs, TBRPC, SWFRPC, and Sarasota County by the Developer*. The Developer* shall provide written notification to the Department, TBRPC, SWFRPC, and Sarasota County of the approval or denial of any land use exchange requested by the Developer*.

With the submittal of any Notice of Proposed Change requiring changes to this Development Order, the Revised Master Development Plan and Phasing Schedule shall be amended to reflect any Land Use Exchange(s) that have been approved since the issuance of the Development Order or last amendment to the Development Order. Such change considered by itself shall not constitute a substantial deviation. Changes to the Phasing Schedule under this paragraph do not include extensions to the buildout date.

The land use exchange request shall contain information sufficient to enable the County* to determine that the impacts of the revised land use mix do not exceed the impacts of the land use mix being replaced. The quantifiable impacts will be measured based upon the relevant factors then currently used by the County* (e.g., ITE trip generation rates, EDU tables, solid waste generation factors, etc.) The Developer* shall verify the appropriate factors with County* staff prior to the submittal of any such land use exchange request.

The traffic impacts of the revised land use mix shall be deemed by the County* not to exceed the approved traffic impacts of the land use mix being replaced so long as the change does not increase the peak hour total traffic and the relative proportions of trips produced by attractors and the trips produced by generators remains substantially the same for the phase or subphase. In the event that the attractor or generator proportions are not substantially the same, as determined by the County*, additional information may be required to assess intersection performance, trip distribution, or particular roadway segments designated by the County*.

Attached hereto as Attachment #5 (updated October, 2002) is a table of conversion factors for equating only traffic impacts of land use exchanges. The incorporation of this land use exchange mechanism shall not operate to permit the Developer* to develop any land use which will generate peak hour trips in excess of the total number of peak hour trips for which it has obtained specific Development Order approval.

Any amendments to the land use mix or proposed phasing schedule (Tables 1 and 2 respectively), other than those described herein, shall be submitted to the County* for review and approval, pursuant to notice of change as required by Subsection 380.06(19), F.S., which approval shall not be withheld for mere acceleration of phases if otherwise there is compliance with the terms of this Development Order. Any departure in Project* buildout from the phasing schedule set forth in the

Application shall be subject to review to determine if such departure constitutes a Substantial Deviation pursuant to Subsection 380.06(19), F.S.

Any specific land use exchange must result in a land use mix which is consistent with the requirements of the Manatee County Comprehensive Plan. The land use exchange may not be exercised more than once in any calendar year.

D. The list of required transportation improvements described in Tables 5 and 6 are triggered by the construction of Phase I of the Combined Projects* and Phase II and III of University Lakes. In the event that at any time the amount of development authorized in the Lakewood Ranch Corporate Park Development Order is less than that shown as Phase I Table 4 of this Development Order, the Developer* may submit a Notice of Proposed Change requesting a Development Order amendment to increase the amount of development in Phase I, II and III of University Lakes by an amount equal in impacts to the Lakewood Ranch Corporate Park reduction. In reviewing such a Notice of Proposed Change, transportation issues shall not form the basis of a recommendation of Substantial Deviation if the impacts (trip generation or distribution) on transportation facilities remain essentially the same. Nothing herein shall operate as a waiver of the Developer's* obligation to obtain a CLOS for any and all development which the Developer* proposes to transfer from Lakewood Ranch Corporate Park to University Lakes. In making a request under this Section 4.D., the Developer* must meet all of the following conditions:

1. The impacts of the proposed change do not exceed the impacts which were approved in the Development Order, or any amendments thereto, for potable water, wastewater treatment, solid waste disposal, mass transit, drainage, affordable housing, and parks and recreation.

2. The Developer* must further demonstrate that the request is consistent with applicable provisions of the Comprehensive Plan and the Land Development Code.

3. The amount of any increase in any Land Use Category may not exceed the limitations set forth in Table 1 Column E_1 above.

4. The County* shall not be required to approve any increase to Phase I, II and III of University Lakes unless adequate capacity exists to serve such increase and assurance of corresponding decrease is demonstrated to the County's* satisfaction, in Phase I of Lakewood Ranch Corporate Park.

5. In the event that the amount of development is increased for Phase I of Lakewood Ranch Corporate Park after approval of an increase of the permitted uses, density, or intensity for Phase I, II and III of University Lakes under this Section 4.D., then this entire Development Order shall be subject to an additional Substantial Deviation review to address the impacts of development which was previously added to University Lakes.

The intent of this provision is not to alter the size or land use mix of the Combined Projects* at buildout. There is no intent to change the land uses actually approved for University Lakes. It is intended to provide flexibility in the timing of development between phases of the respective projects

in response to economic development opportunities or development constraints. The applicability of this provision "D" is limited to Phase I of the Combined Projects* and Phase II and III of University Lakes, pending further review of additional phases.

E. To foster intergovernmental coordination in the administration of University Lakes and Lakewood Ranch Corporate Park, the Developer* will furnish to the Sarasota County Planning Department, the SWFRPC, and the City of Bradenton for review and comment, copies of all Annual Reports (together with any documents required to accompany said Annual Reports), any applications or submissions by the Developer* under this Section 4, and any revisions to University Lakes resulting from determinations by the County* under this Section 4. Further, the Developer* shall furnish to the County* copies of all Annual Reports (together with any documents required to accompany said Annual Reports) regarding Lakewood Ranch Corporate Park.

F. No provision of this Development Order shall serve to approve uses which were not previously reviewed and approved for University Lakes or which are inconsistent with the Manatee County Comprehensive Plan, including the WO-E Overlay District.

SECTION 5. DEVELOPMENT CONDITIONS

Transportation

A.(1) The cumulative transportation analysis for Phases I, II and III for University Lakes and Phase I for University Place, conducted under the 380 Review Agreement* determined the need for the roadway segment and intersection improvements described in Tables 5 and 6 below:

Table 5
Phases I, II and III Required Link Improvements

Roadway Segment Improvement Number	Road Segment Name (From and to)	Total Traffic Peak Hour LOS Prior to Improvement	Applicable Peak Hour Level of Service	Development Traffic as A % of LOS Peak Hour Capacity	Required Improvement to Restore LOS	Total PM Peak Hour External Trips for Combined Projects before Need*
1	University Parkway I-75 to Town Center Pkwy	F (in EB) F (in WB)	D D	90.0 129.4	Widen to 6 lanes	5,345
2	University Pkwy Town Center Pkwy to Lakewood Ranch Blvd	E (in EB) F (in WB)	D D	43.3 62.2	Widen to 6 lanes	5,345
3	University Pkwy through US 301	F (in EB) F (in WB)	D	9.6 13.8	Widen to 6 lanes	5,474
4	I-75 SR 70 to University Parkway	D (in NB) C (in SB)	C C	12.2 6.5	Widen to 8 lanes (1)	5,784
5	I-75: University Parkway to Fruitville Rd	D (in NB) C (in SB)	C C	10.6 20.1	Widen to 8 lanes (1)	6,005
6	I-75: Fruitville Rd to Bee Ridge Rd	C (in NB) D (in SB)	C C	8.4 15.9	Widen to 8 lanes (1)	6,714
7	I-75: Bee Ridge Rd to Clark Rd	C (in NB) D (in SB)	C C	5.0 9.4	Widen to 8 lanes (1)	6,537
8	I-75: Clark Rd to SR 681	C (in NB) D (in SB)	C C	3.0 5.7	Widen to 8 lanes (1)	6,448
9	I-75: SR 681 to Laurel Rd	C (in NB) D (in SB)	C C	2.9 5.4	Widen to 6 lanes (1)	6,625

This column represents the cumulative number of peak hour external trips for the Combined Projects before the need of the identified improvements for the respective phase Land Uses as depicted in Tables 2 and 4 for University Lakes and Phase I of University Place (or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

(1) No improvement is required if the Level of Service standard for the subject segment of I-75 is modified to LOS D by the appropriate governmental agency.

Table 6
Required Intersection/Ramp Improvements

Required Improvement Number	Improvement Name and Location	Total Traffic Peak Hour LOS Prior to Improvement	Applicable Peak Hour Level of Service	Development Traffic as a % of LOS Peak Hour Capacity	Required Improvement To Restore LOS	Total PM Peak Hour External Trips for Combined Projects Before Need*
Phase I, II, and III Required Intersection/Ramp Improvements						
1	University Parkway @ US 301	F	D	6.7	Provide dual left-turn and single right-turn lanes at all approaches and 6 lane east/west and north/south through movements.	5,474
2	University Parkway @ Town Center	F	D	100	SB right-turn lane protected signal phase.	4,263
					6- lane EB/WB	5,345
3	University Parkway @ Market St	F	D	41.4	Provide dual southbound left-turn lane.	5,345
					6- lane EB/WB	
4	Fruitville Rd @ Cattlemen	F	D	10.3	Provide northbound right-turn lane.	5,740
5	Fruitville Rd @ Coburn Rd	F	D	26.2	SB right-turn lane protected signal phase.	5,784
6	University Parkway @ 301 Boulevard	F	D	7.5	Provide southbound right-turn lane and protected right-turn signal phasing.	4,677
7	I-75 University Parkway northbound on ramp	D	C		Increase merge length to provide LOS C	5,828
8	University Pkwy @ I-75 East	C	C	100	**6 lane EB/WB based on need from west side	5345 (2007)

Table 6
Required Intersection/Ramp Improvements

9	University Pkwy @ I-75 West	F	C	44.3	**6 lane EB/WB	5345 (2007)

This column represents the cumulative number of peak hour external trips for the Combined Projects before the need of the identified improvements for Phases I, II, and III land uses as depicted in Tables 2 and 4 for University Lakes and Phase I of Lakewood Ranch Corporate Park (or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

Note: Design details of intersection/ramp improvements shall be determined in construction plan permitting phase.

A.(2) The improvements listed in Tables 5 & 6 include critical link and intersection improvements for the development of Phase I II, and III of University Lakes.

In the event that Funding Commitments* for transportation improvements are only adequate to permit approval of a portion (subphase) of the Development, the capacity and loading of transportation facilities in the Transportation Impact Area*, shall be limiting factors in any subsequent approvals. A subphase analysis has been performed, and cumulative subphases for the Combined Projects* have been identified in Tables 5 and 6 together with subphase time frames that were used in the subphase study. An initial subphase of 2,585 external p.m. peak hour trips for the Combined Projects* has been identified as requiring no additional transportation improvements. The Developer* shall, at the time of each application for Final Site Plan approval, furnish to the County* an accurate, up to date report of the amount of development, defined in terms of external p.m. peak hour trips, which has previously been permitted in the Combined Projects*. The Developer* shall not be entitled to a Final Site Plan approval which would result in the cumulative number of external p.m. peak hour trips for the Combined Projects* to exceed the applicable subphase threshold unless Funding Commitments* have been obtained for improvements required for such subphase.

In the event that the total external p.m. peak hour trips projected to be generated by the Combined Projects* has exceeded the levels described in Tables 5 and 6 by the expiration of the Annual Report Years listed in Tables 5 and 6 for the appropriate uncommitted improvement, no further Final Site Plan approvals shall be granted unless the Developer* using the notice of change procedure has prepared an analysis which identifies the revised dates by which said improvement would be required under the new subphase analysis. The Development Order shall be amended to reflect these revised trip levels and dates.

The Developer* shall be bound by the subphase external trip thresholds and schedules set forth in Tables 5 and 6, unless the Developer* files a Notice of Proposed Change and provides the County*, pursuant to the notice of change procedures, an updated subphase traffic analysis for the Transportation Impact Area* that will result from the completion of construction of all of the previously permitted development in the Combined Projects* plus that to be generated by the next

subphase for which the Developer* is seeking approval, and such proposed change is approved. Copies of such Notice Of Proposed Change for revised subphase transportation analysis shall be submitted to Manatee County, Sarasota County, TBRPC, and SWFRPC for review and comment. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (referenced in Tables 5 and 6) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways and intersections referenced in Table 5 and 6 at the appropriate Level of Service. In the event that the new analysis demonstrates the need for alternate improvements or different subphase thresholds, the Development Order may be amended to reflect the revised subphases or improvements. With each Preliminary Site Plan application, the Developer* shall submit to the County* a limited traffic study which shows the following:

1. External P.M. peak hour trips for the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvements in Table 5 & 6 will be required; and,

2. An assessment of the estimated traffic operations and turning movements together with the conceptual design of the driveways, serving the project covered by the Preliminary Site Plan application.

Any revised transportation analysis for the Combined Projects* shall utilize the adopted Sarasota County Level of Service, or that of any agency with jurisdiction, whichever Level of Service is higher, for determining deficiencies on all roads in Sarasota County. If deficiencies exist on said roadways, then Funding Commitments* to correct such deficiencies shall be required in accordance with this Paragraph A.(2).

Developer* agrees to construct the improvements identified in Number 3 of Table 6 on or before October 1, 2001, which satisfies any requirement that required improvements be constructed concurrently with the impacts of Phase II development as to such improvements, unless such improvement(s) are programmed for construction in the current plus two years of the Adopted Five-Year Work Program of the Florida Department of Transportation, in which event the responsible party for such improvement(s) shall be the FDOT. This commitment by the Developer shall satisfy the requirement that the construction of such improvements be pursuant to a Funding Commitment. Developer* shall receive impact fee credits pursuant to Manatee County Land Development Code regulations for such construction, if such construction is paid for by the Developer*. **(Completed)**

A.(3) The Developer* shall provide bicycle lanes as part of the roadway design for the collector facilities within the Project*. Inclusion of bicycle lanes as part of the roadway design does not mean the lanes themselves must be part of the roadway. That is, the lanes must be included in design but may be constructed separately or in separation from the roadway itself.

A.(4) The Developer* shall provide adequate sidewalks along all streets and roadways throughout the Project* as required by the Manatee County Land Development Code.

A.(5) As the Project* lies within the future Manatee County transit service area, the Developer* will work with the County* to coordinate the provision of transit service to the area in conjunction with development of University Lakes.

A.(6) Within three years of the effective date of Ordinance 00-45 or at the request of the County, an annual monitoring program consisting of peak hour traffic counts at the Project* entrances shall be instituted to verify that the projected number of external trips for the Project* are not exceeded. Counts will continue on an annual basis through Project* buildout, and the information shall be supplied in the required Annual Report. If an Annual Report is not submitted within thirty (30) days of its due date, or if the Annual Report indicates that the total external trips exceed projected counts for the Project* by 15 percent or more, Manatee County shall conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), Florida Statutes. This change will be presumed to be a Substantial Deviation. The results of the Substantial Deviation determination may also serve as a basis for the Developer* or reviewing agencies to request Development Order amendments.

A.(7) The transportation analysis in the ADA* was performed without consideration of the potential effects of a Transportation Systems Management ("TSM") program. Accordingly, the development thresholds described in Tables 5 and 6 may reflect a "worst case" scenario, dependent upon future TSM measures.

The Developer* or its assigns shall prepare and implement a TSM program which will endeavor to divert a number of vehicle trips from the PM peak hour. The TSM program shall be submitted to and be reviewed by the County*, the MPO, and the FDOT.

The TSM program shall be submitted with the first annual report subsequent to the monitoring program in Section A.(6) showing external trips exceeding 25% of the total external trips for Phase I of both University Lakes and Lakewood Ranch Corporate Park.

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 measure. Results of the TSM program shall be included in the Annual Report. The results of the TSM program may serve as a basis for the Developer* or reviewing agencies to request Development Order amendments which increase the applicable development thresholds or which will allow reduced impacts per square foot or dwelling unit of development in future phases. The TSM Program shall seek to further the TSM objectives and Policies set forth in the Florida Transportation Plan and shall include, but not be limited to:

(a) promote ride sharing by public and private sector employees;

(b) increase urban area peak hour automobile occupancy rates through expanded ride sharing efforts;

(c) increase peak hour occupancy rates for transit and other high occupancy vehicles; and

(d) other appropriate trip diversion measures.

A.(8) To allow for the finalization of interchange design relative to Improvements #3 and #4 in Table 6, Developer* agrees to reserve, until January 28, 1998, the property which it owns and which lies within the following description:

> Commence at the easterly corner of the existing FDOT right of way north of University Parkway where the limited access terminates,-thence westerly along the FDOT right of way, a distance of 650 feet to the Point of Beginning. From the Point of Beginning, proceed northwest a distance of 1,500 feet to the existing FDOT right of way, thence southeasterly and easterly to the Point of Beginning.

This restriction shall expire on January 28, 1998. If the right of way is dedicated by the Developer* or otherwise acquired by the appropriate governmental agency, then the Developer* may transfer the impacted land uses to other appropriate areas within the Project* with approval of a revised General Development Plan. **(This item has been completed.)**

A.(9) The Developer* shall submit a Preliminary Site Plan for Phase I, or any subphase thereof, within twenty-four (24) months of the effective date of this Development Order. **(Completed).**

A.(10) The schedules of listed improvements may be adjusted at the Developer's* request with submission of adequate data to support any such adjustments, and the Development Order amended as needed in the event that the appropriate agencies determine that:

(a) The Project* is determined by the County* and TBRPC to be in a regional activity center or otherwise designated for alternative levels of service or alternative percentage thresholds in accordance with applicable rules and regulations; or

(b) The appropriate level of service standard for the particular roadway link or intersection is adjusted by the agency(ies) having jurisdiction over such link or intersection. In no event shall any level of service be adjusted if the result of said adjustment is to permit a lower level of service than established by that agency or agencies having jurisdiction at the time of the request for adjustment.

A.(11) The roadway shown on Revised Map H, which generally is oriented in a north/south alignment and connects to the proposed extension of Upper Manatee River Road, shall be required to be designated on the Future Traffic Circulation Map as a collector facility prior to providing any credits for right of way and/or construction. **(The requirements of Condition A.(11) have been completed)**

A.(12) Access to and from the site will be in accordance with state and local access regulations unless limited by the General Development Plan or any conditions placed thereon, whichever is most restrictive.

A.(13) The Developer shall conduct an annual monitoring assessment of the I-75southbound off-ramp intersection and merge with University Parkway to determine if operating conditions become congested and negatively impact the mainline interstate traffic at this ramp. This monitoring assessment shall continue until such time as agreement is reached with the FDOT regarding future year conditions for the above referenced ramp and intersection, and the Development Order is amended if needed, pursuant to NOPC procedures.

If such impact is identified to the mainline diverging traffic at this ramp, no further Development Plans* will be issued until the deficiency has been mitigated and the Development Order is amended as appropriate, if such amendment is necessary. The following monitoring methodology will be performed.

1. The monitoring shall consists of existing traffic counts and visual observations of peak hour queues on the southbound off-ramp from I-75 to University Parkway, over a three day period during the p.m. peak hour (4:00 to 6:00), and the results factored to peak season. The historic annual growth rate for traffic volumes on this ramp shall also be determined and applied to estimate the maximum queue likely to develop in the coming year.

Based on a 70 mph speed on southbound I-75 at this location, the safe stopping distance that a vehicle exiting I-75 would require, including perception and reaction time if required to immediately brake to a stop upon exiting I-75 onto the southbound off-ramp, shall be calculated, and the location of this point on the ramp at which the vehicle would come to a complete stop determined.

If the back of the maximum existing peak season queue established in (1), above, extends beyond the safe stopping point established in (2) above, a safety hazard will be deemed to exist, and a stop order on all further development approvals shall be issued until such time that improvements sufficient to alleviate the hazard are implemented.

Wetlands

B.(1) The portions of the University Lakes site that meet the definition of Conservation or Preservation Areas as set forth in policies 10.1.2 and 10.3.1 of the Council's adopted -(SRPP*) have been designated on Revised Map H.

(a) All wetlands and uplands on-site defined by Council policies as Preservation Areas, as shown on Revised Map H, shall be preserved. No dredging, filling, or development activities shall be allowed within Preservation Areas.

(b) All wetlands and uplands on-site defined by Council policies as Conservation Areas shall be protected from development as shown on Revised Map H.

B.(2) Except for wetland restoration or enhancement and naturally occurring fluctuations, no hydroperiod alteration shall be permitted in Preservation Areas as depicted on Revised Map H. Natural annual

hydroperiods, normal pool elevations, and seasonal high water elevations shall be substantially maintained or improved. Hydroperiod monitoring shall be required semi-annually in selected preserved wetlands and initiated prior to on-site construction activity and continued for three years for herbaceous wetlands or five years for forested wetlands following buildout of the subbasin surrounding each wetland monitored. If the hydroperiod monitoring results demonstrate that Project* activities are inappropriately altering the hydroperiod in Preservation Areas, such activities shall cease until remedial measures are implemented.

B.(3) Any impacted wetlands, not required to be preserved in accordance with Condition B.(1) above and which are depicted as Conservation Areas on Revised Map H, shall be mitigated in accordance with the Manatee County Comprehensive Plan and Land Development Code and the SRPP* Policies.

B.(4) In addition to meeting the requirements of the Manatee County Land Development Code, the Developer* shall submit a wetland management and mitigation plan for the area to be developed to the County* for approval, and to TBRPC, and SWFWMD for review prior to any wetland alteration. This plan shall address, but not be limited to, identification of wetlands on-site, wetlands to be preserved, proposed wetland alterations, a detailed mitigation plan, control of on and off-site water quality, and methods for hydroperiod maintenance with a detailed narrative and construction plans for mitigated or significantly enhanced (as determined by the County*) wetlands. **(Completed).**

The Developer* shall include the following details, at a minimum, in the wetland management and mitigation plan prepared for submittal to the County*:

(a) Identification of existing dry and wet season site conditions;

(b) Narrative descriptions and evaluations of all wetlands to be disturbed by wetland type;

(c) Photographs and 24"x36" plans depicting conditions of the existing wetland creation site and proposed wetland creation plans. (This data shall demonstrate that the appropriate hydrologic requirements shall be provided);

(d) Narrative descriptions of any proposed wetland restoration activities and related issues;

(e) Estimated costs of wetland mitigation/restoration schemes including maintenance and monitoring for appropriate time periods; and

(f) Mitigation plans shall also include:

(1) Area and location of plantings;

(2) Species to be planted and spacing;

(3) Elevations for plantings;

(4) Source of plants or mulch;

(5) Source of wetland soil and depth proposed; and

(6) Monitoring and maintenance plans.

B.(5) If allowable wetland losses require type-for-type (herbaceous or forested) wetland replacement in accordance with stipulation B.(3), mitigation for wetland losses shall be implemented prior to, or concurrent with, the wetlands being disturbed. Created wetlands and littoral shelves shall require monitoring and maintenance activities. Percent survival of plant species in the created wetland or littoral shelf shall meet or exceed Manatee County Comprehensive Plan and Land Development Code success criteria and the SRPP* Policies. Yearly replanting and maintenance of the mitigation areas shall be required, if necessary, to ensure compliance with the conditions of the Development Order.

B.(6) The Developer* shall provide buffering around all Post-Development Wetlands* to provide an upland transition into the wetland areas and to protect natural systems from development impact. All such buffers shall be in compliance with the Manatee County Land Development Code.

Vegetation and Wildlife

C.(1) A cumulative assessment of the impacts of the Combined Projects* on listed plant and animal species has been performed as required by the 380 Review Agreement*. The Developer* has provided open space for wildlife in the form of preserved wetlands and the wildlife corridor along Cooper Creek as depicted on Revised Map H. In addition, Developer* shall retain large pines (>4" dbh) where possible in golf course rough for kestrel habitat and include and maintain open grassy areas in golf course rough for burrowing owl habitat. The specific locations of retained pines and open grassy areas shall be shown on the final development plan containing the golf course and shall be submitted to Manatee County for review and approval and to the Florida Fish & Wildlife Conservation Commission (FFWCC) for comment. However, as the Developer* is planning a large wildlife management area on Lakewood Ranch Corporate Park, the Developer* has prepared (pursuant to the 380 Review Agreement*) a wildlife management plan, as revised June 16, 1992, for the 395 acre Open Use Conservation District within Lakewood Ranch Corporate Park which provides additional protection of any listed species found on University Lakes and Lakewood Ranch Corporate Park. The plan includes information on site maintenance, fire frequency, wetland management, and boundary protection.

In the event that Lakewood Ranch Corporate Park is not approved by Sarasota County with the 395 acre Open Use Conservation District within one (1) year of the effective date of this Development Order or if such Open Use Conservation District is reduced in size by more than ten (10) acres, then within one (1) year of either such date or action the Developer* shall prepare a wildlife management plan to address the impacts of the Project* on any listed species found on University Lakes, except

for the gopher tortoise. The FFWCC found that a regionally significant population of gopher tortoise does not exist on University Lakes. However, any taking must comply with FFWCC rules and the Developer* must obtain a gopher tortoise incidental take permit from the FFWCC. If a management plan is prepared, pursuant to this paragraph, the plan shall be submitted to the and the Department of Community Affairs for review and to the County* for review and approval. **(Completed).**

C.(2) The Developer* shall provide small wildlife crossings (18" culverts) under roadways at the two locations where the north/south collector roadways intersect with Cooper Creek. **(Completed).**

C.(3) In accordance with applicable law, the Developer* shall coordinate with the Florida Department of Agriculture and Consumer Services and the County* for proper relocation of any listed species found on-site in addition to the requirements of C.(1) above.

C.(4) Representative tracts of all major natural upland vegetative communities (Live Oak, Pine-Mesic Oak, Pine Flatwoods, Temperate Hardwoods), as depicted on Revised Map H, shall be set aside in their natural state to serve as conservation areas.

C.(5) The removal of naturally-occurring vegetation shall be limited in accordance with the Manatee County Comprehensive Plan. This limitation shall not include the removal of diseased trees or vegetation, or exotic species, or other species approved by the County* consistent with the provisions of the Manatee County Comprehensive Plan.

C.(6) Areas designated as Preservation Areas on Revised Map H shall be protected in perpetuity by conservation easement or other legal instrument approved by County*.

Land

D.(1) The Developer* shall initiate the following procedures to ensure erosion control during development of the Project*:

(a) Sod, seed, or plant embankment areas of stormwater detention or retention ponds;

(b) Sod, seed, mulch, or landscape cleared or disturbed areas as soon as possible after clearing and grading;

(c) Limit clearing and site work, construction, and clearing to areas needed for immediate development;

(d) Develop asphalt roads as soon as possible;

(e) Initiate landscaping before development work is completed on a site;

(f) Construct sediment basins at the start of each drainage system phase;

(g) Utilize straw filter barriers or filter fabric at discharge points including, but not limited to, temporary discharge points;

(h) Install temporary sediment basins and perimeter dike systems as a first step in the grading process and inspect and clean out the temporary sediment basins on a regular basis; and

(i) Preserve the existing natural vegetation along Foley Creek and Cooper Creek, as depicted on Revised Map H.

Air Quality

E.(1) The Developer* shall, subject to applicable water quality standards, institute the following procedures to ensure dust control during development of the Project*:

(a) Implement a watering program during excavation and dredge and fill operations;

(b) Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;

(c) Treat disturbed areas after clearing, grading, earth moving, or excavation is completed by watering, revegetation, spreading soil binders, or compacting fill material until areas are paved or developed;

(d) Keep soil stockpiles moist, or treat with soil binders or cover;

(e) Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;

(f) Remove dust producing materials as soon as possible;

(g) Maintain 15 mph or less vehicle and equipment speeds on temporary roads;

(h) Sod, seed, mulch, or landscape cleared or disturbed areas, including embankment areas, of stormwater detention or retention ponds as soon as possible after clearing and grading;

(i) Limit site work and construction to areas needed for immediate development;

(j) Develop asphalt roads as soon as possible;

(k) Initiate landscaping before development work is completed on-site; and

(l) Utilize water spray trucks to control dust generation in heavy construction areas.

E.(2) Further Section 380.06(6), Florida Statutes, review will be required for air quality impacts, of Phase IV. This Development Order* must be amended prior to granting specific approval to Phase IV to address any air quality impacts and to specify any necessary mitigation prior to the commencement of said Phases. This review shall be a cumulative assessment of the Combined Projects*.

Water Quality and Drainage

F.(1) Prior to any site alteration associated with the Project*, the Master Drainage Plan for the Project* shall be submitted to DEP, SWFWMD, and EMD for review and to the County* for approval. **(The requirements of Condition F.(1) have been completed)**

The stormwater management system shall be designed, constructed, and maintained to meet or exceed the applicable requirements of Chapter 62-25, 40D-4, and 62-40, F.A.C. The stormwater management system shall be designed to comply with the provisions relating to the Evers Reservoir Watershed Protection Overlay District by providing treatment, at a minimum, of 150% of the criteria found in Chapter 62-25 and 40D-4, F.A.C. Nothing in this Section F.(1) shall be construed as a waiver by the Developer* of any vested rights, if any, pertaining to approved (as depicted in an approved Preliminary Site Plan for that Phase or subphase) or constructed stormwater facilities. With the exception of any such vested rights, if any, the Project* shall also comply with any special local watershed protection provisions adopted after the approval of this Development Order. An acceptable method for meeting such standards for the treatment of stormwater runoff for the majority of the site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2 of the ADA.

F.(2) Best Management Practices* (BMP) for reducing water quality impacts, as recommended by the County* and SWFWMD in accordance with adopted regulations of these agencies, shall be implemented and may include a street cleaning program for parking and roadway areas within the Project*.

F.(3) The Developer* shall be the entity responsible for maintaining the stormwater management system. The Developers* maintenance and inspection schedule for ensuring proper water quality treatment shall be submitted to the County* for approval, prior to site alteration activities associated with the Project*.

F.(4) Stormwater discharge shall not cause the receiving water body to violate the limits defined in the Class appropriate to that water body. Where background conditions in the water body in question do not meet the applicable standards due to natural causes outside the control of the Developer*, site specific, alternative criteria may be established in conjunction with the County*.

F.(5) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a surface water quality and quantity monitoring program approved by the County* **(Completed)**. This program shall also be submitted to the City of Bradenton for review and comment prior to approval.

The plan shall include provisions for the characterization of pre-construction baseline water quality and quantity conditions of surface water entering and leaving the site. The surface water monitoring program shall also provide the monitoring of surface water quality during periods of construction. In addition, the surface water monitoring program shall include an ongoing plan for monitoring of post-construction surface water quality. The surface water quality monitoring program required pursuant to this condition shall include an identification of the locations, frequency, and duration of sampling, parameters to be monitored, collection and analytical methods, and reporting requirements. All water quality sample collections and laboratory analyses shall be made in accordance with USEPA/FDEP approved methodology. The laboratory performing the analyses shall be certified by the FDHRS and shall have an approved comprehensive quality assurance plan on file with the FDEP. Any violation of federal, state, or local water quality standards shall require corrective measures as required by that authority.

F.(6) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a groundwater monitoring program approved by the County* and EMD. This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include appropriate provisions for the characterization of the pre-development baseline water quality and water level conditions of the site's groundwater. The groundwater monitoring program required pursuant to this condition shall include an identification of well locations, sampling frequency, and sampling duration, as well as parameters to be monitored and applicable collection and analytical methods. **(Completed)**

Upon completion of the pre-development groundwater program, a report of results will be submitted to the County* for review and approval. In addition to the official laboratory results, the report shall include recommendations regarding monitoring during construction and post-construction. Any proposed construction and post-construction monitoring plans developed pursuant to this condition shall be submitted to the County* for review and approval. **(Completed).**

F.(7) In the event that an overall watershed monitoring and reporting program is implemented and satisfies the intent of conditions F.(5) and F.(6), these programs may be discontinued upon the recommendation and approval of such by the County*. The City of Bradenton shall be notified prior to the approval of the discontinuance of this program.

F.(8) To the extent required by applicable law, any shoreline banks created along on-site stormwater detention lakes shall include littoral zones constructed on slopes no steeper than a 4:1 horizontal to vertical ratio and shall be planted in, or allowed to be colonized by, diverse native emergent and submergent vegetation. The Developer* shall ensure, by supplemental replanting, if necessary, at least eighty-five percent (85%) coverage by native aquatic vegetation is established within the littoral zone (to include at a minimum the area between ordinary high water and ordinary low water) in accordance with applicable regulations.

F.(9) The Developer* shall conduct annual inspections of the environmental swale systems on the Project* site to ensure the swales are being properly maintained in keeping with their design and are capable

of accomplishing the level of stormwater storage/treatment for which they were designed and intended. Verification of such inspection shall be supplied in each Annual Report.

F.(10) Prior to any site alteration, the Developer* shall develop and submit for approval by the County* an Integrated Pesticide/Herbicide Management Plan (IPMP) and a Hazardous Materials Management Plan (HMMP). **(Completed)**

Historical and Archaeological Sites

G.(1) The discovery of any historical or archaeological resources during development activities of the University Lakes Project* shall be immediately reported to the Florida Division of Historical Resources (FDHR). If the significance of an archaeological or historical site, discovered during development, is unknown and the site is to be impacted by Project* activities, additional testing shall be required at the site to determine significance. Disposition of such resources shall be determined in cooperation with the FDHR, TBRPC, and Manatee County. Treatment of the resources shall be completed before resource-disturbing activities are allowed to continue.

Water

H.(1) The Developer* shall participate, as required by Manatee County ordinances and consistent with any Developer Agreements, in any necessary expansion of potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

H.(2) The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with the SWFWMD rules and regulations. Any existing on-site wells not intended for potable or non-potable uses shall be plugged and abandoned in accordance with Rule 40D-3.041(1), Florida Administrative Code.

H.(3) The Developer* shall require the installation of high efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices, if mandated by the Florida Water Conservation Act (Section 553.14, Florida Statutes). This will include the use of toilets requiring no more than 1.6 gallons per flush in all areas, and installation of self-closing or metered water faucets shall be required in all public and commercial restroom facilities.

H.(4) The Developer* shall maintain all water lines and fire hydrants not dedicated to the County*.

H.(5) The Developer* shall, to the extent non-potable water is available, use only non-potable water to meet non-potable water demands. For purposes of this Approval, "non-potable" water is defined as water emanating from any source other than a public water utility. The Developer* shall submit an acceptable plan to the County* and the TBRPC for the use of non-potable water on-site. The plan shall be completed prior to Final Site Plan approval for any phase or subphase and shall include an implementation timetable, as well as a determination of the availability and feasibility of using

reclaimed wastewater or stormwater retention ponds for irrigation purposes, to the extent permitted by law. **(Completed)**

H.(6) Adequate fire flow and water pressure shall be maintained within the Project's* water supply system.

H.(7) The Developer* shall conform to and further the applicable rules and adopted guidelines of the SWFWMD in regard to protection of the groundwater resources in the Eastern Tampa Bay Water Use Caution Area (WUCA) to the extent then in effect.

H.(8) The Developer* shall use the lowest quality water supply which meets the needs of the intended use, provided that such sources are economically feasible, practically available, and legally permissible.

A plan which investigates the use and feasibility of these alternatives shall be prepared by the Developer* and submitted with the first Annual Report to TBRPC, SWFWMD, the County* for review and further action if warranted. **(Completed)**

H.(9) For the purpose of potable and/or reclaimed water conservation, utilization of xeriscape principles are required in landscaped areas. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall only be irrigated to the minimum extent required to ensure healthy vegetation.

Wastewater

I.(1) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements, in any necessary expansion of wastewater service to and consistent with any Developer Agreements for each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project*.

I.(2) No additional permanent septic system shall be permitted within the Project*.

I.(3) Sewer lift stations shall be designed and equipped in accordance with County* regulations.

I.(4) The Developer* shall submit to the County*, prior to each Final Site Plan approval, a monitoring plan to identify and correct any leaks or ruptures of the sewer lines which are maintained by the Developer*. This plan must be approved by the County* and should identify the entity responsible for the monitoring and a time schedule for conducting the inspections. Faulty lines shall be replaced as quickly as possible. A report of inspections, results, and repairs must be included in the Annual Report.

I.(5) The disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (Ordinance No. 98-28).

I.(6) The Developer* shall implement a wastewater reuse system when feasible, as discussed in development condition H.(8) herein.

Solid Waste

J.(1) Within one year of the effective date of the Development Order, or prior to issuance of subsequent Development Approvals* for any non-residential land use within the Project*, whichever occurs later, the Developer* shall prepare a hazardous substances (including bio-hazardous wastes) and a hazardous waste management plan which shall be reviewed by DEP, TBRPC, approved by the County*, and then distributed by the Developer* to non-residential land users within the Project*.

At a minimum, the plan shall:

(a) Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;

(b) Provide a list of agencies which can be consulted regarding the types, sources, and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;

(c) Provide a list of agencies which can describe generally appropriate disposal methods;

(d) Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances and disposal of hazardous wastes;

(e) Provide a list of agencies which can describe construction requirements for hazardous waste holding areas;

(f) Describe a program to inform owners and tenants of the information contained in the Plan;

(g) Provide a list of agencies which can describe typical spill clean up methods; and

(h) Be updated and distributed to each non-residential land user annually.

(Said Plan has been approved)

J.(2) All Project* tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use shall be included in each Annual Report.

J.(3) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements in any necessary expansion of solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

J.(4) Surface impoundments of hazardous materials and hazardous wastes, land treatment of hazardous materials and hazardous wastes and landfills for hazardous materials and hazardous wastes are prohibited.

J.(5) Individual Tenants shall be required to transport and dispose of hazardous waste in a manner consistent with applicable regulations through restrictive covenants. Individual Tenants shall be encouraged to develop permittable temporary on-site hazardous waste treatment and storage capabilities prior to transport and shall remove hazardous and toxic wastes from the site as soon as is practical. Such transportation of toxic and hazardous materials shall be performed by a company that is accredited by all appropriate agencies in the transportation and handling of such materials.

J.(6) All aboveground and underground pollutant storage tanks systems will be installed, monitored, and managed according to applicable Federal, State, and Local regulations.

Recreation and Open Space

K.(1) The Project* shall contain, at a minimum, 403.4 acres of open space (approximately 339.9 acres of wetlands and an estimated minimum of 22.3 acres of mitigation) in addition to approximately 490.8 acres committed to recreation (a 22.6 acre park, a 16.1 acre tennis/boat club, 291.7 acres of golf course, and a lake of some 160.4 acres).

Notwithstanding the above, if the County* should decide the 22.6 acres of park is not needed, then the Developer* shall be able to use the applicable parcel for residential development or as a school site, provided the number of dwelling units is not increased.

K.(2) All recreation and open space areas not deeded to the County* or other state agencies shall be maintained as common open space through deed restrictions or owned by a property owners' association for the Project* or neighborhood within the Project*, as may be appropriate in accordance with the Land Development Code.

K.(3) Except as described in K.(1) above, all recreation, park, and wetland sites, as shown on Revised Map H of the ADA*, shall not be utilized for other uses inconsistent with their designation on said map. Any proposal to change these uses shall be subject to a Substantial Deviation Determination if required by Subsection 380.06, Florida Statutes.

K.(4) The Project's* public parks and public recreational facilities shall be accessible to the elderly, the handicapped, and economically disadvantaged and may be subject to a reasonable agreement

between the County* and the Developer* limiting the use as a park facility and times of operation.

Education

L.(1) The Development shall dedicate an elementary school site either adjacent to, or having direct access on, a constructed County-maintained right-of-way and meeting all State and Manatee County new school site requirements upon request by the School Board. The school site shall be deemed to be a part of the Phase I approvals for the Project* and shall be shown on an amendment to the General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. The dedicated school site shall be a minimum of 18 acres, depending upon the characteristics of the site selected and said site shall be selected from property shown as residential, commercial, or business on Revised Map H, and shall be reflected on a revised General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. If the Developer* and the County School Board agree, the dedicated school site may be located off-site on property owned by the Applicant*. If adjacent property is provided as a public park or for emergency services, this acreage may be reduced to a total of fifteen acres.

L.(2) If the County School Board should decide the school is not required, or the selected location is inappropriate, the Developer* shall be permitted to exchange sites, to the School Board's satisfaction, and shall be permitted to use the originally selected parcel for residential development, provided the number of dwelling units approved for the Project* is not increased. Any such exchanges in school sites shall require an amendment to the General Development Plan. If additional recreational opportunities are required, the County* may require dedication of up to five acres of the designated school site parcel for active recreation.

Health Care, Police, and Fire

M.(1) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of emergency service facilities for emergency medical services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to December 31, 1997. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. **(Completed).**

M.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of fire protection service facilities for fire protection services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro- rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Final Site Plan or Final Plat for Vertical Development* for Phase I or any subphase thereof. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. **(Completed)**

M.(3) The Project* shall be designed and constructed to meet or exceed specifications of the applicable Fire Code.

M.(4) The height of buildings allowed in the Project* shall not exceed that appropriate for the available water pressure and fire flows, or exceed the reach of available fire fighting equipment at the time of any Preliminary Site Plan approval for any phase or subphase.

M.(5) Prior to approval of each Final Site Plan, the Developer* shall provide assurance for each increment of development that the site will be supplied to the extent required by applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number and appropriate locations to accommodate fire fighting operations. Additionally, the Developer* shall provide calculations by a Florida registered engineer to the County* indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Braden River Fire Department that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Certificate of Occupancy for the Project* by the County*.

M.(6) The Manatee County Sheriff's Office shall provide typical police protection to each phase or subphase of the Project*. The Developer* shall participate, in accordance with applicable County* ordinances or Developer Agreements, in any expansion of such services necessary to serve the Project* or any phase or subphase thereof.

Economics

N.(1) Excess infrastructure capacity constructed by the Developer* shall be at the Developer's* risk and shall not vest latter development rights not addressed in this approval.

N.(2) The Project* shall promote entrepreneurship and small and minority owned business start-up, and encourage nondiscriminatory employment opportunities, pursuant to Policies 21.2, SCP and 21.5.3, FCRPP, respectively.

N.(3) The development and promotion of a day care system should be encouraged on site and any such day care system shall be in compliance with the Manatee County Land Development Code and any other applicable regulations.

Energy

O.(1) Issuance of Development Approvals* for each phase or subphase shall be dependent upon the ability of electrical or gas utilities to meet the energy requirements of the development.

O.(2) All Project* tenants, businesses, residents, etc. shall be notified in writing by the Developer* prior to occupancy that the following energy related practices are encouraged:

(a) Use energy alternatives, such as solar energy, resource recovery, waste heat recovery, and cogeneration, where economically feasible;

(b) Obtain energy audits provided by energy companies or other qualified agencies;

(c) Install water heater timers and set water heaters at 130 degrees Fahrenheit or lower;

(d) Use landscaping and building orientation to reduce heat gain, where feasible, for all Project* construction;

(e) Promote energy conservation by employees, buyers, suppliers, and the public, as appropriate;

(f) Reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours, as appropriate;

(g) Institute and utilize recycling programs;

(h) Utilize energy efficient packaging or recyclable materials;

(i) Install total energy systems on large facilities when cost effective; and

(j) Elimination of advertising requiring lighting after business hours where feasible.

O.(3) Incorporation of the energy conservation measures referenced on pages 265 and 266 of the ADA* shall be required. A progress report on the energy conservation measures shall be included as a part of each Annual Report.

Affordable Housing

P.(1) A cumulative assessment of the affordable housing needs of Phases I, II, and III of the University Lakes DRI and Phase I of Lakewood Ranch Corporate Park (Combined Projects*) has been performed as required by the 380 Review Agreement*. This assesment utilized the 2000 US Census as itssource for rental vacancy data. This assessment was accepted by all reviewing agencies and determined no potential unmet need for affordable housing and a potential surplus of 390 affordable units. This analysis utilized the East Central Florida Regional Planning council's (ECFRPC) "Housing Demand, Supply and Need Methodology for Assessing the Affordable Housing Impact of Developments of Regional Impact", April 1996.

P.(2) Specific approval of Phase IV of University Lakes is conditioned on further Section 380.06(6), Florida Statutes, (submittal of a substantial deviation application for development approval) review on affordable housing, as well as the other specific issues listed elsewhere in this Development Order. The Developer* shall conduct an affordable housing study based on a methodology agreed to

pursuant to said review. If the study indicates that the additional development for which the Developer* is requesting approval will create the need for affordable housing that is not being provided within the Project* or within an area proximate (as determined by the approved methodology) to the Combined Projects*, the Development Order shall be amended to include appropriate mitigation. The affordable housing needs of the Combined Projects* shall be mitigated using those measures that are in effect at the time specific approval of a later phase is requested.

P.(3) Payments made by the Applicant under the provisions of law may be credited against any contributions which may be required under the provisions of the HAIP or subsequent housing analyses, if requested by the Developer* and approved by the County*.

P.(4) Pursuant to Rule 9J-2.048(8)(c)1, FAC, when a residential unit is constructed on-site and is within the affordable cost range as determined by that current year's annual median income as provided by the Department of Housing and Urban Development and calculated pursuant to the ECFRPC's April 1996 methodology, the Developer* shall receive credit for one and one-half (1.5) affordable housing units toward the affordable housing study.

General Conditions

Q.(1) Should the Project* significantly depart from the parameters set forth in this Development Order and the ADA*, the Project* will be subject to a Substantial Deviation Review, pursuant to Section 380.06, Florida Statutes. Any change to the Project* which meets the criteria set forth in Subsection 380.06(19), Florida Statutes, shall require a hearing to determine if the change constitutes a Substantial Deviation.

Q.(2) The Developer's* commitments set forth in the ADA*, and, as summarized in Section 6 herein, shall be honored, except as they may be superseded by specific terms of the Development Order.

Q.(3) Should the Developer* divest itself of all interest in the Project* prior to the expiration of the Development Order, the Developer* shall designate the successor entity to be responsible for preparation of the Annual Report, subject to approval by the County*.

Q.(4) All Development Approvals* shall be obtained prior to September 13, 2019. This Development Order shall expire 5 years after the buildout date to allow for post-development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

Q.(5) A Preliminary Site Plan for each phase shall be required.

Q.(6) The Developer* shall make appropriate efforts to coordinate with, and inform the appropriate public authorities of, the feasibility of the proposed school site for hurricane shelter, building closings, security and safety precautions, and evacuation plans.

Q.(7) Except for any existing use or for construction offices and similar temporary uses, or any use on the school site or park site, or other use by a public agency, any proposal to utilize mobile homes on the site shall require a Substantial Deviation Determination, pursuant to the procedures in 380.06(19)(a), Florida Statutes.

Q.(8) The Developer*, its successors, assigns or transferees, shall submit Annual DRI Reports in accordance with Section 380.06(18), Florida Statutes to the County*, TBRPC, the State Land Planning Agency, and other agencies, as may be appropriate, on February 22nd of each year until such time as all terms and conditions of this Development Order are satisfied. Six (6) copies of this report shall be submitted to the Director of the Manatee County Planning Department or the Director's designee, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the Planning Director decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification, or change of any conditions, or any terms or conditions of this Development Order. The Annual Report shall contain the following:

(a) Any changes in the plan of development, or in the representations contained in the ADA*, or in the phasing or land uses for the reporting year and for the next year;

(b) A summary comparison of development activity proposed and actually conducted for the year;

(c) Undeveloped tracts of land, other than individual single-family lots, that have been sold to a separate entity or Developer*;

(d) Identification and intended use of lands purchased, leased, or optioned by the Developer* adjacent to the original DRI site since the Development Order was issued;

(e) An assessment of the Developer's* and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the Application for Development Approval* and which have been identified by the County*, TBRPC, or DCA, as being significant;

(f) Any known incremental DRI Applications for Development Approval* or requests for a Substantial Deviation Determination that were filed in the reporting year and to be filed during the next year;

(g) An indication of a change, if any, in local government jurisdiction for any portion of the Project* since the Development Order was issued;

(h) A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

(i) A copy of any recorded notice of the adoption of a Development Order for the subsequent modification of an adopted Development Order that was recorded by the Developer* pursuant to Subsection 380.06(15)(f), Florida Statutes;

(j) A statement that all persons have been sent copies of the Annual Report in conformance with Subsection 380.06(15) and (18), Florida Statutes;

(k) Information on the actual prices and rents of housing units constructed relative to the then-current Department of Housing and Urban Development (HUD) affordable housing guidelines;

(l) Reports or information pursuant to conditions A.(~~7~~6), A.(~~8~~7), J.(2), and O.(3).

Q.(9) All proposed modifications to University Lakes will be reviewed based on the Combined Projects* to determine whether the proposed modification will exceed any of the criteria set forth in Subsection 380.06(19), Florida Statutes.

In the event the Lakewood Ranch Corporate Park Development Order is amended by Sarasota County to allow development inconsistent with Table 3 or Table 4 of the University Lakes Development Order, then upon expiration of the 45-day appeal period of the amendment or, if the amendment is appealed, upon settlement of the appeal, the Developer* shall apply for an amendment to the University Lakes Development Order, and Manatee County subsequently shall consider an amendment to the University Lakes Development Order to make it consistent with the Lakewood Ranch Corporate Park Development Order. A Notice of Proposed Change, pursuant to Subsection 380.06(19), Florida Statutes, shall not be required for the amendment to the University Lakes Development Order, as described above, to make it consistent with the Lakewood Ranch Corporate Park Development Order, but shall require the requisite public hearings under Chapter 125, Florida Statutes, and the Land Development Code. However, such Development Order amendment adopted by Manatee County must be rendered to the Department, pursuant to Subsection 380.06(19), Florida Statutes. If the amendment to the University Lakes Development Order is consistent with the amendment to the Lakewood Ranch Corporate Park Development Order or any settlement of an appeal of the Lakewood Ranch Corporate Park Development Order amendment, then DCA shall not appeal the amendment.

The substantial deviation criteria set forth herein are not applicable to land use exchanges which are authorized pursuant to Sections 4.B. and 4.C. of this Development Order. Additions to the amount of development in a particular land use category resulting from the use of the exchange mechanism are permitted only in conjunction with the simultaneous reduction from another specifically approved

use and do not authorize additional development beyond that which has received specific Development Order Approval.

Q.(10) Unless otherwise expressly stated in this Ordinance , the Project* shall comply with all future amendments to the Land Development Code and the Comprehensive Plan.

Q.(11) Wherever in this Development Order the Developer* is required to file a Notice of Proposed Change, the Developer* shall send a copy of said NOPC to Sarasota County and SWFRPC.

Q.(12) In the event of a Development Order appeal or other legal challenge of this Development Order by the Department of Community Affairs, the Developer* shall pay all reasonable costs and fees of County* staff and attorneys relating to said appeal or legal challenge at the rate for processing this Development Order under the current Planning fee schedule. Payment of all billings by the Developer* related to such fees and costs shall be paid within forty five (45) days of submittal of an invoice.

Section 6. DEVELOPER* COMMITMENTS

The following are Developer* commitments set forth in the ADA* which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order or applicable law.

A. GENERAL PROJECT* DESCRIPTION

A.(1) The three designated community commercial areas will be developed in compliance with the adopted Comprehensive Plan in terms of permitted uses, maximum square footage, floor area ratio, and location on the road network. (SR, 17 & 18)

A.(2) All requirements of the Evers Reservoir Watershed Overlay District will be met within this Project*. (ADA*, 16)

A.(3) Neighborhood oriented retail areas will be located within the community commercial parcels which lie within the RES-1 Future Land Use Classification. (SR, 13)

A.(4) The Project* will construct, or cause to be constructed, two major thoroughfares, University Parkway and the extension of Upper Manatee River Road. (SR, 93)

B. WETLANDS

B.(1) The existing wetlands and proposed mitigation areas will have 50-foot wetland buffers around DEP wetlands and 30-foot buffers around wetlands within the jurisdiction of ACOE and SWFWMD, as shown on Revised Map H. (ADA*, 16)

B.(2) A total of approximately 312.2 Acres of native wetland habitats on-site will be preserved. (ADA*, 65)

B.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (ADA*, 21)

C. WATER

C.(1) The pesticides, herbicides, and fertilizers used on grassed areas of the University Lakes site will be applied in strict accordance with the manufacturer's application guidelines to avoid negative impacts on surface water quality. (SR, 175)

C.(2) Erosion controls will be of primary importance in preventing fertilizer runoff. Soil tests will be conducted to avoid application of unnecessary types, rates, and amounts of fertilizers. Applications will be made when adequate soil moisture exists and likelihood of major storm event is minimal. (SR, 32)

C.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (SR, 33)

D. SOILS

D.(1) All of the methods described on pages 140 and 143 of the ADA* will be utilized to overcome the soil limitations on-site. (ADA*, 140 & 143)

D.(2) The wind and soil erosion abatement methods listed in the ADA* will be followed. (ADA*, 143)

E. FLOODPLAINS

E.(1) Any loss of 100-year floodplain storage volume will be compensated by the excavation and creation of equal storage volume within the 100-year floodplain. (ADA*, 147)

F. WATER SUPPLY

F.(1) The internal potable water supply system will be constructed to Manatee County standards and dedicated to Manatee County where the potable system exists in proposed public rights-of-way. (ADA*, 155)

F.(2) Non-potable water conservation will be accomplished through the use of xeriscaping and preservation of existing native vegetation communities in accordance with applicable provisions in the Manatee County Land Development Code. (ADA*, 157)

G. STORMWATER MANAGEMENT

G.(1) All off-site runoff is to be routed through or around the property. There are five areas where off-site flow will be accepted into the stormwater management system, totaling 50.2 acres along the southern boundary and 12.6 acres along the northern boundary. (ADA*, 167)

G.(2) The stormwater management system will accept all existing off-site flows from Sarasota County. (SR, 190)

G.(3) The primary method for treatment of stormwater runoff for virtually the entire site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2. (ADA*, 172)

G.(4) The wet detention system will incorporate vegetated littoral zones which will equal approximately 15 to 20 percent of the surface area of the stormwater detention ponds. Sediment sumps will be provided at all inflow locations. (ADA*, 174)

G.(5) The hydroperiods of all on-site wetlands will be maintained except as depicted on Revised Map H. (ADA*, 176)

G.(6) Water levels in the detention ponds will be designed to be compatible with wetland seasonal high water tables and existing upland water tables. (ADA*, 183)

G.(7) Litter and debris which is captured within the stormwater treatment ponds will be periodically removed during routine clean-up of the Project's* open space areas and pond system. (SR, 104)

H. SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE

H.(1) The Applicant will investigate the possibility of mulching trees and brush that will be removed as land clearing operations commence, for the purpose of retaining mulch to meet the on-site needs. (SR, 109)

I. TRANSPORTATION RESOURCES

I.(1) The Project* will construct or cause to be constructed University Parkway and the extension of Upper Manatee River Road. (ADA*, 23)

I.(2) The segment of University Parkway through the site will be dedicated to Manatee County and will include 200 feet of right-of-way. (SR, 72)

I.(3) The Applicant is proposing dedication of all necessary right-of-way with regard to roadways located in the Project* as shown on Revised Map H. (SR, 132)

J. AIR

J.(1) The Project* will utilize current state-of-the-art methodologies for prevention of fugitive dust particulates during construction. (ADA*, 21)

J.(2) Clearing and grubbing operations will be performed only on individual parcels of land where construction is scheduled to proceed. Measures to be employed to minimize fugitive dust will include sodding, seeding, mulching, or landscape planting in cleared or disturbed areas. (ADA*, 226)

K. POLICE AND FIRE PROTECTION

K.(1) The Applicant/Developer* will provide a pro-rata share for any equipment or personnel needs that may be created by this Project* for police and fire protection and emergency medical services in accordance with applicable regulations. (ADA*, 25)

K.(2) The Developer* will provide a pro-rata share of the cost of building and equipping the facilities needed to provide emergency medical services to the Project*. (ADA*, 259)

L. RECREATION AND OPEN SPACE

L.(1) All proposed bike and pedestrian paths will be confined to appropriate areas outside of preservation areas in accordance with applicable laws and regulations. (SR, 83)

L.(2) The Project* will feature pedestrian ways and bikeways throughout the development, connecting the housing area to the recreational areas and the commercial areas. (ADA*, 9; SR, 207)

L.(3) University Lakes will have major active recreational land uses comprising over 18 percent of the total Project* acreage. The project will contain a tennis and swim club and boat clubhouse which will be located on the 160.4 acre lake. It will also contain a park, golf course, clubhouses, and driving ranges. (ADA*, 9)

L.(4) The recreational lakes, tennis and boat club, and golf course may be maintained and operated by a private owner and may require private membership or use permits. Open space and environmentally sensitive land will be protected by covenants or conservation easements to protect the natural qualities and will be conveyed to the appropriate homeowners' or master homeowners' association for maintenance. (ADA*, 252-253)

M. EDUCATION

M.(1) The Project* will provide a financial contribution or donation of land to the educational system for the purpose of building schools to service the residential component of the Project*, facilitating

educational opportunities within close proximity for the school age children of the Project*. (ADA*, 24)

N. ENERGY

N.(1) The Project* will utilize both electric power and natural gas as sources of energy. Energy conservation techniques, including the use of landscaping, building orientation, and natural vegetation will be used to promote energy conservation. (ADA*, 27)

N.(2) If the need for an electric substation arises, a suitable location will be determined and provided to Florida Power and Light Company. (SR, 86)

N.(3) The traditional energy conservation methods will be used in the residential and non-residential building construction. Some of these methods are:

(a) increased insulation;

(b) high efficiency-type mechanical appliances;

(c) cross ventilation;

(d) window orientation;

(e) solar heating and cooling systems; and

(f) low pressure sodium lamps for exterior lighting. (ADA*, 265-266)

N.(4) The Developer* will implement, where feasible, the energy conservation measures described in the ADA*. (ADA*, p.263)

O. AIR

O.(1) The Developer* will implement the steps described in the ADA* to minimize fugitive dust emissions from wind erosion of disturbed soil surfaces, movement of construction equipment, and burning of cleared vegetative material. (ADA*, 226)

O.(2) The level of service of all roadways in the Transportation Impact Area* will be maintained at LOS D or better, thereby maintaining air quality. (ADA*, 228)

P. WATER SUPPLY

P.(1) The Developer* will consider the use of surface water from detention ponds as a supplement to groundwater resources. (ADA*, 154)

P.(2) Non-potable water conservation measures will include xeriscaping and preservation of native vegetative communities. If permitted, the Developer* would also consider the use of treated effluent from the County's* regional wastewater treatment facilities. (ADA*, 157)

Q. WATER QUALITY AND DRAINAGE

Q.(1) The primary method of treatment will be wet detention with effluent filtration utilizing a double underdrain system. The required level of treatment will be exceeded further by the use of biological filtration utilizing vegetated shallow shelves within the stormwater detention ponds. The on-site 160 acre lake will also be incorporated into the stormwater management system providing an opportunity to utilize extended residence time as an additional mitigative measure. (ADA*, 128)

Q.(2) Existing on-site wetlands will form an integral part of the stormwater management system, providing a mechanism for hydroperiod maintenance, storage, and improved surface water quality. (ADA*, 168)

Q.(3) All major drainageways and lake outfalls will be designed based upon a 25-year/24-hour storm event as provided in the ADA*. All interior and minor drainage systems are to be designed to a 10 year critical duration storm event. While runoff volume will increase with total development, the post-development 25-year/24-hour peak discharge rate will be maintained at or below to pre-development 25-year/24-hour peak discharge rate throughout the construction phases. (ADA*, 171)

Q.(4) The stormwater treatment system will meet FDEP Stormwater System Design Standards for discharge into Outstanding Florida Waters, as provided by Chapter 403, Florida Statutes, and Chapters 62-302, 62-4, and 62-25, F.A.C. (ADA*, 172)

Q.(5) Wetland hydroperiods will be maintained through the introduction of pre-treated stormwater ponds upstream of those wetlands. (ADA*, 176)

SECTION 7. LEGAL DESCRIPTION

Development of University Lakes shall be restricted to the 2,315.7 acres owned by the Developer* and described by the legal description included as Attachment # 4 attached to, and made a part of, this Development Order.

SECTION 8. DEADLINE FOR COMMENCEMENT OF CONSTRUCTION

Physical development of the Project* has commenced within three years of the effective date of this Ordinance unless the time period for commencement is extended by the Board of County Commissioners (Development has commenced). If more than three years shall elapse between approval of this order and commencement of actual development, or if construction of a phase is not begun or completed by the time frame contained in Section 4. above, or if any five year period shall expire without significant development activity on the site,

the Board of County Commissioners may conduct a public hearing in accordance with the Land Development Code and may, at its option, rescind any and all approvals granted herein, including the Certificate of Level of Service. Any delay in construction commencement shall not be deemed to extend any time frame for completion of construction, commencement of subsequent phases, or the termination date of this Development Order. For the purpose of this provision, "significant development" shall be the actual construction of site improvements or buildings as part of an ongoing effort to prepare improved land or buildings for sale, lease, or use.

SECTION 9. RESTRICTIONS ON DOWN-ZONING

Prior to October 13, 2019, the County* may not down-zone or reduce the intensity or unit density permitted by this Order, unless the County* can demonstrate that:

(a) substantial changes in the conditions underlying the approval of the Order have occurred; or

(b) the Order was based upon substantially inaccurate information provided by the Developer*; or

(c) the change is clearly established by the County* to be essential for the public health, safety, or welfare.

Any down-zoning or reduction of intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for changes in local land development regulations.

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order.

The inclusion of this Section is not to be construed as evidencing any present or foreseeable intent on the part of the County* to down-zone or alter the density or intensity of the Project*, but is included herein to comply with Section 380.06(15)(c)3, Florida Statutes.

SECTION 10. COMPLIANCE WITH CODES AND ORDINANCES

All development undertaken pursuant to this Development Order shall be in accordance with all applicable local codes and ordinances in effect at the time of permitting, except as specifically provided herein.

SECTION 11. BINDING ORDER UPON DEVELOPER*

This Development Order shall be binding upon the Developer*.

SECTION 12. RENDITION

The Planning Department is hereby directed to send certified copies of this Order within thirty (30) days of the date of signature by the Chairman of the Board of County Commissioners to the Developer*, the Florida Department of Community Affairs, and TBRPC.

SECTION 13. NOTICE OF RECORDING

The Developer* shall record a notice of adoption of this Order as required pursuant to Chapter 380, Florida Statutes, and shall furnish the Planning Department a copy of the recorded notice.

SECTION 14. SEVERABILITY

It is the intent of this Development Order to comply with the requirements of all applicable law and constitutional requirements. If any provision or portion of this Development Order is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then such provision or portion shall be deemed null and void, and to this end the provisions of this Ordinance are declared severable but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 15. EFFECTIVE DATE

This Ordinance, 03-35 , shall take effect upon being signed by the Chairman of the Board of County Commissioners, and filing of a certified copy of the Ordinance with the Department of State provided, however, that the filing of a notice of appeal pursuant to Section 380.07, Fla. Statutes shall suspend development authorization for the changes granted by the Development Order until resolution of said appeal.

SECTION 16 . AMENDMENT OF DEVELOPMENT ORDER FOR DRI NO. 22.

The previous Development Order for University Lakes which was adopted on June 1, 1992 and all subsequent amendments are hereby replaced in their entirety.

ADOPTED AND APPROVED with a quorum present and voting the 26th day of August 26, 2003.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____
Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

SEAL
BOARD OF COUNTY COMMISSIONERS
MANATEE CO., FLA.

By: _____

ATTACHMENTS

1. Impact Analysis
2. 380 Review Agreement
3. Revised Map H (as attached herein)
4. Legal Description (as attached herein)

* ATTACHMENTS #1 AND 2, ARE NOT ATTACHED BUT ARE ON FILE AT THE CLERK'S OFFICE AS ATTACHMENTS TO THE PREVIOUSLY APPROVED ORDINANCE-93-25

LAND USE SCHEDULE

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	888.8		3,106
REGIONAL COMMERCIAL	88.8	830,000/ 150 Hospital beds	
COMMUNITY COMMERCIAL	17.5	306,238	
HIGHWAY COMMERCIAL	28.0	400,000 *	
BUSINESS	114.3	1,995,288	
RIGHT-OF-WAY	177.2		
RECREATION	330.4		
WETLANDS	339.9		
LAKES	336.0		
OPEN SPACE	194.0		
TOTAL	2,315.7	3,531,526/ 150 Hospital beds	3,106

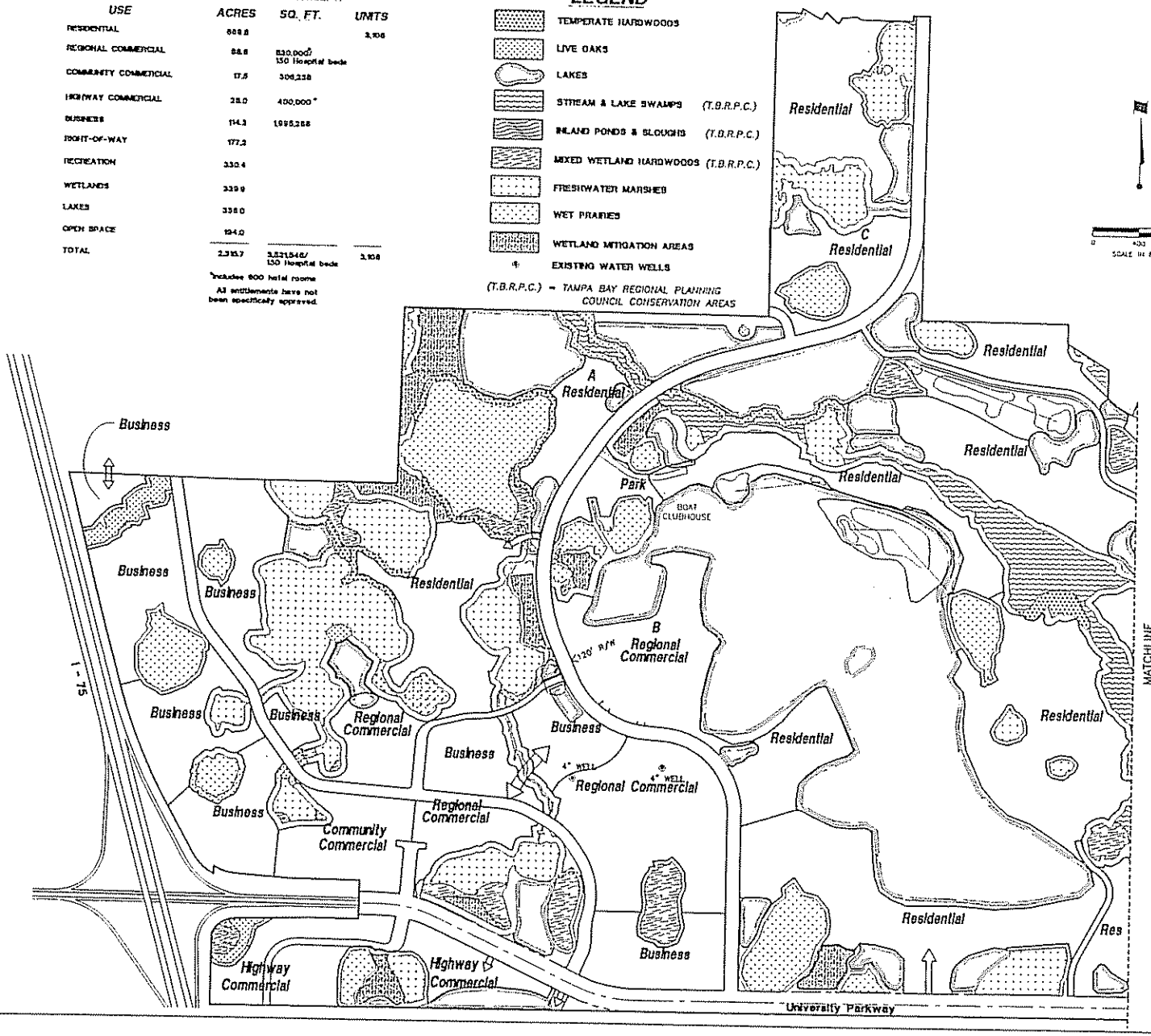
*Includes 600 hotel rooms

All entitlements have not been specifically approved.

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- LAKES
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- EXISTING WATER WELLS

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS



SCALE IN FEET

Wilson Miller

Planners · Engineers · Landscape Architects · Surveyors

Wilson Miller, Inc.

MASTER DEVELOPMENT PLAN
University Lakes

A PLANNED DEVELOPMENT

By Schroeder-Manatee, Inc.

March 20, 2003 | Sheet 1 of 2

MAP H

Attachment #3

ATTACHMENT #4

LEGAL DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Section 36, Township 35 South, Range 18 East, and Sections 28,29,31,32,33 and 34, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Begin at the southwest corner of said Section 29; thence N.00°22'41"E. along the west line of said Section 29, a distance of 2,656.56 feet; thence S.89°30'30"E., a distance of 211.38 feet; thence N.26°03'03"E., a distance of 41.16 feet; thence S.61°21'58"E., a distance of 186.34 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.61°21'58"E., a radial distance of 295.00 feet; thence northeasterly along the arc of said curve, through a central angle of 15°08'34", an arc length of 77.97 feet to the end of said curve; thence S.46°13'24"E. radial to the last described curve, a distance of 141.12 feet; thence N.33°11'55"E., a distance of 59.75 feet; thence N.85°03'09"E., a distance of 131.05 feet; thence S.61°13'40"E., a distance of 51.46 feet; thence S.89°30'48"E., a distance of 469.77 feet; thence N.00°29'12"E., a distance of 48.63 feet; thence S.89°30'30"E., a distance of 120.00 feet to the northeast corner of the West 1/2 of the Southwest 1/4 of the aforementioned Section 29; thence S.00°29'12"W. along the east line of the West 1/2 of the Southwest 1/4 of said Section 29, a distance of 2,658.57 feet to the north line of Section 32; thence S.89°30'25"E. along said north line, a distance of 1,269.55 feet to a point on the east line of Lakewood Ranch Country Club Village, Subphase C, Unit 1-A, recorded in Plat Book 30, Page 189 of the Public Records of Manatee County; the following 3 calls are along said east line; thence S.00°29'35"W., a distance of 166.41 feet; thence S.58°34'00"E., a distance of 423.22 feet; thence S.01°20'47"W., a distance of 240.50 feet to a point on the north line of Parcel 4, Legacy Golf Course as recorded in Road Plat Book 10, Page 126 of the aforementioned Public Records; the following 2 calls are along said north line; thence S.36°55'37"E., a distance of 85.33 feet; thence S.60°40'54"E., a distance of 184.30 feet to the west line of Lakewood Ranch Country Club Village, Subphase D, Unit 1 a/k/a Spyglass, recorded in Plat Book 34, Page 113; thence N.23°47'43"E. along said west line, a distance of 277.38 feet to the north line of said Lakewood Ranch Country Club Village, Subphase D, Unit 1 a/k/a Spyglass; thence N.90°00'00"E. along said north line, also being the north line of Lakewood Ranch Country Club Village, Subphase D, Unit 2, recorded in Plat Book 31, Page 33 of the aforementioned Public Records, a distance of 2,269.90 feet to a point on the north line of Lakewood Ranch Country Club Village, Subphase D, Unit 3B & 4 a/k/a Gleneagles, recorded on Plat Book 34, Page 181 of the aforementioned Public Records; the following 7 calls are along said north line; thence N.07°30'16"E., a distance of 437.56 feet; thence N.72°30'29"E., a distance of 190.11 feet; thence S.17°29'31"E., a distance of 20.40 feet; thence N.72°30'29"E., a distance of 161.83 feet; thence S.26°06'53"E., a distance of 49.82 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.26°06'53"E., a radial distance of 58.00 feet; thence easterly along the arc of said curve, through a central angle of 24°50'29", an arc length of 25.15 feet to the end of said curve; thence N.72°30'29"E. non-tangent to the last described curve, a distance of 181.80 feet; thence N.76°17'54"E., a distance of 33.84 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.76°17'54"W., a radial distance of 550.00 feet; thence northerly along the arc of said curve, through a central angle of 59°36'16", an arc length of 572.16 feet to the point of reverse curvature of a curve to the right having a radius of 600.00 feet and a central angle of 73°58'28"; thence northwesterly along the arc of said curve, a distance of 774.66 feet to the point of tangency of said curve; thence N.00°40'06"E., a distance of 221.36 feet; thence S.89°31'24"E. parallel with the north line of the aforementioned Section 28 and 4077.34 feet southerly therefrom, a distance of 2,614.09 feet to the west line of the East 1/2 of said Section 28; thence S.00°45'47"W. along said west line, a distance of 1,236.76 feet to the South 1/4 corner of said Section 28; thence S.89°30'25"E. along the south line of said Section 28, a distance of

2,662.03 feet to the northwest corner of the aforementioned Section 34; thence N.89°57'56"E. along the north line of said Section 34, a distance of 120.02 feet; thence S.00°51'27"W., a distance of 1.87 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.89°08'34"E., a radial distance of 2,190.00 feet; thence southerly along the arc of said curve, through a central angle of 13°14'44", an arc length of 506.28 feet to the point of tangency of said curve; thence S.12°23'18"E., a distance of 982.01 feet to the point of curvature of a curve to the right having a radius of 3,060.00 feet and a central angle of 10°28'18"; thence southerly along the arc of said curve, an arc length of 559.26 feet to the point of tangency of said curve; thence S.01°55'00"E., a distance of 2240.90 feet to the point of curvature of a curve to the right having a radius of 10,560.00 feet and a central angle of 01°56'28"; thence southerly along the arc of said curve, an arc length of 357.76 feet to the point of tangency of said curve; thence S.00°01'28"W., a distance of 1,402.77 feet to the southerly line of the aforementioned Section 34; thence N.89°58'32"W. along the southerly line of Section 34, a distance of 678.98 feet to the southwest corner of said Section 34; thence N.89°58'32"W. along the southerly line of the aforementioned Section 33, a distance of 5,320.24 feet to the southwest corner of said Section 33; thence N.89°58'32"W. along the southerly line of the aforementioned Section 32, a distance of 5,320.24 feet to the southwest corner of said Section 32; thence N.89°58'32"W. along the southerly line of the aforementioned Section 31, a distance of 4,602.00 feet to the southwest corner of said Section 31, also being a point on the easterly Limited Access Right-of-way of State Road 93 (Interstate 75); the following 15 calls are along the easterly Limited Access Right-of-way of State Road 93 (Interstate 75); thence N.00°37'10"E. along the west line of said Section 31, a distance of 615.67 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.68°06'12"E., a radial distance of 216.00 feet; thence northeasterly along the arc of said curve, through a central angle of 66°23'34", an arc length of 250.29 feet to the point of tangency of said curve; thence N.88°17'22"E., a distance of 628.58 feet; thence S.89°25'46"E., a distance of 298.15 feet; thence continue S.89°25'46"E., a distance of 133.30 feet; thence N.00°34'14"E., a distance of 336.00 feet; thence N.89°25'46"W., a distance of 606.88 feet; thence N.85°36'55"W., a distance of 460.53 feet to the point of curvature of a curve to the right having a radius of 396.00 feet and a central angle of 27°45'53"; thence westerly along the arc of said curve, an arc length of 191.90 feet to the end of said curve; thence S.01°15'38"W., a distance of 68.34 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.27°44'12"E., a radial distance of 456.00 feet; thence northwesterly along the arc of said curve, through a central angle of 34°29'47", an arc length of 274.55 feet to the point of tangency of said curve; thence N.27°46'01"W., a distance of 566.48 feet to the point of curvature of a curve to the right having a radius of 4,489.66 feet and a central angle of 12°57'00"; thence northerly along the arc of said curve, an arc length of 1,014.75 feet to the point of tangency of said curve; thence N.14°49'01"W., a distance of 899.55 feet; thence N.13°40'16"W., a distance of 1,016.33 feet; thence S.88°43'35"E., a distance of 1,369.65 feet; thence S.89°40'28"E., a distance of 1,438.64 feet; thence N.01°15'38"E., a distance of 1,532.73 feet to the north line of the aforementioned Section 31; thence S.89°40'28"E., a distance of 3,164.99 feet to the POINT OF BEGINNING.

Said tract contains 2315.7 acres, more or less.

BOARD OF COUNTY COMMISSIONERS SEAL MANATEE CO., FLA.

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 12th day of Sept. 2003.
R.B. SHORE
Clerk of Circuit Court
By: Diane E Vollmer D.C.

BOARD OF COUNTY COMMISSIONERS SEAL MANATEE CO., FLA.

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 4th day of Sept. 2003.
R.B. SHORE
Clerk of Circuit Court
By: Diane E Vollmer D.C.

#216

MANATEE COUNTY GOVERNMENT

PLANNING DEPARTMENT
"TO SERVE WITH EXCELLENCE"

Certified Mail # 7000 0600 0024 5577 3092

December 21, 2001

Mr. John Meyer
DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

Re: Development Order for Schroeder-Manatee, Inc./University Lakes

Dear Mr. Meyer:

Enclosed is a certified copy of Ordinance 01-60, the Development Order for the Schroeder-Manatee, Inc./University Lakes DRI, as adopted in open session by the Manatee County Board of County Commissioners on December 18, 2001, as required by Rule 9J-2.025(5), Florida Administrative Code.

If I can be of further assistance, please contact me at (941)749-3070, extension 6833.

Sincerely,

Robert H. Pederson, AICP
Community Planning Adminstrator

RHP/ks
Enlcosure

1112 Manatee Avenue West • Fourth Floor • Bradenton, Florida Tel. (941) 749-3070 • FAX: (941) 749-3071
P.O. Box 1000 • Bradenton, Florida 34206-1000

ORDINANCE-01-60
SCHROEDER-MANATEE RANCH, INC.
(SMR COMMUNITIES JOINT VENTURE, A FLORIDA GENERAL PARTNERSHIP)
DEVELOPMENT ORDER
GRANTING AMENDMENTS TO AND REPLACING ORDINANCE 00-45,
ORDINANCE-92-32, AS AMENDED BY ORDINANCE-93-25, ORDINANCE-95-44,
ORDINANCE 97-61, ORDINANCE 97-81 AND ORDINANCE 00-45.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE DEVELOPMENT ORDER FOR THE UNIVERSITY LAKES DEVELOPMENT OF REGIONAL IMPACT (MANATEE COUNTY DRI #22, A/K/A TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI #216); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONCLUSIONS OF LAW; PROVIDING FOR DEFINITIONS; PROVIDING FOR AMENDED LIMITATIONS ON AND CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 31, 1991, SMR Communities Joint Venture, a Florida general partnership filed an Application for Development Approval* (ADA*) of a Development of Regional Impact (DRI) with the Manatee County Board of County Commissioners (County*) pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said ADA* proposed construction of a multi-use project on approximately two-thousand three-hundred fifty-three (2,353) acres, located in southern Manatee County, hereinafter referred to as University Lakes DRI, or the Project*; and

WHEREAS, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, a second development is planned, commonly known as Lakewood Ranch Corporate Park adjacent to the Manatee County line in Sarasota County; and

WHEREAS, the University Lakes and Lakewood Ranch Corporate Park DRI's have been reviewed pursuant to the terms of the 380 Review Agreement* defined in Section 3. below; and

WHEREAS, the Board of County Commissioners, on June 1, 1992, approved Ordinance 92-32, which granted local approval to University Lakes, DRI No. 22,; and

WHEREAS, the Department of Community Affairs and the Tampa Bay Regional Planning Council appealed Ordinance 92-32 within the statutory time frame allowed; and

WHEREAS, the Developer* entered into a settlement agreement with the Department of Community Affairs and the Tampa Bay Regional Planning Council to resolve their concerns; and

WHEREAS, on October 24, 1993, the Board of County Commissioners of Manatee County adopted an amended Development Order (Ordinance 93-25) for the University Lakes DRI adopting language to settle administrative action between the Department of Community Affairs, Tampa Bay Regional Planning Council, and Schroeder-Manatee Ranch, Inc., et. al.; and

WHEREAS, on January 25, 1996, The Board of County Commissioners adopted Ordinance 95-44, approving amendments to modify development totals, add 69.8 acres, and modify various definitions and conditions of the Development Order for the University Lakes DRI, which amendments were not found to be a Substantial Deviation to the originally approved Development Order; and

WHEREAS, on October 28, 1997, The Board of County Commissioners adopted Ordinance 97-61, approving amendments to extend the buildout and expiration dates; amend Map H to modify acreage totals per land use, change one subphase from business to residential, modify the internal roadway network between I-75 and Lakewood Ranch Boulevard; amend transportation, wetland, and other conditions; employ the land use trade-off mechanism in the D.O. to modify development totals in Phases I, II and III; modify the Certificate of Level of Service for Phase I to address land use exchange; approve Development Order modifications to more accurately reflect the status of compliance with certain conditions of approval; and

WHEREAS, on December 16, 1997, the Board of County Commissioners adopted Ordinance 97-81, to allow a hospital use in Phase II of the development; and

WHEREAS, on February 22, 2000, the Board of County Commissioners adopted Ordinance 00-45, to initiate Phase II construction; Relocate the Town Center to the east side of Lakewood Ranch Blvd.; Relocate an access point onto University Parkway; Shift square footage amounts between different Regional Commercial and Business parcels; Make changes to tables 1, 5 and 6 of the Development Order; and Amend Transportation and Affordable Housing Conditions; AND

WHEREAS, the Developer* of University Lakes submitted and supplied information pursuant to the Notice of Proposed Change Provisions of Section 380.06, Florida Statutes, concerning the regional impacts of Traffic, Air Quality, and Affordable Housing to Manatee County concerning the proposed development in Phase II, pursuant to the which information was reviewed by the Tampa Bay Regional Planning Council, Department of Community Affairs, and other applicable state agencies, each of which had opportunity to request additional information and make comments and suggestions, and each of which in fact did so. The Developer* further responded to questions and comments raised by said parties in the form of sufficiency responses; AND

WHEREAS, the developers of University Lakes have proposed the following changes to the Development:

(1) **Decrease Retail uses by 74,742 sq. ft.;**
(2) **Increase Hotel uses by 300 rooms;**
(3) **Increase Office uses by 93,000 sq. ft.;**
(4) **Relocate 75,258 sq.ft. of Retail from the NW quadrant of Lorraine Rd and University Parkway to the Town Center;**
(5) **Change the designation in the NW quadrant of Lorraine Rd and University Parkway from Community Commercial to Residential;**
(6) **Decrease Single -Family Attached units by 153;**

(7) Increase Multi-family units by 125; and
(8) Amend Tables C and D to reflect these changes; AND

WHEREAS, the above described changes, cumulatively with all previous changes, do not constitute a Substantial Deviation to the Development Order for University Lakes, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the Board of County Commissioners, as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes, has the statutory authority to consider and approve Notices of Proposed Changes (NOPC) for an amendment to an approved Development of Regional Impact; and

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

WHEREAS, the Planning Commission of Manatee County has reviewed the NOPC and has filed a recommendation on said NOPC with the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has received and considered the comments of the Tampa Bay Regional Planning Council and the Department of Community Affairs; and

WHEREAS, the County* on December 18, 2001, held a duly noticed public hearing on the NOPC and the language proposed by the Developer* to amend and replace Ordinance 01-60, as amended, and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County and City agencies, the applicant, as well as the review and report of the Manatee County Planning Department.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

SECTION 1. FINDINGS OF FACT

The Board of County Commissioners, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of Manatee County, and all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.

B. The Developer* has received County approvals for and has commenced development in several sub-phases of the development, consistent with Ordinance 92-32, (as amended by Ordinances 93-25, 95-44, 97-61, 97-81, and 00-45).

C. An application has been submitted to Manatee County and is being processed concurrently with this NOPC to approve a revised General Development Plan for the entire 2,421.7 acre project, to decrease Retail uses by 74,742 sq. ft.; increase Hotel uses by 300 rooms;

increase Office uses by 93,000 sq. ft.; relocate 75,258 sq.ft. of Retail from the NW quadrant of Lorraine Rd and University Parkway to the Town Center; change the designation in the NW quadrant of Lorraine Rd and University Parkway from Community Commercial to Residential; decrease Single-Family Attached units by 153; increase Multi-family units by 125; and amend Tables C and D to reflect these changes.

D. The Board of County Commissioners of said County has received and considered the recommendation of the Manatee County Planning Commission concerning the NOPC and the application for Official Zoning Atlas Amendment as it relates to the real property described in Section 7 of this Ordinance of an NOPC pursuant to Section 380.06, Florida Statutes. The report was rendered on December 6, 2001, following public hearing.

E. The Board of County Commissioners held a public hearing December 18, 2001 regarding the NOPC and the proposed Official Zoning Atlas Ordinance Amendment described herein, in accordance with the requirements of Manatee County Ordinance No. 90-01, as amended (the Manatee County Land Development Code) and Ordinance No. 89-01, as amended, (Manatee County Comprehensive Plan), and has further considered the testimony, comments, and information received at the Public Hearing.

F. The proposed changes to the DRI regarding the property described in Section 7. herein, are found to be consistent with the requirements of Manatee County Ordinance No. 89-01, as amended (the 2020 Manatee County Comprehensive Plan), provided it proceeds in accordance with the Development Conditions specified in Section 5. and the Developer* Commitments specified in Section 6. of this Development Order.

G. The Developer* of the Project* submitted to Manatee County, Florida, an ADA* for the original project and the above described Notices of Proposed Change including this one, which are incorporated herein by reference.

H. The Developer* submitted an Affordable Housing Analysis (dated September 7, 2001) to Manatee County which describes the housing demand for low and very low income households and the existing housing supply (see Attachment #1).

I. The real property which is the subject of this Development Order is legally described as set forth in Section 7.

J. The Project* is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.

K. The authorized agent for the Project* is Rex Jensen, and his address is SMR Communities Joint Venture, a Florida general partnership, 7550 Lorraine Road, Bradenton, Florida 34202.

L. The owner of the property, which, SMR Communties Joint Venture, a Florida general partnership intends to develop, is Schroeder-Manatee Ranch, Inc., a Delaware corporation.

M A comprehensive review of the impacts generated by the Development has been conducted by the departments of Manatee County, the Planning Commission, the Board of County

Commissioners, TBRPC, Sarasota County, SWFRPC, and the Department of Community Affairs (DCA).

SECTION 2. CONCLUSIONS OF LAW

A. Based upon the previous findings of fact and the following conditions of the Development Order, the Board of County Commissioners of Manatee County concluded that:

1. The Project* will not unreasonably interfere with the achievement of the objectives of the Adopted State Land Development Plan applicable to the area.

2. The Project* is consistent with the local land development regulations and is consistent with the State Comprehensive Plan (SCP), the Tampa Bay Regional Planning Council's Future of the Region, A Strategic Regional Policy Plan (SRPP), and Ordinance 89-01, as amended (The Manatee County Comprehensive Plan).

3. The Project* is consistent with the report and recommendations of TBRPC approved on February 10, 1992 and on January 8, 1996, regarding the first NOPC submitted on July 10, 1995, in May 1997, regarding the second NOPC; on October 13, 1997 regarding the third NOPC; on December 16, 1997 regarding the fourth NOPC; on January 24, 2000 regarding the fifth NOPC; and on September 21, 2001 regarding the sixth NOPC.

B. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the Developer* is authorized to conduct development as described herein, subject to the conditions, restrictions, and limitations set forth below.

C. That the review by the County*, TBRPC, and other participating agencies and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Development Order, the ADA*, the NOPC, and the Affordable Housing Analysis. To the extent that the ADA* is inconsistent with the terms and conditions of this Development Order, the terms and conditions of this Development Order shall prevail.

D. This Ordinance replaces Ordinance 00-45, which granted amendments to Ordinance, 92-32, 93-25, 95-44, 97-61, and 97-81 in their entirety and adequately addresses the impacts of the development, pursuant to the requirements of Chapter 380, Florida Statutes.

E. Pursuant to Subsection 380.06(19)(c), Paragraphs 380.06(19)(e)3, and 380.06(19)(e)5.c, Florida Statutes, the changes proposed pursuant to the NOPC submitted on August 24, 2001 and approved pursuant to Ordinance 01-60, do not constitute a Substantial Deviation requiring further Development of Regional Impact review.

SECTION 3. DEFINITIONS

Note: An asterisk (*) denotes that the word is defined. The definitions contained in Chapter 380, Florida Statutes, shall apply to this Development Order, in addition to those listed herein.

A. "380 Review Agreement*" shall mean the Agreement executed between DCA, TBRPC, the Southwest Florida Regional Planning Council ("SWFRPC"), and SMR Communties Joint Venture, a Florida general partnership, dated September 6, 1991 which governs the review of the University Lakes and Lakewood Ranch Corporate Park DRI's. A copy of the 380 Review Agreement* is on file with the Clerk's Office and previously supplied to DCA as Attachment #2 to Ordinance 93-25.

B. "Application for Development Approval*" (or ADA*) shall mean University Lakes, Inc. Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer* on October 25, 1991, Appendix E Cumulative Affordable Housing Analysis, in May 1997, regarding the second NOPC; on October 13, 1997 regarding the third NOPC; on December 16, 1997 regarding the fourth NOPC; on January 24, 2000 regarding the fifth NOPC; and on September 21, 2001 regarding the sixth NOPC.

C. "Best Management Practices*" (BMP) shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code (BMP list of approved practices by Board resolution for Special Overlay Districts-Evers Reservoir and Lake Manatee Watershed Areas).

D. "Combined Projects*" shall refer to both University Lakes and the neighboring project, University Place.

E. "County*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).

F. "Developer*" shall mean SMR Communties Joint Venture, a Florida general partnership, their heirs, assigns, designees, and successors in interest as to the Project* and all its conditions of approval.

G. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.

H. "Development Plans*" shall mean any Preliminary Site Plan issued by Manatee County or a site and development plan issued by Sarasota County

I. "District*" shall mean any unit of local special purpose government formed pursuant to Chapter 190, F.S., or any similar entity such as a Municipal Service Taxing Unit or Municipal Service Benefit Unit, from time to time created or previously existing, which acts in accordance with applicable law and regulations, to finance or fund: (i) the cost of such actions as the planning, acquiring, constructing, equipping, installing, operating, and

maintaining various community facilities; (ii) the cost of providing certain community services; (iii) contributions of funds to other governmental and non-governmental entities with respect to such facilities, services, or related Development Order commitments and conditions and (iv) satisfaction of any of the commitments and conditions contained in this Development Order related to the foregoing. It is the declarative of the intent of this Development Order that any commitment or condition of this Development Order may be directly performed or satisfied by any District* which properly operates within its scope of authority. Such performance or satisfaction shall not be deemed or construed to constitute the discharge of any obligation of the Developer*.

J. "SRPP" shall mean the TBPRC's Future of the Region, a Strategic Regional Policy Plan for the Tampa Bay Region, adopted June 23, 1987 and amended in 1989.

K. "Funding Commitments*" shall mean to assure the completion of any improvement required by this Development Order or any combination of the following: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County* for construction to be completed when the improvement is required as referenced in Tables 5 and 6 of this Development Order; 2) actual construction; 3) the placement of the improvements in the first year of the Capital Improvements Element of the appropriate County or the current plus two years of the Adopted Five-Year Work Program of the Florida Department of Transportation; or 4) a commitment for construction and completion of the required roadway improvements, pursuant to a Developer Agreement which, if approved by the parties, shall be incorporated in this Development Order through an amendment of the Development Order, pursuant to the notice of proposed change provisions of Chapter 380 of the Florida Statutes. Said Agreement shall include a construction timetable which will set forth the completion of the required improvements consistent with the time frames specified in Tables 5 and 6.

L. "Post-Development Wetlands*" shall mean any lands determined to be within jurisdictional limits defined by Chapter 62-301, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Protection (FDEP), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development for this Project*.

M. "Project*" shall mean the land uses, phasing, and improvements described in the ADA* which are attributable to development on that property described in Section 7. herein and set forth on Revised Map H, dated 8/16/01 and attached hereto.

N. "Transportation Impact Area*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the proposed phase or subphase shown on a proposed Preliminary Site Plan in combination with prior approvals of the Combined Projects* will be five percent (5%) (or whatever greater percentage may be employed from time to time by DCA, TBRPC, or the County*, provided the more restrictive percentage shall be used) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on revised Map J, dated 2/22/00 (attached hereto as Attachment #4) which was based on data submitted with the ADA*. In determining the

Transportation Impact Area* for this Project* all traffic generated by University Place shall be deemed project traffic for University Lakes.

O. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.

SECTION 4. 380 REVIEW AGREEMENT*, APPROVALS, AND DEVELOPMENT COMPONENTS

A. Some of the impacts of the University Lakes DRI have been reviewed in conjunction with the impacts of the proposed University Place DRI under the terms of the 380 Review Agreement*. The 380 Review Agreement* provides for a cumulative assessment of the impacts of both projects on the issues of transportation, air quality, affordable housing, and listed species.

Tables 1 through 4 list the appropriate land uses for University Lakes (Tables 1 and 2) and University Place(Tables 3 and 4) under the designations used by the respective Counties and the designations used in Section 380.0651, Florida Statutes, in parentheses ( ).

B. Subject to the possible exchange of land uses as described elsewhere herein, the Project* consists of the land uses, square footage, dwelling units, and approximate area described in Columns A through D of Table 1 and the land uses, square footage, dwelling units, and approximate area by phase as described in Table 2. Phase I and II of the Project* are approved subject to the conditions found within this Development Order. Upon its review and approval by staff, a Certificate of Level of Service will be issued as part of this approval, and is authorized until the dates for each Phase set forth in Table 2. Phases III, and IV are conceptually approved. Approval of Phases III, and IV is contingent upon further Section 380.06(6) review on the following issues: transportation, air quality, and affordable housing. The review of transportation, air quality, and affordable housing for Phases III, and IV shall be based on a cumulative assessment of the impacts created by the Combined Projects*.

The conditions of approval of Phases I and II of University Lakes and Phase I of University Place, (Combined Projects) with respect to the impacts that were cumulatively assessed, shall not necessarily apply to subsequent phases. In addition to obtaining a Development Order amendment, Certificates of Level of Service must be obtained for Phases III, and IV, but shall be limited to roadway capacity, mass transit, potable water, sanitary sewer, parks and recreation facilities, drainage, and solid waste, as required by the Manatee County Land Development Code.

TABLE 1
UNIVERSITY LAKES DEVELOPMENT COMPONENTS

Column A Map H Land Use (Section 380.0651 F.S. Designation)	Column B Number Acres *****	Column C Square Feet	Column D Dwelling Units	Column E Land Use Exchange Maximum Increase
Residential (Residential)	723.2	n/a	3,108	An increase in dwelling units by 5% or 50 units, whichever is greater
General Commercial* (Retail)	88.6	1,000,000	n/a	
(Hospital)	(56.6) (32.0)	(820,000) (180,000/ 150 beds)	n/a	Land Area increased by 6 acres or increase by 50,000 s.f. of gross floor area, or the greater of a 5% increase in parking spaces or an increase of customer parking by 300 spaces
Neighborhood Commercial** (Retail)	17.5	306,258	n/a	
General Commercial*** (Retail)	28.0 (21.0)	400,000 (150,000)	n/a	
(Hotel and Motel)	(7.0)	(250,000/ 600 rooms)	n/a n/a	75 rooms
Business	110.1	1,995,288	n/a	Land area increased by the greater of 5% or 6 acres, whichever is greater, or gross floor area increased by greater of 5% or 60,000 s.f. whichever is greater
(Office)	(55.1) (55.0)	(1,187,200) (808,088)		
(Industrial)			n/a	
Right of Way	178.4			
Recreation	330.4			
Wetlands/Mitigation	376.9			
Lakes****	358.6			
Open Space	210.0			
TOTAL	2,421.7	3,701,546	3,108	

* Acreage and square footage are referred to as Regional Commercial in the ADA*.

** Acreage and square footage are referred to as Community Commercial in the ADA*.

*** Acreage and square footage are referred to as Highway Commercial in the ADA*.

**** Additional lakes will be constructed within the Project* as required by the stormwater management system.

***** Acreages subject to verification and adjustment based upon future survey activities, consistent with the graphic depictions on Revised Map H.

TABLE 2
UNIVERSITY LAKES PHASING SCHEDULE

Map H. Land Use Designation (§380.0651, F.S., Designation)	Phase I 1992-2004♦	Phase II 2000-2009♦	Phase III 2010-2014♦	Phase IV 2015-2019♦	Total
Residential Dwelling Units					
Single Family	970	361	243	151	1,725
Single Family Attached	88	0	123	105	316
Multi-Family	449	412	206	0	1,067
Total (Residential)	1,507	773	572	256	3,108
General Commercial*s.f.	275,557	720,143	4,300	0	1,000,000
(Retail)	(275,557)	540,143	(4,300)		(820,000)
(Hospital)		(150 beds/ 180,000)			(150 beds/ 180,000)
Neighborhood Commercial**s.f. (Retail)	87,000	61,143	0	158,115	306,258
Business s.f.	323,318	608,608	519,180	544,182	1,995,288
(Office)	(323,318)	608,608	(161,672)	(93,602)	(1,187,200)
(Industrial)	0	(0)	(357,508)	(450,580)	(808,088)
General Commercial***s.f.	250,000	150,000	0	0	400,000
(Retail)	(0)	(150,000)	0	0	(150,000)
(Hotel and Motel)	(250,000/ 300 rooms)	(300 rooms)	0	0	(250,000/ 600 Rooms)
Recreational Facilities****	Tennis & Boat Club+, Park Golf Course & Park				

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.
**** Phasing of recreational facilities may be accelerated in accordance with the provisions of Sections 4.B., C. and E.
\+ The Boat Club shall be located on the 160± acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such as sailboards, canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation, and such craft may be used on the manmade lake.
♦ Buildout date is September 13th of each year indicated.

TABLE 3

UNIVERSITY PLACE DEVELOPMENT COMPONENTS

Sarasota County Land Use Designation (Section 380.06.0651, F.S. Designation)	Number of Acres	Square Feet
Interstate Regional Office Park (Office)	250.0	1,532,000
Major Employment Center	727.6	
(Office)		(2,623,257)
(Industrial)		(3,934,883)
(Retail)		(109,860)
Open Use Conservation	395	n/a
Totals	1,372.6	8,200,000

TABLE 4
UNIVERSITY PLACE PHASING SCHEDULE

Sarasota County Land Use Designation (Section 380.0651, F.S., Designation)	Phase I	Phase II	Phase III	Phase IV	Total
Interstate Regional Office Park s.f.					
(Office)	436,000	365,334	365,333	365,333	1,532,000
Major Employment Center s.f.					
(Office)	957,600	555,219	555,219	559,219	2,623,257
(Industrial)	1,435,600	832,828	832,828	832,827	3,934,083
(Retail)	40,000	23,287	23,287	23,286	109,860
Total	2,869,200	1,776,668	1,776,667	1,780,665	8,200,000

The amounts of residential, retail, hotel and motel, office, and industrial uses shown in Table 1 above within the Project* can be exchanged, with Board of County Commissioners approval of a revised General Development Plan, to allow flexibility in the exact land use mix shown in Columns B, C, and D of Table 1, above, and within each individual Phase shown in Table 2, provided that the following conditions are satisfied:

1. No land use category in the final Project* shall contain more development than that reflected in Table 1 Columns B, C, and D, plus that amount reflected in Column E.

2. The following uses designated in Table 1, shall not be reduced by the Developer* below the amounts set forth in Table 1, except as described elsewhere herein in specific provisions pertaining to those uses: lakes, recreation, wetlands/mitigation, open space.

3. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 500 dwelling units.

4. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 400,000 square feet of General Commercial.

5. The mix of approved uses within an individual Phase shall not be increased by more than 170,000 square feet nor decreased by more than 100,000 square feet of Business.

6. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 75 hotel rooms.

7. All other uses not specifically mentioned in Paragraphs 3, 4, 5, and 6 above shall not be subject to an exchange pursuant to this section.

C. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the proposed land use mix will not exceed the impacts for transportation, potable water, wastewater treatment, solid waste disposal, mass transit, drainage, and parks and recreation which are authorized in this Development Order and in any Certificate of Level of Service Compliance (CLOS) issued for that Phase. Additionally, the Developer* shall demonstrate that the proposed land use mix will not generate additional demand for affordable housing beyond the amount for which the supply of affordable housing has been demonstrated to be available and is described in Sections P.(1) and P.(2) of this Development Order. If the impacts of a specific land use exchange exceeds the impacts authorized and approved for that phase in the Development Order, then the land use exchange shall be denied.

As to the CLOS, the Developer* must apply for a modification to the CLOS and if the proposed land use exchange results in impacts in excess of those previously approved, the Developer* may be granted approval for that excess only if and when capacity is available and in conformance with other provisions of this Section 4. However, reapplication shall not cause the Developer* to lose capacity already approved in the Certificate of Level of Service for that Project*. If the request for a land use exchange is approved, a modified CLOS shall be issued to replace the previously approved CLOS. Any modification to the CLOS shall not extend the time for which such capacity is reserved pursuant to the CLOS.

An application for a land use exchange must include a revised General Development Site Plan which will include a revised Table 2 showing the reallocation of square footage or units. Each proposal for a land use exchange and revised General Development Plan shall be reviewed for compliance with the provisions of this Development Order, the Manatee County Land Development Code, and the Manatee County Comprehensive Plan. Upon submission of a request to the County* to implement this section of the Development Order, all application materials and information necessary to support approval of such a request shall be provided to the Department of Community Affairs, TBRPC, SWFRPC, and Sarasota County by the Developer*. The Developer* shall provide written notification to

the Department, TBRPC, SWFRPC, and Sarasota County of the approval or denial of any land use exchange requested by the Developer*.

With the submittal of any Notice of Proposed Change requiring changes to this Development Order, the Revised Master Development Plan and Phasing Schedule shall be amended to reflect any Land Use Exchange(s) that have been approved since the issuance of the Development Order or last amendment to the Development Order. Such change considered by itself shall not constitute a substantial deviation. Changes to the Phasing Schedule under this paragraph do not include extensions to the buildout date.

The land use exchange request shall contain information sufficient to enable the County* to determine that the impacts of the revised land use mix do not exceed the impacts of the land use mix being replaced. The quantifiable impacts will be measured based upon the relevant factors then currently used by the County* (e.g., ITE trip generation rates, EDU tables, solid waste generation factors, etc.) The Developer* shall verify the appropriate factors with County* staff prior to the submittal of any such land use exchange request.

The traffic impacts of the revised land use mix shall be deemed by the County* not to exceed the approved traffic impacts of the land use mix being replaced so long as the change does not increase the peak hour total traffic and the relative proportions of trips produced by attractors and the trips produced by generators remains substantially the same for the phase or subphase. In the event that the attractor or generator proportions are not substantially the same, as determined by the County*, additional information may be required to assess intersection performance, trip distribution, or particular roadway segments designated by the County*.

Attached hereto as Attachment #5 is a table of conversion factors for equating only traffic impacts of land use exchanges. The incorporation of this land use exchange mechanism shall not operate to permit the Developer* to develop any land use which will generate peak hour trips in excess of the total number of peak hour trips for which it has obtained specific Development Order approval.

Any amendments to the land use mix or proposed phasing schedule (Tables 1 and 2 respectively), other than those described herein, shall be submitted to the County* for review and approval, pursuant to notice of change as required by Subsection 380.06(19), F.S., which approval shall not be withheld for mere acceleration of phases if otherwise there is compliance with the terms of this Development Order. Any departure in Project* buildout from the phasing schedule set forth in the Application shall be subject to review to determine if such departure constitutes a Substantial Deviation pursuant to Subsection 380.06(19), F.S.

Any specific land use exchange must result in a land use mix which is consistent with the requirements of the Manatee County Comprehensive Plan. The land use exchange may not be exercised more than once in any calendar year.

D. The list of required transportation improvements described in Tables 5 and 6 are triggered by the construction of Phase I of the Combined Projects* and Phase II of University Lakes. In the event that at any time the amount of development authorized in the University Place

Development Order is less than that shown as Phase I Table 4 of this Development Order, the Developer* may submit a Notice of Proposed Change requesting a Development Order amendment to increase the amount of development in Phase I or II of University Lakes by an amount equal in impacts to the University Place reduction. In reviewing such a Notice of Proposed Change, transportation issues shall not form the basis of a recommendation of Substantial Deviation if the impacts (trip generation or distribution) on transportation facilities remain essentially the same. Nothing herein shall operate as a waiver of the Developer's* obligation to obtain a CLOS for any and all development which the Developer* proposes to transfer from University Place to University Lakes. In making a request under this Section 4.D., the Developer* must meet all of the following conditions:

1. The impacts of the proposed change do not exceed the impacts which were approved in the Development Order, or any amendments thereto, for potable water, wastewater treatment, solid waste disposal, mass transit, drainage, affordable housing, and parks and recreation.

2. The Developer* must further demonstrate that the request is consistent with applicable provisions of the Comprehensive Plan and the Land Development Code.

3. The amount of any increase in any Land Use Category may not exceed the limitations set forth in Table 1 Column E_1 above.

4. The County* shall not be required to approve any increase to Phase I or II of University Lakes unless adequate capacity exists to serve such increase and assurance of corresponding decrease is demonstrated to the County's* satisfaction, in Phase I of University Place.

5. In the event that the amount of development is increased for Phase I of University Place after approval of an increase of the permitted uses, density, or intensity for Phase I or II of University Lakes under this Section 4.D., then this entire Development Order shall be subject to an additional Substantial Deviation review to address the impacts of development which was previously added to University Lakes.

The intent of this provision is not to alter the size or land use mix of the Combined Projects* at buildout. There is no intent to change the land uses actually approved for University Lakes. It is intended to provide flexibility in the timing of development between phases of the respective projects in response to economic development opportunities or development constraints. The applicability of this provision "D" is limited to Phase I of the Combined Projects* and Phase II of University Lakes, pending further review of additional phases.

E. To foster intergovernmental coordination in the administration of University Lakes and University Place, the Developer* will furnish to the Sarasota County Planning Department, the SWFRPC, and the City of Bradenton for review and comment, copies of all Annual Reports (together with any documents required to accompany said Annual Reports), any applications or submissions by the Developer* under this Section 4, and any revisions to

University Lakes resulting from determinations by the County* under this Section 4. Further, the Developer* shall furnish to the County* copies of all Annual Reports (together with any documents required to accompany said Annual Reports) regarding University Place.

F. No provision of this Development Order shall serve to approve uses which were not previously reviewed and approved for University Lakes or which are inconsistent with the Manatee County Comprehensive Plan, including the WO-E Overlay District.

SECTION 5. DEVELOPMENT CONDITIONS

Transportation

A.(1) The cumulative transportation analysis for Phases I and II for University Lakes and Phase I for University Place, conducted under the 380 Review Agreement* determined the need for the roadway segment and intersection improvements described in Tables 5 and 6 below:

Table 5
Phases 1&2 Required Link Improvements

Roadway Segment Improvement Number	Road Segment Name (From and to)	Total Traffic Peak Hour LOS Prior to Improvement	Applicable Peak Hour Level of Service	Development Traffic as A % of LOS Peak Hour Capacity	Required Improvement to Restore LOS	Total PM Peak Hour External Trips for Combined Projects before Need*
1	University Parkway I-75 to Town Center Pkwy	F (in EB) F (in WB)	D D	119.5 198.5	Widen to 6 lanes	4529
2	University Pkwy Town Center Pkwy to Lakewood Ranch Blvd	E (in EB) F (in WB)	D D	81.9 134.3	Widen to 6 lanes	4667
3	I-75 SR 70 to University Parkway	D (in NB) C (in SB)	C C	27.4 18.7	Widen to 8 lanes	7550

This column represents the cumulative number of peak hour external trips for the Combined Projects before the need of the identified improvements for Phases I and II Land Uses as depicted in Tables 2 and 4 for University Lakes and Phase I of University Place (or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

Table 6
Required Intersection Improvements

Required Improvement Number	Improvement Name and Location	Total Traffic Peak Hour LOS Prior to Improvement	Applicable Peak Hour Level of Service	Development Traffic as a % of LOS Peak Hour Capacity	Required Improvement To Restore LOS	Total PM Peak Hour External Trips for Combined Projects Before Need*
1	SR 70 at Lakewood Ranch Blvd.	D	C	28.6	Construct left-turn lane NB to a distance of 625' and right- turn lane SB to a distance of 300'	6668
2	University Parkway at I-75 West	F	D	71.4	Construct 3rd and 4th thru lanes EB. 4th thru lane EB should be constructed to a distance of approximately 600' west of the stop bar at this intersection. Construct 2nd left-turn lane and 3rd thru lane WB. Both left-turn lanes should be extended to a distance of 800' each. 3rd thru lanes EB & WB are part of the required 6 laning of University Parkway. Construct 2nd left-turn lane SB and extend both left-turn lanes to a distance of 725' each. Final Design to be approved by FDOT.	3633
3	University Parkway at I-75 East	F	D	61.0	Construct 2nd left-turn lane and 3rd thru lane EB. Both left-turn lanes should be extended to a distance of 600' each. Construct 3rd & 4th thru lanes WB. 4th thru lane should be constructed to a distance of approximately 600' east of the stop bar at this intersection. 3rd thru lanes EB & WB are part of the required 6 laning of University Parkway. Extend dual left-turn lanes NB to a distance of 950' each. Final design to be approved by FDOT.	2585

Table 6
Required Intersection Improvements

4	University Parkway at Lake Osprey Drive/ Market Street	F	D	105.0	Construct 3rd thru lane EB & WB (part of the required 6-laning of University Parkway). Construct one right-turn lane WB to a distance of 235'. Extend left-turn lanes EB to 585' each and right-turn lane EB to 285'. Construct 2nd left-turn lane and one right-turn lane NB. Construct one right-turn lane SB and provide a/for a five-section head for right-turn movement SB.	4,529
5	University Parkway at Town Center Parkway	F	D	97.9	Construct 3rd thru lane EB & WB. (Part of the required 6-laning of University Parkway). Extend left-turn lanes EB to 685' each and right-turn lane WB to 335'. Provide a five-section head for right-turn movement SB.	5,495
6	University Parkway at Lakewood Ranch Blvd.	F	D	91.7	Construct 3rd thru lane EB & WB. (Part of the required 6-laning of University Parkway--6 lane section should continue approx. 600' east of the stop bar at this intersection). Extend both left-turn lanes EB to a distance of 785' each. Construct one right-turn lane WB to a distance of 410'. Extend right-turn lane EB to 910' and left-turn lane WB to 385'. Extend left turn lane SB to 225'. Construct 2nd right-turn lanes to a distance of 650' each. Provide for a five-section head for right-turn movement SB.	4,667

This column represents the cumulative number of peak hour external trips for the Combined Projects before the need of the identified improvements for Phases I and II . Land uses as depicted in Tables 2 and 4 for University Lakes and Phase I of University Place(or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

A.(2) The improvements listed in Tables 5 & 6 include critical link and intersection improvements for the development of Phase I and Phase II of University Lakes.

In the event that Funding Commitments* for transportation improvements are only adequate to permit approval of a portion (subphase) of the Development, the capacity and loading of transportation facilities in the Transportation Impact Area*, shall be limiting factors in any subsequent approvals. A subphase analysis has been performed, and cumulative subphases for the Combined Projects* have been identified in Tables 5 and 6 together with subphase time frames that were used in the subphase study. An initial subphase of 2,585 external p.m. peak hour trips for the Combined Projects* has been identified as requiring no additional transportation improvements. The Developer* shall, at the time of each application for Final Site Plan approval, furnish to the County* an accurate, up to date report of the amount of development, defined in terms of external p.m. peak hour trips, which has previously been permitted in the Combined Projects*. The Developer* shall not be entitled to a Final Site Plan approval which would result in the cumulative number of external p.m. peak hour trips for the Combined Projects* to exceed the applicable subphase threshold unless Funding Commitments* have been obtained for improvements required for such subphase.

In the event that the total external p.m. peak hour trips projected to be generated by the Combined Projects* has exceeded the levels described in Tables 5 and 6 by the expiration of the Annual Report Years listed in Tables 5 and 6 for the appropriate uncommitted improvement, no further Final Site Plan approvals shall be granted unless the Developer* using the notice of change procedure has prepared an analysis which identifies the revised dates by which said improvement would be required under the new subphase analysis. The Development Order shall be amended to reflect these revised trip levels and dates.

The Developer* shall be bound by the subphase external trip thresholds and schedules set forth in Tables 5 and 6, unless the Developer* files a Notice of Proposed Change and provides the County*, pursuant to the notice of change procedures, an updated subphase traffic analysis for the Transportation Impact Area* that will result from the completion of construction of all of the previously permitted development in the Combined Projects* plus that to be generated by the next subphase for which the Developer* is seeking approval, and such proposed change is approved. Copies of such Notice Of Proposed Change for revised subphase transportation analysis shall be submitted to Manatee County, Sarasota County, TBRPC, and SWFRPC for review and comment. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (referenced in Tables 5 and 6) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways and intersections referenced in Table 5 and 6 at the appropriate Level of Service. In the event that the new analysis demonstrates the need for alternate improvements or different subphase thresholds, the Development Order may be amended to reflect the revised subphases or improvements. With each Preliminary Site Plan application, the Developer* shall submit to the County* a limited traffic study which shows the following:

1. External P.M. peak hour trips for the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvements in Table 5 & 6 will be required; and,

2. An assessment of the estimated traffic operations and turning movements together with the conceptual design of the driveways, serving the project covered by the Preliminary Site Plan application.

Any revised transportation analysis for the Combined Projects* shall utilize the adopted Sarasota County Level of Service, or that of any agency with jurisdiction, whichever Level of Service is higher, for determining deficiencies on all roads in Sarasota County. If deficiencies exist on said roadways, then Funding Commitments* to correct such deficiencies shall be required in accordance with this Paragraph A.(2).

Developer* agrees to construct the improvements identified in Number 3 of Table 6 on or before October 1, 2001, which satisfies any requirement that required improvements be constructed concurrently with the impacts of Phase II development as to such improvements, unless such improvement(s) are programmed for construction in the current plus two years of the Adopted Five-Year Work Program of the Florida Department of Transportation, in which event the responsible party for such improvement(s) shall be the FDOT. This commitment by the Developer shall satisfy the requirement that the construction of such improvements be pursuant to a Funding Commitment. Developer* shall receive impact fee credits pursuant to Manatee County

Land Development Code regulations for such construction, if such construction is paid for by the Developer*.

A.(3) Until such time as agreement is reached regarding impacts of the Combined Projects* to I-75 and associated interchange intersections, and the Development Order is amended if and as needed pursuant to NOPC procedures, the Developer* shall conduct an I-75 Monitoring Program described below.

The FDOT shall by June 30, 2000 obtain Year 2000 peak season daily, a.m., and p.m. peak hour traffic data for the I-75 mainline and interchange ramps from SR 70 to Bee Ridge Road including turning movement counts at the interchange ramp intersections with the respective cross streets. The data shall be analyzed and provided to the Developer*, Manatee County and Sarasota County. **(Completed)**

At such time as the total external a.m. or p.m. peak hour trips from the Combined Projects* of University Lakes and University Place exceeds 3200 trips, projected to occur based upon Development Plans*, the Developer shall institute an annual monitoring program (the "I-75 Monitoring Program") to determine the actual level of service conditions for the I-75 mainline from SR 70 to Bee Ridge Road and the ramp interchanges at the respective cross streets. The results of this I-75 Monitoring Program will be submitted no later than the date of the Annual Report for University Lakes and shall each year be submitted to FDOT and Manatee County for review and approval and to Sarasota County for review and comment.

The detailed methodology for the monitoring, data collection, and analysis must be submitted to, and approved in writing by, FDOT and Manatee County and submitted to Sarasota County for review and comment. No Development Plans* beyond the 3200 peak hour trip threshold of the preceding paragraph shall be issued until the I-75 Monitoring Program and methodology has been approved.

For any location that is operating below the adopted level of service standard, the procedure as defined in the approved I-75 Monitoring Program methodology will be followed to determine if the Combined Projects* have an impact of five percent or greater of the adopted level of service standard at such location. If such impact is identified, and the identified location is operating below the adopted level of service standard, no further Development Plans* will be issued until the deficiency has been mitigated and the Development Order is amended as appropriate, if such an amendment is necessary. Mitigation can be accomplished by one of the following: (i) actual construction; (ii) a binding commitment by the Developer* for the actual construction with the posting of a cash bond or irrevocable letter of credit in a form satisfactory to the County for the construction to be completed when the improvement is required; (iii) the improvement is programmed for construction in the current year plus two years of the FDOT District One Adopted Work Program; (iv) the improvement is in the current year plus two years of the Capital Improvement Element for Manatee or Sarasota County, whichever is appropriate; or (v) other means set forth in Florida Statutes or the Florida Administrative Code as either may be amended from time to time.

Prior to the issuance of Development Plans* for the Combined Projects* which would create peak hour trips in excess of the thresholds identified in Table 6-Required Intersection Improvements, the improvements for the ramp intersections as identified in Table 6, must be mitigated as set forth in the preceding paragraph.

A.(4) The Developer* shall provide bicycle lanes as part of the roadway design for the collector facilities within the Project*. Inclusion of bicycle lanes as part of the roadway design does not mean the lanes themselves must be part of the roadway. That is, the lanes must be included in design but may be constructed separately or in separation from the roadway itself.

A.(5) The Developer* shall provide adequate sidewalks along all streets and roadways throughout the Project* as required by the Manatee County Land Development Code.

A.(6) As the Project* lies within the future Manatee County transit service area, the Developer* will work with the County* to coordinate the provision of transit service to the area in conjunction with development of University Lakes.

A.(7) Within three years of the effective date of Ordinance 00-45 or at the request of the County, an annual monitoring program consisting of peak hour traffic counts at the Project* entrances shall be instituted to verify that the projected number of external trips for the Project* are not exceeded. Counts will continue on an annual basis through Project* buildout, and the information shall be supplied in the required Annual Report. If an Annual Report is not submitted within thirty (30) days of its due date, or if the Annual Report indicates that the total external trips exceed projected counts for the Project* by 15 percent or more, Manatee County shall conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), Florida Statutes. This change will be presumed to be a Substantial Deviation. The results of the Substantial Deviation determination may also serve as a basis for the Developer* or reviewing agencies to request Development Order amendments.

A.(8) The transportation analysis in the ADA* was performed without consideration of the potential effects of a Transportation Systems Management ("TSM") program. Accordingly, the development thresholds described in Tables 5 and 6 may reflect a "worst case" scenario, dependent upon future TSM measures.

The Developer* or its assigns shall prepare and implement a TSM program which will endeavor to divert a number of vehicle trips from the PM peak hour. The TSM program shall be submitted to and be reviewed by the County*, the MPO, and the FDOT.

The TSM program shall be submitted with the first annual report subsequent to the monitoring program in Section A.(6) showing external trips exceeding 25% of the total external trips for Phase I of both University Lakes and University Place.

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 measure. Results of the TSM program shall be included in the Annual Report. The results of the TSM program may serve as a basis for the Developer* or reviewing agencies to request Development Order amendments which increase the applicable development thresholds or which will allow reduced impacts per square foot or dwelling unit of development in future phases. The TSM Program shall seek to further the TSM objectives and Policies set forth in the Florida Transportation Plan and shall include, but not be limited to:

(a) promote ride sharing by public and private sector employees;

(b) increase urban area peak hour automobile occupancy rates through expanded ride sharing efforts;

(c) increase peak hour occupancy rates for transit and other high occupancy vehicles; and

(d) other appropriate trip diversion measures.

A.(9) To allow for the finalization of interchange design relative to Improvements #3 and #4 in Table 6, Developer* agrees to reserve, until January 28, 1998, the property which it owns and which lies within the following description:

> Commence at the easterly corner of the existing FDOT right of way north of University Parkway where the limited access terminates, thence westerly along the FDOT right of way, a distance of 650 feet to the Point of Beginning. From the Point of Beginning, proceed northwest a distance of 1,500 feet to the existing FDOT right of way, thence southeasterly and easterly to the Point of Beginning.

This restriction shall expire on January 28, 1998. If the right of way is dedicated by the Developer* or otherwise acquired by the appropriate governmental agency, then the Developer* may transfer the impacted land uses to other appropriate areas within the Project* with approval of a revised General Development Plan. **(This item has been completed.)**

A.(10) The Developer* shall submit a Preliminary Site Plan for Phase I, or any subphase thereof, within twenty-four (24) months of the effective date of this Development Order. **(Completed).**

A.(11) The schedules of listed improvements may be adjusted at the Developer's* request with submission of adequate data to support any such adjustments, and the Development Order amended as needed in the event that the appropriate agencies determine that:

(a) The Project* is determined by the County* and TBRPC to be in a regional activity center or otherwise designated for alternative levels of service or alternative percentage thresholds in accordance with applicable rules and regulations; or

(b) The appropriate level of service standard for the particular roadway link or intersection is adjusted by the agency(ies) having jurisdiction over such link or intersection. In no event shall any level of service be adjusted if the result of said adjustment is to permit a lower level of service than established by that agency or agencies having jurisdiction at the time of the request for adjustment.

A.(12) The roadway shown on Revised Map H, which generally is oriented in a north/south alignment and connects to the proposed extension of Upper Manatee River Road, shall be required to be designated on the Future Traffic Circulation Map as a collector facility prior to providing any credits for right of way and/or construction. **(The requirements of Condition A.(12) have been completed)**

A.(13) Access to and from the site will be in accordance with state and local access regulations unless limited by the General Development Plan or any conditions placed thereon, whichever is most restrictive.

Wetlands

B.(1) The portions of the University Lakes site that meet the definition of Conservation or Preservation Areas as set forth in policies 10.1.2 and 10.3.1 of the Council's adopted (SRPP*) have been designated on Revised Map H.

(a) All wetlands and uplands on-site defined by Council policies as Preservation Areas, as shown on Revised Map H, shall be preserved. No dredging, filling, or development activities shall be allowed within Preservation Areas.

(b) All wetlands and uplands on-site defined by Council policies as Conservation Areas shall be protected from development as shown on Revised Map H.

B.(2) Except for wetland restoration or enhancement and naturally occurring fluctuations, no hydroperiod alteration shall be permitted in Preservation Areas as depicted on Revised Map H. Natural annual hydroperiods, normal pool elevations, and seasonal high water elevations shall be substantially maintained or improved. Hydroperiod monitoring shall be required semi-annually in selected preserved wetlands and initiated prior to on-site construction activity and continued for three years for herbaceous wetlands or five years for forested wetlands following buildout of the subbasin surrounding each wetland monitored. If the hydroperiod monitoring results demonstrate that Project* activities are inappropriately altering the hydroperiod in Preservation Areas, such activities shall cease until remedial measures are implemented.

B.(3) Any impacted wetlands, not required to be preserved in accordance with Condition B.(1) above and which are depicted as Conservation Areas on Revised Map H, shall be mitigated in accordance with the Manatee County Comprehensive Plan and Land Development Code and the SRPP* Policies.

B.(4) In addition to meeting the requirements of the Manatee County Land Development Code, the Developer* shall submit a wetland management and mitigation plan for the area to be developed to the County* for approval, and to TBRPC, and SWFWMD for review prior to any wetland alteration. This plan shall address, but not be limited to, identification of wetlands on-site, wetlands to be preserved, proposed wetland alterations, a detailed mitigation plan, control of on and off-site water quality, and methods for hydroperiod maintenance with a detailed narrative and construction plans for mitigated or significantly enhanced (as determined by the County*) wetlands. **(Completed).**

The Developer* shall include the following details, at a minimum, in the wetland management and mitigation plan prepared for submittal to the County*:

(a) Identification of existing dry and wet season site conditions;

(b) Narrative descriptions and evaluations of all wetlands to be disturbed by wetland type;

(c) Photographs and 24"x36" plans depicting conditions of the existing wetland creation site and proposed wetland creation plans. (This data shall demonstrate that the appropriate hydrologic requirements shall be provided);

(d) Narrative descriptions of any proposed wetland restoration activities and related issues;

(e) Estimated costs of wetland mitigation/restoration schemes including maintenance and monitoring for appropriate time periods; and

(f) Mitigation plans shall also include:

(1) Area and location of plantings;

(2) Species to be planted and spacing;

(3) Elevations for plantings;

(4) Source of plants or mulch;

(5) Source of wetland soil and depth proposed; and

(6) Monitoring and maintenance plans.

B.(5) If allowable wetland losses require type-for-type (herbaceous or forested) wetland replacement in accordance with stipulation B.(3), mitigation for wetland losses shall be implemented prior to, or concurrent with, the wetlands being disturbed. Created wetlands and littoral shelves shall require monitoring and maintenance activities. Percent survival of plant species in the created wetland or littoral shelf shall meet or exceed Manatee County Comprehensive Plan and Land Development Code success criteria and the SRPP* Policies. Yearly replanting and maintenance of the mitigation areas shall be required, if necessary, to ensure compliance with the conditions of the Development Order.

B.(6) The Developer* shall provide buffering around all Post-Development Wetlands* to provide an upland transition into the wetland areas and to protect natural systems from development impact. All such buffers shall be in compliance with the Manatee County Land Development Code.

Vegetation and Wildlife

C.(1) A cumulative assessment of the impacts of the Combined Projects* on listed plant and animal species has been performed as required by the 380 Review Agreement*. The Developer* has provided open space for wildlife in the form of preserved wetlands and the wildlife corridor along Cooper Creek as depicted on Revised Map H. In addition, Developer* shall retain large pines (>4" dbh) where possible in golf course rough for kestrel habitat and include and maintain open grassy areas in golf course rough for burrowing owl habitat. The specific locations of retained pines and open grassy areas shall be shown on the final development plan containing the golf course and shall be submitted to Manatee County for review and approval and to the Florida Fish & Wildlife Conservation Commission (FFWCC) for comment. However, as the Developer* is

planning a large wildlife management area on University Place, the Developer* has prepared (pursuant to the 380 Review Agreement*) a wildlife management plan, as revised June 16, 1992, for the 395 acre Open Use Conservation District within University Place which provides additional protection of any listed species found on University Lakes and University Place. The plan includes information on site maintenance, fire frequency, wetland management, and boundary protection.

In the event that University Place is not approved by Sarasota County with the 395 acre Open Use Conservation District within one (1) year of the effective date of this Development Order or if such Open Use Conservation District is reduced in size by more than ten (10) acres, then within one (1) year of either such date or action the Developer* shall prepare a wildlife management plan to address the impacts of the Project* on any listed species found on University Lakes, except for the gopher tortoise. The FFWCC found that a regionally significant population of gopher tortoise does not exist on University Lakes. However, any taking must comply with FFWCC rules and the Developer* must obtain a gopher tortoise incidental take permit from the FFWCC. If a management plan is prepared, pursuant to this paragraph, the plan shall be submitted to the and the Department of Community Affairs for review and to the County* for review and approval. **(Completed).**

C.(2) The Developer* shall provide small wildlife crossings (18" culverts) under roadways at the two locations where the north/south collector roadways intersect with Cooper Creek. **(Completed).**

C.(3) In accordance with applicable law, the Developer* shall coordinate with the Florida Department of Agriculture and Consumer Services and the County* for proper relocation of any listed species found on-site in addition to the requirements of C.(1) above.

C.(4) Representative tracts of all major natural upland vegetative communities (Live Oak, Pine-Mesic Oak, Pine Flatwoods, Temperate Hardwoods), as depicted on Revised Map H, shall be set aside in their natural state to serve as conservation areas.

C.(5) The removal of naturally-occurring vegetation shall be limited in accordance with the Manatee County Comprehensive Plan. This limitation shall not include the removal of diseased trees or vegetation, or exotic species, or other species approved by the County* consistent with the provisions of the Manatee County Comprehensive Plan.

C.(6) Areas designated as Preservation Areas on Revised Map H shall be protected in perpetuity by conservation easement or other legal instrument approved by County*.

Land

D.(1) The Developer* shall initiate the following procedures to ensure erosion control during development of the Project*:

(a) Sod, seed, or plant embankment areas of stormwater detention or retention ponds;

(b) Sod, seed, mulch, or landscape cleared or disturbed areas as soon as possible after clearing and grading;

(c) Limit clearing and site work, construction, and clearing to areas needed for immediate development;

(d) Develop asphalt roads as soon as possible;

(e) Initiate landscaping before development work is completed on a site;

(f) Construct sediment basins at the start of each drainage system phase;

(g) Utilize straw filter barriers or filter fabric at discharge points including, but not limited to, temporary discharge points;

(h) Install temporary sediment basins and perimeter dike systems as a first step in the grading process and inspect and clean out the temporary sediment basins on a regular basis; and

(i) Preserve the existing natural vegetation along Foley Creek and Cooper Creek, as depicted on Revised Map H.

Air Quality

E.(1) The Developer* shall, subject to applicable water quality standards, institute the following procedures to ensure dust control during development of the Project*:

(a) Implement a watering program during excavation and dredge and fill operations;

(b) Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;

(c) Treat disturbed areas after clearing, grading, earth moving, or excavation is completed by watering, revegetation, spreading soil binders, or compacting fill material until areas are paved or developed;

(d) Keep soil stockpiles moist, or treat with soil binders or cover;

(e) Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;

(f) Remove dust producing materials as soon as possible;

(g) Maintain 15 mph or less vehicle and equipment speeds on temporary roads;

(h) Sod, seed, mulch, or landscape cleared or disturbed areas, including embankment areas, of stormwater detention or retention ponds as soon as possible after clearing and grading;

(i) Limit site work and construction to areas needed for immediate development;

(j) Develop asphalt roads as soon as possible;

(k) Initiate landscaping before development work is completed on-site; and

(l) Utilize water spray trucks to control dust generation in heavy construction areas.

E.(2) Further Section 380.06(6), Florida Statutes, review will be required for air quality impacts, of Phases III, and IV. This Development Order* must be amended prior to granting specific approval to Phases III, and IV to address any air quality impacts and to specify any necessary mitigation prior to the commencement of said Phases. This review shall be a cumulative assessment of the Combined Projects*.

Water Quality and Drainage

F.(1) Prior to any site alteration associated with the Project*, the Master Drainage Plan for the Project* shall be submitted to DEP, SWFWMD, and EMD for review and to the County* for approval. **(The requirements of Condition F.(1) have been completed)**

The stormwater management system shall be designed, constructed, and maintained to meet or exceed the applicable requirements of Chapter 62-25, 40D-4, and 62-40, F.A.C. The stormwater management system shall be designed to comply with the provisions relating to the Evers Reservoir Watershed Protection Overlay District by providing treatment, at a minimum, of 150% of the criteria found in Chapter 62-25 and 40D-4, F.A.C. Nothing in this Section F.(1) shall be construed as a waiver by the Developer* of any vested rights, if any, pertaining to approved (as depicted in an approved Preliminary Site Plan for that Phase or subphase) or constructed stormwater facilities. With the exception of any such vested rights, if any, the Project* shall also comply with any special local watershed protection provisions adopted after the approval of this Development Order. An acceptable method for meeting such standards for the treatment of stormwater runoff for the majority of the site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2 of the ADA.

F.(2) Best Management Practices* (BMP) for reducing water quality impacts, as recommended by the County* and SWFWMD in accordance with adopted regulations of these agencies, shall be implemented and may include a street cleaning program for parking and roadway areas within the Project*.

F.(3) The Developer* shall be the entity responsible for maintaining the stormwater management system. The Developers* maintenance and inspection schedule for ensuring proper water quality treatment shall be submitted to the County* for approval, prior to site alteration activities associated with the Project*.

F.(4) Stormwater discharge shall not cause the receiving water body to violate the limits defined in the Class appropriate to that water body. Where background conditions in the water body in question do not meet the applicable standards due to natural causes outside the control of the Developer*, site specific, alternative criteria may be established in conjunction with the County*.

F.(5) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a surface water quality and quantity monitoring program approved by the County* (Completed). This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include provisions for the characterization of pre-construction baseline water quality and quantity conditions of surface water entering and leaving the site. The surface water monitoring program shall also provide the monitoring of surface water quality during periods of construction. In addition, the surface water monitoring program shall include an ongoing plan for monitoring of post-construction surface water quality. The surface water quality monitoring program required pursuant to this condition shall include an identification of the locations, frequency, and duration of sampling, parameters to be monitored, collection and analytical methods, and reporting requirements. All water quality sample collections and laboratory analyses shall be made in accordance with USEPA/FDEP approved methodology. The laboratory performing the analyses shall be certified by the FDHRS and shall have an approved comprehensive quality assurance plan on file with the FDEP. Any violation of federal, state, or local water quality standards shall require corrective measures as required by that authority.

F.(6) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a groundwater monitoring program approved by the County* and EMD. This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include appropriate provisions for the characterization of the pre-development baseline water quality and water level conditions of the site's groundwater. The groundwater monitoring program required pursuant to this condition shall include an identification of well locations, sampling frequency, and sampling duration, as well as parameters to be monitored and applicable collection and analytical methods. (Completed)

Upon completion of the pre-development groundwater program, a report of results will be submitted to the County* for review and approval. In addition to the official laboratory results, the report shall include recommendations regarding monitoring during construction and post-construction. Any proposed construction and post-construction monitoring plans developed pursuant to this condition shall be submitted to the County* for review and approval. **(Completed).**

F.(7) In the event that an overall watershed monitoring and reporting program is implemented and satisfies the intent of conditions F.(5) and F.(6), these programs may be discontinued upon the recommendation and approval of such by the County*. The City of Bradenton shall be notified prior to the approval of the discontinuance of this program.

F.(8) To the extent required by applicable law, any shoreline banks created along on-site stormwater detention lakes shall include littoral zones constructed on slopes no steeper than a 4:1 horizontal to vertical ratio and shall be planted in, or allowed to be colonized by, diverse native emergent and submergent vegetation. The Developer* shall ensure, by supplemental replanting, if necessary, at least eighty-five percent (85%) coverage by native aquatic vegetation is established within the littoral zone (to include at a minimum the area between ordinary high water and ordinary low water) in accordance with applicable regulations.

F.(9) The Developer* shall conduct annual inspections of the environmental swale systems on the Project* site to ensure the swales are being properly maintained in keeping with their

design and are capable of accomplishing the level of stormwater storage/treatment for which they were designed and intended. Verification of such inspection shall be supplied in each Annual Report.

F.(10) Prior to any site alteration, the Developer* shall develop and submit for approval by the County* an Integrated Pesticide/Herbicide Management Plan (IPMP) and a Hazardous Materials Management Plan (HMMP). **(Completed)**

Historical and Archaeological Sites

G.(1) The discovery of any historical or archaeological resources during development activities of the University Lakes Project* shall be immediately reported to the Florida Division of Historical Resources (FDHR). If the significance of an archaeological or historical site, discovered during development, is unknown and the site is to be impacted by Project* activities, additional testing shall be required at the site to determine significance. Disposition of such resources shall be determined in cooperation with the FDHR, TBRPC, and Manatee County. Treatment of the resources shall be completed before resource-disturbing activities are allowed to continue.

Water

H.(1) The Developer* shall participate, as required by Manatee County ordinances and consistent with any Developer Agreements, in any necessary expansion of potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

H.(2) The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with the SWFWMD rules and regulations. Any existing on-site wells not intended for potable or non-potable uses shall be plugged and abandoned in accordance with Rule 40D-3.041(1), Florida Administrative Code.

H.(3) The Developer* shall require the installation of high efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices, if mandated by the Florida Water Conservation Act (Section 553.14, Florida Statutes). This will include the use of toilets requiring no more than 1.6 gallons per flush in all areas, and installation of self-closing or metered water faucets shall be required in all public and commercial restroom facilities.

H.(4) The Developer* shall maintain all water lines and fire hydrants not dedicated to the County*.

H.(5) The Developer* shall, to the extent non-potable water is available, use only non-potable water to meet non-potable water demands. For purposes of this Approval, "non-potable" water is defined as water emanating from any source other than a public water utility. The Developer* shall submit an acceptable plan to the County* and the TBRPC for the use of non-potable water on-site. The plan shall be completed prior to Final Site Plan approval for any phase or subphase and shall include an implementation timetable, as well as a determination of the availability and feasibility of using reclaimed wastewater or stormwater retention ponds for irrigation purposes, to the extent permitted by law. **(Completed)**

H.(6) Adequate fire flow and water pressure shall be maintained within the Project's* water supply system.

H.(7) The Developer* shall conform to and further the applicable rules and adopted guidelines of the SWFWMD in regard to protection of the groundwater resources in the Eastern Tampa Bay Water Use Caution Area (WUCA) to the extent then in effect.

H.(8) The Developer* shall use the lowest quality water supply which meets the needs of the intended use, provided that such sources are economically feasible, practically available, and legally permissible.

A plan which investigates the use and feasibility of these alternatives shall be prepared by the Developer* and submitted with the first Annual Report to TBRPC, SWFWMD, the County* for review and further action if warranted. **(Completed)**

H.(9) For the purpose of potable and/or reclaimed water conservation, utilization of xeriscape principles are required in landscaped areas. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall only be irrigated to the minimum extent required to ensure healthy vegetation.

Wastewater

I.(1) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements, in any necessary expansion of wastewater service to and consistent with any Developer Agreements for each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project*.

I.(2) No additional permanent septic system shall be permitted within the Project*.

I.(3) Sewer lift stations shall be designed and equipped in accordance with County* regulations.

I.(4) The Developer* shall submit to the County*, prior to each Final Site Plan approval, a monitoring plan to identify and correct any leaks or ruptures of the sewer lines which are maintained by the Developer*. This plan must be approved by the County* and should identify the entity responsible for the monitoring and a time schedule for conducting the inspections. Faulty lines shall be replaced as quickly as possible. A report of inspections, results, and repairs must be included in the Annual Report.

I.(5) The disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (Ordinance No. 98-28).

I.(6) The Developer* shall implement a wastewater reuse system when feasible, as discussed in development condition H.(8) herein.

Solid Waste

J.(1) Within one year of the effective date of the Development Order, or prior to issuance of subsequent Development Approvals* for any non-residential land use within the Project*, whichever occurs later, the Developer* shall prepare a hazardous substances (including bio-hazardous wastes) and a hazardous waste management plan which shall be reviewed by DEP, TBRPC, approved by the County*, and then distributed by the Developer* to non-residential land users within the Project*.

At a minimum, the plan shall:

(a) Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;

(b) Provide a list of agencies which can be consulted regarding the types, sources, and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;

(c) Provide a list of agencies which can describe generally appropriate disposal methods;

(d) Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances and disposal of hazardous wastes;

(e) Provide a list of agencies which can describe construction requirements for hazardous waste holding areas;

(f) Describe a program to inform owners and tenants of the information contained in the Plan;

(g) Provide a list of agencies which can describe typical spill clean up methods; and

(h) Be updated and distributed to each non-residential land user annually.

(Said Plan has been approved)

J.(2) All Project* tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use shall be included in each Annual Report.

J.(3) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements in any necessary expansion of solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

J.(4) Surface impoundments of hazardous materials and hazardous wastes, land treatment of hazardous materials and hazardous wastes and landfills for hazardous materials and hazardous wastes are prohibited.

J.(5) Individual Tenants shall be required to transport and dispose of hazardous waste in a manner consistent with applicable regulations through restrictive covenants. Individual Tenants shall be encouraged to develop permittable temporary on-site hazardous waste treatment and storage capabilities prior to transport and shall remove hazardous and toxic wastes from the site as soon as is practical. Such transportation of toxic and hazardous materials shall be performed by a company that is accredited by all appropriate agencies in the transportation and handling of such materials.

J.(6) All aboveground and underground pollutant storage tanks systems will be installed, monitored, and managed according to applicable Federal, State, and Local regulations.

Recreation and Open Space

K.(1) The Project* shall contain, at a minimum, 403.4 acres of open space (approximately 350.4 acres of wetlands and an estimated minimum of 26.5 acres of mitigation) in addition to approximately 490.8 acres committed to recreation (a 22.6 acre park, a 16.1 acre tennis/boat club, 291.7 acres of golf course, and a lake of some 160.4 acres).

Notwithstanding the above, if the County* should decide the 22.6 acres of park is not needed, then the Developer* shall be able to use the applicable parcel for residential development or as a school site, provided the number of dwelling units is not increased.

K.(2) All recreation and open space areas not deeded to the County* or other state agencies shall be maintained as common open space through deed restrictions or owned by a property owners' association for the Project* or neighborhood within the Project*, as may be appropriate in accordance with the Land Development Code.

K.(3) Except as described in K.(1) above, all recreation, park, and wetland sites, as shown on Revised Map H of the ADA*, shall not be utilized for other uses inconsistent with their designation on said map. Any proposal to change these uses shall be subject to a Substantial Deviation Determination if required by Subsection 380.06, Florida Statutes.

K.(4) The Project's* public parks and public recreational facilities shall be accessible to the elderly, the handicapped, and economically disadvantaged and may be subject to a reasonable agreement between the County* and the Developer* limiting the use as a park facility and times of operation.

Education

L.(1) The Development shall dedicate an elementary school site either adjacent to, or having direct access on, a constructed County-maintained right-of-way and meeting all State and Manatee County new school site requirements upon request by the School Board. The school site shall be deemed to be a part of the Phase I approvals for the Project* and shall be shown on an amendment to the General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. The dedicated school site shall be a minimum of 18 acres, depending upon the characteristics of the site selected and said site shall be selected from property shown as residential, commercial, or business on Revised Map H, and shall be reflected on a revised General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. If the Developer* and the County School Board agree, the dedicated school site may be located off-site on property owned by the Applicant*. If adjacent property is provided as

a public park or for emergency services, this acreage may be reduced to a total of fifteen acres.

L.(2) If the County School Board should decide the school is not required, or the selected location is inappropriate, the Developer* shall be permitted to exchange sites, to the School Board's satisfaction, and shall be permitted to use the originally selected parcel for residential development, provided the number of dwelling units approved for the Project* is not increased. Any such exchanges in school sites shall require an amendment to the General Development Plan. If additional recreational opportunities are required, the County* may require dedication of up to five acres of the designated school site parcel for active recreation.

Health Care, Police, and Fire

M.(1) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of emergency service facilities for emergency medical services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to December 31, 1997. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. **(Completed).**

M.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of fire protection service facilities for fire protection services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Final Site Plan or Final Plat for Vertical Development* for Phase I or any subphase thereof. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. **(Completed)**

M.(3) The Project* shall be designed and constructed to meet or exceed specifications of the applicable Fire Code.

M.(4) The height of buildings allowed in the Project* shall not exceed that appropriate for the available water pressure and fire flows, or exceed the reach of available fire fighting equipment at the time of any Preliminary Site Plan approval for any phase or subphase.

M.(5) Prior to approval of each Final Site Plan, the Developer* shall provide assurance for each increment of development that the site will be supplied to the extent required by applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number and appropriate locations to accommodate fire fighting operations. Additionally, the Developer* shall provide calculations by a Florida registered engineer to the County* indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Braden River Fire Department that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Certificate of Occupancy for the Project* by the County*.

M.(6) The Manatee County Sheriff's Office shall provide typical police protection to each phase or subphase of the Project*. The Developer* shall participate, in accordance with applicable County* ordinances or Developer Agreements, in any expansion of such services necessary to serve the Project* or any phase or subphase thereof.

Economics

N.(1) Excess infrastructure capacity constructed by the Developer* shall be at the Developer's* risk and shall not vest latter development rights not addressed in this approval.

N.(2) The Project* shall promote entrepreneurship and small and minority owned business start-up, and encourage nondiscriminatory employment opportunities, pursuant to Policies 21.2, SCP and 21.5.3, FCRPP, respectively.

N.(3) The development and promotion of a day care system should be encouraged on site and any such day care system shall be in compliance with the Manatee County Land Development Code and any other applicable regulations.

Energy

O.(1) Issuance of Development Approvals* for each phase or subphase shall be dependent upon the ability of electrical or gas utilities to meet the energy requirements of the development.

O.(2) All Project* tenants, businesses, residents, etc. shall be notified in writing by the Developer* prior to occupancy that the following energy related practices are encouraged:

(a) Use energy alternatives, such as solar energy, resource recovery, waste heat recovery, and cogeneration, where economically feasible;

(b) Obtain energy audits provided by energy companies or other qualified agencies;

(c) Install water heater timers and set water heaters at 130 degrees Fahrenheit or lower;

(d) Use landscaping and building orientation to reduce heat gain, where feasible, for all Project* construction;

(e) Promote energy conservation by employees, buyers, suppliers, and the public, as appropriate;

(f) Reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours, as appropriate;

(g) Institute and utilize recycling programs;

(h) Utilize energy efficient packaging or recyclable materials;

(i) Install total energy systems on large facilities when cost effective; and

(j) Elimination of advertising requiring lighting after business hours where feasible.

O.(3) Incorporation of the energy conservation measures referenced on pages 265 and 266 of the ADA* shall be required. A progress report on the energy conservation measures shall be included as a part of each Annual Report.

Affordable Housing

P.(1) A cumulative assessment of the affordable housing needs of Phases I and II of the University Lakes DRI and Phase I of University Place (Combined Projects*) has been performed as required by the 380 Review Agreement*. This assessment was accepted by all reviewing agencies and determined no potential unmet need for affordable housing and a potential surplus of 75 affordable units. This analysis utilized the East Central Florida Regional Planning council's (ECFRPC) "Housing Demand, Supply and Need Methodology for Assessing the Affordable Housing Impact of Developments of Regional Impact", April 1996.

P.(2) This assessment utilized the 1990 US Census as its source for rental vacancy data. In order to ensure that employees of the Combined Projects* will find adequate housing opportunities reasonably accessible to their places of employment and validate the results of the assessment, it is necessary to compare the 1990 US Census data to the 2000 US Census data.

Should the rental vacancy data from the 2000 US Census be the same as or higher than the rate utilized in the assessment (11%), then no reassessment shall be required. However, if the 2000 US Census rental vacancy rate is at least 2% lower than the vacancy rate utilized in the assessment, the applicant shall be required to conduct a revised assessment. The revised assessment would be submitted for review and approval to the Department of Community Affairs, and Manatee County, and to Sarasota County, Southwest Florida Regional Planning Council and Tampa Bay Regional Planning Council for review and comment, no later than December 31, 2002. If the re-assessment identifies an unmet need for affordable housing at any time during Phase II of University Lakes, and the impact is deemed significant, then the Developer* shall develop a mitigation program in coordination with the DCA, Manatee County, Sarasota County, SWFRPC, and TBRPC.

Should the re-assessment be required and it should show a significant unmet demand for affordable housing, the results of the re-assessment shall be incorporated into this Development Order through a Notice of Proposed Change that would be submitted, by the Developer*, to Manatee County no later than March 30, 2003. If such a NOPC is required and an acceptable NOPC is not submitted to Manatee County by March 30, 2003, a Stop Work order will be in effect for any additional non-residential development. Any necessary mitigation measures shall be adopted by a Development Order amendment prior to issuance of preliminary/final site plans for any remaining Phase II development. **(Completed).**

P.(3) Specific approval of Phases III and IV of University Lakes is conditioned on further Section 380.06(6), Florida Statutes, (submittal of a substantial deviation application for development approval) review on affordable housing, as well as the other specific issues

listed elsewhere in this Development Order. The Developer* shall conduct an affordable housing study based on a methodology agreed to pursuant to said review. If the study indicates that the additional development for which the Developer* is requesting approval will create the need for affordable housing that is not being provided within the Project* or within an area proximate (as determined by the approved methodology) to the Combined Projects*, the Development Order shall be amended to include appropriate mitigation. The affordable housing needs of the Combined Projects* shall be mitigated using those measures that are in effect at the time specific approval of a later phase is requested.

P.(4) Payments made by the Applicant under the provisions of law may be credited against any contributions which may be required under the provisions of the HAIP or subsequent housing analyses, if requested by the Developer* and approved by the County*.

P.(5) Pursuant to Rule 9J-2.048(8)(c)1, FAC, when a residential unit is constructed on-site and is within the affordable cost range as determined by that current year's annual median income as provided by the Department of Housing and Urban Development and calculated pursuant to the ECFRPC's April 1996 methodology, the Developer* shall receive credit for one and one-half (1.5) affordable housing units toward the affordable housing study.

General Conditions

Q.(1) Should the Project* significantly depart from the parameters set forth in this Development Order and the ADA*, the Project* will be subject to a Substantial Deviation Review, pursuant to Section 380.06, Florida Statutes. Any change to the Project* which meets the criteria set forth in Subsection 380.06(19), Florida Statutes, shall require a hearing to determine if the change constitutes a Substantial Deviation.

Q.(2) The Developer's* commitments set forth in the ADA*, and, as summarized in Section 6 herein, shall be honored, except as they may be superseded by specific terms of the Development Order.

Q.(3) Should the Developer* divest itself of all interest in the Project* prior to the expiration of the Development Order, the Developer* shall designate the successor entity to be responsible for preparation of the Annual Report, subject to approval by the County*.

Q.(4) All Development Approvals* shall be obtained prior to September 13, 2019. This Development Order shall expire 5 years after the buildout date to allow for post-development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

Q.(5) A Preliminary Site Plan for each phase shall be required.

Q.(6) The Developer* shall make appropriate efforts to coordinate with, and inform the appropriate public authorities of, the feasibility of the proposed school site for hurricane shelter, building closings, security and safety precautions, and evacuation plans.

Q.(7) Except for any existing use or for construction offices and similar temporary uses, or any use on the school site or park site, or other use by a public agency, any proposal to

utilize mobile homes on the site shall require a Substantial Deviation Determination, pursuant to the procedures in 380.06(19)(a), Florida Statutes.

Q.(8) The Developer*, its successors, assigns or transferees, shall submit Annual DRI Reports in accordance with Section 380.06(18), Florida Statutes to the County*, TBRPC, the State Land Planning Agency, and other agencies, as may be appropriate, on June 1, 1993 and each year thereafter until such time as all terms and conditions of this Development Order are satisfied. Six (6) copies of this report shall be submitted to the Director of the Manatee County Planning Department or the Director's designee, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the Planning Director decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification, or change of any conditions, or any terms or conditions of this Development Order. The Annual Report shall contain the following:

(a) Any changes in the plan of development, or in the representations contained in the ADA*, or in the phasing or land uses for the reporting year and for the next year;

(b) A summary comparison of development activity proposed and actually conducted for the year;

(c) Undeveloped tracts of land, other than individual single-family lots, that have been sold to a separate entity or Developer*;

(d) Identification and intended use of lands purchased, leased, or optioned by the Developer* adjacent to the original DRI site since the Development Order was issued;

(e) An assessment of the Developer's* and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the Application for Development Approval* and which have been identified by the County*, TBRPC, or DCA, as being significant;

(f) Any known incremental DRI Applications for Development Approval* or requests for a Substantial Deviation Determination that were filed in the reporting year and to be filed during the next year;

(g) An indication of a change, if any, in local government jurisdiction for any portion of the Project* since the Development Order was issued;

(h) A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

(i) A copy of any recorded notice of the adoption of a Development Order for the subsequent modification of an adopted Development Order that was recorded by the Developer* pursuant to Subsection 380.06(15)(f), Florida Statutes;

(j) A statement that all persons have been sent copies of the Annual Report in conformance with Subsection 380.06(15) and (18), Florida Statutes;

(k) Information on the actual prices and rents of housing units constructed relative to the then-current Department of Housing and Urban Development (HUD) affordable housing guidelines;

(l) Reports or information pursuant to conditions A.(7), A.(8), J.(2), and O.(3).

Q.(9) All proposed modifications to University Lakes will be reviewed based on the Combined Projects* to determine whether the proposed modification will exceed any of the criteria set forth in Subsection 380.06(19), Florida Statutes.

In the event the University Place Development Order is amended by Sarasota County to allow development inconsistent with Table 3 or Table 4 of the University Lakes Development Order, then upon expiration of the 45-day appeal period of the amendment or, if the amendment is appealed, upon settlement of the appeal, the Developer* shall apply for an amendment to the University Lakes Development Order, and Manatee County subsequently shall consider an amendment to the University Lakes Development Order to make it consistent with the University Place Development Order. A Notice of Proposed Change, pursuant to Subsection 380.06(19), Florida Statutes, shall not be required for the amendment to the University Lakes Development Order, as described above, to make it consistent with the University Place Development Order, but shall require the requisite public hearings under Chapter 125, Florida Statutes, and the Land Development Code. However, such Development Order amendment adopted by Manatee County must be rendered to the Department, pursuant to Subsection 380.06(19), Florida Statutes. If the amendment to the University Lakes Development Order is consistent with the amendment to the University Place Development Order or any settlement of an appeal of the University Place Development Order amendment, then DCA shall not appeal the amendment.

The substantial deviation criteria set forth herein are not applicable to land use exchanges which are authorized pursuant to Sections 4.B. and 4.C. of this Development Order. Additions to the amount of development in a particular land use category resulting from the use of the exchange mechanism are permitted only in conjunction with the simultaneous reduction from another specifically approved use and do not authorize additional development beyond that which has received specific Development Order Approval.

Q.(10) Unless otherwise expressly stated in this Ordinance , the Project* shall comply with all future amendments to the Land Development Code and the Comprehensive Plan.

Q.(11) Wherever in this Development Order the Developer* is required to file a Notice of Proposed Change, the Developer* shall send a copy of said NOPC to Sarasota County and SWFRPC.

Q.(12) In the event of a Development Order appeal or other legal challenge of this Development Order by the Department of Community Affairs, the Developer* shall pay all reasonable costs and fees of County* staff and attorneys relating to said appeal or legal challenge at the rate for processing this Development Order under the current Planning fee schedule. Payment of all billings by the Developer* related to such fees and costs shall be paid within forty five (45) days of submittal of an invoice.

Section 6. DEVELOPER* COMMITMENTS

The following are Developer* commitments set forth in the ADA* which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order or applicable law.

A. GENERAL PROJECT* DESCRIPTION

A.(1) The three designated community commercial areas will be developed in compliance with the adopted Comprehensive Plan in terms of permitted uses, maximum square footage, floor area ratio, and location on the road network. (SR, 17 & 18)

A.(2) All requirements of the Evers Reservoir Watershed Overlay District will be met within this Project*. (ADA*, 16)

A.(3) Neighborhood oriented retail areas will be located within the community commercial parcels which lie within the RES-1 Future Land Use Classification. (SR, 13)

A.(4) The Project* will construct, or cause to be constructed, two major thoroughfares, University Parkway and the extension of Upper Manatee River Road. (SR, 93)

B. WETLANDS

B.(1) The existing wetlands and proposed mitigation areas will have 50-foot wetland buffers around DEP wetlands and 30-foot buffers around wetlands within the jurisdiction of ACOE and SWFWMD, as shown on Revised Map H. (ADA*, 16)

B.(2) A total of approximately 312.2 Acres of native wetland habitats on-site will be preserved. (ADA*, 65)

B.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (ADA*, 21)

C. WATER

C.(1) The pesticides, herbicides, and fertilizers used on grassed areas of the University Lakes site will be applied in strict accordance with the manufacturer's application guidelines to avoid negative impacts on surface water quality. (SR, 175)

C.(2) Erosion controls will be of primary importance in preventing fertilizer runoff. Soil tests will be conducted to avoid application of unnecessary types, rates, and amounts of fertilizers. Applications will be made when adequate soil moisture exists and likelihood of major storm event is minimal. (SR, 32)

C.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (SR, 33)

D. SOILS

D.(1) All of the methods described on pages 140 and 143 of the ADA* will be utilized to overcome the soil limitations on-site. (ADA*, 140 & 143)

D.(2) The wind and soil erosion abatement methods listed in the ADA* will be followed. (ADA*, 143)

E. FLOODPLAINS

E.(1) Any loss of 100-year floodplain storage volume will be compensated by the excavation and creation of equal storage volume within the 100-year floodplain. (ADA*, 147)

F. WATER SUPPLY

F.(1) The internal potable water supply system will be constructed to Manatee County standards and dedicated to Manatee County where the potable system exists in proposed public rights-of-way. (ADA*, 155)

F.(2) Non-potable water conservation will be accomplished through the use of xeriscaping and preservation of existing native vegetation communities in accordance with applicable provisions in the Manatee County Land Development Code. (ADA*, 157)

G. STORMWATER MANAGEMENT

G.(1) All off-site runoff is to be routed through or around the property. There are five areas where off-site flow will be accepted into the stormwater management system, totaling 50.2 acres along the southern boundary and 12.6 acres along the northern boundary. (ADA*, 167)

G.(2) The stormwater management system will accept all existing off-site flows from Sarasota County. (SR, 190)

G.(3) The primary method for treatment of stormwater runoff for virtually the entire site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2. (ADA*, 172)

G.(4) The wet detention system will incorporate vegetated littoral zones which will equal approximately 15 to 20 percent of the surface area of the stormwater detention ponds. Sediment sumps will be provided at all inflow locations. (ADA*, 174)

G.(5) The hydroperiods of all on-site wetlands will be maintained except as depicted on Revised Map H. (ADA*, 176)

G.(6) Water levels in the detention ponds will be designed to be compatible with wetland seasonal high water tables and existing upland water tables. (ADA*, 183)

G.(7) Litter and debris which is captured within the stormwater treatment ponds will be periodically removed during routine clean-up of the Project's* open space areas and pond system. (SR, 104)

H. SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE

H.(1) The Applicant will investigate the possibility of mulching trees and brush that will be removed as land clearing operations commence, for the purpose of retaining mulch to meet the on-site needs. (SR, 109)

I. TRANSPORTATION RESOURCES

I.(1) The Project* will construct or cause to be constructed University Parkway and the extension of Upper Manatee River Road. (ADA*, 23)

I.(2) The segment of University Parkway through the site will be dedicated to Manatee County and will include 200 feet of right-of-way. (SR, 72)

I.(3) The Applicant is proposing dedication of all necessary right-of-way with regard to roadways located in the Project* as shown on Revised Map H. (SR, 132)

J. AIR

J.(1) The Project* will utilize current state-of-the-art methodologies for prevention of fugitive dust particulates during construction. (ADA*, 21)

J.(2) Clearing and grubbing operations will be performed only on individual parcels of land where construction is scheduled to proceed. Measures to be employed to minimize fugitive dust will include sodding, seeding, mulching, or landscape planting in cleared or disturbed areas. (ADA*, 226)

K. POLICE AND FIRE PROTECTION

K.(1) The Applicant/Developer* will provide a pro-rata share for any equipment or personnel needs that may be created by this Project* for police and fire protection and emergency medical services in accordance with applicable regulations. (ADA*, 25)

K.(2) The Developer* will provide a pro-rata share of the cost of building and equipping the facilities needed to provide emergency medical services to the Project*. (ADA*, 259)

L. RECREATION AND OPEN SPACE

L.(1) All proposed bike and pedestrian paths will be confined to appropriate areas outside of preservation areas in accordance with applicable laws and regulations. (SR, 83)

L.(2) The Project* will feature pedestrian ways and bikeways throughout the development, connecting the housing area to the recreational areas and the commercial areas. (ADA*, 9; SR, 207)

L.(3) University Lakes will have major active recreational land uses comprising over 18 percent of the total Project* acreage. The project will contain a tennis and swim club and boat clubhouse which will be located on the 160.4 acre lake. It will also contain a park, golf course, clubhouses, and driving ranges. (ADA*, 9)

L.(4) The recreational lakes, tennis and boat club, and golf course may be maintained and operated by a private owner and may require private membership or use permits. Open space and environmentally sensitive land will be protected by covenants or conservation easements to protect the natural qualities and will be conveyed to the appropriate homeowners' or master homeowners' association for maintenance. (ADA*, 252-253)

M. EDUCATION

M.(1) The Project* will provide a financial contribution or donation of land to the educational system for the purpose of building schools to service the residential component of the Project*, facilitating educational opportunities within close proximity for the school age children of the Project*. (ADA*, 24)

N. ENERGY

N.(1) The Project* will utilize both electric power and natural gas as sources of energy. Energy conservation techniques, including the use of landscaping, building orientation, and natural vegetation will be used to promote energy conservation. (ADA*, 27)

N.(2) If the need for an electric substation arises, a suitable location will be determined and provided to Florida Power and Light Company. (SR, 86)

N.(3) The traditional energy conservation methods will be used in the residential and non-residential building construction. Some of these methods are:

(a) increased insulation;

(b) high efficiency-type mechanical appliances;

(c) cross ventilation;

(d) window orientation;

(e) solar heating and cooling systems; and

(f) low pressure sodium lamps for exterior lighting. (ADA*, 265-266)

N.(4) The Developer* will implement, where feasible, the energy conservation measures described in the ADA*. (ADA*, p.263)

O. AIR

O.(1) The Developer* will implement the steps described in the ADA* to minimize fugitive dust emissions from wind erosion of disturbed soil surfaces, movement of construction equipment, and burning of cleared vegetative material. (ADA*, 226)

O.(2) The level of service of all roadways in the Transportation Impact Area* will be maintained at LOS D or better, thereby maintaining air quality. (ADA*, 228)

P. WATER SUPPLY

P.(1) The Developer* will consider the use of surface water from detention ponds as a supplement to groundwater resources. (ADA*, 154)

P.(2) Non-potable water conservation measures will include xeriscaping and preservation of native vegetative communities. If permitted, the Developer* would also consider the use of treated effluent from the County's* regional wastewater treatment facilities. (ADA*, 157)

Q. WATER QUALITY AND DRAINAGE

Q.(1) The primary method of treatment will be wet detention with effluent filtration utilizing a double underdrain system. The required level of treatment will be exceeded further by the use of biological filtration utilizing vegetated shallow shelves within the stormwater detention ponds. The on-site 160 acre lake will also be incorporated into the stormwater management system providing an opportunity to utilize extended residence time as an additional mitigative measure. (ADA*, 128)

Q.(2) Existing on-site wetlands will form an integral part of the stormwater management system, providing a mechanism for hydroperiod maintenance, storage, and improved surface water quality. (ADA*, 168)

Q.(3) All major drainageways and lake outfalls will be designed based upon a 25-year/24-hour storm event as provided in the ADA*. All interior and minor drainage systems are to be designed to a 10 year critical duration storm event. While runoff volume will increase with total development, the post-development 25-year/24-hour peak discharge rate will be maintained at or below to pre-development 25-year/24-hour peak discharge rate throughout the construction phases. (ADA*, 171)

Q.(4) The stormwater treatment system will meet FDEP Stormwater System Design Standards for discharge into Outstanding Florida Waters, as provided by Chapter 403, Florida Statutes, and Chapters 62-302, 62-4, and 62-25, F.A.C. (ADA*, 172)

Q.(5) Wetland hydroperiods will be maintained through the introduction of pre-treated stormwater ponds upstream of those wetlands. (ADA*, 176)

SECTION 7. LEGAL DESCRIPTION

Development of University Lakes shall be restricted to the 2,421.7acres owned by the Developer* and described by the legal description included as Attachment #6 attached to, and made a part of, this Development Order.

SECTION 8. DEADLINE FOR COMMENCEMENT OF CONSTRUCTION

Physical development of the Project* has commenced within three years of the effective date of this Ordinance unless the time period for commencement is extended by the Board of County Commissioners (Development has commenced). If more than three years shall elapse between approval of this order and commencement of actual development, or if construction of a phase is not begun or completed by the time frame contained in Section 4. above, or if any five year period shall expire without significant development activity on the site, the Board of County Commissioners

may conduct a public hearing in accordance with the Land Development Code and may, at its option, rescind any and all approvals granted herein, including the Certificate of Level of Service. Any delay in construction commencement shall not be deemed to extend any time frame for completion of construction, commencement of subsequent phases, or the termination date of this Development Order. For the purpose of this provision, "significant development" shall be the actual construction of site improvements or buildings as part of an ongoing effort to prepare improved land or buildings for sale, lease, or use.

SECTION 9. RESTRICTIONS ON DOWN-ZONING

Prior to October 13, 2019, the County* may not down-zone or reduce the intensity or unit density permitted by this Order, unless the County* can demonstrate that:

(a) substantial changes in the conditions underlying the approval of the Order have occurred; or

(b) the Order was based upon substantially inaccurate information provided by the Developer*; or

(c) the change is clearly established by the County* to be essential for the public health, safety, or welfare.

Any down-zoning or reduction of intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for changes in local land development regulations.

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order.

The inclusion of this Section is not to be construed as evidencing any present or foreseeable intent on the part of the County* to down-zone or alter the density or intensity of the Project*, but is included herein to comply with Section 380.06(15)(c)3, Florida Statutes.

SECTION 10. COMPLIANCE WITH CODES AND ORDINANCES

All development undertaken pursuant to this Development Order shall be in accordance with all applicable local codes and ordinances in effect at the time of permitting, except as specifically provided herein.

SECTION 11. BINDING ORDER UPON DEVELOPER*

This Development Order shall be binding upon the Developer*.

SECTION 12. RENDITION

The Planning Department is hereby directed to send certified copies of this Order within thirty (30) days of the date of signature by the Chairman of the Board of County Commissioners to the Developer*, the Florida Department of Community Affairs, and TBRPC.

SECTION 13. NOTICE OF RECORDING

The Developer* shall record a notice of adoption of this Order as required pursuant to Chapter 380, Florida Statutes, and shall furnish the Planning Department a copy of the recorded notice.

SECTION 14. SEVERABILITY

It is the intent of this Development Order to comply with the requirements of all applicable law and constitutional requirements. If any provision or portion of this Development Order is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then such provision or portion shall be deemed null and void, and to this end the provisions of this Ordinance are declared severable but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 15. EFFECTIVE DATE

This Ordinance, 01-60, shall take effect upon being signed by the Chairman of the Board of County Commissioners, and filing of a certified copy of the Ordinance with the Department of State provided, however, that the filing of a notice of appeal pursuant to Section 380.07, Fla. Statutes shall suspend development authorization for the changes granted by the Development Order until resolution of said appeal.

SECTION 16 . AMENDMENT OF DEVELOPMENT ORDER FOR DRI NO. 22.

The previous Development Order for University Lakes which was adopted on June 1, 1992 and all subsequent amendments are hereby replaced in their entirety.

ADOPTED AND APPROVED with a quorum present and voting the 18th day of December, 2001.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____
Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

BOARD OF COUNTY COMMISSIONERS SEAL MANATEE CO. FLA.

ATTACHMENTS

1. Impact Analysis
2. 380 Review Agreement
3. Revised Map H (as attached herein)
4. Legal Description (as attached herein)

* ATTACHMENT #2, IS NOT ATTACHED BUT IS ON FILE AT THE CLERK'S OFFICE AS ATTACHMENTS TO THE PREVIOUSLY APPROVED ORDINANCE-93-25

ATTACHMENT 2

University Lakes - Phases I and II
Notice of Proposed Change

Proposed Impacts Analysis

This NOPC proposes to change the land uses identified in Tables 1 and 2 of the University Lakes Development Order (DO). The exchange includes a trade-off of Neighborhood/Community Commercial (-74,742 s.f.) to Hotel (+300 rooms), and Single Family Attached (-153 units) to Multi-Family (+125 units).

This NOPC also updates the DO to include the Land Use Exchange application submitted to Manatee County on June 21, 2001 that is currently under review. The Land Use Exchange includes a trade-off of Regional Commercial (-240,000 s.f.) and Business/Industrial (-372,712 s.f.) to Business/Office (+400,000 s.f.). The exchange also incorporates the administrative approval to exchange two Single Family Attached units for one Single Family Detached unit.

Sections 4. B., C., and D. of the DO describe the circumstances and requirements governing the exchange of land uses within individual phases and for the project in general. In accordance with the DO, the land use exchange request submitted in June 2001 included an analysis of impacts for transportation, potable water, wastewater treatment, solid waste disposal, mass transit, drainage, affordable housing, and parks and recreation. In order to analyze the cumulative impacts of the Land Use Exchange currently under review and this NOPC application, this analysis includes the shifts proposed in both applications which are shown in Table 1 below:

TABLE 1
Land Use Exchange/NOPC – Phases I and II

	Land Use	Change from DO
Administrative change, approved 2001	Single Family Detached	+1 Unit
	Single Family Attached	-2 Units
Proposed Land Use Exchange, submitted June 2001	Office	+400,000 Sq. Ft.
	Retail	-240,000 Sq. Ft.
	Industrial	-372,712 Sq. Ft.
NOPC, submitted August 2001	**Hotel**	**+300 rooms**
	Retail	**-74,742 Sq. Ft.**
	Single Family Attached	**-153 Units**
	Multi-Family	**+125 Units**

Transportation

An analysis prepared by Grimail Crawford, Inc. concluded that the proposed land use exchange results in a slight reduction of gross and net p.m. peak hour external traffic generated by the project and thus will not result in additional impacts that were not already analyzed in the Phase II DRI analysis. The report on this analysis is incorporated as Attachment 2A.

Potable Water / Wastewater / Solid Waste

Manatee County Growth Management staff provided the generation factors which were utilized to measure impacts of the approved and proposed land use mix. Relevant factors are shown in Table 2.

TABLE 2
Public Facility Generation Factors

Land Use	Unit	Wastewater (GPD)	Potable Water (GPD)	Solid Waste (Cubic Yards per Day)
Single Family Detached	DU	345	195	21.3 per dwelling unit / 940
Single Family Attached	DU	345	195	21.3 per dwelling unit / 940
Multi-Family	DU	230	130	14.2 per dwelling unit/940
Office	Sq. Ft.	0.2	0.24	1 lb. Per 100 Sq. Ft. / 940
Retail	Sq. Ft.	0.1	0.12	4 lbs. Per 100 Sq. Ft. / 940
Industrial	Sq. Ft.	0.2	0.24	1 lb. Per 100 Sq. Ft. / 940
Hotel	Room	120	150	2.5 per room/940

Tables 3, 4 and 5 compare the cumulative impacts of the approved land uses in Phases I and II with the proposed land uses for the same phases identified in the Land Use Exchange currently under review and this NOPC application for the generation of potable water, wastewater and solid waste demand. There will be no impacts on potable water demands. Wastewater treatment impacts will **decrease** an estimated 14,396 GPD. Solid Waste impacts will **decrease** an estimated 13.91 cubic yards per day.

TABLE 3
Estimated Potable Water Impacts for Proposed Land Use Exchange/NOPC, Phases I and II

	Land Use	Gallons Per Day Exchange
Administrative change, approved 2001	Single Family Detached	+195
	Single Family Attached	-390
Proposed Land Use Exchange, submitted June 2001	Office	+96,000
	Retail	-28,800
	Industrial	-89,451
NOPC, submitted August 2001	Hotel	+45,000
	Retail	-8,969
	Single Family Attached	-29,835
	Multi-Family	+16,250
	TOTALS	**- 0 -**

TABLE 4
Estimated Wastewater Treatment Impacts for Proposed Land Use Exchange/NOPC, Phases I and II

	Land Use	Gallons Per Day Exchange
Administrative change, approved 2001	Single Family Detached	+345
	Single Family Attached	-690
Proposed Land Use Exchange, submitted June 2001	Office	+80,000
	Retail	-24,000
	Industrial	-74,542
NOPC, submitted August 2001	Hotel	+36,000
	Retail	-7,474
	Single Family Attached	-52,785
	Multi-Family	+28,750
	TOTALS	**-14,396**

ATTACHMENT #1

TABLE 5
Estimated Solid Waste Impacts for
Proposed Land Use Exchange/NOPC, Phases I and II

	Land Use	Cubic Yards Exchange
Administrative change, approved 2001	Single Family Detached	+0.02
	Single Family Attached	-0.05
Proposed Land Use Exchange, submitted June 2001	Office	+4.26
	Retail	-10.21
	Industrial	-3.97
NOPC, submitted August 2001	Hotel	+0.80
	Retail	-3.18
	Single Family Attached	-3.47
	Multi-Family	+1.89
	TOTALS	**-13.91**

Stormwater

Policy 9.4.1.1 establishes the Level of Service standard for stormwater and requires that the rate of stormwater discharge from new development be equal to or less than the rate of discharge that existed prior to development, based on a 25-year frequency, 24-hour duration storm event. The Level of Service after project buildout will be met as the project must be designed in accordance with the design criteria adopted in the Comprehensive Plan and the Manatee County Land Development Code. Meeting these criteria ensure that new development will not increase either upstream or downstream flooding.

The proposed change in the Phases I and II land use mix will not result in increased stormwater impacts.

Parks and Recreation

Condition K.(1) of the DO requires that the project contain approximately 490.8 acres committed to recreation (a 22.6 acre park, a 16.1 acre tennis/boat club, 291.7 acres of golf course, and a lake of some 160.4 acres). Although the total demand for recreation created by the residential component of University Lakes will not occur until the completion of Phase IV, all of the committed recreation facilities are within Phase I.

The proposed change of office, commercial, and industrial uses within Phases I and II will not increase the demand for recreation facilities.

Affordable Housing

A cumulative assessment of the affordable housing needs of Phases I and II of the University Lakes DRI and Phase I of University Place was performed in conjunction with the NOPC approved in February, 2000, as required by the 380 Review Agreement. This analysis utilized the East Central Florida Regional Planning Council's (ECFRPC) "Housing Demand, Supply and Need Methodology for Assessing the Affordable Housing Impact of Developments of Regional Impact", April 1996. The assessment concluded that 326 affordable units would be built within the project. These units were added to the available off-site affordable housing and compared to the potential demand for affordable housing created by the project's non-residential components. The study found a potential surplus of 75 affordable units at completion of Phases I and II. This assessment was accepted by all reviewing agencies.

For the purposes of determining the potential need for additional affordable housing unit supply created by the proposed land use exchange, the following demand ratios were used to calculate the number of units of available supply utilized by amount and type of development:

TABLE 6
Affordable Housing Unit Demand Ratios

Type of Development	Ratio
Retail	2,411 Sq. Ft. / Unit
Office	1,507 Sq. Ft. / Unit
Manufacturing	3,192 Sq. Ft. / Unit
Warehouse	3,190 Sq. Ft. / Unit
Hotel	6 Rooms / Unit

Based on these ratios, the proposed land use exchange will create the following changes in the affordable housing demand for the entire project:

TABLE 7
Affordable Housing Demand
Proposed Land Use Exchange/NOPC, Phases I and II

	Type of Development	Increase/Decrease	Affordable Housing Units
Proposed Land Use Exchange, submitted June 2001	Retail	-240,000 Sq. Ft.	-100
	Office	400,000 Sq. Ft.	+265
	Manufacturing	-372,712 Sq. Ft.	-117
NOPC, submitted August 2001	Hotel	+300 rooms	+50
	Retail	-74,742 Sq. Ft.	-31
	TOTALS	N/A	+67
		Surplus	+75
		Proposed Surplus	+8

ATTACHMENT #1

The proposed series of changes to the land use mix may increase the potential demand for affordable housing by 67 units. However, the 75-unit surplus identified by the February 2000 affordable housing assessment is sufficient to accommodate this potential increase.

The availability of on-site affordable housing units was re-assessed for the February 2001 University Lakes Annual Report. At the end of that reporting period, 334 affordable housing units had been constructed on site. This is eight units more than the February 2000 analysis concluded would be available at the completion of Phases I and II.

Condition P. (2) of the DO states that if the rental vacancy data from the 2000 US Census is at least 2% lower than the vacancy rate utilized in the assessment (11.7%), the applicant must conduct a revised assessment no later than December 31, 2002. Rental vacancy rates for Manatee County are not yet available from the 2000 US Census, so a reassessment is not possible at this time.

It is noted that this application includes an increase in multi-family units which could potentially increase the on-site supply of affordable housing and increase the current surplus of affordable housing for the project. The increase in multi-family units will be considered during any reassessments required by development order conditions.

Mass Transit

University Lakes lies within a future transit area. Condition A.(5) of the approved DO requires the Developer to work with the County to coordinate the provision of transit service to the area. County staff has indicated that transit service is not available to the University Lakes area at this time. The proposed Land Use Exchange will not increase the total demand anticipated to be generated at project buildout.

ATTACHMENT #2A
LAND USE TRADE-OFF ASSESSMENT

University Lakes DRI
Notice of Proposed Change
August, 2001

UNIVERSITY LAKES DRI

LAND USE TRADE-OFF ASSESSMENT
PHASE II
Updated August 7, 2001

Prepared For:

Schroeder-Manatee Ranch, Inc.

GRIMAIL CRAWFORD Inc.

5415 Mariner Street, Suite 108
Tampa, FL 33609
(813) 387-0084

UNIVERSITY LAKES DRI

LAND USE TRADE-OFF ASSESSMENT
Phase II
Updated August 7, 2001

Prepared For:

Schroeder-Manatee Ranch, Inc.

Prepared by:

Grimail Crawford, Inc.
5415 Mariner Street, Suite 108
Tampa, FL 33609
(813) 387-0084

August 7, 2001

Joseph J. Grimail, P.E.
Florida P.E. No. 43298

ATTACHMENT #1

UNIVERSITY LAKES DRI
LAND USE TRADE-OFF ASSESSMENT

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ATTACHMENT B – TRIP GENERATION WORKSHEETS-PROPOSED

I. INTRODUCTION

The purpose of this report is to document a land use trade-off assessment relative to the transportation impacts of University Lakes DRI Phase II. This assessment also includes the impacts of the adjacent Lakewood Ranch Corporate Park DRI. The impacts of these projects are required to be assessed as one project per a developer's agreement with the Florida Department of Community Affairs.

University Lakes DRI currently has transportation approval (with conditions) through Phase II and includes the land uses summarized in Table 1. Lakewood Ranch Corporate Park has transportation approval (with conditions) through Phase I and is also summarized in Table 1. The land use trade-off included in this assessment is cumulative with the land uses recently proposed in a trade-off assessment dated June 15, 2001. The land use trade-off proposed in this assessment includes increasing the hotel by 300 rooms and multi-family by 125 dwelling units. Correspondingly, decreasing the regional commercial by 74,742 s.f. and the single-family by 153 dwelling units. The cumulative trade-off land uses from the June 15 assessment include increasing the office use by 400,000 s.f. and decreasing the business industrial by 372,712 s.f. and retail by 240,000 s.f.

II. METHODOLOGY

The methodology followed in preparing the land use trade-off assessment included estimating the revised trip generation following trip rates published in Institute of Transportation Engineers' Trip Generation, sixth edition, 1997. This source is consistent with the traffic analysis prepared for the Phase II NOPC and traffic concurrency approval.

Estimation of external trips generated by the revised land uses will be based on the same assumptions and methodologies for internal capture, pass-by capture and diverted trip capture as was applied in the Phase II NOPC and traffic concurrency analysis.

III. PROJECT TRAFFIC GENERATION ESTIMATES

Traffic generation of the current and proposed development was estimated based on trip generation rate information contained in the ITE Trip Generation reference. Reported in Table 2 are the gross trip generation summaries for both scenarios. Detail calculations of these

trip generation summaries are provided under Attachments A and B, respectively.

Table 1
Land Use Summary
University Lakes DRI

Land Uses	Currently Approved Amounts	Proposed Amounts
University Lakes Phases I & II		
Residential Dwelling Units	2,308	2,280
Regional Commercial (s.f.)	1,055,700	740,958
Neighborhood Commercial (s.f.)	372,885	372,885
Office (s.f.)	531,926	931,926
Manufacturing (s.f.)	248,475	0
Warehousing (s.f.)	124,237	0
Hospital	150	150
Hotel	300	600
Golf Course, Tennis Courts & Center	36 h, 18 crts, 5 ksf	36 h, 18 crts, 5 ksf
Lakewood Ranch Corporate Park Phase 1		
Office (s.f.)	957,600	957,600
Office Park (s.f.)	436,000	436,000
Manufacturing (s.f.)	957,600	957,600
Warehousing (s.f.)	478,000	478,000
Commercial (s.f.)	40,000	40,000

Review of Table 2 indicates that the proposed trade-off will reduce the gross p.m. peak hour trip generation from 10,802 to 10,539. This is based on the trip rates utilized from the ITE Trip Generation reference.

In addition to reviewing the gross trip generation calculations, a review of the net trip generation estimates was also prepared. This assessment included reviewing the internal capture, pass-by capture and diverted capture estimations effected by the proposed trade-off. This assessment is summarized under Table 3. A breakdown of these figures is provided under Attachment A for the current Phase II analysis and Attachment B for the proposed assessment. This

assessment utilized the same assumptions and spreadsheets used in the Phase II DRI analysis.

Table 2
Gross Trip Generation Summary
University Lakes DRI

DRI	Current Approvals Gross P.M. Peak Hour Trips In	Current Approvals Gross P.M. Peak Hour Trips In	Proposed Trade-Off Gross P.M. Peak Hour Trips In	Proposed Trade-Off Gross P.M. Peak Hour Trips Out
University Lakes DRI Phases I & II	3,688	3,990	3,468	3,948
Lakewood Ranch Corporate Park Phase I	782	2,342	781	2,342
Totals:	4,470	6,332	4,249	6,290

Table 3
External (Net) Trip Generation Summary
University Lakes DRI

DRI	Current Approvals External P.M. Peak Hour Trips In	Current Approvals External P.M. Peak Hour Trips In	Proposed Trade-Off External P.M. Peak Hour Trips In	Proposed Trade-Off External P.M. Peak Hour Trips Out
University Lakes DRI Phases I & II				
Lakewood Ranch Corporate Park Phase I				
Combined DRI Totals:	2,866	4,699	2,685	4,697

ATTACHMENT #1

Review of Table 3 indicates that the proposed land use trade-off generates 7,382 p.m. peak hour external trips (2,685 + 4,697) compared to the currently approved 7,565 trips (2,866 + 4,699) for a reduction of 183 trips or 2.4 percent.

IV. PROJECT DISTRIBUTION AND ASSIGNMENT

Trip distribution and assignment of project traffic in the Phase II assessment was prepared based upon use of the FSUTMS model. The majority of the proposed trade-off is for business industrial and business office, which would have similar trip distribution patterns. A limited amount of regional commercial was reduced for the proposed trade-off and it was determined that this type of commercial would have longer trip lengths which would be conducive for trading with the office category.

In addition, since the amount of commercial reduced (314,742 s.f. out of 1,428,585 s.f.) was limited to a small overall amount, it was determined that the character of commercial types would not change and the trip capture percentage assumptions from the original Phase II analysis would remain. Provided under Attachments A and B are the trip capture worksheets for the Phase II and proposed land use scenarios.

V. CONCLUSION

A land use trade-off assessment for University Lakes was performed increase the office use by 400,000 square feet (s.f.), hotel by 300 rooms and multi-family by 125 dwelling units. Correspondingly, decreasing the business industrial by 372,712 s.f., the regional commercial by 314,742 s.f. and the single-family by 153 dwelling units.

The proposed trade-off results in a slight reduction of gross and net p.m. peak hour external traffic generated by the project. The gross trip generation for the currently approved land uses is 10,802 trips and for the proposed land uses is 10,539 trips. The net external trips for the current Phase II land uses are estimated at 7,565 trips and for the proposed land use trade-off the net external trips are 7,382.

Consequently, the proposed land use trade-off will not result in additional impacts that were not already analyzed in the Phase II DRI NOPC and traffic concurrency analyses.

ATTACHMENT A
TRIP GENERATION WORKSHEETS
PHASE II-Originally Approved NOPC

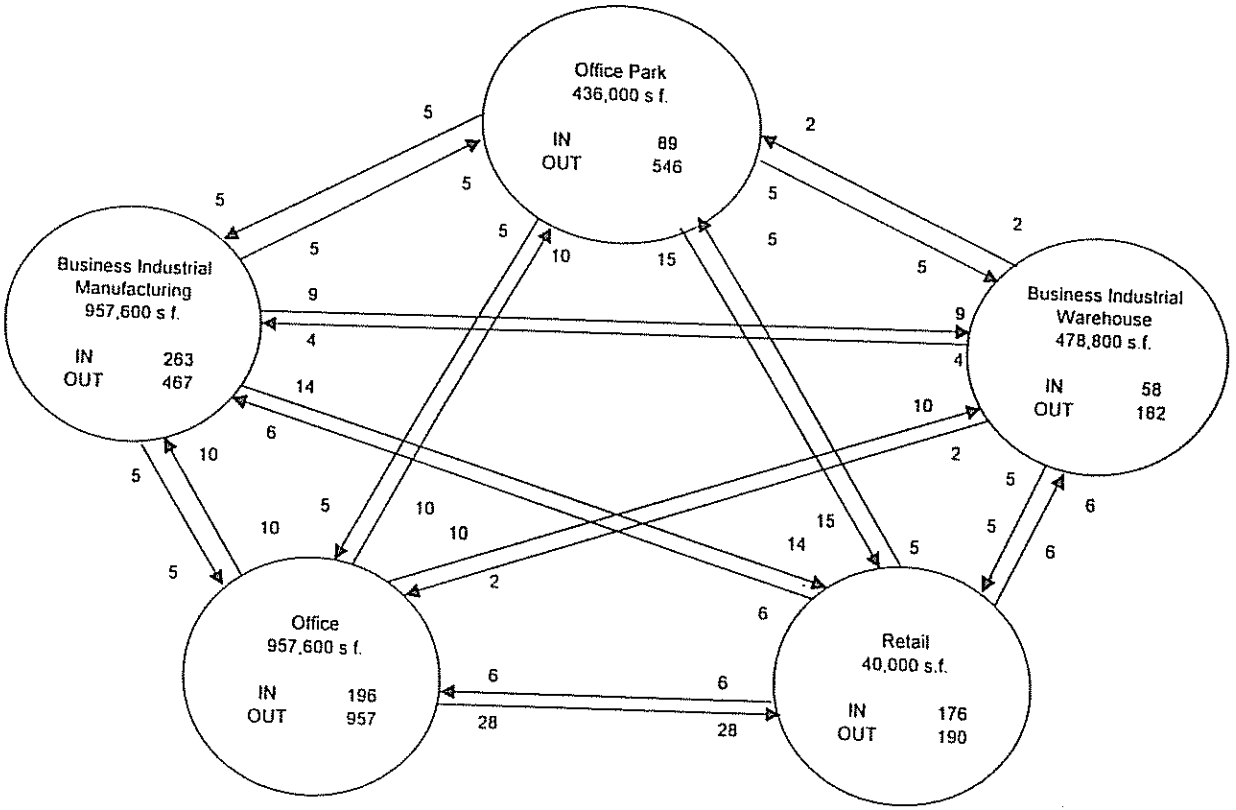
Revised Table 21-7
Trip Generation Estimates
University Lakes DRI

Phase	Land Use	LUC	Size	Daily Trips (Two-Way)	AM Peak Hour Trips In	AM Peak Hour Trips Out	PM Peak Hour Trips In	PM Peak Hour Trips Out
University Lakes (Phases I-II)-Trip Generation Estimates								
I & II	S.F. Dwelling Units	210	1,330 d.u.	11,209	233	699	707	398
	S.F. Dwelling Units	230	243 d.u.	1,385	18	85	86	42
	M.F. Dwelling Units	220	736 d.u.	4,546	59	310	279	138
	General Commercial Retail	820	904,638 s.f.	28,092	362	232	1262	1367
	Neighborhood Commercial Retail	820	222,885 s.f.	11,413	157	101	521	564
	General Commercial Retail	820	150,000 s.f.	8,847	124	79	405	439
	Business Office	710	531,926 s.f.	4,790	622	85	115	561
	Business Industrial (Manuf.)	140	248475 s.f.	944	137	41	65	115
	Business Industrial (Warehouse)	150	124237s.f.	807	78	17	21	66
	Hospital	610	150 beds	2,825	116	45	62	121
	Hotel	310	300 occ. rms.	2,676	119	86	98	103
	Golf Course	430	36 holes	1,287	63	17	44	55
	Tennis Courts	491	9 courts	279	9	7	19	16
	Tennis Center	492	5.000 s.f.	86	3	4	4	5
			Total Trips =	79,186	2,100	1,808	3,688	3,990
University Place (Phase I)-Trip Generation Estimates								
I	Business Industrial (Manuf.)	140	957,600 s.f.	3,696	591	176	263	467
	Business Industrial (Warehouse)	150	478,800 s.f.	2,110	203	44	58	182
	Office	710	957,600 s.f.	7,524	994	135	196	957
	Office Park	750	436,000 s.f.	4,953	668	83	89	546
	Retail	820	40.000 s.f.	3,782	57	36	176	190
			Total Trips =	22,065	2,513	474	782	2,342

Source : University Lakes DRI Phase II/Concurrency Analyses

ATTACHMENT #D

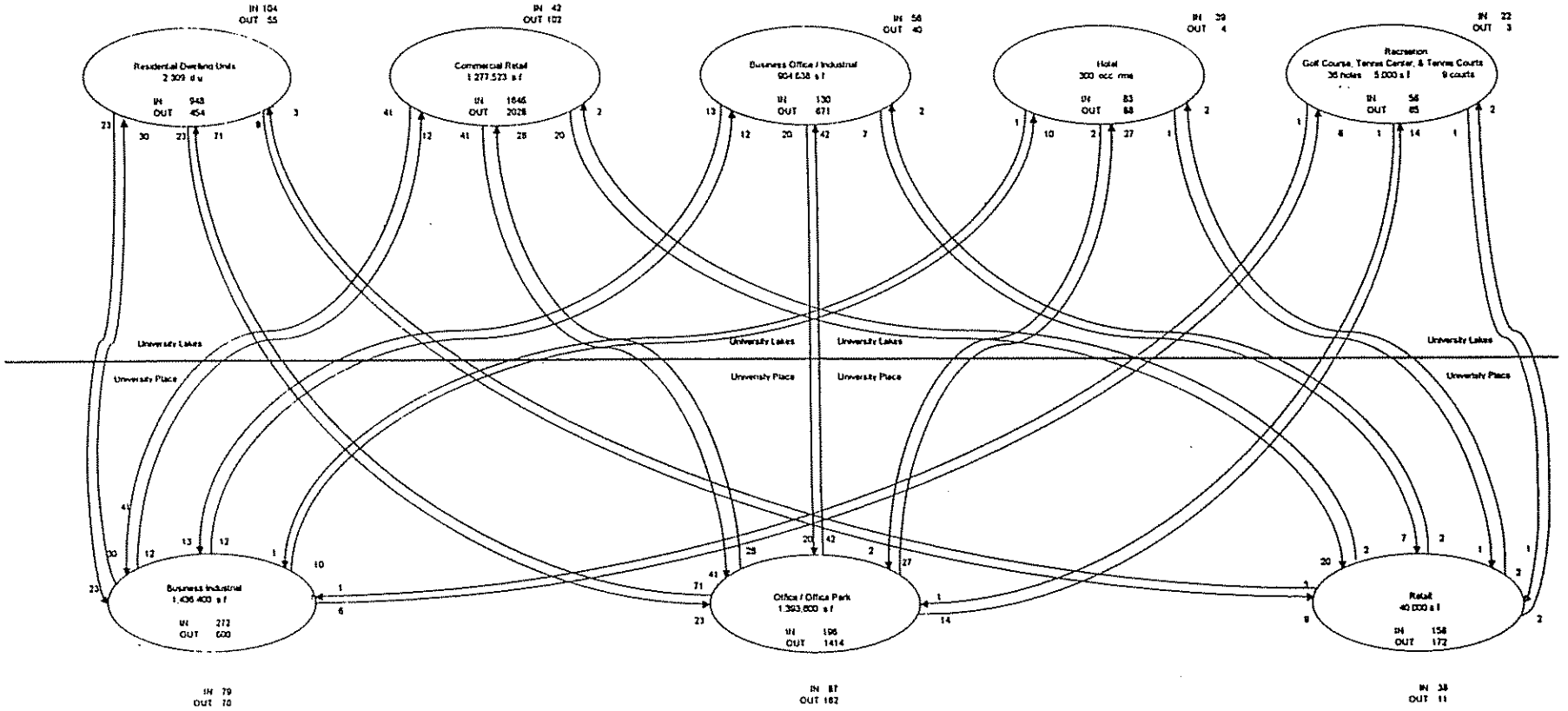
University Place Internal Trips
2009 P.M. Peak Hour



	Manufact	WareHou	Office	Office Park	Retail
Business Industrial (Manufacturing)	0%				
Business Industrial (Warehouse)	2%	0%			
Office	1%	1%	0%		
Office Park	1%	1%	1%	0%	
Retail	3%	3%	3%	3%	0%

Internal Trips	In	156
	Out	156
Total Trips	In	782
	Out	2,342
Percentage of Total Trips (In + Out)		10%

University Lakes / University Place Interaction Trips



University Lakes	University Place Business	Office	Retail
Residential Dwelling Units	5%	5%	2%
Commercial Retail	2%	2%	1%
Business Office / Industrial	2%	3%	1%
Hotel	2%	2%	1%
Recreation	1%	1%	1%

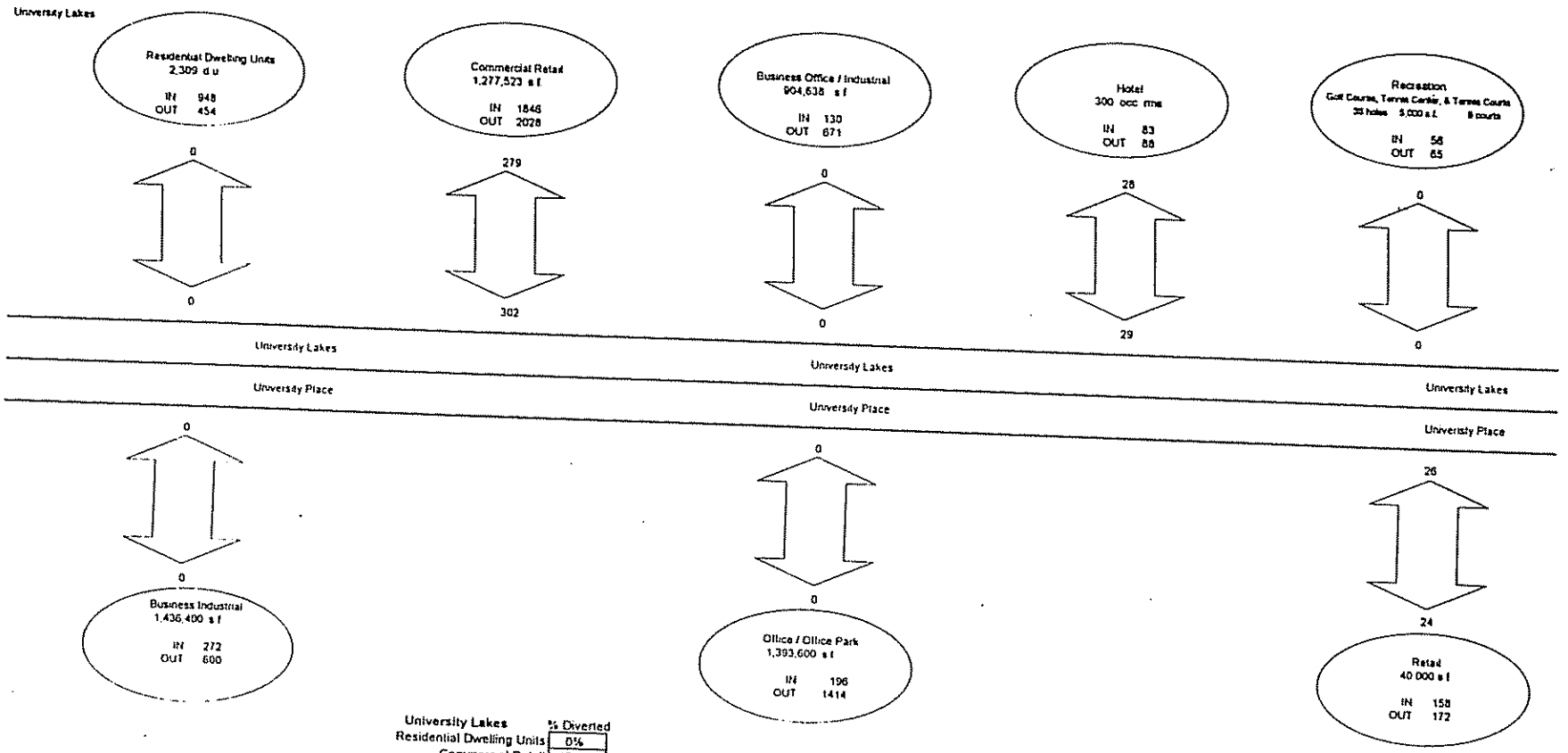
		University Lake:	University Place
Total Interaction Trips	In	263	204
	Out	204	263
Total External Trips	In	3,112	628
	Out	3,414	2,186

Percentage of Total Interaction Trips (In + Out) 10%

* Note * Internal Capture has been subtracted out of the Trip Generation.

EXHIBIT # 12

University Lakes / University Place Diverted Trips
2009 P.M. Peak Hour



University Lakes	% Diverted
Residential Dwelling Units	0%
Commercial Retail	15%
Business Office / Industrial	0%
Hotel	33%
Recreation	0%
University Place	
Business Industrial	0%
Office / Office Park	0%
Retail	15%

		University Lakes	University Place
Total Diverted Trips Commercial	In	279	24
	Out	302	26
Hotel	In	28	
	Out	29	
Total Trips	In	3,112	626
	Out	3,414	2,166

Percentage of Total Trips (In + Out) 7.4%

* Note * Internal Capture has been subtracted out of the Trip Generation.

Diverted Trips for Shopping Centers
Results of Shopping Center Studies
Largest Size 1,200,000 sq ft
Average Size 329,000 sq ft
Median Size 230,000 sq ft
Smallest Size 9,000 sq ft
Source: *Trip Generation Handbook, October 1998*

Range of Diverted Link Trip % = 6 % to 44 %

Average Diverted Link Trip %= 26 %
Median Diverted Link Trip %= 27 %

*Hotel rate based on the close proximity of hotel site to the I-75 interchange and potential signage on I-75 to divert trips to the hotel.

ATTACHMENT #14

Revised Table 21-8
Internal/External Trip Estimates
University Lakes DRI

		A.M. Peak Hour		P.M. Peak Hour	
	Daily	In	Out	In	Out
University Lakes (Phases I-II)-Trip Generation Estimates					
Total Gross Vehicle Trip-ends =	79,186	2,100	1,808	3,688	3,990
Internal Capture Trips (15%) =	11,878	293	293	576	576
Total Gross External Vehicle Trip-ends =	67,308	1,807	1,515	3,112	3,414
University Place (Phase I)-Trip Generation Estimates					
Total Gross Vehicle Trip-ends =	22,065	2,513	474	782	2,342
Internal Capture Trips (10%) =	2,207	149	149	156	156
Total Gross External Vehicle Trip-ends =	19,858	2,364	325	626	2,186
Total Net External Trips for Both Projects =	87,166	4,171	1,840	3,738	5,600
10% DRI Interaction (Univ. Lakes To/From Univ. Place)	8,717	301	301	467	467
Pass-by Capture Trips=	1,630	80	51	74	77
Diverted Capture Trips=	6,413	307	135	331	357
Total New Net External Trips for Both Projects =	*70,406*	*3,483*	*1,353*	*2,866*	*4,699*

ATTACHMENT #1 5

ATTACHMENT B
TRIP GENERATION WORKSHEETS
PROPOSED TRADE-OFF USES

Revised Table 21-7
Trip Generation Estimates
University Lakes DRI

Phase	Land Use	LUC	Size	Daily Trips (Two-Way)	AM Peak Hour Trips		PM Peak Hour Trips	
					In	Out	In	Out
University Lakes (Phases I-II)-Trip Generation Estimates								
I & II	S.F. Dwelling Units	210	1,330 d.u.	11,209	233	699	707	398
	S.F. Dwelling Units	230	90 d.u.	595	8	39	38	18
	M.F. Dwelling Units	220	861 d.u.	5,295	69	362	325	160
	General Commercial Retail	820	560,958 s.f.	20,660	273	174	933	1011
	Neighborhood Commercial Retail	820	222,885 s.f.	11,413	157	101	521	564
	General Commercial Retail	820	150,000 s.f.	8,847	124	79	405	439
	Business Office	710	931,926 s.f.	7,369	972	133	191	933
	Business Industrial (Manuf.)	140	0	0	0	0	0	0
	Business Industrial (Warehouse)	150	0	0	0	0	0	0
	Hospital	610	150 beds	2,825	116	45	62	121
	Hotel	310	600 occ. rms.	5,352	255	184	219	228
	Golf Course	430	36 holes	1,287	63	17	44	55
	Tennis Courts	491	9 courts	279	9	7	19	16
	Tennis Center	492	5.000 s.f.	86	3	4	4	5
			Total Trips =	75,217	2,282	1,844	3,468	3,948
University Place (Phase I)-Trip Generation Estimates								
I	Business Industrial (Manuf.)	140	957,600 s.f.	3,696	591	176	263	467
	Business Industrial (Warehouse)	150	478,000 s.f.	2,107	203	44	57	182
	Office	710	957,600 s.f.	7,524	994	135	196	957
	Office Park	750	436,000 s.f.	4,953	668	83	89	546
	Retail	820	40.000 s.f.	3,782	57	36	176	190
			Total Trips =	22,062	2,513	474	781	2,342

8/7/01

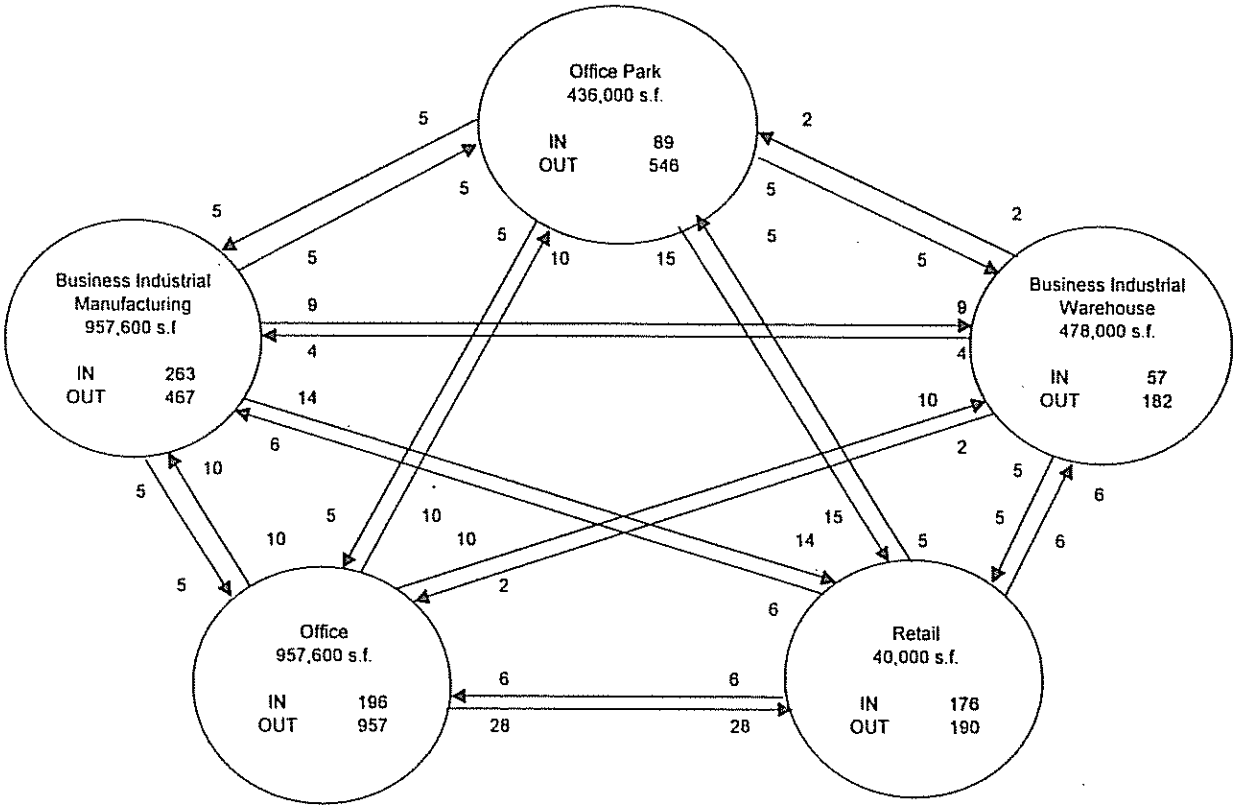
ATTACHMENT #1 B-1

Revised Table 21-8
Internal/External Trip Estimates
University Lakes DRI

	Daily	A.M. Peak Hour In	A.M. Peak Hour Out	P.M. Peak Hour In	P.M. Peak Hour Out
University Lakes (Phases I-II)-Trip Generation Estimates					
Total Gross Vehicle Trip-ends =	75,217	2,282	1,844	3,468	3,948
Internal Capture Trips (15%) =	11,283	309	309	556	556
Total Gross External Vehicle Trip-ends =	63,934	1,973	1,535	2,912	3,392
University Place (Phase I)-Trip Generation Estimates					
Total Gross Vehicle Trip-ends =	22,062	2,513	474	781	2,342
Internal Capture Trips (10%) =	2,206	149	149	156	156
Total Gross External Vehicle Trip-ends =	19,856	2,364	325	625	2,186
Total Net External Trips for Both Projects =	83,790	4,337	1,860	3,537	5,578
10% DRI Interaction (Univ. Lakes To/From Univ. Place)	8,379	310	310	456	456
Pass-by Capture Trips=	1,630	80	51	74	77
Diverted Capture Trips=	6,145	318	136	322	348
Total New Net External Trips for Both Projects =	***67,636***	***3,629***	***1,363***	***2,685***	***4,697***

8/7/01

University Place Internal Trips
2009 P.M. Peak Hour



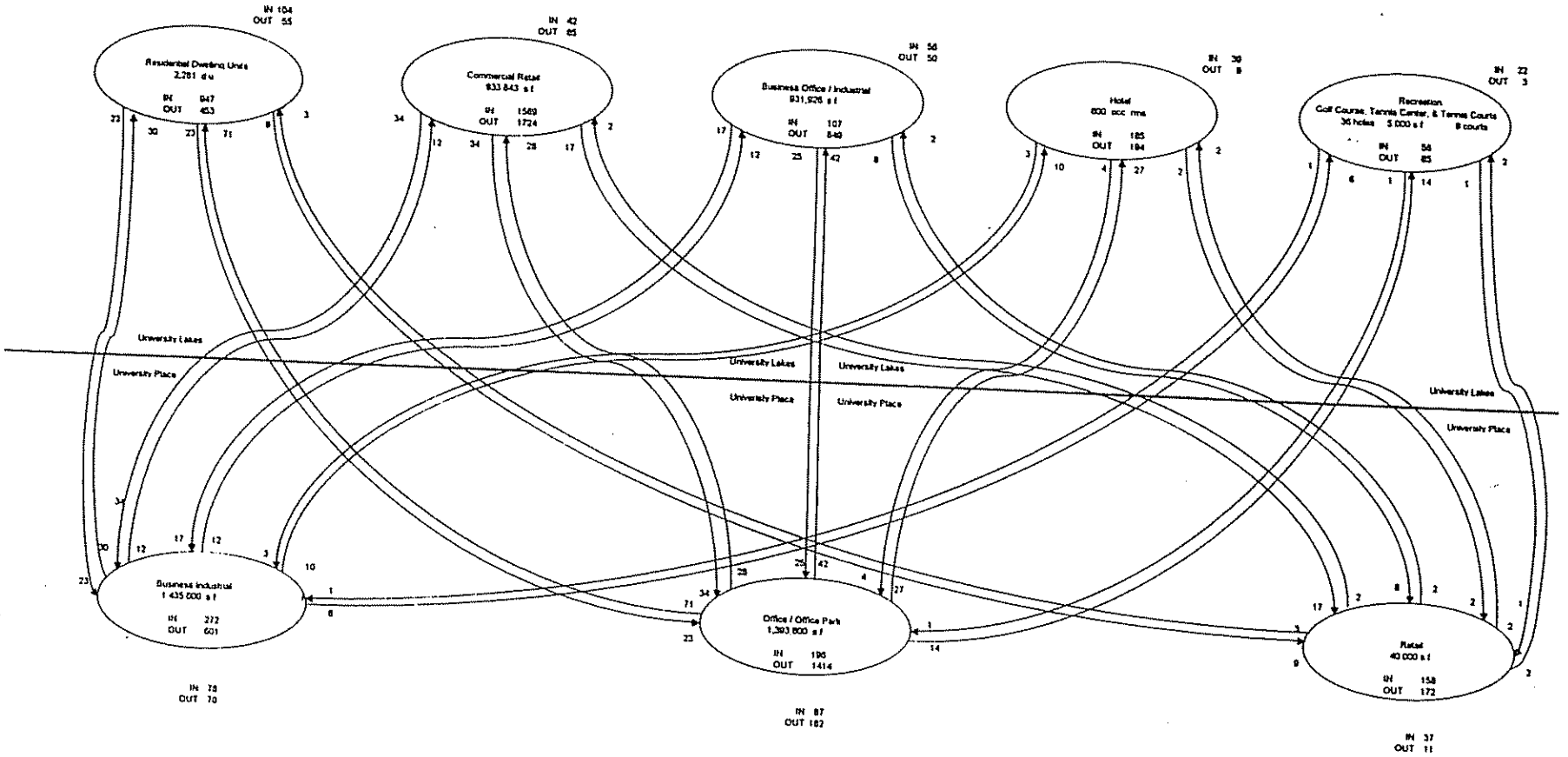
	Manufact	WareHou	Office	Office Park	Retail
Business Industrial (Manufacturing)	0%				
Business Industrial (Warehouse)	2%	0%			
Office	1%	1%	0%		
Office Park	1%	1%	1%	0%	
Retail	3%	3%	3%	3%	0%

Internal Trips	In	156
	Out	156
Total Trips	In	781
	Out	2,342
Percentage of Total Trips (In + Out)		10%

ATTACHMENT #1 B-3

ATTACHMENT #1 B-4

University Lakes / University Place Interaction Trips



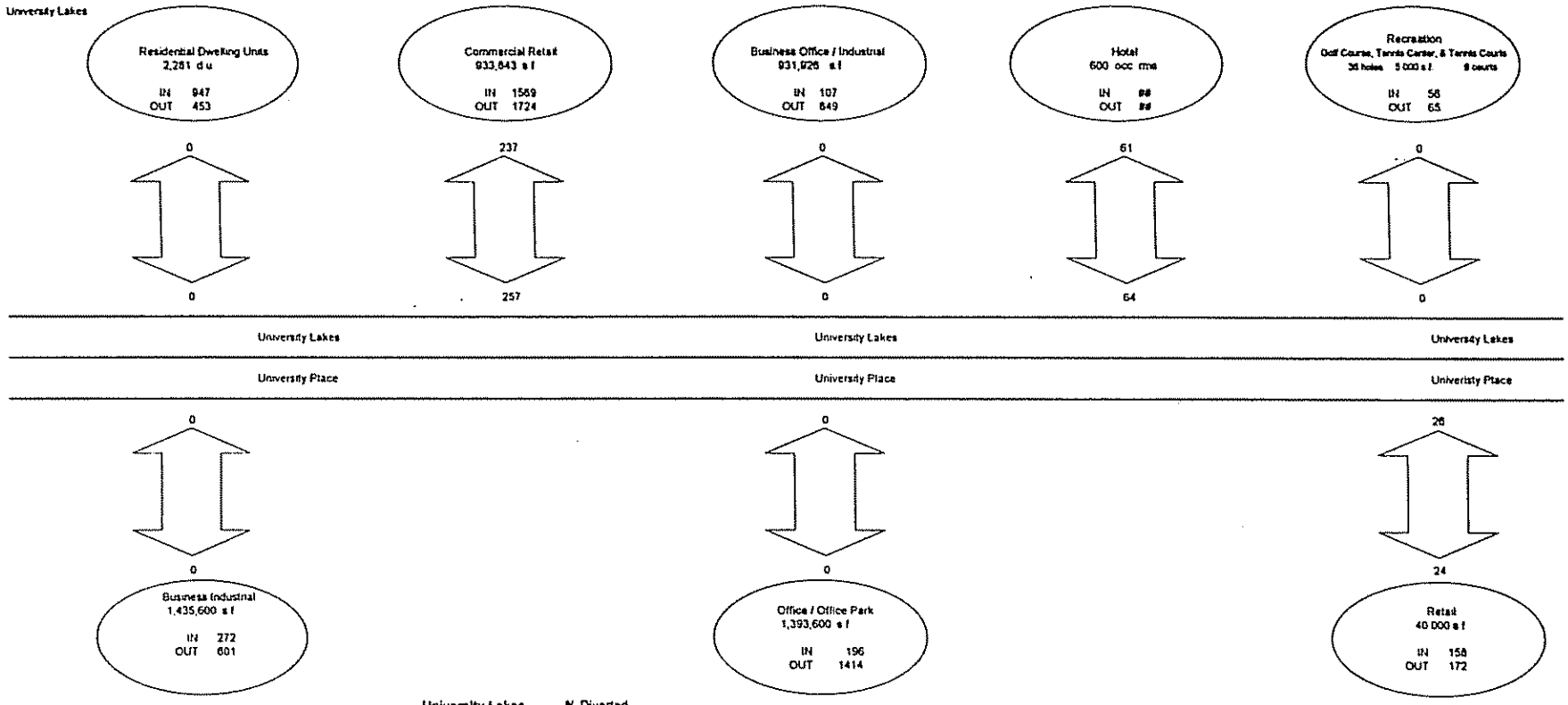
University Lakes	University Place Business	Office	Retail
Residential Dwelling Units	5%	5%	2%
Commercial Retail	2%	2%	1%
Business Office / Industrial	2%	3%	1%
Hotel	2%	2%	1%
Recreation	1%	1%	1%

		University Lake	University Place
Total Interaction Trips	In	263	202
	Out	202	263
Total External Trips	In	2,812	625
	Out	3,392	2,186

Percentage of Total Interaction Trips (In + Out) 10%

* Note * Internal Capture has been subtracted out of the Trip Generation

University Lakes / University Place Diverted Trips
2009 P.M. Peak Hour



University Lakes	% Diverted
Residential Dwelling Units	0%
Commercial Retail	15%
Business Office / Industrial	0%
Hotel	33%
Recreation	0%
University Place	
Business Industrial	0%
Office / Office Park	0%
Retail	15%

		University Lakes	University Place
Total Diverted Trips Commercial	In	237	24
	Out	257	26
Hotel	In	61	
	Out	64	
Total Trips	In	2,912	825
	Out	3,392	2,186

* Note * Internal Capture has been subtracted out of the Trip Generation.

Percentage of Total Trips (In + Out) 7.3%

Diverted Trips for Shopping Centers
Results of Shopping Center Studies
Largest Size 1,200,000 sq ft
Average Size 329,000 sq ft
Median Size 230,000 sq ft
Smallest Size 9,000 sq ft
Source: *Trip Generation Handbook, October 1998*

Range of Diverted Link Trip % = 6 % to 44 %

Average Diverted Link Trip %= 26 %
Median Diverted Link Trip %= 27 %

*Hotel rate based on the close proximity of hotel site to the I-75 interchange and potential signage on I-75 to divert trips to the hotel.

ATTACHMENT #1 B-5

LAND USE SCHEDULE

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	723.3 (+20)		3,108 (-29)
REGIONAL COMMERCIAL	68.8	1,000,000 * (-240,000)	
COMMUNITY COMMERCIAL	17.5 (-20)	306,358 (-74,742)	
HIGHWAY COMMERCIAL	25.0	400,000 *	
BUSINESS	110.1	1,995,258 (+27,258)	
RIGHT-OF-WAY	178.4		
RECREATION	230.4		
WETLANDS	378.9		
LAKES	358.8		
OPEN SPACE	210.0		
TOTAL	2421.7	3,701,546 (-287,484)	3,108 (-29)

* Includes 800 hotel rooms (+300)

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- LAKES
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- EXISTING WATER WELLS

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS

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MASTER DEVELOPMENT PLAN
University Lakes

A PLANNED DEVELOPMENT

By Schroeder-Manatee, Inc.

AUGUST 15, 2001 | Sheet 1 of 2

MAP H

ATTACHMENT #3

ATTACHMENT #4

LEGAL DESCRIPTION FOR

A TRACT OF LAND SITUATED AND BEING IN SECTIONS 28, 29, 31, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E. AND SECTION 36, TOWNSHIP 35 S., RANGE 18 E., MANATEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 29, 30, 31 AND 32, TOWNSHIP 35 S., RANGE 19 E., FOR A POINT OF BEGINNING; THENCE N 00°22'41" E, ALONG THE WEST LINE OF SAID SECTION 29, A DISTANCE OF 2656.57 FT. TO THE NORTHWEST CORNER OF THE SOUTHWEST ¼ OF SAID SECTION 29; THENCE S 89°30'30" E, ALONG THE NORTH LINE OF SAID SOUTHWEST ¼, A DISTANCE OF 1337.72 FT. TO THE NORTHEAST CORNER OF THE WEST ½ OF SAID SOUTHWEST ¼; THENCE S 00°27'02" W, ALONG THE EAST LINE OF SAID WEST ½ OF THE SOUTHWEST ¼, A DISTANCE OF 2656.59 FT. TO THE SOUTHEAST CORNER OF SAID WEST ½ OF THE SOUTHWEST ¼; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 29 (ALSO BEING THE NORTH LINE OF SECTION 32, TOWNSHIP 35 S., RANGE 19 E.), A DISTANCE OF 4003.06 FT. TO THE SECTION CORNER COMMON TO SECTION 28, 29, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E.; THENCE N 00°40'07" E, ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 2236.01 FT.; THENCE S 89°31'24" E, PARALLEL WITH THE NORTH LINE OF SAID SECTION 28 AND 3077.34 FT. SOUTHERLY THEREFROM, A DISTANCE OF 2665.72 FT. TO THE INTERSECTION WITH THE EAST LINE OF THE WEST ½ OF SAID SECTION 28;THENCE S 00°45'47" W, ALONG THE EAST LINE OF SAID WEST ½, A DISTANCE OF 2236.80 FT. TO THE INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 28; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 28 (ALSO BEING THE NORTH LINE OF SECTION 33, TOWNSHIP 35 S., RANGE 19 E.), A DISTANCE OF 2662.03 FT. TO THE NORTHEAST CORNER OF SAID SECTION 33; THENCE S 01°24'24" W, ALONG THE EAST LINE OF SAID SECTION 33, A DISTANCE OF 6019.29 FT. TO THE SOUTHEAST CORNER OF SAID SECTION 33; THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 33 (ALSO BEING THE COMMON LINE BETWEEN MANATEE AND SARASOTA COUNTIES), A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 33 (SAME BEING THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 35 S., RANGE 19 E.); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 32, AND THE COUNTY LINE, A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 32 (SAME BEING THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 35 S., RANGE 19 E.); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 31 AND THE COUNTY LINE, A DISTANCE OF 4602.00 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE N 00°37'10" E, ALONG THE WEST LINE OF SAID SECTION 31, ALSO BEING THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY OF STATE ROAD NO. 93 (INTERSTATE 75), A DISTANCE OF 615.95 FT. TO A POINT ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S 67°41'09" E, 216.00 FT.; THENCE RUN NORTHEASTERLY, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 65°57'32", A DISTANCE OF 248.66 FT. TO THE P.T. OF SAID CURVE; THENCE N 88°16'24" E, ALONG THE LIMITED ACCESS RIGHT-OF-WAY OF STATE ROAD NO. 93 (I-75) – "UNIVERSITY PARKWAY" INTERCHANGE, A DISTANCE OF 628.74 FT.; THENCE S 89°27'41" E, ALONG SAID LIMITED ACCESS INTERCHANGE RIGHT-OF-WAY, A DISTANCE OF 298.75 FT. TO THE EASTERLY END OF SAID LIMITED ACCESS INTERCHANGE RIGHT-OF-WAY; THENCE CONTINUE S 89°25'29" E, ALONG THE SOUTHERLY RIGHT-OF-WAY OF "UNIVERSITY PARKWAY", A DISTANCE OF 133.18 FT.; THENCE N 00°34'14" E, ALONG THE EASTERLY END OF SAID "UNIVERSITY PARKWAY" RIGHT-OF-WAY, A DISTANCE OF 336.00 FT.; THENCE N 89°26'21" W, ALONG THE NORTH LINE OF A 60 FT. WIDE F.D.O.T. SERVICE ROAD RIGHT-OF-WAY, WHICH LIES PARALLEL AND CONTIGUOUS WITH THE NORTHERLY SIDE OF "UNIVERSITY PARKWAY", A DISTANCE OF 606.88 FT.; THENCE N 85°37'30" W, ALONG SAID SERVICE ROAD RIGHT-OF-WAY, A DISTANCE OF 460.53 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 396.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID SERVICE ROAD RIGHT-OF-WAY, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°45'40", A DISTANCE OF 191.87 FT. TO THE INTERSECTION WITH THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E., SAME BEING THE EAST LINE OF SECTION 36, TOWNSHIP 35 S., RANGE 18 E., (THE RANGE LINE); THENCE S 01°15'38" W, ALONG THE COMMON LINE BETWEEN SAID SECTION 31 AND 36 (THE RANGE LINE), SAME BEING THE WESTERLY END

OF SAID F.D.O.T. SERVICE ROAD RIGHT-OF-WAY, A DISTANCE OF 68.34 FT. TO THE INTERSECTION WITH THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY OF SAID STATE ROAD NO. 93 (I-75), SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES N 27°43'29" E, 456.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°29'56", A DISTANCE OF 274.57 FT. TO THE P.T. OF SAID CURVE; THENCE N 27°46'35" W, ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY, A DISTANCE OF 566.48 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 4489.66 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°57'00", A DISTANCE OF 1014.75 FT. TO THE P.T. OF SAID CURVE; THENCE N 14°49'36" W, ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY, A DISTANCE OF 899.55 FT.; THENCE N 13°40'49" W, ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY, A DISTANCE OF 1016.32 FT.; THENCE S 88°46'12" E, A DISTANCE OF 1369.85 FT. TO THE INTERSECTION WITH THE EAST LINE OF SAID SECTION 36, TOWNSHIP 35 S., RANGE 18 E., SAME BEING THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E. (THE RANGE LINE); THENCE S 89°40'28" E, A DISTANCE OF 1438.64 FT.; THENCE N 01°15'38" E, A DISTANCE OF 1532.73 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E. (SAID POINT LYING S 89°40'28" E, ALONG SAID NORTH LINE, A DISTANCE OF 1438.64 FT. FROM THE NORTHWEST CORNER OF SAID SECTION 31); THENCE S 89°40'28" E, ALONG THE NORTH LINE OF SAID SECTION 31, A DISTANCE OF 3165.00 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTIONS 28, 29, 31, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E. AND SECTION 36, TOWNSHIP 35 S., RANGE 18 E., MANATEE COUNTY, FLORIDA.

ALSO:

A TRACT OF LAND SITUATED AND BEING IN SECTION 34, TOWNSHIP 35 S., RANGE 19 E., MANATEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N 01°24'24" E, ALONG THE WESTERLY LINE OF SAID SECTION 34, A DISTANCE OF 6019.33 FT. TO THE NORTHWEST CORNER OF SAID SECTION 34; THENCE N 89°57'56" E, ALONG THE NORTHERLY LINE OF SAID SECTION 34, A DISTANCE OF 120.02 FT.; THENCE S 00°51'27" W, A DISTANCE OF 1.87 FT. TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2190.00 FT. AND A CENTRAL ANGLE OF 13°14'44"; THENCE ALONG THE ARC IN A SOUTHERLY DIRECTION, AN ARC DISTANCE OF 506.28 FT. TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 12°23'18" E., A DISTANCE OF 982.01 FT. TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3060.00 FT. AND A CENTRAL ANGLE OF 10°28'18"; THENCE ALONG THE ARC IN A SOUTHERLY DIRECTION, A DISTANCE OF 559.26 FT. TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 01°55'00" E., A DISTANCE OF 2240.90 FT. TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 10560.00 FT. AND A CENTRAL ANGLE OF 01°56'28"; THENCE ALONG THE ARC IN A SOUTHERLY DIRECTION, A DISTANCE OF 357.76 FT. TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 00°01'28" W, A DISTANCE OF 1402.77 FT. TO THE SOUTHERLY LINE OF SAID SECTION 34; THENCE N 89°58'32" W, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 678.98 FT. TO THE POINT OF BEGINNING.

TOGETHER WITH AND INCLUDING THE FOLLOWING TWO PARCELS OF LAND:

COMMENCE AT THE SECTION CORNER COMMON TO SECTION 29, 30, 31 AND 32, TOWNSHIP 35 S., RANGE 19 E.; THENCE N 00°22'41" E, ALONG THE WEST LINE OF SECTION 29, A DISTANCE OF 2656.57 FT. TO THE NORTHWEST CORNER OF THE SW ¼ OF SECTION 29; THENCE S 89°30'30" E, ALONG THE NORTH LINE OF SAID SW ¼, A DISTANCE OF 211.38 FT. TO THE POINT OF BEGINNING; THENCE N 26°03'03" E, A DISTANCE OF 41.15 FT.; THENCE S 61°21'58" E, A DISTANCE OF 78.71 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SW ¼ AT A POINT HEREINAFTER CALLED POINT "A"; THENCE N 89°30'30" W, ALONG THE NORTH LINE OF SAID SW ¼, A DISTANCE OF 87.16 FT. TO THE POINT OF BEGINNING.

AND

COMMENCE AT THE ABOVE DESCRIBED POINT "A"; THENCE S 89°30'30" E, ALONG THE NORTH LINE OF SAID SW ¼, A DISTANCE OF 129.28 FT. TO THE POINT OF BEGINNING, AT A POINT ON THE ARC OF A CURVE WHOSE RADIUS POINT BEARS S 49°26'14" E, A DISTANCE OF 295.00 FT.; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3°12'50", A DISTANCE OF 16.55 FT.; THENCE S 46°13'24" E, A DISTANCE OF 18.02 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SW ¼; THENCE N 89°30'30" W, ALONG THE NORTH LINE OF THE SW ¼, A DISTANCE OF 24.12 FT. TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING TWO PARCELS OF LAND:

COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 29, 30, 31 AND 32, TOWNSHIP 35 S., RANGE 19 E.; THENCE N 00°22'41" E, ALONG THE WEST LINE OF SECTION 29, A DISTANCE OF 2656.57 FT. TO THE NORTHWEST CORNER OF THE SW ¼ OF SECTION 29, ALSO BEING THE SOUTHWEST CORNER OF THE NW ¼ OF SECTION 29; THENCE S 89°30'30" E, ALONG THE SOUTH LINE OF SAID NW ¼, A DISTANCE OF 298.54 FT. TO THE POINT OF BEGINNING; THENCE CONTINUE S 89°30'30" E, ALONG THE SOUTH LINE OF SAID NW ¼, A DISTANCE OF 129.28 FT. TO A POINT HEREINAFTER CALLED POINT "B" ALSO BEING A POINT ON THE ARC OF A CURVE WHOSE RADIUS POINT BEARS S 49°26'14" E, A DISTANCE OF 295.00 FT.; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°55'45", A DISTANCE OF 61.42 FT.; THENCE N 61°21'58" W, A DISTANCE OF 107.63 FT. TO THE POINT OF BEGINNING.

AND

COMMENCE AT THE ABOVE DESCRIBED POINT "B"; THENCE S 89°30'30" E, ALONG THE SOUTH LINE OF SAID NW ¼, A DISTANCE OF 24.12 FT. TO THE POINT OF BEGINNING; THENCE CONTINUE S 89°30'30" E, ALONG THE SOUTH LINE OF SAID NW ¼, A DISTANCE OF 767.44 FT.; THENCE S 00°29'12" W, A DISTANCE OF 46.03 FT.; THENCE N 89°30'48" W, A DISTANCE OF 469.78 FT.; THENCE N 61°13'53" W, A DISTANCE OF 51.46 FT.; THENCE S 85°03'09" W, A DISTANCE OF 131.05 FT.; THENCE S 33°11'55" W, A DISTANCE OF 59.75 FT.; THENCE N 46°13'24" W, A DISTANCE OF 123.10 FT. TO THE POINT OF BEGINNING.

ALL OF THE ABOVE BEING AND LYING IN SECTIONS 28, 29, 31 32, 33 AND 34, TOWNSHIP 35 S., RANGE 19 E., AND SECTION 36, TOWNSHIP 35 S., RANGE 18 E., MANATEE COUNTY, FLORIDA.

CONTAINING A NET OF 2421.74 ACRES MORE OR LESS.

BOARD OF COUNTY COMMISSIONERS SEAL MANATEE CO., FLA.

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 20th day of December .20 01
R.B. SHORE
Clerk of Circuit Court
By: D.C.

#216

MANATEE COUNTY GOVERNMENT

PLANNING DEPARTMENT
"TO SERVE WITH EXCELLENCE"

March 16, 2000

Mr. John Meyer
DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

Re: Development Order for Schroeder-Manatee Ranch, Inc./University Lakes

Dear Mr. Meyer:

Enclosed is a certified copy of Ordinance 00-45, the amended Development Order for Schroeder-Manatee Ranch, Inc./University Lakes, as adopted in open session by the Manatee County Board of County Commissioners on February 22, 2000, as required by Rule 9J-2.025(5), Florida Administrative Code.

If I can be of further assistance, please contact me at (941)749-3070, extension 6833.

Sincerely,

Robert H. Pederson, AICP
Community Planning Adminstrator

RHP/ks
Enlcosure

1112 Manatee Avenue West • Fourth Floor • Bradenton, Florida Tel. (941) 749-3070 • FAX: (941) 749-3071
P.O. Box 1000 • Bradenton, Florida 34206-1000

RECORDED 2/22/00
PAGE NO. 1
MINUTE BOOK NO. _____

ORDINANCE-00-45
SCHROEDER-MANATEE RANCH, INC.
(UNIVERSITY LAKES OF MANATEE, INC.)
DEVELOPMENT ORDER ORDINANCE
GRANTING AMENDMENTS TO AND REPLACING ORDINANCE-92-32, AS AMENDED BY ORDINANCE-93-25, ORDINANCE-95-44, ORDINANCE 97-61, AND ORDINANCE 97-81.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE DEVELOPMENT ORDER FOR THE UNIVERSITY LAKES DEVELOPMENT OF REGIONAL IMPACT (MANATEE COUNTY DRI #22, A/K/A TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI #216); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONCLUSIONS OF LAW; PROVIDING FOR DEFINITIONS; PROVIDING FOR AMENDED LIMITATIONS ON AND CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 31, 1991, University Lakes of Manatee, Inc. filed an Application for Development Approval* (ADA*) of a Development of Regional Impact (DRI) with the Manatee County Board of County Commissioners (County*) pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said ADA* proposed construction of a multi-use project on approximately two-thousand three-hundred fifty-three (2,353) acres, located in southern Manatee County, hereinafter referred to as University Lakes DRI, or the Project*; and

WHEREAS, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, a second development is planned, commonly known as University Place, adjacent to the Manatee County line in Sarasota County; and

WHEREAS, the University Lakes and University Place DRI's have been reviewed pursuant to the terms of the 380 Review Agreement* defined in Section 3. below; and

WHEREAS, the Board of County Commissioners, on June 1, 1992, approved Ordinance 92-32, which granted local approval to University Lakes, DRI No. 22,; and

WHEREAS, the Department of Community Affairs and the Tampa Bay Regional Planning Council appealed Ordinance 92-32 within the statutory time frame allowed; and

WHEREAS, the Developer* entered into a settlement agreement with the Department of Community Affairs and the Tampa Bay Regional Planning Council to resolve their concerns; and

WHEREAS, on October 24, 1993, the Board of County Commissioners of Manatee County adopted an amended Development Order (Ordinance 93-25) for the University Lakes DRI adopting language to settle administrative action between the Department of Community Affairs, Tampa Bay Regional Planning Council, and Schroeder-Manatee Ranch, Inc., et. al.; and

WHEREAS, on January 25, 1996, The Board of County Commissioners adopted Ordinance 95-44, approving amendments to modify development totals, add 69.8 acres, and modify various definitions and conditions of the Development Order for the University Lakes DRI, which amendments were not found to be a Substantial Deviation to the originally approved Development Order; and

WHEREAS, on October 28, 1997, The Board of County Commissioners adopted Ordinance 97-61, approving amendments to extend the buildout and expiration dates; amend Map H to modify acreage totals per land use, change one subphase from business to residential, modify the internal roadway network between I-75 and Lakewood Ranch Boulevard; amend transportation, wetland, and other conditions; employ the land use trade-off mechanism in the D.O. to modify development totals in Phases I, II and III; modify the Certificate of Level of Service for Phase I to address land use exchanges; approve Development Order modifications to more accurately reflect the status of compliance with certain conditions of approval; and

WHEREAS, on December 16, 1997, the Board of County Commissioners adopted Ordinance 97-81, to allow a hospital use in Phase II of the development; and

WHEREAS, the Developer* of University Lakes submitted and supplied information pursuant to the Notice of Proposed Change Provisions of Section 380.06, Florida Statutes, concerning the regional impacts of Traffic, Air Quality and Affordable Housing to Manatee County concerning the proposed development in Phase II, pursuant to the which information was reviewed by the Tampa Bay Regional Planning Council, Department of Community Affairs and other applicable state agencies, each of which had opportunity to request additional information and make comments and suggestions, and each of which in fact did so. The Developer* further responded to questions and comments raised by said parties in the form of sufficiency responses.

WHEREAS, the developers of University Lakes have proposed the following changes to the Development:

1. Initiate Phase II construction;
2. Relocate the Town Center to the east side of Lakewood Ranch Blvd.;
3. Relocate an access point onto University Parkway;
4. Shift square footage amounts between different Regional Commercial and Business parcels;
5. Make changes to tables 1, 5 and 6 of the Development Order;
6. Amend Transportation and Affordable Housing Conditions.

WHEREAS, the above described changes, cumulatively with all previous changes, do not constitute a Substantial Deviation to the Development Order for University Lakes, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the Board of County Commissioners, as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes, has the statutory authority to consider and approve Notices of Proposed Changes (NOPC) for an amendment to an approved Development of Regional Impact; and

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

WHEREAS, the Planning Commission of Manatee County has reviewed the NOPC and has filed a recommendation on said NOPC with the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has received and considered the comments of the Tampa Bay Regional Planning Council and the Department of Community Affairs; and

WHEREAS, the County* on February 22, 2000, held a duly noticed public hearing on the NOPC and the language proposed by the Developer* to amend and replace Ordinance 97-81, as amended, and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County and City agencies, the applicant, as well as the review and report of the Manatee County Planning Department.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA IN A REGULAR MEETING ASSEMBLED THIS February 22, 2000, AS FOLLOWS:

SECTION 1. FINDINGS OF FACT

The Board of County Commissioners, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of Manatee County, and all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.

B. The Developer* has received County approvals for and has commenced development in several sub-phases of the development, consistent with Ordinance 92-32, (as amended by Ordinances 93-25, 95-44, 97-61, and 97-81).

C. An application has been submitted to Manatee County and is being processed concurrently with this NOPC to approve a revised General Development Plan for the entire 2,421.7 acre project, relocate land uses within the existing project, modify transportation and affordable housing conditions in the Development Order, modify Tables A-D, and modify an access point on University Parkway.

D. The Board of County Commissioners of said County has received and considered the recommendation of the Manatee County Planning Commission concerning the NOPC and the application for Official Zoning Atlas Amendment as it relates to the real property described in Section 7 of this Ordinance of an NOPC pursuant to Section 380.06, Florida Statutes. The report was rendered on February 2, 2000, following public hearing.

E. The Board of County Commissioners held a public hearing on February 22, 2000 regarding the NOPC and the proposed Official Zoning Atlas Ordinance Amendment described herein,

in accordance with the requirements of Manatee County Ordinance No. 90-01, as amended (the Manatee County Land Development Code) and Ordinance No. 89-01, as amended, (Manatee County Comprehensive Plan), and has further considered the testimony, comments, and information received at the Public Hearing.

F. The proposed changes to the DRI regarding the property described in Section 7. herein, are found to be consistent with the requirements of Manatee County Ordinance No. 89-01, as amended (the Manatee County Comprehensive Plan), provided it proceeds in accordance with the Development Conditions specified in Section 5. and the Developer* Commitments specified in Section 6. of this Development Order.

G. The Developer* of the Project* submitted to Manatee County, Florida, an ADA* and a NOPC, which are incorporated herein by reference.

H. The Developer* submitted an Affordable Housing Analysis (dated December 22, 1998) to Manatee County which describes the housing demand for low and very low income households and the existing housing supply (see Attachment #1).

I. The real property which is the subject of this Development Order is legally described as set forth in Section 7.

J. The Project* is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.

K. The authorized agent for the Project* is Rex Jensen, and his address is University Lakes of Manatee, Inc., 7550 Lorraine Road, Bradenton, Florida 34202.

L. The owner of the property, which University Lakes of Manatee, Inc. intends to develop, is Schroeder-Manatee Ranch, Inc., a Delaware corporation.

M A comprehensive review of the impacts generated by the Development has been conducted by the departments of Manatee County, the Planning Commission, the Board of County Commissioners, TBRPC, Sarasota County, SWFRPC, and the Department of Community Affairs (DCA).

SECTION 2. CONCLUSIONS OF LAW

A. Based upon the previous findings of fact and the following conditions of the Development Order, the Board of County Commissioners of Manatee County concluded that:

1. The Project* will not unreasonably interfere with the achievement of the objectives of the Adopted State Land Development Plan applicable to the area.

2. The Project* is consistent with the local land development regulations and is consistent with the State Comprehensive Plan (SCP), the Tampa Bay Regional

Planning Council's Future of the Region, A Strategic Regional Policy Plan (SRPP), and Ordinance 89-01, as amended (The Manatee County Comprehensive Plan).

3. The Project* is consistent with the report and recommendations of TBRPC approved on February 10, 1992 and on January 8, 1996, regarding the first NOPC in May 1997, regarding the second NOPC, on October 13, 1997 regarding the third NOPC, on December 16, 1997 regarding the fourth NOPC, and on January 24, 2000 regarding the fifth NOPC.

B. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the Developer* is authorized to conduct development as described herein, subject to the conditions, restrictions, and limitations set forth below.

C. That the review by the County*, TBRPC, and other participating agencies and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Development Order, the ADA*, the NOPC, and the Affordable Housing Analysis. To the extent that the ADA* is inconsistent with the terms and conditions of this Development Order, the terms and conditions of this Development Order shall prevail.

D. This Ordinance replaces Ordinance 97-81, which granted amendments to Ordinance, 92-32, 93-25, 95-44, and 97-61 in their entirety and adequately addresses the impacts of the development, pursuant to the requirements of Chapter 380, Florida Statutes.

E. Pursuant to Subsection 380.06(19)(c), Paragraphs 380.06(19)(e)3, and 380.06(19)(e)5.c, Florida Statutes, the changes proposed pursuant to the NOPC submitted on December 31, 1998 and approved pursuant to Ordinance 00-45, do not constitute a Substantial Deviation requiring further Development of Regional Impact review.

SECTION 3. DEFINITIONS

Note: An asterisk (*) denotes that the word is defined. The definitions contained in Chapter 380, Florida Statutes, shall apply to this Development Order, in addition to those listed herein.

A. "380 Review Agreement*" shall mean the Agreement executed between DCA, TBRPC, the Southwest Florida Regional Planning Council ("SWFRPC"), and Schroeder-Manatee, Inc. dated September 6, 1991 which governs the review of the University Lakes and University Place DRI's. A copy of the 380 Review Agreement* is attached as Attachment #2.

B. "Application for Development Approval*" (or ADA*) shall mean University Lakes, Inc. Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer* on October 25, 1991, Appendix E Cumulative Affordable Housing Analysis, the NOPC submitted on July 10, 1995, the second NOPC submitted on March 26, 1997 amended on October 28, 1997, the third NOPC amended on December 16, 1997, and the fourth NOPC submitted on December 31, 1998 and amended on February 22, 2000.

C. "Best Management Practices*" (BMP) shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code (BMP list of approved practices by Board resolution for Special Overlay Districts-Evers Reservoir and Lake Manatee Watershed Areas).

D. "Combined Projects*" shall refer to both University Lakes and the neighboring project, University Place.

E. "County*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).

F. "Developer*" shall mean University Lakes of Manatee, Inc., their heirs, assigns, designees, and successors in interest as to the Project* and all its conditions of approval.

G. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.

H. "Development Plans*" shall mean any preliminary site plan issued by Manatee County or a site and development plan issued by Sarasota County

I. "District*" shall mean any unit of local special purpose government formed pursuant to Chapter 190, F.S., or any similar entity such as a Municipal Service Taxing Unit or Municipal Service Benefit Unit, from time to time created or previously existing, which acts in accordance with applicable law and regulations, to finance or fund: (i) the cost of such actions as the planning, acquiring, constructing, equipping, installing, operating, and maintaining various community facilities; (ii) the cost of providing certain community services; (iii) contributions of funds to other governmental and non-governmental entities with respect to such facilities, services, or related Development Order commitments and conditions and (iv) satisfaction of any of the commitments and conditions contained in this Development Order related to the foregoing. It is the declarative of the intent of this Development Order that any commitment or condition of this Development Order may be directly performed or satisfied by any District* which properly operates within its scope of authority. Such performance or satisfaction shall not be deemed or construed to constitute the discharge of any obligation of the Developer*.

J. "SRPP" shall mean the TBPRC's Future of the Region, a Strategic Regional Policy Plan for the Tampa Bay Region, adopted June 23, 1987 and amended in 1989.

K. "Funding Commitments*" shall mean to assure the completion of any improvement required by this Development Order or any combination of the following: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County* for construction to be completed when the improvement is required as referenced in Tables 5 and 6 of this Development Order; 2) actual construction; 3) the placement of the improvements in the first year of the Capital Improvements Element

of the appropriate County or the current plus two years of the Adopted Five-Year Work Program of the Florida Department of Transportation; or 4) a commitment for construction and completion of the required roadway improvements, pursuant to a Developer Agreement which, if approved by the parties, shall be incorporated in this Development Order through an amendment of the Development Order, pursuant to the notice of proposed change provisions of Chapter 380 of the Florida Statutes. Said Agreement shall include a construction timetable which will set forth the completion of the required improvements consistent with the time frames specified in Tables 5 and 6.

L. "Post-Development Wetlands*" shall mean any lands determined to be within jurisdictional limits defined by Chapter 62-301, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Protection (FDEP), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development for this Project*.

M. "Project*" shall mean the land uses, phasing, and improvements described in the ADA* which are attributable to development on that property described in Section 7. herein and set forth on Revised Map H, dated 2/22/00 and attached hereto.

N. "Transportation Impact Area*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the proposed phase or subphase shown on a proposed Preliminary Site Plan in combination with prior approvals of the Combined Projects* will be five percent (5%) (or whatever greater percentage may be employed from time to time by DCA, TBRPC, or the County*, provided the more restrictive percentage shall be used) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on revised Map J, dated 2/22/00 (attached hereto as Attachment #4) which was based on data submitted with the ADA*. In determining the Transportation Impact Area* for this Project* all traffic generated by University Place shall be deemed project traffic for University Lakes.

O. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.

SECTION 4. 380 REVIEW AGREEMENT*, APPROVALS, AND DEVELOPMENT COMPONENTS

A. Some of the impacts of the University Lakes DRI have been reviewed in conjunction with the impacts of the proposed University Place DRI under the terms of the 380 Review Agreement*. The 380 Review Agreement* provides for a cumulative assessment of the impacts of both projects on the issues of transportation, air quality, affordable housing, and listed species.

Tables 1 through 4 list the appropriate land uses for University Lakes (Tables 1 and 2) and University Place (Tables 3 and 4) under the designations used by the respective Counties and the designations used in Section 380.0651, Florida Statutes, in parentheses ( ).

B. Subject to the possible exchange of land uses as described elsewhere herein, the Project* consists of the land uses, square footage, dwelling units, and approximate area described in Columns A through D of Table 1 and the land uses, square footage, dwelling units, and approximate area by phase as described in Table 2. Phase I and II of the Project* are approved subject to the conditions found within this Development Order. Upon its review and approval by staff, a Certificate of Level of Service will be issued as part of this approval, and is authorized until the dates for each Phase set forth in Table 2. Phase II commencement is part of this approval, and the traffic, air quality and affordable housing issues have being addressed. Phase II shall receive a new Certificate of Level of Service with this approval, upon its review and approval by staff. Phases III, and IV are conceptually approved. Approval of Phases III, and IV is contingent upon further Section 380.06(6) review on the following issues: transportation, air quality, and affordable housing. The review of transportation, air quality, and affordable housing for Phases III, and IV shall be based on a cumulative assessment of the impacts created by the Combined Projects*.

The conditions of approval of Phases I and II of University Lakes and Phase I of University Place, (Combined Projects) with respect to the impacts that were cumulatively assessed, shall not necessarily apply to subsequent phases. In addition to obtaining a Development Order amendment, Certificates of Level of Service must be obtained for Phases III, and IV, but shall be limited to roadway capacity, mass transit, potable water, sanitary sewer, parks and recreation facilities, drainage, and solid waste, as required by the Manatee County Land Development Code.

TABLE 1
UNIVERSITY LAKES DEVELOPMENT COMPONENTS

Column A Map H Land Use (Section 380.0651 F.S. Designation)	Column B Number Acres *****	Column C Square Feet	Column D Dwelling Units	Column E Land Use Exchange Maximum Increase
Residential (Residential)	703.2	n/a	3,137	An increase in dwelling units by 5% or 50 units, whichever is greater
General Commercial*	88.6	1,240,000	n/a	Land Area increased by 6 acres or increase by 50,000 s.f. of gross floor area, or the greater of a 5% increase in parking spaces or an increase of customer parking by 300 spaces
(Retail)	(56.6)	(1,060,000)		
(Hospital)	(32.0)	(180,000/ 150 beds)	n/a	
Neighborhood Commercial** (Retail)	37.5	381,000	n/a	
General Commercial*** (Retail)	28.0 (21.0)	400,000 (150,000)	n/a	
(Hotel and Motel)	(7.0)	(250,000/ 300 rooms)	n/a n/a	75 rooms
Business	110.1	1,968,000	n/a	Land area increased by the greater of 5% or 6 acres, whichever is greater, or gross floor area increased by greater of 5% or 60,000 s.f. whichever is greater
(Office)	(55.1)	(787,200)		
(Industrial)	(55.0)	(1,180,800)	n/a	

Right of Way	178.4			
Recreation	330.4			
Wetlands/Mitigation	376.9			
Lakes****	358.6			
Open Space	210.0			
TOTAL	2,421.7	3,989,000	3,137	

* Acreage and square footage are referred to as Regional Commercial in the ADA*.

** Acreage and square footage are referred to as Community Commercial in the ADA*.

*** Acreage and square footage are referred to as Highway Commercial in the ADA*.

**** Additional lakes will be constructed within the Project* as required by the stormwater management system.

***** Acreages subject to verification and adjustment based upon future survey activities, consistent with the graphic depictions on Revised Map H.

TABLE 2
UNIVERSITY LAKES PHASING SCHEDULE

Map H. Land Use Designation (§380.0651, F.S., Designation)	Phase I 1992-2004♦	Phase II 2000- 2009♦	Phase III 2010-2014♦	Phase IV 2015-2019♦	Total
Residential Dwelling Units					
Single Family	970	360	243	151	1,724
Single Family Attached	88	155	123	105	471
Multi-Family	449	287	206	0	942
Total (Residential)	1,507	802	572	256	3,137
General Commercial*s.f.	275,557	780,143	4,300	0	1,060,000
(Retail)	(275,557)	(600,143)	(4,300)		(880,000)
(Hospital)		(150 beds/ 180,000)			(150 beds/ 180,000)
Neighborhood Commercial**s.f. (Retail)	87,000	135,885	0	158,115	381,000
Business s.f.	383,118	521,520	519,180	544,182	1,968,000
(Office)	(323,318)	(208,608)	(161,672)	(93,602)	(787,200)
(Industrial)	(59,800)	(312,912)	(357,508)	(450,580)	(1,180,800)
General Commercial***s.f.	250,000	150,000	0	0	400,000
(Retail)	(0)	(150,000)	0	0	(150,000)
(Hotel and Motel)	(250,000/ 300 rooms)	(0)	0	0	(250,000/ 300 Rooms)
Recreational Facilities****	Tennis & Boat Club+, Park Golf Course & Park				

* Acreage and square footage are referred to as Regional Commercial in the ADA*.

** Acreage and square footage are referred to as Community Commercial in the ADA*.

*** Acreage and square footage are referred to as Highway Commercial in the ADA*.

**** Phasing of recreational facilities may be accelerated in accordance with the provisions of Sections 4.B., C. and E.

\+ The Boat Club shall be located on the 160± acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such as sailboards, canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation, and such craft may be used on the manmade lake.

♦ Buildout date is September 13th of each year indicated.

TABLE 3

UNIVERSITY PLACE DEVELOPMENT COMPONENTS

Sarasota County Land Use Designation (Section 380.06.0651, F.S. Designation)	Number of Acres	Square Feet
Interstate Regional Office Park (Office)	250.0	1,532,000
Major Employment Center	727.6	
(Office)		(2,623,257)
(Industrial)		(3,934,883)
(Retail)		(109,860)
Open Use Conservation	395	n/a
Totals	1,372.6	8,200,000

TABLE 4
UNIVERSITY PLACE PHASING SCHEDULE

Sarasota County Land Use Designation (Section 380.0651, F.S., Designation)	Phase I	Phase II	Phase III	Phase IV	Total
Interstate Regional Office Park s.f. (Office)	436,000	365,334	365,333	365,333	1,532,000
Major Employment Center s.f.					
(Office)	957,600	555,219	555,219	559,219	2,623,257
(Industrial)	1,435,600	832,828	832,828	832,827	3,934,083
(Retail)	40,000	23,287	23,287	23,286	109,860
Total	2,869,200	1,776,668	1,776,667	1,780,665	8,200,000

The amounts of residential, retail, hotel and motel, office, and industrial uses shown in Table 1 above within the Project* can be exchanged, with Board of County Commissioners approval of a revised General Development Plan, to allow flexibility in the exact land use mix shown in Columns B, C, and D of Table 1, above, and within each individual Phase shown in Table 2, provided that the following conditions are satisfied:

1. No land use category in the final Project* shall contain more development than that reflected in Table 1 Columns B, C, and D, plus that amount reflected in Column E.

2. The following uses designated in Table 1, shall not be reduced by the Developer* below the amounts set forth in Table 1, except as described elsewhere herein in

specific provisions pertaining to those uses: lakes, recreation, wetlands/mitigation, open space.

3. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 500 dwelling units.

4. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 400,000 square feet of General Commercial.

5. The mix of approved uses within an individual Phase shall not be increased by more than 170,000 square feet nor decreased by more than 100,000 square feet of Business.

6. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 75 hotel rooms.

7. All other uses not specifically mentioned in Paragraphs 3, 4, 5, and 6 above shall not be subject to an exchange pursuant to this section.

C. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the proposed land use mix will not exceed the impacts for transportation, potable water, wastewater treatment, solid waste disposal, mass transit, drainage, and parks and recreation which are authorized in this Development Order and in any Certificate of Level of Service Compliance (CLOS) issued for that Phase. Additionally, the Developer* shall demonstrate that the proposed land use mix will not generate additional demand for affordable housing beyond the amount for which the supply of affordable housing has been demonstrated to be available and is described in Sections P.(1) and P.(2) of this Development Order. If the impacts of a specific land use exchange exceeds the impacts authorized and approved for that phase in the Development Order, then the land use exchange shall be denied.

As to the CLOS, the Developer* must apply for a modification to the CLOS and if the proposed land use exchange results in impacts in excess of those previously approved, the Developer* may be granted approval for that excess only if and when capacity is available and in conformance with other provisions of this Section 4. However, reapplication shall not cause the Developer* to lose capacity already approved in the Certificate of Level of Service for that Project*. If the request for a land use exchange is approved, a modified CLOS shall be issued to replace the previously approved CLOS. Any modification to the CLOS shall not extend the time for which such capacity is reserved pursuant to the CLOS.

An application for a land use exchange must include a revised General Development Site Plan which will include a revised Table 2 showing the reallocation of square footage or units. Each proposal for a land use exchange and revised General Development Plan shall be reviewed for compliance with the provisions of this Development Order, the Manatee County Land Development Code, and the Manatee County Comprehensive Plan. Upon submission of a request to the County* to implement this section of the Development Order, all application materials and information necessary to support approval of such a request shall be provided to the Department of Community Affairs, TBRPC, SWFRPC, and Sarasota

County by the Developer*. The Developer* shall provide written notification to the Department, TBRPC, SWFRPC, and Sarasota County of the approval or denial of any land use exchange requested by the Developer*.

With the submittal of any Notice of Proposed Change requiring changes to this Development Order, the Revised Master Development Plan and Phasing Schedule shall be amended to reflect any Land Use Exchange(s) that have been approved since the issuance of the Development Order or last amendment to the Development Order. Such change considered by itself shall not constitute a substantial deviation. Changes to the Phasing Schedule under this paragraph do not include extensions to the buildout date.

The land use exchange request shall contain information sufficient to enable the County* to determine that the impacts of the revised land use mix do not exceed the impacts of the land use mix being replaced. The quantifiable impacts will be measured based upon the relevant factors then currently used by the County* (e.g., ITE trip generation rates, EDU tables, solid waste generation factors, etc.) The Developer* shall verify the appropriate factors with County* staff prior to the submittal of any such land use exchange request.

The traffic impacts of the revised land use mix shall be deemed by the County* not to exceed the approved traffic impacts of the land use mix being replaced so long as the change does not increase the peak hour total traffic and the relative proportions of trips produced by attractors and the trips produced by generators remains substantially the same for the phase or subphase. In the event that the attractor or generator proportions are not substantially the same, as determined by the County*, additional information may be required to assess intersection performance, trip distribution, or particular roadway segments designated by the County*.

Attached hereto as Attachment #5 is a table of conversion factors for equating only traffic impacts of land use exchanges. The incorporation of this land use exchange mechanism shall not operate to permit the Developer* to develop any land use which will generate peak hour trips in excess of the total number of peak hour trips for which it has obtained specific Development Order approval.

Any amendments to the land use mix or proposed phasing schedule (Tables 1 and 2 respectively), other than those described herein, shall be submitted to the County* for review and approval, pursuant to notice of change as required by Subsection 380.06(19), F.S., which approval shall not be withheld for mere acceleration of phases if otherwise there is compliance with the terms of this Development Order. Any departure in Project* buildout from the phasing schedule set forth in the Application shall be subject to review to determine if such departure constitutes a Substantial Deviation pursuant to Subsection 380.06(19), F.S.

Any specific land use exchange must result in a land use mix which is consistent with the requirements of the Manatee County Comprehensive Plan. The land use exchange may not be exercised more than once in any calendar year.

D. The list of required transportation improvements described in Tables 5 and 6 are triggered by the construction of Phase I of the Combined Projects* and Phase II of University Lakes. In the event that at any time the amount of development authorized in the University Place Development Order is less than that shown as Phase I Table 4 of this Development Order, the Developer* may submit a Notice of Proposed Change requesting a Development Order amendment to increase the amount of development in Phase I or II of University Lakes by an amount equal in impacts to the University Place reduction. In reviewing such a Notice of Proposed Change, transportation issues shall not form the basis of a recommendation of Substantial Deviation if the impacts (trip generation or distribution) on transportation facilities remain essentially the same. Nothing herein shall operate as a waiver of the Developer's* obligation to obtain a CLOS for any and all development which the Developer* proposes to transfer from University Place to University Lakes. In making a request under this Section 4.D., the Developer* must meet all of the following conditions:

1. The impacts of the proposed change do not exceed the impacts which were approved in the Development Order, or any amendments thereto, for potable water, wastewater treatment, solid waste disposal, mass transit, drainage, affordable housing, and parks and recreation.

2. The Developer* must further demonstrate that the request is consistent with applicable provisions of the Comprehensive Plan and the Land Development Code.

3. The amount of any increase in any Land Use Category may not exceed the limitations set forth in Table 1 Column E_1 above.

4. The County* shall not be required to approve any increase to Phase I or II of University Lakes unless adequate capacity exists to serve such increase and assurance of corresponding decrease is demonstrated to the County's* satisfaction, in Phase I of University Place.

5. In the event that the amount of development is increased for Phase I of University Place after approval of an increase of the permitted uses, density, or intensity for Phase I or II of University Lakes under this Section 4.D., then this entire Development Order shall be subject to an additional Substantial Deviation review to address the impacts of development which was previously added to University Lakes.

The intent of this provision is not to alter the size or land use mix of the Combined Projects* at buildout. There is no intent to change the land uses actually approved for University Lakes. It is intended to provide flexibility in the timing of development between phases of the respective projects in response to economic development opportunities or development constraints. The applicability of this provision "D" is limited to Phase I of the Combined Projects* and Phase II of University Lakes, pending further review of additional phases.

E. To foster intergovernmental coordination in the administration of University Lakes and University Place, the Developer* will furnish to the Sarasota County Planning Department, the SWFRPC, and the City of Bradenton for review and comment, copies of all Annual Reports (together with any documents required to accompany said Annual Reports), any

applications or submissions by the Developer* under this Section 4, and any revisions to University Lakes resulting from determinations by the County* under this Section 4. Further, the Developer* shall furnish to the County* copies of all Annual Reports (together with any documents required to accompany said Annual Reports) regarding University Place.

F. No provision of this Development Order shall serve to approve uses which were not previously reviewed and approved for University Lakes or which are inconsistent with the Manatee County Comprehensive Plan, including the WO-E Overlay District.

SECTION 5. DEVELOPMENT CONDITIONS

Transportation

A.(1) The cumulative transportation analysis for Phases I and II for University Lakes and Phase I for University Place, conducted under the 380 Review Agreement* determined the need for the roadway segment and intersection improvements described in Tables 5 and 6 below:

Table 5
Phases 1&2 Required Link Improvements

Roadway Segment Improvement Number	Road Segment Name (From and to)	Total Traffic Peak Hour LOS Prior to Improvement	Applicable Peak Hour Level of Service	Development Traffic as A % of LOS Peak Hour Capacity	Required Improvement to Restore LOS	Total PM Peak Hour External Trips for Combined Projects before Need*
1	University Parkway I-75 to Town Center Pkwy	F (in EB) F (in WB)	D D	119.5 198.5	Widen to 6 lanes	4529
2	University Pkwy Town Center Pkwy to Lakewood Ranch Blvd	E (in EB) F (in WB)	D D	81.9 134.3	Widen to 6 lanes	4667
3	I-75 SR 70 to University Parkway	D (in NB) C (in SB)	C C	27.4 18.7	Widen to 8 lanes	7550

This column represents the cumulative number of peak hour external trips for the Combined Projects before the need of the identified improvements for Phases I and II Land Uses as depicted in Tables 2 and 4 for University Lakes and Phase I of University Place (or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

Table 6
Required Intersection Improvements

Required Improvement Number	Improvement Name and Location	Total Traffic Peak Hour LOS Prior to Improvement	Applicable Peak Hour Level of Service	Development Traffic as a % of LOS Peak Hour Capacity	Required Improvement To Restore LOS	Total PM Peak Hour External Trips for Combined Projects Before Need*

Table 6
Required Intersection Improvements

1	SR 70 at Lakewood Ranch Blvd.	D	C	28.6	Construct left-turn lane NB to a distance of 625' and right- turn lane SB to a distance of 300'	6668
2	University Parkway at I-75 West	F	D	71.4	Construct 3rd and 4th thru lanes EB. 4th thru lane EB should be constructed to a distance of approximately 600' west of the stop bar at this intersection. Construct 2nd left-turn lane and 3rd thru lane WB. Both left-turn lanes should be extended to a distance of 800' each. 3rd thru lanes EB & WB are part of the required 6 laning of University Parkway. Construct 2nd left-turn lane SB and extend both left-turn lanes to a distance of 725' each. Final Design to be approved by FDOT.	3633
3	University Parkway at I-75 East	F	D	61.0	Construct 2nd left-turn lane and 3rd thru lane EB. Both left-turn lanes should be extended to a distance of 600' each. Construct 3rd & 4th thru lanes WB. 4th thru lane should be constructed to a distance of approximately 600' east of the stop bar at this intersection. 3rd thru lanes EB & WB are part of the required 6 laning of University Parkway. Extend dual left-turn lanes NB to a distance of 950' each. Final design to be approved by FDOT.	2585
4	University Parkway at Lake Osprey Drive/ Market Street	F	D	105.0	Construct 3rd thru lane EB & WB (part of the required 6-laning of University Parkway). Construct one right-turn lane WB to a distance of 235'. Extend left-turn lanes EB to 585' each and right-turn lane EB to 285'. Construct 2nd left-turn lane and one right-turn lane NB. Construct one right-turn lane SB and provide a/for a five-section head for right-turn movement SB.	4,529

Table 6
Required Intersection Improvements

5	University Parkway at Town Center Parkway	F	D	97.9	Construct 3rd thru lane EB & WB. (Part of the required 6-laning of University Parkway). Extend left-turn lanes EB to 685' each and right-turn lane WB to 335'. Provide a five-section head for right-turn movement SB.	5,495
6	University Parkway at Lakewood Ranch Blvd.	F	D	91.7	Construct 3rd thru lane EB & WB. (Part of the required 6-laning of University Parkway–6 lane section should continue approx. 600' east of the stop bar at this intersection). Extend both left-turn lanes EB to a distance of 785' each. Construct one right-turn lane WB to a distance of 410'. Extend right-turn lane EB to 910' and left-turn lane WB to 385'. Extend left turn lane SB to 225'. Construct 2nd right-turn lanes to a distance of 650' each. Provide for a five-section head for right-turn movement SB.	4,667

This column represents the cumulative number of peak hour external trips for the Combined Projects before the need of the identified improvements for Phases I and II . Land uses as depicted in Tables 2 and 4 for University Lakes and Phase I of University Place (or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

A.(2) The improvements listed in Tables 5 & 6 include critical link and intersection improvements for the development of Phase I and Phase II of University Lakes.

In the event that Funding Commitments* for transportation improvements are only adequate to permit approval of a portion (subphase) of the Development, the capacity and loading of transportation facilities in the Transportation Impact Area*, shall be limiting factors in any subsequent approvals. A subphase analysis has been performed, and cumulative subphases for the Combined Projects* have been identified in Tables 5 and 6 together with subphase time frames that were used in the subphase study. An initial subphase of 2,585 external p.m. peak hour trips for the Combined Projects* has been identified as requiring no additional transportation improvements. The Developer* shall, at the time of each application for Final Site Plan approval, furnish to the County* an accurate, up to date report of the amount of development, defined in terms of external p.m. peak hour trips, which has previously been permitted in the Combined Projects*. The Developer* shall not be entitled to a Final Site Plan approval which would result in the cumulative number of external p.m. peak hour trips for the Combined Projects* to exceed the applicable subphase threshold unless Funding Commitments* have been obtained for improvements required for such subphase.

In the event that the total external p.m. peak hour trips projected to be generated by the Combined Projects* has exceeded the levels described in Tables 5 and 6 by the expiration of the Annual Report Years listed in Tables 5 and 6 for the appropriate uncommitted improvement, no further Final Site Plan approvals shall be granted unless the Developer* using the notice of change procedure has prepared an analysis which identifies the revised dates by which said improvement would be required under the new subphase analysis. The Development Order shall be amended to reflect these revised trip levels and dates.

The Developer* shall be bound by the subphase external trip thresholds and schedules set forth in Tables 5 and 6, unless the Developer* files a Notice of Proposed Change and provides the County*, pursuant to the notice of change procedures, an updated subphase traffic analysis for the Transportation Impact Area* that will result from the completion of construction of all of the previously permitted development in the Combined Projects* plus that to be generated by the next subphase for which the Developer* is seeking approval, and such proposed change is approved. Copies of such Notice Of Proposed Change for revised subphase transportation analysis shall be submitted to Manatee County, Sarasota County, TBRPC, and SWFRPC for review and comment. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (referenced in Tables 5 and 6) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways and intersections referenced in Table 5 and 6 at the appropriate Level of Service. In the event that the new analysis demonstrates the need for alternate improvements or different subphase thresholds, the Development Order may be amended to reflect the revised subphases or improvements. With each Preliminary Site Plan application, the Developer* shall submit to the County* a limited traffic study which shows the following:

1. External P.M. peak hour trips for the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvements in Table 5 & 6 will be required; and,

2. An assessment of the estimated traffic operations and turning movements together with the conceptual design of the driveways, serving the project covered by the Preliminary Site Plan application.

Any revised transportation analysis for the Combined Projects* shall utilize the adopted Sarasota County Level of Service, or that of any agency with jurisdiction, whichever Level of Service is higher, for determining deficiencies on all roads in Sarasota County. If deficiencies exist on said roadways, then Funding Commitments* to correct such deficiencies shall be required in accordance with this Paragraph A.(2).

Developer* agrees to construct the improvements identified in Number 3 of Table 6 on or before October 1, 2001, which satisfies any requirement that required improvements be constructed concurrently with the impacts of Phase II development as to such improvements, unless such improvement(s) are programmed for construction in the current plus two years of the Adopted Five-Year Work Program of the Florida Department of Transportation, in which event the responsible party for such improvement(s) shall be the FDOT. This commitment by the Developer shall satisfy the requirement that the construction of such improvements be pursuant to a Funding Commitment. Developer*

shall receive impact fee credits pursuant to Manatee County Land Development Code regulations for such construction, if such construction is paid for by the Developer*.

A.(3) Until such time as agreement is reached regarding impacts of the Combined Projects* to I-75 and associated interchange intersections, and the Development Order is amended if and as needed pursuant to NOPC procedures, the Developer* shall conduct an I-75 Monitoring Program described below.

The FDOT shall by June 30, 2000 obtain Year 2000 peak season daily, a.m., and p.m. peak hour traffic data for the I-75 mainline and interchange ramps from SR 70 to Bee Ridge Road including turning movement counts at the interchange ramp intersections with the respective cross streets. The data shall be analyzed and provided to the Developer*, Manatee County and Sarasota County.

At such time as the total external a.m. or p.m. peak hour trips from the Combined Projects* of University Lakes and University Place exceeds 3200 trips, projected to occur based upon Development Plans*, the Developer shall institute an annual monitoring program (the "I-75 Monitoring Program") to determine the actual level of service conditions for the I-75 mainline from SR 70 to Bee Ridge Road and the ramp interchanges at the respective cross streets. The results of this I-75 Monitoring Program will be submitted no later than the date of the Annual Report for University Lakes and shall each year be submitted to FDOT and Manatee County for review and approval and to Sarasota County for review and comment.

The detailed methodology for the monitoring, data collection, and analysis must be submitted to, and approved in writing by, FDOT and Manatee County and submitted to Sarasota County for review and comment. No Development Plans* beyond the 3200 peak hour trip threshold of the preceding paragraph shall be issued until the I-75 Monitoring Program and methodology has been approved.

For any location that is operating below the adopted level of service standard, the procedure as defined in the approved I-75 Monitoring Program methodology will be followed to determine if the Combined Projects* have an impact of five percent or greater of the adopted level of service standard at such location. If such impact is identified, and the identified location is operating below the adopted level of service standard, no further Development Plans* will be issued until the deficiency has been mitigated and the Development Order is amended as appropriate, if such an amendment is necessary. Mitigation can be accomplished by one of the following: (i) actual construction; (ii) a binding commitment by the Developer* for the actual construction with the posting of a cash bond or irrevocable letter of credit in a form satisfactory to the County for the construction to be completed when the improvement is required; (iii) the improvement is programmed for construction in the current year plus two years of the FDOT District One Adopted Work Program; (iv) the improvement is in the current year plus two years of the Capital Improvement Element for Manatee or Sarasota County, whichever is appropriate; or (v) other means set forth in Florida Statutes or the Florida Administrative Code as either may be amended from time to time.

Prior to the issuance of Development Plans* for the Combined Projects* which would create peak hour trips in excess of the thresholds identified in Table 6-Required Intersection Improvements, the improvements for the ramp intersections as identified in Table 6, must be mitigated as set forth in the preceding paragraph.

A.(4) The Developer* shall provide bicycle lanes as part of the roadway design for the collector facilities within the Project*. Inclusion of bicycle lanes as part of the roadway design does not mean the lanes themselves must be part of the roadway. That is, the lanes must be included in design but may be constructed separately or in separation from the roadway itself.

A.(5) The Developer* shall provide adequate sidewalks along all streets and roadways throughout the Project* as required by the Manatee County Land Development Code.

A.(6) As the Project* lies within the future Manatee County transit service area, the Developer* will work with the County* to coordinate the provision of transit service to the area in conjunction with development of University Lakes.

A.(7) Within three years of the effective date of this Development Order or at the request of the County, an annual monitoring program consisting of peak hour traffic counts at the Project* entrances shall be instituted to verify that the projected number of external trips for the Project* are not exceeded. Counts will continue on an annual basis through Project* buildout, and the information shall be supplied in the required Annual Report. If an Annual Report is not submitted within thirty (30) days of its due date, or if the Annual Report indicates that the total external trips exceed projected counts for the Project* by 15 percent or more, Manatee County shall conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), Florida Statutes. This change will be presumed to be a Substantial Deviation. The results of the Substantial Deviation determination may also serve as a basis for the Developer* or reviewing agencies to request Development Order amendments.

A.(8) The transportation analysis in the ADA* was performed without consideration of the potential effects of a Transportation Systems Management ("TSM") program. Accordingly, the development thresholds described in Tables 5 and 6 may reflect a "worst case" scenario, dependent upon future TSM measures.

The Developer* or its assigns shall prepare and implement a TSM program which will endeavor to divert a number of vehicle trips from the PM peak hour. The TSM program shall be submitted to and be reviewed by the County*, the MPO, and the FDOT.

The TSM program shall be submitted with the first annual report subsequent to the monitoring program in Section A.(6) showing external trips exceeding 25% of the total external trips for Phase I of both University Lakes and University Place.

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 measure. Results of the TSM program shall be included in the Annual Report. The results of the TSM program may serve as a basis for the Developer* or reviewing agencies to request Development Order amendments which increase the applicable development thresholds or which will allow reduced impacts per square foot or dwelling unit of development in future phases. The TSM Program shall seek to further the TSM objectives and Policies set forth in the Florida Transportation Plan and shall include, but not be limited to:

(a) promote ride sharing by public and private sector employees;

(b) increase urban area peak hour automobile occupancy rates through expanded ride sharing efforts;

(c) increase peak hour occupancy rates for transit and other high occupancy vehicles; and

(d) other appropriate trip diversion measures.

A.(9) To allow for the finalization of interchange design relative to Improvements #3 and #4 in Table 6, Developer* agrees to reserve, until January 28, 1998, the property which it owns and which lies within the following description:

> Commence at the easterly corner of the existing FDOT right of way north of University Parkway where the limited access terminates, thence westerly along the FDOT right of way, a distance of 650 feet to the Point of Beginning. From the Point of Beginning, proceed northwest a distance of 1,500 feet to the existing FDOT right of way, thence southeasterly and easterly to the Point of Beginning.

This restriction shall expire on January 28, 1998. If the right of way is dedicated by the Developer* or otherwise acquired by the appropriate governmental agency, then the Developer* may transfer the impacted land uses to other appropriate areas within the Project* with approval of a revised General Development Plan. This item has been completed.

A.(10) The Developer* shall submit a Preliminary Site Plan for Phase I, or any subphase thereof, within twenty-four (24) months of the effective date of this Development Order. -

A.(11) The schedules of listed improvements may be adjusted at the Developer's* request with submission of adequate data to support any such adjustments, and the Development Order amended as needed in the event that the appropriate agencies determine that:

(a) The Project* is determined by the County* and TBRPC to be in a regional activity center or otherwise designated for alternative levels of service or alternative percentage thresholds in accordance with applicable rules and regulations; or

(b) The appropriate level of service standard for the particular roadway link or intersection is adjusted by the agency(ies) having jurisdiction over such link or intersection. In no event shall any level of service be adjusted if the result of said adjustment is to permit a lower level of service than established by that agency or agencies having jurisdiction at the time of the request for adjustment.

A.(12) The roadway shown on Revised Map H, which generally is oriented in a north/south alignment and connects to the proposed extension of Upper Manatee River Road, shall be required to be designated on the Future Traffic Circulation Map as a collector facility prior to providing any credits for right of way and/or construction. (The requirements of Condition A.(12) have been completed)

A.(13) Access to and from the site will be in accordance with state and local access regulations unless limited by the General Development Plan or any conditions placed thereon, whichever is most restrictive.

Wetlands

B.(1) The portions of the University Lakes site that meet the definition of Conservation or Preservation Areas as set forth in policies 10.1.2 and 10.3.1 of the Council's adopted (SRPP*) have been designated on Revised Map H.

(a) All wetlands and uplands on-site defined by Council policies as Preservation Areas, as shown on Revised Map H, shall be preserved. No dredging, filling, or development activities shall be allowed within Preservation Areas.

(b) All wetlands and uplands on-site defined by Council policies as Conservation Areas shall be protected from development as shown on Revised Map H.

B.(2) Except for wetland restoration or enhancement and naturally occurring fluctuations, no hydroperiod alteration shall be permitted in Preservation Areas as depicted on Revised Map H. Natural annual hydroperiods, normal pool elevations, and seasonal high water elevations shall be substantially maintained or improved. Hydroperiod monitoring shall be required semi-annually in selected preserved wetlands and initiated prior to on-site construction activity and continued for three years for herbaceous wetlands or five years for forested wetlands following buildout of the subbasin surrounding each wetland monitored. If the hydroperiod monitoring results demonstrate that Project* activities are inappropriately altering the hydroperiod in Preservation Areas, such activities shall cease until remedial measures are implemented.

B.(3) Any impacted wetlands, not required to be preserved in accordance with Condition B.(1) above and which are depicted as Conservation Areas on Revised Map H, shall be mitigated in accordance with the Manatee County Comprehensive Plan and Land Development Code and the ~~TBRC's~~ SRPP* Policies.

B.(4) In addition to meeting the requirements of the Manatee County Land Development Code, the Developer* shall submit a wetland management and mitigation plan for the area to be developed to the County* for approval, and to TBRPC, and SWFWMD for review prior to any wetland alteration. This plan shall address, but not be limited to, identification of wetlands on-site, wetlands to be preserved, proposed wetland alterations, a detailed mitigation plan, control of on and off-site water quality, and methods for hydroperiod maintenance with a detailed narrative and construction plans for mitigated or significantly enhanced (as determined by the County*) wetlands.

The Developer* shall include the following details, at a minimum, in the wetland management and mitigation plan prepared for submittal to the County*:

(a) Identification of existing dry and wet season site conditions;

(b) Narrative descriptions/ and evaluations of all wetlands to be disturbed by wetland type;

(c) Photographs and 24"x36" plans depicting conditions of the existing wetland creation site and proposed wetland creation plans. (This data shall demonstrate that the appropriate hydrologic requirements shall be provided);

(d) Narrative descriptions of any proposed wetland restoration activities and related issues;

(e) Estimated costs of wetland mitigation/restoration schemes including maintenance and monitoring for appropriate time periods; and

(f) Mitigation plans shall also include:

(1) Area and location of plantings;

(2) Species to be planted and spacing;

(3) Elevations for plantings;

(4) Source of plants or mulch;

(5) Source of wetland soil and depth proposed; and

(6) Monitoring and maintenance plans.

B.(5) If allowable wetland losses require type-for-type (herbaceous or forested) wetland replacement in accordance with stipulation B.(3), mitigation for wetland losses shall be implemented prior to, or concurrent with, the wetlands being disturbed. Created wetlands and littoral shelves shall require monitoring and maintenance activities. Percent survival of plant species in the created wetland or littoral shelf shall meet or exceed Manatee County Comprehensive Plan and Land Development Code success criteria and the SRPP* Policies. Yearly replanting and maintenance of the mitigation areas shall be required, if necessary, to ensure compliance with the conditions of the Development Order.

B.(6) The Developer* shall provide buffering around all Post-Development Wetlands* to provide an upland transition into the wetland areas and to protect natural systems from development impact. All such buffers shall be in compliance with the Manatee County Land Development Code.

Vegetation and Wildlife

C.(1) A cumulative assessment of the impacts of the Combined Projects* on listed plant and animal species has been performed as required by the 380 Review Agreement*. The Developer* has provided open space for wildlife in the form of preserved wetlands and the wildlife corridor along Cooper Creek as depicted on Revised Map H. In addition, Developer* shall retain large pines (>4" dbh) where possible in golf course rough for kestrel habitat and include and maintain open grassy areas in golf course rough for burrowing owl habitat. The specific locations of retained pines and open grassy areas shall be shown on the final development plan containing the golf course and shall be submitted to Manatee County for review and approval and to the Florida Wildlife Conservation Commission (FWCC) for comment. However, as the Developer* is

planning a large wildlife management area on University Place, the Developer* has prepared (pursuant to the 380 Review Agreement*) a wildlife management plan, as revised June 16, 1992, for the 395 acre Open Use Conservation District within University Place which provides additional protection of any listed species found on University Lakes and University Place. The plan includes information on site maintenance, fire frequency, wetland management, and boundary protection.

In the event that University Place is not approved by Sarasota County with the 395 acre Open Use Conservation District within one (1) year of the effective date of this Development Order or if such Open Use Conservation District is reduced in size by more than ten (10) acres, then within one (1) year of either such date or action the Developer* shall prepare a wildlife management plan to address the impacts of the Project* on any listed species found on University Lakes, except for the gopher tortoise. The FWCC found that a regionally significant population of gopher tortoise does not exist on University Lakes. However, any taking must comply with FWCC rules and the Developer* must obtain a gopher tortoise incidental take permit from the FWCC. If a management plan is prepared, pursuant to this paragraph, the plan shall be submitted to the and the Department of Community Affairs for review and to the County* for review and approval.

C.(2) The Developer* shall provide small wildlife crossings (18" culverts) under roadways at the two locations where the north/south collector roadways intersect with Cooper Creek.

C.(3) In accordance with applicable law, the Developer* shall coordinate with the Florida Department of Agriculture and Consumer Services and the County* for proper relocation of any listed species found on-site in addition to the requirements of C.(1) above.

C.(4) Representative tracts of all major natural upland vegetative communities (Live Oak, Pine-Mesic Oak, Pine Flatwoods, Temperate Hardwoods), as depicted on Revised Map H, shall be set aside in their natural state to serve as conservation areas.

C.(5) The removal of naturally-occurring vegetation shall be limited in accordance with the Manatee County Comprehensive Plan. This limitation shall not include the removal of diseased trees or vegetation, or exotic species, or other species approved by the County consistent with the provisions of the Manatee County Comprehensive Plan.

C.(6) Areas designated as Preservation Areas on Revised Map H shall be protected in perpetuity by conservation easement or other legal instrument approved by County*.

Land

D.(1) The Developer* shall initiate the following procedures to ensure erosion control during development of the Project*:

(a) Sod, seed, or plant embankment areas of stormwater detention or retention ponds;

(b) Sod, seed, mulch, or landscape cleared or disturbed areas as soon as possible after clearing and grading;

(c) Limit clearing and site work, construction, and clearing to areas needed for immediate development;

(d) Develop asphalt roads as soon as possible;

(e) Initiate landscaping before development work is completed on a site;

(f) Construct sediment basins at the start of each drainage system phase;

(g) Utilize straw filter barriers or filter fabric at discharge points including, but not limited to, temporary discharge points;

(h) Install temporary sediment basins and perimeter dike systems as a first step in the grading process and inspect and clean out the temporary sediment basins on a regular basis; and

(i) Preserve the existing natural vegetation along Foley Creek and Cooper Creek, as depicted on Revised Map H.

Air Quality

E.(1) The Developer* shall, subject to applicable water quality standards, institute the following procedures to ensure dust control during development of the Project*:

(a) Implement a watering program during excavation and dredge and fill operations;

(b) Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;

(c) Treat disturbed areas after clearing, grading, earth moving, or excavation is completed by watering, revegetation, spreading soil binders, or compacting fill material until areas are paved or developed;

(d) Keep soil stockpiles moist, or treat with soil binders or cover;

(e) Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;

(f) Remove dust producing materials as soon as possible;

(g) Maintain 15 mph or less vehicle and equipment speeds on temporary roads;

(h) Sod, seed, mulch, or landscape cleared or disturbed areas, including embankment areas, of stormwater detention or retention ponds as soon as possible after clearing and grading;

(i) Limit site work and construction to areas needed for immediate development;

(j) Develop asphalt roads as soon as possible;

(k) Initiate landscaping before development work is completed on-site; and

(l) Utilize water spray trucks to control dust generation in heavy construction areas.

E.(2) Further Section 380.06(6), Florida Statutes, review will be required for air quality impacts, of Phases III, and IV. This Development Order* must be amended prior to granting specific approval to Phases III, and IV to address any air quality impacts and to specify any necessary mitigation prior to the commencement of said Phases. This review shall be a cumulative assessment of the Combined Projects*.

Water Quality and Drainage

F.(1) Prior to any site alteration associated with the Project*, the Master Drainage Plan for the Project* shall be submitted to DER, SWFWMD, and EMD for review and to the County* for approval. (The requirements of Condition F.(1) have been completed)

The stormwater management system shall be designed, constructed, and maintained to meet or exceed the applicable requirements of Chapter 62-25, 40D-4, and 62-40, F.A.C. The stormwater management system shall be designed to comply with the provisions relating to the Evers Reservoir Watershed Protection Overlay District by providing treatment, at a minimum, of 150% of the criteria found in Chapter 62-25 and 40D-4, F.A.C. Nothing in this Section F.(1) shall be construed as a waiver by the Developer* of any vested rights, if any, pertaining to approved (as depicted in an approved Preliminary Site Plan for that Phase or subphase) or constructed stormwater facilities. With the exception of any such vested rights, if any, the Project* shall also comply with any special local watershed protection provisions adopted after the approval of this Development Order. An acceptable method for meeting such standards for the treatment of stormwater runoff for the majority of the site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2 of the ADA.

F.(2) Best Management Practices* (BMP) for reducing water quality impacts, as recommended by the County* and SWFWMD in accordance with adopted regulations of these agencies, shall be implemented and may include a street cleaning program for parking and roadway areas within the Project*.

F.(3) The Developer* shall be the entity responsible for maintaining the stormwater management system. The Developers* maintenance and inspection schedule for ensuring proper water quality treatment shall be submitted to the County* for approval, prior to site alteration activities associated with the Project*.

F.(4) Stormwater discharge shall not cause the receiving water body to violate the limits defined in the Class appropriate to that water body. Where background conditions in the water body in question do not meet the applicable standards due to natural causes outside the control of the Developer*, site specific, alternative criteria may be established in conjunction with the County*.

F.(5) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a surface water quality and quantity monitoring program approved by the County* (Completed). This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include provisions for the

characterization of pre-construction baseline water quality and quantity conditions of surface water entering and leaving the site. The surface water monitoring program shall also provide the monitoring of surface water quality during periods of construction. In addition, the surface water monitoring program shall include an ongoing plan for monitoring of post-construction surface water quality. The surface water quality monitoring program required pursuant to this condition shall include an identification of the locations, frequency, and duration of sampling, parameters to be monitored, collection and analytical methods, and reporting requirements. All water quality sample collections and laboratory analyses shall be made in accordance with USEPA/FDEP approved methodology. The laboratory performing the analyses shall be certified by the FDHRS and shall have an approved comprehensive quality assurance plan on file with the FDEP. Any violation of federal, state, or local water quality standards shall require corrective measures as required by that authority.

F.(6) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a groundwater monitoring program approved by the County* and EMD. This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include appropriate provisions for the characterization of the pre-development baseline water quality and water level conditions of the site's groundwater. The groundwater monitoring program required pursuant to this condition shall include an identification of well locations, sampling frequency, and sampling duration, as well as parameters to be monitored and applicable collection and analytical methods. (Completed)

Upon completion of the pre-development groundwater program, a report of results will be submitted to the County* for review and approval. In addition to the official laboratory results, the report shall include recommendations regarding monitoring during construction and post-construction. Any proposed construction and post-construction monitoring plans developed pursuant to this condition shall be submitted to the County* for review and approval.

F.(7) In the event that an overall watershed monitoring and reporting program is implemented and satisfies the intent of conditions F.(5) and F.(6), these programs may be discontinued upon the recommendation and approval of such by the County*. The City of Bradenton shall be notified prior to the approval of the discontinuance of this program.

F.(8) To the extent required by applicable law, any shoreline banks created along on-site stormwater detention lakes shall include littoral zones constructed on slopes no steeper than a 4:1 horizontal to vertical ratio and shall be planted in, or allowed to be colonized by, diverse native emergent and submergent vegetation. The Developer* shall ensure, by supplemental replanting, if necessary, at least eighty-five percent (85%) coverage by native aquatic vegetation is established within the littoral zone (to include at a minimum the area between ordinary high water and ordinary low water) in accordance with applicable regulations.

F.(9) The Developer* shall conduct annual inspections of the environmental swale systems on the Project* site to ensure the swales are being properly maintained in keeping with their design and are capable of accomplishing the level of stormwater storage/treatment for which they were designed and intended. Verification of such inspection shall be supplied in each Annual Report.

F.(10) Prior to any site alteration, the Developer* shall develop and submit for approval by the County* an Integrated Pesticide/Herbicide Management Plan (IPMP) and a Hazardous Materials Management Plan (HMMP). (Completed)

Historical and Archaeological Sites

G.(1) The discovery of any historical or archaeological resources during development activities of the University Lakes Project* shall be immediately reported to the Florida Division of Historical Resources (FDHR). If the significance of an archaeological or historical site, discovered during development, is unknown and the site is to be impacted by Project* activities, additional testing shall be required at the site to determine significance. Disposition of such resources shall be determined in cooperation with the FDHR, TBRPC, and Manatee County. Treatment of the resources shall be completed before resource-disturbing activities are allowed to continue.

Water

H.(1) The Developer* shall participate, as required by Manatee County ordinances and consistent with any Developer Agreements, in any necessary expansion of potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

H.(2) The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with the SWFWMD rules and regulations. Any existing on-site wells not intended for potable or non-potable uses shall be plugged and abandoned in accordance with Rule 40D-3.041(1), Florida Administrative Code.

H.(3) The Developer* shall require the installation of high efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices, if mandated by the Florida Water Conservation Act (Section 553.14, Florida Statutes). This will include the use of toilets requiring no more than 1.6 gallons per flush in all areas, and installation of self-closing or metered water faucets shall be required in all public and commercial restroom facilities.

H.(4) The Developer* shall maintain all water lines and fire hydrants not dedicated to the County*.

H.(5) The Developer* shall, to the extent non-potable water is available, use only non-potable water to meet non-potable water demands. For purposes of this Approval, "non-potable" water is defined as water emanating from any source other than a public water utility. The Developer* shall submit an acceptable plan to the County* and the TBRPC for the use of non-potable water on-site. The plan shall be completed prior to Final Site Plan approval for any phase or subphase and shall include an implementation timetable, as well as a determination of the availability and feasibility of using reclaimed wastewater or stormwater retention ponds for irrigation purposes, to the extent permitted by law. (Completed)

H.(6) Adequate fire flow and water pressure shall be maintained within the Project's* water supply system.

H.(7) The Developer* shall conform to and further the applicable rules and adopted guidelines of the SWFWMD in regard to protection of the groundwater resources in the Eastern Tampa Bay Water Use Caution Area (WUCA) to the extent then in effect.

H.(8) The Developer* shall use the lowest quality water supply which meets the needs of the intended use, provided that such sources are economically feasible, practically available, and legally permissible.

A plan which investigates the use and feasibility of these alternatives shall be prepared by the Developer* and submitted with the first Annual Report to TBRPC, SWFWMD, the County* for review and further action if warranted. (completed)

H.(9) For the purpose of potable and/or reclaimed water conservation, utilization of xeriscape principles are required in landscaped areas. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall only be irrigated to the minimum extent required to ensure healthy vegetation.

Wastewater

I.(1) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements, in any necessary expansion of wastewater service to and consistent with any Developer Agreements for each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project*.

I.(2) No additional permanent septic system shall be permitted within the Project*.

I.(3) Sewer lift stations shall be designed and equipped in accordance with County* regulations.

I.(4) The Developer* shall submit to the County*, prior to each Final Site Plan approval, a monitoring plan to identify and correct any leaks or ruptures of the sewer lines which are maintained by the Developer*. This plan must be approved by the County* and should identify the entity responsible for the monitoring and a time schedule for conducting the inspections. Faulty lines shall be replaced as quickly as possible. A report of inspections, results, and repairs must be included in the Annual Report.

I.(5) The disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (Ordinance No. 91-39).

I.(6) The Developer* shall implement a wastewater reuse system when feasible, as discussed in development condition H.(8) herein.

Solid Waste

J.(1) Within one year of the effective date of the Development Order, or prior to issuance of subsequent Development Approvals* for any non-residential land use within the Project*, whichever occurs later, the Developer* shall prepare a hazardous substances (including bio-hazardous wastes) and a hazardous waste management plan which shall be reviewed by DEP, TBRPC, approved by the County*, and then distributed by the Developer* to non-residential land users within the Project*.

At a minimum, the plan shall:

(a) Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;

(b) Provide a list of agencies which can be consulted regarding the types, sources, and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;

(c) Provide a list of agencies which can describe generally appropriate disposal methods;

(d) Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances and disposal of hazardous wastes;

(e) Provide a list of agencies which can describe construction requirements for hazardous waste holding areas;

(f) Describe a program to inform owners and tenants of the information contained in the Plan;

(g) Provide a list of agencies which can describe typical spill clean up methods; and

(h) Be updated and distributed to each non-residential land user annually.

(Said Plan has been approved)

J.(2) All Project* tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use shall be included in each Annual Report.

J.(3) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements in any necessary expansion of solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

J.(4) Surface impoundments of hazardous materials and hazardous wastes, land treatment of hazardous materials and hazardous wastes and landfills for hazardous materials and hazardous wastes are prohibited.

J.(5) Individual Tenants shall be required to transport and dispose of hazardous waste in a manner consistent with applicable regulations through restrictive covenants. Individual Tenants shall be encouraged to develop permittable temporary on-site hazardous waste treatment and storage capabilities prior to transport and shall remove hazardous and toxic wastes from the site as soon as is practical. Such transportation of toxic and hazardous

materials shall be performed by a company that is accredited by all appropriate agencies in the transportation and handling of such materials.

J.(6) All aboveground and underground pollutant storage tanks systems will be installed, monitored, and managed according to applicable Federal, State, and Local regulations.

Recreation and Open Space

K.(1) The Project* shall contain, at a minimum, 403.4 acres of open space (approximately 350.4 acres of wetlands and an estimated minimum of 26.5 acres of mitigation) in addition to approximately 490.8 acres committed to recreation (a 22.6 acre park, a 16.1 acre tennis/boat club, 291.7 acres of golf course, and a lake of some 160.4 acres).

Notwithstanding the above, if the County* should decide the 22.6 acres of park is not needed, then the Developer* shall be able to use the applicable parcel for residential development or as a school site, provided the number of dwelling units is not increased.

K.(2) All recreation and open space areas not deeded to the County* or other state agencies shall be maintained as common open space through deed restrictions or owned by a property owners' association for the Project* or neighborhood within the Project*, as may be appropriate in accordance with the Land Development Code.

K.(3) Except as described in K.(1) above, all recreation, park, and wetland sites, as shown on Revised Map H of the ADA*, shall not be utilized for other uses inconsistent with their designation on said map. Any proposal to change these uses shall be subject to a Substantial Deviation Determination if required by Subsection 380.06, Florida Statutes.

K.(4) The Project's* public parks and public recreational facilities shall be accessible to the elderly, the handicapped, and economically disadvantaged and may be subject to a reasonable agreement between the County* and the Developer* limiting the use as a park facility and times of operation.

Education

L.(1) The Development shall dedicate an elementary school site either adjacent to, or having direct access on, a constructed eCounty-maintained right-of-way and meeting all State and Manatee County new school site requirements upon request by the School Board. The school site shall be deemed to be a part of the Phase I approvals for the Project* and shall be shown on an amendment to the General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. The dedicated school site shall be a minimum of 18 acres, depending upon the characteristics of the site selected and said site shall be selected from property shown as residential, commercial, or business on Revised Map H, and shall be reflected on a revised General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. If the Developer* and the County School Board agree, the dedicated school site may be located off-site on property owned by the Applicant*. If adjacent property is provided as a public park or for emergency services, this acreage may be reduced to a total of fifteen acres.

L.(2) If the County School Board should decide the school is not required, or the selected location is inappropriate, the Developer* shall be permitted to exchange sites, to the School Board's satisfaction, and shall be permitted to use the originally selected parcel

for residential development, provided the number of dwelling units approved for the Project* is not increased. Any such exchanges in school sites shall require an amendment to the General Development Plan. If additional recreational opportunities are required, the County* may require dedication of up to five acres of the designated school site parcel for active recreation.

Health Care, Police, and Fire

M.(1) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of emergency service facilities for emergency medical services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to December 31, 1997. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law.

M.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of fire protection service facilities for fire protection services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Final Site Plan or Final Plat for Vertical Development* for Phase I or any subphase thereof. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. (Completed)

M.(3) The Project* shall be designed and constructed to meet or exceed specifications of the applicable Fire Code.

M.(4) The height of buildings allowed in the Project* shall not exceed that appropriate for the available water pressure and fire flows, or exceed the reach of available fire fighting equipment at the time of any Preliminary Site Plan approval for any phase or subphase.

M.(5) Prior to approval of each Final Site Plan, the Developer* shall provide assurance for each increment of development that the site will be supplied to the extent required by applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number and appropriate locations to accommodate fire fighting operations. Additionally, the Developer* shall provide calculations by a Florida registered engineer to the County* indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Braden River Fire Department that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Certificate of Occupancy for the Project* by the County*.

M.(6) The Manatee County Sheriff's Office shall provide typical police protection to each phase or subphase of the Project*. The Developer* shall participate, in accordance with applicable County* ordinances or Developer Agreements, in any expansion of such services necessary to serve the Project* or any phase or subphase thereof.

Economics

N.(1) Excess infrastructure capacity constructed by the Developer* shall be at the Developer's* risk and shall not vest latter development rights not addressed in this approval.

N.(2) The Project* shall promote entrepreneurship and small and minority owned business start-up, and encourage nondiscriminatory employment opportunities, pursuant to Policies 21.2, SCP and 21.5.3, FCRPP, respectively.

N.(3) The development and promotion of a day care system should be encouraged on site and any such day care system shall be in compliance with the Manatee County Land Development Code and any other applicable regulations.

Energy

O.(1) Issuance of Development Approvals* for each phase or subphase shall be dependent upon the ability of electrical or gas utilities to meet the energy requirements of the development.

O.(2) All Project* tenants, businesses, residents, etc. shall be notified in writing by the Developer* prior to occupancy that the following energy related practices are encouraged:

(a) Use energy alternatives, such as solar energy, resource recovery, waste heat recovery, and cogeneration, where economically feasible;

(b) Obtain energy audits provided by energy companies or other qualified agencies;

(c) Install water heater timers and set water heaters at 130 degrees Fahrenheit or lower;

(d) Use landscaping and building orientation to reduce heat gain, where feasible, for all Project* construction;

(e) Promote energy conservation by employees, buyers, suppliers, and the public, as appropriate;

(f) Reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours, as appropriate;

(g) Institute and utilize recycling programs;

(h) Utilize energy efficient packaging or recyclable materials;

(i) Install total energy systems on large facilities when cost effective; and

(j) Elimination of advertising requiring lighting after business hours where feasible.

O.(3) Incorporation of the energy conservation measures referenced on pages 265 and 266 of the ADA* shall be required. A progress report on the energy conservation measures shall be included as a part of each Annual Report.

Affordable Housing

P.(1) A cumulative assessment of the affordable housing needs of Phases I and II of the University Lakes DRI and Phase I of University Place (Combined Projects*) has been performed as required by the 380 Review Agreement*. This assessment was accepted by all reviewing agencies and determined no potential unmet need for affordable housing and a potential surplus of 75 affordable units. This analysis utilized the East Central Florida Regional Planning council's (ECFRPC) "Housing Demand, Supply and Need Methodology for Assessing the Affordable Housing Impact of Developments of Regional Impact", April 1996.

P.(2) This assessment utilized the 1990 US Census as its source for rental vacancy data. In order to ensure that employees of the Combined Projects* will find adequate housing opportunities reasonably accessible to their places of employment and validate the results of the assessment, it is necessary to compare the 1990 US Census data to the 2000 US Census data.

Should the rental vacancy data from the 2000 US Census be the same as or higher than the rate utilized in the assessment (11%), then no reassessment shall be required. However, if the 2000 US Census rental vacancy rate is at least 2% lower than the vacancy rate utilized in the assessment, the applicant shall be required to conduct a revised assessment. The revised assessment would be submitted for review and approval to the Department of Community Affairs, and Manatee County, and to Sarasota County, Southwest Florida Regional Planning Council and Tampa Bay Regional Planning Council for review and comment, no later than December 31, 2002. If the re-assessment identifies an unmet need for affordable housing at any time during Phase II of University Lakes, and the impact is deemed significant, then the Developer* shall develop a mitigation program in coordination with the DCA, Manatee County, Sarasota County, SWFRPC and TBRPC.

Should the re-assessment be required and it should show a significant unmet demand for affordable housing, the results of the re-assessment shall be incorporated into this Development Order through a Notice of Proposed Change that would be submitted, by the Developer*, to Manatee County no later than March 30, 2003. If such a NOPC is required and an acceptable NOPC is not submitted to Manatee County by March 30, 2003, a Stop Work order will be in effect for any additional non-residential development. Any necessary mitigation measures shall be adopted by a Development Order amendment prior to issuance of preliminary/final site plans for any remaining Phase II development.

P.(3) Specific approval of Phases III and IV of University Lakes is conditioned on further Section 380.06(6), Florida Statutes, (submittal of a substantial deviation application for development approval) review on affordable housing, as well as the other specific issues listed elsewhere in this Development Order. The Developer* shall conduct an affordable housing study based on a methodology agreed to pursuant to said review. If the study indicates that the additional development for which the Developer* is requesting approval will create the need for affordable housing that is not being provided within the Project* or within an area proximate (as determined by the approved methodology) to the Combined Projects*, the Development Order shall be amended to include appropriate

mitigation. The affordable housing needs of the Combined Projects* shall be mitigated using those measures that are in effect at the time specific approval of a later phase is requested.

P.(4) Payments made by the Applicant under the provisions of law may be credited against any contributions which may be required under the provisions of the HAIP or subsequent housing analyses, if requested by the Developer* and approved by the County*.

P.(5) Pursuant to Rule 9J-2.048(8)(c)1, FAC, when a residential unit is constructed on-site and is within the affordable cost range as determined by that current year's annual median income as provided by the Department of Housing and Urban Development and calculated pursuant to the ECFRPC's April 1996 methodology, the Developer* shall receive credit for one and one-half (1.5) affordable housing units toward the affordable housing study.

General Conditions

Q.(1) Should the Project* significantly depart from the parameters set forth in this Development Order and the ADA*, the Project* will be subject to a Substantial Deviation Review, pursuant to Section 380.06, Florida Statutes. Any change to the Project* which meets the criteria set forth in Subsection 380.06(19), Florida Statutes, shall require a hearing to determine if the change constitutes a Substantial Deviation.

Q.(2) The Developer's* commitments set forth in the ADA*, and, as summarized in Section 6 herein, shall be honored, except as they may be superseded by specific terms of the Development Order.

Q.(3) Should the Developer* divest itself of all interest in the Project* prior to the expiration of the Development Order, the Developer* shall designate the successor entity to be responsible for preparation of the Annual Report, subject to approval by the County*.

Q.(4) All Development Approvals* shall be obtained prior to September 13, 2019. This Development Order shall expire 5 years after the buildout date to allow for post-development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

Q.(5) A Preliminary Site Plan for each phase shall be required.

Q.(6) The Developer* shall make appropriate efforts to coordinate with, and inform the appropriate public authorities of, the feasibility of the proposed school site for hurricane shelter, building closings, security and safety precautions, and evacuation plans.

Q.(7) Except for any existing use or for construction offices and similar temporary uses, or any use on the school site or park site, or other use by a public agency, any proposal to utilize mobile homes on the site shall require a Substantial Deviation Determination, pursuant to the procedures in 380.06(19)(a), Florida Statutes.

Q.(8) The Developer*, its successors, assigns or transferees, shall submit Annual DRI Reports in accordance with Section 380.06(18), Florida Statutes to the County*, TBRPC, the State Land Planning Agency, and other agencies, as may be appropriate, on the anniversary

of the effective date of this Development Order and each year thereafter until such time as all terms and conditions of this Development Order are satisfied. Six (6) copies of this report shall be submitted to the Director of the Manatee County Planning Department or the Director's designee, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the Planning Director decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification, or change of any conditions, or any terms or conditions of this Development Order. The Annual Report shall contain the following:

(a) Any changes in the plan of development, or in the representations contained in the ADA*, or in the phasing or land uses for the reporting year and for the next year;

(b) A summary comparison of development activity proposed and actually conducted for the year;

(c) Undeveloped tracts of land, other than individual single-family lots, that have been sold to a separate entity or Developer*;

(d) Identification and intended use of lands purchased, leased, or optioned by the Developer* adjacent to the original DRI site since the Development Order was issued;

(e) An assessment of the Developer's* and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the Application for Development Approval* and which have been identified by the County*, TBRPC, or DCA, as being significant;

(f) Any known incremental DRI Applications for Development Approval* or requests for a Substantial Deviation Determination that were filed in the reporting year and to be filed during the next year;

(g) An indication of a change, if any, in local government jurisdiction for any portion of the Project* since the Development Order was issued;

(h) A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

(i) A copy of any recorded notice of the adoption of a Development Order for the subsequent modification of an adopted Development Order that was recorded by the Developer* pursuant to Subsection 380.06(15)(f), Florida Statutes;

(j) A statement that all persons have been sent copies of the Annual Report in conformance with Subsection 380.06(15) and (18), Florida Statutes;

(k) Information on the actual prices and rents of housing units constructed relative to the then-current Department of Housing and Urban Development (HUD) affordable housing guidelines;

(l) Reports or information pursuant to conditions A.(7), A.(8), J.(2), and O.(3).

Q.(9) All proposed modifications to University Lakes will be reviewed based on the Combined Projects* to determine whether the proposed modification will exceed any of the criteria set forth in Subsection 380.06(19), Florida Statutes.

In the event the University Place Development Order is amended by Sarasota County to allow development inconsistent with Table 3 or Table 4 of the University Lakes Development Order, then upon expiration of the 45-day appeal period of the amendment or, if the amendment is appealed, upon settlement of the appeal, the Developer* shall apply for an amendment to the University Lakes Development Order, and Manatee County subsequently shall consider an amendment to the University Lakes Development Order to make it consistent with the University Place Development Order. A Notice of Proposed Change, pursuant to Subsection 380.06(19), Florida Statutes, shall not be required for the amendment to the University Lakes Development Order, as described above, to make it consistent with the University Place Development Order, but shall require the requisite public hearings under Chapter 125, Florida Statutes, and the Land Development Code. However, such Development Order amendment adopted by Manatee County must be rendered to the Department, pursuant to Subsection 380.06(19), Florida Statutes. If the amendment to the University Lakes Development Order is consistent with the amendment to the University Place Development Order or any settlement of an appeal of the University Place Development Order amendment, then DCA shall not appeal the amendment.

The substantial deviation criteria set forth herein are not applicable to land use exchanges which are authorized pursuant to Sections 4.B. and 4.C. of this Development Order. Additions to the amount of development in a particular land use category resulting from the use of the exchange mechanism are permitted only in conjunction with the simultaneous reduction from another specifically approved use and do not authorize additional development beyond that which has received specific Development Order Approval.

Q.(10) Unless otherwise expressly stated in this Ordinance , the Project* shall comply with all future amendments to the Land Development Code and the Comprehensive Plan.

Q.(11) Wherever in this Development Order the Developer* is required to file a Notice of Proposed Change, the Developer* shall send a copy of said NOPC to Sarasota County and SWFRPC.

Q.(12) In the event of a Development Order appeal or other legal challenge of this Development Order by the Department of Community Affairs, the Developer* shall pay all reasonable costs and fees of County* staff and attorneys relating to said appeal or legal challenge at the rate for processing this Development Order under the current Planning fee schedule. Payment of all billings by the Developer* related to such fees and costs shall be paid within forty five (45) days of submittal of an invoice.

Section 6. DEVELOPER* COMMITMENTS

The following are Developer* commitments set forth in the ADA* which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order or applicable law.

A. GENERAL PROJECT* DESCRIPTION

A.(1) The three designated community commercial areas will be developed in compliance with the adopted Comprehensive Plan in terms of permitted uses, maximum square footage, floor area ratio, and location on the road network. (SR, 17 & 18)

A.(2) All requirements of the Evers Reservoir Watershed Overlay District will be met within this Project*. (ADA*, 16)

A.(3) Neighborhood oriented retail areas will be located within the community commercial parcels which lie within the RES-1 Future Land Use Classification. (SR, 13)

A.(4) The Project* will construct, or cause to be constructed, two major thoroughfares, University Parkway and the extension of Upper Manatee River Road. (SR, 93)

B. WETLANDS

B.(1) The existing wetlands and proposed mitigation areas will have 50-foot wetland buffers around DEP wetlands and 30-foot buffers around wetlands within the jurisdiction of ACOE and SWFWMD, as shown on Revised Map H. (ADA*, 16)

B.(2) A total of approximately 312.2 Acres of native wetland habitats on-site will be preserved. (ADA*, 65)

B.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (ADA*, 21)

C. WATER

C.(1) The pesticides, herbicides, and fertilizers used on grassed areas of the University Lakes site will be applied in strict accordance with the manufacturer's application guidelines to avoid negative impacts on surface water quality. (SR, 175)

C.(2) Erosion controls will be of primary importance in preventing fertilizer runoff. Soil tests will be conducted to avoid application of unnecessary types, rates, and amounts of fertilizers. Applications will be made when adequate soil moisture exists and likelihood of major storm event is minimal. (SR, 32)

C.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (SR, 33)

D. SOILS

D.(1) All of the methods described on pages 140 and 143 of the ADA* will be utilized to overcome the soil limitations on-site. (ADA*, 140 & 143)

D.(2) The wind and soil erosion abatement methods listed in the ADA* will be followed. (ADA*, 143)

E. FLOODPLAINS

E.(1) Any loss of 100-year floodplain storage volume will be compensated by the excavation and creation of equal storage volume within the 100-year floodplain. (ADA*, 147)

F. WATER SUPPLY

F.(1) The internal potable water supply system will be constructed to Manatee County standards and dedicated to Manatee County where the potable system exists in proposed public rights-of-way. (ADA*, 155)

F.(2) Non-potable water conservation will be accomplished through the use of xeriscaping and preservation of existing native vegetation communities in accordance with applicable provisions in the Manatee County Land Development Code. (ADA*, 157)

G. STORMWATER MANAGEMENT

G.(1) All off-site runoff is to be routed through or around the property. There are five areas where off-site flow will be accepted into the stormwater management system, totaling 50.2 acres along the southern boundary and 12.6 acres along the northern boundary. (ADA*, 167)

G.(2) The stormwater management system will accept all existing off-site flows from Sarasota County. (SR, 190)

G.(3) The primary method for treatment of stormwater runoff for virtually the entire site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2. (ADA*, 172)

G.(4) The wet detention system will incorporate vegetated littoral zones which will equal approximately 15 to 20 percent of the surface area of the stormwater detention ponds. Sediment sumps will be provided at all inflow locations. (ADA*, 174)

G.(5) The hydroperiods of all on-site wetlands will be maintained except as depicted on Revised Map H. (ADA*, 176)

G.(6) Water levels in the detention ponds will be designed to be compatible with wetland seasonal high water tables and existing upland water tables. (ADA*, 183)

G.(7) Litter and debris which is captured within the stormwater treatment ponds will be periodically removed during routine clean-up of the Project's* open space areas and pond system. (SR, 104)

H. SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE

H.(1) The Applicant will investigate the possibility of mulching trees and brush that will be removed as land clearing operations commence, for the purpose of retaining mulch to meet the on-site needs. (SR, 109)

I. TRANSPORTATION RESOURCES

I.(1) The Project* will construct or cause to be constructed University Parkway and the extension of Upper Manatee River Road. (ADA*, 23)

I.(2) The segment of University Parkway through the site will be dedicated to Manatee County and will include 200 feet of right-of-way. (SR, 72)

I.(3) The Applicant is proposing dedication of all necessary right-of-way with regard to roadways located in the Project* as shown on Revised Map H. (SR, 132)

J. AIR

J.(1) The Project* will utilize current state-of-the-art methodologies for prevention of fugitive dust particulates during construction. (ADA*, 21)

J.(2) Clearing and grubbing operations will be performed only on individual parcels of land where construction is scheduled to proceed. Measures to be employed to minimize fugitive dust will include sodding, seeding, mulching, or landscape planting in cleared or disturbed areas. (ADA*, 226)

K. POLICE AND FIRE PROTECTION

K.(1) The Applicant/Developer* will provide a pro-rata share for any equipment or personnel needs that may be created by this Project* for police and fire protection and emergency medical services in accordance with applicable regulations. (ADA*, 25)

K.(2) The Developer* will provide a pro-rata share of the cost of building and equipping the facilities needed to provide emergency medical services to the Project*. (ADA*, 259)

L. RECREATION AND OPEN SPACE

L.(1) All proposed bike and pedestrian paths will be confined to appropriate areas outside of preservation areas in accordance with applicable laws and regulations. (SR, 83)

L.(2) The Project* will feature pedestrian ways and bikeways throughout the development, connecting the housing area to the recreational areas and the commercial areas. (ADA*, 9; SR, 207)

L.(3) University Lakes will have major active recreational land uses comprising over 18 percent of the total Project* acreage. The project will contain a tennis and swim club and boat clubhouse which will be located on the 160.4 acre lake. It will also contain a park, golf course, clubhouses, and driving ranges. (ADA*, 9)

L.(4) The recreational lakes, tennis and boat club, and golf course may be maintained and operated by a private owner and may require private membership or use permits. Open space and environmentally sensitive land will be protected by covenants or conservation easements to protect the natural qualities and will be conveyed to the appropriate homeowners' or master homeowners' association for maintenance. (ADA*, 252-253)

M. EDUCATION

M.(1) The Project* will provide a financial contribution or donation of land to the educational system for the purpose of building schools to service the residential component of the Project*, facilitating educational opportunities within close proximity for the school age children of the Project*. (ADA*, 24)

N. ENERGY

N.(1) The Project* will utilize both electric power and natural gas as sources of energy. Energy conservation techniques, including the use of landscaping, building orientation, and natural vegetation will be used to promote energy conservation. (ADA*, 27)

N.(2) If the need for an electric substation arises, a suitable location will be determined and provided to Florida Power and Light Company. (SR, 86)

N.(3) The traditional energy conservation methods will be used in the residential and non-residential building construction. Some of these methods are:

(a) increased insulation;

(b) high efficiency-type mechanical appliances;

(c) cross ventilation;

(d) window orientation;

(e) solar heating and cooling systems; and

(f) low pressure sodium lamps for exterior lighting. (ADA*, 265-266)

N.(4) The Developer* will implement, where feasible, the energy conservation measures described in the ADA*. (ADA*, p.263)

O. AIR

O.(1) The Developer* will implement the steps described in the ADA* to minimize fugitive dust emissions from wind erosion of disturbed soil surfaces, movement of construction equipment, and burning of cleared vegetative material. (ADA*, 226)

O.(2) The level of service of all roadways in the Transportation Impact Area* will be maintained at LOS D or better, thereby maintaining air quality. (ADA*, 228)

P. WATER SUPPLY

P.(1) The Developer* will consider the use of surface water from detention ponds as a supplement to groundwater resources. (ADA*, 154)

P.(2) Non-potable water conservation measures will include xeriscaping and preservation of native vegetative communities. If permitted, the Developer* would also consider the use of treated effluent from the County's* regional wastewater treatment facilities. (ADA*, 157)

Q. WATER QUALITY AND DRAINAGE

Q.(1) The primary method of treatment will be wet detention with effluent filtration utilizing a double underdrain system. The required level of treatment will be exceeded further by the use of biological filtration utilizing vegetated shallow shelves within the stormwater detention ponds. The on-site 160 acre lake will also be incorporated into the stormwater management system providing an opportunity to utilize extended residence time as an additional mitigative measure. (ADA*, 128)

Q.(2) Existing on-site wetlands will form an integral part of the stormwater management system, providing a mechanism for hydroperiod maintenance, storage, and improved surface water quality. (ADA*, 168)

Q.(3) All major drainageways and lake outfalls will be designed based upon a 25-year/24-hour storm event as provided in the ADA*. All interior and minor drainage systems are to be designed to a 10 year critical duration storm event. While runoff volume will increase with total development, the post-development 25-year/24-hour peak discharge rate will be maintained at or below to pre-development 25-year/24-hour peak discharge rate throughout the construction phases. (ADA*, 171)

Q.(4) The stormwater treatment system will meet FDEP Stormwater System Design Standards for discharge into Outstanding Florida Waters, as provided by Chapter 403, Florida Statutes, and Chapters 17-302, 17-4, and 17-25, F.A.C. (ADA*, 172)

Q.(5) Wetland hydroperiods will be maintained through the introduction of pre-treated stormwater ponds upstream of those wetlands. (ADA*, 176)

SECTION 7. LEGAL DESCRIPTION

Development of University Lakes shall be restricted to the 2,421.7acres owned by the Developer* and described by the legal description included as Attachment #6 attached to, and made a part of, this Development Order.

SECTION 8. DEADLINE FOR COMMENCEMENT OF CONSTRUCTION

Physical development of the Project* shall commence within three years of the effective date of this Ordinance unless the time period for commencement is extended by the Board of County Commissioners (Development has commenced). If more than three years shall elapse between approval of this order and commencement of actual development, or if construction of a phase is not begun or completed by the time frame contained in Section 4. above, or if any five year period shall expire without significant development activity on the site, the Board of County Commissioners may conduct a public hearing in accordance with the Land Development Code and may, at its option, rescind any and all approvals granted herein, including the Certificate of Level of Service. Any delay in construction commencement shall not be deemed to extend any time frame for completion of construction, commencement of subsequent phases, or the termination date of this Development Order. For the purpose of this provision, "significant development" shall be the actual construction of site improvements or buildings as part of an ongoing effort to prepare improved land or buildings for sale, lease, or use.

SECTION 9. RESTRICTIONS ON DOWN-ZONING

Prior to October 13, 2019, the County* may not down-zone or reduce the intensity or unit density permitted by this Order, unless the County* can demonstrate that:

(a) substantial changes in the conditions underlying the approval of the Order have occurred; or

(b) the Order was based upon substantially inaccurate information provided by the Developer*; or

(c) the change is clearly established by the County* to be essential for the public health, safety, or welfare.

Any down-zoning or reduction of intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for changes in local land development regulations.

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order.

The inclusion of this Section is not to be construed as evidencing any present or foreseeable intent on the part of the County* to down-zone or alter the density or intensity of the Project*, but is included herein to comply with Section 380.06(15)(c)3, Florida Statutes.

SECTION 10. BINDING ORDER UPON DEVELOPER*

This Development Order shall be binding upon the Developer*.

SECTION 11. RENDITION

The Planning Department is hereby directed to send certified copies of this Order within thirty (30) days of the date of signature by the Chairman of the Board of County Commissioners to the Developer*, the Florida Department of Community Affairs, and TBRPC.

SECTION 12. NOTICE OF RECORDING

The Developer* shall record a notice of adoption of this Order as required pursuant to Chapter 380, Florida Statutes, and shall furnish the Planning Department a copy of the recorded notice.

SECTION 13. SEVERABILITY

It is the intent of this Development Order to comply with the requirements of all applicable law and constitutional requirements. If any provision or portion of this Development Order is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then such provision or portion shall be deemed null and void, but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 14. EFFECTIVE DATE

This Ordinance,00-45, shall take effect upon being signed by the Chairman of the Board of County Commissioners, the receipt of an official acknowledgment from the Department of State and the expiration of any appropriate appeal period, which date shall be the effective date of this Ordinance or the effective date of this Development Order as the terms may be used herein.

SECTION 15. AMENDMENT OF DEVELOPMENT ORDER FOR DRI NO. 22.

The previous Development Order for University Lakes which was adopted on June 1, 1992 and all subsequent amendments are hereby replaced in their entirety.

ADOPTED AND APPROVED with a quorum present and voting the 22nd day of February, 2000.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: Stan Stephen
Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

By Susan B. Romine DC

ATTACHMENTS

1. Affordable Housing Analysis (as contained in NOPC application dated 12/22/98 and sufficiency responses dated September 14, 1999)
2. 380 Review Agreement
3. Revised Map H (as attached herein)
4. Revised Map J (as attached herein)
5. Traffic Impact Table (attachment 6 of Ord 93-25)
6. Legal Description (as attached herein)

* ATTACHMENTS #2, AND #5 ARE NOT ATTACHED BUT ARE ON FILE AT THE CLERK'S OFFICE AS ATTACHMENTS TO THE PREVIOUSLY APPROVED ORDINANCE-93-25

Exhibit 1

ATTACHMENT 2

UNIVERSITY LAKES DRI PHASE II NOPC
AFFORDABLE HOUSING ANALYSIS

The Affordable Housing Analysis which follows was prepared utilizing the East Central Florida Regional Planning Council (ECFRPC) "Housing Demand, Supply and Need Methodology for Assessing the Affordable Housing Impact of Developments of Regional Impact", April 1996. This methodology was prepared by the ECFRPC for the Department of Community Affairs.

The affordable housing demand estimated to be generated by Phase II of the University Lakes DRI and the supply of affordable housing available to meet that demand is covered in this analysis.

Demand Calculations

The ECFRPC Methodology specifies the following seven steps to be completed in calculating demand for affordable housing units:

1. *Determine the median household income and the income thresholds for very low, low and moderate income households for the appropriate county or Metropolitan Statistical Area (MSA).*

   The median household income and income thresholds for the Sarasota/Bradenton MSA are presented in Table 1.

Table 1
Median Income and Income Thresholds
For Moderate, Low and Very Low Income Households
For Sarasota/Bradenton MSA, Florida, 1998

Median Income	$43,300
Very Low (<50%)	< $21,650
Low (50 - 80%)	$21,650 - $34,640
Moderate (80 - 120%)	$34,641 - $51,960

Source: U.S. Department of Housing and Urban Development, Jacksonville, FL, 1998.

2. *Determine how many permanent, non-construction jobs will be created as a result of the development (including part-time employees).*

   The estimate of permanent, non-construction jobs created as a result of University Lakes DRI Phase II is presented in Table 2.

Table 2
University Lakes DRI - Phase II
Projected Permanent, Non-Construction
Employment By Land Use

Land Use (SIC Codes)	Retail[1] (52-59)	Office[2] (60-67,73)	Industrial[3] (20-39)	Hospital[4] (80)	TOTALS
Phase II Development#	1,066,028	208,608	312,912	180,000 150 Beds	1,767,548 150 Beds
Phase II Employment	2,665	834	313	546	4,358

Notes:
All Development Measurements are in Square Feet unless otherwise noted.
(1) Retail Employment Generation Factor = 1 employee / 400 sq. ft.
(2) Office Employment Generation Factor = 1 employee / 250 sq. ft.
(3) Industrial Employment Generation Factor = 1 employee / 1,000 sq. ft.
(4) Hospital Employment Generation Factor = 1 employee / 330 sq. ft.
Source: University Lakes DRI Development Order Ordinance 97-81, Table 2, December, 16, 1997; Employment calculations by Wilson, Miller, Barton & Peek, Inc., September, 1998.

3. *Determine how many of these jobs will have salaries within the very low, low or moderate income ranges. Use the average salaries from the Florida Department of Labor and Employment Security given by SIC code, or other reliable source.*

Tables 3 through 6 separate potential employees by income level and phase. The average annual salary utilized is based on the Quarterly Edited ES-202 Report for the Sarasota/Bradenton MSA, second quarter 1997 available from the Florida Department of Labor & Employment Security. These spreadsheets indicate the credibility of the estimated distribution by comparing the spreadsheet's total wages and the total wages of the employees at their average annual salary. While there is no mandate or expectation that the total wages of the estimated distribution and the wages based on average annual salary be identical, the ECFRPC recommends that they be within 10%-20%.

Table 3
University Lakes DRI
Demand Calculation Model
Phase II Estimated Retail Employment by Income Group

MODEL: Manatee County 1998
MEDIAN INCOME 1998: $43,300*
RETAIL BY SIC CODE (52-59): $15,864**
PHASE II

	Wage Ranges									
Income Group	Low	High	Midpoint	Number of Employees	Total Wages	Heads of Household	Single Worker HHs	Income	Multi-Worker HHs	Income
Very Low	$8,500	$9,999	$9,250	25	$231,238	9	3	$9,250	6	$14,892
	$10,000	$12,499	$11,250	75	$843,713	28	10	$11,250	18	$18,112
	$12,500	$14,999	$13,750	200	$2,749,900	74	27	$13,750	47	$22,137
	$15,000	$17,499	$16,250	800	$12,999,600	294	107	$16,250	187	$26,162
	$17,500	$19,999	$18,750	665	$12,468,418	245	89	$18,750	156	$30,187
	$20,000	$21,649	$20,825	255	$5,310,248	94	34	$20,825	60	$33,527
Low	$21,650	$22,499	$22,075	150	$3,311,175	92	33	$22,075	59	$35,540
	$22,500	$24,999	$23,750	125	$2,968,688	77	28	$23,750	49	$38,237
	$25,000	$27,499	$26,250	100	$2,624,950	61	22	$26,250	39	$42,262
	$27,500	$29,999	$28,750	75	$2,156,213	46	17	$28,750	29	$46,287
	$30,000	$32,499	$31,250	50	$1,562,475	31	11	$31,250	20	$50,312
	$32,500	$34,649	$33,575	40	$1,342,980	25	9	$33,575	16	$54,055
Moderate	$34,650	$37,499	$36,075	30	$1,082,235	21	8	$36,075	13	$58,080
	$37,500	$39,999	$38,750	25	$968,738	18	7	$38,750	11	$62,387
	$40,000	$42,499	$41,250	20	$824,990	14	5	$41,250	9	$66,412
	$42,500	$44,999	$43,750	15	$656,243	11	4	$43,750	7	$70,437
	$45,000	$47,499	$46,250	10	$462,495	7	3	$46,250	4	$74,462
	$47,500	$49,999	$48,750	5	$243,748	4	1	$48,750	3	$78,487
	$50,000	$52,499	$51,250	0	$0	0	0	$51,250	0	$82,512
(A) Total employees and wages of this model:				2,665	$52,808,043					
(B) Total wages of 2,665 employees at $15,864				2,665	$42,277,560					

Notes: Distribution by Wilson, Miller, Barton & Peek, Inc., September, 1998.
Spreadsheet provided by East Central Florida Regional Planning Council, July, 1998.
* Median Income provided by U.S. Dept. of Housing & Urban Development, Jacksonville, FL, 1998.
** Average Wage by SIC Code provided by Florida Dept. of Labor & Employment Security ES-202 Report, 2nd Quarter, 1997.

Table 4
University Lakes DRI
Demand Calculation Model
Phase II Estimated Office Employment by Income Group

MODEL: Manatee County 1998
MEDIAN INCOME 1998: $43,300*
OFFICE BY SIC CODE (60-67, 73): $25,000**
PHASE II

	Wage Ranges									
Income Group	Low	High	Midpoint	Number of Employees	Total Wages	Heads of Household	Single Worker HHs	Income	Multi-Worker HHs	Income
Very Low	$8,500	$9,999	$9,250	0	$0	0	0	$9,250	0	$14,892
	$10,000	$12,499	$11,250	0	$0	0	0	$11,250	0	$18,112
	$12,500	$14,999	$13,750	0	$0	0	0	$13,750	0	$22,137
	$15,000	$17,499	$16,250	0	$0	0	0	$16,250	0	$26,162
	$17,500	$19,999	$18,750	0	$0	0	0	$18,750	0	$30,187
	$20,000	$21,649	$20,825	10	$208,245	4	1	$20,825	3	$33,527
Low	$21,650	$22,499	$22,075	20	$441,490	12	4	$22,075	8	$35,540
	$22,500	$24,999	$23,750	75	$1,781,213	46	17	$23,750	29	$38,237
	$25,000	$27,499	$26,250	250	$6,562,375	153	56	$26,250	97	$42,262
	$27,500	$29,999	$28,750	125	$3,593,688	77	28	$28,750	49	$46,287
	$30,000	$32,499	$31,250	100	$3,124,950	61	22	$31,250	39	$50,312
	$32,500	$34,649	$33,575	75	$2,518,088	46	17	$33,575	29	$54,055
Moderate	$34,650	$37,499	$36,075	60	$2,164,470	42	15	$36,075	27	$58,080
	$37,500	$39,999	$38,750	40	$1,549,980	28	10	$38,750	18	$62,387
	$40,000	$42,499	$41,250	30	$1,237,485	21	8	$41,250	13	$66,412
	$42,500	$44,999	$43,750	20	$874,990	14	5	$43,750	9	$70,437
	$45,000	$47,499	$46,250	15	$693,743	11	4	$46,250	7	$74,462
	$47,500	$49,999	$48,750	10	$487,495	7	3	$48,750	4	$78,487
	$50,000	$52,499	$51,250	4	$204,998	3	1	$51,250	2	$82,512
(A) Total employees and wages of this model:				834	$25,443,208					
(B) Total wages of 834 employees at $25,000				834	$20,850,000					

Notes: Distribution by Wilson, Miller, Barton & Peek, Inc., August, 1998.
Spreadsheet provided by East Central Florida Regional Planning Council, July, 1998.
* Median Income provided by U.S. Dept. of Housing & Urban Development, Jacksonville, FL, 1998.
** Average Wage by SIC Code provided by Florida Dept. of Labor & Employment Security ES-202 Report, 2nd Quarter, 1997.

Table 5
University Lakes DRI
Demand Calculation Model
Phase II Estimated Industrial Employment by Income Group

MODEL: Manatee County 1998
MEDIAN INCOME 1998: $43,300*
INDUSTRIAL BY SIC CODE (20-39): $30,068**
PHASE II

	Wage Ranges									
Income Group	Low	High	Midpoint	Number of Employees	Total Wages	Heads of Household	Single Worker HHs	Income	Multi-Worker HHs	Income
Very Low	$8,500	$9,999	$9,250	0	$0	0	0	$9,250	0	$14,892
	$10,000	$12,499	$11,250	0	$0	0	0	$11,250	0	$18,112
	$12,500	$14,999	$13,750	0	$0	0	0	$13,750	0	$22,137
	$15,000	$17,499	$16,250	0	$0	0	0	$16,250	0	$26,162
	$17,500	$19,999	$18,750	0	$0	0	0	$18,750	0	$30,187
	$20,000	$21,649	$20,825	0	$0	0	0	$20,825	0	$33,527
Low	$21,650	$22,499	$22,075	0	$0	0	0	$22,075	0	$35,540
	$22,500	$24,999	$23,750	5	$118,748	3	1	$23,750	2	$38,237
	$25,000	$27,499	$26,250	15	$393,743	9	3	$26,250	6	$42,262
	$27,500	$29,999	$28,750	30	$862,485	18	7	$28,750	11	$46,287
	$30,000	$32,499	$31,250	94	$2,937,453	58	21	$31,250	37	$50,312
	$32,500	$34,649	$33,575	50	$1,678,725	31	11	$33,575	20	$54,055
Moderate	$34,650	$37,499	$36,075	40	$1,442,980	28	10	$36,075	18	$58,080
	$37,500	$39,999	$38,750	30	$1,162,485	21	8	$38,750	13	$62,387
	$40,000	$42,499	$41,250	20	$824,990	14	5	$41,250	9	$66,412
	$42,500	$44,999	$43,750	15	$656,243	11	4	$43,750	7	$70,437
	$45,000	$47,499	$46,250	10	$462,495	7	3	$46,250	4	$74,462
	$47,500	$49,999	$48,750	4	$194,998	3	1	$48,750	2	$78,487
	$50,000	$52,499	$51,250	0	$0	0	0	$51,250	0	$82,512
(A) Total employees and wages of this model:				313	$10,735,344					
(B) Total wages of 313 employees at $30,068				313	$9,411,284					

Notes: Distribution by Wilson, Miller, Barton & Peek, Inc., August, 1998.
Spreadsheet provided by East Central Florida Regional Planning Council, July, 1998.
* Median Income provided by U.S. Dept. of Housing & Urban Development, Jacksonville, FL, 1998.
** Average Wage by SIC Code provided by Florida Dept. of Labor & Employment Security ES-202 Report, 2nd Quarter, 1997.

Table 6
University Lakes DRI
Demand Calculation Model
Phase II Estimated Hospital Employment by Income Group

MODEL: Manatee County 1998
MEDIAN INCOME 1998: $43,300*
HOSPITAL BY SIC CODE (80): $27,720**
PHASE II

	Wage Ranges									
Income Group	Low	High	Midpoint	Number of Employees	Total Wages	Heads of Household	Single Worker HHs	Income	Multi-Worker HHs	Income
Very Low	$8,500	$9,999	$9,250	0	$0	0	0	$9,250	0	$14,892
	$10,000	$12,499	$11,250	0	$0	0	0	$11,250	0	$18,112
	$12,500	$14,999	$13,750	0	$0	0	0	$13,750	0	$22,137
	$15,000	$17,499	$16,250	0	$0	0	0	$16,250	0	$26,162
	$17,500	$19,999	$18,750	0	$0	0	0	$18,750	0	$30,187
	$20,000	$21,649	$20,825	5	$104,123	2	1	$20,825	1	$33,527
Low	$21,650	$22,499	$22,075	10	$220,745	6	2	$22,075	4	$35,540
	$22,500	$24,999	$23,750	25	$593,738	15	5	$23,750	10	$38,237
	$25,000	$27,499	$26,250	40	$1,049,980	25	9	$26,250	16	$42,262
	$27,500	$29,999	$28,750	164	$4,714,918	101	37	$28,750	64	$46,287
	$30,000	$32,499	$31,250	70	$2,187,465	43	16	$31,250	27	$50,312
	$32,500	$34,649	$33,575	60	$2,014,470	37	13	$33,575	24	$54,055
Moderate	$34,650	$37,499	$36,075	50	$1,803,725	35	13	$36,075	22	$58,080
	$37,500	$39,999	$38,750	40	$1,549,980	28	10	$38,750	18	$62,387
	$40,000	$42,499	$41,250	30	$1,237,485	21	8	$41,250	13	$66,412
	$42,500	$44,999	$43,750	20	$874,990	14	5	$43,750	9	$70,437
	$45,000	$47,499	$46,250	15	$693,743	11	4	$46,250	7	$74,462
	$47,500	$49,999	$48,750	10	$487,495	7	3	$48,750	4	$78,487
	$50,000	$52,499	$51,250	7	$358,747	5	2	$51,250	3	$82,512
(A) Total employees and wages of this model:				546	$17,891,602					
(B) Total wages of 546 employees at $27,720				546	$15,135,120					

Notes: Distribution by Wilson, Miller, Barton & Peek, Inc., August, 1998.
Spreadsheet provided by East Central Florida Regional Planning Council, July, 1998.
* Median Income provided by U.S. Dept. of Housing & Urban Development, Jacksonville, FL, 1998.
** Average Wage by SIC Code provided by Florida Dept. of Labor & Employment Security ES-202 Report, 2nd Quarter, 1997.

4. *Determine the percentage of wage earners in each income category who are the head of a household for the appropriate county.*

Tables 3 through 6 provide the number of employees who are heads of households.

5. *Using the percentages of single-worker and multi-worker households from Table 1, separate the households (estimated in step 4) into single and multi-worker households.*

Employee heads of households are separated into single-worker and multi-worker households in 3 through 6.

6. *The income of the single-worker households is the same as the income per SIC code (or the income estimated by distributing the employees around the average wage) determined in step 3. Using the percentages of Additional Income for Multi-worker Households in Table 1, factor in the additional income to the SIC code income to determine the income of multi-worker households.*

Tables 3 through 6 show the adjustment to income for multi-worker households by income range.

7. *Estimate housing affordability for each of the households in step 6. Affordability shall be determined as defined in Appendix A of the methodology.*

Table 7 presents calculations of affordability thresholds for very low, low and moderate income households. Table 8 calculates the affordable rent and home price for each of the households identified in 3 through 6.

Table 8
University Lakes DRI
Phase II
Projected Affordable Housing Demand

Income Group	Number of Households*	Income	Rent	Monthly Payment	Payment Less Taxes and Insurance	6.5% Mortgage	Home Price
Very Low Income Less Than $21,650 296 Total Households	3	$9,250	$181	$231	$208	$31,680	$33,347
	10	$11,250	$231	$281	$253	$38,530	$40,558
	27	$13,750	$294	$344	$309	$47,092	$49,571
	6	$14,892	$322	$372	$335	$51,004	$53,689
	107	$16,250	$356	$406	$366	$55,655	$58,584
	18	$18,112	$403	$453	$408	$62,033	$65,298
	89	$18,750	$419	$469	$422	$64,218	$67,597
	36	$20,825	$471	$521	$469	$71,325	$75,078
Low Income $21,650 - $34,640 843 Total Households	39	$22,075	$502	$552	$497	$75,606	$79,585
	47	$22,137	$503	$553	$498	$75,819	$79,809
	51	$23,750	$544	$594	$534	$81,343	$85,624
	187	$26,162	$604	$654	$589	$89,605	$94,321
	90	$26,250	$606	$656	$591	$89,905	$94,637
	89	$28,750	$669	$719	$647	$98,468	$103,650
	156	$30,187	$705	$755	$679	$103,390	$108,832
	70	$31,250	$731	$781	$703	$107,030	$112,664
	64	$33,527	$788	$838	$754	$114,832	$120,876
	50	$33,575	$789	$839	$755	$114,994	$121,046
Moderate Income $34,641 - $51,960 745 Total Households	71	$35,540	$838	$888	$800	$121,725	$128,132
	46	$36,075	$852	$902	$812	$123,556	$130,059
	90	$38,237	$906	$956	$860	$130,962	$137,855
	35	$38,750	$919	$969	$872	$132,718	$139,703
	26	$41,250	$981	$1,031	$928	$141,281	$148,717
	158	$42,262	$1,007	$1,057	$951	$144,748	$152,366
	18	$43,750	$1,044	$1,094	$984	$149,843	$157,730
	14	$46,250	$1,106	$1,156	$1,041	$158,406	$166,743
	153	$46,287	$1,107	$1,157	$1,041	$158,533	$166,877
	8	$48,750	$1,169	$1,219	$1,097	$166,968	$175,756
	123	$50,312	$1,208	$1,258	$1,132	$172,319	$181,388
	3	$51,250	$1,231	$1,281	$1,153	$175,531	$184,769
	1,884	Total Affordable Housing Demand Generated by Phase II of University Lakes					

Note: * From Tables 3 through 6.

Housing Supply Assessment

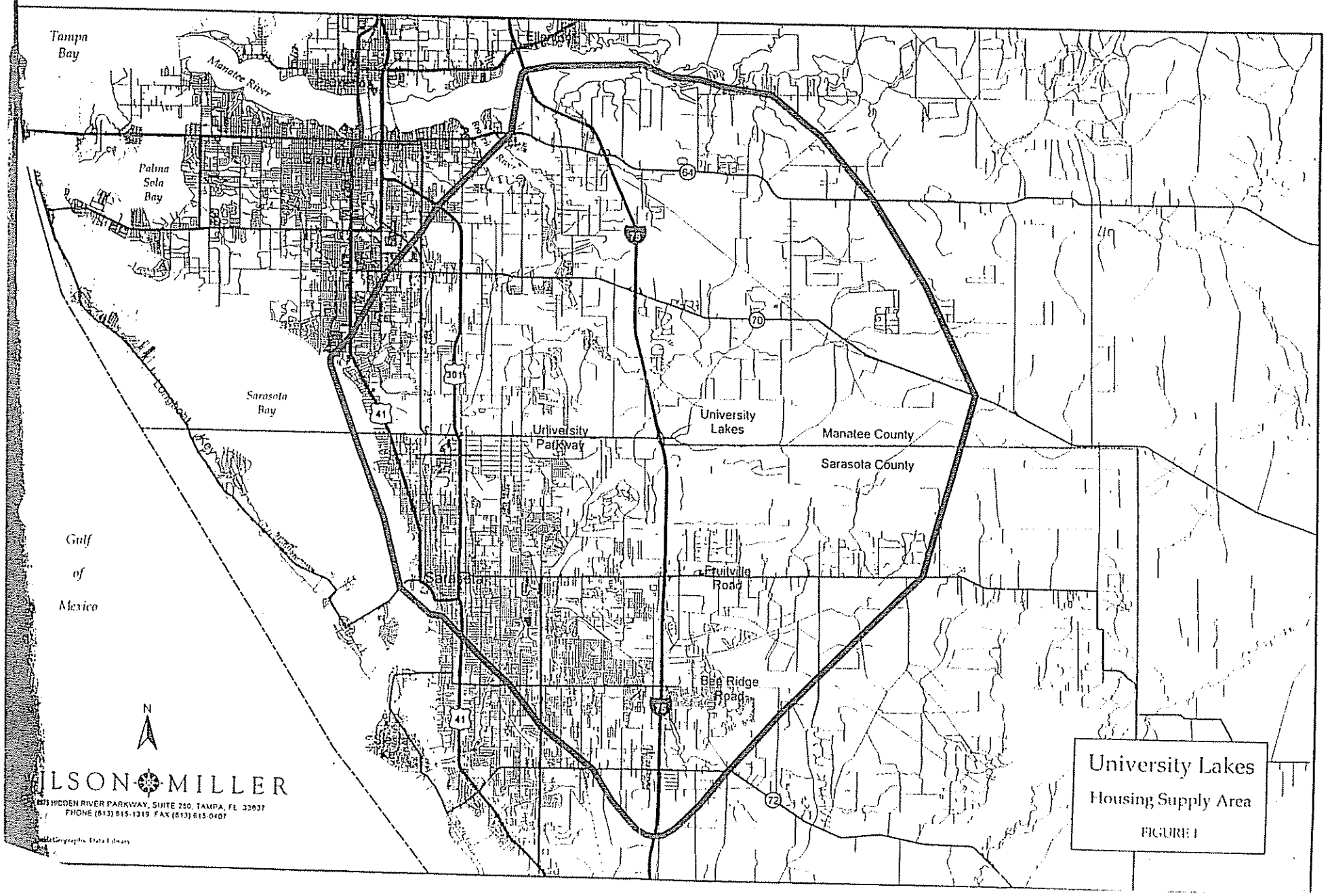
The ECFRPC Methodology requires that a "housing supply area" be determined using a ten-mile/twenty-minute (whichever is less) boundary. Figure 1, shows the University Lakes DRI Housing Supply Area.

Owner-occupied housing was inventoried using the Multiple Listing Service (MLS). Only MLS areas within the housing supply area were utilized (see Figure 2 for a map showing the MLS areas); homes for sale at the prices shown on Table 7 were identified. Table 9 presents the data on owner-occupied housing available through Multiple Listing. The MLS printout is attached as Appendix A.

Table 9
University Lakes DRI
Homes For Sale Within the Housing Supply Area

AFFORDABILITY THRESHOLD	SALES PRICE	NUMBER OF BEDROOMS						
		EFF.	1 BR.	2 BR.	3 BR.	4 BR.	5 BR.	TOTALS
Very Low	< $81,125	0	33	132	51	7	0	223
Low	$81,125 - $129,799	0	0	69	199	18	1	287
Moderate	$129,800 - $194,699	0	0	53	248	39	5	345
	TOTALS	0	33	254	498	64	6	855

Source: Multiple Listing Service, September 22, 1998.



University Lakes
Housing Supply Area
FIGURE 1

Renter-occupied housing was identified utilizing surveys of apartment complexes within the Housing Supply Area (see Figure 3 for a map showing the apartment complex locations) and real estate brokers. Table 10 presents the results of the apartment complex survey. This survey identifies only a partial list of those apartment complexes that are available within the Supply area. The detailed list of apartment complexes identified in the survey is attached as Appendix B.

The ECFRPC Methodology states that all single family units for sale or rent can be counted as available; for multi-family units, available units may be estimated utilizing a county-wide vacancy rate. However, the first 5% of the vacant units are to be considered transitional and can not be counted toward the existing supply. Based on 1990 U.S. Census data, Manatee County has a rental vacancy rate of 21%. Less 5% for transitional use, 16% of the identified supply of affordable multi-family units can be considered within the existing supply. Table 11 shows the estimate of available multi-family rental units after the vacancy rate is applied.

Table 12 presents the total number of available units (for sale and rental) within the Housing Supply Area for University Lakes DRI.

Table 10
University Lakes DRI
Survey of Apartment Complexes
Located Within the Housing Supply Area

Number of Bedrooms	Number of Units
Efficiencies	31
1 Bedroom	2,347
2 Bedrooms	2,006
3 Bedrooms	364
4 Bedrooms	12
Total Units	4,760
Affordability Threshold	**Number of Units**
Very Low	434
Low	3,126
Moderate	1,200
Total Units	4,760

Source: Phone Survey conducted by Wilson, Miller, Barton & Peek, Inc., September, 1998.

Table 11
University Lakes DRI
Estimate of Available Multi-Family Rental Supply
in the Housing Supply Area

TYPE OF MULTI-FAMILY RENTAL UNIT	TOTAL UNITS		
	VERY LOW	LOW	MODERATE
Multi-Family Rental Units [1]	434	3,126	1,200
Available Multi-Family Rental Supply [2]	69	500	192

Notes: (1) From Table 10.
(2) 1990 Census indicates Manatee County's rental vacancy rate is 21%. ECFRPC Methodology reserves the first 5% as transitional; therefore 16% can be counted toward the existing supply.
Source: Wilson, Miller, Barton & Peek, Inc., September, 1998.

Table 12
University Lakes DRI
Summary of Affordable Housing Supply
(Available Units by Income Group)

HOUSING TYPE	VERY LOW	LOW	MODERATE
Single Family for Sale [1]	223	287	345
Multi-Family for Rent [2]	69	500	192
TOTALS	292	787	537

Notes: (1) From Table 9.
(2) From Table 11.
Source: Wilson, Miller, Barton & Peek, Inc., September, 1998.

MAXIMUM CAPS FOR HOUSING TYPES

The ECFRPC Methodology specifies that in Manatee County, the Housing supply identified cannot contain more than 70.8% of efficiencies and one-bedrooms (26.8% efficiencies, 44.0% one-bedrooms). The available inventory identified meets this criteria. The breakdown by unit size is shown in Table 13.

Table 13
University Lakes DRI
Housing Supply by Size

# OF BEDROOMS	# OF UNITS	% TOTAL
Efficiencies	31	0.6%
1 Bedroom	2,380	42.4%
2 Bedrooms	2,260	40.2%
3 Bedrooms	862	15.4%
4 Bedrooms	76	1.4%
5 Bedrooms	6	0.0%
TOTALS	5,615	100%

Source: Tables 9 and 10; Wilson, Miller, Barton & Peek, Inc., September, 1998.

COMPARISON OF SUPPLY AND DEMAND

Table 14 compares the existing supply of affordable units with the number of very low, low and moderate income households projected to be generated by the total non-residential development in the University Lakes DRI.

Table 14
University Lakes DRI - Phase II
Comparison of Affordable Housing Supply
and Cumulative Demand

	VERY LOW	LOW	MODERATE	TOTALS
Existing Off-Site Supply [1]	292	787	537	1,616
Existing On-Site Supply [2]	2	387	554	943
Total Supply	294	1,174	1,091	2,559
Phase II Demand [3]	296	843	745	1,884
DIFFERENCE	-2	+331	+346	+675

Notes: (1) From Table 12.
(2) Housing units constructed in University Lakes and Cypress Banks (a DRI adjacent to University Lakes, both owned by SMR, the applicant) as of September 30, 1998, multiplied by 1.5 pursuant to FAC 9J-2.048(8)(c)1.
(3) From Table 8.

Source: Wilson, Miller, Barton & Peek, Inc., December, 1998.

CONCLUSION

The existing supply of affordable housing which is available within the Housing Supply Area will accommodate 85.8% of the Phase II demand. As shown in Table 14, as of September 30, 1998, an additional 628 affordable housing units have been constructed in University Lakes and Cypress Banks, a DRI which is also being developed by SMR and is adjacent to University Lakes. In order to encourage the construction of on-site housing, FAC 9J-2.048(8)(c)1 provides that 1.5 units of credit shall be applied toward supply for each unit of affordable housing constructed. Applying this factor a total of 943 units have been added to the existing off-site supply, accommodating the remaining demand for Low and Moderate income housing and all but two of the Very Low income units. A surplus of Low and Moderate income housing units remain available to meet the demand of other phases.

APPENDIX A
MULTIPLE LISTING SERVICE
PRINTOUT

*** A ***

ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
31453	0415	3005 34TH AVE	N	159900	5	2.0	0NO	N	CRE	FAIR OA	2024	12
30550	0110	1ST AVE	N	154900	3	2.0	2AG	N	BOA	DAVIS	1500	12
30654	0910	2305 42ND ST	N	124900	3	2.0	3DG	N		ELWOOD	1944	12
29547	0694	3404 39TH ST E	N	119900*	3	2.0	0NO	Y		OTHER	1748	12
30763	0447	920 40TH AVE E	N	115500	2	1.0	1DG	N		OTHER	1068	12
27167	0013	221 2 AVENUE EA	N	114000	2	1.0	2AC	N		BEAU VU	1635	12
27000	RECP	2911 34TH AVE DR	N	96000	3	2.0	2AG	N		STONE C	1191	12
23906	0241	3139 12TH AVE	N	94900	2	2.0	2DG	N		SOUTH B	1194	12
27588	0013	1001 37TH AVE	N	87900	2	1.0	1AG	Y		OTHER	1312	12
29292	0062	201 VERMONT AVE	N	87900	4	2.0	0NO	N		RIVER H	1595	12
30995	0110	3506 29TH STREET	N	87500	2	2.0	1AG	N		STONE C	913	12
31947	0013	2804 23RD ST	N	84900	3	2.0	2AG	N		OAK PAR	1225	12
29602	0329	619 26TH AVE. E	N	82900	0	2.0	0NO	N		COLONIA	0	12
32370	0013	202 24 ST.	N	82900	3	2.0	1AG	Y		MILLER	1176	12
31883	8300	1524 7TH AVE E	N	82500*	3	2.0	1AG	N		DAVIS M	1100	12
29312	0013	3610 27TH ST CT	N	82500*	2	2.0	1AG	N		STONE C	998	12
31597	0013	3503 29TH ST CT	N	81900*	3	2.0	1AG	N		STONE C	1071	12
31549	0603	3124 19TH STREET	N	81900	3	2.0	1DC	N		PINECRE	1265	12
29734	0110	2421 VERMONT	N	79900	2	1.0	1AG	N		RIVER H	1387	12
31427	0995	2711 36TH AVE TE	N	79900*	2	2.0	1AG	N		STONE C	990	12
32454	0900	1409 2ND AVENUE	N	79900	3	2.5	1AG	N		BROBERG	1760	12
31806	RECP	417 14TH ST	N	79900	3	2.0	2AG	N		BROBERG	1409	12
32120	0110	1216 2ND AVENUE	N	79900	2	1.0	2DC	N		JOHNSON	1400	12
32258	RECP	3019 45TH ST	N	79000	2	1.0	1AC	N		ELWOOD	1220	12
31600	0516	1419 17TH STREET	N	75900	3	1.5	2NO	Y		KINGSTO	1848	12
30264	0110	1930 6TH AVE	N	75500	4	2.0	1AG	N		CANNON	1460	12
30240	0110	1907 6TH AVE	N	75500	4	2.0	1AG	N		CANNON	1460	12
30236	0110	1902 6TH AVE	N	75500	4	2.0	1AG	N		CANNON	1460	12
30267	0110	1939 6TH AVE	N	75500	4	2.0	1AG	N		CANNON	1460	12
30246	0110	1914 6TH AVE	N	75500	4	2.0	1AG	N		CANNON	1460	12
30266	0110	1938 6TH AVE	N	75500	4	2.0	1AG	N		CANNON	1460	12
30250	0110	1924 6TH AVE	N	75500	4	2.0	1AG	N		CANNON	1460	12
30265	0110	1933 6TH AVE	N	75500	4	2.0	1AG	N		CANNON	1460	12
30231	0110	1901 6TH AVE	N	75500	4	2.0	1AG	N		CANNON	1460	12
30224	0110	1928 5TH AVE	N	75500	4	2.0	1AG	N		ORCHARD	1460	12
30464	0541	3511 28TH STREET	N	74900	2	1.0	1AG	N		STONE C	912	12
32530	0007	415 24 AVE	N	74900	3	2.0	2NO	N		ORANGE	1202	12
30618	0062	2808 4TH ST	N	74900	3	2.0	1AC	N		PLEASAN	1593	12
31146	0222	1728 28TH AVE	N	72500	3	1.0	2AC	N		SUNSHIN	966	12
28790	0110	1528 2ND AVE E	N	72000*	2	1.1	1AC	N		PERKINS	1131	12
31443	0516	1550 15TH STREET	N	69900	3	2.0	1AG	N		SUNNYSI	1200	12
31441	0910	3620 17 ST CT	N	69900	3	2.0	1AG	N		HILL PA	1190	12
31446	0516	1550 15TH STREET	N	69900	3	2.0	1AG	N		SUNNYSI	1200	12
31697	0013	1721 9TH AVE	N	69900	4	2.0	0NO	N		BRADENT	1248	12
29207	0110	2305 13TH AVE	N	69900*	2	2.0	1AG	N		SOUTH A	1172	12
29951	0329	205 32ND AVE EA	N	69000	3	2.0	1NO	N		TROPICA	1536	12
32566	0013	2807 34TH AVE DR	N	68000	2	1.0	1AG	N		STONE C	912	12
30668	0360	607 33RD AVE DR	N	67000	3	2.0	2AC	N		KINGSTO	2147	12
29558	0346	3112 9TH ST EAST	N	64900	3	2.0	1AC	N		CAROLIN	1104	12
30648	0415	3108 27TH ST	N	64900*	3	1.0	0NO	N		LA SELV	1008	12
29123	0013	1120 30TH AVE E	N	64900*	2	1.0	1AC	N		BAUMERF	800	12
31105	0694	916 28TH AVE E	N	64900	2	2.0	0NO	N		OTHER	1400	12
31409	0541	1009 37TH AVE	N	62900	3	2.0	0NO	N		NO SUBD	1420	12
32165	0013	2020 45 ST CT	N	62900	2	1.0	2NO	N		ELWOOD	0	12
31411	0432	1906 1ST AV	N	62500	2	1.0	2NO	N		MANATEE	1188	12

ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
31041	0013	310 20 TH ST	N	61900	2	1.5	1AC	N		MANATEE	768	12
31689	0516	120 12TH AVENUE	N	60000	3	1.5	1AC	N		OTHER	1296	12
23144	0910	603 36 AVE E	N	59900*	2	1.0	1NO	Y		ORANGE	1061	12
32047	0997	1824 25TH AVF	N	59900	2	1.0	0NO	N		LAKEWOO	943	12
32564	0110	2335 34TH AVE	N	59900	3	1.0	0NO	N		LA SELV	0	12

30321	0013	3012	17 ST	N	58900	3	1.0	0NO		PINECRE	0	12
30828	0900	1714	2ND AVE. E	N	57900	2	1.0	2AC		WHITAKE	884	12
30491	0995	2609	9TH AVE EAS	N	54900*	3	2.0	1AG	N	NO SUBD	1216	12
31881	RECP	2115	8TH AVE E	N	53000	2	1.0	2NO	N	BRADEN	0	12
28021	0460	34	BRADEN CAST	N	50000	2	1.0	1AG	N BOA	BRADEN	969	12
31423	0013	2111	36TH AVE E	N	49900	3	1.0	0NO	N	HILL PA	864	12
29115	0910	3333	26 AVE E #1	N	49900	2	1.0	0NO	N CRE	SUGAR C	900	12
31651	0309	3333	26TH AVENUE	N	48500	1	1.0	2NO	N	SUGAR C	700	12
30858	0309	3333	26 AVE	N	47900	1	1.0	2AC	Y	SUGAR C	970	12
29992	RECP	1212	2ND AVE	N	47500*	2	1.0	1AC	N	BROBERG	840	12
32452	0110	3333	26TH AVE LO	N	45900	1	1.0	1AC	N	SUGAR C	888	12
29726	0241	53	SEMINOLE DR	N	44900	2	1.1	1AG	N	BRADEN	768	12
31478	0409	3511	16 TH ST	N	44900	2	1.0	0NO	N	HILL PA	680	12
30031	0062	4004	9TH ST	N	44900	2	1.0	0NO	N	HAZELHU	1000	12
32451	0110	3333	26TH AVE LO	N	43900	1	1.0	1AC	N	SUGAR C	474	12
30910	0309	3333	26TH AV 107	N	43000	2	1.0	2AC	N	SUGAR C	0	12
25851	0241	3333	26TH AVE	N	42900	1	1.0	0NO	N	SUGAR C	770	12
29601	0329	2408	7TH ST. E.	N	42500	2	1.0	0NO	N	COLONIA	644	12
30999	0910	1108	MANATEE AVE	N	41900	3	1.0	0NO	N	CH DAVI	1080	12
29856	0995	2412	8TH ST. EAS	N	40000	2	1.0	0NO	N	LEWIS	882	12
31123	0694	3420	16TH ST E	N	39900	1	1.0	0NO	N	HILL PA	400	12
25473	0241	3275	26TH AVE	N	39900	1	1.0	0NO	N	SUGAR C	750	12
25123	0321	3333	26TH AVE E	N	39500	2	1.0	1NO	Y	SUGAR C	780	12
32293	0309	3333	26TH AVE #1	N	39000	1	1.0	2NO	N	SUGAR C	480	12
26647	0241	3275	26TH AVE	N	38000	1	1.0	0NO	N	SUGAR C	792	12
20841	0241	3275	26 AVE	N	37000*	1	1.0	1AC	N	SUGAR C	726	12
25906	0241	3300	26TH AVE	N	36500	1	1.0	0NO	N	SUGAR C	878	12
29277	0460	12	DESOTO ST	N	35700*	1	1.0	1AC	N BOA	BRADEN	1002	12
21841	0910	3333	26TH AVE E	N	35000*	1	1.0	1NO	N	SUGAR C	396	12
32182	0910	3333	26TH AVE E	N	33900	1	1.0	1NO	N CRE	SUGAR C	408	12
18641	0006	3333	26TH AVE, #	N	33900*	2	2.0	0NO	N	SUGAR C	792	12
26902	0241	3275	26TH AVE, #	N	29900	1	1.0	0NO	N	SUGAR C	762	12
26645	0241	3275	26TH AVE	N	24900	1	1.0	0NO	N	SUGAR C	590	12
25748	0241	3300	26TH AVE	N	22000	1	1.0	1NO	N	SUGAR C	540	12
26615	0241	3275	26TH AVE	N	22000	1	1.0	1NO	N RIV	SUGAR C	620	12
26644	0241	3275	26TH AVE	N	21900	1	1.0	0NO	N	SUGAR C	628	12
28267	0241	3275	26TH AVE #1	N	18900	1	1.0	0NO	N	SUGAR C	392	12
28898	0241	3275	26TH AVE #1	N	16000	1	1.0	0NO	N	SUGAR C	446	12
22531	0910	3300	26TH AVE E	N	8500*	1	1.0	0NO	Y BOA	SUGAR C	0	12
26355	0241	3275	26TH AVE	N	8000*	1	1.0	0NO	N	SUGAR C	300	12

*** A ***

ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
30073	0318	6618 PEACH TREE	N	199900	3	2.0	2AG	Y	LAK	TARA	1941	21
27827	0013	6704 STONE RIVER	N	199500	3	3.0	2AG	Y		TARA	2071	21
27947	0013	4926 PERIDIA BLV	N	196900*	3	2.0	2AG	Y		PERIDIA	2024	21
26425	0090	6706 STONE RIVER	N	191500*	2	2.0	2AG	Y		TARA	1797	21
31699	RECP	5125 WEDGE CT	N	189900	3	2.0	2AG	Y		PERIDIA	2138	21
31687	0900	5807 WHITE OAK B	N	189900	2	2.0	2AG	Y		TARA	1800	21
31899	0006	6106 56TH TERR	N	189900	3	2.0	2AG	N		RIVER L	2224	21
19597	0013	4353 PRESIDENTIA	N	189900*	3	2.0	2AG	Y		PERIDIA	1951	21
32366	0013	6125 55TH AVE CI	N	189900	3	2.0	2AG	N		RIVER L	2255	21
29873	0013	5916 FERNDELL ST	N	189900	3	2.0	3AG	Y	LAK	GARDEN	2745	21
32493	RECP	3927 57TH DR	N	189000	3	2.5	2AG	Y		LIONSHE	2155	21
32488	0900	6232 28TH AVENUE	N	187500	4	2.0	2AG	Y		HIDDEN		21
32253	0910	4223 PRESIDENTIA	N	185000	3	2.0	2AG	Y		PERIDIA	2128	21
31773	0318	6148 55TH AVE CI	N	179900	4	2.0	2AG	N		RIVER L	2133	21
32422	0995	6407 STONE RIVER	N	179900	2	2.0	2AG	Y		TARA	0	21
32433	0013	2892 48TH WAY EA	N	179900	3	2.0	2AG	N	LAK	CANDLEW	2411	21
25864	0013	6123 55TH AVE CI	N	174700	3	2.0	2AG	Y		RIVER L	1866	21
31189	0013	4107 PRO AM AVE.	N	172500	3	2.0	2AG	N		PERIDIA	1942	21
31039	RECP	5512 61ST ST	N	169997*	3	2.0	2AG	N	LAK	RIVER L	0	21
32180	0910	6328 LINCOLN RD	N	169900	2	2.0	2AG	N	RIV	MARINEL	1824	21
31422	0910	6734 QUONSET ROA	N	169900	3	2.0	2AG	N	BAY	MARINEL	2310	21
26148	0013	6433 STONE RIVER	N	169900*	3	2.0	2AG	N	LAK	TARA	1798	21
32081	0900	5010 28TH CT	N	169500	4	2.0	2AG	Y		CANDLEW	2384	21
21155	0013	4232 PRO AM AVE	N	168900	3	2.0	2AG	N	LAK	PERIDIA	2035	21
32256	0995	4917 29TH LANE E	N	159900	4	2.0	2AG	Y		CANDLEW	2331	21
30487	0013	4110 MURFIELD DR	N	159900	2	2.0	2AG	Y		PERIDIA	1728	21
31081	0309	4909 35TH ST CT	N	159500	3	2.5	3AG	N		MANATEE	0	21
32096	0104	4632 34 TH CT E	N	157900	4	2.0	2AG	Y		MANATEE	2266	21
29251	0031	4415 37TH ST	N	149900	3	2.5	2AG	N	LAK	LAZY B	1516	21
26706	0910	5232 33RD STREET	N	149900	2	1.0	0DG	N		CENTRAL	720	21
30093	0013	5029 CLUBVIEW CT	N	149900	2	2.0	2AG	N	LAK	PERIDIA	1800	21
28829	0090	4210 MURFIELD DR	N	149900*	2	2.0	2AG	N		PERIDIA	1476	21
30183	0013	4750 RAINTREE ST	N	149000*	2	2.0	2AG	Y		PERIDIA	1756	21
30463	RECP	4124 DOVER DR	N	147900	4	2.0	2AG	Y		FAIRFAX	1771	21
30359	0090	4716 PERIDIA BLV	N	147000	2	2.0	2AG	N		PERIDIA	1631	21
30966	RECP	6142 55TH AVE CI	N	144900	3	2.0	2AG	N		RIVER L	1854	21
28024	0090	5045 CLUBVIEW CT	N	142900	2	2.0	2AG	Y		PERIDIA	1214	21
31367	RECP	2812 57TH DR	N	142800	3	2.5	2AG	N	LAK	BRIARWO	2224	21
31174	RECP	5042 CLUBVIEW CT	N	142500	2	2.0	2AG	N		PERIDIA	1584	21
27994	RECP	3154 57TH AVE CI	N	142500*	4	3.0	2AG	N	LAK	BRIARWO	0	21
32270	0997	5026 CLUBVIEW CT	N	140000	2	2.0	2AG	N		PERIDIA	1631	21
28052	0318	6132 55TH AVE CI	N	139900*	3	2.0	2AG	N		RIVER L	1620	21
30239	RECP	4855 RAINTREE	N	139900	2	2.0	2AG	Y		PERIDIA	1740	21
29762	0013	4977 CLUBVIEW	N	139900	3	2.0	2AG	N		PERIDIA	1631	21
29675	0386	3913 57TH DR	N	139700	3	2.0	2AG	N		LIONSHE	1878	21
31826	RECP	4506 BEDFORD CT	N	138900	3	2.0	2AG	N		FAIRFAX	1706	21
32290	8300	4623 35TH CT. E	N	135900	3	2.0	2AG	N		MANATEE	1790	21
31593	RECP	6008 PROMENADE C	N	134900	3	2.0	2AG	N		GARDEN	2615	21
30916	0013	4742 RAINTREE	N	134900	2	2.0	2AG	N		PERIDIA	1531	21
32093	0110	4734 RAINTREE ST	N	134500	2	2.0	2AG	N		PERIDIA	1813	21
32396	0062	5709 28TH ST	N	132900	3	2.0	2AC	N	LAK	BRIARWO	1964	21
32556	0090	4807 RAINTREE CT	N	129900	2	2.0	2AG	N		PERIDIA	0	21
32077	0241	5530 46TH ST	N	129900	3	2.0	2AG	Y		BRADEN	1537	21
30897	0910	4505 PERIDIA BLV	N	126750	3	2.0	2AG	N		FAIRFAX	1512	21
26702	0910	5235 32ND STREET	N	125000	1	1.0	1AC	N		CENTRAL	624	21
ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
30904	0090	4414 MURFIELD DR	N	122000	3	2.0	2AG	N		PERIDIA	1522	21
32508	0104	4927 31ST ST E	N	119900	3	2.0	2AG	N	LAK	MANATEE	1662	21
29510	0013	6608 LINCOLN RD	N	114900	3	1.0	2NO	N	RIV	MARINEL	1120	21
32110	0013	4636 56TH TERRAC	N	109900	3	2.0	2AG	N		BRADEN		21
28159	RECP	2850 56TH AVE CI	N	108900	3	2.0	2AG	N		BRIARWO	0	21

*** A ***

ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
23563	0090	2404 53RD AVE E	N	139900*	3	2.5	9NO	N		GROVE P	1406	22
30081	0007	4910 23 ST	N	134900	3	2.0	2AG	N		NO SUBD	1900	22
32155	0990	5420 19 LANE	N	122900	4	3.5	2AG	Y		NO SUBD	3046	22
30955	0541	2404 50 DRIVE	N	119900	3	2.0	2AG	N	PON	NO SUBD	1496	22
31131	RECP	1206 51ST AVE	N	114900	4	2.0	0NO	N		OTHER	2696	22
27771	0090	2415 54TH AVE E	N	110000	3	2.0	1AC	N		GROVE P	1734	22
27769	0090	5340 24TH ST CT	N	110000	2	3.0	1AC	N		GROVE P	1746	22
32473	0910	5124 18TH LANE	N	108500	3	2.0	2AG	N		OTHER	1397	22
25331	0910	5607 22ND ST E	N	89900*	3	2.0	1AG	N		MEADOW	1114	22
31231	0997	5668 25TH ST CIR	N	89900	3	2.0	1AG	N		MEADOW	0	22
29076	0013	2120 55TH AVE DR	N	89300	2	2.0	2AG	N	LAK	MEADOW	1012	22
32218	0516	5606 21ST STREET	N	88875	3	2.0	2AG	N		MEADOW	1640	22
32555	0910	5415 16ST E.	N	86900	5	3.0	2AG	N		OTHER	2500	22
32435	0910	5417 16 ST. E.	N	86500	2	1.5	1AC	N		OTHER	966	22
32357	0997	5340 20TH STREET	N	78900	4	2.0	2DC	N		EUCALYP	0	22
28639	0331	1707 51ST AVE	N	76900*	4	2.0	1NO	Y		NI-LEE	1288	22
31303	RECP	5403 4TH ST CT	N	75900	2	1.0	1AG	N		KIRKHAV	0	22
32580	0910	808 53RD AVE #3	N	75900	2	2.0	2AC	N	LAK	PALM LA	1550	22
31952	0204	5024 17TH ST E	N	75000*	2	2.0	1AG	N		NO SUBD	1100	22
25477	0386	5334 18TH ST BLV	N	74900	3	1.0	0NO	N		OTHER	864	22
30868	0910	5116 15TH ST CT	N	73000	4	3.0	0NO	N		HARMON	1200	22
30028	0062	1601 54TH AVE DR	N	72900	3	1.5	1AC	Y		NO SUBD	1000	22
30252	0910	808 53RD AVE #5	N	72000	2	2.0	1AC	N		PALM LA	1128	22
28899	0910	808 53RD AVE E	N	69900	3	2.0	2AC	N		PALM LA	1728	22
31050	0409	1111 60TH AVE DR	N	67000	3	2.0	0NO	Y		DE SEAR	1512	22
30387	0013	2115 55TH AVENUE	N	65000*	2	1.0	1AG	N		VERN'S	1136	22
32209	0006	5007 17TH ST	N	64900	2	2.0	0NO	N		OTHER	1620	22
31405	0910	103 52ND AVE PZ	N	64900	3	2.0	1NO	N		CASA LO	1320	22
26362	0013	808 53RD AVE #	N	63500*	2	2.0	2AC	Y		PALM LA	1137	22
25427	0110	808 53RD AVE 14	N	61000*	2	2.0	1AC	Y	LAK	PALM LA	1588	22
32528	0910	808 53RD AVE E	N	59900	2	2.0	1AC	N		PALM LA	960	22
32121	0013	5724 12TH ST E	N	59900*	2	1.0	0NO	N		NO SUBD	768	22
32154	0347	1103 60 AVE DR	N	59900	3	1.0	1AC	N		DESEAR	1000	22
31325	0073	916 59 AV TERR	N	59900	3	1.0	1AC	N		DESEAR	896	22
30818	0910	808 53RD AVE #8	N	58900	2	2.0	1AC	N		PALM LA	1176	22
29334	0694	1604 56TH AVE DR	N	58500*	1	1.0	1AC	N		OTHER	1416	22
32537	0013	1207 56TH AVE TE	N	56900	3	1.0	1AC	N		POLLY A	0	22
32091	0110	306 50TH AVE DR	N	56900	2	3.0	2AG	N		CASA LO	1116	22
29948	RECP	5736 5TH ST	N	54900	2	1.0	2AC	N		NO SUBD	0	22
32514	0910	808 53RD AVE E	N	54900	2	2.0	1AC	N		PALM LA	960	22
32577	0241	808 53RD AVE, #	N	54900	2	2.0	2AC	N		PALM LA	1208	22
32542	0013	808 53 AVE #A	N	54900	3	2.0	1AC	N		PALM LA	1201	22
22560	0241	808 53 AVE #223	N	49900*	2	2.0	1AC	N		PALM LA	1248	22
26100	0346	5613 7TH ST CT E	N	49900	3	2.0	2NO	N		BERMUDA	1008	22
31153	0997	107 51ST AVE	N	49900	2	2.0	1AC	N		CASA LO	1080	22
31619	0409	111 50TH AVE DR	N	49900	2	2.0	2AC	N		CASA LO	936	22
32108	0910	808 53RD AVE #6	N	49900	2	2.0	1AC	N		PALM LA	960	22
29956	RECP	5736 5TH ST	N	49900	2	1.0	2AC	N		NO SUBD	0	22
29758	0110	208 49TH AVE	N	49500*	2	1.1	2AC	N		HEATHER	1536	22
31716	0910	102 50TH AVE DR	N	48900	2	2.0	1AC	N		CASA LO	1152	22
31604	RECP	5803 7TH ST	N	47500*	3	1.0	1AC	N		OTHER	0	22
31565	0006	5920 11TH ST	N	45000*	3	1.0	0NO	N		DESEAR	1232	22
32350	0995	5017 4TH STREET	N	44900	2	2.0	1AC	N		CASA LO	1485	22
31491	0910	808 53RD #193F	N	44900	2	1.5	1AC	N		PALM LA	768	22
31363	0910	508 44TH AVENUE	N	42500	2	2.0	1AC	Y		EL RANC	1000	22

ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
31609	0426	110 48TH AVE TE	N	39900	2	2.0	2AC	N		HEATHER	996	22
29912	0995	106 50TH AVE PL	N	36900	2	1.0	1AC	N		CASA LO	648	22
31404	0013	208 50TH AV PLZ	N	34900	2	2.0	1AC	Y		CASA LO	1152	22
32574	0241	1015 50TH AVE PL	N	22900	1	1.0	1AC	N		PIC TOW	694	22

CENTURY 21 ALL ACES REP[illegible]Y INC 792-2111 09/[illegible] '98 ROBERT V ROTONDO

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ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
32286	0997	526 MAGELLAN DR	N	194500	2	2.0	0AG	N		WHITFIE	3200	23
29564	RECP	322 BUENA VISTA	N	186000*	4	3.0	2AG	N		WHITFIE	2602	23
31570	0997	731 WHITFIELD A	N	185000	3	3.0	2AG	Y		WHITFIE	2382	23
30371	0222	451 CHEVY CHASE	N	179900*	3	3.0	2AG	Y		WHITFIE	0	23
29084	0013	7334 38 CT	N	168900	3	2.0	2AG	N		MATOAKA	2102	23
29778	0900	7409 ELEANOR CIR	N	165341*	2	2.0	2AG	N		PINEHUR	0	23
27397	0110	803 WHITFIELD A	N	165000*	3	2.5	2AG	N		WHITFIE	2052	23
31329	0995	438 WHITFIELD A	Y	165000	3	2.0	2AG	Y		OTHER	1915	23
29683	0900	7136 42ND CT EAS	N	164900	3	2.0	2AG	N		TRAILS	0	23
29668	0997	546 MAGELLAN DR	N	162500	2	2.0	2AG	Y		WHITFIE	1725	23
32418	0997	1012 DANNY DRIVE	N	160000	3	2.5	2AG	N		WHITFIE	1553	23
27564	0997	521 WHITFIELD A	N	150000*	3	3.0	2AG	N		WHITFIE	2115	23
31823	0997	614 MAGELLAN DR	N	150000	3	2.0	2AG	Y		WHITFIE	1700	23
31006	0997	235 JUNGLE WAY	N	150000	3	2.1	2AG	Y		WHITFIE	2530	23
31801	0910	824 MAGELLAN DR	N	149900	3	3.0	2AC	Y		WHITFIE	1773	23
32563	RECP	370 MONTGOMERY	N	148000	4	3.0	2NO	Y		WHITFIE	0	23
30288	0997	7008 MADONNA PLA	N	145000	4	3.0	2AG	Y		OTHER	1784	23
29523	0997	6911 KIMBERLYNN	N	142900	3	2.0	2AG	N		KIMBERL	1832	23
30086	0900	7417 ELEANOR CIR	N	140324	3	2.0	2AG	N		PINEHUR	1571	23
31795	0997	1125 MAGELLAN DR	N	139900	4	2.0	2AG	Y		WHITFIE	2410	23
31574	0997	314 MENDEZ DRIV	N	129900	3	2.0	1AG	Y		WHITFIE	2068	23
32217	0997	711 WHITFIELD A	N	129900	2	2.0	2AG	Y		WHITFIE	0	23
32207	RECP	909 PONDEROSA P	N	127900	3	2.0	2AG	N		WOODS O	0	23
32141	0598	808 PENNSYLVANI	N	127500	3	2.0	2AG	N	CRE	WHITFIE	1672	23
24661	0997	460 MAGELLAN DR	N	125000*	2	2.0	2AG	N		WHITFIE	1713	23
30914	0997	613 WHITFIELD A	N	125000*	2	2.1	2AG	N		WHITFIE	2232	23
30826	0997	6612 CANTORE PLA	N	125000	3	2.0	2AG	N		WHITFIE	1686	23
30347	RECP	735 MAGELLAN DR	N	125000*	3	2.0	2AG	Y		WHITFIE	1921	23
31674	0217	7365 CLARIES DRI	N	123900	3	2.0	1AC	N		BROOKSI	3633	23
32470	0910	511 68TH AVE DR	N	122500	3	2.0	2AG	N		OTHER	1606	23
29690	0997	6920 8TH STREET	N	120000	3	2.1	2AG	N		GUBODY	1753	23
30636	RECP	6912 PENNSYLVANI	N	119500	2	2.5	2AG	N		GUBODY	1682	23
29972	0422	823 MAGELLAN	N	115000*	3	2.0	2AG	N		FAIRWAY	0	23
32377	0910	7021 ALDERWOOD D	N	114500	2	2.0	2AG	Y		BROOKSI	1690	23
32416	0997	604 ST ANDREWS	N	110000	3	2.0	1AG	Y		WHITFIE	1730	23
30238	0436	618 WHITFIELD	N	109000*	3	2.5	2AG	N		WHITFIE	1824	23
31904	0386	7411 PONCE DE LE	N	100000	3	2.0	2AG	N		WHITFIE	1548	23
26377	RECP	1011 DELEO DR	N	99900*	2	2.0	2AG	N		WHITFIE	1800	23
32582	0997	7016 PERSIMMON P	N	95000	3	2.0	2AG	N		WHITFIE	1530	23
32496	0013	6607 SABINA RD	N	94900	2	2.0	1AG	Y		WHITFIE	1074	23
31256	0013	6309 8TH ST CT	N	94900	3	2.0	2AG	N		SCOTT T	1262	23
31232	RECP	841 PONDEROSA P	N	94700	2	2.0	2AG	N		WOODS O	1200	23
32145	RECP	1165 CARMELLA CI	N	89900	3	2.0	1AC	Y		WHITFIE	0	23
29747	0365	715 66TH AVE E/	N	89900	3	2.0	2AG	N		WINTER	0	23
31149	0031	2139 SEWARD DR	N	86900	3	2.0	2AG	N		SPRING	1185	23
30815	0995	3619 75TH AVE TE	N	85000	3	2.0	2AG	N		CRESCEN	1251	23
31140	RECP	2233 UNIVERSITY	N	84900*	2	1.0	1AG	N		NORTH S	0	23
31576	0997	805 69TH AVE W	N	64900	2	2.0	0NO	N		OTHER	736	23
31229	RECP	1622 66TH AVE TE	N	54900	2	1.0	0NO	N		JOHN WE	896	23

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ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
30581	0013	1421 70TH STREET	N	199900	5	3.0	2AG	Y		MAGNOLI	0	24
26938	0013	4906 14TH AVE	N	199900	3	2.5	2AG	N	RIV	BRADEN	2025	24
27690	0110	4607 4TH AVE DR	N	199500*	3	2.0	2AG	Y		RIVERDA	1664	24
28730	0694	6915 24TH AV	N	197500	3	2.0	2AG	N		MAGNOLI	1620	24
30209	0900	4604 4TH AVE DR	N	194900	2	2.0	2AG	Y	LAK	RIVERDA	1704	24
32004	0013	115 41 ST NE	N	184900	3	2.0	2AG	N	CAN	RIVER P	1671	24
30700	0900	3911 2ND DRIVE N	N	184900	3	2.0	2AG	Y	LAK	RIVER P	1984	24
32131	0309	7105 46TH AVE CI	Y	179000	3	2.0	3AG	Y		CREEKWO	2425	24
32123	0013	4616 4TH AVE E	N	174900	3	2.0	2AG	N		RIVERDA	1972	24
26026	0013	3212 MORGAN JOHN	N	169900*	3	3.0	2AG	N		NO SUBD	2294	24
29120	0013	4827 77TH STREET	N	169900	3	2.0	2AG	Y		CREEKWO	1874	24
30982	0031	2014 67TH ST CT	N	169900	3	2.5	2AG	N		MAGNOLI	1768	24
32402	0007	6607 13 AVE	N	169000	3	2.0	1AG	Y		MAGNOLI	2428	24
32308	0241	5220 18TH AVE	N	169000	4	2.0	2AG	Y	CAN	MAGNOLI	1902	24
32208	0222	4207 2ND AVENUE	N	164900	4	2.0	2AG	Y		RIVERDA	2023	24
31046	0329	4817 11TH AVE CI	N	164900	4	3.0	2AG	N	NOB	BRADEN	2272	24
27377	0900	4830 76TH CT E	N	159900*	3	2.0	2AG	N	LAK	CREEKWO	2217	24
27323	0013	6215 45TH AVENUE	N	159900	3	2.0	2AG	N		DUDE RA	1566	24
31777	8300	7603 52ND TERRAC	N	154900	3	2.0	2AG	N	LAK	CREEKWO	1742	24
30032	0062	316 41ST ST NE	N	149900	3	2.0	2AG	Y		RIVER P	1671	24
31128	RECP	7313 52ND DR	N	149000	4	2.5	2AG	N		CREEKWO	2166	24
32240	0694	1010 67ST CT E	N	149000	4	2.0	1AG	N		MAGNOLI	1650	24
32471	0031	6324 47TH AVE	N	145000	4	2.0	1NO	Y		DUDE RA	1595	24
27668	0266	5813 13TH AVENUE	N	145000*	2	2.0	2AG	N	CRE	OTHER	1341	24
32014	0900	4409 3RD AVENUE	N	139900	3	2.0	2AC	N	CAN	RIVERDA	1431	24
32278	0013	5204 72ND ST E..	N	133000	3	2.0	2AG	N	LAK	CREEKWO	1591	24
32232	0013	916 49TH ST CIR	N	129900	3	2.0	2AG	N		BRADEN	1940	24
32560	0013	6512 12TH AVENUE	N	129900	3	2.0	1DC	N		NO SUBD	1890	24
32106	0006	3920 RIVERWALK C	N	129700	2	2.0	2AG	N		RIVER W	1676	24
30025	0013	7113 51ST PL E	N	129500*	3	2.0	2AG	N		CREEKWO	1622	24
32558	0013	4538 FERN	N	128500	3	2.0	2AG	N		RIVER I	1635	24
32310	0241	1003 45TH STREET	N	122300	3	2.0	2AG	N	LAK	BRADEN	1486	24
30478	0013	7220 49TH AVE EA	N	122000	3	2.0	2AG	N	LAK	CREEKWO	1452	24
31047	0013	503 49TH ST	N	121000*	4	2.0	2AG	N	LAK	BRADEN	1732	24
31127	0013	7228 49TH AVE E	N	119500*	2	2.0	2AG	N	LAK	CREEKWO	1498	24
31440	0241	1215 OAKLEAF BLV	N	118500	2	2.0	2AG	N		RIVER I	1584	24
31108	0447	720 50TH ST E	N	114900	3	2.0	2AG	N		BRADEN	1583	24
32437	0900	7927 50TH PLACE	N	114500	3	2.0	2AG	N		CREEKWO	1392	24
32190	0013	4109 14TH AVE	N	107900	3	2.0	2AG	N		BRADEN	1486	24
32539	0013	705 46TH ST	N	99900	3	2.0	2AG	N		BRADEN	1324	24
32181	0013	4415 4TH AVE	N	97900	3	1.0	0NO	Y		RIVERDA	0	24
32011	0910	4308 1ST AVE .	N	97900	3	2.0	2AG	N		RIVERDA	1216	24
32312	0241	1007 PUSSY WILLO	N	91000	2	2.0	1AG	N		RIVER I	1068	24
32242	0013	4203 OAK LANE	N	89900	2	2.0	1AG	N		RIVER I	0	24
30367	0013	204 67TH STREET	N	80000	3	1.0	1AC	N		MANATEE	1350	24
32412	0241	307 64TH STREET	N	79900	3	1.0	1AG	N		MANATEE	1323	24
28603	RECP	6540 ALPINE LN	N	75500*	3	1.0	1AG	N		MANATEE	1000	24
32301	0204	6511 3RD AVE NE	N	73500	4	2.0	1AG	N		MANATEE	1258	24
32138	0386	6512 3RD AVE NE	N	69900	3	1.0	1AG	N		MANATEE	999	24
29866	0910	3300 26TH AVE E	N	14500*	1	1.0	0NO	N		SUGAR C	500	24

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ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
31246	0309	4721 OAK RUN DR	N	195000	3	2.0	2AG	N		OAKRUN	3362	25
31778	RECP	5820 FAIRWOOD CI	N	189900	3	2.0	2AG	Y		FAIRWAY	0	25
32163	RECP	5036 INVERNESS D	N	189900	3	2.0	2AG	Y		PALM AI	0	25
31233	RECP	6812 WINSLOW ST	N	185900	3	2.0	2AG	Y		MOTE RA	0	25
23055	RECP	7741 WHITEBRIDGE	N	179900*	2	2.0	2DG	N		UNIVERS	1609	25
31747	RECP	7115 39TH LN	N	179900	4	2.5	2AG	Y	LAK	THE TRA	2158	25
30064	RECP	6153 CANDLEWOOD	N	179900	3	2.0	2AG	Y		MOTE RA	0	25
32166	RECP	7207 38TH CT	N	179900	4	3.0	2AG	Y		THE TRA	2168	25
31563	RECP	5730 CARRIAGE DR	N	178000	3	2.5	2AG	Y		MOTE RA	1915	25
31067	RECP	7704 WHITEBRIDGE	N	178000	2	2.0	2DG	N	LAK	UNIVERS	1344	25
27128	RECP	7111 41ST LN	N	174900	3	2.0	2AG	Y		THE TRA	1894	25
32393	0013	6303 WALTON HEAT	N	169500	2	2.0	2DG	N		UNIVERS	1464	25
32432	RECP	5710 TIMBER LAKE	N	164900	3	2.0	2AG	Y		PALM AI	2100	25
30890	RECP	4020 72ND AVE	N	159900*	3	2.0	2AG	Y	CRE	TRAILS	0	25
32367	RECP	4820 COUNTRY OAK	N	159900	3	2.0	2AG	Y	LAK	COUNTRY	1920	25
28983	RECP	7127 42ND CT	N	159900*	3	2.0	2AG	N	LAK	TRAILS	1806	25
30804	RECP	8440 PALM LAKES	N	159000	3	2.0	2AG	N		PALM AI	2368	25
31869	0517	6955 SUPERIOR ST	N	154900	3	2.0	2AG	N		MOTE RA	1785	25
31401	0510	7677 39TH ST CIR	N	150045	3	2.0	2AG	N		OTHER	1708	25
29159	0013	3701 71ST TERR	N	149900	3	2.0	2AG	Y		THE TRA		25
30070	0910	3905 OAK GROVE D	N	149900	3	2.0	0NO	Y		OAKWOOD	0	25
32319	RECP	7915 CONSERVATOR	N	144900	2	2.0	2AG	Y		PALM AI	0	25
30639	RECP	3904 78TH PL	N	129900	4	2.0	2AG	N		HUNTER'	2012	25
31403	0510	7640 39TH ST CIR	N	129900	3	2.0	2AG	N		OTHER	1565	25
32518	0910	7838 34TH COURT	N	129000	3	2.0	2AG	N		MAPLE L	2309	25
31402	0510	7669 39TH ST CIR	N	123400	3	2.0	2AG	N		OTHER	1397	25
28739	0997	7755 33RD LANE	N	120000*	3	2.0	2AG	Y	LAK	MAPLE L	1537	25
31364	RECP	5111 VASSAR LN	N	117900	3	2.0	2AG	N		UNIVERS	1655	25
31399	0510	7681 39TH ST CIR	N	112640	3	2.0	2AG	N		OTHER	1312	25
31695	RECP	3564 65TH AVE CI	N	111500	3	2.0	1AG	N		CENTRE	1538	25
31202	RECP	4224 SAINT CHARL	N	109900	2	2.0	2AG	N		TREETOP	1195	25
32369	RECP	7739 33RD LN	N	109900*	3	2.0	2AG	N	LAK	MAPLE L	0	25
32372	RECP	7523 43RD CT	N	107900	3	2.0	2AG	N		FOREST	0	25
29786	RECP	4207 PLACID DR	N	107000*	3	2.0	2AG	N		TREETOP	1311	25
32502	0910	7703 33RD LANE	N	102000	3	2.0	2AG	N	LAK	MAPLE L	1498	25
30996	0013	3916 SAN LUIS	N	99900*	3	2.0	2NO	N		DESOTO	1785	25
31173	0013	7701 38 AVE	N	98000	3	2.0	2AG	N		COPPERF	1450	25
30903	RECP	3703 75TH AVE TE	N	98000	3	2.0	2AG	N		CRESCEN	0	25
32497	0910	7709 34TH COURT	N	95000	3	2.0	2AG	N		MAPLE L	1280	25
32276	0510	2763 INGOT PLACE	N	66000	2	1.0	1AC	N		KENSING	847	25

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ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
31344	0110	2912 52ND AVE TE	N	169900	3	2.0	2AG	N		PARKLAW	1743	32
28166	8300	2409 53RD AVE W	N	165000*	3	3.5	2AG	N		GARRETT	2300	32
22604	0900	3112 48TH AVE DR	N	164900	4	2.0	2AG	Y		MC COLL	0	32
32085	0910	4509 5TH STREET	N	150000	3	2.0	0NO	N		OTHER	1764	32
30800	RECP	331 SCOTT AVE	N	144900	3	2.0	2AG	Y		WHITFIE	1847	32
29235	0997	2212 BAY DRIVE	N	140000*	3	2.0	2AG	N		BAY VIE	0	32
28170	0995	1803 55 AVE WEST	N	135000	6	4.0	3AC	N		OTHER	2731	32
32043	0997	5103 19TH STREET	N	125000	3	2.0	1AG	N		HOLIDAY	1377	32
29596	0013	5829 26TH ST	N	104900	2	2.0	1AC	N		SOUTHWO	1632	32
32073	0386	5241 21ST ST W	N	99500	3	2.0	2AG	N		OTHER	1208	32
30950	0013	6808 3RD STREET	N	99000	3	2.0	2AG	N		GREENVI	1538	32
31632	0110	5620 29TH. ST.	N	98500	3	2.0	1AG	N		SUNSET	1454	32
28971	0013	2911 BAY DR	N	95000*	3	2.0	1AC	N		BAYSHOR	1290	32
32480	0910	3311 MIAMI PLACE	N	95000	2	2.0	2AG	N		BAYSHOR	1589	32
30841	0386	21ST ST W	N	92900*	3	2.0	2AG	N		OTHER	1208	32
30993	0995	4425 19TH ST CIR	N	92000	2	2.5	1AG	N		WORNS P	1167	32
32351	0997	1006 67TH AVENUE	N	90000	3	2.0	0NO	Y		PENNSYL	1064	32
31599	0090	4617 ORLANDO CR	N	89900*	2	2.0	1AG	N		TANGELO	2228	32
31458	0013	6427 CASE AVENUE	N	89900	3	2.0	1AC	N		BAYSHOR	1292	32
30802	RECP	6616 CASE AVE	N	89900	3	2.0	1AC	Y		BAYSHOR	1092	32
32498	0415	5004 30TH ST	N	89500	3	2.0	1AG	N		OTHER	1236	32
31280	RECP	307 55TH AVE	N	89000	3	2.0	0NO	Y		ONECO T	1770	32
30120	0217	604 59TH AVE TE	N	88900*	4	2.0	0NO	Y		SUNNY L	1690	32
31130	0415	2816 BOWDOIN PLA	N	87900*	3	2.0	1AC	N		BAYSHOR	1400	32
31354	0386	21ST ST W	N	87900	3	2.0	1AG	N		THE PAL	1218	32
29133	8300	4641 ORLANDO CIR	N	86900*	2	2.0	1AG	N		TANGELO	1298	32
31643	0997	5217 20TH STREET	N	85000	3	2.0	2NO	Y		HOLIDAY	1300	32
32143	0997	3006 60TH AVENUE	N	85000	2	2.0	1AG	N		VIVIEND	1510	32
30518	0900	6308 CORNELL RD	N	85000	3	2.0	1AC	N		BAYSHOR	1360	32
29522	0013	2300 PURDUE RD	N	84990*	3	2.0	1AC	N		BAYSHOR	1425	32
30603	0386	212 66TH AVE DR	N	84900*	2	2.0	1AG	N		COUNTRY	1024	32
30846	0386	21ST ST W	N	84900	3	2.0	1AG	N		OTHER	1212	32
31660	0090	611 60TH AVE W	N	84500	4	2.0	0NO	Y		SUNNY L	1714	32
32303	0090	204 59TH AVE DR	N	84500	3	2.0	6NO	Y		SUNNY L	1736	32
31257	0062	6036 DARTMOUTH D	N	82900*	2	2.0	1AC	N		BAYSHOR	1040	32
31648	0013	2207 EMORY	N	82500	3	1.0	0NO	N		BAYSHOR	1402	32
30807	0365	708 64 AVE DR W	N	82500	3	2.0	2NO	N		VOGELSA	1508	32
32032	8300	905 FRUITLAND A	N	80000	2	2.0	1AG	N		TANGELO	1022	32
29855	0365	708 64TH AVE DR	N	79900	3	2.0	2NO	N		VOGELSA	1508	32
32107	0280	1512 53RD AVENUE	N	79900	2	1.0	1AC	N		AIRPORT	816	32
29436	0694	3320 BAYSHORE GA	N	79900	2	2.0	1AG	N	BOA	BAYSHOR	1074	32
31215	0910	6412 GEORGIA AVE	N	79000	3	2.0	1AC	N		BAYSHOR	1144	32
32467	0910	5112 20TH STREET	N	78900	2	1.0	0NO	N		HOLIDAY	1550	32
32129	0426	1716 BAYSHORE GD	N	78900	3	2.0	2NO	N		BAYSHOR	1430	32
31192	0516	1809 ROSLYN AVEN	N	76895*	3	1.0	1NO	N		BAYSHOR	1384	32
31718	0290	4611 MINEOLA STR	N	75900	2	1.0	1AG	N		TANGELO	1050	32
31119	0900	908 LEMONWOOD A	N	75000	3	2.0	0NO	N		TANGELO	1431	32
32112	0110	2307 WELLESLEY	N	74900	3	1.0	0NO	N		BAYSHOR	1386	32
29236	0997	1705 MARILYN AVE	N	74900*	3	2.0	1NO	N		BAYSHOR	1335	32
32349	0910	1002 ORLANDO AVE	N	74900	2	1.0	1AG	N		TANGELO	1277	32
32461	0073	2611 BAYSHORE GA	N	74900	3	1.0	1AC	Y		BAYSHOR	1110	32
29401	0266	5824 21ST STREET	N	72900	2	1.0	1AG	N		SOUTHWO	1125	32
29161	0432	4606 ORLANDO CIR	N	72000	2	1.0	1AG	N		TANGELO	1105	32
30691	0110	6327 8TH STREET	N	71500*	2	1.0	1AG	N	LAK	VOGELSA	927	32
29831	0997	3011 FLORIDA BLV	N	70000*	3	2.0	1AC	N		BAYSHOR	1400	32

ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
30234	0110	1854 PALM SPRING	N	69900	2	2.0	1AC	N		TRI PAR	1200	32
31331	0995	6231 COLUMBIA DR	N	69900	3	1.0	1AC	N		BAYSHOR	952	32
31285	0073	2402 STANFORD AV	N	68900	2	1.0	1AC	N		BAYSHOR	0	32
32267	RECP	808 63RD AVE DR	N	67500	3	1.0	2DG	N		VOGELSA	0	32
29615	0280	214 48TH AVE DR	N	65000	2	2.0	2AC	N		HEATHER	1704	32

ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
28839	RECP	808 64TH A DR	N	62900	2	1.0	2AC			VOGELSA	0	32
32387	0426	817 51ST AV PL	N	62900	3	2.0	2AC	N		FAIR LA	1668	32
28786	0910	5911 2ND ST W	N	62500	2	2.0	1AC	N		SUNNY L	1188	32
31601	RECP	304 51ST AVE DR	N	62000	2	1.5	2AC	Y		FLORIDA	0	32
32485	0409	5600 14TH ST	N	59900	3	2.0	2AG	N		SOUTHER	1032	32
28636	RECP	309 51ST AVE DR	N	59900	2	2.0	3AC	N		FLORIDA	966	32
30799	0356	5822 2ND ST W	N	59900*	2	1.0	0NO	N		CLEO VI	1000	32
29714	0517	604 64TH AVE DR	N	57000*	2	1.0	2AC	N		VOGELSA	1000	32
31076	0409	307 49TH AVE TE	N	56900	2	1.5	1AC	N		HEATHER	1312	32
32049	0365	808 53RD AVE E	N	55000	2	2.0	2AC	N		PALM LA	1122	32
32553	0280	1106 1/2 69TH AV	N	54500	2	1.0	1AC	N		RUSSOS	840	32
29569	0241	503 51ST AVE DR	N	49900	2	1.5	1AC	N		FAIR LA	1202	32
29031	0013	306 50 AVE TERR	N	49900	2	2.0	1AC	N		HEATHER	1104	32
32573	0694	515 60TH AVE DR	N	49900	2	2.0	0NO	N		SUNNY L	880	32
31910	0426	522 50TH AVE	N	47900	2	2.0	2AC	N		FAIR LA	1120	32
28801	0241	807 51ST AVE	N	47500	2	2.0	2AC	N		FAIR LA	942	32
31179	0110	311 50TH AVE	N	45900	3	2.0	1AC	N		HEATHER	1200	32
28368	0241	503 50TH AVE PL	N	44900	2	2.0	1AC	N		FAIR LA	1234	32
24383	0241	2116 MINNESOTA	N	43500*	2	2.0	2AC	N		TRAILER	900	32
28926	0910	403 49TH AVE DR	N	42500	2	2.0	2AC	N		HEATHER	864	32
29404	0409	4919 5TH ST CT	N	42000	2	2.0	1AG	N		FAIR LA		32
31877	0910	1102 52ND AVE	N	41500	3	2.0	1AC	N		PIC TOW	1282	32
17481	0517	1469 45TH AVE CI	N	40000	2	1.0	1AC	N		PALM AC	0	32
29395	0426	718 49TH AVE TE	N	39800	2	1.5	1AC	N		FAIR LA	0	32
31918	0910	208 48 TH AVE W	N	39500	2	2.0	1AC	N		HEATHER	960	32
30184	0415	6614 ARIZONA ST	N	39500	2	2.0	1AC	N		TRAILER	916	32
31452	0415	2207 NEW YORK AV	N	37900	2	1.5	1AC	N		TRAILER	896	32
31571	0241	6505 WASHINGTON	N	34500	3	1.5	0NO	N		TRAILER	790	32
28048	RECP	307 51ST AVE DR	N	34500*	2	1.0	1AC	N		FLORIDA	1084	32
26200	0347	6511 KANSAS STRE	N	33900*	3	1.0	0NO	N		TRAILER	1012	32
31514	0013	4920 2ND STREET,	N	33900	2	1.5	2AC	N		HEATHER	852	32
28644	0995	4917 1ST STREET	N	32900*	2	2.0	1AC	N		HEATHER	800	32
29789	0426	704 49TH AVE TE	N	32900	2	1.0	1AC	N		FAIR LA	1078	32
32309	0110	919 49TH AVE TE	N	32500	2	2.0	0AC	Y		FAIR LA	0	32
30414	0110	1843 PALM SPRING	N	32000	1	1.0	1AC	N		TRI PAR	692	32
27201	0415	6515 TEXAS STREE	N	32000*	3	1.5	1AC	N		TRAILER	770	32
28224	0415	2213 NEW YORK AV	N	31000*	1	1.0	1AC	N		TRAILER	550	32
30072	0346	118 52ND AVE DR	N	29900	2	1.0	1AC	N		FLORIDA	620	32
28537	0447	106 51ST AVE TE	N	29900	1	1.0	1AC	Y		FLORIDA	696	32
28745	0517	1613 ILLINOIS	N	29900	2	1.5	1AC	Y	NOB	TRAILER	732	32
31223	0415	6624 TEXAS ST	N	29000	1	1.0	1AC	N		TRAILER	528	32
31769	0415	6626 DAKOTA ST	N	29000	2	2.0	1AC	N		TRAILER	0	32
29864	0013	1005 51ST AVENUE	N	28000	1	1.0	1AC	N		PIC TOW	420	32
31727	0997	2006 MINNESOTA A	N	28000	2	1.0	1AC	N		TRAILER	852	32
32348	0995	106 51ST AVE DR	N	27900	2	1.0	1AC	N		FLORIDA	624	32
32386	0426	2014 FLORIDA BLV	N	26900	2	1.0	2AC	N		TRAILER	576	32
32001	0090	1104 50TH AVE. TE	N	26000	1	1.0	1AC	N		PIC TOW	640	32
31561	0426	4905 5TH STREET	N	25900	2	1.0	1AG	N		FAIR LA	832	32
28883	0995	111 50TH AVE DR	N	25900*	2	1.5	1AC	N		HEATHER	892	32
29311	0426	706 50TH AVE PL	N	25900	1	1.0	1AC	Y		FAIR LA	460	32
30433	0110	523 49TH AVE DR	N	25500	1	1.0	1AC	N		FAIR LA	0	32
32408	0280	1603 MINNESOTA	N	24900	1	1.0	1AC	N		TRAILER	680	32
29811	0995	1004 50TH AVE. W	N	23900	1	1.0	1AC	N		FAIR LA	610	32
20680	0910	6518 NEBRASKA	N	23900*	1	1.0	0NO	Y		TRAILER	610	32
29528	0995	406 52ND AVE WE	N	22900	1	1.0	0NO	N		FLORIDA	480	32
31607	0426	4909 5 TH STREET	N	22900	1	1.0	1AC	N		FAIR LA	600	32
29790	0426	620 49TH AVE TE	N	22900	1	1.0	1AC	N		FAIR LA	0	32
28480	0241	1004 50TH AVE TE	N	22500*	2	1.0	1AC	N		PIC TOW	616	32
29990	0995	1009 50TH AVE .	N	21900	1	1.0	1AC	N		PIC TOW	912	32
32391	0426	518 50TH AVE DR	N	21900	2	1.0	1AC	N		FAIR LA	660	32
28477	0241	1002 50TH AVE TE	N	20500*	1	1.0	1AC	N		PIC TOW	496	32
31598	0280	1818 OHIO AVENUE	N	18000	1	1.0	1AC	Y		TRAILER	576	32
30441	0995	6625 OREGON	N	14900	1	1.0	0NO	N		TRAILER	984	32

CENTURY 21 ALL ACES R' LTY INC 792-2111 09 2/98 ROBERT V ROTONDO

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ML#	BROKER	ADDRESS	R$	PRICE	BD	BA	PK	PL	WTR	SUB	SQFT	A#
32339	0241	807 MILL RUN	N	198300	3	2.5	2AG	N	LAK	MILL CR	2460	71
31993	0910	13611 11TH TERRAC	N	196000	3	2.0	3AG	Y		MILL CR	2024	71
30343	8300	13511 3RD AVE NE	N	194900*	3	2.5	2AG	N		MILL CR	2318	71
32547	5901	13417 3RD AVE NE	N	194900	3	2.0	2AG	Y		MILL CR	0	71
32561	5901	13409 3RD AVE	N	194900	3	2.5	2AG	N	LAK	MILL CR	2157	71
31383	0900	610 WOODVIEW WA	N	189900	3	2.0	2AG	Y		MILL CR	2071	71
32436	0900	710 128TH STREE	N	189900	3	2.0	2AG	Y	PON	HIDDEN	2250	71
31495	8300	13782 6TH PLACE	N	189900*	4	2.0	4AG	N		MILL CR	2155	71
31788	0429	13609 2ND AV NE	N	188500*	3	2.0	2AC	N		MILL CR	2487	71
31807	8300	704 128TH ST NE	N	187500	3	2.0	2AG	N	LAK	HIDDEN	2001	71
29296	RECP	518 130TH CT	N	179000*	5	3.0	2AG	Y		HIDDEN	3041	71
29897	0266	10912 8TH AVENUE	N	179000	3	2.0	2AG	Y		WINDANC	1942	71
32292	0900	502 137TH STREE	N	169900	3	2.0	3AG	N	LAK	MILL CR	1935	71
27516	0900	12716 7TH AVE NE	N	169900*	3	2.5	3AG	N	PON	HIDDEN	2138	71
32472	0900	13621 2ND AVE NE	N	168500	3	2.0	2AG	N		MILL CR	1917	71
30156	0013	810 136TH ST EA	N	164900	3	2.0	2AG	N	LAK	MILL CR	2046	71
28173	0447	1251 HAGLE PARK	N	164900	5	2.1	2AG	N	CRE	NO SUBD	1951	71
32354	0013	1204 154TH ST	N	164500	4	2.5	2AG	N		RIVER S	2520	71
30308	0110	410 133RD ST	N	159900*	3	2.0	2AG	N	LAK	MILL CR	2619	71
32134	0460	1130 MILL CREEK	N	137900	3	2.0	2AG	N	BAY	ADAMS	1892	71
31469	8300	1008 110TH ST E	N	134900*	3	2.0	2AG	N		WINDSON	1851	71
29304	0447	1208 HAGLE PARK	N	69900*	3	1.0	1AC	N		OTHER	972	71
26959	0266	16208 18TH AVENUE	N	67900*	3	1.0	2NO	N		NO SUBD	1068	71

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
76267	GROM	4638 BAYSHORE RD	189900	*N	2	2.0	2DC	N		INDIAN BEA*	1752	31
84610	CBC	4520 45TH CT	174900	*N	3	3.0	2AC	Y		ADAMS HEIG*	1936	31
91154	MTVR	842 HIGHLAND ST	165000	N	3	3.0	2AG	N		HIGHLAND P	0	31
80424	SNDR	4962 BRYWILL CIR	159900	*N	3	2.0	2AG	Y		SAPPHIRE S	0	31
90113	CBC	5020 BRYWILL CIR	145900	N	3	2.0	1NO	Y		SAPPHIRE S*	1780	31
90426	CSCD	714 42ND STREET	124900	N	2	2.0	1AG	Y		INDIAN BEA*	1280	31
89687	ADVN	2251 HICKORY AVE	114900	*N	3	2.0	4AG	Y		SARASOTA B*	1605	31
89621	ADVN	1115 23RD ST	89900	*N	3	2.0	0NO	N		SYLVAN SHO*	1271	31
90611	GROM	537 EDWARDS	64900	N	2	2.0	2NO	N		UPLANDS	0	31

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
89463	RMXP 1974	ADAMS LANE	152500	N	2	1.0	1DG	N		TOWLES *	640	32
90962	RMXP 1236	16TH STREET	79900	N	4	2.0	1DG	N		VALENCIA T*	1535	32
88902	CROS 1705	6TH ST	75000	N	2	1.0	0NO	N		INWOOD PAR	0	32
88888	ADE 5231	DAVID	74900*	N	3	1.0	1DC	N		ARMSTRONG *	1332	32
86892	ADVN 1432	22ND STREET	74400	N	2	1.0	0NO	N		OTHER *	1140	32
85479	GROM 1480	17TH STREET	70000	N	1	.5	4NO	N		SEVILLA *	1050	32
88524	ASPI 933	42ND STREET	69800*	N	3	2.0	0NO	N		LEE COURT *	1519	32
85823	MNAD 1723	COCOANUT AV	63500*	N	3	1.0	1AC	N		EDGEWATER *	922	32
84710	FSUN 1875	WOODSTOCK L	62500*	N	2	2.0	1AC	Y		TRI PAR ES*	1206	32
89795	FSUN 5203	CHERRY HILL	60900	N	2	2.0	1AC	Y		TRI PAR ES*	1597	32
91181	REXS 1221	15TH STREET	60000	N	2	2.0	2NO	N		VALENCIA T*	706	32
86099	CROS 1936	10TH STREET	59975	N	2	1.0	0NO	N		SMITH ACRE	0	32
90662	GROM 3022	OLD BRADENT	54900	N	1	1.0	1AC	N		RIVERSIDE *	920	32
88409	FSUN 5313	BOCA RATON	54500	N	2	2.0	1AC	Y		TRI PAR ES*	544	32
91592	RMXK 5305	RANCHO AVE	53500	N	2	2.0	2AC	Y		TRI PAR ES*	1088	32
86407	SNDR 4026	ROYAL PALM	53500	N	2	1.0	1AC	N		BRAEBURN *	796	32
91024	CSCD 6023	2ND ST.	53000	N	3	1.0	0NO	N		SUNNY LAKE	0	32
91022	CSCD 302	60TH AVE. T	53000	N	3	1.0	0NO	N		SUNNY LAKE	0	32
72453	FSUN 1737	MIDLOTHIAN	52000*	N	2	1.5	1AC	Y		TRI PAR ES	0	32
88625	FSUN 5039	TRI PAR DR	50000	N	3	2.5	1AC	Y		TRI PAR ES*	1156	32
90310	ADVN 1556	BLIND BROOK	49900	N	2	2.0	1AC	Y		TRI PAR ES*	992	32
90923	FSUN 4901	OAKLAND HIL	48900	N	2	1.5	1AC	Y		TRI PAR ES*	988	32
90236	FSUN 1877	CYPRESS POI	48900	N	2	2.0	1AC	Y		TRI PAR ES*	1328	32
91019	CSCD 208	60TH AVE. T	48000	N	3	1.0	0NO	N		SUNNY LAKE	0	32
91790	RMXK 5201	KENWOOD	47500	N	2	2.0	4AC	Y		TRI PAR ES*	1152	32
91026	CSCD 6007	2ND ST.	46000	N	2	1.0	0NO	N		SUNNY LAKE	0	32
90226	REXS 1322	24TH ST	44900	N	2	1.0	1AC	N		CENTRAL HE*	888	32
91145	FSUN 5217	KENWOOD	42500	N	2	2.0	1AC	Y		TRI PAR ES*	918	32
86013	FSUN 5231	BOCA RATON	42000	N	2	2.0	1AC	Y		TRI PAR ES*	859	32
90897	MNAW 5204	KENWOOD AVE	41000	N	2	2.0	2AC	N		TRI PAR ES*	1152	32
87614	FSUN 5297	TRI PAR DR	41000	N	2	1.5	1AC	Y		TRI PAR ES*	548	32
91789	MNAW 2794	PALMADELIA	39900	N	3	1.0	1NO	N		NEWTOWN HE*	780	32
83987	ADVN 5126	BEL AIR AVE	39900*	N	2	2.0	1AC	Y		TRI PAR ES	0	32
91272	PREF 1770	24TH ST	39500	N	2	1.0	0NO	N		NEWTOWN HE*	732	32
90049	FSUN 5285	TRI PAR DR	39000	N	2	2.0	1AC	Y		TRI PAR ES*	599	32
87558	FSUN 5316	PEBBLE BEAC	37000	N	3	2.0	1AC	Y		TRI PAR ES*	546	32
90128	FSUN 1784	MIDLOTHIAN	36900	N	2	1.5	1AC	Y		TRI PAR ES*	917	32
83877	FSUN 1616	OLYMPIA FIE	36500	N	2	1.5	1AC	Y		TRI PAR ES	0	32
86893	FSUN 5226	GLEN ECHO	36500	N	2	1.0	1AC	Y		TRI PAR ES*	828	32
90556	FSUN 5153	OAKLAND HIL	35900	N	2	2.0	1AC	Y		TRI PAR ES*	450	32
83751	FSUN 4909	PEBBLE BEAC	34900	N	2	1.5	1AC	Y		TRI PAR ES*	484	32
91075	FSUN 1719	BROADMOOR	34500	N	2	1.5	1AC	Y		TRI PAR ES*	771	32
87842	FSUN 5287	OAKLAND HIL	33900	N	2	1.0	1AC	Y		TRI PAR ES*	540	32
89554	ADVN 1686	MIDLOTHIAN	33500	N	2	1.0	1AC	Y		TRI PAR ES*	652	32
91546	COOP 1287	32ND STRET	32900	N	2	1.0	1NO	N		NORTH RIVE	0	32
85420	FSUN 1702	OLYMPIA FIE	32500	N	2	1.0	1AC	Y		TRI PAR ES*	570	32
91536	FSUN 1768	MIDLOTHIAN	32000	N	2	1.5	1AC	Y		TRI PAR ES*	518	32
91535	FSUN 5305	OAKLAND HIL	32000	N	2	1.5	1AC	Y		TRI PAR ES*	455	32
81767	FSUN 1706	OLD ELM ST.	31900	N	2	1.0	1AC	Y		TRI PAR ES	0	32
86890	ADVN 1442	22ND STREET	31500	N	1	1.0	0NO	N		OTHER	0	32
89242	MTVR 2825	CHURCH AVE	31000	N	3	1.0	0NO	N		NEWTOWN HE	0	32
86562	ADVN 4833	BOCA RATON	30000*	N	2	1.0	1AC	N		TRI PAR ES*	792	32
81035	FSUN 1767	OLD ELM	29500	N	2	2.0	1AC	Y		TRI PAR ES	0	32
89472	MNAW 5326	BOCA RATON	29000	N	2	2.0	1AC	N		TRI PAR ES	0	32
86007	FSUN 5220	BOCA RATON	28500	N	1	1.0	1AC	Y		TRI PAR ES*	630	32

ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
87042	MNAW	1740 PALM SPRING	27000	N	2	1.0	1AC	N		TRI PAR ES	0	32
91264	FSUN	4859 TRI PAR DR	26900	N	2	1.0	1AC	Y		TRI PAR ES*	632	32
87553	FSUN	1714 OLD ELM RD.	26000	N	2	1.0	1AC	Y		TRI PAR ES*	540	32
75926	FSUN	1664 MIDLOTHIAN	25000*	N	2	1.5	1AC	Y		TRI PAR ES	0	32
91263	FSUN	4877 TRI PAR DR	24900	N	2	1.0	1AC	Y		TRI PAR ES*	646	32
91167	ADVN	1719 OLD ELM ST	24900	N	2	1.0	1AC	Y		TRI PAR ES*	588	32
86004	ADVN	1757 OLYMPIA FIE	24200	N	1	1.0	1AC	Y		TRI PAR ES	0	32
89471	MNAW	5216 OAKLAND HIL	18500	N	1	1.0	1NO	N		TRI PAR ES	420	32

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
87644	PRGI	2750 UNIVERSITY	199000*	N	3	2.0	0NO	N		NONE	* 1581	33
85745	CBC	4598 NORTHWOOD T	179900	N	3	2.0	2AG	N		NORTHWOOD	* 2083	33
91225	MTVR	2846 NORTHWOOD W	149900*	N	2	2.5	2AG	Y		NORTHWOOD	0	33
90183	ADVN	2829 NORTHWOOD W	144900	N	3	2.0	2AG	N		NORTHWOOD	* 1893	33
89061	ROCK	4235 PLACID DR	121000	N	2	2.0	2AG	N	LAK	OTHER	0	33
89121	PRGI	1065 LEWIS AVENU	109900	N	3	2.0	2AG	N		FAIRWAY	* 1296	33
90250	ADVN	3217 HENRIETTA P	104000	N	2	2.0	5AC	N		OTHER	0	33
90732	SCRS	3018 LOCKWOOD LA	99000	N	3	2.0	2AG	N		LOCKWOOD M	0	33
90149	RMXK	2289 SPRING OAKS	97500*	N	2	2.0	0NO	N		SPRING OAK	0	33
91261	REXS	3048 DIVIDING CR	96000	N	3	3.0	1AC	N		LAKE RIDGE	0	33
85885	REXS	3000 FREDERICK L	95000	N	3	1.0	4DC	N		NONE	0	33
91784	PRGI	2288 SEWARD DRIV	94900	N	3	2.0	2AG	N		SPRING OAK*	1407	33
88519	CBC	1085 LEWIS AVE	94500*	N	3	2.0	2AG	N		FAIRWAY	* 1218	33
90953	ADVN	2303 SEWARD DRIV	93500	N	3	2.0	1AG	N		SPRING OAK*	1336	33
89135	MNRL	3175 ASPINWALL S	92500*	N	2	1.5	1AG	Y		AVION		33
89231	CUPR	1526 BRINKS AVEN	91500	N	3	2.0	1AG	N		POINSETTIA	0	33
91035	PREF	2425 21ST.	87500	N	3	2.0	1DG	N		LORRAINE P*	1748	33
86758	BUDG	2263 SILVER MAPL	84900*	N	3	2.0	1AG	N		SPRING OAK*	1355	33
91646	RMXP	2533 LOCKWOOD ME	80900	N	3	2.0	2AG	N	LAK	LOCKWOOD M*	1710	33
90219	RMXP	2833 LOCKWOOD ME	76900*	N	2	2.0	1AG	N		LOCKWOOD M*	945	33
91158	RMXP	2381 MARGARET ST	75000	N	3	1.0	0NO	N		ETHAN ALLE*	736	33
91686	BSTA	2146 6TH STREET	73000	N	2	1.0	2AC	Y		NORTH AUDU*	1116	33
85570	ROCK	2708 18TH STREET	65900*	N	2	1.0	1AG	N		LENRAY HEI*	801	33
89818	ROBB	3797 ALMOND AVE.	59000	N	2	2.0	0NO	N		BEVERLY TE	0	33
79637	CBC	2529 21ST STREET	55000	N	2	1.0	0NO	N		LORRAINE P*	528	33
91683	CROS	2323 10TH STREET	53000	N	1	1.0	1DG	N		ETHAN ALLE*	576	33
82706	MTVR	456 JEFFERSON A	52900	N	2	2.0	0NO	Y		ASPEN WOOD*	931	33
82707	MTVR	448 JEFFERSON A	52900	N	2	2.0	0NO	Y		ASPEN WOOD*	931	33
82710	MTVR	434 JEFFERSON A	52900	N	2	2.0	0NO	Y		ASPEN WOOD*	931	33
82712	MTVR	446 JEFFERSON A	52900	N	2	2.0	0NO	Y		ASPEN WOOD*	931	33
82709	MTVR	460 JEFFERSON A	52900	N	2	2.0	0NO	Y		ASPEN WOOD*	931	33
82725	MTVR	444 JEFFERSON A	52900	N	2	2.0	0NO	Y		ASPEN WOOD*	931	33
82723	MTVR	436 JEFFERSON A	52900	N	2	2.0	0NO	Y		ASPEN WOOD*	931	33
82722	MTVR	422 JEFFERSON A	52900	N	2	2.0	0NO	Y		ASPEN WOOD*	931	33
82720	MTVR	454 JEFFERSON A	52900	N	2	2.0	0NO	Y		ASPEN WOOD*	931	33
82713	MTVR	452 JEFFERSON A	52900	N	2	2.0	0NO	Y		ASPEN WOOD*	931	33
89050	CRIS	1737 EUCLID AVE	44900	N	2	1.0	2NO	N		LORRAINE P*	625	33

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
90101	RMXP	6337 RAVENWOOD D	193500	N	4	3.0	2AG	Y		DESOTO PIN*	2332	34
88780	CBC	4472 ASCOT CIRCL	188900*	N	3	2.0	2AG	Y	LAK	LONGWOOD R*	1994	34
83350	SNDR	3818 GOCIO	182900*	N	2	1.0	0NO	N		OTHER *	1610	34
82201	ROCK	4454 ASCOT CIRCL	169900	N	2	2.0	2AG	N	LAK	OTHER *	1998	34
85620	RMXP	5787 RAVENWOOD D	169900*	N	3	2.0	2AG	Y		DESOTO PIN*	1970	34
82546	ROCK	4793 TIVOLI PLAC	165000	N	3	2.0	2AG	N	LAK	LONGWOOD R*	1726	34
87288	ADVN	6176 NICOLE COUR	164900*	N	3	2.0	2AG	Y		LONGWOOD R*	1791	34
89808	CBC	6145 BONAVENTURE	159900	N	3	2.5	2AG	Y		CEDAR CREE*	2432	34
84402	MTVR	6193 NICOLE COUR	159900*	N	2	2.0	2AG	Y		LONGWOOD R	0	34
82192	ROCK	4461 ASCOT CIRCL	159900	N	2	2.0	2AG	Y	LAK	LONGWOOD R*	1657	34
90411	BUDG	4799 HAMLETS GRO	157500	N	3	2.0	2AG	Y	LAK	HAMLETS GR*	1797	34
89378	MTVR	5774 BEAURIVAGE	157500	N	3	2.0	2AG	N	LAK	LONGWOOD R	0	34
86725	RMXP	3914 TRENTWOOD P	155000*	N	3	4.0	2AG	N		DESOTO PIN	0	34
86616	RMXP	3914 TRENTWOOD P	155000*	N	2	4.0	2AG	N		DESOTO PIN*	2412	34
89400	CBC	4616 HAMLETS GOV	149900*	N	3	2.0	2AG	Y		HAMLETS GR*	1818	34
90776	FELS	3242 BRANCH CREE	146950*	N	3	2.0	2AG	N	LAK	OTHER	0	34
83351	ROCK	3800 RAVENWOOD P	145900*	N	3	2.5	2AG	Y		DESOTO PIN*	1772	34
85816	ROCK	4311 BEEKMAN PLA	144900	N	3	2.0	2AG	N		OTHER *	1632	34
89630	RMXP	5751 FORESTER L	144900	N	3	2.5	2AG	Y		CEDAR CREE*	1872	34
89381	ROCK	3413 YONGE AVE	140900	N	2	2.0	2AG	N		OTHER	0	34
89105	ROCK	4779 TIVOLI PL	139900*	N	2	2.0	2AG	N		LONGWOOD R*	1428	34
89956	CBC	5789 HELEN WAY	137500	N	2	2.0	2AG	Y		CEDAR CREE	0	34
91141	COLE	3452 SHADYBROOK	135000	N	3	2.0	2AG	N	LAK	CEDAR CREE	0	34
91506	REXS	5766 FORESTER PI	134900	N	3	2.0	2AG	N		CEDAR CREE*	1870	34
91150	ADVN	5560 FORESTER PO	134900	N	3	2.0	2AG	N		CEDAR CREE*	1982	34
91106	RRSV	4370 EDINBRIDGE	134900	N	3	2.0	2AG	N		OTHER *	1244	34
91275	CBC	5517 SHADY BROOK	132500	N	3	3.0	2AG	N	LAK	CEDAR CREE*	1934	34
89989	REXS	3584 CRYSTAL LAK	129900	N	3	2.0	2AG	N		CRYSTAL LA*	1701	34
91391	RMXP	4858 HAMLETS GRO	129900	N	3	2.0	2AG	N		HAMLETS GR*	1622	34
89229	SNDR	4630 HAMLETS GRO	129900*	N	3	2.0	2AG	N		HAMLETS GR	0	34
90645	CBC	5760 FORESTER PO	129000	N	3	2.0	2AG	N	LAK	CEDAR CREE	0	34
88358	CBC	5318 BARBAROSSA	122900*	N	3	2.0	2AG	N		DESOTO LAK		34
89988	SRBY	5301 SAN JUAN DR	119900	N	2	2.0	2AG	N		DESOTO LAK	0	34
89815	TLCI	5591 SHADY BROOK	119500	N	3	2.0	2AG	N		CEDAR CREE	0	34
91381	CBC	AVILA AVENU	114500	N	3	2.0	2AG	N		DESOTO LAK	0	34
86753	CBC	3883 TAMPICO DR.	112500	N	3	2.0	1AG	N		DESOTO LAK	0	34
91100	VRCR	5700 MONTE ROSSO	112000	N	2	2.0	2AG	N		RIVIERA CL	0	34
89953	CBC	3437 GOCIO ROAD	106900	N	3	2.0	2AG	N		MAPLE HAMM*	1319	34
90478	MNRG	3916 SAN LUIS	99900	N	3	2.0	0NO	N		DESOTO LAK*	1713	34
90342	ADVN	3612 PRADO DRIVE	94000	N	3	2.0	2AG	N		DESOTO LAK*	1220	34
91430	RMXP	4819 SAN JOSE DR	87900	N	3	2.0	2AG	N		DESOTO LAK*	1627	34
89178	PRGI	3801 PRADO DR	85000*	N	2	2.0	1AG	N		DESOTO LAK*	1420	34
86599	SNDR	3420 DESOTO ROAD	82000	N	2	2.0	1AG	N	LAK	DESOTO LAK*	1326	34
87737	CSCD	4920 LOCKWOOD RI	74900*	N	3	2.0	0NO	N		OTHER	0	34
91103	ADVN	3772 DESOTO ROAD	74797	N	3	1.0	0NO	N		DESOTO LAK*	1414	34
88857	ADVN	5700 LOCKWOOD RI	24900	N	2	1.0	0NO	N		OTHER	0	34

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
89350	RMXP 2062	WASATCH DR	199900	N	3	2.0	2AG	Y	LAK	OTHER	0	35
89521	ROCK 43	ARBOR OAKS	183900	N	3	2.0	2AG	Y	PON	ARBOR OAKS	0	35
86807	ROCK 76	ARBOR OAKS	172000*N	3	2.5	2AG	Y			ARBOR OAKS*	2018	35
88064	REXS 2000	WYNDHAM DR	155000	N	3	2.0	2AG	N		OTHER	0	35
87068	REXS 2150	WASATCH DRI	155000	N	3	2.0	2AG	N		OTHER	0	35
89360	REXS 2025	WASATCH DR	155000	N	3	2.0	2AG	N		OTHER	0	35
89305	REXS 1864	WYNDHAM DR	150000	N	3	2.0	2AG	N		OTHER	0	35
90447	MTVR 5161	COUNTRY MEA	149900	N	3	2.0	2AG	N		COUNTRY ME	0	35
89967	ADVN 123	WHISPERING	149900	N	3	2.0	2AG	Y		WHISPERING*	1802	35
88494	MTVR 5455	SOUTHERLY W	148000*N	3	2.0	2AG	Y		LAK	OTHER *	1739	35
91219	CSCD 5556	BRIAR CREEK	137900	N	3	2.0	2AG	N		DEER HOLLO*	2038	35
88301	RMXP 3706	POND VIEW L	134900*N	3	2.0	2AG	N			HEATHER LA*	1976	35
91063	MTVR 1720	COUNTRY MEA	130000*N	3	2.0	2AG	N		LAK	COUNTRY ME	0	35
90124	RMXP 2187	WOOD HOLLOW	129900	N	3	2.0	2AG	N		WOODS *	1669	35
89992	MTVR 3710	PIN OAKS ST	127900	N	3	2.0	2AG	N		GLEN OAKS	0	35
86507	ROCK 3600	CALLIANDRA	124900	N	3	2.0	2AG	Y		GLEN OAKS	1514	35
88356	ROCK 3907	GLEN OAKS M	123000	N	2	2.0	2AG	N		GLEN OAKS *	1630	35
91697	MTVR 3926	GLEN OAKS M	122500	N	2	2.0	2AG	Y		GLEN OAKS *	1630	35
90380	ADVN 4205	PRUDENCE DR	119900	N	4	2.0	2AG	Y		KENSINGTON*	1911	35
86264	ADVN 5859	PAUMA COURT	119900	N	4	2.0	2AG	N		DEER HOLLO*	1511	35
88229	CBC 3707	GLEN OAKS M	116900	N	2	2.0	2AG	Y		GLEN OAKS *	1608	35
88810	RLBJ 4077	CHISHOLM	115000	N	3	2.0	2AG	N		KENSINGTON*	1536	35
91548	ADVN 2826	PARANDOR PL	114900	N	3	2.0	0NO	Y		KENSINGTON	0	35
91458	ADVN 5854	COVINGTON W	114900	N	3	2.0	2AG	N		DEER HOLLO	0	35
87643	ADVN 3765	HEATHER LAK	114000*N	3	2.0	2AG	N			HEATHER LA*	1582	35
87458	ROCK 5345	SARAPOINTE	113900*N	3	2.0	2AG	N			EASTPOINTE*	1458	35
89288	CBC 1173	DEER HOLLOW	99700	N	3	3.0	1AG	N		DEER HOLLO	0	35
90108	CBC 648	MELODY CIRC	95900*N	3	2.0	0NO	N			SAN-SOUCI *	1726	35
91517	MTVR 1818	FERN AVE	94900	N	2	3.0	1AG	Y		KENSINGTON	0	35
89619	CBC 3250	27TH PARKWA	94500	N	3	2.0	1AG	N		KENSINGTON*	1453	35
88843	MNPF 1103	WILLIS AVE	92500	N	4	2.0	0NO	Y		PEACEFUL V	0	35
90186	ADVN 3427	DANTE DRIVE	88950	N	3	2.0	1AC	N		KENSINGTON*	1350	35
89771	ADVN 1610	DEER HOLLOW	88500	N	3	2.0	1AG	N		DEER HOLLO	0	35
89140	MNRL 1142	RUSSELL AVE	84999	N	3	1.5	1AC	N		COFFMAN MA*	1228	35
9990	REXS 2704	GALLEON PL	84900*N	3	2.0	1AG	N			KENSINGTON*	1473	35
0996	REXS 1913	GOLD AVE	84900	N	3	2.0	1AC	N		KENSINGTON*	984	35
7425	CSCD 3220	GLOUSTER ST	83000*N	3	2.0	1AG	N			KENSINGTON*	1360	35
0052	ROBB 3447	MONICA PARK	82900	N	3	2.0	1AC	N		KENSINGTON*	1299	35
6705	MTVR 2006	GOLD AVENUE	79900*N	3	1.5	1AC	N			KENSINGTON	0	35
0182	ADVN 2011	RANDA BLVD	79900	N	2	1.0	1AC	N		KENSINGTON		35
1810	MTVR 3813	PRUDENCE DR	79500	N	3	2.0	1AG	N		KENSINGTON	0	35
1324	MREC 3856	27TH PARKWA	77000	N	2	1.5	1AC	N		KENSINGTON*	903	35
8545	ROSE 3403	DUDLEY ST	74900*N	2	1.0	1AC	N			KENSINGTON*	819	35
0404	MREC 2002	ELK AVENUE	74900	N	3	1.0	1AC	N		KENSINGTON*	943	35
9700	ADVN 322	BAILEY LANE	74777	N	3	2.0	3AC	N		BAILEY VIL*	1072	35
9929	ROCK 1917	ELK AVE	74400	N	2	1.0	1AC	N		KENSINGTON*	1051	35
3898	MTVR 2732	LENCH PL	72000	N	2	2.0	1AC	N		KENSINGTON	0	35
9784	CAM 3609	SCHWALBE	69900	N	2	1.0	1DC	N		KENSINGTON*	798	35
9868	RMXP 3803	SCHWALBE DR	69900	N	2	1.0	4AC	N		KENSINGTON*	847	35
0090	ADVN 125	AVANT AVE	69000	N	3	1.0	2NO	N		GREERS ADD	0	35
.753	MTVR 2759	FOUNTAIN CI	67500	N	2	1.0	0NO	N		KENSINGTON	0	35
7889	COOP 3310	BARSTOW STR	63900*N	3	2.0	1AC	N			KENSINGTON	0	35

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
91487	ADVN	7490 RICHARDSON	195000	N	4	2.0	0NO	N	LAK	OTHER	* 2095	36
91285	CROS	1918 RACIMO DRIV	169900	N	3	2.0	2AG	Y		RACIMO RAN*	1799	36
89442	BUDG	1666 RACIMO DR	149900*	N	3	2.0	2AG	N	LAK	RACIMO RAN*	1919	36

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
87179	MREC 5007	MARSHFIELD	199900*	N	4	2.5	2AG	Y	LAK	MEADOWS	0	39
91042	SRGI 4845	GREENCROFT	176500	N	3	2.0	2AG	N	LAK	MEADOWS	* 1708	39
89776	ROCK 3112	HEATHERWOOD	174900	N	3	2.0	2AG	Y		MEADOWS	0	39
91175	PRGI 4686	GLEBE FARM	149900	N	3	2.0	2AG	Y		MEADOWS	* 1708	39
90716	MREC 2877	RINGWOOD ME	149900	N	3	2.0	2AG	N		MEADOWS	0	39
82384	MREC 4764	RINGWOOD ME	149900	N	2	2.0	2AG	N		MUIRFIELD	* 1784	39
87846	IGBC 3120	HEATHERWOOD	145000	N	3	2.0	2AG	Y		MUIRFIELD	* 1894	39
91660	RMXP 1910	DALE CROFT	139997	N	3	2.0	2AG	N		MEADOWS	* 1935	39
89825	MREC 4709	RINGWOOD ME	139000*	N	3	2.0	2AG	N		MEADOWS	0	39
91737	RMXP 4750	RINGWOOD ME	129900	N	3	2.0	2AG	N		MEADOWS	0	39
91463	MREC 3420	LONGMEADOW	115000	N	2	2.0	2DG	N	LAK	MEADOWS	* 1116	39

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
87148	MTVR 1752	SHORELAND D	179900	N	3	2.0	1AG	N		SHORELAND *	1671	41
86442	MTVR 1563	SIESTA DRIV	176000	N	2	2.0	1AC	N		SUNSET BAY*	1390	41
91850	SRGI 1961	CLEMATIS ST	129000	N	2	1.0	2AC	N		DESOTA PAR*	672	41
91520	ROSE 1862	BAHIA VISTA	119900*	N	2	1.0	0NO	Y		BADGER HEI*	652	41
90116	GRID 1906	SIESTA DR	109000*	N	2	1.0	3AG	N		HARTLAND P*	961	41

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
88475	RRVV	2716 TANGLEWOOD	198000	*N	3	3.0	2AG	Y	BOA	SOUTH GATE*	3188	42
82987	RMXP	3605 JAFFA DR	189900	*N	3	3.0	2AC	Y	CAN	SOUTH GATE*	2195	42
87571	CSCD	3549 BROOKLINE D	189900	*N	4	3.0	2AG	Y		FOREST LAK*	1959	42
88039	PRGI	3379 SHEFFIELD C	189000	*N	3	2.0	2AG	Y		VILLAGE GR*	2098	42
90279	ROCK	3374 SPRINGMILL	179000	N	3	3.0	2AG	Y		VILLAGE GR	0	42
91136	ROCK	2557 RINGLING BL	174900	N	3	3.0	0NO	N		RINGLING B*	1369	42
89417	CBC	2320 TANGLEWOOD	169900	N	3	2.0	2AG	N	RIV	FOREST LAK	0	42
85245	CSCD	3404 MINEOLA DRI	169900	N	4	2.0	2AG	Y	CAN	SOUTH GATE*	2373	42
88576	CSCD	2400 RIVER RIDGE	159900	N	3	2.0	2AG	N	RIV	SOUTH GATE*	2343	42
91836	ROCK	2619 BIGELOW DRI	159900	N	3	2.0	2AG	Y		SOUTH GATE*	1365	42
90463	CBC	3543 PEMBROOK DR	146900	*N	2	2.0	2AG	Y		VILLAGE GR*	1751	42
82382	RMXP	3311 JAFFA DR	144900	*N	2	2.0	2AG	N	BOA	SOUTH GATE*	1381	42
90431	CBC	2210 BENEVA ROAD	139500	N	3	2.0	2AG	Y		FOREST LAK*	1877	42
91524	MTVR	3807 JAFFA DRIVE	138777	N	3	2.0	1AG	N	RIV	SOUTH GATE	0	42
91151	CBC	3302 SHEFFIELD C	138000	N	3	2.0	2AG	Y		VILLAGE GR*	1755	42
91322	RMXP	3431 PINE VALLEY	135000	N	3	2.0	2AG	N		FOREST LAK*	1714	42
88762	CRIS	2514 LOMA LINDA	135000	N	5	3.0	1DG	N		RUSTIC LOD		42
90272	PRGI	2311 SIESTA DR	129999	*N	3	3.0	1AG	N		SOUTH GATE*	1973	42
86254	CROS	2563 GROVE STREE	129987	*N	3	2.0	2AG	N		SOUTH GATE	0	42
88866	ADE	2313 ROBINSON AV	129900	N	3	2.0	2AG	N		ORANGE GRO	0	42
91091	REXS	3232 BAHIA VISTA	129900	N	3	2.0	2AC	N	RIV	PINECRAFT *	1467	42
89615	BUDG	1747 RIVIERA CIR	129900	*N	2	2.0	1AG	Y		FOREST LAK*	1367	42
90457	CBC	3381 ROSE STREET	129900	*N	3	2.0	2AG	Y		SOUTH GATE*		42
82820	ADVN	2503 TANGLEWOOD	129000	*N	2	2.5	2AG	N		SOUTH GATE*	2100	42
90480	RMXP	2716 SIESTA DR	128900	*N	3	3.0	2AG	N		SOUTH GATE*	1671	42
91572	CBC	2511 ESPANOLA DR	127500	N	2	2.0	2AG	N		FOREST LAK*	1398	42
91813	ROCK	2614 BIGELOW DRI	126900	N	2	2.0	2AG	N		SOUTH GATE	0	42
89326	SNDR	2721 TANGELO DRI	125000	*N	3	2.0	1AC	N		SOUTH GATE	0	42
91061	ROCK	3547 FAIRVIEW DR	124900	N	3	2.0	2AG	N		SOUTH GATE*	1430	42
88552	CBC	2992 GREENBRIAR	124000	N	3	2.0	1AC	Y		GREENBRIAR*	1492	42
83502	RMXP	3158 IRVING STRE	119500	*N	4	4.0	1AG	Y		BELLEVUE T*	2133	42
90593	ROCK	3241 VINOY PLACE	119000	N	2	2.0	2AG	N		SOUTH GATE*	1206	42
90958	REXS	2533 HIBISCUS ST	119000	N	3	2.0	1AG	N		SOUTH GATE*	1706	42
87097	MILR	3317 SCHOOL	115900	N	3	2.0	2AG	N		SOUTH GATE*	1642	42
91305	ESQR	2248 TULIP STREE	115000	N	4	2.0	2NO	Y		SOUTH GATE		42
88551	CSCD	3261 KEY AVE.	114900	N	2	2.0	2AG	Y		SOUTH GATE*	1322	42
90665	ADVN	2811 BOUGAINVILL	112000	N	3	2.0	2AG	N		SOUTH GATE*	1568	42
88717	SORR	3522 PINECREST S	112000	N	2	2.0	2AG	Y		VILLAGE GR*	1299	42
91249	ASTR	1215 SHADE AVENU	110000	*N	3	2.0	0NO	N		RUSTIC LOD*	1734	42
91854	CBC	2460 GOLDENROD S	110000	N	3	2.0	2AG	N		SOUTH GATE	0	42
88711	CBC	3316 KEY AVENUE	110000	N	2	2.0	2AC	Y		SOUTH GATE	0	42
86657	ROCK	3305 SCHOOL AVE	109900	*N	3	2.0	1AG	N		SOUTH GATE*	1596	42
91273	ADVN	980 BRINK	109900	N	3	2.0	1AG	Y		ROBINHOOD *	1652	42
91110	ADVN	2720 DAVIS BLVD	108000	*N	3	2.0	2AG	N		WOODBURY *	1330	42
91749	CSCD	2070 ORCHID ST.	107900	N	3	2.0	1AC	Y		SOUTH GATE*	1560	42
90797	BANZ	2744 GOLDENROD S	105000	N	3	2.0	1AG	N		SOUTH GATE*	1675	42
91872	CBC	2332 VALENCIA DR	102900	N	3	2.0	1AG	N		SOUTH GATE*	1348	42
91732	CROS	2552 HUNTINGTON	102788	N	3	2.0	2AG	N		ORANGE GRO	0	42
89450	MTVR	1101 LOCKWOOD RI	99500	N	3	2.0	0NO	N	RIV	OTHER	0	42
87975	ADE	3314 JAFFA	97900	*N	2	1.5	1AC	N		SOUTH GATE*	1375	42
89976	FSUN	3101 IRVING ST.	96900	*N	3	2.0	1AG	N		BELLEVUE T*	1522	42
90820	BUDG	2708 CROTON AVE	96500	N	2	1.5	1AG	N		SOUTH GATE*	1378	42
87139	JOSH	3079 IRVING ST	94900	*N	3	2.5	2NO	Y		BELLEVUE T*	1499	42
90175	CBC	3137 NOVUS STREE	94500	N	3	2.0	0NO	Y		BELLEVUE T*	1395	42
91608	RMXP	2267 HILLVIEW ST	92700	N	2	1.0	1DG	N		LA LINDA T*	1139	42

ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
91668	BUDG	2453 ROBINSON AV	92500	N	2	1.0	1AG	Y		ORANGE GRO*	1609	42
90928	RMXP	2105 TETLOW PL	92000	N	3	2.0	1AG	N		SOUTH GATE*	1092	42
89601	CBC	2514 HIBISCUS ST	92000	N	3	2.0	1AG	N		SOUTH GATE*	1348	42
90742	CBC	2987 BROWNING ST	91900	N	3	2.0	1AC	N		GREENBRIAR	0	42
90112	CBC	2454 HIBISCUS ST	91500	N	2	2.0	1AC	N		SOUTH GATE*	1617	42
91575	RMXP	3720 SAWYER RD	90000	N	3	2.5	0NO	N		PINE VIEW *	1454	42
89893	CSCD	2639 WOOD STREET	89900	N	3	2.0	1AC	N		HAGER PARK*	1280	42
90323	RMXP	2598 CLEMATIS ST	89900	N	2	2.0	1AG	N		SOUTH GATE*	1241	42
89678	MNBR	160 JEFFERSON A	86500	N	3	2.0	1AC	N		SUNAIRE TE*	1374	42
91748	CBC	3136 WOOD STREET	84900	N	3	2.0	1AG	N		BELLEVUE T*	984	42
89182	CBC	2424 SWEETLAND A	83900*N	2	2.0	1AG	N			ORANGE GRO*	950	42
81776	SNDR	3105 NOVUS COURT	83500*N	3	2.0	1AG	N			BELLEVUE T*	1174	42
91365	CBC	1307 SHADE AVE.	83000	N	2	1.0	1AG	Y		RUSTIC LOD		42
91467	ROBB	2893 LOUISE ST	82000	N	3	2.0	0NO	N		PATRICIA M*	1326	42
85867	CSCD	3708 SAWYER ROAD	79900*N	2	2.0	1AG	N			PINE VIEW *	924	42
91699	PRGI	3036 ALTA VISTA	79900	N	2	2.0	1AG	N		BELLEVUE T	1159	42
89975	ROBB	2434 NOVUS	76900	N	1	2.0	0NO	N		HUDSON PAR*	628	42
91274	PREP	3399 12TH	76900	N	3	1.0	1NO	N		LOCKWOODS *	929	42
89983	ADVN	3135 BAHIA VISTA	74900*N	3	2.5	1AG	N			BELLEVUE T*	1524	42
90836	RMXP	2261 NOVUS ST	74900	N	3	1.0	1AC	Y		POMS PARK		42
89823	ASTR	2311 GROVE STREE	74900*N	2	2.0	1AC	N			BLOSSOM BR*	1202	42
88865	CSCD	2471 BAHIA VISTA	59900	N	2	1.0	0NO	N		AVON HEIGH*	904	42
87495	CBC	3214 ASPEN TERRA	49999	N	2	2.0	1AC	N		OAKWOOD MA*	1072	42
90741	CBC	307 OAKWOOD BLV	47999	N	2	2.0	1AC	N		OAKWOOD MA*	1008	42
90384	CBC	2928 LYNNHURST S	39900*N	2	1.5	3NO	N			RIO VISTA	0	42
76369	ADVN	217 WILLOW OAK	38900*N	1	1.0	1AC	Y			OAKWOOD MA*	820	42

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ML#	BROKER		ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
90169	PRGI	4052	PRAIRIE VIE	195000	N	4	3.0	2AG	Y		SETTLEMENT*	2080	43
89578	PRGI	4526	TRAILS DR	194900*	N	3	2.0	2AG	N		LAKES ESTA*	1757	43
88728	SNDR	4622	LITTLE JOHN	194000*	N	3	2.0	2AG	Y		SHERWOOD F*	2226	43
87726	RMXP	4954	LEATHA LANE	189950	N	3	2.0	2AG	Y		HIDDEN OAK*	2022	43
87416	CBC	1348	COTTONWOOD	186900	N	3	2.0	2AG	N		LAKES ESTA*	2206	43
90034	MTVR	2633	MAPLELOFT R	184900*	N	4	3.0	2AG	Y		MAPLELOFT *	2185	43
86575	ADVN	133	SHADY PARKW	174900	N	3	2.0	2AG	N		SHENAHDOAH*	1980	43
87171	REXS	870	FAULKWOOD C	169900	N	3	2.0	2AG	N		WOODLAND P*	2233	43
84406	SNDR	1620	COTTONWOOD	166900*	N	3	2.0	2AG	N		LAKES ESTA*	2029	43
90918	ROBB	5516	BENT OAK DR	165000*	N	3	2.0	2AG	N		COLONIAL O*	1933	43
90297	DOCK	4487	TRAILS DRIV	164900*	N	3	2.0	2AG	N		LAKES ESTA*	1613	43
86281	CBC	5420	CORK OAK ST	159900	N	4	2.0	2AG	N		COLONIAL O	0	43
87271	ADVN	1209	CORNISH COU	159900	N	4	2.0	2AG	N		BELL BROOK*	2272	43
91131	RMXK	4770	MAID MARIAN	159900	N	3	2.0	2AG	N		SHERWOOD F	0	43
88617	OSIS	3824	GATEWOOD LA	159900	N	4	2.5	2AG	N	LAK	TAMARON *	1821	43
89660	MTVR	4103	WOODVIEW DR	157000*	N	3	2.0	2AG	N		WOODLAND P	0	43
89302	PRGI	2571	MAPLELOFT L	154900*	N	3	2.5	2AG	Y		MAPLELOFT *	1928	43
89269	CBC	5679	BENT OAK DR	154900	N	3	2.0	2AG	N		COLONIAL O*	1368	43
91667	CBC	2172	GOLD OAK LA	149900	N	3	2.5	2AG	Y		COLONIAL O*	1724	43
85766	AAAA	4620	ROBIN HOOD	149900*	N	3	2.0	2AG	Y		SHERWOOD F	0	43
89506	CBC	4244	EASTWOOD DR	149900	N	3	2.0	2AG	N	LAK	TAMARON *	1732	43
89709	CBC	4063	WOODVIEW DR	149900*	N	3	2.5	2AC	N		WOODLAND P*	1888	43
91308	RMXP	4706	MAID MARIAN	146500*	N	2	2.0	2AG	Y		SHERWOOD F*	1633	43
86419	CBC	5860	OLD SUMMERW	145900	N	3	2.0	2AG	N	LAK	OTHER	0	43
87407	CBC	2522	WOOD OAK DR	144900*	N	3	2.0	2AG	Y		COLONIAL O*	1778	43
86104	CBC	2281	CORK OAK ST	144900*	N	4	2.0	2AG	N		COLONIAL O*	1933	43
87034	CBC	4574	ROBINHOOD T	144900*	N	3	2.0	2AG	N		SHERWOOD F*	1977	43
89641	CBC	5325	BENT OAK DR	142900*	N	3	2.0	2AG	N		COLONIAL O*	1856	43
91855	CBC	5637	COLONIAL OA	139900	N	3	2.0	2AG	Y		COLONIAL O	0	43
89040	CBC	2367	TALL OAK CT	139900	N	3	2.0	2AG	N	LAK	COLONIAL O*	1850	43
91780	CSC	2595	MAPLELOFT R	139500	N	3	2.0	2AG	N		MAPLELOFT *	1628	43
95853	PRGI	1651	CARROLWOOD	132900*	N	3	2.0	2AG	Y		TAMARON	0	43
91405	REXS	3616	ASBURY	129900	N	4	2.0	2AG	N	LAK	SPRING LAK*	1718	43
90360	RRSV	4223	ALTON WAY	127900	N	4	2.0	2AG	N		SARASOTA S*	1632	43
91863	ROCK	1873	ORANGEWOOD	127700	N	4	2.0	2AG	N		TAMARON *	1635	43
90957	CBC	2452	SCARLET OAK	126900	N	3	2.0	2AG	N	LAK	COLONIAL O*	1609	43
92842	CBC	2571	SCARLET OAK	124900*	N	3	2.0	2AG	Y		COLONIAL O*	1388	43
89261	CBC	2203	CORK OAK	119900	N	3	2.0	2AG	N	LAK	COLONIAL O*	1503	43
91513	CBC	2465	BRIAR OAK C	119900	N	3	2.0	2AG	N		COLONIAL O*	1550	43
91047	ROCK	2326	MYSTIC DRIV	118900	N	3	2.0	2AG	N	LAK	SARASOTA S*	1528	43
91414	CBC	2385	TALL OAK CO	118000	N	3	2.0	2AG	N	LAK	COLONIAL O*	1266	43
90074	MTVR	4925	PRESTON WAY	116900	N	3	2.0	2AG	Y		CEDAR HOLL	0	43
91129	RMXP	2128	LINWOOD	114997	N	3	2.0	2AG	N		BRENTWOOD *	1720	43
90839	ADVN	2245	CORK OAK ST	114900	N	3	2.0	2AG	N		COLONIAL O*	1609	43
93315	ADE	4488	BROOKSDALE	109900	N	4	3.0	0NO	Y		SARASOTA S	0	43
93341	SNDR	115	HOULE AVE	109900*	N	2	2.0	2AG	N		CEDAR HOLL	0	43
95642	ADVN	4656	BEACON DRIV	107400*	N	3	2.0	2AG	Y		SARASOTA S*	1276	43
91825	SRGI	2535	GOLDEN POIN	106000	N	3	2.0	1AG	Y		BRENTWOOD *	1144	43
90029	COOP	25	TREE ROAD	104900	N	2	1.0	1DG	N		OTHER	0	43
91437	BUDG	2480	BUCIDA	102500	N	4	2.0	0NO	N		BRENTWOOD *	1752	43
90002	PRGI	2930	SALEM AVENU	99795	N	3	2.0	1AG	N		SARASOTA S	0	43
90041	CBC	4700	SPAHN STREE	98700	N	4	2.0	2AG	N		SARASOTA S*	1461	43
91539	SNDR	5871	WHISTLEWOOD	98500	N	3	2.0	2AG	N		RIDGEWOOD *	1219	43
91945	MTVR	2817	INDIANWOOD	96500*	N	3	2.0	2AG	N		RIDGEWOOD *	1076	43
90033	MTVR	5522	DUNCANWOOD	94900*	N	3	2.0	1AG	N	LAK	RIDGEWOOD	0	43

ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
91880	RMXP	3716 ALDEN WAY	94900	N	2	2.0	1AG	N		SARASOTA S*	1092	43
91307	RRSV	4977 BROOKMEADE	93900	N	3	1.0	0NO	Y		RIDGEWOOD *	1175	43
91489	CBC	2506 TEAL AVENUE	93000	N	2	2.0	1AG	Y		SARASOTA S*	1234	43
90096	CBC	5022 WEBBER STRE	92500*	N	3	2.5	3NO	N		BRENTWOOD	0	43
91845	CBC	433 BEARDED OAK	92500	N	3	2.0	2AG	N		BEARDED OA*	1264	43
88790	SRGI	5551 CEDARWOOD D	92000	N	3	2.0	4NO	N		RIDGEWOOD *	1468	43
87021	MNRL	2219 STRATFORD	91500	N	4	1.5	0NO	Y		SARASOTA S*	1024	43
90674	ROCK	2514 JAVA PLUM A	89900*	N	4	1.5	0NO	N		BRENTWOOD *	1275	43
91321	CSCD	4302 LINWOOD STR	89900	N	3	2.0	1DG	N		SARASOTA S*	1217	43
87526	RMXK	483 BEARDED OAK	89900	N	2	2.0	2AG	Y		BEARDED OA*	1139	43
90490	RMXP	4216 RUTH WAY	89900	N	3	2.0	1AG	N		SARASOTA S*	1100	43
87386	RMXP	3027 BUCIDA DRIV	89900*	N	2	2.0	1AG	N		BRENTWOOD *	1436	43
90817	CBC	3727 WINDERWOOD	89900	N	3	2.0	1AG	N		RIDGEWOOD *	1350	43
88975	ADVN	5228 BROOKMEADE	89900*	N	3	2.0	1AG	N		RIDGEWOOD *	1292	43
90495	ADVN	400 GOLDEN SAND	89900	N	3	2.0	1AG	Y		EASTWOOD *	1225	43
90647	OSIS	4510 BUSTI DRIVE	89900	N	3	1.5	2AG	N		SARASOTA S*	1260	43
91337	CROS	4538 BUSTI DR.	89579	N	3	2.0	1AG	N		SARASOTA S	0	43
89938	ROCK	2102 VINSON	89000	N	3	3.0	2NO	N		SARASOTA S*	1344	43
89436	CSCD	4130 PRESCOTT ST	88900*	N	2	2.0	1AC	N		SARASOTA S*	1062	43
88606	CBC	1039 BACON AVE	87900*	N	3	2.0	1AG	N		HIGHLAND C*	1167	43
89719	VVAP	3635 BALI DRIVE	87500*	N	2	1.5	1AC	Y		RIDGEWOOD *	1405	43
91204	ROCK	4453 LONGFORD DR	85000*	N	2	2.0	2AG	N		SARASOTA S*	1258	43
89451	ADVN	4467 DENICE LANE	84900*	N	2	2.0	1AG	N		SARASOTA S*	1265	43
91049	ADVN	2035 VINSON AVE	83900	N	3	2.0	0NO	N		SARASOTA S*	1316	43
91611	ROBB	2027 FAIRFIELD A	83500	N	2	2.0	1AG	N		SARASOTA S*	1248	43
91831	PRGI	3226 BELMONT BLV	82500	N	2	1.0	2AG	N		SARASOTA S*	931	43
91328	CSCD	3984 CALVIN LANE	79900	N	2	2.0	1AG	N		SARASOTA S*	1025	43
91403	IGBC	506 BEARDED OAK	79900	N	2	2.0	2AG	N	PON	BEARDED OA*	1116	43
90963	MTVR	3535 MCINTOSH RO	79900	N	4	2.0	2AC	N	LAK	SARASOTA S	0	43
88958	ROBB	830 GANTT AVE	79900	N	2	2.0	0NO	N		CRESTLINE	0	43
87608	ADVN	4867 CAMUS STREE	79900	N	2	1.0	1AG	N		CEDAR HOLL*	910	43
90511	FSUN	2431 MCINTOSH RD	77900	N	2	1.0	2AG	N		SARASOTA S	0	43
91104	ADVN	3527 LOKAI PLACE	76000	N	3	1.0	2NO	N		RIDGEWOOD *	1204	43
91554	MTVR	306 CORNELIUS C	75499	N	4	1.0	2NO	N		EASTWOOD	0	43
89066	ROBB	3879 BADGER	67900*	N	3	1.0	0NO	N		EASTWOOD O*	915	43
91521	MTVR	235 CORNELIUS C	63500	N	2	1.0	0NO	N		EASTWOOD	0	43
89671	CBC	4216 WEBBER STRE	55000*	N	2	1.0	1NO	N		SARASOTA S*	905	43
89106	ADVN	40 CHRISTIE AV	49900*	N	2	1.0	0NO	N		TUCKERS	0	43

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
90707	RMXP	6406 KYLIE CREEK	198900	*N	4	2.0	3AG	N		OTHER	0	44
90551	RMXP	1963 ROLLING GRE	179000	N	3	2.0	2AG	Y		SARASOTA G*	2254	44
90643	ERIC	2228 ISLAND CREE	176900	*N	3	2.0	2AG	N	LAK	OTHER	0	44
91323	CSCD	2065 MISTY SUNRI	169900	N	3	2.0	2AG	Y		SYLVAN LEA*	1953	44
89072	SNDR	6680 DUCK POND L	169900	N	3	2.4	2AG	N		OTHER	0	44
91205	MMKT	6850 DEERING CIR	163800	N	4	3.0	2DG	N		OTHER	0	44
89259	SRGI	6402 KYLIE CREEK	163500	N	4	2.0	2AG	N		OTHER	0	44
91300	CRIS	2307 PASO FINO D	155900	N	3	2.0	2AG	Y	LAK	PADDOCKS N*	2018	44
91203	MMKT	6830 DEERING CIR	153800	N	3	2.0	2AG	N		OTHER	0	44
90406	PREP	2679 MAN OF WAR	151900	N	3	2.0	2AG	N		PADDOCKS E*	2131	44
91200	MMKT	6840 DEERING CIR	150800	N	3	2.0	2AG	N		OTHER	0	44
86060	JDHC	2308 APPALOOSA C	149900	N	3	2.0	2AG	N	LAK	PADDOCKS N	0	44
89819	CSCD	2587 MAN O WAR C	149900	*N	3	2.0	2AG	Y		PADDOCKS E*	1888	44
87448	RMXP	2312 SEATTLE SLE	149500	N	3	2.0	2AG	Y		PADDOCKS W*	1966	44
91199	MMKT	6820 DEERING CIR	144800	N	2	2.0	1AG	N		OTHER	0	44
91195	MMKT	6810 DEERING CIR	143800	N	2	2.0	2AG	N		OTHER	0	44
89274	ADVN	1870 LEEWYNN DRI	139900	N	3	2.0	2AG	N		SARASOTA G*	2036	44
91420	BUDG	1835 LEEWYNN DR	139900	N	3	2.0	2AG	Y		SARASOTA G*	1735	44
86068	JDHC	2376 APPALOOSA C	134400	N	3	2.0	2AG	N		PADDOCKS N	0	44

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
89803	SNDR	4521 MIDLAND ROA	199000	N	3	2.5	2AG	Y		VIRGINIA H	0	52
91670	MNCB	3915 MOCKINGBIRD	199000	N	2	2.0	2AG	N	BAY	OTHER *	1399	52
80164	PRGI	3900 COUNTRYVIEW	189900	N	3	2.0	2AG	Y		COUNTRY PL*	1974	52
90571	SRGI	3696 COUNTRY PLA	189900	N	3	2.0	2AG	Y		COUNTRY PL*	1891	52
83919	ADVN	3971 COUNTRY VIE	188900*	N	3	2.0	2AG	Y		COUNTRY PL	0	52
86898	CBC	4074 REDBIRD CIR	184900*	N	4	2.5	2AG	N		PHILLIPPI *	2368	52
85956	ROCK	3745 COUNTRYSIDE	179900	N	3	3.0	2AG	Y		COUNTRY PL	0	52
86206	MTVR	2466 CONSTITUTIO	169900*	N	4	2.0	2AC	N		PHILLIPPI	1807	52
88300	RMXP	5410 MATTHEW COU	159997	N	3	2.0	2AG	Y		OTHER *	1634	52
91245	MTVR	4510 WORCESTER R	159899	N	4	2.0	2AG	N		VIRGINIA H	0	52
86883	CSCD	3610 EGERTON CIR	158000	N	4	2.5	2AG	Y		BENEVA PAR*	3516	52
91725	SNDR	3343 PLANTATION	155000	N	3	2.5	1AG	Y		SOUTH POIN*	2285	52
83464	RMXP	4404 MEADOW CREE	153000*	N	5	2.0	2AG	Y		EVERGREEN *	1950	52
91691	SROS	3629 EGERTON CIR	149900	N	3	2.0	2AG	Y		BENEVA PAR		52
90502	RMXP	5316 FOX RUN RD	149900*	N	3	3.0	2AG	Y		WESTLAKE E*	2093	52
89380	SRGI	5708 BRITANNIA	147500	N	3	2.5	2AG	N		PHILLIPPI *	1493	52
88700	CBC	5550 SAINT LOUIS	146900	N	3	2.0	2AG	N	LAK	SARASOTA V*	1793	52
87198	CBC	3954 HELENE ST.	146000	N	3	2.0	2AG	N		FOREST LAK*	1914	52
91099	HDRI	2675 BRYCE LANE	144900	N	3	2.0	2AG	N	PON	BROOKSIDE	0	52
90430	SNDR	3048 GYPSY STREE	139900	N	3	2.0	2AG	N	LAK	OTHER *	1693	52
89964	ADE	5657 SAWYER CIRC	139900*	N	4	3.0	2AG	Y		SHADE ACRE*	1860	52
90550	BYRD	2057 JO AN DRIVE	139900	N	3	2.0	0NO	Y		HIGH ACRES*	1197	52
91400	RMXP	4822 SAWYER PINE	135000	N	2	2.0	0AG	Y		SAWYER PIN*	1448	52
90955	ADVN	4126 NELSON AVE	135000	N	3	2.0	2AG	N		KALLAS	0	52
91474	ASTR	5406 CREEPING HA	135000	N	3	2.0	2AG	N		WESTLAKE E	0	52
91386	MTVR	2811 RIVER PINES	134900	N	3	2.0	2AG	N		RIVER PINE*	1837	52
89555	CSCD	4381 PINE MEADOW	133900*	N	3	2.0	2AG	Y		PINE MEADO*	1632	52
91201	CSCD	5206 SUSAN AVE.	129900	N	3	3.0	2AG	N		RIVER FORE	0	52
88724	ROCK	4104 PINE MEADOW	127000*	N	3	2.0	2AG	N		PINE MEADO*	1496	52
87413	ADVN	2588 LORDS LANE	119900*	N	3	2.0	2AG	N		LANCASTER *	1625	52
88761	CBC	4300 CACTUS AVEN	119900	N	3	2.5	2AG	N		FLORA VILL*	1492	52
87369	RMXP	4114 PINE MEADOW	117500*	N	3	2.0	2AG	N		PINE MEADO*	1460	52
87451	CBC	WOODWARD PL	117000*	N	3	2.0	2AG	N		OTHER	0	52
87450	CBC	WOODWARD PL	117000*	N	3	2.0	2AG	N		OTHER	0	52
87401	CBC	4742 WOODWARD PL	117000*	N	3	2.0	2AG	N		OTHER	0	52
87449	CBC	WOODWARD PL	117000*	N	3	2.0	2AG	N		OTHER	0	52
86918	RMXP	4829 MONTEVISTA	115500*	N	3	2.0	2AG	N		TOWN & COU*	1651	52
81693	ADVN	2135 OAK TERRACE	109900*	N	3	2.0	1AC	N		HARBOR OAK	0	52
89701	ADVN	5222 SUSAN AVE	109900	N	2	2.0	1AG	N		RIVER FORE*	1844	52
89013	SNDR	4537 OLIVE AVE	107900	N	3	2.0	1NO	N		FLORA VILL	0	52
91076	SNDR	3909 WARREN STRE	105000	N	3	2.0	2AG	N		PINECREST	0	52
89129	CBC	3607 WEXFORD LAN	101500*	N	3	2.0	1AG	Y		BENEVA PAR*	1428	52
91156	ROCK	4740 WOODWARD PL	99900	N	3	2.0	1AG	N		BEE RIDGE *	1405	52
90926	REGI	3954 WOODROW STR	99000	N	3	2.0	2AG	N		PINECREST	0	52
91187	REXS	4220 MURDOCK AVE	96000	N	3	2.0	2NO	Y		HYMOUNT *	1211	52
85035	SNDR	2611 AUSTIN STRE	94900*	N	3	3.0	2NO	Y		HOPE ACRES*	1200	52
91764	ADVN	2622 PARMA STREE	94900	N	3	2.0	1NO	N		RENICK *	1325	52
91038	BUDG	2433 BURLINGTON	94500	N	3	2.0	0NO	N		PHILLIPPI *	1613	52
91371	SRGI	2150 OAK TERRACE	93500	N	2	1.0	1NO	N		HARBOR OAK*	1476	52
91821	CSCD	2423 APACHE ST.	90000	N	2	2.0	2NO	N		JACKSON HI*	910	52
90285	ROBB	5422 NUTMEG AVEN	89900	N	3	2.0	2NO	Y		SUN HAVEN *	1213	52
84751	ROBB	3158 OSAGE TERRA	89900*	N	3	2.0	0NO	N		SUN HAVEN *	1055	52
91314	CSCD	2432 WHIPPOORWIL	89000	N	2	2.0	1AG	N		WESLO WILL*	1951	52
89900	ADVN	2116 OAK TERRACE	89000	N	2	2.0	1AG	N		HARBOR OAK*	1176	52
91021	MTVR	3601 GLEN RIDGE	87900	N	2	2.0	1AG	N		SOUTH GATE	0	52

ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	W.R	SUB	SF-LA	A#
89921	SNDR 2216	MILL TERRAC	84900	*N	2	2.0	1AC	N		OTHER	0	52
91802	CBC 2215	LEE LANE	84500	N	2	2.0	1AC	N		LAS LOMAS *	1105	52
91325	MREC 5713	MURDOCK AVE	83000	N	2	2.0	1AG	N		SUN HAVEN *	1384	52
90848	RMXP 2139	PALM TERRAC	82500	N	2	1.0	1AC	N		HARBOR OAK*	999	52
91793	ROBB 3703	HELENE ST	79900	N	3	2.0	1AC	Y		SOUTH GATE*	1408	52
87937	CBC 4408	SAWYER ROAD	79900	*N	3	2.0	1AG	N		FAIRLAND E	0	52
90349	CSCD 4451	PIKE AVENUE	79900	N	2	1.0	1NO	N		SARASOTA H	0	52
89593	ROCK 4223	HYMOUNT AVE	79900	N	2	1.0	0NO	N		HYMOUNT *	950	52
91006	CSC 4419	BENEVA ROAD	78500	N	2	1.0	1AC	N		SOUTH GATE*	1174	52
90083	GRID 2222	WORRINGTON	78000	*N	2	1.0	2NO	N		SOUTH HAVE*	1196	52
88610	CSCD 6010	LORDS AVE.	73000	N	2	1.0	1AC	N		STICKNEY P*	1010	52
90730	CSCD 2701	NASSAU ST.	72900	N	2	1.0	1AC	N		BAHAMA HEI*	924	52
91615	ADE 3920	SUNILAND ST	72500	N	2	1.0	1AG	N		SUNILAND *	862	52
89732	ADVN 4615	SLOAN AVE	69977	*N	3	1.0	1AG	N		SUNSET	0	52
91313	RMXP 4839	LORDS AVE	64900	N	3	1.0	2AG	N		HOPE ACRES*	1076	52
91515	RMXP 2712	GRAFTON ST	52498	N	2	1.0	2NO	N		RYDBERGS *	792	52

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
91070	CRIS	4876 WOOD POINTE	199900	N	3	2.0	2AG	Y		GROVES	* 2306	53
90642	CBC	4842 WILDE POINT	199500	N	4	3.0	2AG	N		GROVE POIN*	2271	53
88527	ERIC	5533 MAGNOLIA BL	189900*N	3	2.0	2AG	N			OTHER	0	53
85226	BILB	5385 DOMINICA	189900*N	3	2.0	2AG	Y	LAK		CENTER GAT	0	53
84848	SRGI	5802 SANDY POINT	189000	N	3	2.0	2AG	Y		GROVE POIN	0	53
86856	RMXP	4471 DIAMOND CIR	187500	N	3	2.0	2AG	Y		EMERALD GA*	1860	53
91682	HATS	5150 BLISS RD	186900	N	3	2.0	4AG	Y		BLISS ESTA*	1599	53
87704	ADVN	4445 OPAL COURT	179900	N	3	2.0	2AG	N	LAK	EMERALD GA	0	53
91097	RMXP	4906 POST POINTE	178900	N	4	3.0	2AG	N	LAK	GROVE POIN	0	53
91340	MTVR	4111 MAVERICK AV	178000	N	3	3.0	5AG	Y		SOUTH RIDG	0	53
89333	RMXP	4512 TOPAZ CT	170000*N	3	2.0	2AG	N	LAK		EMERALD GA*	2006	53
88897	REXS	5232 SUMMERWOOD	169900	N	3	2.0	2AG	Y		SPRINGWOOD*	1721	53
77683	CBC	4932 BLISS ROAD	169900	N	5	3.0	2AG	Y	LAK	BEE RIDGE *	2421	53
91111	RMXP	4821 POST POINTE	169503	N	4	3.0	2AG	Y		GROVE POIN	0	53
91109	RMXP	4910 POST POINTE	168900	N	4	2.0	2AG	N	LAK	GROVE POIN	0	53
89986	MGLH	4484 DIAMOND CIR	168900	N	3	2.0	2AG	N		EMERALD GA		53
90243	CBC	5256 SUNNYDALE C	168900	N	3	3.0	2AG	N		GREENFIELD*	2054	53
85827	RMXP	4868 POST POINTE	161900*N	4	2.0	2AG	N			GROVE POIN	0	53
88637	MGLH	5348 ASHTON MANO	159900	N	3	2.0	2AG	N		OTHER	0	53
78822	PRGI	4801 POST POINTE	155000*N	3	2.0	2AG	N			GROVES	0	53
88566	REXS	4501 DIAMOND CIR	152900*N	3	2.0	2AG	N			EMERALD GA*	1816	53
91094	RMXP	4864 POST POINT	151900	N	4	3.0	2AG	N		GROVE POIN	0	53
90572	CSCD	5356 ASHTON MANO	151735	N	3	2.0	2AG	N		OTHER	0	53
89337	ADVN	4136 CENTER GATE	149999	N	3	2.0	2AG	Y		CENTER GAT*	1827	53
91010	CBC	5202 OLD ASHWOOD	149900	N	3	2.0	2AG	Y		OTHER	0	53
91105	RMXP	4876 POST POINTE	149900	N	3	2.0	2AG	N		GROVE POIN	0	53
90012	HDRI	5198 OLD ASHWOOD	149900*N	3	2.0	2AG	Y	LAK		ASHTON PIN	0	53
90594	CSCD	5332 AHSTON MANO	149096*N	3	2.0	2AG	N			OTHER	0	53
91803	TNAY	5318 COLONY MEAD	149000	N	3	2.0	2AG	N		OTHER	0	53
91115	RMXP	4860 POST POINTE	148900	N	3	2.0	2AG	N		GROVE POIN	0	53
88639	MGLH	5389 ASHTON MANO	145000	N	3	2.0	2AG	N		OTHER	0	53
91594	RMXP	4318 MEADOWLAND	143900	N	3	2.0	2AG	Y		MEADOWLAND*	1665	53
90617	CSCD	5372 ASHTON MANO	142275	N	3	2.0	2AG	N		OTHER	0	53
90644	ERIC	5340 ASHTON MANO	139900	N	3	2.0	2AG	N		OTHER	0	53
91645	TNAY	5310 COLONY MEAD	139000	N	3	2.0	2AG	N		OTHER	0	53
91114	RMXP	4869 POST POINTE	133900	N	3	2.0	2AG	N		GROVE POIN	0	53
89587	ADVN	4306 MEADOWLAND	124999	N	2	2.0	2AG	Y		MEADOWLAND*	1626	53
90265	REXS	4309 MEADOWLAND	123900	N	3	2.0	2AG	N	LAK	MEADOWLAND*	1442	53
90841	CBC	4701 ATLANTIC AV	122950*N	3	2.0	2AG	N			ASHWORTH P*	2256	53
88752	ROBB	5453 COLONY LAKE	119000	N	3	2.0	2AG	N	LAK	OTHER	0	53
83699	ROBB	5477 COLONY LAKE	109900*N	3	2.0	2AG	N			OTHER	0	53
88331	CSCD	5239 MOELLER AVE	99900*N	3	2.0	2AG	N			CEDAR GROV	0	53
88954	ROBB	5339 COLONY LAKE	99900	N	3	2.0	2AG	N		OTHER	0	53
88343	CSCD	5166 MOELLER AVE	99900*N	3	2.0	2AG	N			CEDAR GROV	0	53
88342	CSCD	5217 BIRCH AVE.	99900*N	3	2.0	2AG	N			CEDAR GROV	0	53
88341	CSCD	5220 BIRCH AVE.	99900*N	3	2.0	2AG	N			CEDAR GROV	0	53
88335	CSCD	5265 BIRCH AVE.	99900*N	3	2.0	2AG	N			CEDAR GROV	0	53
87661	CSCD	5236 BIRCH AVE.	99900	N	3	2.5	2AG	N		CEDAR GROV	0	53
88340	CSCD	5252 BIRCH AVE.	99900*N	3	2.0	2AG	N			CEDAR GROV	0	53
80959	SNDR	4542 PIKE AVENUE	99000	N	3	2.0	2AG	N		SARASOTA H	0	53
88344	CSCD	5309 ASHTON ROAD	94900	N	3	2.0	2AG	N		CEDAR GROV	0	53
90039	CBC	3925 COCHISE TER	94900	N	3	2.0	1AG	Y		SOUTH RIDG*	1246	53
89387	ADVN	5345 ASHTON ROAD	93900	N	3	2.0	2AG	N		CEDAR GROV*	1360	53
90541	RMXP	4556 GALLUP AVE	90000	N	3	2.0	1DG	N		SARASOTA H*	1152	53
87306	OSIS	4036 MAVERICK AV	87900*N	2	2.0	1AG	N			OTHER *	1249	53

ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
91613	CBC 4549	GALLUP AVE	82300	N	3	1.0	2NO	N		SARASOTA H*	851	53
88873	CBC 3946	MESA AVE	78000*	N	2	2.0	1AG	N		SOUTH RIDG*	1088	53
91223	CROS 3901	MESA AVE	77183	Y	3	1.0	2NO	N		SOUTH RIDG*	342	53
90620	ROBB 4050	RADNOR PL	71500	N	2	1.0	0NO	N		SPRING LAK*	1040	53
90599	ROCK 4325	BENEVA RD	70900	N	2	1.5	1AC	N		SOUTH GATE*	998	53
86349	TNAY 4824	LAS VEGAS D	39900	N	2	1.5	0NO	N		HOLLYWOOD	0	53
87804	ADVN 4841	RENO DRIVE	27900*	N	2	1.0	2NO	N		HOLLYWOOD *	1036	53

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
90512	SNDR 4777	OVERBURY PL	199900	N	3	2.0	2AG	N	RIV	BENT TREE *	2334	54
88176	ROCK 4848	HAWKSHEAD P	199500*	N	3	2.5	2AG	N	CAN	BENT TREE *	2196	54
91568	SNDR 4779	OVERBURY PL	144900	N	3	2.0	2AG	N	RIV	BENT TREE	0	54
90902	ADVN 4139	KEATS DRIVE	141897	N	3	2.0	2AG	N		BENT TREE *	2070	54
88480	MTVR 4577	CHARING CRO	141500*	N	3	2.0	2AG	N		BENT TREE	0	54
91409	SNDR 4224	SOUTHWELL W	141500	N	3	2.0	2AG	N		BENT TREE *	1797	54
90579	RMXP 6756	MAUNA LOA B	136900	N	4	2.0	2AG	Y		LAKE SARAS*	1540	54
91189	CSCD 6355	SAMOA DR.	129900	N	4	2.0	2AG	Y		LAKE SARAS	0	54
91757	RMXP 3973	WAKE AVE	126500	N	3	2.0	2AG	N		LAKEVIEW E*	1390	54
91192	COLE 4173	WIAKIKI DRI	123500	N	4	2.0	1AG	Y		LAKE SARAS*	1242	54
91708	RMXP	JAVA DR	121900	N	4	2.0	2AG	N		LAKE SARAS	0	54
89214	SNDR 6422	FRIENDSHIP	119900	N	4	2.0	2AG	Y		LAKE SARAS	0	54
86923	RMXP	JAVA DR	119900	N	4	2.0	2AG	N		LAKE SARAS	0	54
90944	VVWH 6571	SAMOA DRIVE	114500	N	3	2.0	2AG	N		LAKE SARAS		54
91374	CBC	BEE RIDGE	114500	N	3	2.0	2AG	N		OTHER	0	54
91379	CBC	BEE RIDGE	114500	N	3	2.0	2AG	N		OTHER	0	54
88816	ADVN 4011	PALAU DRIVE	112900	N	3	2.0	2AG	N		LAKE SARAS*	1367	54
90929	RRSV 4121	PALAU DR	110900	N	3	2.0	2AG	Y		LAKE SARAS*	1092	54
91017	MTVR 7336	RANGI DRIVE	109900*	N	3	2.5	1AG	N		LAKE SARAS	0	54
87765	APEX 6371	TARAWA DRIV	109900	N	3	2.0	2AG	N		LAKE SARAS*	1227	54
89444	RMXP 3917	MAUI WAY	108900*	N	3	2.0	2AG	N		LAKE SARAS*	1286	54
89974	RMXP 4142	LANCASTER D	99500	N	2	2.0	2AG	N		LAKE SARAS*	1320	54
86353	RMXP 3926	PALAU DRIVE	99000	N	3	2.0	2AG	N		LAKE SARAS*	1110	54
91721	MNSU 6634	JARVIS	94900	N	2	2.0	2AG	N		LAKE SARAS	0	54
90969	RMXP 3960	VANA DR	85900*	N	3	2.0	0NO	N		LAKE SARAS*	1338	54
91147	ASTR 4045	PALAU DRIVE	72900	N	2	1.0	1AG	N		LAKE SARAS*	792	54

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ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
91422	SRGI 8864	HUNTINGTON	199900	N	4	3.0	2AG	Y		HUNTINGTON*	2292	63
89331	SNDR 6722	PASEO CASTI	189900	N	2	2.0	2AG	Y		MARBELLA *	1792	63
87333	SRGI 9587	KNIGHTSBRID	185000	N	2	2.5	2AG	Y	LAK	STONEYBROO*	1781	63
87365	PRGI 3895	KINGSTON BL	184900	N	4	3.0	2AG	Y		GULF GATE *	2023	63
90702	SNDR 4087	WESTBOURNE	184900*	N	3	2.0	2AG	N	LAK	STONEYBROO*	1670	63
88686	NITA 4048	MIRA LAGO	182500	N	2	2.0	2AG	N		MIRA LAGO *	1655	63
90119	ROCK 4033	VIA MIRADA	179971*	N	2	2.0	2AG	N	LAK	MARBELLA	0	63
88500	ADVN 6258	BUCKINGHAM	179900	N	3	2.0	2AG	Y	LAK	WELLINGTON	0	63
86488	RMXP 4579	LAS BRISAS	179900*	N	2	2.0	2AG	N		PRESTANCIA*	2047	63
87086	PRGI 4021	JARDIN LANE	179900	N	2	2.0	2AG	N		MIRA LAGO *	1600	63
88726	VRCR 4308	KINGSTON LO	179900	N	3	2.0	2AG	Y		GULF GATE *	1988	63
90966	SRGI 7349	REGINA ROYA	179500	N	2	2.0	2AG	N	LAK	PRESTANCIA	0	63
90895	REXS 4130	HEARTHSTONE	178500	N	3	2.0	2AG	N		HUNTINGTON*	2076	63
86161	PRGI 8021	BOBCAT CIRC	176500	N	2	2.0	2AG	N		DEER CREEK	0	63
88507	RYNG 9731	KNIGHTSBRID	169900	N	2	2.0	2AG	N		STONEYBROO*	1488	63
89424	ROCK 4050	JARDIN LANE	166500	N	2	2.0	2AG	N		MIRA LAGO	0	63
90628	RMXP 4012	JARDIN LANE	166000	N	2	2.0	2AG	N		MIRA LAGO *	1464	63
89502	CRIS 6923	EASTON COUR	165000	N	4	3.0	2AG	N		GULF GATE *	2023	63
91727	BUDG 6517	WATERFORD C	163900	N	3	2.0	2AG	N	RIV	GULF GATE *	1717	63
88922	PRGI 4921	THAMES LANE	163000	N	3	2.0	2AG	Y		WELLINGTON*	1463	63
91726	REXS 3888	KINGSTON BL	162900	N	3	2.0	2AG	Y	LAK	GULF GATE *	1656	63
88737	PRGI 3994	VIA MIRADA	160000	N	2	2.0	2AG	N		MARBELLA *	1704	63
87364	SNDR 4316	KINGSTON LO	159900*	N	3	2.0	2AG	Y		GULF GATE *	1614	63
90456	REXS 3825	EASTON ST	159900	N	3	2.0	2AG	Y		GULF GATE *	1609	63
86144	PRGI 3823	KINGSTON BL	154900	N	3	2.0	2AG	Y		GULF GATE *	1496	63
90249	RMXP 5033	STURBRIDGE	139000	N	3	2.0	2AG	N		WELLINGTON*	1411	63
90085	ROCK 6015	APPROACH RO	138000	N	3	2.0	2AG	Y		SUNRISE *	1422	63
89910	PRGI 5921	APPROACH RD	134500	N	3	2.0	2AG	Y		SUNRISE *	1443	63
86240	PRGI 6039	BENEVA RD	79900*	N	2	2.0	1AG	N		CLARK LAKE		63

SARASOTA ASSOC. OF REAL ORS 923-2315 09/22/98 SARASOTA USER

*** A ***

ML#	BROKER	ADDRESS	PRICE	RP	BD	BA	PK	PL	WTR	SUB	SF-LA	A#
90761	MTVR	6217 GOLDFINCH S	194900	N	4	3.0	2AG	N		LAKEWOOD	0	64
89822	WCRE	6305 HAWKINS ROA	139900	N	3	3.0	2AG	N		LAKEWOOD	* 1574	64

APPENDIX B
LIST OF APARTMENT COMPLEXES

APARTMENT COMPLEX	TOTAL UNITS	EFF.		1 BR.		2 BR.		3 BR.		VL = Very Low L = Low M = Moderate
		#	RENT	#	RENT	#	RENT	#	RENT	
1. Alhambra 1851 Beneva Road Sarasota 941-922-7405	128			50	$595-$605	60	$690-$740	18	$805-$850	110 - L 18 - M
2. Central Park II 850 South Tamiami Trail Sarasota 941-362-0846	180			94	$775-$825	86	$875-$900			47 - L 133 - M
3. Cimarron Lake 5479 DeSoto Parkway Sarasota 941-351-4406	167			87	$545-$580	80	$700-$770			167 - L
4. Club Mar 2725 Club Mar Drive Sarasota 941-366-5561	248			129	$535	119	$655-$690			248 - L
5. Colonial Grand - Palm Aire 8445 Gardens Circle Sarasota 941-359-2202	248			97	$619-$739	117	$799-$889	34	$915-$1,015	156 - L 92 - M
6. Hidden Acres 1284 Hidden Acres Circle East Sarasota 941-753-6882	94	9	$395	66	$489	19	$610-$620			75 - VL 19 - L
7. Hunter's Glen 2562 10th Street Sarasota 941-365-2478	165			64	$595-$640	78	$695-$740	23	$780-$820	154 - L 11 - M
8. Huntington Place 3201 Huntington Place Drive Sarasota 941-951-1033	252			131	$595-$655	121	$685-$780			252 - L

APARTMENT COMPLEX	TOTAL UNITS	EFF.		1 BR.		2 BR.		3 BR.		VL = Very Low L = Low M = Moderate
		#	RENT	#	RENT	#	RENT	#	RENT	
9. The Lexington 3510 Cheshire Square Sarasota 941-366-5833	267			96	$570-$595	120	$660-$685	39 12 4BR.	$805-$860 $905	216 - L 51 - M
10. Marlin Lakes 1000 Marlin Lakes Circle Sarasota 941-371-6335	350			137	$605-$756	165	$785-$830	48	$890-$935	220 - L 130 - M
11. Palm Place 7693 Alicia Lane Sarasota 941-355-8366	80	8	$390	56	$500	16	$610-$625			8 - VL 72 - L
12. Park Vista 900 LaCosta Circle Sarasota 941-366-9432	108			56	$525	52	$565-$585			108 - L
13. Savannah 4055 Mac Eachen Boulevard Sarasota 941-922-6700	80			42	$625	38	$699			80 - L
14. Shadowood 1927 Sanford Circle Sarasota 941-355-2426	139	14	$385	97	$449	28	$599			111 - VL 28 - L
15. Summer Cove 7887 N. Lockwood Ridge Rd. Sarasota 941-359-0558	224			87	$675-$775	105	$860-$925	32	$1,025	87 - L 137 - M
16. Summit Heron's Run 175 Heron's Run Drive Sarasota 941-377-7360	274			52 96 30	$620 $655-$685 $810	96	$830-$870			178 - L 96 - M

APARTMENT COMPLEX	TOTAL UNITS	EFF.		1 BR.		2 BR.		3 BR.		VL = Very Low L = Low M = Moderate
		#	RENT	#	RENT	#	RENT	#	RENT	
17. Summit McIntosh 4449 McIntosh Park Sarasota 941-377-7161	212			53 53	$650 $735	53 53	$860 $905			106 - L 106 - M
18. Sunridge 929 Sunridge Drive Sarasota 941-355-6142	93					48	$750-$780	45	$900-$920	48 - L 45 - M
19. Timber Chase 419 North Briggs Avenue Sarasota 941-954-0810	165			82	$655-$705	83	$760-$810			124 - L 41 - M
20. Timber Lake - Palm Aire 8226 60th Street Circle East Sarasota 941-351-3595	260			87 87	$565-$585 $590-$635	86	$760-$780			260 - L
21. Turnbury Park 6104 Turnbury Park Drive Sarasota 941-360-9001	286			28 86	$735 $750	86 50	$885 $955	36	$1,090	114 - L 172 - M
22. The Tuscany 6001 Medici Court Sarasota 941-351-7266	400			144	$650-$690	176	$790-$910	80	$990-$1,020	232 - L 168 - M
23. Woodbury* 955 53rd Street East Bradenton 941-745-1305	270			240	$456	21	$535	9	$629	240 - VL 30 - L

APARTMENT COMPLEX	TOTAL UNITS	EFF. #	EFF. RENT	1 BR. #	1 BR. RENT	2 BR. #	2 BR. RENT	3 BR. #	3 BR. RENT	VL = Very Low L = Low M = Moderate
24. Woodfield 2121 Wood Street Sarasota 941-366-7461	70			20	$600	50	$650			70 - L
TOTALS	4,760	31 Efficiencies		2,347 1 Bedroom		2,006 2 Bedrooms		364 3 Bedrooms 12 4 Bedrooms		434 - VL 3,126 - L 1,200 - M

Note: *This complex has the following income limits: 1BR. = $18,186, 2BR. = $20,784, and 3BR. = $23,382.
Source: Phone Survey conducted by Wilson, Miller, Barton & Peek, Inc., September, 1998.

LAND USE SCHEDULE

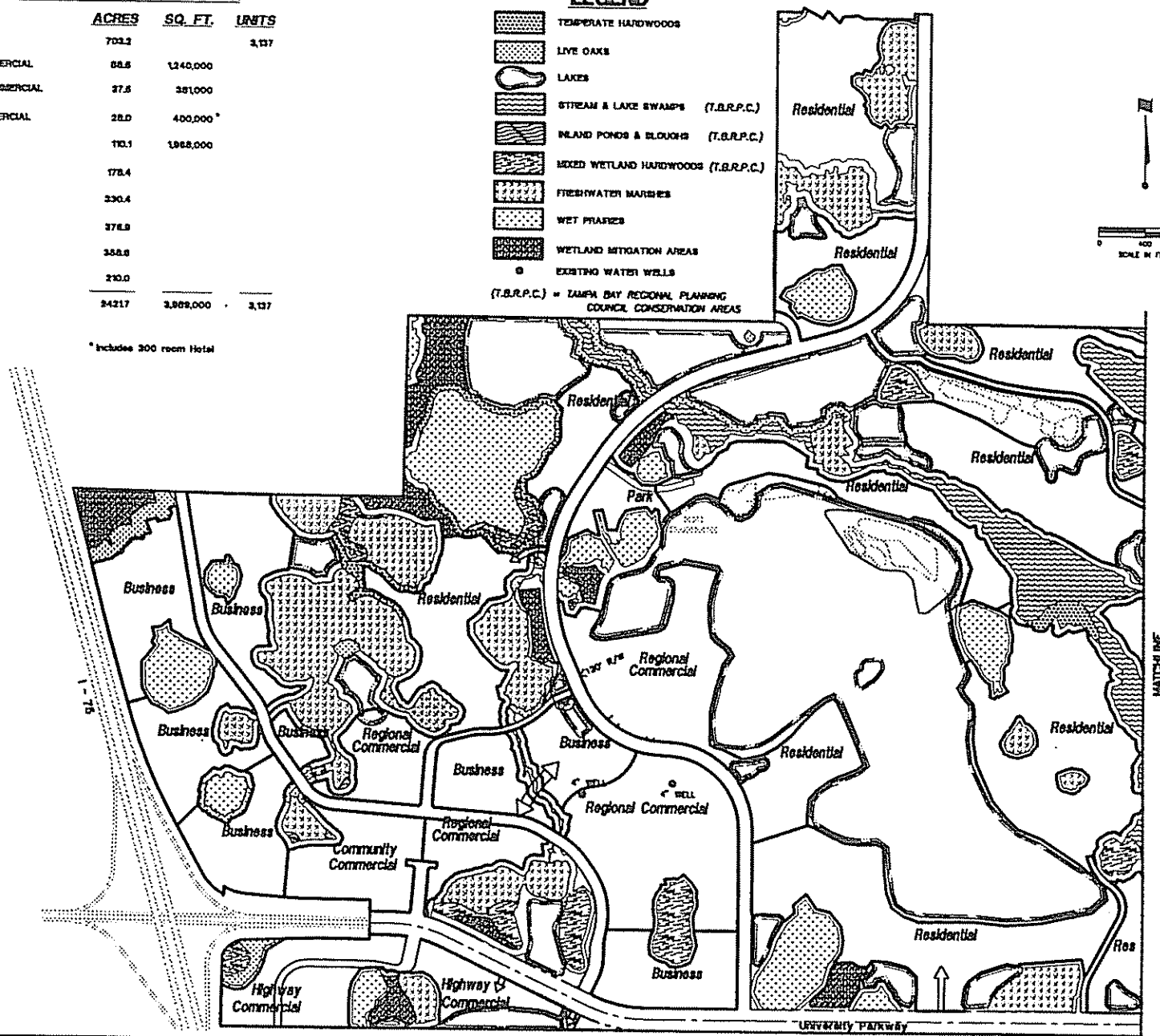
USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	703.2		3,137
REGIONAL COMMERCIAL	88.6	1,240,000	
COMMUNITY COMMERCIAL	27.6	381,000	
HIGHWAY COMMERCIAL	28.0	400,000 *	
BUSINESS	110.1	1,968,000	
RIG[illegible]-WAY	178.4		
RE[illegible]N	330.4		
WETLANDS	376.9		
LAKES	358.6		
OPEN SPACE	210.0		
TOTAL	2421.7	3,989,000	3,137

* Includes 300 room Hotel

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- LAKES
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- EXISTING WATER WELLS

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS



WILSON, MILLER, BARTON & PEEK, INC.

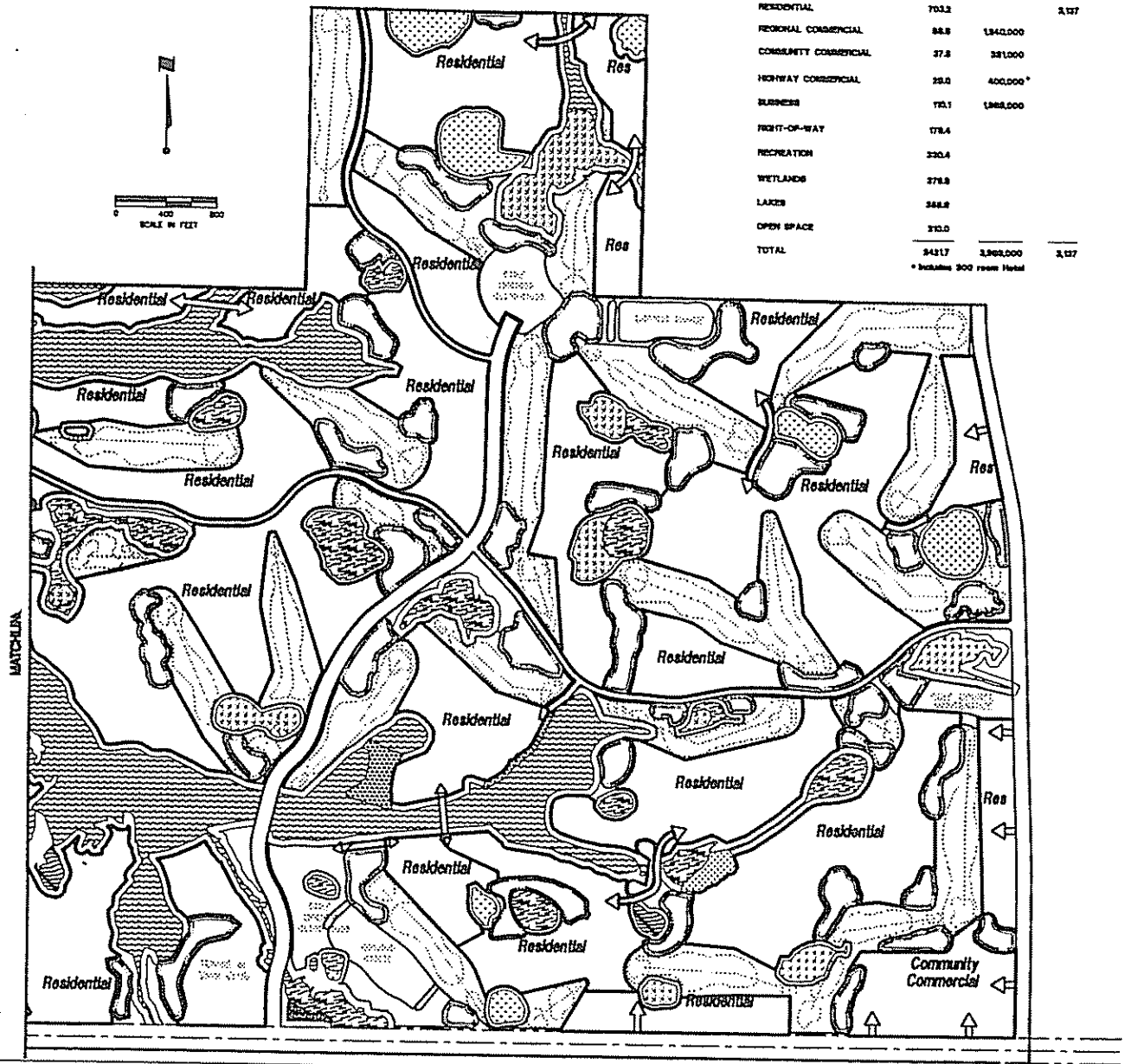
MASTER DEVELOPMENT PLAN
University Lakes

A PLANNED DEVELOPMENT

By Schroeder-Manatee, Inc.

FEBRUARY 23, 2000 | Sheet 1 of 2

MAP H



LAND USE SCHEDULE

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	703.2		3,137
REGIONAL COMMERCIAL	94.8	1,340,000	
COMMUNITY COMMERCIAL	27.8	321,000	
HIGHWAY COMMERCIAL	25.0	400,000 *	
BUSINESS	170.1	1,968,000	
RIGHT-OF-WAY	178.4		
RECREATION	220.4		
WETLANDS	278.8		
LAKES	368.8		
OPEN SPACE	210.0		
TOTAL	5431.7	3,969,000	3,137

* Includes 300 room Hotel

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- LAKES
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- EXISTING WATER WELLS

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS

Adopted June 1, 1992 (Ord. 92-32)
Amended October 28, 1993 (Ord. 93-25)
Amended January 25, 1996 (Ord. 96-44)
Amended October 28, 1997 (Ord. 97-60)
Amended December 16, 1997 (Ord. 97-81)
Proposed Amendment February 22, 2000

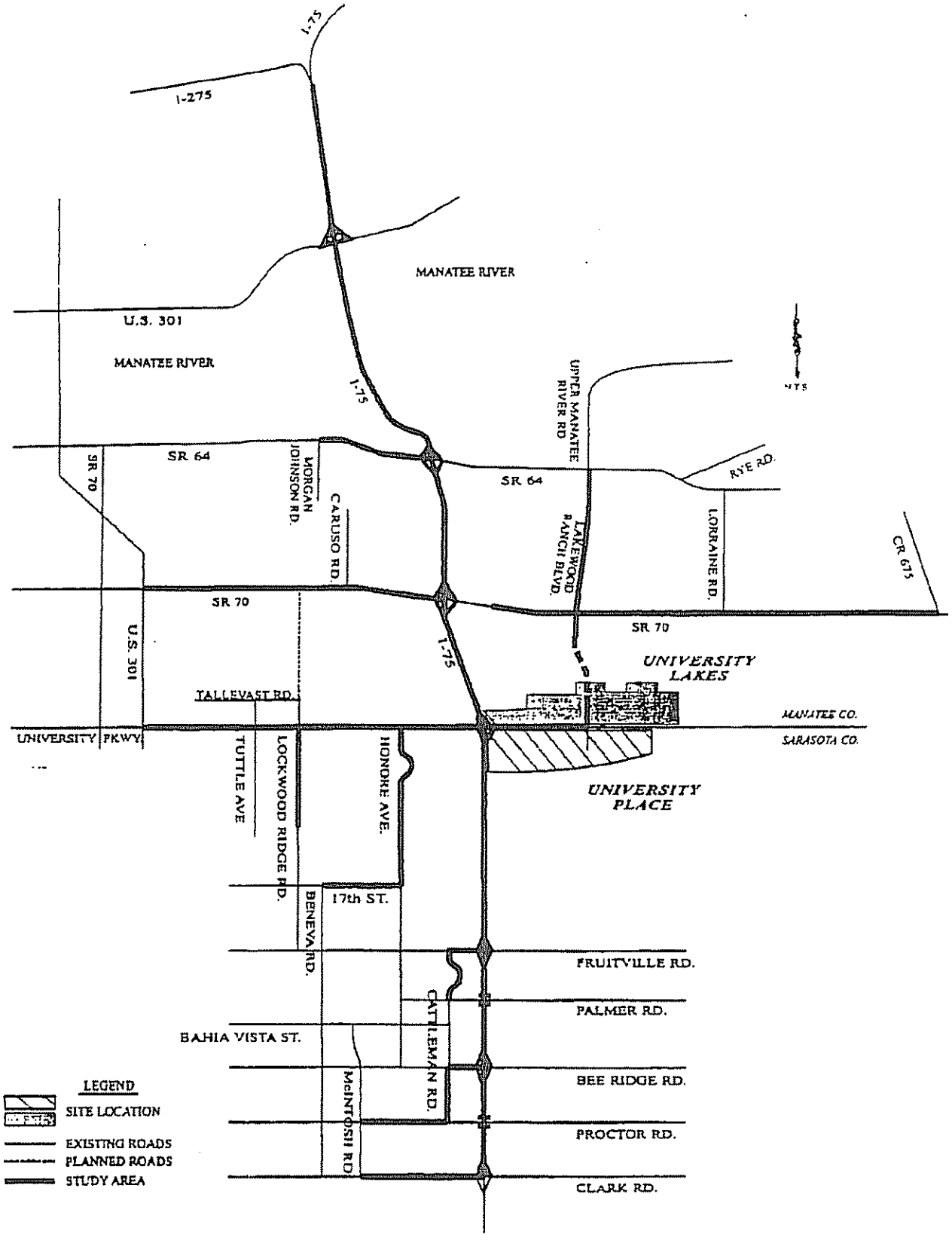
WILSON, MILLER, BARTON & PEEK, INC.

MASTER DEVELOPMENT PLAN
University Lakes
A PLANNED DEVELOPMENT

By Schroeder-Manatee, Inc.

FEBRUARY 22, 2000 | Sheet 2 of 3

MAP H



DAMES & MOORE
A DAMES & MOORE GROUP COMPANY

REVISED MAP J

Transportation Study Network

February 22, 2000

University Lakes

ATTACHMENT #6

LEGAL DESCRIPTION FOR

A TRACT OF LAND SITUATED AND BEING IN SECTIONS 28, 29, 31, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E. AND SECTION 36, TOWNSHIP 35 S., RANGE 18 E., MANATEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 29, 30, 31 AND 32, TOWNSHIP 35 S., RANGE 19 E., FOR A POINT OF BEGINNING; THENCE N 00°22'41" E, ALONG THE WEST LINE OF SAID SECTION 29, A DISTANCE OF 2656.57 FT. TO THE NORTHWEST CORNER OF THE SOUTHWEST ¼ OF SAID SECTION 29; THENCE S 89°30'30" E, ALONG THE NORTH LINE OF SAID SOUTHWEST ¼, A DISTANCE OF 1337.72 FT. TO THE NORTHEAST CORNER OF THE WEST ½ OF SAID SOUTHWEST ¼; THENCE S 00°27'02" W, ALONG THE EAST LINE OF SAID WEST ½ OF THE SOUTHWEST ¼, A DISTANCE OF 2656.59 FT. TO THE SOUTHEAST CORNER OF SAID WEST ½ OF THE SOUTHWEST ¼; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 29 (ALSO BEING THE NORTH LINE OF SECTION 32, TOWNSHIP 35 S., RANGE 19 E.), A DISTANCE OF 4003.06 FT. TO THE SECTION CORNER COMMON TO SECTION 28, 29, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E.; THENCE N 00°40'07" E, ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 2236.01 FT.; THENCE S 89°31'24" E, PARALLEL WITH THE NORTH LINE OF SAID SECTION 28 AND 3077.34 FT. SOUTHERLY THEREFROM, A DISTANCE OF 2665.72 FT. TO THE INTERSECTION WITH THE EAST LINE OF THE WEST ½ OF SAID SECTION 28; THENCE S 00°45'47" W, ALONG THE EAST LINE OF SAID WEST ½, A DISTANCE OF 2236.80 FT. TO THE INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 28; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 28 (ALSO BEING THE NORTH LINE OF SECTION 33, TOWNSHIP 35 S., RANGE 19 E.), A DISTANCE OF 2662.03 FT. TO THE NORTHEAST CORNER OF SAID SECTION 33; THENCE S 01°24'24" W, ALONG THE EAST LINE OF SAID SECTION 33, A DISTANCE OF 6019.29 FT. TO THE SOUTHEAST CORNER OF SAID SECTION 33; THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 33 (ALSO BEING THE COMMON LINE BETWEEN MANATEE AND SARASOTA COUNTIES), A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 33 (SAME BEING THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 35 S., RANGE 19 E.); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 32, AND THE COUNTY LINE, A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 32 (SAME BEING THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 35 S., RANGE 19 E.); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 31 AND THE COUNTY LINE, A DISTANCE OF 4602.00 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE N 00°37'10" E, ALONG THE WEST LINE OF SAID SECTION 31, ALSO BEING THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY OF STATE ROAD NO. 93 (INTERSTATE 75), A DISTANCE OF 615.95 FT. TO A POINT ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S 67°41'09" E, 216.00 FT.; THENCE RUN NORTHEASTERLY, ALONG SAID LIMITED ACCESS RIGHT-OF-WAY, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 65°57'32", A DISTANCE OF 248.66 FT. TO THE P.T. OF SAID CURVE; THENCE N 88°16'24" E, ALONG THE LIMITED ACCESS RIGHT-OF-WAY OF STATE ROAD NO. 93 (I-75) – "UNIVERSITY PARKWAY" INTERCHANGE, A DISTANCE OF 628.74 FT.; THENCE S 89°27'41" E, ALONG SAID LIMITED ACCESS INTERCHANGE RIGHT-OF-WAY, A DISTANCE OF 298.75 FT. TO THE EASTERLY END OF SAID LIMITED ACCESS INTERCHANGE RIGHT-OF-WAY; THENCE CONTINUE S 89°25'29" E, ALONG THE SOUTHERLY RIGHT-OF-WAY OF "UNIVERSITY PARKWAY", A DISTANCE OF 133.18 FT.; THENCE N 00°34'14" E, ALONG THE EASTERLY END OF SAID "UNIVERSITY PARKWAY" RIGHT-OF-WAY, A DISTANCE OF 336.00 FT.; THENCE N 89°26'21" W, ALONG THE NORTH LINE OF A 60 FT. WIDE F.D.O.T. SERVICE ROAD RIGHT-OF-WAY, WHICH LIES PARALLEL AND CONTIGUOUS WITH THE NORTHERLY SIDE OF "UNIVERSITY PARKWAY", A DISTANCE OF 606.88 FT.; THENCE N 85°37'30" W, ALONG SAID SERVICE ROAD RIGHT-OF-WAY, A DISTANCE OF 460.53 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 396.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID SERVICE ROAD RIGHT-OF-WAY, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°45'40", A DISTANCE OF 191.87 FT. TO THE INTERSECTION WITH THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E., SAME BEING THE EAST LINE OF SECTION 36, TOWNSHIP 35 S., RANGE 18 E., (THE RANGE LINE); THENCE S 01°15'38" W, ALONG THE COMMON LINE BETWEEN SAID SECTION 31 AND 36 (THE RANGE LINE), SAME BEING THE

WESTERLY END OF SAID F.D.O.T. SERVICE ROAD RIGHT-OF-WAY, A DISTANCE OF 68.34 FT. TO THE INTERSECTION WITH THE EASTERLY LIMITED ACCESS RIGHT-OF-WAY OF SAID STATE ROAD NO. 93 (I-75), SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES N 27°43'29" E, 456.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°29'56", A DISTANCE OF 274.57 FT. TO THE P.T. OF SAID CURVE; THENCE N 27°46'35" W, ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY, A DISTANCE OF 566.48 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 4489.66 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°57'00", A DISTANCE OF 1014.75 FT. TO THE P.T. OF SAID CURVE; THENCE N 14°49'36" W, ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY, A DISTANCE OF 899.55 FT.; THENCE N 13°40'49" W, ALONG SAID EASTERLY LIMITED ACCESS RIGHT-OF-WAY, A DISTANCE OF 1016.32 FT.; THENCE S 88°46'12" E, A DISTANCE OF 1369.85 FT. TO THE INTERSECTION WITH THE EAST LINE OF SAID SECTION 36, TOWNSHIP 35 S., RANGE 18 E., SAME BEING THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E. (THE RANGE LINE); THENCE S 89°40'28" E, A DISTANCE OF 1438.64 FT.; THENCE N 01°15'38" E, A DISTANCE OF 1532.73 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E. (SAID POINT LYING S 89°40'28" E, ALONG SAID NORTH LINE, A DISTANCE OF 1438.64 FT. FROM THE NORTHWEST CORNER OF SAID SECTION 31); THENCE S 89°40'28" E, ALONG THE NORTH LINE OF SAID SECTION 31, A DISTANCE OF 3165.00 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTIONS 28, 29, 31, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E. AND SECTION 36, TOWNSHIP 35 S., RANGE 18 E., MANATEE COUNTY, FLORIDA.

ALSO:

A TRACT OF LAND SITUATED AND BEING IN SECTION 34, TOWNSHIP 35 S., RANGE 19 E., MANATEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N 01°24'24" E, ALONG THE WESTERLY LINE OF SAID SECTION 34, A DISTANCE OF 6019.33 FT. TO THE NORTHWEST CORNER OF SAID SECTION 34; THENCE N 89°57'56" E, ALONG THE NORTHERLY LINE OF SAID SECTION 34, A DISTANCE OF 120.02 FT.; THENCE S 00°51'27" W, A DISTANCE OF 1.87 FT. TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2190.00 FT. AND A CENTRAL ANGLE OF 13°14'44"; THENCE ALONG THE ARC IN A SOUTHERLY DIRECTION, AN ARC DISTANCE OF 506.28 FT. TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 12°23'18" E., A DISTANCE OF 982.01 FT. TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3060.00 FT. AND A CENTRAL ANGLE OF 10°28'18"; THENCE ALONG THE ARC IN A SOUTHERLY DIRECTION, A DISTANCE OF 559.26 FT. TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 01°55'00" E., A DISTANCE OF 2240.90 FT. TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 10560.00 FT. AND A CENTRAL ANGLE OF 01°56'28"; THENCE ALONG THE ARC IN A SOUTHERLY DIRECTION, A DISTANCE OF 357.76 FT. TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 00°01'28" W, A DISTANCE OF 1402.77 FT. TO THE SOUTHERLY LINE OF SAID SECTION 34; THENCE N 89°58'32" W, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 678.98 FT. TO THE POINT OF BEGINNING.

TOGETHER WITH AND INCLUDING THE FOLLOWING TWO PARCELS OF LAND:

COMMENCE AT THE SECTION CORNER COMMON TO SECTION 29, 30, 31 AND 32, TOWNSHIP 35 S., RANGE 19 E.; THENCE N 00°22'41" E, ALONG THE WEST LINE OF SECTION 29, A DISTANCE OF 2656.57 FT. TO THE NORTHWEST CORNER OF THE SW ¼ OF SECTION 29; THENCE S 89°30'30" E, ALONG THE NORTH LINE OF SAID SW ¼, A DISTANCE OF 211.38 FT. TO THE POINT OF BEGINNING; THENCE N 26°03'03" E, A DISTANCE OF 41.15 FT.; THENCE S 61°21'58" E, A DISTANCE OF 78.71 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SW ¼ AT A POINT HEREINAFTER CALLED POINT "A"; THENCE N 89°30'30" W, ALONG THE NORTH LINE OF SAID SW ¼, A DISTANCE OF 87.16 FT. TO THE POINT OF BEGINNING.

AND

COMMENCE AT THE ABOVE DESCRIBED POINT "A"; THENCE S 89°30'30" E, ALONG THE NORTH LINE OF SAID SW ¼, A DISTANCE OF 129.28 FT. TO THE POINT OF BEGINNING, AT A POINT ON THE ARC OF A CURVE

WHOSE RADIUS POINT BEARS S 49°26'14" E, A DISTANCE OF 295.00 FT.; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3°12'50", A DISTANCE OF 16.55 FT.; THENCE S 46°13'24" E, A DISTANCE OF 18.02 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SW ¼; THENCE N 89°30'30" W, ALONG THE NORTH LINE OF THE SW ¼, A DISTANCE OF 24.12 FT. TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING TWO PARCELS OF LAND:

COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 29, 30, 31 AND 32, TOWNSHIP 35 S., RANGE 19 E.; THENCE N 00°22'41" E, ALONG THE WEST LINE OF SECTION 29, A DISTANCE OF 2656.57 FT. TO THE NORTHWEST CORNER OF THE SW ¼ OF SECTION 29, ALSO BEING THE SOUTHWEST CORNER OF THE NW ¼ OF SECTION 29; THENCE S 89°30'30" E, ALONG THE SOUTH LINE OF SAID NW ¼, A DISTANCE OF 298.54 FT. TO THE POINT OF BEGINNING; THENCE CONTINUE S 89°30'30" E, ALONG THE SOUTH LINE OF SAID NW ¼, A DISTANCE OF 129.28 FT. TO A POINT HEREINAFTER CALLED POINT "B" ALSO BEING A POINT ON THE ARC OF A CURVE WHOSE RADIUS POINT BEARS S 49°26'14" E, A DISTANCE OF 295.00 FT.; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 11°55'45", A DISTANCE OF 61.42 FT.; THENCE N 61°21'58" W, A DISTANCE OF 107.63 FT. TO THE POINT OF BEGINNING.

AND

COMMENCE AT THE ABOVE DESCRIBED POINT "B"; THENCE S 89°30'30" E, ALONG THE SOUTH LINE OF SAID NW ¼, A DISTANCE OF 24.12 FT. TO THE POINT OF BEGINNING; THENCE CONTINUE S 89°30'30" E, ALONG THE SOUTH LINE OF SAID NW ¼, A DISTANCE OF 767.44 FT.; THENCE S 00°29'12" W, A DISTANCE OF 46.03 FT.; THENCE N 89°30'48" W, A DISTANCE OF 469.78 FT.; THENCE N 61°13'53" W, A DISTANCE OF 51.46 FT.; THENCE S 85°03'09" W, A DISTANCE OF 131.05 FT.; THENCE S 33°11'55" W, A DISTANCE OF 59.75 FT.; THENCE N 46°13'24" W, A DISTANCE OF 123.10 FT. TO THE POINT OF BEGINNING.

ALL OF THE ABOVE BEING AND LYING IN SECTIONS 28, 29, 31 32, 33 AND 34, TOWNSHIP 35 S., RANGE 19 E., AND SECTION 36, TOWNSHIP 35 S., RANGE 18 E., MANATEE COUNTY, FLORIDA.

CONTAINING A NET OF 2421.74 ACRES MORE OR LESS.

BOARD OF COUNTY COMMISSIONERS SEAL MANATEE CO. FLA.

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 16th day of March 2000
R.B. SHORE
Clerk of Circuit Court
By: Robin Roberts D.C.

2/6 · 7D-
E-

MANATEE COUNTY GOVERNMENT

PLANNING DEPARTMENT
"TO SERVE WITH EXCELLENCE"

December 30, 1997

CERTIFIED MAIL
Z 393 613 795

Ms. Julia Greene
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Fl 33702

Re: Development Order for University Lakes DRI

Dear Ms. Greene:

Enclosed is a certified copy of Ordinance 97-81, with all attachments, the development order for University Lakes, as adopted in open session by the Manatee County Board of County Commissioners on December 16, 1997, as required by Rule 9J-2.025(5), Florida Administrative Code.

If I can be of further assistance, please contact me at (941) 749-3070, extension 6834.

Sincerely,

Norman Luppino

Norman Luppino
Principal Planner

NL/smw
Enclosure

1112 Manatee Avenue West • Fourth Floor • Bradenton, Florida Tel. (941) 749-3070 • FAX: (941) 749-3071
P.O. Box 1000 • Bradenton, Florida 34206-1000

ORDINANCE-97-81
SCHROEDER-MANATEE, INC.
(AKA UNIVERSITY LAKES OF MANATEE, INC.)
DEVELOPMENT ORDER ORDINANCE
GRANTING AMENDMENTS TO AND REPLACING ORDINANCE-92-32,
AS AMENDED BY ORDINANCE-93-25, ORDINANCE-95-44, AND ORDINANCE 97-61

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE DEVELOPMENT ORDER FOR THE UNIVERSITY LAKES DEVELOPMENT OF REGIONAL IMPACT (MANATEE COUNTY DRI #22, A/K/A TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI #216); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONCLUSIONS OF LAW; PROVIDING FOR DEFINITIONS; PROVIDING FOR AMENDED LIMITATIONS ON AND CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 31, 1991, University Lakes of Manatee, Inc. filed an Application for Development Approval* (ADA*) of a Development of Regional Impact (DRI) with the Manatee County Board of County Commissioners (County*) pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said ADA* proposed construction of a multi-use project on approximately two- thousand three-hundred fifty-three (2,353) acres, located in southern Manatee County, hereinafter referred to as University Lakes DRI, or the Project*; and

WHEREAS, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, a second development is planned, commonly known as University Place, adjacent to the Manatee County line in Sarasota County; and

WHEREAS, the University Lakes and University Place DRI's have been reviewed pursuant to the terms of the 380 Review Agreement* defined in Section 3. below; and

WHEREAS, the Board of County Commissioners, on June 1, 1992, approved Ordinance 92-32, which granted local approval to DRI No. 22, University Lakes; and

WHEREAS, the Department of Community Affairs and the Tampa Bay Regional Planning Council appealed Ordinance 92-32 within the statutory time frame allowed; and

WHEREAS, the Developer* entered into a settlement agreement with the Department of Community Affairs and the Tampa Bay Regional Planning Council to resolve their concerns; and

WHEREAS, on October 24, 1993, the Board of County Commissioners of Manatee County adopted an amended Development Order (Ordinance 93-25) for the University Lakes DRI adopting language to settle administrative action between the Department of Community Affairs, Tampa Bay Regional Planning Council, and Schroeder-Manatee Ranch, Inc., et al.; and

WHEREAS, on January 25, 1996, The Board of County Commissioners adopted Ordinance 95-44, approving amendments to modify development totals, add 69.8 acres, and modify various definitions and conditions of the Development Order for the University Lakes DRI, which amendments were not found to be a substantial deviation to the originally approved Development Order; and

WHEREAS, on October 28, 1997, the Board of County Commissioners adopted Ordinance 97-61, approving amendments to amend Map H, extend buildout and expiration dates, employ the land use trade-off mechanism, and modify various definitions and conditions of the Development Order for the University Lakes DRI, which amendments were not found to be a substantial deviation to the originally approved Development Order; and

WHEREAS, the developers of University Lakes have proposed to allow a hospital use in Phase 2.

WHEREAS, the above described change, cumulatively with all previous changes, do not constitute a Substantial Deviation to the Development Order for University Lakes, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the Board of County Commissioners, as the governing body of the local government having jurisdiction pursuant to Chapter 380.06, Florida Statutes, has the statutory authority to consider and approve Notices of Proposed Changes (NOPC) for an amendment to an approved Development of Regional Impact; and

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

WHEREAS, the Planning Commission of Manatee County has reviewed the NOPC and has filed a recommendation on said NOPC with the Board of County Commissioners; and

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

WHEREAS, the County* on December 16, 1997, held a duly noticed public hearing on said NOPC and the language proposed by the Developer* to amend and replace Ordinance 92-32, as amended, and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County and City agencies, and the applicant, as well as the review and report of the Manatee County Planning Department.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA IN A REGULAR MEETING ASSEMBLED THIS 16TH DAY OF DECEMBER, 1997, AS FOLLOWS:

SECTION 1.

FINDINGS OF FACT

The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of Manatee County, and all other matters presented to said Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.

B. The Developer* has received County approvals for and has commenced development in several sub-phases of the development, consistent with Ordinance 92-32, as amended by Ordinances 93-25, 95-44, and 97-61).

C. An application has been submitted to Manatee County and is being processed concurrently with this NOPC to approve a revised General Development Plan for the entire 2,422.5 acre project and to extend buildout and expiration dates, modify transportation, wetland, and other conditions.

D. The Board of County Commissioners of said County has received and considered the recommendation of the Manatee County Planning Commission concerning the NOPC and the application for Official Zoning Atlas Amendment as it relates to the real property described in Section 7 of this Ordinance of an NOPC pursuant to Section 380.06, Florida Statutes. The report was rendered on December 11, 1997, following public hearing.

E. The Board of County Commissioners held a public hearing on December 16, 1997 regarding said NOPC and the proposed Zoning Ordinance Amendment described herein, in accordance with the requirements of Manatee County Ordinance No. 90-01, as amended (the Manatee County Land Development Code) and Ordinance No. 89-01, as

amended, (Manatee County Comprehensive Plan), and has further considered the testimony, comments, and information received at the Public Hearing.

F. The proposed changes to the DRI regarding the property described in Section 7. herein, are found to be consistent with the requirements of Manatee County Ordinance No. 89-01, as amended (the Manatee County Comprehensive Plan), provided it proceeds in accordance with the Development Conditions specified in Section 5. and the Developer* Commitments specified in Section 6. of this Development Order.

G. The "Developer" * of the Project* submitted to Manatee County, Florida, an ADA* and a NOPC, which are incorporated herein by reference.

H. The Developer* submitted an Affordable Housing Analysis (dated July 23, 1991) to Manatee County which describes the housing demand for low and very low income households and the existing housing supply (see Attachment #1).

I. The real property which is the subject of this Development Order is legally described as set forth in Section 7.

J. The Project* is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.

K. The authorized agent for the Project* is Rex E. Jensen, and his address is University Lakes of Manatee, Inc., 7550 Lorraine Road, Bradenton, Florida 34202.

L. The owner of the property, which University Lakes of Manatee, Inc. intends to develop, is Schroeder-Manatee Ranch, Inc., a Delaware corporation.

M A comprehensive review of the impacts generated by the Development has been conducted by the departments of Manatee County, the Planning Commission, the Board of County Commissioners, TBRPC, and the Department of Community Affairs (DCA).

SECTION 2. CONCLUSIONS OF LAW

A. Based upon the previous findings of fact and the following conditions of the Development Order, the Board of County Commissioners of Manatee County concluded that:

1. The Project* will not unreasonably interfere with the achievement of the objectives of the Adopted State Land Development Plan applicable to the area.

2. The Project* is consistent with the local land development regulations and is consistent with the State Comprehensive Plan (SCP), the Tampa Bay Regional Planning Council's Future of the Region, A Comprehensive Regional Policy Plan (FRCRPP*), and Ordinance 89-01 (The Manatee County Comprehensive Plan, as amended).

3. The Project* is consistent with the report and recommendations of the TBRPC approved on February 10, 1992 and on January 8, 1996, regarding the first NOPC on May 1997, regarding the second NOPC, and on October 13, 1997, regarding the third NOPC.

B. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the Developer* is authorized to conduct development as described herein, subject to the conditions, restrictions, and limitations set forth below.

C. That the review by the County*, TBRPC, and other participating agencies and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Development Order, the ADA*, the NOPC, and the Affordable Housing Analysis. To the extent that the ADA* is inconsistent with the terms and

conditions of this Development Order, the terms and conditions of this Development Order shall prevail.

D. This Ordinance replaces Ordinance 97-61, which granted amendments to Ordinances 92-32, 93-25, and 95-44 in their entirety and adequately addresses the impacts of the development, pursuant to the requirements of Chapter 380, Florida Statutes.

E. Pursuant to Paragraph 380.06(19)(e)3, Florida Statutes, the changes proposed pursuant to the NOPC submitted on August 28, 1997 and approved pursuant to Ordinance 97-, do not constitute a Substantial Deviation requiring further Development of Regional Impact review.

SECTION 3. DEFINITIONS

Note: An asterisk (*) denotes that the word is defined. The definitions contained in Chapter 380, Florida Statutes, shall apply to this Development Order, in addition to those listed herein.

A. "380 Review Agreement*" shall mean the Agreement executed between DCA, TBRPC, the Southwest Florida Regional Planning Council ("SWFRPC"), and Schroeder-Manatee, Inc. dated September 6, 1991 which governs the review of the University Lakes and University Place DRI's. A copy of the 380 Review Agreement* is attached as Attachment #2.

B. "Application for Development Approval*" (or ADA*) shall mean University Lakes, Inc. Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer* on October 25, 1991, Appendix E Cumulative Affordable Housing Analysis, the NOPC submitted on July 10, 1995, the second NOPC submitted on March 26, 1997 and amended on October 28, 1997, and the third NOPC submitted on August 28, 1997 and amended on December 16, 1997.

C. "Best Management Practices*" (BMP) shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code (BMP list of approved practices by Board resolution for Special Overlay Districts-Evers Reservoir and Lake Manatee Watershed Areas).

D. "Combined Projects*" shall refer to both University Lakes and the neighboring project, University Place.

E. "County*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).

F. "Developer*" shall mean University Lakes of Manatee, Inc., their heirs, assigns, designees, and successors in interest as to the Project* and all its conditions of approval.

G. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.

H. "District*" shall mean any unit of local special purpose government formed pursuant to Chapter 190, F.S., or any similar entity such as a Municipal Service Taxing Unit or Municipal Service Benefit Unit, from time to time created or previously existing, which acts in accordance with applicable law and regulations, to finance or fund: (i) the cost of such actions as the planning, acquiring, constructing, equipping, installing, operating, and maintaining various community facilities; (ii) the cost of providing certain community services; (iii) contributions of funds to other governmental and non-governmental entities with respect to such facilities, services, or related Development Order commitments and conditions and (iv) satisfaction of any of the commitments and conditions contained in this Development Order related to the foregoing. It is the declarative of the intent of this Development Order that any commitment or condition

of this Development Order may be directly performed or satisfied by any District* which properly operates within its scope of authority. Such performance or satisfaction shall not be deemed or construed to constitute the discharge of any obligation of the Developer*.

H. "FRCRPP*" shall mean the TBRPC's Future of the Region, A Comprehensive Regional Policy Plan for the Tampa Bay Region, adopted June 23, 1987 and amended in 1989.

I. "Funding Commitments*" shall mean to assure the completion of any improvement required by this Development Order or any combination of the following: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County* for construction to be completed when the improvement is required as referenced in Tables 5 and 6 of this Development Order; 2) actual construction; 3) the placement of the improvements in the first year of the Capital Improvements Element of the appropriate County or the first two years of the Adopted Five-Year Work Program of the Florida Department of Transportation; or 4) a commitment for construction and completion of the required roadway improvements, pursuant to a Developer Agreement which, if approved by the parties, shall be incorporated in this Development Order through an amendment of the Development Order, pursuant to the notice of proposed change provisions of Chapter 380 of the Florida Statutes. Said Agreement shall include a construction timetable which will set forth the completion of the required improvements consistent with the time frames specified in Tables 5 and 6.

J. "Post-Development Wetlands*" shall mean any lands determined to be within jurisdictional limits defined by Chapter 17-301, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Protection (FDEP), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development for this Project*.

K. "Project*" shall mean the land uses, phasing, and improvements described in the ADA* which are attributable to development on that property described in Section 7. herein and set forth on Revised Map H attached hereto as Attachment #3.

L. "Transportation Impact Area*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the proposed phase or subphase shown on a proposed Preliminary Site Plan in combination with prior approvals of the Combined Projects* will be five percent (5%) (or whatever greater percentage may be employed from time to time by DCA, TBRPC, or the County*, provided the more restrictive percentage shall be used) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on Map J (attached hereto as Attachment #4) which was based on data submitted with the ADA*. In determining the Transportation Impact Area* for this Project* all traffic generated by University Place shall be deemed project traffic for University Lakes.

M. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.

SECTION 4. 380 REVIEW AGREEMENT*, APPROVALS, AND DEVELOPMENT COMPONENTS

A. Some of the impacts of the University Lakes DRI have been reviewed in conjunction with the impacts of the proposed University Place DRI under the terms of the 380 Review Agreement*. The 380 Review Agreement* provides for the accumulative assessment of the impacts of both projects on the issues of transportation, air quality, affordable housing, and listed species.

Tables 1 through 4 list the appropriate land uses for University Lakes (Tables 1 and 2) and University Place (Tables 3 and 4) under the designations used by the respective Counties and the designations used in Section 380.0651, Florida Statutes, in parentheses ( ).

B. Subject to the possible exchange of land uses as described elsewhere herein, the Project* consists of the land uses, square footage, dwelling units, and approximate area described in Columns A through D of Table 1 and the land uses, square footage, dwelling units, and approximate area by phase as described in Table 2. Phase I of the Project* is approved subject to the conditions found within this Development Order. A Certificate of Level of Service has been issued for the land uses listed in Phase I, Table 2 until April 30, 1999. A new Certificate of Level of Service must be obtained for all preliminary site plans approved for Phase 1 after April 30, 1999. Phases II, III, and IV are conceptually approved. Approval of Phases II, III, and IV is contingent upon further Section 380.06(6) review on the following issues: transportation, air quality, and affordable housing. The review of transportation, air quality, and affordable housing for Phases II, III, and IV shall be based on a cumulative assessment of the impacts created by the Combined Projects*. The conditions of approval of Phase I of the Combined Projects* with respect to the impacts that were cumulatively assessed, shall not necessarily apply to subsequent phases. In addition to obtaining a Development Order amendment, Certificates of Level of Service must be obtained for Phases II, III, and IV, but shall be limited to roadway capacity, mass transit, potable water, sanitary sewer, parks and recreation facilities, drainage, and solid waste, as required by the Manatee County Land Development Code.

TABLE 1
UNIVERSITY LAKES DEVELOPMENT COMPONENTS

Column A Map H Land Use (Section 380.0651 F.S. Designation)	Column B Number Acres *****	Column C Square Feet	Column D Dwelling Units	Column E Land Use Exchange Maximum Increase
Residential (Residential)	704.0	n/a	3,137	An increase in dwelling units by 5% or 50 units, whichever is greater
General Commercial* (Retail)	40.3	1,060,000	n/a	
Hospital	32.0	180,000		
Neighborhood Commercial** (Retail)	37.5	381,000	n/a	Land Area increased by 6 acres or increase by 50,000 s.f. of gross floor area, or the greater of a 5% increase in parking spaces or an increase of customer parking by 300 spaces
General Commercial*** (Retail)	28.0 (21.0)	400,000 (150,000)	n/a n/a	
(Hotel and Motel)	(7.0)	(250,000/ 300 rooms)	n/a n/a	75 rooms
Business (Office)	126.4 (63.2)	1,968,000 (787,200)	n/a	Land area increased by the greater of 5% or 6 acres, whichever is greater, or gross floor area increased by greater of 5% or 60,000 s.f. whichever is greater
(Industrial)	(63.2)	(1,180,800	n/a	
Right of Way	178.4			
Recreation	330.4			
Wetlands/Mitigation	376.9			
Lakes****	358.6			
Open Space	210.0			
TOTAL	2,422.5	3,989,000	3,137	

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.
**** Additional lakes will be constructed within the Project* as required by the stormwater management system.
***** Acreages subject to verification and adjustment based upon future survey activities, consistent with the graphic depictions on revised Map H.

TABLE 2
UNIVERSITY LAKES PHASING SCHEDULE

Map H. Land Use Designation (5380.0651, F.S., Designation	Phase I 1992-2004♦	Phase II 2005-2009♦	Phase III 2010-2014♦	Phase IV 2015-2019♦	Total
Residential Dwelling Units					
Single Family	791	360	243	330	1,724
Single Family Attached	184	155	123	29	471
Multi-Family	655	287	0	0	942
Total (Residential)	1,610	802	366	359	3,137
General Commercial*s.f. (Retail)	279,857	780,143	0	0	1,060,000
Hospital		150 beds/180,000			
Neighborhood Commercial**s.f. (Retail)	87,000	135,885	0	158,115	381,000
Business s.f.	483,000	521,520	404,180	559,300	1,968,000
(Office)	(193,200)	(208,608)	(161,672)	(223,720)	(787,200)
(Industrial)	(289,800)	(312,912)	(242,508)	(335,580)	(1,180,800)
General Commercial***s.f.	250,000	150,000	0	0	400,000
(Retail)	(0)	(150,000)	0	0	(150,000)
(Hotel and Motel)	(250,000/ 300 rooms)	(0)	0	0	(250,000/ 300 Rooms)
Recreational Facilities****	Tennis & Boat Club+, Park Golf Course & Park				

* Acreage and square footage are referred to as Regional Commercial in the ADA*.

** Acreage and square footage are referred to as Community Commercial in the ADA*.

*** Acreage and square footage are referred to as Highway Commercial in the ADA*.

**** Phasing of recreational facilities may be accelerated in accordance with the provisions of Sections 4.B., C. and E.

\+ The Boat Club shall be located on the 160± acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such as sailboards, canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation, and such craft may be used on the manmade lake.

♦ Buildout date is September 13th of each year indicated.

TABLE 3

UNIVERSITY PLACE DEVELOPMENT COMPONENTS

Sarasota County Land Use Designation (Section 380.0651, F.S., Designation)	Number Acres	Square Feet
Interstate Regional Office Park	250.0	
(Office)		1,532,000
Major Employment Center	727.6	
(Office)		(2,623,257)
(Industrial)		(3,934,883)
(Retail)		(109,860)
Open use		
Conservation	395	
Totals	1,372.6	8,200,000

TABLE 4
UNIVERSITY PLACE PHASING SCHEDULE

Sarasota County Land Use Designation (Section 380.0651, F.S., Designation)	Phase I	Phase II	Phase III	Phase IV	Total
Interstate Regional Office Park s.f.					
(Office)	436,000	365,334	365,333	365,333	1,532,000
Major Employment Center s.f.					
(Office)	967,600	655,219	655,219	659,219	2,623,257
(Industrial)	1,435,600	832,828	832,828	832,827	3,934,083
(Retail)	40,000	23,287	23,287	23,286	109,860
Total	2,869,200	1,776,668	1,776,667	1,780,665	8,200,000

The amounts of residential, retail, hotel and motel, office, and industrial uses shown in Table 1 above within the Project* can be exchanged, with Board of County Commissioners approval of a revised General Development Plan, to allow flexibility in

the exact land use mix shown in Columns B, C, and D of Table 1, above, and within each individual Phase shown in Table 2, provided that the following conditions are satisfied:

1. No land use category in the final Project* shall contain more development than that reflected in Table 1 Columns B, C, and D, plus that amount reflected in Column E.

2. The following uses designated in Table 1, shall not be reduced by the Developer* below the amounts set forth in Table 1, except as described elsewhere herein in specific provisions pertaining to those uses: lakes, recreation, wetlands/mitigation open space.

3. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 500 dwelling units.

4. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 400,000 square feet of General Commercial.

5. The mix of approved uses within an individual Phase shall not be increased by more than 170,000 square feet nor decreased by more than 100,000 square feet of Business.

6. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 75 hotel rooms.

7. All other uses not specifically mentioned in Paragraphs 3, 4, 5, and 6 above shall not be subject to an exchange pursuant to this section.

C. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the proposed land use mix will not exceed the impacts for transportation, potable water, wastewater treatment, solid waste disposal, mass transit, drainage, and parks and recreation which are authorized in this Development Order and in any Certificate of Level of Service Compliance (CLOS) issued for that Phase. Additionally, the Developer* shall demonstrate that the proposed land use mix will not generate additional demand for affordable housing beyond the amount for which the supply of affordable housing has been demonstrated to be available and is described in Sections P.(1) and P.(2) of this Development Order. If the impacts of a specific land use exchange exceeds the impacts authorized and approved for that phase in the Development Order, then the land use exchange shall be denied. As to the CLOS, the Developer* must apply for a modification to the CLOS and if the proposed land use exchange results in impacts in excess of those previously approved, the Developer* may be granted approval for that excess only if and when capacity is available and in conformance with other provisions of this Section 4. However, reapplication shall not cause the Developer* to lose capacity already approved in the Certificate of Level of Service for that Project*. If the request for a land use exchange is approved, a modified CLOS shall be issued to replace the previously approved CLOS. Any modification to the CLOS shall not extend the time for which such capacity is reserved pursuant to the CLOS.

An application for a land use exchange must include a revised General Development Site Plan which will include a revised Table 2 showing the reallocation of square footage or units. Each proposal for a land use exchange and revised General Development Plan shall be reviewed for compliance with the provisions of this Development Order, the Manatee County Land Development Code and the Manatee County Comprehensive Plan. Upon submission of a request to the County* to implement this section of the Development Order, all application materials and information necessary to support approval of such a request shall be provided to the Department of Community Affairs, TBRPC, SWFRPC, and Sarasota County by the Developer*. The Developer* shall provide written notification to the Department, TBRPC, SWFRPC, and Sarasota County of the approval or denial of any land use exchange requested by the Developer*. With the submittal of any Notice of Proposed Change requiring changes to this Development Order, the Revised Master Development Plan and Phasing Schedule shall be amended to reflect any Land Use Exchange(s) that

have been approved since the issuance of the Development Order or last amendment to the Development Order. Such change considered by itself shall not constitute a substantial deviation. Changes to the Phasing Schedule under this paragraph do not include extensions to the buildout date.

The land use exchange request shall contain information sufficient to enable the County* to determine that the impacts of the revised land use mix do not exceed the impacts of the land use mix being replaced. The quantifiable impacts will be measured based upon the relevant factors then currently used by the County* (e.g., ITE trip generation rates, EDU tables, solid waste generation factors, etc.) The Developer* shall verify the appropriate factors with County* staff prior to the submittal of any such land use exchange request.

The traffic impacts of the revised land use mix shall be deemed by the County* not to exceed the approved traffic impacts of the land use mix being replaced so long as the change does not increase the peak hour total traffic and the relative proportions of trips produced by attractors and the trips produced by generators remains substantially the same for the phase or subphase. In the event that the attractor or generator proportions are not substantially the same, as determined by the County*, additional information may be required to assess intersection performance, trip distribution, or particular roadway segments designated by the County*.

Attached hereto as Attachment #5 is a table of conversion factors for equating only traffic impacts of land use exchanges. The incorporation of this land use exchange mechanism shall not operate to permit the Developer* to develop any land use which will generate peak hour trips in excess of the total number of peak hour trips for which it has obtained specific development order approval.

Any amendments to the land use mix or proposed phasing schedule (Tables 1 and 2 respectively), other than those described herein, shall be submitted to the County* for review and approval, pursuant to notice of change as required by Subsection 380.06(19),F.S., which approval shall not be withheld for mere acceleration of phases if otherwise there is compliance with the terms of this Development Order. Any departure in Project* buildout from the phasing schedule set forth in the Application shall be subject to review to determine if such departure constitutes a substantial deviation pursuant to Subsection 380.06(19), F.S.

Any specific land use exchange must result in a land use mix which is consistent with the requirements of the Manatee County Comprehensive Plan. The land use exchange may not be exercised more than once in any calendar year.

D. The list of required transportation improvements described in Tables 5 and 6 are triggered by the construction of Phase I of the Combined Projects*. In the event that at any time the amount of development authorized in the University Place Development Order is less than that shown as Phase I Table 4 of this Development Order, the Developer* may submit a Notice of Proposed Change requesting a Development Order amendment to increase the amount of development in Phase I of University Lakes by an amount equal in impacts to the University Place reduction. In reviewing such a Notice of Proposed Change, transportation issues shall not form the basis of a recommendation of substantial deviation if the impacts (trip generation or distribution) on transportation facilities remain essentially the same. Nothing herein shall operate as a waiver of the Developer's* obligation to obtain a CLOS for any and all development which the Developer* proposes to transfer from University Place to University Lakes. In making a request under this Section 4.D., the Developer* must meet all of the following conditions:

1. The impacts of the proposed change do not exceed the impacts which were approved in the Development Order, or any amendments thereto, for potable water, wastewater treatment, solid waste disposal, mass transit, drainage, affordable housing, and parks and recreation.

2. The Developer* must further demonstrate that the request is consistent with applicable provisions of the Comprehensive Plan and the Land Development Code.

3. The amount of any increase in any Land Use Category may not exceed the limitations set forth in Table 1 Column E above.

4. The County* shall not be required to approve any increase to Phase I of University Lakes unless adequate capacity exists to serve such increase and assurance of corresponding decrease is demonstrated to the County's* satisfaction, in Phase I of University Place.

5. In the event that the amount of development is increased for Phase I of University Place after approval of an increase of the permitted uses, density, or intensity for Phase I of University Lakes under this Section 4.D., then this entire Development Order shall be subject to an additional substantial deviation review to address the impacts of development which was previously added to University Lakes.

The intent of this provision is not to alter the size or land use mix of the Combined Projects* at buildout. There is no intent to change the land uses actually approved for University Lakes. It is intended to provide flexibility in the timing of development between phases of the respective projects in response to economic development opportunities or development constraints. The applicability of this provision "D" is limited to Phase I pending further review of additional phases.

E. To foster intergovernmental coordination in the administration of University Lakes and University Place, the Developer* will furnish to the Sarasota County Planning Department, the SWFRPC, and the City of Bradenton for review and comment, copies of all Annual Reports (together with any documents required to accompany said Annual Reports), any applications or submissions by the Developer* under this Section 4, and any revisions to University Lakes resulting from determinations by the County* under this Section 4. Further, the Developer* shall furnish to the County* copies of all Annual Reports (together with any documents required to accompany said Annual Reports) regarding University Place.

F. No provision of this Development Order shall serve to approve uses which were not previously reviewed and approved for University Lakes or which are inconsistent with the Manatee County Comprehensive Plan, including the WO-E Overlay District.

SECTION 5. DEVELOPMENT CONDITIONS

Transportation

A.(1) The cumulative Phase I University Lakes and University Place transportation analysis conducted under the 380 Review Agreement* determined the need for the roadway segment and intersection improvements described in Tables 5 and 6 below:

TABLE 5

PHASE I REQUIRED LINK IMPROVEMENTS

Roadway Segment Improvement Number	Road Segment Name (From and To)	Total Traffic Peak Hour LOS Prior To Improvement	Applicable Peak Hour Level of Service	Development Traffic As A % of LOS Peak Hour Capacity	Required Improvement To Restore Level of Service	Total PM Peak Hour External Trips for Combined Projects Before Need ♦
1	Fruitville Road					
	From I-75	F (in EB)	C	12.1 (in EB)	Widen to 4	2,129
	to Tatum Road	C (in WB)	C	6.3 (in WB)	Lanes	
2	University Parkway					
	From I-75	F (in EB)	D	103.2 (in EB)	Widen to 6	2,733
	To North/South Road	F (in WB)	D	178.6 (in WB)	Lanes	
3	Honore Avenue♦♦♦♦					
	From University	F (in NB)	C	68.1 (in NB)	Widen to 4	3,403
	Parkway to 17th	C (in SB)	C	30.3 (in SB)	Lanes	
	Street					
4	I-75					
	From SR 681	C (in NB)	C	3.9 (in NB)	Widen to 8	4,279
	To Jacaranda Blvd.	E (in SB)	C	7.6 (in SB)	Lanes	
5	North/South Road♦♦♦					
	From University	F (in NB)	C	116.1 (in NB)	Widen to 4	4,279
	Parkway	D (in SB)	C	60.7 (in SB)	Lanes	
	To Cypress Banks					
6	North/South Road♦♦♦					
	From Cypress Banks	D (in NB)	C	66.3 (in NB)	Widen to 4	4,279
	To SR 70	D (in SB)	C	34.7 (in SB)	Lanes	
7	I-75					
	From Clark Road	C (in NB)	C	4.3 (in NB)	Widen to 8	4,434
	To SR 681	D (in SB)	C	8.3 (in SB)	Lanes	

♦ This column represents the cumulative number of peak hour external trips for the Combined Projects* before the need of the identified improvements for Phase I Land Uses as depicted in Tables 2 and 4 for both University Lakes and University Place (or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment*.

♦♦♦ North/South Road refers to Upper Manatee River Road and lies to the west of the 160 acre lake.

♦♦♦♦ As an alternative to this improvement and in lieu thereof, the following improvements shall satisfy the requirement to restore Level of Service:
(i) Brown Road from University Parkway to Fruitville Road - Construct two (2) lanes; and
(ii) DeSoto Road from Longwood Run to Brown Road - Construct two (2) lanes; and
(iii) East/West Collector from Honore Avenue to Brown Road - Construct two (2) lanes.

TABLE 6

PHASE I REQUIRED INTERSECTION IMPROVEMENTS

Required Intersection Improvement Number	Intersection Name and Location	Total Traffic Peak Hour LOS Prior To Improvement	Applicable Peak Hour Level of Service	Development Traffic As A % of LOS Peak Hour Capacity	Required Improvement To Restore Level of Service	Total PM Peak Hour External Trips for Combined Projects Before Need ♦
1	Clark Road at I-75 East	F	C	6.2%	Dual Lefts	2,831
2	Bee Ridge Road at Cattleman Road	F	C	7.3%	Dual Lefts	3,970
3	University Parkway at I-75 East	F	D	76.2%	Loop Ramp	3,867
4	University Parkway at I-75 West	D	D	76.2%	Loop Ramp	3,867

♦ This column represents the cumulative number of peak hour external trips for the Combined Projects* before the need of the identified improvements for Phase I Land Uses as depicted in Tables 2 and 4 for both University Lakes and University Place (or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

A.(2) The improvements listed in Tables 5 & 6 include a critical link and intersection improvements for the development of Phase I of the Project*.

In the event that Funding Commitments* for transportation improvements are only adequate to permit approval of a portion (subphase) of the Development, the capacity and loading of transportation facilities in the Transportation Impact Area*, shall be limiting factors in any subsequent approvals. A subphase analysis has been performed, and cumulative subphases for the Combined Projects* have been identified in Tables 5 and 6 together with subphase time frames that were used in the subphase study. An initial subphase of 2,129 external p.m. peak hour trips for the Combined Projects* has been identified as requiring no transportation improvements. The Developer* shall, at the time of each application for Final Site Plan approval, furnish to the County* an accurate, up to date report of the amount of development, defined in terms of external p.m. peak hour trips, which has previously been permitted in the Combined Projects*. The Developer* shall not be entitled to a Final Site Plan approval which would result in the cumulative number of external p.m. peak hour trips for the Combined Projects* to exceed the applicable subphase threshold unless Funding Commitments* have been obtained for improvements required for such subphase.

In the event that the total external p.m. peak hour trips projected to be generated by the Combined Projects* has exceeded the levels described in Tables 5 and 6 by the expiration of the Annual Report Years listed in Tables 5 and 6 for the appropriate uncommitted improvement, no further Final Site Plan approvals shall be granted unless the Developer* using the notice of change procedure has prepared an analysis which identifies the revised dates by which said improvement would be required under the new subphase analysis. The Development Order shall be amended to reflect these revised trip levels and dates.

The Developer* shall be bound by the subphase external trip thresholds and schedules set forth in Tables 5 and 6, unless the Developer* files a Notice of Proposed Change and provides the County*, pursuant to the notice of change procedures, an updated subphase traffic analysis for the Transportation Impact Area* that will result from the completion of construction of all of the previously permitted development in the Combined Projects* plus that to be generated by the next subphase for which the Developer* is seeking approval, and such proposed change is approved. Copies of such notice of proposed change for revised subphase transportation analysis shall be submitted to Manatee County, Sarasota County, TBRPC, and SWFRPC for review and comment. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (referenced in Tables 5 and 6) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways and intersections referenced in Table 5 and 6 at the appropriate Level of Service. In the event that the new analysis demonstrates the need for alternate improvements or different subphase thresholds, the Development Order may be amended to reflect the revised subphases or improvements. With each Preliminary Site Plan application, the Developer* shall submit to the County* a limited traffic study which shows the following:

1. External P.M. peak hour trips for the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvements in Table 5 & 6 will be required; and,

2. An assessment of the estimated traffic operations and turning movements together with the conceptual design of the driveways, serving the project covered by the Preliminary Site Plan application.

Any revised transportation analysis for the Combined Projects* shall utilize the adopted Sarasota County Level of Service, or that of any agency with jurisdiction, whichever Level of Service is higher, for determining deficiencies on all roads in Sarasota County. If deficiencies exist on said roadways, then Funding Commitments* to correct such deficiencies shall be required in accordance with this Paragraph A.(2).

A.(3) The Developer* shall provide bicycle lanes as part of the roadway design for the collector facilities within the Project*. Inclusion of bicycle lanes as part of the roadway design does not mean the lanes themselves must be part of the roadway.

That is, the lanes must be included in design but may be constructed separately or in separation from the roadway itself.

A.(4) The Developer* shall provide adequate sidewalks along all streets and roadways throughout the Project* as required by the Manatee County Land Development Code.

A.(5) As the Project* lies within the future Manatee County transit service area, the Developer* will work with the County* to coordinate the provision of transit service to the area in conjunction with development of University Lakes.

A.(6) Within three years of the effective date of this Development Order or at the request of the County, an annual monitoring program consisting of peak hour traffic counts at the Project* entrances shall be instituted to verify that the projected number of external trips for the Project* are not exceeded. Counts will continue on an annual basis through Project* buildout, and the information shall be supplied in the required Annual Report. If an Annual Report is not submitted within thirty (30) days of its due date, or if the Annual Report indicates that the total external trips exceed projected counts for the Project* by 15 percent or more, Manatee County shall conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), Florida Statutes. This change will be presumed to be a Substantial Deviation. The results of the Substantial Deviation determination may also serve as a basis for the Developer* or reviewing agencies to request Development Order amendments.

A.(7) The transportation analysis in the ADA* was performed without consideration of the potential effects of a Transportation Systems Management ("TSM") program. Accordingly, the development thresholds described in Tables 5 and 6 may reflect a "worst case" scenario, dependent upon future TSM measures.

The Developer* or its assigns shall prepare and implement a TSM program which will endeavor to divert a number of vehicle trips from the PM peak hour. The TSM program shall be submitted to and be reviewed by the County*, the MPO, and the FDOT.

The TSM program shall be submitted with the first annual report subsequent to the monitoring program in Section A.(6) showing external trips exceeding 25% of the total external trips for Phase I of both University Lakes and University Place.

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 measure. Results of the TSM program shall be included in the Annual Report. The results of the TSM program may serve as a basis for the Developer* or reviewing agencies to request Development Order amendments which increase the applicable development thresholds or which will allow reduced impacts per square foot or dwelling unit of development in future phases. The TSM Program shall seek to further the TSM objectives and Policies set forth in the Florida Transportation Plan and shall include, but not be limited to:

(a) promote ride sharing by public and private sector employees;

(b) increase urban area peak hour automobile occupancy rates through expanded ride sharing efforts;

(c) increase peak hour occupancy rates for transit and other high occupancy vehicles; and

(d) other appropriate trip diversion measures.

A.(8) To allow for the finalization of interchange design relative to Improvements #3 and #4 in Table 6, Developer* agrees to reserve, until January 28, 1998, the property which it owns and which lies within the following description:

> Commence at the easterly corner of the existing FDOT right of way north of University Parkway where the limited access terminates, thence westerly along the FDOT right of way, a

distance of 650 feet to the Point of Beginning. From the Point of Beginning, proceed northwest a distance of 1,500 feet to the existing FDOT right of way, thence southeasterly and easterly to the Point of Beginning.

This restriction shall expire on January 28, 1998. If the right of way is dedicated by the Developer* or otherwise acquired by the appropriate governmental agency, then the Developer* may transfer the impacted land uses to other appropriate areas within the Project* with approval of a revised General Development Plan.

A.(9) The Developer* shall submit a Preliminary Site Plan for Phase I, or any subphase thereof, within twenty-four (24) months of the effective date of this Development Order. The Developer* shall further meet the requirements of Section 8. of this Development Order.

A.(10) The schedules of listed improvements may be adjusted at the Developer's* request with submission of adequate data to support any such adjustments, and the Development Order amended as needed in the event that the appropriate agencies determine that:

(a) the Project* is determined by the County* and TBRPC to be in a regional activity center or otherwise designated for alternative levels of service or alternative percentage thresholds in accordance with applicable rules and regulations; or

(b) the appropriate level of service standard for the particular roadway link or intersection is adjusted by the agency(ies) having jurisdiction over such link or intersection. In no event shall any level of service be adjusted if the result of said adjustment is to permit a lower level of service than established by that agency or agencies having jurisdiction at the time of the request for adjustment.

A.(11) The roadway shown on Revised Map H, which generally is oriented in a north/south alignment and connects to the proposed extension of Upper Manatee River Road, shall be required to be designated on the Future Traffic Circulation Map as a collector facility prior to providing any credits for right of way and/or construction. (The requirements of Condition A.(11) have been completed)

A.(12) Access to and from the site will be in accordance with state and local access regulations unless limited by the General Development Plan or any conditions placed thereon, whichever is most restrictive.

Wetlands

B.(1) The portions of the University Lakes site that meet the definition of Conservation or Preservation Areas as set forth in policies 10.1.2 and 10.3.1 of the Council's adopted Future of the Region, A Strategic Regional Policy Plan for the Tampa Bay Region (FRSRPP*) have been designated on Revised Map H.

(a) All wetlands and uplands on-site defined by Council policies as Preservation Areas, as shown on Revised Map H, shall be preserved. No dredging, filling, or development activities shall be allowed within Preservation Areas.

(b) All wetlands and uplands on-site defined by Council policies as Conservation Areas shall be protected from development as shown on Revised Map H.

B.(2) Except for wetland restoration or enhancement and naturally occurring fluctuations, no hydroperiod alteration shall be permitted in Preservation Areas as depicted on Revised Map H. Natural annual hydroperiods, normal pool elevations, and seasonal high water elevations shall be substantially maintained or improved. Hydroperiod monitoring shall be required semi-annually in selected preserved wetlands and initiated prior to on-site construction activity and continued for three years for herbaceous wetlands or five years for forested wetlands following buildout of the subbasin surrounding each wetland monitored. If the hydroperiod monitoring results

demonstrate that Project* activities are inappropriately altering the hydroperiod in Preservation Areas, such activities shall cease until remedial measures are implemented.

B.(3) Any impacted wetlands, not required to be preserved in accordance with Condition B.(1) above and which are depicted as Conservation Areas on Revised Map H, shall be mitigated in accordance with the Manatee County Comprehensive Plan and Land Development Code and the TBRC's SRPP Policies.

B.(4) In addition to meeting the requirements of the Manatee County Land Development Code, the Developer* shall submit a wetland management and mitigation plan for the area to be developed to the County* for approval, and to TBRPC, and SWFWMD for review prior to any wetland alteration. This plan shall address, but not be limited to, identification of wetlands on-site, wetlands to be preserved, proposed wetland alterations, a detailed mitigation plan, control of on and off-site water quality, and methods for hydroperiod maintenance with a detailed narrative and construction plans for mitigated or significantly enhanced (as determined by the County*) wetlands.

The Developer* shall include the following details, at a minimum, in the wetland management and mitigation plan prepared for submittal to the County*:

(a) Identification of existing dry and wet season site conditions;

(b) Narrative descriptions/evaluations of all wetlands to be disturbed by wetland type;

(c) Photographs and 24"x36" plans depicting conditions of the existing wetland creation site and proposed wetland creation plans. (This data shall demonstrate that the appropriate hydrologic requirements shall be provided);

(d) Narrative descriptions of any proposed wetland restoration activities and related issues;

(e) Estimated costs of wetland mitigation/restoration schemes including maintenance and monitoring for appropriate time periods; and

(f) Mitigation plans shall also include:

(1) Area and location of plantings;

(2) Species to be planted and spacing;

(3) Elevations for plantings;

(4) Source of plants or mulch;

(5) Source of wetland soil and depth proposed; and

(6) Monitoring and maintenance plans.

B.(5) If allowable wetland losses require type-for-type (herbaceous or forested) wetland replacement in accordance with stipulation B.(3), mitigation for wetland losses shall be implemented prior to, or concurrent with, the wetlands being disturbed. Created wetlands and littoral shelves shall require monitoring and maintenance activities. Percent survival of plant species in the created wetland or littoral shelf shall meet or exceed Manatee County Comprehensive Plan and Land Development Code success criteria and the TBRC's SRPP Policies. Yearly replanting and maintenance of the mitigation areas shall be required, if necessary, to ensure compliance with the conditions of the Development Order.

B.(6) The Developer* shall provide buffering around all Post-Development Wetlands* to provide an upland transition into the wetland areas and to protect natural systems

from development impact. All such buffers shall be in compliance with the Manatee County Land Development Code.

Vegetation and Wildlife

C.(1) A cumulative assessment of the impacts of the Combined Projects* on listed plant and animal species has been performed as required by the 380 Review Agreement*. The Developer* has provided open space for wildlife in the form of preserved wetlands and the wildlife corridor along Cooper Creek as depicted on Revised Map H. In addition, Developer* shall retain large pines (>4" dbh) where possible in golf course rough for kestrel habitat and include and maintain open grassy areas in golf course rough for burrowing owl habitat. The specific locations of retained pines and open grassy areas shall be shown on the final development plan containing the golf course and shall be submitted to Manatee County for review and approval and to the FGFWFC for comment. However, as the Developer* is planning a large wildlife management area on University Place, the Developer* has prepared (pursuant to the 380 Review Agreement*) a wildlife management plan, as revised June 16, 1992, for the 395 acre Open Use Conservation District within University Place which provides additional protection of any listed species found on University Lakes and University Place. The plan includes information on site maintenance, fire frequency, wetland management, and boundary protection.

In the event that University Place is not approved by Sarasota County with the 395 acre Open Use Conservation District within one (1) year of the effective date of this Development Order or if such Open Use Conservation District is reduced in size by more than ten (10) acres, then within one (1) year of either such date or action the Developer* shall prepare a wildlife management plan to address the impacts of the Project* on any listed species found on University Lakes, except for the gopher tortoise. The Florida Game and Fresh Water Fish Commission (FGFWFC) found that a regionally significant population of gopher tortoise does not exist on University Lakes. However, any taking must comply with FGFWFC rules and the Developer* must obtain a gopher tortoise incidental take permit from the FGFWFC. If a management plan is prepared, pursuant to this paragraph, the plan shall be submitted to the FGFWFC and the Department of Community Affairs for review and to the County* for review and approval.

C.(2) The Developer* shall provide small wildlife crossings (18" culverts) under roadways at the two locations where the north/south collector roadways intersect with Cooper Creek.

C.(3) In accordance with applicable law, the Developer* shall coordinate with the Florida Department of Agriculture and Consumer Services and the County* for proper relocation of any listed species found on-site in addition to the requirements of C.(1) above.

C.(4) Representative tracts of all major natural upland vegetative communities (Live Oak, Pine-Mesic Oak, Pine Flatwoods, Temperate Hardwoods), as depicted on Revised Map H, shall be set aside in their natural state to serve as conservation areas.

C.(5) The removal of naturally-occurring vegetation shall be limited in accordance with the Manatee County Comprehensive Plan. This limitation shall not include the removal of diseased trees or vegetation, or exotic species, or other species approved by the EAC consistent with the provisions of the Manatee County Comprehensive Plan.

C.(6) Areas designated as Preservation Areas on Revised Map H shall be protected in perpetuity by conservation easement or other legal instrument approved by County*.

Land

D.(1) The Developer* shall initiate the following procedures to ensure erosion control during development of the Project*:

(a) Sod, seed, or plant embankment areas of stormwater detention or retention ponds;

(b) Sod, seed, mulch, or landscape cleared or disturbed areas as soon as possible after clearing and grading;

(c) Limit clearing and site work, construction, and clearing to areas needed for immediate development;

(d) Develop asphalt roads as soon as possible;

(e) Initiate landscaping before development work is completed on a site;

(f) Construct sediment basins at the start of each drainage system phase;

(g) Utilize straw filter barriers or filter fabric at discharge points including, but not limited to, temporary discharge points;

(h) Install temporary sediment basins and perimeter dike systems as a first step in the grading process and inspect and clean out the temporary sediment basins on a regular basis; and

(i) Preserve the existing natural vegetation along Foley Creek and Cooper Creek, as depicted on Revised Map H.

Air Quality

E.(1) The Developer* shall, subject to applicable water quality standards, institute the following procedures to ensure dust control during development of the Project*:

(a) Implement a watering program during excavation and dredge and fill operations;

(b) Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;

(c) Treat disturbed areas after clearing, grading, earth moving, or excavation is completed by watering, revegetation, spreading soil binders, or compacting fill material until areas are paved or developed;

(d) Keep soil stockpiles moist, or treat with soil binders or cover;

(e) Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;

(f) Remove dust producing materials as soon as possible;

(g) Maintain 15 mph or less vehicle and equipment speeds on temporary roads;

(h) Sod, seed, mulch, or landscape cleared or disturbed areas, including embankment areas, of stormwater detention or retention ponds as soon as possible after clearing and grading;

(i) Limit site work and construction to areas needed for immediate development;

(j) Develop asphalt roads as soon as possible;

(k) Initiate landscaping before development work is completed on-site; and

(l) Utilize water spray trucks to control dust generation in heavy construction areas.

E.(2) Further Section 380.06(6), Florida Statutes, review will be required for air quality impacts, of Phases II, III, and IV. This Development Order* must be amended prior to granting specific approval to Phases II, III, and IV to address any air quality impacts and to specify any necessary mitigation prior to the commencement of said Phases. This review shall be a cumulative assessment of the Combined Projects*.

Water Quality and Drainage

F.(1) Prior to any site alteration associated with the Project*, the Master Drainage Plan for the Project* shall be submitted to DER, SWFWMD, and EAC for review and to the County* for approval. (The requirements of Condition F.(1) have been completed)

The stormwater management system shall be designed, constructed, and maintained to meet or exceed the applicable requirements of Chapter 17-25, 40D-4, and 17-40, F.A.C. The stormwater management system shall be designed to comply with the provisions relating to the Evers Reservoir Watershed Protection Overlay District by providing treatment, at a minimum, of 150% of the criteria found in Chapter 17-25 and 40D-4, F.A.C. Nothing in this Section F.(1) shall be construed as a waiver by the Developer* of any vested rights, if any, pertaining to approved (as depicted in an approved Preliminary Site Plan for that Phase or subphase) or constructed stormwater facilities. With the exception of any such vested rights, if any, the Project* shall also comply with any special local watershed protection provisions adopted after the approval of this Development Order. An acceptable method for meeting such standards for the treatment of stormwater runoff for the majority of the site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2 of the ADA.

F.(2) Best Management Practices* (BMP) for reducing water quality impacts, as recommended by the County* and SWFWMD in accordance with adopted regulations of these agencies, shall be implemented and may include a street cleaning program for parking and roadway areas within the Project*.

F.(3) The Developer* shall be the entity responsible for maintaining the stormwater management system. The Developers* maintenance and inspection schedule for ensuring proper water quality treatment shall be submitted to the County* for approval, prior to site alteration activities associated with the Project*.

F.(4) Stormwater discharge shall not cause the receiving water body to violate the limits defined in the Class appropriate to that water body. Where background conditions in the water body in question do not meet the applicable standards due to natural causes outside the control of the Developer*, site specific, alternative criteria may be established in conjunction with the County*.

F.(5) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a surface water quality and quantity monitoring program approved by the County* (Completed). This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include provisions for the characterization of pre-construction baseline water quality and quantity conditions of surface water entering and leaving the site. The surface water monitoring program shall also provide the monitoring of surface water quality during periods of construction. In addition, the surface water monitoring program shall include an ongoing plan for monitoring of post-construction surface water quality. The surface water quality monitoring program required pursuant to this condition shall include an identification of the locations, frequency, and duration of sampling, parameters to be monitored, collection and analytical methods, and reporting requirements. All water quality sample collections and laboratory analyses shall be made in accordance with USEPA/FDEP approved methodology. The laboratory performing the analyses shall be certified by the FDHRS and shall have an approved comprehensive quality assurance plan on file with the FDEP. Any violation of federal, state, or local water quality standards shall require corrective measures as required by that authority.

F.(6) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a groundwater monitoring program approved by the County* and EAC. This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include appropriate provisions for the characterization of the pre-development baseline water quality and water level conditions of the site's groundwater. The groundwater monitoring program required pursuant to this condition shall include an identification of well locations, sampling frequency, and sampling duration, as well as parameters to be monitored and applicable collection and analytical methods. (Completed)

Upon completion of the pre-development groundwater program, a report of results will be submitted to the County* for review and approval. In addition to the official laboratory results, the report shall include recommendations regarding monitoring during construction and post-construction. Any proposed construction and post-construction monitoring plans developed pursuant to this condition shall be submitted to the County* for review and approval.

F.(7) In the event that an overall watershed monitoring and reporting program is implemented and satisfies the intent of conditions F.(5) and F.(6), these programs may be discontinued upon the recommendation and approval of such by the County*. The City of Bradenton shall be notified prior to the approval of the discontinuance of this program.

F.(8) To the extent required by applicable law, any shoreline banks created along on-site stormwater detention lakes shall include littoral zones constructed on slopes no steeper than a 4:1 horizontal to vertical ratio and shall be planted in, or allowed to be colonized by, diverse native emergent and submergent vegetation. The Developer* shall ensure, by supplemental replanting, if necessary, at least eighty-five percent (85%) coverage by native aquatic vegetation is established within the littoral zone (to include at a minimum the area between ordinary high water and ordinary low water) in accordance with applicable regulations.

F.(9) The Developer* shall conduct annual inspections of the environmental swale systems on the Project* site to ensure the swales are being properly maintained in keeping with their design and are capable of accomplishing the level of stormwater storage/treatment for which they were designed and intended. Verification of such inspection shall be supplied in each Annual Report.

F.(10) Prior to any site alteration, the Developer* shall develop and submit for approval by the County* an Integrated Pesticide/Herbicide Management Plan (IPMP) and a Hazardous Materials Management Plan (HMMP). (Completed)

Historical and Archaeological Sites

G.(1) The discovery of any historical or archaeological resources during development activities of the University Lakes Project* shall be immediately reported to the Florida Division of Historical Resources (FDHR). If the significance of an archaeological or historical site, discovered during development, is unknown and the site is to be impacted by Project* activities, additional testing shall be required at the site to determine significance. Disposition of such resources shall be determined in cooperation with the FDHR, TBRPC and Manatee County. Treatment of the resources shall be completed before resource-disturbing activities are allowed to continue.

Water

H.(1) The Developer* shall participate, as required by Manatee County ordinances and consistent with any Developer Agreements, in any necessary expansion of potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

H.(2) The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with the SWFWMD rules and regulations. Any existing on-site wells not intended for potable or non-potable uses shall be plugged and abandoned in accordance with Rule 40D-3.041(1), Florida Administrative Code.

H.(3) The Developer* shall require the installation of high efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices, as mandated by the Florida Water Conservation Act (Section 553.14, Florida Statutes). This will include the use of toilets requiring no more than 1.6 gallons per flush in all areas, and installation of self-closing or metered water faucets shall be required in all public and commercial restroom facilities.

H.(4) The Developer* shall maintain all water lines and fire hydrants not dedicated to the County*.

H.(5) The Developer* shall, to the extent non-potable water is available, use only non-potable water to meet non-potable water demands. For purposes of this Approval, "non-potable" water is defined as water emanating from any source other than a public water utility. The Developer* shall submit an acceptable plan to the County* and the TBRPC for the use of non-potable water on-site. The plan shall be completed prior to Final Site Plan approval for any phase or subphase and shall include an implementation timetable, as well as a determination of the availability and feasibility of using reclaimed wastewater or stormwater retention ponds for irrigation purposes, to the extent permitted by law. (Completed)

H.(6) Adequate fire flow and water pressure shall be maintained within the Project's* water supply system.

H.(7) The Developer* shall conform to and further the applicable rules and adopted guidelines of the SWFWMD in regard to protection of the groundwater resources in the Eastern Tampa Bay Water Use Caution Area (WUCA) to the extent then in effect.

H.(8) The Developer* shall use the lowest quality water supply which meets the needs of the intended use, provided that such sources are economically feasible, practically available, and legally permissible.

A plan which investigates the use and feasibility of these alternatives shall be prepared by the Developer* and submitted with the first Annual Report to TBRPC, SWFWMD, the County* for review and further action if warranted. (completed)

H.(9) For the purpose of potable and/or reclaimed water conservation, utilization of xeriscape principles are required in landscaped areas. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall only be irrigated to the minimum extent required to ensure healthy vegetation.

Wastewater

I.(1) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements in any necessary expansion of wastewater service to and consistent with any Developer Agreements for each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project*.

I.(2) No additional permanent septic system shall be permitted within the Project*.

I.(3) Sewer lift stations shall be designed and equipped in accordance with County* regulations.

I.(4) The Developer* shall submit to the County*, prior to each Final Site Plan approval, a monitoring plan to identify and correct any leaks or ruptures of the sewer lines which are maintained by the Developer*. This plan must be approved by the County* and should identify the entity responsible for the monitoring and a time schedule for conducting the inspections. Faulty lines shall be replaced as quickly as possible. A report of inspections, results, and repairs must be included in the Annual Report.

I.(5) The disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (Ordinance No. 91-39).

I.(6) The Developer* shall implement a wastewater reuse system when feasible, as discussed in development condition H.(8) herein.

Solid Waste

J.(1) Within one year of the effective date of the Development Order, or prior to issuance of subsequent Development Approvals* for any non-residential land use within the Project*, whichever occurs later, the Developer* shall prepare a hazardous

substances (including bio-hazardous wastes) and a hazardous waste management plan which shall be reviewed by DEP, TBRPC, approved by the County*, and then distributed by the Developer* to non-residential land users within the Project*.

At a minimum, the plan shall:

(a) Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;

(b) Provide a list of agencies which can be consulted regarding the types, sources, and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;

(c) Provide a list of agencies which can describe generally appropriate disposal methods;

(d) Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances and disposal of hazardous wastes;

(e) Provide a list of agencies which can describe construction requirements for hazardous waste holding areas;

(f) Describe a program to inform owners and tenants of the information contained in the Plan;

(g) Provide a list of agencies which can describe typical spill clean up methods; and

(h) Be updated and distributed to each non-residential land user annually.

(Said Plan has been approved)

J.(2) All Project* tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use shall be included in each Annual Report.

J.(3) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements in any necessary expansion of solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

J.(4) Surface impoundments of hazardous materials and hazardous wastes, land treatment of hazardous materials and hazardous wastes and landfills for hazardous materials and hazardous wastes are prohibited.

J.(5) Individual Tenants shall be required to transport and dispose of hazardous waste in a manner consistent with applicable regulations through restrictive covenants. Individual Tenants shall be encouraged to develop permittable temporary on-site hazardous waste treatment and storage capabilities prior to transport and shall remove hazardous and toxic wastes from the site as soon as is practical. Such transportation of toxic and hazardous materials shall be performed by a company that is accredited by all appropriate agencies in the transportation and handling of such materials.

J.(6) All aboveground and underground pollutant storage tanks systems will be installed, monitored and managed according to applicable Federal, State, and Local regulations.

Recreation and Open Space

K.(1) The Project* shall contain, at a minimum, 403.4 acres of open space (approximately 350.4 acres of wetlands and an estimated minimum of 26.5 acres of mitigation) in addition to approximately 490.8 acres committed to recreation (a 22.6 acre park, a 16.1 acre tennis/boat club, 291.7 acres of golf course, and a lake of some 160.4 acres).

Notwithstanding the above, if the County* should decide the 22.6 acres of park is not needed, then the Developer* shall be able to use the applicable parcel for residential development or as a school site, provided the number of dwelling units is not increased.

K.(2) All recreation and open space areas not deeded to the County* or other state agencies shall be maintained as common open space through deed restrictions or owned by a property owners' association for the Project* or neighborhood within the Project*, as may be appropriate in accordance with the Land Development Code.

K.(3) Except as described in K.(1) above, all recreation, park, and wetland sites, as shown on Revised Map H of the ADA*, shall not be utilized for other uses inconsistent with their designation on said map. Any proposal to change these uses shall be subject to a Substantial Deviation Determination if required by Subsection 380.06, Florida Statutes.

K.(4) The Project's* public parks and public recreational facilities shall be accessible to the elderly, the handicapped, and economically disadvantaged and may be subject to a reasonable agreement between the County* and the Developer* limiting the use as a park facility and times of operation.

Education

L.(1) The Development shall dedicate an elementary school site either adjacent to, or having direct access on, a constructed county-maintained right-of-way and meeting all State and Manatee County new school site requirements upon request by the School Board. The school site shall be deemed to be a part of the Phase I approvals for the Project* and shall be shown on an amendment to the General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. The dedicated school site shall be a minimum of 18 acres, depending upon the characteristics of the site selected and said site shall be selected from property shown as residential, commercial, or business on Revised Map H, and shall be reflected on a revised General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. If the Developer* and the County School Board agree, the dedicated school site may be located off-site on property owned by the Applicant*. If adjacent property is provided as a public park or for emergency services, this acreage may be reduced to a total of fifteen acres.

L.(2) If the County School Board should decide the school is not required, or the selected location is inappropriate, the Developer* shall be permitted to exchange sites, to the School Board's satisfaction, and shall be permitted to use the originally selected parcel for residential development, provided the number of dwelling units approved for the Project* is not increased. Any such exchanges in school sites shall require an amendment to the General Development Plan. If additional recreational opportunities are required, the County* may require dedication of up to five acres of the designated school site parcel for active recreation.

Health Care, Police, and Fire

M.(1) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction and equipping of emergency service facilities for emergency medical services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to December 31, 1997. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law.

M.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of fire protection service facilities for fire protection services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro- rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Final Site Plan or Final Plat for Vertical Development* for Phase I or any subphase thereof. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. (Completed)

M.(3) The Project* shall be designed and constructed to meet or exceed specifications of the applicable Fire Code.

M.(4) The height of buildings allowed in the Project* shall not exceed that appropriate for the available water pressure and fire flows, or exceed the reach of available fire fighting equipment at the time of any Preliminary Site Plan approval for any phase or subphase.

M.(5) Prior to approval of each Final Site Plan, the Developer* shall provide assurance for each increment of development that the site will be supplied to the extent required by applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number and appropriate locations to accommodate fire fighting operations. Additionally, the Developer* shall provide calculations by a Florida registered engineer to the County* indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Braden River Fire Department that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Certificate of Occupancy for the Project* by the County*.

M.(6) The Manatee County Sheriff's Office shall provide typical police protection to each phase or subphase of the Project*. The Developer* shall participate, in accordance with applicable County* ordinances or Developer Agreements, in any expansion of such services necessary to serve the Project* or any phase or subphase thereof.

Economics

N.(1) Excess infrastructure capacity constructed by the Developer* shall be at the Developer's* risk and shall not vest latter development rights not addressed in this approval.

N.(2) The Project* shall promote entrepreneurship and small and minority owned business start-up, and encourage nondiscriminatory employment opportunities, pursuant to Policies 21.2, SCP and 21.5.3, FCRPP, respectively.

N.(3) The development and promotion of a day care system should be encouraged on site and any such day care system shall be in compliance with the Manatee County Land Development Code and any other applicable regulations.

Energy

O.(1) Issuance of Development Approvals* for each phase or subphase shall be dependent upon the ability of electrical or gas utilities to meet the energy requirements of the development.

O.(2) All Project* tenants, businesses, residents, etc. shall be notified in writing by the Developer* prior to occupancy that the following energy related practices are encouraged:

(a) Use energy alternatives, such as solar energy, resource recovery, waste heat recovery, and cogeneration, where economically feasible;

(b) Obtain energy audits provided by energy companies or other qualified agencies;

(c) Install water heater timers and set water heaters at 130 degrees Fahrenheit or lower;

(d) Use landscaping and building orientation to reduce heat gain, where feasible, for all Project* construction;

(e) Promote energy conservation by employees, buyers, suppliers, and the public, as appropriate;

(f) Reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours, as appropriate;

(g) Institute and utilize recycling programs;

(h) Utilize energy efficient packaging or recyclable materials;

(i) Install total energy systems on large facilities when cost effective; and

(j) Elimination of advertising requiring lighting after business hours where feasible.

O.(3) Incorporation of the energy conservation measures referenced on pages 265 and 266 of the ADA* shall be required. A progress report on the energy conservation measures shall be included as a part of each Annual Report.

Affordable Housing

P.(1) A cumulative assessment of the affordable housing needs of the Combined Projects* for Phase I has been performed as required by the 380 Review Agreement*. In order to ensure that employees of University Lakes will find adequate housing opportunities reasonably accessible to their places of employment, the Developer* shall conduct a reanalysis of Phase I development of the Combined Projects* to determine the availability of adequate housing proximate to, or otherwise reasonably accessible to, the development. This analysis shall be submitted when the Developer* has been issued building permits for an amount of non-residential development within the Combined Projects* for which affordable housing units are available. It has been determined that the available supply of affordable housing (945 units) will meet 46.3% of the affordable housing demand created by Phase I of the Combined Projects*. For the purposes of determining when the Combined Projects* has created the need for 945 dwelling units, the following demand ratios shall be used to calculate the number of units of available supply utilized by amount and type of development:

Retail	2,411 square feet/unit
Office	1,507 square feet/unit
Manufacturing	3,192 square feet/unit
Warehouse	3,190 square feet/unit
Hotel	6 rooms/unit

P.(2) Once the Combined Projects* have created the need for 945 affordable housing units, no further development shall be permitted in University Lakes until the Developer*, pursuant to the Notice of Proposed Change provisions, has submitted a re-analysis of the affordable housing needs of Phase I of the Combined Projects* and the Development Order, pursuant to the Notice of Proposed Change provisions, has been amended to incorporate appropriate mitigation measures for affordable housing. This analysis and determination shall be accomplished using a methodology reviewed by TBRPC and approved by the County* and the Department of Community Affairs, and shall reassess the affordable housing impacts utilizing actual Combined Projects* experience where best available data exists. The result of such analysis shall be reviewed by TBRPC and approved by the County* and the Department of Community Affairs. If such analysis approved by the County* and the Department of Community Affairs indicates that the development will create need for affordable housing that is not being provided by other residential developments proximate (as defined in the approved methodology) to the development and if such analysis indicates that the development would not further the creation of adequate housing opportunities reasonably accessible to places of employment (as determined by the approved analysis), then the Developer* shall

prepare a Housing Affordability and Implementation Plan (HAIP) and have the HAIP adopted by Manatee County as an amendment to this Development Order. The adoption of the HAIP as an amendment to this Development Order shall not be deemed to constitute a substantial deviation pursuant to Chapter 380.06, Florida Statutes. The HAIP shall comply with the goals and standards established by the TBRPC's Comprehensive Regional Policy Plan and the Manatee County Comprehensive Plan in effect as of this Development Order, and all applicable rules established by the state land planning agency at the time of the preparation of the HAIP.

At a minimum, the HAIP shall contain:

1. Specific provisions for the delivery of affordable housing proximate to the Combined Projects* to meet the demands created by the Combined Projects*. In addition, the HAIP may contain specific provisions for off-site housing in lieu of on-site housing if on-site housing is not permitted or is impractical;

2. Specific mechanisms for HAIP implementation;

3. Provisions to ensure continued adequacy of units; and

4. Monitoring provisions.

In addition, the HAIP, may contain specific provisions for the contribution of monies to an Affordable Housing Trust Fund that shall be administered by the appropriate County* agency. The method of determining the proportionate share of monies which may be required to be contributed, based upon the actual impacts of the development, shall be determined during the methodology meetings for preparation of the HAIP;

Specific approval of Phases II, III and IV is conditioned on further Section 380.06(6), Florida Statutes, (submittal of a substantial deviation application for development approval) review on affordable housing, as well as the other specific issues listed elsewhere in this Development Order. The Developer* shall conduct an affordable housing study based on a methodology agreed to pursuant to said review. If the study indicates that the additional development for which the Developer* is requesting approval will create the need for affordable housing that is not being provided within the Project* or within an area proximate (as determined by the approved methodology) to the Combined Projects*, the Development Order shall be amended to include appropriate mitigation. The affordable housing needs of the Combined Projects* shall be mitigated using those measures that are in effect at the time specific approval of a later phase is requested.

P.(3) Payments made by the Applicant under the provisions of law may be credited against any contributions which may be required under the provisions of the HAIP or subsequent housing analyses, if requested by the Developer* and approved by the County*.

General Conditions

Q.(1) Should the Project* significantly depart from the parameters set forth in this Development Order and the ADA*, the Project* will be subject to a Substantial Deviation Review, pursuant to Section 380.06, Florida Statutes. Any change to the Project* which meets the criteria set forth in Subsection 380.06(19), Florida Statutes, shall require a hearing to determine if the change constitutes a Substantial Deviation.

Q.(2) The Developer's* commitments set forth in the ADA*, and, as summarized in Section 6 herein, shall be honored, except as they may be superseded by specific terms of the Development Order.

Q.(3) Should the Developer* divest itself of all interest in the Project* prior to the expiration of the Development Order, the Developer* shall designate the successor

entity to be responsible for preparation of the Annual Report, subject to approval by the County*.

Q.(4) All Development Approvals* shall be obtained prior to September 13, 2019. This Development Order shall expire 5 years after the buildout date to allow for post-development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

Q.(5) A Preliminary Site Plan for each phase shall be required.

Q.(6) The Developer* shall make appropriate efforts to coordinate with, and inform the appropriate public authorities of, the feasibility of the proposed school site for hurricane shelter, building closings, security and safety precautions, and evacuation plans.

Q.(7) Except for any existing use or for construction offices and similar temporary uses, or any use on the school site or park site, or other use by a public agency, any proposal to utilize mobile homes on the site shall require a Substantial Deviation Determination, pursuant to the procedures in 380.06(19)(a), Florida Statutes.

Q.(8) The Developer*, its successors, assigns or transferees, shall submit Annual DRI Reports in accordance with Section 380.06(18), Florida Statutes to the County*, TBRPC, the State Land Planning Agency, and other agencies, as may be appropriate, on the anniversary of the effective date of this Development Order and each year thereafter until such time as all terms and conditions of this Development Order are satisfied. Six (6) copies of this report shall be submitted to the Director of the Manatee County Planning Department or the Director's designee, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the Planning Director decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification, or change of any conditions, or any terms or conditions of this Development Order. The Annual Report shall contain the following:

(a) Any changes in the plan of development, or in the representations contained in the ADA*, or in the phasing or land uses for the reporting year and for the next year;

(b) A summary comparison of development activity proposed and actually conducted for the year;

(c) Undeveloped tracts of land, other than individual single-family lots, that have been sold to a separate entity or Developer*;

(d) Identification and intended use of lands purchased, leased, or optioned by the Developer* adjacent to the original DRI site since the Development Order was issued;

(e) An assessment of the Developer's* and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the Application for Development Approval* and which have been identified by the County*, TBRPC, or DCA, as being significant;

(f) Any known incremental DRI Applications for Development Approval* or requests for a Substantial Deviation Determination that were filed in the reporting year and to be filed during the next year;

(g) An indication of a change, if any, in local government jurisdiction for any portion of the Project* since the Development Order was issued;

(h) A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

(i) A copy of any recorded notice of the adoption of a Development Order for the subsequent modification of an adopted Development Order that was recorded by the Developer* pursuant to Subsection 380.06(15)(f), Florida Statutes;

(j) A statement that all persons have been sent copies of the Annual Report in conformance with Subsection 380.06(15) and (18), Florida Statutes;

(k) Information on the actual prices and rents of housing units constructed relative to the then-current Department of Housing and Urban Development (HUD) affordable housing guidelines;

(l) Reports or information pursuant to conditions A.(6), A.(7), J.(2), and O.(3).

Q.(9) All proposed modifications to University Lakes will be reviewed based on the Combined Projects* to determine whether the proposed modification will exceed any of the criteria set forth in Chapter 380.06(19), Florida Statutes.

In the event the University Place Development Order is amended by Sarasota County to allow development inconsistent with Table 3 or Table 4 of the University Lakes Development Order, then upon expiration of the 45-day appeal period of the amendment or, if the amendment is appealed, upon settlement of the appeal, the Developer* shall apply for an amendment to the University Lakes Development Order, and Manatee County subsequently shall consider an amendment to the University Lakes Development Order to make it consistent with the University Place Development Order. A Notice of Proposed Change, pursuant to Subsection 380.06(19), Florida Statutes, shall not be required for the amendment to the University Lakes Development Order, as described above, to make it consistent with the University Place Development Order, but shall require the requisite public hearings under Chapter 125, Florida Statutes, and the Land Development Code. However, such Development Order amendment adopted by Manatee County must be rendered to the Department, pursuant to Subsection 380.06(19), Florida Statutes. If the amendment to the University Lakes Development Order is consistent with the amendment to the University Place Development Order or any settlement of an appeal of the University Place Development Order amendment, then DCA shall not appeal the amendment.

The substantial deviation criteria set forth herein are not applicable to land use exchanges which are authorized pursuant to Sections 4.B. and 4.C. of this Development Order. Additions to the amount of development in a particular land use category resulting from the use of the exchange mechanism are permitted only in conjunction with the simultaneous reduction from another specifically approved use and do not authorize additional development beyond that which has received specific Development Order Approval.

Q.(10) Unless otherwise expressly stated in this Ordinance , the Project* shall comply with all future amendments to the Land Development Code and the Comprehensive Plan.

Q.(11) Wherever in this Development Order the Developer* is required to file a Notice of Proposed Change, the Developer* shall send a copy of said NOPC to Sarasota County and SWFRPC.

Q.(12) In the event of a Development Order appeal or other legal challenge of this Development Order by the Department of Community Affairs, the Developer* shall pay all reasonable costs and fees of County* staff and attorneys relating to said appeal or legal challenge at the rate for processing this Development Order under the current Planning fee schedule. Payment of all billings by the Developer* related to such fees and costs shall be paid within forty five (45) days of submittal of an invoice.

Section 6. DEVELOPER* COMMITMENTS

The following are Developer* commitments set forth in the ADA* which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order or applicable law.

A. GENERAL PROJECT* DESCRIPTION

A.(1) The three designated community commercial areas will be developed in compliance with the adopted Comprehensive Plan in terms of permitted uses, maximum square footage, floor area ratio, and location on the road network. (SR, 17 & 18)

A.(2) All requirements of the Evers Reservoir Watershed Overlay District will be met within this Project*. (ADA*, 16)

A.(3) Neighborhood oriented retail areas will be located within the community commercial parcels which lie within the RES-1 Future Land Use Classification. (SR, 13)

A.(4) The Project* will construct, or cause to be constructed, two major thoroughfares, University Parkway and the extension of Upper Manatee River Road. (SR, 93)

B. WETLANDS

B.(1) The existing wetlands and proposed mitigation areas will have 50-foot wetland buffers around DEP wetlands and 30-foot buffers around wetlands within the jurisdiction of ACOE and SWFWMD, as shown on Revised Map H. (ADA*, 16)

B.(2) A total of approximately 312.2 Acres of native wetland habitats on-site will be preserved. (ADA*, 65)

B.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (ADA*, 21)

C. WATER

C.(1) The pesticides, herbicides, and fertilizers used on grassed areas of the University Lakes site will be applied in strict accordance with the manufacturer's application guidelines to avoid negative impacts on surface water quality. (SR, 175)

C.(2) Erosion controls will be of primary importance in preventing fertilizer runoff. Soil tests will be conducted to avoid application of unnecessary types, rates, and amounts of fertilizers. Applications will be made when adequate soil moisture exists and likelihood of major storm event is minimal. (SR, 32)

C.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (SR, 33)

D. SOILS

D.(1) All of the methods described on pages 140 and 143 of the ADA* will be utilized to overcome the soil limitations on-site. (ADA*, 140 & 143)

D.(2) The wind and soil erosion abatement methods listed in the ADA* will be followed. (ADA*, 143)

E. FLOODPLAINS

E.(1) Any loss of 100-year floodplain storage volume will be compensated by the excavation and creation of equal storage volume within the 100-year floodplain. (ADA*, 147)

F. WATER SUPPLY

F.(1) The internal potable water supply system will be constructed to Manatee County standards and dedicated to Manatee County where the potable system exists in proposed public rights-of-way. (ADA*, 155)

F.(2) Non-potable water conservation will be accomplished through the use of xeriscaping and preservation of existing native vegetation communities in accordance with applicable provisions in the Manatee County Land Development Code. (ADA*, 157)

G. STORMWATER MANAGEMENT

G.(1) All off-site runoff is to be routed through or around the property. There are five areas where off-site flow will be accepted into the stormwater management system, totaling 50.2 acres along the southern boundary and 12.6 acres along the northern boundary. (ADA*, 167)

G.(2) The stormwater management system will accept all existing off-site flows from Sarasota County. (SR, 190)

G.(3) The primary method for treatment of stormwater runoff for virtually the entire site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2. (ADA*, 172)

G.(4) The wet detention system will incorporate vegetated littoral zones which will equal approximately 15 to 20 percent of the surface area of the stormwater detention ponds. Sediment sumps will be provided at all inflow locations. (ADA*, 174)

G.(5) The hydroperiods of all on-site wetlands will be maintained except as depicted on Revised Map H. (ADA*, 176)

G.(6) Water levels in the detention ponds will be designed to be compatible with wetland seasonal high water tables and existing upland water tables. (ADA*, 183)

G.(7) Litter and debris which is captured within the stormwater treatment ponds will be periodically removed during routine clean-up of the Project's* open space areas and pond system. (SR, 104)

H. SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE

H.(1) The Applicant will investigate the possibility of mulching trees and brush that will be removed as land clearing operations commence, for the purpose of retaining mulch to meet the on-site needs. (SR, 109)

I. TRANSPORTATION RESOURCES

I.(1) The Project* will construct or cause to be constructed University Parkway and the extension of Upper Manatee River Road. (ADA*, 23)

I.(2) The segment of University Parkway through the site will be dedicated to Manatee County and will include 200 feet of right-of-way. (SR, 72)

I.(3) The Applicant is proposing dedication of all necessary right-of-way with regard to roadways located in the Project* as shown on Revised Map H. (SR, 132)

J. AIR

J.(1) The Project* will utilize current state-of-the-art methodologies for prevention of fugitive dust particulates during construction. (ADA*, 21)

J.(2) Clearing and grubbing operations will be performed only on individual parcels of land where construction is scheduled to proceed. Measures to be employed to minimize fugitive dust will include sodding, seeding, mulching, or landscape planting in cleared or disturbed areas. (ADA*, 226)

K. POLICE AND FIRE PROTECTION

K.(1) The Applicant/Developer* will provide a pro rata share for any equipment or personnel needs that may be created by this Project* for police and fire protection

and emergency medical services in accordance with applicable regulations. (ADA*, 25)

K.(2) The Developer* will provide a pro-rata share of the cost of building and equipping the facilities needed to provide emergency medical services to the Project*. (ADA*, 259)

L. RECREATION AND OPEN SPACE

L.(1) All proposed bike and pedestrian paths will be confined to appropriate areas outside of preservation areas in accordance with applicable laws and regulations. (SR, 83)

L.(2) The Project* will feature pedestrian ways and bikeways throughout the development, connecting the housing area to the recreational areas and the commercial areas. (ADA*, 9; SR, 207)

L.(3) University Lakes will have major active recreational land uses comprising over 18 percent of the total Project* acreage. The project will contain a tennis and swim club and boat clubhouse which will be located on the 160.4 acre lake. It will also contain a park, golf course, clubhouses, and driving ranges. (ADA*, 9)

L.(4) The recreational lakes, tennis and boat club, and golf course may be maintained and operated by a private owner and may require private membership or use permits. Open space and environmentally sensitive land will be protected by covenants or conservation easements to protect the natural qualities and will be conveyed to the appropriate homeowners' or master homeowners' association for maintenance. (ADA*, 252-253)

M. EDUCATION

M.(1) The Project* will provide a financial contribution or donation of land to the educational system for the purpose of building schools to service the residential component of the Project*, facilitating educational opportunities within close proximity for the school age children of the Project*. (ADA*, 24)

N. ENERGY

N.(1) The Project* will utilize both electric power and natural gas as sources of energy. Energy conservation techniques, including the use of landscaping, building orientation, and natural vegetation will be used to promote energy conservation. (ADA*, 27)

N.(2) If the need for an electric substation arises, a suitable location will be determined and provided to Florida Power and Light Company. (SR, 86)

N.(3) The traditional energy conservation methods will be used in the residential and non-residential building construction. Some of these methods are:

(a) increased insulation;

(b) high efficiency-type mechanical appliances;

(c) cross ventilation;

(d) window orientation;

(e) solar heating and cooling systems; and

(f) low pressure sodium lamps for exterior lighting. (ADA*, 265-266)

N.(4) The Developer* will implement, where feasible, the energy conservation measures described in the ADA*. (ADA*, p.263)

O. AIR

O.(1) The Developer* will implement the steps described in the ADA* to minimize fugitive dust emissions from wind erosion of disturbed soil surfaces, movement of construction equipment, and burning of cleared vegetative material. (ADA*, 226)

O.(2) The level of service of all roadways in the Transportation Impact Area* will be maintained at LOS D or better, thereby maintaining air quality. (ADA*, 228)

P. WATER SUPPLY

P.(1) The Developer* will consider the use of surface water from detention ponds as a supplement to groundwater resources. (ADA*, 154)

P.(2) Non-potable water conservation measures will include xeriscaping and preservation of native vegetative communities. If permitted, the Developer* would also consider the use of treated effluent from the County's* regional wastewater treatment facilities. (ADA*, 157)

Q. WATER QUALITY AND DRAINAGE

Q.(1) The primary method of treatment will be wet detention with effluent filtration utilizing a double underdrain system. The required level of treatment will be exceeded further by the use of biological filtration utilizing vegetated shallow shelves within the stormwater detention ponds. The on-site 160 acre lake will also be incorporated into the stormwater management system providing an opportunity to utilize extended residence time as an additional mitigative measure. (ADA*, 128)

Q.(2) Existing on-site wetlands will form an integral part of the stormwater management system, providing a mechanism for hydroperiod maintenance, storage, and improved surface water quality. (ADA*, 168)

Q.(3) All major drainageways and lake outfalls will be designed based upon a 25-year/24-hour storm event as provided in the ADA*. All interior and minor drainage systems are to be designed to a 10 year critical duration storm event. While runoff volume will increase with total development, the post-development 25-year/24-hour peak discharge rate will be maintained at or below to pre-development 25-year/24-hour peak discharge rate throughout the construction phases. (ADA*, 171)

Q.(4) The stormwater treatment system will meet FDEP Stormwater System Design Standards for discharge into Outstanding Florida Waters, as provided by Chapter 403, Florida Statutes, and Chapters 17-302, 17-4, and 17-25, F.A.C. (ADA*, 172)

Q.(5) Wetland hydroperiods will be maintained through the introduction of pre-treated stormwater ponds upstream of those wetlands. (ADA*, 176)

SECTION 7. LEGAL DESCRIPTION

Development of University Lakes shall be restricted to the 2,422.5 acres owned by the Developer* and described by the legal description included as Attachment #6 attached to, and made a part of, this Development Order.

SECTION 8. DEADLINE FOR COMMENCEMENT OF CONSTRUCTION

Physical development of the Project* shall commence within three years of the effective date of this Ordinance unless the time period for commencement is extended by the Board of County Commissioners (Development has commenced). If more than three years shall elapse between approval of this order and commencement of actual development, or if construction of a phase is not begun or completed by the time frame contained in Section 4. above, or if any five year period shall expire without significant development activity on the site, the Board of County Commissioners may conduct a public hearing in accordance with the Land Development Code and may, at its option, rescind any and all approvals granted herein. Any delay in construction commencement shall not be deemed to extend any time frame for completion of construction, commencement of subsequent phases, or the termination date of this Development Order. For the purpose of this provision, "significant development" shall

be the actual construction of site improvements or buildings as part of an ongoing effort to prepare improved land or buildings for sale, lease, or use.

SECTION 9. RESTRICTIONS ON DOWN-ZONING

Prior to October 13, 2019, the County* may not down-zone or reduce the intensity or unit density permitted by this Order, unless the County* can demonstrate that:

(a) substantial changes in the conditions underlying the approval of the Order have occurred; or

(b) the Order was based upon substantially inaccurate information provided by the Developer*; or

(c) the change is clearly established by the County* to be essential for the public health, safety, or welfare.

Any down-zoning or reduction of intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for changes in local land development regulations.

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order.

The inclusion of this Section is not to be construed as evidencing any present or foreseeable intent on the part of the County* to down-zone or alter the density or intensity of the Project*, but is included herein to comply with Section 380.06(15)(c)3, Florida Statutes.

SECTION 10. BINDING ORDER UPON DEVELOPER*

This Development Order shall be binding upon the Developer*.

SECTION 11. RENDITION

The Planning Department is hereby directed to send certified copies of this Order within thirty (30) days of the date of signature by the Chairman of the Board of County Commissioners to the Developer*, the Florida Department of Community Affairs, and TBRPC.

SECTION 12. NOTICE OF RECORDING

The Developer* shall record a notice of adoption of this Order as required pursuant to Chapter 380, Florida Statutes, and shall furnish the Planning Department a copy of the recorded notice.

SECTION 13. SEVERABILITY

It is the intent of this Development Order to comply with the requirements of all applicable law and constitutional requirements. If any provision or portion of this Development Order is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then such provision or portion shall be deemed null and void, but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 14. EFFECTIVE DATE

This Ordinance, 97-61, shall take effect upon being signed by the Chairman of the Board of County Commissioners, the receipt of an official acknowledgement from the Department of State and the expiration of any appropriate appeal period, which date shall be the effective date of this Ordinance or the effective date of this Development Order as the terms may be used herein.

SECTION 15. AMENDMENT OF DEVELOPMENT ORDER FOR DRI NO. 22.

The previous Development Order for University Lakes which was adopted on June 1, 1992 and all subsequent amendments are hereby replaced in their entirety.

ADOPTED AND APPROVED with a quorum present and voting the 16th day of December, 1997.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____
Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

_____

ATTACHMENTS #1, #2, #4, AND #5

ARE NOT ATTACHED BUT ARE ON FILE AT THE CLERK'S OFFICE
AS ATTACHMENTS TO THE PREVIOUSLY APPROVED ORDINANCE 93-25

1. Affordable Housing Analysis
2. 380 Review Agreement
4. Map J (attachment 5 of Ord 93-25)
5. Traffic Impact Table (attachment 6 of Ord 93-25)

LAND USE SCHEDULE

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	704.0		3,137
REGIONAL COMMERCIAL	72.3	1,240,000	
COMMUNITY COMMERCIAL	37.5	381,000	
HIGHWAY COMMERCIAL	28.0	400,000 *	
BUSINESS	128.4	1,968,000	
RIGHT-OF-WAY	178.4		
RECREATION	330.4		
WETLANDS	376.9		
LAKES	358.8		
OPEN SPACE	210.0		
TOTAL	2422.5	3,989,000	3,137

* Includes 300 room Hotel

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- LAKES
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- EXISTING WATER WELLS

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS

GENERAL NOTES

2. Minimum Lot Size, Setbacks and Heights

Uses	Height Maximum (Ft.) ****	Lot Width (Ft.) *	Front Setback (Ft.)	Side Setback (Ft.)	Rear Setback (Ft.)	Minimum Lot Size (Sq. Ft.)
Single-Family	35	45 – 75	20/15 ***	[illegible]	15	[illegible]
Single-Family	35	80 or greater	25/20 ***	6	15	[illegible]
Zero Lot Line	35	45	20/15 ***	0/10 **	15	[illegible]
[illegible]	35	[illegible]	20/15 ***	[illegible]	15	[illegible]
Multi-Family	4 stories	–	20	[illegible]	25	[illegible]
Commercial	35	–	40	15	25	7,500
Office/Hotel	10 stories	–	40	15	20	7,500
Business	[illegible] stories	–	30	15	20	7,500
School, Park, Recreation Center	35	–	25	15	15	N/A

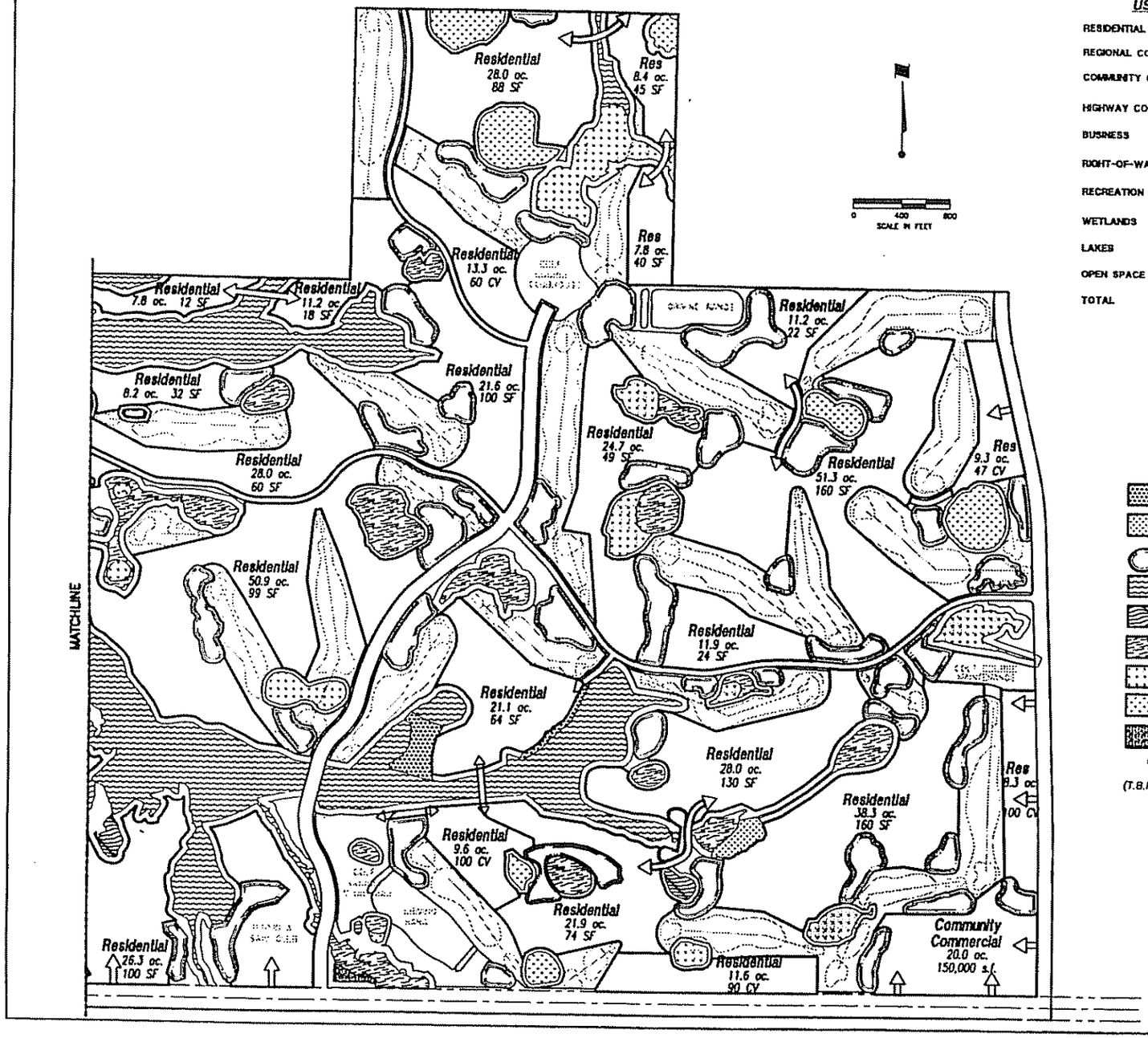
GENERAL DEVELOPMENT PLAN
FOR
UNIVERSITY LAKES

WILSON, MILLER, BARTON & PEEK, INC.

Date: Nov. 15, 1991

Sheet: 1 of 9

Attachment 3 (page 1 of 3)



LAND USE SCHEDULE

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	704.0		3,137
REGIONAL COMMERCIAL	72.3	1,240,000	
COMMUNITY COMMERCIAL	37.5	381,000	
HIGHWAY COMMERCIAL	28.0	400,000 *	
BUSINESS	126.4	1,958,000	
RIGHT-OF-WAY	178.4		
RECREATION	330.4		
WETLANDS	378.9		
LAKES	358.6		
OPEN SPACE	210.0		
TOTAL	2422.5	3,959,000	3,137

* Includes 300 room Hotel

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- LAKES
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- EXISTING WATER WELLS

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS

GENERAL DEVELOPMENT PLAN

FOR

UNIVERSITY LAKES

Revision Dates: Feb. 28, 1997
Revision Dates: Nov. 7, 1995
Revision Dates: Sept. 6, 1995

WILSON, MILLER, BARTON & PEEK, INC.

Date: Nov. 15, 1991

Sheet: 2 of 9

Attachment 3 (page 2 of 3)

GENERAL NOTES

1. Permitted Uses of Tracts Shown

Single-Family (SF)

Single-family uses are primarily intended to be developed with single-family detached, and single-family semi-detached dwellings and related accessory uses. Also allowed are uses as permitted in the RSF District, except for the following:

Funeral Homes
Funeral Chapels
Cemeteries (Pet or Human)

The following community services uses:

Cultural Facilities
Emergency Shelters
Out-Patient Treatment Facilities
Post Offices
Residential Treatment Facilities

Cluster Villas (CV)

Cluster villa tracts are primarily intended to be developed with single-family attached and single-family semi-detached dwellings and related accessory uses. Also allowed are uses as permitted in the RSF District, except those excluded from single-family tracts, cluster villas and residential resort units.

Cluster Villa shall mean a dwelling which is joined to another such unit in a group of two (2) but not more than nine (9) units by a common party wall, floor/ceiling and/or connecting permanet structure such as breezeway, carport, or garage, where the dwellings are located on adjoining lots, such as townhouses, or on a commonly owned lot such as condominiums or residential resort units.

Multi-family (MF)

Multi-family tracts are primarily intended to be developed with multi-family dwellings and related accessory uses. Also allowed are uses as permitted in the RMF District, except those excluded from single-family tracts and residential resort units.

Residential Resort Units

Residential resort units (i.e., units which are leased for less than 28 consecutive days and/or time-share units) shall be permitted in CV and MF tracts, provided that they are planned and designed for such use, are segregated from adjacent residential by a 50' minimum landscape buffer and are not accessed (except for emergency vehicles) through single family neighborhoods.

Business

Business tracts will primarily be developed with research and development, hotels, and uses as permitted in the PDO and LM Districts and related accessory uses. Uses which are not permitted are:

Animal Products Processing
Animal Rehabilitation Center
Animal Shelter/Boarding
Agricultural Products Processing Plants
Motor Vehicle Repair, Major
Heliport (Helistops are permitted)
Flea Markets, Enclosed or Open
Lumberyard
Outdoor Firing Ranges
Service Stations which primarily serve trucks ("truck stops")

Commercial (Community, Highway, and Regional) in MU Areas

Commercial tracts within the MU land use classification will be primarily developed with uses as permitted in the PDC District and related accessory uses, except the following:

Animal Rehabilitation Center
Animal Shelter/Boarding
Breeding Facility
Flea Markets, Enclosed or Open
Heliport (Helistops are permitted)
Game Preserve
Cemeteries (Pet or Human)
RV Parks
Service Stations which primarily serve trucks ("truck stops")

Commercial (Community) in RES-1 Area

Commercial Tracts within the RES-1 land use classification will primarily be developed with uses as permitted in the NC District and related accessory uses, except the following:

Cemeteries (Pet or Human)
Service Stations which primarily serve trucks ("truck stops")

Other Permitted Uses

Hospitals are permitted uses within Business or Commercial tracts in MU areas

Interim Uses

Agricultural uses are permitted interim uses as per item 12 below.

2. Minimum Lot Size, Setbacks and Heights

Uses	Height Maximum (Ft.)****	Lot Width (Ft.)*	Front Setback (Ft.)	Side Setback (Ft.)	Rear Setback (Ft.)	Minimum Lot Size (Sq.Ft.)
Single-Family	35	45 ~ 79	20/15 ***	6	15	4,950
Single-Family	35	80 or greater	25/20 ***	8	15	4,950
Zero Lot Line	35	45	20/15 ***	0/10 **	15	4,950
Duplex	35	80	20/15 ***	8	15	8,000
Multi-family	4 stories	-	20	10	25	8,000
Commercial	35	-	40	15	20	7,500
Office/Hotel	10 stories	-	40	15	20	7,500
Business	6 stories	-	30	15	20	7,500
School, Park, Recreation Center	35	-	25	15	15	N/A

* Minimum lot width is 45 feet measured at setback line.
** Applies to one side (when one yard is measured at zero (0) feet the other yard must be ten (10) feet.
*** Front setback for units with side entry garages.
**** In instances where structures are proposed adjacent to I-75, for each 1 foot of height over 35 feet, the setback from the I-75 right-of-way shall be increased by 1 foot. Structures which are proposed to be located within 200 feet from the Project boundary on sites which are adjacent to off-site residential zoning or uses shall be limited to four (4) stories. Structures which are proposed to be located within 400 feet of I-75 cannot exceed six (6) stories.

3. Special Main Street Area Setbacks/Parking

For the purpose of this ordinance, the Main Street Area refers to that area contained by and served by Main Street, Nature's Way and Health Park Way.

Regardless of other provisions of this ordinance relating to the establishment of setbacks, there shall be a setback line for any building or structure on property abutting any of the streets herein named. The special setback line line shall be eight (8) feet from the edge of the existing right-of-way.

On-street parking and off-street parking will be permitted within the Main Street Area.

4. Corner Lots

The setback for the secondary front yard of corner lots shall be a minimum of fifteen (15) feet.

Where side yards are adjacent to rear yard of corner lots, the driveway on the adjacent lot (non-corner lot) shall be located on the opposite side of the lot from the corner lot.

5. Buffering/Screening

Buffering and screening shall be provided in accordance with Section 715 and 737 of the Land Development Code.

Where residential uses abut Lorraine Road, the Developer shall provide a twenty (20) foot landscaped buffer immediately adjacent to the right-of-way. This buffer shall consist of a 3' high berm measured from the proposed finish grade of the road right-of-way, with trees and shrubs planted on the berm to create a 6-8' high hedge. The hedge will consist of suitable plant material (i.e. Wax Myrtle, Viburnum ordora, Ligustrum jap) installed from 15 gallon containers, measuring 5-8' overall height, placed on alternating 5-7' centers. This landscaped buffer shall be installed prior to the issuance of the first Certificate of Occupancy for a residential structure within the adjacent development area.

In those cases where there is existing vegetation that effectively meets this criteria, no additional planting will be required.

All landscaped buffers will be irrigated by an automatic irrigation system and maintained by SMR Communities, the Community Development District, or the appropriate homeowner association.

6. Parking

Except as permitted in note #3 above, parking shall be provided in with Section 710 of the Manatee County Land Development Code.

7. Project Access

The alignment of all internal roadways and the location of all project access points is approximate. Exact alignments are subject to change pursuant to review by Manatee County during the site plan/subdivision review process.

8. Drainage

The developer has elected, pursuant to Subsection 380.06(5)(c), Florida Statutes, to be bound by the provisions of Chapters 403 and 373 in effect at the time that the Development Order for the University Lakes project is issued. Accordingly, to the extent that the provisions of Subsection 380.06(5)(c), Florida Statutes, affect the determination as to which laws, rules, or regulations are applicable to the University Lakes project, said determination shall apply.

Location and size of retention areas shown are conceptual and subject to refinement at the final site plan phase.

9. Water and Wastewater Service

Water and wastewater service will be provided by Manatee County.

10. Development Mix

Trade-offs in types and intensities/densities of approved land uses may be made as permitted in the Development Order and Zoning Ordinance.

11. Wetlands

Acreage and location of environmental areas and mitigation areas are approximate and are subject to final determination by appropriate agencies.

Wetland buffers will be provided as required by Section 719, Land Development Code.

Mitigation will be as required by Section 719, Land Development Code.

12. Agricultural Uses

Interim use of the site for agricultural uses shall be permitted prior to and during site development. The permitted borrow pit operation may be continued to fulfill the obligations of the Special Permit.

13. Signs

On-site signs will be in accordance with Sections 724 and 737, Land Development Code.

14. Parcels have not been surveyed and acreages shown are approximate. Parcels are subject to future subdivision in accordance with the Land Development Code.

MATCHLINE

GENERAL DEVELOPMENT PLAN FOR UNIVERSITY LAKES

Revision Date: Nov. 2, 1995 **Revision Date: Feb. 26, 1997** **Revision Date: Aug. 01, 1997** **Revision Date: Dec. 08, 1997**
Revision Date: Sept. 6, 1995 **Revision Date: May 12, 1997** **Revision Date: Aug. 25, 1997**

WILSON, MILLER, BARTON & PEEK, INC.
ENGINEERS SURVEYORS PLANNERS ENVIRONMENTAL CONSULTANTS
LANDSCAPE ARCHITECTS CONSTRUCTION MANAGERS
133 South McIntosh Road
Sarasota Florida 34232
(813) 371-3690 Fax (813) 377-9852

Date: Nov. 15, 1991

Sheet: 1 of 9

Index No. d-2659-5

Dec 08, 1997 - 11:55:40 D:\E_N\MAD\095330\N\3559\DEVNES1.dwg

ATTACHMENT #6

LEGAL DESCRIPTION FOR
A TRACT OF LAND SITUATED AND BEING IN SECTIONS 28, 29, 31, 32 AND 33, TOWNSHIP 35 S, RANGE 19 E AND SECTION 36, TOWNSHIP 35 S, RANGE 18, MANATEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 29, 30, 31 AND 32, TOWNSHIP 35 S, RANGE 19 E., FOR A POINT OF BEGINNING; THENCE N 00°22'41" E, ALONG THE WEST LINE OF SAID SECTION 29, A DISTANCE OF 2656.57 FT. TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE S 89°30'30" E, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 1337.72 FT. TO THE NORTHEAST CORNER OF THE WEST 1/2 OF SAID SOUTHWEST 1/4; THENCE S 00°27'02" W, ALONG THE EAST LINE OF SAID WEST 1/2 OF THE SOUTHWEST 1/4, A DISTANCE OF 2656.59 FT. TO THE SOUTHEAST CORNER OF SAID WEST 1/2 OF THE SOUTHWEST 1/4; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 29 (ALSO BEING THE NORTH LINE OF SECTION 32, TOWNSHIP 35 S, RANGE 19E), A DISTANCE OF 4003.06 FT. TO THE SECTION CORNER COMMON TO SECTIONS 28, 29, 32 AND 33, TOWNSHIP 35 S, RANGE 19 E; THENCE N 00°40'07" E, ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 2236.01 FT; THENCE S 89°31'24" E, PARALLEL WITH THE NORTH LINE OF SAID SECTION 28 AND 3077.34 FT. SOUTHERLY THEREFROM, A DISTANCE OF 2665.72 FT. TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 28; THENCE S 00°45'47" W, ALONG THE EAST LINE OF SAID WEST 1/2, A DISTANCE OF 2236.80 FT. TO THE INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 28; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 28 (ALSO BEING THE NORTH LINE OF SECTION 33, TOWNSHIP 35 S, RANGE 19 E), A DISTANCE OF 2662.03 FT. TO THE NORTHEAST CORNER OF SAID SECTION 33; THENCE S 01°24'24" W, ALONG THE EAST LINE OF SAID SECTION 33, A DISTANCE OF 6019.29 FT. TO THE SOUTHEAST CORNER OF SAID SECTION 33, THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 33 (ALSO BEING THE COMMON LINE BETWEEN MANATEE AND SARASOTA COUNTIES), A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 33 (SAME BEING THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 35 S, RANGE 19 E); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 32, AND THE COUNTY LINE, A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 32 (SAME BEING THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 35 S, RANGE 19 E); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 31 AND THE COUNTY LINE, A DISTANCE OF 4602.00 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE N 00°37'10" E, ALONG THE WEST LINE OF SAID SECTION 31, ALSO BEING THE EASTERLY LIMITED ACCESS R/W OF STATE ROAD NO. 93 (INTERSTATE 75), A DISTANCE OF 615.95 FT. TO A POINT ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S 67°41'09" E, 216.00 FT; THENCE RUN NORTHEASTERLY, ALONG SAID LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 65°57'32", A DISTANCE OF 248.66 FT. TO THE P.T. OF SAID CURVE; THENCE N 88°16'24" E, ALONG THE LIMITED ACCESS R/W OF STATE ROAD NO. 93 (I-75) - "UNIVERSITY PARKWAY" INTERCHANGE, A DISTANCE OF 628.74 FT; THENCE S 89°27'41" E, ALONG SAID LIMITED ACCESS INTERCHANGE R/W, A DISTANCE OF 298.75 FT. TO THE EASTERLY END OF SAID LIMITED ACCESS INTERCHANGE R/W; THENCE CONTINUE S 89°25'29" E, ALONG THE SOUTHERLY R/W OF "UNIVERSITY PARKWAY", A DISTANCE OF 133.18 FT; THENCE N 00°34'14" E, ALONG THE EASTERLY END OF SAID "UNIVERSITY PARKWAY" R/W, A DISTANCE OF 336.00 FT; THENCE N 89°26'21" W, ALONG THE NORTH LINE OF A 60 FT. WIDE F.D.O.T. SERVICE ROAD R/W, WHICH LIES PARALLEL AND CONTIGUOUS WITH THE NORTHERLY SIDE OF "UNIVERSITY PARKWAY", A DISTANCE OF 606.88 FT; THENCE N 85°37'30" W, ALONG SAID SERVICE ROAD R/W, A DISTANCE OF 460.53 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 396.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID SERVICE ROAD R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°45'40", A DISTANCE OF 191.87 FT. TO THE INTERSECTION WITH THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35 S, RANGE 19 E, SAME BEING THE EAST LINE OF SECTION 36, TOWNSHIP 35S, RANGE 18 E, (THE RANGE LINE); THENCE S 01°15'38" W, ALONG THE COMMON LINE BETWEEN SAID SECTION 31 AND 36 (THE RANGE LINE), SAME BEING THE WESTERLY END OF SAID F.D.O.T. SERVICE ROAD R/W, A DISTANCE OF 68.34 FT. TO THE INTERSECTION WITH THE EASTERLY LIMITED ACCESS R/W OF SAID STATE

ROAD NO. 93 (I-75), SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES N 27°43'29" E, 456 FT; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE; THROUGH A CENTRAL ANGLE OF 34°29'56", A DISTANCE OF 274.57 FT. TO THE P.T. OF SAID CURVE; THENCE N 27°46'35" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 566.48 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 4489.66 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°57'00", A DISTANCE OF 1014.75 FT. TO THE P.T. OF SAID CURVE; THENCE N 14°49'36" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 899.55 FT.; THENCE N 13°40'49" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 1016.32 FT.; THENCE S 88°46'12" E, A DISTANCE OF 1369.85 FT. TO THE INTERSECTION WITH THE EAST LINE OF SAID SECTION 36, TOWNSHIP 35S, RANGE 18 E., SAME BEING THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35S, RANGE 19 E (THE RANGE LINE); THENCE S 89°40'28" E, A DISTANCE OF 1438.64 FT; THENCE N 01°15'38" E, A DISTANCE OF 1532.73 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SECTION 31, TOWNSHIP 35S, RANGE 19 E (SAID POINT LYING S 89°40'28" E, ALONG SAID NORTH LINE, A DISTANCE OF 1438.64 FT. FROM THE NORTHWEST CORNER OF SAID SECTION 31); THENCE S 89°40'28" E, ALONG THE NORTH LINE OF SAID SECTION 31, A DISTANCE OF 3165.00 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 28, 29, 31, 32, AND 33, TOWNSHIP 35 S, RANGE 19 E AND SECTION 36, TOWNSHIP 35 S RANGE 18 E, MANATEE COUNTY, FLORIDA.

CONTAINING 2352.7 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

THIS DESCRIPTION IS NOT BASED ON AN ACTUAL FIELD SURVEY.

ALSO:

A TRACT OF LAND SITUATED AND BEING IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N 01°24'24" E, ALONG THE WESTERLY LINE OF SAID SECTION 34, A DISTANCE OF 6019.33 FEET TO THE NORTHWEST CORNER OF SAID SECTION 34;, THENCE N 89°57'56" E, ALONG THE NORTHERLY LINE OF SAID SECTION 34, A DISTANCE OF 120.02 FEET; THENCE S 00°51'27" W, A DISTANCE OF 1.87 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2190.00 FEET AND A CENTRAL ANGLE OF 13°14'44"; THENCE ALONG THE ARC IN A SOUTHERLY DIRECTION, AN ARC DISTANCE OF 506.28 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 12°23'18" E,; A DISTANCE OF 982.01 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3060.00 FEET AND A CENTRAL ANGLE OF 10°28'18"; THENCE ALONG THE ARC IN A SOUTHERLY DIRECTION A DISTANCE OF 559.26 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 01°55'00" E., A DISTANCE OF 2240.90 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 10560.00 FEET AND A CENTRAL ANGLE OF 01°56'28"; THENCE ALONG THE ARC IN A SOUTHERLY DIRECTION A DISTANCE OF 357.76 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 00°01'28" W, A DISTANCE OF 1402.77 FEET TO THE SOUTHERLY LINE OF SAID SECTION 34; THENCE N 89°58'32" W, ALONG SAID SOUTHERLY LINE A DISTANCE OF 678.98 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 69.8365 ACRES, MORE OR LESS.

STATE OF FLORIDA, COUNTY OF MANATEE:
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 23rd day of December 19 94.
R. B. SHORE
Clerk of Circuit Court
By: Alice R. [illegible] D.C.

MANATEE COUNTY GOVERNMENT

PLANNING DEPARTMENT
"TO SERVE WITH EXCELLENCE"

7-3
246

November 19, 1997

CERTIFIED MAIL
P 368 650 178

Ms. Julia Greene
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Fl 33702

Re: Development Order for University Lakes DRI

Dear Ms. Greene:

Enclosed is a certified copy of Ordinance 97-61, with all attachments, the development order for University Lakes, as adopted in open session by the Manatee County Board of County Commissioners on October 28, 1997, as required by Rule 9J-2.025(5), Florida Administrative Code.

If I can be of further assistance, please contact me at (941) 749-3070, extension 6834.

Sincerely,

for

Norman Luppino
Principal Planner

NL/jy
Enclosure

1112 Manatee Avenue West • Fourth Floor • Bradenton, Florida Tel. (941) 749-3070 • FAX: (941) 749-3071
P.O. Box 1000 • Bradenton, Florida 34206-1000

FILED FOR RECORD
Nov 14 8 37 AM '97

ORDINANCE-97-61
SCHROEDER-MANATEE, INC.
(AKA UNIVERSITY LAKES OF MANATEE, INC.)
DEVELOPMENT ORDER ORDINANCE
GRANTING AMENDMENTS TO AND REPLACING ORDINANCE-92-32, AS AMENDED BY ORDINANCE-93-25 AND ORDINANCE-95-44

Nov 7 10 47 AM '97
FILED

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE DEVELOPMENT ORDER FOR THE UNIVERSITY LAKES DEVELOPMENT OF REGIONAL IMPACT (MANATEE COUNTY DRI #22, A/K/A TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI #216); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONCLUSIONS OF LAW; PROVIDING FOR DEFINITIONS; PROVIDING FOR AMENDED LIMITATIONS ON AND CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 31, 1991, University Lakes of Manatee, Inc. filed an Application for Development Approval* (ADA*) of a Development of Regional Impact (DRI) with the Manatee County Board of County Commissioners (County*) pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said ADA* proposed construction of a multi-use project on approximately two- thousand three-hundred fifty-three (2,353) acres, located in southern Manatee County, hereinafter referred to as University Lakes DRI, or the Project*; and

WHEREAS, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, a second development is planned, commonly known as University Place, adjacent to the Manatee County line in Sarasota County; and

WHEREAS, the University Lakes and University Place DRI's have been reviewed pursuant to the terms of the 380 Review Agreement* defined in Section 3. below; and

WHEREAS, the Board of County Commissioners, on June 1, 1992, approved Ordinance 92-32, which granted local approval to DRI No. 22, University Lakes; and

WHEREAS, the Department of Community Affairs and the Tampa Bay Regional Planning Council appealed Ordinance 92-32 within the statutory time frame allowed; and

WHEREAS, the Developer* entered into a settlement agreement with the Department of Community Affairs and the Tampa Bay Regional Planning Council to resolve their concerns; and

WHEREAS, on October 24, 1993, the Board of County Commissioners of Manatee County adopted an amended Development Order (Ordinance 93-25) for the University Lakes DRI adopting language to settle administrative action between the Department of Community Affairs, Tampa Bay Regional Planning Council, and Schroeder-Manatee Ranch, Inc., et al.; and

WHEREAS, on January 25, 1996, The Board of County Commissioners adopted Ordinance 95-44, approving amendments to modify development totals, add 69.8 acres, and modify various definitions and conditions of the Development Order for the University Lakes DRI, which amendments were not found to be a substantial deviation to the originally approved Development Order; and

WHEREAS, the developers of University Lakes have proposed the following changes to the Development:

1) extend the buildout and expiration dates;
2) amend Map H to modify acreage totals per land use, change one subphase from business to residential, and modify the internal roadway network between I-75 and Lakewood Ranch Boulevard;
3) amend transportation, wetland, and other conditions;
4) employ the land use trade-off mechanism in the D.O. to modify development totals in Phases 1, 2, and 3;

5) modify the Certificate of Level of Service for Phase 1 to address land use exchange;

6) approve Development Order modifications to more accurately reflect the status of compliance with certain conditions of approval; and

WHEREAS, the above described changes, cumulatively with all previous changes, do not constitute a Substantial Deviation to the Development Order for University Lakes, pursuant to Subsection 380.06(19), Florida Statutes; and

WHEREAS, the Board of County Commissioners, as the governing body of the local government having jurisdiction pursuant to Chapter 380.06, Florida Statutes, has the statutory authority to consider and approve Notices of Proposed Changes (NOPC) for an amendment to an approved Development of Regional Impact; and

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

WHEREAS, the Planning Commission of Manatee County has reviewed the NOPC and has filed a recommendation on said NOPC with the Board of County Commissioners; and

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

WHEREAS, the County* on October 28, 1997, held a duly noticed public hearing on said NOPC and the language proposed by the Developer* to amend and replace Ordinance 92-32, as amended, and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County and City agencies, and the applicant, as well as the review and report of the Manatee County Planning Department.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA IN A REGULAR MEETING ASSEMBLED THIS 28TH DAY OF OCTOBER, 1997, AS FOLLOWS:

SECTION 1.

FINDINGS OF FACT

The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of Manatee County, and all other matters presented to said Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.

B. The Developer* has received County approvals for and has commenced development in several sub-phases of the development, consistent with Ordinance 92-32, as amended by Ordinances 93-25 and 95-44).

C. An application has been submitted to Manatee County and is being processed concurrently with this NOPC to approve a revised General Development Plan for the entire 2,422.5 acre project and to extend buildout and expiration dates, modify transportation, wetland, and other conditions.

D. The Board of County Commissioners of said County has received and considered the recommendation of the Manatee County Planning Commission concerning the NOPC and the application for Official Zoning Atlas Amendment as it relates to the real property described in Section 7 of this Ordinance of an NOPC pursuant to Section 380.06, Florida Statutes. The report was rendered on October 9, 1997, following public hearing.

E. The Board of County Commissioners held a public hearing on October 28, 1997 regarding said NOPC and the proposed Zoning Ordinance Amendment described herein, in accordance with the requirements of Manatee County Ordinance No. 90-01, as amended (the Manatee County Land Development Code) and Ordinance No. 89-01, as amended, (Manatee County Comprehensive Plan), and has further considered the testimony, comments, and information received at the Public Hearing.

F. The proposed changes to the DRI regarding the property described in Section 7. herein, are found to be consistent with the requirements of Manatee County Ordinance No. 89-01, as amended (the Manatee County Comprehensive Plan), provided it proceeds in accordance with the Development Conditions specified in Section 5. and the Developer* Commitments specified in Section 6. of this Development Order.

G. The "Developer"* of the Project* submitted to Manatee County, Florida, an ADA* and a NOPC, which are incorporated herein by reference.

H. The Developer* submitted an Affordable Housing Analysis (dated July 23, 1991) to Manatee County which describes the housing demand for low and very low income households and the existing housing supply (see Attachment #1).

I. The real property which is the subject of this Development Order is legally described as set forth in Section 7.

J. The Project* is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.

K. The authorized agent for the Project* is Rex E. Jensen, and his address is University Lakes of Manatee, Inc., 7550 Lorraine Road, Bradenton, Florida 34202.

L. The owner of the property, which University Lakes of Manatee, Inc. intends to develop, is Schroeder-Manatee Ranch, Inc., a Delaware corporation.

M A comprehensive review of the impacts generated by the Development has been conducted by the departments of Manatee County, the Planning Commission, the Board of County Commissioners, TBRPC, and the Department of Community Affairs (DCA).

SECTION 2. CONCLUSIONS OF LAW

A. Based upon the previous findings of fact and the following conditions of the Development Order, the Board of County Commissioners of Manatee County concluded that:

1. The Project* will not unreasonably interfere with the achievement of the objectives of the Adopted State Land Development Plan applicable to the area.

2. The Project* is consistent with the local land development regulations and is consistent with the State Comprehensive Plan (SCP), the Tampa Bay Regional Planning Council's Future of the Region, A Comprehensive Regional Policy Plan (FRCRPP*), and Ordinance 89-01 (The Manatee County Comprehensive Plan, as amended).

3. The Project* is consistent with the report and recommendations of the TBRPC approved on February 10, 1992 and on January 8, 1996, regarding the first NOPC and on May 1997, regarding the second NOPC.

B. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the Developer* is authorized to conduct development as described herein, subject to the conditions, restrictiohs, and limitations set forth below.

C. That the review by the County*, TBRPC, and other participating agencies and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and

conditions of this Development Order, the ADA*, the NOPC, and the Affordable Housing Analysis. To the extent that the ADA* is inconsistent with the terms and conditions of this Development Order, the terms and conditions of this Development Order shall prevail.

D. This Ordinance replaces Ordinance 95-44, which granted amendments to Ordinances 92-32 and 93-25, in their entirety and adequately addresses the impacts of the development, pursuant to the requirements of Chapter 380, Florida Statutes.

E. Pursuant to Subsection 380.06(19)(c), Paragraphs 380.06(19)(e)2 and 3, and 380.06(19)(e)5.b, Florida Statutes, the changes proposed pursuant to the NOPC submitted on March 26, 1997 and approved pursuant to Ordinance 97-61, do not constitute a Substantial Deviation requiring further Development of Regional Impact review.

SECTION 3. DEFINITIONS

Note: An asterisk (*) denotes that the word is defined. The definitions contained in Chapter 380, Florida Statutes, shall apply to this Development Order, in addition to those listed herein.

A. "380 Review Agreement*" shall mean the Agreement executed between DCA, TBRPC, the Southwest Florida Regional Planning Council ("SWFRPC"), and Schroeder-Manatee, Inc. dated September 6, 1991 which governs the review of the University Lakes and University Place DRI's. A copy of the 380 Review Agreement* is attached as Attachment #2.

B. "Application for Development Approval*" (or ADA*) shall mean University Lakes, Inc. Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer* on October 25, 1991, Appendix E Cumulative Affordable Housing Analysis, the NOPC submitted on July 10, 1995, and the second NOPC submitted on March 26, 1997 and amended on October 28, 1997.

C. "Best Management Practices*" (BMP) shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code (BMP list of approved practices by Board resolution for Special Overlay Districts-Evers Reservoir and Lake Manatee Watershed Areas).

D. "Combined Projects*" shall refer to both University Lakes and the neighboring project, University Place.

E. "County*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).

F. "Developer*" shall mean University Lakes of Manatee, Inc., their heirs, assigns, designees, and successors in interest as to the Project* and all its conditions of approval.

G. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.

H. "District*" shall mean any unit of local special purpose government formed pursuant to Chapter 190, F.S., or any similar entity such as a Municipal Service Taxing Unit or Municipal Service Benefit Unit, from time to time created or previously existing, which acts in accordance with applicable law and regulations, to finance or fund: (i) the cost of such actions as the planning, acquiring, constructing, equipping, installing, operating, and maintaining various community facilities; (ii) the cost of providing certain community services; (iii) contributions of funds to other governmental and non-governmental entities with respect to such facilities, services, or related Development Order commitments and conditions and (iv) satisfaction of any of the commitments and

conditions contained in this Development Order related to the foregoing. It is the declarative of the intent of this Development Order that any commitment or condition of this Development Order may be directly performed or satisfied by any District* which properly operates within its scope of authority. Such performance or satisfaction shall not be deemed or construed to constitute the discharge of any obligation of the Developer*.

H. "FRCRPP*" shall mean the TBRPC's Future of the Region, A Comprehensive Regional Policy Plan for the Tampa Bay Region, adopted June 23, 1987 and amended in 1989.

I. "Funding Commitments*" shall mean to assure the completion of any improvement required by this Development Order or any combination of the following: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County* for construction to be completed when the improvement is required as referenced in Tables 5 and 6 of this Development Order; 2) actual construction; 3) the placement of the improvements in the first year of the Capital Improvements Element of the appropriate County or the first two years of the Adopted Five-Year Work Program of the Florida Department of Transportation; or 4) a commitment for construction and completion of the required roadway improvements, pursuant to a Developer Agreement which, if approved by the parties, shall be incorporated in this Development Order through an amendment of the Development Order, pursuant to the notice of proposed change provisions of Chapter 380 of the Florida Statutes. Said Agreement shall include a construction timetable which will set forth the completion of the required improvements consistent with the time frames specified in Tables 5 and 6.

J. "Post-Development Wetlands*" shall mean any lands determined to be within jurisdictional limits defined by Chapter 17-301, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Protection (FDEP), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development for this Project*.

K. "Project*" shall mean the land uses, phasing, and improvements described in the ADA* which are attributable to development on that property described in Section 7. herein and set forth on Revised Map H attached hereto as Attachment #3.

L. "Transportation Impact Area*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the proposed phase or subphase shown on a proposed Preliminary Site Plan in combination with prior approvals of the Combined Projects* will be five percent (5%) (or whatever greater percentage may be employed from time to time by DCA, TBRPC, or the County*, provided the more restrictive percentage shall be used) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on Map J (attached hereto as Attachment #4) which was based on data submitted with the ADA*. In determining the Transportation Impact Area* for this Project* all traffic generated by University Place shall be deemed project traffic for University Lakes.

M. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.

SECTION 4. 380 REVIEW AGREEMENT*, APPROVALS, AND DEVELOPMENT COMPONENTS

A. Some of the impacts of the University Lakes DRI have been reviewed in conjunction with the impacts of the proposed University Place DRI under the terms of the 380 Review Agreement*. The 380 Review Agreement* provides for the accumulative assessment of the impacts of both projects on the issues of transportation, air quality, affordable housing, and listed species.

Tables 1 through 4 list the appropriate land uses for University Lakes (Tables 1 and 2) and University Place (Tables 3 and 4) under the designations used by the respective

Counties and the designations used in Section 380.0651, Florida Statutes, in parentheses ( ).

B. Subject to the possible exchange of land uses as described elsewhere herein, the Project* consists of the land uses, square footage, dwelling units, and approximate area described in Columns A through D of Table 1 and the land uses, square footage, dwelling units, and approximate area by phase as described in Table 2. Phase I of the Project* is approved subject to the conditions found within this Development Order. A Certificate of Level of Service has been issued for the land uses listed in Phase I, Table 2 until April 30, 1999. A new Certificate of Level of Service must be obtained for all preliminary site plans approved for Phase 1 after April 30, 1999. Phases II, III, and IV are conceptually approved. Approval of Phases II, III, and IV is contingent upon further Section 380.06(6) review on the following issues: transportation, air quality, and affordable housing. The review of transportation, air quality, and affordable housing for Phases II, III, and IV shall be based on a cumulative assessment of the impacts created by the Combined Projects*. The conditions of approval of Phase I of the Combined Projects* with respect to the impacts that were cumulatively assessed, shall not necessarily apply to subsequent phases. In addition to obtaining a Development Order amendment, Certificates of Level of Service must be obtained for Phases II, III, and IV, but shall be limited to roadway capacity, mass transit, potable water, sanitary sewer, parks and recreation facilities, drainage, and solid waste, as required by the Manatee County Land Development Code.

TABLE 1
UNIVERSITY LAKES DEVELOPMENT COMPONENTS

Column A Map H Land Use (Section 380.0651 F.S. Designation)	Column B Number Acres *****	Column C Square Feet	Column D Dwelling Units	Column E Land Use Exchange Maximum Increase
Residential (Residential)	704.0	n/a	3,137	An increase in dwelling units by 5% or 50 units, whichever is greater
General Commercial* (Retail)	72.3	1,240,000	n/a	
Neighborhood Commercial** (Retail)	37.5	381,000	n/a	Land Area increased by 6 acres or increase by 50,000 s.f. of gross floor area, or the greater of a 5% increase in parking spaces or an increase of customer parking by 300 spaces
General Commercial*** (Retail)	28.0 (21,0)	400,000 (150,000)	n/a n/a	
(Hotel and Motel)	(7.0)	(250,000/ 300 rooms)	n/a n/a	75 rooms
Business (Office)	126.4 (63.2)	1,968,000 (787,200)	n/a	Land area increased by the greater of 5% or 6 acres, whichever is greater, or gross floor area increased by greater of 5% or 60,000 s.f. whichever is greater
(Industrial)	(63.2)	(1,180,800	n/a	
Right of Way	178.4			
Recreation	330.4			
Wetlands/Mitigation	376.9			
Lakes****	358.6			
Open Space	210.0			
TOTAL	2,422.5	3,989,000	3,137	

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.
**** Additional lakes will be constructed within the Project* as required by the stormwater management system.
***** Acreages subject to verification and adjustment based upon future survey activities, consistent with the graphic depictions on revised Map H.

TABLE 2
UNIVERSITY LAKES PHASING SCHEDULE

Map H. Land Use Designation (§380.0651, F.S., Designation	Phase I 1992-2004♦	Phase II 2005-2009♦	Phase III 2010-2014♦	Phase IV 2015-2019♦	Total
Residential Dwelling Units					
Single Family	791	360	243	330	1,724
Single Family Attached	164	155	123	29	471
Multi-Family	655	287	0	0	942
Total (Residential)	1,610	802	366	359	3,137
General Commercial*s.f.	279,857	960,143	0	0	1,240,000
(Retail)	(279,857)				
Neighborhood Commercial**s.f. (Retail)	87,000	135,885	0	158,115	381,000
Business s.f.	483,000	821,620	404,180	559,300	1,968,000
(Office)	(193,200)	(208,608)	(161,672)	(223,720)	(787,200)
(Industrial)	(289,800)	(312,912)	(242,508)	(335,580)	(1,180,800)
General Commercial***s.f.	250,000	150,000	0	0	400,000
(Retail)	(0)	(150,000)	0	0	(150,000)
(Hotel and Motel)	(250,000/ 300 rooms)	(0)	0	0	(250,000/ 300 Rooms)
Recreational Facilities****	Tennis & Boat Club+, Park Golf Course & Park				

* Acreage and square footage are referred to as Regional Commercial in the ADA*.

** Acreage and square footage are referred to as Community Commercial in the ADA*.

*** Acreage and square footage are referred to as Highway Commercial in the ADA*.

**** Phasing of recreational facilities may be accelerated in accordance with the provisions of Sections 4.B., C. and E.

\+ The Boat Club shall be located on the 160± acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such as sailboards, canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation, and such craft may be used on the manmade lake.

♦ Buildout date is September 13th of each year indicated.

TABLE 3

UNIVERSITY PLACE DEVELOPMENT COMPONENTS

Sarasota County Land Use Designation (Section 380.0651, F.S., Designation)		Number Acres	Square Feet
Interstate Regional Office Park		250.0	
(Office)			1,532,000
Major Employment Center	727.6		
(Office)			(2,623,257)
(Industrial)			(3,934,883)
(Retail)			(109,860)
Open use Conservation		395	
Totals		1,372.6	8,200,000

TABLE 4
UNIVERSITY PLACE PHASING SCHEDULE

Sarasota County Land Use Designation (Section 380.0651, F.S., Designation)	Phase I	Phase II	Phase III	Phase IV	Total
Interstate Regional Office Park s.f.					
(Office)	436,000	365,334	365,333	365,333	1,532,000
Major Employment Center s.f.					
(Office)	957,600	555,219	555,219	559,219	2,623,257
(Industrial)	1,435,600	832,828	832,828	832,827	3,934,083
(Retail)	40,000	23,287	23,287	23,286	109,860
Total	2,869,200	1,776,668	1,776,667	1,780,665	8,200,000

The amounts of residential, retail, hotel and motel, office, and industrial uses shown in Table 1 above within the Project* can be exchanged, with Board of County Commissioners approval of a revised General Development Plan, to allow flexibility in the exact land use mix shown in Columns B, C, and D of Table 1, above, and within

each individual Phase shown in Table 2, provided that the following conditions are satisfied:

1. No land use category in the final Project* shall contain more development than that reflected in Table 1 Columns B, C, and D, plus that amount reflected in Column E.

2. The following uses designated in Table 1, shall not be reduced by the Developer* below the amounts set forth in Table 1, except as described elsewhere herein in specific provisions pertaining to those uses: lakes, recreation, wetlands/mitigation open space.

3. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 500 dwelling units.

4. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 400,000 square feet of General Commercial.

5. The mix of approved uses within an individual Phase shall not be increased by more than 170,000 square feet nor decreased by more than 100,000 square feet of Business.

6. The mix of approved uses within an individual Phase shall not be increased nor decreased by more than 75 hotel rooms.

7. All other uses not specifically mentioned in Paragraphs 3, 4, 5, and 6 above shall not be subject to an exchange pursuant to this section.

C. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the proposed land use mix will not exceed the impacts for transportation, potable water, wastewater treatment, solid waste disposal, mass transit, drainage, and parks and recreation which are authorized in this Development Order and in any Certificate of Level of Service Compliance (CLOS) issued for that Phase. Additionally, the Developer* shall demonstrate that the proposed land use mix will not generate additional demand for affordable housing beyond the amount for which the supply of affordable housing has been demonstrated to be available and is described in Sections P.(1) and P.(2) of this Development Order. If the impacts of a specific land use exchange exceeds the impacts authorized and approved for that phase in the Development Order, then the land use exchange shall be denied. As to the CLOS, the Developer* must apply for a modification to the CLOS and if the proposed land use exchange results in impacts in excess of those previously approved, the Developer* may be granted approval for that excess only if and when capacity is available and in conformance with other provisions of this Section 4. However, reapplication shall not cause the Developer* to lose capacity already approved in the Certificate of Level of Service for that Project*. If the request for a land use exchange is approved, a modified CLOS shall be issued to replace the previously approved CLOS. Any modification to the CLOS shall not extend the time for which such capacity is reserved pursuant to the CLOS.

An application for a land use exchange must include a revised General Development Site Plan which will include a revised Table 2 showing the reallocation of square footage or units. Each proposal for a land use exchange and revised General Development Plan shall be reviewed for compliance with the provisions of this Development Order, the Manatee County Land Development Code and the Manatee County Comprehensive Plan. Upon submission of a request to the County* to implement this section of the Development Order, all application materials and information necessary to support approval of such a request shall be provided to the Department of Community Affairs, TBRPC, SWFRPC, and Sarasota County by the Developer*. The Developer* shall provide written notification to the Department, TBRPC, SWFRPC, and Sarasota County of the approval or denial of any land use exchange requested by the Developer*. With the submittal of any Notice of Proposed Change requiring changes to this Development Order, the Revised Master Development Plan and Phasing Schedule shall be amended to reflect any Land Use Exchange(s) that have been approved since the issuance of the Development Order or last amendment

to the Development Order. Such change considered by itself shall not constitute a substantial deviation. Changes to the Phasing Schedule under this paragraph do not include extensions to the buildout date.

The land use exchange request shall contain information sufficient to enable the County* to determine that the impacts of the revised land use mix do not exceed the impacts of the land use mix being replaced. The quantifiable impacts will be measured based upon the relevant factors then currently used by the County* (e.g., ITE trip generation rates, EDU tables, solid waste generation factors, etc.) The Developer* shall verify the appropriate factors with County* staff prior to the submittal of any such land use exchange request.

The traffic impacts of the revised land use mix shall be deemed by the County* not to exceed the approved traffic impacts of the land use mix being replaced so long as the change does not increase the peak hour total traffic and the relative proportions of trips produced by attractors and the trips produced by generators remains substantially the same for the phase or subphase. In the event that the attractor or generator proportions are not substantially the same, as determined by the County*, additional information may be required to assess intersection performance, trip distribution, or particular roadway segments designated by the County*.

Attached hereto as Attachment #5 is a table of conversion factors for equating only traffic impacts of land use exchanges. The incorporation of this land use exchange mechanism shall not operate to permit the Developer* to develop any land use which will generate peak hour trips in excess of the total number of peak hour trips for which it has obtained specific development order approval.

Any amendments to the land use mix or proposed phasing schedule (Tables 1 and 2 respectively), other than those described herein, shall be submitted to the County* for review and approval, pursuant to notice of change as required by Subsection 380.06(19),F.S., which approval shall not be withheld for mere acceleration of phases if otherwise there is compliance with the terms of this Development Order. Any departure in Project* buildout from the phasing schedule set forth in the Application shall be subject to review to determine if such departure constitutes a substantial deviation pursuant to Subsection 380.06(19), F.S.

Any specific land use exchange must result in a land use mix which is consistent with the requirements of the Manatee County Comprehensive Plan. The land use exchange may not be exercised more than once in any calendar year.

D. The list of required transportation improvements described in Tables 5 and 6 are triggered by the construction of Phase I of the Combined Projects*. In the event that at any time the amount of development authorized in the University Place Development Order is less than that shown as Phase I Table 4 of this Development Order, the Developer* may submit a Notice of Proposed Change requesting a Development Order amendment to increase the amount of development in Phase I of University Lakes by an amount equal in impacts to the University Place reduction. In reviewing such a Notice of Proposed Change, transportation issues shall not form the basis of a recommendation of substantial deviation if the impacts (trip generation or distribution) on transportation facilities remain essentially the same. Nothing herein shall operate as a waiver of the Developer's* obligation to obtain a CLOS for any and all development which the Developer* proposes to transfer from University Place to University Lakes. In making a request under this Section 4.D., the Developer* must meet all of the following conditions:

1. The impacts of the proposed change do not exceed the impacts which were approved in the Development Order, or any amendments thereto, for potable water, wastewater treatment, solid waste disposal, mass transit, drainage, affordable housing, and parks and recreation.

2. The Developer* must further demonstrate that the request is consistent with applicable provisions of the Comprehensive Plan and the Land Development Code.

3. The amount of any increase in any Land Use Category may not exceed the limitations set forth in Table 1 Column E above.

4. The County* shall not be required to approve any increase to Phase I of University Lakes unless adequate capacity exists to serve such increase and assurance of corresponding decrease is demonstrated to the County's* satisfaction, in Phase I of University Place.

5. In the event that the amount of development is increased for Phase I of University Place after approval of an increase of the permitted uses, density, or intensity for Phase I of University Lakes under this Section 4.D., then this entire Development Order shall be subject to an additional substantial deviation review to address the impacts of development which was previously added to University Lakes.

The intent of this provision is not to alter the size or land use mix of the Combined Projects* at buildout. There is no intent to change the land uses actually approved for University Lakes. It is intended to provide flexibility in the timing of development between phases of the respective projects in response to economic development opportunities or development constraints. The applicability of this provision "D" is limited to Phase I pending further review of additional phases.

E. To foster intergovernmental coordination in the administration of University Lakes and University Place, the Developer* will furnish to the Sarasota County Planning Department, the SWFRPC, and the City of Bradenton for review and comment, copies of all Annual Reports (together with any documents required to accompany said Annual Reports), any applications or submissions by the Developer* under this Section 4, and any revisions to University Lakes resulting from determinations by the County* under this Section 4. Further, the Developer* shall furnish to the County* copies of all Annual Reports (together with any documents required to accompany said Annual Reports) regarding University Place.

F. No provision of this Development Order shall serve to approve uses which were not previously reviewed and approved for University Lakes or which are inconsistent with the Manatee County Comprehensive Plan, including the WO-E Overlay District.

SECTION 5. DEVELOPMENT CONDITIONS

Transportation

A.(1) The cumulative Phase I University Lakes and University Place transportation analysis conducted under the 380 Review Agreement* determined the need for the roadway segment and intersection improvements described in Tables 5 and 6 below:

TABLE 5

PHASE I REQUIRED LINK IMPROVEMENTS

Roadway Segment Improvement Number	Road Segment Name (From and To)	Total Traffic Peak Hour LOS Prior To Improvement	Applicable Peak Hour Level of Service	Development Traffic As A % of LOS Peak Hour Capacity	Required Improvement To Restore Level of Service	Total PM Peak Hour External Trips for Combined Projects Before Need ♦
1	Fruitville Road From I-75 to Tatum Road	 F (in EB) C (in WB)	 C C	 12.1 (in EB) 6.3 (in WB)	 Widen to 4 Lanes	2,129
2	University Parkway From I-75 To North/South Road	 F (in EB) F (in WB)	 D D	 103.2 (in EB) 178.5 (in WB)	 Widen to 6 Lanes	2,733
3	Honore Avenue♦ ♦ ♦ ♦ From University Parkway to 17th Street	 F (in NB) C (in SB)	 C C	 58.1 (in NB) 30.3 (in SB)	 Widen to 4 Lanes	3,403
4	I-75 From SR 681 To Jacaranda Blvd.	 C (in NB) E (in SB)	 C C	 3.9 (in NB) 7.6 (in SB)	 Widen to 6 Lanes	4,279
5	North/South Road♦ ♦ ♦ From University Parkway To Cypress Banks	 F (in NB) D (in SB)	 C C	 116.1 (in NB) 60.7 (in SB)	 Widen to 4 Lanes	4,279
6	North/South Road♦ ♦ ♦ From Cypress Banks To SR 70	 D (in NB) D (in SB)	 C C	 66.3 (in NB) 34.7 (in SB)	 Widen to 4 Lanes	4,279
7	I-75 From Clark Road To SR 681	 C (in NB) D (in SB)	 C C	 4.3 (in NB) 8.3 (in SB)	 Widen to 8 Lanes	4,434

♦ This column represents the cumulative number of peak hour external trips for the Combined Projects* before the need of the identified improvements for Phase I Land Uses as depicted in Tables 2 and 4 for both University Lakes and University Place (or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment*.

♦ ♦ ♦ North/South Road refers to Upper Manatee River Road and lies to the west of the 160 acre lake.

♦ ♦ ♦ ♦ As an alternative to this improvement and in lieu thereof, the following improvements shall satisfy the requirement to restore Level of Service:
(i) Brown Road from University Parkway to Fruitville Road - Construct two (2) lanes; and
(ii) DeSoto Road from Longwood Run to Brown Road - Construct two (2) lanes; and
(iii) East/West Collector from Honore Avenue to Brown Road - Construct two (2) lanes.

TABLE 6

PHASE I REQUIRED INTERSECTION IMPROVEMENTS

Required Intersection Improvement Number	Intersection Name and Location	Total Traffic Peak Hour LOS Prior To Improvement	Applicable Peak Hour Level of Service	Development Traffic As A % of LOS Peak Hour Capacity	Required Improvement To Restore Level of Service	Total PM Peak Hour External Trips for Combined Projects Before Need ♦
1	Clark Road at I-75 East	F	C	6.2%	Dual Lefts	2,831
2	Bee Ridge Road at Cattleman Road	F	C	7.3%	Dual Lefts	3,970
3	University Parkway at I-75 East	F	D	76.2%	Loop Ramp	3,867
4	University Parkway at I-75 West	D	D	76.2%	Loop Ramp	3,867

♦ This column represents the cumulative number of peak hour external trips for the Combined Projects* before the need of the identified improvements for Phase I Land Uses as depicted in Tables 2 and 4 for both University Lakes and University Place (or the equivalent thereof in trip generation) which may be constructed prior to requiring that the listed improvements be constructed or subject to a funding commitment.

A.(2) The improvements listed in Tables 5 & 6 include a critical link and intersection improvements for the development of Phase I of the Project*.

In the event that Funding Commitments* for transportation improvements are only adequate to permit approval of a portion (subphase) of the Development, the capacity and loading of transportation facilities in the Transportation Impact Area*, shall be limiting factors in any subsequent approvals. A subphase analysis has been performed, and cumulative subphases for the Combined Projects* have been identified in Tables 5 and 6 together with subphase time frames that were used in the subphase study. An initial subphase of 2,129 external p.m. peak hour trips for the Combined Projects* has been identified as requiring no transportation improvements. The Developer* shall, at the time of each application for Final Site Plan approval, furnish to the County* an accurate, up to date report of the amount of development, defined in terms of external p.m. peak hour trips, which has previously been permitted in the Combined Projects*. The Developer* shall not be entitled to a Final Site Plan approval which would result in the cumulative number of external p.m. peak hour trips for the Combined Projects* to exceed the applicable subphase threshold unless Funding Commitments* have been obtained for improvements required for such subphase.

In the event that the total external p.m. peak hour trips projected to be generated by the Combined Projects* has exceeded the levels described in Tables 5 and 6 by the expiration of the Annual Report Years listed in Tables 5 and 6 for the appropriate uncommitted improvement, no further Final Site Plan approvals shall be granted unless the Developer* using the notice of change procedure has prepared an analysis which identifies the revised dates by which said improvement would be required under the new subphase analysis. The Development Order shall be amended to reflect these revised trip levels and dates.

The Developer* shall be bound by the subphase external trip thresholds and schedules set forth in Tables 5 and 6, unless the Developer* files a Notice of Proposed Change and provides the County*, pursuant to the notice of change procedures, an updated subphase traffic analysis for the Transportation Impact Area* that will result from the completion of construction of all of the previously permitted development in the Combined Projects* plus that to be generated by the next subphase for which the Developer* is seeking approval, and such proposed change is approved. Copies of such notice of proposed change for revised subphase transportation analysis shall be submitted to Manatee County, Sarasota County, TBRPC, and SWFRPC for review and comment. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (referenced in Tables 5 and 6) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways and intersections referenced in Table 5 and 6 at the appropriate Level of Service. In the event that the new analysis demonstrates the need for alternate improvements or different subphase thresholds, the Development Order may be amended to reflect the revised subphases or improvements. With each Preliminary Site Plan application, the Developer* shall submit to the County* a limited traffic study which shows the following:

1. External P.M. peak hour trips for the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvements in Table 5 & 6 will be required; and,

2. An assessment of the estimated traffic operations and turning movements together with the conceptual design of the driveways, serving the project covered by the Preliminary Site Plan application.

Any revised transportation analysis for the Combined Projects* shall utilize the adopted Sarasota County Level of Service, or that of any agency with jurisdiction, whichever Level of Service is higher, for determining deficiencies on all roads in Sarasota County. If deficiencies exist on said roadways, then Funding Commitments* to correct such deficiencies shall be required in accordance with this Paragraph A.(2).

A.(3) The Developer* shall provide bicycle lanes as part of the roadway design for the collector facilities within the Project*. Inclusion of bicycle lanes as part of the roadway design does not mean the lanes themselves must be part of the roadway.

That is, the lanes must be included in design but may be constructed separately or in separation from the roadway itself.

A.(4) The Developer* shall provide adequate sidewalks along all streets and roadways throughout the Project* as required by the Manatee County Land Development Code.

A.(5) As the Project* lies within the future Manatee County transit service area, the Developer* will work with the County* to coordinate the provision of transit service to the area in conjunction with development of University Lakes.

A.(6) Within three years of the effective date of this Development Order or at the request of the County, an annual monitoring program consisting of peak hour traffic counts at the Project* entrances shall be instituted to verify that the projected number of external trips for the Project* are not exceeded. Counts will continue on an annual basis through Project* buildout, and the information shall be supplied in the required Annual Report. If an Annual Report is not submitted within thirty (30) days of its due date, or if the Annual Report indicates that the total external trips exceed projected counts for the Project* by 15 percent or more, Manatee County shall conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), Florida Statutes. This change will be presumed to be a Substantial Deviation. The results of the Substantial Deviation determination may also serve as a basis for the Developer* or reviewing agencies to request Development Order amendments.

A.(7) The transportation analysis in the ADA* was performed without consideration of the potential effects of a Transportation Systems Management ("TSM") program. Accordingly, the development thresholds described in Tables 5 and 6 may reflect a "worst case" scenario, dependent upon future TSM measures.

The Developer* or its assigns shall prepare and implement a TSM program which will endeavor to divert a number of vehicle trips from the PM peak hour. The TSM program shall be submitted to and be reviewed by the County*, the MPO, and the FDOT.

The TSM program shall be submitted with the first annual report subsequent to the monitoring program in Section A.(6) showing external trips exceeding 25% of the total external trips for Phase I of both University Lakes and University Place.

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 measure. Results of the TSM program shall be included in the Annual Report. The results of the TSM program may serve as a basis for the Developer* or reviewing agencies to request Development Order amendments which increase the applicable development thresholds or which will allow reduced impacts per square foot or dwelling unit of development in future phases. The TSM Program shall seek to further the TSM objectives and Policies set forth in the Florida Transportation Plan and shall include, but not be limited to:

(a) promote ride sharing by public and private sector employees;

(b) increase urban area peak hour automobile occupancy rates through expanded ride sharing efforts;

(c) increase peak hour occupancy rates for transit and other high occupancy vehicles; and

(d) other appropriate trip diversion measures.

A.(8) To allow for the finalization of interchange design relative to Improvements #3 and #4 in Table 6, Developer* agrees to reserve, until January 28, 1998, the property which it owns and which lies within the following description:

> Commence at the easterly corner of the existing FDOT right of way north of University Parkway where the limited access terminates, thence westerly along the FDOT right of way, a

distance of 650 feet to the Point of Beginning. From the Point of Beginning, proceed northwest a distance of 1,500 feet to the existing FDOT right of way, thence southeasterly and easterly to the Point of Beginning.

This restriction shall expire on January 28, 1998. If the right of way is dedicated by the Developer* or otherwise acquired by the appropriate governmental agency, then the Developer* may transfer the impacted land uses to other appropriate areas within the Project* with approval of a revised General Development Plan.

A.(9) The Developer* shall submit a Preliminary Site Plan for Phase I, or any subphase thereof, within twenty-four (24) months of the effective date of this Development Order. The Developer* shall further meet the requirements of Section 8. of this Development Order.

A.(10) The schedules of listed improvements may be adjusted at the Developer's* request with submission of adequate data to support any such adjustments, and the Development Order amended as needed in the event that the appropriate agencies determine that:

(a) the Project* is determined by the County* and TBRPC to be in a regional activity center or otherwise designated for alternative levels of service or alternative percentage thresholds in accordance with applicable rules and regulations; or

(b) the appropriate level of service standard for the particular roadway link or intersection is adjusted by the agency(ies) having jurisdiction over such link or intersection. In no event shall any level of service be adjusted if the result of said adjustment is to permit a lower level of service than established by that agency or agencies having jurisdiction at the time of the request for adjustment.

A.(11) The roadway shown on Revised Map H, which generally is oriented in a north/south alignment and connects to the proposed extension of Upper Manatee River Road, shall be required to be designated on the Future Traffic Circulation Map as a collector facility prior to providing any credits for right of way and/or construction. (The requirements of Condition A.(11) have been completed)

A.(12) Access to and from the site will be in accordance with state and local access regulations unless limited by the General Development Plan or any conditions placed thereon, whichever is most restrictive.

Wetlands

B.(1) The portions of the University Lakes site that meet the definition of Conservation or Preservation Areas as set forth in policies 10.1.2 and 10.3.1 of the Council's adopted Future of the Region, A Strategic Regional Policy Plan for the Tampa Bay Region (FRSRPP*) have been designated on Revised Map H.

(a) All wetlands and uplands on-site defined by Council policies as Preservation Areas, as shown on Revised Map H, shall be preserved. No dredging, filling, or development activities shall be allowed within Preservation Areas.

(b) All wetlands and uplands on-site defined by Council policies as Conservation Areas shall be protected from development as shown on Revised Map H.

B.(2) Except for wetland restoration or enhancement and naturally occurring fluctuations, no hydroperiod alteration shall be permitted in Preservation Areas as depicted on Revised Map H. Natural annual hydroperiods, normal pool elevations, and seasonal high water elevations shall be substantially maintained or improved. Hydroperiod monitoring shall be required semi-annually in selected preserved wetlands and initiated prior to on-site construction activity and continued for three years for herbaceous wetlands or five years for forested wetlands following buildout of the subbasin surrounding each wetland monitored. If the hydroperiod monitoring results

demonstrate that Project* activities are inappropriately altering the hydroperiod in Preservation Areas, such activities shall cease until remedial measures are implemented.

B.(3) Any impacted wetlands, not required to be preserved in accordance with Condition B.(1) above and which are depicted as Conservation Areas on Revised Map H, shall be mitigated in accordance with the Manatee County Comprehensive Plan and Land Development Code and the TBRC's SRPP Policies.

B.(4) In addition to meeting the requirements of the Manatee County Land Development Code, the Developer* shall submit a wetland management and mitigation plan for the area to be developed to the County* for approval, and to TBRPC, and SWFWMD for review prior to any wetland alteration. This plan shall address, but not be limited to, identification of wetlands on-site, wetlands to be preserved, proposed wetland alterations, a detailed mitigation plan, control of on and off-site water quality, and methods for hydroperiod maintenance with a detailed narrative and construction plans for mitigated or significantly enhanced (as determined by the County*) wetlands.

The Developer* shall include the following details, at a minimum, in the wetland management and mitigation plan prepared for submittal to the County*:

(a) Identification of existing dry and wet season site conditions;

(b) Narrative descriptions/evaluations of all wetlands to be disturbed by wetland type;

(c) Photographs and 24"x36" plans depicting conditions of the existing wetland creation site and proposed wetland creation plans. (This data shall demonstrate that the appropriate hydrologic requirements shall be provided);

(d) Narrative descriptions of any proposed wetland restoration activities and related issues;

(e) Estimated costs of wetland mitigation/restoration schemes including maintenance and monitoring for appropriate time periods; and

(f) Mitigation plans shall also include:

(1) Area and location of plantings;

(2) Species to be planted and spacing;

(3) Elevations for plantings;

(4) Source of plants or mulch;

(5) Source of wetland soil and depth proposed; and

(6) Monitoring and maintenance plans.

B.(5) If allowable wetland losses require type-for-type (herbaceous or forested) wetland replacement in accordance with stipulation B.(3), mitigation for wetland losses shall be implemented prior to, or concurrent with, the wetlands being disturbed. Created wetlands and littoral shelves shall require monitoring and maintenance activities. Percent survival of plant species in the created wetland or littoral shelf shall meet or exceed Manatee County Comprehensive Plan and Land Development Code success criteria and the TBRC's SRPP Policies. Yearly replanting and maintenance of the mitigation areas shall be required, if necessary, to ensure compliance with the conditions of the Development Order.

B.(6) The Developer* shall provide buffering around all Post-Development Wetlands* to provide an upland transition into the wetland areas and to protect natural systems

from development impact. All such buffers shall be in compliance with the Manatee County Land Development Code.

Vegetation and Wildlife

C.(1) A cumulative assessment of the impacts of the Combined Projects* on listed plant and animal species has been performed as required by the 380 Review Agreement*. The Developer* has provided open space for wildlife in the form of preserved wetlands and the wildlife corridor along Cooper Creek as depicted on Revised Map H. In addition, Developer* shall retain large pines (>4" dbh) where possible in golf course rough for kestrel habitat and include and maintain open grassy areas in golf course rough for burrowing owl habitat. The specific locations of retained pines and open grassy areas shall be shown on the final development plan containing the golf course and shall be submitted to Manatee County for review and approval and to the FGFWFC for comment. However, as the Developer* is planning a large wildlife management area on University Place, the Developer* has prepared (pursuant to the 380 Review Agreement*) a wildlife management plan, as revised June 16, 1992, for the 395 acre Open Use Conservation District within University Place which provides additional protection of any listed species found on University Lakes and University Place. The plan includes information on site maintenance, fire frequency, wetland management, and boundary protection.

In the event that University Place is not approved by Sarasota County with the 395 acre Open Use Conservation District within one (1) year of the effective date of this Development Order or if such Open Use Conservation District is reduced in size by more than ten (10) acres, then within one (1) year of either such date or action the Developer* shall prepare a wildlife management plan to address the impacts of the Project* on any listed species found on University Lakes, except for the gopher tortoise. The Florida Game and Fresh Water Fish Commission (FGFWFC) found that a regionally significant population of gopher tortoise does not exist on University Lakes. However, any taking must comply with FGFWFC rules and the Developer* must obtain a gopher tortoise incidental take permit from the FGFWFC. If a management plan is prepared, pursuant to this paragraph, the plan shall be submitted to the FGFWFC and the Department of Community Affairs for review and to the County* for review and approval.

C.(2) The Developer* shall provide small wildlife crossings (18" culverts) under roadways at the two locations where the north/south collector roadways intersect with Cooper Creek.

C.(3) In accordance with applicable law, the Developer* shall coordinate with the Florida Department of Agriculture and Consumer Services and the County* for proper relocation of any listed species found on-site in addition to the requirements of C.(1) above.

C.(4) Representative tracts of all major natural upland vegetative communities (Live Oak, Pine-Mesic Oak, Pine Flatwoods, Temperate Hardwoods), as depicted on Revised Map H, shall be set aside in their natural state to serve as conservation areas.

C.(5) The removal of naturally-occurring vegetation shall be limited in accordance with the Manatee County Comprehensive Plan. This limitation shall not include the removal of diseased trees or vegetation, or exotic species, or other species approved by the EAC consistent with the provisions of the Manatee County Comprehensive Plan.

C.(6) Areas designated as Preservation Areas on Revised Map H shall be protected in perpetuity by conservation easement or other legal instrument approved by County*.

Land

D.(1) The Developer* shall initiate the following procedures to ensure erosion control during development of the Project*:

(a) Sod, seed, or plant embankment areas of stormwater detention or retention ponds;

(b) Sod, seed, mulch, or landscape cleared or disturbed areas as soon as possible after clearing and grading;

(c) Limit clearing and site work, construction, and clearing to areas needed for immediate development;

(d) Develop asphalt roads as soon as possible;

(e) Initiate landscaping before development work is completed on a site;

(f) Construct sediment basins at the start of each drainage system phase;

(g) Utilize straw filter barriers or filter fabric at discharge points including, but not limited to, temporary discharge points;

(h) Install temporary sediment basins and perimeter dike systems as a first step in the grading process and inspect and clean out the temporary sediment basins on a regular basis; and

(i) Preserve the existing natural vegetation along Foley Creek and Cooper Creek, as depicted on Revised Map H.

Air Quality

E.(1) The Developer* shall, subject to applicable water quality standards, institute the following procedures to ensure dust control during development of the Project*:

(a) Implement a watering program during excavation and dredge and fill operations;

(b) Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;

(c) Treat disturbed areas after clearing, grading, earth moving, or excavation is completed by watering, revegetation, spreading soil binders, or compacting fill material until areas are paved or developed;

(d) Keep soil stockpiles moist, or treat with soil binders or cover;

(e) Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;

(f) Remove dust producing materials as soon as possible;

(g) Maintain 15 mph or less vehicle and equipment speeds on temporary roads;

(h) Sod, seed, mulch, or landscape cleared or disturbed areas, including embankment areas, of stormwater detention or retention ponds as soon as possible after clearing and grading;

(i) Limit site work and construction to areas needed for immediate development;

(j) Develop asphalt roads as soon as possible;

(k) Initiate landscaping before development work is completed on-site; and

(l) Utilize water spray trucks to control dust generation in heavy construction areas.

E.(2) Further Section 380.06(6), Florida Statutes, review will be required for air quality impacts, of Phases II, III, and IV. This Development Order* must be amended prior to granting specific approval to Phases II, III, and IV to address any air quality impacts and to specify any necessary mitigation prior to the commencement of said Phases. This review shall be a cumulative assessment of the Combined Projects*.

Water Quality and Drainage

F.(1) Prior to any site alteration associated with the Project*, the Master Drainage Plan for the Project* shall be submitted to DER, SWFWMD, and EAC for review and to the County* for approval. (The requirements of Condition F.(1) have been completed)

The stormwater management system shall be designed, constructed, and maintained to meet or exceed the applicable requirements of Chapter 17-25, 40D-4, and 17-40, F.A.C. The stormwater management system shall be designed to comply with the provisions relating to the Evers Reservoir Watershed Protection Overlay District by providing treatment, at a minimum, of 150% of the criteria found in Chapter 17-25 and 40D-4, F.A.C. Nothing in this Section F.(1) shall be construed as a waiver by the Developer* of any vested rights, if any, pertaining to approved (as depicted in an approved Preliminary Site Plan for that Phase or subphase) or constructed stormwater facilities. With the exception of any such vested rights, if any, the Project* shall also comply with any special local watershed protection provisions adopted after the approval of this Development Order. An acceptable method for meeting such standards for the treatment of stormwater runoff for the majority of the site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2 of the ADA.

F.(2) Best Management Practices* (BMP) for reducing water quality impacts, as recommended by the County* and SWFWMD in accordance with adopted regulations of these agencies, shall be implemented and may include a street cleaning program for parking and roadway areas within the Project*.

F.(3) The Developer* shall be the entity responsible for maintaining the stormwater management system. The Developers* maintenance and inspection schedule for ensuring proper water quality treatment shall be submitted to the County* for approval, prior to site alteration activities associated with the Project*.

F.(4) Stormwater discharge shall not cause the receiving water body to violate the limits defined in the Class appropriate to that water body. Where background conditions in the water body in question do not meet the applicable standards due to natural causes outside the control of the Developer*, site specific, alternative criteria may be established in conjunction with the County*.

F.(5) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a surface water quality and quantity monitoring program approved by the County* (Completed). This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include provisions for the characterization of pre-construction baseline water quality and quantity conditions of surface water entering and leaving the site. The surface water monitoring program shall also provide the monitoring of surface water quality during periods of construction. In addition, the surface water monitoring program shall include an ongoing plan for monitoring of post-construction surface water quality. The surface water quality monitoring program required pursuant to this condition shall include an identification of the locations, frequency, and duration of sampling, parameters to be monitored, collection and analytical methods, and reporting requirements. All water quality sample collections and laboratory analyses shall be made in accordance with USEPA/FDEP approved methodology. The laboratory performing the analyses shall be certified by the FDHRS and shall have an approved comprehensive quality assurance plan on file with the FDEP. Any violation of federal, state, or local water quality standards shall require corrective measures as required by that authority.

F.(6) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a groundwater monitoring program approved by the County* and EAC. This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include appropriate provisions for the characterization of the pre-development baseline water quality and water level conditions of the site's groundwater. The groundwater monitoring program required

Upon completion of the pre-development groundwater program, a report of results will be submitted to the County* for review and approval. In addition to the official laboratory results, the report shall include recommendations regarding monitoring during construction and post-construction. Any proposed construction and post-construction monitoring plans developed pursuant to this condition shall be submitted to the County* for review and approval.

F.(7) In the event that an overall watershed monitoring and reporting program is implemented and satisfies the intent of conditions F.(5) and F.(6), these programs may be discontinued upon the recommendation and approval of such by the County*. The City of Bradenton shall be notified prior to the approval of the discontinuance of this program.

F.(8) To the extent required by applicable law, any shoreline banks created along on-site stormwater detention lakes shall include littoral zones constructed on slopes no steeper than a 4:1 horizontal to vertical ratio and shall be planted in, or allowed to be colonized by, diverse native emergent and submergent vegetation. The Developer* shall ensure, by supplemental replanting, if necessary, at least eighty-five percent (85%) coverage by native aquatic vegetation is established within the littoral zone (to include at a minimum the area between ordinary high water and ordinary low water) in accordance with applicable regulations.

F.(9) The Developer* shall conduct annual inspections of the environmental swale systems on the Project* site to ensure the swales are being properly maintained in keeping with their design and are capable of accomplishing the level of stormwater storage/treatment for which they were designed and intended. Verification of such inspection shall be supplied in each Annual Report.

F.(10) Prior to any site alteration, the Developer* shall develop and submit for approval by the County* an Integrated Pesticide/Herbicide Management Plan (IPMP) and a Hazardous Materials Management Plan (HMMP). (Completed)

Historical and Archaeological Sites

G.(1) The discovery of any historical or archaeological resources during development activities of the University Lakes Project* shall be immediately reported to the Florida Division of Historical Resources (FDHR). If the significance of an archaeological or historical site, discovered during development, is unknown and the site is to be impacted by Project* activities, additional testing shall be required at the site to determine significance. Disposition of such resources shall be determined in cooperation with the FDHR, TBRPC and Manatee County. Treatment of the resources shall be completed before resource-disturbing activities are allowed to continue.

Water

H.(1) The Developer* shall participate, as required by Manatee County ordinances and consistent with any Developer Agreements, in any necessary expansion of potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

H.(2) The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with the SWFWMD rules and regulations. Any existing on-site wells not intended for potable or non-potable uses shall be plugged and abandoned in accordance with Rule 40D-3.041(1), Florida Administrative Code.

H.(3) The Developer* shall require the installation of high efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices, as mandated by the Florida Water Conservation Act (Section 553.14, Florida Statutes). This will include the use of toilets requiring no more than 1.6 gallons per flush in all areas, and installation of self-closing or metered water faucets shall be required in all public and commercial restroom facilities.

H.(4) The Developer* shall maintain all water lines and fire hydrants not dedicated to the County*.

H.(5) The Developer* shall, to the extent non-potable water is available, use only non-potable water to meet non-potable water demands. For purposes of this Approval, "non-potable" water is defined as water emanating from any source other than a public water utility. The Developer* shall submit an acceptable plan to the County* and the TBRPC for the use of non-potable water on-site. The plan shall be completed prior to Final Site Plan approval for any phase or subphase and shall include an implementation timetable, as well as a determination of the availability and feasibility of using reclaimed wastewater or stormwater retention ponds for irrigation purposes, to the extent permitted by law. (Completed)

H.(6) Adequate fire flow and water pressure shall be maintained within the Project's* water supply system.

H.(7) The Developer* shall conform to and further the applicable rules and adopted guidelines of the SWFWMD in regard to protection of the groundwater resources in the Eastern Tampa Bay Water Use Caution Area (WUCA) to the extent then in effect.

H.(8) The Developer* shall use the lowest quality water supply which meets the needs of the intended use, provided that such sources are economically feasible, practically available, and legally permissible.

A plan which investigates the use and feasibility of these alternatives shall be prepared by the Developer* and submitted with the first Annual Report to TBRPC, SWFWMD, the County* for review and further action if warranted. (completed)

H.(9) For the purpose of potable and/or reclaimed water conservation, utilization of xeriscape principles are required in landscaped areas. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall only be irrigated to the minimum extent required to ensure healthy vegetation.

Wastewater

I.(1) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements in any necessary expansion of wastewater service to and consistent with any Developer Agreements for each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project*.

I.(2) No additional permanent septic system shall be permitted within the Project*.

I.(3) Sewer lift stations shall be designed and equipped in accordance with County* regulations.

I.(4) The Developer* shall submit to the County*, prior to each Final Site Plan approval, a monitoring plan to identify and correct any leaks or ruptures of the sewer lines which are maintained by the Developer*. This plan must be approved by the County* and should identify the entity responsible for the monitoring and a time schedule for conducting the inspections. Faulty lines shall be replaced as quickly as possible. A report of inspections, results, and repairs must be included in the Annual Report.

I.(5) The disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (Ordinance No. 91-39).

I.(6) The Developer* shall implement a wastewater reuse system when feasible, as discussed in development condition H.(8) herein.

Solid Waste

J.(1) Within one year of the effective date of the Development Order, or prior to issuance of subsequent Development Approvals* for any non-residential land use within the Project*, whichever occurs later, the Developer* shall prepare a hazardous

substances (including bio-hazardous wastes) and a hazardous waste management plan which shall be reviewed by DEP, TBRPC, approved by the County*, and then distributed by the Developer* to non-residential land users within the Project*.

At a minimum, the plan shall:

(a) Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;

(b) Provide a list of agencies which can be consulted regarding the types, sources, and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;

(c) Provide a list of agencies which can describe generally appropriate disposal methods;

(d) Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances and disposal of hazardous wastes;

(e) Provide a list of agencies which can describe construction requirements for hazardous waste holding areas;

(f) Describe a program to inform owners and tenants of the information contained in the Plan;

(g) Provide a list of agencies which can describe typical spill clean up methods; and

(h) Be updated and distributed to each non-residential land user annually.

(Said Plan has been approved)

J.(2) All Project* tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use shall be included in each Annual Report.

J.(3) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements in any necessary expansion of solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

J.(4) Surface impoundments of hazardous materials and hazardous wastes, land treatment of hazardous materials and hazardous wastes and landfills for hazardous materials and hazardous wastes are prohibited.

J.(5) Individual Tenants shall be required to transport and dispose of hazardous waste in a manner consistent with applicable regulations through restrictive covenants. Individual Tenants shall be encouraged to develop permittable temporary on-site hazardous waste treatment and storage capabilities prior to transport and shall remove hazardous and toxic wastes from the site as soon as is practical. Such transportation of toxic and hazardous materials shall be performed by a company that is accredited by all appropriate agencies in the transportation and handling of such materials.

J.(6) All aboveground and underground pollutant storage tanks systems will be installed, monitored and managed according to applicable Federal, State, and Local regulations.

Recreation and Open Space

K.(1) The Project* shall contain, at a minimum, 403.4 acres of open space (approximately 350.4 acres of wetlands and an estimated minimum of 26.5 acres of mitigation) in addition to approximately 490.8 acres committed to recreation (a 22.6 acre park, a 16.1 acre tennis/boat club, 291.7 acres of golf course, and a lake of some 160.4 acres).

Notwithstanding the above, if the County* should decide the 22.6 acres of park is not needed, then the Developer* shall be able to use the applicable parcel for residential development or as a school site, provided the number of dwelling units is not increased.

K.(2) All recreation and open space areas not deeded to the County* or other state agencies shall be maintained as common open space through deed restrictions or owned by a property owners' association for the Project* or neighborhood within the Project*, as may be appropriate in accordance with the Land Development Code.

K.(3) Except as described in K.(1) above, all recreation, park, and wetland sites, as shown on Revised Map H of the ADA*, shall not be utilized for other uses inconsistent with their designation on said map. Any proposal to change these uses shall be subject to a Substantial Deviation Determination if required by Subsection 380.06, Florida Statutes.

K.(4) The Project's* public parks and public recreational facilities shall be accessible to the elderly, the handicapped, and economically disadvantaged and may be subject to a reasonable agreement between the County* and the Developer* limiting the use as a park facility and times of operation.

Education

L.(1) The Development shall dedicate an elementary school site either adjacent to, or having direct access on, a constructed county-maintained right-of-way and meeting all State and Manatee County new school site requirements upon request by the School Board. The school site shall be deemed to be a part of the Phase I approvals for the Project* and shall be shown on an amendment to the General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. The dedicated school site shall be a minimum of 18 acres, depending upon the characteristics of the site selected and said site shall be selected from property shown as residential, commercial, or business on Revised Map H, and shall be reflected on a revised General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. If the Developer* and the County School Board agree, the dedicated school site may be located off-site on property owned by the Applicant*. If adjacent property is provided as a public park or for emergency services, this acreage may be reduced to a total of fifteen acres.

L.(2) If the County School Board should decide the school is not required, or the selected location is inappropriate, the Developer* shall be permitted to exchange sites, to the School Board's satisfaction, and shall be permitted to use the originally selected parcel for residential development, provided the number of dwelling units approved for the Project* is not increased. Any such exchanges in school sites shall require an amendment to the General Development Plan. If additional recreational opportunities are required, the County* may require dedication of up to five acres of the designated school site parcel for active recreation.

Health Care, Police, and Fire

M.(1) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction and equipping of emergency service facilities for emergency medical services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to December 31, 1997. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law.

M.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of fire protection service facilities for fire protection services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro- rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Final Site Plan or Final Plat for Vertical Development* for Phase I or any subphase thereof. Any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. (Completed)

M.(3) The Project* shall be designed and constructed to meet or exceed specifications of the applicable Fire Code.

M.(4) The height of buildings allowed in the Project* shall not exceed that appropriate for the available water pressure and fire flows, or exceed the reach of available fire fighting equipment at the time of any Preliminary Site Plan approval for any phase or subphase.

M.(5) Prior to approval of each Final Site Plan, the Developer* shall provide assurance for each increment of development that the site will be supplied to the extent required by applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number and appropriate locations to accommodate fire fighting operations. Additionally, the Developer* shall provide calculations by a Florida registered engineer to the County* indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Braden River Fire Department that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Certificate of Occupancy for the Project* by the County*.

M.(6) The Manatee County Sheriff's Office shall provide typical police protection to each phase or subphase of the Project*. The Developer* shall participate, in accordance with applicable County* ordinances or Developer Agreements, in any expansion of such services necessary to serve the Project* or any phase or subphase thereof.

Economics

N.(1) Excess infrastructure capacity constructed by the Developer* shall be at the Developer's* risk and shall not vest latter development rights not addressed in this approval.

N.(2) The Project* shall promote entrepreneurship and small and minority owned business start-up, and encourage nondiscriminatory employment opportunities, pursuant to Policies 21.2, SCP and 21.5.3, FCRPP, respectively.

N.(3) The development and promotion of a day care system should be encouraged on site and any such day care system shall be in compliance with the Manatee County Land Development Code and any other applicable regulations.

Energy

O.(1) Issuance of Development Approvals* for each phase or subphase shall be dependent upon the ability of electrical or gas utilities to meet the energy requirements of the development.

O.(2) All Project* tenants, businesses, residents, etc. shall be notified in writing by the Developer* prior to occupancy that the following energy related practices are encouraged:

(a) Use energy alternatives, such as solar energy, resource recovery, waste heat recovery, and cogeneration, where economically feasible;

(b) Obtain energy audits provided by energy companies or other qualified agencies;

(c) Install water heater timers and set water heaters at 130 degrees Fahrenheit or lower;

(d) Use landscaping and building orientation to reduce heat gain, where feasible, for all Project* construction;

(e) Promote energy conservation by employees, buyers, suppliers, and the public, as appropriate;

(f) Reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours, as appropriate;

(g) Institute and utilize recycling programs;

(h) Utilize energy efficient packaging or recyclable materials;

(i) Install total energy systems on large facilities when cost effective; and

(j) Elimination of advertising requiring lighting after business hours where feasible.

O.(3) Incorporation of the energy conservation measures referenced on pages 265 and 266 of the ADA* shall be required. A progress report on the energy conservation measures shall be included as a part of each Annual Report.

Affordable Housing

P.(1) A cumulative assessment of the affordable housing needs of the Combined Projects* for Phase I has been performed as required by the 380 Review Agreement*. In order to ensure that employees of University Lakes will find adequate housing opportunities reasonably accessible to their places of employment, the Developer* shall conduct a reanalysis of Phase I development of the Combined Projects* to determine the availability of adequate housing proximate to, or otherwise reasonably accessible to, the development. This analysis shall be submitted when the Developer* has been issued building permits for an amount of non-residential development within the Combined Projects* for which affordable housing units are available. It has been determined that the available supply of affordable housing (945 units) will meet 46.3% of the affordable housing demand created by Phase I of the Combined Projects*. For the purposes of determining when the Combined Projects* has created the need for 945 dwelling units, the following demand ratios shall be used to calculate the number of units of available supply utilized by amount and type of development:

Retail	2,411 square feet/unit
Office	1,507 square feet/unit
Manufacturing	3,192 square feet/unit
Warehouse	3,190 square feet/unit
Hotel	6 rooms/unit

P.(2) Once the Combined Projects* have created the need for 945 affordable housing units, no further development shall be permitted in University Lakes until the Developer*, pursuant to the Notice of Proposed Change provisions, has submitted a re-analysis of the affordable housing needs of Phase I of the Combined Projects* and the Development Order, pursuant to the Notice of Proposed Change provisions, has been amended to incorporate appropriate mitigation measures for affordable housing. This analysis and determination shall be accomplished using a methodology reviewed by TBRPC and approved by the County* and the Department of Community Affairs, and shall reassess the affordable housing impacts utilizing actual Combined Projects* experience where best available data exists. The result of such analysis shall be reviewed by TBRPC and approved by the County* and the Department of Community Affairs. If such analysis approved by the County* and the Department of Community Affairs indicates that the development will create need for affordable housing that is not being provided by other residential developments proximate (as defined in the approved methodology) to the development and if such analysis indicates that the development would not further the creation of adequate housing opportunities reasonably accessible to places of employment (as determined by the approved analysis), then the Developer* shall

prepare a Housing Affordability and Implementation Plan (HAIP) and have the HAIP adopted by Manatee County as an amendment to this Development Order. The adoption of the HAIP as an amendment to this Development Order shall not be deemed to constitute a substantial deviation pursuant to Chapter 380.06, Florida Statutes. The HAIP shall comply with the goals and standards established by the TBRPC's Comprehensive Regional Policy Plan and the Manatee County Comprehensive Plan in effect as of this Development Order, and all applicable rules established by the state land planning agency at the time of the preparation of the HAIP.

At a minimum, the HAIP shall contain:

1. Specific provisions for the delivery of affordable housing proximate to the Combined Projects* to meet the demands created by the Combined Projects*. In addition, the HAIP may contain specific provisions for off-site housing in lieu of on-site housing if on-site housing is not permitted or is impractical;

2. Specific mechanisms for HAIP implementation;

3. Provisions to ensure continued adequacy of units; and

4. Monitoring provisions.

In addition, the HAIP, may contain specific provisions for the contribution of monies to an Affordable Housing Trust Fund that shall be administered by the appropriate County* agency. The method of determining the proportionate share of monies which may be required to be contributed, based upon the actual impacts of the development, shall be determined during the methodology meetings for preparation of the HAIP;

Specific approval of Phases II, III and IV is conditioned on further Section 380.06(6), Florida Statutes, (submittal of a substantial deviation application for development approval) review on affordable housing, as well as the other specific issues listed elsewhere in this Development Order. The Developer* shall conduct an affordable housing study based on a methodology agreed to pursuant to said review. If the study indicates that the additional development for which the Developer* is requesting approval will create the need for affordable housing that is not being provided within the Project* or within an area proximate (as determined by the approved methodology) to the Combined Projects*, the Development Order shall be amended to include appropriate mitigation. The affordable housing needs of the Combined Projects* shall be mitigated using those measures that are in effect at the time specific approval of a later phase is requested.

P.(3) Payments made by the Applicant under the provisions of law may be credited against any contributions which may be required under the provisions of the HAIP or subsequent housing analyses, if requested by the Developer* and approved by the County*.

General Conditions

Q.(1) Should the Project* significantly depart from the parameters set forth in this Development Order and the ADA*, the Project* will be subject to a Substantial Deviation Review, pursuant to Section 380.06, Florida Statutes. Any change to the Project* which meets the criteria set forth in Subsection 380.06(19), Florida Statutes, shall require a hearing to determine if the change constitutes a Substantial Deviation.

Q.(2) The Developer's* commitments set forth in the ADA*, and, as summarized in Section 6 herein, shall be honored, except as they may be superseded by specific terms of the Development Order.

Q.(3) Should the Developer* divest itself of all interest in the Project* prior to the expiration of the Development Order, the Developer* shall designate the successor

entity to be responsible for preparation of the Annual Report, subject to approval by the County*.

Q.(4) All Development Approvals* shall be obtained prior to September 13, 2019. This Development Order shall expire 5 years after the buildout date to allow for post-development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

Q.(5) A Preliminary Site Plan for each phase shall be required.

Q.(6) The Developer* shall make appropriate efforts to coordinate with, and inform the appropriate public authorities of, the feasibility of the proposed school site for hurricane shelter, building closings, security and safety precautions, and evacuation plans.

Q.(7) Except for any existing use or for construction offices and similar temporary uses, or any use on the school site or park site, or other use by a public agency, any proposal to utilize mobile homes on the site shall require a Substantial Deviation Determination, pursuant to the procedures in 380.06(19)(a), Florida Statutes.

Q.(8) The Developer*, its successors, assigns or transferees, shall submit Annual DRI Reports in accordance with Section 380.06(18), Florida Statutes to the County*, TBRPC, the State Land Planning Agency, and other agencies, as may be appropriate, on the anniversary of the effective date of this Development Order and each year thereafter until such time as all terms and conditions of this Development Order are satisfied. Six (6) copies of this report shall be submitted to the Director of the Manatee County Planning Department or the Director's designee, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the Planning Director decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification, or change of any conditions, or any terms or conditions of this Development Order. The Annual Report shall contain the following:

(a) Any changes in the plan of development, or in the representations contained in the ADA*, or in the phasing or land uses for the reporting year and for the next year;

(b) A summary comparison of development activity proposed and actually conducted for the year;

(c) Undeveloped tracts of land, other than individual single-family lots, that have been sold to a separate entity or Developer*;

(d) Identification and intended use of lands purchased, leased, or optioned by the Developer* adjacent to the original DRI site since the Development Order was issued;

(e) An assessment of the Developer's* and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the Application for Development Approval* and which have been identified by the County*, TBRPC, or DCA, as being significant;

(f) Any known incremental DRI Applications for Development Approval* or requests for a Substantial Deviation Determination that were filed in the reporting year and to be filed during the next year;

(g) An indication of a change, if any, in local government jurisdiction for any portion of the Project* since the Development Order was issued;

(h) A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

(i) A copy of any recorded notice of the adoption of a Development Order for the subsequent modification of an adopted Development Order that was recorded by the Developer* pursuant to Subsection 380.06(15)(f), Florida Statutes;

(j) A statement that all persons have been sent copies of the Annual Report in conformance with Subsection 380.06(15) and (18), Florida Statutes;

(k) Information on the actual prices and rents of housing units constructed relative to the then-current Department of Housing and Urban Development (HUD) affordable housing guidelines;

(l) Reports or information pursuant to conditions A.(6), A.(7), J.(2), and O.(3).

Q.(9) All proposed modifications to University Lakes will be reviewed based on the Combined Projects* to determine whether the proposed modification will exceed any of the criteria set forth in Chapter 380.06(19), Florida Statutes.

In the event the University Place Development Order is amended by Sarasota County to allow development inconsistent with Table 3 or Table 4 of the University Lakes Development Order, then upon expiration of the 45-day appeal period of the amendment or, if the amendment is appealed, upon settlement of the appeal, the Developer* shall apply for an amendment to the University Lakes Development Order, and Manatee County subsequently shall consider an amendment to the University Lakes Development Order to make it consistent with the University Place Development Order. A Notice of Proposed Change, pursuant to Subsection 380.06(19), Florida Statutes, shall not be required for the amendment to the University Lakes Development Order, as described above, to make it consistent with the University Place Development Order, but shall require the requisite public hearings under Chapter 125, Florida Statutes, and the Land Development Code. However, such Development Order amendment adopted by Manatee County must be rendered to the Department, pursuant to Subsection 380.06(19),Florida Statutes. If the amendment to the University Lakes Development Order is consistent with the amendment to the University Place Development Order or any settlement of an appeal of the University Place Development Order amendment, then DCA shall not appeal the amendment.

The substantial deviation criteria set forth herein are not applicable to land use exchanges which are authorized pursuant to Sections 4.B. and 4.C. of this Development Order. Additions to the amount of development in a particular land use category resulting from the use of the exchange mechanism are permitted only in conjunction with the simultaneous reduction from another specifically approved use and do not authorize additional development beyond that which has received specific Development Order Approval.

Q.(10) Unless otherwise expressly stated in this Ordinance , the Project* shall comply with all future amendments to the Land Development Code and the Comprehensive Plan.

Q.(11) Wherever in this Development Order the Developer* is required to file a Notice of Proposed Change, the Developer* shall send a copy of said NOPC to Sarasota County and SWFRPC.

Q.(12) In the event of a Development Order appeal or other legal challenge of this Development Order by the Department of Community Affairs, the Developer* shall pay all reasonable costs and fees of County* staff and attorneys relating to said appeal or legal challenge at the rate for processing this Development Order under the current Planning fee schedule. Payment of all billings by the Developer* related to such fees and costs shall be paid within forty five (45) days of submittal of an invoice.

Section 6. DEVELOPER* COMMITMENTS

The following are Developer* commitments set forth in the ADA* which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order or applicable law.

A. GENERAL PROJECT* DESCRIPTION

A.(1) The three designated community commercial areas will be developed in compliance with the adopted Comprehensive Plan in terms of permitted uses, maximum square footage, floor area ratio, and location on the road network. (SR, 17 & 18)

A.(2) All requirements of the Evers Reservoir Watershed Overlay District will be met within this Project*. (ADA*, 16)

A.(3) Neighborhood oriented retail areas will be located within the community commercial parcels which lie within the RES-1 Future Land Use Classification. (SR, 13)

A.(4) The Project* will construct, or cause to be constructed, two major thoroughfares, University Parkway and the extension of Upper Manatee River Road. (SR, 93)

B. WETLANDS

B.(1) The existing wetlands and proposed mitigation areas will have 50-foot wetland buffers around DEP wetlands and 30-foot buffers around wetlands within the jurisdiction of ACOE and SWFWMD, as shown on Revised Map H. (ADA*, 16)

B.(2) A total of approximately 312.2 Acres of native wetland habitats on-site will be preserved. (ADA*, 65)

B.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (ADA*, 21)

C. WATER

C.(1) The pesticides, herbicides, and fertilizers used on grassed areas of the University Lakes site will be applied in strict accordance with the manufacturer's application guidelines to avoid negative impacts on surface water quality. (SR, 175)

C.(2) Erosion controls will be of primary importance in preventing fertilizer runoff. Soil tests will be conducted to avoid application of unnecessary types, rates, and amounts of fertilizers. Applications will be made when adequate soil moisture exists and likelihood of major storm event is minimal. (SR, 32)

C.(3) Numerous precautions, described on page 33 of the Sufficiency Response, will be taken to prevent contamination of surrounding soils and waters. (SR, 33)

D. SOILS

D.(1) All of the methods described on pages 140 and 143 of the ADA* will be utilized to overcome the soil limitations on-site. (ADA*, 140 & 143)

D.(2) The wind and soil erosion abatement methods listed in the ADA* will be followed. (ADA*, 143)

E. FLOODPLAINS

E.(1) Any loss of 100-year floodplain storage volume will be compensated by the excavation and creation of equal storage volume within the 100-year floodplain. (ADA*; 147)

F. WATER SUPPLY

F.(1) The internal potable water supply system will be constructed to Manatee County standards and dedicated to Manatee County where the potable system exists in proposed public rights-of-way. (ADA*, 155)

F.(2) Non-potable water conservation will be accomplished through the use of xeriscaping and preservation of existing native vegetation communities in accordance with applicable provisions in the Manatee County Land Development Code. (ADA*, 157)

G. STORMWATER MANAGEMENT

G.(1) All off-site runoff is to be routed through or around the property. There are five areas where off-site flow will be accepted into the stormwater management system, totaling 50.2 acres along the southern boundary and 12.6 acres along the northern boundary. (ADA*, 167)

G.(2) The stormwater management system will accept all existing off-site flows from Sarasota County. (SR, 190)

G.(3) The primary method for treatment of stormwater runoff for virtually the entire site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2. (ADA*, 172)

G.(4) The wet detention system will incorporate vegetated littoral zones which will equal approximately 15 to 20 percent of the surface area of the stormwater detention ponds. Sediment sumps will be provided at all inflow locations. (ADA*, 174)

G.(5) The hydroperiods of all on-site wetlands will be maintained except as depicted on Revised Map H. (ADA*, 176)

G.(6) Water levels in the detention ponds will be designed to be compatible with wetland seasonal high water tables and existing upland water tables. (ADA*, 183)

G.(7) Litter and debris which is captured within the stormwater treatment ponds will be periodically removed during routine clean-up of the Project's* open space areas and pond system. (SR, 104)

H. SOLID WASTE/HAZARDOUS WASTE/MEDICAL WASTE

H.(1) The Applicant will investigate the possibility of mulching trees and brush that will be removed as land clearing operations commence, for the purpose of retaining mulch to meet the on-site needs. (SR, 109)

I. TRANSPORTATION RESOURCES

I.(1) The Project* will construct or cause to be constructed University Parkway and the extension of Upper Manatee River Road. (ADA*, 23)

I.(2) The segment of University Parkway through the site will be dedicated to Manatee County and will include 200 feet of right-of-way. (SR, 72)

I.(3) The Applicant is proposing dedication of all necessary right-of-way with regard to roadways located in the Project* as shown on Revised Map H. (SR, 132)

J. AIR

J.(1) The Project* will utilize current state-of-the-art methodologies for prevention of fugitive dust particulates during construction. (ADA*, 21)

J.(2) Clearing and grubbing operations will be performed only on individual parcels of land where construction is scheduled to proceed. Measures to be employed to minimize fugitive dust will include sodding, seeding, mulching, or landscape planting in cleared or disturbed areas. (ADA*, 226)

K. POLICE AND FIRE PROTECTION

K.(1) The Applicant/Developer* will provide a pro rata share for any equipment or personnel needs that may be created by this Project* for police and fire protection

and emergency medical services in accordance with applicable regulations. (ADA*, 25)

K.(2) The Developer* will provide a pro-rata share of the cost of building and equipping the facilities needed to provide emergency medical services to the Project*. (ADA*, 259)

L. RECREATION AND OPEN SPACE

L.(1) All proposed bike and pedestrian paths will be confined to appropriate areas outside of preservation areas in accordance with applicable laws and regulations. (SR, 83)

L.(2) The Project* will feature pedestrian ways and bikeways throughout the development, connecting the housing area to the recreational areas and the commercial areas. (ADA*, 9; SR, 207)

L.(3) University Lakes will have major active recreational land uses comprising over 18 percent of the total Project* acreage. The project will contain a tennis and swim club and boat clubhouse which will be located on the 160.4 acre lake. It will also contain a park, golf course, clubhouses, and driving ranges. (ADA*, 9)

L.(4) The recreational lakes, tennis and boat club, and golf course may be maintained and operated by a private owner and may require private membership or use permits. Open space and environmentally sensitive land will be protected by covenants or conservation easements to protect the natural qualities and will be conveyed to the appropriate homeowners' or master homeowners' association for maintenance. (ADA*, 252-253)

M. EDUCATION

M.(1) The Project* will provide a financial contribution or donation of land to the educational system for the purpose of building schools to service the residential component of the Project*, facilitating educational opportunities within close proximity for the school age children of the Project*. (ADA*, 24)

N. ENERGY

N.(1) The Project* will utilize both electric power and natural gas as sources of energy. Energy conservation techniques, including the use of landscaping, building orientation, and natural vegetation will be used to promote energy conservation. (ADA*, 27)

N.(2) If the need for an electric substation arises, a suitable location will be determined and provided to Florida Power and Light Company. (SR, 86)

N.(3) The traditional energy conservation methods will be used in the residential and non-residential building construction. Some of these methods are:

(a) increased insulation;

(b) high efficiency-type mechanical appliances;

(c) cross ventilation;

(d) window orientation;

(e) solar heating and cooling systems; and

(f) low pressure sodium lamps for exterior lighting. (ADA*, 265-266)

N.(4) The Developer* will implement, where feasible, the energy conservation measures described in the ADA*. (ADA*, p.263)

O. AIR

O.(1) The Developer* will implement the steps described in the ADA* to minimize fugitive dust emissions from wind erosion of disturbed soil surfaces, movement of construction equipment, and burning of cleared vegetative material. (ADA*, 226)

O.(2) The level of service of all roadways in the Transportation Impact Area* will be maintained at LOS D or better, thereby maintaining air quality. (ADA*, 228)

P. WATER SUPPLY

P.(1) The Developer* will consider the use of surface water from detention ponds as a supplement to groundwater resources. (ADA*, 154)

P.(2) Non-potable water conservation measures will include xeriscaping and preservation of native vegetative communities. If permitted, the Developer* would also consider the use of treated effluent from the County's* regional wastewater treatment facilities. (ADA*, 157)

Q. WATER QUALITY AND DRAINAGE

Q.(1) The primary method of treatment will be wet detention with effluent filtration utilizing a double underdrain system. The required level of treatment will be exceeded further by the use of biological filtration utilizing vegetated shallow shelves within the stormwater detention ponds. The on-site 160 acre lake will also be incorporated into the stormwater management system providing an opportunity to utilize extended residence time as an additional mitigative measure. (ADA*, 128)

Q.(2) Existing on-site wetlands will form an integral part of the stormwater management system, providing a mechanism for hydroperiod maintenance, storage, and improved surface water quality. (ADA*, 168)

Q.(3) All major drainageways and lake outfalls will be designed based upon a 25-year/24-hour storm event as provided in the ADA*. All interior and minor drainage systems are to be designed to a 10 year critical duration storm event. While runoff volume will increase with total development, the post-development 25-year/24-hour peak discharge rate will be maintained at or below to pre-development 25-year/24-hour peak discharge rate throughout the construction phases. (ADA*, 171)

Q.(4) The stormwater treatment system will meet FDEP Stormwater System Design Standards for discharge into Outstanding Florida Waters, as provided by Chapter 403, Florida Statutes, and Chapters 17-302, 17-4, and 17-25, F.A.C. (ADA*, 172)

Q.(5) Wetland hydroperiods will be maintained through the introduction of pre-treated stormwater ponds upstream of those wetlands. (ADA*, 176)

SECTION 7. LEGAL DESCRIPTION

Development of University Lakes shall be restricted to the 2,422.5 acres owned by the Developer* and described by the legal description included as Attachment #6 attached to, and made a part of, this Development Order.

SECTION 8. DEADLINE FOR COMMENCEMENT OF CONSTRUCTION

Physical development of the Project* shall commence within three years of the effective date of this Ordinance unless the time period for commencement is extended by the Board of County Commissioners (Development has commenced). If more than three years shall elapse between approval of this order and commencement of actual development, or if construction of a phase is not begun or completed by the time frame contained in Section 4. above, or if any five year period shall expire without significant development activity on the site, the Board of County Commissioners may conduct a public hearing in accordance with the Land Development Code and may, at its option, rescind any and all approvals granted herein. Any delay in construction commencement shall not be deemed to extend any time frame for completion of construction, commencement of subsequent phases, or the termination date of this Development Order. For the purpose of this provision, "significant development" shall

be the actual construction of site improvements or buildings as part of an ongoing effort to prepare improved land or buildings for sale, lease, or use.

SECTION 9. RESTRICTIONS ON DOWN-ZONING

Prior to October 13, 2019, the County* may not down-zone or reduce the intensity or unit density permitted by this Order, unless the County* can demonstrate that:

(a) substantial changes in the conditions underlying the approval of the Order have occurred; or

(b) the Order was based upon substantially inaccurate information provided by the Developer*; or

(c) the change is clearly established by the County* to be essential for the public health, safety, or welfare.

Any down-zoning or reduction of intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for changes in local land development regulations.

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order.

The inclusion of this Section is not to be construed as evidencing any present or foreseeable intent on the part of the County* to down-zone or alter the density or intensity of the Project*, but is included herein to comply with Section 380.06(15)(c)3, Florida Statutes.

SECTION 10. BINDING ORDER UPON DEVELOPER*

This Development Order shall be binding upon the Developer*.

SECTION 11. RENDITION

The Planning Department is hereby directed to send certified copies of this Order within thirty (30) days of the date of signature by the Chairman of the Board of County Commissioners to the Developer*, the Florida Department of Community Affairs, and TBRPC.

SECTION 12. NOTICE OF RECORDING

The Developer* shall record a notice of adoption of this Order as required pursuant to Chapter 380, Florida Statutes, and shall furnish the Planning Department a copy of the recorded notice.

SECTION 13. SEVERABILITY

It is the intent of this Development Order to comply with the requirements of all applicable law and constitutional requirements. If any provision or portion of this Development Order is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then such provision or portion shall be deemed null and void, but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 14. EFFECTIVE DATE

This Ordinance, 97-61, shall take effect upon being signed by the Chairman of the Board of County Commissioners, the receipt of an official acknowledgement from the Department of State and the expiration of any appropriate appeal period, which date shall be the effective date of this Ordinance or the effective date of this Development Order as the terms may be used herein.

SECTION 15. AMENDMENT OF DEVELOPMENT ORDER FOR DRI NO. 22.

The previous Development Order for University Lakes which was adopted on June 1, 1992 and all subsequent amendments are hereby replaced in their entirety.

ADOPTED AND APPROVED with a quorum present and voting the 28th day of October, 1997.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____
Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

BY: _____ DC

ATTACHMENTS #1, #2, #4, AND #5

ARE NOT ATTACHED BUT ARE ON FILE AT THE CLERK'S OFFICE
AS ATTACHMENTS TO THE PREVIOUSLY APPROVED ORDINANCE-93-25

1. Affordable Housing Analysis
2. 380 Review Agreement
4. Map J (attachment 5 of Ord 93-25)
5. Traffic Impact Table (attachment 6 of Ord 93-25)

LAND USE SCHEDULE

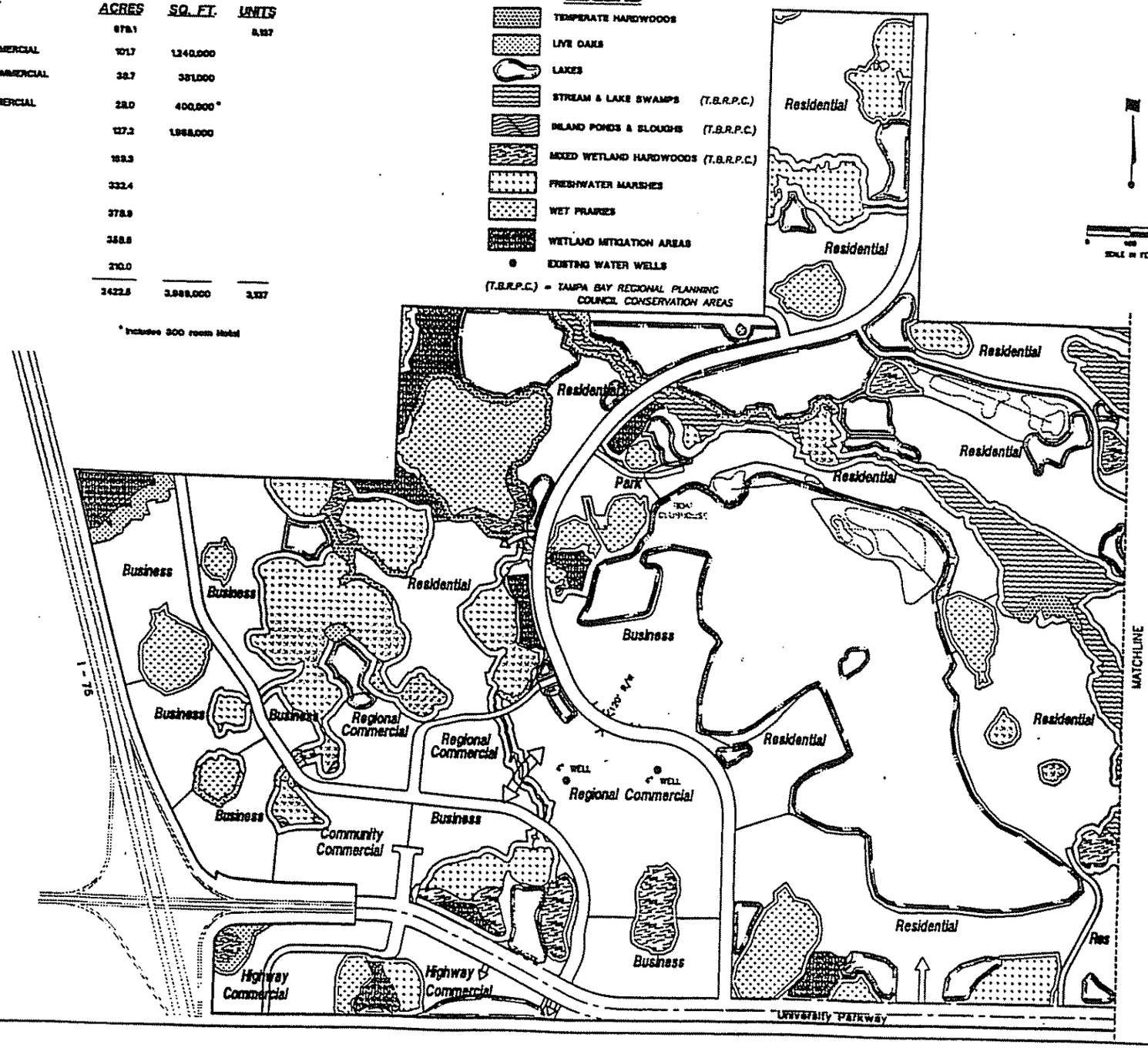
USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	675.1		5,137
REGIONAL COMMERCIAL	101.7	1,240,000	
COMMUNITY COMMERCIAL	32.7	381,000	
HIGHWAY COMMERCIAL	28.0	400,000 *	
BUSINESS	127.2	1,968,000	
RIGHT-OF-WAY	169.3		
RECREATION	332.4		
WETLANDS	378.9		
LAKES	368.8		
OPEN SPACE	210.0		
TOTAL	2422.8	3,989,000	5,137

* Includes 300 room Hotel

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- LAKES
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- EXISTING WATER WELLS

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS



SCALE IN FEET

WILSON, MILLER, BARTON & PEEK, INC.

REVISED MASTER DEVELOPMENT PLAN
University Lakes

A PLANNED DEVELOPMENT

By Schroeder-Manatee, Inc.

Revision Date: Feb. 28, 1992
Revision Date: Sept. 6, 1991
Revision Date: June 22, 1990
Revision Date: Sept. 3, 1991

Date: May 1, 1991 | Sheet: 1

MAP H

LAND USE SCHEDULE

USE	ACRES	SQ. FT.	UNITS
RESIDENTIAL	704.0		3,137
REGIONAL COMMERCIAL	72.3	1,340,000	
COMMUNITY COMMERCIAL	37.5	381,000	
HIGHWAY COMMERCIAL	28.0	400,000 *	
BUSINESS	128.4	1,968,000	
RIGHT-OF-WAY	178.4		
RECREATION	330.4		
WETLANDS	378.9		
LAKES	358.6		
OPEN SPACE	210.0		
TOTAL	2422.5	3,889,000	3,137

* Includes 300 room Hotel

LEGEND

- TEMPERATE HARDWOODS
- LIVE OAKS
- LAKES
- STREAM & LAKE SWAMPS (T.B.R.P.C.)
- INLAND PONDS & SLOUGHS (T.B.R.P.C.)
- MIXED WETLAND HARDWOODS (T.B.R.P.C.)
- FRESHWATER MARSHES
- WET PRAIRIES
- WETLAND MITIGATION AREAS
- EXISTING WATER WELLS

(T.B.R.P.C.) = TAMPA BAY REGIONAL PLANNING COUNCIL CONSERVATION AREAS

WILSON, MILLER, BARTON & PEEK, INC.

REVISED MASTER DEVELOPMENT PLAN

University Lakes

A PLANNED DEVELOPMENT

By Schroeder-Manatee, Inc.

Revision Date: Feb. 28, 1997
Revision Date: Sept. 9, 1995
Revision Date: June 22, 1995
Revision Date: Sept. 3, 1991

Date: May 1, 1991 | Sheet: 2

MAP H

ATTACHMENT #6

LEGAL DESCRIPTION FOR
A TRACT OF LAND SITUATED AND BEING IN SECTIONS 28, 29, 31, 32 AND 33, TOWNSHIP 35 S, RANGE 19 E AND SECTION 36, TOWNSHIP 35 S, RANGE 18, MANATEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 29, 30, 31 AND 32, TOWNSHIP 35 S, RANGE 19 E., FOR A POINT OF BEGINNING; THENCE N 00°22'41" E, ALONG THE WEST LINE OF SAID SECTION 29, A DISTANCE OF 2656.57 FT. TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE S 89°30'30" E, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 1337.72 FT. TO THE NORTHEAST CORNER OF THE WEST 1/2 OF SAID SOUTHWEST 1/4; THENCE S 00°27'02" W, ALONG THE EAST LINE OF SAID WEST 1/2 OF THE SOUTHWEST 1/4, A DISTANCE OF 2656.59 FT. TO THE SOUTHEAST CORNER OF SAID WEST 1/2 OF THE SOUTHWEST 1/4; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 29 (ALSO BEING THE NORTH LINE OF SECTION 32, TOWNSHIP 35 S, RANGE 19E), A DISTANCE OF 4003.06 FT. TO THE SECTION CORNER COMMON TO SECTIONS 28, 29, 32 AND 33, TOWNSHIP 35 S, RANGE 19 E; THENCE N 00°40'07" E, ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 2236.01 FT; THENCE S 89°31'24" E, PARALLEL WITH THE NORTH LINE OF SAID SECTION 28 AND 3077.34 FT. SOUTHERLY THEREFROM, A DISTANCE OF 2665.72 FT. TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 28; THENCE S 00°45'47" W, ALONG THE EAST LINE OF SAID WEST 1/2, A DISTANCE OF 2236.80 FT. TO THE INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 28; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 28 (ALSO BEING THE NORTH LINE OF SECTION 33, TOWNSHIP 35 S, RANGE 19 E), A DISTANCE OF 2662.03 FT. TO THE NORTHEAST CORNER OF SAID SECTION 33; THENCE S 01°24'24" W, ALONG THE EAST LINE OF SAID SECTION 33, A DISTANCE OF 6019.29 FT. TO THE SOUTHEAST CORNER OF SAID SECTION 33, THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 33 (ALSO BEING THE COMMON LINE BETWEEN MANATEE AND SARASOTA COUNTIES), A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 33 (SAME BEING THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 35 S, RANGE 19 E); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 32, AND THE COUNTY LINE, A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 32 (SAME BEING THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 35 S, RANGE 19 E); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 31 AND THE COUNTY LINE, A DISTANCE OF 4602.00 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE N 00°37'10" E, ALONG THE WEST LINE OF SAID SECTION 31, ALSO BEING THE EASTERLY LIMITED ACCESS R/W OF STATE ROAD NO. 93 (INTERSTATE 75), A DISTANCE OF 615.95 FT. TO A POINT ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S 67°41'09" E, 216.00 FT; THENCE RUN NORTHEASTERLY, ALONG SAID LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 65°57'32", A DISTANCE OF 248.66 FT. TO THE P.T. OF SAID CURVE; THENCE N 88°16'24" E, ALONG THE LIMITED ACCESS R/W OF STATE ROAD NO. 93 (I-75) - "UNIVERSITY PARKWAY" INTERCHANGE, A DISTANCE OF 628.74 FT; THENCE S 89°27'41" E, ALONG SAID LIMITED ACCESS INTERCHANGE R/W, A DISTANCE OF 298.75 FT. TO THE EASTERLY END OF SAID LIMITED ACCESS INTERCHANGE R/W; THENCE CONTINUE S 89°25'29" E, ALONG THE SOUTHERLY R/W OF "UNIVERSITY PARKWAY", A DISTANCE OF 133.18 FT; THENCE N 00°34'14" E, ALONG THE EASTERLY END OF SAID "UNIVERSITY PARKWAY" R/W, A DISTANCE OF 336.00 FT; THENCE N 89°26'21" W, ALONG THE NORTH LINE OF A 60 FT. WIDE F.D.O.T. SERVICE ROAD R/W, WHICH LIES PARALLEL AND CONTIGUOUS WITH THE NORTHERLY SIDE OF "UNIVERSITY PARKWAY", A DISTANCE OF 606.88 FT; THENCE N 85°37'30" W, ALONG SAID SERVICE ROAD R/W, A DISTANCE OF 460.53 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 396.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID SERVICE ROAD R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°45'40", A DISTANCE OF 191.87 FT. TO THE INTERSECTION WITH THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35 S, RANGE 19 E, SAME BEING THE EAST LINE OF SECTION 36, TOWNSHIP 35S, RANGE 18 E, (THE RANGE LINE); THENCE S 01°15'38" W, ALONG THE COMMON LINE BETWEEN SAID SECTION 31 AND 36 (THE RANGE LINE), SAME BEING THE WESTERLY END OF SAID F.D.O.T. SERVICE ROAD R/W, A DISTANCE OF 68.34 FT. TO THE INTERSECTION WITH THE EASTERLY LIMITED ACCESS R/W OF SAID STATE

ROAD NO. 93 (I-75), SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES N 27°43'29" E, 456 FT; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE; THROUGH A CENTRAL ANGLE OF 34°29'56", A DISTANCE OF 274.57 FT. TO THE P.T. OF SAID CURVE; THENCE N 27°46'35" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 566.48 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 4489.66 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°57'00", A DISTANCE OF 1014.75 FT. TO THE P.T. OF SAID CURVE; THENCE N 14°49'36" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 899.55 FT.; THENCE N 13°40'49" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 1016.32 FT.; THENCE S 88°46'12" E, A DISTANCE OF 1369.85 FT. TO THE INTERSECTION WITH THE EAST LINE OF SAID SECTION 36, TOWNSHIP 35S, RANGE 18 E., SAME BEING THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35S, RANGE 19 E (THE RANGE LINE); THENCE S 89°40'28" E, A DISTANCE OF 1438.64 FT; THENCE N 01°15'38" E, A DISTANCE OF 1532.73 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SECTION 31, TOWNSHIP 35S, RANGE 19 E (SAID POINT LYING S 89°40'28" E, ALONG SAID NORTH LINE, A DISTANCE OF 1438.64 FT. FROM THE NORTHWEST CORNER OF SAID SECTION 31); THENCE S 89°40'28" E, ALONG THE NORTH LINE OF SAID SECTION 31, A DISTANCE OF 3165.00 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 28, 29, 31, 32, AND 33, TOWNSHIP 35 S, RANGE 19 E AND SECTION 36, TOWNSHIP 35 S RANGE 18 E, MANATEE COUNTY, FLORIDA.

CONTAINING 2352.7 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

THIS DESCRIPTION IS NOT BASED ON AN ACTUAL FIELD SURVEY.

ALSO:

A TRACT OF LAND SITUATED AND BEING IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N 01°24'24" E, ALONG THE WESTERLY LINE OF SAID SECTION 34, A DISTANCE OF 6019.33 FEET TO THE NORTHWEST CORNER OF SAID SECTION 34;, THENCE N 89°57'56" E, ALONG THE NORTHERLY LINE OF SAID SECTION 34, A DISTANCE OF 120.02 FEET; THENCE S 00°51'27" W, A DISTANCE OF 1.87 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2190.00 FEET AND A CENTRAL ANGLE OF 13°14'44"; THENCE ALONG THE ARC IN A SOUTHERLY DIRECTION, AN ARC DISTANCE OF 506.28 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 12°23'18" E,; A DISTANCE OF 982.01 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 3060.00 FEET AND A CENTRAL ANGLE OF 10°28'18"; THENCE ALONG THE ARC IN A SOUTHERLY DIRECTION A DISTANCE OF 559.26 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 01°55'00" E., A DISTANCE OF 2240.90 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 10560.00 FEET AND A CENTRAL ANGLE OF 01°56'28"; THENCE ALONG THE ARC IN A SOUTHERLY DIRECTION A DISTANCE OF 357.76 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S 00°01'28" W, A DISTANCE OF 1402.77 FEET TO THE SOUTHERLY LINE OF SAID SECTION 34; THENCE N 89°58'32" W, ALONG SAID SOUTHERLY LINE A DISTANCE OF 678.98 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 69.8365 ACRES, MORE OR LESS.

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true copy of ORDINANCE NO. 97-61 adopted by the Board of County Commissioners of said County on the 28th day of October, 1997. This 5th day of November, 1997, in Bradenton, Florida

R. B. Shore
Clerk of Circuit Court
By: Robin Fiberty D.C.

MANATEE COUNTY
GOVERNMENT
PLANNING, PERMITTING AND INSPECTIONS DEPARTMENT
COMMUNITY PLANNING DIVISION

January 17, 1996

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

Re: Development Order for University Lakes DRI

Dear Mr. Butts:

Enclosed is a certified copy of Ordinance 95-44, the development order for University Lakes DRI, as adopted in open session by the Manatee County Board of County Commissioners on December 21, 1995.

The copy of the development order previously sent to you and DCA on January 4, 1996 was not a certified copy, as required by Rule 9J-2.025(5), Florida Administrative Code.

If I can be of further assistance, please contact me at (941) 749-3070, extension 6831.

Sincerely,

Michael Wood
Comprehensive Planning Administrator

MW/jy
Enclosure

1112 Manatee Avenue West • Fourth Floor • Bradenton, Florida Tel. (813) 749-3070 • FAX: (813) 749-3071
P.O. Box 1000 • Bradenton, Florida 34206-1000

ORD-95-44

SCHROEDER-MANATEE, INC.
(AKA UNIVERSITY LAKES OF MANATEE, INC.)
DEVELOPMENT ORDER ORDINANCE
GRANTING AMENDMENTS TO ORD-92-32, AS AMENDED BY ORD-93-25

WHEREAS, the Board of County Commissioners approved Ordinance 92-32 adopting a Development Order for University Lakes on June 1, 1992; and

WHEREAS, the Board of County Commissioners approved Ordinance 93-25 adopting amendments to the Development Order for University Lakes on October 28, 1993 to resolve issues raised in the appeal by the Department of Community Affairs and the Tampa Bay Regional Planning Council; and

WHEREAS, the proposed changes do not unreasonable interfere with the achievement of the objectives of the adopted State Land Development Plan; and

WHEREAS, the proposed change is consistent with the State Comprehensive Plan; and

WHEREAS, the proposed change will be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code; and

WHEREAS, the Developer* has requested that the Development Order for University Lakes be further amended to provide for the addition of land to the DRI, allow land to be dedicated upon request by the School Board and to change the amount of acreage devoted to individual land uses; and

WHEREAS, the requested changes require that other conditions be amended; and

WHEREAS, staff of Manatee County has proposed additional amendments regarding solid waste and water quality; and

WHEREAS, said Board of County Commissioners has considered all of the foregoing and has been advised and informed in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, that:

1. The Board finds that the proposed changes are not a substantial deviation and that the amended conditions adequately address the impacts of the proposed changes to the Development Order.

2. The following conditions are hereby amended to read in their entirety as follows:

Definitions:

H. "District*" shall mean any unit of local special purpose government formed pursuant to Chapter 190, F.S., or any similar entity such as a Municipal Service Taxing Unit or Municipal Service Benefit Unit, from time to time created or previously existing, which acts in accordance with applicable law and regulations, to finance or fund: (i) the cost of such actions as the planning, acquiring, constructing, equipping, installing, operating, and maintaining various community facilities; (ii) the cost of providing certain community services; (iii) contributions of funds to other governmental and non-governmental entities with respect to such facilities, services, and/or related Development Order commitments and conditions and (iv) satisfaction of any of the commitments and conditions contained in this Development Order related to the foregoing. It is the declarative of the intent of this Development Order that any commitment or condition of this Development Order may be directly performed or satisfied by any District* which properly operates within its scope of authority. Such performance or satisfaction shall not be deemed or construed to constitute the discharge of any obligation of the Developer*.

All subsequent definitions will be re-numbered accordingly.

F.(8) Deleted

J.(1)(c) Deleted

J.(1)(e) Provide a list of agencies which can be consulted regarding the proper handling of hazardous substances and disposal of hazardous wastes;

J. (4) Surface impoundments of hazardous materials and hazardous wastes, land treatment of hazardous materials and hazardous wastes and landfills for hazardous materials and hazardous wastes are prohibited.

J.(6) All aboveground and underground pollutant storage tanks systems will be installed, monitored and managed according to applicable Federal, State and Local regulations.

K.(1) The Project* shall contain, at a minimum, 405.4 acres of open space (approximately 378.9 acres of wetlands and an estimated minimum of 26.5 acres of mitigation) in addition to approximately 461.7 acres committed to

recreation (a 22.6 acre park, a 16.1 acre tennis/boat club, 293.7 acres of golf course and a lake of some 160.4 acres).

Notwithstanding the above, if the County* should decide the 22.6 acres of park is not needed, then the Developer* shall be able to use the applicable parcel for residential development or as a school site, provided the number of dwelling units is not increased.

L.(1) The Development shall dedicate an elementary school site either adjacent to, or having direct access on, a constructed county-maintained right of way and meeting upon request by the School Board. The school site shall be deemed to be a part of the Phase I approvals for the Project* and shall be shown on an amendment to the General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. The dedicated school site shall be a minimum of 18 acres, depending upon the characteristics of the site selected and said site shall be selected from property shown as residential, commercial, or business on Revised Map H, and shall be reflected on a revised General Development Plan unless dedicated off-site as may be allowed elsewhere in this condition. If the Developer* and the County School Board agree, the dedicated school site may be located off-site on property owned by the Applicant*. If adjacent property is provided as a public park or for emergency services, this acreage may be reduced to a total of fifteen acres.

M.(5) Prior to approval of each Final Site Plan, the Developer* shall provide assurance for each increment of development that the site will be supplied to the extent required by applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number and appropriate locations to accommodate fire fighting operations. Additionally, the Developer* shall provide calculations by a Florida registered engineer to the County* indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Braden River Fire Department that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Certificate of Occupancy for the Project* by the County*.

L.(3) University Lakes will have major active recreational land uses comprising over 18 percent of the total Project* acreage. The Project* will contain a tennis and swim club, and a boat clubhouse which will be located on the 160.4 acre lake. It will also contain a park, golf course, clubhouses and driving ranges. (ADA*, 9)

TABLE 1
UNIVERSITY LAKES DEVELOPMENT COMPONENTS

Column A Map H Land Use (Section 380.0651 F.S. Designation)	Column B Number Acres *****	Column C Square Feet	Column D Dwelling Units	Column E Land Use Exchange Maximum Increase
Residential (Residential)	678.1	n/a	3,137	An increase in dwelling units by 5% or 50 units, whichever is greater
General Commercial* (Retail)	101.7	1,240,000	n/a	
Neighborhood Commercial** (Retail)	38.7	381,000	n/a	Land Area increased by 6 acres or increase by 50,000 s.f. of gross floor area, or the greater of a 5% increase in parking spaces or an increase of customer parking by 300 spaces
General Commercial*** (Retail)	28.0 21.0	400,000 (150,000)	n/a n/a	
(Hotel and Motel)	7.0	(250,000/ 300 rooms	n/a n/a	75 rooms
Business (Office)	127.2 (63.6)	1,968,000 (787,200)	n/a	Land area increased by the greater of 5% or 6 acres, whichever is greater, or gross floor area increased by greater of 5% or 60,000 s.f. whichever is greater
(Industrial)	(63.6)	(1,180,800	n/a	
Right of Way	169.3			
Recreation	332.4			
Wetlands/Mitigation	378.9			
Lakes****	358.6			
Open Space	210.0			
TOTAL	2,422.5	3,989,000	3,137	

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.
**** Additional lakes will be constructed within the Project* as required by the stormwater management system.
***** Acreages subject to verification and adjustment based upon future survey activities, consistent with the graphic depictions on revised Map H.

3. All other provisions of Development Order Ordinance 92-32, as amended by Ordinance 93-25, shall remain in full force and effect. In the event there is an inconsistency between the terms of this Ordinance and the Ordinance referred to above, the terms of this Ordinance shall control.

ADOPTED AND APPROVED with a quorum present and voting this 21st day of December, 1995.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA
BY: Stan Stephens
Stan Stephens, Chairman

ATTEST: R.B. Shore
Clerk of the Circuit Court

by: Judy Ann Mee
Deputy Clerk

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify the foregoing is a true
copy of ORDINANCE NO. 95-44 adopted by the
Board of County Commissioners of said County on
the 21 day of Dec., 1995, this 22 day
of Dec., 1995, in Bradenton, Florida.
R. B. Shore
Clerk of Circuit Court
By: Jane Rook D.C.

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and
correct copy of the documents on file in my office.
Witness my hand and official seal this 17th day of
January 1996
R. B. SHORE
Clerk of Circuit Court
By: Jane Rook D.C.

GRIMES GOEBEL
GRIMES & HAWKINS P.A.
ATTORNEYS AT LAW

William C. Grimes
Caleb J. Grimes
John D. Hawkins
Leslie Horton Gladfelter
William S. Galvano

E. Glenn Grimes 1888 - 1967
Clyde C. Goebel 1921 - 1991

813-748-0151
Fax 813-748-0158

MEMORANDUM

TO: ALL INTERESTED PARTIES

FROM: CALEB J. GRIMES, ESQUIRE

DATE: OCTOBER 27, 1993

SUBJECT: UNIVERSITY LAKES SETTLEMENT AGREEMENT

Enclosed please find your original, fully executed Settlement Agreement with regard to the above-referenced matter.

If you have any questions concerning this Settlement Agreement, please do not hesitate to contact me.

CJG/jmd
Enclosure

STATE OF FLORIDA
LAND AND WATER ADJUDICATORY COMMISSION

DEPARTMENT OF COMMUNITY AFFAIRS,

Petitioner,

vs. Case No. APP-92-034

UNIVERSITY LAKES OF MANATEE, INC., a Florida corporation; SCHROEDER-MANATEE RANCH, INC., a Delaware corporation; and MANATEE COUNTY, FLORIDA,

Respondents.
_____/

STIPULATED SETTLEMENT AGREEMENT

THIS STIPULATED AGREEMENT is entered into this the ____ day of _____, 1993, by and between **THE DEPARTMENT OF COMMUNITY AFFAIRS**, hereinafter referred to as "DCA", **THE TAMPA BAY REGIONAL PLANNING COUNCIL**, hereinafter referred to as "TBRPC", **THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL**, hereinafter referred to as "SWFRPC", for limited purposes, and **SCHROEDER-MANATEE RANCH, INC.**, (owner) a Delaware corporation authorized to do business in the State of Florida, along with **UNIVERSITY LAKES OF MANATEE, INC.**, (developer) a Florida corporation, collectively referred to as "SMR", to stipulate and otherwise agree to full, complete and final settlement and disposition of all claims raised, or arising from claims raised in the above-styled administrative appeal, as follows:

WHEREAS, the DCA is the state land planning agency having the power and duty to exercise general supervision of the administration and enforcement of Chapter 380, Florida Statutes,

which includes provisions relating to Developments of Regional Impact ("DRI"); and

WHEREAS, the TBRPC is the regional planning agency having review authority over developments of regional impacts in Manatee County; and

WHEREAS, the SWFRPC has filed a Motion to Intervene and has agreed to withdraw its Motion upon execution of this Stipulated Settlement Agreement; and

WHEREAS, pursuant to subsection 380.032(3), Florida Statutes, the parties hereto are authorized to enter into agreements as may be necessary to effectuate the provisions and purposes of Chapter 380; and

WHEREAS, Manatee County is a member county in the Tampa Bay Regional Planning Council; and

WHEREAS, SMR is the owner/developer of a large tract of land lying in Manatee County, Florida, which tract is the subject matter of this Appeal, and upon which it has planned a development adjacent to the Sarasota County line to be known as University Lakes; and

WHEREAS, no other person or legal entity has any ownership interest in said land and development including, but not limited to, rights arising out of a contract for sale for any portion of said land; and

WHEREAS, the development constitutes a Development of Regional Impact subject to Florida Statutes Chapter 380 review; and

WHEREAS, University Lakes DRI is a development consisting of commercial, industrial, residential, hotel and office uses on 2,352.7 acres of land; and

WHEREAS, University Lakes is to be built in four (4) phases, with buildout in the year 2018; and

WHEREAS, on or about June 1, 1992, the Board of County Commissioners of Manatee County, Florida, adopted Ordinance No. 92-32, a Development Order authorizing development of University Lakes DRI giving specific approval to Phase I of the development and conceptually approving Phases II, III, and IV, subject to further review on transportation, air quality and affordable housing; and

WHEREAS, on or about July 27, 1992, the DCA filed a Petition, pursuant to Rule 42-2.002, Florida Administrative Code, initiating an administrative appeal to the Florida Land and Water Adjudicatory Commission, pursuant to Chapter 380.07, Florida Statutes, of Ordinance No. 93-32; and

WHEREAS, the TBRPC filed a Motion to Intervene in the University Lakes administrative appeal, pursuant to Chapter 380.07, Florida Statutes; and

WHEREAS, the DCA, joined by the TBRPC, based on their administrative appeal, among other things, claims that Ordinance 92-32 failed to comply with, and/or make adequate provision for the following:

A. Transportation.

B. Land Use Exchange.

C. Wildlife and Vegetation.

D. Water Quality.

E. Affordable Housing.

F. Substantial Deviation Requirements.

G. State Comprehensive Plan and State Development Plan.

H. Rendition Requirements.

I. Regional Impact Requirements;

and

WHEREAS, SMR answered, defended against and disputes all the claims of both the DCA and the TBRPC in the Petition, Motion to Intervene, all amendments thereto and all subsequent pleadings, or other documents filed in this matter, in regard to the administrative appeal; and

WHEREAS, the parties have negotiated and reached agreement as to specific revisions of the Development Order, Ordinance 92-32, which, if adopted would bring said Development Order into compliance as far as the DCA and TBRPC are concerned, and would make adequate provision for all areas of dispute. The specific revisions are set forth in a proposed amendment to the Development Order, a copy of which is attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, pursuant to Chapter 380.032 Florida Statutes, the DCA has the authority to enter into agreements which effectuate the intent and provisions of Chapter 380 of the Florida Statutes; and

WHEREAS, the TBRPC has the authority to enter into agreements which effectuate the intent and provisions of Chapter 380 of the Florida Statutes.

NOW, THEREFORE, in consideration of the terms and conditions set forth hereafter, pursuant to Rule 42-2008(4), Florida Administrative Code, and the full, complete, and final settlement of all claims raised, or arising out of claims raised in the above-styled administrative appeal and the dismissal of the same, the parties further stipulate and agree as follows:

1. The parties hereby agree to request the Manatee County Board of County Commissioners to amend the Development Order to reflect the changes to the Development Order, and only those changes, set forth on Exhibit "A" attached hereto.

2. Once the Manatee County Board of County Commissioners adopts the changes set forth on Exhibit "A", the TBRPC and DCA shall within five (5) working days of receipt of the amendment to the Development Order, file notices of voluntary dismissal dismissing their respective administrative appeals with prejudice.

3. The parties further agree that if the Amendments to the Development Order delineated in Exhibit "A" are not implemented expeditiously by amendment of the Development Order following the execution of this Stipulated Settlement Agreement, then this Stipulated Settlement Agreement shall be null and void, and the pendency of the Administrative Appeal shall continue until full resolution.

4. The parties further agree that amendment of the Development Order to implement this Stipulated Settlement Agreement shall not constitute a substantial deviation requiring further

development of regional impact review pursuant to Chapter 380.06(19), Florida Statutes (1987).

5. The parties further agree that this Stipulated Settlement Agreement is a compromise and settlement of disputed claims and is entered into to avoid the expense and uncertainty of litigating the administrative appeal and as such, it is the intention of the parties to readily and expeditiously implement the same.

6. The parties further agree that this Stipulated Settlement Agreement contains the entire and exclusive understanding and agreement among the parties and may not be modified in any manner except by an instrument in writing and signed by the parties.

7. The signatories hereto represent and warrant that they have read this Stipulated Settlement Agreement and the Amendments set forth on Exhibit "A", and that they are fully authorized in the capacity shown, that they understand the terms thereof, and that they are executing the same voluntarily and upon their best judgment, solely for the consideration herein described.

8. This Stipulated Settlement Agreement may be executed in any number of original counterparts, all of which evidence only one agreement, and only one of which need be produced for any purpose.

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

10. Each party hereto releases the other from any and all claims or demands whatsoever arising out of the subject appeal. Each party shall bear its own costs and attorneys' fees incurred in connection with this proceeding.

IN WITNESS WHEREOF, the parties by and through their respective duly authorized undersigned representatives have set their hands on the date appearing below their respective signatures.

Signed, sealed and delivered in the presence of:

Janet M. Danziger
Witness
JANET M. DANZIGER
Printed Name

Gloria M. Milano
Witness
GLORIA M. MILANO
Printed Name

TAMPA BAY REGIONAL PLANNING COUNCIL

By: Julia E. Greene
Julia E. Greene
Printed Name
Its: Executive Director
9455 Roger Boulevard
Address
St. Petersburg, FL 33702
Address
Dated: 10/6/93

Julia A. Nagle
Witness
Julia A. Nagle
Printed Name

Sherry A. Spiers
Witness
SHERRY A. SPIERS
Printed Name

STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS

By: Charles Pattison
CHARLES PATTISON
Printed Name
Its: DIRECTOR, DIVISION OF RESOURCE PLANNING AND MANAGEMENT
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TALLAHASSEE, FL 32399-2100
Address
Dated: 9-7-93

Approved as to Legal Form and Sufficiency:
By: Sherry A. Spiers

Celestine G. Holloway
Witness
Celestine G. Holloway
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Daniel L. Trescott
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DANIEL L. TRESCOTT
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THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

By: Wayne E. DaHry
Wayne E. DaHry
Printed Name
Its: Executive Director
4980 Bayline Dr., 4th Floor
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N. Ft. Myers, Fl. 33917
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Dated: 10-18-93

Suzanne Fugate
Witness
Suzanne FUGATE
Printed Name
Janet M. Danziger
Witness
JANET M. DANZIGER
Printed Name

SCHROEDER-MANATEE RANCH, INC.

By: Rex E. Jensen
Rex E. Jensen
Printed Name
Its: Vice President
7550 Lorraine Road
Address
Bradenton, Florida 34202
Address
Dated: 9/22/93

Suzanne Fugate
Witness
Suzanne FUGATE
Printed Name
Janet M. Danziger
Witness
JANET M. DANZIGER
Printed Name

UNIVERSITY LAKES OF MANATEE, INC.

By: Rex E. Jensen
Rex E. Jensen
Printed Name
Its: Vice President
7550 Lorraine Road
Address
Bradenton, Florida 34202
Address
Dated: 9/22/93

MANATEE COUNTY GOVERNMENT

PLANNING, PERMITTING AND INSPECTIONS DEPARTMENT

November 5, 1993

SENT: VIA CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

Ms. Julia Greene
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

Dear Ms. Greene:

Please find enclosed a certified copy of Manatee County Ordinance 93-25, the Development Order for University Lakes, which was approved by the Manatee County Board of County Commissioners in open session on October 28, 1993.

This copy is hereby rendered pursuant to Rule 9J-2.025, Florida Administrative Code.

If you have any questions, please call (813) 749-3070. Thank you for your attention to this matter.

Sincerely,

Betsy Benac
Assistant Director

BB/jy
Enclosure

1112 Manatee Avenue West • Suite 803 • Bradenton, Florida Tel. (813) 748-4501 • FAX: (813) 749-3071

P.O. Box 1000 • Bradenton, Florida 34206-1000

ORDINANCE NO. 93-25 (fka 92-32)

DEVELOPMENT OF REGIONAL IMPACT
DRI #22, UNIVERSITY LAKES

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING THE DEVELOPMENT ORDER FOR THE UNIVERSITY LAKES DEVELOPMENT OF REGIONAL IMPACT (MANATEE COUNTY DRI #22, A/K/A TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI #216); PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR CONCLUSIONS OF LAW; PROVIDING FOR DEFINITIONS; PROVIDING FOR AMENDED LIMITATIONS ON AND CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 31, 1991, University Lakes of Manatee, Inc. filed an Application for Development Approval* (ADA*) of a Development of Regional Impact (DRI) with the Manatee County Board of County Commissioners (County*) pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said ADA* proposed construction of a multi-use project on approximately two thousand three hundred fifty three (2,353) acres, located in southern Manatee County, hereinafter referred to as University Lakes DRI, or the Project*; and

WHEREAS, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, a second development is planned, commonly known as University Place, adjacent to the Manatee County line in Sarasota County; and

WHEREAS, the University Lakes and University Place DRIs have been reviewed pursuant to the terms of the 380 Review Agreement* defined in Section 3. below; and

WHEREAS, the Board of County Commissioners, as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider and approve ADA's* for Developments of Regional Impact; and

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

WHEREAS, the Planning Commission of Manatee County has reviewed the ADA* and has filed a recommendation on said ADA* with the County*; and

WHEREAS, the County* has received and considered the report and recommendation of the "TBRPC"; and

WHEREAS, the County* on April 23, 1992, May 28, 1992 and June 1, 1992, held duly noticed public hearings on said ADA* and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County and City agencies, and the applicant, as well as the review and report of the Manatee County Planning, Permitting and Inspections Department; and

WHEREAS, the Board of County Commissioners, on June 1, 1992, approved Ordinance 92-32, which granted local approval to DRI No. 22, University Lakes; and

WHEREAS, the Department of Community Affairs and the Tampa Bay Regional Planning Council appealed Ordinance 92-32 within the statutory time frame allowed; and

WHEREAS, the Developer* has agreed to enter into a settlement agreement with the Department of Community Affairs and the Tampa Bay Regional Planning Council to resolve their concerns; and

WHEREAS, the Board of County Commissioners, as the governing body of the local government having jurisdiction pursuant to Chapter 380.06, Florida Statutes, is authorized and empowered to consider and approve the revised language resulting from the settlement agreement; and

WHEREAS, the County* on October 28, 1993, held a duly noticed public hearing on said ADA* and the language proposed by the Developer* to amend Ordinance 92-32, and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County and City agencies, and the applicant, as well as the review and report of the Manatee County Planning, Permitting and Inspections Department.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA IN A REGULAR MEETING ASSEMBLED THIS 28TH DAY OF OCTOBER, 1993 AS FOLLOWS:

SECTION 1.

FINDINGS OF FACT

The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of Manatee County, as well as all other matters presented to said Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. The Board of County Commissioners of said County has received and considered the recommendation of the Manatee County Planning Commission concerning the DRI and the application for Official Zoning Atlas Amendment as it relates to the real property described in Section 7 of this Ordinance of an ADA* pursuant to Section 380.06, Florida Statutes. The report was rendered on June 1, 1992, following public hearing.

B. That said Board of County Commissioners held public hearings on April 23, 1992, May 28, 1992 and June 1, 1992 regarding said DRI and the proposed Official Zoning Atlas Amendment described herein, in accordance with the requirements of Manatee County Ordinance No. 90-01 (the Manatee County Land Development Code) and Ordinance No. 89-01, Manatee County Comprehensive Plan, and has further considered the testimony, comments, and information received at the Public Hearing.

C. The proposed DRI regarding the property described in Section 7. herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the Manatee County Comprehensive Plan, provided it proceeds in accordance with the Development Conditions specified in Section 5. and the Developer* Commitments specified in Section 6. of this Development Order.

D. The "Developer"* of the Project* submitted to Manatee County, Florida, an ADA*, which is incorporated herein by reference.

E. The Developer* submitted an Affordable Housing Analysis (dated July 23, 1991) to Manatee County which describes the housing demand for low and very low income households and the existing housing supply (see Attachment #1).

F. The real property, which is the subject of this Development Order, is legally described as set forth in Section 7. of this Development Order.

G. The Project* is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.

H. The authorized agent for the Project* is Rex E. Jensen, and his address is University Lakes of Manatee, Inc., 7550 Lorraine Road, Bradenton, Florida 34202.

I. The owner of the property, which University Lakes of Manatee, Inc. intends to develop, is Schroeder-Manatee Ranch, Inc., a Delaware corporation.

J. A comprehensive review of the impacts generated by the Development has been conducted by the departments of Manatee County, the Planning Commission, the Board of County Commissioners, TBRPC, and the Department of Community Affairs (DCA).

K. The language included in this ordinance, which amends Ordinance 92-32, is being added in an attempt to settle pending administrative action between the Department of Community Affairs, Tampa Bay Regional Planning Council and Schroeder-Manatee Ranch, Inc., et al.

SECTION 2. CONCLUSIONS OF LAW

A. Based upon the previous findings of fact and the following conditions of the Development Order, the Board of County Commissioners of Manatee County concluded that:

1. The Project* will not unreasonably interfere with the achievement of the objectives of the Adopted State Land Development Plan applicable to the area.

2. The Project* is consistent with the local land development regulations and is consistent with the State Comprehensive Plan (SCP), the Tampa Bay Regional Planning Council's Future of the Region, A Comprehensive Regional Policy Plan (FRCRPP*), and Ordinance 89-01 (The Manatee County Comprehensive Plan, as amended).

3. The Project* is consistent with the report and recommendations of the TBRPC approved on February 10, 1992.

B. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the Developer* is authorized to conduct development as described herein, subject to the conditions, restrictions, and limitations set forth below.

C. That the review by the County*, TBRPC, and other participating agencies and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Development Order, the ADA* and the Affordable Housing Analysis. To the extent that the ADA* is inconsistent with the terms and conditions of this Development Order, the terms and conditions of this Development Order shall prevail.

D. This Ordinance replaces Ordinance 92-32 in its entirety and is designed to address the concerns of the Department of Community Affairs and Tampa Bay Regional Planning Council related to Ordinance 92-32, and adequately addresses the impacts of the development, pursuant to the requirements of Chapter 380, Florida Statutes.

SECTION 3. DEFINITIONS

Note: An asterisk (*) denotes that the word is defined. The definitions contained in Chapter 380, Florida Statutes, shall apply to this Development Order, in addition to those listed herein.

A. "380 Review Agreement*" shall mean the Agreement executed between DCA, TBRPC, the Southwest Florida Regional Planning Council ("SWFRPC"), and Schroeder-Manatee, Inc. dated September 6, 1991 which governs the review of the University Lakes and University Place DRI's. A copy of the 380 Review Agreement* is attached as Attachment #2.

B. "Application for Development Approval*" (or ADA*) shall mean University Lakes, Inc. Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer* on October 25, 1991, and Appendix E Cumulative Affordable Housing Analysis.

C. "Best Management Practices*" (BMP) shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code (BMP list of approved practices by Board resolution for Special Overlay Districts-Evers Reservoir and Lake Manatee Watershed Areas).

D. "Combined Projects*" shall refer to both University Lakes and the neighboring project, University Place.

E. "County*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).

F. "Developer*" shall mean University Lakes of Manatee, Inc., its heirs, assigns, designees and successors in interest as to the Project* and all its conditions of approval.

G. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process and/or Construction Drawing approval where site plans or subdivision plats are not required.

H. "FRCRPP*" shall mean the TBRPC's Future of the Region, A Comprehensive Regional Policy Plan for the Tampa Bay Region, adopted June 23, 1987 and amended in 1989.

I. "Funding Commitments*" shall mean, to assure the completion of any improvement required by this Development Order, one or any combination of the following: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County* for construction to be completed when the improvement is required as referenced in Tables 5 and 6 of this Development Order; or 2) actual construction; or 3) the placement of the improvements in the first year of the Capital Improvements Element of the appropriate County or the first two years of the Adopted Five-Year Work Program of the Florida Department of Transportation; or 4) a commitment for construction and completion of the required roadway

improvements, pursuant to a Developer Agreement which, if approved by the parties, shall be incorporated in this Development Order through an amendment of the Development Order, pursuant to the notice of proposed change provisions of Chapter 380 of the Florida Statutes. Said Agreement shall include a construction timetable which will set forth the completion of the required improvements consistent with the time frames specified in Tables 5 and 6.

J. "Post-Development Wetlands*" shall mean any lands determined to be within jurisdictional limits defined by Chapter 17-301, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Regulation (FDER), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development for this Project*.

K. "Project*" shall mean the land uses, phasing and improvements described in the ADA* which are attributable to development on that property described in Section 7. herein and set forth on Revised Map H attached hereto as Attachment #3.

L. "Transportation Impact Area*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the proposed phase or subphase shown on a proposed Preliminary Site Plan in combination with prior approvals of the Combined Projects* will be five percent (5%) (or whatever greater percentage may be employed from time to time by DCA, TBRPC or the County*, provided the more restrictive percentage shall be used) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on Map J (attached hereto as Attachment #5) which was based on data submitted with the ADA*. In determining the Transportation Impact Area* for this Project* all traffic generated by University Place shall be deemed project traffic for University Lakes.

M. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.

SECTION 4. 380 REVIEW AGREEMENT*, APPROVALS, AND DEVELOPMENT COMPONENTS

A. Some of the impacts of the University Lakes DRI have been reviewed in conjunction with the impacts of the proposed University Place DRI under the terms of the 380 Review Agreement*. The 380 Review Agreement* provides for the accumulative assessment of the impacts of both projects on the issues of transportation, air quality, affordable housing and listed species.

Tables 1 through 4 list the appropriate land uses for University Lakes (Tables 1 and 2) and University Place (Tables 3 and 4) under the designations used by the respective Counties and the designations used in Section 380.0651, Florida Statutes, in parentheses ( ).

B. Subject to the possible exchange of land uses as described elsewhere herein, the Project* consists of the land uses, square footage, dwelling units, and approximate area described in Columns A through D of Table 1 and the land uses, square footage, dwelling units, and approximate area by phase as described in Table 2. Phase I of the Project* is approved subject to the conditions found within this Development Order. A Certificate of Level of Service has been issued for the land uses listed in Phase I, Table 2. Phases II, III and IV are conceptually approved. Approval of Phases II, III and IV is

contingent upon further Section 380.06(6) review, on the following issues: transportation, air quality and affordable housing. The review of transportation, air quality and affordable housing for Phases II, III and IV shall be based on a cumulative assessment of the impacts created by the Combined Projects*. The conditions of approval of Phase I of the Combined Projects* with respect to the impacts that were cumulatively assessed, shall not necessarily apply to subsequent phases. In addition to obtaining a Development Order amendment, Certificates of Level of Service must be obtained for Phases II, III and IV, but shall be limited to roadway capacity, mass transit, potable water, sanitary sewer, parks and recreation facilities, drainage and solid waste, as required by the Manatee County Land Development Code.

TABLE 1
UNIVERSITY LAKES DEVELOPMENT COMPONENTS

Column A Map H Land Use (Section 380.0651 F.S., Designation)	Column B Number Acres*****	Column C Square Feet	Column D Dwelling Units	Column E Land Use Exchange Maximum Increase
Residential (Residential)	863.9	n/a	3,137	An increase in dwelling units by 5% or 50 units, whichever is greater
General Commercial* (Retail)	122.2	1,240,000	n/a n/a	
Neighborhood Commercial** (Retail)	43.0	381,000	n/a	Land area increased by 6 acres or increase by 50,000 s.f. of gross floor area, or the greater of a 5% increase in parking spaces or an increase of customer parking by 300 spaces
General Commercial*** (Retail)	23.8 (16.8)	400,000 (150,000)	n/a n/a	
(Hotel and Motel)	(7.0)	(250,000/ 300 Rooms)	n/a n/a	75 Rooms
Business (Office)	146.1 (73.0)	1,968,000 (787,200)	n/a	Land area increased by the greater of 5% or 6 acres, whichever is greater, or gross floor area increased by greater of 5% or 60,000 s.f. whichever is greater
(Industrial)	(73.1)	(1,180,800)	n/a	
Right of Way	181.3			
Recreation	262.7			
Wetlands/Mitigation	346.8			
Lakes****	177.2			
Open Space	185.7			
Total	2,352.7	3,989,000	3,137	

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.
**** Additional lakes will be constructed within the Project* as required by the stormwater management system.
***** Acreages subject to verification and adjustment based upon future survey activities, consistent with the graphic depictions on Revised Map H.

CUMULATIVE
AFFORDABLE HOUSING ANALYSIS

UNIVERSITY LAKES/UNIVERSITY PLACE
DEVELOPMENTS OF REGIONAL IMPACT

FILED
JUN 12 10 31 AM '92
SECRETARY OF STATE

July, 1991

CUMULATIVE
AFFORDABLE HOUSING ANALYSIS

UNIVERSITY LAKES/UNIVERSITY PLACE
DEVELOPMENT OF REGIONAL IMPACT

Table of Contents

Introduction

- DCA Agreement (Combined Analysis)
- Project Descriptions
- Land Use Schedules

Methodology

- Projected Demand
- Estimated Supply

Comparison of Supply and Demand

Conclusion

INTRODUCTION

Schroeder-Manatee, Inc., a corporation owning property in Manatee and Sarasota Counties, is seeking approval of two Development of Regional Impact projects, University Lakes and University Place (see Map #1).

University Lakes, located in Manatee County, north of University Parkway and east of I-75, contains some 2,352 acres and is a mixed-use project with residential, retail, business and hotel components. The project is proposed to be developed in four phases over a 20 year period. Table 1 presents the land use and phasing schedule. An Application for Development Approval was submitted for review on May 31, 1991.

University Place, located in Sarasota County, south of University Parkway and east of I-75, contains 1,395 acres. University Place is being developed within the Major Employment Center and Interstate Related Office Park categories of Sarasota County's Comprehensive Plan. The project contains office, retail, manufacturing and warehouse components as presented in Table 2.

Pursuant to an agreement with the Department of Community Affairs, Schroeder-Manatee has agreed to conduct an analysis of affordable housing which will examine the combined impacts of both projects. Given that these proposed projects are adjacent to one another

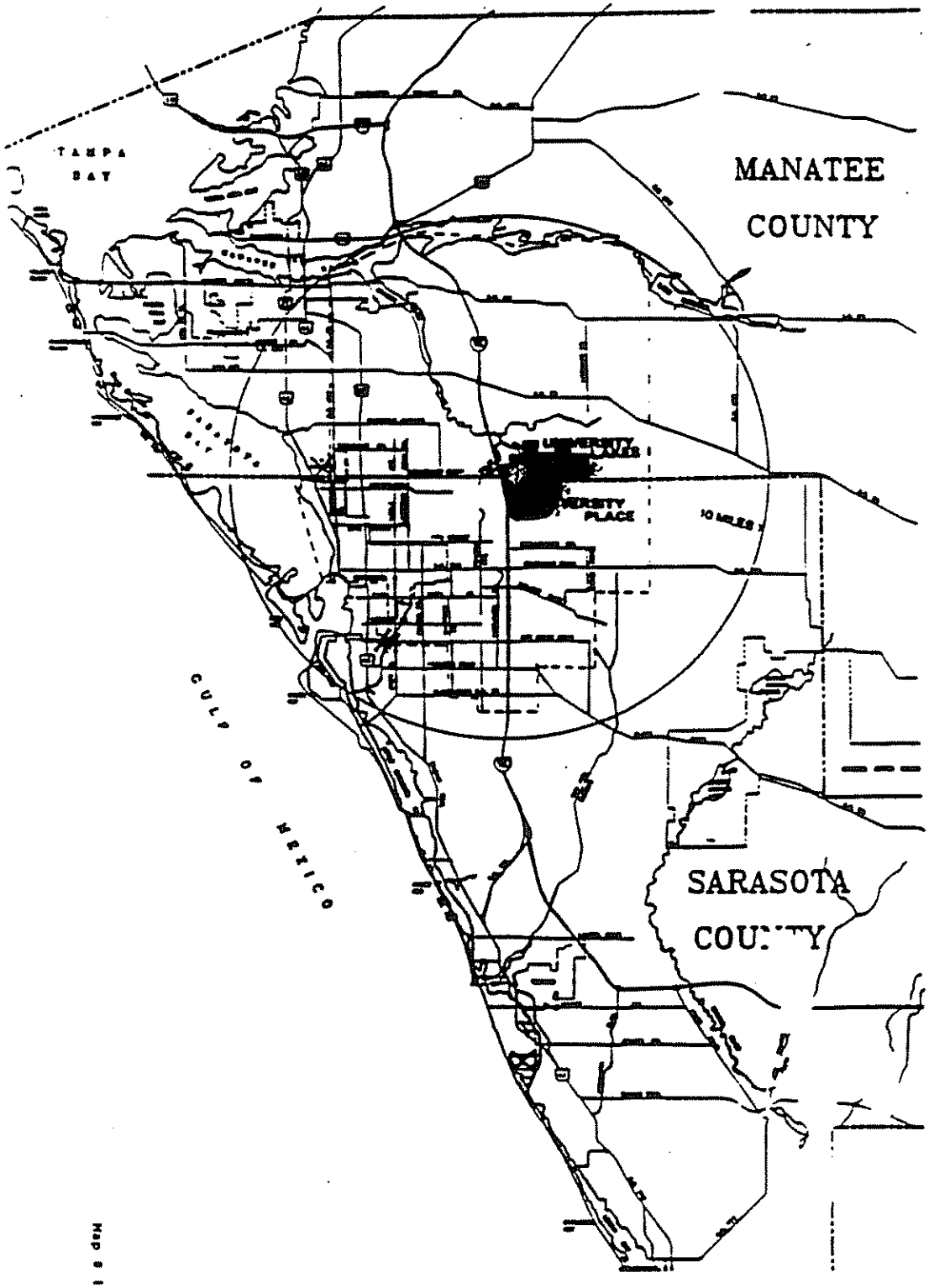
TAMPA BAY
MANATEE COUNTY
GULF OF MEXICO
SARASOTA

Table 1
University Lakes
Land Use and Phasing Schedule

USES	PHASE I (1992-1997)	PHASE II (1998-2002)	PHASE III (2003-2007)	PHASE IV (2008-2012)	TOTAL
Regional Commercial	436,000	804,000	0	0	1,240,000
Community Commercial	87,000	135,885	0	158,115	381,000
Highway Commercial	0	150,000	0	0	150,000
Hotel (300 rooms)	250,000 300 rooms	0	0	0	250,000 300 rooms
Business	483,000	521,520	404,180	559,300	1,968,000
Recreational Facilities	Tennis & Boat Club	Golf Course & Clubhouse			
Residential					
Single Family	746	448	669	330	2,193
Cluster Villas	243	94	111	29	477
Garden Apartments	204	263	0	0	467

Table 2
University Place
Land Use and Phasing Schedule

Land Use	Phase I S.F.	II S.F.	III S.F.	IV S.F.	Total S.F.	Acres at Buildout
IROP						
Office Park	436,000	365,334	365,333	365,333	1,532,000	108.4
MEC						
Manufacturing (MEC 2)	957,600	555,219	555,219	555,219	2,623,257	347.3 (MEC 2)
Warehouse (MEC 2)	478,800	277,609	277,609	277,608	1,311,626	
Office Park (MEC 3)	957,600	555,219	555,219	555,219	2,623,257	16.4
Commercial (MEC 4)	40,000	23,287	23,287	23,286	109,860	8.5
MEC Subtotal	2,434,000	1,411,334	1,411,334	1,411,332	6,668,000	372.2
Environmental (OUC, Wetlands & Uplands)						612.6
Road Right-of-Way						110.1
Road Buffer						3.4
Detention						72.2
Existing Lakes						116.1
TOTAL	2,870,000	1,776,668	1,776,667	1,776,665	8,200,000	1395.0

SMLP-0003 (REPORT)

across the County line and are, at the moment, under common ownership, employees of both projects will undoubtedly seek housing in both counties.

The following sections will describe the methodology and assumptions utilized to determine supply and demand, and will summarize the findings of the analysis.

METHODOLOGY

This analysis generally follows the Department of Community Affairs (DCA) General Guidelines, Interim Housing Methodology, dated 10/2/90, and attached as Appendix A.

Demand Analysis

Steps 1 and 2 of DCA's Methodology require a determination of the median, low and very low income levels for the Metropolitan Statistical Area (MSA). These income levels are defined by the U.S. Department of Housing and Urban Development (HUD). Table 3 provides this information for the Bradenton MSA.

The University Lakes and University Place projects are affected by growth and development in both the Bradenton and Sarasota MSA's. However, this analysis utilizes the median income limit for the Bradenton MSA ($33,100) which is substantially lower and therefore [more restrictive] than limits for the Sarasota MSA ($36,400).

Step 3 requires determination of the number of permanent, non-construction jobs that will be created as a result of the proposed development. Tables 4 and 5 present projected permanent employment by category and by phase of development for University Lakes and University Place individually. Table 6 shows combined permanent employment for both projects.

TABLE 3

Estimate of 1991 Affordable Housing Income Limits for 4-Person Household, Bradenton MSA

	ANNUAL INCOME LIMITS 4.0 PPH
Median	$33,100[1]
Low	$26,480[2]
Very Low	$16,550[3]

Notes:

1. 1991 median income provided by HUD, 2/15/91.
2. Low income limits established by HUD at 80% of median.
3. Very low income limit established by HUD at 50% of median.

TABLE 4

Projected Permanent Employment
by Category and by Phase

UNIVERSITY PLACE

Employment Category	PHASE I	II	III	IV	TOTAL
Office	5,017	3,314	3,314	3,314	14,959
Manufacturing	2,154	1,249	1,249	1,249	5,901
Warehousing	431	250	250	250	1,181
Commercial	93	54	54	54	255
	7,695	4,867	4,867	4,867	22,296

Source: Schroeder-Manatee, Inc., June 1991.

Assumes the following occupancy rates:

Office/Business	- 90%
Commercial	- 93%
Manufacturing/Warehousing	- 90%

Assumes the following employment ratios:

Office/Business	1 employee/250 s.f.
Commercial	1 employee/400 s.f.
Manufacturing	1 employee/400 s.f.
Warehousing	1 employee/1,000 s.f.
Hotel	1 employee/room

TABLE 5

Projected Permanent Employment
by Category and by Phase

UNIVERSITY LAKES

Employment Category	PHASE I	II	III	IV	TOTAL
Commercial	1,216	2,534	0	368	4,118
Business	1,739	1,877	1,455	2,013	7,084
Hotel	300	0	0	0	300
	3,255	4,411	1,455	2,381	11,502

Source: Schroeder-Manatee, Inc., June 1991.

Assumes the following occupancy rates:

Office/Business	- 90%
Commercial	- 93%
Manufacturing/Warehousing	- 90%

Assumes the following employment ratios:

Office/Business	1 employee/250 s.f.
Commercial	1 employee/400 s.f.
Manufacturing	1 employee/400 s.f.
Warehousing	1 employee/1,000 s.f.
Hotel	1 employee/room

Attachment #1 of Development Order
(Page 11 of 42)

TABLE 6

Projected Permanent Employment
by Category and by Phase

UNIVERSITY LAKES/UNIVERSITY PLACE

Employment Category	PHASE I	II	III	IV	TOTAL
Business/Office	6,756	5,191	4,769	5,327	22,043
Commercial	1,309	2,588	54	422	4,373
Manufacturing	2,154	1,249	1,249	1,249	5,901
Warehousing	431	250	250	250	1,181
Hotel	300	0	0	0	300
Total	10,950	9,278	6,322	7,248	33,798

Source: Schroeder-Manatee, Inc., June 1991.

Assumes the following occupancy rates:

Office/Business	- 90%
Commercial	- 93%
Manufacturing/Warehousing	- 90%

Assumes the following employment ratios:

Office/Business	1 employee/250 s.f.
Commercial	1 employee/400 s.f.
Manufacturing	1 employee/400 s.f.
Warehousing	1 employee/1,000 s.f.
Hotel	1 employee/room

Steps 4-8 involve converting the total number of employees to households, households to single wage earner households, and finally, these single wage earner households to those within the Low and Very Low income categories.

These conversions were accomplished by multiplying total employees by .58 to get households, then households by .406 to get single wage earner households. These factors were found in DCA's Interim Guidelines.

It was assumed that 39% of the total single wage earner households were Very Low Income and 41% were Low. These percentages were provided by a DCA representative in a phone conversation in June 1991 .

The results of these calculations are shown in Tables 7, 8, and 9. Table 7 shows total number of Low and Very Low income households estimated to be employed in each phase of University Lakes in Manatee County. Table 8 provides the same information for each phase of University Place in Sarasota County. Table 9 shows the combined total for both projects. Data presented in these tables are the gross affordable housing demand potentially created by the development of both University Lakes and University Place over a 20 year build-out period.

Although it is obvious that many of the employees will be members of households that already reside in the two county area, these

TABLE 7

UNIVERSITY LAKES
ESITIMATE OF "LOW" AND "VERY LOW" INCOME HOUSEHOLDS
TOTAL AND AVERAGE ANNUAL BY PHASE

	PHASE I		PHASE II		PHASE III		PHASE IV		TOTAL	
Annual Household Income Category	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total
Low	63	314	81	405	27	134	44	219	54	1,072
Very Low	60	298	85	426	28	141	46	230	55	1,095
Total	123	612	166	831	55	275	90	449	109	2,167

TABLE 8

UNIVERSITY PLACE
ESITIMATE OF "LOW" AND "VERY LOW" INCOME HOUSEHOLDS
TOTAL AND AVERAGE ANNUAL BY PHASE

	PHASE I		PHASE II		PHASE III		PHASE IV		TOTAL	
Annual Household Income Category	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total
Low	149	743	94	470	94	470	94	470	108	2,153
Very Low	141	707	89	447	89	447	89	447	102	2,048
Total	290	1,450	183	917	183	917	183	917	210	4,201

Supply Analysis

DCA's Interim Guidelines indicate that all housing supply units considered to meet the affordable housing demand must be reasonably accessible to the development. "Reasonably accessible" is defined as a proximate distance of ten miles or a commute time of 20 minutes, whichever is less.

Map 1 presents the area determined to meet the above definition for University Lakes and University Place. Only those roadways currently in place were utilized. The area was identified by driving each available route, maintaining legal speed limits and utilizing a vehicle odometer. The driving was accomplished on weekdays during traffic peak hours (7:30-8:30am or 4:30-5:30pm).

Only a limited analysis of supply has been accomplished to date. Table 10 presents the total monthly housing payment that can be made by a Low income household and a Very Low income household, assuming that a maximum of 30% of their annual income can be spent on housing. Table 10 also presents the total mortgage price that these monthly payments could support.

In order to determine rental opportunities, a survey of major apartment complexes within the study area was conducted by telephone during May 1991. The information gathered is presented in Table 11.

TABLE 10

HOUSING PRICES BASED ON MONTHLY PAYMENT ABILITY

Income Status	Monthly Payment	Taxes Insurance	Net Payment	Interest Rate	Term	Home Price
Very Low	$412.5	36.1	376.4	10.0%	30	$42,890
Low	$661.9	76.9	585.0	10.0%	30	$66,660

Note: Taxes based on 18 mills, $25,000 homestead exemption.
Insurance based on .25% of home price per year.

Source: Fishkind & Associates, Inc.

individuals may be currently unemployed and seeking work or may wish to change jobs. In either circumstance, they will already have housing and will not need to find affordable housing. Regardless, this analysis assumes that all of the projected need is new and, consequently, the results are very conservative.

TABLE 9

UNIVERSITY LAKES/PLACE
ESITIMATE OF "LOW" AND "VERY LOW" INCOME HOUSEHOLDS
TOTAL AND AVERAGE ANNUAL BY PHASE

	PHASE I		PHASE II		PHASE III		PHASE IV		TOTAL	
Annual Household Income Category	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total
Low	211	1,057	175	875	121	604	138	689	161	3,225
Very Low	201	1,005	175	873	118	588	135	677	157	3,143
Total	412	2,062	350	1,748	239	1,192	273	1,366	318	6,368

Attachment #1 of Development Order
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TABLE 12
ESTIMATE OF AFFORDABLE MULTIFAMILY UNITS
TOTAL AND AVAILABLE* ANNUALLY WITHIN
UNIVERSITY LAKES/UNIVERSITY PLACE
DEFINED STUDY AREA

Monthly Housing Cost	Manatee County Total	Manatee County Available	Sarasota County Total	Sarasota County Available	Two County Total Total	Two County Total Available
Very Low Less than $415	200	20	0	0	200	20
Low $416 - $662	1,581	158	2,615	262	4,196	420
TOTAL	1,781	178	2,615	262	4,396	440

* Available estimate based on average annual turnover rate of 10%.

SOURCE: Schroeder-Manatee, Inc., May, 1991.

TABLE 12A
ESTIMATE OF OTHER AFFORDABLE RENTAL UNITS
AVAILABLE WITHIN
UNIVERSITY LAKES/UNIVERSITY PLACE
DEFINED STUDY AREA

Monthly Housing Cost	Manatee County	Sarasota County	Total
Very Low Less than $415	6	9	15
Low $416 - $662	6	24	30
TOTAL	12	33	45

SOURCE: Sarasota Herald-Tribune, Classified Section, June 30, 1991, July 7, 1991 and July 14, 1991; The Bradenton-Herald, Classified Section, June 30, 1991, July 7, 1991 and July 14, 1991.

Table 12 pulls from Table 11 the estimated number of rental units in these complexes within each county that would qualify as affordable. Table 12 shows total affordable units and an estimate of those available during a 12 month period. Table 12A presents the number of other rental units within the study area that were advertised in local newspapers.

Information on housing for sale was obtained through Multiple Listing data available for each county. Table 13 shows the total number of single-family homes that were sold within the affordable housing study area that were within the Low and Very Low income affordability range during the 12 month period from June 1990 to May 1991. In order to assume that an adequate number of these homes would be available during a shorter time period, Multiple Listing was consulted to determine the number of single family homes which were listed as available for purchase during the month of May, 1991. Table 14 presents this data by asking price category and by county.

TABLE 11
SURVEY OF APARTMENT COMPLEXES LOCATED
WITHIN DEFINED STUDY AREA

NAME	# UNITS	BASE RENT EFF.	1 BR	2 BR	3 BR	4 BR	OTHER COSTS*	% CNGE OCC. ANN.	EST TURN OVER 9/90-8/91	% VACANT	VACANT UNITS	AVG MTH PMT[1]
MANATEE COUNTY												
Carlton Arms	900	$268	$366	$503	--	--	EP	10%	130	1%	2	$470
Citrus Meadow[2]	200	--	$310	$375	$425	--	ECP	NA	NA	4%	8	$404
DeSoto Village	92	--	--	$500	--	--	ECP	20%	28	8%	7	$535
Palm Place	80	$350	$390	$505	--	--	ECP	25%	30	8%	6	$483
Plantation Gardens[3]	248	--	$470	$660	$750	--	ECP	NA	NA	5%	12	$662
Timberlake	261	--	$455	$650	--	--	ECP	33%	129	5%	13	$587
MANATEE TOTAL	1,781	$309	$380	$532	$588				317	5%	48	$524
SARASOTA COUNTY												
Alhambra	128	--	$510	$610	$690	--	EP	40%	11	2%	3	$678
Bobby Jones Village	187	--	$350	$375	--	--	ECP	33%	127	7%	4	$438
Central Park	90	--	$632	$798	--	--	EP	15%	20	3%	3	$790
Cimarron Lake	167	--	$460	$605	--	--	EP	97%	243	6%	10	$608
Club Mar	248	--	$455	$542	--	--	ECP	33%	123	10%	25	$574
Heron's Run	274	--	$495	$665	--	--	ECP	33%	138	5%	23	$655
Huntington Place	250	--	$492	$614	--	--	ECP	68%	255	7%	18	$628
Kensington Gardens	93	$415	$505	$560	--	--	ECP	38%	25	9%	5	$608
The Lexington	267	--	$465	$560	$680	$730	ECP	33%	132	6%	16	$643
McIntosh Park	212	--	$520	$610	--	--	ECP	33%	108	3%	7	$655
Midwest Arms	130	--	$350	$385	--	--	EWCP	35%	130	7%	4	$443
Park Vista	108	--	$405	$443	--	--	ECP	16%	15	1%	2	$499
Presidential	84	--	$415	$475	--	--	ECP	23%	16	2%	2	$520
Ridge Manor	100	--	$440	$515	$565	--	ECP	25%	20	4%	4	$507
Savannah	80	--	$509	$599	--	--	EP	45%	25	2%	2	$629
Shadowood	139	$325	$379	$394	--	--	EWP	60%	125	8%	11	$448
Sunridge	94	--	--	$617	$681	--	ECP	10%	14	10%	9	$725
Timber Chase	165	--	$500	$600	--	--	ECP	33%	82	10%	17	$625
Three Fountains	41	--	$525	$525	--	--	ECP	56%	18	7%	3	$600
Woodfield	70	--	$460	$490	--	--	ECP	10%	11	2%	1	$550
SARASOTA TOTAL	2,927	$370	$467	$549	$654	$730			1,636	6%	169	$591
TOTAL COUNTIES	4,708	$340	$424	$531	$621	$730			1,953	5%	217	$558

* E=ELECTRICITY C=CABLE W=WATER P=PHONE

1 Average monthly rent calculated based on mix of 1,2 and 3 bedrooms and includes a utility allowance of $35 in Manatee County and $75 in Sarasota County
2 Citrus Meadow was opened March, 1991; therefore turnover estimates were not available
3 Plantation Gardens is under construction with completion scheduled for Fall, 1991; turnover data not available, average County vacancy rate of 5% assumed

SOURCE Telephone Survey, May, 1991 and The Bradenton Herald, April 1991

TABLE 13
ESTIMATE OF HOME SALES WITHIN
UNIVERSITY LAKES/UNIVERSITY PLACE
DEFINED STUDY AREA
June 1990 - May 1991

Sales Price	Manatee County	Sarasota County	Total
Very Low $0 - $43,000	85	123	208
Low $43,001 - $67,000	108	515	623
TOTAL	193	640	831

SOURCE: Multiple Listing, Schroeder-Manatee, Inc.

TABLE 14
ESTIMATE OF AVAILABLE HOMES FOR SALE WITHIN
UNIVERSITY LAKES/UNIVERSITY PLACE
DEFINED STUDY AREA
May 1991

Sales Price	Manatee County	Sarasota County	Total
Very Low $0 - $43,000	81	117	198
Low $43,001 - $67,000	130	170	500
TOTAL	211	487	698

SOURCE: Multiple Listing, Schroeder-Manatee, Inc.

Tables 15 and 16 present an estimate of the annual affordable housing supply by household income category and by county. Information from Tables 12, 12A and 13 was utilized to derive these summary estimates.

As stated previously, this supply analysis includes only a portion of the actual supply available. The assessment of rental opportunities available can be expanded in the areas of other apartments or homes for rent, mobile homes for rent and roommate opportunities. These are not included in the supply inventory. The for-sale analysis can also be expanded to include for sale by owners and mobile homes which were specifically excluded from this initial survey.

TABLE 15
ESTIMATED ANNUAL AFFORDABLE HOUSING SUPPLY
MANATEE COUNTY STUDY AREA

Monthly Housing Costs	Number of Units Available
Very Low $0 - $415	111
Low $416 - $662	272
TOTAL	383

TABLE 16
ESTIMATED ANNUAL AFFORDABLE HOUSING SUPPLY
SARASOTA COUNTY STUDY AREA

Monthly Housing Costs	Number of Units Available
Very Low $0 - $415	132
Low $416 - $662	801
TOTAL	933

COMPARISON OF SUPPLY AND DEMAND

Table 17 presents a comparison of estimated demand generated by University Lakes with available supply within the Manatee County portion of the identified study area. In both the "Low" and "Very Low" income household categories, the analysis shows that the supply is adequate. Supply estimates for each phase were developed assuming that the current annual, available supply of affordable housing units would remain constant throughout the development of the project.

Table 18 presents similar data on estimated demand generated by University Place and available supply within the Sarasota County portion of the study area. The only unmet need which has been identified occurs in Phase I -- a total of 9 units in the "Very Low" category per year for the first 5 years. Phases II through IV actually show a surplus of units available since the demand generated in succeeding phases drops off substantially.

Table 19 presents the cumulative comparison of supply to demand for total development of both projects within the two-county accessibility study area. The net result is no unmet need.

TABLE 17

COMPARISON OF SUPPLY TO DEMAND
UNIVERSITY LAKES - MANATEE COUNTY

	PHASE I		PHASE II		PHASE III		PHASE IV		TOTAL AT BUILDOUT	
	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total
VERY LOW										
Demand	60	298	85	426	28	141	46	230	55	1,095
Supply	111	555	111	555	111	555	111	555	111	2,220
Unmet Need	0	0	0	0	0	0	0	0	0	0
LOW										
Demand	63	314	81	405	27	134	44	219	54	1,072
Supply	272	1,360	272	1,360	272	1,360	272	1,360	272	5,440
Unmet Need	0	0	0	0	0	0	0	0	0	0

TABLE 18

COMPARISON OF SUPPLY TO DEMAND
UNIVERSITY PLACE - SARASOTA COUNTY

	PHASE I		PHASE II		PHASE III		PHASE IV		TOTAL AT BUILDOUT	
	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total
VERY LOW										
Demand	141	707	89	447	89	447	89	447	102	2,048
Supply	132	660	132	660	132	660	132	660	132	2,640
Unmet Need	9	45	0	0	0	0	0	0	0	0
LOW										
Demand	149	743	94	470	94	470	94	470	108	2,153
Supply	801	4,005	801	4,005	801	4,005	801	4,005	801	16,020
Unmet Need	0	0	0	0	0	0	0	0	0	0

TABLE 19

COMPARISON OF SUPPLY TO DEMAND
CUMULATIVE ANALYSIS
UNIVERSITY LAKES - UNIVERSITY PLACE

	PHASE I		PHASE II		PHASE III		PHASE IV		TOTAL AT BUILDOUT	
	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total
VERY LOW										
Demand	201	1,005	174	873	117	588	135	677	157	3,143
Supply	243	1,215	243	1,215	243	1,215	243	1,215	243	4,860
Unmet Need	0	0	0	0	0	0	0	0	0	0
LOW										
Demand	212	1,057	175	875	121	604	138	689	162	3,225
Supply	1,073	5,365	1,073	5,365	1,073	5,365	1,073	5,365	1,073	21,460
Unmet Need	0	0	0	0	0	0	0	0	0	0

CONCLUSION AND SUMMARY

University Lakes, located in Manatee County, will provide employment to an average of 123 households which fall in the Very Low and Low income categories each year. The supply of affordable dwelling units available in Manatee County, within the study area, on an annual basis is 383, over three times the demand in each income category.

University Place, located in Sarasota County, will provide employment to an average of 290 which fall in the Very Low and Low income categories each year. The supply of affordable dwelling units available in Sarasota County on an annual basis is 933 units, well in excess of the demand over the life of the project. Demand by income category, however, shows an unmet need of 45 units for Phase I in the Very Low cost range within the Sarasota County portion of the study area. This shortfall would disappear over time since Phase II shows a surplus in Sarasota County.

When employment provided by both projects is combined, a cumulative total of 413 in the Very Low and Low income categories households are estimated each year. The average annual supply available within the combined study area (1,316) is over four times the annual demand. When broken down by income category and by project phase, no cumulative unmet need is found. On the contrary, a surplus of 42 units occurs in the Very Low income category and 861 units in the Low income category annually over the life of the developments.

The analysis contained in this report was intentionally conservative in the following areas or assumptions:

1. No attempt was made to determine how many households which will be employed in these projects already reside in the area and will not seek housing.

2. An assessment of the number of unemployed individuals who will find employment but not seek housing has not been included.

3. Employment estimates were maximized utilizing DCA recommended ratios of employees to square footage in each land use category.

4. A conservative study area was identified for analysis, not utilizing all areas accessible within 20 minutes driving time.

5. Part-time employees were not factored out of the total employment estimates which serves to increase the number of "Very Low" income households.

6. The housing supply inventory is not exhaustive and can be expanded through additional survey work.

7. Sarasota County's higher income levels were not utilized in computing the corresponding home prices and rental rates for "Low" and "Very Low" income housing units.

Over the last 12 months, the housing markets in Manatee and Sarasota Counties have shown that affordable housing is available. Given historical rental turnover rates and sales transactions, it should be possible for an employed person to find affordable housing within a reasonable distance of the proposed developments. Current inventory of both for-sale and rental units indicate that the market should continue to provide affordable housing.

Any requirement that projects which provide employment also provide affordable housing should be based on a demonstrated need. There is no indication that the development of University Lakes or University Place will generate a need in excess of the supply anticipated to be available.

APPENDIX A

10-02-90

Attachment 1
General Guidelines
Interim Housing Methodology

1. Demand Calculation

Interim Demand Methodology

The following interim methodology shall be used to calculate the housing demand for projects with non-residential land uses or a project with a mix of non-residential and residential land uses. The methodology calls for a breakdown of household income groups by the income categories of very low through moderate income; actual analysis, however, of the employment data supplied under Question 20 should break these broad categories into more discrete income ranges with a maximum range of $1,000, for purposes of comparing demand with affordable supply and calculating mitigation.

Step 1. Determine the median household income for the appropriate county or Metropolitan Statisical Area (MSA).

Step 2. Determine the median income thresholds for very low, low and moderate income households.

Step 3. Determine how many permanent, non-construction jobs will be created as a result of the development.

(See Question 20, ADA)

Step 4. Determine how many permanent, non-construction jobs to be created by the development will have salaries that are considered to be very low, low, or moderate income.

Very Low Employees = VLE
Low Income Employees = LE
Moderate Income = ME

Step 5. Determine the average number of wage earners per household for the appropriate county.

Wage Earners per Household = WEH

(See Table 1)

Step 6. Calculate the number of employee-households represented by the number of employees, by income group, estimated in Step 4.

$$VLE/WEH = EmH_{VLE}$$

$$LE/WEH = EmH_{LE}$$

$$ME/WEH = EmH_{ME}$$

Step 7. Determine the percentage of households having a single wage earner, among households with wage earners, for the appropriate county.

Single Wage Earner Households = %SWE

(See Table 2)

[Step 7a. Calculate the percentage of employee households residing in the [county, city, close to work, etc.]. It is the intent that this factor be used to parallel the factor used by Hausrath (1989) in determining the San Francisco linkage fee (i.e., percentage of projected workers who would "want" to live in the downtown area - or in city). This may require site specific or jurisdiction-specific surveys; alternatively, perhaps an average could be developed and adopted?]

Step 8. Determine the number of single wage earner housholds represented by the employee households, by income group, calculated in Step 6. This number is deemed to represent the demand (D) for affordable housing units for very low income employees and low income employees.

(EmH_{VLE}) X (%SWE) = $Demand_{VLE}$

(EmH_{LE}) X (%SWE) = $Demand_{LE}$

(EmH_{ME}) X (%SWE) = $Demand_{ME}$

Alternative Demand Metholdology

The interim housing demand model (above) assumes the same demographic characteristics concerning wage earner distributions and household incomes for all standard industry code categories. In lieu of that methodology, the applicant may use a methodology based on the percentage distribution of employees by industry group according to income or salary ranges in relation to household membership and income. This approach would be based on survey data or standards and criteria for household income by employment category adopted by the Department. Ideally, the DCA should collect the information and provide standardized distributions for each general land use category and/or general one (or two digit) SIC category. [See Hausrath (1989), Connerly (1990) for other factors that could be considered for inclusion in this demand methodology as an alternative to the interim

methodology in 1., above.]

2. The net housing demand created by a development may be reduced through a calculation of the existing housing supply reasonably accessible to the project, or a recalculation of housing demand. In the calculation of housing supply the Developer shall use the criteria and assumptions as specified in 3., below. The housing supply derived from the application of these assumptions shall be compared with the housing demand and the net housing demand shall be the amount of units needed for mitigation; provided, however, that:

A. All housing supply units considered to meet demand shall be reasonably accessible to the development.

B. A minimum of 50% of the housing supply units for low income household demand shall be within the primary transportation impact area or reasonably accessible, whichever is less.

C. A minimum of 25% of the housing supply units for moderate income demand or net demand shall be within the primary transportation impact area or reasonably accessible, whichever is less.

D. A minimum of 50% of the housing supply units shall be within the boudaries of the local jurisdiction; provided, however, that the developer may buy-out of up to fifty percent of this obligation provided that the per unit cost as an in-lieu fee shall be 200% of the per unit cost calculated for the local jurisdiction or the developer commits to providing 200% of the units calculated for the local jurisdiction and provided that the receiving local government enters into a binding agreement to accept these units or the funds to provide such units through the appropriate in-lieu mitigation option(s).

3. The general criteria and assumptions for calculating housing supply shall be as follows:

a. "Reasonably accessible" shall mean a proximate distance of ten miles or a commute time of twenty minutes, whichever is less, or, where applicable, the primary transportation impact area. Proximate distance and commute times shall be calculated on the present roadway network and the roadway network projected to be in place at the time of the impacts of development. The primary transportation impact area shall be that area delineated as the traffic impact area as indicated in the Developer's submittal to Question 31 of the Big Basin ADA. Where possible, estimated commute times shall be calculated using the Transporation Activity Zones (TAZs) commute times in the applicable Metropolitan Transportation Organization transportation model. These

times shall represent the commute time from the TAZ in which the development is located to all other TAZs in which the commute time is twenty minutes or less. In cases where the TAZ commute times are unavailable, the commute times shall be calculated and plotted as isocordals on the maps of the present roadway netwrk at five minute intervals up to twenty minutes. Driving distance shall be calculated as actual driving distance from the boundary of the development to the housing unit and projected actual driving distance. Allowances may be made for employee peak driving times in relation to the regional roadway network and peak hour traffic patterns.

b. Data presented may be in the form of public sector published materials on the availability and costs of reasonably accessible and available housing units as well as projections of availability through an updating of such materials using acccepted methods for such projections. This may include census materials, local government surveys or reports, or other government-sponsored housing survey data.

c. Where appropriate and verifiable as to accuracy, data presented may be private sector data on the availability and costs of reasonably accessible and available housing units as well as projections of availability through an updating of such materials using accepted methods for such projections. Such data may be published (e.g., newspapers), private, or proprietary, (e.g., Multiple Listing Service listings, developer-sponsored surveys, etc.).

d. All units to be considered for supply shall be for vacant and available units, uncommitted units under construction, and units for which building permits have been let, provided, however, that there is a reasonable expectation for the completion in a timely fashion of the units under construction or permitted. A description shall be provided justifying the final cost estimates for units that are not completed. Pre-leased units or pre-construction sales shall not be considered part of the existing supply.

e. All supply data shall specify housing costs, including costs for utilities in rental units, for very low, low and moderate income households. Affordability shall be based upon a percentage of 30% of gross household income for rent and utilities and a gross household income of 28% for owner-occupied units for principal, interest, property taxes, and hazard insurance. Per unit utility allowances may be adjusted for residence size and shall be not less than that used by local housing authorities in the administration of state and federal housing programs. Mandatory association fees (e.g., for

condonminiums), if applicable, shall be deducted from the gross monthly income. Affordability prices for owner-units shall assume a maximum multiplier of 2.5 of the gross household income with assumed maximum down payment of five percent.

f. In calculating affordability for employee-households within the income categories of very low, low, and moderate, the distribution of employee households shall be made using income ranges of no greater than one thousand dollars ($1,000).

g. The results of the application of the criteria and assumptions shall be made available to the Department and the Tampa Bay Regional Planning Council in a form that clearly establishes the steps by which calculations were made, in addition to any other timely requested pertinent data or information used in the recalculation of housing supply.

Source: 1980 Census
Table 179

Average Number of Workers per Family and (Average Number of Units per Worker)

NEFRPC

Baker	1.66 (.60)	Nassau	1.69 (.59)
Clay	1.70 (.59)	Putnam	1.63 (.61)
Duval	1.72 (.58)	St. Johns	1.72 (.58)
Flagler	1.67 (.60)		

ECFRPC

Brevard	1.74 (.57)	Volusia	1.69 (.59)
Lake	1.71 (.58)	Osceola	1.77 (.56)
Orange	1.78 (.56)	Seminole	1.78 (.56)

CFRPC

De Soto	1.70 (.59)	Okeechobee	1.61 (.62)
Hardee	1.75 (.57)	Polk	1.74 (.57)
Highlands	1.69 (.59)		

TBRPC

Hillsborough	1.74 (.57)	Pasco	1.63 (.61)
Manatee	1.71 (.58)	Pinellas	1.72 (.58)

SWFRPC

Charlotte	1.65 (.61)	Hendry	1.75 (.57)
Collier	1.70 (.59)	Lee	1.70 (.59)
Glades	1.61 (.62)	Sarasota	1.71 (.58)

TCRPC

Indian River	1.74 (.57)	Palm Beach	1.73 (
Martin	1.71 (.58)	St. Lucie	1.71 (.5

SFRPC

Broward	1.72 (.58)	Monroe	1.66 (.60)
Dade	1.79 (.56)		

Table 2

Ratio of Single-Worker Households
of Households with Workers

County	Working Families	Single Worker	Percent
Alachua	30,047	10,704	35.6
Baker	3,257	1,475	45.3
Bay	23,425	9,577	40.9
Bradford	4,126	1,949	47.2
Brevard	62,603	24,795	39.6
Broward	220,266	90,099	40.9
Calhoun	1,999	917	45.9
Charlotte	11,075	5,126	46.3
Citrus	10,222	5,048	49.4
Clay	16,230	6,778	41.8
Collier	18,765	7,815	41.6
Columbia	8,282	3,290	39.7
Dade	359,571	134,846	37.5
DeSoto	3,747	1,591	42.5
Dixie	1,661	812	48.9
Duval	132,114	53,075	40.2
Escambia	53,074	23,083	43.5
Flagler	2,306	1,008	43.7
Franklin	1,707	693	40.6
Gadsden	8,327	3,135	37.6
Gilchrist	1,238	520	42.0
Glades	1,266	624	49.3
Gulf	2,289	1,079	47.1
Hamilton	1,898	816	43.0
Hardee	4,381	1,688	38.5
Hendry	4,093	1,533	37.5
Hernando	8,903	4,087	45.9
Highlands	9,069	3,992	44.0
Hillsborough	147,711	57,661	39.0
Holmes	3,270	1,520	46.5
Indian River	12,783	5,044	39.5
Jackson	8,359	3,263	39.0
Jefferson	2,221	836	37.6
Lafayette	929	394	42.4
Lake	21,340	8,918	41.8
Lee	43,952	18,349	41.7
Leon	32,337	10,227	31.6
Levy	4,289	1,993	46.5

Liberty	997	348	40.0
Madison	3,145	1,248	39.7
Manatee	29,970	12,154	40.6
Marion	27,039	11,650	43.1
Martin	12,656	5,179	40.9
Monroe	13,802	5,984	43.4
Nassau	7,814	3,259	41.7
Okaloosa	26,605	10,990	41.3
Okeechobee	4,433	2,107	47.5
Orange	107,106	39,065	36.5
Osceola	10,852	3,975	36.6
Palm Beach	121,857	49,285	40.4
Pasco	34,416	16,060	46.7
Pinellas	145,935	59,223	40.6
Polk	71,826	27,708	38.6
Putnam	10,697	5,089	47.6
St. Johns	11,531	4,607	40.0
St. Lucie	18,763	7,601	40.5
Santa Rosa	13,786	5,816	42.2
Sarasota	40,599	16,874	41.6
Seminole	43,655	16,112	36.9
Sumter	5,101	2,175	42.6
Suwanee	5,122	2,152	42.0
Taylor	3,684	1,433	38.9
Union	1,445	645	44.6
Volucia	52,196	22,193	42.5
Wakulla	2,541	918	36.1
Walton	4,689	2,103	44.8
Washington	3,097	1,326	42.8

DEVELOPMENT REVIEW AGREEMENT

DEPARTMENT OF COMMUNITY AFFAIRS / TAMPA BAY REGIONAL PLANNING COUNCIL / SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL / SCHROEDER-MANATEE, INC. AGREEMENT

THIS AGREEMENT is entered into this the 6th day of Sept, 1991, by and between THE DEPARTMENT OF COMMUNITY AFFAIRS, hereinafter referred to as "DCA", THE TAMPA BAY REGIONAL PLANNING COUNCIL, hereinafter referred to as "TBRPC", THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL, hereinafter referred to as "SWFRPC", and SCHROEDER-MANATEE, INC., (owner/developer) a Delaware corporation authorized to do business in the State of Florida, hereinafter referred to as "SMI", subject to all other governmental approvals and solely at the risk of the owner and developer, SMI.

WHEREAS, the DCA is the state land planning agency having the power and duty to exercise general supervision of the administration and enforcement of Chapter 380, Florida Statutes, which includes provisions relating to Developments of Regional Impact ("DRI"): and

WHEREAS, the TBRPC is the regional planning agency having review authority over developments of regional impacts in Manatee County; and

WHEREAS, the SWFRPC is the regional planning agency having review authority over developments of regional impacts in Sarasota County; and

WHEREAS, pursuant to subsection 380.032(3), Florida Statutes, the parties hereto are authorized to enter into agreements as may be necessary to effectuate the provisions and purposes of Chapter 380: and

WHEREAS, SMI is the owner/developer of a large tract of land lying in both Manatee County and Sarasota County, Florida, which tract is generally depicted on Exhibit "A" attached hereto and made a part hereof: and

WHEREAS, no other person or legal entity has any ownership interest in said land including, but not limited to, rights arising out of a contract for sale for any portion of said land; and

WHEREAS, Manatee County is a member county in the Tampa Bay Regional Planning Council while Sarasota County is a member county

in the Southwest Florida Regional Planning Council; and

WHEREAS, SMI maintains that it is currently planning two (2) developments, one of which is located in Manatee County, adjacent to the Sarasota County line to be known as University Lakes, with the second in Sarasota County, adjacent to the Manatee County line to be known as University Place, both of which are generally depicted on Exhibit "A"; and

WHEREAS, each development alone constitutes a Development of Regional Impact subject to Florida Statutes Chapter 380 review; and

WHEREAS, the parties desire to enter into this Agreement to settle any disagreement and uncertainties in the review process as to the issues of aggregation of the two (2) developments or of combining the two (2) developments into one (1) for submittal purposes by agreeing on separate review for each development while assuring that with each development the information relative to certain identified impacts contained in each application for development approval will be reviewed and assessed on a cumulative basis with the impacts of the other development.

NOW, THEREFORE, in consideration of the foregoing and of the mutual promises contained herein, the parties agree as follows:

1. SMI asserts and warrants that all representations and statements concerning the subject development properties made to the DCA, TBRPC and SWFRPC, and contained in this Agreement are true, accurate, and complete. Based upon said representations and statements, the parties hereto conclude that this Agreement is in the best interest of the State, is beneficial to the Department in its role as the state agency with responsibility for the administration and enforcement of Chapter 380, Florida Statutes, and reasonably applies and effectuates the provisions and purposes of Chapter 380, Florida Statutes.

2. Provided the data submitted in each Applications for Development Approval (ADA) by SMI and the review process follows the agreement set forth herein, the DCA, TBRPC and SWFRPC agree that SMI may separately submit for review of the projects, each to undergo separate review under Chapter 380, Florida Statutes.

3. The University Lakes ADA shall be submitted to the Tampa Bay Regional Planning Council for review and recommendation and to Manatee County for review and approval. Copies of the ADA shall be submitted to the DCA, SWFRPC, and Sarasota County and other review agencies. The University Place ADA shall be submitted to the Southwest Florida Regional Planning Council for review and recommendation, and to Sarasota County for review and approval. Copies of the ADA shall be submitted to the DCA, TBRPC, Manatee County, and other review agencies. The submittal of copies is not intended to increase the normal review fee payable in connection with the filing and review of the single DRI, but is to facilitate review and comment.

4. In determining the cumulative impacts of each project on traffic, each traffic study shall include the traffic generated by the other project as project traffic instead of as background traffic condition. Each study shall be prepared on a phase-by-phase basis, with subsequent phases including impacts of earlier phases, assuring that all traffic of both projects generated during the applicable phase is included as project traffic and not background traffic. The intent of this paragraph is to insure that the total cumulative traffic impact and impact mitigation is considered with each development.

5. In determining the cumulative impacts of each project on air quality, any required study shall include the development and traffic in the other project. Each study shall be prepared on a phase-by-phase basis, with subsequent phases including impacts of earlier phases, assuring that all development of both projects that may generate impacts on air quality during the applicable phase is included in the study. The intent of this paragraph is to assure that the total cumulative impact on air quality and its mitigation is considered with each development.

6. In determining the availability of affordable housing for each project, each ADA shall cumulatively assess the impacts of both projects with subsequent phases including impacts of earlier phases. The intent of this paragraph is to insure that the total

cumulative impact on affordable housing and its impact mitigation is considered with each development.

7. In determining the cumulative impacts of each project on vegetation and wildlife, each ADA shall cumulatively assess the impacts of both projects on listed plant and animal species. The vegetation and wildlife study will also address the desirability (or lack therefore) of a continuous wildlife corridor between the projects. This study will be appended to both ADAs. The intent of this paragraph is to insure that the total cumulative impact on listed species and its mitigation is considered with each development.

8. OCA agrees not to appeal the Development Order of either development on the grounds of failure to aggregate the two (2) parcels, or on the basis of failing to submit the two (2) developments as one (1) DRI, provided that the conditions of this agreement are complied with.

9. Additionally, nothing in this Agreement shall constitute a waiver by OCA to the right to appeal either Development Order on other appropriate grounds as set forth in Chapter 380 and this Agreement, including the mitigation or assessment of cumulative impacts, set forth herein.

10. In the event either project does not receive approval from the applicable County, or receives a Development Order for only a portion of the request, SMI shall review the impacts of the other development to eliminate or adjust the cumulative assessment and mitigation of the impacts as warranted, and amend the Development Order of the approved development to reflect such changes.

11. For University Lakes, TBRPC shall provide to Manatee County, in its final DRI report, recommendations for addressing the issue of cumulative substantial deviations pursuant to the criteria in Subsection 380.06(19), Florida Statutes. For University Place, SWFRPC shall provide to Sarasota County, in its final DRI report, recommendations for addressing the issue of cumulative substantial deviations as defined in Subsection 380.06(19), Florida Statutes.

The issue of cumulative substantial deviations between the two (2) projects shall be addressed in each Development Order for University Lakes and University Place.

12. For purpose of abandonment of a DRI pursuant to Subsection 380.06(26), Florida Statutes, the total amount of development in both projects shall be taken into consideration when determining eligibility to abandon pursuant to the criteria of Subsection 380.06(26), Florida Statutes, and Rule 9J-2.0251(5), Florida Administrative Code.

13. In the event the DCA, TBRPC or SWFRPC determine there is a breach of this Agreement or failure to comply with any condition of this Agreement, or if this Agreement is based upon materially inaccurate information, any party may terminate this Agreement or file suit to enforce this Agreement as provided in Section 380.06 and 380.11, Florida Statutes.

14. This Agreement affects the rights and obligations of the parties under Chapter 380, Florida Statutes. Except as provided herein, it is not intended to determine or influence the authority or decisions of any other state or local government or required by state law or local ordinance for the developments described in this Agreement.

15. The terms and conditions of this Agreement shall inure to the benefit of, and be binding upon, the heirs, personal representatives, successors and assigns of the parties hereto. SMI shall insure and provide that any party claiming by, through, or under SMI with respect to any of SMI's interest in the lands or parcels affected by this Agreement is bound by the terms of this Agreement.

16. The Agreement shall become effective the date that the last party signs and acknowledges this Agreement.

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals on the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

THE DEPARTMENT OF COMMUNITY AFFAIRS

By: _____

Its _____

THE TAMPA BAY REGIONAL PLANNING COUNCIL

By _____

Its _____

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

By: _____

Its _____

SCHROEDER-MANATEE, INC.

By: _____

Its _____

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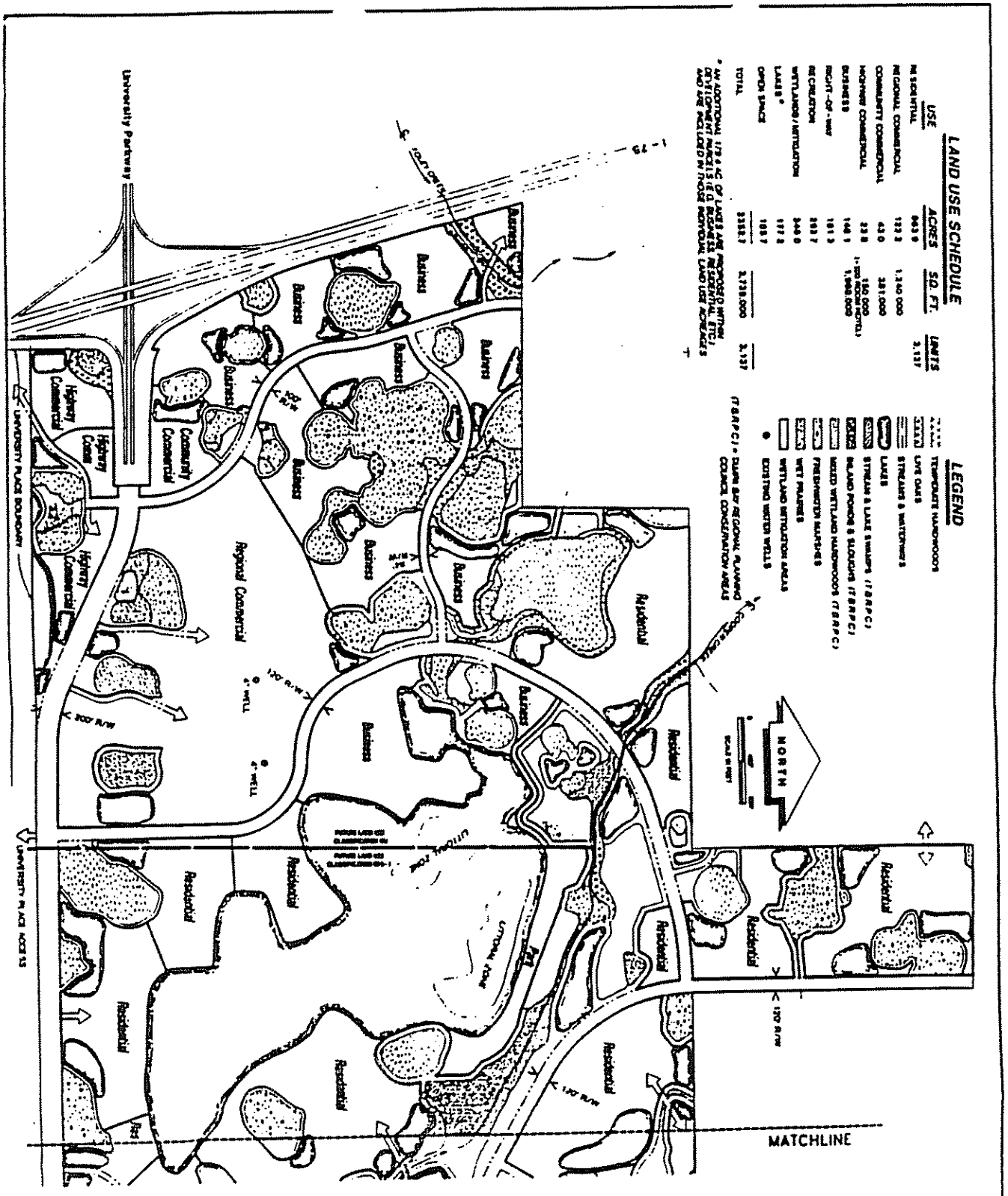
8/6/91 - 3
"B"



MASTER DEVELOPMENT PLAN

DEVELOPMENT OF REGIONAL IMPACT

University Lakes

A PLANNED DEVELOPMENT

MAP H

CONSULTANT TEAM

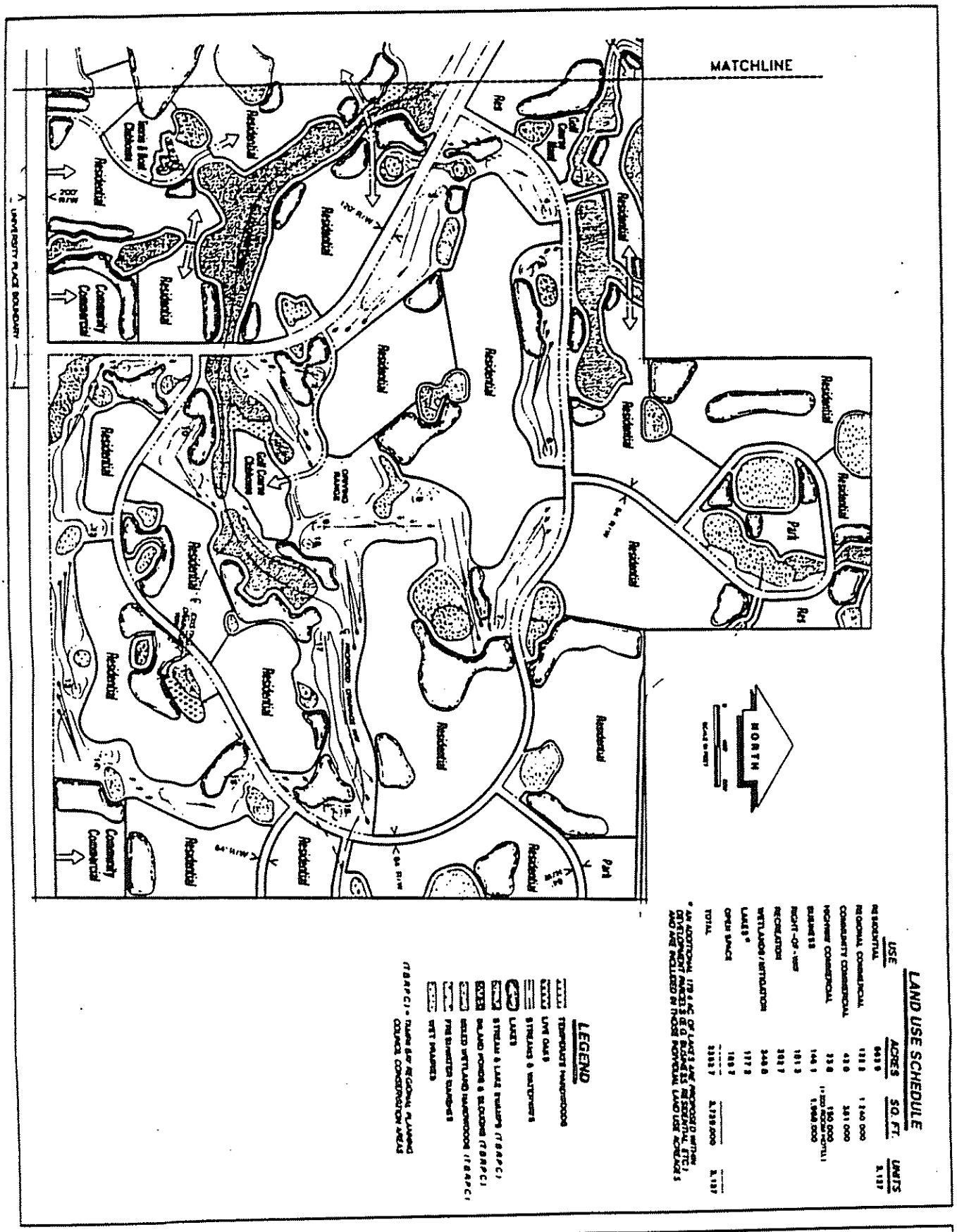
Lambardo & Skipper, Inc.

Conservation Consultants, Inc

Dames & Moore

Grimes, Goebel, Grimes & Hawkins

N. Joel Carlson



MASTER DEVELOPMENT PLAN

DEVELOPMENT OF REGIONAL IMPACT

University Lakes

A PLANNED DEVELOPMENT

By Schroeder-Manatee, Inc.

MAP H

CONSULTANT TEAM

Lombardo & Skipper, Inc.
Conservation Consultants, Inc.
Dames & Moore
Grimes, Goebel, Grimes & Hawkins
H. Joel Carlson

LOMBARDO & SKIPPER, INC.

DESCRIPTION: UNIVERSITY LAKES

A TRACT OF LAND SITUATED AND BEING IN SECTIONS 28, 29, 31, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E. AND SECTION 36, TOWNSHIP 35 S., RANGE 18., MANATEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 29, 30, 31 AND 32, TOWNSHIP 35 S., RANGE 19 E., FOR A POINT OF BEGINNING; THENCE N 00°22'41" E, ALONG THE WEST LINE OF SAID SECTION 29, A DISTANCE OF 2658.67 FT. TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE S 89°30'30" E, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 1337.72 FT. TO THE NORTHEAST CORNER OF THE WEST 1/2 OF SAID SOUTHWEST 1/4; THENCE S 00°27'02" W, ALONG THE EAST LINE OF SAID WEST 1/2 OF THE SOUTHWEST 1/4, A DISTANCE OF 2658.59 FT. TO THE SOUTHEAST CORNER OF SAID WEST 1/2 OF THE SOUTHWEST 1/4; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 29 (ALSO BEING THE NORTH LINE OF SECTION 32, TOWNSHIP 35 S., RANGE 19 E.), A DISTANCE OF 4003.06 FT. TO THE SECTION CORNER COMMON TO SECTIONS 28, 29, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E.; THENCE N 00°40'07" E, ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 2236.01 FT.; THENCE S 89°31'24" E, PARALLEL WITH THE NORTH LINE OF SAID SECTION 28 AND 3077.34 FT. SOUTHERLY THEREFROM, A DISTANCE OF 2666.72 FT. TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 28; THENCE S 00°45'47" W, ALONG THE EAST LINE OF SAID WEST 1/2, A DISTANCE OF 2236.80 FT. TO THE INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 28; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 28 (ALSO BEING THE NORTH LINE OF SECTION 33, TOWNSHIP 35 S., RANGE 19 E.), A DISTANCE OF 2662.03 FT. TO THE NORTHEAST CORNER OF SAID SECTION 33; THENCE S 01°24'24" W, ALONG THE EAST LINE OF SAID SECTION 33, A DISTANCE OF 6019.29 FT. TO THE SOUTHEAST CORNER OF SAID SECTION 33, THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 33 (ALSO BEING THE COMMON LINE BETWEEN MANATEE AND SARASOTA COUNTIES), A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 33 (SAME BEING THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 35 S., RANGE 19 E.); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 32, AND THE COUNTY LINE, A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 32 (SAME BEING THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 35 S., RANGE 19 E.); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 31 AND THE COUNTY LINE, A DISTANCE OF 4602.00 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE N 00°37'10" E, ALONG THE WEST LINE OF SAID SECTION 31, ALSO BEING THE EASTERLY LIMITED ACCESS R/W OF STATE ROAD NO. 93 (INTERSTATE 75), A DISTANCE OF 615.95 FT. TO A POINT ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S 67°41'09" E, 216.00 FT.; THENCE RUN NORTHEASTERLY, ALONG SAID LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 65°57'32", A DISTANCE OF 248.66 FT. TO THE P.T. OF SAID CURVE; THENCE N 88°16'24" E, ALONG THE LIMITED ACCESS R/W OF STATE ROAD NO. 93 (I-75) - "UNIVERSITY PARKWAY" INTERCHANGE, A DISTANCE OF 628.74 FT.; THENCE S 89°27'41" E, ALONG SAID LIMITED ACCESS INTERCHANGE R/W, A DISTANCE OF 298.75 FT. TO THE EASTERLY END OF SAID LIMITED ACCESS INTERCHANGE R/W; THENCE CONTINUE S 89°25'29" E, ALONG THE SOUTHERLY R/W OF "UNIVERSITY PARKWAY", A DISTANCE OF 133.18 FT.; THENCE N 00°34'14" E, ALONG THE EASTERLY END OF SAID "UNIVERSITY PARKWAY" R/W, A DISTANCE OF 338.00 FT.; THENCE N 89°26'21" W, ALONG THE NORTH LINE OF A 60 FT. WIDE F.D.O.T. SERVICE ROAD R/W, WHICH LIES PARALLEL AND CONTIGUOUS WITH THE NORTHERLY SIDE OF "UNIVERSITY PARKWAY", A DISTANCE OF 606.88 FT.; THENCE N 85°37'30" W, ALONG SAID SERVICE ROAD R/W, A DISTANCE OF 460.53 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 396.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID SERVICE ROAD R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°45'40", A DISTANCE OF 191.87 FT. TO THE INTERSECTION WITH THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E., SAME BEING THE EAST LINE OF SECTION 36, TOWNSHIP 35 S., RANGE 18 E., (THE RANGE LINE); THENCE S 01°15'36" W, ALONG THE COMMON LINE BETWEEN SAID SECTION 31 AND 36 (THE RANGE LINE), SAME BEING THE WESTERLY END OF SAID F.D.O.T. SERVICE ROAD R/W, A DISTANCE OF 68.34 FT. TO THE INTERSECTION WITH THE EASTERLY LIMITED ACCESS R/W OF SAID STATE ROAD NO. 93 (I-75), SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES N 27°43'29" E,

456.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°29'56", A DISTANCE OF 274.57 FT. TO THE P.T. OF SAID CURVE; THENCE N 27°46'38" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 566.48 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 4488.66 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°57'00", A DISTANCE OF 1014.75 FT. TO THE P.T. OF SAID CURVE; THENCE N 14°49'36" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 888.56 FT.; THENCE N 13°40'46" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 1018.32 FT.; THENCE S 88°46'12" E, A DISTANCE OF 1388.86 FT. TO THE INTERSECTION WITH THE EAST LINE OF SAID SECTION 36, TOWNSHIP 34 S., RANGE 18 E., SAME BEING THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E. (THE RANGE LINE); THENCE S 89°40'28" E, A DISTANCE OF 1438.84 FT.; THENCE N 01°18'38" E, A DISTANCE OF 1632.73 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E. (SAID POINT LYING S 89°40'28" E, ALONG SAID NORTH LINE, A DISTANCE OF 1438.84 FT. FROM THE NORTHWEST CORNER OF SAID SECTION 31); THENCE S 89°40'28" E, ALONG THE NORTH LINE OF SAID SECTION 31, A DISTANCE OF 3165.00 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 28, 29, 31, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E., AND SECTION 36, TOWNSHIP 35 S., RANGE 18 E., MANATEE COUNTY, FLORIDA.

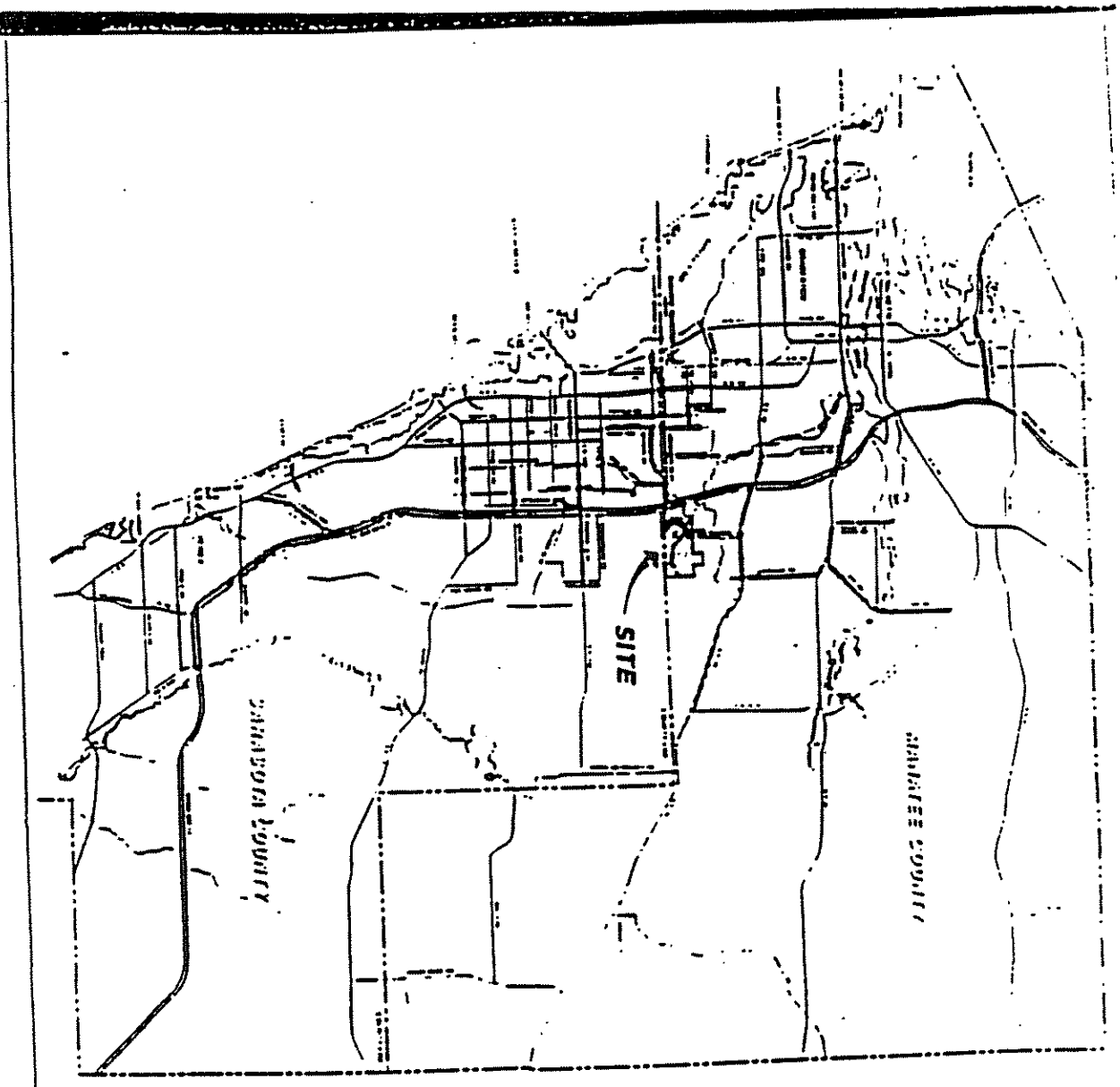
CONTAINING 2352.7 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

THIS DESCRIPTION IS NOT BASED ON AN ACTUAL FIELD SURVEY.

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.
Witness my hand and official seal this 11 day of [illegible] 19[illegible]
R. B. SHORE
Clerk of Circuit Court
By: [signature]

Attachment #4 of Development Order
(Page 2 of 2)



MAP J

TRANSPORTATION NETWORK

DEVELOPMENT OF REGIONAL IMPACT

University Lakes

A PLANNED DEVELOPMENT

By Schroeder-Manatee Inc

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true copy of ORDINANCE NO. 93-25 adopted by the Board of County Commissioners of said County on the 27 day of October, 1993, this 5 day of November, 1993, in Bradenton, Florida.

R. B. Shore
Clerk of Circuit Court
By: Evelyn Rhoyne D.C.

ATTACHMENT #6
LAND USE EQUIVALENCY
UNIVERSITY LAKES, PHASE I*

"A" LAND USES THAT ARE TO BE TRADED	"B" EQUIVALENT USES*** # OF SINGLE-FAMILY DWELLING UNITS	# OF VILLA UNITS	# OF APARTMENTS	# OF SQ. FT. REGIONAL COMMERCIAL	# OF SQ. FT. COMMUNITY COMMERCIAL	# OF SQ. FT. OFFICE	# OF SQ. FT. MANUFACTURING	# OF SQ. FT. WAREHOUSING	# OF HOTEL ROOMS
ONE SINGLE FAMILY DWELLING UNIT	(1.000)	(1.1560)	(1.3878)	(206.0)	(109.1)	(290.4)	(1,054.8)	(732.1)	(1.2242)
ONE VILLA UNIT	(0.7870)	(1.000)	(1.2005)	(162.1)	(85.9)	(228.5)	(830.1)	(576.1)	(0.9634)
ONE APARTMENT	(0.5809)	(0.738)	(1.000)	(119.6)	(63.4)	(168.7)	(612.8)	(425.3)	(0.7112)
1,000 SQ. FT. OF REGIONAL COMMERCIAL	(2.5266)	(2.9209)	(3.5065)	(1.000)	(469.7)	(1,410.1)	(4,010.5)	(3,554.4)	(4.4406)
1,000 SQ. FT. OF COMMUNITY COMMERCIAL	(5.1595)	(5.9646)	(7.1603)	(1,887.2)	(1.000)	(2,661.2)	(8,189.7)	(6,706.0)	(9.0678)
1,000 SQ. FT. OF OFFICE	(0.3027)	(0.3499)	(0.4200)	(119.8)	(58.7)	(1.000)	(480.4)	(804.3)	(0.5319)
1,000 SQ. FT. OF MANUFACTURING	(0.6300)	(0.7283)	(0.8743)	(195.3)	(103.5)	(275.3)	(1.000)	(694.0)	(1.1073)
1,000 SQ. FT. OF WAREHOUSING	(0.3763)	(0.4350)	(0.5223)	(148.9)	(72.9)	(396.7)	(597.3)	(1.000)	(0.6614)
ONE HOTEL ROOM	(0.5690)	(0.6578)	(0.7896)	(168.2)	(89.2)	(237.2)	(861.6)	(598.0)	(1.000)

*EXAMPLE CALCULATIONS: The calculations must always start in Column "A" and end in Column "B". Start in Column "A" at appropriate row, proceed horizontally, then vertically to equivalent use in Column "B". The equivalent Column "B" land use is noted in the ( ) at the intersection of the "traded land use" horizontal row, and the "equivalent uses" vertical column. For example, one Villa Unit (Column "A", second row) can be traded into 162.1 square feet of regional commercial (Equivalent Uses, fourth column in Column "B" group). The intersection of the Villa Unit row, and the regional commercial column is 162.1.

**Equivalency rates may be refined based on application of actual trip rates/equations from ITE, Trip Generation. Use of trip rates/equations must demonstrate net zero increase in external peak hour trips.

***Maximum allowable University Lakes Phase I Development:

SINGLE-FAMILY	=	746 Dwelling Units
VILLAS	=	243 Dwelling Units
APARTMENT	=	204 Dwelling Units
REGIONAL COMMERCIAL	=	436,000 Sq. Ft.
COMMUNITY COMMERCIAL	=	87,000 Sq. Ft.
OFFICE	=	193,200 Sq. Ft.
MANUFACTURING	=	193,200 Sq. Ft.
WAREHOUSING	=	96,600 Sq. Ft.
HOTEL	=	300 Rooms

MANATEE COUNTY
GOVERNMENT
PLANNING, PERMITTING AND INSPECTIONS DEPARTMENT

June 11, 1992

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

RE: University Lakes

Dear Ms. Cooper:

Enclosed please find a certified copy of the approved Development Order for the University Lakes DRI.

If you have any questions please feel free to contact me at 748-4501 extension 6872.

Sincerely,

Michael A. Pendley, Senior Principal Planner
Community Planning Section

mailed 6/12/92
received 6/15/92

MP/ef

cc: DRI File
Central Files

1112 Manatee Avenue West • Suite 803 • Bradenton, Florida Tel. (813) 748-4501 • FAX: (813) 749-3071
P.O. Box 1000 Bradenton, Florida 34206-1000

MANATEE COUNTY ZONING ORDINANCE
PDMU-92-01(Z)(G) - SCHROEDER-MANATEE, INC.
(AKA UNIVERSITY LAKES OF MANATEE, INC.)

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY, ORDINANCE NO. 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A/WP-E (GENERAL AGRICULTURE, 1 DU/5 ACRES/EVERS RESERVOIR WATERSHED PROTECTION OVERLAY DISTRICT), A/WP-E/ST (GENERAL AGRICULTURE, 1 DU/5 ACRES/EVERS RESERVOIR WATERSHED PROTECTION/SPECIAL TREATMENT OVERLAY DISTRICTS), A-1/WP-E/ST (SUBURBAN AGRICULTURE, 1 DU/ACRE/EVERS RESERVOIR WATERSHED PROTECTION/SPECIAL TREATMENT OVERLAY DISTRICTS), AND PDR/WP-E/ST (PLANNED DEVELOPMENT RESIDENTIAL/EVERS RESERVOIR WATERSHED PROTECTION/SPECIAL TREATMENT OVERLAY DISTRICTS) TO PDMU/WP-E/ST (PLANNED DEVELOPMENT MIXED USE/EVERS RESERVOIR WATERSHED PROTECTION/SPECIAL TREATMENT OVERLAY DISTRICTS); PROVIDING FOR AN EFFECTIVE DATE; AND APPROVAL OF A GENERAL DEVELOPMENT PLAN WHICH INCLUDES 3,137 DWELLING UNITS, 1,771,000 SQUARE FEET OF COMMERCIAL SPACE, 300 HOTEL ROOMS (250,000 SQ. FT.), 787,200 SQUARE FEET OF OFFICE SPACE AND 1,180,800 SQUARE FEET OF INDUSTRIAL SPACE WITH ACCESSORY RELATED USES.

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

Section 1. FINDINGS OF FACT. The Board of County Commissioners of said County, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission of said County, as well as all other matters presented to said Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for Official Zoning Atlas Amendment as it relates to the real property described in Section 4 of this Ordinance from A/WP-E (General Agriculture,1 du/5 acres/Evers Reservoir Watershed Protection Overlay District), A/WP-E/ST (General Agriculture, 1 du/5 acres/Evers Reservoir Watershed Protection/Special Treatment Overlay Districts), A-1/WP-E/ST (Suburban Agriculture, 1 du/acre/Evers Reservoir Watershed Protection/Special Treatment Overlay Districts), and PDR/WP-E/ST (Planned Development Residential/Evers Reservoir Watershed Protection/Special Treatment Overlay Districts) to PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection/Special Treatment Overlay Districts).

B. The said Board of County Commissioners held public hearings on April 23, 1992, May 28, 1992 and June 1, 1992 regarding [illegible] in accordance with the requirements of Manatee County Ordinance No. 90-01, the Manatee County Land Development Code, and has further considered the information received at said public hearings.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Section 4 herein is found to be consistent with the requirements of Manatee County Ordinance No. 89-01, the Manatee County Comprehensive Plan.

Section 2. The General Development Plan, entitled UNIVERSITY LAKES, is hereby APPROVED to allow 3,137 dwelling units,

1,771,000 square feet of commercial space, 300 hotel rooms (250,000 sq. ft.), 787,200 square feet of office space and 1,180,800 square feet of industrial space with accessory related uses with the following definitions and stipulations:

DEFINITIONS

Note: An asterisk (*) denotes that the word is defined.

A. "380 Review Agreement*" shall mean the Agreement executed between DCA, TBRPC, the Southwest Florida Regional Planning Council ("SWFRPC"), and Schroeder-Manatee, Inc. dated September 6, 1991 which governs the review of the University Lakes and University Place DRI's. A copy of the 380 Review Agreement* is attached as Attachment #2 to the Development Order.

B. "Application for Development Approval*" (or ADA*) shall mean University Lakes, Inc. Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer* on October 25, 1991, and Appendix E Cumulative Affordable Housing Analysis.

C. "Best Management Practices*" (BMP) shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code (BMP list of approved practices by Board resolution for Special Overlay Districts-Evers Reservoir and Lake Manatee Watershed Areas).

D. "County*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).

E. "Developer*" shall mean University Lakes of Manatee, Inc., its heirs, assigns, designees and successors in interest as to the Project* and all its conditions of approval.

F. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process and/or Construction Drawing approval where site plans or subdivision plats are not required.

G. "FRCRPP*" shall mean the TBRPC's Future of the Region, A Comprehensive Regional Policy Plan for the Tampa Bay Region, adopted June 23, 1987 and amended in 1989.

H. "Funding Commitments*" shall mean, to assure the completion of any improvement required by this Development Order, one or any combination of the following: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County*; or 2) actual construction; or 3) the placement of the improvements in the Capital Improvements Work Program of a responsible entity for construction during the fiscal year when the improvement is required.

I. "Post-Development Wetlands*" shall mean any lands determined to be within jurisdictional limits defined by Chapter 17-301, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Regulation (FDER), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development for this Project*.

J. "Project*" shall mean the land uses, phasing and improvements described in the ADA* which are attributable to development on

1,771,000 square feet of commercial space, 300 hotel rooms (250,000 sq. ft.), 787,200 square feet of office space and 1,180,800 square feet of industrial space with accessory related uses with the following definitions and stipulations:

DEFINITIONS

Note: An asterisk (*) denotes that the word is defined.

A. "380 Review Agreement*" shall mean the Agreement executed between DCA, TBRPC, the Southwest Florida Regional Planning Council ("SWFRPC"), and Schroeder-Manatee, Inc. dated September 6, 1991 which governs the review of the University Lakes and University Place DRI's. A copy of the 380 Review Agreement* is attached as Attachment #2 to the Development Order.

B. "Application for Development Approval*" (or ADA*) shall mean University Lakes, Inc. Development of Regional Impact Application for Development Approval (May 31, 1991), the Sufficiency Response submitted by the Developer* on October 25, 1991, and Appendix E Cumulative Affordable Housing Analysis.

C. "Best Management Practices*" (BMP) shall mean the practices which are technologically and economically feasible in abating pollution generated by point and non-point sources, to a level compatible with water quality and quantity objectives of the Land Development Code (BMP list of approved practices by Board resolution for Special Overlay Districts-Evers Reservoir and Lake Manatee Watershed Areas).

D. "County*" shall mean the Board of County Commissioners for Manatee County, or their designee(s).

E. "Developer*" shall mean University Lakes of Manatee, Inc., its heirs, assigns, designees and successors in interest as to the Project* and all its conditions of approval.

F. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process and/or Construction Drawing approval where site plans or subdivision plats are not required.

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H. "Funding Commitments*" shall mean, to assure the completion of any improvement required by this Development Order, one or any combination of the following: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County*; or 2) actual construction; or 3) the placement of the improvements in the Capital Improvements Work Program of a responsible entity for construction during the fiscal year when the improvement is required.

I. "Post-Development Wetlands*" shall mean any lands determined to be within jurisdictional limits defined by Chapter 17-301, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Regulation (FDER), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development for this Project*.

J. "Project*" shall mean the land uses, phasing and improvements described in the ADA* which are attributable to development on

that property described in Section 7. herein.

K. "Transportation Impact Area*" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the Project* shown on a proposed Preliminary Site Plan in combination with prior approvals of this Project* will be five percent (5%) (or whatever greater percentage may be employed from time to time by DCA, TBRPC or the County*) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on Map J (attached to the Development Order as Attachment #3) which was based on data submitted with the ADA*.

L. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.

STIPULATIONS

Transportation

A.(1) The cumulative Phase I University Lakes/University Place transportation analysis conducted under the 380 Review Agreement* determined the need for the roadway segment and intersection improvements described in Tables 5 and 6 below.

TABLE 5

PHASE I REQUIRED LINK IMPROVEMENTS

Roadway Segment Improvement Number	Road Segment Name (From and To)	Total Traffic Peak Hour LOS Prior To Improvement	Applicable Peak Hour Level of Service	Development Traffic As A % of LOS Peak Hour Capacity	Required Improvement To Restore Level of Service	Total PM Peak Hour External Trips for Combined Project Before Need*
1	Fruitville Road					
	From I-75	F (in EB)	C	12.1 (in EB)	Widen to 4	2114
	to Tatum Road	C (in WB)	C	6.3 (in WB)	Lanes	
2	University Parkway					
	From I-75	F (in EB)	D	103.2 (in EB)	Widen to 6	2733
	To North/South Road	F (in WB)	D	178.5 (in WB)	Lanes	
3	Honore Avenue					
	From University	F (in NB)	C	58.1 (in NB)	Widen to 4	3403
	Parkway	C (in SB)	C	30.3 (in SB)	Lanes	
	To Longmeadow					
4	I-75					
	From SR 681	C (in NB)	C	3.9 (in NB)	Widen to 6	4279
	To Jacaranda Blvd.	E (in SB)	C	7.5 (in SB)	Lanes	
5	North/South Road**					
	From University	F (in NB)	C	116.1 (in NB)	Widen to 4	4279
	Parkway	D (in SB)	C	60.7 (in SB)	Lanes	
	To Cypress Banks					
6	North/South Road**					
	From Cypress Banks	D (in NB)	C	66.3 (in NB)	Widen to 4	
7	I-75					
	From Clark Road	C (in NB)	C	4.3 (in NB)	Widen to 8	4434
	To SR 681	D (in SB)	C	8.3 (in SB)	Lanes	

*This column represents the cumulative number of total peak hour external trips for the combined project before the need of the identified improvements for Phase I Land Uses as depicted in Tables 2 and 4 for both University Lakes and University Place (or the equivalent thereof in trip generation) which may be constructed prior to requiring the listed improvements.

**North/South Road refers to Upper Manatee River Road and lies to the west of the 160 acre lake.

TABLE 6

PHASE I REQUIRED INTERSECTION IMPROVEMENTS

Required Intersection Improvement Number	Intersection Name and Location	Total Traffic Peak Hour LOS Prior To Improvement	Applicable Peak Hour Level of Service	Development Traffic As A % of LOS Peak Hour Capacity	Required Improvement To Restore Level of Service	Total PM Peak Hour External Trips for Combined Point Before Need*
1	Bee Ridge Road at Cattleman Road	F	C	7.3%	Dual Lefts	2578
2	University Parkway at I-75 East	F	D	76.2%	Loop Ramp	3867
3	University Parkway at I-75 West	D	D	76.2%	Loop Ramp	3867
4	Clark Road	F	C	6.2%	Dual Lefts	4279

*This column represents the cumulative number of total peak hour external trips for the combined project before the need of the identified improvements for Phase I Land Uses as depicted in Tables 2 and 4 for both University Lakes and University Place (or the equivalent thereof in trip generation) which may be constructed prior to requiring the listed improvements.

A.(2) The improvements listed in Tables 5 & 6 include a critical link and intersection improvements for the development of Phase I of the Project*. In order to maintain adequate levels of service in the area, several options are available:

(a) Option 1

Phase I of the Development shall require Funding Commitments* from responsible entities for the roadway and intersection improvements, or alternative improvements of equal or greater capacity, listed in Tables 5 and 6. Without Funding Commitments* for construction of these improvements, no later than September 30, 1997, Final Site Plan and building permits for Vertical Development* shall not be issued for Phase I.

(b) Option 2

In the event that Funding Commitments* for transportation improvements are only adequate to permit approval of a portion (subphase) of the Development, the capacity and loading of transportation facilities in the University Lakes Transportation Impact Area, including, but not limited to, the regional roadways and intersections referenced in Option 1, shall be limiting factors in any subsequent approvals. The subphases thresholds have been specifically identified in Tables 5 and 6. The Developer may choose whether to be bound by thresholds schedule identified in Tables 5 and 6, or whether to generate and provide the County, the Sarasota-Manatee Metropolitan Planning Organization ("MPO"), the Florida Department of Transportation ("FDOT") and the TBRPC, pursuant to the provisions of Chapter 380.06, Florida Statutes, with updated current traffic counts on the above listed roadways and projections of traffic volumes that will result from the completion of construction of the initially approved portion of Phase I plus that to be generated by the next portion for which the Developer is seeking approval. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (referenced in Tables 5 and 6) or shall indicate alternate transportation

TABLE 6

PHASE I REQUIRED INTERSECTION IMPROVEMENTS

Required Intersection Improvement Number	Intersection Name and Location	Total Traffic Peak Hour LOS Prior To Improvement	Applicable Peak Hour Level of Service	Development Traffic As A % of LOS Peak Hour Capacity	Required Improvement To Restore Level of Service	Total PM Peak Hour External Trips for Combined Project Before Need*
1	Bee Ridge Road at Cattleman Road	F	C	7.3%	Dual Lefts	2578
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4	Clark Road	F	C	6.2%	Dual Lefts	4279

*This column represents the cumulative number of total peak hour external trips for the combined project before the need of the identified improvements for Phase I Land Uses as depicted in Tables 2 and 4 for both University Lakes and University Place (or the equivalent thereof in trip generation) which may be constructed prior to requiring the listed improvements.

A.(2) The improvements listed in Tables 5 & 6 include a critical link and intersection improvements for the development of Phase I of the Project*. In order to maintain adequate levels of service in the area, several options are available:

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Phase I of the Development shall require Funding Commitments* from responsible entities for the roadway and intersection improvements, or alternative improvements of equal or greater capacity, listed in Tables 5 and 6. Without Funding Commitments* for construction of these improvements, no later than September 30, 1997, Final Site Plan and building permits for Vertical Development* shall not be issued for Phase I.

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In the event that Funding Commitments* for transportation improvements are only adequate to permit approval of a portion (subphase) of the Development, the capacity and loading of transportation facilities in the University Lakes Transportation Impact Area, including, but not limited to, the regional roadways and intersections referenced in Option 1, shall be limiting factors in any subsequent approvals. The subphases/thresholds have been specifically identified in Tables 5 and 6. The Developer may choose whether to be bound by thresholds schedule identified in Tables 5 and 6, or whether to generate and provide the County, the Sarasota-Manatee Metropolitan Planning Organization ("MPO"), the Florida Department of Transportation ("FDOT") and the TBRPC, pursuant to the provisions of Chapter 380.06, Florida Statutes, with updated current traffic counts on the above listed roadways and projections of traffic volumes that will result from the completion of construction of the initially approved portion of Phase I plus that to be generated by the next portion for which the Developer is seeking approval. Each updated traffic analysis shall serve to verify the findings of the DRI traffic analysis (referenced in Tables 5 and 6) or shall indicate alternate transportation

improvements or mechanisms which, when implemented, will maintain the roadways and intersections referenced in Table 5 and 6 at the appropriate Level of Service. Both the traffic counts and the projection of traffic volume shall be prepared consistent with generally accepted transportation engineering practices. With respect to subphases which require transportation improvements which are not the subject of Funding Commitments*, prior to any specific approval of the subphase, the County shall ensure through the Certificate of Level of Service process that the above roadways and intersections (Tables 5 and 6 above) are operating at or above the appropriate Level of Service at peak hour and that the expected trips to be generated by such approval, in addition to the traffic to be generated by other previously approved DRI and non-DRI development would not cause the roadways to operate below the appropriate Level of Service. At the time of Preliminary Site Plan approval for each subphase, the Developer shall submit to the County a limited transportation study which shows the distribution on the Transportation Impact Area of P.M. peak hour external trips for the current subphase plus all previously approved subphases to demonstrate which improvements listed in Tables 5 and 6 are required. In the event that such new analysis demonstrates the need for alternative improvements or different subphase thresholds, the Development Order shall be amended for each subphase (which has been the subject of the analysis) to grant specific approval and to identify the roadway improvements associated with such subphases.

A.(3) The Developer* shall provide bicycle lanes as part of the roadway design for the collector facilities within the Project*. Inclusion of bicycle lanes as part of the roadway design does not mean the lanes themselves must be part of the roadway. That is, the lanes must be included in design but may be constructed separately or in separation from the roadway itself.

A.(4) The Developer* shall provide adequate sidewalks along all streets and roadways throughout the Project* as required by the Manatee County Land Development Code.

A.(5) As the Project* lies within the future Manatee County transit service area, the Developer* will work with the County* to coordinate the provision of transit service to the area in conjunction with development of University Lakes.

A.(6) Within one year of the approval of this Development Order, an annual monitoring program consisting of peak hour traffic counts at the Project* entrances shall be instituted to verify that the projected number of external trips for the Project* are not exceeded. Counts will continue on an annual basis through Project* [illegible] required Annual Report. If an Annual Report is not submitted within thirty (30) days of its due date, or if the Annual Report indicates that the total external trips exceed projected counts for the Project* by 15 percent or more, Manatee County shall determine whether to conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), Florida Statutes. This change will be presumed to be a Substantial Deviation. The results of the Substantial Deviation determination may also serve as a basis for the Developer* or reviewing agencies to request Development Order amendments.

If a variance greater than that identified above is determined to be a Substantial Deviation, the revised transportation analysis required pursuant to Subsection 380.06(19), Florida Statutes shall 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.

A.(7) The transportation analysis in the ADA* was performed without consideration of the potential effects of a Transportation Systems Management ("TSM") program. Accordingly, the development thresholds described in Tables 5 and 6 may reflect a "worst case" scenario, dependent upon future TSM measures.

The Developer* or its assigns shall prepare and implement a TSM program which will endeavor to divert a number of vehicle trips from the PM peak hour. The TSM program shall be submitted to and be reviewed by the County*, the MPO and the FDOT.

The TSM program shall be submitted with the first annual report subsequent to the monitoring program in Section A.(7) showing external trips exceeding 25% of the total external trips for Phase I of both University Lakes and University Place.

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 measure. Results of the TSM program shall be included in the Annual Report. The results of the TSM program may serve as a basis for the Developer* or reviewing agencies to request Development Order amendments which increase the applicable development thresholds or which will allow reduced impacts per square foot or dwelling unit of development in future phases. The TSM Program shall seek to further the TSM objectives and Policies set forth in the Florida Transportation Plan and shall include, but not be limited to:

(a) promote ride sharing by public and private sector employees;

(b) increase urban area peak hour automobile occupancy rates through expanded ride sharing efforts;

(c) increase peak hour occupancy rates for transit and other high occupancy vehicles; and

(d) other appropriate trip diversion measures.

A.(8) FDOT is currently conducting a study ("FDOT Study") intended to identify the appropriate improvements to the I-75/University Parkway interchange to serve the full buildout of all projects in the vicinity of the Development. With respect to Improvements #2 and #3 in Table 6, the Developer* agrees to reserve sufficient [illegible] of-way as approved in the Preliminary Site Plan, for a period through December 31, 1994, to facilitate the construction of loop ramps, or other improvements identified in the FDOT Study and agreed upon by the County*, Sarasota County, the MPO, and the Developer*. If the right-of-way is dedicated by the Developer* or otherwise acquired by the appropriate governmental agency, then the Developer* may transfer the impacted land uses to other appropriate areas within the Project* with approval of a revised General Development Plan.

If a variance greater than that identified above is determined to be a Substantial Deviation, the revised transportation analysis required pursuant to Subsection 380.06(19), Florida Statutes shall 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.

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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 measure. Results of the TSM program shall be included in the Annual Report. The results of the TSM program may serve as a basis for the Developer* or reviewing agencies to request Development Order amendments which increase the applicable development thresholds or which will allow reduced impacts per square foot or dwelling unit of development in future phases. The TSM Program shall seek to further the TSM objectives and Policies set forth in the Florida Transportation Plan and shall include, but not be limited to:

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A.(9) The Developer* shall submit a Preliminary Site Plan for Phase I, or any subphase thereof, within twenty-four (24) months of the effective date of this Development Order. The Developer* shall further meet the requirements of Section 8. of this Development Order.

A.(10) The schedules of listed improvements may be adjusted at the Developer's request with submission of adequate data to support any such adjustments, and the Development Order amended as needed in the event that the appropriate agencies determine that:

(a) the project is determined by the County and TBRPC to be in a regional activity center or otherwise designated for alternative levels of service or alternative percentage thresholds in accordance with applicable rules and regulations; or

(b) the appropriate level of service standard for the particular roadway link or intersection is adjusted by the agency(ies) having jurisdiction over such link or intersection.

A.(11) The roadway shown on revised Map H, which generally is oriented in a north/south alignment and connects to the proposed extension of Upper Manatee River Road, shall be required to be designated on the Future Traffic Circulation Map as a collector facility prior to providing any credits for right of way and/or construction.

A.(12) Access to and from the site will be in accordance with state and local access regulations unless limited by the General Development Plan or any conditions placed thereon, whichever is most restrictive.

Wetlands

B.(1) The portions of the University Lakes site that meet the definition of Conservation or Preservation Areas as set forth in policies 10.1.2 and 10.3.1 of the Council's adopted Future of the Region, A Comprehensive Regional Policy Plan for the Tampa Bay Region (FRCRPP*) have been designated on Revised Map H.

a. All wetlands and uplands on-site defined by Council policies as Preservation Areas, as shown on Revised Map H, shall be preserved. No dredging, filling or development activities shall be allowed within Preservation Areas.

b. All wetlands and uplands on-site defined by Council policies as Conservation Areas shall be protected from development as shown on Revised Map H.

B.(2) Except for wetland restoration/enhancement and naturally occurring fluctuations, no hydroperiod alteration shall be permitted in Preservation Areas as depicted on Revised

elevations and seasonal high water elevations shall be substantially maintained or improved. Hydroperiod monitoring shall be required semi-annually in selected preserved wetlands and initiated prior to on-site construction activity and continued for three years for herbaceous wetlands or five years for forested wetlands following buildout of the subbasin surrounding each wetland monitored. If the hydroperiod monitoring results demonstrate that Project* activities are inappropriately altering the hydroperiod in Preservation Areas, such activities shall cease until remedial measures are

implemented.

B.(3) All impacted wetlands, not required to be preserved in accordance with Condition B.(1) above and which are depicted as Conservation Areas on Revised Map H, shall be mitigated in accordance with the Manatee County Land Development Code, which requires a mitigation ratio of 4:1 for forested wetlands and a 2:1 ratio for herbaceous wetlands and allows for reductions of these ratios by the Board of County Commissioners in limited circumstances, but in no instance at a ratio of less than 1.15:1.

B.(4) In addition to meeting the requirements of the Manatee County Land Development Code, the Developer* shall submit a wetland management and mitigation plan for the area to be developed to the County* and the EAC for approval, and to the TBRPC and the SWFWMD for review prior to any wetland alteration. This plan shall address, but not be limited to, identification of wetlands on-site, wetlands to be preserved, proposed wetland alterations, a detailed mitigation plan, control of on and off-site water quality, methods for hydroperiod maintenance with a detailed narrative and construction plans for mitigated or significantly enhanced (as determined by the County*) wetlands.

1. The Developer* shall include the following details, at a minimum, in the wetland management and mitigation plan prepared for submittal to the County*:

   a. Identification of existing dry and wet season site conditions;

   b. Narrative descriptions/evaluations of all wetlands to be disturbed by wetland type;

   c. Photographs and 24"x 36" plans depicting conditions of the existing wetland creation site and proposed wetland creation plans. (This data shall demonstrate that the appropriate hydrologic requirements shall be provided);

   d. Narrative descriptions of any proposed wetland restoration activities and related issues;

   e. Estimated costs of wetland mitigation/restoration schemes including maintenance and monitoring for appropriate time periods; and

   f. Mitigation plans shall also include:

      (1) Area and location of plantings;

      (2) Species to be planted and spacing;

      (4) Source of plants and/or mulch;

      (5) Source of wetland soil and depth proposed; and

      (6) Monitoring and maintenance plans.

B.(5) Any allowable wetland losses shall require type-for-type (herbaceous or forested) wetland replacement in accordance with stipulation B.(3). Mitigation for

implemented.

B.(3) All impacted wetlands, not required to be preserved in accordance with Condition B.(1) above and which are depicted as Conservation Areas on Revised Map H, shall be mitigated in accordance with the Manatee County Land Development Code, which requires a mitigation ratio of 4:1 for forested wetlands and a 2:1 ratio for herbaceous wetlands and allows for reductions of these ratios by the Board of County Commissioners in limited circumstances, but in no instance at a ratio of less than 1.15:1.

B.(4) In addition to meeting the requirements of the Manatee County Land Development Code, the Developer* shall submit a wetland management and mitigation plan for the area to be developed to the County* and the EAC for approval, and to the TBRPC and the SWFWMD for review prior to any wetland alteration. This plan shall address, but not be limited to, identification of wetlands on-site, wetlands to be preserved, proposed wetland alterations, a detailed mitigation plan, control of on and off-site water quality, methods for hydroperiod maintenance with a detailed narrative and construction plans for mitigated or significantly enhanced (as determined by the County*) wetlands.

1. The Developer* shall include the following details, at a minimum, in the wetland management and mitigation plan prepared for submittal to the County*:

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   d. Narrative descriptions of any proposed wetland restoration activities and related issues;

   e. Estimated costs of wetland mitigation/restoration schemes including maintenance and monitoring for appropriate time periods; and

   f. Mitigation plans shall also include:

      (1) Area and location of plantings;

      (2) Species to be planted and spacing;

      (3) Elevation [illegible] planting;

      (4) Source of plants and/or mulch;

      (5) Source of wetland soil and depth proposed; and

      (6) Monitoring and maintenance plans.

B.(5) Any allowable wetland losses shall require type-for-type (herbaceous or forested) wetland replacement in accordance with stipulation B.(3). Mitigation for

wetland losses shall be implemented prior to, or concurrent with, the wetlands being disturbed. Created wetlands and littoral shelves shall require monitoring and maintenance activities. Percent survival of plant species in the created wetland/littoral shelf shall meet or exceed an eighty-five percent (85%) planting survival rate for at least two (2) years for herbaceous wetland systems and for at least five (5) years for forested wetlands. Yearly replanting and maintenance of the mitigation areas shall be required, if necessary, to ensure compliance with the conditions of the Development Order.

B.(6) The Developer* shall provide buffering around all post-development wetlands* to provide an upland transition into the wetland areas and to protect natural systems from development impact. All such buffers shall be in compliance with the Manatee County Land Development Code.

Vegetation and Wildlife

C.(1) Pursuant to the 380 Review Agreement*, the Developer* shall prepare a wildlife management plan for the 395 acre Open Use Conservation District within University Place which will provide protection of the listed species found on University Lakes and University Place. The plan shall include, at minimum, information on site maintenance, fire frequency, wetland management, and boundary protection. This plan shall be submitted with the first annual report after DRI approval.

In the event that University Place is not approved by Sarasota County with the 395 acre open use conservation district within one (1) year of the effective date of that Development Order or if such district is reduced in size or eliminated, the Developer* shall prepare a wildlife management plan to address the impacts of the Project* on the listed species which would have been addressed in the University Place wildlife management plan. Any wildlife management plan shall be submitted to FGFWFC for review and to the County* and the EAC for approval.

C.(2) The Developer* shall provide small wildlife crossings (18" culverts) under roadways at the two locations where the north/south collector roadways intersect with Cooper Creek.

C.(3) In accordance with applicable law, the Developer* shall coordinate with the Florida Department of Agriculture and Consumer Services and the EAC for proper relocation of any listed species found on-site in addition to the requirements of C.(1) above.

C.(4) Representative tracts of all major natural upland vegetative communities (Live Oak, Pine-Mesic Oak, Pine Flatwoods, Temperate Hardwoods), as depicted on revised Map H, shall be set aside in their natural state to serve

C.(5) The removal of naturally-occurring vegetation shall be limited in accordance with the Manatee County Comprehensive Plan. This limitation shall not include the removal of diseased trees or vegetation, or exotic species, or other species approved by the EAC consistent with the provisions of the Manatee County Comprehensive Plan.

Land

D.(1) The Developer* shall initiate the following procedures to ensure erosion control during development of the Project*:

a. Sod, seed or plant embankment areas of stormwater detention and/or retention ponds;

b. Sod, seed, mulch or landscape cleared or disturbed areas as soon as possible after clearing and grading;

c. Limit clearing and site work, construction and clearing to areas needed for immediate development;

d. Develop asphalt roads as soon as possible;

e. Initiate landscaping before development work is completed on a site;

f. Construct sediment basins at the start of each drainage system phase;

g. Utilize straw filter barriers and/or filter fabric at discharge points including, but not limited to, temporary discharge points; and

h. Install temporary sediment basins and perimeter dike systems as a first step in the grading process and inspect and clean out the temporary sediment basins on a regular basis.

i. Preserve the existing natural vegetation along Foley Creek and Cooper Creek, as depicted on revised Map H.

Air Quality

E.(1) 1. The Developer* shall subject to applicable water quality standards institute the following procedures to ensure dust control during development of the Project*:

a. Implement a watering program during excavation, and dredge and fill operations;

b. Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;

c. Treat disturbed areas after clearing, grading, earth moving or excavation is completed by watering, revegetation, spreading soil binders or compacting fill material until areas are paved or developed;

d. [illegible] soil binders or cover;

e. Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;

f. Remove dust producing materials as soon as possible.

g. Maintain 15 mph or less vehicle and equipment speeds on temporary roads;

Land

D.(1) The Developer* shall initiate the following procedures to ensure erosion control during development of the Project*:

a. Sod, seed or plant embankment areas of stormwater detention and/or retention ponds;

b. Sod, seed, mulch or landscape cleared or disturbed areas as soon as possible after clearing and grading;

c. Limit clearing and site work, construction and clearing to areas needed for immediate development;

d. Develop asphalt roads as soon as possible;

e. Initiate landscaping before development work is completed on a site;

f. Construct sediment basins at the start of each drainage system phase;

g. Utilize straw filter barriers and/or filter fabric at discharge points including, but not limited to, temporary discharge points; and

h. Install temporary sediment basins and perimeter dike systems as a first step in the grading process and inspect and clean out the temporary sediment basins on a regular basis.

i. Preserve the existing natural vegetation along Foley Creek and Cooper Creek, as depicted on revised Map H.

Air Quality

E.(1) 1. The Developer* shall subject to applicable water quality standards institute the following procedures to ensure dust control during development of the Project*:

a. Implement a watering program during excavation, and dredge and fill operations;

b. Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;

c. Treat disturbed areas after clearing, grading, earth moving or excavation is completed by watering, revegetation, spreading soil binders or compacting fill material until areas are paved or developed;

d. Keep [illegible] with soil binders or cover;

e. Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;

f. Remove dust producing materials as soon as possible.

g. Maintain 15 mph or less vehicle and equipment speeds on temporary roads;

h. Sod, seed, mulch or landscape cleared or disturbed areas, including embankment areas, of stormwater detention and/or retention ponds as soon as possible after clearing and grading;

i. Limit site work and construction to areas needed for immediate development;

j. Develop asphalt roads as soon as possible;

k. Initiate landscaping before development work is completed on-site; and

l. Utilize water spray trucks to control dust generation in heavy construction areas.

E.(2) Further Section 380.06, Florida Statutes, review will be required for air quality impacts, Phases II, and III, and IV, and this Development Order* must be amended prior to granting specific approval to Phases II, III and IV to address any air quality impacts and specify any necessary mitigation.

Water Quality and Drainage

F.(1) Prior to any site alteration associated with the Project*, the Master Drainage Plan* for the Project* shall be submitted to DER, SWFWMD and EAC for review and to the County* for approval.

The stormwater management system shall be designed, constructed, and maintained to meet or exceed the requirements of Chapter 17-25 and 40D-4, F.A.C. The stormwater management system shall be designed to comply with the provisions relating to the Evers Reservoir Watershed Protection Overlay District by providing treatment at 150% of the criteria found in Chapter 17-25 and 40D-4, F.A.C. An acceptable method for meeting such standards for the treatment of stormwater runoff for the majority of the site will be wet detention with effluent filtration utilizing the double underdrain system described in Exhibit 19-2 of the ADA.

F.(2) Best Management Practices* (BMP) for reducing water quality impacts, as recommended by the County* and SWFWMD in accordance with adopted regulations of these agencies, shall be implemented and may include a street cleaning program for parking and roadway areas within the Project*.

F.(3) The Developer* shall be the entity responsible for maintaining the stormwater management system. The maintenance schedule for ensuring proper water quality treatment shall be submitted to TBRPC for review, and to the County* and EAC for approval, prior to site alteration activities associated with the Project*.

body to violate the limits defined in the Class appropriate to that water body. Where background conditions in the water body in question do not meet the applicable standards due to natural causes outside the control of the Developer, site specific, alternative criteria may be established in conjunction with EAC.

F.(5) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a surface water quality and quantity monitoring program approved by the County* and EAC. This program shall also be

submitted to the City of Bradenton for review and comment prior to approval. The plan shall include provisions for the characterization of pre-construction, baseline water quality and quantity conditions of surface water entering and leaving the site. The surface water monitoring program shall also provide the monitoring of surface water quality during periods of construction. In addition, the surface water monitoring program shall include an ongoing plan for monitoring of post-construction surface water quality. The surface water quality monitoring program required pursuant to this condition shall include an identification of the locations, frequency, and duration of sampling, parameters to be monitored, collection and analytical methods and reporting requirements. All water quality sample collections and laboratory analyses shall be made in accordance with USEPA/FDER approved methodology. The laboratory performing the analyses shall be certified by the FDHRS and shall have an approved comprehensive quality assurance plan on file with the FDER. Any violation of federal, state or local water quality standards shall require corrective measures as required by that authority.

F.(6) Prior to any site alteration activities associated with the Project*, the Developer* shall implement a groundwater monitoring program approved by the County* and EAC. This program shall also be submitted to the City of Bradenton for review and comment prior to approval. The plan shall include appropriate provisions for the characterization of the pre-development baseline water quality and water level conditions of the site's groundwater. The groundwater monitoring program required pursuant to this condition shall include an identification of well locations, sampling frequency and sampling duration, as well as parameters to be monitored and applicable collection and analytical methods.

Upon completion of the pre-development groundwater program, a report of results will be submitted to the County* and EAC for review and approval. In addition to the official laboratory results, the report shall include recommendations regarding monitoring during construction and post-construction. Any proposed construction and post-construction monitoring plans developed pursuant to this condition shall be submitted to the County* and EAC for review and approval.

F.(7) In the event that an overall watershed monitoring and reporting program is implemented and satisfies the intent of conditions F.(5) and F.(6), these programs may be discontinued upon the recommendation and approval of such by the County* and EAC. The City of Bradenton shall be notified prior to the approval of the discontinuance of this program.

F.(8) All on-site existing pollutant storage tanks shall be abandoned pursuant to applicable State and County rules.

F.(9) To the extent required by applicable law, any shoreline banks created along on-site stormwater detention lakes shall include littoral zones constructed on slopes no steeper than a 4:1 horizontal to vertical ratio and shall be planted in, or allowed to be colonized by, diverse native emergent and submergent vegetation. The Developer* shall ensure, by supplemental replanting, if necessary, at least eighty-five percent (85%) coverage by native aquatic vegetation is established within the littoral zone (to include at a minimum the area between ordinary high water and ordinary low water) in accordance

submitted to the City of Bradenton for review and comment prior to approval. The plan shall include provisions for the characterization of pre-construction, baseline water quality and quantity conditions of surface water entering and leaving the site. The surface water monitoring program shall also provide the monitoring of surface water quality during periods of construction. In addition, the surface water monitoring program shall include an ongoing plan for monitoring of post-construction surface water quality. The surface water quality monitoring program required pursuant to this condition shall include an identification of the locations, frequency, and duration of sampling, parameters to be monitored, collection and analytical methods and reporting requirements. All water quality sample collections and laboratory analyses shall be made in accordance with USEPA/FDER approved methodology. The laboratory performing the analyses shall be certified by the FDHRS and shall have an approved comprehensive quality assurance plan on file with the FDER. Any violation of federal, state or local water quality standards shall require corrective measures as required by that authority.

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with applicable regulations.

F.(10) The Developer* shall conduct annual inspections of the environmental swale systems on the Project* site to ensure the swales are being properly maintained in keeping with their design and are capable of accomplishing the level of stormwater storage/treatment for which they were designed and intended. Verification of such inspection shall be supplied in each annual report.

F.(11) Prior to any site alteration, the Developer* shall develop and submit for approval by the County* and EAC an Integrated Pesticide/Herbicide Management Plan (IPMP) and a Hazardous Materials Management Plan (HMMP).

Historical and Archaeological Sites

G.(1) The discovery of any historical or archaeological resources during development activities of the University Lakes Project* shall be immediately reported to the Florida Division of Historical Resources (FDHR). If the significance of an archaeological or historical site, discovered during development, is unknown and the site is to be impacted by Project* activities, additional testing shall be required at the site to determine significance. Disposition of such resources shall be determined in cooperation with the FDHR, TBRPC and Manatee County. Treatment of the resources shall be completed before resource-disturbing activities are allowed to continue.

Water

H.(1) The Developer* shall participate, as required by Manatee County ordinances and consistent with any Developer Agreements, in any necessary expansion of potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

H.(2) The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with the SWFWMD rules and regulations. Any existing on-site wells not intended for potable or non-potable uses shall be plugged and abandoned in accordance with Rule 40D-3.041(1), Florida Administrative Code.

H.(3) The Developer* shall require the installation of high efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices, as mandated by the Florida Water Conservation Act (Section 553.14, Florida Statutes). This will include the use of toilets requiring no more than 1.6 gallons per flush in all areas, and installation of self-closing and/or metered water faucets shall be required in all public and commercial restroom facilities.

H.(4) [illegible] hydrants not dedicated to the County*.

H.(5) The Developer* shall, to the extent non-potable water is available, use only non-potable water to meet non-potable water demands. For purposes of this Approval, "non-potable" water is defined as water emanating from any source other than a public water utility. The Developer* shall submit an acceptable plan to the County* and the TBRPC for the use of non-potable water on-site. The plan shall be completed prior to Final Site Plan approval for any phase or subphase and shall include an implementation

timetable, as well as a determination of the availability and feasibility of using reclaimed wastewater or stormwater retention ponds for irrigation purposes, to the extent permitted by law.

H.(6) Adequate fire flow and water pressure shall be maintained within the Project's* water supply system.

H.(7) The Developer* shall conform to and further the applicable rules and adopted guidelines of the SWFWMD in regard to protection of the groundwater resources in the Eastern Tampa Bay Water Use Caution Area (WUCA) to the extent then in effect.

H.(8) The Developer* shall use the lowest quality water supply which meets the needs of the intended use, provided that such sources are economically feasible, practically available, and legally permissible.

A plan which investigates the use and feasibility of these alternatives shall be prepared by the Developer* and submitted with the first annual report to TBRPC, SWFWMD, the County* and EAC for review and further action if warranted.

H.(9) For the purpose of potable and/or reclaimed water conservation, utilization of xeriscape principles are required in landscaped areas. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall only be irrigated to the minimum extent required to ensure healthy vegetation.

Wastewater

I.(1) The Developer* shall participate, as required by Manatee County ordinances or Developer Agreements in any necessary expansion of wastewater service to and consistent with any Developer Agreements for each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project*.

I.(2) No additional permanent septic system shall be permitted within the Project*.

I.(3) Sewer lift stations shall be designed and equipped in accordance with County* regulations.

I.(4) The Developer* shall submit to the County*, prior to each Final Site Plan approval, a monitoring plan to identify and correct any leaks or ruptures of the sewer lines which are maintained by the Developer*. This plan must be approved by the County* and should identify the entity responsible for the monitoring and a time schedule for conducting the inspections. Faulty lines shall be replaced as quickly as possible. A report of inspections, results and repairs must be included in the Annual Report.

I.(5) The disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (Ordinance No. 91-39).

I.(6) The Developer* shall implement a wastewater reuse system when feasible, as discussed in development condition H.(8) herein.

Solid Waste

J.(1) Within one year of the effective date of the Development

timetable, as well as a determination of the availability and feasibility of using reclaimed wastewater or stormwater retention ponds for irrigation purposes, to the extent permitted by law.

H.(6) Adequate fire flow and water pressure shall be maintained within the Project's* water supply system.

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H.(9) For the purpose of potable and/or reclaimed water conservation, utilization of xeriscape principles are required in landscaped areas. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall only be irrigated to the minimum extent required to ensure healthy vegetation.

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I.(6) The Developer* shall implement a wastewater reuse system when feasible, as discussed in development condition H.(8) herein.

Solid Waste

J.(1) Within one year of the effective date of the Development

Order, or prior to issuance of subsequent Development Approvals* for any non-residential land use within the Project*, whichever occurs later, the Developer* shall prepare a hazardous substances (including bio-hazardous wastes) and a hazardous waste management plan which shall be reviewed by the DER and the TBRPC, approved by the County* and the EAC, and then distributed by the Developer* to non-residential land users within the Project*.

1. At a minimum, the plan shall:

   a. Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;

   b. Provide a list of agencies which can be consulted regarding the types, sources and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;

   c. Provide a list of agencies which can describe generally improper disposal methods;

   d. Provide a list of agencies which can describe generally appropriate disposal methods;

   e. Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances;

   f. Describe a program to inform owners and tenants of the information contained in the plan;

   g. Provide a list of agencies which can describe construction requirements for hazardous waste holding areas;

   h. Provide a list of agencies which can describe typical spill clean up methods; and

   i. Be updated and distributed to each non-residential land user annually.

J.(2) All Project* tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use shall be included in each Annual Report.

J.(3) The Developer* shall participate, as required by Manatee [illegible] Developer Agreements [illegible] necessary expansion of solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

J.(4) Surface impoundments of hazardous materials and hazardous wastes, land treatment of hazardous materials and hazardous wastes, landfills, and underground storage of hazardous materials and hazardous wastes shall be prohibited.

J.(5) Individual Tenants shall be required to transport and

dispose of hazardous waste in a manner consistent with applicable regulations through restrictive covenants. Individual Tenants shall be encouraged to develop permittable temporary on-site hazardous waste treatment and storage capabilities prior to transport and shall remove hazardous and toxic wastes from the site as soon as is practical. Such transportation of toxic and hazardous materials shall be performed by a company that is accredited by all appropriate agencies in the transportation and handling of such materials.

Recreation and Open Space

K.(1) The Project* shall contain, at a minimum, 344.2 acres of open space (approximately 309.6 acres of wetlands and 34.6 acres of mitigation) in addition to approximately 422.5 acres of property committed to recreation (32.5 acres of park, a 7.3 acre recreation center, a 222.3 acre golf course and approximately a 160.4 acre lake).

Notwithstanding the above, if the County* should decide the 32.5 acres of park is not needed, then the Developer* shall be able to use the applicable parcel for residential development or as a school site, provided the number of dwelling units for the Project* is not increased.

K.(2) All recreation and open space areas not deeded to the County* or other state agencies shall be maintained as common open space through deed restrictions and/or owned by a property owners association for the Project* or neighborhood within the Project*, as may be appropriate in accordance with the Land Development Code.

K.(3) Except as described in K.(1) above, all recreation, park and wetland sites, as shown on Revised Map H of the ADA*, shall not be utilized for other uses inconsistent with their designation on said map. Any proposal to change these uses shall be subject to a Substantial Deviation Determination if required by Subsection 380.06, Florida Statutes.

K.(4) The Project's* public parks and public recreational facilities shall be accessible to the elderly, the handicapped, and economically disadvantaged and may be subject to a reasonable agreement between the County* and the Developer* limiting the use as a park facility and times of operation.

Education

L.(1) The Development shall dedicate an elementary school site that meets all State and Manatee County new school site requirements prior to the issuance of building permits for residential units, or at the discretion of the School Board, prior to the issuance of Preliminary Site Plan approvals for non-residential Vertical Construction, if earlier. The school site shall be deemed to be a part of [illegible] on an amendment to the General Development Plan and approved prior to a Preliminary Site Plan Approval for non-residential vertical construction. The dedicated school site shall be a minimum of 18 acres, depending upon the characteristics of the site selected and said site shall be selected from property shown as residential, commercial, or business on revised Map H, and shall be reflected on a revised General Development Plan. If adjacent property is provided as a public park or for emergency services, this acreage may be reduced to a total of fifteen acres.

Order, or prior to issuance of subsequent Development Approvals* for any non-residential land use within the Project*, whichever occurs later, the Developer* shall prepare a hazardous substances (including bio-hazardous wastes) and a hazardous waste management plan which shall be reviewed by the DER and the TBRPC, approved by the County* and the EAC, and then distributed by the Developer* to non-residential land users within the Project*.

1. At a minimum, the plan shall:

   a. Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;

   b. Provide a list of agencies which can be consulted regarding the types, sources and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;

   c. Provide a list of agencies which can describe generally improper disposal methods;

   d. Provide a list of agencies which can describe generally appropriate disposal methods;

   e. Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances;

   f. Describe a program to inform owners and tenants of the information contained in the plan;

   g. Provide a list of agencies which can describe construction requirements for hazardous waste holding areas;

   h. Provide a list of agencies which can describe typical spill clean up methods; and

   i. Be updated and distributed to each non-residential land user annually.

J.(2) All Project* tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use shall be included in each Annual Report.

J.(3) The Developer* shall participate, as required by Manatee [illegible] Developer [illegible] necessary expansion of solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

J.(4) Surface impoundments of hazardous materials and hazardous wastes, land treatment of hazardous materials and hazardous wastes, landfills, and underground storage of hazardous materials and hazardous wastes shall be prohibited.

J.(5) Individual Tenants shall be required to transport and

L.(2) If the County School Board should decide the school is not required, or the selected location is inappropriate, the Developer* shall be permitted to exchange sites, to the School Board's satisfaction, and shall be permitted to use the originally selected parcel for residential development, provided the number of dwelling units approved for the Project* is not increased. Any such exchanges in school sites shall require an amendment to the General Development Plan. If additional recreational opportunities are required, the County* may require dedication of up to five acres of the designated school site parcel for active recreation.

Health Care, Police and Fire

M.(1) The Developer* shall be responsible for contributing a pro rata share of the cost of land acquisition, construction and equipping of emergency service facilities for emergency medical services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Final Site Plan or Final Plat for Vertical Development* for Phase I or any subphase thereof. Any pro rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law.

M.(2) The Developer* shall be responsible for contributing a pro rata share of the cost of land acquisition, construction and equipping of fire protection service facilities for fire protection services. The Developer* may, with the concurrence of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to pro rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Final Site Plan or Final Plat for Vertical Development* for Phase I or any subphase thereof. Any pro rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law.

M.(3) The Project* shall be designed and constructed to meet or exceed specifications of the applicable Fire Code.

M.(4) The height of buildings allowed in the Project* shall not exceed that appropriate for the available water pressure and fire flows, or exceed the reach of available fire fighting equipment at the time of any Preliminary Site Plan approval for any phase or subphase.

M.(5) Prior to approval of each Final Site Plan, the Developer* shall provide assurance for each increment of development

applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number and appropriate locations to accommodate fire fighting operations. Additionally, the Developer* shall provide calculations by a Florida registered engineer to the County* indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Southern Manatee Fire and Rescue District that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Certificate of Occupancy for the Project*

by the County*.

M.(6) The Manatee County Sheriff's Office shall provide typical police protection to each phase or subphase of the Project*. The Developer* shall participate, in accordance with applicable County* ordinances and or Developer Agreements, in any expansion of such services necessary to serve the Project* or any phase or subphase thereof.

Economics

N.(1) Excess infrastructure capacity constructed by the Developer* shall be at the Developer's* risk and shall not vest latter development rights not addressed in this approval.

N.(2) The Project* shall promote entrepreneurship and small and minority owned business start-up, and encourage nondiscriminatory employment opportunities, pursuant to Policies 21.2, SCP and 21.5.3, FCRPP, respectively.

N.(3) The development and promotion of a day care system should be encouraged on site and any such day care system shall be in compliance with the Manatee County Land Development Code and any other applicable regulations.

Energy

O.(1) Issuance of Development Approvals* for each phase or subphase shall be dependent upon the ability of electrical and/or gas utilities to meet the energy requirements of the development.

O.(2) 1. All Project* tenants, businesses, residents, etc. shall be notified in writing by the Developer* prior to occupancy that the following energy related practices are encouraged:

a. Use energy alternatives, such as solar energy, resource recovery, waste heat recovery and cogeneration, where economically feasible;

b. Obtain energy audits provided by energy companies or other qualified agencies;

c. Install water heater timers and set water heaters at 130 degrees Fahrenheit or lower;

d. Use landscaping and building orientation to reduce heat gain, where feasible, for all Project* construction;

e. Promote energy conservation by employees, buyers, suppliers and the public, as appropriate;

f. Reduce levels of operation of [illegible] air [illegible] during nonbusiness hours, as appropriate;

g. Institute and utilize recycling programs;

h. Utilize energy efficient packaging and/or recyclable materials;

i. Install total energy systems on large facilities when cost effective; and

j. Elimination of advertising requiring lighting

by the County*.

M.(6) The Manatee County Sheriff's Office shall provide typical police protection to each phase or subphase of the Project*. The Developer* shall participate, in accordance with applicable County* ordinances and or Developer Agreements, in any expansion of such services necessary to serve the Project* or any phase or subphase thereof.

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d. Use landscaping and building orientation to reduce heat gain, where feasible, for all Project* construction;

e. Promote energy conservation by employees, buyers, suppliers and the public, as appropriate;

f. Reduce levels of operation of all air [illegible] heat[illegible] during nonbusiness hours, as appropriate;

g. Institute and utilize recycling programs;

h. Utilize energy efficient packaging and/or recyclable materials;

i. Install total energy systems on large facilities when cost effective; and

j. Elimination of advertising requiring lighting

after business hours where feasible.

O.(3) Incorporation of the energy conservation measures referenced on pages 265 and 266 of the ADA* shall be required. A progress report on the energy conservation measures shall be included as a part of each annual report.

General Conditions

P.(1) Should the Project* significantly depart from the parameters set forth in this Development Order and the ADA*, the Project* will be subject to a Substantial Deviation Review, pursuant to Section 380.06, Florida Statutes. Any change to the Project* which meets the criteria set forth in Subsection 380.06(19), Florida Statutes shall require a hearing to determine if the change constitutes a Substantial Deviation.

P.(2) The Developer's* commitments set forth in the ADA*, and, as summarized in Section 6 herein, shall be honored, except as they may be superseded by specific terms of the Development Order.

P.(3) Should the Developer* divest itself of all interest in the Project* prior to the expiration of the Development Order, the Developer* shall designate the successor entity to be responsible for preparation of the Annual Report, subject to approval by the County*.

P.(4) All Development Approvals* shall be obtained within twenty (20) years from the date of approval of this Development Order. This Development Order shall expire twenty-five (25) years from the date of approval to allow for post-development monitoring. Unless otherwise specified in this Development Order, all conditions herein shall be complied with on or before the expiration date of this Development Order.

P.(5) In order to ensure that people will find adequate housing opportunities reasonably accessible to their places of employment, the Developer* shall, prior to commencement of Phase II conduct a reanalysis of Phase I and an analysis for Phase II, to determine the housing needs to be created by the development and determine the availability of adequate housing proximate to or otherwise reasonably accessible to the development. This analysis and determination shall be accomplished using a methodology approved by the Department of Community Affairs and any applicable standards of Manatee County, and shall reassess the affordable housing impacts utilizing actual Project* experience where best available data exists. If such analysis indicates that the development will create substantial need for adequate housing that is not being provided by other residential developments proximate to the development or if such analysis indicates that the development would not substantially further the creation of adequate housing [illegible] employment, then the Developer* shall prepare a Housing Affordability and Implementation Plan (HAIP) and have the HAIP adopted by Manatee County as an amendment to this development order. The HAIP shall comply with the goals and standards established by the TBRPC's Comprehensive Regional Policy Plan and the Manatee County Comprehensive Plan in effect as of this Development Order, and all applicable rules established by the state land planning agency prior to the commencement of Phase II.

At a minimum, the HAIP shall contain:

- o Specific provisions for on-site housing delivery, including housing delivery alternatives; or specific provisions for off-site housing in lieu of on-site housing when on-site housing would be impracticable;
- o Specific mechanisms for HAIP implementation;
- o Provisions to ensure continued adequacy of units provided; and
- o Monitoring provisions.

P.(6) A Preliminary Site Plan for each phase shall be required.

P.(7) The Developer* shall make appropriate efforts to coordinate with, and inform the appropriate public authorities of, the feasibility of the proposed school site for hurricane shelter, building closings, security and safety precautions, and evacuation plans.

P.(8) Except for any existing use or for construction offices and similar temporary uses, or any use on the school site or park site, or other use by a public agency, any proposal to utilize mobile homes on the site shall require a Substantial Deviation Determination, pursuant to the procedures in 380.06(19)(a), Florida Statutes.

P.(9) The Developer*, its successors, assigns and/or transferees, shall submit Annual DRI Reports in accordance with Section 380.06(18), Florida Statutes to the County* and the TBRPC, the State Land Planning Agency and other agencies, as may be appropriate, on the anniversary of the execution date of this Development Order and each year thereafter until such time as all terms and conditions of this Development Order are satisfied. Six (6) copies of this report shall be submitted to the Director of the Manatee County Planning, Permitting and Inspections Department or the Director's designee, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the Planning Director decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification or change of any conditions, or any terms or conditions of this Development Order. The Annual Report shall contain the following:

a. Any changes in the plan of development, or in the representation contained in the ADA*, or in the phasing or land uses for the next year;

b. A summary comparison of development activity proposed and actually conducted for the year;

c. Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or Developer*;

d. Identification and intended use of lands purchased, leased or optioned by the Developer* adjacent to the

Table 1
University Lakes
Land Use and Phasing Schedule

USES	PHASE I (1992-1997)	PHASE II (1998-2002)	PHASE III (2003-2007)	PHASE IV (2008-2012)	TOTAL
Regional Commercial	436,000	804,000	0	0	1,240,000
Community Commercial	87,000	135,885	0	158,115	381,000
Highway Commercial	0	150,000	0	0	150,000
Hotel (300 rooms)	250,000 300 rooms	0	0	0	250,000 300 rooms
Business	483,000	521,520	404,180	559,300	1,968,000
Recreational Facilities	Tennis & Boat Club	Golf Course & Clubhouse			
Residential					
Single Family	746	448	669	330	2,193
Cluster Villas	243	94	111	29	477
Garden Apartments	204	263	0	0	467

Table 2
University Place
Land Use and Phasing Schedule

Land Use	Phase I S.F.	II S.F.	III S.F.	IV S.F.	Total S.F.	Acres at Buildout
IROP						
Office Park	436,000	365,334	365,333	365,333	1,532,000	108.4
MEC						
Manufacturing (MEC 2)	957,600	555,219	555,219	555,219	2,623,257	347.3 (MEC 2)
Warehouse (MEC 2)	478,800	277,609	277,609	277,608	1,311,626	
Office Park (MEC 3)	957,600	555,219	555,219	555,219	2,623,257	16.4
Commercial (MEC 4)	40,000	23,287	23,287	23,286	109,860	8.5
MEC Subtotal	2,434,000	1,411,334	1,411,334	1,411,332	6,668,000	372.2
Environmental (OUC, Wetlands & Uplands)						612.6
Road Right-of-Way						110.1
Road Buffer						3.4
Detention						72.2
Existing Lakes						116.1
TOTAL	2,870,000	1,776,668	1,776,667	1,776,665	8,200,000	1395.0

SMLP-0003 (REPORT)

across the County line and are, at the moment, under common ownership, employees of both projects will undoubtedly seek housing in both counties.

The following sections will describe the methodology and assumptions utilized to determine supply and demand, and will summarize the findings of the analysis.

METHODOLOGY

This analysis generally follows the Department of Community Affairs (DCA) General Guidelines, Interim Housing Methodology, dated 10/2/90, and attached as Appendix A.

Demand Analysis

Steps 1 and 2 of DCA's Methodology require a determination of the median, low and very low income levels for the Metropolitan Statistical Area (MSA). These income levels are defined by the U.S. Department of Housing and Urban Development (HUD). Table 3 provides this information for the Bradenton MSA.

The University Lakes and University Place projects are affected by growth and development in both the Bradenton and Sarasota MSA's. However, this analysis utilizes the median income limit for the Bradenton MSA ($33,100) which is substantially lower and therefore [more restrictive] than limits for the Sarasota MSA ($36,400).

Step 3 requires determination of the number of permanent, non-construction jobs that will be created as a result of the proposed development. Tables 4 and 5 present projected permanent employment by category and by phase of development for University Lakes and University Place individually. Table 6 shows combined permanent employment for both projects.

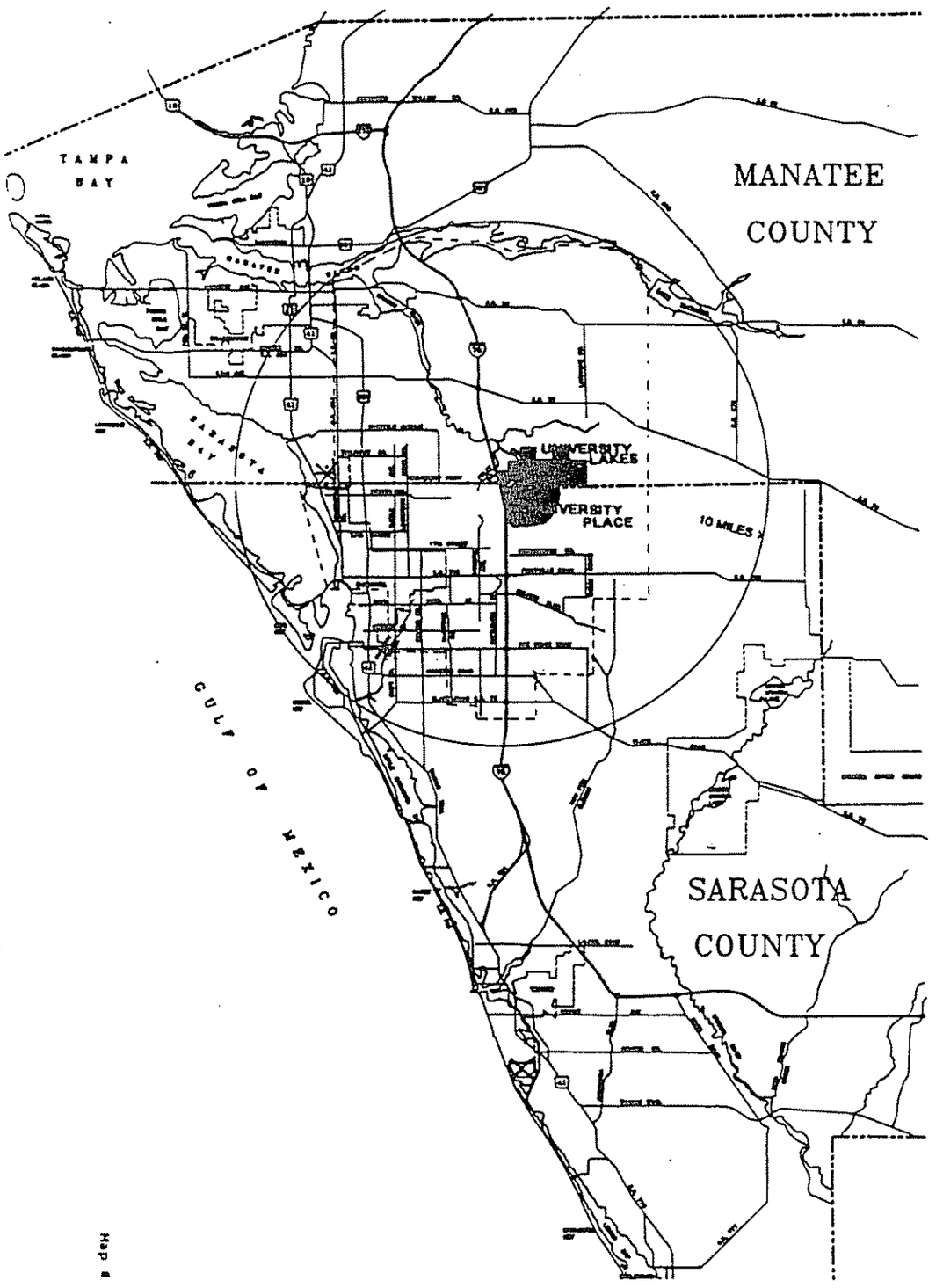
INTRODUCTION

Schroeder-Manatee, Inc., a corporation owning property in Manatee and Sarasota Counties, is seeking approval of two Development of Regional Impact projects, University Lakes and University Place (see Map #1).

University Lakes, located in Manatee County, north of University Parkway and east of I-75, contains some 2,352 acres and is a mixed-use project with residential, retail, business and hotel components. The project is proposed to be developed in four phases over a 20 year period. Table 1 presents the land use and phasing schedule. An Application for Development Approval was submitted for review on May 31, 1991.

University Place, located in Sarasota County, south of University Parkway and east of I-75, contains 1,395 acres. University Place is being developed within the Major Employment Center and Interstate Related Office Park categories of Sarasota County's Comprehensive Plan. The project contains office, retail, manufacturing and warehouse components as presented in Table 2.

Pursuant to an agreement with the Department of Community Affairs, Schroeder-Manatee has agreed to conduct an analysis of affordable housing which will examine the combined impacts of both projects. Given that these proposed projects are adjacent to one another



Map # 1

Attachment #1 of Development Order
Page 4 of 42

CUMULATIVE
AFFORDABLE HOUSING ANALYSIS

UNIVERSITY LAKES/UNIVERSITY PLACE
DEVELOPMENTS OF REGIONAL IMPACT

July, 1991

CUMULATIVE
AFFORDABLE HOUSING ANALYSIS

UNIVERSITY LAKES/UNIVERSITY PLACE
DEVELOPMENT OF REGIONAL IMPACT

Table of Contents

Introduction

- DCA Agreement (Combined Analysis)
- Project Descriptions
- Land Use Schedules

Methodology

- Projected Demand
- Estimated Supply

Comparison of Supply and Demand

Conclusion

456.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°29'56", A DISTANCE OF 274.57 FT. TO THE P.T. OF SAID CURVE; THENCE N 27°46'35" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 566.48 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 4499.66 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°57'00", A DISTANCE OF 1014.75 FT. TO THE P.T. OF SAID CURVE; THENCE N 14°49'36" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 609.66 FT.; THENCE N 13°40'48" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 1016.32 FT.; THENCE S 88°48'12" E, A DISTANCE OF 1369.86 FT. TO THE INTERSECTION WITH THE EAST LINE OF SAID SECTION 36, TOWNSHIP 35 S., RANGE 18 E., SAME BEING THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E. (THE RANGE LINE); THENCE S 89°40'28" E, A DISTANCE OF 1438.64 FT.; THENCE N 01°16'38" E, A DISTANCE OF 1532.73 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E. (SAID POINT LYING S 89°40'28" E, ALONG SAID NORTH LINE, A DISTANCE OF 1438.64 FT. FROM THE NORTHWEST CORNER OF SAID SECTION 31); THENCE S 89°40'28" E, ALONG THE NORTH LINE OF SAID SECTION 31, A DISTANCE OF 3166.00 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 28, 29, 31, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E., AND SECTION 36, TOWNSHIP 35 S., RANGE 18 E., MANATEE COUNTY, FLORIDA.

CONTAINING 2352.7 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

THIS DESCRIPTION IS NOT BASED ON AN ACTUAL FIELD SURVEY.

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true
copy of ORDINANCE NO. 92-[illegible] adopted by the
Board of County Commissioners of said County on
the 16 day of June 1992 this 23rd day
of June 1992 in Bradenton, Florida.
R. B. Shore
Clerk of Circuit Court
By: Debra L. Kitty D.C.

ATTACHMENT #2
(Page 2 of 2)

ATTACHMENT #1

Approved Access Points = ★

DESCRIPTION: UNIVERSITY LAKES

A TRACT OF LAND SITUATED AND BEING IN SECTIONS 28, 29, 31, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E. AND SECTION 36, TOWNSHIP 35 S., RANGE 18., MANATEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 29, 30, 31 AND 32, TOWNSHIP 35 S., RANGE 19 E., FOR A POINT OF BEGINNING; THENCE N 00°22'41" E, ALONG THE WEST LINE OF SAID SECTION 29, A DISTANCE OF 2656.57 FT. TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE S 89°30'30" E, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 1337.72 FT. TO THE NORTHEAST CORNER OF THE WEST 1/2 OF SAID SOUTHWEST 1/4; THENCE S 00°27'02" W, ALONG THE EAST LINE OF SAID WEST 1/2 OF THE SOUTHWEST 1/4, A DISTANCE OF 2658.89 FT. TO THE SOUTHEAST CORNER OF SAID WEST 1/2 OF THE SOUTHWEST 1/4; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 29 (ALSO BEING THE NORTH LINE OF SECTION 32, TOWNSHIP 35 S., RANGE 19 E.), A DISTANCE OF 4003.03 FT. TO THE SECTION CORNER COMMON TO SECTIONS 28, 29, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E.; THENCE N 00°40'07" E, ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 2236.01 FT.; THENCE S 89°31'24" E, PARALLEL WITH THE NORTH LINE OF SAID SECTION 28 AND 3077.34 FT. SOUTHERLY THEREFROM, A DISTANCE OF 2685.72 FT. TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 28; THENCE S 00°45'47" W, ALONG THE EAST LINE OF SAID WEST 1/2, A DISTANCE OF 2236.80 FT. TO THE INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 28; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 28 (ALSO BEING THE NORTH LINE OF SECTION 33, TOWNSHIP 35 S., RANGE 19 E.), A DISTANCE OF 2662.03 FT. TO THE NORTHEAST CORNER OF SAID SECTION 33; THENCE S 01°24'24" W, ALONG THE EAST LINE OF SAID SECTION 33, A DISTANCE OF 6019.29 FT. TO THE SOUTHEAST CORNER OF SAID SECTION 33, THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 33 (ALSO BEING THE COMMON LINE BETWEEN MANATEE AND SARASOTA COUNTIES), A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 33 (SAME BEING THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 35 S., RANGE 19 E.); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 32, AND THE COUNTY LINE, A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 32 (SAME BEING THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 35 S., RANGE 19 E.); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 31 AND THE COUNTY LINE, A DISTANCE OF 4602.00 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE N 00°37'10" E, ALONG THE WEST LINE OF SAID SECTION 31, ALSO BEING THE EASTERLY LIMITED ACCESS R/W OF STATE ROAD NO. 93 (INTERSTATE 75), A DISTANCE OF 615.95 FT. TO A POINT ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S 67°41'09" E, 216.00 FT.; THENCE RUN NORTHEASTERLY, ALONG SAID LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 65°57'32", A DISTANCE OF 248.66 FT. TO THE P.T. OF SAID CURVE; THENCE N 88°16'24" E, ALONG THE LIMITED ACCESS R/W OF STATE ROAD NO. 93 (I-75) - "UNIVERSITY PARKWAY" INTERCHANGE, A DISTANCE OF 628.74 FT.; THENCE S 89°27'41" E, ALONG SAID LIMITED ACCESS INTERCHANGE R/W, A DISTANCE OF 298.75 FT. TO THE EASTERLY END OF SAID LIMITED ACCESS INTERCHANGE R/W; THENCE CONTINUE S 89°25'29" E, ALONG THE SOUTHERLY R/W OF "UNIVERSITY PARKWAY", A DISTANCE OF 133.18 FT.; THENCE N 00°34'14" E, ALONG THE EASTERLY END OF SAID "UNIVERSITY PARKWAY" R/W, A DISTANCE OF 336.00 FT.; THENCE N 89°26'21" W, ALONG THE NORTH LINE OF A 60 FT. WIDE F.D.O.T. SERVICE ROAD R/W, WHICH LIES PARALLEL AND CONTIGUOUS WITH THE NORTHERLY SIDE OF "UNIVERSITY PARKWAY", A DISTANCE OF 606.88 FT.; THENCE N 85°37'30" W, ALONG SAID SERVICE ROAD R/W, A DISTANCE OF 460.53 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 396.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID SERVICE ROAD R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°45'40", A DISTANCE OF 191.87 FT. TO THE INTERSECTION WITH THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E., SAME BEING THE EAST LINE OF SECTION 36, TOWNSHIP 35 S., RANGE 18 E., (THE RANGE LINE); THENCE S 01°15'38" W, ALONG THE COMMON LINE BETWEEN SAID SECTION 31 AND 36 (THE RANGE LINE), SAME BEING THE WESTERLY END OF SAID F.D.O.T. SERVICE ROAD R/W, A DISTANCE OF 68.34 FT. TO THE INTERSECTION WITH THE EASTERLY LIMITED ACCESS R/W OF SAID STATE ROAD NO. 93 (I-75), SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES N 27°43'29" E,

Exchanges in approved land uses may be made within the project and/or each phase in accordance with the approved development order for University Lakes DRI (Ordinance 92-32) if said development order allows exchanges in land uses in phases. Any exchanges in land use must comply with the Comprehensive Plan, including the limitations of each Future Land Use Category. Any such exchange shall require an amendment to the General Development Plan and a public hearing by the County* to determine if the modification is in compliance with the planned development criteria unless the modification is of such type that administrative approval by the Director of Planning, Permitting and Inspections is authorized by the Land Development Code. The amended General Development Plan shall describe the proposed exchange, as well as provide a history of all previous exchanges in addition to any other required information. The Developer* must also apply for a modification to the Certificate of Level of Service and will be granted approval, only if and when capacity is available.

Section 3. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County, Ordinance No. 90-01, the Manatee County Land Development Code, is hereby amended by changing the zoning district classification of the property identified in Section 4 herein from A/WP-E (General Agriculture,1 du/5 acres/Evers Reservoir Watershed Protection Overlay District), A/WP-E/ST (General Agriculture, 1 du/5 acres/Evers Reservoir Watershed Protection/Special Treatment Overlay Districts), A-1/WP-E/ST (Suburban Agriculture, 1 du/acre/Evers Reservoir Watershed Protection/Special Treatment Overlay Districts), and PDR/WP-E/ST (Planned Development Residential/Evers Reservoir Watershed Protection/Special Treatment Overlay Districts) to PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection/Special Treatment Overlay Districts), and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Planning, Permitting and Inspections Department, are hereby instructed to cause such amendment to the said Official Zoning Atlas.

Section 4. LEGAL DESCRIPTION.

See Attachment 2.

Section 5. EFFECTIVE DATE. This ordinance shall take effect immediately upon the receipt of the official acknowledgment from the Office of the Secretary of State, State of Florida, that same has been filed with that office.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 1st day of June, 1992.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY: _____
Chairman

ATTEST: R. B. SHORE

BY: _____ D.C.

TABLE 1

UNIVERSITY LAKES DEVELOPMENT COMPONENTS

Column A Map H Land Use (Section 380.0651 F.S., Designation)	Column B Number Acres*****	Column C Square Feet	Column D Dwelling Units	Column E Land Use Exchange Maximum Increase
Residential (Residential)	863.9	n/a	3,137	An increase in dwelling units by 5% or 50 units, whichever is greater
General Commercial* (Retail)	122.2	1,240,000	n/a	
Neighborhood Commercial** (Retail)	43.0	381,000	n/a	Land area increased by 6 acres or increase by 50,000 s.f. of gross floor area, or the greater of a 5% increase in parking spaces or an increase of customer parking by 300 spaces
General Commercial*** (Retail)	23.8	400,000 (150,000)	n/a n/a	
(Hotel and Motel)		(250,000/ 300 Rooms)	n/a n/a	75 Rooms
Business (Office)	146.1	1,968,000 (787,200)	n/a	Land area increased by the greater of 5% or 6 acres, whichever is greater, or gross floor area increased by greater of 5% or 60,000 s.f. whichever is greater
(Industrial)		(1,180,800)	n/a	
Right of Way	181.3			
Recreation	262.7			
Wetlands/Mitigation	346.8			
Lakes****	177.2			
Open Space	185.7			
Total	2,352.7	3,989,000	3,137	

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.
**** Additional lakes will be constructed within the Project* as required by the stormwater management system.
***** Acreages subject to verification and adjustment based upon future survey activities, consistent with the graphic depictions on revised Map H.

TABLE 2

UNIVERSITY LAKES PHASING SCHEDULE

Map H. Land Use Designation (Section 380.0651 F.S., Designation)	Phase I 1992-97	Phase II 1998-2002	Phase III 2003-2007	Phase IV 2008-2012	Total
Residential Dwelling Units					
Single Family	746	448	669	330	2,193
Single Family Attached	243	94	111	29	477
Multi-Family	204	263	0	0	467
Total(Residential)	1,196	805	780	359	3,137
General Commercial* (Retail)	436,000	804,000	0	0	1,240,000
Neighborhood Commercial** (Retail)	87,000	135,885	0	158,115	381,000
Business (Office)	483,000 (193,200)	521,520 (208,608)	404,180 (161,672)	559,300 (223,720)	1,968,000 (787,200)
General Commercial*** (Retail) (Hotel and Motel)	250,000 (0) (250,000/ 300 Rooms)	150,000 (150,000) (0)	0 0 0	0 0 0	400,000 (150,000) (250,000/ 300 Rooms)
Recreational Facilities****	Tennis & Boat Club, Park	Golf Course & Park			

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**** Phasing of recreational facilities may be accelerated.

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General Commercial*** (Retail)	23.8	400,000 (150,000)	n/a n/a	
(Hotel and Motel)		(250,000/ 300 Rooms)	n/a n/a	75 Rooms
Business (Office)	146.1	1,968,000 (787,200)	n/a	Land area increased by the greater of 5% or 6 acres, whichever is greater, or gross floor area increased by greater of 5% or 60,000 s.f. whichever is greater
(Industrial)		(1,180,800)	n/a	
Right of Way	181.3			
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Recreational Facilities****	Tennis & Boat Club, Park	Golf Course & Park			

* Acreage and square footage are referred to as Regional Commercial in the ADA*.
** Acreage and square footage are referred to as Community Commercial in the ADA*.
*** Acreage and square footage are referred to as Highway Commercial in the ADA*.
**** Phasing of recreational facilities may be accelerated.

Q.(7) The Developer* will investigate appropriate recycling efforts both during and after construction.

Q.(8) It is strongly suggested that the Developer* investigate the possibilities associated with the mulching of the trees and brush that will be removed as land clearing operations commence. The mulch could then be retained on site to meet the Developer's* needs for landscaping and cover material during construction.

Q.(9) The commercially designated sites adjacent to Upper Manatee River Road and Lorraine Road shall not be developed in excess of .23 floor area ratio or 150,000 square feet, which ever is less.

Q.(10) Prior to the development of any commercial land uses on Upper Manatee River Road and Lorraine Road, the Developer* shall dedicate the necessary right-of-way and construct and complete the referenced roadways providing a continuous connection between University Parkway and State Road 70.

Q.(11) The minimum size for any dwelling unit within the project shall be six hundred (600) square feet unless this provision is waived by the Board for purposes of affordable housing, at time of preliminary plan approval.

Q.(12) No adult entertainment establishments shall be permitted within this project.

Q.(13) The land uses approved on this site are limited as described on the General Development Plan.

Q.(14) Individual driveways for individual residences shall not be allowed direct access to the major internal roadway as shown on the General Development Plan and reverse frontage lots shall be required adjacent to said roadways.

Q.(15) The Developer* shall dedicate or make available for public use at the option of the County*, a minimum of 14.5 acres of the designated parks (as shown on the General Development Plan). These parks must be available in conformance with Level of Service requirements but in no event shall this be postponed later than completion of Phase II.

Q.(16) The Development* consists of the area and land uses described in Table 1 and the area and land uses by phase as described in Table 2. Phase I of the Development* is approved subject to the conditions found within this Development Order and Phases II, III and IV are conceptually approved, however, further Section 380.06, Florida Statutes review will be required for transportation and air quality impacts in Phases II,III and IV, and Certificates of Level of Service must be obtained for Phases II, III and IV for land uses and acreage, but shall be limited to, roadway capacity, mass transit, potable water, sanitary sewer, parks and recreation facilities, drainage and solid waste, as required by the Manatee County Land Development Code.

Land Conditions

Q.(1) The setbacks and height for land uses shall be as follows:

USES	HEIGHT***MAXIMUM	FRONT	SIDE	REAR
Single Family Detached	35 ft.	20 ft.	8 ft.	20 ft.
Single Family Semi-Detached	35 ft.	20 ft.	8 ft.	20 ft.
Zero Lot Line	35 ft.	20 ft.	0 ft./10 ft.**	20 ft.
Single Family Attached	35 ft.	20 ft.	0 ft./10 ft.**	20 ft.
Duplex	35 ft.	20 ft.	8 ft.	20 ft.
Multi-Family	4 stories	20 ft.	10 ft.	25 ft.
Commercial	35 ft.	40 ft.	15 ft.	20 ft.
Office/Hotel	10 stories	40 ft.	15 ft.	20 ft.
Business	6 stories	30 ft.	15 ft.	20 ft.
School, Park Recreation Center	35 ft.	25 ft.	15 ft.	15 ft.

* End units must meet a 10 foot side yard setback
** Applies to one side
*** In instances where structures are proposed adjacent to I-75, for each 1 foot of height over 35 feet, the setback from the I-75 right-of-way shall be increased by 1 foot. Structures which are proposed to be located within 200 feet from the project boundary on sites which are adjacent to off-site residential zoning or uses shall be limited to four stories. Structures which are proposed to be located within 400 feet of I-75 cannot exceed six stories.

Q.(2) Buildings in said Project* which are adjacent to Interstate 75 and/or University Parkway shall be finished so that the facades which face said roads are either the front facades or finished in the same materials as the front facades.

Q.(3) Dumpsters and/or compactors to be used for the temporary storage of solid waste shall not be located in front of any buildings, and these units shall meet all minimum setback requirements. These units shall be screened from view of any collector or arterial roadway. Specific locational approval for these units is required during Preliminary and Final Site Plan review.

Q.(4) Access to and from the site shall be in accordance with state and local access regulations and with the number and general location as shown on Attachment #1.

Q.(5) A pre-design conference between the Developer* and county staff shall be held prior to submittal of Construction Drawings for the Project* to discuss the points of connection for potable water and wastewater service and the configuration of the potable water and sanitary sewer systems.

Q.(6) The Developer* shall submit a Master Plan for potable water, wastewater, and fire protection prior to construction plan submittal. The Developer* shall also be responsible for determining if upgrading of off-site potable water and wastewater facilities is necessary prior to construction plan submittal to provide adequate potable water, sanitary sewer or fire protection service to the portion of the development for which such service is being requested. Oversizing of potable water and wastewater facilities may be necessary to provide for future development in or adjacent to the Project* and the Developer* shall participate in such oversizing in accordance with applicable county ordinances or policies.

Land Conditions

Q.(1) The setbacks and height for land uses shall be as follows:

USES	HEIGHT***MAXIMUM	FRONT	SIDE	REAR
Single Family Detached	35 ft.	20 ft.	8 ft.	20 ft.
Single Family Semi-Detached	35 ft.	20 ft.	8 ft.	20 ft.
Zero Lot Line	35 ft.	20 ft.	0 ft./10 ft.**	20 ft.
Single Family Attached	35 ft.	20 ft.	0 ft./10 ft.**	20 ft.
Duplex	35 ft.	20 ft.	8 ft.	20 ft.
Multi-Family	4 stories	20 ft.	10 ft.	25 ft.
Commercial	35 ft.	40 ft.	15 ft.	20 ft.
Office/Hotel	10 stories	40 ft.	15 ft.	20 ft.
Business	6 stories	30 ft.	15 ft.	20 ft.
School, Park Recreation Center	35 ft.	25 ft.	15 ft.	15 ft.

* End units must meet a 10 foot side yard setback
** Applies to one side
*** In instances where structures are proposed adjacent to I-75, for each 1 foot of height over 35 feet, the setback from the I-75 right-of-way shall be increased by 1 foot. Structures which are proposed to be located within 200 feet from the project boundary on sites which are adjacent to off-site residential zoning or uses shall be limited to four stories. Structures which are proposed to be located within 400 feet of I-75 cannot exceed six stories.

Q.(2) Buildings in said Project* which are adjacent to Interstate 75 and/or University Parkway shall be finished so that the facades which face said roads are either the front facades or finished in the same materials as the front facades.

Q.(3) Dumpsters and/or compactors to be used for the temporary storage of solid waste shall not be located in front of any buildings, and these units shall meet all minimum setback requirements. These units shall be screened from view of any collector or arterial roadway. Specific locational approval for these units is required during Preliminary and Final Site Plan review.

Q.(4) Access to and from the site shall be in accordance with state and local access regulations and with the number and general location as shown on Attachment #1.

Q.(5) A pre-design conference between the Developer* and county staff shall be held prior to submittal of Construction Drawings for the Project* to discuss the points of connection for potable water and wastewater service and the configuration of the potable water and sanitary sewer systems.

Q.(6) The Developer* shall submit a Master Plan for potable water, wastewater, and fire protection prior to construction plan submittal. The Developer* shall plan for the [illegible] determining if upgrading of off-site potable water and wastewater facilities is necessary prior to construction plan submittal to provide adequate potable water, sanitary sewer or fire protection service to the portion of the development for which such service is being requested. Oversizing of potable water and wastewater facilities may be necessary to provide for future development in or adjacent to the Project* and the Developer* shall participate in such oversizing in accordance with applicable county ordinances or policies.

original DRI site since the Development Order was issued;

e. An assessment of the Developer's* and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the Application for Development Approval* and which have been identified by the County*, the TBRPC or the DCA, and being significant;

f. Any known incremental DRI Applications for Development Approval* or requests for a Substantial Deviation Determination that were filed in the reporting year and to be filed during the next year;

g. An indication of a change, if any, in local government jurisdiction for any portion of the Project* since the Development Order was issued;

h. A list of significant local, state and federal permits which have been obtained or which are pending by agency, type of permit, permit number and purpose of each;

i. A copy of any recorded notice of the adoption of a Development Order for the subsequent modification of an adopted Development Order that was recorded by the Developer* pursuant to Subsection 380.06(15)(f), Florida Statutes;

j. A statement that all persons have been sent copies of the Annual Report in conformance with Subsection 380.06(15) and (18), Florida Statutes;

k. Information on the actual prices and rents of housing units constructed relative to the then-current Department of Housing and Urban Development (HUD) affordable housing guidelines;

l. Reports and/or information pursuant to conditions A.(7), A.(8), F.(10), J.(2), and O.(3).

P.(10) For the purposes of substantial deviation determination reviews, the issues of transportation and air quality shall be treated as a cumulative issue for both University Lakes and University Place. On all other issues, substantial deviation determinations shall be made with reference to University Lakes as a separate project. Any exchanges in land uses beyond those described in Section 4 of this Ordinance shall require a substantial deviation determination review.

P.(11) Unless otherwise expressly stated in this Ordinance or the Development Order of the DRI, the Project* shall comply with all future amendments to the Land Development Code and the Comprehensive Plan.

P.(12) In the event of an appeal or other legal challenge of this Development Order by the Department of Community Affairs or TBRPC, the Developer* shall pay all reasonable costs and fees of County staff and attorneys relating to said appeal or legal challenge at the rate for processing this Development Order under the current Planning fee schedule. Payment of all billings by the Developer* related to such fees and costs shall be paid within forty five (45) days of submittal of an invoice.

At a minimum, the HAIP shall contain:

- o Specific provisions for on-site housing delivery, including housing delivery alternatives; or specific provisions for off-site housing in lieu of on-site housing when on-site housing would be impracticable;
- o Specific mechanisms for HAIP implementation;
- o Provisions to ensure continued adequacy of units provided; and
- o Monitoring provisions.

P.(6) A Preliminary Site Plan for each phase shall be required.

P.(7) The Developer* shall make appropriate efforts to coordinate with, and inform the appropriate public authorities of, the feasibility of the proposed school site for hurricane shelter, building closings, security and safety precautions, and evacuation plans.

P.(8) Except for any existing use or for construction offices and similar temporary uses, or any use on the school site or park site, or other use by a public agency, any proposal to utilize mobile homes on the site shall require a Substantial Deviation Determination, pursuant to the procedures in 380.06(19)(a), Florida Statutes.

P.(9) The Developer*, its successors, assigns and/or transferees, shall submit Annual DRI Reports in accordance with Section 380.06(18), Florida Statutes to the County* and the TBRPC, the State Land Planning Agency and other agencies, as may be appropriate, on the anniversary of the execution date of this Development Order and each year thereafter until such time as all terms and conditions of this Development Order are satisfied. Six (6) copies of this report shall be submitted to the Director of the Manatee County Planning, Permitting and Inspections Department or the Director's designee, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the Planning Director decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification or change of any conditions, or any terms or conditions of this Development Order. The Annual Report shall contain the following:

a. Any changes in the plan of development, or in the representation contained in the ADA*, or in the phasing or land uses for the next year;

b. A summary comparison of development activity proposed and actually conducted for the year;

c. Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or Developer*;

d. Identification and intended use of lands purchased, leased or optioned by the Developer* adjacent to the

TABLE 5

Projected Permanent Employment by Category and by Phase

UNIVERSITY LAKES

Employment Category	PHASE I	II	III	IV	TOTAL
Commercial	1,216	2,534	0	368	4,118
Business	1,739	1,877	1,455	2,013	7,084
Hotel	300	0	0	0	300
	3,255	4,411	1,455	2,381	11,502

Source: Schroeder-Manatee, Inc., June 1991.

Assumes the following occupancy rates:

Office/Business	- 90%
Commercial	- 93%
Manufacturing/Warehousing	- 90%

Assumes the following employment ratios:

Office/Business	1 employee/250 s.f.
Commercial	1 employee/400 s.f.
Manufacturing	1 employee/400 s.f.
Warehousing	1 employee/1,000 s.f.
Hotel	1 employee/room

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TABLE 6

Projected Permanent Employment
by Category and by Phase

UNIVERSITY LAKES/UNIVERSITY PLACE

Employment Category	PHASE I	II	III	IV	TOTAL
Business/Office	6,756	5,191	4,769	5,327	22,043
Commercial	1,309	2,588	54	422	4,373
Manufacturing	2,154	1,249	1,249	1,249	5,901
Warehousing	431	250	250	250	1,181
Hotel	300	0	0	0	300
Total	10,950	9,278	6,322	7,248	33,798

Source: Schroeder-Manatee, Inc., June 1991.

Assumes the following occupancy rates:

Office/Business	- 90%
Commercial	- 93%
Manufacturing/Warehousing	- 90%

Assumes the following employment ratios:

Office/Business	1 employee/250 s.f.
Commercial	1 employee/400 s.f.
Manufacturing	1 employee/400 s.f.
Warehousing	1 employee/1,000 s.f.
Hotel	1 employee/room

Steps 4-8 involve converting the total number of employees to households, households to single wage earner households, and finally, these single wage earner households to those within the Low and Very Low income categories.

These conversions were accomplished by multiplying total employees by .58 to get households, then households by .406 to get single wage earner households. These factors were found in DCA's Interim Guidelines.

It was assumed that 39% of the total single wage earner households were Very Low Income and 41% were Low. These percentages were provided by a DCA representative in a phone conversation in June 1991 .

The results of these calculations are shown in Tables 7, 8, and 9. Table 7 shows total number of Low and Very Low income households estimated to be employed in each phase of University Lakes in Manatee County. Table 8 provides the same information for each phase of University Place in Sarasota County. Table 9 shows the combined total for both projects. Data presented in these tables are the gross affordable housing demand potentially created by the development of both University Lakes and University Place over a 20 year build-out period.

Although it is obvious that many of the employees will be members of households that already reside in the two county area, these

TABLE 7

UNIVERSITY LAKES
ESITIMATE OF "LOW" AND "VERY LOW" INCOME HOUSEHOLDS
TOTAL AND AVERAGE ANNUAL BY PHASE

	PHASE I		PHASE II		PHASE III		PHASE IV		TOTAL	
Annual Household Income Category	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total
Low	63	314	81	405	27	134	44	219	54	1,072
Very Low	60	298	85	426	28	141	46	230	55	1,095
Total	123	612	166	831	55	275	90	449	109	2,167

TABLE 8

UNIVERSITY PLACE
ESITIMATE OF "LOW" AND "VERY LOW" INCOME HOUSEHOLDS
TOTAL AND AVERAGE ANNUAL BY PHASE

	PHASE I		PHASE II		PHASE III		PHASE IV		TOTAL	
Annual Household Income Category	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total
Low	149	743	94	470	94	470	94	470	108	2,153
Very Low	141	707	89	447	89	447	89	447	102	2,048
Total	290	1,450	183	917	183	917	183	917	210	4,201

Supply Analysis

DCA's Interim Guidelines indicate that all housing supply units considered to meet the affordable housing demand must be reasonably accessible to the development. "Reasonably accessible" is defined as a proximate distance of ten miles or a commute time of 20 minutes, whichever is less.

Map 1 presents the area determined to meet the above definition for University Lakes and University Place. Only those roadways currently in place were utilized. The area was identified by driving each available route, maintaining legal speed limits and utilizing a vehicle odometer. The driving was accomplished on weekdays during traffic peak hours (7:30-8:30am or 4:30-5:30pm).

Only a limited analysis of supply has been accomplished to date. Table 10 presents the total monthly housing payment that can be made by a Low income household and a Very Low income household, assuming that a maximum of 30% of their annual income can be spent on housing. Table 10 also presents the total mortgage price that these monthly payments could support.

In order to determine rental opportunities, a survey of major apartment complexes within the study area was conducted by telephone during May 1991. The information gathered is presented in Table 11.

TABLE 10

HOUSING PRICES BASED ON MONTHLY PAYMENT ABILITY

Income Status	Monthly Payment	Taxes Insurance	Net Payment	Interest Rate	Term (yrs.)	Home Price
Very Low	$412.5	36.1	376.4	10.0%	30	$42,890
Low	$661.9	76.9	585.0	10.0%	30	$66,660

Note: Taxes based on 18 mills, $25,000 homestead exemption.
Insurance based on .25% of home price per year.

Source: Fishkind & Associates, Inc.

individuals may be currently unemployed and seeking work or may wish to change jobs. In either circumstance, they will already have housing and will not need to find affordable housing. Regardless, this analysis assumes that all of the projected need is new and, consequently, the results are very conservative.

TABLE 9

UNIVERSITY LAKES/PLACE
ESITIMATE OF "LOW" AND "VERY LOW" INCOME HOUSEHOLDS
TOTAL AND AVERAGE ANNUAL BY PHASE

	PHASE I		PHASE II		PHASE III		PHASE IV		TOTAL	
Annual Household Income Category	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total
Low	211	1,057	175	875	121	604	138	689	161	3,225
Very Low	201	1,005	175	873	118	588	135	677	157	3,143
Total	412	2,062	350	1,748	239	1,192	273	1,366	318	6,368

TABLE 12
ESTIMATE OF AFFORDABLE MULTIFAMILY UNITS
TOTAL AND AVAILABLE* ANNUALLY WITHIN
UNIVERSITY LAKES/UNIVERSITY PLACE
DEFINED STUDY AREA

Monthly Housing Cost	Manatee County		Sarasota County		Two County Total	
	Total	Available	Total	Available	Total	Available
Very Low Less than $415	200	20	0	0	200	20
Low $416 - $662	1,581	158	2,615	262	4,196	420
TOTAL	1,781	178	2,615	262	4,396	440

* Available estimate based on average annual turnover rate of 10%.

SOURCE: Schroeder-Manatee, Inc., May, 1991.

TABLE 12A
ESTIMATE OF OTHER AFFORDABLE RENTAL UNITS
AVAILABLE WITHIN
UNIVERSITY LAKES/UNIVERSITY PLACE
DEFINED STUDY AREA

Monthly Housing Cost	Manatee County	Sarasota County	Total
Very Low Less than $415	6	9	15
Low $416 - $662	6	24	30
TOTAL	12	33	45

SOURCE: Sarasota Herald-Tribune, Classified Section, June 30, 1991, July 7, 1991 and July 14, 1991; The Bradenton-Herald, Classified Section, June 30, 1991, July 7, 1991 and July 14, 1991.

Table 12 pulls from Table 11 the estimated number of rental units in these complexes within each county that would qualify as affordable. Table 12 shows total affordable units and an estimate of those available during a 12 month period. Table 12A presents the number of other rental units within the study area that were advertised in local newspapers.

Information on housing for sale was obtained through Multiple Listing data available for each county. Table 13 shows the total number of single-family homes that were sold within the affordable housing study area that were within the Low and Very Low income affordability range during the 12 month period from June 1990 to May 1991. In order to assume that an adequate number of these homes would be available during a shorter time period, Multiple Listing was consulted to determine the number of single family homes which were listed as available for purchase during the month of May, 1991. Table 14 presents this data by asking price category and by county.

TABLE 11
SURVEY OF APARTMENT COMPLEXES LOCATED
WITHIN DEFINED STUDY AREA

NAME	# UNITS	BASE RENT EFF.	1 BR	2 BR	3 BR	4 BR	OTHER COSTS*	% CNGE OCC. ANN.	EST TURN OVER 5/90-5/91	% VACANT	VACANT UNITS	AVG MTH PMT[1]
MANATEE COUNTY												
Carlton Arms	900	$268	$366	$503	--	--	EP	10%	130	1%	2	$470
Citrus Meadow[2]	200	--	$310	$375	$425	--	ECP	NA	NA	4%	8	$404
DeSoto Village	92	--	--	$500	--	--	ECP	20%	28	8%	7	$535
Palm Place	80	$350	$390	$505	--	--	ECP	25%	30	8%	6	$483
Plantation Gardens[3]	248	--	$470	$660	$750	--	ECP	NA	NA	5%	12	$662
Timberlake	261	--	$455	$650	--	--	ECP	33%	129	5%	13	$587
MANATEE TOTAL	1,781	$309	$380	$532	$588				317	5%	48	$524
SARASOTA COUNTY												
Alhambra	128	--	$510	$610	$690	--	EP	40%	11	2%	3	$678
Bobby Jones Village	187	--	$350	$375	--	--	ECP	33%	127	7%	4	$438
Central Park	90	--	$632	$798	--	--	EP	15%	20	3%	3	$790
Cimarron Lake	167	--	$460	$605	--	--	EP	97%	243	6%	10	$608
Club Mar	248	--	$455	$542	--	--	ECP	33%	123	10%	25	$574
Heron's Run	274	--	$495	$665	--	--	ECP	33%	136	5%	23	$655
Huntington Place	250	--	$492	$614	--	--	ECP	68%	255	7%	18	$628
Kensington Gardens	93	$415	$505	$560	--	--	ECP	36%	25	9%	5	$608
The Lexington	267	--	$465	$560	$680	$730	ECP	33%	132	6%	16	$643
McIntosh Park	212	--	$520	$610	--	--	ECP	33%	108	3%	7	$655
Midwest Arms	130	--	$350	$385	--	--	EWCP	35%	130	7%	4	$443
Park Vista	108	--	$405	$443	--	--	ECP	16%	15	1%	2	$499
Presidential	84	--	$415	$475	--	--	ECP	23%	16	2%	2	$520
Ridge Manor	100	--	$440	$515	$565	--	ECP	25%	20	4%	4	$507
Savannah	80	--	$509	$599	--	--	EP	45%	25	2%	2	$629
Shadowood	139	$325	$379	$394	--	--	EWP	60%	125	8%	11	$448
Sunridge	94	--	--	$617	$681	--	ECP	10%	14	10%	9	$725
Timber Chase	165	--	$500	$600	--	--	ECP	33%	82	10%	17	$625
Three Fountains	41	--	$525	$525	--	--	ECP	56%	18	7%	3	$600
Woodfield	70	--	$460	$490	--	--	ECP	10%	11	2%	1	$550
SARASOTA TOTAL	2,927	$370	$467	$549	$654	$730			1,636	6%	169	$591
TOTAL COUNTIES	4,708	$340	$424	$541	$621	$730			1,953	5%	217	$558

* E=ELECTRICITY C=CABLE W=WATER P=PHONE

1. Average monthly rent calculated based on mix of 1,2 and 3 bedrooms and includes a utility allowance of $35 in Manatee County and $75 in Sarasota County.
2. Citrus Meadow was opened March, 1991; therefore turnover estimates were not available.
3. Plantation Gardens is under construction with completion scheduled for Fall, 1991; turnover data not available, average County vacancy rate of 5% assumed.

SOURCE. Telephone Survey, May, 1991 and The Bradenton Herald, April 1991

TABLE 13
ESTIMATE OF HOME SALES WITHIN
UNIVERSITY LAKES/UNIVERSITY PLACE
DEFINED STUDY AREA
June 1990 - May 1991

Sales Price	Manatee County	Sarasota County	Total
Very Low $0 - $43,000	85	123	208
Low $43,001 - $67,000	108	515	623
TOTAL	193	640	831

SOURCE: Multiple Listing, Schroeder-Manatee, Inc.

TABLE 14
ESTIMATE OF AVAILABLE HOMES FOR SALE WITHIN
UNIVERSITY LAKES/UNIVERSITY PLACE
DEFINED STUDY AREA
May 1991

Sales Price	Manatee County	Sarasota County	Total
Very Low $0 - $43,000	81	117	198
Low $43,001 - $67,000	130	370	500
TOTAL	211	487	698

SOURCE: Multiple Listing, Schroeder-Manatee, Inc.

Tables 15 and 16 present an estimate of the annual affordable housing supply by household income category and by county. Information from Tables 12, 12A and 13 was utilized to derive these summary estimates.

As stated previously, this supply analysis includes only a portion of the actual supply available. The assessment of rental opportunities available can be expanded in the areas of other apartments or homes for rent, mobile homes for rent and roommate opportunities. These are not included in the supply inventory. The for-sale analysis can also be expanded to include for sale by owners and mobile homes which were specifically excluded from this initial survey.

TABLE 15
ESTIMATED ANNUAL AFFORDABLE HOUSING SUPPLY
MANATEE COUNTY STUDY AREA

Monthly Housing Costs	Number of Units Available
Very Low	
$0 - $415	111
Low	
$416 - $662	272
TOTAL	383

TABLE 16
ESTIMATED ANNUAL AFFORDABLE HOUSING SUPPLY
SARASOTA COUNTY STUDY AREA

Monthly Housing Costs	Number of Units Available
Very Low	
$0 - $415	132
Low	
$416 - $662	801
TOTAL	933

15

COMPARISON OF SUPPLY AND DEMAND

Table 17 presents a comparison of estimated demand generated by University Lakes with available supply within the Manatee County portion of the identified study area. In both the "Low" and "Very Low" income household categories, the analysis shows that the supply is adequate. Supply estimates for each phase were developed assuming that the current annual, available supply of affordable housing units would remain constant throughout the development of the project.

Table 18 presents similar data on estimated demand generated by University Place and available supply within the Sarasota County portion of the study area. The only unmet need which has been identified occurs in Phase I -- a total of 9 units in the "Very Low" category per year for the first 5 years. Phases II through IV actually show a surplus of units available since the demand generated in succeeding phases drops off substantially.

Table 19 presents the cumulative comparison of supply to demand for total development of both projects within the two-county accessibility study area. The net result is no unmet need.

TABLE 17

COMPARISON OF SUPPLY TO DEMAND
UNIVERSITY LAKES - MANATEE COUNTY

	PHASE I		PHASE II		PHASE III		PHASE IV		TOTAL AT BUILDOUT	
	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total
VERY LOW										
Demand	60	298	85	426	28	141	46	230	55	1,095
Supply	111	555	111	555	111	555	111	555	111	2,220
Unmet Need	0	0	0	0	0	0	0	0	0	0
LOW										
Demand	63	314	81	405	27	134	44	219	54	1,072
Supply	272	1,360	272	1,360	272	1,360	272	1,360	272	5,440
Unmet Need	0	0	0	0	0	0	0	0	0	0

TABLE 18

COMPARISON OF SUPPLY TO DEMAND
UNIVERSITY PLACE - SARASOTA COUNTY

	PHASE I		PHASE II		PHASE III		PHASE IV		TOTAL AT BUILDOUT	
	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total
VERY LOW										
Demand	141	707	89	447	89	447	89	447	102	2,048
Supply	132	660	132	660	132	660	132	660	132	2,640
Unmet Need	9	45	0	0	0	0	0	0	0	0
LOW										
Demand	149	743	94	470	94	470	94	470	108	2,153
Supply	801	4,005	801	4,005	801	4,005	801	4,005	801	16,020
Unmet Need	0	0	0	0	0	0	0	0	0	0

TABLE 19

COMPARISON OF SUPPLY TO DEMAND
CUMULATIVE ANALYSIS
UNIVERSITY LAKES - UNIVERSITY PLACE

	PHASE I		PHASE II		PHASE III		PHASE IV		TOTAL AT BUILDOUT	
	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total	Avg Annual	Total
VERY LOW										
Demand	201	1,005	174	873	117	588	135	677	157	3,143
Supply	243	1,215	243	1,215	243	1,215	243	1,215	243	4,860
Unmet Need	0	0	0	0	0	0	0	0	0	0
LOW										
Demand	212	1,057	175	875	121	604	138	689	162	3,225
Supply	1,073	5,365	1,073	5,365	1,073	5,365	1,073	5,365	1,073	21,460
Unmet Need	0	0	0	0	0	0	0	0	0	0

CONCLUSION AND SUMMARY

University Lakes, located in Manatee County, will provide employment to an average of 123 households which fall in the Very Low and Low income categories each year. The supply of affordable dwelling units available in Manatee County, within the study area, on an annual basis is 383, over three times the demand in each income category.

University Place, located in Sarasota County, will provide employment to an average of 290 which fall in the Very Low and Low income categories each year. The supply of affordable dwelling units available in Sarasota County on an annual basis is 933 units, well in excess of the demand over the life of the project. Demand by income category, however, shows an unmet need of 45 units for Phase I in the Very Low cost range within the Sarasota County portion of the study area. This shortfall would disappear over time since Phase II shows a surplus in Sarasota County.

When employment provided by both projects is combined, a cumulative total of 413 in the Very Low and Low income categories households are estimated each year. The average annual supply available within the combined study area (1,316) is over four times the annual demand. When broken down by income category and by project phase, no cumulative unmet need is found. On the contrary, a surplus of 42 units occurs in the Very Low income category and 861 units in the Low income category annually over the life of the developments.

The analysis contained in this report was intentionally conservative in the following areas or assumptions:

1. No attempt was made to determine how many households which will be employed in these projects already reside in the area and will not seek housing.

2. An assessment of the number of unemployed individuals who will find employment but not seek housing has not been included.

3. Employment estimates were maximized utilizing DCA recommended ratios of employees to square footage in each land use category.

4. A conservative study area was identified for analysis, not utilizing all areas accessible within 20 minutes driving time.

5. Part-time employees were not factored out of the total employment estimates which serves to increase the number of "Very Low" income households.

6. The housing supply inventory is not exhaustive and can be expanded through additional survey work.

7. Sarasota County's higher income levels were not utilized in computing the corresponding home prices and rental rates for "Low" and "Very Low" income housing units.

Over the last 12 months, the housing markets in Manatee and Sarasota Counties have shown that affordable housing is available. Given historical rental turnover rates and sales transactions, it should be possible for an employed person to find affordable housing within a reasonable distance of the proposed developments. Current inventory of both for-sale and rental units indicate that the market should continue to provide affordable housing.

Any requirement that projects which provide employment also provide affordable housing should be based on a demonstrated need. There is no indication that the development of University Lakes or University Place will generate a need in excess of the supply anticipated to be available.

APPENDIX A

10-02-90

Attachment 1
General Guidelines
Interim Housing Methodology

1. Demand Calculation

Interim Demand Methodology

The following interim methodology shall be used to calculate the housing demand for projects with non-residential land uses or a project with a mix of non-residential and residential land uses. The methodology calls for a breakdown of household income groups by the income categories of very low through moderate income; actual analysis, however, of the employment data supplied under Question 20 should break these broad categories into more discrete income ranges with a maximum range of $1,000, for purposes of comparing demand with affordable supply and calculating mitigation.

Step 1. Determine the median household income for the appropriate county or Metropolitan Statisical Area (MSA).

Step 2. Determine the median income thresholds for very low, low and moderate income households.

Step 3. Determine how many permanent, non-construction jobs will be created as a result of the development.

(See Question 20, ADA)

Step 4. Determine how many permanent, non-construction jobs to be created by the development will have salaries that are considered to be very low, low, or moderate income.

Very Low Employees = VLE
Low Income Employees = LE
Moderate Income = ME

Step 5. Determine the average number of wage earners per household for the appropriate county.

Wage Earners per Household = WEH

(See Table 1)

Step 6. Calculate the number of employee-households represented by the number of employees, by income group, estimated in Step 4.

VLE/WEH = EmH_{vle}

LE/WEH = EmH_{le}

10

$$ME/WEH = EmH_{ME}$$

Step 7. Determine the percentage of households having a single wage earner, among households with wage earners, for the appropriate county.

Single Wage Earner Households = %SWE

(See Table 2)

[Step 7a. Calculate the percentage of employee households residing in the [county, city, close to work, etc.]. It is the intent that this factor be used to parallel the factor used by Hausrath (1989) in determining the San Francisco linkage fee (i.e., percentage of projected workers who would "want" to live in the downtown area - or in city). This may require site specific or jurisdiction-specific surveys; alternatively, perhaps an average could be developed and adopted?]

Step 8. Determine the number of single wage earner housholds represented by the employee households, by income group, calculated in Step 6. This number is deemed to represent the demand (D) for affordable housing units for very low income employees and low income employees.

$$(EmH_{VLE}) \times (\%SWE) = Demand_{VLE}$$

$$(EmH_{LE}) \times (\%SWE) = Demand_{LE}$$

$$(EmH_{ME}) \times (\%SWE) = Demand_{ME}$$

Alternative Demand Metholdology

The interim housing demand model (above) assumes the same demographic characteristics concerning wage earner distributions and household incomes for all standard industry code categories. In lieu of that methodology, the applicant may use a methodology based on the percentage distribution of employees by industry group according to income or salary ranges in relation to household membership and income. This approach would be based on survey data or standards and criteria for household income by employment category adopted by the Department. Ideally, the DCA should collect the information and provide standardized distributions for each general land use category and/or general one (or two digit) SIC category. [See Hausrath (1989), Connerly (1990) for other factors that could be considered for inclusion in this demand methodology as an alternative to the interim

methodology in 1., above.]

2. The net housing demand created by a development may be reduced through a calculation of the existing housing supply reasonably accessible to the project, or a recalculation of housing demand. In the calculation of housing supply the Developer shall use the criteria and assumptions as specified in 3., below. The housing supply derived from the application of these assumptions shall be compared with the housing demand and the net housing demand shall be the amount of units needed for mitigation; provided, however, that:

   A. All housing supply units considered to meet demand shall be reasonably accessible to the development.

   B. A minimum of 50% of the housing supply units for low income household demand shall be within the primary transportation impact area or reasonably accessible, whichever is less.

   C. A minimum of 25% of the housing supply units for moderate income demand or net demand shall be within the primary transportation impact area or reasonably accessible, whichever is less.

   D. A minimum of 50% of the housing supply units shall be within the boudaries of the local jurisdiction; provided, however, that the developer may buy-out of up to fifty percent of this obligation provided that the per unit cost as an in-lieu fee shall be 200% of the per unit cost calculated for the local jurisdiction or the developer commits to providing 200% of the units calculated for the local jurisdiction and provided that the receiving local government enters into a binding agreement to accept these units or the funds to provide such units through the appropriate in-lieu mitigation option(s).

3. The general criteria and assumptions for calculating housing supply shall be as follows:

   a. "Reasonably accessible" shall mean a proximate distance of ten miles or a commute time of twenty minutes, whichever is less, or, where applicable, the primary transportation impact area. Proximate distance and commute times shall be calculated on the present roadway network and the roadway network projected to be in place at the time of the impacts of development. The primary transportation impact area shall be that area delineated as the traffic impact area as indicated in the Developer's submittal to Question 31 of the Big Basin ADA. Where possible, estimated commute times shall be calculated using the Transporation Activity Zones (TAZs) commute times in the applicable Metropolitan Transportation Organization transportation model. These

times shall represent the commute time from the TAZ in which the development is located to all other TAZs in which the commute time is twenty minutes or less. In cases where the TAZ commute times are unavailable, the commute times shall be calculated and plotted as isocordals on the maps of the present roadway netwrk at five minute intervals up to twenty minutes. Driving distance shall be calculated as actual driving distance from the boundary of the development to the housing unit and projected actual driving distance. Allowances may be made for employee peak driving times in relation to the regional roadway network and peak hour traffic patterns.

b. Data presented may be in the form of public sector published materials on the availability and costs of reasonably accessible and available housing units as well as projections of availability through an updating of such materials using accepted methods for such projections. This may include census materials, local government surveys or reports, or other government-sponsored housing survey data.

c. Where appropriate and verifiable as to accuracy, data presented may be private sector data on the availability and costs of reasonably accessible and available housing units as well as projections of availability through an updating of such materials using accepted methods for such projections. Such data may be published (e.g., newspapers), private, or proprietary, (e.g., Multiple Listing Service listings, developer-sponsored surveys, etc.).

d. All units to be considered for supply shall be for vacant and available units, uncommitted units under construction, and units for which building permits have been let, provided, however, that there is a reasonable expectation for the completion in a timely fashion of the units under construction or permitted. A description shall be provided justifying the final cost estimates for units that are not completed. Pre-leased units or pre-construction sales shall not be considered part of the existing supply.

e. All supply data shall specify housing costs, including costs for utilities in rental units, for very low, low and moderate income households. Affordability shall be based upon a percentage of 30% of gross household income for rent and utilities and a gross household income of 28% for owner-occupied units for principal, interest, property taxes, and hazard insurance. Per unit utility allowances may be adjusted for residence size and shall be not less than that used by local housing authorities in the administration of state and federal housing programs. Mandatory association fees (e.g., for

condonminiums), if applicable, shall be deducted from the gross monthly income. Affordability prices for owner-units shall assume a maximum multiplier of 2.5 of the gross household income with assumed maximum down payment of five percent.

f. In calculating affordability for employee-households within the income categories of very low, low, and moderate, the distribution of employee households shall be made using income ranges of no greater than one thousand dollars ($1,000).

g. The results of the application of the criteria and assumptions shall be made available to the Department and the Tampa Bay Regional Planning Council in a form that clearly establishes the steps by which calculations were made, in addition to any other timely requested pertinent data or information used in the recalculation of housing supply.

Source: 1980 Census
Table 179

Average Number of Workers per Family and (Average Number of Units per Worker)

NEFRPC

Baker	1.66 (.60)	Nassau	1.69 (.59)
Clay	1.70 (.59)	Putnam	1.63 (.61)
Duval	1.72 (.58)	St. Johns	1.72 (.58)
Flagler	1.67 (.60)		

ECFRPC

Brevard	1.74 (.57)	Volusia	1.69 (.59)
Lake	1.71 (.58)	Osceola	1.77 (.56)
Orange	1.78 (.56)	Seminole	1.78 (.56)

CFRPC

De Soto	1.70 (.59)	Okeechobee	1.61 (.62)
Hardee	1.75 (.57)	Polk	1.74 (.57)
Highlands	1.69 (.59)		

TBRPC

Hillsborough	1.74 (.57)	Pasco	1.63 (.61)
Manatee	1.71 (.58)	Pinellas	1.72 (.58)

SWFRPC

Charlotte	1.65 (.61)	Hendry	1.75 (.57)
Collier	1.70 (.59)	Lee	1.70 (.59)
Glades	1.61 (.62)	Sarasota	1.71 (.58)

TCRPC

Indian River	1.74 (.57)	Palm Beach	1.73 (.58)
Martin	1.71 (.58)	St. Lucie	1.71 (.58)

SFRPC

Broward	1.72 (.58)	Monroe	1.66 (.60)
Dade	1.79 (.56)		

Table 2

Ratio of Single-Worker Households
of Households with Workers

County	Working Families	Single Worker	Percent
Alachua	30,047	10,704	35.6
Baker	3,257	1,475	45.3
Bay	23,425	9,577	40.9
Bradford	4,126	1,949	47.2
Brevard	62,603	24,795	39.6
Broward	220,266	90,099	40.9
Calhoun	1,999	917	45.9
Charlotte	11,075	5,126	46.3
Citrus	10,222	5,048	49.4
Clay	16,230	6,778	41.8
Collier	18,765	7,815	41.6
Columbia	8,282	3,290	39.7
Dade	359,571	134,846	37.5
DeSoto	3,747	1,591	42.5
Dixie	1,661	812	48.9
Duval	132,114	53,075	40.2
Escambia	53,074	23,083	43.5
Flagler	2,306	1,008	43.7
Franklin	1,707	693	40.6
Gadsden	8,327	3,135	37.6
Gilchrist	1,238	520	42.0
Glades	1,266	624	49.3
Gulf	2,289	1,079	47.1
Hamilton	1,898	816	43.0
Hardee	4,381	1,688	38.5
Hendry	4,093	1,533	37.5
Hernando	8,903	4,087	45.9
Highlands	9,069	3,992	44.0
Hillsborough	147,711	57,661	39.0
Holmes	3,270	1,520	46.5
Indian River	12,783	5,044	39.5
Jackson	8,359	3,263	39.0
Jefferson	2,221	836	37.6
Lafayette	929	394	42.4
Lake	21,340	8,918	41.8
Lee	43,952	18,349	41.7
Leon	32,337	10,227	31.6
Levy	4,289	1,993	46.5

Liberty	997	348	40.0
Madison	3,145	1,248	39.7
Manatee	29,970	12,154	40.6
Marion	27,039	11,650	43.1
Martin	12,656	5,179	40.9
Monroe	13,802	5,984	43.4
Nassau	7,814	3,259	41.7
Okaloosa	26,605	10,990	41.3
Okeechobee	4,433	2,107	47.5
Orange	107,106	39,065	36.5
Osceola	10,852	3,975	36.6
Palm Beach	121,857	49,285	40.4
Pasco	34,416	16,060	46.7
Pinellas	145,935	59,223	40.6
Polk	71,826	27,708	38.6
Putnam	10,697	5,089	47.6
St. Johns	11,531	4,607	40.0
St. Lucie	18,763	7,601	40.5
Santa Rosa	13,786	5,816	42.2
Sarasota	40,599	16,874	41.6
Seminole	43,655	16,112	36.9
Sumter	5,101	2,175	42.6
Suwanee	5,122	2,152	42.0
Taylor	3,684	1,433	38.9
Union	1,445	645	44.6
Volusia	52,196	22,193	42.5
Wakulla	2,541	918	36.1
Walton	4,689	2,103	44.8
Washington	3,097	1,326	42.8

Attachment #1 of Development Order
(Page 42 of 42)

DEVELOPMENT REVIEW AGREEMENT

DEPARTMENT OF COMMUNITY AFFAIRS / TAMPA BAY REGIONAL PLANNING COUNCIL / SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL / SCHROEDER-MANATEE, INC. AGREEMENT

THIS AGREEMENT is entered into this the 6th day of Sept., 1991, by and between THE DEPARTMENT OF COMMUNITY AFFAIRS, hereinafter referred to as "DCA", THE TAMPA BAY REGIONAL PLANNING COUNCIL, hereinafter referred to as "TBRPC", THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL, hereinafter referred to as "SWFRPC", and SCHROEDER-MANATEE, INC., (owner/developer) a Delaware corporation authorized to do business in the State of Florida, hereinafter referred to as "SMI", subject to all other governmental approvals and solely at the risk of the owner and developer, SMI.

WHEREAS, the DCA is the state land planning agency having the power and duty to exercise general supervision of the administration and enforcement of Chapter 380, Florida Statutes, which includes provisions relating to Developments of Regional Impact ("DRI"); and

WHEREAS, the TBRPC is the regional planning agency having review authority over developments of regional impacts in Manatee County; and

WHEREAS, the SWFRPC is the regional planning agency having review authority over developments of regional impacts in Sarasota County; and

WHEREAS, pursuant to subsection 380.032(3), Florida Statutes, the parties hereto are authorized to enter into agreements as may be necessary to effectuate the provisions and purposes of Chapter 380; and

WHEREAS, SMI is the owner/developer of a large tract of land lying in both Manatee County and Sarasota County, Florida, which tract is generally depicted on Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, no other person or legal entity has any ownership interest in said land including, but not limited to, rights arising out of a contract for sale for any portion of said land; and

WHEREAS, Manatee County is a member county in the Tampa Bay Regional Planning Council while Sarasota County is a member county

in the Southwest Florida Regional Planning Council; and

WHEREAS, SMI maintains that it is currently planning two (2) developments, one of which is located in Manatee County, adjacent to the Sarasota County line to be known as University Lakes, with the second in Sarasota County, adjacent to the Manatee County line to be known as University Place, both of which are generally depicted on Exhibit "A"; and

WHEREAS, each development alone constitutes a Development of Regional Impact subject to Florida Statutes Chapter 380 review; and

WHEREAS, the parties desire to enter into this Agreement to settle any disagreement and uncertainties in the review process as to the issues of aggregation of the two (2) developments or of combining the two (2) developments into one (1) for submittal purposes by agreeing on separate review for each development while assuring that with each development the information relative to certain identified impacts contained in each application for development approval will be reviewed and assessed on a cumulative basis with the impacts of the other development.

NOW, THEREFORE, in consideration of the foregoing and of the mutual promises contained herein, the parties agree as follows:

1. SMI asserts and warrants that all representations and statements concerning the subject development properties made to the DCA, TBRPC and SWFRPC, and contained in this Agreement are true, accurate, and complete. Based upon said representations and statements, the parties hereto conclude that this Agreement is in the best interest of the State, is beneficial to the Department in its role as the state agency with responsibility for the administration and enforcement of Chapter 380, Florida Statutes, and reasonably applies and effectuates the provisions and purposes of Chapter 380, Florida Statutes.

2. Provided the data submitted in each Applications for Development Approval (ADA) by SMI and the review process follows the agreement set forth herein, the DCA, TBRPC and SWFRPC agree that SMI may separately submit for review of the projects, each to undergo separate review under Chapter 380, Florida Statutes.

3. The University Lakes ADA shall be submitted to the Tampa Bay Regional Planning Council for review and recommendation and to Manatee County for review and approval. Copies of the ADA shall be submitted to the DCA, SWFRPC, and Sarasota County and other review agencies. The University Place ADA shall be submitted to the Southwest Florida Regional Planning Council for review and recommendation, and to Sarasota County for review and approval. Copies of the ADA shall be submitted to the DCA, TBRPC, Manatee County, and other review agencies. The submittal of copies is not intended to increase the normal review fee payable in connection with the filing and review of the single DRI, but is to facilitate review and comment.

4. In determining the cumulative impacts of each project on traffic, each traffic study shall include the traffic generated by the other project as project traffic instead of as background traffic condition. Each study shall be prepared on a phase-by-phase basis, with subsequent phases including impacts of earlier phases, assuring that all traffic of both projects generated during the applicable phase is included as project traffic and not background traffic. The intent of this paragraph is to insure that the total cumulative traffic impact and impact mitigation is considered with each development.

5. In determining the cumulative impacts of each project on air quality, any required study shall include the development and traffic in the other project. Each study shall be prepared on a phase-by-phase basis, with subsequent phases including impacts of earlier phases, assuring that all development of both projects that may generate impacts on air quality during the applicable phase is included in the study. The intent of this paragraph is to assure that the total cumulative impact on air quality and its mitigation is considered with each development.

6. In determining the availability of affordable housing for each project, each ADA shall cumulatively assess the impacts of both projects with subsequent phases including impacts of earlier phases. The intent of this paragraph is to insure that the total

cumulative impact on affordable housing and its impact mitigation is considered with each development.

7. In determining the cumulative impacts of each project on vegetation and wildlife, each ADA shall cumulatively assess the impacts of both projects on listed plant and animal species. The vegetation and wildlife study will also address the desirability (or lack therefore) of a continuous wildlife corridor between the projects. This study will be appended to both ADAs. The intent of this paragraph is to insure that the total cumulative impact on listed species and its mitigation is considered with each development.

8. DCA agrees not to appeal the Development Order of either development on the grounds of failure to aggregate the two (2) parcels, or on the basis of failing to submit the two (2) developments as one (1) DRI, provided that the conditions of this agreement are complied with.

9. Additionally, nothing in this Agreement shall constitute a waiver by DCA to the right to appeal either Development Order on other appropriate grounds as set forth in Chapter 380 and this Agreement, including the mitigation or assessment of cumulative impacts, set forth herein.

10. In the event either project does not receive approval from the applicable County, or receives a Development Order for only a portion of the request, SMI shall review the impacts of the other development to eliminate or adjust the cumulative assessment and mitigation of the impacts as warranted, and amend the Development Order of the approved development to reflect such changes.

11. For University Lakes, TBRPC shall provide to Manatee County, in its final DRI report, recommendations for addressing the issue of cumulative substantial deviations pursuant to the criteria in Subsection 380.06(19), Florida Statutes. For University Place, SWFRPC shall provide to Sarasota County, in its final DRI report, recommendations for addressing the issue of cumulative substantial deviations as defined in Subsection 380.06(19), Florida Statutes.

The issue of cumulative substantial deviations between the two (2) projects shall be addressed in each Development Order for University Lakes and University Place.

12. For purpose of abandonment of a DRI pursuant to Subsection 380.06(26), Florida Statutes, the total amount of development in both projects shall be taken into consideration when determining eligibility to abandon pursuant to the criteria of Subsection 380.06(26), Florida Statutes, and Rule 9J-2.0251(5), Florida Administrative Code.

13. In the event the DCA, TBRPC or SWFRPC determine there is a breach of this Agreement or failure to comply with any condition of this Agreement, or if this Agreement is based upon materially inaccurate information, any party may terminate this Agreement or file suit to enforce this Agreement as provided in Section 380.06 and 380.11, Florida Statutes.

14. This Agreement affects the rights and obligations of the parties under Chapter 380, Florida Statutes. Except as provided herein, it is not intended to determine or influence the authority or decisions of any other state or local government or required by state law or local ordinance for the developments described in this Agreement.

15. The terms and conditions of this Agreement shall inure to the benefit of, and be binding upon, the heirs, personal representatives, successors and assigns of the parties hereto. SMI shall insure and provide that any party claiming by, through, or under SMI with respect to any of SMI's interest in the lands or parcels affected by this Agreement is bound by the terms of this Agreement.

16. The Agreement shall become effective the date that the last party signs and acknowledges this Agreement.

IN WITNESS WHEREOF, the parties have hereunder set their hands and seals on the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

THE DEPARTMENT OF COMMUNITY AFFAIRS

By: _____

Its Assistant Secretary

THE TAMPA BAY REGIONAL PLANNING COUNCIL

By _____

Its Executive Director

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

By: _____

Its Chairman of SWFRPC

SCHROEDER-MANATEE, INC.

By: _____

Its Vice-President Real Estate

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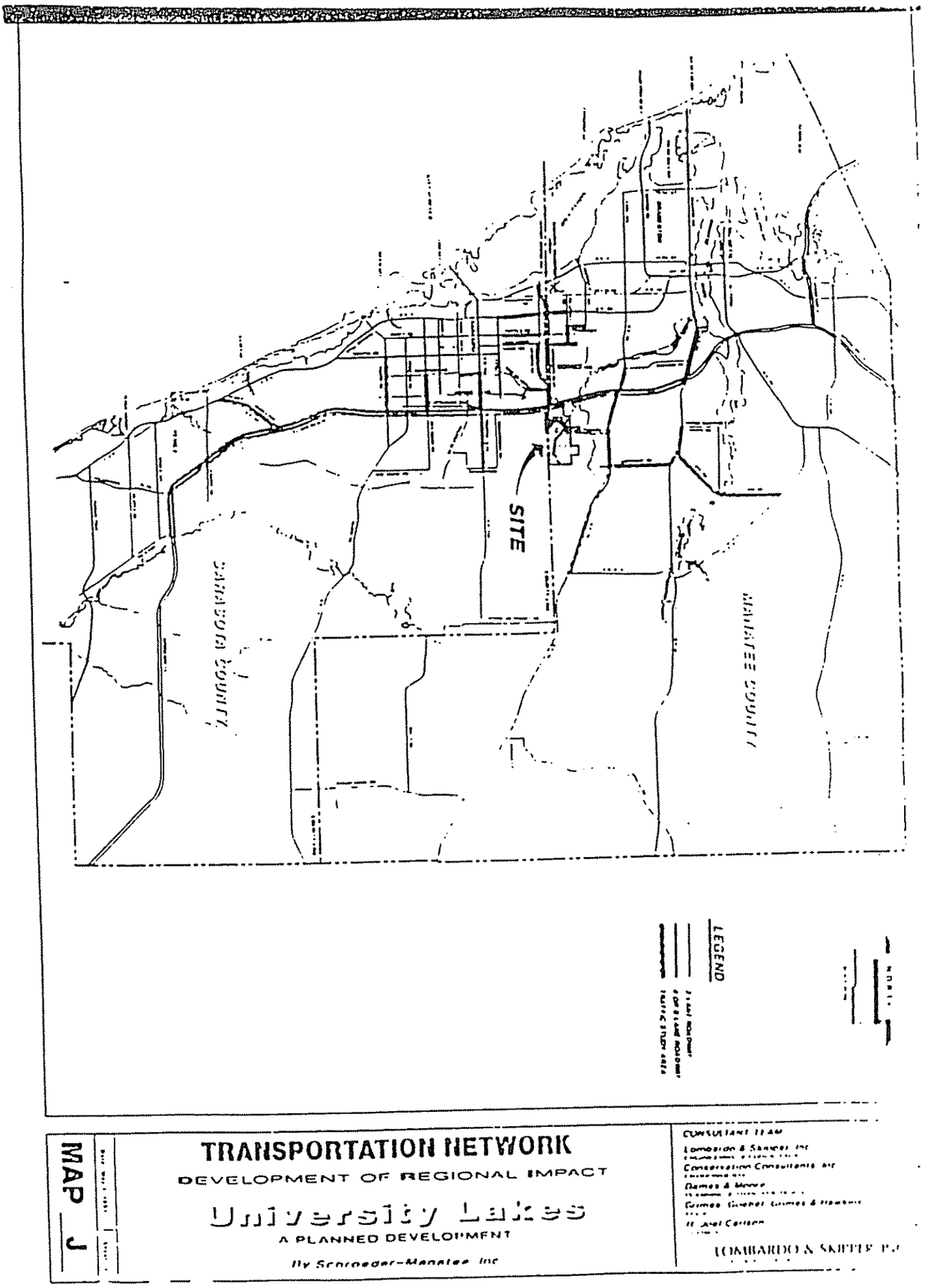
"B"

Attachment #2 of Development Order
(Page 6 of 6)

EXHIBIT SR-1



Attachment #3 of Development Order (Page 1 of 1)

DESCRIPTION: UNIVERSITY LAKES

A TRACT OF LAND SITUATED AND BEING IN SECTIONS 28, 29, 31, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E. AND SECTION 36, TOWNSHIP 35 S., RANGE 18., MANATEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SECTION CORNER COMMON TO SECTIONS 29, 30, 31 AND 32, TOWNSHIP 35 S., RANGE 19 E., FOR A POINT OF BEGINNING; THENCE N 00°22'41" E, ALONG THE WEST LINE OF SAID SECTION 29, A DISTANCE OF 2656.57 FT. TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 29; THENCE S 89°30'30" E, ALONG THE NORTH LINE OF SAID SOUTHWEST 1/4, A DISTANCE OF 1337.72 FT. TO THE NORTHEAST CORNER OF THE WEST 1/2 OF SAID SOUTHWEST 1/4; THENCE S 00°27'02" W, ALONG THE EAST LINE OF SAID WEST 1/2 OF THE SOUTHWEST 1/4, A DISTANCE OF 2656.69 FT. TO THE SOUTHEAST CORNER OF SAID WEST 1/2 OF THE SOUTHWEST 1/4; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 29 (ALSO BEING THE NORTH LINE OF SECTION 32, TOWNSHIP 35 S., RANGE 19 E.), A DISTANCE OF 4003.06 FT. TO THE SECTION CORNER COMMON TO SECTIONS 28, 29, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E.; THENCE N 00°40'07" E, ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 2236.01 FT.; THENCE S 89°31'24" E, PARALLEL WITH THE NORTH LINE OF SAID SECTION 28 AND 3077.34 FT. SOUTHERLY THEREFROM, A DISTANCE OF 2665.72 FT. TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 28; THENCE S 00°45'47" W, ALONG THE EAST LINE OF SAID WEST 1/2, A DISTANCE OF 2236.80 FT. TO THE INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 28; THENCE S 89°30'25" E, ALONG THE SOUTH LINE OF SAID SECTION 28 (ALSO BEING THE NORTH LINE OF SECTION 33, TOWNSHIP 35 S., RANGE 19 E.), A DISTANCE OF 2662.03 FT. TO THE NORTHEAST CORNER OF SAID SECTION 33; THENCE S 01°24'24" W, ALONG THE EAST LINE OF SAID SECTION 33, A DISTANCE OF 6019.29 FT. TO THE SOUTHEAST CORNER OF SAID SECTION 33, THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 33 (ALSO BEING THE COMMON LINE BETWEEN MANATEE AND SARASOTA COUNTIES), A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 33 (SAME BEING THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 35 S., RANGE 19 E.); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 32, AND THE COUNTY LINE, A DISTANCE OF 5320.24 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 32 (SAME BEING THE SOUTHEAST CORNER OF SECTION 31, TOWNSHIP 35 S., RANGE 19 E.); THENCE N 89°58'32" W, ALONG THE SOUTH LINE OF SAID SECTION 31 AND THE COUNTY LINE, A DISTANCE OF 4602.00 FT. TO THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE N 00°37'10" E, ALONG THE WEST LINE OF SAID SECTION 31, ALSO BEING THE EASTERLY LIMITED ACCESS R/W OF STATE ROAD NO. 93 (INTERSTATE 75), A DISTANCE OF 615.95 FT. TO A POINT ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S 67°41'09" E, 216.00 FT.; THENCE RUN NORTHEASTERLY, ALONG SAID LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 65°57'32", A DISTANCE OF 248.66 FT. TO THE P.T. OF SAID CURVE; THENCE N 88°16'24" E, ALONG THE LIMITED ACCESS R/W OF STATE ROAD NO. 93 (I-75) - "UNIVERSITY PARKWAY" INTERCHANGE, A DISTANCE OF 628.74 FT.; THENCE S 89°27'41" E, ALONG SAID LIMITED ACCESS INTERCHANGE R/W, A DISTANCE OF 298.75 FT. TO THE EASTERLY END OF SAID LIMITED ACCESS INTERCHANGE R/W; THENCE CONTINUE S 89°25'29" E, ALONG THE SOUTHERLY R/W OF "UNIVERSITY PARKWAY", A DISTANCE OF 133.18 FT.; THENCE N 00°34'14" E, ALONG THE EASTERLY END OF SAID "UNIVERSITY PARKWAY" R/W, A DISTANCE OF 336.00 FT.; THENCE N 89°26'21" W, ALONG THE NORTH LINE OF A 60 FT. WIDE F.D.O.T. SERVICE ROAD R/W, WHICH LIES PARALLEL AND CONTIGUOUS WITH THE NORTHERLY SIDE OF "UNIVERSITY PARKWAY", A DISTANCE OF 606.88 FT.; THENCE N 85°37'30" W, ALONG SAID SERVICE ROAD R/W, A DISTANCE OF 460.53 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 396.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID SERVICE ROAD R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°45'40", A DISTANCE OF 191.87 FT. TO THE INTERSECTION WITH THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E., SAME BEING THE EAST LINE OF SECTION 36, TOWNSHIP 35 S., RANGE 18 E., (THE RANGE LINE); THENCE S 01°15'38" W, ALONG THE COMMON LINE BETWEEN SAID SECTION 31 AND 36 (THE RANGE LINE), SAME BEING THE WESTERLY END OF SAID F.D.O.T. SERVICE ROAD R/W, A DISTANCE OF 68.34 FT. TO THE INTERSECTION WITH THE EASTERLY LIMITED ACCESS R/W OF SAID STATE ROAD NO. 93 (I-75), SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES N 27°43'29" E,

456.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 34°29'56", A DISTANCE OF 274.57 FT. TO THE P.T. OF SAID CURVE; THENCE N 27°46'35" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 566.48 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 4489.66 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID EASTERLY LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 12°57'00", A DISTANCE OF 1014.75 FT. TO THE P.T. OF SAID CURVE; THENCE N 14°49'36" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 899.55 FT.; THENCE N 13°40'49" W, ALONG SAID EASTERLY LIMITED ACCESS R/W, A DISTANCE OF 1016.32 FT.; THENCE S 88°46'12" E, A DISTANCE OF 1369.85 FT. TO THE INTERSECTION WITH THE EAST LINE OF SAID SECTION 36, TOWNSHIP 35 S., RANGE 18 E., SAME BEING THE WEST LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E. (THE RANGE LINE); THENCE S 89°40'28" E, A DISTANCE OF 1438.64 FT.; THENCE N 01°15'38" E, A DISTANCE OF 1532.73 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SECTION 31, TOWNSHIP 35 S., RANGE 19 E. (SAID POINT LYING S 89°40'28" E, ALONG SAID NORTH LINE, A DISTANCE OF 1438.64 FT. FROM THE NORTHWEST CORNER OF SAID SECTION 31); THENCE S 89°40'28" E, ALONG THE NORTH LINE OF SAID SECTION 31, A DISTANCE OF 3165.00 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 28, 29, 31, 32 AND 33, TOWNSHIP 35 S., RANGE 19 E., AND SECTION 36, TOWNSHIP 35 S., RANGE 18 E., MANATEE COUNTY, FLORIDA.

CONTAINING 2352.7 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

THIS DESCRIPTION IS NOT BASED ON AN ACTUAL FIELD SURVEY.

Attachment #4 of Development Order
(Page 2 of 2)

STATE OF FLORIDA COUNTY OF MANATEE
I hereby certify that the foregoing is a true copy of ORDINANCE NO. 92-32 adopted by the Board of County Commissioners of said County on the 16th day of June, 1992, this 22nd day of June, 1992 in Bradenton, Florida.

R. B. Shore
Clerk of Circuit Court
By: Robin Lickey D.C.

TABLE 3

Estimate of 1991 Affordable Housing Income Limits for 4-Person Household, Bradenton MSA

	ANNUAL INCOME LIMITS
	4.0 PPH
Median	$33,100[1]
Low	$26,480[2]
Very Low	$16,550[3]

Notes:

1. 1991 median income provided by HUD, 2/15/91.
2. Low income limits established by HUD at 80% of median.
3. Very low income limit established by HUD at 50% of median.

TABLE 4

Projected Permanent Employment by Category and by Phase

UNIVERSITY PLACE

Employment Category	PHASE I	II	III	IV	TOTAL
Office	5,017	3,314	3,314	3,314	14,959
Manufacturing	2,154	1,249	1,249	1,249	5,901
Warehousing	431	250	250	250	1,181
Commercial	93	54	54	54	255
	7,695	4,867	4,867	4,867	22,296

Source: Schroeder-Manatee, Inc., June 1991.

Assumes the following occupancy rates:

Office/Business	- 90%
Commercial	- 93%
Manufacturing/Warehousing	- 90%

Assumes the following employment ratios:

Office/Business	1 employee/250 s.f.
Commercial	1 employee/400 s.f.
Manufacturing	1 employee/400 s.f.
Warehousing	1 employee/1,000 s.f.
Hotel	1 employee/room