



#265

Building and Development Services
/ Public Hearings
1112 Manatee Ave. W.
Bradenton, FL 34205
Phone: (941) 748-4501 ext. 6878
www.mymanatee.org

December 11, 2014

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

Re: Development Order for Lakewood Centre, DRI#27 – Ordinance 14-30

Dear Mr. Meyer:

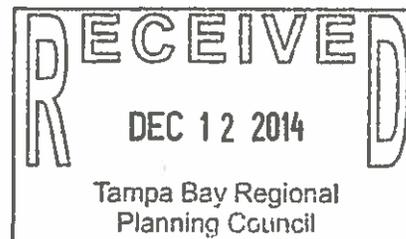
Enclosed is a certified copy of Ordinance 14-30, the DRI Development Order for Lakewood Centre, DRI#27, as adopted in open session by the Manatee County Board of County Commissioners on December 4, 2014, as required by Rule 9J-2.025(5), Florida Administrative Code.

If I can be of further assistance, please contact me at (941)748-4501, extension 6878.

Sincerely,

Bobbi Roy
Planning Coordinator

/br
Enclosure



**ORDINANCE 14-30
LAKEWOOD CENTRE, DRI #27**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RENDERING AN AMENDED AND RESTATED DEVELOPMENT ORDER PURSUANT TO CHAPTER 380.06, FLORIDA STATUTES, FOR THE LAKEWOOD CENTRE DEVELOPMENT OF REGIONAL IMPACT (ORDINANCE 13-28), TO APPROVE THE FOLLOWING CHANGES TO MAP H AND THE DEVELOPMENT ORDER INCLUDING A DETERMINATION OF WHETHER THE FOLLOWING CHANGES CONSTITUTE A SUBSTANTIAL DEVIATION TO THE LAKEWOOD CENTER DEVELOPMENT OF REGIONAL IMPACT IN RESPONSE TO THE OWNER'S SUBMITTAL OF A NOTICE OF PROPOSED CHANGE: (1) ADD 796.22 +/- ACRES TO THE BOUNDARIES OF THE DRI, (2) GRANT SPECIFIC APPROVAL OF PHASES 2 AND 3 (3) REFLECT THE SATISFACTION OF TRANSPORTATION MITIGATION OF IMPACTS OF THE PROJECT THROUGH BUILDOUT, (4) REFLECT REVISED DEVELOPMENT TOTALS CONSISTENT WITH THE PREVIOUSLY APPROVED LAND USE EXCHANGE AND (5) OTHER AMENDMENTS FOR INTERNAL CONSISTENCY; PROVIDING FOR DEVELOPMENT RIGHTS, CONDITIONS, AND OBLIGATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 28, 2006, SMR North 70, LLC submitted a Development of Regional Impact (DRI) Application for Development Approval (ADA*) for 3,675 residential units; 1,774,000 square feet of retail; 1,563,000 square feet of office; a 300 room hotel; and ±36.8 acres neighborhood park; with approval of a Land Use Equivalency Matrix (LUEM) to allow conversion between various approved uses within specific ranges; as legally described in Section 7, referred to as Lakewood Centre DRI, or the Project*; and

WHEREAS, on August 5, 2008, the Board of County Commissioners ("BOCC") approved Ordinance 08-13, a Development Order ("DO") for the Lakewood Centre DRI for a planned mixed use development on approximately 697.4 acres; and

WHEREAS, the Project* is proposed in three phases: Phase 1 with a buildout date of 2022; Phase 2 with a buildout date of 2021; and Phase 3 with a buildout date of 2026;

WHEREAS, Specific approval was granted initially for Phase 1 for 900 residential units, 460,000 square feet of retail, 458,000 square feet of office, a 300 room hotel, and ±36.8 acres of parks; and,

WHEREAS, through the NOPC process and this amendment to the Development Order, specific approval will be granted for Phases 2 and 3; and,

WHEREAS, on December 6, 2012, the Board of County Commissioners approved an amendment to the Development Order to update the phasing and buildout dates to reflect legislatively approved extensions, update conditions to reflect compliance with requirements contained therein, modify affordable housing conditions consistent with current practices and other amendments for internal consistency; and,

WHEREAS, on October 3, 2013, the Board of County Commissioners approved an amendment to the Development Order to update the phasing and buildout dates to reflect legislatively approved extensions; updated conditions to reflect compliance with requirements contained therein; clarified procedures for a land use exchange and other amendments for internal consistency; and

WHEREAS, on May 15, 2014, SMR North 70, LLC and SMR Northwest Land, LLC filed a Notice of Proposed Change to add 796.22 +/- acres to the boundary of the DRI, to request Specific Approval of Phases 2 and 3, to reflect the satisfaction of transportation mitigation of impacts of the project through buildout and to reflect revised development totals consistent with the previously approved land use exchange and other amendments for internal consistency; and

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

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Section 380.06(19)(e)2, Florida Statutes, has the statutory authority to consider and approve amendments to a Development Order for an approved DRI; and

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

WHEREAS, the Board of County Commissioners has received and considered the report and recommendation of Manatee County Staff; and

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

WHEREAS, the Planning Commission held a duly noticed public hearing on November 13, 2014 regarding Ordinance 14-30 and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County agencies, the applicant, and the review and report of Manatee County staff; and

WHEREAS, the Board of County Commissioners held a duly noticed public hearing on December 4, 2014 regarding Ordinance 14-30 and has solicited, received, and considered all testimony reports, comments, evidence, and recommendations from interested citizens, County agencies, the applicant, and the review and report of Manatee County staff.

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

SECTION 1. AMENDMENT AND RESTATEMENT OF DEVELOPMENT ORDER FOR DRI #27, ORDINANCE 13-28.

Ordinance 13-28 is hereby amended and restated in its entirety below. This ordinance constitutes the amended and restated Development Order for the Lakewood Centre Development of Regional Impact. The prior Development Order shall be superseded by this Ordinance, provided this amendment shall not be construed to terminate the rights of the Developer, if any, granted under Section 163.3167(5), Florida Statutes, to the extent such rights have been previously granted and are not specifically herein or otherwise modified or amended.

SECTION 2. FINDINGS OF FACT.

The Board of County Commissioners, after considering the testimony, evidence, documentation, application for an amended Development Order and all other matters presented to the Board of County Commissioners at the public hearing, hereby makes the following findings of fact:

- A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.
- B. An application has been submitted to Manatee County and is being processed concurrently with this amendment to the Development Order to amend Zoning Ordinance No.PDMU-06-30(G)(R2) and the General Development Plan for the original 697.4+/- acre tract and reflects the addition of a 796.22 +/- tract to the project.

An application has been submitted to Manatee County and is being processed concurrently with this amendment to the Development Order to amend the Future Land Use Category for a 245 +/- acre tract within the boundaries of the additional lands.

- C. The Board of County Commissioners held a public hearing on December 4, 2014, regarding the application to amend the Development Order and the proposed Zoning Ordinance amendment and to adopt the Ordinance for a Comprehensive Plan Amendment to amend the Future Land Use Category for a portion of the additional lands in accordance with the

requirements of the Manatee County Land Development Code (Ordinance 90-01, as amended) and the Manatee County Comprehensive Plan (Ordinance 89-01, as amended) and has further considered the testimony, comments, and information received at the public hearings.

- D. Manatee County has adopted the Manatee County Comprehensive Plan which is in compliance with applicable state laws.
- E. The Comprehensive Plan requires a Certificate of Level of Service to be issued for water, wastewater, solid waste, parks and recreation, roadways, transit, and drainage in compliance with state requirements and the Land Development Code.
- F. This Development Order is issued based on information provided by the Developer* in the original ADA* (with sufficiency responses), this application to amend the Development Order; public hearing testimony; data, information, and recommendations provided by the Planning Commission and Manatee County Building and Development Services staff, and the Tampa Bay Regional Planning Council, and ensures continued compliance with the Manatee County Comprehensive Plan.
- G. The real property which is the subject of this Development Order is legally described in Section 8 of this Ordinance.
- 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 and address for the Project* is Todd J. Pokrywa of SMR North 70, LLC, 14400 Covenant Way, Lakewood Ranch, Florida 34202.
- J. The owner of the property is SMR North 70, LLC and SMR Northwest Land, LLC, their heirs, assigns, designees and successors in interest as to the Project*.

SECTION 3. CONCLUSIONS OF LAW.

- A. Based upon the previous findings of fact and the following conditions of this 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 (FCRPP), and the 2020 Manatee County Comprehensive Plan (as amended).

3. The Project*, as conditioned by this Development Order, is consistent with the report and recommendations of the Building and Development Services Department and the report and recommendations of the Tampa Bay Regional Planning Council.
4. 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.
5. The review by the County* and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order, and the ADA, as amended by this request to modify the Development Order. 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.
6. Pursuant to Section 380.06(19), F.S., the changes proposed pursuant to the NOPC submitted on May 15, 2014 and approved with conditions pursuant to Ordinance 14-30 are presumed to be a substantial deviation, however, the presumption has been rebutted and the changes have been determined not to constitute a substantial deviation requiring further Development of Regional Impact review.

SECTION 4. DEVELOPMENT COMPONENTS:

- A. This Development Order approval shall constitute approval of the application to amend the Development Order subject to the conditions set forth herein and shall be limited to the development amounts set forth in Table 1, below.
- B. Phases 1, 2 and 3 of the Development are Specifically Approved subject to the conditions found within the Development Order and a Certificate of Level of Service for all services, except potable water and sewer, which has been issued for the land uses listed in Phases 1, 2 and 3 as defined herein and in Zoning Ordinance PDMU-06-30(G)(R3). Potable water and sewer concurrency will be reviewed at time of each Final Site Plan submittal.

- C Preliminary and Final Site Plan applications shall be reviewed for compliance with this Development Order and shall be subject to the requirements of the Manatee County Comprehensive Plan and Land Development Code in effect at the time of such site plan application, as to such requirements which are not specifically addressed in this Development Order or are not inconsistent with this Development Order.
- D. The build-out date for this Development Order is March 22, 2026.
- E. The expiration date for this Development Order is March 22, 2027.

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008 – 2022*	Phase 2 2009 – 2021*	Phase 3 2012- 2026*	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	3,239
Single Family	1,008	200	236	1,444
Total	1,908	2,000	775	4,683
Commercial/Office (sq. ft.)				
Retail	360,000	542,000	772,000	1,674,000
Office	358,000	458,000	647,000	1,463,000
Total	718,000	1,000,000	1,419,000	3,137,000
Hotel (rooms)	300	-0-	-0-	300

Source: WilsonMiller, September 2005

* The phasing buildout dates shall be March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363) .

& The approved amount of any one land use may be increased, but only with decreases in one or more of the other land uses, per the Land Use Equivalency Matrix.

- F. Development Totals:
1. The Land Use Equivalency Matrix, below allows the developer

variations in the quantity of approved land uses without the requirement to analyze such modifications through the Notice of Proposed Change process. The conversion formulas presented below are based on p.m. peak hour trip generation factors.

2. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the revised land use mix will not exceed the impacts for transportation, solid waste disposal, mass transit, drainage, and parks and recreation, which have been approved and authorized in the Certificate of Level of Service Compliance (CLOS) issued for that phase or subphase. Additionally, the Developer* shall demonstrate that the proposed land use mix will not generate the need for additional affordable housing beyond the amount for which the supply of affordable housing has been demonstrated to be available and is described in Section M of this Development Order. 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. However, reapplication shall not cause the Developer* to lose the capacity already approved for the 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. At the time of Final Site Plan approval, potable water, wastewater treatment and schools shall be analyzed and a CLOS will be issued for those concurrency components.
3. An application for a Land Use Exchange must include a revised General Development Plan which will include a revised Land Use and Phasing Schedule and a reallocation of square footage. 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 2020 Manatee County Comprehensive Plan and shall be subject to the approval of the Board of County Commissioners.
4. The County's review of any such request shall include a determination that the project as a whole will continue to be developed as a mixed use project with both residential and non-residential uses. As a part of such analysis, the County shall review the percentage of developed land area devoted to each land use category.

5. Upon approval of a Land Use Exchange, County staff shall provide to the Florida Department of Economic Opportunity (DEO) and TBRPC a copy of said approval.
6. The DRI biennial report shall include information indicating implementation of the matrix as well as cumulative amounts of development which have been approved by the County as of the biennial report date.

The Land Use Equivalency Matrix (LUEM), Table 2, is as follows:

Land Use Equivalency Matrix:

TABLE 2: LAND USE EQUIVALENCY MATRIX

CHANGE FROM:	CHANGE TO:				
	Residential/ SF (Units)	Residential/ Multifamily (Units)	Commercial (Sq. Ft.)	Office (Sq. Ft.)	Hotel (Rooms)
Residential/S.F. (Units)		0.87	138.67	348.99	0.65
Residential/Multifamily (Units)	1.15		132.00	165.00	0.75
Commercial (1,000 Sq. Ft.)	7.21	3.88		1271.00	4.69
Office (1,000 Sq. Ft.)	2.87	0.68	176.00		1.86
Hotel (Rooms)	1.54	1.33	213.33	536.91	

SECTION 5. DEFINITIONS.

The definitions contained in Chapter 380, Florida Statutes, the Manatee County Comprehensive Plan, and Land Development Code shall apply to this Development Order in addition to those listed herein. The following capitalized terms used herein shall have the following meanings:

- A. "Application for Development Approval*" or "ADA*" shall mean the Lakewood Centre Development of Regional Impact Application for Development Approval* (April 28, 2006), and the sufficiency responses submitted by the Developer* on October 23, 2006, April 20, 2007, and September 14, 2007. Certain ADA questions have been answered within the submittal dated May 15, 2014 with information related to the 796.22 +/- acre tract.
- B. "Best Management Practices*" shall mean the method or combination of methods determined after problem assessment and examination of alternative practices, to be the most effective and practicable means of reducing or preventing nonpoint source pollution to levels compatible with water quality goals. These measures could include both structural (e.g., sediment/debris basins, wetland impoundment of agricultural runoff, etc.) and nonstructural (e.g., street vacuuming, deferred grazing systems, etc.) approaches to abatement of nonpoint source pollution, and may vary on a

regional and local basis depending on the nature of the problems, climate, physical characteristics, land use, soil types and conditions, and other factors.

- C. "County*" shall mean Manatee County, a political subdivision of the State of Florida.
- D. "Developer*" shall mean SMR North 70, LLC or SMR Northwest Land, LLC, their heirs, assigns, designees, agents, and successors in interest as to the Project* and all 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. "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.
- G. "Funding Commitment*" shall mean projects funded for construction in the current year plus one of an adopted work program, or committed by private sources which can include the Developer*, for construction with funding provided within one year.
- H. "Master Drainage Plan*" shall mean a plan showing the proposed stormwater management components to be constructed for the entire Project* as follows:
 - 1. existing topography;
 - 2. existing drainage features, both on site and off site, that will affect the drainage concept of this Development*; existing and developed drainage basins, with their direction of outfall;
 - 3. proposed stormwater management facilities, which shall include: detention lakes, connection of lakes, and the eventual outfall for these lakes; and
 - 4. off site areas that historically drain through the property shall be addressed as to the method the applicant proposes to use to accommodate off site stormwater.

- I. "Project*" shall mean the land uses by area, square footage, density, and phase to be constructed on the real property described in Section 8 herein.
- J. "Specific Approval" shall mean ADA approval for Phases 1, 2 and 3. Specific Approval* herein should not be confused with Specific Approval* as defined in the Manatee County Land Development Code.
- K. "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 structure.

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

Note: An asterisk (*) in the text of this Development Order denotes that the word is defined.

SECTION 6. DEVELOPMENT CONDITIONS:

THE LAKEWOOD CENTRE DRI IS SPECIFICALLY APPROVED FOR PHASES 1, 2 and 3 DEVELOPMENT AND ~~CONCEPTUALLY APPROVED FOR PHASES 2 AND 3~~, SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

Transportation

- A.(1) Transportation mitigation improvements shall be implemented through the Local Development Agreements (LDA 10-01 and LDA-13-03) approved by Manatee County on September 14, 2010 and November 7, 2013, respectively.
- A.(2) With each Final Site Plan application, the Developer shall submit to the County a limited traffic study which addresses the estimated traffic operations and turning movements together with the conceptual design of the driveways, serving the project covered by the Final Site Plan application.
- A.(3) The Developer shall encourage transportation system management (TSM) measures such as the use of carpooling, vanpooling, mass transit, alternative hours of operation for employment and retail centers and other forms of transportation diversion and shall provide information to residents and employers on available opportunities.

- A.(4) Developer shall work with Manatee County Area Transit (MCAT) on identifying a potential transit stop(s) within the Project*. At such time that MCAT has established a plan for service to the Project and coordinated needed location(s) for a transit stop with Developer, Developer shall accommodate the requisite stop(s) within the Project.
- A.(5) The Developer shall provide roadways and pedestrian connections to perimeter roads, schools, and park sites.
- A.(6) Provisions shall be made for the construction of all internal collector roads as shown on DRI Map H (Attached as Exhibit A). Roads shall be constructed at the cost of the Developer, or other appropriate entity, prior to or in conjunction with development requiring access on that roadway. This dedication/construction shall be eligible for impact fee credits to the extent allowed by the Manatee County Land Development Code and applicable law. Right-of-way along Malachite Drive (complete) and White Eagle Boulevard (complete from State Road 70 to Malachite Drive) will be dedicated to Manatee County by the Developer prior to or in conjunction with any Preliminary Site Plan or Preliminary Plat approvals adjacent to or encompassing such roadways, to ensure 120 feet of right-of-way adjacent to the site, except dedication of White Eagle Boulevard from 44th Avenue East to State Road 64 will be completed in accordance with the terms of the Local Development Agreement (LDA-13-03). These dedications shall be impact fee creditable to the extent permitted by the Manatee County Land Development Code and applicable law.
- A.(7) There shall be bicycle or pedestrian facilities on both sides of any road designated as a collector or higher, in accordance with the LDC. All bike paths and lanes shall be constructed in accordance with Manatee County standards
- A.(8) The Developer shall provide adequate sidewalks along both sides of all streets and roadways throughout the Project.
- A.(9) Improvements made pursuant to the Local Development Agreement (LDA-10-01) adopted by Manatee County Board of County Commissioners on September 14, 2010 shall satisfy the requirements for mitigation of the Project's Phase 1 transportation impacts.
- A.(10) Improvements made pursuant to the Local Development Agreement (LDA-13-03) adopted by the Manatee County Board of County Commissioners on November 7, 2013, shall satisfy the requirements for mitigation of the Project's Phases, 2 and 3 transportation impacts.

Vegetation, Wildlife, and Wetlands

- B.(1) As to the original 697.4 acre lands, no impacts to Natural Resources of Regional Significance (NRRS) as defined by TBRPC are proposed by this project. Impacts to Natural Resources of Regional Significance, as delineated on Map 3 (Attached as Exhibit B) in the TBRPC's Final Report of the Lakewood Centre DRI, adopted December 10, 2007, shall only occur if justified pursuant to *Future of the Region, A Strategic Regional Policy Plan for the Tampa Bay Region* Policy 4.5.2. Mitigation for justifiable impacts to Natural Resources of Regional Significance shall meet the ratios set forth in that policy and Policy 4.5.6; i.e., 2 created: 1 impacted for Special Habitats (Strategic Habitat Conservation Areas and Priority Wetlands); 3 created: 1 impacted for Riverine Habitat; and twice that amount if mitigation is in the form of restoration of disturbed habitat of a similar nature, at minimum.
- B.(2) In the event that any state or federally-listed species are discovered breeding on-site during project development, the Developer* shall immediately notify the Florida Fish and Wildlife Conservation Commission and implement the recommended measures for species protection.
- B.(3) Nuisance and exotic plant species shall be removed from upland areas of the project site during site development. A plan shall be developed to address how preserved and conserved upland areas will be managed to limit nuisance and exotic species. The plan shall be submitted to Manatee County for approval with the first Final Site Plan or Final Plat for vertical development. (completed)
- B.(4) As committed, the applicant shall preserve and protect all wetlands as shown on Map H using upland vegetated buffers managed as wildlife habitat. Unavoidable impacts to wetlands may be mitigated using credits from the Long Swamp Ecosystem Management Plan.
- B.(5) Conservation Easements for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas shall be dedicated to the County prior to issuance of first Certificate of Occupancy or Final Plat for those areas within or directly adjacent to the proposed phase of development.
- B.(6) Preliminary and Final Site Plans within management guideline distances (as prescribed by US Fish and Wildlife Service or the Florida Fish and Wildlife Conservation Commission, as applicable) from the bald eagle nest shall be designed in accordance with the

current Habitat Management Guidelines for the Bald Eagle published by the U.S. Fish and Wildlife Service or the Florida Fish and Wildlife Conservation Commission, as applicable, shall be provided prior to Final Site Plan approval.

- B.(7) The natural wildlife corridor existing along the wetland corridor located south of Malachite Drive and north of Rangeland Parkway shall be maintained and protected by placing the area in a conservation easement. Wildlife passageways shall be incorporated into the roadways designed to cross this corridor if practical and approved by appropriate state, regional, and local agencies.
- B.(8) The project site may continue to be used for agricultural activities during development, but at no greater intensity than at present. No new clearing of tree or preservation areas shall be permitted for any new agricultural uses.
- B.(9) Prior to each Preliminary Site Plan approval, an evaluation for potential hazardous material locations (i.e., historical cattle dipping vats, underground/aboveground storage tanks, or buried drums), shall be performed by a qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation and mitigative measures shall be subject to the approval of Manatee County. Copies of a remediation and mitigation plans along with the approvals by appropriate State or Federal agencies shall be provided to the Building and Development Services Department. All remediation and mitigation activities shall be completed prior to commencement of construction. A remediation plan shall be reviewed and submitted for approval to Manatee County.
- B.(10) All proposed nature trails, boardwalks, and shade structures in wetlands, wetland buffers, or upland preservation areas shall be designed to minimize impacts to trees or areas of significant vegetation and in accordance with Section 719 of the Manatee County Land Development Code. No nature trails, boardwalks, or shade structures shall be constructed within preserved wetlands in the areas shown as Natural Resources of Regional Significance, as delineated on Map 3 (Attached as Exhibit B) in the TBRPC's Final Report of the Lakewood Centre DRI, adopted December 10, 2007.
- B.(11) The potential upland preservation areas (consisting of Pine Flatwoods, Pine Mesic Oak and Live Oak) shown on the GDP shall be reviewed with each Preliminary Site Plan or Final Site Plan

encompassing or adjacent to the areas. Upland Preservation Areas may be reconfigured, subject to Building and Development Services Director approval, with the Preliminary Site Plan provided that the overall acreage (23.8 acres), general location, and quality of preserved habitat remain consistent with those shown on the approved GDP. Limited impacts may be permitted for suitable recreational areas (passive parks, pocket parks, etc.). Recreation improvements shall be designed in a manner that minimizes impacts to mature trees, dense tree clusters or significant vegetation.

- B.(12) The Developer* shall provide 23.8 acres of upland preservation. Upland preservation areas, consistent with the potential Upland preservation areas identified on Map H (Attached as Exhibit A). The 23.8 acres of upland preservation shall not be inclusive of any required wetland or landscape buffers.
- B.(13) The Developer* shall submit for review and approval, a Habitat Management Plan for the upland preservation areas with the first Preliminary Site Plan. (completed)

Soils

- C.(1) Best Management Practices, including those identified in the ADA*, shall be employed during site preparation and construction to prevent soil erosion.

Air Quality

- D.(1) Best Management Practices*, including those identified in the ADA*, shall be employed during site preparation and construction to minimize air quality impacts.

Water Quality and Stormwater Management

- E.(1) The stormwater management system shall be designed to restore and maintain the natural hydroperiod of the receiving wetlands, and to meet or exceed the requirements for development within the Evers Reservoir Watershed Overlay. Upland habitat within 50 feet of the contiguous wetland system draining to the upper Braden River shall be preserved to enhance water quality.
- E.(2) Development practices shall incorporate Best Management Practices*, including those which prevent construction-related turbidity.

- E.(3) Because the project is partially within the Wolf Slough/Evers Reservoir basin, an integrated pest management program shall be implemented to minimize the use of fertilizers and pesticides, and the design and construction techniques listed below should be utilized:
- ensuring that ponds and swales are properly grassed; and
 - implementation of a site-specific surface and groundwater quality monitoring system, through the Environmental Monitoring Plan.
- E.(4) The Developer* shall encourage the use of water conserving landscapes and the responsible use of water by residents and occupants throughout the Project*.
- E.(5) Existing native vegetation shall be preserved to meet screening requirements, where feasible, unless otherwise approved by the Building and Development Services Department.
- E.(6) To prevent adverse effects to groundwater quality during construction, there shall be no excavation into or through the Floridan aquifer's confining layers.
- E.(7) Stormwater management ponds shall not be constructed within wetland buffers or other natural resources of regional significance.
- E.(8) The applicant shall implement resident education advocating surface water protection.
- E.(9) Low impact development techniques are encouraged to be used throughout the development, particularly in areas draining to the Evers Reservoir. These techniques shall include, but are not limited to, the following:
- Retention of the maximum amount of existing native vegetation;
 - Shallow vegetated swales in all areas, including parking;
 - Appropriate Florida-friendly plant selections;
 - Small, recessed garden areas throughout landscaped areas;
 - Porous pavement and other pervious pavement technologies; and
 - Stabilized grass areas for overflow parking.
- Specific requirements for implementation of these techniques shall be stipulated in the accompanying Zoning Ordinance.
- E.(10) Prior to construction of individual parcels or portions thereof, the applicant must provide a plan at the time of Preliminary or Final Site

Plan detailing the operation and maintenance of the stormwater management system. The plan shall, at a minimum, identify the responsible entity, establish a long-term funding mechanism and provide assurance through written commitments that the entity in charge of the program has the technical expertise necessary to carry out the operation and maintenance functions of the stormwater management system.

- E.(11) All habitable structures shall be constructed in accordance with Manatee County's flood protection requirements.
- E.(12) Compensation for the loss of 100-year flood storage capacity shall be provided.
- E.(13) Manatee County has reviewed and approved the groundwater quality monitoring plan submitted for the Lakewood Centre DRI. This approval is contingent upon the following requirements:
- The Developer* shall ensure the protection of monitoring wells and access to monitoring wells through build-out of the project. Should any of the monitoring wells be destroyed the responsible entity shall provide written notification of the incident and corrective action taken to Manatee County.
 - Should the land use change significantly or should the baseline monitoring reveal exceedences that would merit additional monitoring measures, Manatee County may require the monitoring plan to be modified accordingly.
 - If monitoring activities do not begin in a timely manner, Manatee County may require the monitoring plan to be modified accordingly.

Historical and Archaeological Sites

- F.(1) Any significant historical or archaeological resources discovered during project development shall be reported to the Florida Division of Historical Resources (FDHR) and the disposition of such resources shall be determined in cooperation with the FDHR and Manatee County.

Water

- G.(1) Water-saving devices shall be required in the project as mandated by the Florida Water Conservation Act (Section 553.14, F.S.).
- G.(2) The Developer* shall be required by Manatee County ordinances, to extend potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to

accommodate the Project*.

The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with 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-3.531, Florida Administrative Code.

- G.(3) The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited throughout the project, including on individual lots. Prior to Final Site Plan approval applicant shall specify source of irrigation on site plan.
- G.(4) The Developer* has committed to the following:
- utilization of a non-potable water system for all landscaped areas;
 - use of native vegetation or drought-resistant vegetation in landscaped areas and the single-family residential portion of development; and
 - the re-establishment of the tree canopy previously cleared for agricultural activities, where possible.
- G.(5) Water-saving plumbing fixtures must be used inside all buildings, including housing units.
- G.(6) Water-conserving irrigation systems shall be used throughout the development. Rainfall sensors shall be placed on all systems.
- (G.(7) Irrigation time clocks shall be reset after the establishment period for new landscaping has expired.
- G.(8) Florida-friendly landscaping principles shall be used throughout the development.
- G.(9) Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall not be irrigated.
- G.(10) Conservation education shall be provided for the residents and other users of the development.

Wastewater

- H.(1) The Developer* shall be required by Manatee County ordinances, to expand wastewater service to each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project.*
- H.(2) No septic tanks are permitted.

Solid Waste

- I.(1) Commercial and office tenants shall be provided with information at the time of purchase or lease which identifies hazardous or medical materials and proper procedures for the handling and disposal of such materials. In the event that businesses using or producing hazardous materials or medical waste locate within the project, these materials shall be handled in a manner consistent with applicable Federal, State and Local regulations.
- I.(2) The Developer* shall be required by Manatee County ordinances, to extend solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

Recreation and Open Space

- J.(1) Greenways, environmentally-sensitive features, open space, and recreation facilities shall be maintained by the Developer* or successors such as a Home Owners Association, CDD, other legal entity and/or as directed by the permitting agencies.
- J.(2) As committed, the Developer* shall provide 75-acres of parks within the Project. In conjunction with Manatee County, the Applicant may review the exact locations and configurations of such parks and these may be modified from those shown on Map H. An additional 23.5 acres of passive parks (within upland preservation areas and outside of wetland buffers) will be provided on the site, at locations to be determined by Manatee County through the development review process.

Health Care, Police, and Fire

- K.(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 approval 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 the schedule for payment of the Developer's pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Preliminary Site Plan, Final Site Plan, or Final Plat for Vertical Development* for Phase 1 or any subphase thereof. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project* and any pro-rata lump sum payment shall be creditable against the payment of impact fees at the rate in effect at the time payment was made (Developer shall satisfy this condition through the payment of impact fees in the normal course of business for all phases.)

- K.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, equipping, and staffing of emergency service facilities for police and fire services or any combination thereof. 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 allowed by the Land Development Code, if applicable. An agreement as to pro-rata share for each Phase, mutually acceptable to the County and the Developer shall be reached prior to the issuance of the first Final Site Plan or Final Plat for Vertical Development for each Phase. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project and any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. (Developer shall satisfy this condition through the payment of impact fees in the normal course of business for all phases.)

- K.(3) As agreed upon, the applicant shall use applicable Fire Wise principles such as clearing around houses and structures, carefully spacing trees, and maintaining irrigation systems. Such practices shall be described on the Landscape Plans of each Final Site Plan.

Hurricane Preparedness

- L.(1) The Developer* shall promote awareness of hurricane and flooding hazard, preparedness and hazard mitigation through public information, neighborhood association newsletters, model homes, commercial/office buildings, etc.

Affordable Housing

- M.(1) The Developer shall provide 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 M.(3) below, within the project, or within an adjacent project, in an amount equal to 10% of the total number of residential units (not to exceed 368 based upon the original 3,675 approved dwelling units) constructed in Lakewood Centre Phases 1, 2, and 3. 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.
- M.(2) Maximum home sales 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 sales price in effect at the time of the sale of a workforce housing unit shall apply.
- M.(3) 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 the rental unit is constructed and available for lease shall apply.
- M.(4) The Developer shall include in its Biennial Report data showing the number and sale prices of workforce housing units sold and the number and rental rate of qualifying rental units constructed during the reporting period. The Biennial Report shall also include the current Manatee County Maximum Income Limits Table and the Fair Market Rent Documentation System*. Only those units that have a sale price equal to or less than the maximum allowable home sales price, as provided in M.(2) or a rental rate equal to or less than the maximum rental rate as provided in M.(3), shall be counted toward the required mitigation.
- M.(5) With each Biennial Report, the overall ratio of workforce housing units provided to the number of residential units constructed in the Project shall be determined.
- M.(6) Should the required housing mitigation for Phase IV of the University Lakes DRI be constructed within Lakewood Centre, a separate calculation showing the overall ratio of workforce housing units provided within Lakewood Centre to the number of residential units constructed in Phase IV of University Lakes shall be included

in the Biennial Report. This calculation will be for informational purposes only; any required fees for units not provided will be calculated according to the terms and conditions of the University Lakes DRI Development Order

Energy

- N.(1) The Developer* shall incorporate energy conservation measures into the site design, building construction, and landscaping to the maximum extent feasible.
- N.(2) As committed, the Project* shall be certified as a "green development" by the Florida Green Building Coalition (FGBC) under its Green Development Standard. To ensure the continuance of green development, Lakewood Centre builders will be required to construct energy- and resource-efficient facilities and receive certification from the FGBC. The "Green Development" designation requires a combination of the following six categories: Protect Ecosystem and Conserve Natural Resources; Create a Green Circulation System; Green Utility Practices; Amenities; Covenants and Deed Restrictions; and Provide Educational Information to Help Achieve and Promote Green Living Practices.
- N.(3) The developer shall work with TECO/Peoples Gas to ensure that natural gas is available within the project, as committed.

General Conditions

- O.(1) Should development depart from the parameters set forth in the ADA*, the Project* except for changes pursuant to Section 4.F. will be subject to Substantial Deviation review pursuant to Section 380.06, F.S.
- O.(2) Physical development shall commence within two years of Development Order adoption, in order to have reasonable expectation of achieving Phase 1 buildout by March 22, 2022. For the purpose of the Development Order, this term means construction of infrastructure, roadways, or other vertical development*. (completed)
- O.(3) In the event the Bradenton/Sarasota Arena development or parcel is reacquired by the Developers of the Lakewood Centre DRI and meet the aggregation criteria defined in 380.0651(4), F.S., the Developer shall process the addition of this parcel (and corresponding entitlements) to the Lakewood Centre DRI through

the requisite process administered under Subsection 380.06(19), F.S.

- O.(4) All of the Developer's* commitments set forth in the ADA* and subsequent Sufficiency Responses shall be honored as Development Order Conditions, except as they may be superseded by specific terms of the Development Order. Such developer commitments have been summarized in Section 7 of this Development Order.
- O.(5) 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 even number years commencing March, 2010 until such time as all terms and conditions of this Development Order are satisfied. Ten (10) copies of this report shall be submitted to the Manatee County Building and Development Services Department, 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 Building and Development Services 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 change in the plan of development, or in the representation 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 land encompassed by the Development Order for the Project*;
 - 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 Development* 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(14)(d), 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.
- l. An updated map showing the locations and acreage of upland and wetland preservation; and
- m. Any other information required pursuant to general law.

SECTION 7. DEVELOPER* COMMITMENTS:

The following are developer commitments set forth in the Application for Development Approval* (ADA*) and Sufficiency Responses* (SR) which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order or the Local Development Agreements entered into between Manatee County and the Developer. These commitments pertain to the original 697.4+/- acre tract which were the subject of the ADA* and are not applicable to the Additional Lands (the 796.22 +/- acre tract). The Developer commitments set forth below relative to Floodplains are no longer valid due to the adoption of new flood maps by Manatee County.

GENERAL

1. Ground-level shops and eateries will be located below residential housing units to emphasize pedestrian activity along the street. (ADA/Page 10.2)
2. Agricultural uses will continue on portions of the property not immediately subject to development. (ADA/Page 10.7)

3. The County's Future Land Use Map will need to be revised to change the (285.3 acre) area of Urban Fringe-3 to the Residential/Office/Retail FLU to allow the proposed amount of development (ADA/Page 10.12). The amendment area is generally north and west of the Arena outparcel, located in Sections 8 and 17, of Township 35, Range 19 (ADA/Page 10.14).
4. No amendments to the Capital Improvements Element will be required in order for the Project to be developed as proposed. (ADA/Page 10.13)
5. The proposed Land Use Equivalency Matrix is limited to the Phase 1 entitlements for which Specific Approval is being requested. (SR3/Page 10.1)

VEGETATION AND WILDLIFE

1. Most of the isolated wetlands and wetlands associated with the headwaters and/or intermittent tributaries of the perennial stream systems (Wolf Creek, Williams Creek, unnamed drainage) found on this site will be maintained to preserve existing plant communities in the project after development, as well as provide visual amenities and wildlife habitat. (ADA/Page 12.5)
2. In order to provide sufficient protection for this species [bald eagle] a management plan for the protection of this nesting territory will be prepared in coordination with the FWS prior to any development within 1500 feet of the nest for this DRI. (ADA/Page 12.9) [Developer Clarification: the recently adopted federal management guideline is now 660 feet].
3. The land-use plan will include preservation of the significant wetland systems on site, including all of the wetlands where listed species were observed. (ADA/Page 12.12)
4. Compensatory mitigation for the proposed wetland impacts will be provided by "The Long Swamp Ecosystem Management Plan" which is an existing comprehensive wetland restoration and enhancement project, approved by the USCOE, the SWFWMD, and Manatee and Sarasota Counties to provide mitigation for wetland impacts within the boundaries of Schroeder Manatee Ranch. (ADA/Page 12.13)
5. All development planned for this DRI will be consistent with the approved current bald eagle management plan at the time of the Preliminary or Final Site Plan application. (SR1/Page 9.5)
6. The intensity of agricultural activity on the Lakewood Centre site will not

- be increased during development. (SR1/Page 10.2)
7. The specific configuration of the preservation areas will be determined upon further planning and will be subject to approval by the Building and Development Services Director. (SR1/Page 10.11)
 8. The applicant proposes to preserve additional native upland habitats (including pine flatwoods, pine-mesic oak, and live oak) north of Center Parkway and adjacent to the following wetlands: NW-W31, NW-W33B, NW-W33A, NW-W35, NW-W35B and NW-W37, as depicted on the supplemental map. The applicant will remove all nuisance/exotic vegetation from upland portions of on-site communities. (SR1/Page 12.4)
 9. Wildlife uses will be protected by limiting access to boardwalks or other appropriate areas (using marked trails, fenced areas, signage, etc.). (SR1/Page 26.1)
 10. The 8.9-acre potential preservation area shown on Map H, contains several different types of native upland habitat. The exact amount of each habitat preserved will not be known until the Final Site Planning process is completed. (SR2/Page 10.4)
 11. The developer offers the following stipulation to ensure protection of this species: "Preliminary and Final Site Plans within 1,500' of the bald eagle nest shall be designed in accordance with Habitat Management Guidelines for the Bald Eagle in the Southeast Region, as amended, or a Habitat Management Plan for Bald Eagles, approved by the U.S. Fish and Wildlife Service, shall be provided prior to Final Site Plan approval." (SR2/Page 12.7) [Developer Clarification: the recently adopted federal management guideline is now 660'].
 12. Per the January 10, 2007 meeting between Stephanie Rousso (FWC), Alissa Powers (EAC) and Mike Burton (EAC), it was agreed that potential habitat be surveyed again for Sherman's fox squirrel prior to construction. (SR2/Page 12.10)

WETLANDS

1. Except for necessary roadway crossings and relatively minor impacts to allow sufficient development for a Town Center, the on-site wetlands will be retained in their natural state or enhanced. (ADA/Page 10.18)
2. Additional studies of wetland hydrology will be conducted for the design of the site's stormwater management system prior to Final Site Plan submittals. (ADA/Page 13/1)
3. Hydroperiods of on-site wetlands will be maintained through contributions

from the proposed stormwater management system. Upland buffers of 30 feet around preserved isolated wetlands and 50 feet around wetlands contiguous with waters of the state within the Evers Reservoir Watershed Overlay District will be observed, protected and managed for wildlife habitat value in accordance with the Manatee County LDC. These buffers will remain in native vegetation where found and restored to native conditions where habitat has been degraded. (ADA/Page 13.2)

4. Wetland areas will be clearly identified in the field prior to initiating construction. Silt fence, or other appropriate erosion control device, will be placed at the limit of the wetland buffers to prohibit encroachment and sedimentation. (ADA/Page 13.6)
5. Stormwater lake littoral shelves within the project area will be planted with at least three species of desirable herbaceous emergent vegetation. Plant materials will be bare root sized and installed on three-foot centers. (ADA/Page 13.6)
6. The majority of these wetlands will remain undisturbed as important amenities to the site plan and will be incorporated into the surface water management plan and dedicated as Wetland Conservation Areas. (ADA/Page 15.2)
7. The wetlands will be enhanced by incorporating them into the stormwater management system. This will improve wetland hydroperiods to mimic pre-agricultural impact functions and values. Wetland impacts will be mitigated using credits from the Long Swamp Ecosystem Management Plan. (SR1/Page 10.21)
8. Conservation easement and wetland buffer signage will be installed at key locations to advise those utilizing the area or performing maintenance activities of appropriate restrictions. (SR1/Page 13.1)
9. The only wetland impacts are proposed in the high intensity commercial development (MU area) portion of the project. (SR1/Page 13.3)
10. The water quality and quantity functions of the wetlands will be replaced on site as part of the stormwater management system. (SR1/Page 13.9)
11. Wetlands and wetland buffers will be placed under a conservation easement to Manatee County. During construction, Best Management Practices, such as silt fencing, will protect the wetland and buffers from potential secondary impacts. Post-construction, the installation of conservation easement/wetland buffer signage will educate and inform residents of the protected nature of these areas. (SR1/Page 26.1)
12. The Lakewood Ranch Stewardship District will be responsible for the

management of all conservation lands after project buildout. (SR2/Page 13.2)

WATER QUALITY

1. Water quality monitoring will be continued in accordance with Manatee County's "Ambient Surface Water Monitoring for Developments" if additional monitoring is deemed necessary or if the applicant is requested to participate in a basin management study in order to meet the state's reasonable assurance criteria for a total maximum daily load allocations for impaired and potentially impaired water bodies. (ADA/Page 14.4)
2. Construction water quality monitoring for turbidity will be accomplished with the implementation of a sediment control program... The "Sediment Control Program" and documentation as well as the construction manager's daytime and emergency contact information shall be provided to the Manatee County. (ADA/Page 14.6)
3. The applicant intends to propose and perform baseline water quality monitoring for ambient groundwater conditions, in order to meet Development Order stipulations and in accordance with Manatee County's Ambient Groundwater Monitoring Plan requirements. A groundwater monitoring plan will be submitted to Manatee County for their approval prior to startup of site development activities. The groundwater monitoring program will continue throughout the site development activities to ensure that these activities do not pose any potential adverse effects to the surficial aquifer resources... (ADA/Page 14.5)
4. Soil borings will be performed at the time of design to verify the Seasonal High Water Level at the specific sites as well as any elevations of any confining layers. (SR2/Page 14.2)

SOILS

1. Flexible roadways and building foundations will also be utilized to offset swelling and shrinking of soils. (ADA/Page 15.3)
2. Lake bank stabilization will be achieved through the use of temporary seed and mulch until final stabilization can be achieved by means of sodding. Within the Littoral zones of the lakes, below normal water level, native aquatic plants will be utilized. (ADA/Page 15.3)
3. A conservation easement covering the wetlands and wetland buffers will be dedicated to Manatee County through the final subdivision plat process or by separate legal instrument. (SR1/Page 15.2)

FLOODPLAINS

1. There will be no floodplain impacts. (ADA/Page 10.21)
2. There is no area within the 100-year floodplain within the project's boundaries or the immediate vicinity. (SR1/Page 9.4)

WATER SUPPLY

1. The Project will use the lowest quality water available for irrigation purposes, including non-potable quality groundwater and stormwater. (ADA/Page 10.15)
2. Water wells will be proposed on-site, and the future needs will be determined through studies not yet completed. (ADA/Page 17.5)
3. The applicant will operate and maintain the non-potable water supply system via Braden River Utilities. (ADA/Page 17.5)
4. The development will encourage responsible use of water by the occupants. The developer will implement non-potable (irrigation) restrictions to limit the use of non-potable water to conserve water. The Developer will also encourage the use of native, drought tolerant landscape within the single-family residential portion of the project. (ADA/Page 17.6 & SR1/Page 10.20)
5. The applicant has taken several steps to minimize the use of water including the following (SR1/Page 10.14):
 - the utilization of a non-potable water system for all landscaped areas;
 - the use of native vegetation or drought-resistant vegetation in landscaped areas; and
 - the re-establishment of tree canopy that has been previously cleared for agricultural activities where possible.
6. The [proposed] water wells will be used exclusively for irrigation purposes. (SR1/Page 17.2)
7. In regards to commercial/office areas, rainfall shutoff valves will be implemented in order to regulate the irrigation times, durations and quantities. (SR2/Page 17.2)

WASTEWATER MANAGEMENT

1. The proposed development will be served by a proposed sanitary sewer system. It is anticipated that septic tanks will not be required. (ADA/Page 18.3)

STORMWATER MANAGEMENT

1. The post-development stormwater management system will be designed to avoid adverse impacts to property and environmentally sensitive areas, upstream and downstream of the site. Water quality and quantity standards will be achieved through the stormwater management system which will be designed in accordance with state and local criteria and will utilize ponds, lakes, littoral zones, wetlands, and control structures with skimmers to achieve the following (ADA/Page 19.5):
 - no de-hydration or flooding of existing wetland systems
 - post-developed flows will be attenuated so that no upstream or downstream adverse impacts are created
 - stormwater treatment to ensure water quality criteria is met in accordance with State and Manatee County standards.
2. The development area within the watershed overlay will be designed with the knowledge that it is located within the Evers Reservoir Watershed and will be submitted to the appropriate agencies for the proper review and approval process. (ADA/Page 19.5)
3. The stormwater management system will be owned and maintained by the applicant or assignee. Potentially, the ownership and maintenance could be assigned to the Lakewood Ranch Stewardship District. A regular maintenance program will be developed for the site. (ADA/Page 19.5)

TRANSPORTATION

1. Pope Road will be extended from its existing endpoint at the northern entrance to the Bradenton/Sarasota Arena site contemporaneously with the construction of the western portion of the Northwest Sector DRI. (SR1/Page 9.1)
2. No age-restricted units were assumed in the transportation analysis. (SR1/Page 10.9)
3. Transportation improvements to serve the Lakewood Centre project do not encourage or subsidize increased development in environmentally sensitive areas such as wetlands, floodways, or productive marine areas. (SR1/Page 10.22)
4. The Applicant will meet with MCAT (Manatee County Area Transit) [to discuss locations of transit stops] during the detailed planning stage of the project. (SR2/Page 9.2)

5. Manatee County will require external trip monitoring as a condition of approval of Phase 1. Further, any development beyond Phase 1 will require additional transportation analysis. This will provide an opportunity to confirm the assumptions used in the ADA analysis, or change them, as appropriate. (SR3/Page 9.2)

AIR QUALITY

1. In order to minimize the amount of fugitive dust, only the individual parcels of land where construction is schedule to proceed will be cleared. Additional measure to be employed to minimize fugitive dust include sodding, seeding, mulching, or planting of landscaped materials in cleared and disturbed areas. Watering procedures will be employed as necessary to minimize fugitive dust. (ADA/Page 22.1)

HURRICANE PREPAREDNESS

1. Although the project is not within the coastal high hazard area, the Developer will cooperate with local, regional, and state agencies to facilitate all-hazards emergency management, planning and coordination. (ADA/Page 10.14)

AFFORDABLE HOUSING

1. Please see Development Order Conditions M.(1) through M.(6) above.

RECREATION AND OPEN SPACE

1. The development will include passive and active recreation facilities including pedestrian and bicycle systems throughout the Project. (ADA/Page 10.13)
2. All open space and recreation facilities within the Project will be maintained by the Developer or successors such as a Homeowner's Association(s), a Community Development District or the Lakewood Ranch Stewardship District. (ADA/Page 26.2)
3. The Project will include a variety of recreational opportunities in the form of pocket parks, linear parks, and esplanades. (ADA/Page 26.2)
4. At least 4.6 acres [Developer Clarification: 4.3 acres] of parks will be developed on-site at the locations indicated on the revised Map H. An additional 6.6 acres [Developer Clarification: 8.9 acres] of passive parks (located in upland preservation areas outside of wetland buffers) will be provided on the site, at locations to be determined later. (SR1/Pages 10.16 & 10.20)

ENERGY

1. The developer will encourage the identified energy conservation methods [i.e. increased insulation, high efficiency mechanical devices, cross ventilation, solar heating and cooling, and low pressure sodium lamps for external lighting] be used by builders in the Lakewood Centre DRI. (SR1/Page 29.1)
2. The Lakewood Centre Project will be certified as a “green development” by the Florida Green Building Coalition (FGBC) under its Green Development Standard. To ensure the continuance of green development, Lakewood Centre builders will be required to construct energy- and resource-efficient facilities and receive certification from the FGBC. (SR1/Page 29.1)

The developer is working with TECO/Peoples Gas to ensure that natural gas is available within the project. (SR1/Page 29.1)

The “Green Development” designation requires a project to be “graded” on meeting a detailed list of requirements in six categories: Protect Ecosystem and Conserve Natural Resources; Create a Green Circulation System; Green Utility Practices; Amenities; Covenants and Deed Restrictions; and Provide Educational Information to Help Achieve and Promote Green Living Practices. Each category has certain criteria with points awarded for meeting those criteria. A minimum number of points are need to qualify as a “Green Development.” (SR2/Page 29.1)

SECTION 8. LEGAL DESCRIPTION:

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

A tract of land lying in Sections 7, 8, 9, 16, 17 and 18 Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Southeast corner of said Section 7, also being the Northeast corner of the above mentioned Section 18; thence N.88°45'31"W., along the north line of said Section 18 a distance of 21.43 feet to the POINT OF BEGINNING, said point being a point on the easterly right-of-way line of Lakewood Ranch Boulevard, a 120-foot wide Public Right-of-way; the following two (2) calls are along said easterly right-of-way line; (1) thence N.02°18'37"W., a distance of 346.71 feet to the point of curvature of a curve to the right having a radius of 3,940.00 feet and a central angle of 03°48'48"; (2) thence northerly

along the arc of said curve, an arc length of 262.23 feet to the point of compound curvature of a curve to the right having a radius of 50.00 feet and a central angle of $91^{\circ}37'13''$; thence northeasterly along the arc of said curve, an arc length of 79.95 feet to the point of tangency of said curve; thence $S.86^{\circ}52'35''E.$, a distance of 1,131.57 feet to the point of curvature of a curve to the left having a radius of 2,143.00 feet and a central angle of $44^{\circ}37'24''$; thence easterly along the arc of said curve, an arc length of 1,669.02 feet to the point of reverse curvature of a curve to the right having a radius of 2,023.00 feet and a central angle of $34^{\circ}25'49''$; thence northeasterly along the arc of said curve, a distance of 1,215.67 feet to the point of tangency of said curve; thence $N.82^{\circ}55'49''E.$, a distance of 734.17 feet to the point of curvature of a curve to the right having a radius of 50.00 feet and a central angle of $87^{\circ}53'04''$; thence southeasterly along the arc of said curve, an arc length of 76.69 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of $23^{\circ}41'47''$; thence southerly along the arc of said curve, a distance of 1,211.79 feet to the point of reverse curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of $11^{\circ}22'52''$; thence southeasterly along the arc of said curve, a distance of 556.19 feet to the point of tangency of said curve; thence $S.68^{\circ}29'59''W.$, a distance of 11.00 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.68^{\circ}29'59''W.$, a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of $03^{\circ}46'14''$, an arc length of 183.54 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.25^{\circ}49'28''W.$, a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of $46^{\circ}58'18''$, an arc length of 28.69 feet to the point of compound curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of $07^{\circ}40'51''$; thence southerly along the arc of said curve, an arc length of 375.36 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of $01^{\circ}04'12''$; thence southerly along the arc of said curve, a distance of 54.72 feet to the end of said curve; thence $S.01^{\circ}18'11''W.$, along a line non-tangent to the last described curve, a distance of 51.28 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.78^{\circ}25'45''E.$, a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of $05^{\circ}37'54''$, an arc length of 289.07 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.25^{\circ}50'30''W.$, a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of $46^{\circ}27'42''$, an arc length of 28.38 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of $06^{\circ}44'40''$; thence southerly along the arc of said curve, a distance of 344.90 feet to the end of said curve; thence $S.12^{\circ}34'36''E.$, along a line non-tangent to the last described curve, a distance of 51.41 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.64^{\circ}34'42''E.$, a radial distance of 2,941.00 feet; thence southeasterly along the arc of said curve, through a central angle of $01^{\circ}33'58''$, an arc length of 80.39 feet to the point of tangency of said curve; thence $S.26^{\circ}59'15''E.$, a distance of 113.45 feet; thence $S.63^{\circ}00'45''W.$, a distance of 90.22 feet to the point of curvature of a curve to the

right having a radius of 1943.00 feet and a central angle of $18^{\circ}07'32''$; thence along the arc in a southwesterly direction, a distance of 614.67 feet to the end of said curve; thence $S.09^{\circ}31'35''E.$, along a line non-tangent to the last described curve, a distance of 78.62 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.10^{\circ}12'41''W.$, a radial distance of 2007.00 feet; thence along the arc in a northeasterly direction, passing through a central angle of $11^{\circ}39'48''$, an arc length of 408.55 feet to the end of said curve; thence $N.79^{\circ}51'15''E.$, along a line non-tangent to the last described curve, a distance of 51.06 feet to the point of curvature of a curve to the left, of which the radius point lies $N.23^{\circ}17'40''W.$, a radial distance of 3,012.26 feet; thence along the arc in a northeasterly direction, passing through a central angle of $04^{\circ}10'01''$, an arc length of 219.07 feet to the end of said curve; thence $S.31^{\circ}07'37''E.$, along a line non-tangent to the last described curve, a distance of 152.40 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.26^{\circ}59'16''E.$, a radial distance of 50.00 feet; thence easterly along the arc of said curve, through a central angle of $90^{\circ}00'00''$, an arc length of 78.54 feet to the point of tangency of said curve; thence $S.26^{\circ}59'15''E.$, a distance of 769.47 feet to the point of curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of $27^{\circ}15'57''$; thence southerly along the arc of said curve, an arc length of 1,332.47 feet to the point of tangency of said curve; thence $S.00^{\circ}16'42''W.$, a distance of 641.12 feet; thence $N.89^{\circ}43'18''W.$, a distance of 670.00 feet; thence $S.00^{\circ}16'42''W.$, a distance of 990.00 feet to the north right-of-way line of State Road 70, a 200-foot wide Public Right-of-way; the following two (2) calls are along said northerly right-of-way line; (1) thence $N.89^{\circ}43'18''W.$, a distance of 527.20 feet; (2) thence $N.88^{\circ}46'44''W.$, a distance of 3,950.87 feet to the east right-of-way line of said Lakewood Ranch Boulevard; thence $N.01^{\circ}13'16''E.$, along said east right-of-way line, a distance of 100.01 feet; thence $S.88^{\circ}46'44''E.$, a distance of 210.34 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of $108^{\circ}00'50''$; thence northeasterly along the arc of said curve, an arc length of 94.26 feet to the point of tangency of said curve; thence $N.16^{\circ}47'34''W.$, a distance of 69.44 feet to the point of curvature of a curve to the right having a radius of 300.00 feet and a central angle of $18^{\circ}19'57''$; thence northerly along the arc of said curve, an arc length of 95.99 feet to the point of tangency of said curve; thence $N.01^{\circ}32'24''E.$, a distance of 131.00 feet to the point of curvature of a curve to the left having a radius of 30.00 feet and a central angle of $89^{\circ}19'08''$; thence northwesterly along the arc of said curve, an arc length of 46.77 feet to the point of tangency of said curve; thence $N.87^{\circ}46'44''W.$, a distance of 193.00 feet to the east right-of-way line of said Lakewood Ranch Boulevard; the following three (3) calls are along said east right-of-way line; (1) thence $N.01^{\circ}13'16''E.$, a distance of 71.50 feet to the point of curvature of a curve to the left having a radius of 1,810.00 feet and a central angle of $47^{\circ}18'07''$; (2) thence northerly along the arc of said curve, an arc length of 1,494.29 feet to the point of tangency of said curve; (3) thence $N.46^{\circ}04'51''W.$, a distance of 88.50 feet; thence $N.43^{\circ}55'10''E.$, a distance of 93.66 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of $124^{\circ}16'00''$; thence northerly along the arc of said curve, an arc length of 43.38 feet to the point of reverse curvature of a curve to

the right having a radius of 71.00 feet and a central angle of 44°08'56"; thence northwesterly along the arc of said curve, a distance of 54.71 feet to the point of tangency of said curve; thence N.36°11'54"W., a distance of 225.82 feet; thence N.48°58'07"W., a distance of 84.68 feet; thence N.69°43'32"W., a distance of 99.20 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 54°19'36"; thence westerly along the arc of said curve, an arc length of 18.96 feet to the point of tangency of said curve; thence S.55°56'52"W., a distance of 32.09 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.55°56'52"E., a radial distance of 2,190.00 feet, said point also being a point on the east right-of-way line of said Lakewood Ranch Boulevard; the following two (2) calls are along said east right-of-way line; (1) thence northerly along the arc of said curve, through a central angle of 31°44'31", an arc length of 1,213.27 feet to the point of tangency of said curve; (2) thence N.02°18'37"W., a distance of 1,728.76 feet to the POINT OF BEGINNING.

Said tract contains 33,590,466 square feet or 771.1310 acres, more or less.

LESS:

Pond Number 3, described in Official Record Book 1540, Page 7918 of the Public Records of Manatee County, Florida;

LESS:

Parcel 100A, described in Official Record Book 1915, Page 5768 of the Public Records of Manatee County, Florida;

LESS:

Premises described in Warranty Deed to DVA Arena, LLC, recorded in Official Record Book 1943, Page 4075 of the Public Records of Manatee County, Florida;

LESS: Ingress-Egress Easement No. 1

A Tract of land lying in Section 9, 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Section 17; thence S.89°34'35"E along the North line of said Section 17 a distance of 3985.93 feet; thence S.00°25'25"W a distance of 487.63 feet to the POINT OF BEGINNING; said point being the point of curvature of a curve to the right, of which the radius point lies S.69°39'59"E., a radial distance of 325.00 feet; thence northeasterly along the arc of said curve, through a central angle of 33°08'49", an arc length of 188.02 feet to the point of tangency of said curve; thence N.53°28'49"E., a distance of 370.60 feet to the point of curvature of a curve to the right having a radius of

325.00 feet and a central angle of $30^{\circ}41'48''$; thence easterly along the arc of said curve, an arc length of 174.12 feet to the point of tangency of said curve; thence $N.84^{\circ}10'37''E.$, a distance of 374.39 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of $24^{\circ}43'08''$; thence easterly along the arc of said curve, an arc length of 140.21 feet to the point of reverse curvature of a curve to the left having a radius of 275.00 feet and a central angle of $37^{\circ}11'49''$; thence easterly along the arc of said curve, a distance of 178.53 feet to the point of compound curvature of a curve to the left having a radius of 35.00 feet and a central angle of $91^{\circ}38'36''$; thence northeasterly along the arc of said curve, an arc length of 55.98 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.70^{\circ}03'20''W.$, a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of $02^{\circ}12'54''$, an arc length of 107.82 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $S.25^{\circ}49'28''W.$, a radial distance of 35.00 feet; thence westerly along the arc of said curve, through a central angle of $44^{\circ}31'14''$, an arc length of 27.20 feet to the point of tangency of said curve; thence $S.71^{\circ}18'14''W.$, a distance of 9.06 feet to the point of curvature of a curve to the right having a radius of 337.00 feet and a central angle of $37^{\circ}35'30''$; thence westerly along the arc of said curve, an arc length of 221.11 feet to the point of reverse curvature of a curve to the left having a radius of 263.00 feet and a central angle of $01^{\circ}53'10''$; thence westerly along the arc of said curve, a distance of 8.66 feet to the point of tangency of said curve; thence $N.72^{\circ}59'26''W.$, a distance of 56.37 feet to the point of curvature of a curve to the left having a radius of 137.00 feet and a central angle of $22^{\circ}49'57''$; thence westerly along the arc of said curve, an arc length of 54.60 feet to the point of tangency of said curve; thence $S.84^{\circ}10'37''W.$, a distance of 371.34 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of $30^{\circ}41'48''$; thence westerly along the arc of said curve, an arc length of 147.33 feet to the point of tangency of said curve; thence $S.53^{\circ}28'49''W.$, a distance of 370.60 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of $34^{\circ}54'45''$; thence southwesterly along the arc of said curve, an arc length of 167.57 feet to the end of said curve; thence $N.60^{\circ}04'23''W.$, a distance of 50.84 feet to the POINT OF BEGINNING.

Said tract contains 76,341 square feet or 1.7526 acres, more or less.

LESS: Ingress-Egress Easement No. 2

A Tract of land lying in Sections 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Sections 16 and 17; thence $S.89^{\circ}34'35''E$ along the North line of said Section 17 a distance of 4291.01 feet; thence $S.00^{\circ}25'25''W$ a distance of 654.77 feet to the POINT OF BEGINNING; thence $S.60^{\circ}04'23''E.$, a distance of 25.14 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.46^{\circ}57'50''E.$, a radial

distance of 325.00 feet; thence easterly along the arc of said curve, through a central angle of 113°10'48", an arc length of 641.99 feet to the point of reverse curvature of a curve to the left having a radius of 255.00 feet and a central angle of 85°25'10"; thence southeasterly along the arc of said curve, a distance of 380.17 feet to the point of tangency of said curve; thence N.70°47'48"E., a distance of 283.99 feet to the point of curvature of a curve to the left having a radius of 35.00 feet and a central angle of 85°57'17"; thence northeasterly along the arc of said curve, an arc length of 52.51 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.74°50'32"E., a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of 02°02'41", an arc length of 104.95 feet to the end of said curve; thence N.72°51'02"W., along a line non-tangent to the last described curve, a distance of 10.58 feet; thence S.70°47'48"W., a distance of 226.06 feet to the point of curvature of a curve to the right having a radius of 167.00 feet and a central angle of 08°40'50"; thence westerly along the arc of said curve, an arc length of 25.30 feet to the point of tangency of said curve; thence S.79°28'38"W., a distance of 62.92 feet to the point of curvature of a curve to the left having a radius of 133.00 feet and a central angle of 04°57'32"; thence westerly along the arc of said curve, an arc length of 11.51 feet to the point of reverse curvature of a curve to the right having a radius of 309.00 feet and a central angle of 81°41'53"; thence northwesterly along the arc of said curve, a distance of 440.60 feet to the point of reverse curvature of a curve to the left having a radius of 271.00 feet and a central angle of 49°45'11"; thence northwesterly along the arc of said curve, a distance of 235.32 feet to the point of tangency of said curve; thence N.78°27'38"W., a distance of 46.52 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.06°36'57"W., a radial distance of 271.00 feet; thence westerly along the arc of said curve, through a central angle of 21°41'20", an arc length of 102.59 feet to the end of said curve; thence S.66°23'37"W., along a line non-tangent to the last described curve, a distance of 80.42 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.32°08'23"E., a radial distance of 271.00 feet; thence southwestwesterly along the arc of said curve, through a central angle of 10°26'33", an arc length of 49.39 feet to the end of said curve; thence S.39°34'23"E., along a line non-tangent to the last described curve, a distance of 35.74 feet; thence N.60°04'23"W., a distance of 116.67 feet; thence N.29°55'37"E., a distance of 4.78 feet to the POINT OF BEGINNING.

Said tract contains 75,680 square feet or 1.7374 acres, more or less.

<u>Total Described Area</u>	= 771.1310 Acres +/-
Less: Ponds No. 3	= 5.15 Acres +/-
Less: Parcel 100A	= 4.512 Acres +/-
Less DVA Arena, LLC	= 60.5327 Acres +/-
Less: Ingress-Egress Easement No. 1	= 1.7526 Acres +/-
<u>Less Ingress-Egress Easement No. 2</u>	<u>= 1.7374 Acres +/-</u>
Net Area	= 697.4463 Acres +/-

Together with:

TRACT "A" - DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Sections 4, 5, 6, 7 and 8, Township 35 South, Range 19 East, as well as Section 32 and 33, Township 34 South, Range 19 East, Manatee County, Florida and being more particularly described as follows:

Commence at the southeast corner of the above mentioned Section 5; thence N.00°14'47"E., along the east line of the southeast 1/4 of the southeast 1/4 of said Section 5, a distance of 1,327.41 feet to the northeast corner of said southeast 1/4 of the southeast 1/4 of Section 5 for the POINT OF BEGINNING; thence S.89°06'39"E., a distance of 12.50 feet; thence S.00°14'47"W., a distance of 601.57 feet; thence S.89°44'59"E., a distance of 12.50 feet; thence S.00°14'47"W., a distance of 664.02 feet; thence N.88°45'43"W., a distance of 175.03 feet to the point of curvature of a non-tangent curve to the right, having a radius of 50.00 feet and a central angle of 90°37'36"; thence southwesterly along the arc of said curve, a distance of 79.09 feet, said curve having a chord bearing and distance of S.45°33'33"W., 71.10 feet to the point of tangency of said curve, said point being a point on the northerly right-of-way line of 44th Avenue East, recorded in Official Record Book 2254, Page 4605 of the Public Records of Manatee County, Florida; thence N.89°07'21"W., along said northerly right-of-way line, a distance of 134.84 feet to the point of curvature of a curve to the left, having a radius of 2,952.50 feet and a central angle of 04°44'43"; thence continue along said northerly right-of-way line, westerly along the arc of said curve, a distance of 244.53 feet, said curve having a chord bearing and distance of S.88°30'17"W., 244.46 feet to the southeast corner of the Lift Station Site, recorded in Official Record Book 2254, Page 4605 of said Public Records; the following three (3) calls are along the boundary of said Lift Station Site; (1) thence N.06°30'49"W., a distance of 216.21 feet; (2) thence S.83°29'26"W., a distance of 267.67 feet; (3) thence S.06°30'49"E., a distance of 216.01 feet to a point on the aforementioned northerly right-of-way line of 44th Avenue East, said point be the point on a curvature of a non-tangent curve to the left, having a radius of 2952.50 feet and a central angle of 01°33'18"; thence southwesterly along the arc of said curve and the northerly right-of-way line of 44th Avenue East, a distance of 80.13 feet, said curve having a chord bearing and distance of S.80°09'31"W, 80.12 feet to the southeast corner of premises described in Official Record Book 2120, Page 5551 of said Public Records; the following eight (8) calls are along the boundary of said premises described in Official Record Book 2120, Page 5551; (1) thence N.06°30'49"W., a distance of 359.22 feet; (2) thence N.73°58'08"E., a distance of 50.00 feet; (3) thence N.18°19'08"W., a distance of 349.30 feet; (4) thence N.00°15'03"E., a distance of 600.00 feet; (5) thence N.89°44'57"W., a distance of 1,003.64 feet; (6) thence S.69°26'29"W., a distance of 748.93 feet to the point of curvature of a non-tangent curve to the left, having a radius of 2,345.00 feet and a central angle of 05°26'29"; (7) thence southerly along the arc of said curve, a distance of 222.71 feet, said curve having a chord bearing and distance of S.21°06'59"E., 222.63 feet, to the point of

tangency of said curve; (8) thence S.23°50'14"E., a distance of 1,355.79 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of 89°28'58", said point being a point on the northerly line of premises described in Official Record Book 2242, Page 3289 of said Public Records; thence easterly along the arc of said curve and along said northerly line, a distance of 78.09 feet to the northerly line of 44th Avenue East as described in Official Record Book 2254, Page 4605 of said Public Records, said point being a point of curvature of a non-tangent curve to the right, having a radius of 2,779.00 feet and a central angle of 04°09'56"; the following eight (8) calls are along said northerly line of 44th Avenue East; (1) thence westerly along the arc of said curve, a distance of 202.04 feet, said curve having a chord bearing and distance of S.68°45'46"W., 202.00 feet, to the point of curvature of a non-tangent curve to the right, having a radius of 50.00 feet and a central angle of 39°03'55"; (2) thence southwesterly along the arc of said curve, a distance of 34.09 feet, said curve having a chord bearing and distance of S.51°57'45"W., 33.43 feet, to the point of compound curvature of a curve to the right having a radius of 2,790.00 feet and a central angle of 31°01'58"; (3) thence westerly along the arc of said curve, a distance of 1,511.14 feet to the point of reverse curvature of a curve to the left having a radius of 2,940.00 feet and a central angle of 13°12'59"; (4) thence westerly along the arc of said curve, a distance of 678.17 feet to the end of said curve; (5) thence N.00°41'18"W., along a line radial with the previously described curve, a distance of 12.50 feet to the point of curvature of a non-tangent curve to the left, having a radius of 2,952.50 feet and a central angle of 14°53'05"; (6) thence westerly along the arc of said curve, a distance of 767.02 feet, said curve having a chord bearing and distance of S.81°52'10"W., 764.87 feet, to the point of tangency of said curve; (7) thence S.74°25'37"W., a distance of 92.58 feet to the point of curvature of a non-tangent curve to the right, having a radius of 50.00 feet and a central angle of 82°23'45"; (8) thence northwesterly along the arc of said curve, a distance of 71.90 feet, said curve having a chord bearing and distance of N.64°22'30"W., 65.86 feet, to a point on the easterly right-of-way line of Lakewood Ranch Boulevard, as recorded in Official Record Book 1429, Page 3703, of said Public Records, said point being the point of compound curvature of a curve to the right having a radius of 1,440.00 feet and a central angle of 40°25'52"; the following three (3) calls are along said easterly right-of-way line of Lakewood Ranch Boulevard; (1) thence northerly along the arc of said curve, a distance of 1,016.14 feet to the point of tangency of said curve; (2) thence N.17°15'14"E., a distance of 1,423.28 feet to the point of curvature of a curve to the left, having a radius of 2,060.00 feet and a central angle of 11°47'45"; (3) thence northerly along the arc of said curve, a distance of 424.10 feet to the end of said curve, said point being a point on the southerly line of Lakewood Ranch Commerce Park, as described in Manatee County Ordinance PDMU-06-80(G)(R); the following twelve (12) calls are along the southerly and easterly lines of said Lakewood Ranch Commerce Park; (1) thence N.61°02'42"E., along a line non-tangent with the previously described curve, a distance of 2,088.67 feet; (2) thence N.14°17'16"W., a distance of 840.19 feet; (3) thence N.20°19'58"W., a distance of 1,184.94 feet; (4) thence N.16°21'47"W., a distance of 320.17 feet to a point on the north line of

said Section 5; (5) thence continue N.16°21'47"W., a distance of 679.83 feet; (6) thence N.28°41'33"W., a distance of 600.00 feet; (7) thence N.10°04'31"W., a distance of 274.45 feet; (8) thence N.20°42'52"W., a distance of 1,101.03 feet; (9) thence N.27°29'58"E., a distance of 330.00 feet; (10) thence N.00°36'37"E., a distance of 272.82 feet; (11) thence N.70°02'17"E., a distance of 77.35 feet; (12) thence S.89°23'24"E., a distance of 247.79 feet to a point on the westerly line of premises described in Official Record Book 2101, Page 1228 of said Public Records; the following eight (8) calls are along the westerly, southerly and easterly lines of said premises described in Official Record Book 2101, Page 1228; (1) thence S.01°15'44"E., a distance of 204.78 feet; (2) thence S.57°24'16"E., a distance of 266.11 feet; (3) thence S.22°14'47"E., a distance of 91.66 feet; (4) thence S.00°00'00"E., a distance of 54.55 feet; (5) thence S.89°10'48"E., a distance of 120.89 feet; (6) thence N.00°42'03"E., a distance of 484.97 feet; (7) thence N.89°23'27"W., a distance of 330.29 feet; (8) thence N.01°15'44"W., a distance of 218.18 feet to a point on the southerly right-of-way line of State Road 64; the following two (2) calls are along the southerly right-of-way line of said State Road 64; (1) thence S.87°45'55"E., a distance of 399.62 feet to the point of curvature of a non-tangent curve to the right, having a radius of 5,679.61 feet and a central angle of 06°28'34"; (2) thence easterly along the arc of said curve, a distance of 641.96 feet, said curve having a chord bearing and distance of S.84°31'39"E., 641.62 feet, to the easterly most corner of Parcel 102, as described in Official Record Book 2101, Page 1228 of said Public Records; the following five (5) calls are along the southerly line of said Parcel 102; (1) thence S.08°42'38"W., along a line non-tangent with the previously described curve, a distance of 21.02 feet; (2) thence S.78°52'20"E., a distance of 14.99 feet; (3) thence S.33°22'39"E., a distance of 40.84 feet; (4) thence S.78°22'39"E., a distance of 811.85 feet to the point of curvature of a curve to the left having a radius of 5,114.77 feet and a central angle of 05°23'26"; (5) thence easterly along the arc of said curve, a distance of 481.22 feet to the northwest corner of Eagle Trace, Phase 1, record in Plat Book 56, Page 61 of said Public Records; the following seven (7) calls are along the westerly line of said plat; (1) thence S.00°39'08"W., along a line non-tangent with the previously described curve, a distance of 633.70 feet; (2) thence N.89°34'13"W., a distance of 756.96 feet; (3) thence S.00°41'24"W., a distance of 466.91 feet; (4) thence N.89°35'35"W., a distance of 176.03 feet; (5) thence S.00°39'20"W., a distance of 299.62 feet; (6) thence S.89°36'13"E., a distance of 1,033.72 feet; (7) thence S.00°46'58"W., a distance of 819.55 feet to a point on the south line of premises described in Official Record Book 1407, Page 3313 of said Public Records; thence S.89°27'53"E., along said southerly line, a distance of 1,267.02 feet; thence S.00°58'06"W., a distance of 12.70 feet; thence S.89°27'53"E., a distance of 1,397.64 feet to a point on the east line of west 1/2 of southwest 1/4 of the above mentioned Section 33; thence S.00°30'22"W., along said east line, a distance of 711.39 feet to a point on the south line of said Section 33; thence N.89°09'43"W., along said south line, a distance of 916.33 feet to the northeast corner of said Section 5; thence S.00°15'47"W., along the east line of the northeast 1/4 of said Section 5, a distance of 2,604.52 feet to a point on the westerly extension of the southerly line of premises described in Official Record

Book 2504, Page 3613 of said Public Records; thence N.89°44'25"W., along said westerly extension, a distance of 257.36 feet to the easterly right-of-way line of White Eagle Boulevard (proposed 150-foot wide), said point being a point on a curve to the left, having a radius of 2,790.00 feet and a central angle of 01°13'29"; the following three (3) calls are along said easterly right-of-way line (1) thence southerly along the arc of said curve, a distance of 59.64 feet, said curve having a chord bearing and distance of S.22°45'44"E. 59.64 feet to the point of reverse curvature of a curve to the right having a radius of 2,940.00 feet and a central angle of 23°37'14"; (2) thence southerly along the arc of said curve, a distance of 1,212.05 feet, said curve having a chord bearing and distance of S.11°33'51"E. 1,203.48 feet to the point of tangency of said curve; (3) thence S.00°14'47"W. a distance of 148.24 feet to the POINT OF BEGINNING.

Said tract containing 31,348,868 square feet or 719.6710 acres, more or less.

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

A tract of land lying in Section 33, Township 34 South, Range 19 East, Manatee County, Florida and being more particularly described as follows:

Commence at the southeast corner of Section 5, Township 35 South, Range 19 East in Manatee County, Florida; thence N.00°14'47"E., along the east line of the southeast 1/4 of said Section 5, a distance of 2,643.82 feet to the northeast corner of said southeast 1/4 of said Section 5; thence N.00°15'47"E., along the east line of the northeast 1/4 of said Section 5, a distance of 2657.92 feet to the northeast corner of said Section 5, said point also being a point on the southerly line of Section 33, Township 34 South, Range 19 East; thence S.89°09'43"E., along said south line of the above mentioned Section 33, a distance of 916.33 feet to the southeast corner of the southwest 1/4 of the southwest 1/4 of said Section 33; thence N.00°30'22"E., along the east line of the west 1/2 of the southwest 1/4 of said Section 33, a distance of 1,610.44 feet to a point on the northerly right-of-way line of White Eagle Boulevard (Proposed 150-foot Wide), for the POINT OF BEGINNING, said point being a point on a curve to the left, having a radius of 1030.00 feet and a central angle of 01°13'13"; thence southwesterly along the arc of said curve and the northerly right-of-way line of White Eagle Boulevard, a distance of 21.94 feet, said curve having a chord bearing and distance of S.65°35'06"W., 21.94 feet to the westerly maintained right-of-way line of Pope Road, recorded in Road Plat Book 8, Page 138, of the Public Records of Manatee County, Florida; the following two (2) calls are along said westerly line; (1) thence N.00°47'19"E., a distance of 498.89 feet; (2) thence N.00°33'54"E., a distance of 222.05 feet to the north line of a Boundary Line Agreement, recorded in Official Record Book 1407, Page 3304 of said Public Records; thence N.89°19'56"W., along said north line, a distance of 1,305.18 feet to the west line of said Boundary Line Agreement; thence N.00°42'36"E., along said west line, a distance of 595.51 feet to the south right-of-way line of State Road 64 (variable width public right-of-way); the following two (2) calls are along said south right-of-way line; (1) thence S.89°38'16"E., a distance of 1,764.54 feet to the point of curvature of a curve to the right having a radius of 2,706.79 feet and a central angle of 32°23'53"; (2) thence easterly along the arc of said curve, a distance of 1,530.56 feet to the end of said curve; thence S.35°39'02"W., along a line non-tangent with the previously described curve, a distance of 214.97 feet; thence S.54°03'45"E., a distance of 300.00 feet; thence N.35°39'02"E., a distance of 199.94 feet to the point of curvature of a non-tangent curve to the right, having a radius of 2,691.79 feet and a central angle of 09°46'00" also, being a point on said south right-of-way line of State Road 64; the following three (3) calls are along said south right-of-way line; (1) thence southeasterly along the arc of said curve, a distance of 458.84 feet, said curve having a chord bearing and distance of S.45°59'00"E., 458.29 feet, to the end of said curve; (2) thence N.48°54'00"E., along a line non-tangent with the previously described curve, a distance of 15.00 feet to the point of curvature of a non-tangent curve to the right having a radius of 2706.79 feet and a central angle of 00°35'58"; (3) thence

easterly along the arc of said curve a distance of 28.32 feet, said curve having a chord bearing and distance of S.40°48'01"E., 28.32 feet to a point on the south right-of-way line of White Eagle Boulevard (proposed variable width); the following five (5) calls are along said south right-of-way line of White Eagle Boulevard; (1) thence S.49°29'58"W., a distance of 16.48 feet to the point of curvature of a non-tangent curve to the left, having a radius of 50.00 feet and a central angle of 89°16'21"; (2) thence westerly along the arc of said curve, a distance of 77.91 feet, said curve having a chord bearing and distance of N.85°08'23"W., 70.26 feet, to the point of tangency of said curve; (3) thence S.50°13'27"W., a distance of 360.28 feet to the point of curvature of a non-tangent curve to the right, having a radius of 962.52 feet and a central angle of 10°53'12"; 4) thence southwesterly along the arc of said curve, a distance of 182.89 feet, said curve having a chord bearing and distance of S.57°31'41"W., 182.61 feet to the point of curvature of a non-tangent curve to the right, having a radius of 1042.00 feet and a central angle of 11°12'32"; 5) thence southwesterly along the arc of said curve, a distance of 203.85 feet, said curve having a chord bearing and distance of S.67°56'46"W., 203.53 feet to the easterly line of Serenity Creek, recorded in Official Record Book 2434, Page 7332 of said Public Records; thence N.16°24'22"W., along said easterly line, a distance of 21.85 feet to the northerly line of said Serenity Creek, said point being the point of curvature of a non-tangent curve to the right, having a radius of 1,020.00 feet and a central angle of 17°10'41"; the following two (2) calls are along said northerly line; (1) thence westerly along the arc of said curve, a distance of 305.81 feet, said curve having a chord bearing and distance of S.82°10'59"W., 304.67 feet, to the point of tangency of said curve; (2) thence N.89°13'40"W., a distance of 863.00 feet to the easterly line of a Warranty Deed to Manatee County, recorded in Official Record Book 2485, Page 7322 of said Public Records; thence N.00°09'50"E., along said easterly line, a distance of 130.01 feet to the northerly line of said Warranty Deed to Manatee County; the following two (2) calls are along said northerly line; (1) thence N.89°13'40"W., a distance of 194.98 feet to the point of curvature of a curve to the left, having a radius of 1,020.00 feet and a central angle of 26°16'21"; (2) thence westerly along the arc of said curve, a distance of 414.30 feet, said curve having a chord bearing and distance of S.79°08'10"W., 411.46 feet, to the end of said curve; thence N.00°41'14"E., along the northerly extension of the westerly line of said Warranty Deed, a distance of 11.75 feet to a point on the above mentioned north right-of-way line of White Eagle Boulevard (Proposed 150-foot Wide), said point being a point of curvature of a non-tangent curve to the left, having a radius of 1030.00 feet and a central angle of 01°32'05"; thence southwesterly along the arc of said curve and said northerly right-of-way line, a distance of 27.59 feet, said curve having a chord bearing and distance of S.66°57'45"W., 27.59 feet to the POINT OF BEGINNING.

Said tract containing 3,330,566 square feet or 76.4593 acres, more or less.

TOTAL ACREAGE: 1493.61 +/- ACRES

SECTION 9. DEADLINE FOR COMMENCEMENT OF DEVELOPMENT:

Physical development of the Project* shall commence within two years of the effective date of this Ordinance, as amended, unless the time period for commencement is extended by the Board of County Commissioners. If more than two years elapse between the effective date of this Order and commencement of actual development, or if construction of a phase is not begun or completed by the timeframe contained in Section 4 above, or if any three 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 timeframe 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 10. RESTRICTIONS ON DOWN-ZONING:

Prior to the buildout date of this Development Order, the County shall not down-zone or reduce the intensity or unit density permitted by this Development Order, unless the County can demonstrate that:

- A. Substantial changes in the condition 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 in intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for change 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 of the Project*, but is included herein to comply with paragraph 380.06(15)(c)3, Florida Statutes.

SECTION 11. ORDER BINDING UPON DEVELOPER*:

This 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 days of the date of signature by the Chairman of the Board of County Commissioners to the Developer* and the Florida Department of Economic Opportunity.

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 Building and Development Services Department with 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, but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 15. EFFECTIVE DATE:

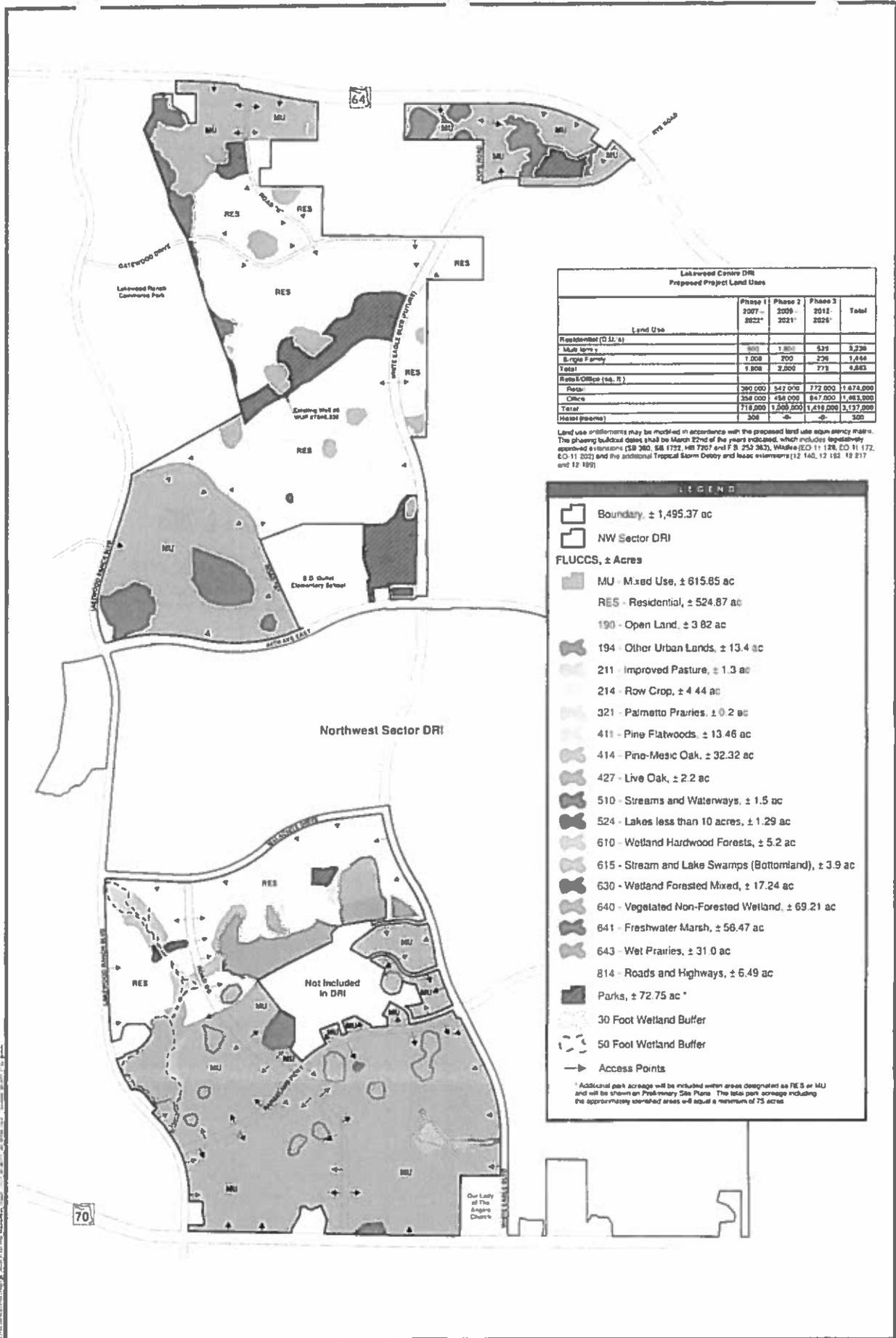
This Ordinance, Ordinance 14-30, shall become effective upon the later of (1) the filing of a certified copy of the executed Ordinance with the Department of State and (2) the effective date of the associated Comprehensive Plan Amendment No. PA-14-27; and provided, however, that the filing of a Notice of Appeal pursuant to Section 380.07, Florida Statutes, shall suspend development authorization granted for this Development Order until the resolution of the appeal.

Attachments to Ordinance 14-30

TO BE DETERMINED

Exhibit A – Map H

Exhibit B – Natural Resources of Regional Significance, as delineated on Map 3 is not attached but on file with the Clerk of the Circuit Courts with Ordinance 13-28 approved on October 3, 2013.



Lakewood Centre DRI
Proposed Project Land Uses

Land Use	Phase 1 2007- 2022*	Phase 2 2009- 2021*	Phase 3 2011- 2026*	Total
Residential (D.U. a)				
Multi-Family	300	1,800	530	3,230
Single Family	1,800	200	226	2,226
Total	1,800	2,000	756	4,556
Retail/Office (ed. R)				
Retail	380,000	542,000	772,000	1,694,000
Office	254,000	456,000	847,000	1,557,000
Total	634,000	998,000	1,619,000	3,251,000
Houses (reserve)	300	-	-	300

Land use allotments may be modified in accordance with the proposed land use plan agency staff. The planning budget dates shall be March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1732, HB 7207 and F.B. 252-363), White (EO 11 128, EO 11 172, EO 11 202) and the additional Tropical Storm Debris and lease extensions (12 140, 12 181, 12 217 and 12 199)

LEGEND

- Boundary, ± 1,495.37 ac
- NW Sector DRI
- FLUCCS, ± Acres**
- MU - Mixed Use, ± 615.85 ac
- RES - Residential, ± 524.87 ac
- 190 - Open Land, ± 3.82 ac
- 194 - Other Urban Lands, ± 13.4 ac
- 211 - Improved Pasture, ± 1.3 ac
- 214 - Row Crop, ± 4.44 ac
- 321 - Palmetto Prairies, ± 0.2 ac
- 411 - Pine Flatwoods, ± 13.46 ac
- 414 - Pine-Mesic Oak, ± 32.32 ac
- 427 - Live Oak, ± 2.2 ac
- 510 - Streams and Waterways, ± 1.5 ac
- 524 - Lakes less than 10 acres, ± 1.29 ac
- 610 - Wetland Hardwood Forests, ± 5.2 ac
- 615 - Stream and Lake Swamps (Bottomland), ± 3.9 ac
- 630 - Wetland Forested Mixed, ± 17.24 ac
- 640 - Vegetated Non-Forested Wetland, ± 69.21 ac
- 641 - Freshwater Marsh, ± 56.47 ac
- 643 - Wet Prairies, ± 31.0 ac
- 814 - Roads and Highways, ± 6.49 ac
- Parks, ± 72.75 ac*
- 30 Foot Wetland Buffer
- 50 Foot Wetland Buffer
- Access Points

* Additional park acreage will be included within areas designated as RES or MU and will be shown on Preliminary Site Plans. The total park acreage including the approximately 75-acre areas will equal a minimum of 75 acres.



#256/#265

Building and Development
Services / Public Hearings
1112 Manatee Ave. W.
Bradenton, FL 34205
Phone: (941) 748-4501 ext. 6878
www.mymanatee.org

April 8, 2014

Certified Mail # 7000 0600 0024 5577 5703

John Meyer
DRI Coordinator
Tampa Bay Regional Planning Council
4000 Gateway Centre Blvd. Ste 100
Pinellas Park, FL 33782

Re: Northwest Sector/Lakewood Centre Local Development Agreement

Dear Mr. Meyer:

Enclosed is a certified copy of the Local Development Agreement for Northwest Sector/Lakewood Centre which was recorded by the Clerk of the Circuit Court November 8, 2013.

If I can be of further assistance, please contact me at (941)748-4501, extension 6878.

Sincerely,



Bobbi Roy
Planning Coordinator

br
Enclosure

**NORTHWEST SECTOR/LAKEWOOD CENTRE
LOCAL DEVELOPMENT AGREEMENT**

This **LOCAL DEVELOPMENT AGREEMENT** (“Development Agreement”) is made and entered into this 7th day of November 2013, by and between **MANATEE COUNTY**, a political subdivision of the State of Florida, whose address is 1112 Manatee Avenue West, Bradenton, Florida 34205 (the “County”), and **SMR North 70, LLC**, a Florida Limited Liability Company, whose address is 14400 Covenant Way, Lakewood Ranch, Florida 34202 (the “Applicant”).

WITNESSETH:

WHEREAS, Applicant is the developer of two tracts located in Manatee County: (1) a 1,518.88± acre parcel of real property generally bounded by SR 70 on the south, Lakewood Ranch Boulevard and Lakewood Centre on the west, 44th Avenue Extension on the north and Lorraine Road on the east, and known as “Northwest Sector;” and (2) a 697.45 ± acre parcel of real property generally bounded by SR 70 on the south, Lakewood Ranch Boulevard on the west, Malachite Drive on the north and Pope Road on the east, and known as “Lakewood Centre”(individually a “Project Site” and collectively, the “Project Sites”), the complete legal description for each are attached hereto as **Exhibit “A;”** and

WHEREAS, Applicant has received DRI approval, zoning and general site plan approval from Manatee County pursuant to Ordinances 13-24 and PDMU-05-19(G)(R7)) for Northwest Sector and Ordinances 13-28 and PDMU-06-30(G)(R2) for Lakewood Centre to allow mixed use development to be constructed on the Project Sites (individually, a “Project” and collectively, the “Projects”); and

WHEREAS, Applicant holds legal and equitable title to the lands on **Exhibit “A,”** except for lots, parcels and tracts sold in the normal course of business and development; and

WHEREAS, the Projects received specific approval of the first phase of each and conceptual approval of the later phases of each. The approved first phase of each shall be

referenced herein as the “First Phase” or collectively, the “First Phases.” The remaining phases of the Projects through build-out shall be referred to individually as the “Remainder Phase” or collectively, as the “Remainder Phases.” The Remainder Phases are subject to final review pursuant to the Notice of Proposed Change review process and specific approval by the County; and

WHEREAS, the Applicant has submitted traffic studies through build-out of the Projects (individually, a “Build-out Study” or for both Projects, the “Build-out Studies”), which Build-out Studies have been reviewed and approved by the County; and

WHEREAS, pursuant to that certain Local Development Agreement by and between the County and the Applicant dated September 14, 2010 and recorded in Official Records Book 2352, Page 7541 of the Public Records of Manatee County, Florida, the Applicant has received a certificate of level of service for all aspects of concurrency for the First Phases (except for water and sewer), which agreement remains in full force and effect and is not amended or changed in any way by this Development Agreement; and

WHEREAS, the Build-out Studies set forth certain transportation improvements to be completed prior to development of the Remainder Phases in order to meet concurrency requirements. The County’s approval of the Projects and Florida Statutes allow for flexibility in favor of broader traffic solutions to satisfy the Applicant’s transportation concurrency, including a proportionate share contribution to cover the Projects’ proportionate share of the costs to construct improvements needed to mitigate the transportation impacts of the Projects. The Build-out Studies determined that the Projects’ proportionate share is \$5,706,282.00 (the relevant portions of the Build-out Studies are set forth in **Exhibit “B”** attached hereto); and

WHEREAS, it is the intent of Applicant to design, permit and construct, or cause the construction of, Pope Road as the outside two lanes of a four-lane divided roadway in the areas depicted on **Exhibit “C”** attached hereto (the “Pope Road Improvement”) as a proportionate share project to mitigate the transportation impacts of the Remainder Phases of the Projects. (The parties recognize that other developers may construct access-related improvements as small portions of the Pope Road Improvement and that Applicant will coordinate the construction of the remainder of the Pope Road Improvement, and, if necessary, the reconstruction of such

access-related improvements as part of the Pope Road Improvement, with those other developers.) The cost of the design, permitting and construction of the Pope Road Improvement, exclusive of the value of dedicated road right of way, for purposes of this Agreement is \$11,463,114.00. The value of the right of way, using standard County estimation methods is \$3,438,934.00 for a total of \$14,902,048.00 (in the aggregate, the "Pope Road Improvement Cost"). The Pope Road Improvement will serve the needs of, and address the impacts created by, the Remainder Phases; and

WHEREAS, the Pope Road Improvement contemplated hereunder has been included within this Development Agreement for the purpose of addressing all aspects of transportation concurrency for the Remainder Phases and the provision of adequate public facilities and services needed to support such new development; and

WHEREAS, the County has made a determination that a Certificate of Level of Service ("CLOS") for transportation cannot be issued for the Remainder Phases of the Projects unless certain improvements and/or a proportionate share contribution to the construction of facilities, occur in the vicinity of the Project Site as more fully specified herein; and

WHEREAS, the Land Development Code (the "LDC") provides that a CLOS for the Projects may be issued contingent upon the payment of proportionate share mitigation and/or construction of the necessary public facilities and services being guaranteed in an enforceable Development Agreement entered into pursuant to Sections 163.3220 through 163.3243, Florida Statutes; and

WHEREAS, the Applicant has proposed to enter into this Development Agreement to exchange rights, responsibilities and benefits, each of which constitutes true and valuable consideration for the other, with respect to the development of the Projects and the construction of the Pope Road Improvement, such that no obligation of the Applicant under this Development Agreement shall be construed as an "exaction" from the Applicant by the County within the meaning of any applicable constitutional or statutory provision or decisional case law regarding the same; and

WHEREAS, in accordance with the applicable Florida Statutes and Section 510.9.2.1.1 of the LDC, the County is authorized to issue a CLOS for a term greater than three (3) years subject to the required public facilities and services being guaranteed in a Development Agreement; and

WHEREAS, pursuant to Section 163.3220, Florida Statutes, et seq., the County is authorized to enter into a Development Agreement; and

WHEREAS, the first and second required public hearings on this Development Agreement were held by the Board of County Commissioners (the "Board") on November 5, 2013 and November 7, 2013, at which time the Board received the recommendation of the Planning staff, and found the Development Agreement to be consistent with the Manatee County Comprehensive Plan (the "Comprehensive Plan") and approved this Development Agreement and authorized the Chairman to execute the Development Agreement on behalf of Manatee County.

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

1. **Recitals True and Correct.** The recitals set forth above are true and correct and are incorporated herein by reference.

2. **Description of Development Uses.** The Projects shall be developed including the components set forth on **Exhibit "D"** attached hereto and made a part hereof. **Exhibit "D"** also sets forth the components of the Remaining Phases of each Project and references approved land use exchanges that will maintain the same impacts on the transportation system.

3. **Ownership of Land Subject to Development Agreement.** A legal description of the land subject to this Development Agreement (i.e., the Project Sites) is attached hereto as **Exhibit "A."** The current legal and equitable owner of the Project Sites is: **SMR North 70, LLC**, a Florida limited liability company, except for those lots, parcels and tracts sold or transferred in the normal course of business and development.

4. **Definitions.** As used in this Agreement, the following words, terms, and phrases shall have the meanings ascribed to them here:

(A) “Concurrency Requirements”: shall mean the dedication or conveyance of lands for public purposes and/or the design and construction of improvements to public facilities (and the payment of proportionate share mitigation in connection therewith) that the Applicant must provide to meet the concurrency requirements of the Land Development Code, the Comprehensive Plan and Florida Statutes.

(B) “County Administrator”: shall mean the County Administrator or his designee.

5. **Description of Public Facilities.** The following public facilities and services will serve the Project described in Paragraph 2 above:

(A) Potable Water: The County will provide potable water to the Project Sites in sufficient quantity to serve the Projects, as and when actually constructed, via transmission lines and related facilities to be constructed by the Applicant, except to the extent otherwise agreed by County in a writing approved by the Board of County Commissioners.

(B) Sanitary Sewer: The County will provide sanitary sewer service to the Project Sites in sufficient quantity to serve the Projects, as and when actually constructed, via transmission lines and related facilities to be constructed by the Applicant, except to the extent otherwise agreed by County in a writing approved by the Board of County Commissioners.

(C) Solid Waste: The County will provide Solid Waste Management Services to the Project Sites to serve the Projects, as and when actually constructed, via facilities which are already in place.

(D) Recreation/Open Space: With the Applicant’s dedication of acreage and construction of related facilities as set forth in the approved general site plans and the final site plans to be later approved, the Projects will meet concurrency requirements for recreation/open space and will not result in degradation of the adopted level of service.

(E) Storm Water Management: With the Applicant's design and construction of the proposed storm water management facilities on the Project Sites in compliance with Section 717 of the LDC, or as otherwise approved by Manatee County sufficient to meet County development standards and SWFWMD regulations, the Projects will meet concurrency requirements for storm water and will not result in degradation of the adopted level of service.

(F) Transportation: The Applicant's agreement herein to construct the Pope Road Improvement will meet concurrency requirements for transportation for the Remainder Phases.

6. Proportionate Share Mitigation (PSM).

(A) PSM for Concurrency Impacts. Pursuant to and in accordance with Section 163.3180, *Florida Statutes*, the Applicant shall satisfy the concurrency requirements for transportation for the Remainder Phases through the design, permitting, construction and right of way dedication of the Pope Road Improvement as provided in Section 6(B), below. The construction of the Pope Road Improvement made pursuant to this Section 6 shall fully and completely satisfy the Applicant's responsibility for providing mitigation of roadway impacts resulting in concurrency for the Remainder Phases of the Projects as required pursuant to Section 163.3180, *Florida Statutes*, the Comprehensive Plan and the LDC. The Applicant may be required to complete additional improvements for the purpose of providing access to the Projects and/or for safety purposes. Based upon the Pope Road Improvement Cost, the parties acknowledge that the Pope Road Improvement qualifies to meet the requirements of proportionate share mitigation as said cost exceeds the Projects' proportionate share of the road improvements needed to support the development of the Remainder Phases as set forth in the Build-out Studies. In consideration for the other obligations of the County under this Development Agreement, the Applicant hereby waives the right to receive any compensation (in the form of moneys, impact fee credits or otherwise) for the value of the Pope Road Improvement that exceeds the Projects' proportionate share.

(B) Pope Road Improvement. The Applicant shall construct, or cause to be constructed, the Pope Road Improvement as set forth in the Recitals above. The Applicant shall begin the design and permitting of the Pope Road Improvement upon the Effective Date and

shall continue with the permitting and construction thereafter to diligently pursue the construction with a target date of completion of four (4) years after the Effective Date and a required completion date of five (5) years from the County approval of the next phase of either Project, subject to reasonable extensions for events beyond the control of the Applicant. Provided Applicant diligently pursues such construction, failure to meet the target date shall not be a breach of this Development Agreement. Failure to complete the Pope Road Improvement by the required completion date shall result in a suspension of the CLOS for the Remainder Phases until completed. Upon completion of the Pope Road Improvement, the Applicant shall dedicate the right of way owned by Applicant, as improved, to the County. The obligations of the Applicant to design, permit and construct the Pope Road Improvement and dedicate the right-of-way and improvement to the County may be performed on behalf of the Applicant in whole or in part by the Lakewood Ranch Stewardship District, provided that the Applicant shall remain directly responsible to the County for the performance of such obligations under this Agreement.

7. **DRI and Zoning Compliance.** The PSM satisfies the requirements of Florida Statutes and the mitigation plans for the Projects, as such mitigation method is set forth for the First Phases in Section 6.A.(13) of the Northwest Sector Development Order and Section 6.A.(12) of the Lakewood Centre Development Order. The PSM satisfies the mitigation plans for the Projects, as such mitigation method is set forth for the First Phases in Section 4.B.(3) of the Northwest Sector Zoning Ordinance and Section 4.B.(1) of the Lakewood Centre Zoning Ordinance. As the Projects' transportation impacts will be mitigated through build-out of the Projects, the requirements in the Development Orders to monitor project traffic to determine when certain thresholds are reached that would require mitigation is rendered moot and such monitoring shall not be required.

8. **Waiver of Impact Fee Credits; Extended CLOS.**

(A) Waiver of Credits (Pope Road Improvement). By the terms of this Agreement, the Applicant has agreed to construct the Pope Road Improvement. This road improvement is to the thoroughfare network and eligible for impact fee credits. However, the Applicant hereby waives its right to receive such impact fee credits for its construction of the Pope Road Improvement and dedication of the related right-of-way so that the County can use the impact

fees such credits would otherwise offset towards other improvements needed to the thoroughfare network within the impact fee benefit district. This results in a major contribution by the Applicant to the thoroughfare network that would otherwise be paid for by the County, either in the form of construction itself or in the granting of impact fee credits.

(B) Extended CLOS. Because of the substantial private contribution to the County's infrastructure made by the Applicant pursuant to this Agreement, ample time is necessary to complete construction of the Projects to provide a return to the Applicant. Therefore, as additional consideration for the construction of the Pope Road Improvement and the waiver of impact fee credits, a CLOS for each Project with an expiration date of the earlier of i) the build-out date of each Project, as same may be extended from time to time, or ii) thirty (30) years from the Effective Date, shall be issued for the amount of development for the Remainder Phases of each Project as set forth on Exhibit "D" for the public facilities and services covered by this Development Agreement, including transportation, recreation/open space, solid waste, and storm water. Because the Projects are DRI level developments and are to be constructed in phases, under normal circumstances they would receive CLOS approval phase-by-phase as individual phases came forward for development. Therefore, the extension granted herein to the CLOS for each Project in its entirety results in CLOS approval of development phases that would otherwise not receive CLOS approval until later in the development process. By providing CLOS approval for each Project in its entirety in exchange for the construction of the Pope Road Improvement and the accompanying waiver of impact fee credits, the County can better plan transportation needs and funding for the future.

(C) Effect of Changes to Projects. The amount of development subject to the CLOS to be issued hereunder is the total of the two Projects. If some development rights are increased in one Project and decreased by a like amount in the other Project (subject to County approval), the CLOS entitlements shall follow such development rights from one Project to the other. Likewise, the CLOS shall follow the development rights granted for either Project if such Project's boundaries and granted development rights are extended to additional property.

(D) CLOS Conditions. Said CLOS shall be conditioned upon the Applicant complying with the terms of this Development Agreement and shall be effective for each

Remainder Phase of each Project upon approval of each such Remainder Phase. The CLOS for potable water, sanitary sewer, and schools shall be issued separately, and the expiration of a CLOS for such facilities, as well as any and all other public facilities, shall coincide with the expiration date set forth herein. The parties recognize that specific approval has not yet been granted for the Remainder Phases, which must undergo approval through the NOPC process.

(E) Waiver of Credits for Pre-2005 Contributions. The Applicant, for itself, its heirs, successors, related entities and assigns, hereby waives the right to apply for or receive any impact fee credits for any dedications of right-of-way, construction of roadway improvements, or other contribution of capital roads facilities completed prior to January 1, 2005 other than those included in the surplus credits described in Section 9.

9. **Use of Impact Fee Credits:** The Applicant has previously received approval from the County of certain impact fee credits for other improvements to the County Transportation System in the total amount of \$12,229,595.00, pursuant to Credit Authorization No. CA-11-02(T), CA-11-03(T), CA-11-04(T), CA-11-05(T), CA-11-06(T), CA-11-07(T), CA-11-08(T), CA-11-09(T), CA-11-10(T), CA-11-11(T), CA-11-12(T), CA-11-13(T), CA-11-14(T) and CA-11-16(T) (the "Surplus Credits"). The use of the Surplus Credits is generally governed by Section 807.2.2 of the LDC.

(A) Waiver of Certain Uses. So long as Applicant is allowed to use the Surplus Credits in accordance with this Section 9, Applicant waives the right to use the Surplus Credits:

1. To offset impact fees due and owing for an applicable impact fee component of the Projects or other developments of the Applicant, its related business entities, or their successors or assigns, pursuant to Section 807.2.2.1 of the LDC, or to assign such Surplus Credits to another entity to be used for the same purpose pursuant to Section 807.2.2.3 of the LDC; or
2. To obtain a refund of Impact Fee funds to the Applicant for impact fees to paid in connection with the development of the Projects or any other

development projects of the Applicant, its related business entities, or their successors or assigns, pursuant to Section 807.2.2.2 of the LDC.

(B) Available Use. The County shall allow Applicant to use the Surplus Credits as proportionate fair share contributions to obtain further extensions of the CLOS for the Projects or for use of mitigation or extension of the CLOS on other development in the impact fee benefit district, pursuant to Section 807.2.2.4 of the LDC, subject to County approval of an amendment to this Agreement or through a separate agreement.

(C) Changes to Concurrency Management System. So long as the County maintains a concurrency management system ("CMS") that requires transportation concurrency approval in order to proceed with development, Applicant shall be entitled to use the Surplus Credits as provided in Section 9(B).

1. In the event the County changes its CMS (for example, through the discontinuance of impact fees in favor of mobility fees, or with a system that does not requires transportation concurrency approval in order to proceed with development) such changes shall not be used as a basis to deprive Applicant of the value of the Surplus Credits as contemplated in this Section 9, or to otherwise prevent Applicant from continuing with extended development upon paying the then impact fees or mobility fees as they then become due. The waiver of certain uses of the Surplus Credits in this Section is intended to be used to extend the time over which Applicant, or related entities, may develop their properties, and such right shall not be lost as a result of changes to the County's CMS.
2. In the event the County changes or eliminates its CMS to allow development to proceed as long as payments for fees are made ("pay-and-go"), such that the Surplus Credits would not be needed to assure the right to continue with extended development, the Surplus Credits shall not be available for the uses waived pursuant to Section 9(A), as the intended purpose would have been rendered moot. The Surplus Credits shall, however, be retained and held in reserve, to be available for the purposes

authorized under this Section 9 in the event the County changes or re-establishes its CMS that requires transportation concurrency approval in order to proceed with development.

10. **Monitoring.** During the term of this Development Agreement the Applicant shall cooperate with the Planning Director in the Planning Director's annual review as required by Chapter 10 of the LDC.

11. **Concurrency Findings.** The Planning Commission, in its capacity as the Local Planning Agency of County, found that the concurrency requirements of the Comprehensive Plan and LDC will be met for the Projects regarding the public facilities and services described in Paragraph 5, provided the terms and conditions of this Development Agreement are undertaken and performed by Applicant.

12. **Permits Required.** The following is a description of all local development permits approved or needed to be approved for the Project Sites:

- Preliminary Site Plans;
- One or more Final Site Plans;
- One or more Preliminary Plats;
- One or more Final Plats;
- One or more Access and Driveway Permits;
- One or more Construction Plan approvals;
- One or more Building Permits; and
- One or more Certificates of Occupancy or of Completion.

13. **Omission from Development Agreement.** The failure of this Development Agreement to address a particular permit, condition, term, or restriction shall not relieve the Applicant of the necessity of complying with the law, including without implied limitation the

applicable provisions of the County's Comprehensive Plan or Land Development Code, governing said permitting requirements, conditions, terms, or restrictions.

14. **Disclaimer of Joint Venture.** Applicant and County represent that by the execution of this Development Agreement it is not the intent of the parties that this Development Agreement be construed or deemed to represent a joint venture or common undertaking between County and Applicant, or either, with any third party. While engaged in carrying out and complying with the terms of this Development Agreement, Applicant is an independent principal and not a contractor for or an officer or employee of County. Applicant shall not at any time or in any manner represent that it or any of its agents or employees are employees of County.

15. **Successors in Interest.** The burdens of this Development Agreement shall be binding upon, and the benefits shall inure to, all successors in interest to the parties to the Development Agreement including all mortgagees to the parties to this Development Agreement. Notwithstanding anything in this Development Agreement to the contrary, the County shall have no responsibility or liability for any obligations of Applicant under this Development Agreement, and the County does not assume any obligations to or for Applicant.

16. **Amendments.** All amendments to this Development Agreement, including any such amendments extending the term of the Development Agreement, shall be ineffective unless reduced to writing and executed by the County and Applicant, in accordance with Sections 163.3237 and 163.3229, Florida Statutes.

17. **Applicable County Ordinances and Codes.** In accordance with Section 163.3233, Florida Statutes, and Section 518 of the LDC, the codes, policies, and ordinances of the County governing the development of the Projects upon the date of execution of this Development Agreement shall govern the development of the Projects for the duration of this Development Agreement. Prior to the termination of this Development Agreement in accordance with Paragraph 26 hereof, County may apply codes, policies, and ordinances adopted subsequent to the execution hereof to the Projects only if County has held a public hearing and made the determinations required by the above cited Florida Statute and LDC provision.

18. **Recording of this Agreement.** The Clerk of the Circuit Court of Manatee County, as Clerk to the Board of County Commissioners (the "Clerk") shall record this Development Agreement in the Public Records of Manatee County, Florida, no later than fourteen (14) days after the execution of this Agreement by all parties. Applicant shall bear the expense of recording this Agreement.

19. **Applicable Law and Venue.** This Agreement shall be construed, and the rights and obligations of the parties hereunder shall be determined, in accordance with the laws of the State of Florida. Venue for any litigation pertaining to the subject matter hereof shall be exclusive in Manatee County, Florida, unless prohibited by law.

20. **Severability.** In the event any term or provision of this Agreement shall be held invalid by a Court of competent jurisdiction, such invalid term or provision should not affect the validity of any term or provision hereof; and all such terms and provisions hereof shall be enforceable to the fullest extent permitted by law as if such invalid term or provision had never been part of this Agreement; provided, however, if any term or provision of this Agreement is held to be invalid due to the scope or extent thereof, then, to the extent permitted by law, such term or provision shall be automatically deemed modified in order that it may be enforced to the maximum scope and extent permitted by law.

21. **Entire Agreement.** This Development Agreement constitutes the entire agreement between the parties hereto as to the subject matter contained herein and supersedes any and all prior understandings, if any. There are no other oral or written promises, conditions, representations, understandings, or terms of any kind as conditions or inducements to the execution hereof, and none have been relied upon by either party. Any subsequent conditions, representations, warranties, or agreements shall not be valid and binding upon the parties unless they are in writing signed by both parties and executed in the same manner as this Development Agreement. Notwithstanding the foregoing, the parties recognize that a Local Development Agreement relative to the first phases of the Projects is in place and this Agreement is not intended to amend, change or supersede such agreement, which remains in full force and effect.

22. **Parties Drafted Equally.** The County and Applicant agree that both parties have played an equal and a reciprocal part in drafting this Agreement. Therefore no provision of this

Agreement shall be construed by a Court or judicial authority against any party hereto because such party is deemed to have drafted or structured such provisions.

23. **Notices.** All notices, demands, requests for approvals or other communications given by either party to another shall be in writing and shall be sent by registered or certified mail, postage prepaid, return receipt requested or by a recognized national overnight courier service, or by hand delivery to the office of each party indicated below and addressed as follows:

To Applicant: **SMR North 70, LLC**
14400 Covenant Way
Lakewood Ranch, Florida 34202
Attn: Rex E. Jensen

With a Copy to: Caleb J. Grimes, Esq.
Grimes Goebel Grimes Hawkins Gladfelter & Galvano P.L.
1023 Manatee Avenue West
Bradenton, Florida 34205

To County: County Administrator
Manatee County
P.O. Box 1000
Bradenton, FL 34206

With Copies to: Director, Building & Development Services Department
Manatee County
P.O. Box 1000
Bradenton, FL 34206

County Attorney
Manatee County
P.O. Box 1000
Bradenton, FL 34206

24. **Survival of Warranties, Representations.** The warranties, representations, covenants and obligations of the parties hereto shall be binding upon the parties and their respective successors in interest.

25. **Effective Date.** This Agreement shall not become effective until i) it has been executed by all parties, and ii) it has been recorded in the Public Records of Manatee County, Florida, at the expense of Applicant.

26. **Termination.** This Development Agreement shall automatically terminate and expire upon the occurrence of the first of the following:

(A) The full performance by all parties hereto of each and every one of their respective obligations arising under the terms of this Development Agreement.

(B) The expiration of thirty (30) years from the effective date of this Agreement, as defined in Paragraph 25 above.

(C) The revocation of this Development Agreement by the Board in accordance with Section 163.3235, Florida Statutes, and Section 518 of the LDC.

(D) The execution of a written agreement by all parties, or their successors in interest, providing for the cancellation and termination of this Development Agreement.

WHEREFORE, the parties hereto have executed this Agreement as of the date set forth above.

MANATEE COUNTY, FLORIDA

By: Board of County Commissioners

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

By: *[Signature]*
Deputy Clerk



[Signature]
Chairman

Date: 11/7/13

WITNESSES:

Todd J Pokrywa
Todd J Pokrywa
Print name:

Deborah A. Furman
Deborah A. Furman
Print name:

SMR North 70, LLC, a Florida limited liability company

By: Schroeder-Manatee Ranch, Inc., a Delaware corporation, as its sole member

By: Rex E. Jensen
Rex E. Jensen, President

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 1ST day of NOVEMBER, 2013, by Rex E. Jensen, as President of Schroeder-Manatee Ranch, Inc., a Delaware corporation, as the sole member of SMR North 70, LLC, a Florida limited liability company on behalf of the corporation, who is personally known to me or has produced N/A as identification.

Notary Public: Deborah A. Cooper
Deborah A. Cooper



EXHIBIT "A"

LAKESWOOD CENTRE DRI

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

A tract of land lying in Sections 7, 8, 9, 16, 17 and 18 Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Southeast corner of said Section 7, also being the Northeast corner of the above mentioned Section 18; thence N.88°45'31"W., along the north line of said Section 18 a distance of 21.43 feet to the POINT OF BEGINNING, said point being a point on the easterly right-of-way line of Lakewood Ranch Boulevard, a 120-foot wide Public Right-of-way; the following two (2) calls are along said easterly right-of-way line; (1) thence N.02°18'37"W., a distance of 346.71 feet to the point of curvature of a curve to the right having a radius of 3,940.00 feet and a central angle of 03°48'48"; (2) thence northerly along the arc of said curve, an arc length of 262.23 feet to the point of compound curvature of a curve to the right having a radius of 50.00 feet and a central angle of 91°37'13"; thence northeasterly along the arc of said curve, an arc length of 79.95 feet to the point of tangency of said curve; thence S.86°52'35"E., a distance of 1,131.57 feet to the point of curvature of a curve to the left having a radius of 2,143.00 feet and a central angle of 44°37'24"; thence easterly along the arc of said curve, an arc length of 1,669.02 feet to the point of reverse curvature of a curve to the right having a radius of 2,023.00 feet and a central angle of 34°25'49"; thence northeasterly along the arc of said curve, a distance of 1,215.67 feet to the point of tangency of said curve; thence N.82°55'49"E., a distance of 734.17 feet to the point of curvature of a curve to the right having a radius of 50.00 feet and a central angle of 87°53'04"; thence southeasterly along the arc of said curve, an arc length of 76.69 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 23°41'47"; thence southerly along the arc of said curve, a distance of 1,211.79 feet to the point of reverse curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 11°22'52"; thence southeasterly along the arc of said curve, a distance of 556.19 feet to the point of tangency of said curve; thence S.68°29'59"W., a distance of 11.00 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.68°29'59"W., a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of 03°46'14", an arc length of 183.54 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.25°49'28"W., a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of 46°58'18", an arc length of 28.69 feet to the point of compound curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 07°40'51"; thence southerly along the arc of said curve, an arc length of 375.36 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 01°04'12"; thence southerly along the arc of said curve, a distance of 54.72 feet to the end of said curve; thence S.01°18'11"W., along a line non-tangent to the last described curve, a distance of 51.28 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.78°25'45"E., a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of 05°37'54", an arc length of 289.07 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies

S.25°50'30"W., a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of 46°27'42", an arc length of 28.38 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 06°44'40"; thence southerly along the arc of said curve, a distance of 344.90 feet to the end of said curve; thence S.12°34'36"E., along a line non-tangent to the last described curve, a distance of 51.41 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.64°34'42"E., a radial distance of 2,941.00 feet; thence southeasterly along the arc of said curve, through a central angle of 01°33'58", an arc length of 80.39 feet to the point of tangency of said curve; thence S.26°59'15"E., a distance of 113.45 feet; thence S.63°00'45"W., a distance of 90.22 feet to the point of curvature of a curve to the right having a radius of 1943.00 feet and a central angle of 18°07'32"; thence along the arc in a southwesterly direction, a distance of 614.67 feet to the end of said curve; thence S.09°31'35"E., along a line non-tangent to the last described curve, a distance of 78.62 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.10°12'41"W., a radial distance of 2007.00 feet; thence along the arc in a northeasterly direction, passing through a central angle of 11°39'48", an arc length of 408.55 feet to the end of said curve; thence N.79°51'15"E., along a line non-tangent to the last described curve, a distance of 51.06 feet to the point of curvature of a curve to the left, of which the radius point lies N.23°17'40"W., a radial distance of 3,012.26 feet; thence along the arc in a northeasterly direction, passing through a central angle of 04°10'01", an arc length of 219.07 feet to the end of said curve; thence S.31°07'37"E., along a line non-tangent to the last described curve, a distance of 152.40 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.26°59'16"E., a radial distance of 50.00 feet; thence easterly along the arc of said curve, through a central angle of 90°00'00", an arc length of 78.54 feet to the point of tangency of said curve; thence S.26°59'15"E., a distance of 769.47 feet to the point of curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 27°15'57"; thence southerly along the arc of said curve, an arc length of 1,332.47 feet to the point of tangency of said curve; thence S.00°16'42"W., a distance of 641.12 feet; thence N.89°43'18"W., a distance of 670.00 feet; thence S.00°16'42"W., a distance of 990.00 feet to the north right-of-way line of State Road 70, a 200-foot wide Public Right-of-way; the following two (2) calls are along said northerly right-of-way line; (1) thence N.89°43'18"W., a distance of 527.20 feet; (2) thence N.88°46'44"W., a distance of 3,950.87 feet to the east right-of-way line of said Lakewood Ranch Boulevard; thence N.01°13'16"E., along said east right-of-way line, a distance of 100.01 feet; thence S.88°46'44"E., a distance of 210.34 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of 108°00'50"; thence northeasterly along the arc of said curve, an arc length of 94.26 feet to the point of tangency of said curve; thence N.16°47'34"W., a distance of 69.44 feet to the point of curvature of a curve to the right having a radius of 300.00 feet and a central angle of 18°19'57"; thence northerly along the arc of said curve, an arc length of 95.99 feet to the point of tangency of said curve; thence N.01°32'24"E., a distance of 131.00 feet to the point of curvature of a curve to the left having a radius of 30.00 feet and a central angle of 89°19'08"; thence northwesterly along the arc of said curve, an arc length of 46.77 feet to the point of tangency of said curve; thence N.87°46'44"W., a distance of 193.00 feet to the east right-of-way line of

said Lakewood Ranch Boulevard; the following three (3) calls are along said east right-of-way line; (1) thence N.01°13'16"E., a distance of 71.50 feet to the point of curvature of a curve to the left having a radius of 1,810.00 feet and a central angle of 47°18'07"; (2) thence northerly along the arc of said curve, an arc length of 1,494.29 feet to the point of tangency of said curve; (3) thence N.46°04'51"W., a distance of 88.50 feet; thence N.43°55'10"E., a distance of 93.66 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 124°16'00"; thence northerly along the arc of said curve, an arc length of 43.38 feet to the point of reverse curvature of a curve to the right having a radius of 71.00 feet and a central angle of 44°08'56"; thence northwesterly along the arc of said curve, a distance of 54.71 feet to the point of tangency of said curve; thence N.36°11'54"W., a distance of 225.82 feet; thence N.48°58'07"W., a distance of 84.68 feet; thence N.69°43'32"W., a distance of 99.20 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 54°19'36"; thence westerly along the arc of said curve, an arc length of 18.96 feet to the point of tangency of said curve; thence S.55°56'52"W., a distance of 32.09 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.55°56'52"E., a radial distance of 2,190.00 feet, said point also being a point on the east right-of-way line of said Lakewood Ranch Boulevard; the following two (2) calls are along said east right-of-way line; (1) thence northerly along the arc of said curve, through a central angle of 31°44'31", an arc length of 1,213.27 feet to the point of tangency of said curve; (2) thence N.02°18'37"W., a distance of 1,728.76 feet to the POINT OF BEGINNING.

Said tract contains 33,590,466 square feet or 771.1310 acres, more or less.

LESS:

Pond Number 3, described in Official Record Book 1540, Page 7918 of the Public Records of Manatee County, Florida;

LESS:

Parcel 100A, described in Official Record Book 1915, Page 5768 of the Public Records of Manatee County, Florida;

LESS:

Premises described in Warranty Deed to DVA Arena, LLC, recorded in Official Record Book 1943, Page 4075 of the Public Records of Manatee County, Florida;

LESS: Ingress-Egress Easement No. 1

A Tract of land lying in Section 9, 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Section 17; thence S.89°34'35"E along the

North line of said Section 17 a distance of 3985.93 feet; thence S.00°25'25"W a distance of 487.63 feet to the POINT OF BEGINNING; said point being the point of curvature of a curve to the right, of which the radius point lies S.69°39'59"E., a radial distance of 325.00 feet; thence northeasterly along the arc of said curve, through a central angle of 33°08'49", an arc length of 188.02 feet to the point of tangency of said curve; thence N.53°28'49"E., a distance of 370.60 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of 30°41'48"; thence easterly along the arc of said curve, an arc length of 174.12 feet to the point of tangency of said curve; thence N.84°10'37"E., a distance of 374.39 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of 24°43'08"; thence easterly along the arc of said curve, an arc length of 140.21 feet to the point of reverse curvature of a curve to the left having a radius of 275.00 feet and a central angle of 37°11'49"; thence easterly along the arc of said curve, a distance of 178.53 feet to the point of compound curvature of a curve to the left having a radius of 35.00 feet and a central angle of 91°38'36"; thence northeasterly along the arc of said curve, an arc length of 55.98 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.70°03'20"W., a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of 02°12'54", an arc length of 107.82 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.25°49'28"W., a radial distance of 35.00 feet; thence westerly along the arc of said curve, through a central angle of 44°31'14", an arc length of 27.20 feet to the point of tangency of said curve; thence S.71°18'14"W., a distance of 9.06 feet to the point of curvature of a curve to the right having a radius of 337.00 feet and a central angle of 37°35'30"; thence westerly along the arc of said curve, an arc length of 221.11 feet to the point of reverse curvature of a curve to the left having a radius of 263.00 feet and a central angle of 01°53'10"; thence westerly along the arc of said curve, a distance of 8.66 feet to the point of tangency of said curve; thence N.72°59'26"W., a distance of 56.37 feet to the point of curvature of a curve to the left having a radius of 137.00 feet and a central angle of 22°49'57"; thence westerly along the arc of said curve, an arc length of 54.60 feet to the point of tangency of said curve; thence S.84°10'37"W., a distance of 371.34 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 30°41'48"; thence westerly along the arc of said curve, an arc length of 147.33 feet to the point of tangency of said curve; thence S.53°28'49"W., a distance of 370.60 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 34°54'45"; thence southwesterly along the arc of said curve, an arc length of 167.57 feet to the end of said curve; thence N.60°04'23"W., a distance of 50.84 feet to the POINT OF BEGINNING.

Said tract contains 76,341 square feet or 1.7526 acres, more or less.

LESS: Ingress-Egress Easement No. 2

A Tract of land lying in Sections 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Sections 16 and 17; thence S.89°34'35"E

along the North line of said Section 17 a distance of 4291.01 feet; thence S.00°25'25"W a distance of 654.77 feet to the POINT OF BEGINNING; thence S.60°04'23"E., a distance of 25.14 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.46°57'50"E., a radial distance of 325.00 feet; thence easterly along the arc of said curve, through a central angle of 113°10'48", an arc length of 641.99 feet to the point of reverse curvature of a curve to the left having a radius of 255.00 feet and a central angle of 85°25'10"; thence southeasterly along the arc of said curve, a distance of 380.17 feet to the point of tangency of said curve; thence N.70°47'48"E., a distance of 283.99 feet to the point of curvature of a curve to the left having a radius of 35.00 feet and a central angle of 85°57'17"; thence northeasterly along the arc of said curve, an arc length of 52.51 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.74°50'32"E., a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of 02°02'41", an arc length of 104.95 feet to the end of said curve; thence N.72°51'02"W., along a line non-tangent to the last described curve, a distance of 10.58 feet; thence S.70°47'48"W., a distance of 226.06 feet to the point of curvature of a curve to the right having a radius of 167.00 feet and a central angle of 08°40'50"; thence westerly along the arc of said curve, an arc length of 25.30 feet to the point of tangency of said curve; thence S.79°28'38"W., a distance of 62.92 feet to the point of curvature of a curve to the left having a radius of 133.00 feet and a central angle of 04°57'32"; thence westerly along the arc of said curve, an arc length of 11.51 feet to the point of reverse curvature of a curve to the right having a radius of 309.00 feet and a central angle of 81°41'53"; thence northwesterly along the arc of said curve, a distance of 440.60 feet to the point of reverse curvature of a curve to the left having a radius of 271.00 feet and a central angle of 49°45'11"; thence northwesterly along the arc of said curve, a distance of 235.32 feet to the point of tangency of said curve; thence N.78°27'38"W., a distance of 46.52 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.06°36'57"W., a radial distance of 271.00 feet; thence westerly along the arc of said curve, through a central angle of 21°41'20", an arc length of 102.59 feet to the end of said curve; thence S.66°23'37"W., along a line non-tangent to the last described curve, a distance of 80.42 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.32°08'23"E., a radial distance of 271.00 feet; thence southwesterly along the arc of said curve, through a central angle of 10°26'33", an arc length of 49.39 feet to the end of said curve; thence S.39°34'23"E., along a line non-tangent to the last described curve, a distance of 35.74 feet; thence N.60°04'23"W., a distance of 116.67 feet; thence N.29°55'37"E., a distance of 4.78 feet to the POINT OF BEGINNING.

Said tract contains 75,680 square feet or 1.7374 acres, more or less.

<u>Total Described Area</u>	= 771.1310 Acres +/-
Less: Ponds No. 3	= 5.15 Acres +/-
Less: Parcel 100A	= 4.512 Acres +/-
Less DVA Arena, LLC	= 60.5327 Acres +/-
Less: Ingress-Egress Easement No. 1	= 1.7526 Acres +/-
<u>Less Ingress-Egress Easement No. 2</u>	<u>= 1.7374 Acres +/-</u>
Net Area	= 697.4463 Acres +/-

NORTHWEST SECTOR DRI

LEGAL DESCRIPTION PARCEL 1 (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Sections 7, 8, 9, 15 and 16, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Southeast corner of Section 7, Township 35 South, Range 19 East ; thence S.89°34'35"E., a distance of 4,650.84 feet; thence N.00°25'25"E., a distance of 1,889.17 feet to the POINT OF BEGINNING; Thence S82°55'49"W, 912.79 feet to a point of curvature; Thence 1,287.78 feet along the arc of said curve to the left through a central angle of 34°25'49", said curve having a radius of 2,143.00 feet and being subtended by a chord which bears S65°42'55"W, 1,268.49 feet to a point of reverse curvature; Thence 1,575.57 feet along the arc of a curve to the right through a central angle of 44°37'25", said curve having a radius of 2,023.00 feet and being subtended by a chord which bears S70°48'42"W, 1,536.04 feet to the point of tangency of said curve; Thence N86°52'35"W, 1,131.57 feet to a point of curvature; Thence 79.90 feet along the arc of said curve to the right through a central angle of 91°33'16", said curve having a radius of 50.00 feet and being subtended by a chord which bears N41°05'57"W, 71.66 feet to the point of tangency of said curve; said point being a point on the east line of Lakewood Ranch Boulevard as recorded in Official Record Book 1443, Page 4980 of the Public Records of Manatee County, Florida; the following 2 calls are along said east line of Lakewood Ranch Boulevard; Thence N04°40'41"E, 2,619.78 feet to a point of curvature; Thence 933.27 feet along the arc of said curve to the left through a central angle of 25°57'27", said curve having a radius of 2,060.00 feet and being subtended by a chord which bears N08°18'02"W, 925.31 feet to a point of reverse curvature; Thence 83.52 feet along the arc of a curve to the right through a central angle of 95°42'23", said curve having a radius of 50.00 feet and being subtended by a chord which bears N26°34'26"E, 74.14 feet; Thence N 74°25'37"E, 50.78 feet to a point of curvature; Thence 721.56 feet along the arc of said curve to the right through a central angle of 14°53'05", said curve having a radius of 2,777.50 feet and being subtended by a chord which bears N81°52'09"E, 719.53 feet; Thence N00°41'18"W, 12.50 feet to a point on the arc of a curve; Thence 643.57 feet along the arc of said curve to the right through a central angle of 13°12'59", said curve having a radius of 2,790.00 feet and being subtended by a chord which bears S84°04'49"E, 642.15 feet to a point of reverse curvature; Thence 2,117.60 feet along the arc of a curve to the left through a central angle of 41°16'07", said curve having a radius of 2,940.00 feet and being subtended by a chord which bears N81°53'37"E, 2,072.13 feet to a point of reverse curvature; Thence 805.71 feet along the arc of a curve to the right through a central angle of 16°32'46", said curve having a radius of 2,790.00 feet and being subtended by a chord which bears N69°31'57"E, 802.91 feet; Thence S12°11'41"E, 12.50 feet to a point on the arc of a curve; Thence 633.68 feet along the arc of said curve to the right through a central angle of 13°04'19", said curve having a radius of 2,777.50 feet and being subtended by a chord which bears N84°20'29"E, 632.31 feet; Thence S89°07'21"E, 354.65 feet to a point on the arc of a curve; Thence 36.14 feet along the arc of said curve to the right through a central angle of 41°24'35", said curve having a radius of 50.00 feet and being

subtended by a chord which bears N70°10'21"E, 35.36 feet; Thence S89°07'21"E, 808.68 feet; Thence N00°52'39"E, 10.36 feet to a point on the arc of a curve; Thence 127.15 feet along the arc of said curve to the left through a central angle of 02°29'11", said curve having a radius of 2,930.00 feet and being subtended by a chord which bears N88°44'06"E, 127.14 feet to the point of reverse curvature of said curve ; Thence 2,138.82 feet along the arc of said curve to the right through a central angle of 43°45'59", said curve having a radius of 2,800.00 feet and being subtended by a chord which bears S770°37'30"E, 2,087.20 feet to the point of tangency of said curve ; Thence S48°44'31"E, 1,779.99 feet to a point of curvature; Thence 1,253.44 feet along the arc of said curve to the left through a central angle of 24°30'39", said curve having a radius of 2,930.00 feet and being subtended by a chord which bears S60°59'50"E, 1,243.90 feet to the point of tangency of said curve; Thence S00°10'39"W, 111.78 feet; Thence continue along said line S00°10'39"W, 1,324.27 feet; Thence continue along said line S00°10'39"W, 1,324.27 feet; Thence S00°12'01"W, 1,321.71 feet; Thence S89°26'33"E, 601.98 feet; Thence S00°02'33"W, 660.46 feet; Thence S89°28'53"E, 735.80 feet; Thence S00°06'56"E, 659.98 feet; Thence N89°31'12"W, 1,343.23 feet; Thence S00°24'15"E, 1,319.40 feet; Thence S00°25'33"E, 1,253.39 feet; Thence N89°20'55"W, 129.12 feet; Thence N00°13'59"E, 756.06 feet; Thence N89°05'49"W, 353.71 feet; Thence S15°32'18"W, 181.54 feet; Thence S69°04'52"E, 191.91 feet; Thence S40°52'20"E, 174.58 feet; Thence S01°06'51"W, 127.77 feet; Thence S84°30'37"W, 241.82 feet; Thence S04°24'14"W, 231.83 feet; Thence N89°20'55"W, 644.47 feet; Thence N89°43'18"W, 1,128.10 feet; Thence N00°16'21"E, 195.76 feet; Thence N34°32'27"W, 127.88 feet; Thence N74°22'37"W, 27.04 feet; Thence N89°06'07"W, 130.35 feet; Thence N50°59'38"W, 52.87 feet; Thence N89°43'39"W, 67.72 feet; Thence S34°23'48"W, 150.71 feet; Thence N00°07'45"W, 1,045.68 feet; Thence N89°21'00"W, 672.60 feet; Thence S00°08'39"E, 1,267.67 feet; Thence N89°43'18"W, 66.35 feet; Thence N10°16'40"E, 140.44 feet; Thence N03°14'20"W, 121.92 feet; Thence N89°43'20"W, 265.15 feet; Thence N67°44'14"W, 65.42 feet; Thence N89°03'25"W, 74.89 feet; Thence South, 285.36 feet; Thence N89°43'18"W, 150.77 feet to a point of curvature; Thence 78.54 feet along the arc of said curve to the right through a central angle of 90°00'00", said curve having a radius of 50.00 feet and being subtended by a chord which bears N44°43'18"W, 70.71 feet to the point of tangency of said curve; Thence N00°16'42"E, 1,581.12 feet to a point of curvature; Thence 1,394.32 feet along the arc of said curve to the left through a central angle of 27°15'57", said curve having a radius of 2,930.00 feet and being subtended by a chord which bears N13°21'17"W, 1,381.21 feet to the point of tangency of said curve; Thence N26°59'15"W, 1,159.92 feet to a point of curvature; Thence 853.47 feet along the arc of said curve to the right through a central angle of 17°27'52", said curve having a radius of 2,800.00 feet and being subtended by a chord which bears N18°15'19"W, 850.17 feet to a point of reverse curvature; Thence 1,194.50 feet along the arc of a curve to the left through a central angle of 23°21'30", said curve having a radius of 2,930.00 feet and being subtended by a chord which bears N21°12'08"W, 1,186.24 feet to a point of reverse curvature; Thence 1,321.41 feet along the arc of a curve to the right through a central angle of 27°02'23", said curve having a radius of 2,800.00 feet and being subtended by a chord which bears N19°21'42"W, 1,309.18 feet to the POINT OF BEGINNING.

Containing 1479.6 acres, more or less.

TOGETHER WITH:

LEGAL DESCRIPTION PARCEL 2 (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Sections 7 AND 8, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Southeast corner of Section 7, Township 35 South, Range 19 East ; thence S.89°34'35"E., a distance of 4,650.84 feet; thence N.00°25'25"E., a distance of 1,889.17 feet; Thence S82°55'49"W, 912.79 feet to a point of curvature; Thence 1,287.78 feet along the arc of said curve to the left through a central angle of 34°25'49", said curve having a radius of 2,143.00 feet and being subtended by a chord which bears S65°42'55"W, 1,268.49 feet to a point of reverse curvature; Thence 1,575.57 feet along the arc of a curve to the right through a central angle of 44°37'25", said curve having a radius of 2,023.00 feet and being subtended by a chord which bears S70°48'42"W, 1,536.04 feet to the point of tangency of said curve; Thence N86°52'35"W, 1,131.57 feet to a point of curvature; Thence 79.90 feet along the arc of said curve to the right through a central angle of 91°33'16", said curve having a radius of 50.00 feet and being subtended by a chord which bears N41°05'57"W, 71.66 feet to the point of tangency of said curve; said point being a point on the east line of Lakewood Ranch Boulevard as recorded in Official Record Book 1443, Page 4980 of the Public Records of Manatee County, Florida; thence along said east line of Lakewood Ranch Boulevard, N04°40'41"E, 1649.57 feet; Thence N85°19'19"W, 120.00 feet to an intersection with the west line of said Lakewood Ranch Boulevard and the POINT OF BEGINNING; Thence S86°50'17"W, 227.27 feet; Thence S40°02'37"W, 121.13 feet; Thence S28°36'43"W, 108.34 feet; Thence S43°57'34"W, 79.62 feet; Thence S56°46'06"W, 71.21 feet; Thence N22°59'39"W, 32.80 feet; Thence S59°56'00"W, 91.50 feet; Thence S54°50'36"W, 42.43 feet; Thence S21°03'16"W, 42.67 feet; Thence S64°33'59"W, 57.70 feet; Thence S78°35'00"W, 52.83 feet; Thence S26°29'07"W, 28.22 feet; Thence S72°42'09"W, 41.01 feet; Thence N88°04'14"W, 58.26 feet; Thence N63°20'21"W, 61.49 feet; Thence N77°09'41"W, 34.90 feet; Thence N87°11'33"W, 50.79 feet; Thence N88°21'13"W, 70.97 feet; Thence N59°06'15"W, 54.56 feet; Thence S87°08'17"W, 75.46 feet; Thence N27°44'24"E, 782.09 feet; Thence N08°14'34"E, 859.88 feet; Thence N04°53'06"W, 605.45 feet to a point on the arc of a curve; Thence 552.19 feet along the arc of said curve to the left through a central angle of 10°42'56", said curve having a radius of 2,952.50 feet and being subtended by a chord which bears N79°47'05"E, 551.38 feet to the point of tangency of said curve; Thence N74°25'37"E, 69.64 feet to a point of curvature; Thence 72.98 feet along the arc of said curve to the right through a central angle of 83°37'55", said curve having a radius of 50.00 feet and being subtended by a chord which bears S63°45'26"E, 66.67 feet to a point of compound curvature; Thence 901.48 feet along the arc of said curve to the right through a central angle of 26°37'27", said curve having a radius of 1,940.00 feet and being subtended by a chord which bears S08°38'03"E, 893.39 feet; Thence S04°40'41"W, 970.22 feet to the POINT OF BEGINNING.

Containing 39.281 acres (1,711,094 square feet), more or less.

EXHIBIT "B"

Future Year Improvements NW Sector DRI/Lakewood Centre DRI Build Out Studies (Revised) June 13, 2012

Location	Type of Operation	2018 P.M. Peak Hour Level of Service	Improvements	Improved LOS	Improvement Costs ***	Northwest Sector/Lakewood Centre All Phases Total %	NW Sector and Lakewood Centre Beyond Phase I Total Prop Share %	NW Sector and Lakewood Centre Beyond Phase I Total Prop Share
(13) SR 84 and Larrene Road	Unsignalized	F	• signalize when warranted	C	\$150,000	73.5%	29.7%	\$100,450
(18) SR 70 and 45th Street E / Lockwood Ridge	Signalized	F	• dual NDR's (add 1 to 1 existing)	D	\$343,200	82.5%	21.4%	\$43,743
(25) SR 70 and Lakewood Ranch Boulevard	Signalized	F	• add 1 NDR	D	\$1,400,431	86.1%	33.7%	\$174,041
(26) SR 70 and "Road B"	Unsignalized	**	• signalize when warranted <u>Recommended Geometry per SR approach:</u> • 1 SBL, 1 SBR	C	N/A - Project Improvement	N/A - Project Improvement	N/A - Project Improvement	N/A - Project Improvement
(45) Lakewood Ranch Boulevard and Malachite Drive	Unsignalized	C/F/T/F/F (NBL/SBL/WBT/WBR/EBA)	• signalize when warranted	D	\$150,000	80.0%	32.2%	\$120,700
(50) Larrene Road and Ringelard Parkway	Unsignalized	**	• Add 1 NBL • Add 1 SBR <u>Recommended Geometry per SR approach:</u> • 1 EBL, 1 EBR	A/D/B (NBL/EBL/EBR)	\$210,019 \$332,008	83.9%	32.0%	\$181,572
(58) Larrene Road and 44th Avenue	Unsignalized	**	• Add 1 SBR <u>Recommended Geometry per SR approach:</u> • Add 1 EBL • Add 1 EBR	A/C (NBL/EBL)	\$132,008	83.0%	32.0%	\$113,458
(11) SR 84 and Lakewood Ranch Boulevard**	Signalized	F	• Add 1 NBL • Add 1 EBR	D	\$529,012 \$1,302,400	81.0%	31.7%	\$500,241
(29) SR 70 and 87th Street E**	Signalized	D (with EBT w/c 1 I 0)	• Add 1 EBT and rising lane	C	\$1,033,330	83.2%	33.3%	\$744,107
(27) SR 70 and River Club Boulevard/Forest Run**	Signalized	D (with WBL, EBL, NBL, w/c 1 I 0)	• Add 1 EBT and rising lane	C	\$1,230,884	87.0%	34.4%	\$123,487
(28) SR 70 and Lakewood Ranch Boulevard**	Unsignalized	F	• Add 1 EBT and rising lane • Add 1 WBT and rising lane • Add 1 EBL • Add 1 SBR	C	\$310,701 \$320,701 \$1,195,800	86.1%	33.7%	\$1,063,291
SR 70 and US 301	Signalized	E	• Add NDT and rising lane	D	\$338,147	48.3%	18.1%	\$80,843

*To be constructed by the applicant as needed for development
 **These improvements could be replaced by the alternative improvement to 44th Avenue below
 ***Costs provided by Larrene County

Total \$3,546,770

Total Both DRIs \$3,550,770

Note: Improvements from Table 21-10 at internal roadway intersections at Pope Malachite and Pope Ringelard will be constructed by the applicant as needed for development

Cost of Improvements Which Are An Alternative To The Intersection Improvements Marked *** Above

Location	Type of Operation	2018 P.M. Peak Hour Level of Service	Improvements	Improved LOS	Improvement Costs	Northwest Sector/Lakewood Centre All Phases Total %	NW Sector and Lakewood Centre Beyond Phase I Total Prop Share %	NW Sector and Lakewood Centre Beyond Phase I Total Prop Share
Extend 44th Avenue to 4LD from east of I-75 to Megan Johnson					\$40,022,583	29.1%	11.4%	\$4,582,574

Total Alternative Improvement \$4,582,574

Total Prop Share with Alternative Improvement \$5,706,793

EXHIBIT "C"
The Pope Road Improvement*



*Pope Road (from 44th Avenue East to State Road 64) to be constructed as the outside two lanes of a four lane divided roadway in the general alignment reflected in the Future Thoroughfare Map of the Comprehensive Plan

EXHIBIT "D"

**NORTHWEST SECTOR
TABLE 1: DEVELOPMENT TOTALS**

LAND USE	PHASE I (2007- 2022)*# Base Entitlements	PHASE II (2009- 2026)*	TOTAL
RESIDENTIAL			4,422
Single-Family (s.f.)	2,650	1,422	4,072
Multi-Family (m.f)	350	0	350
RETAIL (square feet)	200,000	0	200,000
OFFICE (square feet)	105,000	0	105,000
PARK (acres)	9.2	10	19.2

* The phasing buildout dates shall be March 22nd of the years indicated and include legislatively approved extensions (SB 360 and SB 1752) for Phase I and (HB 7207 and F.S.252.363) for Phases I and II.

Includes the option for a group care facility as part of a land use exchange. The Land Use Equivalency Matrix allows the exchange of other approved land uses (single-family detached, multi-family, commercial, and office space) for Group Care Facility (AKA: Assisted Living Facility) beds.

& The approved amount of any one land use may be increased, but only with decreases in one or more of the other land uses, per the Land Use Equivalency Matrix.

TABLE 2: LAND USE EQUIVALENCY MATRIX

CHANGE FROM:	CHANGE TO:				
	Residential / SF Detached (Units)	Residential/ Apartment (Units)	COMMER -CIAL (Sq. Ft.)	OFFICE (Sq. Ft.)	ASSISTED LIV. FAC. (Beds)
Residential/S.F. Detached (Units)		1.42	202.00	255.00	3.24
Residential/Apartment(Units)	0.65		132.00	165.00	2.11
Commercial (1,000 Sq. Ft.)	2.73	3.88		1,271.00	16.20
Office (1,000 Sq. Ft.)	0.47	0.68	176.00		3.30
Assisted Living Facility* (Beds)	0.14	0.20	51.00	79.00	

**LAKWOOD CENTRE
TABLE 1: DEVELOPMENT TOTALS**

Land Use	Phase 1 2008 - 2022*	Phase 2 2009 - 2021*	Phase 3 2012- 2026*	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	3,239
Single Family	-0-	200	236	436
Total	900	2,000	775	3,675
Commercial/Office (sq. ft.)				
Retail	460,000	542,000	772,000	1,774,000
Office	458,000	458,000	647,000	1,563,000
Total	918,000	1,000,000	1,419,000	3,337,000
Hotel (rooms)	300	-0-	-0-	300

* The phasing buildout dates shall be March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363).

& The approved amount of any one land use may be increased, but only with decreases in one or more of the other land uses, per the Land Use Equivalency Matrix.

TABLE 2: LAND USE EQUIVALENCY MATRIX

CHANGE FROM:	CHANGE TO:				
	Residential/ SF (Units)	Residential / Multifamil y (Units)	Commerci al (Sq. Ft.)	Office (Sq. Ft.)	Hotel (Rooms)
Residential/S.F. (Units)		0.87	138.67	348.99	0.65
Residential/Multifamily (Units)	1.15		132.00	165.00	0.75
Commercial (1,000 Sq. Ft.)	7.21	3.88		1271.00	4.69
Office (1,000 Sq. Ft.)	2.87	0.68	176.00		1.86
Hotel (Rooms)	1.54	1.33	213.33	536.91	

#265



MANATEE COUNTY
FLORIDA

Certified Mail #7000 0600 0024 5577 5734

October 8, 2013

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

Re: Development Order for Lakewood Centre DRI#27 - Ordinance 13-28

Dear Mr. Meyer:

Enclosed is a certified copy of Ordinance 13-28, the DRI Development Order for Lakewood Centre DRI#27, as adopted in open session by the Manatee County Board of County Commissioners on October 3, 2013, as required by Rule 9J-2.025(5), Florida Administrative Code.

If I can be of further assistance, please contact me at (941)748-4501, extension 6878.

Sincerely,

Bobbi Roy
Planning Coordinator

/br
Enclosure



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

**ORDINANCE 13-28
LAKEWOOD CENTRE, DRI #27**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RENDERING AN AMENDED AND RESTATED DEVELOPMENT ORDER PURSUANT TO CHAPTER 380.06, FLORIDA STATUTES, FOR THE LAKEWOOD CENTRE DEVELOPMENT OF REGIONAL IMPACT (ORDINANCE 12-28) TO APPROVE THE FOLLOWING CHANGES TO MAP H AND THE DEVELOPMENT ORDER: (1) UPDATE THE PHASING AND BUILDOUT DATES TO REFLECT LEGISLATIVELY APPROVED EXTENSIONS, (2) UPDATE CONDITIONS TO REFLECT COMPLIANCE WITH REQUIREMENTS CONTAINED THEREIN, (3) CLARIFY PROCEDURES FOR A LAND USE EXCHANGE, AND (4) OTHER AMENDMENTS FOR INTERNAL CONSISTENCY PROVIDING FOR DEVELOPMENT RIGHTS, CONDITIONS, AND OBLIGATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 28, 2006, SMR North 70, LLC submitted a Development of Regional Impact (DRI) Application for Development Approval (ADA*) for 3,675 residential units; 1,774,000 square feet of retail; 1,563,000 square feet of office; a 300 room hotel; and ±36.8 acres neighborhood park; with approval of a Land Use Equivalency Matrix (LUEM) to allow conversion between various approved uses within specific ranges; as legally described in Section 7, referred to as Lakewood Centre DRI, or the Project*; and

WHEREAS, on August 5, 2008, the Board of County Commissioners (“BOCC”) approved Ordinance 08-13, a Development Order (“DO”) for the Lakewood Centre DRI for a planned mixed use development on approximately 697.4 acres; and

WHEREAS, the Project* is proposed in three phases: Phase 1 with a buildout date of 2020; Phase 2 with a buildout date of 2019; and Phase 3 with a buildout date of 2024;

WHEREAS, Specific approval was granted for Phase 1 for 900 residential units, 460,000 square feet of retail, 458,000 square feet of office, a 300 room hotel, and ±36.8 acres of parks; and,

WHEREAS, Conceptual approval was granted for Phases 2 and 3 and in the future, Specific Approval of Phases 2 and 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S.; and,

WHEREAS, on December 6, 2012, the Board of County Commissioners approved an amendment to the Development Order to update the phasing and

buildout dates to reflect legislatively approved extensions, update conditions to reflect compliance with requirements contained therein, modify affordable housing conditions consistent with current practices and other amendments for internal consistency; and,

WHEREAS, on June 13, 2013, SMR North 70, LLC 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, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Section 380.06(19)(e)2, Florida Statutes, has the statutory authority to consider and approve amendments to a Development Order for an approved DRI; and

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

WHEREAS, the Board of County Commissioners has received and considered the report and recommendation of Manatee County Staff; and

WHEREAS, the Planning Commission held a duly noticed public hearing on September 12, 2013 regarding Ordinance 13-28 and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County agencies, the applicant, and the review and report of Manatee County staff; and

WHEREAS, the Board of County Commissioners held a duly noticed public hearing on October 3, 2013 regarding Ordinance 13-28 and has solicited, received, and considered all testimony reports, comments, evidence, and recommendations from interested citizens, County agencies, the applicant, and the review and report of Manatee County staff.

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

SECTION 1. AMENDMENT AND RESTATEMENT OF DEVELOPMENT ORDER FOR DRI #27, ORDINANCE 12-28.

Ordinance 12-28 is hereby amended and restated in its entirety below. This ordinance constitutes the amended and restated Development Order for the Lakewood Centre Development of Regional Impact. The prior Development Order shall be superseded by this Ordinance, provided this amendment shall not

be construed to terminate the rights of the Developer, if any, granted under Section 163.3167(5), Florida Statutes, to the extent such rights have been previously granted and are not specifically herein or otherwise modified or amended.

SECTION 2. FINDINGS OF FACT.

The Board of County Commissioners, after considering the testimony, evidence, documentation, application for an amended Development Order and all other matters presented to the Board of County Commissioners at the public hearing, hereby makes the following findings of fact:

- A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.
- B. An application has been submitted to Manatee County and is being processed concurrently with this amendment to the Development Order to amend Zoning Ordinance No.PDMU-06-30(G)(R) and the General Development Plan for the entire 697.4+/- acre project.
- C. The Board of County Commissioners held a public hearing on October 3, 2013, regarding the application to amend the Development Order and the proposed Zoning Ordinance amendment in accordance with the requirements of the Manatee County Land Development Code (Ordinance 90-01, as amended) and the Manatee County Comprehensive Plan (Ordinance 89-01, as amended) and has further considered the testimony, comments, and information received at the public hearings.
- D. Manatee County has adopted the Manatee County Comprehensive Plan which is in compliance with applicable state laws.
- E. The Comprehensive Plan requires a Certificate of Level of Service to be issued for water, wastewater, solid waste, parks and recreation, roadways, transit, and drainage in compliance with state requirements and the Land Development Code.
- F. This Development Order is issued based on information provided by the Developer* in the original ADA* (with sufficiency responses), this application to amend the Development Order; public hearing testimony; data, information, and recommendations provided by the Planning Commission and Manatee County Building and Development Services staff, and ensures continued compliance with the Manatee County Comprehensive Plan.
- G. The real property which is the subject of this Development Order is legally described in Section 8 of this Ordinance.

- 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 and address for the Project* is Todd J. Pokrywa of SMR North 70, LLC, 14400 Covenant Way, Lakewood Ranch, Florida 34202.
- J. The owner of the property is SMR North 70, LLC, its heirs, assigns, designees and successors in interest as to the Project.

SECTION 3. CONCLUSIONS OF LAW.

- A. Based upon the previous findings of fact and the following conditions of this 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 (FCRPP), and the 2020 Manatee County Comprehensive Plan (as amended).
 - 3. The Project*, as conditioned by this Development Order, is consistent with the report and recommendations of the Building and Development Services Department.
 - 4. 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.
 - 5. The review by the County* and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order, and the ADA, as amended by this request to modify the Development Order. 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.

SECTION 4. DEVELOPMENT COMPONENTS:

- A. This Development Order approval shall constitute approval of the application to amend the Development Order subject to the conditions set forth herein and shall be limited to the development amounts set forth in Table 1, below.
- B. Phase 1 of the Development is Specifically Approved subject to the conditions found within the Development Order and a Certificate of Level of Service for all services, except potable water and sewer, which has been issued for the land uses listed in Phase 1 as defined herein and in Zoning Ordinance PDMU-06-30(G)(R). Potable water and sewer concurrency will be reviewed at time of each Final Site Plan submittal.

Phases 2 and 3 are Conceptually Approved. Specific Approval of Phases 2 and 3 are contingent upon submittal of further transportation and air quality analysis in accordance with Section 380.06, F.S. The Developer* shall provide full Application for Development Approval* responses regarding the issue of transportation when seeking Specific Approval of Phases 2 and 3. This submittal shall include the prior conduct of a transportation methodology meeting to reach agreement with all appropriate transportation review entities as to the terms, variables, and assumptions to be utilized in the transportation analysis. Reanalysis of affordable housing may be required if the Conceptually Approved phases change or Rule 73C-40-048, FAC is modified regarding affordable housing. Verification of adequate public utility and school capacity will also be required.

- C. Approval of Phases 2 and 3 will also require review and approval of a revised Zoning Ordinance to be approved by the Board of County Commissioners.
- D. Preliminary and Final Site Plan applications shall be reviewed for compliance with this Development Order and shall be subject to the requirements of the Manatee County Comprehensive Plan and Land Development Code in effect at the time of such site plan application, as to such requirements which are not specifically addressed in this Development Order or are not inconsistent with this Development Order.
- E. The build-out date for this Development Order is March 22, 2026.
- F. The expiration date for this Development Order is March 22, 2027.

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008 – 2022*	Phase 2 2009 – 2021*	Phase 3 2012- 2026*	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	3,239
Single Family	-0-	200	236	436
Total	900	2,000	775	3,675
Commercial/Office (sq. ft.)				
Retail	460,000	542,000	772,000	1,774,000
Office	458,000	458,000	647,000	1,563,000
Total	918,000	1,000,000	1,419,000	3,337,000
Hotel (rooms)	300	-0-	-0-	300

Source: WilsonMiller, September 2005

* The phasing buildout dates shall be March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363), .

& The approved amount of any one land use may be increased, but only with decreases in one or more of the other land uses, per the Land Use Equivalency Matrix.

G. Development Totals:

1. The Land Use Equivalency Matrix, below allows the developer variations in the quantity of approved land uses without the requirement to analyze such modifications through the Notice of Proposed Change process. The conversion formulas presented below are based on p.m. peak hour trip generation factors.
2. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the revised land use mix will not exceed the impacts for transportation, solid waste disposal, mass transit, drainage, and parks and recreation, which have been approved and authorized in the Certificate of Level of Service Compliance (CLOS) issued for that phase or subphase. Additionally, the Developer* shall demonstrate that the proposed land use mix will not generate the need for additional affordable housing beyond the amount for which the supply of affordable housing has been demonstrated to be available and is described in Section M of this Development Order. 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. However, reapplication shall not cause the Developer* to lose the capacity already approved for the 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. At the time of Final Site Plan approval, potable water, wastewater treatment and schools shall be analyzed and a CLOS will be issued for those concurrency components.

3. An application for a Land Use Exchange must include a revised General Development Plan which will include a revised Land Use and Phasing Schedule and a reallocation of square footage. 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 2020 Manatee County Comprehensive Plan and shall be subject to the approval of the Board of County Commissioners.
4. The County's review of any such request shall include a determination that the project as a whole will continue to be developed as a mixed use project with both residential and non-residential uses. As a part of such analysis, the County shall review the percentage of developed land area devoted to each land use category.
5. Upon approval of a Land Use Exchange, County staff shall provide to the Florida Department of Economic Opportunity (DEO) and TBRPC a copy of said approval.
6. The DRI biennial report shall include information indicating implementation of the matrix as well as cumulative amounts of development which have been approved by the County as of the biennial report date.

The Land Use Equivalency Matrix (LUEM), Table 2, is as follows:

Land Use Equivalency Matrix:

TABLE 2: LAND USE EQUIVALENCY MATRIX

CHANGE FROM:	CHANGE TO:				
	Residential/ SF (Units)	Residential/ Multifamily (Units)	Commercial (Sq. Ft.)	Office (Sq. Ft.)	Hotel (Rooms)
Residential/S.F. (Units)		0.87	138.67	348.99	0.65
Residential/Multifamily (Units)	1.15		132.00	165.00	0.75
Commercial (1,000 Sq. Ft.)	7.21	3.88		1271.00	4.69
Office (1,000 Sq. Ft.)	2.87	0.68	176.00		1.86
Hotel (Rooms)	1.54	1.33	213.33	536.91	

SECTION 5. DEFINITIONS.

The definitions contained in Chapter 380, Florida Statutes, the Manatee County Comprehensive Plan, and Land Development Code shall apply to this Development Order in addition to those listed herein. The following capitalized terms used herein shall have the following meanings:

- A. "Application for Development Approval*" or "ADA*" shall mean the Lakewood Centre Development of Regional Impact Application for Development Approval* (April 28, 2006), and the sufficiency responses submitted by the Developer* on October 23, 2006, April 20, 2007, and September 14, 2007.
- B. "Best Management Practices*" shall mean the method or combination of methods determined after problem assessment and examination of alternative practices, to be the most effective and practicable means of reducing or preventing nonpoint source pollution to levels compatible with water quality goals. These measures could include both structural (e.g., sediment/debris basins, wetland impoundment of agricultural runoff, etc.) and nonstructural (e.g., street vacuuming, deferred grazing systems, etc.) approaches to abatement of nonpoint source pollution, and may vary on a regional and local basis depending on the nature of the problems, climate, physical characteristics, land use, soil types and conditions, and other factors.

- C. "County*" shall mean Manatee County, a political subdivision of the State of Florida.
- D. "Conceptual Approval*" shall mean general review of the proposed location, densities, intensity of use, character, and major design features of a proposed development required to undergo review under this section for the purpose of considering whether these aspects of the proposed development comply with the issuing agency's statutes and rules. A conceptual agency review approval shall be valid for up to 10 years, unless otherwise provided in a state or regional agency rule, and may be reviewed and reissued for additional periods of time under procedures established by the agency.
- E. "Developer*" shall mean SMR North 70, LLC, its heirs, assigns, designees, agents, and successors in interest as to the Project* and all 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 or Construction Drawing approval where site plans or subdivision plats are not required.
- G. "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.
- H. "Funding Commitment*" shall mean projects funded for construction in the current year plus one of an adopted work program, or committed by private sources which can include the Developer*, for construction with funding provided within one year.
- I. "Master Drainage Plan*" shall mean a plan showing the proposed stormwater management components to be constructed for the entire Project* as follows:
 - 1. existing topography;
 - 2. existing drainage features, both on site and off site, that will affect the drainage concept of this Development*; existing and developed drainage basins, with their direction of outfall;

3. proposed stormwater management facilities, which shall include: detention lakes, connection of lakes, and the eventual outfall for these lakes; and
 4. off site areas that historically drain through the property shall be addressed as to the method the applicant proposes to use to accommodate off site stormwater.
- J. "Project*" shall mean the land uses by area, square footage, density, and phase described in the ADA* to be constructed on the real property described in Section 8 herein.
- K. "Specific Approval" shall mean ADA approval for Phase 1 only. Specific Approval* of Phases 2 & 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S., with a requirement for prior conduct of transportation methodology meetings. Reanalysis of affordable housing associated with Phases 2 & 3 shall only be required if there is a changes to the phases or Rule 73C-40.048 FAC is modified regarding affordable housing. Verification of adequate public utility and school capacity is also required. Specific Approval* herein should not be confused with Specific Approval* as defined in the Manatee County Land Development Code.
- 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 structure.

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

Note: An asterisk (*) in the text of this Development Order denotes that the word is defined.

SECTION 6. DEVELOPMENT CONDITIONS:

THE LAKEWOOD CENTRE DRI IS SPECIFICALLY APPROVED FOR PHASE 1 DEVELOPMENT AND CONCEPTUALLY APPROVED FOR PHASES 2 AND 3, SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

Transportation

- A.(1) The Lakewood Centre DRI development will have an impact on several regionally significant roadway facilities within the primary impact area. Transportation Conditions Table 5 (below) identifies the improvements associated with Phase 1 approval.

**TABLE 5
PHASE 1 INTERSECTION/ROADWAY IMPROVEMENTS**

Roadway/ Intersection	@	Improvement	External Trip Threshold	ERU Threshold
SR 64	Lena Rd	Add 1 eastbound through lane	2,312	2,335
SR 70	US 301	Add 1 through lane to each approach, add 1 eastbound left turn lane and 1 eastbound right turn lane	2,312	2,335
SR 70	Lockwood Ridge Rd (45 th St.)	Add 1 westbound left turn lane, add 1 northbound left turn lane, add 1 southbound left turn lane, add 1 southbound right turn lane, add 1 eastbound and westbound through lane	1,466	1,480
SR 70	Caruso Rd	Add 1 northbound left turn lane and add 1 northbound right turn lane	1,380	1,393
SR 70	Tara Blvd	Add 1 westbound through lane	1290	1,302
SR 70	I-75 Southbound	Add 1 westbound through lane	1,055	1,065
SR 70	33 rd St. E	Add 1 southbound left turn lane	1932	1,951
SR 70	Pope Rd	Signalize when warrants are met, Add 1 eastbound left turn lane (already constructed – needs restriping)	973	983
SR 70	Lakewood Ranch Blvd.	Add 1 northbound right turn lane	432	436
Lakewood Ranch Blvd.	Center Ice Pky to Portal Crossing Dr	Widen to 4 lanes (add 1 lane to inside of existing in both directions)	417	421

*1 ERU (Equivalent Residential Units) = 1.01 PM peak Trips

1 ERU = 2.73 Single-Family Attached du's

1 ERU = 2.15 Multi-Family du's

1 ERU = 2.66 Hotel Rooms

1 ERU = 0.30 ksf Commercial

1 ERU = 0.77 ksf Office

- A.(2) Because the transportation improvements identified above have a "trip trigger", a monitoring program is necessary to verify that the actual number of trips generated accurately reflects the transportation analysis and subsequently required improvements. This monitoring program requires biennial pm peak hour project

driveway counts at all project entrances with public roadways (including SR 70, Lakewood Ranch Boulevard, Center Ice Parkway, Pope Road, and Malachite Drive). The monitoring program shall commence one year after issuance of the first Certificate of Occupancy or first Final Plat, whichever occurs first, for Phase 1. Monitoring shall continue on a biennial basis for each access point until the trip improvement threshold is reached. The monitoring shall be conducted no earlier than 60 days prior to the due date of each biennial report in order to ensure relatively current traffic data and shall continue to project buildout.

The monitoring program shall consist of weekday PM peak hour directional counts from 4:00 to 6:00 PM, with subtotals at 15-minute increments, at all project entrance driveways with public roadways (including SR 70, Lakewood Ranch Boulevard, Center Ice Parkway, Malachite Drive, and Pope Road). Only turns to and from the project entrances need to be counted (through volumes on the public roadways will not be required). The sum of the project entrance trips will be totaled in 15-minute increments and the highest four consecutive 15-minute totals will be summed to determine the project's total PM peak hour traffic volume. This total will include net external trips, diverted trips, and pass-by trips of the Lakewood Centre DRI development.

The total PM peak hour project traffic through Phase 1 is estimated to be 2,583 net external, 860 pass-by, and 666 internal trips, for a total of 4,109 gross trips.

The required monitoring data shall be included in each Biennial Report. If the monitoring results demonstrate that the project is generating more than fifteen (15) percent above the number of trips estimated in the original analysis (as stated above) or a Biennial Report is not submitted within 30 days of its due date, Manatee County shall issue no further development permits and conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), F.S. As a result, the County may amend the Development Order to change or require additional roadway improvements. The revised Transportation Analyses, if required, shall be subject to review by all appropriate review entities.

- A.(3) In the event that total external p.m. peak hour trips exceed the threshold levels described in Table 5, and the corresponding Funding Commitments have not been provided, no further Final Site Plan approvals shall be granted unless an analysis is submitted which identifies the revised number of total external p.m. peak hour trips after which the required improvement would be required, according to the new subphase analysis. The

Development Order shall be amended to reflect these revised trip levels.

- A.(4) With each Final Site Plan application, the Developer shall submit to the County a limited traffic study which addresses the following :
1. External P.M. peak hour trips predicted to be generated by the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvement thresholds reported in Table 5 are reached; 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 Final Site Plan application.
- A.(5) Prior to development of Phase 2 or Phase 3, revised transportation analyses shall be required to be submitted pursuant to Section 380.06(6), Florida Statutes. This analysis shall address transportation impacts which result from the development of these phases.
- A.(6) As part of the Phase 2 or Phase 3 approval, the Developer shall prepare a Transportation Systems Management (TSM) program. The plan shall be reviewed by Manatee County, Metropolitan Planning Organization, Florida Department of Transportation (FDOT), and TBRPC. The TSM program shall include a biennial assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of the TSM measures. Results of the TSM program shall be included in the Biennial Report. The Transportation Systems Management Program shall evaluate carpooling, vanpooling, mass transit, alternative hours of operation for employment and retail centers and other forms of transportation diversion.
- A.(7) Developer shall work with Manatee County Area Transit (MCAT) on identifying a potential transit stop(s) within the Project*. At such time that MCAT has established a plan for service to the Project and coordinated needed location(s) for a transit stop with Developer, Developer shall accommodate the requisite stop(s) within the Project.
- A.(8) The Developer shall provide roadways and pedestrian connections to perimeter roads, schools, and park sites.

- A.(9) Provisions shall be made for the construction of all internal collector roads as shown on DRI Map H (Attached as Exhibit A). Roads shall be constructed at the cost of the Developer, or other appropriate entity, prior to or in conjunction with development requiring access on that roadway. This dedication/construction shall be eligible for impact fee credits to the extent allowed by the Manatee County Land Development Code and applicable law. Right-of-way along Malachite Drive and Pope Road will be dedicated to Manatee County by the Developer prior to or in conjunction with any Preliminary Site Plan or Preliminary Plat approvals adjacent to or encompassing such roadways, to ensure 120 feet of right-of-way adjacent to the site. This dedication shall be impact fee creditable to the extent permitted by the Manatee County Land Development Code and applicable law.
- A.(10) There shall be bicycle or pedestrian facilities on both sides of any road designated as a collector or higher, in accordance with the LDC. All bike paths and lanes shall be constructed in accordance with Manatee County standards
- A.(11) The Developer shall provide adequate sidewalks along both sides of all streets and roadways throughout the Project.
- A.(12) Improvements made pursuant to the proportionate fair share ordinance, adopted by Manatee County Board of County Commissioners on November 7, 2006, shall satisfy the requirements for mitigation of the Project's Phase 1 transportation impacts. (LDA 10-01 implements the applicant's proportionate fair share contributions for Phase 1 mitigation.)

Vegetation, Wildlife, and Wetlands

- B.(1) No impacts to Natural Resources of Regional Significance (NRRS) as defined by TBRPC are proposed by this project. Impacts to Natural Resources of Regional Significance, as delineated on Map 3 (Attached as Exhibit B) in the TBRPC's Final Report of the Lakewood Centre DRI, adopted December 10, 2007, shall only occur if justified pursuant to *Future of the Region, A Strategic Regional Policy Plan for the Tampa Bay Region* Policy 4.5.2. Mitigation for justifiable impacts to Natural Resources of Regional Significance shall meet the ratios set forth in that policy and Policy 4.5.6; i.e., 2 created: 1 impacted for Special Habitats (Strategic Habitat Conservation Areas and Priority Wetlands); 3 created: 1 impacted for Riverine Habitat; and twice that amount if mitigation is in the form of restoration of disturbed habitat of a similar nature, at minimum.

- B.(2) In the event that any state or federally-listed species are discovered breeding on-site during project development, the Developer* shall immediately notify the Florida Fish and Wildlife Conservation Commission and implement the recommended measures for species protection.
- B.(3) Nuisance and exotic plant species shall be removed from upland areas of the project site during site development. A plan shall be developed to address how preserved and conserved upland areas will be managed to limit nuisance and exotic species. The plan shall be submitted to Manatee County for approval with the first Final Site Plan or Final Plat for vertical development. (completed)
- B.(4) As committed, the applicant shall preserve and protect all wetlands as shown on Map H using upland vegetated buffers managed as wildlife habitat. Unavoidable impacts to wetlands may be mitigated using credits from the Long Swamp Ecosystem Management Plan.
- B.(5) Conservation Easements for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas shall be dedicated to the County prior to issuance of first Certificate of Occupancy or Final Plat for those areas within or directly adjacent to the proposed phase of development.
- B.(6) Preliminary and Final Site Plans within management guideline distances (as prescribed by US Fish and Wildlife Service) from the bald eagle nest shall be designed in accordance with the current Habitat Management Guidelines for the Bald Eagle published by the U.S. Fish and Wildlife Service, shall be provided prior to Final Site Plan approval.
- B.(7) The natural wildlife corridor existing along the wetland corridor located south of Malachite Drive and north of Center Ice Parkway shall be maintained and protected by placing the area in a conservation easement. Wildlife passageways shall be incorporated into the roadways designed to cross this corridor if practical and approved by appropriate state, regional, and local agencies.
- B.(8) The project site may continue to be used for agricultural activities during development, but at no greater intensity than at present. No new clearing of tree or preservation areas shall be permitted for any new agricultural uses.
- B.(9) Prior to each Preliminary Site Plan approval, an evaluation for potential hazardous material locations (i.e., historical cattle dipping

vats, underground/aboveground storage tanks, or buried drums), shall be performed by a qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation and mitigative measures shall be subject to the approval of Manatee County. Copies of a remediation and mitigation plans along with the approvals by appropriate State or Federal agencies shall be provided to the Building and Development Services Department. All remediation and mitigation activities shall be completed prior to commencement of construction. A remediation plan shall be reviewed and submitted for approval to Manatee County.

B.(10) All proposed nature trails, boardwalks, and shade structures in wetlands, wetland buffers, or upland preservation areas shall be designed to minimize impacts to trees or areas of significant vegetation and in accordance with Section 719 of the Manatee County Land Development Code. No nature trails, boardwalks, or shade structures shall be constructed within preserved wetlands in the areas shown as Natural Resources of Regional Significance, as delineated on Map 3 (Attached as Exhibit B) in the TBRPC’s Final Report of the Lakewood Centre DRI, adopted December 10, 2007.

B.(11) The following Pine Mesic Oak (414), Pine Flatwood (411), and Live Oak (427) Communities shall be preserved:

FLUCFCS Code	Pre-Construction Total			Post-Construction Total		Post- Construction Habitat (w/n Wetland Buffers)		Post- Construction Habitat (w/n Upland Conservation)	
	Total Acreage	Habitat w/n Wetland Buffer	Habitat w/n Upland Conservation	Acreage	Percentage (of habitat remaining)	Acreage	Percentage (of existing habitat w/n buffers)	Acreage	Percentage (of existing habitat w/n conservation)
411	31.7	4.9	26.8	11.8	37.9	4.9	100	6.9	25.7
414	47.0	10.5	36.5	25.2	53.6	10.5	100	14.7	40.2
427	4.2	1.0	3.2	3.4	80.9	1.0	100	2.2	75.0
Total	82.9	16.4	66.5	40.4	48.7	16.4	100	23.8	35.8

Area	FLUCCS 411	FLUCCS 414	FLUCCS 427	Total
Wetland Buffers	4.9	10.5	1.0	16.4
Upland Preservation Areas	6.9	14.7	2.2	23.8
Total	11.8	25.2	3.4	40.2

The preservation areas shall be clearly delineated, labeled and quantified on the Preliminary Site Plan. Upland Preservation Areas

may be reconfigured, subject to Building and Development Services Director approval, with the Preliminary Site Plan provided that the overall acreage, general location, and quality of preserved habitat remain consistent with those shown on the approved GDP. Limited impacts may be permitted for suitable recreational areas (passive parks, pocket parks, etc.). Recreation improvements shall be designed in a manner that minimizes impacts to mature trees, dense tree clusters or significant vegetation.

- B.(12) The Developer* shall provide 23.8 acres of upland preservation. Upland preservation areas, consistent with the potential Upland preservation areas identified on Map H (Attached as Exhibit A). The 23.8 acres of upland preservation shall not be inclusive of any required wetland or landscape buffers.
- B.(13) The Developer* shall submit for review and approval, a Habitat Management Plan for the upland preservation areas with the first Preliminary Site Plan. (completed)

Soils

- C.(1) Best Management Practices, including those identified in the ADA*, shall be employed during site preparation and construction to prevent soil erosion.

Air Quality

- D.(1) Best Management Practices*, including those identified in the ADA*, shall be employed during site preparation and construction to minimize air quality impacts.
- D.(2) The developer shall provide full ADA* responses for Air Quality when seeking specific approval of Phases 2 and 3. Future review shall be administered under the Notice of Proposed Change process.

Water Quality and Stormwater Management

- E.(1) The stormwater management system shall be designed to restore and maintain the natural hydroperiod of the receiving wetlands, and to meet or exceed the requirements for development within the Evers Reservoir Watershed Overlay. Upland habitat within 50 feet of the contiguous wetland system draining to the upper Braden River shall be preserved to enhance water quality.

- E.(2) Development practices shall incorporate Best Management Practices*, including those which prevent construction-related turbidity.
- E.(3) Because the project is partially within the Wolf Slough/Evers Reservoir basin, an integrated pest management program shall be implemented to minimize the use of fertilizers and pesticides, and the design and construction techniques listed below should be utilized:
- ensuring that ponds and swales are properly grassed; and
 - implementation of a site-specific surface and groundwater quality monitoring system, through the Environmental Monitoring Plan.
- E.(4) The Developer* shall encourage the use of water conserving landscapes and the responsible use of water by residents and occupants throughout the project.
- E.(5) Existing native vegetation shall be preserved to meet screening requirements, where feasible, unless otherwise approved by the Building and Development Services Department.
- E.(6) To prevent adverse effects to groundwater quality during construction, there shall be no excavation into or through the Floridan aquifer's confining layers.
- E.(7) Stormwater management ponds shall not be constructed within wetland buffers or other natural resources of regional significance.
- E.(8) The applicant shall implement resident education advocating surface water protection.
- E.(9) Low impact development techniques are encouraged to be used throughout the development, particularly in areas draining to the Evers Reservoir. These techniques shall include, but are not limited to, the following:
- Retention of the maximum amount of existing native vegetation;
 - Shallow vegetated swales in all areas, including parking;
 - Appropriate Florida-friendly plant selections;
 - Small, recessed garden areas throughout landscaped areas;
 - Porous pavement and other pervious pavement technologies; and
 - Stabilized grass areas for overflow parking.

Specific requirements for implementation of these techniques shall

be stipulated in the accompanying Zoning Ordinance.

- E.(10) Prior to construction of individual parcels or portions thereof, the applicant must provide a plan at the time of Preliminary or Final Site Plan detailing the operation and maintenance of the stormwater management system. The plan shall, at a minimum, identify the responsible entity, establish a long-term funding mechanism and provide assurance through written commitments that the entity in charge of the program has the technical expertise necessary to carry out the operation and maintenance functions of the stormwater management system.
- E.(11) All habitable structures shall be constructed in accordance with Manatee County's flood protection requirements.
- E.(12) Compensation for the loss of 100-year flood storage capacity shall be provided.
- E.(13) Manatee County has reviewed and approved the groundwater quality monitoring plan submitted for the Lakewood Centre DRI. This approval is contingent upon the following requirements:
- The Developer* shall ensure the protection of monitoring wells and access to monitoring wells through build-out of the project. Should any of the monitoring wells be destroyed the responsible entity shall provide written notification of the incident and corrective action taken to Manatee County.
 - Should the land use change significantly or should the baseline monitoring reveal exceedences that would merit additional monitoring measures, Manatee County may require the monitoring plan to be modified accordingly.
 - If monitoring activities do not begin in a timely manner, Manatee County may require the monitoring plan to be modified accordingly.

Historical and Archaeological Sites

- F.(1) Any significant historical or archaeological resources discovered during project development shall be reported to the Florida Division of Historical Resources (FDHR) and the disposition of such resources shall be determined in cooperation with the FDHR and Manatee County.

Water

- G.(1) Water-saving devices shall be required in the project as mandated by the Florida Water Conservation Act (Section 553.14, F.S.).

- G.(2) The Developer* shall be required by Manatee County ordinances, to extend potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.
- The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with 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-3.531, Florida Administrative Code.
- G.(3) The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited throughout the project, including on individual lots. Prior to Final Site Plan approval applicant shall specify source of irrigation on site plan.
- G.(6) The Developer* has committed to the following:
- utilization of a non-potable water system for all landscaped areas;
 - use of native vegetation or drought-resistant vegetation in landscaped areas and the single-family residential portion of development; and
 - the re-establishment of the tree canopy previously cleared for agricultural activities, where possible.
- G.(7) The Developer* shall obtain verification of adequate water supply availability and service concurrent with the request for specific approval of Phase 2 and Phase 3.
- G.(8) Water-saving plumbing fixtures must be used inside all buildings, including housing units.
- G.(9) Water-conserving irrigation systems shall be used throughout the development. Rainfall sensors shall be placed on all systems.
- G.(10) Irrigation time clocks shall be reset after the establishment period for new landscaping has expired.
- G.(11) Florida-friendly landscaping principles shall be used throughout the development.
- G.(12) Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall not be irrigated.

- G.(13) Conservation education shall be provided for the residents and other users of the development.
- G.(14) Total water use for the residential development shall not exceed 150 gallons per capita per day.

Wastewater

- H.(1) The Developer* shall be required by Manatee County ordinances, to expand wastewater service to each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project.*
- H.(2) No septic tanks are permitted.

Solid Waste

- I.(1) Commercial and office tenants shall be provided with information at the time of purchase or lease which identifies hazardous or medical materials and proper procedures for the handling and disposal of such materials. In the event that businesses using or producing hazardous materials or medical waste locate within the project, these materials shall be handled in a manner consistent with applicable Federal, State and Local regulations.
- I.(2) The Developer* shall be required by Manatee County ordinances, to extend solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

Recreation and Open Space

- J.(1) Greenways, environmentally-sensitive features, open space, and recreation facilities shall be maintained by the Developer* or successors such as a Home Owners Association, CDD, other legal entity and/or as directed by the permitting agencies.
- J.(2) As committed, the Developer* shall provide 36.8-acres of parks on-site at the locations indicated on Map H. An additional 23.5 acres of passive parks (within upland preservation areas and outside of wetland buffers) will be provided on the site, at locations to be determined by Manatee County through the development review process.

Health Care, Police, and Fire

- K.(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 approval 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 the schedule for payment of the Developer's pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Preliminary Site Plan, Final Site Plan, or Final Plat for Vertical Development* for Phase 1 or any subphase thereof. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project* and any pro-rata lump sum payment shall be creditable against the payment of impact fees at the rate in effect at the time payment was made. (completed for phase I only)
- K.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, equipping, and staffing of emergency service facilities for police and fire services or any combination thereof. 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 allowed by the Land Development Code, if applicable. An agreement as to pro-rata share for each Phase, mutually acceptable to the County and the Developer shall be reached prior to the issuance of the first Final Site Plan or Final Plat for Vertical Development for each Phase. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project and any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law.(completed for phase I only)
- K.(3) As agreed upon, the applicant shall use applicable Fire Wise principles such as clearing around houses and structures, carefully spacing trees, and maintaining irrigation systems. Such practices shall be described on the Landscape Plans of each Final Site Plan.

Hurricane Preparedness

- L.(1) The Developer* shall promote awareness of hurricane and flooding hazard, preparedness and hazard mitigation through public information, neighborhood association newsletters, model homes, commercial/office buildings, etc.

Affordable Housing

- M.(1) The Developer shall provide 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 M.(3) below, within the project, or within an adjacent project, in an amount equal to 10% of the total number of residential units constructed in Lakewood Centre Phases 1, 2, and 3 . 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.
- M.(2) Maximum home sales 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 sales price in effect at the time a contract for purchase of a workforce housing unit is executed shall apply.
- M.(3) 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.
- M.(4) The Developer shall include in its Biennial Report data showing the number and sale prices of workforce housing units sold and the number and rental rate of units leased during the reporting period. The Biennial Report shall also include the current Manatee County Maximum Income Limits Table and the Fair Market Rent Documentation System*. Only those units that have a sale price equal to or less than the maximum allowable home sales price, as provided in M.(2) or a rental rate equal to or less than the maximum rental rate as provided in M.(3), shall be counted toward the required mitigation.
- M.(5) With each Biennial Report, the overall ratio of workforce housing units provided to the number of residential units constructed in the Project shall be determined.
- M.(6) Should the required housing mitigation for Phase IV of the University Lakes DRI be constructed within Lakewood Centre, a separate calculation showing the overall ratio of workforce housing units provided within Lakewood Centre to the number of residential units constructed in Phase IV of University Lakes shall be included in the Biennial Report. This calculation will be for informational purposes only; any required fees for units not provided will be calculated according to the terms and conditions of the University

Lakes DRI Development Order

Energy

- N.(1) The Developer* shall incorporate energy conservation measures into the site design, building construction, and landscaping to the maximum extent feasible.
- N.(2) As committed, the Project* shall be certified as a “green development” by the Florida Green Building Coalition (FGBC) under its Green Development Standard. To ensure the continuance of green development, Lakewood Centre builders will be required to construct energy- and resource-efficient facilities and receive certification from the FGBC. The “Green Development” designation requires a combination of the following six categories: Protect Ecosystem and Conserve Natural Resources; Create a Green Circulation System; Green Utility Practices; Amenities; Covenants and Deed Restrictions; and Provide Educational Information to Help Achieve and Promote Green Living Practices.
- N.(3) The developer shall work with TECO/Peoples Gas to ensure that natural gas is available within the project, as committed.

General Conditions

- O.(1) Should development of Phase 1 depart from the parameters set forth in the ADA*, the Project* will be subject to Substantial Deviation review pursuant to Section 380.06, F.S.
- O.(2) Specific Approval of Phase 2 and Phase 3 shall be contingent upon further transportation and air quality analyses submitted in accordance with Subsection 380.06, F.S., and verification of water supply availability.
- O.(3) Physical development shall commence within two years of Development Order adoption, in order to have reasonable expectation of achieving Phase 1 buildout by March 22, 2022. For the purpose of the Development Order, this term means construction of infrastructure, roadways, or other vertical development*. (completed)
- O.(4) In the event the Bradenton/Sarasota Arena development or parcel is reacquired by the Developers of the Lakewood Centre DRI and meet the aggregation criteria defined in 380.0651(4), F.S., the Developer shall process the addition of this parcel (and corresponding entitlements) to the Lakewood Centre DRI through the requisite process administered under Subsection 380.06(19),

F.S.

O.(5) All of the Developer's* commitments set forth in the ADA* and subsequent Sufficiency Responses shall be honored as Development Order Conditions, except as they may be superseded by specific terms of the Development Order. Such developer commitments have been summarized in Section 7 of this Development Order.

O.(6) 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 even number years commencing March, 2010 until such time as all terms and conditions of this Development Order are satisfied. Ten (10) copies of this report shall be submitted to the Manatee County Building and Development Services Department, 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 Building and Development Services 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 change in the plan of development, or in the representation 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 land encompassed by the Development Order for the Project*;
- 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 Development* 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(14)(d), 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.
- l. An updated map showing the locations and acreage of upland and wetland preservation; and
- m. Any other information required pursuant to general law.

SECTION 7. DEVELOPER* COMMITMENTS:

The following are developer commitments set forth in the Application for Development Approval* (ADA*) and Sufficiency Responses* (SR) which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order.

GENERAL

1. Ground-level shops and eateries will be located below residential housing units to emphasize pedestrian activity along the street. (ADA/Page 10.2)
2. Agricultural uses will continue on portions of the property not immediately subject to development. (ADA/Page 10.7)
3. The County's Future Land Use Map will need to be revised to change the (285.3 acre) area of Urban Fringe-3 to the Residential/Office/Retail FLU to allow the proposed amount of development (ADA/Page 10.12). The amendment area is generally north and west of the Arena outparcel, located in Sections 8 and 17, of Township 35, Range 19 (ADA/Page 10.14).

4. No amendments to the Capital Improvements Element will be required in order for the Project to be developed as proposed. (ADA/Page 10.13)
5. The proposed Land Use Equivalency Matrix is limited to the Phase 1 entitlements for which Specific Approval is being requested. (SR3/Page 10.1)

VEGETATION AND WILDLIFE

1. Most of the isolated wetlands and wetlands associated with the headwaters and/or intermittent tributaries of the perennial stream systems (Wolf Creek, Williams Creek, unnamed drainage) found on this site will be maintained to preserve existing plant communities in the project after development, as well as provide visual amenities and wildlife habitat. (ADA/Page 12.5)
2. In order to provide sufficient protection for this species [bald eagle] a management plan for the protection of this nesting territory will be prepared in coordination with the FWS prior to any development within 1500 feet of the nest for this DRI. (ADA/Page 12.9) [Developer Clarification: the recently adopted federal management guideline is now 660 feet].
3. The land-use plan will include preservation of the significant wetland systems on site, including all of the wetlands where listed species were observed. (ADA/Page 12.12)
4. Compensatory mitigation for the proposed wetland impacts will be provided by “The Long Swamp Ecosystem Management Plan” which is an existing comprehensive wetland restoration and enhancement project, approved by the USCOE, the SWFWMD, and Manatee and Sarasota Counties to provide mitigation for wetland impacts within the boundaries of Schroeder Manatee Ranch. (ADA/Page 12.13)
5. All development planned for this DRI will be consistent with the approved current bald eagle management plan at the time of the Preliminary or Final Site Plan application. (SR1/Page 9.5)
6. The intensity of agricultural activity on the Lakewood Centre site will not be increased during development. (SR1/Page 10.2)
7. The specific configuration of the preservation areas will be determined upon further planning and will be subject to approval by the Building and Development Services Director. (SR1/Page 10.11)
8. The applicant proposes to preserve additional native upland habitats

(including pine flatwoods, pine-mesic oak, and live oak) north of Center Parkway and adjacent to the following wetlands: NW-W31, NW-W33B, NW-W33A, NW-W35, NW-W35B and NW-W37, as depicted on the supplemental map. The applicant will remove all nuisance/exotic vegetation from upland portions of on-site communities. (SR1/Page 12.4)

9. Wildlife uses will be protected by limiting access to boardwalks or other appropriate areas (using marked trails, fenced areas, signage, etc.). (SR1/Page 26.1)
10. The 8.9-acre potential preservation area shown on Map H, contains several different types of native upland habitat. The exact amount of each habitat preserved will not be known until the Final Site Planning process is completed. (SR2/Page 10.4)
11. The developer offers the following stipulation to ensure protection of this species: "Preliminary and Final Site Plans within 1,500' of the bald eagle nest shall be designed in accordance with Habitat Management Guidelines for the Bald Eagle in the Southeast Region, as amended, or a Habitat Management Plan for Bald Eagles, approved by the U.S. Fish and Wildlife Service, shall be provided prior to Final Site Plan approval." (SR2/Page 12.7) [Developer Clarification: the recently adopted federal management guideline is now 660'].
12. Per the January 10, 2007 meeting between Stephanie Rousso (FWC), Alissa Powers (EAC) and Mike Burton (EAC), it was agreed that potential habitat be surveyed again for Sherman's fox squirrel prior to construction. (SR2/Page 12.10)

WETLANDS

1. Except for necessary roadway crossings and relatively minor impacts to allow sufficient development for a Town Center, the on-site wetlands will be retained in their natural state or enhanced. (ADA/Page 10.18)
2. Additional studies of wetland hydrology will be conducted for the design of the site's stormwater management system prior to Final Site Plan submittals. (ADA/Page 13/1)
3. Hydroperiods of on-site wetlands will be maintained through contributions from the proposed stormwater management system. Upland buffers of 30 feet around preserved isolated wetlands and 50 feet around wetlands contiguous with waters of the state within the Evers Reservoir Watershed Overlay District will be observed, protected and managed for wildlife habitat value in accordance with the Manatee County LDC. These buffers will remain in native vegetation where found and restored to native conditions where habitat has been degraded. (ADA/Page 13.2)

4. Wetland areas will be clearly identified in the field prior to initiating construction. Silt fence, or other appropriate erosion control device, will be placed at the limit of the wetland buffers to prohibit encroachment and sedimentation. (ADA/Page 13.6)
5. Stormwater lake littoral shelves within the project area will be planted with at least three species of desirable herbaceous emergent vegetation. Plant materials will be bare root sized and installed on three-foot centers. (ADA/Page 13.6)
6. The majority of these wetlands will remain undisturbed as important amenities to the site plan and will be incorporated into the surface water management plan and dedicated as Wetland Conservation Areas. (ADA/Page 15.2)
7. The wetlands will be enhanced by incorporating them into the stormwater management system. This will improve wetland hydroperiods to mimic pre-agricultural impact functions and values. Wetland impacts will be mitigated using credits from the Long Swamp Ecosystem Management Plan. (SR1/Page 10.21)
8. Conservation easement and wetland buffer signage will be installed at key locations to advise those utilizing the area or performing maintenance activities of appropriate restrictions. (SR1/Page 13.1)
9. The only wetland impacts are proposed in the high intensity commercial development (MU area) portion of the project. (SR1/Page 13.3)
10. The water quality and quantity functions of the wetlands will be replaced on site as part of the stormwater management system. (SR1/Page 13.9)
11. Wetlands and wetland buffers will be placed under a conservation easement to Manatee County. During construction, Best Management Practices, such as silt fencing, will protect the wetland and buffers from potential secondary impacts. Post-construction, the installation of conservation easement/wetland buffer signage will educate and inform residents of the protected nature of these areas. (SR1/Page 26.1)
12. The Lakewood Ranch Stewardship District will be responsible for the management of all conservation lands after project buildout. (SR2/Page 13.2)

WATER QUALITY

1. Water quality monitoring will be continued in accordance with Manatee County's "Ambient Surface Water Monitoring for Developments" if

additional monitoring is deemed necessary or if the applicant is requested to participate in a basin management study in order to meet the state's reasonable assurance criteria for a total maximum daily load allocations for impaired and potentially impaired water bodies. (ADA/Page 14.4)

2. Construction water quality monitoring for turbidity will be accomplished with the implementation of a sediment control program... The "Sediment Control Program" and documentation as well as the construction manager's daytime and emergency contact information shall be provided to the Manatee County. (ADA/Page 14.6)
3. The applicant intends to propose and perform baseline water quality monitoring for ambient groundwater conditions, in order to meet Development Order stipulations and in accordance with Manatee County's Ambient Groundwater Monitoring Plan requirements. A groundwater monitoring plan will be submitted to Manatee County for their approval prior to startup of site development activities. The groundwater monitoring program will continue throughout the site development activities to ensure that these activities do not pose any potential adverse effects to the surficial aquifer resources... (ADA/Page 14.5)
4. Soil borings will be performed at the time of design to verify the Seasonal High Water Level at the specific sites as well as any elevations of any confining layers. (SR2/Page 14.2)

SOILS

1. Flexible roadways and building foundations will also be utilized to offset swelling and shrinking of soils. (ADA/Page 15.3)
2. Lake bank stabilization will be achieved through the use of temporary seed and mulch until final stabilization can be achieved by means of sodding. Within the Littoral zones of the lakes, below normal water level, native aquatic plants will be utilized. (ADA/Page 15.3)
3. A conservation easement covering the wetlands and wetland buffers will be dedicated to Manatee County through the final subdivision plat process or by separate legal instrument. (SR1/Page 15.2)

FLOODPLAINS

1. There will be no floodplain impacts. (ADA/Page 10.21)
2. There is no area within the 100-year floodplain within the project's boundaries or the immediate vicinity. (SR1/Page 9.4)

WATER SUPPLY

1. The Project will use the lowest quality water available for irrigation purposes, including non-potable quality groundwater and stormwater. (ADA/Page 10.15)
2. Water wells will be proposed on-site, and the future needs will be determined through studies not yet completed. (ADA/Page 17.5)
3. The applicant will operate and maintain the non-potable water supply system via Braden River Utilities. (ADA/Page 17.5)
4. The development will encourage responsible use of water by the occupants. The developer will implement non-potable (irrigation) restrictions to limit the use of non-potable water to conserve water. The Developer will also encourage the use of native, drought tolerant landscape within the single-family residential portion of the project. (ADA/Page 17.6 & SR1/Page 10.20)
5. The applicant has taken several steps to minimize the use of water including the following (SR1/Page 10.14):
 - the utilization of a non-potable water system for all landscaped areas;
 - the use of native vegetation or drought-resistant vegetation in landscaped areas; and
 - the re-establishment of tree canopy that has been previously cleared for agricultural activities where possible.
6. The [proposed] water wells will be used exclusively for irrigation purposes. (SR1/Page 17.2)
7. In regards to commercial/office areas, rainfall shutoff valves will be implemented in order to regulate the irrigation times, durations and quantities. (SR2/Page 17.2)

WASTEWATER MANAGEMENT

1. The proposed development will be served by a proposed sanitary sewer system. It is anticipated that septic tanks will not be required. (ADA/Page 18.3)

STORMWATER MANAGEMENT

1. The post-development stormwater management system will be designed to avoid adverse impacts to property and environmentally sensitive areas, upstream and downstream of the site. Water quality and quantity standards will be achieved through the stormwater management system

which will be designed in accordance with state and local criteria and will utilize ponds, lakes, littoral zones, wetlands, and control structures with skimmers to achieve the following (ADA/Page 19.5):

- no de-hydration or flooding of existing wetland systems
 - post-developed flows will be attenuated so that no upstream or downstream adverse impacts are created
 - stormwater treatment to ensure water quality criteria is met in accordance with State and Manatee County standards.
2. The development area within the watershed overlay will be designed with the knowledge that it is located within the Evers Reservoir Watershed and will be submitted to the appropriate agencies for the proper review and approval process. (ADA/Page 19.5)
 3. The stormwater management system will be owned and maintained by the applicant or assignee. Potentially, the ownership and maintenance could be assigned to the Lakewood Ranch Stewardship District. A regular maintenance program will be developed for the site. (ADA/Page 19.5)

TRANSPORTATION

1. Pope Road will be extended from its existing endpoint at the northern entrance to the Bradenton/Sarasota Arena site contemporaneously with the construction of the western portion of the Northwest Sector DRI. (SR1/Page 9.1)
2. No age-restricted units were assumed in the transportation analysis. (SR1/Page 10.9)
3. Transportation improvements to serve the Lakewood Centre project do not encourage or subsidize increased development in environmentally sensitive areas such as wetlands, floodways, or productive marine areas. (SR1/Page 10.22)
4. The Applicant will meet with MCAT (Manatee County Area Transit) [to discuss locations of transit stops] during the detailed planning stage of the project. (SR2/Page 9.2)
5. Manatee County will require external trip monitoring as a condition of approval of Phase 1. Further, any development beyond Phase 1 will require additional transportation analysis. This will provide an opportunity to confirm the assumptions used in the ADA analysis, or change them, as appropriate. (SR3/Page 9.2)

AIR QUALITY

1. In order to minimize the amount of fugitive dust, only the individual parcels of land where construction is schedule to proceed will be cleared. Additional measure to be employed to minimize fugitive dust include sodding, seeding, mulching, or planting of landscaped materials in cleared and disturbed areas. Watering procedures will be employed as necessary to minimize fugitive dust. (ADA/Page 22.1)

HURRICANE PREPAREDNESS

1. Although the project is not within the coastal high hazard area, the Developer will cooperate with local, regional, and state agencies to facilitate all-hazards emergency management, planning and coordination. (ADA/Page 10.14)

AFFORDABLE HOUSING

1. Please see Development Order Conditions M.(1) through M.(6) above.

RECREATION AND OPEN SPACE

1. The development will include passive and active recreation facilities including pedestrian and bicycle systems throughout the Project. (ADA/Page 10.13)
2. All open space and recreation facilities within the Project will be maintained by the Developer or successors such as a Homeowner's Association(s), a Community Development District or the Lakewood Ranch Stewardship District. (ADA/Page 26.2)
3. The Project will include a variety of recreational opportunities in the form of pocket parks, linear parks, and esplanades. (ADA/Page 26.2)
4. At least 4.6 acres [Developer Clarification: 4.3 acres] of parks will be developed on-site at the locations indicated on the revised Map H. An additional 6.6 acres [Developer Clarification: 8.9 acres] of passive parks (located in upland preservation areas outside of wetland buffers) will be provided on the site, at locations to be determined later. (SR1/Pages 10.16 & 10.20)

ENERGY

1. The developer will encourage the identified energy conservation methods [i.e. increased insulation, high efficiency mechanical devices, cross ventilation, solar heating and cooling, and low pressure sodium lamps for external lighting] be used by builders in the Lakewood Centre DRI. (SR1/Page 29.1)

2. The Lakewood Centre Project will be certified as a “green development” by the Florida Green Building Coalition (FGBC) under its Green Development Standard. To ensure the continuance of green development, Lakewood Centre builders will be required to construct energy- and resource-efficient facilities and receive certification from the FGBC. (SR1/Page 29.1)

The developer is working with TECO/Peoples Gas to ensure that natural gas is available within the project. (SR1/Page 29.1)

The “Green Development” designation requires a project to be “graded” on meeting a detailed list of requirements in six categories: Protect Ecosystem and Conserve Natural Resources; Create a Green Circulation System; Green Utility Practices; Amenities; Covenants and Deed Restrictions; and Provide Educational Information to Help Achieve and Promote Green Living Practices. Each category has certain criteria with points awarded for meeting those criteria. A minimum number of points are need to qualify as a “Green Development.” (SR2/Page 29.1)

SECTION 8. LEGAL DESCRIPTION:

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

A tract of land lying in Sections 7, 8, 9, 16, 17 and 18 Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Southeast corner of said Section 7, also being the Northeast corner of the above mentioned Section 18; thence N.88°45'31"W., along the north line of said Section 18 a distance of 21.43 feet to the POINT OF BEGINNING, said point being a point on the easterly right-of-way line of Lakewood Ranch Boulevard, a 120-foot wide Public Right-of-way; the following two (2) calls are along said easterly right-of-way line; (1) thence N.02°18'37"W., a distance of 346.71 feet to the point of curvature of a curve to the right having a radius of 3,940.00 feet and a central angle of 03°48'48"; (2) thence northerly along the arc of said curve, an arc length of 262.23 feet to the point of compound curvature of a curve to the right having a radius of 50.00 feet and a central angle of 91°37'13"; thence northeasterly along the arc of said curve, an arc length of 79.95 feet to the point of tangency of said curve; thence S.86°52'35"E., a distance of 1,131.57 feet to the point of curvature of a curve to the left having a radius of 2,143.00 feet and a central angle of 44°37'24"; thence easterly along the arc of said curve, an arc length of 1,669.02 feet to the point of reverse curvature of a curve to the right having a radius of 2,023.00 feet and a central angle of 34°25'49"; thence northeasterly along the arc of said curve, a distance of 1,215.67 feet to the point of tangency of said curve; thence N.82°55'49"E., a distance of 734.17 feet to the point of curvature of a curve to the right having a radius of 50.00 feet and a central angle of 87°53'04"; thence southeasterly along the arc of said curve, an arc length of 76.69 feet to the point of reverse curvature

of a curve to the left having a radius of 2,930.00 feet and a central angle of $23^{\circ}41'47''$; thence southerly along the arc of said curve, a distance of 1,211.79 feet to the point of reverse curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of $11^{\circ}22'52''$; thence southeasterly along the arc of said curve, a distance of 556.19 feet to the point of tangency of said curve; thence $S.68^{\circ}29'59''W.$, a distance of 11.00 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.68^{\circ}29'59''W.$, a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of $03^{\circ}46'14''$, an arc length of 183.54 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.25^{\circ}49'28''W.$, a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of $46^{\circ}58'18''$, an arc length of 28.69 feet to the point of compound curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of $07^{\circ}40'51''$; thence southerly along the arc of said curve, an arc length of 375.36 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of $01^{\circ}04'12''$; thence southerly along the arc of said curve, a distance of 54.72 feet to the end of said curve; thence $S.01^{\circ}18'11''W.$, along a line non-tangent to the last described curve, a distance of 51.28 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.78^{\circ}25'45''E.$, a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of $05^{\circ}37'54''$, an arc length of 289.07 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.25^{\circ}50'30''W.$, a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of $46^{\circ}27'42''$, an arc length of 28.38 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of $06^{\circ}44'40''$; thence southerly along the arc of said curve, a distance of 344.90 feet to the end of said curve; thence $S.12^{\circ}34'36''E.$, along a line non-tangent to the last described curve, a distance of 51.41 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.64^{\circ}34'42''E.$, a radial distance of 2,941.00 feet; thence southeasterly along the arc of said curve, through a central angle of $01^{\circ}33'58''$, an arc length of 80.39 feet to the point of tangency of said curve; thence $S.26^{\circ}59'15''E.$, a distance of 113.45 feet; thence $S.63^{\circ}00'45''W.$, a distance of 90.22 feet to the point of curvature of a curve to the right having a radius of 1943.00 feet and a central angle of $18^{\circ}07'32''$; thence along the arc in a southwesterly direction, a distance of 614.67 feet to the end of said curve; thence $S.09^{\circ}31'35''E.$, along a line non-tangent to the last described curve, a distance of 78.62 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.10^{\circ}12'41''W.$, a radial distance of 2007.00 feet; thence along the arc in a northeasterly direction, passing through a central angle of $11^{\circ}39'48''$, an arc length of 408.55 feet to the end of said curve; thence $N.79^{\circ}51'15''E.$, along a line non-tangent to the last described curve, a distance of 51.06 feet to the point of curvature of a curve to the left, of which the radius point lies $N.23^{\circ}17'40''W.$, a radial distance of 3,012.26 feet; thence along the arc in a northeasterly direction, passing through a central angle of $04^{\circ}10'01''$, an arc length of 219.07 feet to the end of said curve; thence $S.31^{\circ}07'37''E.$, along a line non-tangent to the last described curve, a distance of 152.40 feet to the point of

curvature of a non-tangent curve to the right, of which the radius point lies S.26°59'16"E., a radial distance of 50.00 feet; thence easterly along the arc of said curve, through a central angle of 90°00'00", an arc length of 78.54 feet to the point of tangency of said curve; thence S.26°59'15"E., a distance of 769.47 feet to the point of curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 27°15'57"; thence southerly along the arc of said curve, an arc length of 1,332.47 feet to the point of tangency of said curve; thence S.00°16'42"W., a distance of 641.12 feet; thence N.89°43'18"W., a distance of 670.00 feet; thence S.00°16'42"W., a distance of 990.00 feet to the north right-of-way line of State Road 70, a 200-foot wide Public Right-of-way; the following two (2) calls are along said northerly right-of-way line; (1) thence N.89°43'18"W., a distance of 527.20 feet; (2) thence N.88°46'44"W., a distance of 3,950.87 feet to the east right-of-way line of said Lakewood Ranch Boulevard; thence N.01°13'16"E., along said east right-of-way line, a distance of 100.01 feet; thence S.88°46'44"E., a distance of 210.34 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of 108°00'50"; thence northeasterly along the arc of said curve, an arc length of 94.26 feet to the point of tangency of said curve; thence N.16°47'34"W., a distance of 69.44 feet to the point of curvature of a curve to the right having a radius of 300.00 feet and a central angle of 18°19'57"; thence northerly along the arc of said curve, an arc length of 95.99 feet to the point of tangency of said curve; thence N.01°32'24"E., a distance of 131.00 feet to the point of curvature of a curve to the left having a radius of 30.00 feet and a central angle of 89°19'08"; thence northwesterly along the arc of said curve, an arc length of 46.77 feet to the point of tangency of said curve; thence N.87°46'44"W., a distance of 193.00 feet to the east right-of-way line of said Lakewood Ranch Boulevard; the following three (3) calls are along said east right-of-way line; (1) thence N.01°13'16"E., a distance of 71.50 feet to the point of curvature of a curve to the left having a radius of 1,810.00 feet and a central angle of 47°18'07"; (2) thence northerly along the arc of said curve, an arc length of 1,494.29 feet to the point of tangency of said curve; (3) thence N.46°04'51"W., a distance of 88.50 feet; thence N.43°55'10"E., a distance of 93.66 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 124°16'00"; thence northerly along the arc of said curve, an arc length of 43.38 feet to the point of reverse curvature of a curve to the right having a radius of 71.00 feet and a central angle of 44°08'56"; thence northwesterly along the arc of said curve, a distance of 54.71 feet to the point of tangency of said curve; thence N.36°11'54"W., a distance of 225.82 feet; thence N.48°58'07"W., a distance of 84.68 feet; thence N.69°43'32"W., a distance of 99.20 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 54°19'36"; thence westerly along the arc of said curve, an arc length of 18.96 feet to the point of tangency of said curve; thence S.55°56'52"W., a distance of 32.09 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.55°56'52"E., a radial distance of 2,190.00 feet, said point also being a point on the east right-of-way line of said Lakewood Ranch Boulevard; the following two (2) calls are along said east right-of-way line; (1) thence northerly along the arc of said curve, through a central angle of 31°44'31", an arc length of 1,213.27 feet to the point of tangency of said

curve; (2) thence N.02°18'37"W., a distance of 1,728.76 feet to the POINT OF BEGINNING.

Said tract contains 33,590,466 square feet or 771.1310 acres, more or less.

LESS:

Pond Number 3, described in Official Record Book 1540, Page 7918 of the Public Records of Manatee County, Florida;

LESS:

Parcel 100A, described in Official Record Book 1915, Page 5768 of the Public Records of Manatee County, Florida;

LESS:

Premises described in Warranty Deed to DVA Arena, LLC, recorded in Official Record Book 1943, Page 4075 of the Public Records of Manatee County, Florida;

LESS: Ingress-Egress Easement No. 1

A Tract of land lying in Section 9, 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Section 17; thence S.89°34'35"E along the North line of said Section 17 a distance of 3985.93 feet; thence S.00°25'25"W a distance of 487.63 feet to the POINT OF BEGINNING; said point being the point of curvature of a curve to the right, of which the radius point lies S.69°39'59"E., a radial distance of 325.00 feet; thence northeasterly along the arc of said curve, through a central angle of 33°08'49", an arc length of 188.02 feet to the point of tangency of said curve; thence N.53°28'49"E., a distance of 370.60 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of 30°41'48"; thence easterly along the arc of said curve, an arc length of 174.12 feet to the point of tangency of said curve; thence N.84°10'37"E., a distance of 374.39 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of 24°43'08"; thence easterly along the arc of said curve, an arc length of 140.21 feet to the point of reverse curvature of a curve to the left having a radius of 275.00 feet and a central angle of 37°11'49"; thence easterly along the arc of said curve, a distance of 178.53 feet to the point of compound curvature of a curve to the left having a radius of 35.00 feet and a central angle of 91°38'36"; thence northeasterly along the arc of said curve, an arc length of 55.98 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.70°03'20"W., a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of 02°12'54", an arc length of 107.82 feet to

the point of curvature of a non-tangent curve to the left, of which the radius point lies S.25°49'28"W., a radial distance of 35.00 feet; thence westerly along the arc of said curve, through a central angle of 44°31'14", an arc length of 27.20 feet to the point of tangency of said curve; thence S.71°18'14"W., a distance of 9.06 feet to the point of curvature of a curve to the right having a radius of 337.00 feet and a central angle of 37°35'30"; thence westerly along the arc of said curve, an arc length of 221.11 feet to the point of reverse curvature of a curve to the left having a radius of 263.00 feet and a central angle of 01°53'10"; thence westerly along the arc of said curve, a distance of 8.66 feet to the point of tangency of said curve; thence N.72°59'26"W., a distance of 56.37 feet to the point of curvature of a curve to the left having a radius of 137.00 feet and a central angle of 22°49'57"; thence westerly along the arc of said curve, an arc length of 54.60 feet to the point of tangency of said curve; thence S.84°10'37"W., a distance of 371.34 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 30°41'48"; thence westerly along the arc of said curve, an arc length of 147.33 feet to the point of tangency of said curve; thence S.53°28'49"W., a distance of 370.60 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 34°54'45"; thence southwestwardly along the arc of said curve, an arc length of 167.57 feet to the end of said curve; thence N.60°04'23"W., a distance of 50.84 feet to the POINT OF BEGINNING.

Said tract contains 76,341 square feet or 1.7526 acres, more or less.

LESS: Ingress-Egress Easement No. 2

A Tract of land lying in Sections 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Sections 16 and 17; thence S.89°34'35"E along the North line of said Section 17 a distance of 4291.01 feet; thence S.00°25'25"W a distance of 654.77 feet to the POINT OF BEGINNING; thence S.60°04'23"E., a distance of 25.14 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.46°57'50"E., a radial distance of 325.00 feet; thence easterly along the arc of said curve, through a central angle of 113°10'48", an arc length of 641.99 feet to the point of reverse curvature of a curve to the left having a radius of 255.00 feet and a central angle of 85°25'10"; thence southeasterly along the arc of said curve, a distance of 380.17 feet to the point of tangency of said curve; thence N.70°47'48"E., a distance of 283.99 feet to the point of curvature of a curve to the left having a radius of 35.00 feet and a central angle of 85°57'17"; thence northeasterly along the arc of said curve, an arc length of 52.51 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.74°50'32"E., a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of 02°02'41", an arc length of 104.95 feet to the end of said curve; thence N.72°51'02"W., along a line non-tangent to the last described curve, a distance of 10.58 feet; thence S.70°47'48"W., a distance of 226.06 feet to the

point of curvature of a curve to the right having a radius of 167.00 feet and a central angle of 08°40'50"; thence westerly along the arc of said curve, an arc length of 25.30 feet to the point of tangency of said curve; thence S.79°28'38"W., a distance of 62.92 feet to the point of curvature of a curve to the left having a radius of 133.00 feet and a central angle of 04°57'32"; thence westerly along the arc of said curve, an arc length of 11.51 feet to the point of reverse curvature of a curve to the right having a radius of 309.00 feet and a central angle of 81°41'53"; thence northwesterly along the arc of said curve, a distance of 440.60 feet to the point of reverse curvature of a curve to the left having a radius of 271.00 feet and a central angle of 49°45'11"; thence northwesterly along the arc of said curve, a distance of 235.32 feet to the point of tangency of said curve; thence N.78°27'38"W., a distance of 46.52 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.06°36'57"W., a radial distance of 271.00 feet; thence westerly along the arc of said curve, through a central angle of 21°41'20", an arc length of 102.59 feet to the end of said curve; thence S.66°23'37"W., along a line non-tangent to the last described curve, a distance of 80.42 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.32°08'23"E., a radial distance of 271.00 feet; thence southwesterly along the arc of said curve, through a central angle of 10°26'33", an arc length of 49.39 feet to the end of said curve; thence S.39°34'23"E., along a line non-tangent to the last described curve, a distance of 35.74 feet; thence N.60°04'23"W., a distance of 116.67 feet; thence N.29°55'37"E., a distance of 4.78 feet to the POINT OF BEGINNING.

Said tract contains 75,680 square feet or 1.7374 acres, more or less.

Total Described Area	= 771.1310 Acres +/-
Less: Ponds No. 3	= 5.15 Acres +/-
Less: Parcel 100A	= 4.512 Acres +/-
Less DVA Arena, LLC	= 60.5327 Acres +/-
Less: Ingress-Egress Easement No. 1	= 1.7526 Acres +/-
<u>Less Ingress-Egress Easement No. 2</u>	<u>= 1.7374 Acres +/-</u>
Net Area	= 697.4463 Acres +/-

SECTION 9. DEADLINE FOR COMMENCEMENT OF DEVELOPMENT:

Physical development of the Project* shall commence within two years of the effective date of this Ordinance, as amended, unless the time period for commencement is extended by the Board of County Commissioners. If more than two years elapse between the effective date of this Order and commencement of actual development, or if construction of a phase is not begun or completed by the timeframe contained in Section 4 above, or if any three 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 timeframe 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 10. RESTRICTIONS ON DOWN-ZONING:

Prior to the buildout date of this Development Order, the County shall not down-zone or reduce the intensity or unit density permitted by this Development Order, unless the County can demonstrate that:

- A. Substantial changes in the condition 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 in intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for change 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 of the Project*, but is included herein to comply with paragraph 380.06(15)(c)3, Florida Statutes.

SECTION 11. ORDER BINDING UPON DEVELOPER*:

This 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 days of the date of signature by the Chairman of the Board of County Commissioners to the Developer* and the Florida Department of Economic Opportunity.

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 Building and Development Services Department with 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, but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 15. EFFECTIVE DATE:

This Ordinance, Ordinance 13-XX, shall become effective upon the filing of a certified copy of the executed Ordinance with the Department of State; and provided, however, that (a) the filing of a Notice of Appeal pursuant to Section 380.07, Florida Statutes, shall suspend development authorization granted for this Development Order until the resolution of the appeal.

ADOPTED AND APPROVED WITH A QUORUM PRESENT AND VOTING THIS
3rd DAY OF October, 2013

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY,
FLORIDA**

BY: Larry Bustle
Larry Bustle, Chairman

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

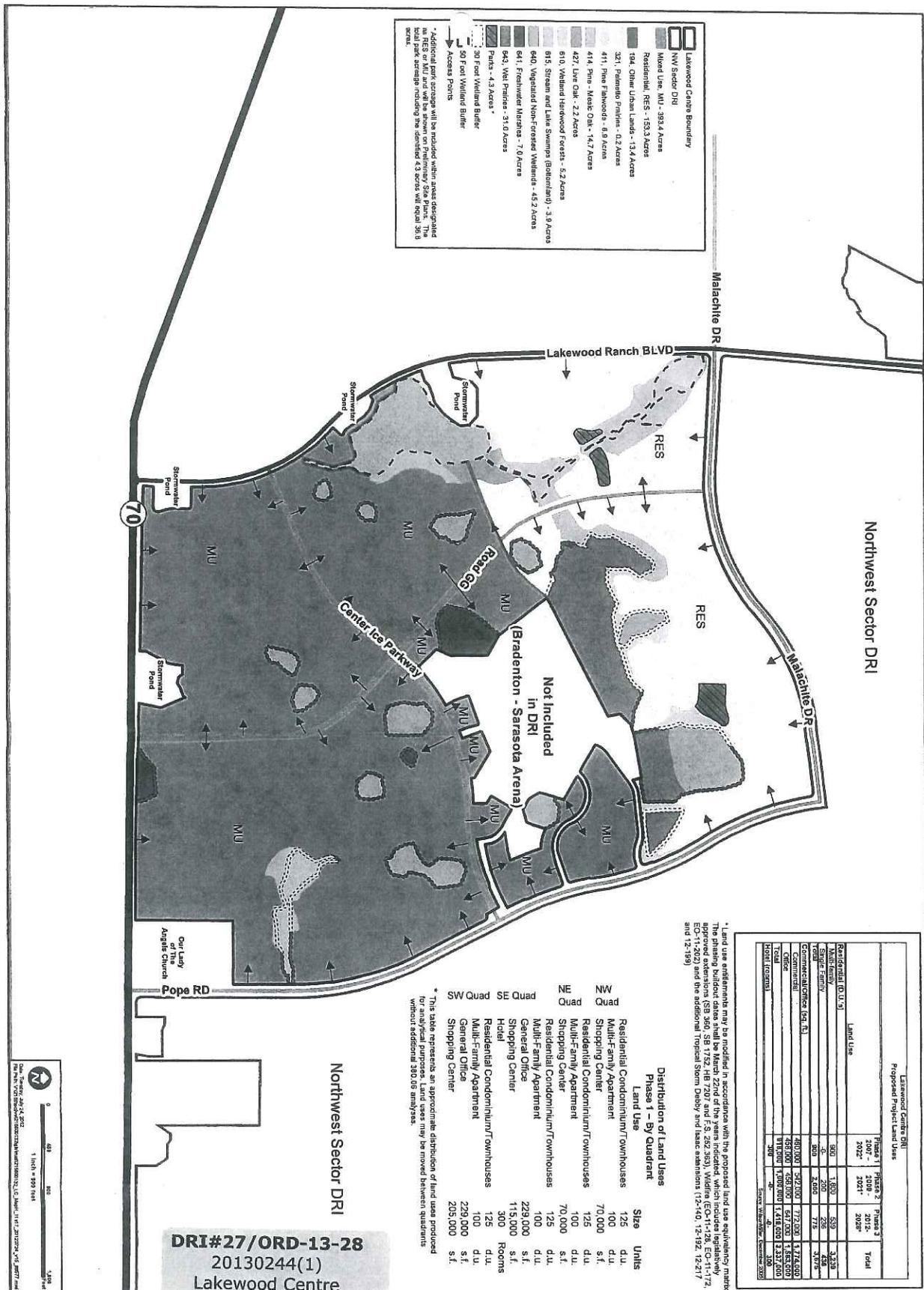
BY: Wichi Jessner
Deputy Clerk



Attachments to Ordinance 13-28

Exhibit A – Map H

Exhibit B – Natural Resources of Regional Significance, as delineated on Map 3



- 00 Lakewood Centre Boundary
 - 01 NW Sector DRI
 - 194 Mixed Use, MU - 383.4 Acres
 - Residential, RES - 153.3 Acres
 - 231 Other Urban Lands - 13.4 Acres
 - 411 Prime Palmetto - 6.9 Acres
 - 414 Pine - Mesic Oak - 14.7 Acres
 - 427 Live Oak - 2.2 Acres
 - 610 Wetland Wetland Forests - 5.2 Acres
 - 615 Stream and Lake Swamps (Biotland) - 3.8 Acres
 - 640 Vegetated Non-Forested Wetlands - 45.2 Acres
 - 641 Freshwater Wetlands - 7.0 Acres
 - 643 Wet Prairie - 31.0 Acres
 - 645 Parks - 4.3 Acres
 - 30 Foot Wetland Buffer
 - 50 Foot Wetland Buffer
 - Access Points
- * Additional park storage will be included within areas designated as RES or MU and will be shown on Project No. 20130244(1) in a future design including the additional 4.3 acres of wetland, 36.8 acres of storage, and 1.0 acre of wetland.

Lakewood Centre, DRI
Proposed Project Land Uses

Land Use	Phase 1	Phase 2	Phase 3	Total
	2022*	2031*	2037*	
Residential (D.U.)	480	1,800	530	3,810
Commercial	0	200	250	450
Office	800	2,000	775	3,575
Community (GA, N)	280,000	322,000	172,000	774,000
Commercial	650,000	525,000	547,000	1,722,000
Office	1,000,000	1,418,000	1,337,000	3,755,000
Total (Rooms)	480	4,530	1,632	6,642

Source: Lakewood Centre, December 2010

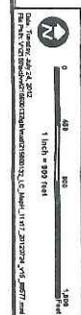
* Land use assignments may be modified in accordance with the proposed land use regulatory framework. The planning building dates shall be March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 707 and F.S. 282.35). Wetland (EO-11-17B, EO-11-17Z, EO-11-202) and the additional Tropical Storm Debby and Isaac extensions (12-140, 12-182, 12-217 and 12-189)

Distribution of Land Uses
Phase 1 - By Quadrant

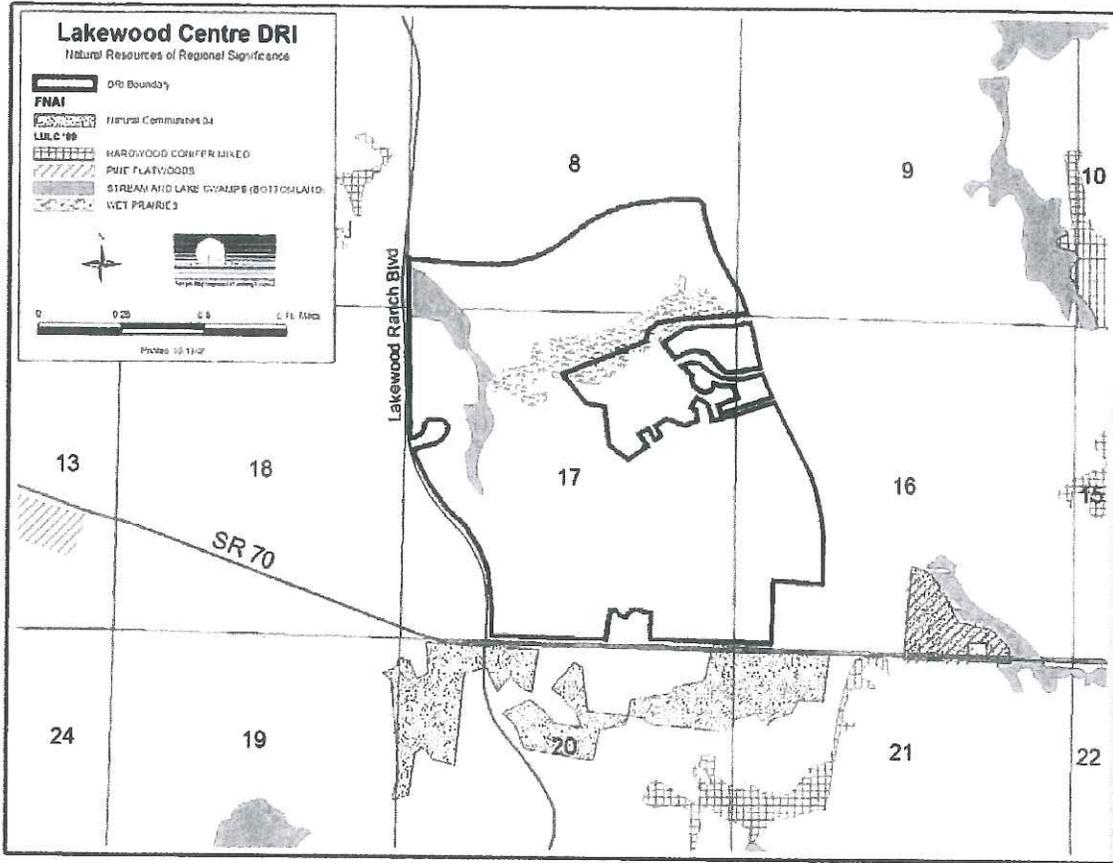
Land Use	SW Quad	SE Quad	NE Quad	NW Quad
Residential Condominium/Townhouses	125	125	125	125
Multi-Family Apartment	100	100	100	100
Shopping Center	70,000	70,000	70,000	70,000
Residential Condominium/Townhouses	125	125	125	125
Multi-Family Apartment	100	100	100	100
Residential Condominium/Townhouses	229,000	229,000	229,000	229,000
General Office	115,000	115,000	115,000	115,000
Shopping Center	300	300	300	300
Residential Condominium/Townhouses	125	125	125	125
Multi-Family Apartment	100	100	100	100
General Office	229,000	229,000	229,000	229,000
Shopping Center	205,000	205,000	205,000	205,000

* This table represents an approximate distribution of land uses produced for analytical purposes. Land uses may be moved between quadrants without additional 380.0 acres.

DRI#27/ORD-13-28
20130244(1)
Lakewood Centre



**MAP #3
LAKEWOOD CENTRE
NATURAL RESOURCES OF REGIONAL SIGNIFICANCE**



Source: *Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region (SRPP)*, adopted March 12, 1996, as amended.



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 3rd day of October, 2013
 R.B. SHORE
 Clerk of Circuit Court
 By: [Signature] D.C.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

October 4, 2013

Honorable R. B. "Chips" Shore
Clerk of the Circuit Court
Manatee County
Post Office Box 25400
Bradenton, Florida 34206

Attention: Robin Liberty, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. 13-028, which was filed in this office on October 4, 2013.

As requested, a date stamped copy of the ordinance is being returned for your records.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

Enclosure

#265



MANATEE COUNTY FLORIDA

January 22, 2013

Darenda Marvin
Grimes, Goebel, Grimes, Hawkins, Gladfelter & Galvano, P.L.
1023 Manatee Avenue West
Bradenton, Florida 34205

Re: **Lakewood Centre # 27 (TBRPC #265)**

Request: Extensions for Tolling and Extensions of Permits and other Authorizations Under Executive Orders for Tropical Storm Debby (12-140, 12-192, 12-217); and Executive Order for Tropical Storm Isaac (12-199)
Project Number: PDMU-06-30(Z)(G)(R)/ORD-12-28(EXT3) DTS #: 20120441

Dear Ms. Marvin:

In 2012 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 for both Tropical Storm Debby and Tropical Storm Isaac.

Florida Statute Section 252.363 "Tolling and extension of permits and other authorizations." This statute allows for the tolling and extension to the expiration of a development order issued by a local government, the expiration of a building permit and to developments of regional impact build out 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.

Tropical Storm Debby: (Executive Orders 12-140, 12-192, and 12-217):

- On June 25, 2012, a State of Emergency (Executive Order 12-140) was declared for Tropical Storm Debby. The emergency declaration applied statewide and was for a period of 60 days. The State of Emergency initially extended through August 24, 2012. On August 20, 2012, Executive Order Number 12-192 extended the State of Emergency for thirty days from August 20 to September 19, 2012 for the following Counties: Baker, Bradford, Charlotte, Citrus, Clay, Collier, Columbia, Dixie, Duval, Franklin, Gilchrist, Gulf, Hamilton, Hernando, Highlands, Hillsborough, Jefferson, Lafayette, Lee, Levy, Liberty, Madison, Manatee, Nassau, Pasco, Pinellas, Polk, Putnam, Santa Rosa, Sarasota, Suwannee, Taylor, Union, and Wakulla Counties. On September 19, 2012, Executive Order Number 12-217 extended again the State of Emergency for 5 additional days from September 19, 2012 to September 24, 2012 for the following Counties: Baker, Bradford, Charlotte, Citrus, Clay, Collier, Columbia, Dixie, Duval, Franklin, Gilchrist, Gulf, Hamilton, Hernando, Highlands, Hillsborough, Jefferson, Lafayette, Lee, Levy, Liberty, Madison, Manatee, Nassau, Pasco, Pinellas, Polk, Putnam, Santa Rosa, Sarasota, Suwannee, Taylor, Union, and Wakulla Counties.

Building and Development Services Department

Mailing Address: P. O. Box 1000 Street Address: 1112 Manatee Avenue West, Bradenton, FL 34206-1000

WEB: www.myanatee.org * PHONE: 941.748.4501 * FAX: 941.749-3071

LARRY BUSTLE * MICHAEL GALLEN * JOHN R. CHAPPIE * ROBIN DiSABATINO * VANESSA BAUGH * CAROL WHITMORE
* BETSY BENAC

At Large District 1 District 2 District 3 District 4 District 5 At Large

- The deadline for notification (request) is December 23, 2012.
- Extension length of the tolling period and the six month extension (FS.252.363) cumulative with the tolling for Executive Order 12 -140, 12-192, and 12-217 is 91 days and six months (FS 252.363)

Tropical Storm Isaac (Executive Order 12-199):

- On August 25, 2012, a State of Emergency (Executive Order 12-199) was declared for Tropical Storm Isaac. The emergency declaration applied statewide and was for a period of 60 days. The State of Emergency initially extended through October 24, 2012.
- The deadline for notification to the Manatee County is January 22, 2013.
- Since you have applied for an extension pursuant to both Tropical Storm Debby and Isaac, only the tolling period for Isaac that has not “overlapped” with the tolling period for Tropical Storm Debby, and the six month period (FS 252.363)
- Extension length of the tolling period and the six month extension (FS.252.363) cumulative with the tolling for Executive Order 12 -199 is 30 days and six months.

You have applied for extensions of your development approvals for Tolling and Extension of Permits and other Authorizations under Executive Orders 12-140, 12-192, 12-217 and 12-199 pursuant to Florida Statutes Section 252.363 relative to the Lakewood Centre 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 period and a six month period extension for each emergency declaration – totaling a 1 year and 121 day extension. As you have made an application and the development otherwise qualifies, your deadlines for the Lakewood Centre DRI Ordinance and its associated General Development Plan are eligible for the extension and have been extended as follows, with the dates set forth below reflecting the previous SB 360, SB 1752, HB 7207, Wildfire (EO 11-128, EO 11-172, EO 11-202), and the additional Tropical Storm Debby and Isaac extensions (12-140, 12-192, 12-217 and 12-199):

LAKWOOD CENTRE; DRI #27; ORDINANCE-12-28

SECTION 4. DEVELOPMENT COMPONENTS:

- E. The buildout date for this Development Order is ~~November 21, 2024~~ March 22, 2026.
- F. The expiration date for this Development Order is ~~November 21, 2025~~ March 22, 2027.

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008-2020 <u>2022*</u>	Phase 2 2009-2019 <u>2021*</u>	Phase 3 2012-2024 <u>2026*</u>	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	3,239
Single Family (includes semi-detached & attached)	-0-	200	236	436
Total	900	2,000	775	3,675
Commercial/Office (sq. ft.)				

Retail	460,000	542,000	772,000	1,774,000
Office	458,000	458,000	647,000	1,563,000
Total	918,000	1,000,000	1,419,000	3,337,000
Hotel (rooms)	300	-0-	-0-	300

* The phasing buildout dates shall be ~~November 21st~~ March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363 (Wildfire EO 11-128, EO 11-172, EO 11-202), and the additional Tropical Storm Debby and Isaac extensions (12-140, 12-192, 12-217 and 12-199).

& The approved amount of any one land use may be increased, but only with decreases in one or more of the other land uses, per the Land Use Equivalency Matrix.

Notes:

The phase and buildout date extensions reflected herein are also applicable to the corresponding dates shown on the associated Map H.

LAKWOOD CENTRE; ZONING ORDINANCE; PDMU-06-30(G)(R)

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008 – 2020* <u>2022*</u>	Phase 2 2009 – 2019 *2021*	Phase 3 2012-2024* 2026*	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	3,239
Single-family	-0-	200	236	436
Total	900	2,000	775	3,675
Commercial/Office (sq. ft.)				
Retail	460,000	542,000	772,000	1,774,000
Office	458,000	458,000	647,000	1,563,000
Total	918,000	1,000,000	1,419,000	3,337,000
Hotel (rooms)	300	-0-	-0-	300

* The phasing buildout dates shall be ~~November 21st~~ March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363 (Wildfire EO 11-128, EO 11-172, EO 11-202), and the additional Tropical Storm Debby and Isaac extensions (12-140, 12-192, 12-217 and 12-199).

Notes:

The phase and buildout date extensions reflected herein are also applicable to the corresponding dates shown on the associated General Development Plan.

The phase and buildout date extensions reflected herein are also applicable to the corresponding dates shown on the associated General Development Plan.

Please accept this letter as confirmation of the extension. The extensions reflected above for the Lakewood Centre DRI 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 or amendment 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 Division Manager

/sa

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

265



MANATEE COUNTY FLORIDA

Certified Mail # 7000 0520 0015 6095 9768

January 7, 2013

Mr. J. Thomas Beck, AICP
Department of Economic Opportunity
Division of Community Development
107 East Madison Street, Caldwell Building
Tallahassee, FL 32399-4120

Re: Development Order for Lakewood Centre, DRI#27 Ordinance 12-28

Dear Mr. Beck:

Enclosed is a certified copy of Ordinance 12-28, the Amended DRI Development Order for Lakewood Centre, DRI#27, 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."



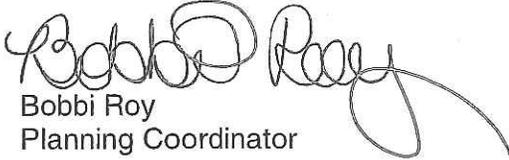
Building and Development Services Department
Mailing Address: P. O. Box 1000 1112 Manatee Avenue West, 2nd Floor, Bradenton, FL 34206-1000
WEB: www.myanatee.org * PHONE: 941.748-4501 x6878 * FAX: 941.749-3071

January 7, 2013

Page 2

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 9775

Applicant w/ enclosures via Certified Mail # 7000 0520 0015 6095 9782

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

LARRY BUSTLE * MICHAEL GALLEN * JOHN R. CHAPPIE * ROBIN DISABATINO * VANESSA BAUGH * CAROL WHITMORE * BETSY BENAC
District 1 District 2 District 3 District 4 District 5 District 6 District 7

**ORDINANCE 12-28
LAKEWOOD CENTRE, DRI #27**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RENDERING AN AMENDED AND RESTATED DEVELOPMENT ORDER PURSUANT TO CHAPTER 380.06, FLORIDA STATUTES, FOR THE LAKEWOOD CENTRE DEVELOPMENT OF REGIONAL IMPACT (ORDINANCE 08-13) TO APPROVE THE FOLLOWING CHANGES TO MAP H AND THE DEVELOPMENT ORDER: (1) UPDATE THE PHASING AND BUILDOUT DATES TO REFLECT LEGISLATIVELY APPROVED EXTENSIONS, (2) UPDATE CONDITIONS TO REFLECT COMPLIANCE WITH REQUIREMENTS CONTAINED THEREIN, (3) MODIFY AFFORDABLE HOUSING CONDITIONS CONSISTENT WITH CURRENT PRACTICES, (4) OTHER AMENDMENTS FOR INTERNAL CONSISTENCY PROVIDING FOR DEVELOPMENT RIGHTS, CONDITIONS, AND OBLIGATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

2012 DEC 17 PM 3:03
DEPARTMENT OF STATE
TALLAHASSEE FLORIDA

FILED

WHEREAS, on April 28, 2006, SMR North 70, LLC submitted a Development of Regional Impact (DRI) Application for Development Approval (ADA*) for 3,675 residential units; 1,774,000 square feet of retail; 1,563,000 square feet of office; a 300 room hotel; and ±36.8 acres neighborhood park; with approval of a Land Use Equivalency Matrix (LUEM) to allow conversion between various approved uses within specific ranges; as legally described in Section 7, referred to as Lakewood Centre DRI, or the Project*; and

WHEREAS, on August 5, 2008, the Board of County Commissioners ("BOCC") approved Ordinance 08-13, a Development Order ("DO") for the Lakewood Centre DRI for a planned mixed use development on approximately 697.4 acres; and

WHEREAS, the Project* is proposed in three phases: Phase 1 with a buildout date of 2020; Phase 2 with a buildout date of 2019; and Phase 3 with a buildout date of 2024;

WHEREAS, Specific approval was granted for Phase 1 for 900 residential units, 460,000 square feet of retail, 458,000 square feet of office, a 300 room hotel, and ±36.8 acres of parks; and,

WHEREAS, Conceptual approval was granted for Phases 2 and 3 and in the future, Specific Approval of Phases 2 and 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S.; and,

WHEREAS, on June 7, 2012, SMR North 70, LLC 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, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Section 380.06(19)(e)2, Florida Statutes, has the statutory authority to consider and approve amendments to a Development Order for an approved DRI; and

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

WHEREAS, the Board of County Commissioners has received and considered the report and recommendation of Manatee County Staff; and

WHEREAS, the Planning Commission held a duly noticed public hearing on November 8, 2012 regarding Ordinance 12-28 and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County agencies, the applicant, and the review and report of Manatee County staff; and

WHEREAS, the Board of County Commissioners held a duly noticed public hearing on December 6, 2012 regarding Ordinance 12-28 and has solicited, received, and considered all testimony reports, comments, evidence, and recommendations from interested citizens, County agencies, the applicant, and the review and report of Manatee County staff.

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

SECTION 1. AMENDMENT AND RESTATEMENT OF DEVELOPMENT ORDER FOR DRI #26, ORDINANCE 08-13.

Ordinance 08-13 is hereby amended and restated in its entirety below. This ordinance constitutes the amended and restated Development Order for the Lakewood Centre Development of Regional Impact. The prior Development Order shall be superseded by this Ordinance, provided this amendment shall not be construed to terminate the rights of the Developer, if any, granted under Section 163.3167(5), Florida Statutes, to the extent such rights have been previously granted and are not specifically herein or otherwise modified or amended.

SECTION 2. FINDINGS OF FACT.

The Board of County Commissioners, after considering the testimony, evidence, documentation, application for an amended Development Order and all other matters presented to the Board of County Commissioners at the public hearing, hereby makes the following findings of fact:

- A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.
- B. An application has been submitted to Manatee County and is being processed concurrently with this amendment to the Development Order to amend Zoning Ordinance No.PDMU-06-30(Z)(G) and the General Development Plan for the entire 697.4+/- acre project.
- C. The Board of County Commissioners held a public hearing on December 6, 2012, regarding the application to amend the Development Order and the proposed Zoning Ordinance amendment in accordance with the requirements of the Manatee County Land Development Code (Ordinance 90-01, as amended) and the Manatee County Comprehensive Plan (Ordinance 89-01, as amended) and has further considered the testimony, comments, and information received at the public hearings.
- D. Manatee County has adopted the Manatee County Comprehensive Plan which is in compliance with applicable state laws.
- E. The Comprehensive Plan requires a Certificate of Level of Service to be issued for water, wastewater, solid waste, parks and recreation, roadways, transit, and drainage in compliance with state requirements and the Land Development Code.
- F. This Development Order is issued based on information provided by the Developer* in the original ADA* (with sufficiency responses), this application to amend the Development Order; public hearing testimony; data, information, and recommendations provided by the Planning Commission and Manatee County staff, and ensures continued compliance with the Manatee County Comprehensive Plan.
- G. The real property which is the subject of this Development Order is legally described in Section 8 of this Ordinance.
- 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 and address for the Project* is Todd J. Pokrywa of SMR North 70, LLC, 14400 Covenant Way, Lakewood Ranch, Florida 34202.

J. The owner of the property is SMR North 70, LLC.

SECTION 3. CONCLUSIONS OF LAW.

A. Based upon the previous findings of fact and the following conditions of this 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 (FCRPP), and the 2020 Manatee County Comprehensive Plan (as amended).
3. The Project*, as conditioned by this Development Order, is consistent with the report and recommendations of the Building and Development Services Department.
4. 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.
5. The review by the County* and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order, and the ADA, as amended by this request to modify the Development Order. 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.

SECTION 4. DEVELOPMENT COMPONENTS:

- A. This Development Order approval shall constitute approval of the application to amend the Development Order subject to the conditions set forth herein and shall be limited to the development amounts set forth in Table 1, below.
- B. Phase 1 of the Development is Specifically Approved subject to the conditions found within the Development Order and a Certificate of Level

of Service for all services, except potable water and sewer, which has been issued for the land uses listed in Phase 1 as defined herein and in Zoning Ordinance PDMU-06-30(Z)(G)(R). Potable water and sewer concurrency will be reviewed at time of each Final Site Plan submittal.

Phases 2 and 3 are Conceptually Approved. Specific Approval of Phases 2 and 3 are contingent upon submittal of further transportation and air quality analysis in accordance with Section 380.06, F.S. The Developer* shall provide full Application for Development Approval* responses regarding the issue of transportation when seeking Specific Approval of Phases 2 and 3. This submittal shall include the prior conduct of a transportation methodology meeting to reach agreement with all appropriate transportation review entities as to the terms, variables, and assumptions to be utilized in the transportation analysis. Reanalysis of affordable housing may be required if the Conceptually Approved phases change or Rule 73C-40-048, FAC is modified regarding affordable housing. Verification of adequate public utility and school capacity will also be required.

- C. Approval of Phases 2 and 3 will also require review and approval of a revised Zoning Ordinance to be approved by the Board of County Commissioners.
- D. Preliminary and Final Site Plan applications shall be reviewed for compliance with this Development Order and shall be subject to the requirements of the Manatee County Comprehensive Plan and Land Development Code in effect at the time of such site plan application, as to such requirements which are not specifically addressed in this Development Order or are not inconsistent with this Development Order.
- E. The build-out date for this Development Order is November 21, 2024
- F. The expiration date for this Development Order is November 21, 2025.

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008 – 2020*		Phase 2 2009 – 2019*	Phase 3 2012- 2024*	Total
Residential (dwelling units)					
Multi-family	900		1,800	539	3,239
Single Family	-0-		200	236	436
Total	900		2,000	775	3,675
Commercial/Office (sq. ft.)					
Retail	460,000		542,000	772,000	1,774,000
Office	458,000		458,000	647,000	1,563,000
Total	918,000		1,000,000	1,419,000	3,337,000
Hotel (rooms)	300		-0-	-0-	300

Source: WilsonMiller, September 2005

* The phasing buildout dates shall be November 21st of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363), .

& The approved amount of any one land use may be increased, but only with decreases in one or more of the other land uses, per the Land Use Equivalency Matrix.

G. Development Totals:

1. The Land Use Equivalency Matrix, below allows the developer variations in the quantity of approved land uses without the requirement to analyze such modifications through the Notice of Proposed Change process. The conversion formulas presented below are based on p.m. peak hour trip generation factors.
2. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the revised land use mix will not exceed the impacts for transportation, solid waste disposal, mass transit, drainage, and parks and recreation, which have been approved and authorized in the 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 affordable housing beyond the amount for which the supply of affordable housing has been demonstrative to be available and is described in Section M of this Development Order. In seeking approval, the Developer shall not exceed the potable water and wastewater treatment projected for that phase. 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. However, reapplication shall not cause the Developer* to lose the capacity already approved for the 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.

3. An application for a Land Use Exchange must include a revised General Development Plan which will include a revised Land Use and Phasing Schedule and a reallocation of square footage. 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 2020 Manatee County Comprehensive Plan and shall be subject to the approval of the Board of County Commissioners.
4. The County's review of any such request shall include a determination that the project as a whole will continue to be developed as a mixed use project with both residential and non-residential uses. As a part of such analysis, the County shall review the percentage of developed land area devoted to each land use category.
5. Upon approval of a Land Use Exchange, County staff shall provide to the Florida Department of Economic Opportunity (DEO) and TBRPC a copy of said approval.
6. The DRI biennial report shall include information indicating implementation of the matrix as well as cumulative amounts of development which have been approved by the County as of the biennial report date.

The Land Use Equivalency Matrix (LUEM), Table 2, is as follows:

Land Use Equivalency Matrix:

TABLE 2: LAND USE EQUIVALENCY MATRIX

CHANGE FROM:	CHANGE TO:				
	Residential/ SF (Units)	Residential/ Multifamily (Units)	Commercial (Sq. Ft.)	Office (Sq. Ft.)	Hotel (Rooms)
Residential/S.F. (Units)		0.87	138.67	348.99	0.65
Residential/Multifamily (Units)	1.15		132.00	165.00	0.75
Commercial (1,000 Sq. Ft.)	7.21	3.88		1271.00	4.69
Office (1,000 Sq. Ft.)	2.87	0.68	176.00		1.86
Hotel (Rooms)	1.54	1.33	213.33	536.91	

SECTION 5. DEFINITIONS.

The definitions contained in Chapter 380, Florida Statutes, the Manatee County Comprehensive Plan, and Land Development Code shall apply to this Development Order in addition to those listed herein. The following capitalized terms used herein shall have the following meanings:

- A. "Application for Development Approval*" or "ADA*" shall mean the Lakewood Centre Development of Regional Impact Application for Development Approval* (April 28, 2006), and the sufficiency responses submitted by the Developer* on October 23, 2006, April 20, 2007, and September 14, 2007.
- B. "Best Management Practices*" shall mean the method or combination of methods determined after problem assessment and examination of alternative practices, to be the most effective and practicable means of reducing or preventing nonpoint source pollution to levels compatible with water quality goals. These measures could include both structural (e.g., sediment/debris basins, wetland impoundment of agricultural runoff, etc.) and nonstructural (e.g., street vacuuming, deferred grazing systems, etc.) approaches to abatement of nonpoint source pollution, and may vary on a regional and local basis depending on the nature of the problems, climate, physical characteristics, land use, soil types and conditions, and other factors.

- C. "County*" shall mean Manatee County, a political subdivision of the State of Florida.
- D. "Conceptual Approval*" shall mean general review of the proposed location, densities, intensity of use, character, and major design features of a proposed development required to undergo review under this section for the purpose of considering whether these aspects of the proposed development comply with the issuing agency's statutes and rules. A conceptual agency review approval shall be valid for up to 10 years, unless otherwise provided in a state or regional agency rule, and may be reviewed and reissued for additional periods of time under procedures established by the agency.
- E. "Developer*" shall mean SMR North 70, LLC, its heirs, assigns, designees, agents, and successors in interest as to the Project* and all 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 or Construction Drawing approval where site plans or subdivision plats are not required.
- G. "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.
- H. "Funding Commitment*" shall mean projects funded for construction in the current year plus one of an adopted work program, or committed by private sources which can include the Developer*, for construction with funding provided within one year.
- I. "Master Drainage Plan*" shall mean a plan showing the proposed stormwater management components to be constructed for the entire Project* as follows:
1. existing topography;
 2. existing drainage features, both on site and off site, that will affect the drainage concept of this Development*; existing and developed drainage basins, with their direction of outfall;

3. proposed stormwater management facilities, which shall include: detention lakes, connection of lakes, and the eventual outfall for these lakes; and
 4. off site areas that historically drain through the property shall be addressed as to the method the applicant proposes to use to accommodate off site stormwater.
- J. "Project*" shall mean the land uses by area, square footage, density, and phase described in the ADA* to be constructed on the real property described in Section 8 herein.
- K. "Specific Approval" shall mean ADA approval for Phase 1 only. Specific Approval* of Phases 2 & 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S., with a requirement for prior conduct of transportation methodology meetings. Reanalysis of affordable housing associated with Phases 2 & 3 shall only be required if there is a changes to the phases or Rule 73C-40.048 FAC is modified regarding affordable housing. Verification of adequate public utility and school capacity is also required. Specific Approval* herein should not be confused with Specific Approval* as defined in the Manatee County Land Development Code.
- 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 structure.

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

Note: An asterisk (*) in the text of this Development Order denotes that the word is defined.

SECTION 6. DEVELOPMENT CONDITIONS:

THE LAKEWOOD CENTRE DRI IS SPECIFICALLY APPROVED FOR PHASE 1 DEVELOPMENT AND CONCEPTUALLY APPROVED FOR PHASES 2 AND 3, SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

Transportation

- A.(1) The Lakewood Centre DRI development will have an impact on several regionally significant roadway facilities within the primary impact area. Transportation Conditions Table 5 (below) identifies the improvements associated with Phase 1 approval.

**TABLE 5
PHASE 1 INTERSECTION/ROADWAY IMPROVEMENTS**

Roadway/ Intersection	@	Improvement	External Trip Threshold	ERU Threshold
SR 64	Lena Rd	Add 1 eastbound through lane	2,312	2,335
SR 70	US 301	Add 1 through lane to each approach, add 1 eastbound left turn lane and 1 eastbound right turn lane	2,312	2,335
SR 70	Lockwood Ridge Rd (45 th St.)	Add 1 westbound left turn lane, add 1 northbound left turn lane, add 1 southbound left turn lane, add 1 southbound right turn lane, add 1 eastbound and westbound through lane	1,466	1,480
SR 70	Caruso Rd	Add 1 northbound left turn lane and add 1 northbound right turn lane	1,380	1,393
SR 70	Tara Blvd	Add 1 westbound through lane	1290	1,302
SR 70	I-75 Southbound	Add 1 westbound through lane	1,055	1,065
SR 70	33 rd St. E	Add 1 southbound left turn lane	1932	1,951
SR 70	Pope Rd	Signalize when warrants are met, Add 1 eastbound left turn lane (already constructed – needs restriping)	973	983
SR 70	Lakewood Ranch Blvd.	Add 1 northbound right turn lane	432	436
Lakewood Ranch Blvd.	Center Ice Pky to Portal Crossing Dr	Widen to 4 lanes (add 1 lane to inside of existing in both directions)	417	421

*1 ERU (Equivalent Residential Units) = 1.01 PM peak Trips

1 ERU = 2.73 Single-Family Attached du's

1 ERU = 2.15 Multi-Family du's

1 ERU = 2.66 Hotel Rooms

1 ERU = 0.30 ksf Commercial

1 ERU = 0.77 ksf Office

A.(2) Because the transportation improvements identified above have a “trip trigger”, a monitoring program is necessary to verify that the actual number of trips generated accurately reflects the transportation analysis and subsequently required improvements. This monitoring program requires biennial pm peak hour project

driveway counts at all project entrances with public roadways (including SR 70, Lakewood Ranch Boulevard, Center Ice Parkway, Pope Road, and Malachite Drive). The monitoring program shall commence one year after issuance of the first Certificate of Occupancy or first Final Plat, whichever occurs first, for Phase 1. Monitoring shall continue on a biennial basis for each access point until the trip improvement threshold is reached. The monitoring shall be conducted no earlier than 60 days prior to the due date of each biennial report in order to ensure relatively current traffic data and shall continue to project buildout.

The monitoring program shall consist of weekday PM peak hour directional counts from 4:00 to 6:00 PM, with subtotals at 15-minute increments, at all project entrance driveways with public roadways (including SR 70, Lakewood Ranch Boulevard, Center Ice Parkway, Malachite Drive, and Pope Road). Only turns to and from the project entrances need to be counted (through volumes on the public roadways will not be required). The sum of the project entrance trips will be totaled in 15-minute increments and the highest four consecutive 15-minute totals will be summed to determine the project's total PM peak hour traffic volume. This total will include net external trips, diverted trips, and pass-by trips of the Lakewood Centre DRI development.

The total PM peak hour project traffic through Phase 1 is estimated to be 2,583 net external, 860 pass-by, and 666 internal trips, for a total of 4,109 gross trips.

The required monitoring data shall be included in each Biennial Report. If the monitoring results demonstrate that the project is generating more than fifteen (15) percent above the number of trips estimated in the original analysis (as stated above) or a Biennial Report is not submitted within 30 days of its due date, Manatee County shall issue no further development permits and conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), F.S. As a result, the County may amend the Development Order to change or require additional roadway improvements. The revised Transportation Analyses, if required, shall be subject to review by all appropriate review entities.

- A.(3) In the event that total external p.m. peak hour trips exceed the threshold levels described in Table 5, and the corresponding Funding Commitments have not been provided, no further Final Site Plan approvals shall be granted unless an analysis is submitted which identifies the revised number of total external p.m. peak hour trips after which the required improvement would be required, according to the new subphase analysis. The

Development Order shall be amended to reflect these revised trip levels.

- A.(4) With each Final Site Plan application, the Developer shall submit to the County a limited traffic study which addresses the following :
1. External P.M. peak hour trips predicted to be generated by the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvement thresholds reported in Table 5 are reached; and,
 - 2.
 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 Final Site Plan application.
- A.(5) Prior to development of Phase 2 or Phase 3, revised transportation analyses shall be required to be submitted pursuant to Section 380.06(6), Florida Statutes. This analysis shall address transportation impacts which result from the development of these phases.
- A.(6) As part of the Phase 2 or Phase 3 approval, the Developer shall prepare a Transportation Systems Management (TSM) program. The plan shall be reviewed by Manatee County, Metropolitan Planning Organization, Florida Department of Transportation (FDOT), and TBRPC. The TSM program shall include a biennial assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of the TSM measures. Results of the TSM program shall be included in the Biennial Report. The Transportation Systems Management Program shall evaluate carpooling, vanpooling, mass transit, alternative hours of operation for employment and retail centers and other forms of transportation diversion.
- A.(7) Developer shall work with Manatee County Area Transit (MCAT) on identifying a potential transit stop(s) within the Project*. At such time that MCAT has established a plan for service to the Project and coordinated needed location(s) for a transit stop with Developer, Developer shall accommodate the requisite stop(s) within the Project.
- A.(8) The Developer shall provide roadways and pedestrian connections to perimeter roads, schools, and park sites.

- A.(9) Provisions shall be made for the construction of all internal collector roads as shown on DRI Map H (Attached as Exhibit A). Roads shall be constructed at the cost of the Developer, or other appropriate entity, prior to or in conjunction with development requiring access on that roadway. This dedication/construction shall be eligible for impact fee credits to the extent allowed by the Manatee County Land Development Code and applicable law. Right-of-way along Malachite Drive and Pope Road will be dedicated to Manatee County by the Developer prior to or in conjunction with any Preliminary Site Plan or Preliminary Plat approvals adjacent to or encompassing such roadways, to ensure 120 feet of right-of-way adjacent to the site. This dedication shall be impact fee creditable to the extent permitted by the Manatee County Land Development Code and applicable law.
- A.(10) There shall be bicycle or pedestrian facilities on both sides of any road designated as a collector or higher, in accordance with the LDC. All bike paths and lanes shall be constructed in accordance with Manatee County standards
- A.(11) The Developer shall provide adequate sidewalks along both sides of all streets and roadways throughout the Project.
- A.(12) Improvements made pursuant to the proportionate fair share ordinance, adopted by Manatee County Board of County Commissioners on November 7, 2006, shall satisfy the requirements for mitigation of the Project's Phase 1 transportation impacts. (LDA 10-01 implements the applicant's proportionate fair share contributions for Phase 1 mitigation.)

Vegetation, Wildlife, and Wetlands

- B.(1) No impacts to Natural Resources of Regional Significance (NRRS) as defined by TBRPC are proposed by this project. Impacts to Natural Resources of Regional Significance, as delineated on Map 3 (Attached as Exhibit B) in the TBRPC's Final Report of the Lakewood Centre DRI, adopted December 10, 2007, shall only occur if justified pursuant to *Future of the Region, A Strategic Regional Policy Plan for the Tampa Bay Region* Policy 4.5.2. Mitigation for justifiable impacts to Natural Resources of Regional Significance shall meet the ratios set forth in that policy and Policy 4.5.6; i.e., 2 created: 1 impacted for Special Habitats (Strategic Habitat Conservation Areas and Priority Wetlands); 3 created: 1 impacted for Riverine Habitat; and twice that amount if mitigation is in the form of restoration of disturbed habitat of a similar nature, at minimum.

- B.(2) In the event that any state or federally-listed species are discovered breeding on-site during project development, the Developer* shall immediately notify the Florida Fish and Wildlife Conservation Commission and implement the recommended measures for species protection.
- B.(3) Nuisance and exotic plant species shall be removed from upland areas of the project site during site development. A plan shall be developed to address how preserved and conserved upland areas will be managed to limit nuisance and exotic species. The plan shall be submitted to Manatee County for approval with the first Final Site Plan or Final Plat for vertical development. (completed)
- B.(4) As committed, the applicant shall preserve and protect all wetlands as shown on Map H using upland vegetated buffers managed as wildlife habitat. Unavoidable impacts to wetlands may be mitigated using credits from the Long Swamp Ecosystem Management Plan.
- B.(5) Conservation Easements for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas shall be dedicated to the County prior to issuance of first Certificate of Occupancy or Final Plat for those areas within or directly adjacent to the proposed phase of development.
- B.(6) Preliminary and Final Site Plans within management guideline distances (as prescribed by US Fish and Wildlife Service) from the bald eagle nest shall be designed in accordance with the current Habitat Management Guidelines for the Bald Eagle published by the U.S. Fish and Wildlife Service, shall be provided prior to Final Site Plan approval.
- B.(7) The natural wildlife corridor existing along the wetland corridor located south of Malachite Drive and north of Center Ice Parkway shall be maintained and protected by placing the area in a conservation easement. Wildlife passageways shall be incorporated into the roadways designed to cross this corridor if practical and approved by appropriate state, regional, and local agencies.
- B.(8) The project site may continue to be used for agricultural activities during development, but at no greater intensity than at present. No new clearing of tree or preservation areas shall be permitted for any new agricultural uses.
- B.(9) Prior to each Preliminary Site Plan approval, an evaluation for potential hazardous material locations (i.e., historical cattle dipping

vats, underground/aboveground storage tanks, or buried drums), shall be performed by a qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation and mitigative measures shall be subject to the approval of Manatee County. Copies of a remediation and mitigation plans along with the approvals by appropriate State or Federal agencies shall be provided to the Building and Development Services Department. All remediation and mitigation activities shall be completed prior to commencement of construction. A remediation plan shall be reviewed and submitted for approval to Manatee County.

B.(10) All proposed nature trails, boardwalks, and shade structures in wetlands, wetland buffers, or upland preservation areas shall be designed to minimize impacts to trees or areas of significant vegetation and in accordance with Section 719 of the Manatee County Land Development Code. No nature trails, boardwalks, or shade structures shall be constructed within preserved wetlands in the areas shown as Natural Resources of Regional Significance, as delineated on Map 3 (Attached as Exhibit B) in the TBRPC's Final Report of the Lakewood Centre DRI, adopted December 10, 2007.

B.(11) The following Pine Mesic Oak (414), Pine Flatwood (411), and Live Oak (427) Communities shall be preserved:

FLUCFCS Code	Pre-Construction Total			Post-Construction Total		Post- Construction Habitat (w/n Wetland Buffers)		Post- Construction Habitat (w/n Upland Conservation)	
	Total Acreage	Habitat w/n Wetland Buffer	Habitat w/n Upland Conservation	Acreage	Percentage (of habitat remaining)	Acreage	Percentage (of existing habitat w/n buffers)	Acreage	Percentage (of existing habitat w/n conservation)
411	31.7	4.9	26.8	11.8	37.9	4.9	100	6.9	25.7
414	47.0	10.5	36.5	25.2	53.6	10.5	100	14.7	40.2
427	4.2	1.0	3.2	3.4	80.9	1.0	100	2.2	75.0
Total	82.9	16.4	66.5	40.4	48.7	16.4	100	23.8	35.8

Area	FLUCCS 411	FLUCCS 414	FLUCCS 427	Total
Wetland Buffers	4.9	10.5	1.0	16.4
Upland Preservation Areas	6.9	14.7	2.2	23.8
Total	11.8	25.2	3.4	40.2

The preservation areas shall be clearly delineated, labeled and quantified on the Preliminary Site Plan. Upland Preservation Areas

may be reconfigured, subject to Building and Development Services Director approval, with the Preliminary Site Plan provided that the overall acreage, general location, and quality of preserved habitat remain consistent with those shown on the approved GDP. Limited impacts may be permitted for suitable recreational areas (passive parks, pocket parks, etc.). Recreation improvements shall be designed in a manner that minimizes impacts to mature trees, dense tree clusters or significant vegetation.

- B.(12) The Developer* shall provide 23.8 acres of upland preservation. Upland preservation areas, consistent with the potential Upland preservation areas identified on Map H (Attached as Exhibit A). The 23.8 acres of upland preservation shall not be inclusive of any required wetland or landscape buffers.
- B.(13) The Developer* shall submit for review and approval, a Habitat Management Plan for the upland preservation areas with the first Preliminary Site Plan. (completed)

Soils

- C.(1) Best Management Practices, including those identified in the ADA*, shall be employed during site preparation and construction to prevent soil erosion.

Air Quality

- D.(1) Best Management Practices*, including those identified in the ADA*, shall be employed during site preparation and construction to minimize air quality impacts.
- D.(2) The developer shall provide full ADA* responses for Air Quality when seeking specific approval of Phases 2 and 3. Future review shall be administered under the Notice of Proposed Change process.

Water Quality and Stormwater Management

- E.(1) The stormwater management system shall be designed to restore and maintain the natural hydroperiod of the receiving wetlands, and to meet or exceed the requirements for development within the Evers Reservoir Watershed Overlay. Upland habitat within 50 feet of the contiguous wetland system draining to the upper Braden River shall be preserved to enhance water quality.
- E.(2) Development practices shall incorporate Best Management

Practices*, including those which prevent construction-related turbidity.

- E.(3) Because the project is partially within the Wolf Slough/Evers Reservoir basin, an integrated pest management program shall be implemented to minimize the use of fertilizers and pesticides, and the design and construction techniques listed below should be utilized:
- ensuring that ponds and swales are properly grassed; and
 - implementation of a site-specific surface and groundwater quality monitoring system, through the Environmental Monitoring Plan.
- E.(4) The Developer* shall encourage the use of water conserving landscapes and the responsible use of water by residents and occupants throughout the project.
- E.(5) Existing native vegetation shall be preserved to meet screening requirements, where feasible, unless otherwise approved by the Building and Development Services Department.
- E.(6) To prevent adverse effects to groundwater quality during construction, there shall be no excavation into or through the Floridan aquifer's confining layers.
- E.(7) Stormwater management ponds shall not be constructed within wetland buffers or other natural resources of regional significance.
- E.(8) The applicant shall implement resident education advocating surface water protection.
- E.(9) Low impact development techniques are encouraged to be used throughout the development, particularly in areas draining to the Evers Reservoir. These techniques shall include, but are not limited to, the following:
- Retention of the maximum amount of existing native vegetation;
 - Shallow vegetated swales in all areas, including parking;
 - Appropriate Florida-friendly plant selections;
 - Small, recessed garden areas throughout landscaped areas;
 - Porous pavement and other pervious pavement technologies; and
 - Stabilized grass areas for overflow parking.

Specific requirements for implementation of these techniques shall be stipulated in the accompanying Zoning Ordinance.

- E.(10) Prior to construction of individual parcels, the applicant must provide a plan at the time of Preliminary or Final Site Plan detailing the operation and maintenance of the stormwater management system. The plan shall, at a minimum, identify the responsible entity, establish a long-term funding mechanism and provide assurance through written commitments that the entity in charge of the program has the technical expertise necessary to carry out the operation and maintenance functions of the stormwater management system.
- E.(11) All habitable structures shall be constructed in accordance with Manatee County's flood protection requirements.
- E.(12) Compensation for the loss of 100-year flood storage capacity shall be provided.
- E.(13) Manatee County has reviewed and approved the groundwater quality monitoring plan submitted for the Lakewood Centre DRI. This approval is contingent upon the following requirements:
- The Developer* shall ensure the protection of monitoring wells and access to monitoring wells through build-out of the project. Should any of the monitoring wells be destroyed the responsible entity shall provide written notification of the incident and corrective action taken to Manatee County.
 - Should the land use change significantly or should the baseline monitoring reveal exceedences that would merit additional monitoring measures, Manatee County may require the monitoring plan to be modified accordingly.
 - If monitoring activities do not begin in a timely manner, Manatee County may require the monitoring plan to be modified accordingly.

Historical and Archaeological Sites

- F.(1) Any significant historical or archaeological resources discovered during project development shall be reported to the Florida Division of Historical Resources (FDHR) and the disposition of such resources shall be determined in cooperation with the FDHR and Manatee County.

Water

- G.(1) Water-saving devices shall be required in the project as mandated by the Florida Water Conservation Act (Section 553.14, F.S.).
- G.(2) The Developer* shall be required by Manatee County ordinances,

to extend potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with SWFWMD rules and regulations. Any existing on-site wells not intended for potable or nonpotable uses shall be plugged and abandoned in accordance with Rule 40D-3.531, Florida Administrative Code.

- G.(3) The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited throughout the project, including on individual lots. Prior to Final Site Plan approval applicant shall specify source of irrigation on site plan.
- G.(6) The Developer* has committed to the following:
- utilization of a non-potable water system for all landscaped areas;
 - use of native vegetation or drought-resistant vegetation in landscaped areas and the single-family residential portion of development; and
 - the re-establishment of the tree canopy previously cleared for agricultural activities, where possible.
- G.(7) The Developer* shall obtain verification of adequate water supply availability and service concurrent with the request for specific approval of Phase 2 and Phase 3.
- G.(8) Water-saving plumbing fixtures must be used inside all buildings, including housing units.
- G.(9) Water-conserving irrigation systems shall be used throughout the development. Rainfall sensors shall be placed on all systems.
- G.(10) Irrigation time clocks shall be reset after the establishment period for new landscaping has expired.
- G.(11) Florida-friendly landscaping principles shall be used throughout the development.
- G.(12) Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall not be irrigated.

- G.(13) Conservation education shall be provided for the residents and other users of the development.
- G.(14) Total water use for the residential development shall not exceed 150 gallons per capita per day.

Wastewater

- H.(1) The Developer* shall be required by Manatee County ordinances, to expand wastewater service to each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project.*
- H.(2) No septic tanks are permitted.

Solid Waste

- I.(1) Commercial and office tenants shall be provided with information at the time of purchase or lease which identifies hazardous or medical materials and proper procedures for the handling and disposal of such materials. In the event that businesses using or producing hazardous materials or medical waste locate within the project, these materials shall be handled in a manner consistent with applicable Federal, State and Local regulations.
- I.(2) The Developer* shall be required by Manatee County ordinances, to extend solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

Recreation and Open Space

- J.(1) Greenways, environmentally-sensitive features, open space, and recreation facilities shall be maintained by the Developer* or successors such as a Home Owners Association, CDD, other legal entity and/or as directed by the permitting agencies.
- J.(2) As committed, the Developer* shall provide 36.8-acres of parks on-site at the locations indicated on Map H. An additional 23.5 acres of passive parks (within upland preservation areas and outside of wetland buffers) will be provided on the site, at locations to be determined by Manatee County through the development review process.

Health Care, Police, and Fire

- K.(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 approval 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 the schedule for payment of the Developer's pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Preliminary Site Plan, Final Site Plan, or Final Plat for Vertical Development* for Phase 1 or any subphase thereof. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project* and any pro-rata lump sum payment shall be creditable against the payment of impact fees at the rate in effect at the time payment was made. (completed for phase I only)

- K.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, equipping, and staffing of emergency service facilities for police and fire services or any combination thereof. 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 allowed by the Land Development Code, if applicable. An agreement as to pro-rata share for each Phase, mutually acceptable to the County and the Developer shall be reached prior to the issuance of the first Final Site Plan or Final Plat for Vertical Development for each Phase. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project and any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law.(completed for phase I only)
- K.(3) As agreed upon, the applicant shall use applicable Fire Wise principles such as clearing around houses and structures, carefully spacing trees, and maintaining irrigation systems. Such practices shall be described on the Landscape Plans of each Final Site Plan.

Hurricane Preparedness

- L.(1) The Developer* shall promote awareness of hurricane and flooding hazard, preparedness and hazard mitigation through public information, neighborhood association newsletters, model homes, commercial/office buildings, etc.

Affordable Housing

- M.(1) The Developer shall provide 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 M(3) below, within the project, or within an adjacent project, in an amount equal to 10% of the total number of residential units constructed in Lakewood Centre Phases 1, 2, and 3. 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.

- M.(2) Maximum home sales 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 sales price in effect at the time a contract for purchase of a workforce housing unit is executed shall apply.
- M.(3) 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.
- M.(4) The Developer shall include in its Biennial Report data showing the number and sale prices of workforce housing units sold and the number and rental rate of units leased during the reporting period. The Biennial Report shall also include the current Manatee County Maximum Income Limits Table and the Fair Market Rent Documentation System*. Only those units that have a sale price equal to or less than the maximum allowable home sales price, as provided in M.(2) or a rental rate equal to or less than the maximum rental rate as provided in M.(3), shall be counted toward the required mitigation.
- M.(5) With each Biennial Report, the overall ratio of workforce housing units provided to the number of residential units constructed in the Project shall be determined.
- M.(6) Should the required housing mitigation for Phase IV of the University Lakes DRI be constructed within Lakewood Centre, a separate calculation showing the overall ratio of workforce housing units provided within Lakewood Centre to the number of residential units constructed in Phase IV of University Lakes shall be included in the Biennial Report. This calculation will be for informational purposes only; any required fees for units not provided will be calculated according to the terms and conditions of the University Lakes DRI Development Order

Energy

- N.(1) The Developer* shall incorporate energy conservation measures into the site design, building construction, and landscaping to the maximum extent feasible.
- N.(2) As committed, the Project* shall be certified as a “green development” by the Florida Green Building Coalition (FGBC) under its Green Development Standard. To ensure the continuance of green development, Lakewood Centre builders will be required to construct energy- and resource-efficient facilities and receive certification from the FGBC. The “Green Development” designation requires a combination of the following six categories: Protect Ecosystem and Conserve Natural Resources; Create a Green Circulation System; Green Utility Practices; Amenities; Covenants and Deed Restrictions; and Provide Educational Information to Help Achieve and Promote Green Living Practices.
- N.(3) The developer shall work with TECO/Peoples Gas to ensure that natural gas is available within the project, as committed.

General Conditions

- O.(1) Should development of Phase 1 depart from the parameters set forth in the ADA*, the Project* will be subject to Substantial Deviation review pursuant to Section 380.06, F.S.
- O.(2) Specific Approval of Phase 2 and Phase 3 shall be contingent upon further transportation and air quality analyses submitted in accordance with Subsection 380.06, F.S., and verification of water supply availability.
- O.(3) Physical development shall commence within two years of Development Order adoption, in order to have reasonable expectation of achieving Phase 1 buildout by November 21, 2020. For the purpose of the Development Order, this term means construction of infrastructure, roadways, or other vertical development*. (completed)
- O.(4) In the event the Bradenton/Sarasota Arena development or parcel is reacquired by the Developers of the Lakewood Centre DRI and meet the aggregation criteria defined in 380.0651(4), F.S., the Developer shall process the addition of this parcel (and corresponding entitlements) to the Lakewood Centre DRI through the requisite process administered under Subsection 380.06(19),

F.S.

- O.(5) All of the Developer's* commitments set forth in the ADA* and subsequent Sufficiency Responses shall be honored as Development Order Conditions, except as they may be superseded by specific terms of the Development Order. Such developer commitments have been summarized in Section 7 of this Development Order.
- O.(6) 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 even number years commencing March, 2010 until such time as all terms and conditions of this Development Order are satisfied. Ten (10) copies of this report shall be submitted to the Manatee County Building and Development Services Department, 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 Building and Development Services 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 change in the plan of development, or in the representation 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 land encompassed by the Development Order for the Project*;
 - 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 Development* 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(14)(d), 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.
 - l. An updated map showing the locations and acreage of upland and wetland preservation; and
 - m. Any other information required pursuant to general law.

SECTION 7. DEVELOPER* COMMITMENTS:

The following are developer commitments set forth in the Application for Development Approval* (ADA*) and Sufficiency Responses* (SR) which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order.

GENERAL

1. Ground-level shops and eateries will be located below residential housing units to emphasize pedestrian activity along the street. (ADA/Page 10.2)
2. Agricultural uses will continue on portions of the property not immediately subject to development. (ADA/Page 10.7)
3. The County's Future Land Use Map will need to be revised to change the (285.3 acre) area of Urban Fringe-3 to the Residential/Office/Retail FLU to allow the proposed amount of development (ADA/Page 10.12). The amendment area is generally north and west of the Arena outparcel,

located in Sections 8 and 17, of Township 35, Range 19 (ADA/Page 10.14).

4. No amendments to the Capital Improvements Element will be required in order for the Project to be developed as proposed. (ADA/Page 10.13)
5. The proposed Land Use Equivalency Matrix is limited to the Phase 1 entitlements for which Specific Approval is being requested. (SR3/Page 10.1)

VEGETATION AND WILDLIFE

1. Most of the isolated wetlands and wetlands associated with the headwaters and/or intermittent tributaries of the perennial stream systems (Wolf Creek, Williams Creek, unnamed drainage) found on this site will be maintained to preserve existing plant communities in the project after development, as well as provide visual amenities and wildlife habitat. (ADA/Page 12.5)
2. In order to provide sufficient protection for this species [bald eagle] a management plan for the protection of this nesting territory will be prepared in coordination with the FWS prior to any development within 1500 feet of the nest for this DRI. (ADA/Page 12.9) [Developer Clarification: the recently adopted federal management guideline is now 660 feet].
3. The land-use plan will include preservation of the significant wetland systems on site, including all of the wetlands where listed species were observed. (ADA/Page 12.12)
4. Compensatory mitigation for the proposed wetland impacts will be provided by “The Long Swamp Ecosystem Management Plan” which is an existing comprehensive wetland restoration and enhancement project, approved by the USCOE, the SWFWMD, and Manatee and Sarasota Counties to provide mitigation for wetland impacts within the boundaries of Schroeder Manatee Ranch. (ADA/Page 12.13)
5. All development planned for this DRI will be consistent with the approved current bald eagle management plan at the time of the Preliminary or Final Site Plan application. (SR1/Page 9.5)
6. The intensity of agricultural activity on the Lakewood Centre site will not be increased during development. (SR1/Page 10.2)
7. The specific configuration of the preservation areas will be determined upon further planning and will be subject to approval by the Building and Development Services Director. (SR1/Page 10.11)

8. The applicant proposes to preserve additional native upland habitats (including pine flatwoods, pine-mesic oak, and live oak) north of Center Parkway and adjacent to the following wetlands: NW-W31, NW-W33B, NW-W33A, NW-W35, NW-W35B and NW-W37, as depicted on the supplemental map... The applicant will remove all nuisance/exotic vegetation from upland portions of on-site communities. (SR1/Page 12.4)
9. Wildlife uses will be protected by limiting access to boardwalks or other appropriate areas (using marked trails, fenced areas, signage, etc.). (SR1/Page 26.1)
10. The 8.9-acre potential preservation area shown on Map H, contains several different types of native upland habitat. The exact amount of each habitat preserved will not be known until the Final Site Planning process is completed. (SR2/Page 10.4)
11. The developer offers the following stipulation to ensure protection of this species: "Preliminary and Final Site Plans within 1,500' of the bald eagle nest shall be designed in accordance with Habitat Management Guidelines for the Bald Eagle in the Southeast Region, as amended, or a Habitat Management Plan for Bald Eagles, approved by the U.S. Fish and Wildlife Service, shall be provided prior to Final Site Plan approval." (SR2/Page 12.7) [Developer Clarification: the recently adopted federal management guideline is now 660'].
12. Per the January 10, 2007 meeting between Stephanie Rousso (FWC), Alissa Powers (EAC) and Mike Burton (EAC), it was agreed that potential habitat be surveyed again for Sherman's fox squirrel prior to construction. (SR2/Page 12.10)

WETLANDS

1. Except for necessary roadway crossings and relatively minor impacts to allow sufficient development for a Town Center, the on-site wetlands will be retained in their natural state or enhanced. (ADA/Page 10.18)
2. Additional studies of wetland hydrology will be conducted for the design of the site's stormwater management system prior to Final Site Plan submittals. (ADA/Page 13/1)
3. Hydroperiods of on-site wetlands will be maintained through contributions from the proposed stormwater management system. Upland buffers of 30 feet around preserved isolated wetlands and 50 feet around wetlands contiguous with waters of the state within the Evers Reservoir Watershed Overlay District will be observed, protected and managed for wildlife habitat value in accordance with the Manatee County LDC. These buffers

- will remain in native vegetation where found and restored to native conditions where habitat has been degraded. (ADA/Page 13.2)
4. Wetland areas will be clearly identified in the field prior to initiating construction. Silt fence, or other appropriate erosion control device, will be placed at the limit of the wetland buffers to prohibit encroachment and sedimentation. (ADA/Page 13.6)
 5. Stormwater lake littoral shelves within the project area will be planted with at least three species of desirable herbaceous emergent vegetation. Plant materials will be bare root sized and installed on three-foot centers. (ADA/Page 13.6)
 6. The majority of these wetlands will remain undisturbed as important amenities to the site plan and will be incorporated into the surface water management plan and dedicated as Wetland Conservation Areas. (ADA/Page 15.2)
 7. The wetlands will be enhanced by incorporating them into the stormwater management system. This will improve wetland hydroperiods to mimic pre-agricultural impact functions and values. Wetland impacts will be mitigated using credits from the Long Swamp Ecosystem Management Plan. (SR1/Page 10.21)
 8. Conservation easement and wetland buffer signage will be installed at key locations to advise those utilizing the area or performing maintenance activities of appropriate restrictions. (SR1/Page 13.1)
 9. The only wetland impacts are proposed in the high intensity commercial development (MU area) portion of the project. (SR1/Page 13.3)
 10. The water quality and quantity functions of the wetlands will be replaced on site as part of the stormwater management system. (SR1/Page 13.9)
 11. Wetlands and wetland buffers will be placed under a conservation easement to Manatee County. During construction, Best Management Practices, such as silt fencing, will protect the wetland and buffers from potential secondary impacts. Post-construction, the installation of conservation easement/wetland buffer signage will educate and inform residents of the protected nature of these areas. (SR1/Page 26.1)
 12. The Lakewood Ranch Stewardship District will be responsible for the management of all conservation lands after project buildout. (SR2/Page 13.2)

WATER QUALITY

1. Water quality monitoring will be continued in accordance with Manatee County's "Ambient Surface Water Monitoring for Developments" if additional monitoring is deemed necessary or if the applicant is requested to participate in a basin management study in order to meet the state's reasonable assurance criteria for a total maximum daily load allocations for impaired and potentially impaired water bodies. (ADA/Page 14.4)
2. Construction water quality monitoring for turbidity will be accomplished with the implementation of a sediment control program... The "Sediment Control Program" and documentation as well as the construction manager's daytime and emergency contact information shall be provided to the Manatee County. (ADA/Page 14.6)
3. The applicant intends to propose and perform baseline water quality monitoring for ambient groundwater conditions, in order to meet Development Order stipulations and in accordance with Manatee County's Ambient Groundwater Monitoring Plan requirements. A groundwater monitoring plan will be submitted to Manatee County for their approval prior to startup of site development activities. The groundwater monitoring program will continue throughout the site development activities to ensure that these activities do not pose any potential adverse effects to the surficial aquifer resources... (ADA/Page 14.5)
4. Soil borings will be performed at the time of design to verify the Seasonal High Water Level at the specific sites as well as any elevations of any confining layers. (SR2/Page 14.2)

SOILS

1. Flexible roadways and building foundations will also be utilized to offset swelling and shrinking of soils. (ADA/Page 15.3)
2. Lake bank stabilization will be achieved through the use of temporary seed and mulch until final stabilization can be achieved by means of sodding. Within the Littoral zones of the lakes, below normal water level, native aquatic plants will be utilized. (ADA/Page 15.3)
3. A conservation easement covering the wetlands and wetland buffers will be dedicated to Manatee County through the final subdivision plat process or by separate legal instrument. (SR1/Page 15.2)

FLOODPLAINS

1. There will be no floodplain impacts. (ADA/Page 10.21)
2. There is no area within the 100-year floodplain within the project's boundaries or the immediate vicinity. (SR1/Page 9.4)

WATER SUPPLY

1. The Project will use the lowest quality water available for irrigation purposes, including non-potable quality groundwater and stormwater. (ADA/Page 10.15)
2. Water wells will be proposed on-site, and the future needs will be determined through studies not yet completed. (ADA/Page 17.5)
3. The applicant will operate and maintain the non-potable water supply system via Braden River Utilities. (ADA/Page 17.5)
4. The development will encourage responsible use of water by the occupants. The developer will implement non-potable (irrigation) restrictions to limit the use of non-potable water to conserve water. The Developer will also encourage the use of native, drought tolerant landscape within the single-family residential portion of the project. (ADA/Page 17.6 & SR1/Page 10.20)
5. The applicant has taken several steps to minimize the use of water including the following (SR1/Page 10.14):
 - the utilization of a non-potable water system for all landscaped areas;
 - the use of native vegetation or drought-resistant vegetation in landscaped areas; and
 - the re-establishment of tree canopy that has been previously cleared for agricultural activities where possible.
6. The [proposed] water wells will be used exclusively for irrigation purposes. (SR1/Page 17.2)
7. In regards to commercial/office areas, rainfall shutoff valves will be implemented in order to regulate the irrigation times, durations and quantities. (SR2/Page 17.2)

WASTEWATER MANAGEMENT

1. The proposed development will be served by a proposed sanitary sewer system. It is anticipated that septic tanks will not be required. (ADA/Page 18.3)

STORMWATER MANAGEMENT

1. The post-development stormwater management system will be designed to avoid adverse impacts to property and environmentally sensitive areas,

upstream and downstream of the site. Water quality and quantity standards will be achieved through the stormwater management system which will be designed in accordance with state and local criteria and will utilize ponds, lakes, littoral zones, wetlands, and control structures with skimmers to achieve the following (ADA/Page 19.5):

- no de-hydration or flooding of existing wetland systems
 - post-developed flows will be attenuated so that no upstream or downstream adverse impacts are created
 - stormwater treatment to ensure water quality criteria is met in accordance with State and Manatee County standards.
2. The development area within the watershed overlay will be designed with the knowledge that it is located within the Evers Reservoir Watershed and will be submitted to the appropriate agencies for the proper review and approval process. (ADA/Page 19.5)
 3. The stormwater management system will be owned and maintained by the applicant or assignee. Potentially, the ownership and maintenance could be assigned to the Lakewood Ranch Stewardship District. A regular maintenance program will be developed for the site... (ADA/Page 19.5)

TRANSPORTATION

1. Pope Road will be extended from its existing endpoint at the northern entrance to the Bradenton/Sarasota Arena site contemporaneously with the construction of the western portion of the Northwest Sector DRI. (SR1/Page 9.1)
2. No age-restricted units were assumed in the transportation analysis. (SR1/Page 10.9)
3. Transportation improvements to serve the Lakewood Centre project do not encourage or subsidize increased development in environmentally sensitive areas such as wetlands, floodways, or productive marine areas. (SR1/Page 10.22)
4. The Applicant will meet with MCAT (Manatee County Area Transit) [to discuss locations of transit stops] during the detailed planning stage of the project. (SR2/Page 9.2)
5. Manatee County will require external trip monitoring as a condition of approval of Phase 1. Further, any development beyond Phase 1 will require additional transportation analysis. This will provide an opportunity to confirm the assumptions used in the ADA analysis, or change them, as appropriate. (SR3/Page 9.2)

AIR QUALITY

1. In order to minimize the amount of fugitive dust, only the individual parcels of land where construction is scheduled to proceed will be cleared. Additional measures to be employed to minimize fugitive dust include sodding, seeding, mulching, or planting of landscaped materials in cleared and disturbed areas. Watering procedures will be employed as necessary to minimize fugitive dust. (ADA/Page 22.1)

HURRICANE PREPAREDNESS

1. Although the project is not within the coastal high hazard area, the Developer will cooperate with local, regional, and state agencies to facilitate all-hazards emergency management, planning and coordination. (ADA/Page 10.14)

AFFORDABLE HOUSING

1. Please see Development Order Conditions M.(1) through M.(6) above.

RECREATION AND OPEN SPACE

1. The development will include passive and active recreation facilities including pedestrian and bicycle systems throughout the Project. (ADA/Page 10.13)
2. All open space and recreation facilities within the Project will be maintained by the Developer or successors such as a Homeowner's Association(s), a Community Development District or the Lakewood Ranch Stewardship District. (ADA/Page 26.2)
3. The Project will include a variety of recreational opportunities in the form of pocket parks, linear parks, and esplanades. (ADA/Page 26.2)
4. At least 4.6 acres [Developer Clarification: 4.3 acres] of parks will be developed on-site at the locations indicated on the revised Map H. An additional 6.6 acres [Developer Clarification: 8.9 acres] of passive parks (located in upland preservation areas outside of wetland buffers) will be provided on the site, at locations to be determined later. (SR1/Pages 10.16 & 10.20)

ENERGY

1. The developer will encourage the identified energy conservation methods [i.e. increased insulation, high efficiency mechanical devices, cross ventilation, solar heating and cooling, and low pressure sodium lamps for external lighting] be used by builders in the Lakewood Centre DRI.

(SR1/Page 29.1)

2. The Lakewood Centre Project will be certified as a “green development” by the Florida Green Building Coalition (FGBC) under its Green Development Standard. To ensure the continuance of green development, Lakewood Centre builders will be required to construct energy- and resource-efficient facilities and receive certification from the FGBC. (SR1/Page 29.1)

The developer is working with TECO/Peoples Gas to ensure that natural gas is available within the project. (SR1/Page 29.1)

The “Green Development” designation requires a project to be “graded” on meeting a detailed list of requirements in six categories: Protect Ecosystem and Conserve Natural Resources; Create a Green Circulation System; Green Utility Practices; Amenities; Covenants and Deed Restrictions; and Provide Educational Information to Help Achieve and Promote Green Living Practices. Each category has certain criteria with points awarded for meeting those criteria. A minimum number of points are need to qualify as a “Green Development.” (SR2/Page 29.1)

SECTION 8. LEGAL DESCRIPTION:

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

A tract of land lying in Sections 7, 8, 9, 16, 17 and 18 Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Southeast corner of said Section 7, also being the Northeast corner of the above mentioned Section 18; thence N.88°45'31"W., along the north line of said Section 18 a distance of 21.43 feet to the POINT OF BEGINNING, said point being a point on the easterly right-of-way line of Lakewood Ranch Boulevard, a 120-foot wide Public Right-of-way; the following two (2) calls are along said easterly right-of-way line; (1) thence N.02°18'37"W., a distance of 346.71 feet to the point of curvature of a curve to the right having a radius of 3,940.00 feet and a central angle of 03°48'48"; (2) thence northerly along the arc of said curve, an arc length of 262.23 feet to the point of compound curvature of a curve to the right having a radius of 50.00 feet and a central angle of 91°37'13"; thence northeasterly along the arc of said curve, an arc length of 79.95 feet to the point of tangency of said curve; thence S.86°52'35"E., a distance of 1,131.57 feet to the point of curvature of a curve to the left having a radius of 2,143.00 feet and a central angle of 44°37'24"; thence easterly along the arc of said curve, an arc length of 1,669.02 feet to the point of reverse curvature of a curve to the right having a radius of 2,023.00 feet and a central angle of 34°25'49"; thence northeasterly along the arc of said curve, a distance of 1,215.67 feet to the point of tangency of said curve; thence N.82°55'49"E., a distance of 734.17 feet to the point of curvature of a curve to the right having a

radius of 50.00 feet and a central angle of $87^{\circ}53'04''$; thence southeasterly along the arc of said curve, an arc length of 76.69 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of $23^{\circ}41'47''$; thence southerly along the arc of said curve, a distance of 1,211.79 feet to the point of reverse curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of $11^{\circ}22'52''$; thence southeasterly along the arc of said curve, a distance of 556.19 feet to the point of tangency of said curve; thence $S.68^{\circ}29'59''W.$, a distance of 11.00 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.68^{\circ}29'59''W.$, a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of $03^{\circ}46'14''$, an arc length of 183.54 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.25^{\circ}49'28''W.$, a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of $46^{\circ}58'18''$, an arc length of 28.69 feet to the point of compound curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of $07^{\circ}40'51''$; thence southerly along the arc of said curve, an arc length of 375.36 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of $01^{\circ}04'12''$; thence southerly along the arc of said curve, a distance of 54.72 feet to the end of said curve; thence $S.01^{\circ}18'11''W.$, along a line non-tangent to the last described curve, a distance of 51.28 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.78^{\circ}25'45''E.$, a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of $05^{\circ}37'54''$, an arc length of 289.07 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.25^{\circ}50'30''W.$, a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of $46^{\circ}27'42''$, an arc length of 28.38 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of $06^{\circ}44'40''$; thence southerly along the arc of said curve, a distance of 344.90 feet to the end of said curve; thence $S.12^{\circ}34'36''E.$, along a line non-tangent to the last described curve, a distance of 51.41 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.64^{\circ}34'42''E.$, a radial distance of 2,941.00 feet; thence southeasterly along the arc of said curve, through a central angle of $01^{\circ}33'58''$, an arc length of 80.39 feet to the point of tangency of said curve; thence $S.26^{\circ}59'15''E.$, a distance of 113.45 feet; thence $S.63^{\circ}00'45''W.$, a distance of 90.22 feet to the point of curvature of a curve to the right having a radius of 1943.00 feet and a central angle of $18^{\circ}07'32''$; thence along the arc in a southwesterly direction, a distance of 614.67 feet to the end of said curve; thence $S.09^{\circ}31'35''E.$, along a line non-tangent to the last described curve, a distance of 78.62 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.10^{\circ}12'41''W.$, a radial distance of 2007.00 feet; thence along the arc in a northeasterly direction, passing through a central angle of $11^{\circ}39'48''$, an arc length of 408.55 feet to the end of said curve; thence $N.79^{\circ}51'15''E.$, along a line non-tangent to the last described curve, a distance of 51.06 feet to the point of curvature of a curve to the left, of which the radius point lies $N.23^{\circ}17'40''W.$, a radial distance of 3,012.26 feet; thence along the arc in a northeasterly direction, passing through a central angle of $04^{\circ}10'01''$, an arc

length of 219.07 feet to the end of said curve; thence S.31°07'37"E., along a line non-tangent to the last described curve, a distance of 152.40 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.26°59'16"E., a radial distance of 50.00 feet; thence easterly along the arc of said curve, through a central angle of 90°00'00", an arc length of 78.54 feet to the point of tangency of said curve; thence S.26°59'15"E., a distance of 769.47 feet to the point of curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 27°15'57"; thence southerly along the arc of said curve, an arc length of 1,332.47 feet to the point of tangency of said curve; thence S.00°16'42"W., a distance of 641.12 feet; thence N.89°43'18"W., a distance of 670.00 feet; thence S.00°16'42"W., a distance of 990.00 feet to the north right-of-way line of State Road 70, a 200-foot wide Public Right-of-way; the following two (2) calls are along said northerly right-of-way line; (1) thence N.89°43'18"W., a distance of 527.20 feet; (2) thence N.88°46'44"W., a distance of 3,950.87 feet to the east right-of-way line of said Lakewood Ranch Boulevard; thence N.01°13'16"E., along said east right-of-way line, a distance of 100.01 feet; thence S.88°46'44"E., a distance of 210.34 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of 108°00'50"; thence northeasterly along the arc of said curve, an arc length of 94.26 feet to the point of tangency of said curve; thence N.16°47'34"W., a distance of 69.44 feet to the point of curvature of a curve to the right having a radius of 300.00 feet and a central angle of 18°19'57"; thence northerly along the arc of said curve, an arc length of 95.99 feet to the point of tangency of said curve; thence N.01°32'24"E., a distance of 131.00 feet to the point of curvature of a curve to the left having a radius of 30.00 feet and a central angle of 89°19'08"; thence northwesterly along the arc of said curve, an arc length of 46.77 feet to the point of tangency of said curve; thence N.87°46'44"W., a distance of 193.00 feet to the east right-of-way line of said Lakewood Ranch Boulevard; the following three (3) calls are along said east right-of-way line; (1) thence N.01°13'16"E., a distance of 71.50 feet to the point of curvature of a curve to the left having a radius of 1,810.00 feet and a central angle of 47°18'07"; (2) thence northerly along the arc of said curve, an arc length of 1,494.29 feet to the point of tangency of said curve; (3) thence N.46°04'51"W., a distance of 88.50 feet; thence N.43°55'10"E., a distance of 93.66 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 124°16'00"; thence northerly along the arc of said curve, an arc length of 43.38 feet to the point of reverse curvature of a curve to the right having a radius of 71.00 feet and a central angle of 44°08'56"; thence northwesterly along the arc of said curve, a distance of 54.71 feet to the point of tangency of said curve; thence N.36°11'54"W., a distance of 225.82 feet; thence N.48°58'07"W., a distance of 84.68 feet; thence N.69°43'32"W., a distance of 99.20 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 54°19'36"; thence westerly along the arc of said curve, an arc length of 18.96 feet to the point of tangency of said curve; thence S.55°56'52"W., a distance of 32.09 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.55°56'52"E., a radial distance of 2,190.00 feet, said point also being a point on the east right-of-way line of said Lakewood Ranch Boulevard; the following two (2) calls are along said east right-

of-way line; (1) thence northerly along the arc of said curve, through a central angle of $31^{\circ}44'31''$, an arc length of 1,213.27 feet to the point of tangency of said curve; (2) thence $N.02^{\circ}18'37''W.$, a distance of 1,728.76 feet to the POINT OF BEGINNING.

Said tract contains 33,590,466 square feet or 771.1310 acres, more or less.

LESS:

Pond Number 3, described in Official Record Book 1540, Page 7918 of the Public Records of Manatee County, Florida;

LESS:

Parcel 100A, described in Official Record Book 1915, Page 5768 of the Public Records of Manatee County, Florida;

LESS:

Premises described in Warranty Deed to DVA Arena, LLC, recorded in Official Record Book 1943, Page 4075 of the Public Records of Manatee County, Florida;

LESS: Ingress-Egress Easement No. 1

A Tract of land lying in Section 9, 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Section 17; thence $S.89^{\circ}34'35''E$ along the North line of said Section 17 a distance of 3985.93 feet; thence $S.00^{\circ}25'25''W$ a distance of 487.63 feet to the POINT OF BEGINNING; said point being the point of curvature of a curve to the right, of which the radius point lies $S.69^{\circ}39'59''E.$, a radial distance of 325.00 feet; thence northeasterly along the arc of said curve, through a central angle of $33^{\circ}08'49''$, an arc length of 188.02 feet to the point of tangency of said curve; thence $N.53^{\circ}28'49''E.$, a distance of 370.60 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of $30^{\circ}41'48''$; thence easterly along the arc of said curve, an arc length of 174.12 feet to the point of tangency of said curve; thence $N.84^{\circ}10'37''E.$, a distance of 374.39 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of $24^{\circ}43'08''$; thence easterly along the arc of said curve, an arc length of 140.21 feet to the point of reverse curvature of a curve to the left having a radius of 275.00 feet and a central angle of $37^{\circ}11'49''$; thence easterly along the arc of said curve, a distance of 178.53 feet to the point of compound curvature of a curve to the left having a radius of 35.00 feet and a central angle of $91^{\circ}38'36''$; thence northeasterly along the arc of said curve, an arc length of 55.98 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies

S.70°03'20"W., a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of 02°12'54", an arc length of 107.82 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.25°49'28"W., a radial distance of 35.00 feet; thence westerly along the arc of said curve, through a central angle of 44°31'14", an arc length of 27.20 feet to the point of tangency of said curve; thence S.71°18'14"W., a distance of 9.06 feet to the point of curvature of a curve to the right having a radius of 337.00 feet and a central angle of 37°35'30"; thence westerly along the arc of said curve, an arc length of 221.11 feet to the point of reverse curvature of a curve to the left having a radius of 263.00 feet and a central angle of 01°53'10"; thence westerly along the arc of said curve, a distance of 8.66 feet to the point of tangency of said curve; thence N.72°59'26"W., a distance of 56.37 feet to the point of curvature of a curve to the left having a radius of 137.00 feet and a central angle of 22°49'57"; thence westerly along the arc of said curve, an arc length of 54.60 feet to the point of tangency of said curve; thence S.84°10'37"W., a distance of 371.34 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 30°41'48"; thence westerly along the arc of said curve, an arc length of 147.33 feet to the point of tangency of said curve; thence S.53°28'49"W., a distance of 370.60 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 34°54'45"; thence southwesterly along the arc of said curve, an arc length of 167.57 feet to the end of said curve; thence N.60°04'23"W., a distance of 50.84 feet to the POINT OF BEGINNING.

Said tract contains 76,341 square feet or 1.7526 acres, more or less.

LESS: Ingress-Egress Easement No. 2

A Tract of land lying in Sections 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Sections 16 and 17; thence S.89°34'35"E along the North line of said Section 17 a distance of 4291.01 feet; thence S.00°25'25"W a distance of 654.77 feet to the POINT OF BEGINNING; thence S.60°04'23"E., a distance of 25.14 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.46°57'50"E., a radial distance of 325.00 feet; thence easterly along the arc of said curve, through a central angle of 113°10'48", an arc length of 641.99 feet to the point of reverse curvature of a curve to the left having a radius of 255.00 feet and a central angle of 85°25'10"; thence southeasterly along the arc of said curve, a distance of 380.17 feet to the point of tangency of said curve; thence N.70°47'48"E., a distance of 283.99 feet to the point of curvature of a curve to the left having a radius of 35.00 feet and a central angle of 85°57'17"; thence northeasterly along the arc of said curve, an arc length of 52.51 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.74°50'32"E., a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of 02°02'41", an arc length of 104.95 feet to the end of said curve;

thence N.72°51'02"W., along a line non-tangent to the last described curve, a distance of 10.58 feet; thence S.70°47'48"W., a distance of 226.06 feet to the point of curvature of a curve to the right having a radius of 167.00 feet and a central angle of 08°40'50"; thence westerly along the arc of said curve, an arc length of 25.30 feet to the point of tangency of said curve; thence S.79°28'38"W., a distance of 62.92 feet to the point of curvature of a curve to the left having a radius of 133.00 feet and a central angle of 04°57'32"; thence westerly along the arc of said curve, an arc length of 11.51 feet to the point of reverse curvature of a curve to the right having a radius of 309.00 feet and a central angle of 81°41'53"; thence northwesterly along the arc of said curve, a distance of 440.60 feet to the point of reverse curvature of a curve to the left having a radius of 271.00 feet and a central angle of 49°45'11"; thence northwesterly along the arc of said curve, a distance of 235.32 feet to the point of tangency of said curve; thence N.78°27'38"W., a distance of 46.52 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.06°36'57"W., a radial distance of 271.00 feet; thence westerly along the arc of said curve, through a central angle of 21°41'20", an arc length of 102.59 feet to the end of said curve; thence S.66°23'37"W., along a line non-tangent to the last described curve, a distance of 80.42 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.32°08'23"E., a radial distance of 271.00 feet; thence southwesterly along the arc of said curve, through a central angle of 10°26'33", an arc length of 49.39 feet to the end of said curve; thence S.39°34'23"E., along a line non-tangent to the last described curve, a distance of 35.74 feet; thence N.60°04'23"W., a distance of 116.67 feet; thence N.29°55'37"E., a distance of 4.78 feet to the POINT OF BEGINNING.

Said tract contains 75,680 square feet or 1.7374 acres, more or less.

<u>Total Described Area</u>	= 771.1310 Acres +/-
Less: Ponds No. 3	= 5.15 Acres +/-
Less: Parcel 100A	= 4.512 Acres +/-
Less DVA Arena, LLC	= 60.5327 Acres +/-
Less: Ingress-Egress Easement No. 1	= 1.7526 Acres +/-
<u>Less Ingress-Egress Easement No. 2</u>	<u>= 1.7374 Acres +/-</u>
Net Area	= 697.4463 Acres +/-

SECTION 9. DEADLINE FOR COMMENCEMENT OF DEVELOPMENT:

Physical development of the Project* shall commence within two years of the effective date of this Ordinance, as amended, unless the time period for commencement is extended by the Board of County Commissioners. If more than two years elapse between the effective date of this Order and commencement of actual development, or if construction of a phase is not begun or completed by the timeframe contained in Section 4 above, or if any three 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 timeframe 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 10. RESTRICTIONS ON DOWN-ZONING:

Prior to the buildout date of this Development Order, the County shall not down-zone or reduce the intensity or unit density permitted by this Development Order, unless the County can demonstrate that:

- A. Substantial changes in the condition 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 in intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for change 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 of the Project*, but is included herein to comply with paragraph 380.06(15)(c)3, Florida Statutes.

SECTION 11. ORDER BINDING UPON DEVELOPER*:

This 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 days of the date of signature by the Chairman of the Board of County Commissioners to the Developer* and the Florida Department of Economic Opportunity.

Attachments to Ordinance 12-28

Exhibit A – Map H

Exhibit B – Natural Resources of Regional Significance, as delineated on Map 3

CONSULTANT TEAM

Wilson Miller, Inc. Planning and Archaeological
 Frankland & Associates, Inc. Master Planning
 Grimes Goebel Legal
 Environmental Affairs Consultants, Inc. Environmental
 Transportation Economic
 Grimes Goebel Legal

LAKewood CENTRE
 Manatee County, Florida

A Development of Regional Impact by SMR North 70, LLC

MAP H
MASTER PLAN
JUNE 2012

Lakewood Centre DRI
 Proposed Project Land Uses

Land Use	Phase 1 2007 - 2019		Phase 2 2019 - 2024		Phase 3 2024 - 2028		Total
	2007 - 2019	2019 - 2024	2019 - 2024	2024 - 2028	2007 - 2028		
Residential (D.U.'s)	900	1,600	539	539	3,239		
Multi-Family	0	0	0	0	0	0	
Single Family	900	1,600	539	539	3,239	3,239	
Commercial	0	0	0	0	0	0	
Office (sq. ft.)	460,000	542,000	772,000	772,000	1,774,000	1,774,000	
Hotel (rooms)	458,000	458,000	647,000	647,000	1,563,000	1,563,000	
Total	1,358,000	1,358,000	1,419,000	1,419,000	3,337,000	3,337,000	

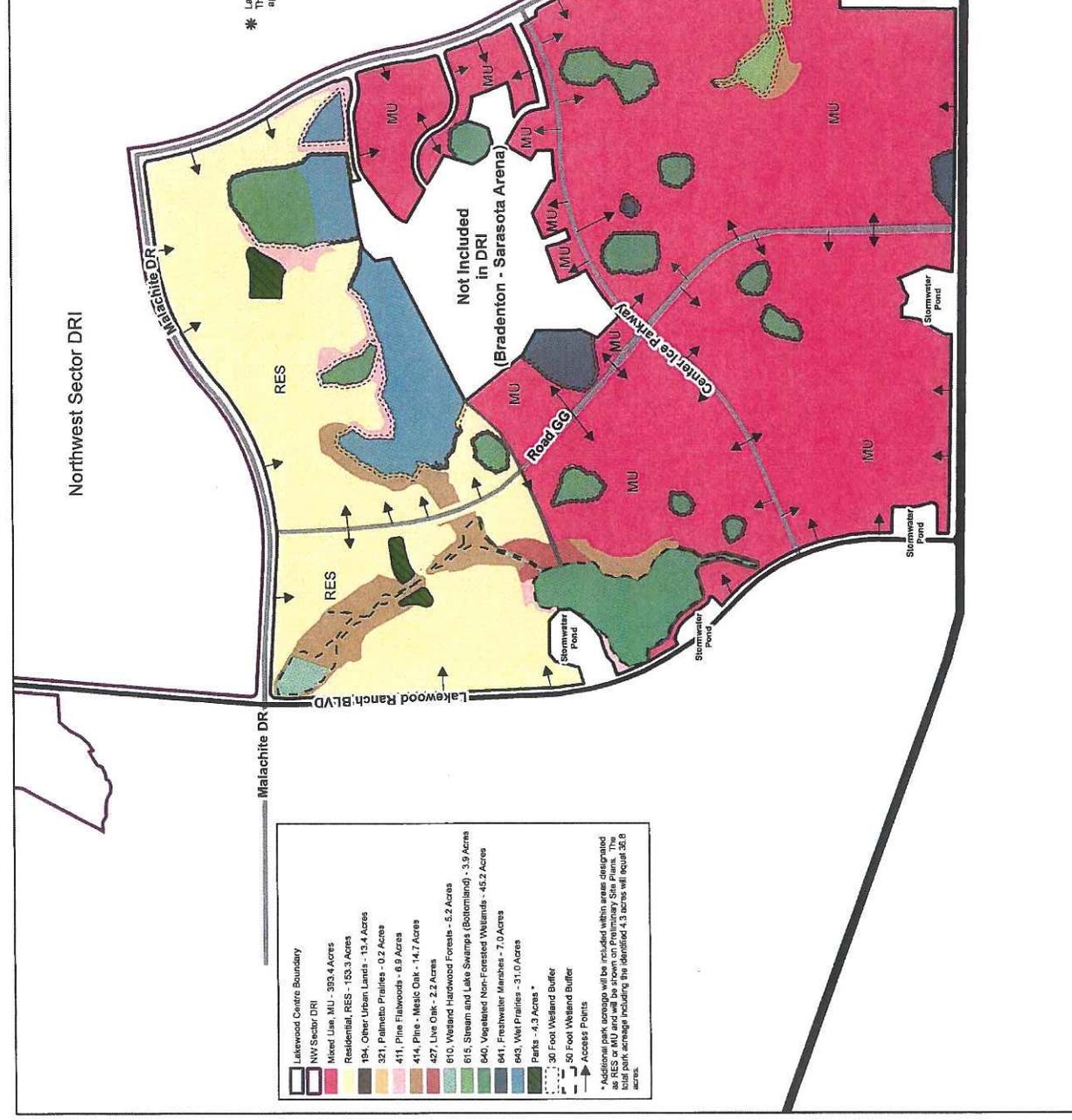
Source: WSP/Smith, December 2005

* Land use entitlements may be modified in accordance with the proposed land use equivalency matrix. The phasing buildout dates shall be November 21st of the years indicated, which includes legislatively approved extensions (SR 360, SB 1752, HB 7207 and F.S. 282.363)

Distribution of Land Uses
 Phase 1 - By Quadrant

Land Use	Size	Units
Residential Condominium/Townhouses	100 d.u.	125 d.u.
Multi-Family Apartment	70,000 s.f.	100 d.u.
Shopping Center	125 d.u.	125 d.u.
Residential Condominium/Townhouses	100 d.u.	100 d.u.
Multi-Family Apartment	70,000 s.f.	100 d.u.
Shopping Center	125 d.u.	125 d.u.
Residential Condominium/Townhouses	100 d.u.	100 d.u.
Multi-Family Apartment	70,000 s.f.	100 d.u.
Shopping Center	125 d.u.	125 d.u.
General Office	229,000 s.f.	300 Rooms
Hotel	115,000 s.f.	125 d.u.
Residential Condominium/Townhouses	100 d.u.	100 d.u.
Multi-Family Apartment	70,000 s.f.	100 d.u.
General Office	229,000 s.f.	300 Rooms
Shopping Center	125 d.u.	125 d.u.

This table represents an approximate distribution of land uses produced for analytical purposes. Land uses may be moved between quadrants without additional 380,00 analyses.

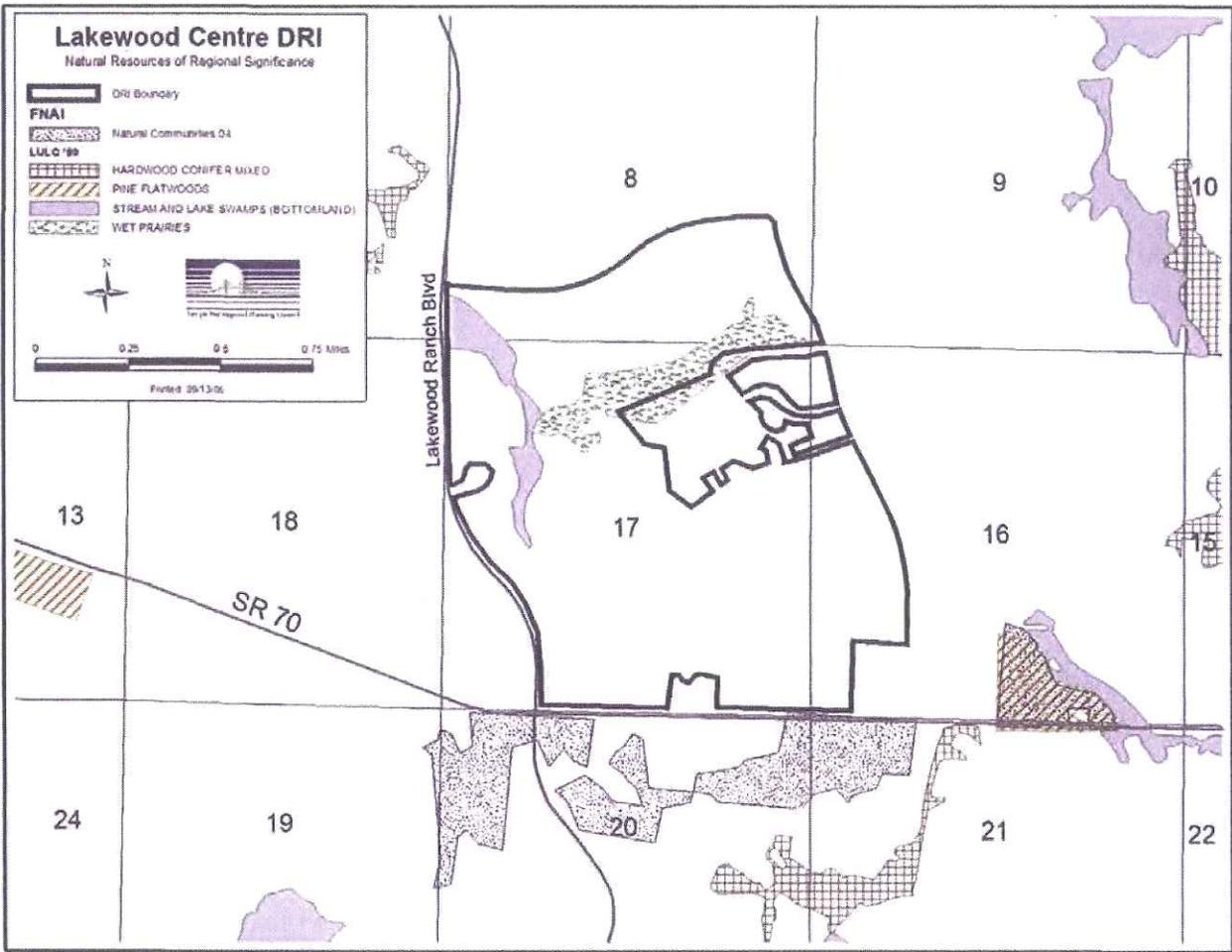


DRI #27/ORD-12-28
20120215(2)
 Lakewood Centre



Date: November, July 24, 2012
 File Path: C:\Users\jgibson\Documents\Projects\2012\20120215(2)\DRI\20120215(2)_MAP_H.dwg
 Plot Scale: 1 inch = 300 feet

**MAP #3
LAKWOOD CENTRE
NATURAL RESOURCES OF REGIONAL SIGNIFICANCE**



Source: *Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region (SRPP)*, adopted March 12, 1996, as amended.



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, 2018

R.B. SHORE
Clerk of Circuit Court

By: [Signature] D.C.

#265



MANATEE COUNTY
FLORIDA

February 10, 2012

Todd Pokrywa
SMR North 70, LLC
14400 Covenant Way
Lakewood Ranch, Florida 34202

Re: Addendum to House Bill 7207 extension granted on 10/20/2011
Lakewood Centre DRI # 27
Request pursuant to F.S. 252.363 F.S. - Tolling & Extension of Permits
Project Number: PDMU-06-30(Z)(G)/ORD-08-13(EXT2) DTS #: 20110286

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 Lakewood Centre 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 Lakewood Centre DRI Ordinance 08-13 and its associated Zoning Ordinance/General Development Plan) PDMU-06-30(Z)(G) are eligible for the extension and have been extended as follows, with the dates set forth below reflecting the previous SB 360, SB 1752, and HB 7207 extensions, and the additional F.S. 252.363 extension:

Building and Development Services Department
Mailing Address: P. O. Box 1000 Street Address: 1112 Manatee Avenue West, Bradenton, FL 34206-1000
WEB: www.mymanatee.org * PHONE: 941.748.4501 * FAX: 941.749-3071

LAKWOOD CENTRE DRI #27 ORDINANCE-08-13

SECTION 3. DEVELOPMENT COMPONENTS:

- E. The buildout date for this Development Order is ~~2023~~ November 21, 2024.
- F. The expiration date for this Development Order is ~~2024~~ November 21, 2025.

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008-2019 2020*	Phase 1 Minimum/ Maximum Entitlements ^{&}	Phase 2 2009-2018 2019*	Phase 3 2012-2023 2024*	Total
Residential (dwelling units)					
Multi-family	900	540/1,260	1,800	539	3,239
Single Family (includes semi-detached & attached)	-0-	0/700	200	236	436
Total	900		2,000	775	3,675
Commercial/Office (sq. ft.)					
Retail	460,000	276,000 - 644,000	542,000	772,000	1,774,000
Office	458,000	275,000 - 641,000	458,000	647,000	1,563,000
Total	918,000		1,000,000	1,419,000	3,337,000
Hotel (rooms)	300		-0-	-0-	300

* The phasing buildout dates shall be ~~December 31st~~ November 21 of the years indicated.
 & The approved amount of any one land use may be increased, but only with decreases in one or more of the other land uses, per the Land Use Equivalency Matrix.

Phase I is the only phase specifically approved, Phase II & III are conceptually approved.

SECTION 5. DEVELOPMENT CONDITIONS:

General Conditions

- O. (3) Physical development shall commence within six years of Development Order adoption, in order to have reasonable expectation of achieving Phase 1 buildout by ~~2019~~ November 21, 2020. For the purpose of the Development Order, this term means construction of infrastructure, roadways, or other vertical development*.

Please note that the change to the Phase I buildout date in Condition O. (3) above reflects the SB 360, SB 1752 HB 7207, and FS 252.363 extensions. SB 360 and SB 1752 & HB 7207 extensions were granted previously, however, a comprehensive update to the ordinance has not yet been processed.

LAKEWOOD CENTRE ZONING ORDINANCE; PDMU-06-30(Z)(G)

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008-2019 <u>2020*</u>	Phase 2 2009-2018 <u>2019*</u>	Phase 3 2012-2023 <u>2024*</u>	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	3,239
Single Family (includes semi-detached & attached)	-0-	200	236	436
Total	900	2,000	775	3,675
Commercial/Office (sq. ft.)				
Retail	460,000	542,000	772,000	1,774,000
Office	458,000	458,000	647,000	1,563,000
Total	918,000	1,000,000	1,419,000	3,337,000
Hotel (rooms)	300	-0-	-0-	300

* The phasing buildout dates shall be November 21st of the years indicated.

Phase I is the only phase specifically approved, Phase II & III are conceptually approved.

Please accept this letter as confirmation of the extension. The phase date extensions reflected above for the Lakewood Centre 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)

#265



**MANATEE COUNTY
FLORIDA**

October 20, 2011

Todd Pokrywa
SMR North 70, LLC
14400 Covenant Way
Lakewood Ranch, Florida 34202

Re: **Revised Letter**
Lakewood Centre DRI # 27 – Ordinance 08-13 and PDMU-06-30(Z)(G)
HB 7207 – 4 year extension of phase, buildout, and expiration dates
Project Number: PDMU-06-30(Z)(G)/ORD-08-13(EXT2) DTS #: 20110286

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 Lakewood Centre 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 Lakewood Centre DRI Ordinance 08-13 and its associated Zoning Ordinance/General Development Plan PDMU-06-30(Z) (G) are eligible for the 4 year extension and have been extended as follows, with the dates set forth below reflecting the previous SB 360 and SB 1752 extensions, and the additional HB 7207 extension:

Building and Development Services Department
Mailing Address: P. O. Box 1000 Street Address: 1112 Manatee Avenue West, Bradenton, FL 34206-1000
WEB: www.mymanatee.org * PHONE: 941.748.4501 * FAX: 941.749-3071

LAKEWOOD CENTRE; DRI #27; ORDINANCE-08-13

SECTION 3. DEVELOPMENT COMPONENTS:

- E. The buildout date for this Development Order is ~~2019~~ 2023.
- F. The expiration date for this Development Order is ~~2020~~ 2024.

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008-2015 <u>2019*</u>	Phase 1 Minimum/ Maximum Entitlements &	Phase 2 2009-2014 <u>2018*</u>	Phase 3 2012-2019 <u>2023*</u>	Total
Residential (dwelling units)					
Multi-family	900	540/1,260	1,800	539	3,239
Single Family (includes semi-detached & attached)	-0-	0/700	200	236	436
Total	900		2,000	775	3,675
Commercial/Office (sq. ft.)					
Retail	460,000	276,000 - 644,000	542,000	772,000	1,774,000
Office	458,000	275,000 - 641,000	458,000	647,000	1,563,000
Total	918,000		1,000,000	1,419,000	3,337,000
Hotel (rooms)	300		-0-	-0-	300

* The phasing buildout dates shall be December 31st of the years indicated.
 & The approved amount of any one land use may be increased, but only with decreases in one or more of the other land uses, per the Land Use Equivalency Matrix.

Phase I is the only phase specifically approved, Phase II & III are conceptually approved.

SECTION 5. DEVELOPMENT CONDITIONS:

General Conditions

- O. (3) Physical development shall commence within six years of Development Order adoption, in order to have reasonable expectation of achieving Phase 1 buildout by ~~2011~~ 2019. For the purpose of the Development Order, this term means construction of infrastructure, roadways, or other vertical development*.

Please note that the change to the Phase I buildout date in Condition O. (3) above reflects the SB 360, SB 1752 and HB 7207 extensions. SB 360 and SB 1752 extensions were granted previously, however, a comprehensive update to the ordinance has not yet been processed.

LAKWOOD CENTRE; ZONING ORDINANCE; PDMU-06-30(Z)(G)

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008-2015 <u>2019*</u>	Phase 2 2009-2014 <u>2018*</u>	Phase 3 2012-2019 <u>2023*</u>	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	3,239
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Total	918,000	1,000,000	1,419,000	3,337,000
Hotel (rooms)	300	-0-	-0-	300

* The phasing buildout dates shall be December 31st of the years indicated.

Phase I is the only phase specifically approved, Phase II & III are conceptually approved.

Please accept this letter as confirmation of the extension. The phase date extensions reflected above for the Lakewood Centre 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

265



MANATEE COUNTY
FLORIDA

February 22, 2011

Todd Pokrywa, VP of Planning
SMR North 70, LLC
14400 Covenant Way
Lakewood Ranch, Florida 34202

RE: SB 1752 – Extension Request
Lakewood Centre DRI#27
Ordinance 08-30 and PDMU-06-30(Z)(G)(EXT)
DTS # 20100397

Dear Todd:

You have applied for extensions of your development approvals under SB1752 relative to the Lakewood Centre Development of Regional Impact (DRI). Manatee County has determined that if the original deadlines were within the time period from September 1, 2008 and January 1, 2012 and if you make a proper application and meet the other requirements of the law, then the deadlines are extended for two years under the original SB 360 and an additional two years under SB 1752. As you have made an application and the development otherwise qualifies, your deadlines have been extended as follows, with the dates set forth below reflecting the original SB 360 extension and the SB 1752 additional extension:

- The buildout date for Phase I currently expires on 12/31/2013. With the additional two year extension, the buildout date for Phase I is extended to 12/31/2015.
- The timeframe set forth in Condition 0.(3) under General Conditions of the Development Order shall now be 6 years from August 5, 2008 and the condition now reads as follows "Physical development shall commence within six years of the Development Order adoption (6 years from August 5, 2008) in order to have a reasonable expectation of achieving Phase I buildout by 2015. For purposes of the Development Order, this term means construction of infrastructure, roadways, or other vertical development."
- The time frame set forth in Section 8, Deadline for Commencement of Development shall now be 6 years from the effective date and the section now reads as follows "Physical development of the Project* shall commence within six years of the effective date of this Ordinance, as amended, unless the time period for commencement is extended by the Board of County Commissioners. If more than six years elapse between the effective date of this Order and commencement of actual development, or if construction of a phase is not begun or completed by the timeframe contained in Section

Planning Department

Mailing Address: P. O. Box 1000 * Street Address: 1112 Manatee Avenue West, 4th Floor, Bradenton, FL 34206-1000
PHONE: 941.749.3070 * FAX: 941.749.3071

www.myanatee.org

4. above, or if any three year period shall expire without any significant 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 timeframe for completion of construction, commencement or 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."

Please accept this letter as confirmation of the extension. We have made similar extensions for non-DRI developments and do not want the DRIs to be at any competitive disadvantage. 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.

Sincerely,



Robert Schmitt, AICP
Planning Division Manager

cc: Avera Wynn, TBRPC
John Meyer, TBRPC
Suzanne Fugate, LWR Development
Lisa Barrett, Manatee County Building and Development Services

265



**MANATEE COUNTY
FLORIDA**

February 22, 2011

Todd Pokrywa, VP of Planning
SMR North 70, LLC
14400 Covenant Way
Lakewood Ranch, Florida 34202

RE: SB 1752 – Extension Request
Lakewood Centre DRI#27
Ordinance 08-30 and PDMU-06-30(Z)(G)(EXT)
DTS # 20100397

Dear Todd:

You have applied for extensions of your development approvals under SB1752 relative to the Lakewood Centre Development of Regional Impact (DRI). Manatee County has determined that if the original deadlines were within the time period from September 1, 2008 and January 1, 2012 and if you make a proper application and meet the other requirements of the law, then the deadlines are extended for two years under the original SB 360 and an additional two years under SB 1752. As you have made an application and the development otherwise qualifies, your deadlines have been extended as follows, with the dates set forth below reflecting the original SB 360 extension and the SB 1752 additional extension:

- The buildout date for Phase I currently expires on 12/31/2013. With the additional two year extension, the buildout date for Phase I is extended to 12/31/2015.
- The timeframe set forth in Condition 0.(3) under General Conditions of the Development Order shall now be 6 years from August 5, 2008 and the condition now reads as follows "Physical development shall commence within six years of the Development Order adoption (6 years from August 5, 2008) in order to have a reasonable expectation of achieving Phase I buildout by 2015. For purposes of the Development Order, this term means construction of infrastructure, roadways, or other vertical development."
- The time frame set forth in Section 8, Deadline for Commencement of Development shall now be 6 years from the effective date and the section now reads as follows "Physical development of the Project* shall commence within six years of the effective date of this Ordinance, as amended, unless the time period for commencement is extended by the Board of County Commissioners. If more than six years elapse between the effective date of this Order and commencement of actual development, or if construction of a phase is not begun or completed by the timeframe contained in Section

Planning Department

Mailing Address: P. O. Box 1000 * Street Address: 1112 Manatee Avenue West, 4th Floor, Bradenton, FL 34206-1000
PHONE: 941.749.3070 * FAX: 941.749.3071

www.myanatee.org

4. above, or if any three year period shall expire without any significant 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 timeframe for completion of construction, commencement or 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."

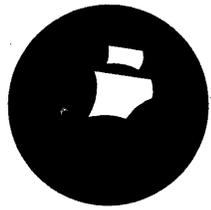
Please accept this letter as confirmation of the extension. We have made similar extensions for non-DRI developments and do not want the DRIs to be at any competitive disadvantage. At the next NOPC for your DRI, the Development Order and Zoning Ordinance will need to be updated to reflect these new dates. 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.

Sincerely,



Robert Schmitt, AICP
Planning Division Manager

cc: Avera Wynn, TBRPC
John Meyer, TBRPC
Suzanne Fugate, LWR Development
Lisa Barrett, Manatee County Building and Development Services



MANATEE COUNTY FLORIDA

January 8, 2010

Suzanne Fugate
Lakewood Ranch Development
14400 Covenant Way
Lakewood Ranch, Florida 34202

Re: Lakewood Centre DRI #27 – Request for Extension Based on Senate Bill 360

Dear Suzanne:

Your request to extend the buildout date for Lakewood Centre DRI is hereby granted. Pursuant to Senate Bill 360 the Lakewood Centre DRI (Ordinance 08-13) and its associated Zoning Ordinance/General Development Plan [PDMU-06-30(Z) (G)] are eligible for a two year extension.

The buildout date for Phase I currently expires on 12/31/2011. With the two year extension, the buildout date for Phase I will now have an expiration date of 12/31/2013.

Section 0 (3) of the Development Order shall be revised to state, "Physical development shall commence within 4 years of the Development Order adoption (4 years from August 5, 2008) in order to have reasonable expectation of achieving Phase I buildout by 2013. For the purpose of the Development order, this term means construction of infrastructure, roadways, or other vertical development*."

Section 8 - Deadline for Commencement of Development of the Development Order, shall be revised to state, "Physical development of the Project* shall commence within four years of the effective date of this Ordinance, as amended, unless the time period for commencement is extended by the Board of County Commissioners. If more than four years elapse between the effective date of this Order and commencement of actual development, or if construction of a phase is not begun or completed by the timeframe

Planning Department
Mailing Address: P.O. Box 1000 * Street Address: 1112 Manatee Ave. W. 4th Floor, Bradenton, FL 34205
PHONE: 941.749.3070 * FAX: 941.749.3071
www.mymanatee.org

contained in Section 4 above, or if any three 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 timeframe 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."

Please keep a copy of this letter for your records.

If you should have any questions or concerns regarding this matter, please feel free to contact me or Susan Angersoll at (941) 748-4501.

Sincerely,



Lisa Barrett

Principal Planner

cc: Records File
John Meyer, DRI Coordinator, TBRPC

#265



MANATEE COUNTY GOVERNMENT

PLANNING DEPARTMENT
"TO SERVE WITH EXCELLENCE"

Certified Mail # 7006 0810 0002 8723 1533

August 21, 2008

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

Re: Development Order for Lakewood Centre, DRI #27

Dear Mr. Meyer:

Enclosed is a certified copy of Ordinance 08-13, the DRI Development Order for Lakewood Centre DRI #27, as adopted in open session by the Manatee County Board of County Commissioners on August 5, 2008, 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 Administrator

RHP/br
Enclosure



FILED FOR RECORD
R. B. SHORE

ORDINANCE 08-13
LAKEWOOD CENTRE, DRI #27

2008 AUG 20 PM 4:38

CLERK OF THE COUNTY
MANATEE CO. FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RENDERING A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380, FLORIDA STATUTES, ON AN APPLICATION FOR DEVELOPMENT APPROVAL* (ADA*), FILED BY SMR NORTH 70, LLC; ALSO KNOWN AS TAMPA BAY REGIONAL PLANNING COUNCIL (TBRPC) DRI #265; PROVIDING FOR DEVELOPMENT RIGHTS, CONDITIONS, AND OBLIGATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 28, 2006, SMR North 70, LLC submitted a Development of Regional Impact (DRI) Application for Development Approval (ADA*) for 3,675 residential units; 1,774,000 square feet of retail; 1,563,000 square feet of office; a 300 room hotel; and ±36.8 acres neighborhood park; with approval of a Land Use Equivalency Matrix (LUEM) to allow conversion between various approved uses within specific ranges; as legally described in Section 7, referred to as Lakewood Centre DRI, or the Project*; and

WHEREAS, the Project* is proposed in three phases: Phase 1 with a buildout date of 2011; Phase 2 with a buildout date of 2014; and Phase 3 with a buildout date of 2019;

WHEREAS, Specific approval is requested for Phase 1 for 900 residential units, 460,000 square feet of retail, 458,000 square feet of office, a 300 room hotel, and ±36.8 acres of parks; and,

WHEREAS, Conceptual approval is requested for Phases 2 and 3 and in the future, Specific Approval of Phases 2 and 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S.; and,

WHEREAS, the described Project* lies within the unincorporated area of Manatee County; 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 Development Order for a DRI; and

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

2008 AUG 15 AM 9:11
FILED

WHEREAS, the Manatee County Planning Commission after due public notice, held a public hearing on January 10, 2008, February 14, 2008, July 10, 2008, and July 24, 2008 to consider the Lakewood Centre DRI and found the Lakewood Centre DRI to be consistent with the Manatee County Comprehensive Plan, the Manatee County Land Development Code, Section 380.06, Florida Statutes, and Rule 9J-2.02, FAC, subject to the conditions of approval established in this development order and recommend Special Approval of Phase 1 and Conceptual Approval* for Phases 2 & 3 of DRI #26; and

WHEREAS, the Board of County Commissioners has received and considered the report and recommendation of the Tampa Bay Regional Planning Council (TBRPC); the Planning Commission, and the Planning Staff; and

WHEREAS, the Board of County Commissioners held a duly noticed public hearing on March 6, April 3, 2008, and August 5, 2008 on Ordinance 08-13 and has solicited, received, and considered all testimony reports, comments, evidence, and recommendations from interested citizens, County agencies, the applicant, and 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, ADA* (with sufficiency responses), the recommendation and findings of the Planning Commission, and all other matters presented to the Board of County Commissioners at the public hearing, hereby makes the following findings of fact:

- A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.
- B. An application has been submitted to Manatee County and is being processed concurrently with this ADA* to rezone the parcel from AWP-E/ST (General Agriculture/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District), to the PDMU/WPE/ST (Planned Development Mixed Use/ Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) zoning district, and to approve a General Development Plan for the entire ±697.4 acre Project* by consideration of proposed Ordinance No. PDMU-06-30(Z)(G).
- C. An application has been submitted to Manatee County and is being processed concurrently with this ADA* to amend the Future Land Use Map of the Future Land Use Element of the Manatee County Comprehensive Plan for a portion of the Project (i.e., 285.34 ± acres from

- the UF-3 (Urban Fringe – 3 dwelling units/gross acre/WO-Watershed Overlay District – Evers Reservoir) Future Land Use Classification to the ROR (Retail/Office/Residential/WO Watershed Overlay District – Evers Reservoir Future Land Use Classification) by consideration of proposed Ordinance 08-28.
- D. The Board of County Commissioners has received and considered the recommendation of the Manatee County Planning Commission concerning the DRI and as it relates to the real property described in Section 7 of this Ordinance, pursuant to Section 380.06, Florida Statutes. The report of the Planning Commission was rendered on July 24, 2008, following a public hearing.
- E. The Board of County Commissioners held public hearings on March 6, April 3, 2008, and August 5, 2008 regarding Ordinance No. 08-13, in accordance with the requirements of the Manatee County Land Development Code (Ordinance 90-01, as amended) and the Manatee County Comprehensive Plan (Ordinance 89-01, as amended) and has further considered the testimony, comments, and information received at the public hearings.
- F. Manatee County has adopted the Manatee County Comprehensive Plan which is in compliance with applicable state laws.
- G. The Comprehensive Plan requires a Certificate of Level of Service to be issued for water, wastewater, solid waste, parks and recreation, roadways, transit, and drainage in compliance with state requirements and the Land Development Code.
- H. This Development Order is issued based on information provided by the Developer* in the ADA* (with sufficiency responses); public hearing testimony; data, information, and recommendations provided by the Planning Commission and Planning Department, and ensures continued compliance with the Manatee County Comprehensive Plan.
- I. The real property which is the subject of this ADA* and Development Order is legally described in Section 7 of this Ordinance.
- 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 and address for the Project* is Todd J. Pokrywa of SMR North 70, LLC, 14400 Covenant Way, Bradenton, Florida 34202.
- L. The owner of the property which SMR intends to develop is SMR North 70, LLC.

- M. A comprehensive review of the impacts generated by the development has been conducted by the departments of Manatee County, the Planning Commission, Board of County Commissioners, TBRPC, and DCA in conjunction with the ADA*, sufficiency responses, and this Development Order.
- N. The TBRPC declared the ADA* application sufficient on October 12, 2007.

SECTION 2. CONCLUSIONS OF LAW.

- A. Based upon the previous findings of fact and the following conditions of this 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 (FCRPP), and the 2020 Manatee County Comprehensive Plan (as amended).
 3. The Project*, as conditioned by this Development Order, is consistent with the report and recommendations of the TBRPC approved on December 10, 2007 regarding this ADA*.
 4. 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.
 5. The review by the County*, the TBRPC, and other participating agencies and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order, and the ADA. 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.

SECTION 3. DEVELOPMENT COMPONENTS:

- A. This Development Order approval shall constitute approval of the ADA* subject to the conditions set forth herein and shall be limited to the development amounts set forth in Table 1, below.
- B. Phase 1 of the Development is Specifically Approved subject to the conditions found within the Development Order and a Certificate of Level of Service for all services, except potable water and sewer, which has been issued for the land uses listed in Phase 1 as defined herein and in Zoning Ordinance PDMU-06-30(Z)(G). Potable water and sewer concurrency will be reviewed at time of each Final Site Plan submittal.

Phases 2 and 3 are Conceptually Approved. Specific Approval of Phases 2 and 3 are contingent upon submittal of further transportation and air quality analysis in accordance with Section 380.06, F.S. The Developer* shall provide full Application for Development Approval* responses regarding the issue of transportation when seeking Specific Approval of Phases 2 and 3. This submittal shall include the prior conduct of a transportation methodology meeting to reach agreement with all appropriate transportation review entities as to the terms, variables, and assumptions to be utilized in the transportation analysis. Reanalysis of affordable housing may be required if the Conceptually Approved phases change or Rule 9J-2.048, FAC is modified regarding affordable housing. Verification of adequate public utility and school capacity will also be required.

- C. Approval of Phases 2 and 3 will also require review and approval of a revised Zoning Ordinance to be approved by the Board of County Commissioners.
- D. Preliminary and Final Site Plan applications shall be reviewed for compliance with this Development Order and shall be subject to the requirements of the Manatee County Comprehensive Plan and Land Development Code in effect at the time of such site plan application, as to such requirements which are not specifically addressed in this Development Order or are not inconsistent with this Development Order.
- E. The build-out date for this Development Order is 2019.
- F. The expiration date for this Development Order is 2020.

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008 – 2012*	Phase 1 Minimum/ Maximum Entitlements ^{&}	Phase 2 2009 – 2014*	Phase 3 2012- 2019*	Total
Residential (dwelling units)					
Multi-family	900	540/1,260	1,800	539	3,239
Single Family (includes semi-detached & attached)	-0-	0/700	200	236	436
Total	900		2,000	775	3,675
Commercial/Office (sq. ft.)					
Retail	460,000	276,000 - 644,000	542,000	772,000	1,774,000
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Total	918,000		1,000,000	1,419,000	3,337,000
Hotel (rooms)	300		-0-	-0-	300

Source: WilsonMiller, September 2005

* The phasing buildout dates shall be December 31st of the years indicated.

& The approved amount of any one land use may be increased, but only with decreases in one or more of the other land uses, per the Land Use Equivalency Matrix.

G. Development Totals:

1. The Land Use Equivalency Matrix, below allows the developer variations in the quantity of approved land uses without the requirement to analyze such modifications through the Notice of Proposed Change process. The conversion formulas presented below are based on p.m. peak hour trip generation factors.
2. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the revised land use mix will not exceed the impacts for transportation, solid waste disposal, mass transit, drainage, and parks and recreation, which have been approved and authorized in the 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 affordable housing beyond the amount for which the supply of affordable housing has been demonstrative to be available and is described in Section M of this Development Order.

In seeking approval, the Developer shall not exceed the potable water and wastewater treatment projected for that phase. 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. However, reapplication shall not cause the Developer* to lose the capacity already approved for the 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.

3. An application for a Land Use Exchange must include a revised General Development Plan which will include a revised Land Use and Phasing Schedule and a reallocation of square footage. 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 2020 Manatee County Comprehensive Plan and shall be subject to the approval of the Board of County Commissioners.
4. Each exchange request shall be provided to the Tampa Bay Regional Planning Council and the Florida Department of Community Affairs for review and approval prior to consideration of approval by Manatee County. A maximum of two (2) exchange requests may be submitted within any calendar year.
5. The Land Use Equivalency Matrix (LUEM), Table 2, is as follows:

F. Land Use Equivalency Matrix:

TABLE 2: LAND USE EQUIVALENCY MATRIX

CHANGE FROM:	CHANGE TO:				
	Residential/ SF* (Units)	Residential/ Apartment (Units)	Commercial (Sq. Ft.)	Office (Sq. Ft.)	Hotel (Rooms)
Residential/S.F. Semi-Detached & Attached (Units)		0.87	138.67	348.99	0.65
Residential/Apartment (Units)	1.15		132.00	165.00	0.75
Commercial (1,000 Sq. Ft.)	7.21	3.88		1271.00	4.69
	2.87	0.68	176.00		1.86

Office (1,000 Sq. Ft.)					
Hotel (Rooms)	1.54	1.33	213.33	536.91	

* Semi-Detached & Attached units

G. The following table documents the “minimums” and “maximums” associated with each of the project uses:

TABLE 3: MINIMUM AND MAXIMUM DEVELOPMENT

LAND USE	SPECIFICALLY APPROVED AMT. (PHASE 1)	MINIMUM	MAXIMUM
Residential/Multi-Family	900 Units	540 Units	1,260 Units
Residential/Single Family*	0 Units	0 Units	700 Units
Retail	460,000 Sq. Ft.	276,000 Sq. Ft.	644,000 Sq. Ft.
Office	458,000 Sq. Ft.	275,000 Sq. Ft.	641,000 Sq. Ft.
Hotel	300 Rooms	180 Rooms	420 Rooms

* Semi-Detached & Attached units

SECTION 4. DEFINITIONS.

The definitions contained in Chapter 380, Florida Statutes, the Manatee County Comprehensive Plan, and Land Development Code shall apply to this Development Order in addition to those listed herein. The following capitalized terms used herein shall have the following meanings:

- A. "Application for Development Approval*" or "ADA*" shall mean the Lakewood Centre Development of Regional Impact Application for Development Approval* (April 28, 2006), and the sufficiency responses submitted by the Developer* on October 23, 2006, April 20, 2007, and September 14, 2007.
- B. "Best Management Practices*" shall mean the method or combination of methods determined after problem assessment and examination of alternative practices, to be the most effective and practicable means of reducing or preventing nonpoint source pollution to levels compatible with water quality goals. These measures could include both structural (e.g., sediment/debris basins, wetland impoundment of agricultural runoff, etc.) and nonstructural (e.g., street vacuuming, deferred grazing systems, etc.) approaches to abatement of nonpoint source pollution, and may vary on a regional and local basis depending on the nature of the problems, climate,

- physical characteristics, land use, soil types and conditions, and other factors.
- C. "County*" shall mean Manatee County, a political subdivision of the State of Florida.
- D. "Conceptual Approval*" shall mean general review of the proposed location, densities, intensity of use, character, and major design features of a proposed development required to undergo review under this section for the purpose of considering whether these aspects of the proposed development comply with the issuing agency's statutes and rules. A conceptual agency review approval shall be valid for up to 10 years, unless otherwise provided in a state or regional agency rule, and may be reviewed and reissued for additional periods of time under procedures established by the agency.
- E. "Developer*" shall mean SMR North 70, LLC (AKA Schroeder-Manatee Ranch Inc.), its heirs, assigns, designees, agents, and successors in interest as to the Project* and all 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 or Construction Drawing approval where site plans or subdivision plats are not required.
- G. "Funding Commitment*" shall mean projects funded for construction in the current year plus one of an adopted work program, or committed by private sources which can include the Developer*, for construction with funding provided within one year.
- H. "Master Drainage Plan*" shall mean a plan showing the proposed stormwater management components to be constructed for the entire Project* as follows:
1. existing topography;
 2. existing drainage features, both on site and off site, that will affect the drainage concept of this Development*; existing and developed drainage basins, with their direction of outfall;
 3. proposed stormwater management facilities, which shall include: detention lakes, connection of lakes, and the eventual outfall for these lakes; and
 4. off site areas that historically drain through the property shall be addressed as to the method the applicant proposes to use to accommodate off site stormwater.

- i. "Project*" shall mean the land uses by area, square footage, density, and phase described in the ADA* to be constructed on the real property described in Section 7 herein.
- J. "Specific Approval" shall mean ADA approval for Phase 1 only. Specific Approval* of Phases 2 & 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S., with a requirement for prior conduct of transportation methodology meetings. Reanalysis of affordable housing associated with Phases 2 & 3 shall only be required if there is a changes to the phases or Rule 9J-2.048, FAC is modified regarding affordable housing. Verification of adequate public utility and school capacity is also required. Specific Approval* herein should not be confused with Specific Approval* as defined in the Manatee County Land Development Code.
- K. "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 structure.

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

Note: An asterisk (*) in the text of this Development Order denotes that the word is defined.

SECTION 5. DEVELOPMENT CONDITIONS:

THE LAKEWOOD CENTRE DRI IS SPECIFICALLY APPROVED FOR PHASE 1 DEVELOPMENT AND CONCEPTUALLY APPROVED FOR PHASES 2 AND 3, SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

Transportation

- A.(1) The Lakewood Centre DRI development will have an impact on several regionally significant roadway facilities within the primary impact area. Transportation Conditions Table 5 (below) identifies the improvements associated with Phase 1 approval.

**TABLE 5
PHASE 1 INTERSECTION/ROADWAY IMPROVEMENTS**

Roadway/ Intersection	@	Improvement	External Trip Threshold	ERU Threshold
SR 64	Lena Rd	Add 1 eastbound through lane	2,312	2,335

SR 70	US 301	Add 1 through lane to each approach, add 1 eastbound left turn lane and 1 eastbound right turn lane	2,312	2,335	7
SR 70	Lockwood Ridge Rd (45 th St.)	Add 1 westbound left turn lane, add 1 northbound left turn lane, add 1 southbound left turn lane, add 1 southbound right turn lane, add 1 eastbound and westbound through lane	1,466	1,480	6
SR 70	Caruso Rd	Add 1 northbound left turn lane and add 1 northbound right turn lane	1,380	1,393	5
SR 70	Tara Blvd	Add 1 westbound through lane	1290	1,302	4
SR 70	I-75 Southbound	Add 1 westbound through lane	1,055	1,065	3
SR 70	33 rd St. E	Add 1 southbound left turn lane	1932	1,951	7
SR 70	Pope Rd	Signalize when warrants are met, Add 1 eastbound left turn lane (already constructed – needs restriping)	973	983	2
SR 70	Lakewood Ranch Blvd.	Add 1 northbound right turn lane	432	436	1
Lakewood Ranch Blvd.	Center Ice Pky to Portal Crossing Dr	Widen to 4 lanes (add 1 lane to inside of existing in both directions)	417	421	

*1 ERU (Equivalent Residential Units) = 1.01 PM peak Trips

1 ERU = 2.73 Single-Family Attached du's

1 ERU = 2.15 Multi-Family du's

1 ERU = 2.66 Hotel Rooms

1 ERU = 0.30 ksf Commercial

1 ERU = 0.77 ksf Office

A.(2) Because the transportation improvements identified above have a "trip trigger", a monitoring program is necessary to verify that the actual number of trips generated accurately reflects the transportation analysis and subsequently required improvements. This monitoring program requires biennial pm peak hour project driveway counts at all project entrances with public roadways (including SR 70, Lakewood Ranch Boulevard, Center Ice Parkway, Pope Road, and Malachite Drive). The monitoring program shall commence one year after issuance of the first Certificate of Occupancy or first Final Plat, whichever occurs first, for Phase 1. Monitoring shall continue on a biennial basis for each access point until the trip improvement threshold is reached. The monitoring

shall be conducted no earlier than 60 days prior to the due date of each biennial report in order to ensure relatively current traffic data and shall continue to project buildout.

The monitoring program shall consist of weekday PM peak hour directional counts from 4:00 to 6:00 PM, with subtotals at 15-minute increments, at all project entrance driveways with public roadways (including SR 70, Lakewood Ranch Boulevard, Center Ice Parkway, Malachite Drive, and Pope Road). Only turns to and from the project entrances need to be counted (through volumes on the public roadways will not be required). The sum of the project entrance trips will be totaled in 15-minute increments and the highest four consecutive 15-minute totals will be summed to determine the project's total PM peak hour traffic volume. This total will include net external trips, diverted trips, and pass-by trips of the Lakewood Centre DRI development.

The total PM peak hour project traffic through Phase 1 is estimated to be 2,583 net external, 860 pass-by, and 666 internal trips, for a total of 4,109 gross trips.

The required monitoring data shall be included in each Biennial Report. If the monitoring results demonstrate that the project is generating more than fifteen (15) percent above the number of trips estimated in the original analysis (as stated above) or a Biennial Report is not submitted within 30 days of its due date, Manatee County shall issue no further development permits and conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), F.S. As a result, the County may amend the Development Order to change or require additional roadway improvements. The revised Transportation Analyses, if required, shall be subject to review by all appropriate review entities.

- A.(3) In the event that total external p.m. peak hour trips exceed the threshold levels described in Table 5, and the corresponding Funding Commitments have not been provided, no further Final Site Plan approvals shall be granted unless an analysis is submitted which identifies the revised number of total external p.m. peak hour trips after which the required improvement would be required, according to the new subphase analysis. The Development Order shall be amended to reflect these revised trip levels.
- A.(4) With each Final Site Plan application, the Developer shall submit to the County a limited traffic study which addresses the following:
1. External P.M. peak hour trips predicted to be generated by the

- submitted subphase, plus all previously approved subphases, to demonstrate whether any improvement thresholds reported in Table 5 are reached; 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 Final Site Plan application.
- A.(5) Prior to development of Phase 2 or Phase 3, revised transportation analyses shall be required to be submitted pursuant to Section 380.06(6), Florida Statutes. This analysis shall address transportation impacts which result from the development of these phases.
- A.(6) As part of the Phase 2 or Phase 3 approval, the Developer shall prepare a Transportation Systems Management (TSM) program. The plan shall be reviewed by Manatee County, Metropolitan Planning Organization, Florida Department of Transportation (FDOT), and TBRPC. The TSM program shall include a biennial assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of the TSM measures. Results of the TSM program shall be included in the Biennial Report. The Transportation Systems Management Program shall evaluate carpooling, vanpooling, mass transit, alternative hours of operation for employment and retail centers and other forms of transportation diversion.
- A.(7) Developer shall work with Manatee County Area Transit (MCAT) on identifying a potential transit stop(s) within the Project*. At such time that MCAT has established a plan for service to the Project and coordinated needed location(s) for a transit stop with Developer, Developer shall accommodate the requisite stop(s) within the Project.
- A.(8) The Developer shall provide roadways and pedestrian connections to perimeter roads, schools, and park sites.
- A.(9) Provisions shall be made for the construction of all internal collector roads as shown on DRI Map H (Attached as Exhibit A). Roads shall be constructed at the cost of the Developer, or other appropriate entity, prior to or in conjunction with development requiring access on that roadway. This dedication/construction shall be eligible for impact fee credits to the extent allowed by the Manatee County Land Development Code and applicable law. Right-of-way along Malachite Drive and Pope Road will be

dedicated to Manatee County by the Developer prior to or in conjunction with any Preliminary Site Plan or Preliminary Plat approvals adjacent to or encompassing such roadways, to ensure 120 feet of right-of-way adjacent to the site. This dedication shall be impact fee creditable to the extent permitted by the Manatee County Land Development Code and applicable law.

- A.(10) There shall be bicycle or pedestrian facilities on both sides of any road designated as a collector or higher, in accordance with the LDC. All bike paths and lanes shall be constructed in accordance with Manatee County standards
- A.(11) The Developer shall provide adequate sidewalks along both sides of all streets and roadways throughout the Project.
- A.(12) Improvements made pursuant to the proportionate fair share ordinance, adopted by Manatee County Board of County Commissioners on November 7, 2006, shall satisfy the requirements for mitigation of the Project's Phase 1 transportation impacts.

Vegetation, Wildlife, and Wetlands

- B.(1) No impacts to Natural Resources of Regional Significance (NRRS) as defined by TBRPC are proposed by this project. Impacts to Natural Resources of Regional Significance, as delineated on Map 3 (Attached as Exhibit B) in the TBRPC's Final Report of the Lakewood Centre DRI, adopted December 10, 2007, shall only occur if justified pursuant to *Future of the Region, A Strategic Regional Policy Plan for the Tampa Bay Region* Policy 4.5.2. Mitigation for justifiable impacts to Natural Resources of Regional Significance shall meet the ratios set forth in that policy and Policy 4.5.6; i.e., 2 created: 1 impacted for Special Habitats (Strategic Habitat Conservation Areas and Priority Wetlands); 3 created: 1 impacted for Riverine Habitat; and twice that amount if mitigation is in the form of restoration of disturbed habitat of a similar nature, at minimum.
- B.(2) In the event that any state or federally-listed species are discovered breeding on-site during project development, the Developer* shall immediately notify the Florida Fish and Wildlife Conservation Commission and implement the recommended measures for species protection.
- B.(3) Nuisance and exotic plant species shall be removed from upland areas of the project site during site development. A plan shall be developed to address how preserved and conserved upland areas

will be managed to limit nuisance and exotic species. The plan shall be submitted to Manatee County for approval with the first Final Site Plan or Final Plat for vertical development.

- B.(4) As committed, the applicant shall preserve and protect all wetlands as shown on Map H using upland vegetated buffers managed as wildlife habitat. Unavoidable impacts to wetlands may be mitigated using credits from the Long Swamp Ecosystem Management Plan.
- B.(5) Conservation Easements for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas shall be dedicated to the County prior to issuance of first Certificate of Occupancy or Final Plat for those areas within or directly adjacent to the proposed phase of development.
- B.(6) Preliminary and Final Site Plans within management guideline distances (as prescribed by US Fish and Wildlife Service) from the bald eagle nest shall be designed in accordance with the current Habitat Management Guidelines for the Bald Eagle published by the U.S. Fish and Wildlife Service, shall be provided prior to Final Site Plan approval.
- B.(7) The natural wildlife corridor existing along the wetland corridor located south of Malachite Drive and north of Center Ice Parkway shall be maintained and protected by placing the area in a conservation easement. Wildlife passageways shall be incorporated into the roadways designed to cross this corridor if practical and approved by appropriate state, regional, and local agencies.
- B.(8) The project site may continue to be used for agricultural activities during development, but at no greater intensity than at present. No new clearing of tree or preservation areas shall be permitted for any new agricultural uses.
- B.(9) Prior to each Preliminary Site Plan approval, an evaluation for potential hazardous material locations (i.e., historical cattle dipping vats, underground/aboveground storage tanks, or buried drums), shall be performed by a qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation and mitigative measures shall be subject to the approval of Manatee County. Copies of a remediation and mitigation plans along with the approvals by appropriate State or Federal agencies shall be provided to the Planning Department. All remediation and mitigation activities shall be completed prior to

commencement of construction. A remediation plan shall be reviewed and submitted for approval to Manatee County.

B.(10) All proposed nature trails, boardwalks, and shade structures in wetlands, wetland buffers, or upland preservation areas shall be designed to minimize impacts to trees or areas of significant vegetation and in accordance with Section 719 of the Manatee County Land Development Code. No nature trails, boardwalks, or shade structures shall be constructed within preserved wetlands in the areas shown as Natural Resources of Regional Significance, as delineated on Map 3 (Attached as Exhibit B) in the TBRPC’s Final Report of the Lakewood Centre DRI, adopted December 10, 2007.

B.(11) The following Pine Mesic Oak (414), Pine Flatwood (411), and Live Oak (427) Communities shall be preserved:

FLUCFCS Code	Pre-Construction Total			Post-Construction Total		Post- Construction Habitat (w/n Wetland Buffers)		Post- Construction Habitat (w/n Upland Conservation)	
	Total Acreage	Habitat w/n Wetland Buffer	Habitat w/n Upland Conservation	Acreage	Percentage (of habitat remaining)	Acreage	Percentage (of existing habitat w/n buffers)	Acreage	Percentage (of existing habitat w/n conservation)
411	31.7	4.9	26.8	11.8	37.9	4.9	100	6.9	25.7
414	47.0	10.5	36.5	25.2	53.6	10.5	100	14.7	40.2
427	4.2	1.0	3.2	3.4	80.9	1.0	100	2.4	75.0
Total	82.9	16.4	66.5	40.4	48.7	16.4	100	23.8	35.8

Area	FLUCCS 411	FLUCCS 414	FLUCCS 427	Total
Wetland Buffers	4.9	10.5	1.0	16.4
Upland Preservation Areas	6.9	14.7	2.4	24.0
Total	11.8	25.2	3.4	40.4

The preservation areas shall be clearly delineated, labeled and quantified on the Preliminary Site Plan. Upland Preservation Areas may be reconfigured, subject to Planning Director approval, with the Preliminary Site Plan provided that the overall acreage, general location, and quality of preserved habitat remain consistent with those shown on the approved GDP. Limited impacts may be permitted for suitable recreational areas (passive parks, pocket parks, etc.). Recreation improvements shall be designed in a manner that minimizes impacts to mature trees, dense tree clusters or significant vegetation.

B.(12) The Developer* shall provide 24.8 acres of upland preservation.

Upland preservation areas, consistent with the potential Upland preservation areas identified on Map H (Attached as Exhibit A). The 24.8 acres of upland preservation shall not be inclusive of any required wetland or landscape buffers.

- B.(13) The Developer* shall submit for review and approval, a Habitat Management Plan for the upland preservation areas with the first Preliminary Site Plan.

Soils

- C.(1) Best Management Practices, including those identified in the ADA*, shall be employed during site preparation and construction to prevent soil erosion.

Air Quality

- D.(1) Best Management Practices*, including those identified in the ADA*, shall be employed during site preparation and construction to minimize air quality impacts.
- D.(2) The developer shall provide full ADA* responses for Air Quality when seeking specific approval of Phases 2 and 3. Future review shall be administered under the Notice of Proposed Change process.

Water Quality and Stormwater Management

- E.(1) The stormwater management system shall be designed to restore and maintain the natural hydroperiod of the receiving wetlands, and to meet or exceed the requirements for development within the Evers Reservoir Watershed Overlay. Upland habitat within 50 feet of the contiguous wetland system draining to the upper Braden River shall be preserved to enhance water quality.
- E.(2) Development practices shall incorporate Best Management Practices*, including those which prevent construction-related turbidity.
- E.(3) Because the project is partially within the Wolf Slough/Evers Reservoir basin, an integrated pest management program shall be implemented to minimize the use of fertilizers and pesticides, and the design and construction techniques listed below should be utilized:
- ensuring that ponds and swales are properly grassed; and
 - implementation of a site-specific surface and groundwater quality monitoring system, through the Environmental

Monitoring Plan.

- E.(4) The Developer* shall encourage the use of water conserving landscapes and the responsible use of water by residents and occupants throughout the project.
- E.(5) Existing native vegetation shall be preserved to meet screening requirements, where feasible, unless otherwise approved by the Planning Department.
- E.(6) To prevent adverse effects to groundwater quality during construction, there shall be no excavation into or through the Floridan aquifer's confining layers.
- E.(7) Stormwater management ponds shall not be constructed within wetland buffers or other natural resources of regional significance.
- E.(8) The applicant shall implement resident education advocating surface water protection.
- E.(9) Low impact development techniques are encouraged to be used throughout the development, particularly in areas draining to the Evers Reservoir. These techniques shall include, but are not limited to, the following:
- Retention of the maximum amount of existing native vegetation;
 - Shallow vegetated swales in all areas, including parking;
 - Appropriate Florida-friendly plant selections;
 - Small, recessed garden areas throughout landscaped areas;
 - Porous pavement and other pervious pavement technologies; and
 - Stabilized grass areas for overflow parking.
- Specific requirements for implementation of these techniques shall be stipulated in the accompanying Zoning Ordinance.
- E.(10) Prior to construction, the applicant must provide a plan detailing the operation and maintenance of the stormwater management system. The plan shall, at a minimum, identify the responsible entity, establish a long-term funding mechanism and provide assurance through written commitments that the entity in charge of the program has the technical expertise necessary to carry out the operation and maintenance functions of the stormwater management system. The plan must be approved by Manatee County prior to the first PSP or FSP approval and implemented at construction. Failure to implement the approved plan requires the

applicant to file a Notice of Proposed Change.

- E.(11) The applicant or other responsible entities shall hire a licensed engineer to conduct annual inspections of the stormwater management systems on the project site to ensure that the system is being properly maintained in keeping with its design, and is capable of accomplishing the level of stormwater storage and treatment for which it was designed and intended. Inspection results shall be included in each Biennial DRI Report through project buildout.
- E.(12) All habitable structures shall be constructed in accordance with Manatee County's flood protection requirements.
- E.(13) Compensation for the loss of 100-year flood storage capacity shall be provided.
- E.(14) Manatee County has reviewed and approved the groundwater quality monitoring plan submitted for the Lakewood Centre DRI. This approval is contingent upon the following requirements:
- The Developer* shall ensure the protection of monitoring wells and access to monitoring wells through build-out of the project. Should any of the monitoring wells be destroyed the responsible entity shall provide written notification of the incident and corrective action taken to Manatee County.
 - Should the land use change significantly or should the baseline monitoring reveal exceedences that would merit additional monitoring measures, Manatee County may require the monitoring plan to be modified accordingly.
 - If monitoring activities do not begin in a timely manner, Manatee County may require the monitoring plan to be modified accordingly.

Historical and Archaeological Sites

- F.(1) Any significant historical or archaeological resources discovered during project development shall be reported to the Florida Division of Historical Resources (FDHR) and the disposition of such resources shall be determined in cooperation with the FDHR and Manatee County.

Water

- G.(1) Water-saving devices shall be required in the project as mandated by the Florida Water Conservation Act (Section 553.14, F.S.).
- G.(2) The Developer* shall be required by Manatee County ordinances,

to extend potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with SWFWMD rules and regulations. Any existing on-site wells not intended for potable or nonpotable uses shall be plugged and abandoned in accordance with Rule 40D-3.531, Florida Administrative Code.

- G.(3) The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited throughout the project, including on individual lots. Prior to Final Site Plan approval applicant shall specify source of irrigation on site plan.
- G.(6) The Developer* has committed to the following:
- utilization of a non-potable water system for all landscaped areas;
 - use of native vegetation or drought-resistant vegetation in landscaped areas and the single-family residential portion of development; and
 - the re-establishment of the tree canopy previously cleared for agricultural activities, where possible.
- G.(7) The Developer* shall obtain verification of adequate water supply availability and service concurrent with the request for specific approval of Phase 2 and Phase 3.
- G.(8) Water-saving plumbing fixtures must be used inside all buildings, including housing units.
- G.(9) Water-conserving irrigation systems shall be used throughout the development. Rainfall sensors shall be placed on all systems.
- G.(10) Irrigation time clocks shall be reset after the establishment period for new landscaping has expired.
- G.(10) Florida-friendly landscaping principles shall be used throughout the development.
- G.(11) Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall not be irrigated.

- G.(12) Conservation education shall be provided for the residents and other users of the development.
- G.(13) Total water use for the residential development shall not exceed 150 gallons per capita per day.

Wastewater

- H.(1) The Developer* shall be required by Manatee County ordinances, to expand wastewater service to each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project.*
- H.(2) No septic tanks are permitted.

Solid Waste

- I.(1) Commercial and office tenants shall be provided with information at the time of purchase or lease which identifies hazardous or medical materials and proper procedures for the handling and disposal of such materials. In the event that businesses using or producing hazardous materials or medical waste locate within the project, these materials shall be handled in a manner consistent with applicable Federal, State and Local regulations.
- I.(2) The Developer* shall be required by Manatee County ordinances, to extend solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

Recreation and Open Space

- J.(1) Greenways, environmentally-sensitive features, open space, and recreation facilities shall be maintained by the Developer* or successors such as a Home Owners Association, CDD, other legal entity and/or as directed by the permitting agencies.
- J.(2) As committed, the Developer* shall provide 36.8-acres of parks on-site at the locations indicated on Map H. An additional 23.5 acres of passive parks (within upland preservation areas and outside of wetland buffers) will be provided on the site, at locations to be determined by Manatee County through the development review process.

Health Care, Police, and Fire

- K.(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 approval 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 the schedule for payment of the Developer's pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Preliminary Site Plan, Final Site Plan, or Final Plat for Vertical Development* for Phase 1 or any subphase thereof. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project* and any pro-rata lump sum payment shall be creditable against the payment of impact fees at the rate in effect at the time payment was made.
- K.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, equipping, and staffing of emergency service facilities for police and fire services or any combination thereof. 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 allowed by the Land Development Code, if applicable. An agreement as to pro-rata share for each Phase, mutually acceptable to the County and the Developer shall be reached prior to the issuance of the first Final Site Plan or Final Plat for Vertical Development for each Phase. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project and any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law.
- K.(3) As agreed upon, the applicant shall use applicable Fire Wise principles such as clearing around houses and structures, carefully spacing trees, and maintaining irrigation systems. Such practices shall be described on the Landscape Plans of each Final Site Plan.

Hurricane Preparedness

- L.(1) The Developer* shall promote awareness of hurricane and flooding hazard, preparedness and hazard mitigation through public information, neighborhood association newsletters, model homes, commercial/office buildings, etc.

Affordable Housing

- M.(1) In lieu of any analysis required by 9J-2.048, Florida Administrative Code, the Developer shall enter into a voluntary housing mitigation program as set forth in the conditions below.
- M.(2) The Developer shall provide within the project, or within an adjacent SMR-owned project, a number of residential units equal to 10% of the total number of residential units approved in Lakewood Centre Phases 1, 2, and 3 that qualify as workforce housing as identified in the Manatee County Land Development Code. These units shall be referred to as Worker Housing Units (WHUs). 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.
- M.(3) Income limits and maximum home sales 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.
- M.(4) In conjunction with Manatee County Neighborhood Services Department, the Developer shall devise and implement marketing guidelines designed to enhance the number of WHU sales to qualified purchasers.
- M.(5) Should the Developer be unable to sell an advertised unit to a qualified purchaser within 180 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. Under this circumstance, this unit(s) shall not count towards affordable housing mitigation.
- M.(6) The Developer shall include in its Biennial Report data showing the number and sale prices of WHUs sold within the development during the reporting period. The Biennial 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 M.(3), shall be counted toward the required mitigation.
- M.(7) With each Biennial Report, the overall ratio of WHU units provided to the number of residential units constructed in the Project shall be determined. The Land Use Restriction Agreement developed for the Lakewood Centre project may contain additional monitoring and

compliance.

- M.(8) Should the required affordable housing mitigation for Phase IV of the University Lakes DRI be constructed within Lakewood Centre, a separate calculation showing the overall ratio of WHU units provided within Lakewood Centre to the number of residential units constructed in Phase IV of University Lakes shall be included in the Beinnial Report. This calculation will be for informational purposes only; any required fees for units not provided will be calculated according to the terms and conditions of the University Lakes DRI Development Order or Land Use Restriction Agreement.

Energy

- N.(1) The Developer* shall incorporate energy conservation measures into the site design, building construction, and landscaping to the maximum extent feasible.
- N.(2) As committed, the Project* shall be certified as a “green development” by the Florida Green Building Coalition (FGBC) under its Green Development Standard. To ensure the continuance of green development, Lakewood Centre builders will be required to construct energy- and resource-efficient facilities and receive certification from the FGBC. The “Green Development” designation requires a combination of the following six categories: Protect Ecosystem and Conserve Natural Resources; Create a Green Circulation System; Green Utility Practices; Amenities; Covenants and Deed Restrictions; and Provide Educational Information to Help Achieve and Promote Green Living Practices.
- N.(3) The developer shall work with TECO/Peoples Gas to ensure that natural gas is available within the project, as committed.

General Conditions

- O.(1) Should development of Phase 1 depart from the parameters set forth in the ADA*, the Project* will be subject to Substantial Deviation review pursuant to Section 380.06, F.S.
- O.(2) Specific Approval of Phase 2 and Phase 3 shall be contingent upon further transportation and air quality analyses submitted in accordance with Subsection 380.06, F.S., and verification of water supply availability.
- O.(3) Physical development shall commence within two years of Development Order adoption, in order to have reasonable expectation of achieving Phase 1 buildout by 2011. For the

purpose of the Development Order, this term means construction of infrastructure, roadways, or other vertical development*.

- O.(4) In the event the Bradenton/Sarasota Arena development or parcel is reacquired by the Developers of the Lakewood Centre DRI and meet the aggregation criteria defined in 380.0651(4), F.S., the Developer shall process the addition of this parcel (and corresponding entitlements) to the Lakewood Centre DRI through the Notice of Proposed Change process administered under Subsection 380.06(19), F.S.
- O.(5) Any approval of Lakewood Centre shall, at minimum, satisfy the provisions of Subsection 380.06(15), F.S., and the following provisions of the Florida Administrative Code (F.A.C.): Rule 9J-2.041 (Listed Plant and Wildlife Resources Uniform Standard Rule); Rule 9J-2.043 (Archaeological and Historical Resources Uniform Standard Rule); Rule 9J-2.044 (Hazardous Material Usage, Potable Water, Wastewater, and Solid Waste Facilities Uniform Standard Rule); Rule 9J-2.045 (Transportation Uniform Standard Rule); and 9J-2.048 (Adequate Housing Uniform Standard Rule).
- O.(6) All of the Developer's* commitments set forth in the ADA* and subsequent Sufficiency Responses shall be honored as Development Order Conditions, except as they may be superseded by specific terms of the Development Order. Such developer commitments have been summarized in Section 6 of this Development Order.
- O.(7) Payment for any future activities of the TBRPC with regard to this development including, but not limited to monitoring or enforcement actions, shall be paid to the TBRPC by the Developer* in accordance with Rule 9J-2.0252, FAC.
- O.(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 even number years commencing March, 2010 until such time as all terms and conditions of this Development Order are satisfied. Ten (10) copies of this report shall be submitted to the Manatee County Planning Department, 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 change in the plan of development, or in the representation 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 land encompassed by the Development Order for the Project*;
- 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 Development* 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(14)(d), 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. Information required per condition M.(6), above in regard to affordable housing mitigation;
- l. An updated map showing the locations and acreage of upland and wetland preservation; and
- m. Any other information required pursuant to general law.

SECTION 6. DEVELOPER* COMMITMENTS:

The following are developer commitments set forth in the Application for Development Approval* (ADA*) and Sufficiency Responses* (SR) which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order.

GENERAL

1. Ground-level shops and eateries will be located below residential housing units to emphasize pedestrian activity along the street. (ADA/Page 10.2)
2. Agricultural uses will continue on portions of the property not immediately subject to development. (ADA/Page 10.7)
3. The County's Future Land Use Map will need to be revised to change the (285.3 acre) area of Urban Fringe-3 to the Residential/Office/Retail FLU to allow the proposed amount of development (ADA/Page 10.12). The amendment area is generally north and west of the Arena outparcel, located in Sections 8 and 17, of Township 35, Range 19 (ADA/Page 10.14).
4. No amendments to the Capital Improvements Element will be required in order for the Project to be developed as proposed. (ADA/Page 10.13)
5. The proposed Land Use Equivalency Matrix... is limited to the Phase 1 entitlements for which Specific Approval is being requested. (SR3/Page 10.1)

VEGETATION AND WILDLIFE

1. Most of the isolated wetlands and wetlands associated with the headwaters and/or intermittent tributaries of the perennial stream systems (Wolf Creek, Williams Creek, unnamed drainage) found on this site will be maintained to preserve existing plant communities in the project after development, as well as provide visual amenities and wildlife habitat. (ADA/Page 12.5)
2. In order to provide sufficient protection for this species [bald eagle] a management plan for the protection of this nesting territory will be prepared in coordination with the FWS prior to any development within 1500 feet of the nest for this DRI. (ADA/Page 12.9) [Developer Clarification: the recently adopted federal management guideline is now 660 feet].
3. The land-use plan will include preservation of the significant wetland systems on site, including all of the wetlands where listed species were

- observed. (ADA/Page 12.12)
4. Compensatory mitigation for the proposed wetland impacts will be provided by “The Long Swamp Ecosystem Management Plan” which is an existing comprehensive wetland restoration and enhancement project, approved by the USCOE, the SWFWMD, and Manatee and Sarasota Counties to provide mitigation for wetland impacts within the boundaries of Schroeder Manatee Ranch. (ADA/Page 12.13)
 5. All development planned for this DRI will be consistent with the approved current bald eagle management plan at the time of the Preliminary or Final Site Plan application. (SR1/Page 9.5)
 6. The intensity of agricultural activity on the Lakewood Centre site will not be increased during development. (SR1/Page 10.2)
 7. The specific configuration of the preservation areas will be determined upon further planning and will be subject to approval by the Planning Director. (SR1/Page 10.11)
 8. The applicant proposes to preserve additional native upland habitats (including pine flatwoods, pine-mesic oak, and live oak) north of Center Ice Parkway and adjacent to the following wetlands: NW-W31, NW-W33B, NW-W33A, NW-W35, NW-W35B and NW-W37, as depicted on the supplemental map... The applicant will remove all nuisance/exotic vegetation from upland portions of on-site communities. (SR1/Page 12.4)
 9. Wildlife uses will be protected by limiting access to boardwalks or other appropriate areas (using marked trails, fenced areas, signage, etc.). (SR1/Page 26.1)
 10. The 8.9-acre potential preservation area shown on Map H, contains several different types of native upland habitat. The exact amount of each habitat preserved will not be known until the Final Site Planning process is completed. (SR2/Page 10.4)
 11. The developer offers the following stipulation to ensure protection of this species: “Preliminary and Final Site Plans within 1,500' of the bald eagle nest shall be designed in accordance with Habitat Management Guidelines for the Bald Eagle in the Southeast Region, as amended, or a Habitat Management Plan for Bald Eagles, approved by the U.S. Fish and Wildlife Service, shall be provided prior to Final Site Plan approval.” (SR2/Page 12.7) [Developer Clarification: the recently adopted federal management guideline is now 660’].
 12. Per the January 10, 2007 meeting between Stephanie Rousso (FWC), Alissa Powers (EAC) and Mike Burton (EAC), it was agreed that potential

habitat be surveyed again for Sherman's fox squirrel prior to construction. (SR2/Page 12.10)

WETLANDS

1. Except for necessary roadway crossings and relatively minor impacts to allow sufficient development for a Town Center, the on-site wetlands will be retained in their natural state or enhanced. (ADA/Page 10.18)
2. Additional studies of wetland hydrology will be conducted for the design of the site's stormwater management system prior to Final Site Plan submittals. (ADA/Page 13/1)
3. Hydroperiods of on-site wetlands will be maintained through contributions from the proposed stormwater management system. Upland buffers of 30 feet around preserved isolated wetlands and 50 feet around wetlands contiguous with waters of the state within the Evers Reservoir Watershed Overlay District will be observed, protected and managed for wildlife habitat value in accordance with the Manatee County LDC. These buffers will remain in native vegetation where found and restored to native conditions where habitat has been degraded. (ADA/Page 13.2)
4. Wetland areas will be clearly identified in the field prior to initiating construction. Silt fence, or other appropriate erosion control device, will be placed at the limit of the wetland buffers to prohibit encroachment and sedimentation. (ADA/Page 13.6)
5. Stormwater lake littoral shelves within the project area will be planted with at least three species of desirable herbaceous emergent vegetation. Plant materials will be bare root sized and installed on three-foot centers. (ADA/Page 13.6)
6. The majority of these wetlands will remain undisturbed as important amenities to the site plan and will be incorporated into the surface water management plan and dedicated as Wetland Conservation Areas. (ADA/Page 15.2)
7. The wetlands will be enhanced by incorporating them into the stormwater management system. This will improve wetland hydroperiods to mimic pre-agricultural impact functions and values. Wetland impacts will be mitigated using credits from the Long Swamp Ecosystem Management Plan. (SR1/Page 10.21)
8. Conservation easement and wetland buffer signage will be installed at key locations to advise those utilizing the area or performing maintenance activities of appropriate restrictions. (SR1/Page 13.1)

9. The only wetland impacts are proposed in the high intensity commercial development (MU area) portion of the project. (SR1/Page 13.3)
10. The water quality and quantity functions of the wetlands will be replaced on site as part of the stormwater management system. (SR1/Page 13.9)
11. Wetlands and wetland buffers will be placed under a conservation easement to Manatee County. During construction, Best Management Practices, such as silt fencing, will protect the wetland and buffers from potential secondary impacts. Post-construction, the installation of conservation easement/wetland buffer signage will educate and inform residents of the protected nature of these areas. (SR1/Page 26.1)
12. The Lakewood Ranch Stewardship District will be responsible for the management of all conservation lands after project buildout. (SR2/Page 13.2)

WATER QUALITY

1. Water quality monitoring will be continued in accordance with Manatee County's "Ambient Surface Water Monitoring for Developments" if additional monitoring is deemed necessary or if the applicant is requested to participate in a basin management study in order to meet the state's reasonable assurance criteria for a total maximum daily load allocations for impaired and potentially impaired water bodies. (ADA/Page 14.4)
2. Construction water quality monitoring for turbidity will be accomplished with the implementation of a sediment control program... The "Sediment Control Program" and documentation as well as the construction manager's daytime and emergency contact information shall be provided to the Manatee County. (ADA/Page 14.6)
3. The applicant intends to propose and perform baseline water quality monitoring for ambient groundwater conditions, in order to meet Development Order stipulations and in accordance with Manatee County's Ambient Groundwater Monitoring Plan requirements. A groundwater monitoring plan will be submitted to Manatee County for their approval prior to startup of site development activities. The groundwater monitoring program will continue throughout the site development activities to ensure that these activities do not pose any potential adverse effects to the surficial aquifer resources... (ADA/Page 14.5)
4. Soil borings will be performed at the time of design to verify the Seasonal High Water Level at the specific sites as well as any elevations of any confining layers. (SR2/Page 14.2)

SOILS

1. Flexible roadways and building foundations will also be utilized to offset swelling and shrinking of soils. (ADA/Page 15.3)
2. Lake bank stabilization will be achieved through the use of temporary seed and mulch until final stabilization can be achieved by means of sodding. Within the Littoral zones of the lakes, below normal water level, native aquatic plants will be utilized. (ADA/Page 15.3)
3. A conservation easement covering the wetlands and wetland buffers will be dedicated to Manatee County through the final subdivision plat process or by separate legal instrument. (SR1/Page 15.2)

FLOODPLAINS

1. There will be no floodplain impacts. (ADA/Page 10.21)
2. There is no area within the 100-year floodplain within the project's boundaries or the immediate vicinity. (SR1/Page 9.4)

WATER SUPPLY

1. The Project will use the lowest quality water available for irrigation purposes, including non-potable quality groundwater and stormwater. (ADA/Page 10.15)
2. Water wells will be proposed on-site, and the future needs will be determined through studies not yet completed. (ADA/Page 17.5)
3. The applicant will operate and maintain the non-potable water supply system via Braden River Utilities. (ADA/Page 17.5)
4. The development will encourage responsible use of water by the occupants. The developer will implement non-potable (irrigation) restrictions to limit the use of non-potable water to conserve water. The Developer will also encourage the use of native, drought tolerant landscape within the single-family residential portion of the project. (ADA/Page 17.6 & SR1/Page 10.20)
5. The applicant has taken several steps to minimize the use of water including the following (SR1/Page 10.14):
 - the utilization of a non-potable water system for all landscaped areas;
 - the use of native vegetation or drought-resistant vegetation in landscaped areas; and

- the re-establishment of tree canopy that has been previously cleared for agricultural activities where possible.
6. The [proposed] water wells will be used exclusively for irrigation purposes. (SR1/Page 17.2)
 7. In regards to commercial/office areas, rainfall shutoff valves will be implemented in order to regulate the irrigation times, durations and quantities. (SR2/Page 17.2)

WASTEWATER MANAGEMENT

1. The proposed development will be served by a proposed sanitary sewer system. It is anticipated that septic tanks will not be required. (ADA/Page 18.3)

STORMWATER MANAGEMENT

1. The post-development stormwater management system will be designed to avoid adverse impacts to property and environmentally sensitive areas, upstream and downstream of the site. Water quality and quantity standards will be achieved through the stormwater management system which will be designed in accordance with state and local criteria and will utilize ponds, lakes, littoral zones, wetlands, and control structures with skimmers to achieve the following (ADA/Page 19.5):
 - no de-hydration or flooding of existing wetland systems
 - post-developed flows will be attenuated so that no upstream or downstream adverse impacts are created
 - stormwater treatment to ensure water quality criteria is met in accordance with State and Manatee County standards.
2. The development area within the watershed overlay will be designed with the knowledge that it is located within the Evers Reservoir Watershed and will be submitted to the appropriate agencies for the proper review and approval process. (ADA/Page 19.5)
3. The stormwater management system will be owned and maintained by the applicant or assignee. Potentially, the ownership and maintenance could be assigned to the Lakewood Ranch Stewardship District. A regular maintenance program will be developed for the site... (ADA/Page 19.5)

TRANSPORTATION

1. Pope Road will be extended from its existing endpoint at the northern entrance to the Bradenton/Sarasota Arena site contemporaneously with the construction of the western portion of the Northwest Sector DRI.

- (SR1/Page 9.1)
2. No age-restricted units were assumed in the transportation analysis. (SR1/Page 10.9)
 3. Transportation improvements to serve the Lakewood Centre project do not encourage or subsidize increased development in environmentally sensitive areas such as wetlands, floodways, or productive marine areas. (SR1/Page 10.22)
 4. The Applicant will meet with MCAT (Manatee County Area Transit) [to discuss locations of transit stops] during the detailed planning stage of the project. (SR2/Page 9.2)
 5. Manatee County will require external trip monitoring as a condition of approval of Phase 1. Further, any development beyond Phase 1 will require additional transportation analysis. This will provide an opportunity to confirm the assumptions used in the ADA analysis, or change them, as appropriate. (SR3/Page 9.2)

AIR QUALITY

1. In order to minimize the amount of fugitive dust, only the individual parcels of land where construction is scheduled to proceed will be cleared. Additional measures to be employed to minimize fugitive dust include sodding, seeding, mulching, or planting of landscaped materials in cleared and disturbed areas. Watering procedures will be employed as necessary to minimize fugitive dust. (ADA/Page 22.1)

HURRICANE PREPAREDNESS

1. Although the project is not within the coastal high hazard area, the Developer will cooperate with local, regional, and state agencies to facilitate all-hazards emergency management, planning and coordination. (ADA/Page 10.14)

AFFORDABLE HOUSING

1. Please see Development Order Conditions M.(1) through M.(8) above.

RECREATION AND OPEN SPACE

1. The development will include passive and active recreation facilities including pedestrian and bicycle systems throughout the Project. (ADA/Page 10.13)
2. All open space and recreation facilities within the Project will be

- maintained by the Developer or successors such as a Homeowner's Association(s), a Community Development District or the Lakewood Ranch Stewardship District. (ADA/Page 26.2)
3. The Project will include a variety of recreational opportunities in the form of pocket parks, linear parks, and esplanades. (ADA/Page 26.2)
 4. At least 4.6 acres [Developer Clarification: 4.2 acres] of parks will be developed on-site at the locations indicated on the revised Map H. An additional 6.6 acres [Developer Clarification: 8.9 acres] of passive parks (located in upland preservation areas outside of wetland buffers) will be provided on the site, at locations to be determined later. (SR1/Pages 10.16 & 10.20)

ENERGY

1. The developer will encourage the identified energy conservation methods [i.e. increased insulation, high efficiency mechanical devices, cross ventilation, solar heating and cooling, and low pressure sodium lamps for external lighting] be used by builders in the Lakewood Centre DRI. (SR1/Page 29.1)
2. The Lakewood Centre Project will be certified as a "green development" by the Florida Green Building Coalition (FGBC) under its Green Development Standard. To ensure the continuance of green development, Lakewood Centre builders will be required to construct energy- and resource-efficient facilities and receive certification from the FGBC. (SR1/Page 29.1)
3. The developer is working with TECO/Peoples Gas to ensure that natural gas is available within the project. (SR1/Page 29.1)
4. The "Green Development" designation requires a project to be "graded" on meeting a detailed list of requirements in six categories: Protect Ecosystem and Conserve Natural Resources; Create a Green Circulation System; Green Utility Practices; Amenities; Covenants and Deed Restrictions; and Provide Educational Information to Help Achieve and Promote Green Living Practices. Each category has certain criteria with points awarded for meeting those criteria. A minimum number of points are need to qualify as a "Green Development." (SR2/Page 29.1)

SECTION 7. LEGAL DESCRIPTION:

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

A tract of land lying in Sections 7, 8, 9, 16, 17 and 18 Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Southeast corner of said Section 7, also being the Northeast corner of the above mentioned Section 18; thence N.88°45'31"W., along the north line of said Section 18 a distance of 21.43 feet to the POINT OF BEGINNING, said point being a point on the easterly right-of-way line of Lakewood Ranch Boulevard, a 120-foot wide Public Right-of-way; the following two (2) calls are along said easterly right-of-way line; (1) thence N.02°18'37"W., a distance of 346.71 feet to the point of curvature of a curve to the right having a radius of 3,940.00 feet and a central angle of 03°48'48"; (2) thence northerly along the arc of said curve, an arc length of 262.23 feet to the point of compound curvature of a curve to the right having a radius of 50.00 feet and a central angle of 91°37'13"; thence northeasterly along the arc of said curve, an arc length of 79.95 feet to the point of tangency of said curve; thence S.86°52'35"E., a distance of 1,131.57 feet to the point of curvature of a curve to the left having a radius of 2,143.00 feet and a central angle of 44°37'24"; thence easterly along the arc of said curve, an arc length of 1,669.02 feet to the point of reverse curvature of a curve to the right having a radius of 2,023.00 feet and a central angle of 34°25'49"; thence northeasterly along the arc of said curve, a distance of 1,215.67 feet to the point of tangency of said curve; thence N.82°55'49"E., a distance of 734.17 feet to the point of curvature of a curve to the right having a radius of 50.00 feet and a central angle of 87°53'04"; thence southeasterly along the arc of said curve, an arc length of 76.69 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 23°41'47"; thence southerly along the arc of said curve, a distance of 1,211.79 feet to the point of reverse curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 11°22'52"; thence southeasterly along the arc of said curve, a distance of 556.19 feet to the point of tangency of said curve; thence S.68°29'59"W., a distance of 11.00 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.68°29'59"W., a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of 03°46'14", an arc length of 183.54 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.25°49'28"W., a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of 46°58'18", an arc length of 28.69 feet to the point of compound curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 07°40'51"; thence southerly along the arc of said curve, an arc length of 375.36 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 01°04'12"; thence southerly along the arc of said curve, a distance of 54.72 feet to the end of said curve; thence S.01°18'11"W., along a line non-tangent to the last described curve, a distance of 51.28 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.78°25'45"E., a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of 05°37'54", an arc length of 289.07 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.25°50'30"W., a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of 46°27'42", an arc length of 28.38 feet to the point of reverse curvature of a curve

to the left having a radius of 2,930.00 feet and a central angle of $06^{\circ}44'40''$; thence southerly along the arc of said curve, a distance of 344.90 feet to the end of said curve; thence $S.12^{\circ}34'36''E.$, along a line non-tangent to the last described curve, a distance of 51.41 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.64^{\circ}34'42''E.$, a radial distance of 2,941.00 feet; thence southeasterly along the arc of said curve, through a central angle of $01^{\circ}33'58''$, an arc length of 80.39 feet to the point of tangency of said curve; thence $S.26^{\circ}59'15''E.$, a distance of 113.45 feet; thence $S.63^{\circ}00'45''W.$, a distance of 90.22 feet to the point of curvature of a curve to the right having a radius of 1943.00 feet and a central angle of $18^{\circ}07'32''$; thence along the arc in a southwesterly direction, a distance of 614.67 feet to the end of said curve; thence $S.09^{\circ}31'35''E.$, along a line non-tangent to the last described curve, a distance of 78.62 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.10^{\circ}12'41''W.$, a radial distance of 2007.00 feet; thence along the arc in a northeasterly direction, passing through a central angle of $11^{\circ}39'48''$, an arc length of 408.55 feet to the end of said curve; thence $N.79^{\circ}51'15''E.$, along a line non-tangent to the last described curve, a distance of 51.06 feet to the point of curvature of a curve to the left, of which the radius point lies $N.23^{\circ}17'40''W.$, a radial distance of 3,012.26 feet; thence along the arc in a northeasterly direction, passing through a central angle of $04^{\circ}10'01''$, an arc length of 219.07 feet to the end of said curve; thence $S.31^{\circ}07'37''E.$, along a line non-tangent to the last described curve, a distance of 152.40 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.26^{\circ}59'16''E.$, a radial distance of 50.00 feet; thence easterly along the arc of said curve, through a central angle of $90^{\circ}00'00''$, an arc length of 78.54 feet to the point of tangency of said curve; thence $S.26^{\circ}59'15''E.$, a distance of 769.47 feet to the point of curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of $27^{\circ}15'57''$; thence southerly along the arc of said curve, an arc length of 1,332.47 feet to the point of tangency of said curve; thence $S.00^{\circ}16'42''W.$, a distance of 641.12 feet; thence $N.89^{\circ}43'18''W.$, a distance of 670.00 feet; thence $S.00^{\circ}16'42''W.$, a distance of 990.00 feet to the north right-of-way line of State Road 70, a 200-foot wide Public Right-of-way; the following two (2) calls are along said northerly right-of-way line; (1) thence $N.89^{\circ}43'18''W.$, a distance of 527.20 feet; (2) thence $N.88^{\circ}46'44''W.$, a distance of 3,950.87 feet to the east right-of-way line of said Lakewood Ranch Boulevard; thence $N.01^{\circ}13'16''E.$, along said east right-of-way line, a distance of 100.01 feet; thence $S.88^{\circ}46'44''E.$, a distance of 210.34 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of $108^{\circ}00'50''$; thence northeasterly along the arc of said curve, an arc length of 94.26 feet to the point of tangency of said curve; thence $N.16^{\circ}47'34''W.$, a distance of 69.44 feet to the point of curvature of a curve to the right having a radius of 300.00 feet and a central angle of $18^{\circ}19'57''$; thence northerly along the arc of said curve, an arc length of 95.99 feet to the point of tangency of said curve; thence $N.01^{\circ}32'24''E.$, a distance of 131.00 feet to the point of curvature of a curve to the left having a radius of 30.00 feet and a central angle of $89^{\circ}19'08''$; thence northwesterly along the arc of said curve, an arc length of 46.77 feet to the point of tangency of said curve; thence $N.87^{\circ}46'44''W.$, a distance of 193.00 feet to the east right-of-way

line of said Lakewood Ranch Boulevard; the following three (3) calls are along said east right-of-way line; (1) thence N.01°13'16"E., a distance of 71.50 feet to the point of curvature of a curve to the left having a radius of 1,810.00 feet and a central angle of 47°18'07"; (2) thence northerly along the arc of said curve, an arc length of 1,494.29 feet to the point of tangency of said curve; (3) thence N.46°04'51"W., a distance of 88.50 feet; thence N.43°55'10"E., a distance of 93.66 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 124°16'00"; thence northerly along the arc of said curve, an arc length of 43.38 feet to the point of reverse curvature of a curve to the right having a radius of 71.00 feet and a central angle of 44°08'56"; thence northwesterly along the arc of said curve, a distance of 54.71 feet to the point of tangency of said curve; thence N.36°11'54"W., a distance of 225.82 feet; thence N.48°58'07"W., a distance of 84.68 feet; thence N.69°43'32"W., a distance of 99.20 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 54°19'36"; thence westerly along the arc of said curve, an arc length of 18.96 feet to the point of tangency of said curve; thence S.55°56'52"W., a distance of 32.09 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.55°56'52"E., a radial distance of 2,190.00 feet, said point also being a point on the east right-of-way line of said Lakewood Ranch Boulevard; the following two (2) calls are along said east right-of-way line; (1) thence northerly along the arc of said curve, through a central angle of 31°44'31", an arc length of 1,213.27 feet to the point of tangency of said curve; (2) thence N.02°18'37"W., a distance of 1,728.76 feet to the POINT OF BEGINNING.

Said tract contains 33,590,466 square feet or 771.1310 acres, more or less.

LESS:

Pond Number 3, described in Official Record Book 1540, Page 7918 of the Public Records of Manatee County, Florida;

LESS:

Parcel 100A, described in Official Record Book 1915, Page 5768 of the Public Records of Manatee County, Florida;

LESS:

Premises described in Warranty Deed to DVA Arena, LLC, recorded in Official Record Book 1943, Page 4075 of the Public Records of Manatee County, Florida;

LESS: Ingress-Egress Easement No. 1

A Tract of land lying in Section 9, 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Section 17; thence S.89°34'35"E along the North line of said Section 17 a distance of 3985.93 feet; thence S.00°25'25"W a distance of 487.63 feet to the POINT OF BEGINNING; said point being the point of curvature of a curve to the right, of which the radius point lies S.69°39'59"E., a radial distance of 325.00 feet; thence northeasterly along the arc of said curve, through a central angle of 33°08'49", an arc length of 188.02 feet to the point of tangency of said curve; thence N.53°28'49"E., a distance of 370.60 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of 30°41'48"; thence easterly along the arc of said curve, an arc length of 174.12 feet to the point of tangency of said curve; thence N.84°10'37"E., a distance of 374.39 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of 24°43'08"; thence easterly along the arc of said curve, an arc length of 140.21 feet to the point of reverse curvature of a curve to the left having a radius of 275.00 feet and a central angle of 37°11'49"; thence easterly along the arc of said curve, a distance of 178.53 feet to the point of compound curvature of a curve to the left having a radius of 35.00 feet and a central angle of 91°38'36"; thence northeasterly along the arc of said curve, an arc length of 55.98 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.70°03'20"W., a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of 02°12'54", an arc length of 107.82 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.25°49'28"W., a radial distance of 35.00 feet; thence westerly along the arc of said curve, through a central angle of 44°31'14", an arc length of 27.20 feet to the point of tangency of said curve; thence S.71°18'14"W., a distance of 9.06 feet to the point of curvature of a curve to the right having a radius of 337.00 feet and a central angle of 37°35'30"; thence westerly along the arc of said curve, an arc length of 221.11 feet to the point of reverse curvature of a curve to the left having a radius of 263.00 feet and a central angle of 01°53'10"; thence westerly along the arc of said curve, a distance of 8.66 feet to the point of tangency of said curve; thence N.72°59'26"W., a distance of 56.37 feet to the point of curvature of a curve to the left having a radius of 137.00 feet and a central angle of 22°49'57"; thence westerly along the arc of said curve, an arc length of 54.60 feet to the point of tangency of said curve; thence S.84°10'37"W., a distance of 371.34 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 30°41'48"; thence westerly along the arc of said curve, an arc length of 147.33 feet to the point of tangency of said curve; thence S.53°28'49"W., a distance of 370.60 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 34°54'45"; thence southwesterly along the arc of said curve, an arc length of 167.57 feet to the end of said curve; thence N.60°04'23"W., a distance of 50.84 feet to the POINT OF BEGINNING.

Said tract contains 76,341 square feet or 1.7526 acres, more or less.

LESS: Ingress-Egress Easement No. 2

A Tract of land lying in Sections 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Sections 16 and 17; thence S.89°34'35"E along the North line of said Section 17 a distance of 4291.01 feet; thence S.00°25'25"W a distance of 654.77 feet to the POINT OF BEGINNING; thence S.60°04'23"E., a distance of 25.14 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.46°57'50"E., a radial distance of 325.00 feet; thence easterly along the arc of said curve, through a central angle of 113°10'48", an arc length of 641.99 feet to the point of reverse curvature of a curve to the left having a radius of 255.00 feet and a central angle of 85°25'10"; thence southeasterly along the arc of said curve, a distance of 380.17 feet to the point of tangency of said curve; thence N.70°47'48"E., a distance of 283.99 feet to the point of curvature of a curve to the left having a radius of 35.00 feet and a central angle of 85°57'17"; thence northeasterly along the arc of said curve, an arc length of 52.51 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.74°50'32"E., a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of 02°02'41", an arc length of 104.95 feet to the end of said curve; thence N.72°51'02"W., along a line non-tangent to the last described curve, a distance of 10.58 feet; thence S.70°47'48"W., a distance of 226.06 feet to the point of curvature of a curve to the right having a radius of 167.00 feet and a central angle of 08°40'50"; thence westerly along the arc of said curve, an arc length of 25.30 feet to the point of tangency of said curve; thence S.79°28'38"W., a distance of 62.92 feet to the point of curvature of a curve to the left having a radius of 133.00 feet and a central angle of 04°57'32"; thence westerly along the arc of said curve, an arc length of 11.51 feet to the point of reverse curvature of a curve to the right having a radius of 309.00 feet and a central angle of 81°41'53"; thence northwesterly along the arc of said curve, a distance of 440.60 feet to the point of reverse curvature of a curve to the left having a radius of 271.00 feet and a central angle of 49°45'11"; thence northwesterly along the arc of said curve, a distance of 235.32 feet to the point of tangency of said curve; thence N.78°27'38"W., a distance of 46.52 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.06°36'57"W., a radial distance of 271.00 feet; thence westerly along the arc of said curve, through a central angle of 21°41'20", an arc length of 102.59 feet to the end of said curve; thence S.66°23'37"W., along a line non-tangent to the last described curve, a distance of 80.42 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.32°08'23"E., a radial distance of 271.00 feet; thence southwesterly along the arc of said curve, through a central angle of 10°26'33", an arc length of 49.39 feet to the end of said curve; thence S.39°34'23"E., along a line non-tangent to the last described curve, a distance of 35.74 feet; thence N.60°04'23"W., a distance of 116.67 feet; thence N.29°55'37"E., a distance of 4.78 feet to the POINT OF BEGINNING.

Said tract contains 75,680 square feet or 1.7374 acres, more or less.

Total Described Area	= 771.1310 Acres +/-
Less: Ponds No. 3	= 5.15 Acres +/-
Less: Parcel 100A	= 4.512 Acres +/-
Less DVA Arena, LLC	= 60.5327 Acres +/-
Less: Ingress-Egress Easement No. 1	= 1.7526 Acres +/-
<u>Less Ingress-Egress Easement No. 2</u>	<u>= 1.7374 Acres +/-</u>
Net Area	= 697.4463 Acres +/-

SECTION 8. DEADLINE FOR COMMENCEMENT OF DEVELOPMENT:

Physical development of the Project* shall commence within two years of the effective date of this Ordinance, as amended, unless the time period for commencement is extended by the Board of County Commissioners. If more than two years elapse between the effective date of this Order and commencement of actual development, or if construction of a phase is not begun or completed by the timeframe contained in Section 4 above, or if any three 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 timeframe 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 the buildout date of this Development Order, the County shall not down-zone or reduce the intensity or unit density permitted by this Development Order, unless the County can demonstrate that:

- A. Substantial changes in the condition 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 in intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for change 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 of the Project*, but is included herein to comply with paragraph 380.06(15)(c)3, Florida Statutes.

SECTION 10. ORDER BINDING UPON DEVELOPER*:

This 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 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 with 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:

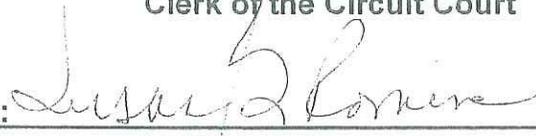
This Ordinance, Ordinance 08-13, shall become effective upon the filing of a certified copy of the executed Ordinance with the Department of State; and provided, however, that (a) the filing of a Notice of Appeal pursuant to Section 380.07, Florida Statutes, shall suspend development authorization granted for this Development Order until the resolution of the appeal and (b) Ordinance No. 08-28 shall become effective, in accordance with Section 5 of Ordinance No. 08-28.

ADOPTED AND APPROVED WITH A QUORUM PRESENT AND VOTING THIS
5th DAY OF August, 2008.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

BY: 
Chairman

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

BY: 
Deputy Clerk



Attachments to Ordinance 08-13

Exhibit A – Map H

Exhibit B – Natural Resources of Regional Significance, as delineated on Map 3



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 21ST day of

AUGUST 2008

R.B. SHORE
Clerk of Circuit Court

By: Nancy Harris 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.

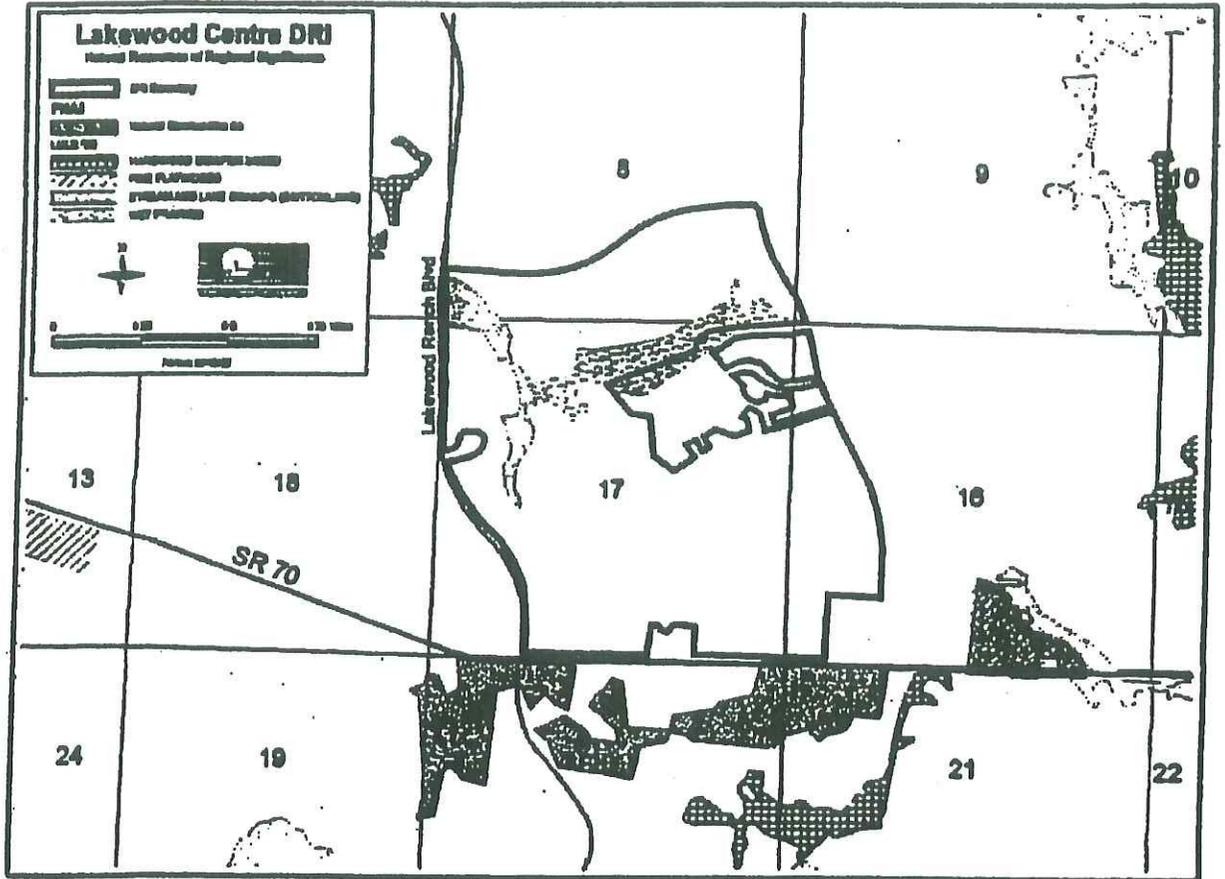
Witness my hand and official seal this 13TH day of

AUGUST 2008

R.B. SHORE
Clerk of Circuit Court

By: Nancy Harris

**MAP #3
LAKEWOOD CENTRE
NATURAL RESOURCES OF REGIONAL SIGNIFICANCE**



Source: *Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region (SRPP)*, adopted March 12, 1996, as amended

Exhibit "B"

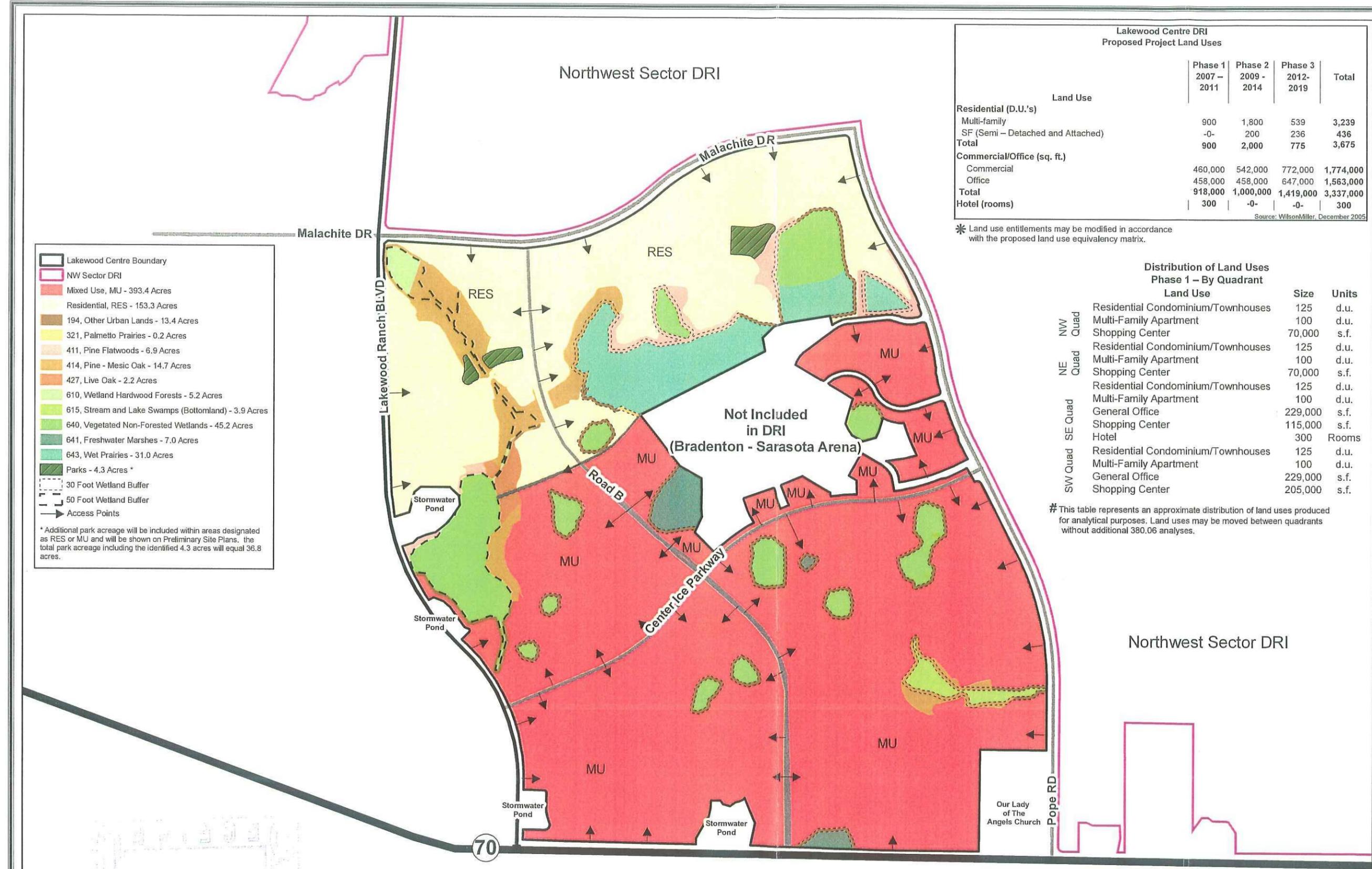


STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and
correct copy of the documents on file in my office.

Witness my hand and official seal this 13th day of
AUGUST, 2008

H.B. SHORE
Clerk of Circuit Court
By: Nancy Harris, D.S.

- Lakewood Centre Boundary
 - NW Sector DRI
 - Mixed Use, MU - 393.4 Acres
 - Residential, RES - 153.3 Acres
 - 194, Other Urban Lands - 13.4 Acres
 - 321, Palmetto Prairies - 0.2 Acres
 - 411, Pine Flatwoods - 6.9 Acres
 - 414, Pine - Mesic Oak - 14.7 Acres
 - 427, Live Oak - 2.2 Acres
 - 610, Wetland Hardwood Forests - 5.2 Acres
 - 615, Stream and Lake Swamps (Bottomland) - 3.9 Acres
 - 640, Vegetated Non-Forested Wetlands - 45.2 Acres
 - 641, Freshwater Marshes - 7.0 Acres
 - 643, Wet Prairies - 31.0 Acres
 - Parks - 4.3 Acres *
 - 30 Foot Wetland Buffer
 - 50 Foot Wetland Buffer
 - Access Points
- * Additional park acreage will be included within areas designated as RES or MU and will be shown on Preliminary Site Plans. The total park acreage including the identified 4.3 acres will equal 36.8 acres.



**Lakewood Centre DRI
Proposed Project Land Uses**

Land Use	Phase 1	Phase 2	Phase 3	Total
	2007 - 2011	2009 - 2014	2012 - 2019	
Residential (D.U.'s)				
Multi-family	900	1,800	539	3,239
SF (Semi - Detached and Attached)	-0-	200	236	436
Total	900	2,000	775	3,675
Commercial/Office (sq. ft.)				
Commercial	460,000	542,000	772,000	1,774,000
Office	458,000	458,000	647,000	1,563,000
Total	918,000	1,000,000	1,419,000	3,337,000
Hotel (rooms)	300	-0-	-0-	300

Source: WilsonMiller, December 2005

* Land use entitlements may be modified in accordance with the proposed land use equivalency matrix.

**Distribution of Land Uses
Phase 1 - By Quadrant**

Quadrant	Land Use	Size	Units
NW Quad	Residential Condominium/Townhouses	125	d.u.
	Multi-Family Apartment	100	d.u.
	Shopping Center	70,000	s.f.
NE Quad	Residential Condominium/Townhouses	125	d.u.
	Multi-Family Apartment	100	d.u.
	Shopping Center	70,000	s.f.
SE Quad	Residential Condominium/Townhouses	125	d.u.
	Multi-Family Apartment	100	d.u.
	General Office	229,000	s.f.
SW Quad	Shopping Center	115,000	s.f.
	Hotel	300	Rooms
	Residential Condominium/Townhouses	125	d.u.
SW Quad	Multi-Family Apartment	100	d.u.
	General Office	229,000	s.f.
SW Quad	Shopping Center	205,000	s.f.

This table represents an approximate distribution of land uses produced for analytical purposes. Land uses may be moved between quadrants without additional 380.06 analyses.

- CONSULTANT TEAM**
- WilsonMiller, Inc. - Planning and Engineering
 - Janus Research Archaeological - Archaeological
 - Fishkind & Associates - Economic
 - Grimaldi Crawford, Inc. - Transportation
 - Environmental Affairs Consultants, Inc. - Environmental
 - Grimes Goebel - Legal

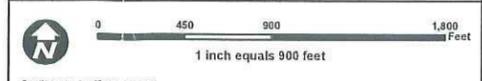
LAKEWOOD CENTRE

Manatee County, Florida

A Development of Regional Impact by SMR North 70, LLC.

MAP H
MASTER PLAN

JUNE 2008



Date: Wednesday, April 25, 2007 8:21:45 AM
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