#41

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

March 2, 2009

Ms. Nancy Y. Takemori
Assistant County Attorney
Hillsborough County
Post Office Box 1110
Tampa, Florida 33601

Re: BLOOMINGDALE; File Number AGM-08-2008-002

Dear Ms. Takemori:

Enclosed is a copy of the executed agreement for BLOOMINGDALE. If you have any questions, please call Bernard Piawah, Regional Program Administrator in the Office of Comprehensive Planning at (850) 488-4925.

Sincerely,

D. Ray Eubanks, Administrator
Plan and DRI Processing Unit

DRE/dh

Enclosure

cc: Mr. John Meyer, Tampa Bay RPC (with enclosure)

2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100
850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: www.dca.state.fl.us

♦ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ♦ FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) ♦
♦ HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) ♦

Office of the County Attorney

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Jennie Granahan Tarr

February 13, 2009

VIA CERTIFIED MAIL - #7001 0360 0003 8126 6559

FEB 19 2009

Ray Eubanks
Plan Processing Team
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Re: Essentially Built-Out Agreement between Hillsborough County, University Community Hospital, and Florida Department of Community Affairs - Bloomingdale DRI #41

Dear Mr. Eubanks:

Enclosed are three (3) originals of the above-referenced Agreement approved by the Hillsborough County Board of County Commissioners on January 13, 2009. Please have all three (3) originals executed by the Department Secretary or his designee and return two (2) of the originals to me for distribution.

If you have questions, I can be reached at (813) 272-5670. Thank you for all of your assistance in getting this Agreement finalized.

Sincerely,

Nancy Y. Takemori
Assistant County Attorney
Real Property & Development Division

NYT/pww

Enclosure

cc: John E. Healey, Planning and Growth Management (w/o enclosure)
Kevin Mineer (w/o enclosure)

601 E. Kennedy Boulevard, 27th Floor
Post Office Box 1110 · Tampa, Florida 33601
(813) 272-5670
Fax: (813) 272-5231
An Affirmative Action/Equal Opportunity Employer

PAT FRANK

Clerk of the Circuit Court
13th Judicial Circuit

RECEIVED
HILLSBOROUGH
COUNTY ATTORNEY
2009 FEB 13 AM 9:39

MEMORANDUM

DATE: February 12, 2009

TO: Nancy Y. Takemori, Assistant County Attorney

FROM: Gail M. Letzring, Manager, BOCC Records

SUBJECT: Essentially Built Out Agreement between Hillsborough County, University Community Hospital, and Florida Department of Community Affairs - Bloomingdale DRI #41 Petition #08-0042

Attached are three (3) originals of subject agreement, Document 09-0054, approved by the Board on January 13, 2009. The documents have been signed on behalf of Hillsborough County.

Please return a fully executed original agreement to our office after execution by Florida Department of Community Affairs.

md
Attachments

ESSENTIALLY BUILT-OUT AGREEMENT FOR BLOOMINGDALE DRI #41 PURSUANT TO SECTION 380.032(3) AND SECTION 380.06(15)(g)4, FLORIDA STATUTES

This Essentially Built-Out Agreement ("Agreement") is entered into by and between University Community Hospital ("UCH"), Hillsborough County, Florida (the "County"), a political subdivision of the State of Florida, and the State of Florida Department of Community Affairs (the "Department"), subject to all other governmental approvals and solely at UCH's own risk.

WHEREAS, UCH is the owner and developer of that certain 3.51 acre parcel of real property described in **Exhibit "A"**, attached hereto and incorporated herein by reference, (the "UCH Property", a/k/a "Parcel BL-25"), which lands are located within the Bloomingdale Development of Regional Impact #41 ("DRI"), a 2,425 acre (more or less) parcel of real property described in **Exhibit "B"**, attached hereto and incorporated herein by reference; and

WHEREAS, Hillsborough County is a political subdivision of the State of Florida; and

WHEREAS, the Department is the state land planning agency having the power and duty to execute general supervision of the administration and enforcement of Chapter 380, Florida Statutes ("F.S."), which includes provisions relating to DRIs; and

WHEREAS, pursuant to Section 380.032(3), F.S., the Department is authorized to enter into agreements as may be necessary to effectuate the provisions and purposes of Chapter 380, F.S.; and

WHEREAS, Section 380.06(15)(g)4, F.S., provides for an agreement pursuant to Section 380.032, F.S., to govern an essentially built-out DRI; and

WHEREAS, UCH, the County, and the Department desire to enter into this agreement pursuant to Sections 380.032(3) and 380.06(15)(g)4, F.S.; and

WHEREAS, in 1974, LaMonte-Shimberg Corporation (hereinafter referred to as "Developer"), filed an Application for Development Approval No. 74-10-DRI (which, together with other exhibits submitted and recorded, is hereinafter referred to as the "ADA") with the Hillsborough County Board of County Commissioners, the Department and other appropriate agencies pursuant to the provisions of Section 380.06, F.S., as amended; and

WHEREAS, the ADA proposed development of the Bloomingdale DRI, a mixed-use residential, commercial, and office development located on approximately 2,425 acres in southeast Hillsborough County (the "Bloomingdale Property"); and

WHEREAS, on January 23, 1975, the Board of County Commissioners approved by Resolution a Development Order for the Bloomingdale DRI No. 74-10 (now referred to as DRI #41), pursuant to the provisions of Section 380.06, F.S., and a "C-U" Community Unit zoning district pursuant to a Resolution dated February 7, 1975; and

WHEREAS, the Development Order was amended by (i) a Resolution dated December 22, 1982, (ii) Resolution 85-0219 dated May 24, 1985, (iii) Resolution 94-0011 dated January 11, 1994, and (iv) Resolution 98-114 dated May 26, 1998; and

WHEREAS, the development that was approved within the DRI prior to the January 22, 2005 Build-out Date is described in **Exhibit "C"**; and

WHEREAS, the development within the DRI that has been constructed to date is also described in **Exhibit "C"**; and

WHEREAS, the development approved prior to the January 22, 2005 Build-out Date, but not constructed, is also described in **Exhibit "C"**; and

WHEREAS, the UCH Property, with an approximate size of 3.51 acres, is designated for Municipal Commercial and labeled "BL-25" on Map "H" of the DRI attached as **Exhibit "E"**; and

WHEREAS, UCH desires to construct a total of 23,000 square feet of the following uses on the UCH Property (BL-25) in lieu of Municipal Commercial uses: bank with or without drive through facilities, medical or professional offices, and/or professional services (hereafter, the "UCH Project"); and

WHEREAS, all Bloomingdale DRI Development Order requirements for the contribution of funds, land, and public facilities expressly designated and used to mitigate impacts attributable to the development at the time of approval have been satisfied; and

WHEREAS, development within the DRI is substantially in compliance with the Development Order as described in the report attached hereto as **Exhibit "D"** and incorporated herein by reference.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, it is hereby understood and agreed as follows:

1. Determination of Essentially Built-Out Status.

The parties agree that pursuant to Section 380.06(15)(g)4, F.S., the Bloomingdale DRI is "essentially built-out" because (a) the development is in compliance with all applicable terms and conditions of the Bloomingdale DRI Development Order, and on January 22, 2005, the Build-Out date of the DRI expired, and (b) the amount of development that remains to be built on the undeveloped parcels identified in **Exhibit "C"** does not create the likelihood of any additional regional impacts not previously reviewed.

2. Development of UCH Property.

The BL-25 parcel within the Bloomingdale DRI is currently approved for approximately 50,000 square feet of Municipal Commercial uses including a hospital. UCH is proposing to replace these uses with the UCH Project (23,000 square feet of the following uses: bank with or without drive through facilities, medical or professional offices, and/or professional services).

Based on the fact that the Build-Out date as found in the Development Order has expired, and subject to the requirement that UCH mitigate the transportation impacts of the UCH Project as set forth below and obtain all other necessary permits and approvals, development of the UCH Project on the BL-25 parcel may proceed without further review under Section 380.06, F.S., subject to all terms, conditions, requirements and limitations contained in this Agreement, the Hillsborough County Comprehensive Plan and Land Development Code. Any deviation in the development of the UCH Property from the 23,000 square feet UCH Project shall require an amendment to this Agreement or further review under Chapter 380, F.S., as determined by the County and the Department.

Appropriate and total traffic mitigation for the transportation impacts of the 23,000 sq. ft. UCH Project within the BL-25 parcel for a period of ten years from the Effective Date of this Agreement is to construct six public transit shelters and amenities at current stops at various pre-determined locations on Bloomingdale Avenue.

The six transit stop locations, listed by HART identification numbers, are as follows:

1. 7247- Target Super Center - 10150 Bloomingdale Ave
2. 7435-Home Depot -10151 Bloomingdale Ave
3. 7436-Bloomingdale Towne Center NE corner of Bloomingdale & Gornto Lake Rd aka Duncan Rd
4. 7234 -Race Trac- SE corner of Bloomingdale & Duncan Rd
5. 7236-Subway outparcel of Albertsons shopping center- SW corner of Bloomingdale & Providence Rd
6. 7235-Bloomingdale Hills – SW Corner of Bloomingdale & Crickethollow Lane

After approval of construction plans for the first increment of development on the UCH Property but prior to applying for the first building permit for development on the UCH Property, three transit stops shall be designed, permitted and constructed. Prior to applying for building permits for development on the UCH Property in excess of 11,500 square feet or for development which would generate more than 74 peak hour trips, the final three transit stops shall be designed, permitted and constructed. The transit stops shall meet minimum requirements of a standard HART transit stop including pad, shelter, trash container and bench. The County shall assist in the review and permitting of said stops. If during the review and permitting of said transit stops, it is found that a stop cannot be fully approved and permitted due to no fault of UCH, an alternative location that is acceptable to HART for said transit stop(s) shall be located with the cooperation of the County.

3. <u>Development of Vacant Parcels Except UCH Property.</u>

The Department and the County agree that during the term of this Agreement, the remaining vacant tracts within the DRI, except for the UCH Property, shall be subject to all terms, conditions, requirements and limitations contained in this Agreement, the Hillsborough County Comprehensive Plan and the Hillsborough County Land Development Code, including but not limited to concurrency. The appropriate methodology for any required traffic analysis shall be determined by the County.

amendment to or modification of this Agreement shall not be effective unless contained in a writing signed by the parties.

11. Master Plan.

The Master Plan (Map "H") of development for the Bloomingdale Property dated August 22, 2008 is attached hereto as **Exhibit "E"** and incorporated herein by reference.

12. Binding Effect of Agreement and Recording.

The terms and conditions of the Agreement shall inure to the benefit of and be binding upon the heirs, personal representatives, successors and assigns of the parties hereto. UCH shall ensure and provide that any successor in interest in and to any of its lands or parcels affected by this Agreement is bound by the terms of this Agreement. UCH shall record a Notice of Adoption of this Agreement in the Official Records of Hillsborough County, Florida, and shall provide the Department with a copy of the recorded notice, which shall be in substantially the form attached hereto as **Exhibit "F"** and incorporated herein by reference, including Official Record Book and Page numbers, within two (2) weeks of the date of execution of this Agreement.

13. Effective Date.

The effective date and date of execution of this Agreement shall be the date that the last party signs and acknowledges this Agreement.

ATTEST:
PAT FRANK, Clerk of Circuit Court

Beverly Anne Miller
Deputy Clerk

HILLSBOROUGH COUNTY, a political subdivision of the State of Florida

By: Ken Hagan
Chairman, Board of County Commissioners

JAN 13 2009
DATE APPROVED

BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY FLORIDA
DOCUMENT NO. 09-0054

APPROVED BY COUNTY ATTORNEY

Approved As To Form and Legal Sufficiency
Assistant County Attorney

ATTEST:

Print Name: ROBERT J. WILLIAMS

Deborah N Sims
Print Name: Deborah N Sims

Norm Stein, CEO, University Community Hospital

TAMP_390320.2

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument is hereby acknowledged before me this 29th day of January 2009, by Norm Stein, CEO, University Community Hospital. He is personally known to me or has produced _____ as identification.

NORMA S. PERKINS
MY COMMISSION # DD 617613
EXPIRES: March 26, 2011
Bonded Thru Budget Notary Services

NOTARY PUBLIC Norma S. Perkins
My Commission Expires: _____

ATTEST:

DEPARTMENT OF COMMUNITY AFFAIRS

By: Thomas B. Pelham
Secretary

Approved As To Form and Legal Sufficiency

Counsel
Department of Community Affairs

TAMP_390320.2

EXHIBIT "A"

Legal Description of UCH Parcel

THIS IS NOT A
CERTIFIED COPY

EXHIBIT "A"

DESCRIPTION:
A parcel of land lying in the Northwest 1/4 of Section 12, Township 30 South, Range 20 East, Hillsborough County, Florida, and being more particularly described as follows:

From the Northeast corner of the Northwest 1/4 of Section 12, Township 30 South, Range 20 East, Hillsborough County, Florida, run thence S.00°13'42" W., 30.00 feet along the East boundary of said Northwest 1/4 to the South right-of-way line of Bloomingdale Avenue, to the Point of Beginning; thence continue along the East boundary of said Northwest 1/4, S.00°13'42" W., 245.73 feet; thence S.89°56'15" W., 772.51 feet; thence N.00°03'45" W., 210.72 feet to a point of curvature; thence Northeasterly, 54.98 feet along the arc of a curve to the right, having a radius of 35.00 feet and a central angle of 90°00'00" (chord bearing N.44°56'15" E., 49.50 feet) to a point of tangency; thence N.89°56'15" E., 738.76 feet along the aforesaid South right-of-way line of BLOOMINGDALE AVENUE to the Point of Beginning. LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCEL:

DESCRIPTION: A parcel of land lying in the Northwest 1/4 of Section 12, Township 30 South, Range 20 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

From the Northeast corner of said Northwest 1/4 of Section 12, run thence along the East boundary of said Northwest 1/4 of Section 12, S.00°13'42" W., 30.00 feet to the POINT OF BEGINNING, said point also being on the South right-of-way line of Bloomingdale Avenue; thence continue along said East boundary S.00°13'42" W., 20.00 feet; thence S.89°56'15" W., 189.66 feet along a line lying 20.00 feet South of and parallel with the South right-of-way line of said Bloomingdale Avenue; thence S.87°54'24" W., 282.18 feet; thence along a line 30.00 feet South of and parallel with said South right-of-way line of Bloomingdale Avenue S.89°56'15" W., 185.00 feet; thence S.82°59'10"W., 82.61 feet to a point of curvature; thence Southwesterly 54.98 feet along the arc of a curve to the left having a radius of 35.00 feet and a central angle of 90°00'00" (chord bearing S.44°56'15" W., 49.50 feet) to a point on the East right-of-way line of Springvale Drive; thence along said East right-of-way line N.00°03'45" W., 40.00 feet to a point of curvature; thence continue along said East right-of-way line Northeasterly, 54.98 feet along the arc of a curve to the right having a radius of 35.00 feet and a central angle of 90°00'00" (chord bearing N.44°56'15" E., 49.50 feet) to a point of tangency; thence N.89°56'15" E., 738.76 feet along the aforesaid South right-of-way line of Bloomingdale Avenue to the POINT OF BEGINNING.

EXHIBIT "B"

Legal Description of DRI

LEGAL DESCRIPTION:

1. The East 1/2 of the Northwest 1/4, the Southeast 1/4, the North 1/2 of the Southwest 1/4, the North 1/2 of the Southwest 1/4 of the Southwest 1/4, and the East 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 11, Township 30 South, Range 20 East, Hillsborough County, Florida.

2. Section 12, Township 30 South, Range 20 East, Hillsborough County, Florida, LESS the East 1/2 of the North 1/4.

3. The North 1/2, and the Northwest 1/2 of the Southeast 1/4 LESS the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 13, Township 30 South, Range 20 East, Hillsborough County, Florida.

4. The North 1/4 of the East 1/2 of Section 14, Township 30, South, Range 20 East, Hillsborough County, Florida.

5. The Northeast 1/4 of the Northwest 1/4, the South 1/2 of the Northwest 1/4, the North 1/2 of the Southwest 1/4 and that part of the South 1/4 of the East 1/2, Lying South of Lithia Road, of Section 7, Township 30 South, Range 21 East, Hillsborough County, Florida, LESS right-of-way for Culbreath Road, as recorded in O.R. Book 847, Page 391, of the Public Records of Hillsborough County, Florida.

6. The South 1/2 of the Southwest 1/4 of Section 7, Township 30 South, Range 21 East, Hillsborough County, Florida, LESS the East 25 feet.

7. The Northwest 1/4 of Section 18, Township 30 South, Range 21 East, LESS the South 600.00 feet of the North 1,162.31 feet of the East 425.00 feet, and LESS the East 25 feet.

8. All that part of the Southwest 1/4 of Section 18, lying North of Alafia River.

9. West 1/4 of the Southeast 1/4 of Section 18, Township 30 South, Range 21 East, Hillsborough County, Florida.

The subject property is legally described as:

SECTION 10508-2602 PARCEL 197 - BORROW PIT NO 4.

All of the following described property:

Commence at the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of Section 8, Township 30 South, Range 21 East; run thence 683.18 feet along the West boundary of said Northwest 1/4 of the Southwest 1/4 to the Point of Beginning; run thence North 643.68 feet along West Boundary; thence North 89 degrees 26'30" East 130.12 feet along the North boundary of said Northwest 1/4 of the Southwest 1/4 to the center line of Lithia Road; thence South 47 degrees 00'30" East 344.66 feet along said center line; thence South 42 degrees 59'30" West 560.85 feet to the point of beginning, according to the plat thereof, recorded in Pl# Book 9, Page 8 of the public records of Hillsborough County, Florida aforesaid being a part of lot 6, of Marvinia Hills.

Less existing right of way.

Containing 2.60 acres, more or less

The subject site, from the above legal descriptions have the following site dimensions:

344.66 feet along the frontage of SR640, 560.85 from the SE corner of the triangular shape to its SW coner, thence 643.68 along the West edge of the property and finally in direction from the NW corner to the NE corner 130.16 feet.

EXHIBIT "C"

DRI #41 Built Out Description

EXHIBIT "C"
Status of Bloomingdale DRI
Built Out Description

Bloomingdale DRI #41			
Bloomingdale	*Approved*	*Estimated Built **	*Surplus (deficit)*
Single Family Residential	*4,558*	*4,571*	*(13) units*
Multi-family Residential	*1,061*	*483*	*578 units*
Total Residential	*5,619*	*5,054*	*565*
*Commercial***	*653,000*	*500,659*	*152,341*
Professional Office Commercial	*80,000*	*0*	*80,000 sq. ft*
Municipal Commercial – Acres (includes BL-25, a 3.5 acre parcel and the sole parcel under the applicant's direct control)	*8*	*3(TECO Substation)*	*3.5***

**Based on Property Appraiser data as of August 2008.*

*** Due to right-of-way dedications, the acreage of BL-25 is currently 3.51 acres in size although originally, based on Map H, it was 5 acres in size. It is the sole Municipal Commercial parcel remaining.*

EXHIBIT "D"

DRI Compliance Report

DRI Status Report

(Based on and consistent with form RPM-BSP-ANNUAL REPORT-1 and prepared in conjunction with an Essentially Built Out Agreement)

Reporting Period:	January 23, 1975 to Month/Day/Year	October 7, 2008 Month/Day/Year
Development:	Bloomingdale DRI 41 Name of DRI	
Location:	Brandon City	Hillsborough County
Developer:	Name (Contact):	University Community Hospital

Company Name:	University Community Hospital
Address:	3100 East Fletcher Ave
City, State, Zip	Tampa, Florida 33613
Telephone	(813) 620-4500
Facsimile	(813) 620-4980

1) Describe any changes made in the proposed plan of development, phasing, or in the representations contained in the Application for Development Approval since the Development of Regional Impact received approval. Note any actions (substantial deviation determinations) taken by local government to address these changes.

Note: If a response is to be more than one sentence, attach as Exhibit A, a detailed description of each change and copies of the modified site plan drawings. Exhibit A should also address the following additional items, if applicable:

Response: The Bloomingdale DRI Development Order did not require submittal of an Annual Report. However, the DRI expired on January 22, 2005. This document has been prepared to ensure compliance with all applicable conditions as part of the Bloomingdale DRI #41 Essentially Built Out Agreement ("EBO"). It is the applicant's understanding that few development entitlements remain. The applicant does not, and will not have control over any parcels except BL-25, which has never been amended except for overall build out extensions pertaining to the larger DRI development. The last amendment was Resolution 98-114, approved on May 26, 1998. That amendment did not pertain to BL-25.

a) Describe changes in the plan of development or phasing for the reporting year and for the subsequent years;

Response: There have been no changes made in the proposed plan of development, phasing, or in the representations contained in the Application for Development Approval in the past year. The Bloomingdale DRI Development Order expired on January 22, 2005. It is the applicant's understanding that few development entitlements remain, but it does not have control over any parcels except BL-25.

b) State 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;

Response: The Bloomingdale DRI was not required to provide Annual Reports and this Report is provided only to meet the requirements of the Essentially Built Out application process. The applicant is not aware of any incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year or to be filed during the next year other than the immediate EBO. It is the applicant's understanding that few development entitlements remain, but it does not have control over any parcels except BL-25.

c) Attach a copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the developer pursuant to section 380.06(15)(f), F.S.

Response: It is the applicant's understanding that there are no known notices of adoption of a development order or modifications of an adopted development order in the past few years.

2) Has there been a change in local government jurisdiction for any portion of the development since the development order was issued? If so, has the annexing local government adopted a new Development of Regional Impact development order for the project? Provide a copy of the order adopted by the annexing local government.

Response: There has been no change in local government jurisdiction for any portion of the development since the development order was issued.

3) Provide copies of any revised master plans, incremental site plans, etc., not previously submitted.

Note: If a response is to be more than one or two sentences, attach as Exhibit B.

Response: There have been no revised master plans, incremental site plans, etc., not previously submitted.

4) Provide a summary comparison of development activity proposed and actually conducted for the reporting year as well as a cumulative total of development proposed and actually conducted to date.

Example: Number of dwelling units constructed, site improvements, lots sold, acres mined, gross floor area constructed, barrels of storage capacity completed, permits obtained, etc.

Note: If a response is to be more than one sentence, attach as Exhibit C.

Response: See attached Exhibit C.

5) Have any undeveloped tracts of land in the development (other than individual single-family lots) been sold to a separate entity or developer? If so, identify tract, its size and the buyer. Provide maps, which show the tracts involved.

Note: If a response is to be more than one sentence, attach as Exhibit D.

Response: The applicant is unaware of the purchase of any significant parcels. It is the applicant's understanding that most tracts have been sold and platted for single-family home lots and or non-residential development. It is the applicant's understanding that some development entitlements remain, but the applicant does not have control over any parcels except BL-25. A table of the estimated remaining entitlements, DRI area wide, is provided in Exhibit C.

6) Describe any lands purchased or optioned adjacent to the original Development of Regional Impact site subsequent to issuance of the development order. Identify such land, its size and intended use on a site plan and map.

Note: If a response is to be more than one sentence, attach as Exhibit E.

Response: There have been no lands purchased or optioned adjacent to the original Development of Regional Impact site subsequent to issuance of the development order except for a 2.6 acre parcel added with Resolution 98-114.

7) List any substantial local, state, and federal permits, which have been obtained, applied for, or denied during this reporting period. Specify the agency, type of permit, and duty for each.

Note: If a response is to be more than one sentence, attach as Exhibit F.

Response: It is the applicant's understanding that there have been no substantial local, state or federal permits obtained, applied for or denied in the last year. The Bloomingdale project has been essentially built out for several years. The applicant's tract - BL-25 -is one of the few remaining unplatted vacant tracts. This is graphically depicted with an aerial included as part of Exhibit C.

8) Provide a list specifying each development order condition and each developer commitment as contained in the ADA and state how and when each condition or commitment has been complied with during the annual report reporting period.

Note: Attach as Exhibit G.

Response: See attached Exhibit G.

9) Provide any information that is specifically required by the development order to be included in the annual report.

Response: An annual report was not a requirement of this Development Order. However, Exhibit G specifically describes each condition and indicates development compliance.

10) Provide a statement certifying that all persons have been sent copies of the annual report in conformance with Subsections 380.06(15) and (18), F.S.

Response: The applicant's representative (Genesis Group) has sent the Annual Report to all agencies in conformance with Subsections 380.06(15) and (18), F.S.

Person completing the questionnaire: Kevin Mineer, AICP
Title: Land Planner,
Genesis Group, 3910 North US Highway 301, Suite 140, Tampa, Florida 33619
Direct line 813-620-4500
Representing: University Community Hospital

Exhibit C to DRI Status Report

Summary comparison of development activity proposed and actually conducted for the reporting year as well as a cumulative total of development proposed and actually conducted to date.

It is the applicant's understanding that there was no development activity during the reporting year. Below is the cumulative total of development approved and actually conducted to date since the initial approval in 1975.

Bloomingdale DRI #41			
Bloomingdale	*Approved*	*Estimated Built **	*Surplus (deficit)*
Single Family Residential	*4,558*	*4,571*	*(13) units*
Multi-family Residential	*1,061*	*483*	*578 units*
Total Residential	*5,619*	*5,054*	*565*
*Commercial***	*653,000*	*500,659*	*152,341*
Professional Office Commercial	*80,000*	*0*	*80,000 sq. ft*
Municipal Commercial – Acres (includes BL-25, a 3.5 acre parcel and the sole parcel under the applicant's direct control)	*8*	*3(TECO Substation)*	*3.5***

**Based on Property Appraiser data as of August 2008.*

*** Due to right-of-way dedications, the acreage of BL-25 is currently 3.51 acres in size although originally, based on Map H, it was 5 acres in size. It is the sole Municipal Commercial parcel remaining.*

See attached aerial graphic that depicts the few remaining vacant properties.

Exhibit G to DRI Status Report

List of each development order condition and each developer commitment and how and when each condition or commitment has been complied with during the annual report reporting period

Specific Conditions

The following are guidelines and standards proposed in the original Development Order (DRI 74-10) for the Bloomingdale DRI:

1. The conservation acreage figure is to be verified as to percentage completion at each submission of the detailed community unit zoning plans.

   Response: It is the applicant's understanding that the originally approved conservation land as designated on Map H remains intact.

2. The drainage flow patterns are to be included as part of the detailed community unit zoning plans to ensure that no dwelling units are included in a flood prone area, that no drainage flow stoppages occur, and that pedestrian and vehicular circulation flows are not interrupted during periodic flooding.

   Response: Hillsborough County development regulations require all development plans to include stormwater management plans that minimize off-site flooding. It is the applicant's understanding that no houses have been built in any flood zone areas.

3. The two historical and archaeological sites are to be preserved in their natural state and be protected from destruction by developing land uses in their immediate vicinity.

   Response: Based on a review of ADA maps and existing development, the two historical and archaeological sites remain preserved in designated open space areas.

4. The soil management procedures are to be submitted as part of the detailed community unit zoning plans and said data reviewed jointly by the Soil Conservation Service and the staff of the Hillsborough County Planning Commission.

   Response: Hillsborough County development regulations require hay bales and other techniques to minimize soil erosion.

5-9. *These conditions pertain to County requirements and are not Developer conditions.*

Transportation:

10a. The project shall be reviewed by the County Planning Commission, County Building and Zoning Department, County Engineering Department, Tampa Urban Area Transportation Study Technical Committee and the Board of County Commissioners at the end of each development phase. Improvements to the transportation network that will bring the system acceptable levels of service as determined by County policy must be planned or constructed prior to the next phase. Final decision of such review shall be made by majority vote of the County Commission. Any increase of greater than 10% traffic generation shall trigger the review process.

Response: Hillsborough County development regulations require all development plans to be reviewed by applicable agencies. It should be noted that since the project was approved in 1976, the Planning Commission no longer reviews transportation plans, the County Building and Zoning Department and the County Engineering Department are now known as Planning and Growth Management and Public Works respectively and it is the applicant's understanding that the Tampa Urban Area Transportation Study Technical Committee is no longer active.

11. In order that a continuing monitor is established for air quality as it pertains to automobiles, the review process shall include air emission data; and the Environmental Protection Commission shall join in the review process culminating in the final decision by the Board of County Commissioners. Any air emission data that is found to exceed Federal, State or local ordinances shall trigger the review process.

Response: Hillsborough County development regulations require all development plans to be reviewed by applicable agencies including EPC.

Additional requirement placed within the specific conditions of the Bloomingdale DRI by Resolution No. 94-0011

6e. The Developer shall be required to secure the following payments to the County by July 11, 1994:

Date	Developer Contribution
Effective Date of D.O.	No Contribution
January 1, 1995	$100,000
December 31, 1995	$150,000
December 31, 1996	$250,000
December 31, 1997	$250,000

The above payments shall be provided to the County through a Letter of Credit or other means acceptable to the County.

Upon the full payment of the $750,000 Developer Contribution as set forth above, the Developer shall be released from all of its obligations hereunder as to the Developer Contribution and under the letter of credit or other form of security. Should the Developer fail to post the Letter of Credit or other form of security in accordance with the terms described herein, no more than 200 Certificates of Occupancy within the Pods shall be permitted without further transportation review which proposed alternative means to mitigate the regional transportation facilities to accommodate project traffic.

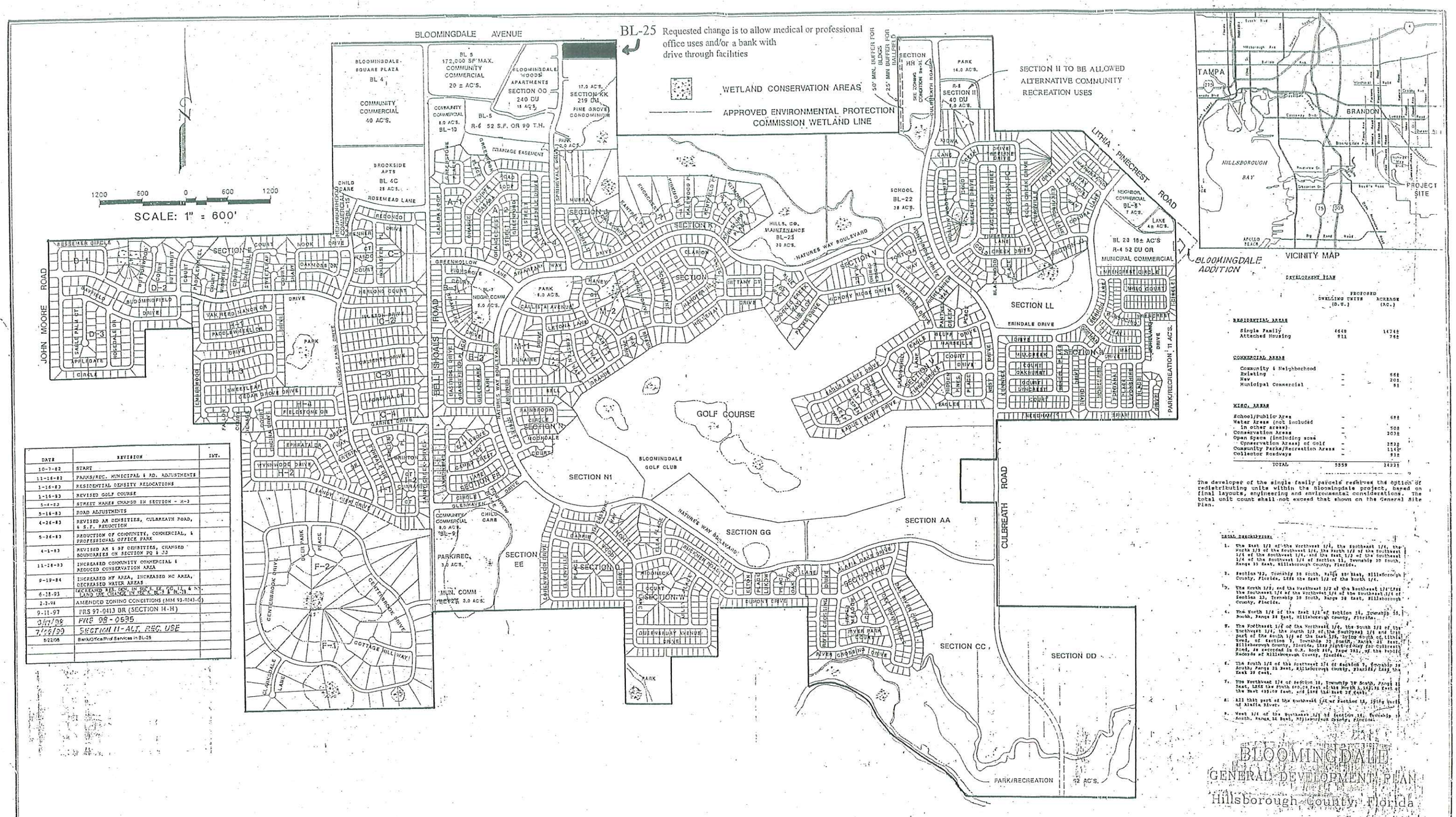
Payment of the Developer Contributions outlined herein shall be the only requirement of this Development Order to be met by Developer to mitigate the regional transportation impacts of the project in order for the Developer to obtain Certificates of Occupancy for the corresponding amount of development identified in the above table.

Further, the Developer of the retail portion of pod BL-5 shall pay a developer Contribution of $50,000 to the County to be used by the County to implement one of the network road improvement alternatives listed above. This contribution shall be paid on or before January 1, 1995.

Response: Based upon correspondence found within the County's records, a letter of credit was issued to the county on June 14, 1994. Payments totaling $750,000 required of the developer have been paid to the County or offset by Impact Fees. However, a record of payment received from the developer of BL-5 in the amount of $50,000 was unavailable. The applicant has control over only BL-25.

EXHIBIT "E"

Revised Map H



DATE	REVISION	INT.
10-7-82	START	
11-16-82	PARKS/REC. MUNICIPAL & RD. ADJUSTMENTS	
1-16-83	RESIDENTIAL DENSITY RELOCATIONS	
1-16-83	REVISED GOLF COURSE	
5-4-83	STREET NAMES CHANGED IN SECTION - H-3	
5-16-83	ROAD ADJUSTMENTS	
6-26-83	REVISED AR DENSITIES, CULBREATH ROAD, & S.F. REDUCTION	
5-26-83	REDUCTION OF COMMUNITY, COMMERCIAL, & PROFESSIONAL OFFICE PARK	
6-1-83	REVISED AR & SF DENSITIES, CHANGED BOUNDARIES ON SECTION PQ & JJ	
11-28-83	INCREASED COMMUNITY COMMERCIAL & REDUCED CONSERVATION AREA	
9-19-84	INCREASED MF AREA, INCREASED MC AREA, DECREASED WATER AREAS	
6-28-93	DECREASED RES. DEN. IN SEC'S. EE, GG, II, & N. LAND USE CHANGE IN SEC'S. BC & BL-31	
2-2-94	AMENDED ZONING CONDITIONS (MM 93-0043-C)	
9-11-97	PRS 97-0413 BR (SECTION H-H)	
3/17/98	PRS 98-0595	
7/16/99	SECTION II-ALT. REC. USE	
5/22/08	Bank/Office/Prof Services in BL-25	

EXHIBIT "F"

Notice of Essentially Built-Out Agreement for Bloomingdale DRI #41 Pursuant to Section 380.032(3) and Section 380.06(15)(g)4, Florida Statutes

PLEASE TAKE NOTICE that a Section 380.032(3), F.S., Agreement covering the property more particularly described on Exhibit "A" attached hereto was entered into on January 13, 2009, pursuant to Sections 380.032(3) and 380.061(15)(g)4, F.S., among the Florida Department of Community Affairs, Hillsborough County, Florida, and University Community Hospital. The Agreement may be examined at the office of the Department of Community Affairs, Bureau of State Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850) 488-4925.

WITNESSES

Robert J. Williams

Deborah N. Sims

Norm Stein, CEO, University Community Hospital

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

The foregoing instrument is hereby acknowledged before me this 29th day of January 2009, by Norm Stein, CEO, University Community Hospital. He is personally known to me or has produced _____ as identification.

Notary Public Norma S. Perkins

My Commission Expires: _____

NORMA S. PERKINS
MY COMMISSION # DD 617613
EXPIRES: March 26, 2011
Bonded Thru Budget Notary Services

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida

41

Clerk to Board of
County Commissioners
County Center, 12th Floor
601 E. Kennedy Blvd
P.O. Box 1110
Tampa, Florida 33601
Telephone 276-8100, ext. 6730

June 25, 1998

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

Re: Resolution No. R98-114 - Amending the Development Order for Bloomingdale (DRI #41)

Dear Mr. Butts:

Attached is a certified original of referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on May 26, 1998.

We are providing this original for your files.

Sincerely,

Linda Fryman
Senior Manager, BOCC Records

LF:SAB
Attachment
Certified Mail
cc: Board files (orig.)
J. Thomas Beck, Florida Department of Community Affairs
James H. Shimberg, Jr. Esq., Holland & Knight,LLP
Susan Fernandez, Senior Assistant County Attorney
Gene Boles, Director, Planning & Growth Management
Beth Novak, County Attorney's Office

An Affirmative Action — Equal Opportunity Employer

Resolution # R98 -114

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY, FLORIDA
AMENDING THE DEVELOPMENT ORDER FOR DRI #41
BLOOMINGDALE

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

Whereas, on January 23, 1975, the Board of County Commissioners issued Development Order 74-10 (hereinafter Development Order) a copy of which is attached in Exhibit "A" as Exhibit "A" and incorporated herein by reference for LaMonte-Shimberg Corporation's Development of Regional Impact, hereinafter referred to as Bloomingdale, pursuant to the provisions of Section 380.06, Florida Statutes; and,

Whereas, in 1982, Criterion Corporation, successor in interest to LaMonte-Shimberg Corporation, amended said Development Order under Resolution dated December 22, 1982, a copy of which is attached as Exhibit "B" and incorporated herein by reference in Exhibit "A", said amendment adding 465 acres to the DRI and which change was found not to constitute a substantial deviation; and

Whereas, National Investors Pension Insurance Corporation (hereinafter NIPIC), successor in interest to Criterion Corporation, and Bloomingdale Shopping Center, a joint venture, amended said Development Order under Resolution 85-0219 dated May 24, 1985, a copy of which is attached in Exhibit "A" as Exhibit "C" and incorporated herein by reference, said amendment revising the phasing schedule to delay office development in exchange for early retail development which change was found not to constitute a substantial deviation; and

Whereas, Met-Life Insurance Company successor in interest to NIPIC amended said Development Order under Resolution 94-0011 dated January 11, 1994, a copy of which is attached in Exhibit "A" as Exhibit "D" and incorporated herein by reference, said amendment consolidating the remaining phases of development into one phase; reducing the amount of residential development approved by 1,234 units; eliminating of 310,000 square feet of authorized office development; converting 18 acres of municipal commercial land use to residential use; adding 8,000 square feet GLA of authorized retail development; extending the buildout date of the consolidated

phase to January 1, 2000; extending the expiration date to January 22, 2005; providing January 22, 2005 as the date to which the local government agrees not to subject changes in the DRI to down-zoning or density reduction; and

Whereas, on February 20, 1998, Brandon Properties Partners, Ltd. successor in interest to Met-Life filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact pursuant to Subsection 380.06(19), Florida Statutes, which proposes the addition of 2.6 acres of land to the Bloomingdale DRI; and

Whereas, the Proposed Changes shall constitute the Fourth Amendment to the Development Order; and

Whereas, the described project lies within the unincorporated areas of Hillsborough County; and

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

Whereas, The Board of County Commissioners of Hillsborough County has held a duly noticed public hearing on the Proposed Fourth Amendment to the Development Order and has considered the changes proposed in the Notification of Change, as well as all related testimony and evidence submitted by the Developer and members of the general public; and

Whereas, Section 380.06, Florida Statutes, requires that a development order be amended to reflect the Board of County Commissioners' approval of changes to the approved development order.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA IN A REGULAR MEETING ASSEMBLED THIS 26th DAY OF May, 1998, AS FOLLOWS:

I. FINDINGS OF FACT

A. Brandon Properties Partners, Ltd., hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, a Notification of Proposed Change to a Previously Approved Development of Regional Impact which is attached hereto and marked "Exhibit A" and incorporated herein by reference. Hereinafter, the word "Application" shall refer to the Notice of Proposed Change to a Previously Approved Development of Regional Impact and other exhibits duly submitted and recorded.

B. The real property which is the subject of the Application is legally described as set forth in Exhibit A.

C. The authorized representative of the Developer is James H. Shimberg, Jr.,Holland & Knight, LLP, P.O. Box 1288, Tampa, Florida 33601.

D. The proposed development is not an Area of Critical State Concern as designated pursuant to Section 380.05, Florida Statutes.

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

F. A comprehensive review of the impact generated by the development as approved by this amended development order has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Council and other affected agencies.

G. Pursuant to Chapter 380.06(5) (c), the Developer elects to be bound by the rules adopted pursuant to Chapter 403 and 373 in effect at the time of issuance of this Amended Development Order.

II. CONCLUSIONS OF LAW

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

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

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

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

4. The changes to the previously approved development order issued on January 23, 1975 and amended December 22, 1982, May 24, 1985, and January 11,

1994 outlined herein do not create a reasonable likelihood of additional impact, or any type of regional impact not previously reviewed by the regional planning agency, over those treated under the Development Order. The proposed amendments, therefore, do no constitute a "substantial deviation" from the Bloomingdale Development Order, pursuant to Chapter 380.06, Florida Statutes.

B. In considering whether the development should be approved subject to conditions, restrictions, and limitation, Hillsborough County has considered the criteria stated in subsection 380.06 (14), Florida Statutes.

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

D. The Application for Development Approval and Notice of Proposed Change to a Previously Approved Development of Regional Impact are approved subject to all terms and conditions of this Amended Development Order.

E. The Land Use Plan Map for Hillsborough County designates the area within which the Project lies as CC (Community Commercial) and SDR (Suburban Density Residential).

III. GENERAL PROVISIONS

A. The foregoing recitation and findings of fact are hereby incorporated into this resolution.

B. This resolution shall constitute Fourth Amendment to the Development Order of Hillsborough County in response to the Notice of Proposed Change to a Previously Approved Development of Regional Impact for the Bloomingdale Development of Regional Impact.

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

D. All provisions contained within the Application and Sufficiency Responses marked "Exhibit A" and the previously adopted amendments which are herein incorporated by reference shall be considered conditions

of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.

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

F. The Development Order shall be binding upon the Developer and his heirs, assigns or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. All of the Developer's rights and responsibilities under this Development Order may be assigned to a successor in interest or an assignee without restriction except as provided herein. It is understood that any reference herein to any governmental agency shall be construed to include any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of any branch of government or governmental agency.

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

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

I. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at Bloomingdale, the Developer may transfer any or all of his responsibilities to improve and maintain those facilities to an appropriate private body created to perform such responsibilities. Provided, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, and/or other agencies having jurisdiction, concurrent or otherwise, now or later, upon

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

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

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

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

M. This Development Order shall become effective upon transmittal by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes as amended.

N. The Developer's Affidavit, Exhibit "B", affirming that copies of the Notification of Proposed Change have been delivered to all persons required by law; is attached hereto and incorporated herein by reference.

O. The Developer shall record a Notice of Adoption of the Development Order Amendment as required pursuant to Chapter 380, Florida Statutes.

IV. SPECIFIC CONDITIONS

A. The Legal Description is hereby amended to include the land described in Exhibit "A".

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of May 26, 1998, as the same appears of record in Minute Book 264 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 25th day of June, 19 98.

ATTEST: RICHARD AKE, CLERK OF CIRCUIT COURT

By: Gary McCurk
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

Approved as to Form and
Legal Sufficiency

James Porter for SJF
Assistant County Attorney

C:\Files--Project\Holland & Knight\Bloomingdale\Bloomingdale Amended Development Order.wpd

EXHIBIT "A"

The subject property is legally described as:

SECTION 10508-2602 PARCEL 197 - BORROW PIT NO 4.

All of the following described property:

Commence at the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of Section 8, Township 30 South, Range 21 East; run thence 683.18 feet along the West boundary of said Northwest 1/4 of the Southwest 1/4 to the Point of Beginning; run thence North 643.68 feet along West Boundary; thence North 89 degrees 26'30" East 130.12 feet along the North boundary of said Northwest 1/4 of the Southwest 1/4 to the center line of Lithia Road; thence South 47 degrees 00'30" East 344.66 feet along said center line; thence South 42 degrees 59'30" West 560.85 feet to the point of beginning, according to the plat thereof, recorded in Pl# Book 9, Page 8 of the public records of Hillsborough County, Florida aforesaid being a part of lot 6, of Marvinia Hills.

Less existing right of way.

Containing 2.60 acres, more or less

The subject site, from the above legal descriptions have the following site dimensions:

344.66 feet along the frontage of SR640, 560.85 from the SE corner of the triangular shape to its SW coner, thence 643.68 along the West edge of the property and finally in direction from the NW corner to the NE corner 130.16 feet.

LEGAL DESCRIPTION:

1. The East 1/2 of the Northwest 1/4, the Southeast 1/4, the North 1/2 of the Southwest 1/4, the North 1/2 of the Southwest 1/4 of the Southwest 1/4, and the East 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 11, Township 30 South, Range 20 East, Hillsborough County, Florida.

2. Section 12, Township 30 South, Range 20 East, Hillsborough County, Florida, LESS the East 1/2 of the North 1/4.

3. The North 1/2, and the Northwest 1/2 of the Southeast 1/4 LESS the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 13, Township 30 South, Range 20 East, Hillsborough County, Florida.

4. The North 1/4 of the East 1/2 of Section 14, Township 30, South, Range 20 East, Hillsborough County, Florida.

5. The Northeast 1/4 of the Northwest 1/4, the South 1/2 of the Northwest 1/4, the North 1/2 of the Southwest 1/4 and that part of the South 1/4 of the East 1/3, Lying South of Lithia Road, of Section 7, Township 30 South, Range 21 East, Hillsborough County, Florida, LESS right-of-way for Culbreath Road, as recorded in O.R. Book 547, Page 391, of the Public Records of Hillsborough County, Florida.

6. The South 1/2 of the Southwest 1/4 of Section 7, Township 30 South, Range 21 East, Hillsborough County, Florida, LESS the East 25 feet.

7. The Northwest 1/4 of Section 18, Township 30 South, Range 21 East, LESS the South 600.00 Feet of the North 1,162.31 feet of the East 425.00 feet, and LESS the East 25 feet.

8. All that part of the Southwest 1/4 of Section 18, lying North of Alafia River.

9. West 1/4 of the Southeast 1/4 of Section 18, Township 30 South, Range 21 East, Hillsborough County, Florida.

IV.b

APPLIATION NUMBER: NOPC 98-0593

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I hereby state that I am the owner or the agent for the owner of the above-numbered DRI Notice of Proposed Change request.

I further state that I have notified all persons owning land within:
(CHECK ONE)
[XX] 250' OR [ ] 400'
of the property described in the attached letter by Proof-of-Mailing of my intention of requesting a Public Hearing before the:

(CHECK ONE):
[ ] Zoning Hearing Master of Hillsborough County.
or
[XX] Board of County Commissioners of Hillsborough County.

I further state that I have notified the Designated Representative of each Registered Neighborhood Organization located within one mile of the site affected by the application.

I have attached hereto the Certificate of Mailing as proof of such notification.

Allen S. Murphy
(TYPE OR PRINT LEGIBLY NAME OF OWNER/AGENT OF OWNER)

Allen S. Murphy
(SIGNATURE OF OWNER/AGENT OF OWNER)

6/25/98
(DATE SIGNED)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH
The foregoing instrument was acknowledged before me this (DATE) 6/25/98 by Allen S. Murphy
who:
■ Personally known to me ☐ Florida driver's license
☐ Other type of identification: _____
and who: ☐ did ■ did not take an oath.

Johanna L. Hyde
(Signature of person taking acknowledgement)

Johanna L. Hyde
Type or Print Name of Notary Public

CC700618 12-7-2001
Commission Number My Commission Expires

FNKL:DRLPKT

(Revised 5/9/94)

Johanna L Hyde
My Commission CC700618
Expires December 7, 2001

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida

Clerk to Board of
County Commissioners
Room # 214-F
P.O. Box 1110
Tampa, Florida 33601
Telephone 272-5845

January 21, 1994

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

Re: Resolution No. R94-0011 - Amending the Development Order for Bloomingdale (DRI #41)

Dear Ms. Cooper:

Attached is a certified copy of referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on January 11, 1994.

We are providing this copy for your files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: Linda Fryman
Linda Fryman
Manager, BOCC Records

LF:ADF
Attachment
Certified Mail
cc: Board files (orig.)
David M. Smith, Director of Governmental Affairs,
Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A.
J. Thomas Beck, Florida Department of Community Affairs
Jeanie Hanna, Assistant County Attorney
Gene Boles, Director, Planning and Development Management

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. R94-0011 Amending the Development Order for Bloomingdale (DRI #41) approved by the Board in its regular meeting of January 11, 1994, as the same appears of record in MINUTE BOOK 212 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 21st day of January, 1994.

RICHARD AKE, CLERK

By: _____
Deputy Clerk

AMENDED DEVELOPMENT ORDER

Resolution No. R94-0011

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA DRI #41 DEVELOPMENT ORDER BLOOMINGDALE

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

WHEREAS, on January 23, 1975, the Board of County Commissioners issued Development Order 74-10 (hereinafter Development Order) a copy of which is attached in Exhibit "A" as Exhibit "A" and incorporated herein by reference for LaMonte-Shimberg Corporation's Development of Regional Impact, hereinafter referred to as Bloomingdale, pursuant to the provisions of Section 380.06, Florida Statutes; and,

WHEREAS, in 1982, Criterion Corporation, successor in interest to LaMonte-Shimberg Corporation, amended said Development Order under Resolution dated December 22, 1982, a copy of which is attached as Exhibit "B" and incorporated herein by reference in Exhibit "A", said amendment adding 465 acres to the DRI and which change was found not to constitute a substantial deviation; and

WHEREAS, National Investors Pension Insurance Corporation (hereinafter NIPIC), successor in interest to Criterion Corporation, and Bloomingdale Shopping Center, a joint venture, amended said Development Order under Resolution 85-0219 dated May 24, 1985, a copy of which is attached in Exhibit "A" as Exhibit "C" and incorporated herein by reference, said amendment revising the phasing schedule to delay office development in exchange for early retail development, which change was found not to constitute a substantial deviation; and

WHEREAS, on August 26, 1993, Metropolitan Life Insurance Company (hereinafter Met-Life) successor in interest to NIPIC filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact pursuant to Subsection 380.06(19), Florida Statutes, which proposes consolidation of the remaining phases of development into one phase; reduction of the amount of residential development approved by 1,234 units; elimination of 310,000 square feet of authorized office development; conversion of 18 acres of municipal commercial land use to residential use; addition of 8,000 square feet GLA of authorized retail development; extension of the buildout date of the consolidated phase to January 1, 2000; extension of the expiration date to January 22, 2005; provision of January 22, 2005 as the date to which the local government agrees not to subject changes in the DRI to down-zoning or density reduction; and

WHEREAS, the Proposed Changes shall constitute the Third Amendment to the Development Order; and

WHEREAS, the described project lies within the unincorporated area of Hillsborough 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, is authorized and empowered to consider the Proposed Changes and to amend Development Orders for Developments of Regional Impact; and

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

WHEREAS, the Board of County Commissioners of Hillsborough County has held a duly noticed public hearing on the Proposed Third Amendment to the Development Order and has considered the changes proposed in the Notification of Change, as well as all related testimony and evidence submitted by the Developer and members of the general public; and

WHEREAS, Section 380.06, Florida Statutes, requires that a development order be amended to reflect the Board of County Commissioners' approval of changes to the approved development order.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA IN REGULAR MEETING ASSEMBLED THIS 11TH DAY OF JANUARY, 1994, AS FOLLOWS:

I. FINDINGS OF FACT

A. Metropolitan Life Insurance Company, hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, a Notification of Proposed Change to a Previously Approved Development of Regional Impact which is attached hereto and marked "Exhibit A" and incorporated herein by reference. Hereinafter, the word "Application" shall refer to the Notice of Proposed Change to a Previously Approved Development of Regional Impact and other exhibits duly submitted and recorded.

B. The real property which is the subject of the Application is legally described as set forth in Exhibit A.

C. The authorized representative of the Developer is Ronald L. Weaver, 401 E. Jackson Street, Tampa, Florida 33602.

D. The proposed development is not an Area of Critical State Concern as designated pursuant to Section 380.05, Florida Statutes.

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

F. A comprehensive review of the impact generated by the development as approved and as reduced by this amended development order has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council and other affected agencies.

G. Pursuant to Chapter 380.06(5)(c), the Developer elects to be bound by the rules adopted pursuant to Chapter 403 and 373 in effect at the time of issuance of this Amended Development Order.

H. The Bloomingdale development has been delayed by the general state of the economy and legal actions which the Board finds to be excusable delays pursuant to Section 4 of the Development Order.

II. CONCLUSIONS OF LAW

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

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

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

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

4. The changes to the previously approved development order issued on January 23, 1975 and amended December 22, 1982, and May 24, 1985, outlined herein are a reduction in the density and intensity of development and the Developer has rebutted the presumption that the changes proposed constitute a substantial deviation by clear and convincing evidence.

B. In considering whether the development should be approved subject to conditions, restrictions, and limitation, Hillsborough County has considered the criteria stated in subsection 380.06(14), Florida Statutes.

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

D. The Application for Development Approval and Notice of Proposed Change to a Previously Approved Development of Regional Impact are approved subject to all terms and conditions of this Amended Development Order.

E. The Land Use Plan Map for Hillsborough County designates the area within which the Project lies as CC (Community Commercial) and SDR (Suburban Density Residential).

III. GENERAL PROVISIONS

A. The foregoing recitation and findings of fact are hereby incorporated into this resolution.

B. This resolution shall constitute Third Amendment to the Development Order of Hillsborough County in response to the Notice of Proposed Change to a Previously Approved Development of Regional Impact for The Bloomingdale Development of Regional Impact.

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

D. All provisions contained within the Application and Sufficiency Responses marked "Exhibit A" and the previously adopted amendments which are herein incorporated by reference shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.

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

F. The Development Order shall be binding upon the Developer and his heirs, assigns or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. All of the Developer's rights and responsibilities under this Development Order may be assigned to a successor in interest or an assignee without restriction except as provided herein. It is understood that any reference

herein to any governmental agency shall be construed to include any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of any branch of government or governmental agency.

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

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

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

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

K. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency

having particular responsibility over the area or subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order and a copy of said findings to TBRPC for their information. In the event of a deviation, the County Administrator may immediately recommend that the Board of County Commissioners establish a hearing to consider such deviations.

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

M. This Development Order shall become effective upon transmittal by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes as amended.

N. The Developer's Affidavit, Exhibit "B", affirming that copies of the Notification of Proposed Change have been delivered to all persons required by law; is attached hereto and incorporated herein by reference.

O. The Developer shall record a Notice of Adoption of the Development Order Amendment as required pursuant to Chapter 380, Florida Statutes.

IV. SPECIFIC CONDITIONS

A. The phasing schedule set out by Table 32-1 of the Development order adopted January 23, 1975 and amended by Resolution No. 85-0219 on May 24, 1985 is hereby amended to reflect that the buildout of Consolidated Phase III is hereby extended for a period of 10 years to January 1, 2000 and will now read as follows:

Table 32-1

CONSOLIDATED PHASE DEVELOPMENT PLAN[1],
BLOOMINGDALE TRACT WITH
PROJECTED BUILDOUT DATE
(PHASES III, IV AND V CONSOLIDATED)

Consolidated Phase III
January 1, 2000 Projected Build-out

1,798 single-family units[2]
386 multi-family units
302,000 sq. ft. GLA community commercial[3]
5 acres municipal commercial[4]

[1]As used in trip generation and trip distribution processes.
[2]Includes attached and "detached" single family.
[3]Community commercial is defined as retail development.
[4]Up to an additional 18 acres of municipal commercial use (library, or park) may occur on BL-28 if acquired by the County. Presently BL-28 is planned for 52 single family homes. Municipal commercial is generally defined as uses such as a hospital, fire station, health clinic, church, library, parks and recreation office, and parks.

B. Section 4. of the Development Order is amended to read as follows:

"That this Development Order shall remain in effect until January 22, 2005, provided that the effective period may be extended by the Board upon a finding of excusable delay in any proposed development activity."

C. Section 6.e. of the Development Order is amended in its entirety to read as follows:

"The right to construct the reduced and consolidated phases, as described in Table 32-1 as amended, shall be permitted subject to the conditions outlined in this amended development order.

The Developer shall be entitled to obtain Certificates of Occupancy (CO) in pods AA, CC, DD, EE, GG, HH, LL, NN, BL-28 and BL-5 (the

"Pods") upon making the Developer Contributions to the County in the amounts and on the dates indicated in the following table:

Date	Developer Contribution	Residential C.O.'s
Effective Date of D.O.	No Contribution	200
January 1, 1995	$100,000	150 Additional
December 31, 1995	$150,000	200 Additional
December 31, 1996	$250,000	250 Additional
December 31, 1997	$250,000	390 Additional

The Developer shall secure the above payments to the County by providing to the County by July 11, 1994, a Letter of Credit or other means acceptable to the County to secure the above payment at the required times.

The Letter of Credit shall provide that the Developer's failure to timely renew the Letter of Credit shall be an event under which the County can draw on the Letter of Credit for payment of the appropriate increment of contribution. In the event of the developer's failure to timely renew the Letter of Credit, the County shall draw down on the Letter of Credit to obtain the appropriate Developer Contribution and shall appropriate said monies to the acceleration of an improvement as described below.

Upon the full payment of the $750,000 Developer Contribution as set forth above, the Developer shall be released from all of its obligations hereunder as to the Developer Contribution and under the letter of credit or other form of security. Should the Developer fail to post the Letter of Credit or other form of security in accordance with the terms described herein, no more than 200 Certificates of Occupancy within the Pods shall be permitted without further transportation review which proposes alternative means to mitigate the regional transportation facilities to accommodate project traffic. Otherwise, the Developer shall be deemed to be in violation of the Development Order. Enforcement

action may be initiated by the County or other entity pursuant to Section 380.11 Florida Statues.

In the event, that for any reason full payment is not received under the Letter of Credit upon request of the County, the Developer shall not be permitted to receive any further building permits for the above mentioned development pods until such time as the developer can prepare for review and approval by appropriate DCA and County authorities, a 380.06 traffic/transportation analysis (as further stipulated by the review criteria established in the Bloomingdale Development Order 74-10) which proposes alternative means to mitigate the regional transportation impacts of the project and/or to show the adequacy of the transportation facilities to accommodate project traffic.

These Developer Contributions shall be utilized by the County to improve the transportation network of the Bloomingdale Development in accordance with one of the following alternatives:

1.) The Developer's Letter of Credit shall be used by the County as a mechanism to borrow funds (estimated to cost $8,000,000) to accelerate the completion of Bloomingdale Avenue between Bell Shoals Road and Lithia Pinecrest. This road improvement is known as Hillsborough County Capital Improvement Project (CIP) #61122. The CIP project shall be accelerated so that roadway construction shall be initiated by the County by October 1, 1998 and shall be completed by the County by September 31, 1999; or

2.) The Developer's Letter of Credit shall be used by the County to finance the design by the County of Bloomingdale Avenue between Bell Shoals Road and Lithia Pinecrest (CIP project #61122). Design of this segment of Bloomingdale Avenue is estimated to cost $571,000. The design shall be accelerated and shall be initiated by the County by October 1, 1994 and shall be completed by April 1, 1997. Likewise, the County shall initiate the acquisition of right-of-way by October 1, 1996 and complete acquisition of right-of-way by September 31, 1998.

Construction of the improvement shall be initiated by the County by October 1, 1998 and shall be completed by September 31, 1999; or

3.) The Developer's Letter of Credit shall be used by the County to finance the design, acquisition of right-of-way and widening of Bell Shoals Road from a two lane facility to four lane urban facility from Bloomingdale Avenue to Green Hollow Drive. The County shall initiate design by July 1, 1994 and shall complete design within 12 months. The County shall initiate construction by July 1, 1996 and the improvement shall be completed by July 1, 1997; or

4.) The Developer's Letter of Credit shall be used to accelerate any one of the regionally significantly impacted roadways identified in the Bloomingdale development road network. Should this alternative be chosen by the Developer, the specific improvement identified to be accelerated through the use of the Developer's Letter of Credit shall be subject to review and approval by Hillsborough County and DCA.

The County shall notify the Department of Community Affairs by July 1, 1994 of the above alternative selected.

The requirements contained herein have been determined to be the appropriate requirements to cure and mitigate the impacts of the Development on the regionally significant transportation highway facilities within the primary impact area. Approval of this mitigation/curing mechanism is based on the Development's impact on transportation facilities, the substantial public benefit to be gained by accelerating the design, construction and use of a major public facility, and its consistency with Hillsborough County, TBRPC and DCA policies regarding mitigation of transportation impacts.

The County agrees to use due diligence within the time frames set forth above, to design and construct an identified road improvement.

In the event that the performance by the County of the commitments set forth herein shall be

interrupted or delayed by war, riot, strike, civil commotion, natural disaster or other event beyond the County's control, then the County shall be excused from such performance for such period of time as is required to remedy the effects thereof. Further, in the event that performance by the County of the commitments set forth herein shall be interrupted or delayed in connection with acquisition of necessary right-of-way or governmental approvals for the construction of the Identified Improvements and which interruption or delay is caused through no fault of the County, then the County shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.

Payment of the Developer Contributions outlined herein shall be the only requirement of this Development Order to be met by Developer to mitigate the regional transportation impacts of the project in order for the Developer to obtain Certificates of Occupancy for the corresponding amount of development identified in the above table. In no event shall the Developer be limited in obtaining Certificates of Occupancy due to the County's delay in construction of the network link or links identified herein.

Nothing contained in this condition or order shall be construed to prohibit the Developer from paying in advance any or all of the Contributions provided for herein and receiving authorization for a corresponding amount of development.

For any and all such Contributions, the Developer shall be entitled to credit against the transportation and right-of-way impact fees in accordance with the provisions of the applicable Hillsborough County impact fee ordinance as they may be amended from time to time due at any time for the residential development within the Pods.

Further, the Developer of the retail portion of pod BL-5 shall pay a Developer Contribution of $50,000 to the County to be used by the County to implement one of the network road improvement alternatives listed above.

The Developer of the retail portion of the BL-5 pod shall pay the $50,000 Developer Contribution on or before January 1, 1995; if by that date the

Developer has paid at least $50,000 in transportation and right-of-way impact fees for the retail portion of BL-5, he shall be deemed to have fulfilled the requirements of this condition.

In the event the Developer of the retail portion of BL-5 fails to pay the Developer Contribution or pay at least an equal amount in impact fees by the January 1, 1995 payment date, he shall not be permitted any further retail building permits on BL-5 until such time as the Developer makes such $50,000 payment or prepares for review and approval by appropriate DCA and County authorities, a 380.06 traffic/transporta-tion analysis (as further stipulated by the review criteria established in the Bloomingdale Development Order 74-10) which proposes alternative means to mitigate the regional transportation impacts of the project and/or to show the adequacy of the transportation facilities to accommodate project traffic.

The Developer of the retail portion of BL-5 shall be entitled to credit against the transportation and right-of-way impact fees in accordance with the provisions of the applicable Hillsborough Court impact fee ordinance as they may be amended from time to time for the $50,000 Developer Contribution paid to the County. In no event shall the Developer of the retail portion of BL-5 be limited in obtaining Certificates of Occupancy due to the County's delay in construction of the network link or links identified herein if the Developer has met the Developer Contribution/impact fee payment provisions of this condition.

The development in other pods of the Bloomingdale Master Plan are not restricted by this traffic mitigation condition."

D. Section 6 of the Development Order is hereby amended to add a new section 6.f. to read as follows:

"Prior to January 22, 2005 the County may not subject proposed changes to the DRI to reductions in intensity or unit density permitted by this Order unless the County can demonstrate that substantial changes in condition underlying the approval of this development order have occurred or the development order was based upon

substantially inaccurate information provided by the developer or that the change is clearly established to be essential to the public health, safety, or welfare."

E. Section 6.a. of the Development Order which incorporates the Application for Development Approval is hereby amended to extend the buildout date for the consolidated Phase III development described in Table 32-1 as amended. The termination date for this development order approving the consolidated Phase III is January 22, 2005.

F. Development within the Bloomingdale DRI shall be in compliance with the General Development Plan shown in Exhibit "C".

W-LU/30555/009/DRI41.CLN
01/12/94

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its REGULAR meeting of JANUARY 11, 1994, as the same appears of record in Minute Book 212 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 20th day of January, 19 94.

ATTEST:

RICHARD AKE, CLERK OF CIRCUIT COURT

By: _____
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

Approved as to Form and
Legal Sufficiency

_____
Assistant County Attorney

BLOOMINGDALE, SECTION "A-A"

DESCRIPTION: A parcel of land lying in the South 1/4 of Section 7, and in the North 1/2 of Section 18, Township 30 South, Range 21 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

From the Northwest corner of Section 18, run thence S.00°03'55"W., 1456.81 feet along the West boundary of said North 1/2 of Section 18; thence N.80°22'08"E., 50.72 feet to the Point of Beginning; thence continuing N.80°22'08"E., 455.20 feet; thence N.70°00'00"E., 966.00 feet; thence N.06°14'00"W., 394.00 feet; thence N.07°21'00"E., 377.00 feet; thence N.23°28'43"W., 448.28 feet; thence S.89°49'18"E., 1424.16 feet; thence along a line 40 feet West of and parallel with the East boundary of the Northwest 1/4 of said Section 18, S.00°10'42"W., 114.63 feet to a point of curvature; thence Southerly, 109.33 feet along the arc of a curve to the left, having a radius of 2535.00 feet and a central angle of 02°28' 16" (chord bearing S.01°03'26"E., 109.33 feet) to a point of reverse curvature; thence Southerly, 110.30 feet along the arc of a curve to the right, having a radius of 2465.00 feet and a central angle of 02°33'50" (chord bearing S.01°00'39"E., 110.29 feet) to a point of tangency; thence S.00°16'16"W., 342.79 feet; thence S.89°39'58"W., 390.00 feet; thence S.00°16'16"W., 600.00 feet; thence N.89°39'58"E., 390.00 feet; thence along a line 35 feet West of and parallel with said East boundary of the Northwest 1/4, S.00°16'16"W., 820.18 feet to a point of curvature; thence Southwesterly, 54.98 feet along the arc of a curve to the right, having a radius of 35.00 feet and a central angle of 90°00' 00" (chord bearing S.45°16'16"W., 49.50 feet) to a point of tangency; thence N.89°43' 44"W., 80.00 feet to a point of curvature; thence Northwesterly, 669.82 feet along the arc of a curve to the right, having a radius of 1370.00 feet and a central angle of 28°00'47" (chord bearing N.75°43' 21"W., 663.17 feet) to a point of reverse curvature; thence Northwesterly, 627.23 feet along the arc of a curve to the left, having a radius of 1030.00 feet and a central angle of 34°53'28" (chord bearing N.79°09'41"W., 617.59 feet) to a point of compound curvature; thence Southwesterly, 732.61 feet along the arc of a curve to the left, having a radius of 2030.00 feet and central angle of 20°40'40" (chord bearing S.73°03'15"W., 728.64 feet) to a point of reverse curvature; thence Southwesterly, 545.21 feet along the arc of a curve to the right, having a radius of 970.00 feet and a central angle of 32°12'15" (chord bearing S.78°49'03"W., 538.06 feet) to a point of compound curvature; thence Northwesterly, 14.26 feet along the arc of a curve to the right, having a radius of 1430.00 feet and a central angle of 00°34'16" (chord bearing N.85°21'58"W., 14.25 feet); thence N.00°03'55"E., 588.66 feet to the Point of Beginning.

BLOOMINGDALE, SECTION C-C

DESCRIPTION: A parcel of land lying in the Northwest 1/4 and in the South 1/2 of Section 18, Township 30 South, Range 21 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

From the Southeast corner of the Northwest 1/4 of said Section 18, run thence N.89°51'31"W., 35.00 feet along the South boundary of the Northwest 1/4 of said Section 18 to the Point of Beginning; thence S.00°16'16"W., 249.92 feet to a point of curvature; thence Southeasterly, 1125.62 feet along the arc of a curve to the left, having a radius of 1235.00 feet and a central angle of 52°13'16" (chord bearing S.25°50'22"E., 1087.06 feet) to a point of reverse curvature; thence continue Southeasterly, 1061.82 feet along the arc of a curve to the right, having a radius of 1165.00 feet and a central angle of 52°13'16" (chord bearing S.25°50'22"E., 1025.45 feet) to a point of tangency; thence S.00°16'16"W., 488.40 feet; thence along the South boundary of the West 3/4 of the Southeast 1/4 of said Section 18 N.88°59'46"W., 902.45 feet to the Southeast corner of the Southwest 1/4 of said Section 18; thence along the South boundary of said Southwest 1/4; S.89°40'19"W., 258.48 feet to a point on the top of bank of the Alafia River; thence Northwesterly, 150.00 feet along said top of bank; thence North, 722.07 feet; thence N.65°19'31"W., 581.48 feet; thence N.00°19'00"W., 1461.29 feet; thence N.34°42'30"W., 662.85 feet; thence N.05°03'47"E., 444.86 feet to a point on a curve; thence Southeasterly, 493.38 feet along the arc of a curve to the right, having a radius of 970.00 feet and a central angle of 29°08'34" (chord bearing S.76°17'14"E., 488.08 feet) to a point of reverse curvature; thence continue Southeasterly, 699.15 feet along the arc of a curve to the left, having a radius of 1430.00 feet and a central angle of 28°00'47" (chord bearing S.75°43'21"E., 692.21 feet) to a point of tangency; thence S.89°43'44"E., 80.00 feet to a point of curvature; thence Southeasterly, 54.98 feet along the arc of a curve to the right, having a radius of 35.00 feet and a central angle of 90°00'00" (chord bearing S.44°43'44"E., 49.50 feet) to a point of tangency; thence S.00°16'16"W., 525.08 feet along the a line 35.00 feet West of and parallel with the West boundary of the Northeast 1/4 of said Section 18 to the Point of Beginning.

LESS existing right-of-way for Culbreath Road.

BLOOMINGDALE, SECTION C-C

DESCRIPTION: A parcel of land lying in the North 1/2 of Section 13, Township 30 South, Range 20 East, and the North 1/2 of Section 18, Township 30 South, Range 21 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

From the Northeast corner of said Section 13, Township 30 South, Range 20 East, run thence S.00°03'55"W., 1456.81 feet along the East boundary of said Section 13 to the Point of Beginning; thence N.80°22'08"E., 50.72 feet; thence S.00°03'55"W., 588.66 feet to a point on a curve; thence Southwesterly, 575.11 feet along the arc of a curve to the left having a radius of 1430.00 feet and a central angle of 23°02'35" (chord bearing S. 82°49'36"W., 571.25 feet) to a point of reverse curvature; thence Northwesterly, 532.98 feet along the arc of a curve to the right having a radius of 570.00 feet and a central angle of 53°34'29" (chord bearing N. 81°54'27"W., 513.77 feet) to a point of tangency; thence N.55°07'13"W., 778.31 feet; thence N.49°46'42"W., 128.89 feet; thence N.55°07'13"W., 522.27 feet to a point of curvature; thence Northwesterly, 106.18 feet along the arc of a curve to the left having a radius of 542.00 feet and a central angle of 11°13'27" (chord bearing N.60°43'56"W., 106.01 feet); thence N. 23°39'20"E., 62.12 feet; thence N.55°48'00"E., 627.57 feet; thence S.44° 35'28"E., 739.77 feet; thence S.64°29'00"E., 180.00 feet; thence S.82°42' 26"E., 643.07 feet; thence S.86°29'44"E., 410.44 feet; thence N.80°22'08"E., 10.76 feet to the Point of Beginning.

BLOOMINGDALE, SECTION D-D

DESCRIPTION: A parcel of land lying in the West 3/4 of the Southeast 1/4 of Section 18, Township 30 South, Range 21 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

From the Southeast corner of said Section 18, run thence N.89°59'40"W., 662.28 feet along the South boundary of said Section 18 to the Point of Beginning; thence N.88°59'40"W., 1015.00 feet; thence N.00°16'16"E., 489.33 feet to a point of curvature; thence Northwesterly, 1125.62 feet along the arc of a curve to the left, having a radius of 1235.00 feet and a central angle of 52°13'16" (chord bearing N.25°50'22"W., 1087.06 feet) to a point of reverse curvature; thence continue Northwesterly, 1061.82 feet along the arc of a curve to the right, having a radius of 1165.00 feet and a central angle of 52°13'16" (chord bearing N.25°50'22"W., 1025.45 feet) to a point of tangency; thence N.00°16'16"E., 250.00 feet to a point on the North boundary of the West 3/4 of the Southeast 1/4 of said Section 18; thence S.89°51'39"E., 1941.21 feet along said North boundary of the West 3/4 of the Southeast 1/4 of Section 18; thence S.00°11'43"W., 2653.73 feet to the Point of Beginning.

BLOOMINGDALE SECTION "L-L"

DESCRIPTION: A parcel of land lying in the Southeast 1/4 of Section 7, Township 30 South, Range 21 East, Hillsborough County, Florida and being more particularly described as follows:

From the Southwest corner of the Southeast 1/4 of Section 7, Township 30 South, Range 21 East, run thence N.00°10'42"E., 1251.75 feet along the West boundary of the Southeast 1/4 of said Section 7, to a point on a curve being the Point of Beginning; thence Northwesterly 36.55 feet along the arc of a curve to the right, having a radius of 35.00 feet and a central angle of 59°40'45" (chord bearing N.46°59'39"W., 34.91 feet) to a point of reverse curvature; thence Northwesterly 544.34 feet along the arc of a curve to the left, having a radius of 1235.00 feet and a central angle of 25°15'14" (chord bearing N.29°42'23"W., 539.95 feet); thence N.47°40'00"E., 200.00 feet; thence East 406.50 feet, thence N. 64°12'00"E., 1153.24 feet; thence S.04°54'00"E., 529.02 feet to a point of curvature; thence Southwesterly 925.96 feet along the arc of a curve to the right, having a radius of 558.00 feet and a central angle of 95°04'42" (chord bearing S.42°38'21"W., 823.32 feet) to a point of tangency; thence N.89°49'18"W., 779.21 feet to a point of curvature; thence Westerly 7.89 feet along the arc of a curve to the right, having a radius of 35.00 feet and a central angle of 12°54'47" (chord bearing N.83°21'54"W., 7.87 feet) to the Point of Beginning.

Less that certain portion of caption land known as "Lift Station Site" conveyed to the County of Hillsborough in Official Records Book 4741, page 559 of the Public Records of Hillsborough County, Florida being more particularly described as follows:

DESCRIPTION: A parcel of land lying in Section 7, Township 30 South, Range 21 East, Hillsborough County, Florida, said parcel being more particularly as follows:

From the Southwest corner of the Southeast 1/4 of said Section 7, run thence N.00°10'42" E., 1,141.86 feet along the West boundary of said Southeast 1/4; thence leaving said West boundary S. 89°49'18" E., 30.00 feet: thence N. 22°24'53" W., 144.72 feet to a point on a curve; thence Southeasterly 44.44 feet along the arc of a curve to the left, having a radius of 35.00 feet and a central angle of 72°44'32" (chord bearing S. 53°27'02" E., 41.51 feet) to a point of tangency; thence S. 89°49'18" E., 779.21 feet to a point of curvature; thence Northeasterly 925.96 feet along the arc of a curve to the left, having a radius of 558.00 feet and a central angle of 95°04'42" (chord bearing N. 42°38'21" E., 823.32 feet to a point of tangency; thence N. 04°54'00" W., 226.85 feet to the Point of Beginning; thence S. 85°06'00" W., 30.00 feet; thence N. 04°54'00" W., 30.00 feet; thence N. 85°06'00" E., 30.00 feet; thence S. 04°54'00" E., 30.00 feet to the Point of Beginning.

and Less existing publicly dedicated right of way for Culbreath Road.

BLOOMINGDALE - SECTION "H-H"

DESCRIPTION: A parcel of land lying in the Northeast 1/4 of the Northwest 1/4 of Section 7, Township 30 South, Range 21 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

From the Northwest corner of said Northeast 1/4 of the Northwest 1/4 of Section 7, run thence S.00°00'01"E., 30.00 feet along the West boundary of said Northeast 1/4 of the Northwest 1/4 of Section 7 to the Point of Beginning; thence N.89°52'27"E., 465.69 feet along a line 30.00 feet South of and parallel with the North boundary of said Northeast 1/4 of the Northwest 1/4 of Section 7, to a point of curvature; thence Southeasterly, 54.98 feet along the arc of a curve to the right, having a radius of 35.00 feet and a central angle of 90°00'00" (chord bearing S.45°07'33"E., 49.50 feet) to a point of tangency; thence S.00°07'33"E., 74.15 feet to a point of curvature; thence Southeasterly, 174.93 feet along the arc of a curve to the left, having a radius of 1000.00 feet and a central angle of 10°01'22" (chord bearing S.05°08'08"E., 174.71 feet) to a point of reverse curvature; thence continue Southeasterly, 174.90 feet along the arc of a curve to the right, having a radius of 1000.00 feet and a central angle of 10°01'15" (chord bearing S.05°08'11"E., 174.68 feet) to a point of tangency; thence S.00°07'33"E., 611.25 feet to a point of curvature; thence Southwesterly, 227.28 feet along the arc of a curve to the right, having a radius of 715.00 feet and a central angle of 18°12'46" (chord bearing S.08°58'50"W., 226.32 feet); thence S.89°45'35"W., 498.22 feet to a point on the aforesaid West boundary of the Northeast 1/4 of the Northwest 1/4 of Section 7; thence along said West boundary, N.00°00'01"W., 1292.92 feet to the Point of Beginning.

BLOOMINGDALE, SECTION E-E

DESCRIPTION: A parcel of land lying in the Northwest 1/4 of Section 13, Township 30 South, Range 20 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

From the Southeast corner of said Northwest 1/4 of Section 13, run thence S.89°49'59"W., 1174.50 feet along the South boundary of said Northwest 1/4 of Section 13 to the Point of Beginning; thence continuing along said South boundary, S.89°49'59"W., 936.22 feet; thence North, 1462.61 feet to a point on a curve; thence Northeasterly, 521.44 feet along the arc of a curve to the left, having a radius of 1242.00 feet and a central angle of 24°03'18" (chord bearing N.66°40'15"E., 517.62 feet) to a point of tangency; thence N.54°38'37"E., 250.83 feet to a point of curvature; thence Southeasterly, 53.68 feet along the arc of a curve to the right, having a radius of 35.00 feet and a central angle of 87°52'31" (chord bearing S.81°25'08"E., 48.57 feet) to a point of reverse curvature; thence Southeasterly, 144.75 feet along the arc of a curve to the left, having a radius of 2042.00 feet and a central angle of 04°03'42" (chord bearing S.39°30'43"E., 144.72 feet) to a point of compound curvature; thence Southeasterly, 377.72 feet along the arc of a curve to the left, having a radius of 1042.00 feet and a central angle of 20°46'09" (chord bearing S.51°55'39"E., 375.65 feet); thence S.20°14'38"W., 318.42 feet; thence S.16°41'59"W., 153.62 feet; thence S.07°57'17"W., 153.62 feet; thence S.05°28'39"W., 76.79 feet; thence S.00°15'01"E., 783.64 feet to the Point of Beginning.

BLOOMINGDALE, SECTION N-N

DESCRIPTION: A parcel of land lying in the South 1/2 of Section 12 and in the North 1/2 of Section 13, Township 30 South, Range 20 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

From the Southeast corner of the Southwest 1/4 of said Section 12, run thence S.89°56'50"W., 687.18 feet along the South boundary of said Section 12 to the Point of Beginning; thence N.44°56'50"E., 56.13 feet; thence S.33°00'00"E., 295.00 feet; thence S.60°05'20"E., 643.04 feet; thence S.36°54'00"E., 400.00 feet; thence S.09°25'10"W., 271.33 feet to a point on a curve, said point being on the Northerly right-of-way line of Nature's Way Boulevard as described in Official Record Book 4301, Page 764, Public Records of Hillsborough County, Florida; thence along said right-of-way line the following four (4) courses: 1) Westerly, 250.71 feet along the arc of a curve to the left, having a radius of 542.00 feet and a central angle of 26°30'10" (chord bearing S.86°11'05"W., 248.48 feet) to a point of tangency; 2) S.72°56'00"W., 237.90 feet to a point of curvature; 3) Northwesterly, 1095.58 feet along the arc of a curve to the right, having a radius of 958.00 feet and a central angle of 65°31'25" (chord bearing N.74°18'17"W., 1036.34 feet) to a point of compound curvature; 4) Northwesterly, 824.07 feet along the arc of a curve to the right, having a radius of 1950.00 feet and a central angle of 12°24'33" (chord bearing N.35°20'17"W., 823.24 feet); thence N.64°49'12"E., 173.49 feet; thence S.66°52'26"E., 73.50 feet; thence S.87°20'47"E., 107.05 feet; thence N.65°02'31"E., 136.53 feet; thence N.00°00'04"W., 261.95 feet; thence N.39°53'56"E., 93.11 feet; thence N.44°56'50"E., 306.50 feet to the Point of Beginning.

BLOOMINGDALE

PARCEL "BL-28"

DESCRIPTION: A parcel of land lying in the East 1/2 of Section 7, Township 30 South, Range 21 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

From the Southeast corner of the Southeast 1/4 of said Section 7, run thence N.00°01'11"E., 2042.53 feet along the East boundary of the Southeast 1/4 of said Section 7 to the POINT OF BEGINNING; thence S.89°41'25"W., 1208.28 feet to a point on the proposed Easterly right-of-way line of Erindale Drive; thence along said proposed Easterly right-of-way line the following two (2) courses: 1) N.04°54'00"W., 437.71 feet to a point of curvature; 2) Northeasterly 592.25 feet along the arc of a curve to the right having a radius of 708.00 feet and a central angle of 47°55'43" (chord bearing N.19°03'52"E., 575.13 feet); thence S.46°58'17"E., 604.11 feet; thence N.42°55'51"E., 506.02 feet to a point on the Southwesterly right-of-way line of Lithia Road (State Road No. 640); thence along said Southwesterly right-of-way line S.47°04'10"E., 373.42 feet to a point on the East boundary of the Northeast 1/4 of the aforesaid Section 7; thence along said East boundary of the Northeast 1/4 S.01°26'27"W., 66.06 feet to the Northeast corner of the aforesaid Southeast 1/4 of Section 7; thence along the aforesaid East boundary of the Southeast 1/4 S.00°01'11"W., 611.05 feet to the POINT OF BEGINNING.

Exhibit "A" of Exhibit "A"	=	74-10 - original Development Order
B	=	82-77 - 1st amendment
C	=	R85-0219 - 2cd amendment
D	=	Original Site Plan
E	=	Draft 3rd amendment

These documents were placed in the NOPC file.

CTIC File No. 92-0712

EXHIBIT "A"

Parcel 8

BLOOMINGDALE, SECTION BL-5

DESCRIPTION: A parcel of land lying in the Northwest 1/4 of Section 12, Township 30 South, Range 20 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

From the Northwest corner of said Section 12, run thence N.89°56'15"E., 29.97 feet along the North boundary of said Section 12; thence leaving said North boundary, S.00°03'45"E., 30.00 feet to the intersection of the South right-of-way line of Bloomingdale Avenue and the East right-of-way line of Bell Shoals Road, said point being the Point of Beginning; thence along said South right-of-way line of Bloomingdale Avenue, lying 30.00 feet South of and parallel with the aforesaid North boundary of Section 12, N.89°56'15"E., 1464.57 feet; thence leaving said South right-of-way line, S.31°40'12"W., 1025.24 feet to a point on a curve, said point being on the Northerly right-of-way line of Starwood Avenue; thence along said Northerly right-of-way line the following five (5) courses: (1) Southeasterly, 237.36 feet along the arc of a curve to the left, having a radius of 320.00 feet and a central angle of 42°30'00" (chord bearing S. 61°15'00"E., 231.96 feet) to a point of tangency; (2) S.82°30'00"E., 252.20 feet to a point of curvature; (3) Easterly, 163.07 feet along the arc of a curve to the left, having a radius of 270.00 feet and a central angle of 34°36'13" (chord bearing N.80°11'53"E., 160.60 feet) to a point of reverse curvature; (4) Easterly, 244.88 feet along the arc of a curve to the right, having a radius of 330.00 feet and a central angle of 42°31' 01" (chord bearing N.84°09'17"E., 239.30 feet) to a point of reverse curvature; (5) Northeasterly, 39.59 feet along the arc of a curve to the left, having a radius of 25.00 feet and a central angle of 90°43'40" (chord bearing N.60°02'57"E., 35.58 feet) to a point on a curve, said point being on the Westerly right-of-way line of Springvale Drive; thence along said Westerly right-of-way line, the following three (3) courses: (1) Southerly, 127.79 feet along the arc of a curve to the right, having a radius of 970.00 feet and a central angle of 07°32'55" (chord bearing S. 18°27'35"W., 127.70 feet) to a point of reverse curvature; (2) Southerly, 399.72 feet along the arc of a curve to the left, having a radius of 1030.00 feet and a central angle of 22°14'06" (chord bearing S.11°06'59" W., 397.21 feet) to a point of tangency; (3) S.00°00'04"E., 290.69 feet; thence leaving the aforesaid Westerly right-of-way line of Springvale Drive, N.83°58'25"W., 275.86 feet; thence N.84°01'04"W., 413.39 feet; thence S.74°05'06"W., 103.84 feet; thence N.40°23'21"W., 135.14 feet; thence S.89°59'56"W., 226.76 feet; thence N.00°00'04"W., 905.12 feet to a point on the Southerly right-of-way line of the aforesaid Starwood Avenue; thence along said Southerly right-of-way line, S.80°00'00"W., 599.23 feet to a point on the aforesaid East right-of-way line of Bell Shoals Road; thence along said East right-of-way line, lying 30.00 feet East of and parallel with the West boundary of the Northwest 1/4 of the aforesaid Section 12, N.00°00'04"W., 800.00 feet to the Point of Beginning.

FORM RPM-BSP-PROPCHANGE-1
EFFECTIVE DATE 11/29/90

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF STATE PLANNING
2740 Centerview Drive
Tallahassee, Florida 32399
904/488-4925

NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT (DRI) SUBSECTION 380.06(19), FLORIDA STATUTES

Subsection 380.06(19), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state planning agency according to this form.

1. I, Ronald L. Weaver, the undersigned owner/authorized representative of Metropolitan Life Insurance (developer) Company, hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the

Bloomingdale DRI
(original & current project names)

development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to

Hillsborough County,
(local government)

to the Tampa Bay Regional Planning Council, and to the Bureau of State Planning, Department of Community Affairs.

8/25/93
(Date)

(Signature)

EXHIBIT "A"

EXHIBIT B

A F F I D A V I T

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgements, personally appeared RONALD L. WEAVER, as representative for METROPOLITAN LIFE INSURANCE COMPANY, the applicant for the Bloomingdale DRI Notice of Proposed Change No. 3, to me well known, who being by me first duly sworn, says upon oath as stated below:

1. METROPOLITAN LIFE INSURANCE COMPANY filed its Notice of Proposed Change No. 3 for the Bloomingdale DRI on August 26, 1993.

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

RONALD L. WEAVER, ESQUIRE
Representative for
METROPOLITAN LIFE INSURANCE
COMPANY

SWORN TO and subscribed before me this 11th day of January, 1994.

NOTARY PUBLIC
My Commission Expires:

I:\W-LU\30555\009\AFFIDAVI|1\10\94

NOTARY PUBLIC STATE OF FLORIDA

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

2. Applicant (name, address, phone).

Metropolitan Life Insurance Company
c/o Ann Thompson
4010 Boy Scout Boulevard
Suite 200
Tampa, Florida 33607
(813) 872-3807

3. Authorized Agent (name, address, phone).

Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
c/o Ronald L. Weaver and David M. Smith
401 E. Jackson Street, Suite 2200
Tampa, Florida 33601
(813) 223-4800

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

Tampa, Hillsborough, 30-20-12, 30-21-7, 30-21-18, 30-20-13, 30-20-11, 30-20-14

5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.

The Bloomingdale DRI as amended is approved as a 2,423 acre mixed use development with 6,853 dwelling units, 390,000 sq.ft. of office and 645,000 sq.ft. of retail uses. Also approved are accessory, municipal and recreational uses. Approximately 3,375 dwelling units have been built to date with an additional 568 dwelling units platted and/or approved in developed pods leaving 2910 units remaining to be developed. The NOPC as proposed would reduce the number of remaining undeveloped dwelling units to 1,676 of which 536 would be multi-family units or condominiums. The applicant proposes to develop 1,250 of those units over the next twelve years (1110 single family homes and 150 multi-family), with 426 units (40 single family and 386 multi-family/condo) to be

developed by others. The proposal anticipates, the conversion of the 18 acre BL-28 parcel from municipal commercial to residential use. Additionally, the 310,000 sq.ft. of office uses currently planned in phase IV are proposed to be deleted and 250,000 sq.ft. GLA of retail uses planned in phase V included in the proposed consolidated phase.

172,000 sq.ft. GLA of the authorized retail uses are proposed to be located on tract BL-5 on the Southeast corner of Bloomingdale and Bell Shoals. The parcel is currently designated for 35 acres of professional office park on the 1985 general development plan. The proposal would utilize approximately 20 acres MOL of the parcel for retail uses with the remaining 15 acres MOL used for 150 apartment units. The conversion of the 35 acre MOL professional office park, shown on the 1985 general development plan, to retail and multi-family uses will not increase the amount of commercial traffic utilizing the Bloomingdale-Bell Shoals intersection and affected road links beyond that which was originally approved in the 1975 Development Order and subsequent amendments, since the 1975 original development plan anticipated that all of the developments community-commercial development would occur at this intersection in addition to the office development occurring on BL-5. Subsequent zoning revisions to the site plan have utilized approximately 25 acres of the community-commercial property for apartment use and clarified the BL-10 parcel as community commercial not transportation commercial. The conversion therefore, of the BL-5 tract to retail and apartment use would result in less commercial acreage being designated at the Bloomingdale and Bell Shoals intersection than planned in 1975. The proposed change would also reduce the number of pm peak hour trips from those currently approved.

The original development order and related application for development approval designated 178 acres of the project for commercial development, with the 1975 general site development plan delineating approximately 90 acres for retail and 50 acres for professional office uses. Current zoning general site development plans have further refined the areas of retail use to 66 acres with 35 acres designated for professional-commercial (office). The proposal, therefore, to change the 35 acres of professional commercial use to 20 acres

of retail and 15 acres of residential uses would not result in additional lands being designated for retail use than was originally approved or anticipated in the original development order.

The developer proposes the addition of 8,000 sq.ft. GLA of retail an increase which when considered together with the simultaneous increase and decreases of other approved uses will not create a substantial deviation within the provisions of Chapter 380.06, Florida Statutes. When reviewed together the reductions in office use, residential units and municipal commercial acreage offset the impacts of additional retail sq.ft. and the phase consolidation and time extension requested.

The developer proposes to consolidate the reduced development plan into a single phase with a build-out of January 1, 2000 which is within the current projected development build-out date for the project. The impacts of the consolidated and reduced development plan are proposed to not exceed the currently approved p.m. peak hour impacts of the currently reviewed and approved development.

6. Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change.

   See Substantial Deviation Determination Chart

7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e, any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

   Original DRI (Exhibit "A")

   - Resolution Adopted January 23, 1975 for DRI 74-10

   First Amendment (Non-substantial Deviation)(Exhibit "B")

   - Resolution Adopted December 22, 1982 amending the DRI 74-10 Development Order
   - Added 465 acres to Development

- No additional Dwelling Units or Square Footage Added

Second Amendment (Non-substantial Deviation) (Exhibit "C")

- Resolution R85-0219 adopted May 24, 1985 amending the DRI 74-10 Development Order
- Permitted the swapping of development of office approved in Phase III for development of retail approved in Phase IV
- Provided new conditions to mitigate the impact of the swap

The site continues under the jurisdiction of Hillsborough County.

8. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within 1/2 mile on a project master site plan or other map.

No land has been optioned or purchased within 1/4 mile of the original site other than the 465 acres included in the 1982 amendment to the Development Order and found not to be a substantial deviation.

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

Yes, the project is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

Do you believe this notification of changes proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.	
YES _____	NO ___✓___

10. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.

Yes, the NOPC proposes extension of the build-out date for the consolidated Phase to January 1, 2000.

11. Will the proposed change require an amendment to the local government comprehensive plan?

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06(15), F.S., and 9J-2.025, Florida Administrative Code.

No amendment to the local government comprehensive plan is required.

12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

See Exhibit "D" for the updated master site plan

13. Pursuant to Subsection 380.06(19)(f), F..S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:

a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas of preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;

See Exhibit "E" for the proposed Amended Development Order

b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;

No land has been added or deleted from the proposed plan of development other than the 465 acres added by amendment in 1982.

c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;

No commencement date is proposed to be added to the Development Order.

d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;

The termination date of the Development Order is proposed to be extended from January 22, 2000 to January 22, 2005 an extension of 5 years beyond the proposed buildout date. See Exhibit "E" for the proposed Amended Development Order.

e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and

January 22, 2005 is proposed as the date until which the local government agrees to not subject changes to the DRI to downzoning. See Exhibit "E" for the proposed Amended Development Order.

f. Proposed amended development order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 97-2.025(7), F.A.C.

No change to the development order is proposed concerning annual reporting requirements.

W-LU/30555/007/NOPC.3
08/25/93

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Attraction/ Recreation	# Parking Spaces			
	# Spectators			
	# Seats			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			
Airports	Runway (length)			
	Runway (strength)			
	Terminal (gross square feet)			
	# Parking Spaces			
	# Gates			
	Apron Area (gross square feet)			
	Site locational changes			
	Airport Acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			
Hospitals	# Beds			
	# Parking Spaces			
	Building (gross square feet)			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Industrial	Acreage, including drainage, ROW, easements, etc.			
	# Parking Spaces			
	Building (gross square feet)			
	# Employees			
	Chemical storage (barrels and lbs.)			
	Site locational changes			
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			
Mining Operations	Acreage mined (year)			
	Water Withdrawal (Gal/day)			
	Size of Mine (acres), including drainage, ROW, easements, etc.			
	Site locational changes			
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			
Office	Acreage, including drainage, ROW, easements, etc.	-0-	35 acres	
	Building (gross square feet)	-0-	310,000 (Phase IV)	
	# Parking Spaces			
	# Employees			
	Site locational changes	(Deletion of Site)		
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Petroleum/Chem. Storage	Storage Capacity (barrels and/or lbs.)			
	Distance to Navigable Waters (feet)			
	Site locational changes			
	Facility Acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			
Ports (Marinas)	# boats, wet storage			
	# boats, dry storage			
	Dredge and fill (cu.yds.)			
	Petroleum storage (gals.)			
	Site locational changes			
	Port Acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			
Residential	# dwelling units	5,619	6,853	
	Type of dwelling units			
	# lots			
	Acreage, including drainage, ROW, easements, etc.	33 more acres		
	Site locational changes	Two New Pods		
	# External Vehicle Trips			
	D.O. conditions			

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Wholesale, Retail, Service	Acreage, including drainage, ROW, easements, etc.	33 less acres		
	Floor Space (gross square feet)	653,000*	645,000*	
	# Parking Spaces			
	# Employees			
	Site locational changes	Deletes two sites which becomes residential changes one site previously office to retail.		
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			
Hotel/Motel	# Rental Units			
	Floor Space (gross square feet)			
	# Parking Places			
	# Employees			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			
R.V. Park	Acreage, including drainage, ROW, easements, etc.			
	# Parking Spaces			
	Buildings (gross square feet)			
	# Employees			
	Site locational changes			
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			

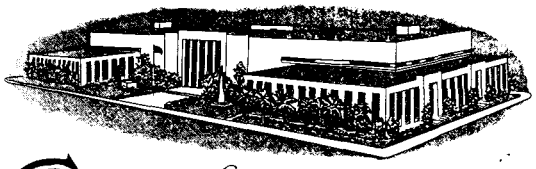
*Note: Original D.O. approved municipal commercial use acreage but did not specify s.f. GLA and therefore acreage reduction of municipal commercial would yield more s.f. GLA than increase

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Open Space (All natural and vegetated non-impervious surfaces)	Acreage Site locational changes Type of open space D.O. conditions ADA representations			
Preservation, Buffer or Special Protection Areas	Acreage Site locational changes Development of site proposed D.O. conditions ADA representations			

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

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



COUNTY of HILLSBOROUGH
Tampa, Florida 33601

MH
file

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

CERTIFIED MAIL -
RETURN RECEIPT REQUESTEI

IN RESPONSE REFER TO:

December 23, 1982

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

Re: Bloomingdale Development of Regional Impact/
Substantial Deviation Determination

Dear Mr. Ockunzzi:

Enclosed please find a certified copy of the resolution constituting the substantial deviation determination for the Bloomingdale Development of Regional Impact. Please note that the Board of County Commissioners of Hillsborough County found that the incorporation of the described acreage did not constitute a substantial deviation.

Accompanying the resolution, you will also find copies of Exhibits A - D. Exhibit E is a generalized site plan on file in the Hillsborough County Department of Development Coordination. Should you require copies of the described site plan, please contact Richard E. Davis, Assistant County Attorney, 813/272-5670.

Sincerely,

J. Ed Smith

J. Ed Smith
Chief Deputy Clerk

JES:RED:dm

Enclosures