

#73



SERVICES

- Civil Engineering
- Environmental Engineering
- Transportation Planning & Engineering
- Pavement Management
- Land Planning
- Ecological Services
- Surveying & Mapping
- Construction Management
- GIS Mapping
- Landscape Architecture
(FL #LC26000183)

OFFICE LOCATIONS

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- Jacksonville
- Miami
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- Tampa

TEXAS

- Austin
- Dallas

January 24, 2014

Mr. John Healey
 Hillsborough County
 Planning & Growth Management
 601 E. Kennedy Blvd
 20th Floor
 Tampa, FL 33602

Re: Summerfield DRI Density Calculations
 Lennar / US Home Properties

Dear John:

Pursuant to the adopted Development Order Condition III.K.18(d), we are hereby notifying you of US Homes / Lennar Homes' intent to convert a portion of the 76,000 square feet of Medical Office to single-family detached residential units. Our client will be filing the Summerfield Village 2, Tracts 1 & 2, Phase 2 Preliminary Plat that will identify 70 additional residential units, as well as an amended Plat adding an additional 2 units to Summerfield Village 2, Tracts 1 & 2, Phase 1, for a total of 72 single family units as calculated below. Per the Development Order Condition III.K.18(c), the information outlined below will appear on the Preliminary Plat as required, as well as a table providing cumulative totals of medical office tradeoffs to date. This is the first trade off of medical office utilized to date.

- 72 SFD units proposed at 3.57 SF units per 1,000 sq. ft = 20,168 square feet
- 76,000 sq. ft. Medical Office – 20,168 sq. ft. = 55,832 square feet remaining Medical Office

Please review the proposed tradeoff and the attached revised DRI land use schedule from Section III.M of the Development Order and let us know if you have any questions or require any additional information.

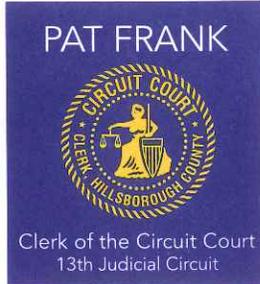
Sincerely,

Scott Sheridan, RLA
 Sr. Vice President

- cc: **John Meyer, Tampa Bay Regional Planning Council**
 Brenda Winningham, Florida Dept. of Economic Opportunity
 Mike Southward, Lennar Homes, LLC
 Ben Gainer, Lennar Homes, LLC
 Morris Massey, Hill Ward Henderson
 Tuyen Tran, P.E., King
 File: 5163-213-000

4921 Memorial Highway
 One Memorial Center
 Suite 300
 Tampa, Florida 33634
 phone 813.880.8881
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 Pasco 727.846.0904

73



July 25, 2013

JOHN MEYER DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
4000 GATEWAY CENTER BLVD SUITE 100
PINELLAS PARK FL 33782

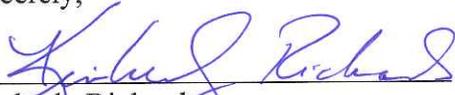
Re: Resolution No. R13-121 – Amending and Restating Development Order for
Summerfield Crossings fka Big Bend - DO Amendment 13-0590 (Lennar Homes)
(DRI #73)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which was adopted by the
Hillsborough County Board of County Commissioners on July 23, 2013.

We are providing this original for your files.

Sincerely,



Kimberly Richards,
Associate Director, BOCC Records/VAB

md
Certified Mail Receipt # 7003 3110 0004 4684 4339
Attachment

- cc: Board files (orig.)
- Morris C. Massey, Esq., Hill, Ward & Henderson, P.A. (orig. ltr.)
- Ray Eubanks, Florida Department of Economic Opportunity (orig. ltr.)
- Nancy Y. Takemori, Assistant County Attorney
- John Healey, Senior Planner, Development Services
- Christopher Weiss, Property Appraiser's Office
- Tom Fesler, Director, Business and Support Services
- Paige Ward, County Attorney's Office
- Nancy Milam, County Attorney's Office
- Sharon Sweet, BOCC Records

RESOLUTION NO. R13- 121

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
HILLSBOROUGH COUNTY, FLORIDA
AMENDING AND RESTATING DRI #73 DEVELOPMENT ORDER
FOR SUMMERFIELD CROSSINGS (F/K/A BIG BEND)

Upon motion of Commissioner Higginbotham, seconded by Commissioner Miller, the following Resolution was adopted this 23rd day of July, 2013, by a vote of 5 to 0.

WHEREAS, in accordance with Section 380.06, Florida Statutes, on January 26, 1982, the Board of County Commissioners ("BOCC") approved a Development Order, Resolution #81-21, for the Summerfield Crossings Development of Regional Impact (DRI) #73, f/k/a Big Bend DRI, (hereinafter, together with the below described amendments, referred to as the Development Order) pursuant to the provisions of Section 380.06, Florida Statutes, legally described in **Exhibit A** attached hereto; and

WHEREAS, on August 10, 1993, the BOCC adopted Resolution 93-0161, an amendment to the Development Order, which included, among other amendments, an extension of the development buildout by approximately eleven years; and

WHEREAS, on August 8, 2000, the BOCC adopted Resolution No. R-00-161, an amendment to the Development Order, which included, among other amendments, (i) an extension of the buildout date, (ii) an extension of the completion dates of Phases I, II, III and IV, (iii) changes to certain transportation conditions, (iv) changes to Map H, (v) provision of a land use conversion factor for commercial and residential uses, and (vi) other changes described therein; and

WHEREAS, on October 29, 2003, U.S. Home Corporation (U.S. Home), a developer in Summerfield Crossings, filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Pursuant to Subsection 380.06(19), F.S.", (hereinafter referred to as the NOPC); and

WHEREAS, on March 8, 2005 the BOCC adopted Resolution #05-059, an amendment to the Development Order which included, among other amendments, (i). Creation of a new, specifically approved, Phase IIIA consisting of 803 single-family units, (ii) Revision of transportation conditions including establishment of transportation conditions specific to Phase IIIA development, (iii) Removal of the requirement for a biennial transportation analysis, and (iv) Amendment of Map H to revise the Phasing Table and Notes to remove commercial entitlements from multi-use tracts 40 and 15; and

WHEREAS, on May 9, 2006, the BOCC adopted Resolution #06-095, denying an application for a notice of proposed change to the Development Order for the purpose of allowing townhome units on Tracts 1, 2 and 12 of the Commercial Core; and

WHEREAS, on December 19, 2012, Land Invest Holding, LLC, (Land Invest) an owner of Tracts 1, 2, and 12 of the Commercial Core in Summerfield Crossings, filed an application to amend the Development Order pursuant to Section 380.06(19)(e)2, Fla. Stats. ("Development Order Amendment No. 1"); and

WHEREAS, on February 12, 2013, the BOCC adopted Resolution No. R13-018 approving Development Order Amendment No. 1, which included, among other amendments, revisions to Map "H"

which blended the entitlements permitted on remaining tracts in the Commercial Core of the development; and

WHEREAS, on April 5, 2013, Waterleaf, LLC ("Waterleaf"), an owner of Tracts 1 through 8 of Village III in Summerfield Crossings, filed an application to amend the Development Order pursuant to Section 380.06(19)(e)2, Fla. Stats., ("Development Order Amendment No. 2"); and

WHEREAS, Development Order Amendment No. 2 proposed to amend Map H to reconfigure Tracts 1 through 8 of Village III in Summerfield Crossings, to eliminate the extension of Road "D" south of Big Bend Road, and to establish an alternative roadway through Tracts 1-8 of Village III, to eliminate two road crossings over Little Bullfrog Creek, and to permit an alternative entrance to Balm Riverview Road; and

WHEREAS, on May 29, 2013, U.S. Home and Lennar Homes also filed an application to amend the Development Order pursuant to Section 380.06(19)(e)2, Florida Statutes ("Development Order Amendment No. 3"); and

WHEREAS, Development Order No. 3 proposed to: (i) amend certain Development Order conditions affecting local roads, parks, and medical facilities, which do not have a regional impact; (ii) approve a land use equivalency matrix allowing the conversion of medical office development to single-family and townhome residential development; (iii) amend Map "H" removing the easternmost internal road depicted thereon linking Fairway Meadows Blvd. with "Road C" in Village I; and (iv) amend Map H by allowing single family residential or townhomes as alternative uses on Tract 19, Village III (collectively, the "Proposed Changes"); and

WHEREAS, on July 23, 2013, the BOCC adopted Resolution No. R13-120, approving the changes proposed by Development Order Amendment No. 2; and

WHEREAS, also on July 23, 2013, the BOCC held a public hearing on Development Order Amendment No. 3 and approved the Proposed Changes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR SESSION THIS 23rd DAY OF July, 2013, AS FOLLOWS:

I. Findings of Fact:

- A. US Home and Lennar Homes submitted to Hillsborough County ("County") a Development Order Amendment pursuant to Section 380.06(19)(e) 2 (referred to herein as "Development Order No. 3"), which requested approval of the following Proposed Changes: (i) amendment of certain Development Order conditions affecting local roads, parks and medical facilities, which do not have a regional impact; (ii) approve a land use equivalency matrix allowing the conversion of medical office development to single-family and townhome residential development; and (iii) amendment of Map "H" removing the easternmost internal road depicted thereon linking Fairway Meadows Blvd. with "Road C" in Village I; and (iv) amending Map H by allowing single family residential or townhomes as alternative uses on Tract 19, Village III.

- B. The BOCC, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to approve amendments to DRIs.
- C. The Proposed Changes approved herein result in no new or additional regional impacts requiring further DRI review.

II. Conclusions of Law:

- A. All statutory procedures have been adhered to and the impacts of the development authorized hereby are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.
- B. Resolutions #81-21, #93-0161, #00-161, #05-059, #06-095, #13-018 and #13-120 are incorporated herein by reference and are hereby reaffirmed in their entirety except as amended herein.
- C. Except as specifically set forth herein, nothing herein shall limit or modify (i) the rights originally approved by the Development Order, (ii) the protection afforded under Section 163.3167(8), Florida Statutes, or (iii) established setbacks and lot coverage requirements.
- D. The amendments adopted hereby are consistent with the State Comprehensive Plan, with the Comprehensive Plan of the County, and with applicable land development regulations, and does not unreasonably interfere with the achievement of the objectives of the State Land Development Plan applicable to the area.
- E. The Proposed Changes adopted hereby are found to be changes to the Development Order pursuant to Section 380.06 (19) (e)2, F. S., and no Notice of Proposed Change review is required.

Based on the above Findings of Fact and Conclusions of Law, the BOCC hereby amends and restates the Development Order in its entirety to read:

III. Conditions:

A. Environmental

1. The portion of the Sand Pine Scrub Community consisting of the seven (7) acres nearest the southern property line shall be preserved in its natural state. Construction in the remaining portion of the Sand Pine Scrub Community shall incorporate natural vegetation into landscaping where possible. Development in this remaining portion shall be subject to detailed site plan review and approval by the Environmental Protection Commission. The Sand Pine Scrub Community shall be identified on the revised general site plan.
2. All viable wetland areas shall be preserved in their natural state. The precise location of such areas shall be determined by the Environmental Protection Commission at the time of detailed site plan approval, consistent with the wetland

areas generally delineated on **Exhibit C** attached to Resolution #81-21 and made a part hereof by reference.

3. In order to minimize loss of property as a result of sinkholes, the primary lineament intersections shall be retained as major open space with minimal building construction, as referenced in the application. Final plans submitted for the regional mall will not be approved until in-depth subsurface testings are performed to determine the actual potential for sinkhole occurrence. No development will be approved within the lineament intersection boundaries until a direct investigation using gravity mapping, borings, or other engineering techniques acceptable to the County is done to confirm that the local limerock structure for the affected building area is capable of properly supporting the development proposed for this site.
4. A program of measures to reduce air pollution and erosion during the construction shall be implemented as referenced in the application.
5. If, at any time during the development period, the water quality monitoring program for Bullfrog Creek currently supplied by the United States Geological Survey and the Florida Department of Environmental Regulation is determined by the County to be insufficient to provide for the protection of the public health and safety, the Developer shall be responsible for establishing an adequate water quality monitoring program which shall be approved by the County.

B. Energy

State-of-the-Art Energy Conservation measures as deemed cost effective shall be incorporated into the residential portion of the development. The Developer shall also incorporate as part of the development plans for the commercial and office buildings of the development, energy management practices such as landscaping, energy conserving construction requirements, ridesharing, street lighting, operating practices and life cycle costing for construction and operation.

C. Drainage

1. Drainage shall be designed to maintain pre-development ground and surface water levels, so as to avoid any alteration of the integrity and viability of the preserved wetlands.
2. All drainage flood control structures shall be non-adjustable.
3. Any displacement of natural storage within the 25-year floodplain, which results from filling or the locating of detention ponds within the floodplain, or otherwise, shall be mitigated by the provision of equal storage capacity in other parts of the project previously or concurrently approved for development. The Developer shall delineate natural floodwater storage areas on preliminary plans for each subdivision unit or other discrete portion of the project and shall protect these areas from filling except as provided above.

4. The peak discharge from the large paved office and commercial sites adjacent to U.S. 301 must be determined by the more conservative of the following predevelopment conditions:
 - a. The time of concentration of the commercial sites themselves, or
 - b. The time of concentration of the most critical storm for Bullfrog Creek.
5. The Developer shall provide sufficient rights-of-way or easements for access to lakes, drainage control structures, and retention areas for equipment for mosquito and aquatic weed control activities conducted by appropriate government agencies. The area should be adequate to launch a boat for these purposes without the need for access through residential yards.
6. The Developer shall be responsible for maintenance of drainage features, located in portions of the drainage areas not dedicated to the County, in order to help control mosquitoes and aquatic weeds.
7. The drainage system constructed for the Big Bend Development shall incorporate components as conceptually proposed in the application, subject to approval by the County. The system shall be designed for maximum ground water recharge in areas having on-site irrigation wells.

D. Parks and Recreation Areas

On June 3, 1987, the County and the Developer entered into an Agreement Regarding Park Improvements for Summerfield, as amended on August 8, 2000 (collectively, the "Agreement"), relating to park requirements imposed for the development. The Agreement, as it may be amended from time to time, shall govern the park requirements for the development. Violation of the terms, conditions and requirements of the Agreement shall render the project out of compliance with the Development Order. However, future amendments to the Agreement may be entered into between the Developer and the County without necessitating an amendment to this Development Order.

E. Medical and/or Health Care Facility

As referenced in the original application, the Developer has reserved a ten-acre site (Tract 19, Village III on Revised Map H) for development of a medical and/or health care facility and offices. However, it is recognized that a medical/health care facility and associated offices are being developed on Tract 5 in the Commercial Core. Therefore, Tract 19, Village III on Revised Map H is hereby released from this reservation and the Medical square footage reserved for use thereon may be traded pursuant to Condition III.K.18.(c) as hereinafter provided.

F. Police Protection

1. The Developer will incorporate environmental security planning for crime reduction as an integral part of site planning and building construction. This

planning will be done in cooperation with the Hillsborough County Sheriff's Department's Crime Awareness Team, starting at the initial site planning stage. The plan will include adequate security hardware, consideration of street and building orientation, street lighting, special consideration for crime problem areas (i.e., regional mall, multi-family developments, and convenience stores) and crime prevention programs by the Hillsborough County Sheriff's Department.

2. At the commencement of each phase of the development, the Developer shall demonstrate that such emergency plans and police manpower and/or facilities as are necessary to provide adequate police protection for that phase have been or will be provided.

G. Community Services

As referenced in the application, the Developer shall reserve a five-acre site for general community service facilities to meet project needs as identified by the Developer and approved by the County. This site shall be dedicated to the County, upon the County's determination that the site is needed. The deed shall contain appropriate restrictions.

H. Fire Control

1. A site for construction of a fire station and EMS facility adequate to serve the needs of the entire project shall be reserved, and shall be dedicated to the County upon request, which site shall be located not more than 1/2 mile from the intersection of Big Bend Road and U.S. 301.
2. If the County at any time prior to January 1, 1985, indicates its willingness to accept, equip and operate a fire and EMS facility at the designated location, the Developer shall construct, at its own cost and expense, not to exceed \$200,000.00, a facility of sufficient size to house a four-man engine company plus an EMS ambulance unit and shall convey same to the County. Should the cost of construction of such a facility exceed \$200,000.00, then the County shall assume the responsibility for construction and the Developer shall at the request of the County contribute the sum of \$200,000.00 to the County.

I. Construction of Multi-Family Units

Multi-family units shall be constructed as early as economically feasible. The Developer shall designate for construction of rental residential units as much land as it determines is economically feasible to so designate.

J. Schools

1. The Developer shall construct a sidewalk/bike path system within the development to provide pedestrians with access to the school sites. The sidewalks shall be constructed to the boundaries of the school sites. The design, location, and method of construction shall be subject to County review and approval. The sidewalk condition contained herein shall not be construed to be a waiver of the sidewalk construction requirements contained in the Subdivision Regulations of the County.

2. Two school sites shall be reserved as shown in the application. As to the eastern school site in Village IV, the adjoining recreation areas shall not be significantly developed until building permits for seventy five percent (75%) of the project's dwelling units have been issued. At the option of the School Board, and upon its determination that such a facility will be needed, this adjoining recreation area or a portion thereof shall be dedicated to the Hillsborough County School Board for use as an elementary school or junior high school.
3. If both school sites have not been previously dedicated, the Developer shall advise the School Board as soon as building permits have been issued for seventy five percent (75%) of the project's dwelling units. If within sixty (60) days after being so advised, the School Board has not notified the Developer in writing of the need for the school site, the sites shall no longer be reserved for school purposes. As to the eastern site in Village IV, the adjoining recreation area shall then be available for recreational development and the designated school site shall be available for residential development. However, the availability of additional residential land shall in no way authorize the construction of a number of dwelling units in excess of the number approved for the entire project, nor shall the density on such sites exceed the average net density of the residential portions of the project previously approved.
4. If at the time the east-west road which borders the western school site on the south is under construction, the School Board has requested dedication of that school site, the Developer shall provide the geometric road improvements necessary to handle the traffic the school is anticipated to generate.

K. Transportation

1. The Developer shall reserve sufficient land along the Big Bend Road corridor between U.S. 301 and Road "C" to accommodate the construction of a six lane divided roadway. [The following right-of-way for Big Bend Road has already been either dedicated or reserved: 140 feet dedicated between U.S. 301 and Road "C"; 120 feet dedicated between Road "C" and a point just west of Road "G"; and 120 feet reserved between a point just west of Road "G" and Balm-Riverview Road.]
2. The Developer or other owners of property within the project contiguous thereto, as applicable, shall be responsible for design and construction of all internal roadway improvements within the Summerfield Crossings development as set forth in subparagraphs K.3 and K.4 below. These roads shall be constructed in accordance with the County standards in effect at the time of construction.
3. The Developer shall dedicate right-of-way for the following roadways: Summerfield Boulevard from Smokethorn Drive to the northern Summerfield Crossings property boundary; Summerfield Boulevard from Woodbridge Drive to the southern Summerfield Crossings property boundary; Heritage Green Parkway (also known as Road "D") from Fairway Meadow Drive to the northern Summerfield Crossings property boundary; Road "G" from Big Bend Road to the southern Summerfield Crossings property boundary; Big Bend Road (120 feet in

width from Summerfield Boulevard to Balm Riverview Road); and Balm Riverview Road along the entire eastern boundary of Summerfield Crossings (50 feet from roadway centerline). All such right-of-way shall be deeded to Hillsborough County within ninety (90) days following the approval of Resolution 05-059 by the Board of County Commissioners, or prior to approval of a preliminary plat for any residential development as part of Phase IIIA, whichever occurs first.

4. The developer of each tract adjacent to Road "C" (north of Big Bend Road), Fairway Meadows Boulevard, Road "D" (south of Big Bend Road) and Woodbridge Drive (west of Road "C"), shall construct the roadways along the entire property boundary of each such tract concurrent with the development of the tract itself, except that construction of the portion of Fairway Meadow Drive from its current terminus to U.S. 301 within the Commercial Core shall be governed by the conditions of MM 12-839. Where the property boundary is adjacent to the non-developable common area (wetlands, park, etc.), the roadway shall be constructed to the center of the feature. A traffic analysis shall be submitted, based on a methodology acceptable to Hillsborough County, to determine the turn lanes needed where these roadways intersect existing and future internal and external roadways as shown on Revised Map "H". The construction of the north-south road through Tracts 1-6 of Village III shall be governed by the conditions of PRS 13-0432, as it may be amended. A roadway connection shall be provided to the southern property boundary of Summerfield Crossings from Tracts 1-6 of Village III to provide for future access to the proposed development to the south, as shown on Revised Map "H." An access point to Balm Riverview Road south of Big Bend Road shall be provided as shown on Revised Map "H."
5. The developer of the tracts adjacent to Road "C" (south of Big Bend Road) and along Woodbridge Drive (east of Road "C") shall:
 - i. Construct Woodbridge Drive from the current terminus west of Laraway Drive to Road "C" south of Big Bend Road, as a 2 lane road.
 - ii. Construct Road "C" from current terminus south of Big Bend Road to the southern property boundary of Summerfield Crossings as a 2-lane road.
 - iii. No individual driveways for any residential development will have direct access onto either Woodbridge Drive or Road "C".
 - iv. The intersection of Road "C" and Woodbridge Drive shall be designed in such a manner to provide for the future connection of Woodbridge Road from the west; however, no turn lanes will be required at the intersection of Road "C" and Woodbridge Drive.
 - v. At the intersection of Road "C" and Big Bend Road, construct northbound left turn lane and northbound through/right turn lane. This may be achieved by restriping the existing pavement on Road "C". The intent is to provide two northbound approach lanes at this intersection. In addition, if sufficient right-of-way on Big Bend Road exists, an exclusive eastbound right turn lane shall be constructed on Big Bend Road at its intersection with Road "C".
 - vi. If the developer of the tracts adjacent to Road "C" (south of Big Bend Road) and along Woodbridge Drive (east of Road "C") elects to develop these tracts by way of two (2) separate plats, with the first plat containing no more than 64 single

family residential units, then the Developer may phase the construction of the aforementioned improvements as follows:

- a. First, construct Woodbridge Drive from the current terminus west of Laraway Drive to its intersection with Road "C" and construct "Road C" south from its current terminus just south of Big Bend Road to its intersection with Woodbridge Drive contemporaneous with the construction of the infrastructure required for the first plat; and
 - b. Second, construct Road "C" from Woodbridge Drive to the southern boundary of Summerfield Crossings DRI, and to make the aforementioned improvements at the intersection of Road "C" and Big Bend Road contemporaneous with the infrastructure required for the second plat.
6. The owners of the commercial and office tracts at the intersections of Road "C", Summerfield Boulevard, and Road "D" and Big Bend Road shall submit a traffic analysis prior to Preliminary Plan Approval, to be approved by Hillsborough County, showing the required intersection improvements and signalization at these intersections.
 7. The Developer shall be responsible for design and construction of intersection geometric and signalization improvements at the access points of the Summerfield Crossings development with adjacent exterior roads, which are required because of traffic generated or expected to be generated by the Summerfield Crossings development. All intersections meeting signal warrants at access points to U.S. 301 or Big Bend Road, as a result of total current and projected traffic, shall be designed to the more conservative of the following: (a) Level of Service D (peak hour) or (b) critical lane operation level for the five-year projected traffic.
 8. Access to U.S. 301 from the Regional Mall, Community Commercial and Office/Tech Areas will be designed at a Level of Service D (peak hour).
 9. The minimum spacing between major intersections leading from any point within the development to U.S. 301 or Big Bend Road shall be made so as to optimize traffic flow as determined by the County in accordance with standard engineering practice.
 10. Commencing at such time as the development is generating eighty-five percent (85%) of the projected external vehicle trip ends for combined Phases I and II, and every two (2) years thereafter, a trip generation monitoring study shall be required to monitor the actual cumulative total traffic generated by the entire project. The total projected external PM Peak Hour vehicle trip ends for combined Phases I and II are 3,138 with 1,643 Entering, and 1,498 Exiting. The purpose of this monitoring study is to verify the trip generation and internal capture rates utilized by the Developer. In each annual report the Developer shall identify the number and cumulative percentage of projected external trip ends relative to the projected external trip ends for combined Phases I and II. At such time that the development is generating eighty five percent (85%) of the projected external trip ends for combined Phases I and II, the Developer shall submit to the County and DEO the trip generation monitoring study as part of the revised transportation analysis described below which is next due.

The trip generation monitoring study will be based on a methodology which shall be submitted by the Developer no later than three (3) months prior to the study's due date. The methodology shall be reviewed and approved by the County and DEO (or their designees) and shall include a copy of the site plan with all locations indicated where the traffic counts will be conducted and the general location of existing development. The trip generation monitoring study shall be used to determine if the substantial deviation threshold of a 15% increase of external vehicle trips has occurred. If the trip generation monitoring study indicates that the 15% threshold of external trips is met or exceeded, this shall constitute a substantial deviation to the approved development and the development shall be subject to further development of regional impact review. The County shall not issue any permits for development until such time that further review is completed. Additionally, if the trip generation monitoring study is not submitted to, and approved by, the County and DEO, the County shall not issue any further development permits.

11. The Developer shall plan and provide for two collector roadways on approximately 1-mile spacings extending from Balm Road to Symmes Road and from Balm Road to Rhodine Road on reasonably direct and environmentally practical alignments. These two collector roadways are commonly referred to in the May, 1993, transportation analysis submitted in connection with a Notice of Proposed Change application as Summerfield Boulevard and the combination of Road "D" and Road "G." Alternatively, the Developer may provide a different road alignment, subject to the County's approval, that is designed to facilitate north-south traffic flow through the project and alleviate traffic impact on major corridors.
12. A proposal to change construction of the Regional Mall to a phase earlier than Phase III, as set out in the application, shall be considered as a substantial deviation from the approved development and shall require further assessment pursuant to Chapter 380.06, Florida Statutes.
13. The Developer shall contribute \$275,000.00 to Hillsborough County for the construction of a traffic signal at the intersection of Big Bend Road and Summerfield Boulevard. The contribution shall be made within thirty (30) days of approval of Resolution 05-059 by the Board of County Commissioners or prior to preliminary plat approval of any residential development in Phase IIIA, whichever occurs first.
14. The following provisions shall apply to Phase IIIA:
 - (a) Monetary Contribution to Improvement of U.S. Highway 301.

Within 60 days from the approval of Resolution 05-059, the County anticipates entering into a development agreement with a coalition of developers along U.S. Highway 301 for the improvement of U.S. Highway 301 (the "301 Development Agreement"). Upon approval by the County of the 301 Development Agreement, the Developer shall, prior to construction plan approval for any development within Phase IIIA or within 30 days of receipt of written notice from the County that the

301 Development Agreement has been approved, whichever is earlier, contribute \$5,000,000.00 toward the improvement of U.S. Highway 301 (the "301 Contribution"). The 301 Contribution shall be in the form of a cashiers check payable, or wired federal funds for immediate credit to the Hillsborough County Board of County Commissioners. The making of the 301 Contribution by the Developer shall constitute full mitigation by the Developer of all Phase IIIA transportation impacts.

(b) Construction of Pipeline Improvement

(1) **Exhibit D**, attached hereto, describes those roadways and intersections significantly impacted by the net traffic generated by Phase IIIA and the required improvements that need to be constructed to ensure maintenance of the adopted level of service for such roadways and intersections. Rule 9J-2.045, Florida Administrative Code, allows the County to elect one of several transportation mitigation alternatives in order for the Developer to mitigate the transportation impacts of Phase IIIA, including the payment by the Developer of its proportionate-share contribution for the roadway and intersection improvements identified in Exhibit D. Rule 9J-2.045, Florida Administrative Code, allows the Developer's proportionate-share contribution to be applied to expeditiously construct one (1) or more of the roadway improvements identified in Exhibit D. The total proportionate share for the transportation impacts of Phase IIIA, calculated in accordance with the formula set forth in K.14.(b)(2) below is \$2,822,757, but the Developer has voluntarily agrees to commit \$5,000,000 toward the construction of the Phase IIIA Pipeline Project described below. In the event that the 301 Development Agreement is not approved within one hundred twenty (120) days from the approval of this Resolution by the Board of County Commissioners, then the Developer shall undertake the design, permitting and construction of the Phase IIIA Pipeline Project.

(2) The formula for calculating the Developer's proportionate share established in Resolution #81-21 and restated in Resolution No. R-00-161, is as follows:

$$\begin{array}{l} \text{Developer's existing and projected} \\ \text{traffic volumes on the described segment} \end{array} \quad \times \quad \begin{array}{l} \text{total} \\ \text{cost of construction} \end{array}$$

Total existing and projected
traffic volumes on the described segment

The total cost of construction shall be subject to approval by FDOT District Seven Office and include: plans preparation, permitting, grading, base, required drainage structures, surface drainage, bridges, signing and signalization. The pipeline improvement of U.S. 301 segment will be subject to determination and approval by FDOT and Hillsborough County.

(3) The requirements of the Phase IIIA Pipeline Project have been determined to be the appropriate requirements to cure and mitigate the

impacts attributable solely to Phase IIIA development on regionally significant roadways within the project impact area. The approval of this mitigation/curing mechanism is based upon the impact of Phase IIIA on transportation facilities, the substantial public benefit to be gained by accelerating the design and construction of major public facilities, and its consistency with the County, TBRPC, and DCA policies regarding pipelining transportation impacts.

(4) The Phase IIIA Pipeline Project (hereinafter defined) shall be completed as described below regardless of cost. Completion of the Phase IIIA Pipeline Project satisfies all transportation mitigation requirements for Phase IIIA. The Developer shall be able to apply for and obtain development permits and certificates of occupancy for Phase IIIA provided the Developer is in compliance with the terms of this Development Order.

(5) Phase IIIA Pipeline Project. The Developer and the County agree that the transportation improvement obligations described in subparagraph K.14(b)(6) ("Phase IIIA Pipeline Project") will fully satisfy all transportation mitigation requirements for the transportation impacts of Phase IIIA and the Developer's proportionate share obligation with respect to Phase IIIA.

(6) The Phase IIIA Pipeline Project consists of the design, permitting, and construction of the following improvements:

- a. So much of the four laning of U.S. Highway 301 for the length of the project, commencing at Big Bend Road, as can be designed, permitted, and constructed for \$5,000,000; and
- b. To the extent funds remain thereafter, so much of the four laning of U.S. Highway 301 one-third (1/3) of one mile north and south of Rhodine Road, together with signalization of the U.S. Highway 301/Rhodine Road intersection, as can be accomplished with the balance.

(7) Developer, at its sole expense, shall design the Phase IIIA Pipeline Project together with on-site and off-site storm water management facilities, flood-plain mitigation, and wetland mitigation required to accommodate the Phase IIIA Pipeline Project. In the event that the 301 Development Agreement is not approved within one hundred twenty (120) days following approval of Resolution 05-059, the Developer shall commence the design within ninety (90) days from receipt of notice from the County that the 301 Development Agreement has not been approved.

(8) The Developer shall permit the Phase IIIA Pipeline Project for construction, consistent with the approved design. The Developer shall complete such design and permitting within twenty (20) months after commencing the design.

(9) The Developer agrees to deed to the County or its designee any additional right-of-way under the control of the Developer that is necessary for the construction of the Phase IIIA Pipeline Project.

(10) Developer shall be responsible for constructing the Phase IIIA Pipeline Project. Construction shall be in conformance with the approved design plans and permits. The Developer shall commence construction within ninety (90) days after securing all necessary permits and approvals, and shall complete construction within twenty-four (24) months after commencement.

(11) If the performance by the Developer of its commitment with respect to the design, permitting, and construction of the Phase IIIA Pipeline Project shall be interrupted or delayed by war, riot, civil commotion or natural disaster, then the Developer shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof. Further, if performance by the Developer of the Phase IIIA Pipeline Project shall be interrupted or delayed in connection with acquisition of necessary governmental approvals and which interruption or delay is caused through no fault of the Developer, then the Developer shall submit documentation regarding such event(s) to the County for its review and concurrence. If such documentation shows that such event(s) have taken place, then the Developer shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.

(12) As security for performance by the Developer of the Phase IIIA Pipeline Project, the Developer shall deliver to the County, not later than thirty (30) days prior to the commencement of construction of the Pipeline Project, cash, a letter of credit, a performance bond, or other security reasonably acceptable to the County in the amount of \$5,000,000, less amounts already paid by the Developer in connection with the design and permitting of the Phase IIIA Pipeline Project (the "Pipeline Project Security"). If the Developer is in default of its Phase IIIA Pipeline Project obligations contained herein, the County, after thirty (30) days written notice and opportunity to cure, may use the Pipeline Project Security to complete the Phase IIIA Pipeline Project. The amount of the Pipeline Project Security may be reduced not more frequently than once each calendar quarter to reflect the expenditures by the Developer in constructing the Phase IIIA Pipeline Project.

15. The following provisions shall apply to Phases III and IV:

Phase III may continue to be developed through its build-out date (March 3, 2020) without any requirement for transportation mitigation, except as required herein. The requirements of this restated Development Order have been determined to be the appropriate requirements to cure and mitigate the impacts of Phase III on regionally significant roadways within the project impact area through March 3, 2020. Extension of the Phase III build-out date beyond March 3, 2020 shall require

an NOPC pursuant to Chapter 380.06, Florida Statutes, including a cumulative transportation analysis. Specific approval of Phase IV shall likewise require an NOPC, including a cumulative transportation analysis.

16. If transit utilization appears to be feasible in the future in meeting some of the transportation demands of the development, the Developer shall cooperate with the Hillsborough Area Regional Transit Authority in providing bus stops, shelters, etc., to encourage the use of transit.
17. For purposes of this section the words "under construction" shall be construed to mean physical construction activities pursuant to the terms of an executed contract.
18. There shall be a trade off mechanism which will allow land uses to be traded in accordance with the following standards:
 - (a) With respect only to the 39.5 acre parcel located at the southeast quadrant of U.S. Hwy. 301 and Big Bend Road, as shown on Revised Map H attached hereto as **Exhibit B**, 1,000 square feet of Office/Tech land use is equivalent to 382 square feet of commercial land use and vice versa.
 - (b) With respect to any parcels designated for any type of residential use on Revised Map H attached hereto as **Exhibit B**.
 - (1) 1.0 Single Family detached unit = 1.84 Townhomes;
 - (2) 1.0 Townhome = 0.87 Apartment;
 - (3) 1.0 Apartment = 1.14 Townhomes;
 - (4) 1.0 Apartment = 0.63 Single Family detached unit; and
 - (5) 1.0 Townhome = 0.55 Single Family detached unit.
 - (c) With respect to the 76,000 square feet of "Medical" uses reserved for development on Tract 19, Village III on Revised Map "H" attached hereto as **Exhibit B**, it is agreed that the "Medical" uses may be traded as follows:
 - (1) 1,000 sq. feet of "Medical" uses = 3.57 Single Family detached units (or 271 units maximum if all 76,000 square feet of Medical uses are traded); and
 - (2) 1,000 sq. feet of "Medical" uses = 6.86 Townhome units (or 521 units maximum if all 76,000 square feet of Medical uses are traded).
 - (3) The Single Family detached units or Townhome units produced by way of trading some or all of the 76,000 square feet of Medical uses can be developed on any tracts located within the Summerfield Crossing DRI where Single Family and/or Townhome development is allowed including, without limitation, the following tracts:

- Tract 19, Village III (Single Family or Townhomes)
- Tract 1, Village II (Single Family, only)
- Tract 2, Village II (Single Family, only)
- Tract 1, Village I (Single Family or Townhomes)
- Tract 40, Village I (Single Family or Townhomes)
- Tract 15, Village I (Single Family or Townhomes)

- (d) Developer shall notify the County, TBRPC and the State land planning agency thirty (30) days prior to utilizing the conversion factors set forth in this section.
- (e) Prior to preliminary plat approval the developer must demonstrate that the proposed trade-off (and specifically that the additional residential units produced thereby) are consistent with the applicable density limitations in the County's Comprehensive Plan.

19. The Developer shall provide the County with the existing construction plan designs in its possession, custody, or control for the extension of Big Bend Road from Summerfield to Balm Riverview Road and the four lane section of Big Ben Road from US 301 to Summerfield Boulevard. The Developer shall also provide the County with the location of any pond sites that have been set aside to accommodate the future four (4) lane section of Big Bend Road from east of Summerfield Boulevard to Balm Riverview Road. To the extent available, these plans shall be provided within thirty (30) days of the approval of this Resolution by the Board of County Commissioners, or prior to preliminary plat approval for any Phase IIIA development, whichever occurs first.

L. Water and Sewer Service

1. The Developer is to provide sufficient effluent disposal sites to accept the effluent which will be generated by the project.
2. Water wells may be utilized for irrigation on an interim basis. However, once wastewater effluent is available to any irrigation site, any such irrigation wells must be plugged and wastewater effluent must be utilized for irrigation.
3. All development must comply with County standards. A water distribution master plan, wastewater collection master plan, and the preliminary engineering calculations must be submitted to the County prior to approval of any development. In addition, construction schedules must be updated on an annual basis.
4. Upon approval by the County, the Developer shall provide, at its own cost and expense, an interim wastewater treatment plant of sufficient capacity to serve the development, to be dedicated to and operated and maintained by the County until such time as service can be provided by a County wastewater treatment system. At such time as service by the County is available, the development shall be required to connect to the County system.

5. The instrument by which the interim wastewater treatment plant is dedicated to the County shall contain the following provision:

"Six months after the Developer connects to a County wastewater treatment plant, ownership of the parcel upon which the interim wastewater treatment plant has been constructed shall revert to the Developer. The County, at its option, may, during this six-month period, remove from the premises all or any part of the interim wastewater treatment plant, including all facilities and equipment connected in any way with its operation, whether above or below ground, and without regard to whether such facilities and equipment are legal fixtures."

6. The physical disposal of solid waste shall be the responsibility of the County. The collection and transportation of solid waste for disposal is controlled by County ordinance.

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M. The proposed development plan for the project is as follows:

USE/PHASE	I (Completion - 2005)	II (Completion - 2005)	III (Completion - March 3, 2020)	IIIA (Completion March 3, 2020)	IV (Completion - March 2, 2022)	TOTAL
RESIDENTIAL						
Single Family and Patio Homes	760	728	604	803	0	2,895 d.u.
Townhouses and Villa Homes	251	457	430	0	0	1,138 d.u.
Multi-family Apartments	0	220	258	0	0	478 d.u.
Retirement	105	0	0	0	0	105 d.u.
SUBTOTAL	1,116	1,405	1,292	803	0	4,616 d.u.
COMMERCIAL						
Neighborhood Centers	48,000	37,000	67,000		30,000	182,000 sq. ft.
Community Centers	60,300	115,000	103,500		-	278,800 sq. ft.
Regional Mall	-	-	380,000		380,000	760,000 sq. ft.
SUBTOTAL	108,300	152,000	550,500		410,000	1,220,800 sq. ft.
OFFICE/TECHNICAL PARK	20,000	80,000	180,000		288,800	568,800 sq. ft.
COMMUNITY SERVICES						
Schools		1	1			2 schools
Churches						2 sites
Community Services						4 sites
Medical		76,000				76,000 sq. ft.
RECREATION/OPEN SPACE						
Golf and Recreation Complex	182.2					182.2 acres
Recreation Parks						8.9 acres 44.9 acres

IV. **General Provisions:**

- A. The legal description set forth in **Exhibit A** is hereby incorporated into and by reference made a part of this Development Order.
- B. All provisions contained within the application for development approval marked "Composite Exhibit B" to Resolution #81-21 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.

- C. This Resolution shall constitute the development order of the County in response to the application for development approval for the Big Bend Development of Regional Impact and subsequent notice of proposed change applications.
- D. The definitions contained in Chapter 380, Florida Statutes shall govern and apply to this Development Order.
- E. This Development Order shall be binding upon the Developer and its assignees or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean 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.
- F. 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.
- G. 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 government agencies and departments as are or may be designated by the Board of County Commissioners of the County to review development of regional impact applications as well as all governmental agencies and departments set forth under applicable laws and rules governing developments of regional impact.
- H. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at Summerfield Crossings (f/k/a Big Bend), the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private or public body created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order.
- I. A notice of adoption of this Resolution shall be recorded in accordance with Section 380.06, Florida Statutes.

- J. A "substantial deviation" from the terms or conditions of this Development Order 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 the TBRPC may result in the County ordering a termination of all development approved herein. Nothing herein shall be construed to limit or modify the right of the County to make a substantial deviation determination pursuant to the provisions of Section 380.06(19), Florida Statutes (2012).
- K. The County Administrator of the 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 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. The County Administrator shall issue a notice of such non-compliance to the Developer and if the deviation is not corrected within a reasonable amount of time shall recommend that the Board of County Commissioners establish a hearing to consider such deviations. The Developer shall be given notice of any such hearing. In the event that circumstances require an immediate action, so as to prevent irreparable harm, the County Administrator need not issue a notice of non-compliance.
- L. The Developer shall file an annual report in accordance with Section 380.06(16), Florida Statutes (2003). Such report shall be due on the anniversary of the effective date of this Development Order and for each following year until and including such time as all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the County Administrator who shall after appropriate review, submit it for receipt by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed. Provided, however, that receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of this Development Order. The report shall contain:
1. A description of all development activity conducted pursuant to this Development Order during the year immediately preceding the submission of the annual report;

2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately subsequent to the submission of the annual report;
3. A statement listing all applications for incremental review required pursuant to this Development Order or other applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report;
4. A statement setting forth the name(s) and address of any assignee or successor in interest to this Development Order;
5. Shall contain a statement that all persons have received copies of the annual report as required under Section 380.06(16) (2003), Florida Statutes; and
6. A statement describing any conversions pursuant to Section III, Paragraph K(18) during the reporting period and a cumulative total of conversions.

It is the intent herein that the foregoing requirements for submittal of the annual report shall be in addition to and not in lieu of any submittal requirements for an annual report as promulgated by the State Land Planning Agency.

- M. This Development Order shall become effective upon adoption by the Board of County Commissioners of the County in accordance with Section 380.06, Florida Statutes.
- N. The property which is subject to this Development Order and/or all owner(s) thereof shall be subject to any county or statewide impact fee or user charge or any other county-wide assessment or tax that may be imposed to fund, in whole or in part, the costs of roadway maintenance or construction. Nothing herein shall be construed to limit or modify any legal remedies Developer may seek to contest the validity of such county or statewide impact fee, user charge, county-wide assessment or tax as set forth in this paragraph.
- O. Upon adoption, this Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail or other delivery service for which a receipt as proof of service is required, to the State Land Planning Agency, the TBRPC, and the Developer.
- P. This Development Order shall remain in effect through March 3, 2024.

Q. Prior to March 3, 2024, the development approved herein shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes in the conditions underlying the approval of this Development Order have occurred or the Development Order was based on substantially inaccurate information provided by the Developer or that the change is clearly established by the County to be essential to the public health, safety, or welfare.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, PAT FRANK, 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 on July 23, 2013, as the same appears of record in Minute Book 446 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 24th day of July, 2013.

PAT FRANK, CLERK

By: Beverly Anne Miller
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

By: [Signature]
Approved as to Form and
Legal Sufficiency



- Exhibit A — Legal Description
- Exhibit B — Revised Map H
- Exhibit C — (attached to Resolution #81-21)
- Exhibit D — Phase IIIA Roadways and Intersections

A parcel of land including all or portions of Sections 8, 9, 10, 11, 15 16 and 17 in Township 31 South; Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 8, Township 31, South Range 20 East; thence N.89°42'37"E. along the South line of the Southwest 1/4 said Section 8 for 132.00 feet to a point of intersection with the Easterly Right-of-Way line of U.S. Highway #301 (State Road No. 43), said point being the POINT OF BEGINNING of the herein described parcel of land; thence continue along the Easterly Right-of-Way line of U.S. Highway #301 for the following two (2) described courses: 1) N.00°00'03"E. for 2769.81 feet to the Point of Curvature of a circular curve concave to the East; 2) Northerly along the arc of said curve having a radius of 5597.58 feet and a central angle of 5°41'23" for 555.86 feet to an intersection with the South line of the North 1980 feet of the North 3/4 of said Section 8; thence run along the last described South line for the following three (3) courses: 1) N.89°41'18"E. for 2508.84 feet to an intersection with the East line of the Northwest 1/4 of said Section 8; 2) N.89°47'46"E. for 1716.03 feet; 3) N.89°48'58" E. for 968.63 feet to an intersection with the West line of the Northwest 1/4 of said Section 9, Township 31 South, Range 20 East; thence N.0°15'23"W. along the West line of the Northwest 1/4 of said Section 9 for 1980.14 feet to the Northwest corner of said Section 9; thence N.89°46'00"E. along the North line of the Northwest 1/4 of said Section 9 for 2624.32 feet to the Northeast corner of the Northwest 1/4 of said Section 9; thence N.89°44'54"E. along the North line of the Northeast 1/4 of said Section 9 for 1269.79 feet; thence N.89°45'12"E. continuing along the North line of the Northeast 1/4 of said Section 9 for 1357.46 feet to the Northeast corner of said Section 9, the same being the Northwest corner of said Section 10; thence N.89°28'59"E. along the North line of said Section 10 for 2139.02 feet to a concrete monument; thence S.1°29'39"E. for 880.79 feet to a concrete monument; thence N.89°30'21"E. for 2155.06 feet to a concrete monument, said point being a point on the Westerly Right-of-Way line of Balm-Riverview Road; thence run along the Westerly Right-of-Way line of Balm-Riverview Road for the following three (3) described courses: 1) S.23°27'37"E. for 1433.57 feet; 2) S.24°15'00"E. for 1417.22 feet; 3) S.29°56'27"E. for 547.87 feet to an intersection with the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 11, Township 31 South, Range 20 East; thence run S.89°57'01"W. along the last described South line for 282.67 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 10, Township 31 South, Range 20 East; thence S.89°34'32"W. along the South line of the North 1/2 of

EXHIBIT "A"

Page 2 of 2

the Southeast 1/4 of said Section 10 for 2686.38 feet to the Southwest corner of the North 1/2 of the Southeast 1/4 of said Section 10; thence S.1°31'35"E. along the East line of the Southwest 1/4 of said Section 10 for 1323.68 feet to the South 1/4 corner of said Section 10; thence S.0°11'05"W. along the East line of the Northwest 1/4 of Section 15, Township 31 South, Range 20 East, for 1325.76 feet to the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 15; thence S.89°34'24"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 15 for 2663.20 feet to the Southeast corner of the North 1/2 of the Northeast 1/4 of Section 16, Township 31 South, Range 20 East; thence S.89°36'20"W. along the South line of the North 1/4 of said Section 16 for 5359.98 feet to the Southwest corner of the North 1/4 of said Section 16; thence S.89°39'42"W. along the South line of the North 1/2 of the Northeast 1/4 of said Section 17, Township 31 South, Range 20 East for 2681.22 feet; thence S.89°46'15"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 17 for 2565.01 feet to an intersection with the Easterly Right-of-Way line of the aforementioned U.S. Highway 1301; thence run N.00°00'41"E. along the last described Easterly Right-of-Way line for 1326.67 feet to the POINT OF BEGINNING. LESS therefrom the existing Right-of-Way for Big Bend Road and any other dedicated Rights-of-Way.

1 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
2 HILLSBOROUGH COUNTY, FLORIDA
3 DRI #81-21
4 DEVELOPMENT ORDER

5 Upon motion of Commissioner Kotvas, seconded by Com-
6 missioner Bowmer, the following Resolution was adopted this
7 22nd day of January, 1982:

8 WHEREAS, on July 17, 1981, U.S. Home Corporation filed an appli-
9 cation for development approval of a development of regional impact
10 with the Hillsborough County Board of County Commissioners pursuant
11 to the provisions of Section 380.06, Florida Statutes; and,

12 WHEREAS, said application proposed construction of a planned
13 community, Big Bend, in southern Hillsborough County located on 1886
14 acres offering a full range of community support facilities to
15 residents; and,

16 WHEREAS, the Board of County Commissioners as the governing
17 body of local government having jurisdiction pursuant to Section
18 380.06, Florida Statutes, is authorized and empowered to consider
19 applications for development approval for developments of regional
20 impact; and,

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

23 WHEREAS, the Board of County Commissioners has on December 14,
24 and December 17, 1981, and on January 20 and January 22, 1982, held
25 a duly noticed public hearing on said application for development
26 approval and has heard and considered testimony and documents re-
27 ceived thereon; and,

28 WHEREAS, the Board of County Commissioners has received and
29 considered the report and recommendations of the Tampa Bay Regional
30 Planning Council; and,
31

1 WHEREAS, Hillsborough County has solicited, received and con-
2 sidered reports, comments and recommendations from interested
3 citizens, County and City agencies as well as the review and report
4 of Hillsborough County Administration.

5 NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COM-
6 MISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

7 I. FINDINGS OF FACT

8 A. That the real property which is the subject of the
9 application for development approval is legally described as set
10 forth on Exhibit A, attached hereto and made a part hereof by
reference.

11 B. That the U.S. Home Corporation, hereinafter referred to
12 as "Developer", submitted to Hillsborough County, Florida, an
13 application for development approval and sufficiency response which
14 are attached hereto and marked Composite Exhibit B and incorporated
15 herein by reference to the extent not inconsistent with the terms
16 and conditions of this development order. Hereinafter, the word
17 "application" shall refer to the application for development
approval, and the sufficiency response.

18 C. That the proposed development is not an area of critical
19 state concern as designated pursuant to Section 380.05, Florida
20 Statutes.

21 D. That development will occur in accordance with this
22 development order, and with the application as set forth in Exhibit
23 B to the extent it is not inconsistent with the terms and conditions
of this development order.

24 E. That a comprehensive review of the impact generated by
25 the development has been conducted by the Hillsborough County
26 Administration, the Hillsborough County Environmental Protection
27 Commission, the Hillsborough County City-County Planning Commission,
28 and the Tampa Bay Regional Planning Council.
29
30
31

II. CONCLUSIONS OF LAW

2 A. Based upon the compliance with the terms and conditions of
3 this development order, provisions of the application as set forth
4 in Exhibit B, the reports, recommendations and testimony heard and
5 considered by the Board of County Commissioners, it is concluded
6 that:

7 1. The development will not unreasonably interfere with
8 the achievement of the objectives of the adopted State Land De-
9 velopment Plan applicable to the area.

10 2. The development is consistent with local land de-
11 velopment regulations.

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

14 B. The provisions of this development order shall not be
15 construed as a waiver of or exception to any rule, regulation, or
16 ordinance of Hillsborough County, its agencies or commissions, and
17 to the extent that further review is provided for in this develop-
18 ment order, said review shall be subject to all applicable rules,
19 regulations and ordinances in effect at the time of the review.

20 C. The review by Hillsborough County, the Hillsborough County
21 City-County Planning Commission, the Hillsborough County Environ-
22 mental Protection Commission, the Tampa Bay Regional Planning
23 Council, and other participating agencies and interested citizens
24 indicates that impacts are adequately addressed pursuant to the
25 requirements of Section 380.06, Florida Statutes, within the terms
26 and conditions of this development order and the application, to
27 the extent not inconsistent with this development order.

28 D. The application for development approval is approved
29 subject to all terms and conditions of this development order.

III. CONDITIONS

30 A. Environmental

31 1. The portion of the Sand Pine Scrub Community con-
sisting of the seven (7) acres nearest the southern property line

1 shall be preserved in its natural state. Construction in the re-
2 maining portion of the Sand Pine Scrub Community shall incorporate
3 natural vegetation into landscaping where possible. Development in
4 this remaining portion shall be subject to detailed site plan review
5 and approval by the Environmental Protection Commission. The Sand
6 Pine Scrub Community shall be identified on the revised general
7 site plan.

8 2. All viable wetland areas shall be preserved in their
9 natural state. The precise location of such areas shall be deter-
10 mined by the Environmental Protection Commission at the time of de-
11 tailed site plan approval, consistent with the wetland areas generally
12 delineated on Exhibit C attached hereto and made a part hereof by
13 reference.

14 3. In order to minimize loss of property as a result of
15 sinkholes, the primary lineament intersections shall be retained as
16 major open space with minimal building construction, as referenced
17 in the application. Final plans submitted for the regional mall will
18 not be approved until in-depth subsurface testings are performed to
19 determine the actual potential for sinkhole occurrence. No develop-
20 ment will be approved within the lineament intersection boundaries
21 until a direct investigation using gravity mapping, borings, or
22 other engineering techniques acceptable to the County is done to con-
23 firm that the local limerock structure for the affected building
24 area is capable of properly supporting the development proposed for
25 this site.

26 4. A program of measures to reduce air pollution and
27 erosion during construction shall be implemented as referenced in
28 the application.

29 5. If, at any time during the development period, the
30 water quality monitoring program for Bullfrog Creek currently
31

1 supplied by the United States Geological Survey and the Florida De-
2 partment of Environmental Regulation is determined by Hillsborough
3 County to be insufficient to provide for the protection of the public
4 health and safety, the developer shall be responsible for establishing
5 an adequate water quality monitoring program which shall be approved
6 by Hillsborough County.

7 B. Energy

8 State-of-the-Art Energy Conservation measures as
9 deemed cost effective shall be incorporated into the residential
10 portion of the development. The developer shall also incorporate as
11 part of the development plans for the commercial and office buildings
12 of the development, energy management practices such as landscaping,
13 energy conserving construction requirements, ridesharing, street
14 lighting, operating practices and life cycle costing for construc-
15 tion and operation.

16 C. Drainage

17 1. Drainage shall be designed to maintain pre-development
18 ground and surface water levels, so as to avoid any alteration of the
19 integrity and viability of the preserved wetlands.

20 2. All drainage flood control structures shall be non-
21 adjustable.

22 3. Any displacement of natural storage within the 25-year
23 floodplain, which results from filling or the locating of detention
24 ponds within the floodplain, or otherwise, shall be mitigated by the
25 provision of equal storage capacity in other parts of the project pre-
26 viously or concurrently approved for development. The developer shall
27 delineate natural floodwater storage areas on preliminary plans for
28 each subdivision unit or other discrete portion of the project and
29 shall protect these areas from filling except as provided above.
30
31

1 4. The peak discharge from the large paved office and
2 commercial sites adjacent to U.S. 301 must be determined by the more
3 conservative of the following predevelopment conditions:

4 a. The time of concentration of the
5 commercial sites themselves, or

6 b. The time of concentration of the
7 most critical storm for Bullfrog Creek.

8 5. The developer shall provide sufficient rights-of-way
9 or easements for access to lakes, drainage control structures, and
10 retention areas for equipment for mosquito and aquatic weed control
11 activities conducted by appropriate government agencies. The area
12 should be adequate to launch a boat for these purposes without the
13 need for access through residential yards.

14 6. The developer shall be responsible for maintenance of
15 drainage features, located in portions of the drainage areas not
16 dedicated to the County, in order to help control mosquitoes and
17 aquatic weeds.

18 7. The drainage system constructed for the Big Bend De-
19 velopment shall incorporate components as conceptually proposed in
20 the application, subject to approval by Hillsborough County. The
21 system shall be designed for maximum ground water recharge in areas
22 having on-site irrigation wells.

23 D. Parks and Recreation Areas

24 1. The Master Development Plan shall be revised to show
25 as open space or recreation areas available for dedication to Hills-
26 borough County: (1) a 10-acre site adjacent to each of the two
27 school sites; and (2) a 10-acre site in the vicinity of the 5-acre
28 site currently shown on the ADA Master Development Plan in the south-
29 west part of the project, which will encompass and include the area
30 identified as the Sand Pine Scrub community. The 9-acre site cur-
31 rently shown in the southern portion as a part of Village III, and

1 the 6-acre site adjacent to the conservation area in Village I, may
2 be eliminated.

3 The developer shall reserve these areas and, within
4 six months after receiving from the Board of County Commissioners
5 (1) a request for dedication, and (2) plans and specifications for
6 the nature and location of improvements, if any, to be made by the
7 developer there, shall dedicate them to Hillsborough County. Appro-
8 priate deed restrictions may be specified by the County at the time
9 of dedication. The dedication of each such area shall coincide with
10 the development of those portions of the project which the area is
11 intended to serve.

12 Upon receiving a request for dedication of any such
13 area, the developer shall commence construction or placement of any
14 improvements that have been specified for that area, in order that
15 they might be completed, if feasible, prior to dedication. The
16 developer shall provide these improvements, at its own cost and ex-
17 pense, up to a total cost of \$100,000.00, at such time and in such
18 of the recreation or open space areas as the Board of County Com-
19 missioners may direct. Improvements shall comply with pertinent
20 standards established by Hillsborough County.

21 If, at the time all building permits have been issued
22 for any phase of the development, Hillsborough County has not yet re-
23 quested dedication of any recreation or open space area which is a
24 part of that phase, the developer shall so notify the Board of County
25 Commissioners. If within ninety (90) days of receipt of such noti-
26 fication the Board has not requested dedication of that area and pro-
27 vided plans and specifications for the improvements to be made there,
28 if any, such area shall cease to be available for dedication and shall
29 become private recreation or open space subject to the provisions of
30 paragraph 2 below. However, this provision shall not apply if Hills-

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1 borough County's failure to request dedication is necessitated by the
2 provisions of paragraphs J.2 and J.3, relating to schools.

3 2. The Master Development Plan shall be revised to show
4 as private recreation or open space all areas designated on the ADA
5 Master Development Plan for golf course or other recreational or
6 open space use, and not referred to in paragraph 1 above as available
7 for dedication to the County or for elimination from the Plan. These
8 areas, as well as public recreation or open space areas identified in
9 paragraph 1 above but no longer available under the terms thereof for
10 dedication to Hillsborough County, shall be used, improved, and main-
11 tained by the developer for the indicated purposes, in a manner
12 approved by Hillsborough County.

13 E. Medical and/or Health Care Facility

14 As referenced in the application, the developer shall
15 reserve a ten-acre site for development of a medical and/or health
16 care facility. This site shall be subject to appropriate deed re-
17 strictions to insure development for medical purposes.

18 F. Police Protection

19 1. The developer will incorporate environmental security
20 planning for crime reduction as an integral part of site planning and
21 building construction. This planning will be done in cooperation
22 with the Hillsborough County Sheriff's Department's Crime Awareness
23 Team, starting at the initial site planning stage. The plan will
24 include adequate security hardware, consideration of street and
25 building orientation, street lighting, special consideration for
26 crime problem areas (i.e., regional mall, multi-family developments,
27 and convenience stores) and crime prevention programs by the Hills-
28 borough County Sheriff's Department.

29 2. At the commencement of each phase of the development,
30 the developer shall demonstrate that such emergency plans and police
31 manpower and/or facilities as are necessary to provide adequate police
protection for that phase have been or will be provided.

1 G. Community Services

2 As referenced in the application, the developer shall
3 reserve a five-acre site for general community service facilities to
4 meet project needs as identified by the developer and approved by
5 Hillsborough County. This site shall be dedicated to the County,
6 upon the County's determination that the site is needed. The deed
7 shall contain appropriate restrictions.

8 H. Fire Control

9 1. A site for construction of a fire station and EMS
10 facility adequate to serve the needs of the entire project shall be
11 reserved, and shall be dedicated to Hillsborough County upon request,
12 which site shall be located not more than 1/2 mile from the inter-
13 section of Big Bend Road and U.S. 301.

14 2. If the County at any time prior to January 1, 1985,
15 indicates its willingness to accept, equip and operate a fire and
16 EMS facility at the designated location, the developer shall con-
17 struct, at its own cost and expense, not to exceed \$200,000.00, a
18 facility of sufficient size to house a four-man engine company plus
19 an EMS ambulance unit and shall convey same to the County. Should
20 the cost of construction of such a facility exceed \$200,000.00, then
21 the County shall assume the responsibility for construction and the
22 developer shall at the request of the County contribute the sum of
23 \$200,000.00 to the County.

24 I. Construction of Multi-Family Units

25 Multi-family units shall be constructed as early as
26 economically feasible. The developer shall designate for construc-
27 tion of rental residential units as much land as it determines is
28 economically feasible to so designate.

29 J. Schools

30 1. The developer shall construct a sidewalk/bike path
31 system within the development to provide pedestrians with access to

1 the school sites. The sidewalks shall be constructed to the bound-
2 daries of the school sites. The design, location, and method of
3 construction shall be subject to County review and approval. The
4 sidewalk condition contained herein shall not be construed to be a
5 waiver of the sidewalk construction requirements contained in the
6 Subdivision Regulations of Hillsborough County.

7 2. Two school sites shall be reserved as shown in the
8 application. As to the eastern school site in Village IV, the ad-
9 joining recreation areas shall not be significantly developed until
10 building permits for seventy five percent (75%) of the project's
11 dwelling units have been issued. At the option of the School Board,
12 and upon its determination that such a facility will be needed, this
13 adjoining recreation area or a portion thereof shall be dedicated to
14 the Hillsborough County School Board for use as an elementary school
15 or junior high school.

16 3. If both school sites have not been previously dedi-
17 cated, the developer shall advise the School Board as soon as build-
18 ing permits have been issued for seventy five percent (75%) of the
19 project's dwelling units. If within sixty (60) days after being so
20 advised, the School Board has not notified the developer in writing
21 of the need for the school site, the sites shall no longer be re-
22 served for school purposes. As to the eastern site in Village IV,
23 the adjoining recreation area shall then be available for recreational
24 development and the designated school site shall be available for
25 residential development. However, the availability of additional
26 residential land shall in no way authorize the construction of a
27 number of dwelling units in excess of the number approved for the
28 entire project, nor shall the density on such sites exceed the
29 average net density of the residential portions of the project pre-
30 viously approved.

1 4. If at the time the east-west road which borders the
2 western school site on the south is under construction, the School
3 Board has requested dedication of that school site, the developer
4 shall provide the geometric road improvements necessary to handle
5 the traffic the school is anticipated to generate.

6 K. Transportation

7 1. The developer shall reserve sufficient land along the
8 Big Bend Road corridor between U.S. 301 and Balm-Riverview Road to
9 accommodate the construction of a six lane divided roadway. Each
10 time the developer seeks detailed site plan approval for a portion
11 of the project, the County shall determine whether the traffic which
12 will be generated by that portion will, when added to traffic volume
13 generated or projected as a result of the portions previously de-
14 veloped or previously or concurrently approved, cause total traffic
15 volume to rise above acceptable levels for any portion of Big Bend
16 Road. If it is determined that traffic is likely to exceed such
17 levels, the developer will, at that time, dedicate such land along
18 the Big Bend Road corridor as is necessary to accommodate construc-
19 tion of whatever road improvements the County determines are neces-
20 sary to ensure that Big Bend Road will operate at least at Level of
21 Service C. If it is later determined by the County that any part
22 of these reserved lands are not in fact needed to accommodate the
23 road improvements herein contemplated, the Board of County Commis-
24 sioners may allow development there, in accordance with the other
25 terms and conditions of this Development Order.

26 2. The developer shall reserve sufficient land to accom-
27 modate right-of-way for two additional lanes on the west side of
28 Balm-Riverview Road. Each time the developer seeks detailed site plan
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1 approval and/or preliminary plat approval for a portion of the pro-
2 ject, the County shall determine whether the traffic which will be
3 generated by that portion will, when added to traffic volume
4 generated or projected as a result of the portions previously de-
5 veloped or previously or concurrently approved, cause total traffic
6 volume to rise above acceptable levels for that segment of Balm-
7 Riverview Road. If it is determined that traffic is expected to
8 exceed these levels, the developer will, at that time, dedicate such
9 land along the Balm-Riverview Road corridor as is necessary to
10 accommodate construction of two additional lanes on the west side of
11 Balm-Riverview Road. The location of the right-of-way shall be
12 from the northeast corner of the development to the southeast corner.

13 3. The developer shall be responsible for design and
14 construction of all internal roadway improvements within the Big
15 Bend development. These roads shall be constructed in accordance
16 with Hillsborough County standards in effect at the time of con-
17 struction.

18 4. The developer shall be responsible for design and
19 construction of intersection geometric and signalization improvements
20 at the access points of the Big Bend development with adjacent ex-
21 terior roads, which are required because of traffic generated or
22 expected to be generated by the Big Bend development. All inter-
23 sections meeting signal warrants at access points to U.S. 301 or
24 Big Bend Road, as a result of total current and projected traffic,
25 shall be designed to the more conservative of the following:
26 (1) Level of Service D (peak hour) or (2) critical lane operation
27 level for the five-year projected traffic.

28 5. Access to U.S. 301 from the Regional Mall, Community
29 Commercial and Office/Tech Areas will be designed at a Level of
30 Service C.
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6. The minimum spacing between major intersections leading from any point within the development to U.S. 301 or Big Bend Road shall be made so as to optimize traffic flow as determined by the County in accordance with standard engineering practice.

7. (a) The developer shall prepare and submit, every two (2) years from the date of issuance of the Development Order, for review and approval by appropriate County authorities, a revised traffic/transportation analysis to show adequacy of transportation facilities provided. This analysis shall include current traffic counts on Big Bend Road, U.S. 301, I-75, and Balm-Riverview Road, and shall include the projected impact of uncompleted portions of the Big Bend Development. The nature and extent of analysis to be conducted by the developer shall be approved by Hillsborough County prior to the date of submittal of the analysis.

(b) The trip generation assumptions and projections used to develop the conditions relating to transportation system improvements may be adjusted by Hillsborough County as appropriate in light of the data generated by these studies. The transportation system improvement conditions may be modified accordingly by the Board of County Commissioners at the request of the developer.

8. The developer shall plan for and provide two collector roadways on approximately 1-mile spacings extending from the south boundary to the north boundary of the development on reasonably direct and environmentally practical alignments. Alternatively, the developer may provide a different road alignment, subject to the County's approval, that is designed to facilitate north-south traffic flow through the project and alleviate traffic impact on major corridors.

9. A proposal to change construction of the Regional Mall to a phase earlier than Phase III, as set out in the application shall be considered as a substantial deviation from

1 the approved development and shall require further assessment pur-
2 suant to Chapter 380.06, Florida Statutes.

3 10. The following transportation system improvements shall
4 be completed or under construction before initiation of any develop-
5 ment phase after Phase I:

6 a. Interstate 75 shall be completed in the
7 primary Impact Area from S.R. 674 north to
8 S.R. 60.

8 b. Widening of Big Bend Road from 2 lanes
9 to 4 lanes from U.S. 301 to I-75.

9 c. Widening of U.S. 301 from 2 lanes to
10 4 lanes from Big Bend Road to S.R. 60.

11 11. The following transportation system improvements shall
12 be completed or under construction before initiation of any develop-
13 ment phase after Phase II.

14 a. Widening of Big Bend Road from 2 lanes
15 to 4 lanes from U.S. 301 to Balm-Riverview
16 Road.

17 The developer shall design and con-
18 struct the third and fourth lane referenced
19 herein. The developer shall submit design
20 plans for the described construction which
21 plans shall be subject to periodic County
22 review prior to being finalized. All design
23 plans shall be prepared in accordance with
24 the standards and criteria established by the
25 American Association of State Transportation
26 Highway Officials and the Florida Department
27 of Transportation Manual of Uniform Standards
28 for Design, Construction and Maintenance for
29 Streets and Highways, and Hillsborough County
30 Road Construction Standards in effect at the
31 time of submittal of such plans to the County.
Additionally, such design and construction
shall be accomplished in a manner that will
facilitate further expansion to 6 lanes by
the addition of 2 lanes within the median
area of the constructed 4-lane roadway.

26 b. Widening of Big Bend Road from 4 lanes
27 to 6 lanes from U.S. 301 to I-75 and acqui-
28 sition of right-of-way for future 8 lanes.

28 c. Improvements of the interchange at Big
29 Bend Road and I-75 such that the projected
30 impact of traffic shall not exceed Level of
31 Service D during the peak hour after comple-
tion of Phase IV.

1 12. The following transportation system improvements
2 shall be completed or under construction before initiation of any
3 development phase after Phase III.

4 a. Widening of Big Bend Road from 4 lanes to
5 6 lanes from U.S. 301 to Balm-Riverview Road.

6 The developer shall participate in the
7 cost of construction of the 5th and 6th lane
8 by making a fair share contribution of money
9 to Hillsborough County. The developer's fair
10 share contribution shall be determined by use
11 of the formula described below:

12 Developer's existing and projected 13 traffic volumes on the described 14 segment		total
	x	cost of
15 Total existing and projected 16 traffic volumes on the described 17 segment		construc- 18 tion

19 The determination of the traffic volumes
20 described above shall be made at the comple-
21 tion of Phase III. The total cost of con-
22 struction shall include: plans preparation,
23 grading, base, required drainage structures,
24 surface, bridges, signing and signalization.
25 The contribution shall be transmitted to
26 Hillsborough County upon the request of the
27 Board of County Commissioners of Hillsborough
28 County which request may issue at any time
29 after completion of Phase III and the required
30 traffic analysis.

31 b. Widening of I-75 to 8 lanes from Big
Bend Road to S.R. 60.

c. Widening of U.S. 301 from 4 lanes to
6 lanes from Big Bend Road to Gbsonton Drive.

d. Widening of U.S. 301 from 2 lanes to 4
lanes from Big Bend Road to S.R. 674.

e. Widening of Balm-Riverview Road from 2
lanes to 4 lanes from Big Bend Road to U.S.
301.

f. Construction of an interchange at Big
Bend Road and U.S. 301.

g. Channelization and signalization of the
intersection of Boyette Road and Balm-Riverview
Road.

h. Channelization and signalization of the
intersection of U.S. 301 and Boyette Road.

13. The following intersections shall be maintained at
the more conservative of the following: (1) Level of Service D for
five year projected traffic at peak hour, or (2) critical lane
operation level for five year projected traffic:

1 a. U.S. 301 and Big Bend Road.

2 b. Big Bend Road and Balm-Riverview Road.

3 14. If transit utilization appears to be feasible in the
4 future in meeting some of the transportation demands of the develop-
5 ment, the developer shall cooperate with the Hillsborough Area Re-
6 gional Transit Authority in providing bus stops, shelters, etc., to
7 encourage the use of transit.

8 15. For purposes of this section the words "under con-
9 struction" shall be construed to mean physical construction activi-
10 ties pursuant to the terms of an executed contract.

11 L. Water and Sewer Service

12 1. The developer is to provide sufficient effluent dis-
13 posal sites to accept the effluent which will be generated by the
14 project.

15 2. Water wells may be utilized for irrigation on an
16 interim basis. However, once wastewater effluent is available to
17 any irrigation site, any such irrigation wells must be plugged and
18 wastewater effluent must be utilized for irrigation.

19 3. All development must comply with County standards.
20 A water distribution master plan, wastewater collection master plan,
21 and the preliminary engineering calculations must be submitted to
22 Hillsborough County prior to approval of any development. In addi-
23 tion, construction schedules must be updated on an annual basis.

24 4. Upon approval by the County, the developer shall pro-
25 vide, at its own cost and expense, an interim wastewater treatment
26 plant of sufficient capacity to serve the development, to be dedi-
27 cated to and operated and maintained by Hillsborough County until
28 such time as service can be provided by a County wastewater treat-
29 ment system. At such time as service by the County is available,
30 the development shall be required to connect to the County system.

31 5. The instrument by which the interim wastewater
treatment plant is dedicated to Hillsborough County shall contain
the following provision:

1 "Six months after the developer connects
2 to a County wastewater treatment plant,
3 ownership of the parcel upon which the
4 interim wastewater treatment plant has been
5 constructed shall revert to the developer.
6 Hillsborough County, at its option, may,
7 during this six-month period, remove from
8 the premises all or any part of the interim
9 wastewater treatment plant, including all
10 facilities and equipment connected in any
11 way with its operation, whether above or
12 below ground, and without regard to whether
13 such facilities and equipment are legal fix-
14 tures."

15 6. The physical disposal of solid waste shall be the
16 responsibility of Hillsborough County. The collection and trans-
17 portation of solid waste for disposal is controlled by County or-
18 dinance.

19 IV. GENERAL PROVISIONS

20 A. The legal description set forth in Exhibit A is hereby
21 incorporated into and by reference made a part of this development
22 order.

23 B. All provisions contained within the application for de-
24 velopment approval marked "Composite Exhibit B" shall be considered
25 conditions of this development order unless inconsistent with the
26 terms and conditions of this development order, in which case the
27 terms and conditions of this development order shall control.

28 C. This Resolution shall constitute the development order of
29 Hillsborough County in response to the application for development
30 approval for the Big Bend Development of Regional Impact.

31 D. The definitions contained in Chapter 380, Florida Sta-
32 tutes (1981), shall govern and apply to this development order.

E. This development order shall be binding upon the developer
and its heirs, assignees or successors in interest including any
entity which may assume any of the responsibilities imposed on the
developer by this development order. It is understood that any
reference herein to any governmental agency shall be construed to
mean 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.

F. In the event that any portion or section of this develop-
ment order is determined to be invalid, illegal or unconstitutional

1 by a court of competent jurisdiction, such decision shall in no
2 manner affect the remaining portions or sections of this development
3 order which shall remain in full force and effect.

4 G. Whenever this development order provides for or otherwise
5 necessitates reviews or determinations of any kind subsequent to its
6 issuance, the right to review shall include all government agencies
7 and departments as are or may be designated by the Board of County
8 Commissioners of Hillsborough County to review development of re-
9 gional impact applications as well as all governmental agencies and
10 departments set forth under applicable laws and rules governing de-
11 velopments of regional impact.

12 H. In each instance in this development order where the
13 developer is responsible for ongoing maintenance of facilities at
14 Big Bend, the developer may transfer any or all of its responsibili-
15 ties to improve and maintain those facilities to an appropriate
16 private or public body created to perform such responsibilities.
17 Provided, however, that before such transfer may be effective, the
18 body to which responsibility has been or will be transferred must be
19 approved by the County, upon determination that the entity in ques-
20 tion can and will be responsible to provide maintenance as required
21 in this development order.

22 I. A certified true copy of this Resolution shall be recorded
23 in accordance with Section 380.06, Florida Statutes (1981).

24 J. A substantial deviation from the terms or conditions of
25 this development order or other changes to the approved development
26 plans which create a reasonable likelihood of additional adverse
27 regional impact, or any other regional impact not previously reviewed
28 by the Regional Planning Council may result in Hillsborough County
29 ordering a termination of all development approved herein. Nothing
30 herein shall be construed to limit or modify the right of Hills-
31 borough County to make a substantial deviation determination pursuant
to the provisions of Section 380.06(17), Florida Statutes (1981).

1 K. The County Administrator of Hillsborough County shall be
2 responsible for monitoring all terms and conditions of this develop-
3 ment order. For purposes of this condition, the County Administrator
4 may rely upon or utilize information supplied by any Hillsborough
5 County department or agency having particular responsibility over the
6 area or subject involved. The County Administrator shall report to
7 the Board of County Commissioners any findings of deviation from the
8 terms and conditions of this development order. The County Adminis-
9 trator shall issue a notice of such non-compliance to the developer
10 and if the deviation is not corrected within a reasonable amount of
11 time shall recommend that the Board of County Commissioners establish
12 a hearing to consider such deviations. The developer shall be given
13 notice of any such hearing. In the event that circumstances require
14 an immediate action, so as to prevent irreparable harm, the County
15 Administrator need not issue a notice of non-compliance.

16 L. The developer shall file an annual report in accordance with
17 Section 380.06(16), Florida Statutes (1981). Such report shall be
18 due on the anniversary of the effective date of this development
19 order for each following year until and including such time as all
20 terms and conditions of this development order are satisfied. Such
21 report shall be submitted to the County Administrator who shall after
22 appropriate review, submit it for receipt by the Board of County Com-
23 missioners. The Board of County Commissioners shall review the re-
24 port for compliance with the terms and conditions of this development
25 order and may issue further orders and conditions to insure com-
26 pliance with the terms and conditions of this development order. The
27 developer shall be notified of any Board of County Commissioners
28 hearing wherein such report is to be reviewed. Provided, however,
29 that receipt and review by the Board of County Commissioners shall
30 not be considered a substitute or a waiver of any terms or condi-
31 tions of this development order. The report shall contain:

1 1. A description of all development activity conducted
2 pursuant to this development order during the year immediately pre-
3 ceding the submission of the annual report;

4 2. A description of all development activities proposed
5 to be conducted under the terms of this development order for the
6 year immediately subsequent to the submission of the annual report;

7 3. A statement listing all applications for incremental
8 review required pursuant to this development order or other appli-
9 cable local regulations which the developer proposes to submit during
10 the year immediately following submittal of the annual report;

11 4. A statement setting forth the name(s) and address of
12 any heir, assignee or successor in interest to this development
13 order; and,

14 5. Shall contain a statement that all persons have re-
15 ceived copies of the annual report as required under Section 380.
16 06(16), Florida Statutes.

17 It is the intent herein that the foregoing requirements
18 for submittal of the annual report shall be in addition to and not
19 in lieu of any submittal requirements for an annual report as pro-
20 mulgated by the State Land Planning Agency.

21 M. This development order shall become effective upon adoption
22 by the Board of County Commissioners of Hillsborough County in
23 accordance with Section 380.06, Florida Statutes (1981).

24 N. The property which is subject to this development order
25 and/or all owner(s) thereof shall be subject to any county or state-
26 wide impact fee or user charge or any other county-wide assessment
27 or tax that may be imposed to fund, in whole or in part, the costs
28 of roadway maintenance or construction. Nothing herein shall be
29 construed to limit or modify any legal remedies developer may seek
30 to contest the validity of such county or statewide impact fee, user
31 charge, county-wide assessment or tax as set forth in this paragraph.

O. Upon adoption, this development order shall be transmitted
by the Ex Officio Clerk to the Board of County Commissioners, by

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certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the developer.

P. The development shall proceed in strict accordance with the development phasing plan contained in the application. The developer is specifically prohibited from proceeding with the development of any Phase after Phase I until completion of development of the proceeding Phase.

I, JAMES F. TAYLOR, JR., 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 development order adopted by the Board at a duly convened public hearing held on January 22, 1982, as the same appears of record in Minute Book 81 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 26th day of January, 1982.

JAMES F. TAYLOR, JR., CLERK

By: *James S. Austin*
Deputy Clerk

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

BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY, FLORIDA
DOCUMENT No. 82-33

A parcel of land including all or portions of Sections 8, 9, 10, 11, 15 16 and 17 in Township 31 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 8, Township 31, South Range 20 East; thence N.89°42'37"E. along the South line of the Southwest 1/4 said Section 8 for 132.00 feet to a point of intersection with the Easterly Right-of-Way line of U.S. Highway #301 (State Road No. 43), said point being the POINT OF BEGINNING of the herein described parcel of land; thence continue along the Easterly Right-of-Way line of U.S. Highway #301 for the following two (2) described courses: 1) N.00°00'03"E. for 2769.81 feet to the Point of Curvature of a circular curve concave to the East; 2) Northerly along the arc of said curve having a radius of 5597.58 feet and a central angle of 5°41'23", for 555.86 feet to an intersection with the South line of the North 1980 feet of the North 3/4 of said Section 8; thence run along the last described South line for the following three (3) courses: 1) N.89°41'18"E. for 2508.84 feet to an intersection with the East line of the Northwest 1/4 of said Section 8; 2) N.89°47'46"E. for 1716.03 feet; 3) N.89°48'58" E. for 968.63 feet to an intersection with the West line of the Northwest 1/4 of said Section 9, Township 31 South, Range 20 East; thence N.0°15'23"W. along the West line of the Northwest 1/4 of said Section 9 for 1980.14 feet to the Northwest corner of said Section 9; thence N.89°46'00"E. along the North line of the Northwest 1/4 of said Section 9 for 2624.32 feet to the Northeast corner of the Northwest 1/4 of said Section 9; thence N.89°44'54"E. along the North line of the Northeast 1/4 of said Section 9 for 1269.79 feet; thence N.89°45'12"E. continuing along the North line of the Northeast 1/4 of said Section 9 for 1357.46 feet to the Northeast corner of said Section 9, the same being the Northwest corner of said Section 10; thence N.89°28'59"E. along the North line of said Section 10 for 2139.02 feet to a concrete monument; thence S.1°29'39"E. for 880.79 feet to a concrete monument; thence N.89°30'21"E. for 2155.06 feet to a concrete monument, said point being a point on the Westerly Right-of-Way line of Balm-Riverview Road; thence run along the Westerly Right-of-Way line of Balm-Riverview Road for the following three (3) described courses: 1) S.23°27'37"E. for 1433.57 feet; 2) S.24°15'00"E. for 1417.22 feet; 3) S.29°56'27"E. for 547.87 feet to an intersection with the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 11, Township 31 South, Range 20 East; thence run S.89°57'01"W. along the last described South line for 282.67 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 10, Township 31 South, Range 20 East; thence S.89°34'32"W. along the South line of the North 1/2 of the Southeast 1/4 of said Section 10 for 2686.38 feet to the Southwest corner of the North 1/2 of the Southeast 1/4 of said Section 10; thence S.1°31'35"E. along the East line of the Southwest 1/4 of said Section 10 for 1323.68 feet to the South 1/4 corner of said Section 10; thence S.0°11'05"W. along the East line of the Northwest 1/4 of Section 15, Township 31 South, Range 20 East, for 1325.76 feet to the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 15; thence S.89°34'24"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 15 for 2663.20 feet to the Southeast corner of the North 1/2 of the Northeast 1/4 of Section 16, Township 31 South, Range 20 East; thence S.89°36'20"W. along the South line of the North 1/4 of said Section 16 for 5359.98 feet to the Southwest corner of the North 1/4 of said Section 16; thence S.89°39'42"W. along the South line of the North 1/2 of the Northeast 1/4 of said Section 17, Township 31 South, Range 20 East for 2681.22 feet; thence S.89°46'15"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 17 for 2565.01 feet to an intersection with the Easterly Right-of-Way line of the aforementioned U.S. Highway #301; thence run N.00°00'41"E. along the last described Easterly Right-of-Way line for 1326.67 feet to the POINT OF BEGINNING. LESS therefrom the existing Right-of-Way for Big Bend Road and any other dedicated Rights-of-Way.

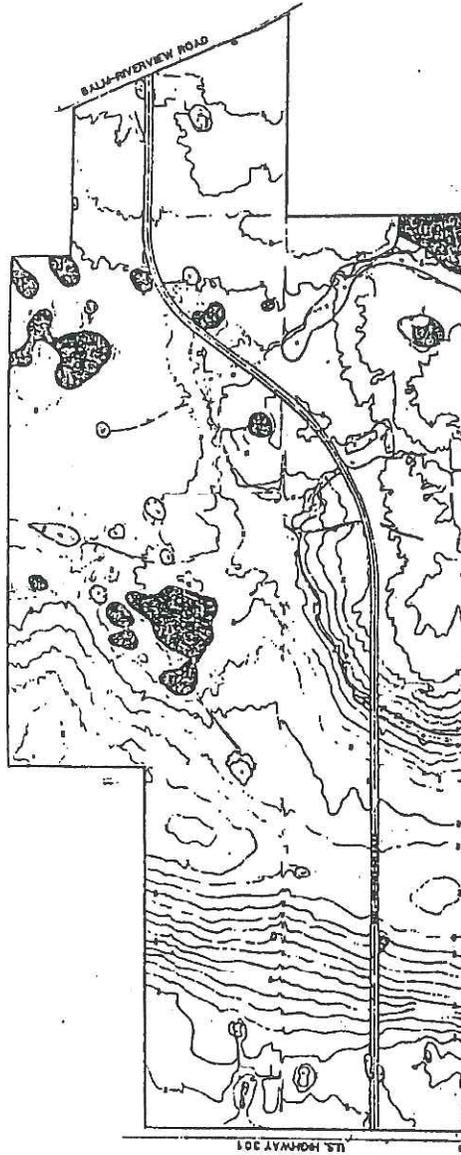
COMPOSITE EXHIBIT B

CONSISTS OF THE

APPLICATION FOR DEVELOPMENT APPROVAL

AND THE SUFFICIENCY RESPONSE

EXHIBIT C
WETLANDS



WETLANDS

BIG BEND

U.S. HOME CORPORATION
CENTRAL FLORIDA LAND DEVELOPMENT DIVISION/FLORIDA REGION
POST, BUCKLEY, SCHRIK & JERROLD, INC.
CONSULTING ENGINEERS AND PLANNERS



EXHIBIT 16-1

VIABLE WETLANDS AS
DETERMINED BY EPC
STAFF INDICATED IN
BLACK.

SOURCE: P.B.S.A.J., INC. 1981

EXHIBIT D

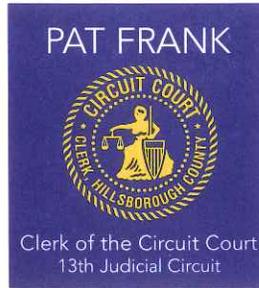
PHASE 3A-ROADWAY FAIR SHARE COSTS

PHASE 3A
PROJECT'S FAIR SHARE

Roadway	To	Existing LENGTH (MILES)	Budgeted Geometry	REQUIRED GEOMETRY	COST PER MILE	TOTAL COST	NB/EB	SB/WB
US 41	Miller Mac Rd.	1	4LD	6LD	4434822	4434822	9566.78	428.73
US 41	Apollo Beach Blvd.	2.07	4LD	6LD	4434822	9180081	66786.84	18472.36
US 301	County Line	5.67	2LU	4LD	3982343	22579887	31494.22	16510.82
US 301	SR 674	2	2LU	4LD	3982343	7864657	81131.24	11441.85
US 301	18th	1.98	2LU	4LD	3982343	7865040	97626.27	37133.60
US 301	Balm Rd	1.5	2LU	4LD	3982343	4811025	79252.58	24158.03
US 301	Big Bend Rd.	2.07	2LU	6LD	6852386	14184439	300106.85	114635.83
US 301	Rhodine Rd	2.14	2LU	6LD	6852386	14702245	283865.08	155785.42
US 301	Gibsonton Dr.	0.95	6LD	8LD	8663986	3843657	75095.25	26136.94
US 301	Balm RiverView	0.42	6LD	8LD	8663986	3843657	41864.06	11866.83
US 301	Bloomingdale Dr	0.75	6LD	8LD	8663986	3023.53	3023.53	6121.41
US 301	175	1.72	4LD	8LD	8663986	15740680	55350.70	16327.25
US 301	Causeway Blvd	0.22	4LD	6LD	4434822	976661	2806.35	615.93
US 301	Cross Town	1.65	4LD	6LD	4434822	7317456	12344.54	4272.35
US 41	School	1.5	4LD	6LD	4434822	6642232	88839.20	31343.45
US 301	175	0.19	4LD	6LD	4434822	942616	10825.84	5264.81
US 301	Big Bend Rd.	1.33	4LD	6LD	4434822	5898313	101564.22	64144.63
US 301	Big Bend Rd.	0.38	4LD	6LD	4434822	8087336	213888.61	103087.78
US 301	Existing 4 Lanes	1.4	2LU	4LD	3982343	5575281	95634.47	84783.25
US 301	175	1.31	4LD	6LD	4434822	5809616	16594.69	7550.32
Balm RiverView	Balm RiverView	2.77	4LD	6LD	4434822	12284455	30094.78	36331.20
Boyette Rd.	Bell Shoals	4.59	2LU	4LD	3982343	18278956	16207.48	31465.74
Fishhawk Blvd	Lithia Pinecrest Rd	0.33	4LD	6LD	4434822	1463491	1207.55	113.92
Causeway Blvd	US 301	0.64	2LU	4LD	3982343	2548700	2837.78	389.48
Progress Blvd	175 Area	1.25	4LD	6LD	6852386	8565483	31190.26	9220.45
Bloomingdale Ave	Providence Rd	1.95	4LD	6LD	6852386	13362153	15584.90	10225.69
Bloomingdale Ave	John Moore Rd	0.33	2LU	4LD	5416870	1785227	408.95	188.60
Lithia Pinecrest Rd	Fishhawk Blvd	0.33	2LU	4LD	5416870	1788227	5337.09	2387.72
Lithia Pinecrest Rd	CR 38	1.56	2LU	4LD	5416870	8453437	62295.56	47715.82
Balm RiverView Rd	Boyette Rd	3.09	2LU	4LD	5416870	16744307	21615.93	26221.37
Bell Shoals Rd	Fishhawk Boulevard							
TOTALS						247,320,177	1,864,543.71	879,344.38
TOTALS								2,743,888.09

EXHIBIT D

PHASE 3A - INTERSECTION FAIR SHARE COSTS (REVISED 11/30/04)		TOTAL	PHASE 3A FAIR SHARE
INTERSECTION	IMPROVEMENT	COST	COST
US 41 @ SYMMES RD	SIGNALIZE	200000	469
US 41 @ BIG BEND	TURN LANES	100000	2464
US 301 @ 19 TH AVE	SIGNALIZE	200000	2652
US 301 @ BALM ROAD	SIGNALIZE	200000	3170
US 301 @ BIG BEND ROAD	TURN LANES	500000	26459
US 301 @ GIBSONTON DRIVE	TURN LANES	100000	3863
US 301 @ BALM RIVERVIEW	TURN LANES	100000	931
US 301 @ RIVERVIEW DR	TURN LANES	400000	3728
US 301 @ BLOOMINGDALE	TURN LANES	400000	1683
US 301 @ FALKENBURG RD	TURN LANES	200000	917
US 301 @ I 75	SIGNALIZE	200000	406
BIG BEND RD @ I 75 WEST	TURN LANES	300000	6528
BIG BEND RD @ I 75 EAST	TURN LANES	300000	4091
BIG BEND RD @ I 75 EAST	SIGNALIZE	200000	3082
BIG BEND RD @ BALM RIVERVIEW	SIGNALIZE	200000	4420
GIBSONTON @ I 75 WEST	TURN LANES	100000	525
GIBSONTON @ I 75 WEST	SIGNALIZE	200000	650
GIBSONTON @ I 75 EAST	TURN LANES	100000	92
GIBSONTON @ I 75 EAST	SIGNALIZE	200000	901
LUMSDEN RD @ PROVIDENCE RD	TURN LANES	200000	387
LUMSDEN RD @ PROVIDENCE RD	6LANE RDWY	2143064	4151
BLOOMINGDALE @ PROVIDENCE RD	TURN LANES	200000	371
BELL SHOALS RD @ BLOOMINGDALE	TURN LANES	100000	537
LITHIA PINECREST @ CR 39	TURN LANES	400000	1979
LITHIA PINECREST @ CR 39	SIGNALIZE	200000	762
SR 674 @ I 75	SIGNALIZE	200000	703
RHODINE RD @ BALM RIVERVIEW RD	SIGNALIZE	200000	3417
	TOTAL	7643064	78869



#73

July 25, 2013

JOHN MEYER DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
4000 GATEWAY CENTER BLVD SUITE 100
PINELLAS PARK FL 33782

Re: Resolution No. R13-120 – Amending and Restating Development Order for
Summerfield Crossings fka Big Bend - DO Amendment 13-0433 (Waterleaf LLC)
(DRI #73)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which was adopted by the
Hillsborough County Board of County Commissioners on July 23, 2013.

We are providing this original for your files.

Sincerely,



Kimberly Richards,
Associate Director, BOCC Records/VAB

md

Certified Mail Receipt # 7003 3110 0004 4684 4308

Attachment

cc: Board files (orig.)
Judith L. James, Esq., Malloy & James (orig. ltr.)
Ray Eubanks, Florida Department of Economic Opportunity (orig. ltr.)
Nancy Y. Takemori, Assistant County Attorney
John Healey, Senior Planner, Development Services
Christopher Weiss, Property Appraiser's Office
Tom Fesler, Director, Business and Support Services
Paige Ward, County Attorney's Office
Nancy Milam, County Attorney's Office
Sharon Sweet, BOCC Records

RESOLUTION NO. R13-120

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
HILLSBOROUGH COUNTY, FLORIDA
AMENDING AND RESTATING DRI #73 DEVELOPMENT ORDER
FOR SUMMERFIELD CROSSINGS (F/K/A BIG BEND)**

Upon motion of Commissioner Higginbotham, seconded by
Commissioner Miller, the following Resolution was adopted this
23rd day of July, 2013, by a vote of 5 to 0.

WHEREAS, in accordance with Section 380.06, Florida Statutes, on January 26, 1982, the Board of County Commissioners ("BOCC") approved a Development Order, Resolution #81-21, for the Summerfield Crossings Development of Regional Impact (DRI) #73, f/k/a Big Bend DRI, (hereinafter, together with the below described amendments, referred to as the Development Order) pursuant to the provisions of Section 380.06, Florida Statutes, legally described in **Exhibit A** attached hereto; and

WHEREAS, on August 10, 1993, the BOCC adopted Resolution 93-0161, an amendment to the Development Order, which included, among other amendments, an extension of the development buildout by approximately eleven years; and

WHEREAS, on August 8, 2000, the BOCC adopted Resolution No. R-00-161, an amendment to the Development Order, which included, among other amendments, (i) an extension of the buildout date, (ii) an extension of the completion dates of Phases I, II, III and IV, (iii) changes to certain transportation conditions, (iv) changes to Map H, (v) provision of a land use conversion factor for commercial and residential uses, and (vi) other changes described therein; and

WHEREAS, on October 29, 2003, U.S. Home Corporation (U.S. Home), a developer in Summerfield Crossings, filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Pursuant to Subsection 380.06(19), F.S.", (hereinafter referred to as the NOPC); and

WHEREAS, on March 8, 2005 the BOCC adopted Resolution #05-059, an amendment to the Development Order which included, among other amendments, (i) Creation of a new, specifically approved, Phase IIIA consisting of 803 single-family units, (ii) Revision of transportation conditions including establishment of transportation conditions specific to Phase IIIA development, (iii) Removal of the requirement for a biennial transportation analysis, and (iv) Amendment of Map H to revise the Phasing Table and Notes to remove commercial entitlements from multiuse tracts 40 and 15; and

WHEREAS, on May 9, 2006, the BOCC adopted Resolution #06-095, denying an application for a notice of proposed change to the Development Order for the purpose of allowing townhome units on Tracts 1, 2 and 12 of the Commercial Core; and

WHEREAS, on February 12, 2013, the BOCC adopted Resolution #13-018, an amendment to the Development Order which included, among other amendments, revisions to Map "H" which blended the entitlements permitted on remaining tracts in the Commercial Core of the development; and

WHEREAS, on April 5, 2013, Waterleaf, LLC ("Waterleaf") an owner of Tracts 1 through 8 of Village 3 in Summerfield Crossings, filed an application to amend the Development Order pursuant to Section 380.06(19)(e)2, Fla. Stats., ("Development Order Amendment"); and

WHEREAS, the Development Order Amendment proposed to amend Map H to reconfigure Tracts 1 through 8 of Village III in Summerfield Crossings, to eliminate the extension of Road "D" south of Big Bend Road, and to establish an alternative roadway through Tracts 1-8 of Village III, to eliminate two road crossings over Little Bullfrog Creek, and to permit an alternative entrance to Balm Riverview Road.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR SESSION THIS 23rd DAY OF July, 2013, AS FOLLOWS:

I. Findings of Fact:

- A. Waterleaf submitted to Hillsborough County ("County") a Development Order Amendment pursuant to Section 380.06(19)(e)2 which requested approval of the following Proposed Changes: Amendment of Map H and the Development Order to reconfigure Tracts 1 through 8 of Village III, to eliminate the extension of Road "D" south of Big Bend Road, and to establish an alternative roadway through Tracts 1-8 of Village III, to eliminate two road crossings over Little Bullfrog Creek, and to permit an alternative entrance to Balm Riverview Road as shown on Map H, dated May 2, 2013 and attached hereto as **Exhibit B**.
- B. The BOCC, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to approve amendments to DRIs.
- C. The Proposed Changes approved herein result in no new or additional regional impacts requiring further DRI review.

II. Conclusions of Law:

- A. All statutory procedures have been adhered to and the impacts of the development authorized hereby are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.
- B. Resolutions #81-21, #93-0161, #00-161, #05-059, #06-095, and #13-018 are incorporated herein by reference and are hereby reaffirmed in their entirety except as amended herein.

- C. Except as specifically set forth herein, nothing herein shall limit or modify (i) the rights originally approved by the Development Order, (ii) the protection afforded under Section 163.3167(8), Florida Statutes, or (iii) established setbacks and lot coverage requirements.
- D. The amendment adopted hereby is consistent with the State Comprehensive Plan, with the Comprehensive Plan of the County, and with applicable land development regulations, and does not unreasonably interfere with the achievement of the objectives of the State Land Development Plan applicable to the area.
- E. The Development Order Amendment adopted hereby is found to be a change to the Development Order pursuant to Section 380.06 (19) (e) (2) F. S. and no Notice of Proposed Change review is required.

Based on the above Findings of Fact and Conclusions of Law, the BOCC hereby amends and restates the Development Order in its entirety to read:

III. Conditions:

A. Environmental

1. The portion of the Sand Pine Scrub Community consisting of the seven (7) acres nearest the southern property line shall be preserved in its natural state. Construction in the remaining portion of the Sand Pine Scrub Community shall incorporate natural vegetation into landscaping where possible. Development in this remaining portion shall be subject to detailed site plan review and approval by the Environmental Protection Commission. The Sand Pine Scrub Community shall be identified on the revised general site plan.
2. All viable wetland areas shall be preserved in their natural state. The precise location of such areas shall be determined by the Environmental Protection Commission at the time of detailed site plan approval, consistent with the wetland areas generally delineated on **Exhibit C** attached to Resolution #81-21 and made a part hereof by reference.
3. In order to minimize loss of property as a result of sinkholes, the primary lineament intersections shall be retained as major open space with minimal building construction, as referenced in the application. Final plans submitted for the regional mall will not be approved until in-depth subsurface testings are performed to determine the actual potential for sinkhole occurrence. No development will be approved within the lineament intersection boundaries until a direct investigation using gravity mapping, borings, or other engineering techniques acceptable to the County is done to confirm that the local limerock structure for the affected building area is capable of properly

supporting the development proposed for this site.

4. A program of measures to reduce air pollution and erosion during the construction shall be implemented as referenced in the application.
5. If, at any time during the development period, the water quality monitoring program for Bullfrog Creek currently supplied by the United States Geological Survey and the Florida Department of Environmental Regulation is determined by the County to be insufficient to provide for the protection of the public health and safety, the Developer shall be responsible for establishing an adequate water quality monitoring program which shall be approved by the County.

B. Energy

State-of-the-Art Energy Conservation measures as deemed cost effective shall be incorporated into the residential portion of the development. The Developer shall also incorporate as part of the development plans for the commercial and office buildings of the development, energy management practices such as landscaping, energy conserving construction requirements, ridesharing, street lighting, operating practices and life cycle costing for construction and operation.

C. Drainage

1. Drainage shall be designed to maintain pre-development ground and surface water levels, so as to avoid any alteration of the integrity and viability of the preserved wetlands.
2. All drainage flood control structures shall be non-adjustable.
3. Any displacement of natural storage within the 25-year floodplain, which results from filling or the locating of detention ponds within the floodplain, or otherwise, shall be mitigated by the provision of equal storage capacity in other parts of the project previously or concurrently approved for development. The Developer shall delineate natural floodwater storage areas on preliminary plans for each subdivision unit or other discrete portion of the project and shall protect these areas from filling except as provided above.
4. The peak discharge from the large paved office and commercial sites adjacent to U.S. 301 must be determined by the more conservative of the following predevelopment conditions:
 - a. The time of concentration of the commercial sites themselves, or
 - b. The time of concentration of the most critical storm for Bullfrog Creek.

5. The Developer shall provide sufficient rights-of-way or easements for access to lakes, drainage control structures, and retention areas for equipment for mosquito and aquatic weed control activities conducted by appropriate government agencies. The area should be adequate to launch a boat for these purposes without the need for access through residential yards.
6. The Developer shall be responsible for maintenance of drainage features, located in portions of the drainage areas not dedicated to the County, in order to help control mosquitoes and aquatic weeds.
7. The drainage system constructed for the Big Bend Development shall incorporate components as conceptually proposed in the application, subject to approval by the County. The system shall be designed for maximum ground water recharge in areas having onsite irrigation wells.

D. Parks and Recreation Areas

On June 3, 1987, the County and the Developer entered into an Agreement Regarding Park Improvements for Summerfield, amended on August 8, 2000 (collectively, the "Agreement"), relating to park requirements imposed for the development. The Agreement, as may be amended from time to time, shall govern the park requirements for the development. Violation of the terms, conditions and requirements of the Agreement shall render the project out of compliance with the Development Order.

E. Medical and/or Health Care Facility

As referenced in the application, the Developer shall reserve a ten-acre site for development of a medical and/or health care facility. This site shall be subject to appropriate deed restrictions to insure development for medical purposes.

F. Police Protection

1. The Developer will incorporate environmental security planning for crime reduction as an integral part of site planning and building construction. This planning will be done in cooperation with the Hillsborough County Sheriffs Department's Crime Awareness Team, starting at the initial site planning stage. The plan will include adequate security hardware, consideration of street and building orientation, street lighting, special consideration for crime problem areas (i.e., regional mall, multi-family developments, and convenience stores) and crime prevention programs by the Hillsborough County Sheriffs Department.
2. At the commencement of each phase of the development, the Developer shall demonstrate that such emergency plans and police manpower and/or facilities

as are necessary to provide adequate police protection for that phase have been or will be provided.

G. Community Services

As referenced in the application, the Developer shall reserve a five-acre site for general community service facilities to meet project needs as identified by the Developer and approved by the County. This site shall be dedicated to the County, upon the County's determination that the site is needed. The deed shall contain appropriate restrictions.

H. Fire Control

1. A site for construction of a fire station and EMS facility adequate to serve the needs of the entire project shall be reserved, and shall be dedicated to the County upon request, which site shall be located not more than 1/2 mile from the intersection of Big Bend Road and U.S. 301.
2. If the County at any time prior to January 1, 1985, indicates its willingness to accept, equip and operate a fire and EMS facility at the designated location, the Developer shall construct, at its own cost and expense, not to exceed \$200,000.00, a facility of sufficient size to house a four-man engine company plus an EMS ambulance unit and shall convey same to the County. Should the cost of construction of such a facility exceed \$200,000.00, then the County shall assume the responsibility for construction and the Developer shall at the request of the County contribute the sum of \$200,000.00 to the County.

I. Construction of Multi-Family Units

Multi-family units shall be constructed as early as economically feasible. The Developer shall designate for construction of rental residential units as much land as it determines is economically feasible to so designate.

J. Schools

1. The Developer shall construct a sidewalk/bike path system within the development to provide pedestrians with access to the school sites. The sidewalks shall be constructed to the boundaries of the school sites. The design, location, and method of construction shall be subject to County review and approval. The sidewalk condition contained herein shall not be construed to be a waiver of the sidewalk construction requirements contained in the Subdivision Regulations of the County.
2. Two school sites shall be reserved as shown in the application. As to the eastern school site in Village IV, the adjoining recreation areas shall not be significantly developed until building permits for seventy five percent (75%) of the project's dwelling units have been issued. At the option of the School

Board, and upon its determination that such a facility will be needed, this adjoining recreation area or a portion thereof shall be dedicated to the Hillsborough County School Board for use as an elementary school or junior high school.

3. If both school sites have not been previously dedicated, the Developer shall advise the School Board as soon as building permits have been issued for seventy five percent (75%) of the project's dwelling units. If within sixty (60) days after being so advised, the School Board has not notified the Developer in writing of the need for the school site, the sites shall no longer be reserved for school purposes. As to the eastern site in Village IV, the adjoining recreation area shall then be available for recreational development and the designated school site shall be available for residential development. However, the availability of additional residential land shall in no way authorize the construction of a number of dwelling units in excess of the number approved for the entire project, nor shall the density on such sites exceed the average net density of the residential portions of the project previously approved.
4. If at the time the east-west road which borders the western school site on the south is under construction, the School Board has requested dedication of that school site, the Developer shall provide the geometric road improvements necessary to handle the traffic the school is anticipated to generate.

K. Transportation

1. The Developer shall reserve sufficient land along the Big Bend Road corridor between U.S. 301 and Road "C" to accommodate the construction of a six lane divided roadway. [The following right-of way for Big Bend Road has already been either dedicated or reserved: 140 feet dedicated between U.S. 301 and Road "C"; 120 feet dedicated between Road "C" and a point just west of Road "G"; and 120 feet reserved between a point just west of Road "G" and Balm-Riverview Road.]
2. The Developer or other owners of property within the project contiguous thereto, as applicable, shall be responsible for design and construction of all internal roadway improvements within the Summerfield Crossings development as set forth in subparagraphs K.3 and K.4 below. These roads shall be constructed in accordance with the County standards in effect at the time of construction.
3. The Developer shall dedicate right-of-way for the following roadways: Summerfield Boulevard from Smokethorn Drive to the northern Summerfield Crossings property boundary; Summerfield Boulevard from Woodbridge Drive to the southern Summerfield Crossings property boundary; Heritage Green Parkway (also known as Road "D") from Fairway Meadow Drive to the

northern Summerfield Crossings property boundary; Road "G" from Big Bend Road to the southern Summerfield Crossings property boundary; Big Bend Road (120 feet in width from Summerfield Boulevard to Balm Riverview Road); and Balm Riverview Road along the entire eastern boundary of Summerfield Crossings (50 feet from roadway centerline). All such right-of-way shall be deeded to Hillsborough County within ninety (90) days following the approval of this Resolution 05-059 by the Board of County Commissioners, or prior to approval of a preliminary plat for any residential development as part of Phase IIIA, whichever occurs first.

4. The developer of each tract adjacent to Road "C" (north of Big Bend Road), Fairway Meadows Boulevard, and Woodbridge Drive (west of Road "C"), shall construct the roadways along the entire property boundary of each such tract concurrent with the development of the tract itself, except that construction of the portion of Fairway Meadow Drive from its current terminus to U.S. 301 within the Commercial Core shall be governed by the conditions of MM 12-839. Where the property boundary is adjacent to the non-developable common area (wetlands, park, etc.), the roadway shall be constructed to the center of the feature. A traffic analysis shall be submitted, based on a methodology acceptable to Hillsborough County, to determine the turn lanes needed where these roadways intersect existing and future internal and external roadways as shown on Map "H". The construction of the north-south road through Tracts 1-6 of Village III shall be governed by the conditions of PRS 13-0432, as it may be amended. A roadway connection shall be provided to the southern property boundary of Summerfield Crossings from Tracts 1-6 of Village III to provide for future access to the proposed development to the south, as shown on Map "H." An access point to Balm Riverview Road south of Big Bend Road shall be provided as shown on Map "H."
5. The developer of the tract adjacent to Road "C" (south of Big Bend Road) and Woodbridge Drive (east of Road "C") shall construct the roadways along the entire property boundary of that tract, and shall ensure that the two roadways intersect. An exclusive left turn lane, through lane, and right turn lane shall be constructed on all legs of the two intersecting roadways. The intersection shall be designed in such a manner to provide for the future connection of Woodbridge Road from the west. Road "C" shall be constructed to the southern property boundary of Summerfield Crossings. An exclusive northbound left turn lane, through lane, and an exclusive right turn lane shall be constructed on Road "C" at the intersection with Big Bend Road.
6. The owners of the commercial and office tracts at the intersections of Road "C", Summerfield Boulevard, and Road "D" and Big Bend Road shall submit a traffic analysis prior to Preliminary Plan Approval, to be approved by Hillsborough County, showing the required intersection improvements and signalization at these intersections.

7. The Developer shall be responsible for design and construction of intersection geometric and signalization improvements at the access points of the Summerfield Crossings development with adjacent exterior roads, which are required because of traffic generated or expected to be generated by the Summertield Crossings development. All intersections meeting signal warrants at access points to U.S. 301 or Big Bend Road, as a result of total current and projected traffic, shall be designed to the more conservative of the following: (a) Level of Service D (peak hour) or (b) critical lane operation level for the five-year projected traffic.
8. Access to U.S. 301 from the Regional Mall, Community Commercial and Office/Tech Areas will be designed at a Level of Service D (peak hour).
9. The minimum spacing between major intersections leading from any point within the development to U.S. 301 or Big Bend Road shall be made so as to optimize traffic flow as determined by the County in accordance with standard engineering practice.
10. Commencing at such time as the development is generating eightyfive percent (85%) of the projected external vehicle trip ends for combined Phases I and II, and every two (2) years thereafter, a trip generation monitoring study shall be required to monitor the actual cumulative total traffic generated by the entire project. The total projected external PM Peak Hour vehicle trip ends for combined Phases I and I I are 3,138 with 1,643 Entering, and 1,498 Exiting. The purpose of this monitoring study is to verify the trip generation and internal capture rates utilized by the Developer. In each annual report the Developer shall identify the number and cumulative percentage of projected external trip ends relative to the projected external trip ends for combined Phases I and II. At such time that the development is generating eighty five percent (85%) of the projected external trip ends for combined Phases I and II, the Developer shall submit to the County and DEO the trip generation monitoring study as part of the revised transportation analysis described below which is next due.

The trip generation monitoring study will be based on a methodology which shall be submitted by the Developer no later than three (3) months prior to the study's due date. The methodology shall be reviewed and approved by the County and DEO (or their designees) and shall include a copy of the site plan with all locations indicated where the traffic counts will be conducted and the general location of existing development. The trip generation monitoring study shall be used to determine if the substantial deviation threshold of a 15% increase of external vehicle trips has occurred. If the trip generation monitoring study indicates that the 15% threshold of external trips is met or exceeded, this shall constitute a substantial deviation to the approved development and the development shall be subject to further development of

regional impact review. The County shall not issue any permits for development until such time that further review is completed. Additionally, if the trip generation monitoring study is not submitted to, and approved by, the County and DEO, the County shall not issue any further development permits.

11. The Developer shall plan and provide for two collector roadways on approximately 1-mile spacings extending from Balm Road to Symmes Road and from Balm Road to Rhodine Road on reasonably direct and environmentally practical alignments. These two collector roadways are commonly referred to in the May, 1993, transportation analysis submitted in connection with a Notice of Proposed Change application as Summerfield Boulevard and the combination of Road "D" and Road "G." Alternatively, the Developer may provide a different road alignment, subject to the County's approval, that is designed to facilitate north-south traffic flow through the project and alleviate traffic impact on major corridors.
12. A proposal to change construction of the Regional Mall to a phase earlier than Phase III, as set out in the application, shall be considered as a substantial deviation from the approved development and shall require further assessment pursuant to Chapter 380.06, Florida Statutes.
13. The Developer shall contribute \$275,000.00 to Hillsborough County for the construction of a traffic signal at the intersection of Big Bend Road and Summerfield Boulevard. The contribution shall be made within thirty (30) days of approval of Resolution 05-059 by the Board of County Commissioners or prior to preliminary plat approval of any residential development in Phase IIIA, whichever occurs first.
14. The following provisions shall apply to Phase IIIA:

(a) Monetary Contribution to Improvement of U.S. Highway 301.

Within 60 days from the approval of Resolution 05-059, the County anticipates entering into a development agreement with a coalition of developers along U.S. Highway 301 for the improvement of U.S. Highway 301 (the "301 Development Agreement"). Upon approval by the County of the 301 Development Agreement, the Developer shall, prior to construction plan approval for any development within Phase IIIA or within 30 days of receipt of written notice from the County that the 301 Development Agreement has been approved, whichever is earlier, contribute \$5,000,000.00 toward the improvement of U.S. Highway 301 (the "301 Contribution"). The 301 Contribution shall be in the form of a cashiers check payable, or wired federal funds for immediate credit to the Hillsborough County Board of County Commissioners. The making of the 301 Contribution by the Developer shall constitute full mitigation by the Developer of all Phase IIIA transportation impacts.

(b) Construction of Pipeline Improvement

(1) **Exhibit D**, attached hereto, describes those roadways and intersections significantly impacted by the net traffic generated by Phase IIIA and the required improvements that need to be constructed to ensure maintenance of the adopted level of service for such roadways and intersections. Rule 9J-2.045, Florida Administrative Code, allows the County to elect one of several transportation mitigation alternatives in order for the Developer to mitigate the transportation impacts of Phase IIIA, including the payment by the Developer of its proportionate share contribution for the roadway and intersection improvements identified in Exhibit D. Rule 9J-2.045, Florida Administrative Code, allows the Developer's proportionate-share contribution to be applied to expeditiously construct one (1) or more of the roadway improvements identified in Exhibit D. The total proportionate share for the transportation impacts of Phase IIIA, calculated in accordance with the formula set forth in K.14.(b)(2) below is \$2,822,757, but the Developer has voluntarily agrees to commit \$5,000,000 toward the construction of the Phase IIIA Pipeline Project described below. In the event that the 301 Development Agreement is not approved within one hundred twenty (120) days from the approval of this Resolution by the Board of County Commissioners, then the Developer shall undertake the design, permitting and construction of the Phase IIIA Pipeline Project.

(2) The formula for calculating the Developer's proportionate share established in Resolution #81-21 and restated in Resolution No. R-00-161, is as follows:

$$\begin{array}{r} \text{Developer's existing and} \\ \text{Projected traffic volumes} \\ \text{On the described segment} \\ \hline \text{Total existing and projected} \\ \text{traffic volumes on the} \\ \text{described segment} \end{array} \quad \times \quad \begin{array}{l} \text{total} \\ \text{cost of} \\ \text{construction} \end{array}$$

The total cost of construction shall be subject to approval by FDOT District Seven Office and include: plans preparation, permitting, grading, base, required drainage structures, surface drainage, bridges, signing and signalization. The pipeline improvement of U.S. 301 segment will be subject to determination and approval by FDOT and Hillsborough County.

(3) The requirements of the Phase IIIA Pipeline Project have been determined to be the appropriate requirements to cure and mitigate the impacts attributable solely to Phase IIIA development on regionally significant roadways within the project impact area. The approval of this

mitigation/curing mechanism is based upon the impact of Phase IIIA on transportation facilities, the substantial public benefit to be gained by accelerating the design and construction of major public facilities, and its consistency with the County, TBRPC, and DCA policies regarding pipelining transportation impacts.

(4) The Phase IIIA Pipeline Project (hereinafter defined) shall be completed as described below regardless of cost. Completion of the Phase IIIA Pipeline Project satisfies all transportation mitigation requirements for Phase IIIA. The Developer shall be able to apply for and obtain development permits and certificates of occupancy for Phase IIIA provided the Developer is in compliance with the terms of this Development Order.

(5) Phase IIIA Pipeline Project. The Developer and the County agree that the transportation improvement obligations described in subparagraph K.14(b)(6) ("Phase IIIA Pipeline Project") will fully satisfy all transportation mitigation requirements for the transportation impacts of Phase IIIA and the Developer's proportionate share obligation with respect to Phase IIIA.

(6) The Phase IIIA Pipeline Project consists of the design, permitting, and construction of the following improvements:

- a. So much of the four laning of U.S. Highway 301 for the length of the project, commencing at Big Bend Road, as can be designed, permitted, and constructed for \$5,000,000; and
- b. To the extent funds remain thereafter, so much of the four laning of U.S. Highway 301 one-third (1/3) of one mile north and south of Rhodine Road, together with signalization of the U.S. Highway 301/Rhodine Road intersection, as can be accomplished with the balance.

(7) Developer, at its sole expense, shall design the Phase IIIA Pipeline Project together with on-site and off-site storm water management facilities, flood-plain mitigation, and wetland mitigation required to accommodate the Phase IIIA Pipeline Project. In the event that the 301 Development Agreement is not approved within one hundred twenty (120) days following approval of Resolution 05-059, the Developer shall commence the design within ninety (90) days from receipt of notice from the County that the 301 Development Agreement has not been approved.

(8) The Developer shall permit the Phase IIIA Pipeline Project for construction, consistent with the approved design. The Developer shall complete such design and permitting within twenty (20) months after

commencing the design.

(9) The Developer agrees to deed to the County or its designee any additional right-of-way under the control of the Developer that is necessary for the construction of the Phase IIIA Pipeline Project.

(10) Developer shall be responsible for constructing the Phase IIIA Pipeline Project. Construction shall be in conformance with the approved design plans and permits. The Developer shall commence construction within ninety (90) days after securing all necessary permits and approvals, and shall complete construction within twenty-four (24) months after commencement.

(11) If the performance by the Developer of its commitment with respect to the design, permitting, and construction of the Phase IIIA Pipeline Project shall be interrupted or delayed by war, riot, civil commotion or natural disaster, then the Developer shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof. Further, if performance by the Developer of the Phase IIIA Pipeline Project shall be interrupted or delayed in connection with acquisition of necessary governmental approvals and which interruption or delay is caused through no fault of the Developer, then the Developer shall submit documentation regarding such event(s) to the County for its review and concurrence. If such documentation shows that such event(s) have taken place, then the Developer shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.

(12) As security for performance by the Developer of the Phase IIIA Pipeline Project, the Developer shall deliver to the County, not later than thirty (30) days prior to the commencement of construction of the Pipeline Project, cash, a letter of credit, a performance bond, or other security reasonably acceptable to the County in the amount of \$5,000,000, less amounts already paid by the Developer in connection with the design and permitting of the Phase IIIA Pipeline Project (the "Pipeline Project Security"). If the Developer is in default of its Phase IIIA Pipeline Project obligations contained herein, the County, after thirty (30) days written notice and opportunity to cure, may use the Pipeline Project Security to complete the Phase IIIA Pipeline Project. The amount of the Pipeline Project Security may be reduced not more frequently than once each calendar quarter to reflect the expenditures by the Developer in constructing the Phase IIIA Pipeline Project.

15. The following provisions shall apply to Phases III and IV:

Phase III may continue to be developed through its build-out date (March 3, 2020) without any requirement for transportation mitigation, except as required herein. The requirements of this restated Development Order have been determined to be the appropriate requirements to cure and mitigate the impacts of Phase III on regionally significant roadways within the project impact area through March 3, 2020. Extension of the Phase III build-out date beyond March 3, 2020 shall require an NOPC pursuant to Chapter 380.06, Florida Statutes, including a cumulative transportation analysis. Specific approval of Phase IV shall likewise require an NOPC, including a cumulative transportation analysis.

16. If transit utilization appears to be feasible in the future in meeting some of the transportation demands of the development, the Developer shall cooperate with the Hillsborough Area Regional Transit Authority in providing bus stops, shelters, etc., to encourage the use of transit.
17. For purposes of this section the words "under construction" shall be construed to mean physical construction activities pursuant to the terms of an executed contract.
18. There shall be a trade off mechanism which will allow land uses to be traded in accordance with the following standards:
 - (a) With respect only to the 39.5 acre parcel located at the southeast quadrant of U.S. Hwy. 301 and Big Bend Road, as shown on Revised Map H attached hereto as **Exhibit B**, 1,000 square feet of Office/Tech land use is equivalent to 382 square feet of commercial land use and vice versa.
 - (b) With respect to any parcels designated for any type of residential use on Revised Map H attached hereto as **Exhibit B**.
 - (1) 1.0 Single Family detached unit = 1.84 Townhomes;
 - (2) 1.0 Townhome = 0.87 Apartment;
 - (3) 1.0 Apartment = 1.14 Townhomes;
 - (4) 1.0 Apartment = 0.63 Single Family detached unit; and
 - (5) 1.0 Townhome = 0.55 Single Family detached unit.
 - (c) Developer shall notify the County, TBRPC and the DCA thirty (30) days prior to utilizing the conversion factors set forth in this section.
19. The Developer shall provide the County with the existing construction plan designs in its possession, custody, or control for the extension of Big Bend Road from Summerfield to Balm Riverview Road and the four lane section of

Big Ben Road from US 301 to Summerfield Boulevard. The Developer shall also provide the County with the location of any pond sites that have been set aside to accommodate the future four (4) lane section of Big Bend Road from east of Summerfield Boulevard to Balm Riverview Road. To the extent available, these plans shall be provided within thirty (30) days of the approval of this Resolution by the Board of County Commissioners, or prior to preliminary plat approval for any Phase IIIA development, whichever occurs first.

L. Water and Sewer Service

1. The Developer is to provide sufficient effluent disposal sites to accept the effluent which will be generated by the project.
2. Water wells may be utilized for irrigation on an interim basis. However, once wastewater effluent is available to any irrigation site, any such irrigation wells must be plugged and wastewater effluent must be utilized for irrigation.
3. All development must comply with County standards. A water distribution master plan, wastewater collection master plan, and the preliminary engineering calculations must be submitted to the County prior to approval of any development. In addition, construction schedules must be updated on an annual basis.
4. Upon approval by the County, the Developer shall provide, at its own cost and expense, an interim wastewater treatment plant of sufficient capacity to serve the development, to be dedicated to and operated and maintained by the County until such time as service can be provided by a County wastewater treatment system. At such time as service by the County is available, the development shall be required to connect to the County system.
5. The instrument by which the interim wastewater treatment plant is dedicated to the County shall contain the following provision:

"Six months after the Developer connects to a County wastewater treatment plant, ownership of the parcel upon which the interim wastewater treatment plant has been constructed shall revert to the Developer. The County, at its option, may, during this six-month period, remove from the premises all or any part of the interim wastewater treatment plant, including all facilities and equipment connected in any way with its operation, whether above or below ground, and without regard to whether such facilities and equipment are legal fixtures."
6. The physical disposal of solid waste shall be the responsibility of the County. The collection and transportation of solid waste for disposal is controlled by County ordinance.

M. The proposed development plan for the project is as follows:						
USE/PH ASE	I (Completion - 2005)	II (Completion- 2005)	III (Completion - March 3 2020)	IIIA (Completion March 3 2020)	IV (Completion - March 2, 2022)	TOTAL
RESIDENTIAL Single Family and Patio Homes	760	728	604	803	0	2,895 d.u.
Townhouses and Villa Homes	251	457	430	0	0	1,138 d. u.
Multi-family Apartments	0	220	258	0	0	478 d.u.
Retirement	105	0	0	0	0	105 d.u.
SUBTOTAL	1,116	1,405	1,292	803	0	4,616 d. u.
COMMERCIAL Neighborhood Centers	48,000	37,000	67,000		30,000	182,000 sq. ft.
Community Centers	60,300	115,000	103,500			278,800 sq. ft.
Regional Mall			380 000		380 000	760,000 sq. ft.
SUBTOTAL	108,300	152,000	550,500		410,000	1,220,800 sq. ft.
OFFICE/TECHNICAL PARK COMMUNITY SERVICES	20,000	80,000	180,000		288,800	568,800 sq. ft.
Schools		1	1			2 schools
Churches						2 sites
Community Services						4 sites
Medical RECREATION/OPEN SPACE		76,000				76,000 sq. ft.
Golf and Recreation Complex Recreation Parks	182.2					182.2 acres 8.9 acres 44.9 acres

IV. General Provisions:

- A. The legal description set forth in **Exhibit A** is hereby incorporated into and by reference made a part of this Development Order.
- B. All provisions contained within the application for development approval marked "Composite Exhibit B" to Resolution #81-21 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.
- C. This Resolution shall constitute the development order of the County in response to the application for development approval for the Big Bend Development of Regional Impact and subsequent notice of proposed change applications.
- D. The definitions contained in Chapter 380, Florida Statutes (2003) shall govern and apply to this Development Order.

- E. This Development Order shall be binding upon the Developer and its assignees or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean 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.
- F. 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.
- G. 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 government agencies and departments as are or may be designated by the Board of County Commissioners of the County to review development of regional impact applications as well as all governmental agencies and departments set forth under applicable laws and rules governing developments of regional impact.
- H. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at Big Bend, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private or public body created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order.
- I. A notice of adoption of this Resolution shall be recorded in accordance with Section 380.06, Florida Statutes.
- J. A "substantial deviation" from the terms or conditions of this Development Order 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 the TBRPC may result in the County ordering a termination of all development approved herein. Nothing herein shall be construed to limit or modify the right of the County to make a substantial deviation determination pursuant to the provisions of Section 380.06(19), Florida Statutes (2012).
- K. The County Administrator of the 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 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. The County Administrator shall issue a notice of such noncompliance to the Developer and if the deviation is not corrected within a reasonable amount of time shall recommend that the Board of County Commissioners establish a hearing to consider such deviations. The Developer shall be given notice of any such hearing. In the event that circumstances require an immediate action, so as to prevent irreparable harm, the County Administrator need not issue a notice of noncompliance.

- L. The Developer shall file an annual report in accordance with Section 380.06(16), Florida Statutes (2003). Such report shall be due on the anniversary of the effective date of this Development Order and for each following year until and including such time as all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the County Administrator who shall after appropriate review, submit it for receipt by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed. Provided, however, that receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of this Development Order. The report shall contain:
1. A description of all development activity conducted pursuant to this Development Order during the year immediately preceding the submission of the annual report;
 2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately subsequent to the submission of the annual report;
 3. A statement listing all applications for incremental review required pursuant to this Development Order or other applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report;
 4. A statement setting forth the name(s) and address of any assignee or successor in interest to this Development Order;
 5. Shall contain a statement that all persons have received copies of the annual report as required under Section 380.06(16) (2003), Florida

Statutes; and

6. A statement describing any conversions pursuant to Section III, Paragraph K(18) during the reporting period and a cumulative total of conversions.

It is the intent herein that the foregoing requirements for submittal of the annual report shall be in addition to and not in lieu of any submittal requirements for an annual report as promulgated by the State Land Planning Agency.

- M. This Development Order shall become effective upon adoption by the Board of County Commissioners of the County in accordance with Section 380.06, Florida Statutes.
- N. The property which is subject to this Development Order and/or all owner(s) thereof shall be subject to any county or statewide impact fee or user charge or any other county-wide assessment or tax that may be imposed to fund, in whole or in part, the costs of roadway maintenance or construction. Nothing herein shall be construed to limit or modify any legal remedies Developer may seek to contest the validity of such county or statewide impact fee, user charge, county-wide assessment or tax as set forth in this paragraph.
- O. Upon adoption, this Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail or other delivery service for which a receipt as proof of service is required, to the State Land Planning Agency, the TBRPC, and the Developer.
- P. This Development Order shall remain in effect through March 3, 2024.
- Q. Prior to March 3, 2024, the development approved herein shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes in the conditions underlying the approval of this Development Order have occurred or the Development Order was based on substantially inaccurate information provided by the Developer or that the change is clearly established by the County to be essential to the public health, safety, or welfare.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, PAT FRANK, 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 on July 23, 2013, as the same appears of record in Minute Book 446 of the Public Records of Hillsborough County, Florida

WITNESS my hand and official seal this July 24, 2013.

PAT FRANK, CLERK

By: Beverly Anne Miller
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

By: [Signature]
Approved as to Form
and Legal Sufficiency



- Exhibit A - Legal Description
- Exhibit B - Revised Map H
- Exhibit C - (attached to Resolution #81-21)
- Exhibit D - Phase IIIA Roadways and Intersections

EXHIBIT "A"
Page 1 of 2

A parcel of land including all or portions of Sections 8, 9, 10, 11, 15 16 and 17 in Township 31 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 8, Township 31, South Range 20 East; thence N.89°42'37"E. along the South line of the Southwest 1/4 said Section 8 for 132.00 feet to a point of intersection with the Easterly Right-of-Way line of U.S. Highway #301 (State Road No. 43), said point being the POINT OF BEGINNING of the herein described parcel of land; thence continue along the Easterly Right-of-Way line of U.S. Highway #301 for the following two (2) described courses: 1) N.00°00'03"E. for 2769.81 feet to the Point of Curvature of a circular curve concave to the East; 2) Northerly along the arc of said curve having a radius of 5597.58 feet and a central angle of 5°41'23" for 555.86 feet to an intersection with the South line of the North 1980 feet of the North 3/4 of said Section 8; thence run along the last described South line for the following three (3) courses: 1) N.89°41'18"E. for 2508.84 feet to an intersection with the East line of the Northwest 1/4 of said Section 8; 2) N.89°47'46"E. for 1716.03 feet; 3) N.89°48'58" E. for 968.63 feet to an intersection with the West line of the Northwest 1/4 of said Section 9, Township 31 South, Range 2 East; thence N.0°15'23"W. along the West line of the Northw 1/4 of said Section 9 for 1980.14 feet to the Northwest corner of said Section 9; thence N.89°46'00"E. along the North line of the Northwest 1/4 of said Section 9 for 2624.32 feet to the Northeast corner of the Northwest 1/4 of said Section 9; thence N.89°44'54"E. along the North line of the Northeast 1/4 of said Section 9 for 1269.79 feet; thence N.89°45'12"E. continuing along the North line of the Northeast 1/4 of said Section 9 for 1357.46 feet to the Northeast corner of said Section 9, the same being the Northwest corner of said Section 10; thence N.89°28'59"E. along the North line of said Section 10 for 2139.02 feet to a concrete monument; thence S.1°29'39"E. for 880.79 feet to a concrete monument; thence N.89°30'21"E. for 2155.06 feet to a concrete monument, said point being a point on the Westerly Right-of-Way line of Balm-Riverview Road; thence run along the Westerly Right-of-Way line of Balm-Riverview Road for the following three (3) described courses: 1) S.23°27'37"E. for 1433.57 feet; 2) S.24°15'00"E. for 1417.22 feet; 3) S.29°56'27"E. for 547.87 feet to an intersection with the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 11, Township 31 South, Range 20 East; thence run S.89°57'01"W. along the last described South line for 282.67 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 10, Township 31 South, Range 20 East; thence S.89°34'32"W. along the South line of the North 1/2 of

the Southeast 1/4 of said Section 10 for 2686.38 feet to the Southwest corner of the North 1/2 of the Southeast 1/4 of said Section 10; thence S.1°31'35"E. along the East line of the Southwest 1/4 of said Section 10 for 1323.68 feet to the South 1/4 corner of said Section 10; thence S.0°11'05"W. along the East line of the Northwest 1/4 of Section 15, Township 31 South, Range 20 East, for 1325.76 feet to the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 15; thence S.89°34'24"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 15 for 2663.20 feet to the Southeast corner of the North 1/2 of the Northeast 1/4 of Section 16, Township 31 South, Range 20 East; thence S.89°36'20"W. along the South line of the North 1/4 of said Section 16 for 5359.98 feet to the Southwest corner of the North 1/4 of said Section 16; thence S.89°39'42"W. along the South line of the North 1/2 of the Northeast 1/4 of said Section 17, Township 31 South, Range 20 East for 2681.22 feet; thence S.89°46'15"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 17 for 2565.01 feet to an intersection with the Easterly Right-of-Way line of the aforementioned U.S. Highway 1301; thence run N.00°00'41"E. along the last described Easterly Right-of-Way line for 1326.67 feet to the POINT OF BEGINNING. LESS therefrom the existing Right-of-Way for Big Bend Road and any other dedicated Rights-of-Way.

1 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
2 HILLSBOROUGH COUNTY, FLORIDA
3 DRI #81-21
4 DEVELOPMENT ORDER

5 Upon motion of Commissioner Kotvas , seconded by Com-
6 missioner Bowmer , the following Resolution was adopted this
7 22nd day of January, 1982:

8 WHEREAS, on July 17, 1981, U.S. Home Corporation filed an appli-
9 cation for development approval of a development of regional impact
10 with the Hillsborough County Board of County Commissioners pursuant
11 to the provisions of Section 380.06, Florida Statutes; and,

12 WHEREAS, said application proposed construction of a planned
13 community, Big Bend, in southern Hillsborough County located on 1886
14 acres offering a full range of community support facilities to
15 residents; and,

16 WHEREAS, the Board of County Commissioners as the governing
17 body of local government having jurisdiction pursuant to Section
18 380.06, Florida Statutes, is authorized and empowered to consider
19 applications for development approval for developments of regional
20 impact; and,

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

23 WHEREAS, the Board of County Commissioners has on December 14,
24 and December 17, 1981, and on January 20 and January 22, 1982, held
25 a duly noticed public hearing on said application for development
26 approval and has heard and considered testimony and documents re-
27 ceived thereon; and,

28 WHEREAS, the Board of County Commissioners has received and
29 considered the report and recommendations of the Tampa Bay Regional
30 Planning Council; and,
31

1 WHEREAS, Hillsborough County has solicited, received and con-
2 sidered reports, comments and recommendations from interested
3 citizens, County and City agencies as well as the review and report
4 of Hillsborough County Administration.

5 NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COM-
6 MISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

7 I. FINDINGS OF FACT

8 A. That the real property which is the subject of the
9 application for development approval is legally described as set
10 forth on Exhibit A, attached hereto and made a part hereof by
11 reference.

12 B. That the U.S. Home Corporation, hereinafter referred to
13 as "Developer", submitted to Hillsborough County, Florida, an
14 application for development approval and sufficiency response which
15 are attached hereto and marked Composite Exhibit B and incorporated
16 herein by reference to the extent not inconsistent with the terms
17 and conditions of this development order. Hereinafter, the word
18 "application" shall refer to the application for development
19 approval, and the sufficiency response.

20 C. That the proposed development is not an area of critical
21 state concern as designated pursuant to Section 380.05, Florida
22 Statutes.

23 D. That development will occur in accordance with this
24 development order, and with the application as set forth in Exhibit
25 B to the extent it is not inconsistent with the terms and conditions
26 of this development order.

27 E. That a comprehensive review of the impact generated by
28 the development has been conducted by the Hillsborough County
29 Administration, the Hillsborough County Environmental Protection
30 Commission, the Hillsborough County City-County Planning Commission,
31 and the Tampa Bay Regional Planning Council.

II. CONCLUSIONS OF LAW

2 A. Based upon the compliance with the terms and conditions of
3 this development order, provisions of the application as set forth
4 in Exhibit B, the reports, recommendations and testimony heard and
5 considered by the Board of County Commissioners, it is concluded
6 that:

7 1. The development will not unreasonably interfere with
8 the achievement of the objectives of the adopted State Land De-
9 velopment Plan applicable to the area.

10 2. The development is consistent with local land de-
11 velopment regulations.

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

14 B. The provisions of this development order shall not be
15 construed as a waiver of or exception to any rule, regulation, or
16 ordinance of Hillsborough County, its agencies or commissions, and
17 to the extent that further review is provided for in this develop-
18 ment order, said review shall be subject to all applicable rules,
19 regulations and ordinances in effect at the time of the review.

20 C. The review by Hillsborough County, the Hillsborough County
21 City-County Planning Commission, the Hillsborough County Environ-
22 mental Protection Commission, the Tampa Bay Regional Planning
23 Council, and other participating agencies and interested citizens
24 indicates that impacts are adequately addressed pursuant to the
25 requirements of Section 380.06, Florida Statutes, within the terms
26 and conditions of this development order and the application, to
27 the extent not inconsistent with this development order.

28 D. The application for development approval is approved
29 subject to all terms and conditions of this development order.

III. CONDITIONS

30 A. Environmental

31 1. The portion of the Sand Pine Scrub Community con-
sisting of the seven (7) acres nearest the southern property line

1 shall be preserved in its natural state. Construction in the re-
2 maining portion of the Sand Pine Scrub Community shall incorporate
3 natural vegetation into landscaping where possible. Development in
4 this remaining portion shall be subject to detailed site plan review
5 and approval by the Environmental Protection Commission. The Sand
6 Pine Scrub Community shall be identified on the revised general
7 site plan.

8 2. All viable wetland areas shall be preserved in their
9 natural state. The precise location of such areas shall be deter-
10 mined by the Environmental Protection Commission at the time of de-
11 tailed site plan approval, consistent with the wetland areas generally
12 delineated on Exhibit C attached hereto and made a part hereof by
13 reference.

14 3. In order to minimize loss of property as a result of
15 sinkholes, the primary lineament intersections shall be retained as
16 major open space with minimal building construction, as referenced
17 in the application. Final plans submitted for the regional mall will
18 not be approved until in-depth subsurface testings are performed to
19 determine the actual potential for sinkhole occurrence. No develop-
20 ment will be approved within the lineament intersection boundaries
21 until a direct investigation using gravity mapping, borings, or
22 other engineering techniques acceptable to the County is done to con-
23 firm that the local limerock structure for the affected building
24 area is capable of properly supporting the development proposed for
25 this site.

26 4. A program of measures to reduce air pollution and
27 erosion during construction shall be implemented as referenced in
28 the application.

29 5. If, at any time during the development period, the
30 water quality monitoring program for Bullfrog Creek currently
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1 supplied by the United States Geological Survey and the Florida De-
2 partment of Environmental Regulation is determined by Hillsborough
3 County to be insufficient to provide for the protection of the public
4 health and safety, the developer shall be responsible for establishing
5 an adequate water quality monitoring program which shall be approved
6 by Hillsborough County.

7 B. Energy

8 State-of-the-Art Energy Conservation measures as
9 deemed cost effective shall be incorporated into the residential
10 portion of the development. The developer shall also incorporate as
11 part of the development plans for the commercial and office buildings
12 of the development, energy management practices such as landscaping,
13 energy conserving construction requirements, ridesharing, street
14 lighting, operating practices and life cycle costing for construc-
15 tion and operation.

16 C. Drainage

17 1. Drainage shall be designed to maintain pre-development
18 ground and surface water levels, so as to avoid any alteration of the
19 integrity and viability of the preserved wetlands.

20 2. All drainage flood control structures shall be non-
21 adjustable.

22 3. Any displacement of natural storage within the 25-year
23 floodplain, which results from filling or the locating of detention
24 ponds within the floodplain, or otherwise, shall be mitigated by the
25 provision of equal storage capacity in other parts of the project pre-
26 viously or concurrently approved for development. The developer shall
27 delineate natural floodwater storage areas on preliminary plans for
28 each subdivision unit or other discrete portion of the project and
29 shall protect these areas from filling except as provided above.
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1 4. The peak discharge from the large paved office and
2 commercial sites adjacent to U.S. 301 must be determined by the more
3 conservative of the following predevelopment conditions:

- 4 a. The time of concentration of the
5 commercial sites themselves, or
6 b. The time of concentration of the
7 most critical storm for Bullfrog Creek.

8 5. The developer shall provide sufficient rights-of-way
9 or easements for access to lakes, drainage control structures, and
10 retention areas for equipment for mosquito and aquatic weed control
11 activities conducted by appropriate government agencies. The area
12 should be adequate to launch a boat for these purposes without the
13 need for access through residential yards.

14 6. The developer shall be responsible for maintenance of
15 drainage features, located in portions of the drainage areas not
16 dedicated to the County, in order to help control mosquitoes and
17 aquatic weeds.

18 7. The drainage system constructed for the Big Bend De-
19 velopment shall incorporate components as conceptually proposed in
20 the application, subject to approval by Hillsborough County. The
21 system shall be designed for maximum ground water recharge in areas
22 having on-site irrigation wells.

23 D. Parks and Recreation Areas

24 1. The Master Development Plan shall be revised to show
25 as open space or recreation areas available for dedication to Hills-
26 borough County: (1) a 10-acre site adjacent to each of the two
27 school sites; and (2) a 10-acre site in the vicinity of the 5-acre
28 site currently shown on the ADA Master Development Plan in the south-
29 west part of the project, which will encompass and include the area
30 identified as the Sand Pine Scrub community. The 9-acre site cur-
31 rently shown in the southern portion as a part of Village III, and

1 the 6-acre site adjacent to the conservation area in Village I, may
2 be eliminated.

3 The developer shall reserve these areas and, within
4 six months after receiving from the Board of County Commissioners
5 (1) a request for dedication, and (2) plans and specifications for
6 the nature and location of improvements, if any, to be made by the
7 developer there, shall dedicate them to Hillsborough County. Appro-
8 priate deed restrictions may be specified by the County at the time
9 of dedication. The dedication of each such area shall coincide with
10 the development of those portions of the project which the area is
11 intended to serve.

12 Upon receiving a request for dedication of any such
13 area, the developer shall commence construction or placement of any
14 improvements that have been specified for that area, in order that
15 they might be completed, if feasible, prior to dedication. The
16 developer shall provide these improvements, at its own cost and ex-
17 pense, up to a total cost of \$100,000.00, at such time and in such
18 of the recreation or open space areas as the Board of County Com-
19 missioners may direct. Improvements shall comply with pertinent
20 standards established by Hillsborough County.

21 If, at the time all building permits have been issued
22 for any phase of the development, Hillsborough County has not yet re-
23 quested dedication of any recreation or open space area which is a
24 part of that phase, the developer shall so notify the Board of County
25 Commissioners. If within ninety (90) days of receipt of such noti-
26 fication the Board has not requested dedication of that area and pro-
27 vided plans and specifications for the improvements to be made there,
28 if any, such area shall cease to be available for dedication and shall
29 become private recreation or open space subject to the provisions of
30 paragraph 2 below. However, this provision shall not apply if Hills-

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1 borough County's failure to request dedication is necessitated by the
2 provisions of paragraphs J.2 and J.3, relating to schools.

3 2. The Master Development Plan shall be revised to show
4 as private recreation or open space all areas designated on the ADA
5 Master Development Plan for golf course or other recreational or
6 open space use, and not referred to in paragraph 1 above as available
7 for dedication to the County or for elimination from the Plan. These
8 areas, as well as public recreation or open space areas identified in
9 paragraph 1 above but no longer available under the terms thereof for
10 dedication to Hillsborough County, shall be used, improved, and main-
11 tained by the developer for the indicated purposes, in a manner
12 approved by Hillsborough County.

13 E. Medical and/or Health Care Facility

14 As referenced in the application, the developer shall
15 reserve a ten-acre site for development of a medical and/or health
16 care facility. This site shall be subject to appropriate deed re-
17 strictions to insure development for medical purposes.

18 F. Police Protection

19 1. The developer will incorporate environmental security
20 planning for crime reduction as an integral part of site planning and
21 building construction. This planning will be done in cooperation
22 with the Hillsborough County Sheriff's Department's Crime Awareness
23 Team, starting at the initial site planning stage. The plan will
24 include adequate security hardware, consideration of street and
25 building orientation, street lighting, special consideration for
26 crime problem areas (i.e., regional mall, multi-family developments,
27 and convenience stores) and crime prevention programs by the Hills-
28 borough County Sheriff's Department.

29 2. At the commencement of each phase of the development,
30 the developer shall demonstrate that such emergency plans and police
31 manpower and/or facilities as are necessary to provide adequate police
protection for that phase have been or will be provided.

1 G. Community Services

2 As referenced in the application, the developer shall
3 reserve a five-acre site for general community service facilities to
4 meet project needs as identified by the developer and approved by
5 Hillsborough County. This site shall be dedicated to the County,
6 upon the County's determination that the site is needed. The deed
7 shall contain appropriate restrictions.

8 H. Fire Control

9 1. A site for construction of a fire station and EMS
10 facility adequate to serve the needs of the entire project shall be
11 reserved, and shall be dedicated to Hillsborough County upon request,
12 which site shall be located not more than 1/2 mile from the inter-
13 section of Big Bend Road and U.S. 301.

14 2. If the County at any time prior to January 1, 1985,
15 indicates its willingness to accept, equip and operate a fire and
16 EMS facility at the designated location, the developer shall con-
17 struct, at its own cost and expense, not to exceed \$200,000.00, a
18 facility of sufficient size to house a four-man engine company plus
19 an EMS ambulance unit and shall convey same to the County. Should
20 the cost of construction of such a facility exceed \$200,000.00, then
21 the County shall assume the responsibility for construction and the
22 developer shall at the request of the County contribute the sum of
23 \$200,000.00 to the County.

24 I. Construction of Multi-Family Units

25 Multi-family units shall be constructed as early as
26 economically feasible. The developer shall designate for construc-
27 tion of rental residential units as much land as it determines is
28 economically feasible to so designate.

29 J. Schools

30 1. The developer shall construct a sidewalk/bike path
31 system within the development to provide pedestrians with access to

1 the school sites. The sidewalks shall be constructed to the boun-
2 daries of the school sites. The design, location, and method of
3 construction shall be subject to County review and approval. The
4 sidewalk condition contained herein shall not be construed to be a
5 waiver of the sidewalk construction requirements contained in the
6 Subdivision Regulations of Hillsborough County.

7 2. Two school sites shall be reserved as shown in the
8 application. As to the eastern school site in Village IV, the ad-
9 joining recreation areas shall not be significantly developed until
10 building permits for seventy five percent (75%) of the project's
11 dwelling units have been issued. At the option of the School Board,
12 and upon its determination that such a facility will be needed, this
13 adjoining recreation area or a portion thereof shall be dedicated to
14 the Hillsborough County School Board for use as an elementary school
15 or junior high school.

16 3. If both school sites have not been previously dedi-
17 cated, the developer shall advise the School Board as soon as build-
18 ing permits have been issued for seventy five percent (75%) of the
19 project's dwelling units. If within sixty (60) days after being so
20 advised, the School Board has not notified the developer in writing
21 of the need for the school site, the sites shall no longer be re-
22 served for school purposes. As to the eastern site in Village IV,
23 the adjoining recreation area shall then be available for recreational
24 development and the designated school site shall be available for
25 residential development. However, the availability of additional
26 residential land shall in no way authorize the construction of a
27 number of dwelling units in excess of the number approved for the
28 entire project, nor shall the density on such sites exceed the
29 average net density of the residential portions of the project pre-
30 viously approved.

1 4. If at the time the east-west road which borders the
2 western school site on the south is under construction, the School
3 Board has requested dedication of that school site, the developer
4 shall provide the geometric road improvements necessary to handle
5 the traffic the school is anticipated to generate.

6 K. Transportation

7 1. The developer shall reserve sufficient land along the
8 Big Bend Road corridor between U.S. 301 and Balm-Riverview Road to
9 accommodate the construction of a six lane divided roadway. Each
10 time the developer seeks detailed site plan approval for a portion
11 of the project, the County shall determine whether the traffic which
12 will be generated by that portion will, when added to traffic volume
13 generated or projected as a result of the portions previously de-
14 veloped or previously or concurrently approved, cause total traffic
15 volume to rise above acceptable levels for any portion of Big Bend
16 Road. If it is determined that traffic is likely to exceed such
17 levels, the developer will, at that time, dedicate such land along
18 the Big Bend Road corridor as is necessary to accommodate construc-
19 tion of whatever road improvements the County determines are neces-
20 sary to ensure that Big Bend Road will operate at least at Level of
21 Service C. If it is later determined by the County that any part
22 of these reserved lands are not in fact needed to accommodate the
23 road improvements herein contemplated, the Board of County Commis-
24 sioners may allow development there, in accordance with the other
25 terms and conditions of this Development Order.

26 2. The developer shall reserve sufficient land to accom-
27 modate right-of-way for two additional lanes on the west side of
28 Balm-Riverview Road. Each time the developer seeks detailed site plan
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1 approval and/or preliminary plat approval for a portion of the pro-
2 ject, the County shall determine whether the traffic which will be
3 generated by that portion will, when added to traffic volume
4 generated or projected as a result of the portions previously de-
5 veloped or previously or concurrently approved, cause total traffic
6 volume to rise above acceptable levels for that segment of Balm-
7 Riverview Road. If it is determined that traffic is expected to
8 exceed these levels, the developer will, at that time, dedicate such
9 land along the Balm-Riverview Road corridor as is necessary to
10 accommodate construction of two additional lanes on the west side of
11 Balm-Riverview Road. The location of the right-of-way shall be
12 from the northeast corner of the development to the southeast corner.

13 3. The developer shall be responsible for design and
14 construction of all internal roadway improvements within the Big
15 Bend development. These roads shall be constructed in accordance
16 with Hillsborough County standards in effect at the time of con-
17 struction.

18 4. The developer shall be responsible for design and
19 construction of intersection geometric and signalization improvements
20 at the access points of the Big Bend development with adjacent ex-
21 terior roads, which are required because of traffic generated or
22 expected to be generated by the Big Bend development. All inter-
23 sections meeting signal warrants at access points to U.S. 301 or
24 Big Bend Road, as a result of total current and projected traffic,
25 shall be designed to the more conservative of the following:
26 (1) Level of Service D (peak hour) or (2) critical lane operation
27 level for the five-year projected traffic.

28 5. Access to U.S. 301 from the Regional Mall, Community
29 Commercial and Office/Tech Areas will be designed at a Level of
30 Service C.
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6. The minimum spacing between major intersections leading from any point within the development to U.S. 301 or Big Bend Road shall be made so as to optimize traffic flow as determined by the County in accordance with standard engineering practice.

7. (a) The developer shall prepare and submit, every two (2) years from the date of issuance of the Development Order, for review and approval by appropriate County authorities, a revised traffic/transportation analysis to show adequacy of transportation facilities provided. This analysis shall include current traffic counts on Big Bend Road, U.S. 301, I-75, and Balm-Riverview Road, and shall include the projected impact of uncompleted portions of the Big Bend Development. The nature and extent of analysis to be conducted by the developer shall be approved by Hillsborough County prior to the date of submittal of the analysis.

(b) The trip generation assumptions and projections used to develop the conditions relating to transportation system improvements may be adjusted by Hillsborough County as appropriate in light of the data generated by these studies. The transportation system improvement conditions may be modified accordingly by the Board of County Commissioners at the request of the developer.

8. The developer shall plan for and provide two collector roadways on approximately 1-mile spacings extending from the south boundary to the north boundary of the development on reasonably direct and environmentally practical alignments. Alternatively, the developer may provide a different road alignment, subject to the County's approval, that is designed to facilitate north-south traffic flow through the project and alleviate traffic impact on major corridors.

9. A proposal to change construction of the Regional Mall to a phase earlier than Phase III, as set out in the application shall be considered as a substantial deviation from

1 the approved development and shall require further assessment pur-
2 suant to Chapter 380.06, Florida Statutes.

3 10. The following transportation system improvements shall
4 be completed or under construction before initiation of any develop-
5 ment phase after Phase I:

6 a. Interstate 75 shall be completed in the
7 primary Impact Area from S.R. 674 north to
8 S.R. 60.

9 b. Widening of Big Bend Road from 2 lanes
10 to 4 lanes from U.S. 301 to I-75.

11 c. Widening of U.S. 301 from 2 lanes to
12 4 lanes from Big Bend Road to S.R. 60.

13 11. The following transportation system improvements shall
14 be completed or under construction before initiation of any develop-
15 ment phase after Phase II.

16 a. Widening of Big Bend Road from 2 lanes
17 to 4 lanes from U.S. 301 to Balm-Riverview
18 Road.

19 The developer shall design and con-
20 struct the third and fourth lane referenced
21 herein. The developer shall submit design
22 plans for the described construction which
23 plans shall be subject to periodic County
24 review prior to being finalized. All design
25 plans shall be prepared in accordance with
26 the standards and criteria established by the
27 American Association of State Transportation
28 Highway Officials and the Florida Department
29 of Transportation Manual of Uniform Standards
30 for Design, Construction and Maintenance for
31 Streets and Highways, and Hillsborough County
Road Construction Standards in effect at the
time of submittal of such plans to the County.
Additionally, such design and construction
shall be accomplished in a manner that will
facilitate further expansion to 6 lanes by
the addition of 2 lanes within the median
area of the constructed 4-lane roadway.

b. Widening of Big Bend Road from 4 lanes
to 6 lanes from U.S. 301 to I-75 and acqui-
sition of right-of-way for future 8 lanes.

c. Improvements of the interchange at Big
Bend Road and I-75 such that the projected
impact of traffic shall not exceed Level of
Service D during the peak hour after comple-
tion of Phase IV.

1 12. The following transportation system improvements
2 shall be completed or under construction before initiation of any
3 development phase after Phase III.

4 a. Widening of Big Bend Road from 4 lanes to
5 6 lanes from U.S. 301 to Balm-Riverview Road.

6 The developer shall participate in the
7 cost of construction of the 5th and 6th lane
8 by making a fair share contribution of money
9 to Hillsborough County. The developer's fair
10 share contribution shall be determined by use
11 of the formula described below:

12	Developer's existing and projected 13 traffic volumes on the described 14 segment		total
15		<hr/>	x cost of
16	Total existing and projected 17 traffic volumes on the described 18 segment		construc- 19 tion

20 The determination of the traffic volumes
21 described above shall be made at the comple-
22 tion of Phase III. The total cost of con-
23 struction shall include: plans preparation,
24 grading, base, required drainage structures,
25 surface, bridges, signing and signalization.
26 The contribution shall be transmitted to
27 Hillsborough County upon the request of the
28 Board of County Commissioners of Hillsborough
29 County which request may issue at any time
30 after completion of Phase III and the required
31 traffic analysis.

b. Widening of I-75 to 8 lanes from Big
Bend Road to S.R. 60.

c. Widening of U.S. 301 from 4 lanes to
6 lanes from Big Bend Road to Gibsonton Drive.

d. Widening of U.S. 301 from 2 lanes to 4
lanes from Big Bend Road to S.R. 674.

e. Widening of Balm-Riverview Road from 2
lanes to 4 lanes from Big Bend Road to U.S.
301.

f. Construction of an interchange at Big
Bend Road and U.S. 301.

g. Channelization and signalization of the
intersection of Boyette Road and Balm-Riverview
Road.

h. Channelization and signalization of the
intersection of U.S. 301 and Boyette Road.

13. The following intersections shall be maintained at
the more conservative of the following: (1) Level of Service D for
five year projected traffic at peak hour, or (2) critical lane
operation level for five year projected traffic;

1 a. U.S. 301 and Big Bend Road.

2 b. Big Bend Road and Balm-Riverview Road.

3 14. If transit utilization appears to be feasible in the
4 future in meeting some of the transportation demands of the develop-
5 ment, the developer shall cooperate with the Hillsborough Area Re-
6 gional Transit Authority in providing bus stops, shelters, etc., to
7 encourage the use of transit.

8 15. For purposes of this section the words "under con-
9 struction" shall be construed to mean physical construction activi-
10 ties pursuant to the terms of an executed contract.

11 L. Water and Sewer Service

12 1. The developer is to provide sufficient effluent dis-
13 posal sites to accept the effluent which will be generated by the
14 project.

15 2. Water wells may be utilized for irrigation on an
16 interim basis. However, once wastewater effluent is available to
17 any irrigation site, any such irrigation wells must be plugged and
18 wastewater effluent must be utilized for irrigation.

19 3. All development must comply with County standards.
20 A water distribution master plan, wastewater collection master plan,
21 and the preliminary engineering calculations must be submitted to
22 Hillsborough County prior to approval of any development. In addi-
23 tion, construction schedules must be updated on an annual basis.

24 4. Upon approval by the County, the developer shall pro-
25 vide, at its own cost and expense, an interim wastewater treatment
26 plant of sufficient capacity to serve the development, to be dedi-
27 cated to and operated and maintained by Hillsborough County until
28 such time as service can be provided by a County wastewater treat-
29 ment system. At such time as service by the County is available,
30 the development shall be required to connect to the County system.

31 5. The instrument by which the interim wastewater
treatment plant is dedicated to Hillsborough County shall contain
the following provision:

1 "Six months after the developer connects
2 to a County wastewater treatment plant,
3 ownership of the parcel upon which the
4 interim wastewater treatment plant has been
5 constructed shall revert to the developer.
6 Hillsborough County, at its option, may,
7 during this six-month period, remove from
8 the premises all or any part of the interim
9 wastewater treatment plant, including all
10 facilities and equipment connected in any
11 way with its operation, whether above or
12 below ground, and without regard to whether
13 such facilities and equipment are legal fix-
14 tures."

15 6. The physical disposal of solid waste shall be the
16 responsibility of Hillsborough County. The collection and trans-
17 portation of solid waste for disposal is controlled by County or-
18 dinance.

19 IV. GENERAL PROVISIONS

20 A. The legal description set forth in Exhibit A is hereby
21 incorporated into and by reference made a part of this development
22 order.

23 B. All provisions contained within the application for de-
24 velopment approval marked "Composite Exhibit B" shall be considered
25 conditions of this development order unless inconsistent with the
26 terms and conditions of this development order, in which case the
27 terms and conditions of this development order shall control.

28 C. This Resolution shall constitute the development order of
29 Hillsborough County in response to the application for development
30 approval for the Big Bend Development of Regional Impact.

31 D. The definitions contained in Chapter 380, Florida Sta-
32 tutes (1981), shall govern and apply to this development order.

E. This development order shall be binding upon the developer
and its heirs, assignees or successors in interest including any
entity which may assume any of the responsibilities imposed on the
developer by this development order. It is understood that any
reference herein to any governmental agency shall be construed to
mean 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.

F. In the event that any portion or section of this develop-
ment order is determined to be invalid, illegal or unconstitutional

1 by a court of competent jurisdiction, such decision shall in no
2 manner affect the remaining portions or sections of this development
3 order which shall remain in full force and effect.

4 G. Whenever this development order provides for or otherwise
5 necessitates reviews or determinations of any kind subsequent to its
6 issuance, the right to review shall include all government agencies
7 and departments as are or may be designated by the Board of County
8 Commissioners of Hillsborough County to review development of re-
9 gional impact applications as well as all governmental agencies and
10 departments set forth under applicable laws and rules governing de-
11 velopments of regional impact.

12 H. In each instance in this development order where the
13 developer is responsible for ongoing maintenance of facilities at
14 Big Bend, the developer may transfer any or all of its responsibili-
15 ties to improve and maintain those facilities to an appropriate
16 private or public body created to perform such responsibilities.
17 Provided, however, that before such transfer may be effective, the
18 body to which responsibility has been or will be transferred must be
19 approved by the County, upon determination that the entity in ques-
20 tion can and will be responsible to provide maintenance as required
21 in this development order.

22 I. A certified true copy of this Resolution shall be recorded
23 in accordance with Section 380.06, Florida Statutes (1981).

24 J. A substantial deviation from the terms or conditions of
25 this development order or other changes to the approved development
26 plans which create a reasonable likelihood of additional adverse
27 regional impact, or any other regional impact not previously reviewed
28 by the Regional Planning Council may result in Hillsborough County
29 ordering a termination of all development approved herein. Nothing
30 herein shall be construed to limit or modify the right of Hills-
31 borough County to make a substantial deviation determination pursuant
to the provisions of Section 380.06(17), Florida Statutes (1981).

1 K. The County Administrator of Hillsborough County shall be
2 responsible for monitoring all terms and conditions of this develop-
3 ment order. For purposes of this condition, the County Administrator
4 may rely upon or utilize information supplied by any Hillsborough
5 County department or agency having particular responsibility over the
6 area or subject involved. The County Administrator shall report to
7 the Board of County Commissioners any findings of deviation from the
8 terms and conditions of this development order. The County Adminis-
9 trator shall issue a notice of such non-compliance to the developer
10 and if the deviation is not corrected within a reasonable amount of
11 time shall recommend that the Board of County Commissioners establish
12 a hearing to consider such deviations. The developer shall be given
13 notice of any such hearing. In the event that circumstances require
14 an immediate action, so as to prevent irreparable harm, the County
15 Administrator need not issue a notice of non-compliance.

16 L. The developer shall file an annual report in accordance with
17 Section 380.06(16), Florida Statutes (1981). Such report shall be
18 due on the anniversary of the effective date of this development
19 order for each following year until and including such time as all
20 terms and conditions of this development order are satisfied. Such
21 report shall be submitted to the County Administrator who shall after
22 appropriate review, submit it for receipt by the Board of County Com-
23 missioners. The Board of County Commissioners shall review the re-
24 port for compliance with the terms and conditions of this development
25 order and may issue further orders and conditions to insure com-
26 pliance with the terms and conditions of this development order. The
27 developer shall be notified of any Board of County Commissioners
28 hearing wherein such report is to be reviewed. Provided, however,
29 that receipt and review by the Board of County Commissioners shall
30 not be considered a substitute or a waiver of any terms or condi-
31 tions of this development order. The report shall contain:

1. A description of all development activity conducted pursuant to this development order during the year immediately preceding the submission of the annual report;

2. A description of all development activities proposed to be conducted under the terms of this development order for the year immediately subsequent to the submission of the annual report;

3. A statement listing all applications for incremental review required pursuant to this development order or other applicable local regulations which the developer proposes to submit during the year immediately following submittal of the annual report;

4. A statement setting forth the name(s) and address of any heir, assignee or successor in interest to this development order; and,

5. Shall contain a statement that all persons have received copies of the annual report as required under Section 380.06(16), Florida Statutes.

It is the intent herein that the foregoing requirements for submittal of the annual report shall be in addition to and not in lieu of any submittal requirements for an annual report as promulgated by the State Land Planning Agency.

M. This development order shall become effective upon adoption by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes (1981).

N. The property which is subject to this development order and/or all owner(s) thereof shall be subject to any county or state-wide impact fee or user charge or any other county-wide assessment or tax that may be imposed to fund, in whole or in part, the costs of roadway maintenance or construction. Nothing herein shall be construed to limit or modify any legal remedies developer may seek to contest the validity of such county or statewide impact fee, user charge, county-wide assessment or tax as set forth in this paragraph.

O. Upon adoption, this development order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by

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certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the developer.

P. The development shall proceed in strict accordance with the development phasing plan contained in the application. The developer is specifically prohibited from proceeding with the development of any Phase after Phase I until completion of development of the proceeding Phase.

I, JAMES F. TAYLOR, JR., 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 development order adopted by the Board at a duly convened public hearing held on January 22, 1982, as the same appears of record in Minute Book 81 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 26th day of January, 1982.

JAMES F. TAYLOR, JR., CLERK

By: *James S. Austin*
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

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

BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY, FLORIDA
DOCUMENT No. 82-33

A parcel of land including all or portions of Sections 8, 9, 10, 11, 15 16 and 17 in Township 31 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 8, Township 31, South Range 20 East; thence N.89°42'37"E. along the South line of the Southwest 1/4 said Section 8 for 132.00 feet to a point of intersection with the Easterly Right-of-Way line of U.S. Highway #301 (State Road No. 43), said point being the POINT OF BEGINNING of the herein described parcel of land; thence continue along the Easterly Right-of-Way line of U.S. Highway #301 for the following two (2) described courses: 1) N.00°00'03"E. for 2769.81 feet to the Point of Curvature of a circular curve concave to the East; 2) Northerly along the arc of said curve having a radius of 5597.58 feet and a central angle of 5°41'23", for 555.86 feet to an intersection with the South line of the North 1980 feet of the North 3/4 of said Section 8; thence run along the last described South line for the following three (3) courses: 1) N.89°41'18"E. for 2508.84 feet to an intersection with the East line of the Northwest 1/4 of said Section 8; 2) N.89°47'46"E. for 1716.03 feet; 3) N.89°48'58" E. for 968.63 feet to an intersection with the West line of the Northwest 1/4 of said Section 9, Township 31 South, Range 20 East; thence N.0°15'23"W. along the West line of the Northwest 1/4 of said Section 9 for 1980.14 feet to the Northwest corner of said Section 9; thence N.89°46'00"E. along the North line of the Northwest 1/4 of said Section 9 for 2624.32 feet to the Northeast corner of the Northwest 1/4 of said Section 9; thence N.89°44'54"E. along the North line of the Northeast 1/4 of said Section 9 for 1269.79 feet; thence N.89°45'12"E. continuing along the North line of the Northeast 1/4 of said Section 9 for 1357.46 feet to the Northeast corner of said Section 9, the same being the Northwest corner of said Section 10; thence N.89°28'59"E. along the North line of said Section 10 for 2139.02 feet to a concrete monument; thence S.1°29'39"E. for 880.79 feet to a concrete monument; thence N.89°30'21"E. for 2155.06 feet to a concrete monument, said point being a point on the Westerly Right-of-Way line of Balm-Riverview Road; thence run along the Westerly Right-of-Way line of Balm-Riverview Road for the following three (3) described courses: 1) S.23°27'37"E. for 1433.57 feet; 2) S.24°15'00"E. for 1417.22 feet; 3) S.29°56'27"E. for 547.87 feet to an intersection with the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 11, Township 31 South, Range 20 East; thence run S.89°57'01"W. along the last described South line for 282.67 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 10, Township 31 South, Range 20 East; thence S.89°34'32"W. along the South line of the North 1/2 of the Southeast 1/4 of said Section 10 for 2686.38 feet to the Southwest corner of the North 1/2 of the Southeast 1/4 of said Section 10; thence S.1°31'35"E. along the East line of the Southwest 1/4 of said Section 10 for 1323.68 feet to the South 1/4 corner of said Section 10; thence S.0°11'05"W. along the East line of the Northwest 1/4 of Section 15, Township 31 South, Range 20 East, for 1325.76 feet to the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 15; thence S.89°34'24"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 15 for 2663.20 feet to the Southeast corner of the North 1/2 of the Northeast 1/4 of Section 16, Township 31 South, Range 20 East; thence S.89°36'20"W. along the South line of the North 1/4 of said Section 16 for 5359.98 feet to the Southwest corner of the North 1/4 of said Section 16; thence S.89°39'42"W. along the South line of the North 1/2 of the Northeast 1/4 of said Section 17, Township 31 South, Range 20 East for 2681.22 feet; thence S.89°46'15"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 17 for 2565.01 feet to an intersection with the Easterly Right-of-Way line of the aforementioned U.S. Highway #301; thence run N.00°00'41"E. along the last described Easterly Right-of-Way line for 1326.67 feet to the POINT OF BEGINNING. LESS therefrom the existing Right-of-Way for Big Bend Road and any other dedicated Rights-of-Way.

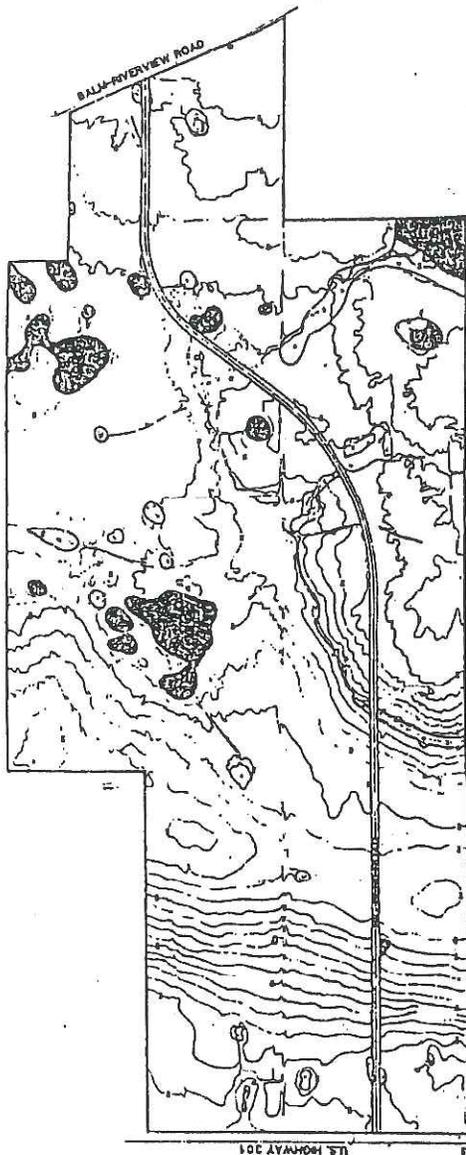
COMPOSITE EXHIBIT B

CONSISTS OF THE

APPLICATION FOR DEVELOPMENT APPROVAL

AND THE SUFFICIENCY RESPONSE

EXHIBIT C
WETLANDS



WETLANDS

BIG BEND

U.S. HOME CORPORATION
CENTRAL TEXAS LAND DEVELOPMENT DIVISION/100% RESORT
POST, BUCKLEY, SCHRYK & JERRIGAN, INC.
CONSULTING ENGINEERS AND PLANNERS



EXHIBIT 16-1

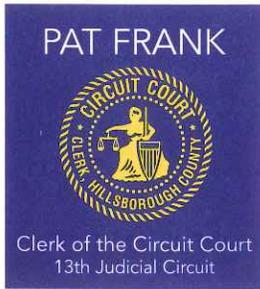
VIABLE WETLANDS AS
DETERMINED BY EPC
STAFF INDICATED IN
BLACK.

SOURCE: P.B.S.&J., INC. 1981

EXHIBIT D

PHASE 3A - INTERSECTION FAIR SHARE COSTS (REVISED 11/30/04)		PHASE 3A	
INTERSECTION	IMPROVEMENT	TOTAL COST	FAIR SHARE COST
US 41 @ SYMMES RD	SIGNALIZE	200000	469
US 41 @ BIG BEND	TURN LANES	100000	2464
US 301 @ 19 TH AVE	SIGNALIZE	200000	2652
US 301 @ BALM ROAD	SIGNALIZE	200000	3170
US 301 @ BIG BEND ROAD	TURN LANES	500000	26459
US 301 @ GIBSONTON DRIVE	TURN LANES	100000	3863
US 301 @ BALM RIVERVIEW	TURN LANES	100000	931
US 301 @ RIVERVIEW DR	TURN LANES	400000	3728
US 301 @ BLOOMINGDALE	TURN LANES	400000	1683
US 301 @ FALKENBURG RD	TURN LANES	200000	917
US 301 @ I 75	SIGNALIZE	200000	406
BIG BEND RD @ I 75 WEST	TURN LANES	300000	6528
BIG BEND RD @ I 75 EAST	TURN LANES	300000	4091
BIG BEND RD @ I 75 EAST	SIGNALIZE	200000	3082
BIG BEND RD @ BALM RIVERVIEW	SIGNALIZE	200000	4420
GIBSONTON @ I 75 WEST	TURN LANES	100000	525
GIBSONTON @ I 75 WEST	SIGNALIZE	200000	650
GIBSONTON @ I 75 EAST	TURN LANES	100000	92
GIBSONTON @ I 75 EAST	SIGNALIZE	200000	901
LUMSDEN RD @ PROVIDENCE RD	TURN LANES	200000	387
LUMSDEN RD @ PROVIDENCE RD	6LANE RDWY	2143064	4151
BLOOMINGDALE @ PROVIDENCE RD	TURN LANES	200000	371
BELL SHOALS RD @ BLOOMINGDALE	TURN LANES	100000	537
LITHIA PINECREST @ CR 39	TURN LANES	400000	1979
LITHIA PINECREST @ CR 39	SIGNALIZE	200000	762
SR 674 @ I 75	SIGNALIZE	200000	703
RHODINE RD @ BALM RIVERVIEW RD	SIGNALIZE	200000	3417
	TOTAL	7643064	78869

#73



February 15, 2013

JOHN MEYER DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
4000 GATEWAY CENTER BLVD SUITE 100
PINELLAS PARK FL 33782

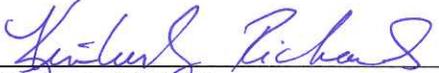
Re: Resolution No. R13-018 – Amending and Restating Development Order for
Summerfield Crossings (fka Big Bend) (DRI #73)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which was adopted by the
Hillsborough County Board of County Commissioners on February 12, 2013.

We are providing this original for your files.

Sincerely,



Kimberly Richards,
Associate Director, BOCC Records/VAB

md

Certified Mail Receipt # 7003 3110 0004 4684 4087

Attachment

- cc: Board files (orig.)
Ray Eubanks, Florida Department of Economic Opportunity (orig. ltr.)
Judith L. James, Esq., Molloy and James (orig. ltr.)
Nancy Y. Takemori, Assistant County Attorney
Paige Ward, County Attorney's Office
John Healey, Senior Planner, Development Services
Christopher Weiss, Property Appraiser's Office
Mary Mahoney, Management and Budget
Nancy Milam, County Attorney's Office
Sharon Sweet, BOCC Records

RESOLUTION NO. R13-018

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
HILLSBOROUGH COUNTY, FLORIDA
AMENDING AND RESTATING DRI #73 DEVELOPMENT ORDER
FOR SUMMERFIELD CROSSINGS (F/K/A BIG BEND)

Upon motion of Commissioner Beckner, seconded by
Commissioner Murman, the following Resolution was adopted this
12th day of February, 2013, by a vote of 7 to 0.

WHEREAS, in accordance with Section 380.06, Florida Statutes, on January 26, 1982, the Board of County Commissioners ("BOCC") approved a Development Order, Resolution #81-21, for the Summerfield Crossings Development of Regional Impact (DRI) #73, f/k/a Big Bend DRI, (hereinafter, together with the below described amendments, referred to as the Development Order) pursuant to the provisions of Section 380.06, Florida Statutes, legally described in **Exhibit A** attached hereto; and

WHEREAS, on August 10, 1993, the BOCC adopted Resolution 93-0161, an amendment to the Development Order, which included, among other amendments, an extension of the development buildout by approximately eleven years; and

WHEREAS, on August 8, 2000, the BOCC adopted Resolution No. R-00-161, an amendment to the Development Order, which included, among other amendments, (i) an extension of the buildout date, (ii) an extension of the completion dates of Phases I, II, III and IV, (iii) changes to certain transportation conditions, (iv) changes to Map H, (v) provision of a land use conversion factor for commercial and residential uses, and (vi) other changes described therein; and

WHEREAS, on October 29, 2003, U.S. Home Corporation (U.S. Home), a developer in Summerfield Crossings, filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Pursuant to Subsection 380.06(19), F.S.", (hereinafter referred to as the NOPC); and

WHEREAS, on March 8, 2005 the BOCC adopted Resolution #05-059, an amendment to the Development Order which included, among other amendments, (i). Creation of a new, specifically approved, Phase IIIA consisting of 803 single-family units, (ii) Revision of transportation conditions including establishment of transportation conditions specific to Phase IIIA development, (iii) Removal of the requirement for a biennial transportation analysis, and (iv) Amendment of Map H to revise the Phasing Table and Notes to remove commercial entitlements from multi-use tracts 40 and 15; and

WHEREAS, on May 9, 2006, the BOCC adopted Resolution #06-095, denying an application for a notice of proposed change to the Development Order for the purpose of allowing townhome units on Tracts 1, 2 and 12 of the Commercial Core; and

WHEREAS, on December 19, 2012, Land Invest Holding, LLC, (Land Invest) an owner of Tracts 1, 2, and 12 of the Commercial Core in Summerfield Crossings, filed an application to amend the Development Order pursuant to Section 380.06(19)(e)2, Fla. Stats. ("Development Order Amendment"); and

WHEREAS, the Development Order Amendment proposed to (i) amend Map H to reconfigure Tracts 1, 2, and 12 of the Commercial Core as Tracts 1, 2, 3, 4 and 5 and to provide for office tech and community commercial uses throughout Tracts 1, 2, 3 and 5 of the Commercial Core; and (ii) amend the buildout date of Phases III, IIIA and IV and the expiration date of the Development Order to reflect previously granted statutory extensions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR SESSION THIS 12TH DAY OF FEBRUARY, 2013, AS FOLLOWS:

I. Findings of Fact:

- A. Land Invest submitted to Hillsborough County ("County") a Development Order Amendment pursuant to Section 380.06(19)(e)2, which requested approval of the following Proposed Changes: (i) amendment of Map H to reconfigure Tracts 1, 2, and 12 of the Commercial Core as Tracts 1, 2, 3, 4 and 5 and to provide for office tech and community commercial uses throughout Tracts 1, 2, 3 and 5 of the Commercial Core as shown on Map H, dated January 11, 2013 and attached hereto as **Exhibit B**; and (ii) amendment of the buildout date of Phases III, IIIA and IV and the expiration date of the Development Order to reflect previously granted statutory extensions.
- B. The BOCC, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to approve amendments to DRIs.
- C. The Proposed Changes approved herein result in no new or additional regional impacts requiring further DRI review.

II. Conclusions of Law:

- A. All statutory procedures have been adhered to and the impacts of the development authorized hereby are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.

- B. Resolutions #81-21, #93-0161, #00-161, #05-059 and #06-095 are incorporated herein by reference and are hereby reaffirmed in their entirety except as amended herein.
- C. Except as specifically set forth herein, nothing herein shall limit or modify (i) the rights originally approved by the Development Order, (ii) the protection afforded under Section 163.3167(8), Florida Statutes, or (iii) established setbacks and lot coverage requirements.
- D. The amendment adopted hereby is consistent with the State Comprehensive Plan, with the Comprehensive Plan of the County, and with applicable land development regulations, and does not unreasonably interfere with the achievement of the objectives of the State Land Development Plan applicable to the area.
- E. The Development Order Amendment adopted hereby is found to be a change to the Development Order pursuant to Section 380.06 (19) (e) (2) F. S. and no Notice of Proposed Change review is required.

Based on the above Findings of Fact and Conclusions of Law, the BOCC hereby amends and restates the Development Order in its entirety to read:

III. Conditions:

A. Environmental

1. The portion of the Sand Pine Scrub Community consisting of the seven (7) acres nearest the southern property line shall be preserved in its natural state. Construction in the remaining portion of the Sand Pine Scrub Community shall incorporate natural vegetation into landscaping where possible. Development in this remaining portion shall be subject to detailed site plan review and approval by the Environmental Protection Commission. The Sand Pine Scrub Community shall be identified on the revised general site plan.
2. All viable wetland areas shall be preserved in their natural state. The precise location of such areas shall be determined by the Environmental Protection Commission at the time of detailed site plan approval, consistent with the wetland areas generally delineated on Exhibit C attached to Resolution #81-21 and made a part hereof by reference.
3. In order to minimize loss of property as a result of sinkholes, the primary lineament intersections shall be retained as major open space with minimal building construction, as referenced in the application. Final plans submitted for the regional mall will not be

approved until in-depth subsurface testings are performed to determine the actual potential for sinkhole occurrence. No development will be approved within the lineament intersection boundaries until a direct investigation using gravity mapping, borings, or other engineering techniques acceptable to the County is done to confirm that the local limerock structure for the affected building area is capable of properly supporting the development proposed for this site.

4. A program of measures to reduce air pollution and erosion during the construction shall be implemented as referenced in the application.
5. If, at any time during the development period, the water quality monitoring program for Bullfrog Creek currently supplied by the United States Geological Survey and the Florida Department of Environmental Regulation is determined by the County to be insufficient to provide for the protection of the public health and safety, the Developer shall be responsible for establishing an adequate water quality monitoring program which shall be approved by the County.

B. Energy

State-of-the-Art Energy Conservation measures as deemed cost effective shall be incorporated into the residential portion of the development. The Developer shall also incorporate as part of the development plans for the commercial and office buildings of the development, energy management practices such as landscaping, energy conserving construction requirements, ridesharing, street lighting, operating practices and life cycle costing for construction and operation.

C. Drainage

1. Drainage shall be designed to maintain pre-development ground and surface water levels, so as to avoid any alteration of the integrity and viability of the preserved wetlands.
2. All drainage flood control structures shall be non-adjustable.
3. Any displacement of natural storage within the 25-year floodplain, which results from filling or the locating of detention ponds within the floodplain, or otherwise, shall be mitigated by the provision of equal storage capacity in other parts of the project previously or concurrently approved for development. The Developer shall delineate natural floodwater storage areas on preliminary plans for

each subdivision unit or other discrete portion of the project and shall protect these areas from filling except as provided above.

4. The peak discharge from the large paved office and commercial sites adjacent to U.S. 301 must be determined by the more conservative of the following predevelopment conditions:
 - a. The time of concentration of the commercial sites themselves, or
 - b. The time of concentration of the most critical storm for Bullfrog Creek.
5. The Developer shall provide sufficient rights-of-way or easements for access to lakes, drainage control structures, and retention areas for equipment for mosquito and aquatic weed control activities conducted by appropriate government agencies. The area should be adequate to launch a boat for these purposes without the need for access through residential yards.
6. The Developer shall be responsible for maintenance of drainage features, located in portions of the drainage areas not dedicated to the County, in order to help control mosquitoes and aquatic weeds.
7. The drainage system constructed for the Big Bend Development shall incorporate components as conceptually proposed in the application, subject to approval by the County. The system shall be designed for maximum ground water recharge in areas having on-site irrigation wells.

D. Parks and Recreation Areas

On June 3, 1987, the County and the Developer entered into an Agreement Regarding Park Improvements for Summerfield, amended on August 8, 2000 (collectively, the "Agreement"), relating to park requirements imposed for the development. The Agreement, as may be amended from time to time, shall govern the park requirements for the development. Violation of the terms, conditions and requirements of the Agreement shall render the project out of compliance with the Development Order.

E. Medical and/or Health Care Facility

As referenced in the application, the Developer shall reserve a ten-acre site for development of a medical and/or health care facility. This site shall be subject to appropriate deed restrictions to insure development for medical purposes.

F. Police Protection

1. The Developer will incorporate environmental security planning for crime reduction as an integral part of site planning and building construction. This planning will be done in cooperation with the Hillsborough County Sheriff's Department's Crime Awareness Team, starting at the initial site planning stage. The plan will include adequate security hardware, consideration of street and building orientation, street lighting, special consideration for crime problem areas (i.e., regional mall, multi-family developments, and convenience stores) and crime prevention programs by the Hillsborough County Sheriff's Department.
2. At the commencement of each phase of the development, the Developer shall demonstrate that such emergency plans and police manpower and/or facilities as are necessary to provide adequate police protection for that phase have been or will be provided.

G. Community Services

As referenced in the application, the Developer shall reserve a five-acre site for general community service facilities to meet project needs as identified by the Developer and approved by the County. This site shall be dedicated to the County, upon the County's determination that the site is needed. The deed shall contain appropriate restrictions.

H. Fire Control

1. A site for construction of a fire station and EMS facility adequate to serve the needs of the entire project shall be reserved, and shall be dedicated to the County upon request, which site shall be located not more than ½ mile from the intersection of Big Bend Road and U.S. 301.
2. If the County at any time prior to January 1, 1985, indicates its willingness to accept, equip and operate a fire and EMS facility at the designated location, the Developer shall construct, at its own cost and expense, not to exceed \$200,000.00, a facility of sufficient size to house a four-man engine company plus an EMS ambulance unit and shall convey same to the County. Should the cost of construction of such a facility exceed \$200,000.00, then the County shall assume the responsibility for construction and the Developer shall at the request of the County contribute the sum of \$200,000.00 to the County.

I. Construction of Multi-Family Units

Multi-family units shall be constructed as early as economically feasible. The Developer shall designate for construction of rental residential units as much land as it determines is economically feasible to so designate.

J. Schools

1. The Developer shall construct a sidewalk/bike path system within the development to provide pedestrians with access to the school sites. The sidewalks shall be constructed to the boundaries of the school sites. The design, location, and method of construction shall be subject to County review and approval. The sidewalk condition contained herein shall not be construed to be a waiver of the sidewalk construction requirements contained in the Subdivision Regulations of the County.
2. Two school sites shall be reserved as shown in the application. As to the eastern school site in Village IV, the adjoining recreation areas shall not be significantly developed until building permits for seventy five percent (75%) of the project's dwelling units have been issued. At the option of the School Board, and upon its determination that such a facility will be needed, this adjoining recreation area or a portion thereof shall be dedicated to the Hillsborough County School Board for use as an elementary school or junior high school.
3. If both school sites have not been previously dedicated, the Developer shall advise the School Board as soon as building permits have been issued for seventy five percent (75%) of the project's dwelling units. If within sixty (60) days after being so advised, the School Board has not notified the Developer in writing of the need for the school site, the sites shall no longer be reserved for school purposes. As to the eastern site in Village IV, the adjoining recreation area shall then be available for recreational development and the designated school site shall be available for residential development. However, the availability of additional residential land shall in no way authorize the construction of a number of dwelling units in excess of the number approved for the entire project, nor shall the density on such sites exceed the average net density of the residential portions of the project previously approved.
4. If at the time the east-west road which borders the western school site on the south is under construction, the School Board has requested dedication of that school site, the Developer shall

provide the geometric road improvements necessary to handle the traffic the school is anticipated to generate.

K. Transportation

1. The Developer shall reserve sufficient land along the Big Bend Road corridor between U.S. 301 and Road "C" to accommodate the construction of a six lane divided roadway. [The following right-of-way for Big Bend Road has already been either dedicated or reserved: 140 feet dedicated between U.S. 301 and Road "C"; 120 feet dedicated between Road "C" and a point just west of Road "G"; and 120 feet reserved between a point just west of Road "G" and Balm-Riverview Road.]
2. The Developer or other owners of property within the project contiguous thereto, as applicable, shall be responsible for design and construction of all internal roadway improvements within the Summerfield Crossings development as set forth in subparagraphs K.3 and K.4 below. These roads shall be constructed in accordance with the County standards in effect at the time of construction.
3. The Developer shall dedicate right-of-way for the following roadways: Summerfield Boulevard from Smokethorn Drive to the northern Summerfield Crossings property boundary; Summerfield Boulevard from Woodbridge Drive to the southern Summerfield Crossings property boundary; Heritage Green Parkway (also known as Road "D") from Fairway Meadow Drive to the northern Summerfield Crossings property boundary; Road "G" from Big Bend Road to the southern Summerfield Crossings property boundary; Big Bend Road (120 feet in width from Summerfield Boulevard to Balm Riverview Road); and Balm Riverview Road along the entire eastern boundary of Summerfield Crossings (50 feet from roadway centerline). All such right-of-way shall be deeded to Hillsborough County within ninety (90) days following the approval of Resolution 05-059 by the Board of County Commissioners, or prior to approval of a preliminary plat for any residential development as part of Phase IIIA, whichever occurs first.
4. The developer of each tract adjacent to Road "C" (north of Big Bend Road), Fairway Meadows Boulevard, Road "D" (south of Big Bend Road) and Woodbridge Drive (west of Road "C"), shall construct the roadways along the entire property boundary of each such tract concurrent with the development of the tract itself, except that construction of the portion of Fairway Meadow Drive from its current terminus to U.S. 301 within the Commercial Core shall be

governed by the conditions of MM 12-839. Where the property boundary is adjacent to the non-developable common area (wetlands, park, etc.), the roadway shall be constructed to the center of the feature. A traffic analysis shall be submitted, based on a methodology acceptable to Hillsborough County, to determine the turn lanes needed where these roadways intersect existing and future internal and external roadways as shown on Map "H". A minimum of a 64 foot right-of-way shall be provided in order to extend Road "D" to the southern property boundary of Summerfield Crossings to provide for future access to the proposed development to the south.

5. The developer of the tract adjacent to Road "C" (south of Big Bend Road) and Woodbridge Drive (east of Road "C") shall construct the roadways along the entire property boundary of that tract, and shall ensure that the two roadways intersect. An exclusive left turn lane, through lane, and right turn lane shall be constructed on all legs of the two intersecting roadways. The intersection shall be designed in such a manner to provide for the future connection of Woodbridge Road from the west. Road "C" shall be constructed to the southern property boundary of Summerfield Crossings. An exclusive northbound left turn lane, through lane, and an exclusive right turn lane shall be constructed on Road "C" at the intersection with Big Bend Road.
6. The owners of the commercial and office tracts at the intersections of Road "C", Summerfield Boulevard, and Road "D" and Big Bend Road shall submit a traffic analysis prior to Preliminary Plan Approval, to be approved by Hillsborough County, showing the required intersection improvements and signalization at these intersections.
7. The Developer shall be responsible for design and construction of intersection geometric and signalization improvements at the access points of the Summerfield Crossings development with adjacent exterior roads, which are required because of traffic generated or expected to be generated by the Summerfield Crossings development. All intersections meeting signal warrants at access points to U.S. 301 or Big Bend Road, as a result of total current and projected traffic, shall be designed to the more conservative of the following: (a) Level of Service D (peak hour) or (b) critical lane operation level for the five-year projected traffic.
8. Access to U.S. 301 from the Regional Mall, Community Commercial and Office/Tech Areas will be designed at a Level of Service D (peak hour).

9. The minimum spacing between major intersections leading from any point within the development to U.S. 301 or Big Bend Road shall be made so as to optimize traffic flow as determined by the County in accordance with standard engineering practice.
10. Commencing at such time as the development is generating eighty-five percent (85%) of the projected external vehicle trip ends for combined Phases I and II, and every two (2) years thereafter, a trip generation monitoring study shall be required to monitor the actual cumulative total traffic generated by the entire project. The total projected external PM Peak Hour vehicle trip ends for combined Phases I and II are 3,138 with 1,643 Entering, and 1,498 Exiting. The purpose of this monitoring study is to verify the trip generation and internal capture rates utilized by the Developer. In each annual report the Developer shall identify the number and cumulative percentage of projected external trip ends relative to the projected external trip ends for combined Phases I and II. At such time that the development is generating eighty five percent (85%) of the projected external trip ends for combined Phases I and II, the Developer shall submit to the County and DEO the trip generation monitoring study as part of the revised transportation analysis described below which is next due.

The trip generation monitoring study will be based on a methodology which shall be submitted by the Developer no later than three (3) months prior to the study's due date. The methodology shall be reviewed and approved by the County and DEO (or their designees) and shall include a copy of the site plan with all locations indicated where the traffic counts will be conducted and the general location of existing development. The trip generation monitoring study shall be used to determine if the substantial deviation threshold of a 15% increase of external vehicle trips has occurred. If the trip generation monitoring study indicates that the 15% threshold of external trips is met or exceeded, this shall constitute a substantial deviation to the approved development and the development shall be subject to further development of regional impact review. The County shall not issue any permits for development until such time that further review is completed. Additionally, if the trip generation monitoring study is not submitted to, and approved by, the County and DEO, the County shall not issue any further development permits.

11. The Developer shall plan and provide for two collector roadways on approximately 1-mile spacings extending from Balm Road to Symmes Road and from Balm Road to Rhodine Road on reasonably direct and environmentally practical alignments. These two collector roadways are commonly referred to in the May, 1993,

transportation analysis submitted in connection with a Notice of Proposed Change application as Summerfield Boulevard and the combination of Road "D" and Road "G." Alternatively, the Developer may provide a different road alignment, subject to the County's approval, that is designed to facilitate north-south traffic flow through the project and alleviate traffic impact on major corridors.

12. A proposal to change construction of the Regional Mall to a phase earlier than Phase III, as set out in the application, shall be considered as a substantial deviation from the approved development and shall require further assessment pursuant to Chapter 380.06, Florida Statutes.
13. The Developer shall contribute \$275,000.00 to Hillsborough County for the construction of a traffic signal at the intersection of Big Bend Road and Summerfield Boulevard. The contribution shall be made within thirty (30) days of approval of Resolution 05-059 by the Board of County Commissioners or prior to preliminary plat approval of any residential development in Phase IIIA, whichever occurs first.
14. The following provisions shall apply to Phase IIIA:

(a) Monetary Contribution to Improvement of U.S. Highway 301.

Within 60 days from the approval of Resolution 05-059, the County anticipates entering into a development agreement with a coalition of developers along U.S. Highway 301 for the improvement of U.S. Highway 301 (the "301 Development Agreement"). Upon approval by the County of the 301 Development Agreement, the Developer shall, prior to construction plan approval for any development within Phase IIIA or within 30 days of receipt of written notice from the County that the 301 Development Agreement has been approved, whichever is earlier, contribute \$5,000,000.00 toward the improvement of U.S. Highway 301 (the "301 Contribution"). The 301 Contribution shall be in the form of a cashiers check payable, or wired federal funds for immediate credit to the Hillsborough County Board of County Commissioners. The making of the 301 Contribution by the Developer shall constitute full mitigation by the Developer of all Phase IIIA transportation impacts.

(b) Construction of Pipeline Improvement

- (1) **Exhibit C**, attached hereto, describes those roadways and intersections significantly impacted by the net traffic generated by Phase IIIA and the required improvements that need to be

constructed to ensure maintenance of the adopted level of service for such roadways and intersections. Rule 9J-2.045, Florida Administrative Code, allows the County to elect one of several transportation mitigation alternatives in order for the Developer to mitigate the transportation impacts of Phase IIIA, including the payment by the Developer of its proportionate-share contribution for the roadway and intersection improvements identified in **Exhibit C**. Rule 9J-2.045, Florida Administrative Code, allows the Developer's proportionate-share contribution to be applied to expeditiously construct one (1) or more of the roadway improvements identified in **Exhibit C**. The total proportionate share for the transportation impacts of Phase IIIA, calculated in accordance with the formula set forth in K.14.(b)(2) below is \$2,822,757, but the Developer has voluntarily agrees to commit \$5,000,000 toward the construction of the Phase IIIA Pipeline Project described below. In the event that the 301 Development Agreement is not approved within one hundred twenty (120) days from the approval of this Resolution by the Board of County Commissioners, then the Developer shall undertake the design, permitting and construction of the Phase IIIA Pipeline Project.

(2) The formula for calculating the Developer's proportionate share established in Resolution #81-21 and restated in Resolution No. R-00-161, is as follows:

Developer's existing and projected traffic volumes on the described segment	x	total cost of construction
Total existing and projected traffic volumes on the described segment		

The total cost of construction shall be subject to approval by FDOT District Seven Office and include: plans preparation, permitting, grading, base, required drainage structures, surface drainage, bridges, signing and signalization. The pipeline improvement of U.S. 301 segment will be subject to determination and approval by FDOT and Hillsborough County.

(3) The requirements of the Phase IIIA Pipeline Project have been determined to be the appropriate requirements to cure and mitigate the impacts attributable solely to Phase IIIA development on regionally significant roadways within the project impact area. The approval of this mitigation/curing

mechanism is based upon the impact of Phase IIIA on transportation facilities, the substantial public benefit to be gained by accelerating the design and construction of major public facilities, and its consistency with the County, TBRPC, and DCA policies regarding pipelining transportation impacts.

(4) The Phase IIIA Pipeline Project (hereinafter defined) shall be completed as described below regardless of cost. Completion of the Phase IIIA Pipeline Project satisfies all transportation mitigation requirements for Phase IIIA. The Developer shall be able to apply for and obtain development permits and certificates of occupancy for Phase IIIA provided the Developer is in compliance with the terms of this Development Order.

(5) Phase IIIA Pipeline Project. The Developer and the County agree that the transportation improvement obligations described in subparagraph K.14(b)(6) ("Phase IIIA Pipeline Project") will fully satisfy all transportation mitigation requirements for the transportation impacts of Phase IIIA and the Developer's proportionate share obligation with respect to Phase IIIA.

(6) The Phase IIIA Pipeline Project consists of the design, permitting, and construction of the following improvements:

- a. So much of the four laning of U.S. Highway 301 for the length of the project, commencing at Big Bend Road, as can be designed, permitted, and constructed for \$5,000,000; and
- b. To the extent funds remain thereafter, so much of the four laning of U.S. Highway 301 one-third (1/3) of one mile north and south of Rhodine Road, together with signalization of the U.S. Highway 301/Rhodine Road intersection, as can be accomplished with the balance.

(7) Developer, at its sole expense, shall design the Phase IIIA Pipeline Project together with on-site and off-site storm water management facilities, flood-plain mitigation, and wetland mitigation required to accommodate the Phase IIIA Pipeline Project. In the event that the 301 Development Agreement is not approved within one hundred twenty (120) days following approval of Resolution 05-059, the Developer shall commence the design within ninety (90) days from

receipt of notice from the County that the 301 Development Agreement has not been approved.

(8) The Developer shall permit the Phase IIIA Pipeline Project for construction, consistent with the approved design. The Developer shall complete such design and permitting within twenty (20) months after commencing the design.

(9) The Developer agrees to deed to the County or its designee any additional right-of-way under the control of the Developer that is necessary for the construction of the Phase IIIA Pipeline Project.

(10) Developer shall be responsible for constructing the Phase IIIA Pipeline Project. Construction shall be in conformance with the approved design plans and permits. The Developer shall commence construction within ninety (90) days after securing all necessary permits and approvals, and shall complete construction within twenty-four (24) months after commencement.

(11) If the performance by the Developer of its commitment with respect to the design, permitting, and construction of the Phase IIIA Pipeline Project shall be interrupted or delayed by war, riot, civil commotion or natural disaster, then the Developer shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof. Further, if performance by the Developer of the Phase IIIA Pipeline Project shall be interrupted or delayed in connection with acquisition of necessary governmental approvals and which interruption or delay is caused through no fault of the Developer, then the Developer shall submit documentation regarding such event(s) to the County for its review and concurrence. If such documentation shows that such event(s) have taken place, then the Developer shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.

(12) As security for performance by the Developer of the Phase IIIA Pipeline Project, the Developer shall deliver to the County, not later than thirty (30) days prior to the commencement of construction of the Pipeline Project, cash, a letter of credit, a performance bond, or other security reasonably acceptable to the County in the amount of \$5,000,000, less amounts already paid by the Developer in

connection with the design and permitting of the Phase IIIA Pipeline Project (the "Pipeline Project Security"). If the Developer is in default of its Phase IIIA Pipeline Project obligations contained herein, the County, after thirty (30) days written notice and opportunity to cure, may use the Pipeline Project Security to complete the Phase IIIA Pipeline Project. The amount of the Pipeline Project Security may be reduced not more frequently than once each calendar quarter to reflect the expenditures by the Developer in constructing the Phase IIIA Pipeline Project.

15. The following provisions shall apply to Phases III and IV:

Phase III may continue to be developed through its build-out date (March 3, 2020) without any requirement for transportation mitigation, except as required herein. The requirements of this restated Development Order have been determined to be the appropriate requirements to cure and mitigate the impacts of Phase III on regionally significant roadways within the project impact area through March 3, 2020. Extension of the Phase III build-out date beyond March 3, 2020 shall require an NOPC pursuant to Chapter 380.06, Florida Statutes, including a cumulative transportation analysis. Specific approval of Phase IV shall likewise require an NOPC, including a cumulative transportation analysis.

16. If transit utilization appears to be feasible in the future in meeting some of the transportation demands of the development, the Developer shall cooperate with the Hillsborough Area Regional Transit Authority in providing bus stops, shelters, etc., to encourage the use of transit.
17. For purposes of this section the words "under construction" shall be construed to mean physical construction activities pursuant to the terms of an executed contract.
18. There shall be a trade off mechanism which will allow land uses to be traded in accordance with the following standards:
- (a) With respect only to the 39.5 acre parcel located at the southeast quadrant of U.S. Hwy. 301 and Big Bend Road, as shown on Revised Map H attached hereto as **Exhibit B**, 1,000 square feet of Office/Tech land use is equivalent to 382 square feet of commercial land use and vice versa.
 - (b) With respect to any parcels designated for any type of residential use on Revised Map H attached hereto as **Exhibit B**.

- (1) 1.0 Single Family detached unit = 1.84 Townhomes;
- (2) 1.0 Townhome = 0.87 Apartment;
- (3) 1.0 Apartment = 1.14 Townhomes;
- (4) 1.0 Apartment = 0.63 Single Family detached unit;
and
- (5) 1.0 Townhome = 0.55 Single Family detached unit.

(c) Developer shall notify the County, TBRPC and the DCA thirty (30) days prior to utilizing the conversion factors set forth in this section.

19. The Developer shall provide the County with the existing construction plan designs in its possession, custody, or control for the extension of Big Bend Road from Summerfield to Balm Riverview Road and the four lane section of Big Ben Road from US 301 to Summerfield Boulevard. The Developer shall also provide the County with the location of any pond sites that have been set aside to accommodate the future four (4) lane section of Big Bend Road from east of Summerfield Boulevard to Balm Riverview Road. To the extent available, these plans shall be provided within thirty (30) days of the approval of this Resolution by the Board of County Commissioners, or prior to preliminary plat approval for any Phase IIIA development, whichever occurs first.

L. Water and Sewer Service

1. The Developer is to provide sufficient effluent disposal sites to accept the effluent which will be generated by the project.
2. Water wells may be utilized for irrigation on an interim basis. However, once wastewater effluent is available to any irrigation site, any such irrigation wells must be plugged and wastewater effluent must be utilized for irrigation.
3. All development must comply with County standards. A water distribution master plan, wastewater collection master plan, and the preliminary engineering calculations must be submitted to the County prior to approval of any development. In addition, construction schedules must be updated on an annual basis.

4. Upon approval by the County, the Developer shall provide, at its own cost and expense, an interim wastewater treatment plant of sufficient capacity to serve the development, to be dedicated to and operated and maintained by the County until such time as service can be provided by a County wastewater treatment system. At such time as service by the County is available, the development shall be required to connect to the County system.
5. The instrument by which the interim wastewater treatment plant is dedicated to the County shall contain the following provision:

"Six months after the Developer connects to a County wastewater treatment plant, ownership of the parcel upon which the interim wastewater treatment plant has been constructed shall revert to the Developer. The County, at its option, may, during this six-month period, remove from the premises all or any part of the interim wastewater treatment plant, including all facilities and equipment connected in any way with its operation, whether above or below ground, and without regard to whether such facilities and equipment are legal fixtures."
6. The physical disposal of solid waste shall be the responsibility of the County. The collection and transportation of solid waste for disposal is controlled by County ordinance.

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M. The proposed development plan for the project is as follows:

USE/PHASE	I (Completion - 2005)	II (Completion- 2005)	III (Completion - March 3, 2020)	IIIA (Completion March 3, 2020)	IV (Completion - March 2, 2022)	TOTAL
RESIDENTIAL						
Single Family and Patio Homes	760	728	604	803	0	2,895 d.u.
Townhouses and Villa Homes	251	457	430	0	0	1,138 d.u.
Multi-family Apartments	0	220	258	0	0	478 d.u.
Retirement	105	0	0	0	0	105 d.u.
SUBTOTAL	<u>1,116</u>	<u>1,405</u>	<u>1,292</u>	<u>803</u>	<u>0</u>	<u>4,616 d.u.</u>
COMMERCIAL						
Neighborhood Centers	48,000	37,000	67,000		30,000	182,000 sq. ft.
Community Centers	60,300	115,000	103,500		--	278,800 sq. ft.
Regional Mall	--	--	<u>380,000</u>		<u>380,000</u>	<u>760,000 sq. ft.</u>
SUBTOTAL	<u>108,300</u>	<u>152,000</u>	<u>550,500</u>		<u>410,000</u>	<u>1,220,800 sq. ft.</u>
OFFICE/TECHNICAL PARK	20,000	80,000	180,000		288,800	568,800 sq. ft.
COMMUNITY SERVICES						
Schools		1	1			2 schools
Churches						2 sites
Community Services						4 sites
Medical		76,000				76,000 sq. ft.
RECREATION/OPEN SPACE						
Golf and Recreation Complex	182.2					182.2 acres
Recreation Parks						8.9 acres 44.9 acres

IV. General Provisions:

- A. The legal description set forth in **Exhibit A** is hereby incorporated into and by reference made a part of this Development Order.
- B. All provisions contained within the application for development approval marked "Composite Exhibit B" to Resolution #81-21 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.
- C. This Resolution shall constitute the development order of the County in response to the application for development approval for the Big Bend

Development of Regional Impact and subsequent notice of proposed change applications.

- D. The definitions contained in Chapter 380, Florida Statutes (2003) shall govern and apply to this Development Order.
- E. This Development Order shall be binding upon the Developer and its assignees or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean 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.
- F. 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.
- G. 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 government agencies and departments as are or may be designated by the Board of County Commissioners of the County to review development of regional impact applications as well as all governmental agencies and departments set forth under applicable laws and rules governing developments of regional impact.
- H. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at Big Bend, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private or public body created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order.
- I. A notice of adoption of this Resolution shall be recorded in accordance with Section 380.06, Florida Statutes.
- J. A "substantial deviation" from the terms or conditions of this Development Order 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 the TBRPC may result in the County ordering a termination of all development approved herein.

Nothing herein shall be construed to limit or modify the right of the County to make a substantial deviation determination pursuant to the provisions of Section 380.06(19), Florida Statutes (2012).

- K. The County Administrator of the 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 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. The County Administrator shall issue a notice of such non-compliance to the Developer and if the deviation is not corrected within a reasonable amount of time shall recommend that the Board of County Commissioners establish a hearing to consider such deviations. The Developer shall be given notice of any such hearing. In the event that circumstances require an immediate action, so as to prevent irreparable harm, the County Administrator need not issue a notice of non-compliance.
- L. The Developer shall file an annual report in accordance with Section 380.06(16), Florida Statutes (2003). Such report shall be due on the anniversary of the effective date of this Development Order and for each following year until and including such time as all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the County Administrator who shall after appropriate review, submit it for receipt by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed. Provided, however, that receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of this Development Order. The report shall contain:
1. A description of all development activity conducted pursuant to this Development Order during the year immediately preceding the submission of the annual report;
 2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately subsequent to the submission of the annual report;
 3. A statement listing all applications for incremental review required pursuant to this Development Order or other applicable local

regulations which the Developer proposes to submit during the year immediately following submittal of the annual report;

4. A statement setting forth the name(s) and address of any assignee or successor in interest to this Development Order;
5. Shall contain a statement that all persons have received copies of the annual report as required under Section 380.06(16) (2003), Florida Statutes; and
6. A statement describing any conversions pursuant to Section III, Paragraph K(18) during the reporting period and a cumulative total of conversions.

It is the intent herein that the foregoing requirements for submittal of the annual report shall be in addition to and not in lieu of any submittal requirements for an annual report as promulgated by the State Land Planning Agency.

- M. This Development Order shall become effective upon adoption by the Board of County Commissioners of the County in accordance with Section 380.06, Florida Statutes.
- N. The property which is subject to this Development Order and/or all owner(s) thereof shall be subject to any county or statewide impact fee or user charge or any other county-wide assessment or tax that may be imposed to fund, in whole or in part, the costs of roadway maintenance or construction. Nothing herein shall be construed to limit or modify any legal remedies Developer may seek to contest the validity of such county or statewide impact fee, user charge, county-wide assessment or tax as set forth in this paragraph.
- O. Upon adoption, this Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail or other delivery service for which a receipt as proof of service is required, to the State Land Planning Agency, the TBRPC, and the Developer.
- P. This Development Order shall remain in effect through March 3, 2024.
- Q. Prior to March 3, 2024, the development approved herein shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes in the conditions underlying the approval of this Development Order have occurred or the Development Order was based on substantially inaccurate information provided by the Developer or that the change is clearly established by the County to be essential to the public health, safety, or welfare.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, PAT FRANK, 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 on February 12, 2013, as the same appears of record in Minute Book 441 of the Public Records of Hillsborough County, Florida

WITNESS my hand and official seal this 14th day of February, 2013.

PAT FRANK, CLERK

By: Michael K. Ditt
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

By: [Signature]
Approved as to Form and
Legal Sufficiency



- Exhibit A – Legal Description
- Exhibit B – Revised Map H
- Exhibit C - Phase IIIA Roadways and Intersections

EXHIBIT "A"
Page 1 of 2

A parcel of land including all or portions of Sections 8, 9, 10, 11, 15 16 and 17 in Township 31 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 8, Township 31, South Range 20 East; thence N.89°42'37"E. along the South line of the Southwest 1/4 said Section 8 for 132.00 feet to a point of intersection with the Easterly Right-of-Way line of U.S. Highway #301 (State Road No. 43), said point being the POINT OF BEGINNING of the herein described parcel of land; thence continue along the Easterly Right-of-Way line of U.S. Highway #301 for the following two (2) described courses: 1) N.00°00'03"E. for 2769.81 feet to the Point of Curvature of a circular curve concave to the East; 2) Northerly along the arc of said curve having a radius of 5597.58 feet and a central angle of 5°41'23", for 555.86 feet to an intersection with the South line of the North 1980 feet of the North 3/4 of said Section 8; thence run along the last described South line for the following three (3) courses: 1) N.89°41'18"E. for 2508.84 feet to an intersection with the East line of the Northwest 1/4 of said Section 8; 2) N.89°47'46"E. for 1716.03 feet; 3) N.89°48'58" E. for 968.63 feet to an intersection with the West line of the Northwest 1/4 of said Section 9, Township 31 South, Range 20 East; thence N.0°15'23"W. along the West line of the Northwest 1/4 of said Section 9 for 1980.14 feet to the Northwest corner of said Section 9; thence N.89°46'00"E. along the North line of the Northwest 1/4 of said Section 9 for 2624.32 feet to the Northeast corner of the Northwest 1/4 of said Section 9; thence N.89°44'54"E. along the North line of the Northeast 1/4 of said Section 9 for 1269.79 feet; thence N.89°45'12"E. continuing along the North line of the Northeast 1/4 of said Section 9 for 1357.46 feet to the Northeast corner of said Section 9, the same being the Northwest corner of said Section 10; thence N.89°28'59"E. along the North line of said Section 10 for 2139.02 feet to a concrete monument; thence S.1°29'39"E. for 880.79 feet to a concrete monument; thence N.89°30'21"E. for 2155.06 feet to a concrete monument, said point being a point on the Westerly Right-of-Way line of Balm-Riverview Road; thence run along the Westerly Right-of-Way line of Balm-Riverview Road for the following three (3) described courses: 1) S.23°27'37"E. for 1433.57 feet; 2) S.24°15'00"E. for 1417.22 feet; 3) S.29°56'27"E. for 547.87 feet to an intersection with the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 11, Township 31 South, Range 20 East; thence run S.89°57'01"W. along the last described South line for 282.67 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 10, Township 31 South, Range 20 East; thence S.89°34'32"W. along the South line of the North 1/2 of

the Southeast 1/4 of said Section 10 for 2686.38 feet to the Southwest corner of the North 1/2 of the Southeast 1/4 of said Section 10; thence S.1°31'35"E. along the East line of the Southwest 1/4 of said Section 10 for 1323.68 feet to the South 1/4 corner of said Section 10; thence S.0°11'05"W. along the East line of the Northwest 1/4 of Section 15, Township 31 South, Range 20 East, for 1325.76 feet to the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 15; thence S.89°34'24"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 15 for 2663.20 feet to the Southeast corner of the North 1/2 of the Northeast 1/4 of Section 16, Township 31 South, Range 20 East; thence S.89°36'20"W. along the South line of the North 1/4 of said Section 16 for 5359.98 feet to the Southwest corner of the North 1/4 of said Section 16; thence S.89°39'42"W. along the South line of the North 1/2 of the Northeast 1/4 of said Section 17, Township 31 South, Range 20 East for 2681.22 feet; thence S.89°46'15"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 17 for 2565.01 feet to an intersection with the Easterly Right-of-Way line of the aforementioned U.S. Highway #301; thence run N.00°00'41"E. along the last described Easterly Right-of-Way line for 1326.67 feet to the POINT OF BEGINNING. LESS therefrom the existing Right-of-Way for Big Bend Road and any other dedicated Rights-of-Way.

EXHIBIT C (Page 1 of 2)
PHASE 3A-ROADWAY FAIR SHARE COSTS

PHASE 3A
PROJECT'S FAIR SHARE

Rowway	To	Existing Budgeted Geometry	LENGTH (MILES)	REQUIRED GEOMETRY	COST PER MILE	TOTAL COST	NB/EB	SB/WB
US 41	Miller Mac Rd.	4LD	1	6LD	4434822	4434822	9566.79	428.73
US 41	Apollo Beach Blvd.	4LD	2.07	6LD	4434822	9180081	66766.84	18472.36
US 301	County Line	2LU	5.67	4LD	3982343	22579887	31494.22	16510.62
US 301	SR 674	2LU	2	4LD	3982343	7964687	81131.24	11441.85
US 301	19th	2LU	1.98	4LD	3982343	7885040	97626.27	37133.60
US 301	Balm Rd	2LU	1.5	4LD	3982343	4811025	79252.68	24158.03
US 301	Big Bend Rd.	2LU	2.07	6LD	6852386	14184439	300106.85	114635.83
US 301	Rhodine Rd	2LU	2.14	6LD	6852386	14702245	283865.08	156785.42
US 301	Gibsonton Dr.	6LD	0.95	8LD	9151564	8693986	75095.25	26136.84
US 301	Balm Riverview	6LD	0.42	8LD	9151564	3843657	41864.06	11886.83
US 301	Riverview Dr	6LD	0.75	8LD	9151564	6863673	3023.53	6121.41
US 301	Bloomngdale Dr	4LD	1.72	8LD	15740690	15740690	55350.70	16327.25
US 301	175	4LD	0.22	6LD	4434822	975661	2806.35	618.93
US 301	Causeway Blvd	4LD	1.65	8LD	4434822	7317456	12344.54	4272.35
US 301	Cross Town	4LD	1.5	6LD	4434822	665232	89839.20	31343.45
US 301	School	4LD	0.19	8LD	4434822	842616	10825.84	5284.81
US 301	175	4LD	1.33	6LD	4434822	5898913	101564.22	54144.63
US 301	US 301	4LD	0.38	8LD	4434822	8007338	213889.61	103087.78
US 301	Big Bend Rd.	2LU	1.4	4LD	3982343	5575281	95634.47	64763.25
US 301	Existing 4 Lanes	4LD	1.31	6LD	4434822	5808816	18594.69	7530.32
US 301	175	4LD	2.77	6LD	4434822	12284456	38094.78	38331.20
US 301	Balm Riverview	2LU	4.59	4LD	3982343	18278956	16207.48	31486.74
US 301	Bell Shoals	4LD	0.33	6LD	4434822	1463491	1207.55	113.92
US 301	Lithia Pinecrest Rd	2LU	0.64	4LD	3982343	2548700	2837.78	389.48
US 301	US 301	4LD	1.25	6LD	6852386	8565483	31180.26	9220.45
US 301	Providence Rd	4LD	1.95	6LD	6852386	13362153	15584.90	10225.59
US 301	John Moore Rd	2LU	0.33	4LD	5418870	1788227	408.95	168.60
US 301	Fishhawk Blvd	2LU	0.33	4LD	5418870	1788227	5337.09	2387.72
US 301	CR 39	2LU	1.56	4LD	5418870	8453437	62295.56	47715.82
US 301	US 301	2LU	1.56	4LD	5418870	8453437	21616.33	28221.37
US 301	Fishhawk Boulevard	2LU	3.09	4LD	5418870	16744307		
TOTALS						247,320,177	1,864,543.71	879,344.38
TOTALS								2,743,888.09

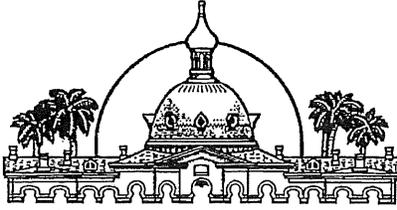
EXHIBIT C (Page 2 of 2)

PHASE 3A - INTERSECTION FAIR SHARE COSTS (REVISED 11/30/04)

PHASE
3A

INTERSECTION	IMPROVEMENT	TOTAL COST	FAIR SHARE COST
US 41 @ SYMMES RD	SIGNALIZE	200000	469
US 41 @ BIG BEND	TURN LANES	100000	2464
US 301 @ 19 TH AVE	SIGNALIZE	200000	2652
US 301 @ BALM ROAD	SIGNALIZE	200000	3170
US 301 @ BIG BEND ROAD	TURN LANES	500000	26459
US 301 @ GIBSONTON DRIVE	TURN LANES	100000	3863
US 301 @ BALM RIVERVIEW	TURN LANES	100000	931
US 301 @ RIVERVIEW DR	TURN LANES	400000	3728
US 301 @ BLOOMINGDALE	TURN LANES	400000	1683
US 301 @ FALKENBURG RD	TURN LANES	200000	917
US 301 @ I 75	SIGNALIZE	200000	406
BIG BEND RD @ I 75 WEST	TURN LANES	300000	6528
BIG BEND RD @ I 75 EAST	TURN LANES	300000	4091
BIG BEND RD @ I 75 EAST	SIGNALIZE	200000	3082
BIG BEND RD @ BALM RIVERVIEW	SIGNALIZE	200000	4420
GIBSONTON @ I 75 WEST	TURN LANES	100000	525
GIBSONTON @ I 75 WEST	SIGNALIZE	200000	650
GIBSONTON @ I 75 EAST	TURN LANES	100000	92
GIBSONTON @ I 75 EAST	SIGNALIZE	200000	901
LUMSDEN RD @ PROVIDENCE RD	TURN LANES	200000	387
LUMSDEN RD @ PROVIDENCE RD	6LANE RDWY	2143064	4151
BLOOMINGDALE @ PROVIDENCE RD	TURN LANES	200000	371
BELL SHOALS RD @ BLOOMINGDALE	TURN LANES	100000	537
LITHIA PINECREST @ CR 39	TURN LANES	400000	1979
LITHIA PINECREST @ CR 39	SIGNALIZE	200000	762
SR 674 @ I 75	SIGNALIZE	200000	703
RHODINE RD @ BALM RIVERVIEW RD	SIGNALIZE	200000	3417
	TOTAL	7643064	78869

#73



Hillsborough County
Florida

Office of the County Administrator
Michael S. Merrill

BOARD OF COUNTY COMMISSIONERS

- Kevin Beckner
- Victor D. Crist
- Ken Hagan
- Al Higginbotham
- Lesley "Les" Miller, Jr.
- Sandra L. Murman
- Mark Sharpe

CHIEF ADMINISTRATIVE OFFICER
Helene Marks

CHIEF FINANCIAL ADMINISTRATOR
Bonnie M. Wise

DEPUTY COUNTY ADMINISTRATORS
Lucia E. Garsys
Sharon D. Subadan

August 18, 2011

Ms. Laura Coffey
Acquisitions Analyst
Lennar Homes LLC
15550 Lightwave Drive, Suite 210
Clearwater, FL 33760

RE: Summerfield Development of Regional Impact – DRI #73
Build Out Date Extension per HB 7207

Dear Ms. Coffey:

We have received your letter notifying the County that you intend to utilize the provisions of House Bill (HB) 7207 to extend the build out dates of Phases III and IIIA and the Development Order's (DO) expiration date by four (4) years.

On March 8, 2005 the Board of County Commissioners approved an "Amended and Restated" DO for the Summerfield DRI (Resolution No. R05-059) which, in part, established Phase IIIA as a new, specifically approved phase with a build out date of December 31, 2011. The above cited resolution retained the build out dates for Phases I and II as December 31, 2005, and Phase III as December 31, 2011. Phase IV is not specifically approved and has a build out date of December 31, 2015.

On April 6, 2010 the County recognized a two (2) year extension for Phases III and IIIA pursuant to Senate Bill 360, which extended both phases' build out dates to December 31, 2013. The DO's expiration date was likewise extended from December 31, 2015 to December 31, 2017.

Pursuant to HB 7202, the build out dates for phases III and IIIA of the Summerfield DRI are further extended by four years to December 31, 2017. The DO's expiration date is likewise extended to December 31, 2021.

If you have any questions, please call me at 813.276.8393.

Sincerely,

John E. Healey, AICP

cc: John Meyer, Tampa Bay Regional Planning Council (via e-mail)
Kartik Goyani, Waterleaf, LLC (via e-mail)

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

E. D. ARMSTRONG III
BRUCE H. BOKOR
JOHN R. BONNER, SR.*
CHARLES A. BUFORD
GUY M. BURNS
KATHERINE E. COLE
JONATHAN S. COLEMAN
MICHAEL T. CRONIN
ELIZABETH J. DANIELS
COLLEEN M. FLYNN

JOSEPH W. GAYNOR*
RYAN C. GRIFFIN
MARION HALE
REBECCA L. HEIST
SCOTT C. ILGENFRITZ
FRANK R. JAKES
TIMOTHY A. JOHNSON, JR.*
SHARON E. KRICK
ROGER A. LARSON
ANGELINA E. LIM

MICHAEL G. LITTLE
MICHAEL C. MARKHAM
ZACHARY D. MESSA
A. R. "CHARLIE" NEAL
F. WALLACE POPE, JR.
ROBERT V. POTTER, JR.
JENNIFER A. REH
DARRYL R. RICHARDS
PETER A. RIVELLINI
DENNIS G. RUPPEL

CHARLES A. SAMARKOS
SARA A. SCHIFINO
KIMBERLY L. SHARPE
JOAN M. VECCHIOLI
STEVEN H. WEINBERGER
JOSEPH J. WEISSMAN
STEVEN A. WILLIAMSON
*OF COUNSEL

PLEASE REPLY TO CLEARWATER

FILE NO. 34119.106172

May 23, 2008

Certified Mail/RRR

Hillsborough County, Florida
Attn: John Healey, AICP
Planning and Growth Management
601 E. Kennedy Boulevard
Tampa, FL 33602

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

Florida Department of Community Affairs
Attn: Brenda Winningham, Regional Planning Administrator
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Re: Summerfield Crossings DRI (DRI #73)
Notice of Conversion from Single-Family to Townhomes

Ladies and Gentlemen:

On behalf of Lennar Homes, LLC, the developer of Summerfield Crossings DRI, we hereby notify you of the developer's use of the trade off mechanism set forth in Subsection III.K.18 of the Amended and Restated Development Order, dated March 8, 2005 (Res. R05-059) ("Development Order"). The developer has converted 98 single-family dwelling units approved for Phase IIIA to 180 townhomes. For 180 townhomes that have been constructed in Phase IIIA, 98 single-family homes previously approved for Phase IIIA were not built. Subsection III.K.18 of the Development Order sets forth a conversion factor to permit 1.0 single-family unit to convert to 1.84 townhomes.

Enclosed is a table setting forth the approved entitlements following the developer's use of the trade off mechanism for Phase IIIA.

CLEARWATER OFFICE
911 CHESTNUT ST.
POST OFFICE BOX 1368 (ZIP 33757-1368)
CLEARWATER, FLORIDA 33756
TELEPHONE: (727) 461-1818
TELECOPIER: (727) 462-0365
TELECOPIER: (727) 441-8617

TAMPA OFFICE
403 EAST MADISON ST.
SUITE 400
POST OFFICE BOX 1100 (ZIP 33601-1100)
TAMPA, FLORIDA 33602
TELEPHONE: (813) 225-2500
TELECOPIER: (813) 223-7118

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

Hillsborough County, Florida
Tampa Bay Regional Planning Council
Florida Dept. of Community Affairs
May 23, 2008
Page 2

If you need any additional information, please contact my legal assistant, Jayne Sears (jaynes@jpfirm.com) or me immediately. Thank you.

Very truly yours,

Roger A. Larson (js)

Roger A. Larson

RAL/js

encl.

cc w/encl: Ms. Laura Coffey, Lennar Homes, LLC

SIGNED IN ATTORNEY'S ABSENCE
TO PREVENT DELAY IN MAILING

#439705 v1

Entitlements Approved by Res. R05-059

USE/PHASE	I (Completion - 2005)	II (Completion - 2005)	III (Completion - 2011)	IIIA (Completion - 2011)	IV (Completion - 2015)	TOTAL
RESIDENTIAL Single Family and Patio Homes	898 (138 added by land use trade off)	1,032 (304 added by land use trade off)	1,002 (398 added by land use trade off)	705 (98 traded for townhomes)	0	3,637
Townhouses and Villa Homes	0 (251 traded for SF)	155 (302 traded for SF)	0 (430 traded for SF)	180 (180 added by land use trade off)	0	335
Multi-family Apartments	0	0 (220 traded for SF)	0 (258 traded for SF)	0	0	0
Retirement	105	0	0	0	0	105
SUBTOTAL	1,003	1,187	1,002	886	0	4,077
COMMERCIAL Neighborhood Centers	48,000	37,000	67,000		30,000	182,000 sq. ft.
Community Centers	60,300	115,000	103,500		--	278,800 sq. ft.
Regional Mall	--	--	380,000		380,000	760,000 sq. ft.
SUBTOTAL	108,300	152,000	550,500		410,000	1,220,800 sq. ft.
OFFICE/TECHNIC AL PARK	20,000	80,000	180,000		288,800	568,800 sq. ft.
COMMUNITY SERVICES Schools		1	1			2 schools
Churches		2	0			2 sites

USE/PHASE	I (Completion - 2005)	II (Completion - 2005)	III (Completion - 2011)	IIIA (Completion - 2011)	IV (Completion - 2015)	TOTAL
Community Services		0	0			4 sites
Medical		76,000				76,000 sq. ft.
RECREATION/OPEN SPACE Golf and Recreation Complex	182.2					182.2 acres
Recreation						8.9 acres
Parks						44.9 acres

#428506 v1 - Summerfield/Entitlements Table

SECRET

NOVA 8 1 2008



Civil Engineering
Environmental Engineering
Transportation Planning & Engineering
Pavement Management
Land Planning
Ecological Services
Surveying & Mapping
Construction Management
GIS Mapping
Landscape Architecture #LC26000183

October 24, 2006

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

RE: Updated Exhibit C for Summerfield Crossings DRI Annual Report

Dear Mr. Meyer,

Per your request I have enclosed an updated Exhibit C for the Summerfield Crossings DRI 2005/6 Annual Report. The number of units by phase has been revised to reflect the conversion of 983 townhomes and 478 multi-family dwelling units for an additional 840 single-family development units as allowed in the Development Order. I have also enclosed a letter from Lennar Homes to Hillsborough County dated October 29, 2003, notifying them of the conversion of units.

Please contact me if you have any further questions regarding this annual report.

Sincerely,

Craig Brashier, AICP
Planner II

DCB/pcp

Enclosures

Cc: Brenda Winningham, FDCA
Brenda Williams, FDEP
Doug Sanders, SWFWMD
Jeff Jenkins, Hillsborough Co.
John Healy, Hillsborough Co.
Cindy Cox, Lennar Homes
Tuyen Tran, King
File: 5163-320-002

4921 Memorial Highway
One Memorial Center
Suite 300
Tampa, Florida 33634

Phone 813 · 880 · 8881
Fax 813 · 880 · 8882
Pasco 727 · 846 · 0904
www.kingengineering.com

EXHIBIT C

A comparison of the approved land use table for Summerfield Crossings and the currently approved development is provided below.

Use / Phase & Completion Date	Entitlements Approved by Res. R-05-059					Total	Developed as of 1/23/2006
	I 2005	II 2005	III 2011	IIIA 2011	IV 2015		
Residential							
Single Family & Patio Homes	898 (138 added by land use trade off)	1,032 (304 added by land use trade off)	1,002 (398 added by land use trade off)	803	0	3,735 du ¹	3,405 du
Townhouses and Villa Homes	0 (251 traded for SF)	155 (302 traded for SF)	0 (430 traded for SF)	0	0	155 du	155 du
Multi-family Apartments	0	0 (220 traded for SF)	0 (258 traded for SF)	0	0	0 du	
Retirement	105	0	0	0	0	105 du	105 du
Subtotal	1,003	1,187	1,002	803	0	3,995 du	3,665 du
Commercial							
Neighborhood Centers	48,000	37,000	67,000		30,000	182,000 sq ft	6,564 sq ft
Community Centers	60,300	115,000	103,500		0	278,800 sq ft	0
Regional Mall	0	0	380,000		380,000	760,000 sq ft	0
Subtotal	108,300	152,000	550,500		410,000	1,220,800 sq ft	6,564 sq ft
Office/Technical Park	20,000	80,000	180,000		288,800	568,800 sq ft	0
Subtotal	20,000	80,000	180,000		288,800	568,800 sq ft	0
Community Services							
Schools		1	1			2 schools	1 School
Churches		0	0			2 Sites	
Community Services		0	0			4 Sites	
Medical		76,000	0			76,000 sq ft	
Recreation/Open Space							
Golf and Rec Complex	182.2					182.2 ac	182.2 ac
Recreation	0					8.9 ac	
Parks	0					44.9 ac	

1 – Total includes the October 2003 conversion of 983 townhomes and 478 multi-family dwelling units for an additional 840 sftu as allowed in the D.O.



Summerfield
NOPC

October 29, 2003

Paula Harvey, AICP
Director, Planning & Zoning Division
Hillsborough County
Post Office Box 1110
Tampa, FL 33601

Re: Summerfield Crossings Development of Regional Impact (DRI#73)

Dear Ms. Harvey:

To date, US Home Corporation has converted 553 Townhouses and 220 Multi-family units into 442 Single Family detached homes in Phase I and Phase II of the referenced DRI. U.S. Homes intends to convert an additional 430 Townhouses and 258 Multifamily units into 398 Single Family detached homes utilizing the conversion factors referenced in Article III, Paragraph K. 14(b) of the Development Order.

This notice is sent pursuant to Article III, Paragraph K. 14(d) of the Development Order.

Should you have any questions concerning this matter, please contact me at 813-901-5263.

Sincerely,

US Home Corporation
a Delaware corporation

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Paula Harvey, AICP
Director, Planning & Zoning
Hillsborough County
P.O. Box 1110
Tampa, FL 33601

2. Article Number

(Transfer from service label)

7000 1530 0000 3) 89 8745

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Steve A. K...*

- Agent
- Addressee

B. Received by (Printed Name)

C. Date of Delivery

Is delivery address different from item 1? Yes
If YES, enter delivery address below: No



3. Service Type

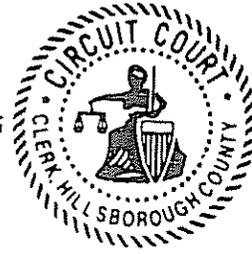
- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes



Pat Frank
 Clerk of the Circuit Court
 Hillsborough County, Florida



P.O. Box 1110
 Tampa, Florida 33601
 Telephone (813) 276-8100

March 25, 2005

JOHN MEYER DRI COORDINATOR
 TAMPA BAY REGIONAL PLANNING COUNCIL
 4000 GATEWAY CENTER BLVD SUITE 100
 PINELLAS PARK FL 33782

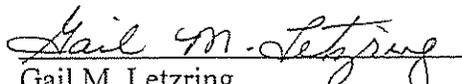
Re: Resolution No. R05-059 - Amending and Restating the Development Order for
 Summerfield Crossings (f/k/a Big Bend) (DRI #73)

Dear Mr. Myer:

Attached is a certified original of referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on March 8, 2005.

We are providing this original for your files.

Sincerely,


 Gail M. Letzring,
 Manager, BOCC Records

jg

Attachment

7002 2410 0001 4265 1287

cc: Board files (orig.)
 Charles Gauthier, Chief, DCA Bureau of State Planning (orig.ltr.)
 Timothy A. Johnson, Esquire, Johnson, Pope, Bokor, Ruppel, & Burns, LLP(orig.ltr.)
 Susan Fernandez, Assistant County Attorney
 John Healy, Senior Planner, Planning & Growth Management
 Barbara Hutcheson, County Attorney's Office
 Jim Glaros, Assistant Chief Deputy, Valuation, Property Appraiser's Office
 Mary Mahoney, Management & Budget

RESOLUTION NO. R-05-059

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
HILLSBOROUGH COUNTY, FLORIDA
AMENDING AND RESTATING DRI #73 DEVELOPMENT ORDER
FOR SUMMERFIELD CROSSINGS (F/K/A BIG BEND)**

Upon motion of Commissioner Scott, seconded by Commissioner Sharpe, the following Resolution was adopted this 8th day of March, 2005, by a vote of 6 to 0.

WHEREAS, in accordance with Section 380.06, Florida Statutes, on January 26, 1982, the Board of County Commissioners ("BOCC") approved a Development Order, Resolution #81-21, for the Summerfield Crossings Development of Regional Impact (DRI) #73, f/k/a Big Bend DRI, (hereinafter, together with the below described amendments, referred to as the Development Order) pursuant to the provisions of Section 380.06, Florida Statutes, legally described in **Exhibit A** attached hereto; and

WHEREAS, on August 10, 1993, the BOCC adopted Resolution 93-0161, an amendment to the Development Order, which included, among other amendments, an extension of the development buildout by approximately eleven years; and

WHEREAS, on August 8, 2000, the BOCC adopted Resolution No. R-00-161, an amendment to the Development Order, which included, among other amendments, (i) an extension of the buildout date, (ii) an extension of the completion dates of Phases I, II, III and IV, (iii) changes to certain transportation conditions, (iv) changes to Map H, (v) provision of a land use conversion factor for commercial and residential uses, and (vi) other changes described therein; and

WHEREAS, on October 29, 2003, U.S. Home Corporation (U.S. Home), a developer in Summerfield Crossings, filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Pursuant to Subsection 380.06(19), F.S.", (hereinafter referred to as the NOPC); and

WHEREAS, on June 24, 2004, U.S. Home filed Response #1 ("R#1") in response to review agency comments; and

WHEREAS, the NOPC and R#1 proposed to (i) modify the phasing provisions and transportation conditions, (ii) amend Map H to delete commercial entitlements on multi purpose tracts, (iii) provide for a trade-off mechanism to convert office and retail entitlements into townhome entitlements and (iv) provide for biennial reporting (items (i), (ii), and (iv) being hereinafter collectively referred to as Proposed Changes); and

WHEREAS, on September 16, 2004, U.S. Home filed Response #2 ("R#2") in response to additional comments from the reviewing agencies and withdrew its request

for approval of a trade-off mechanism to convert office and retail entitlements into townhome entitlements; and

WHEREAS, on December 23, 2004, U.S. Home filed Response #3 ("R#3") in response to additional comments from the reviewing agencies.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR SESSION THIS 8TH DAY OF MARCH, 2005, AS FOLLOWS:

I. Findings of Fact:

- A. U.S. Home submitted to Hillsborough County ("County") an NOPC, R#1, R#2 and R#3, which requested approval of the following Proposed Changes:
 - 1. Creation of a new, specifically approved, Phase IIIA consisting of 803 single-family units.
 - 2. Revising transportation conditions including establishing transportation conditions specific to Phase IIIA development.
 - 3. Remove the requirement for a biennial transportation analysis.
 - 4. Amend Map H to revise the Phasing Table and Notes to remove commercial entitlements from multi-use tracts 40 and 15.
- B. The BOCC, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to approve amendments to DRIs.
- C. A review of the impacts generated by the Proposed Changes has been conducted by the County, the Tampa Bay Regional Planning Council ("TBRPC") and the Department of Community Affairs ("DCA").
- D. The Proposed Changes approved herein result in no new or additional regional impacts requiring further DRI review.

II. Conclusions of Law:

- A. All statutory procedures have been adhered to and the impacts of the development authorized hereby are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.

- B. Resolutions #81-21, #93-0161, and #00-161 are incorporated herein by reference and are hereby reaffirmed in their entirety except as amended herein.
- C. Except as specifically set forth herein, nothing herein shall limit or modify (i) the rights originally approved by the Development Order, (ii) the protection afforded under Section 163.3167(8), Florida Statutes, or (iii) established setbacks and lot coverage requirements.
- D. The amendment adopted hereby is consistent with the State Comprehensive Plan, with the Comprehensive Plan of the County, and with applicable land development regulations, and does not unreasonably interfere with the achievement of the objectives of the State Land Development Plan applicable to the area.
- E. The applicant has submitted clear and convincing evidence to rebut the presumption of a substantial deviation created under Subsection 380.06(19), Florida Statutes, and the amendment of the Development Order as set forth herein, is found not to be a substantial deviation to the previously approved Development Order.

Based on the above Findings of Fact and Conclusions of Law, the BOCC hereby amends and restates the Development Order in its entirety to read:

III. Conditions:

A. Environmental

1. The portion of the Sand Pine Scrub Community consisting of the seven (7) acres nearest the southern property line shall be preserved in its natural state. Construction in the remaining portion of the Sand Pine Scrub Community shall incorporate natural vegetation into landscaping where possible. Development in this remaining portion shall be subject to detailed site plan review and approval by the Environmental Protection Commission. The Sand Pine Scrub Community shall be identified on the revised general site plan.
2. All viable wetland areas shall be preserved in their natural state. The precise location of such areas shall be determined by the Environmental Protection Commission at the time of detailed site plan approval, consistent with the wetland areas generally delineated on Exhibit C attached to Resolution #81-21 and made a part hereof by reference.
3. In order to minimize loss of property as a result of sinkholes, the primary lineament intersections shall be retained as major open

space with minimal building construction, as referenced in the application. Final plans submitted for the regional mall will not be approved until in-depth subsurface testings are performed to determine the actual potential for sinkhole occurrence. No development will be approved within the lineament intersection boundaries until a direct investigation using gravity mapping, borings, or other engineering techniques acceptable to the County is done to confirm that the local limerock structure for the affected building area is capable of properly supporting the development proposed for this site.

4. A program of measures to reduce air pollution and erosion during the construction shall be implemented as referenced in the application.
5. If, at any time during the development period, the water quality monitoring program for Bullfrog Creek currently supplied by the United States Geological Survey and the Florida Department of Environmental Regulation is determined by the County to be insufficient to provide for the protection of the public health and safety, the Developer shall be responsible for establishing an adequate water quality monitoring program which shall be approved by the County.

B. Energy

State-of-the-Art Energy Conservation measures as deemed cost effective shall be incorporated into the residential portion of the development. The Developer shall also incorporate as part of the development plans for the commercial and office buildings of the development, energy management practices such as landscaping, energy conserving construction requirements, ridesharing, street lighting, operating practices and life cycle costing for construction and operation.

C. Drainage

1. Drainage shall be designed to maintain pre-development ground and surface water levels, so as to avoid any alteration of the integrity and viability of the preserved wetlands.
2. All drainage flood control structures shall be non-adjustable.
3. Any displacement of natural storage within the 25-year floodplain, which results from filling or the locating of detention ponds within the floodplain, or otherwise, shall be mitigated by the provision of equal storage capacity in other parts of the project previously or concurrently approved for development. The Developer shall

delineate natural floodwater storage areas on preliminary plans for each subdivision unit or other discrete portion of the project and shall protect these areas from filling except as provided above.

4. The peak discharge from the large paved office and commercial sites adjacent to U.S. 301 must be determined by the more conservative of the following predevelopment conditions:
 - a. The time of concentration of the commercial sites themselves, or
 - b. The time of concentration of the most critical storm for Bullfrog Creek.
5. The Developer shall provide sufficient rights-of-way or easements for access to lakes, drainage control structures, and retention areas for equipment for mosquito and aquatic weed control activities conducted by appropriate government agencies. The area should be adequate to launch a boat for these purposes without the need for access through residential yards.
6. The Developer shall be responsible for maintenance of drainage features, located in portions of the drainage areas not dedicated to the County, in order to help control mosquitoes and aquatic weeds.
7. The drainage system constructed for the Big Bend Development shall incorporate components as conceptually proposed in the application, subject to approval by the County. The system shall be designed for maximum ground water recharge in areas having on-site irrigation wells.

D. Parks and Recreation Areas

On June 3, 1987, the County and the Developer entered into an Agreement Regarding Park Improvements for Summerfield, amended on August 8, 2000 (collectively, the "Agreement"), relating to park requirements imposed for the development. The Agreement, as may be amended from time to time, shall govern the park requirements for the development. Violation of the terms, conditions and requirements of the Agreement shall render the project out of compliance with the Development Order.

E. Medical and/or Health Care Facility

As referenced in the application, the Developer shall reserve a ten-acre site for development of a medical and/or health care facility. This site shall

be subject to appropriate deed restrictions to insure development for medical purposes.

F. Police Protection

1. The Developer will incorporate environmental security planning for crime reduction as an integral part of site planning and building construction. This planning will be done in cooperation with the Hillsborough County Sheriff's Department's Crime Awareness Team, starting at the initial site planning stage. The plan will include adequate security hardware, consideration of street and building orientation, street lighting, special consideration for crime problem areas (i.e., regional mall, multi-family developments, and convenience stores) and crime prevention programs by the Hillsborough County Sheriff's Department.
2. At the commencement of each phase of the development, the Developer shall demonstrate that such emergency plans and police manpower and/or facilities as are necessary to provide adequate police protection for that phase have been or will be provided.

G. Community Services

As referenced in the application, the Developer shall reserve a five-acre site for general community service facilities to meet project needs as identified by the Developer and approved by the County. This site shall be dedicated to the County, upon the County's determination that the site is needed. The deed shall contain appropriate restrictions.

H. Fire Control

1. A site for construction of a fire station and EMS facility adequate to serve the needs of the entire project shall be reserved, and shall be dedicated to the County upon request, which site shall be located not more than ½ mile from the intersection of Big Bend Road and U.S. 301.
2. If the County at any time prior to January 1, 1985, indicates its willingness to accept, equip and operate a fire and EMS facility at the designated location, the Developer shall construct, at its own cost and expense, not to exceed \$200,000.00, a facility of sufficient size to house a four-man engine company plus an EMS ambulance unit and shall convey same to the County. Should the cost of construction of such a facility exceed \$200,000.00, then the County shall assume the responsibility for construction and the Developer shall at the request of the County contribute the sum of \$200,000.00 to the County.

I. Construction of Multi-Family Units

Multi-family units shall be constructed as early as economically feasible. The Developer shall designate for construction of rental residential units as much land as it determines is economically feasible to so designate.

J. Schools

1. The Developer shall construct a sidewalk/bike path system within the development to provide pedestrians with access to the school sites. The sidewalks shall be constructed to the boundaries of the school sites. The design, location, and method of construction shall be subject to County review and approval. The sidewalk condition contained herein shall not be construed to be a waiver of the sidewalk construction requirements contained in the Subdivision Regulations of the County.
2. Two school sites shall be reserved as shown in the application. As to the eastern school site in Village IV, the adjoining recreation areas shall not be significantly developed until building permits for seventy five percent (75%) of the project's dwelling units have been issued. At the option of the School Board, and upon its determination that such a facility will be needed, this adjoining recreation area or a portion thereof shall be dedicated to the Hillsborough County School Board for use as an elementary school or junior high school.
3. If both school sites have not been previously dedicated, the Developer shall advise the School Board as soon as building permits have been issued for seventy five percent (75%) of the project's dwelling units. If within sixty (60) days after being so advised, the School Board has not notified the Developer in writing of the need for the school site, the sites shall no longer be reserved for school purposes. As to the eastern site in Village IV, the adjoining recreation area shall then be available for recreational development and the designated school site shall be available for residential development. However, the availability of additional residential land shall in no way authorize the construction of a number of dwelling units in excess of the number approved for the entire project, nor shall the density on such sites exceed the average net density of the residential portions of the project previously approved.
4. If at the time the east-west road which borders the western school site on the south is under construction, the School Board has requested dedication of that school site, the Developer shall

provide the geometric road improvements necessary to handle the traffic the school is anticipated to generate.

K. Transportation

1. The Developer shall reserve sufficient land along the Big Bend Road corridor between U.S. 301 and Road "C" to accommodate the construction of a six lane divided roadway. [The following right-of-way for Big Bend Road has already been either dedicated or reserved: 140 feet dedicated between U.S. 301 and Road "C"; 120 feet dedicated between Road "C" and a point just west of Road "G"; and 120 feet reserved between a point just west of Road "G" and Balm-Riverview Road.]
2. The Developer or other owners of property within the project contiguous thereto, as applicable, shall be responsible for design and construction of all internal roadway improvements within the Summerfield Crossings development as set forth in subparagraphs K.3 and K.4 below. These roads shall be constructed in accordance with the County standards in effect at the time of construction.
3. The Developer shall dedicate right-of-way for the following roadways: Summerfield Boulevard from Smokethorn Drive to the northern Summerfield Crossings property boundary; Summerfield Boulevard from Woodbridge Drive to the southern Summerfield Crossings property boundary; Heritage Green Parkway (also known as Road "D") from Fairway Meadow Drive to the northern Summerfield Crossings property boundary; Road "G" from Big Bend Road to the southern Summerfield Crossings property boundary; Big Bend Road (120 feet in width from Summerfield Boulevard to Balm Riverview Road); and Balm Riverview Road along the entire eastern boundary of Summerfield Crossings (50 feet from roadway centerline). All such right-of-way shall be deeded to Hillsborough County within ninety (90) days following the approval of this resolution by the Board of County Commissioners, or prior to approval of a preliminary plat for any residential development as part of Phase IIIA, whichever occurs first.
4. The developer of each tract adjacent to Road "C" (north of Big Bend Road), Fairway Meadows Boulevard, Road "D" (south of Big Bend Road) and Woodbridge Drive (west of Road "C"), shall construct the roadways along the entire property boundary of each such tract concurrent with the development of the tract itself. Where the property boundary is adjacent to the non-developable common area (wetlands, park, etc.), the roadway shall be constructed to the center of the feature. A traffic analysis shall be submitted, based

- on a methodology acceptable to Hillsborough County, to determine the turn lanes needed where these roadways intersect existing and future internal and external roadways as shown on Map "H". A minimum of a 64 foot right-of-way shall be provided in order to extend Road "D" to the southern property boundary of Summerfield Crossings to provide for future access to the proposed development to the south.
5. The developer of the tract adjacent to Road "C" (south of Big Bend Road) and Woodbridge Drive (east of Road "C") shall construct the roadways along the entire property boundary of that tract, and shall ensure that the two roadways intersect. An exclusive left turn lane, through lane, and right turn lane shall be constructed on all legs of the two intersecting roadways. The intersection shall be designed in such a manner to provide for the future connection of Woodbridge Road from the west. Road "C" shall be constructed to the southern property boundary of Summerfield Crossings. An exclusive northbound left turn lane, through lane, and an exclusive right turn lane shall be constructed on Road "C" at the intersection with Big Bend Road.
 6. The owners of the commercial and office tracts at the intersections of Road "C", Summerfield Boulevard, and Road "D" and Big Bend Road shall submit a traffic analysis prior to Preliminary Plan Approval, to be approved by Hillsborough County, showing the required intersection improvements and signalization at these intersections.
 7. The Developer shall be responsible for design and construction of intersection geometric and signalization improvements at the access points of the Summerfield Crossings development with adjacent exterior roads, which are required because of traffic generated or expected to be generated by the Summerfield Crossings development. All intersections meeting signal warrants at access points to U.S. 301 or Big Bend Road, as a result of total current and projected traffic, shall be designed to the more conservative of the following: (a) Level of Service D (peak hour) or (b) critical lane operation level for the five-year projected traffic.
 8. Access to U.S. 301 from the Regional Mall, Community Commercial and Office/Tech Areas will be designed at a Level of Service D (peak hour).
 9. The minimum spacing between major intersections leading from any point within the development to U.S. 301 or Big Bend Road shall be made so as to optimize traffic flow as determined by the County in accordance with standard engineering practice.

10. Commencing at such time as the development is generating eighty-five percent (85%) of the projected external vehicle trip ends for combined Phases I and II, and every two (2) years thereafter, a trip generation monitoring study shall be required to monitor the actual cumulative total traffic generated by the entire project. The total projected external PM Peak Hour vehicle trip ends for combined Phases I and II are 3,138 with 1,643 Entering, and 1,498 Exiting. The purpose of this monitoring study is to verify the trip generation and internal capture rates utilized by the Developer. In each annual report the Developer shall identify the number and cumulative percentage of projected external trip ends relative to the projected external trip ends for combined Phases I and II. At such time that the development is generating eighty five percent (85%) of the projected external trip ends for combined Phases I and II, the Developer shall submit to the County and DCA the trip generation monitoring study as part of the revised transportation analysis described below which is next due.

The trip generation monitoring study will be based on a methodology which shall be submitted by the Developer no later than three (3) months prior to the study's due date. The methodology shall be reviewed and approved by the County and DCA (or their designees) and shall include a copy of the site plan with all locations indicated where the traffic counts will be conducted and the general location of existing development. The trip generation monitoring study shall be used to determine if the substantial deviation threshold of a 15% increase of external vehicle trips has occurred. If the trip generation monitoring study indicates that the 15% threshold of external trips is met or exceeded, this shall constitute a substantial deviation to the approved development and the development shall be subject to further development of regional impact review. The County shall not issue any permits for development until such time that further review is completed. Additionally, if the trip generation monitoring study is not submitted to, and approved by, the County and DCA, the County shall not issue any further development permits.

11. The Developer shall plan and provide for two collector roadways on approximately 1-mile spacings extending from Balm Road to Symmes Road and from Balm Road to Rhodine Road on reasonably direct and environmentally practical alignments. These two collector roadways are commonly referred to in the May, 1993, transportation analysis submitted in connection with a Notice of Proposed Change application as Summerfield Boulevard and the combination of Road "D" and Road "G." Alternatively, the Developer may provide a different road alignment, subject to the

County's approval, that is designed to facilitate north-south traffic flow through the project and alleviate traffic impact on major corridors.

12. A proposal to change construction of the Regional Mall to a phase earlier than Phase III, as set out in the application, shall be considered as a substantial deviation from the approved development and shall require further assessment pursuant to Chapter 380.06, Florida Statutes.
13. The Developer shall contribute \$275,000.00 to Hillsborough County for the construction of a traffic signal at the intersection of Big Bend Road and Summerfield Boulevard. The contribution shall be made within thirty (30) days of approval of this Resolution by the Board of County Commissioners or prior to preliminary plat approval of any residential development in Phase IIIA, whichever occurs first.
14. The following provisions shall apply to Phase IIIA:

(a) Monetary Contribution to Improvement of U.S. Highway 301.

Within 60 days from the approval of this Resolution, the County anticipates entering into a development agreement with a coalition of developers along U.S. Highway 301 for the improvement of U.S. Highway 301 (the "301 Development Agreement"). Upon approval by the County of the 301 Development Agreement, the Developer shall, prior to construction plan approval for any development within Phase IIIA or within 30 days of receipt of written notice from the County that the 301 Development Agreement has been approved, whichever is earlier, contribute \$5,000,000.00 toward the improvement of U.S. Highway 301 (the "301 Contribution"). The 301 Contribution shall be in the form of (i) a cashier's check payable, or wired federal funds for immediate credit to the Hillsborough County Board of County Commissioners, or (ii) a single Irrevocable Direct-Pay Letter of Credit meeting the requirements for, and subject to the same conditions as, letters of credit submitted under the 301 Development Agreement, as elected by the Developer. The making of the 301 Contribution by the Developer shall constitute full mitigation by the Developer of all Phase IIIA transportation impacts.

(b) Construction of Pipeline Improvement

- (1) Exhibit C, attached hereto, describes those roadways and intersections significantly impacted by the net traffic generated by Phase IIIA and the required improvements that need to be constructed to ensure maintenance of the adopted level of

service for such roadways and intersections. Rule 9J-2.045, Florida Administrative Code, allows the County to elect one of several transportation mitigation alternatives in order for the Developer to mitigate the transportation impacts of Phase IIIA, including the payment by the Developer of its proportionate-share contribution for the roadway and intersection improvements identified in Exhibit C. Rule 9J-2.045, Florida Administrative Code, allows the Developer's proportionate-share contribution to be applied to expeditiously construct one (1) or more of the roadway improvements identified in Exhibit C. The total proportionate share for the transportation impacts of Phase IIIA, calculated in accordance with the formula set forth in K.14.(b)(2) below is \$2,822,757, but the Developer has voluntarily agrees to commit \$5,000,000 toward the construction of the Phase IIIA Pipeline Project described below. In the event that the 301 Development Agreement is not approved within one hundred twenty (120) days from the approval of this Resolution by the Board of County Commissioners, then the Developer shall undertake the design, permitting and construction of the Phase IIIA Pipeline Project.

(2) The formula for calculating the Developer's proportionate share established in Resolution #81-21 and restated in Resolution No. R-00-161, is as follows:

$$\begin{array}{r}
 \text{Developer's existing and} \\
 \text{projected traffic volumes} \\
 \text{on the described segment} \\
 \hline
 \text{Total existing and projected} \\
 \text{traffic volumes on the} \\
 \text{described segment}
 \end{array}
 \times
 \begin{array}{r}
 \text{total} \\
 \text{cost of} \\
 \text{construction}
 \end{array}$$

The total cost of construction shall be subject to approval by FDOT District Seven Office and include: plans preparation, permitting, grading, base, required drainage structures, surface drainage, bridges, signing and signalization. The pipeline improvement of U.S. 301 segment will be subject to determination and approval by FDOT and Hillsborough County.

(3) The requirements of the Phase IIIA Pipeline Project have been determined to be the appropriate requirements to cure and mitigate the impacts attributable solely to Phase IIIA development on regionally significant roadways within the project impact area. The approval of this mitigation/curing mechanism is based upon the impact of Phase IIIA on

transportation facilities, the substantial public benefit to be gained by accelerating the design and construction of major public facilities, and its consistency with the County, TBRPC, and DCA policies regarding pipelining transportation impacts.

(4) The Phase IIIA Pipeline Project (hereinafter defined) shall be completed as described below regardless of cost. Completion of the Phase IIIA Pipeline Project satisfies all transportation mitigation requirements for Phase IIIA. The Developer shall be able to apply for and obtain development permits and certificates of occupancy for Phase IIIA provided the Developer is in compliance with the terms of this Development Order.

(5) Phase IIIA Pipeline Project. The Developer and the County agree that the transportation improvement obligations described in subparagraph K.14(b)(6) ("Phase IIIA Pipeline Project") will fully satisfy all transportation mitigation requirements for the transportation impacts of Phase IIIA and the Developer's proportionate share obligation with respect to Phase IIIA.

(6) The Phase IIIA Pipeline Project consists of the design, permitting, and construction of the following improvements:

- a. So much of the four laning of U.S. Highway 301 for the length of the project, commencing at Big Bend Road, as can be designed, permitted, and constructed for \$5,000,000; and
- b. To the extent funds remain thereafter, so much of the four laning of U.S. Highway 301 one-third (1/3) of one mile north and south of Rhodine Road, together with signalization of the U.S. Highway 301/Rhodine Road intersection, as can be accomplished with the balance.

(7) Developer, at its sole expense, shall design the Phase IIIA Pipeline Project together with on-site and off-site storm water management facilities, flood-plain mitigation, and wetland mitigation required to accommodate the Phase IIIA Pipeline Project. In the event that the 301 Development Agreement is not approved within one hundred twenty (120) days following approval of this Resolution, the Developer shall commence the design within ninety (90) days from

receipt of notice from the County that the 301 Development Agreement has not been approved.

(8) The Developer shall permit the Phase IIIA Pipeline Project for construction, consistent with the approved design. The Developer shall complete such design and permitting within twenty (20) months after commencing the design.

(9) The Developer agrees to deed to the County or its designee any additional right-of-way under the control of the Developer that is necessary for the construction of the Phase IIIA Pipeline Project.

(10) Developer shall be responsible for constructing the Phase IIIA Pipeline Project. Construction shall be in conformance with the approved design plans and permits. The Developer shall commence construction within ninety (90) days after securing all necessary permits and approvals, and shall complete construction within twenty-four (24) months after commencement.

(11) If the performance by the Developer of its commitment with respect to the design, permitting, and construction of the Phase IIIA Pipeline Project shall be interrupted or delayed by war, riot, civil commotion or natural disaster, then the Developer shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof. Further, if performance by the Developer of the Phase IIIA Pipeline Project shall be interrupted or delayed in connection with acquisition of necessary governmental approvals and which interruption or delay is caused through no fault of the Developer, then the Developer shall submit documentation regarding such event(s) to the County for its review and concurrence. If such documentation shows that such event(s) have taken place, then the Developer shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.

(12) As security for performance by the Developer of the Phase IIIA Pipeline Project, the Developer shall deliver to the County, not later than thirty (30) days prior to the commencement of construction of the Pipeline Project, cash, a letter of credit, a performance bond, or other security reasonably acceptable to the County in the amount of \$5,000,000, less amounts already paid by the Developer in

connection with the design and permitting of the Phase IIIA Pipeline Project (the "Pipeline Project Security"). If the Developer is in default of its Phase IIIA Pipeline Project obligations contained herein, the County, after thirty (30) days written notice and opportunity to cure, may use the Pipeline Project Security to complete the Phase IIIA Pipeline Project. The amount of the Pipeline Project Security may be reduced not more frequently than once each calendar quarter to reflect the expenditures by the Developer in constructing the Phase IIIA Pipeline Project.

15. The following provisions shall apply to Phases III and IV:

Phase III may continue to be developed through its build-out date (2011) without any requirement for transportation mitigation, except as required herein. The requirements of this restated Development Order have been determined to be the appropriate requirements to cure and mitigate the impacts of Phase III on regionally significant roadways within the project impact area through 2011. Extension of the Phase III build-out date beyond 2011 shall require an NOPC pursuant to Chapter 380.06, Florida Statutes, including a cumulative transportation analysis. Specific approval of Phase IV shall likewise require an NOPC, including a cumulative transportation analysis.

16. If transit utilization appears to be feasible in the future in meeting some of the transportation demands of the development, the Developer shall cooperate with the Hillsborough Area Regional Transit Authority in providing bus stops, shelters, etc., to encourage the use of transit.
17. For purposes of this section the words "under construction" shall be construed to mean physical construction activities pursuant to the terms of an executed contract.
18. There shall be a trade off mechanism which will allow land uses to be traded in accordance with the following standards:
- (a) With respect only to the 39.5 acre parcel located at the southeast quadrant of U.S. Hwy. 301 and Big Bend Road, as shown on Revised Map H attached hereto as **Exhibit B**, 1,000 square feet of Office/Tech land use is equivalent to 382 square feet of commercial land use and vice versa.
 - (b) With respect to any parcels designated for any type of residential use on Revised Map H attached hereto as **Exhibit B**.

- (1) 1.0 Single Family detached unit = 1.84 Townhomes;
- (2) 1.0 Townhome = 0.87 Apartment;
- (3) 1.0 Apartment = 1.14 Townhomes;
- (4) 1.0 Apartment = 0.63 Single Family detached unit;
and
- (5) 1.0 Townhome = 0.55 Single Family detached unit.

(c) Developer shall notify the County, TBRPC and the DCA thirty (30) days prior to utilizing the conversion factors set forth in this section.

19. The Developer shall provide the County with the existing construction plan designs in its possession, custody, or control for the extension of Big Bend Road from Summerfield to Balm Riverview Road and the four lane section of Big Ben Road from US 301 to Summerfield Boulevard. The Developer shall also provide the County with the location of any pond sites that have been set aside to accommodate the future four (4) lane section of Big Bend Road from east of Summerfield Boulevard to Balm Riverview Road. To the extent available, these plans shall be provided within thirty (30) days of the approval of this Resolution by the Board of County Commissioners, or prior to preliminary plat approval for any Phase IIIA development, whichever occurs first.

L. Water and Sewer Service

1. The Developer is to provide sufficient effluent disposal sites to accept the effluent which will be generated by the project.
2. Water wells may be utilized for irrigation on an interim basis. However, once wastewater effluent is available to any irrigation site, any such irrigation wells must be plugged and wastewater effluent must be utilized for irrigation.
3. All development must comply with County standards. A water distribution master plan, wastewater collection master plan, and the preliminary engineering calculations must be submitted to the County prior to approval of any development. In addition, construction schedules must be updated on an annual basis.

4. Upon approval by the County, the Developer shall provide, at its own cost and expense, an interim wastewater treatment plant of sufficient capacity to serve the development, to be dedicated to and operated and maintained by the County until such time as service can be provided by a County wastewater treatment system. At such time as service by the County is available, the development shall be required to connect to the County system.
5. The instrument by which the interim wastewater treatment plant is dedicated to the County shall contain the following provision:

"Six months after the Developer connects to a County wastewater treatment plant, ownership of the parcel upon which the interim wastewater treatment plant has been constructed shall revert to the Developer. The County, at its option, may, during this six-month period, remove from the premises all or any part of the interim wastewater treatment plant, including all facilities and equipment connected in any way with its operation, whether above or below ground, and without regard to whether such facilities and equipment are legal fixtures."
6. The physical disposal of solid waste shall be the responsibility of the County. The collection and transportation of solid waste for disposal is controlled by County ordinance.

M. The proposed development plan for the project is as follows:

USE/PHASE	I (Completion - 2005)	II (Completion- 2005)	III (Completion - 2011)	IIIA (Completion 2011)	IV (Completion - 2015)	TOTAL
RESIDENTIAL						
Single Family and Patio Homes	760	728	604	803	0	2,895 d.u.
Townhouses and Villa Homes	251	457	430	0	0	1,138 d.u.
Multi-family Apartments	0	220	258	0	0	478 d.u.
Retirement	105	0	0	0	0	105 d.u.
SUBTOTAL	1,116	1,405	1,292	803	0	4,616 d.u.
COMMERCIAL						
Neighborhood Centers	48,000	37,000	67,000		30,000	182,000 sq. ft.
Community Centers	60,300	115,000	103,500		--	278,800 sq. ft.
Regional Mall	--	--	380,000		380,000	760,000 sq. ft.
SUBTOTAL	108,300	152,000	550,500		410,000	1,220,800 sq. ft.
OFFICE/TECHNICAL PARK	20,000	80,000	180,000		288,800	568,800 sq. ft.
COMMUNITY SERVICES						
Schools		1	1			2 schools
Churches						2 sites
Community Services						4 sites
Medical		76,000				76,000 sq. ft.
RECREATION/OPEN SPACE						
Golf and Recreation Complex	182.2					182.2 acres
Recreation Parks						8.9 acres 44.9 acres

IV. General Provisions:

- A. The legal description set forth in **Exhibit A** is hereby incorporated into and by reference made a part of this Development Order.
- B. All provisions contained within the application for development approval marked "Composite Exhibit B" to Resolution #81-21 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.
- C. This Resolution shall constitute the development order of the County in response to the application for development approval for the Big Bend Development of Regional Impact and subsequent notice of proposed change applications.

- D. The definitions contained in Chapter 380, Florida Statutes (2003) shall govern and apply to this Development Order.
- E. This Development Order shall be binding upon the Developer and its assignees or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean 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.
- F. 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.
- G. 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 government agencies and departments as are or may be designated by the Board of County Commissioners of the County to review development of regional impact applications as well as all governmental agencies and departments set forth under applicable laws and rules governing developments of regional impact.
- H. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at Big Bend, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private or public body created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order.
- I. A notice of adoption of this Resolution shall be recorded in accordance with Section 380.06, Florida Statutes (2003).
- J. A "substantial deviation" from the terms or conditions of this Development Order 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 the TBRPC may result in the County ordering a termination of all development approved herein. Nothing herein shall be construed to limit or modify the right of the County

to make a substantial deviation determination pursuant to the provisions of Section 380.06(17), Florida Statutes (2003).

- K. The County Administrator of the 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 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. The County Administrator shall issue a notice of such non-compliance to the Developer and if the deviation is not corrected within a reasonable amount of time shall recommend that the Board of County Commissioners establish a hearing to consider such deviations. The Developer shall be given notice of any such hearing. In the event that circumstances require an immediate action, so as to prevent irreparable harm, the County Administrator need not issue a notice of non-compliance.

- L. The Developer shall file an annual report in accordance with Section 380.06(16), Florida Statutes (2003). Such report shall be due on the anniversary of the effective date of this Development Order and for each following year until and including such time as all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the County Administrator who shall after appropriate review, submit it for receipt by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed. Provided, however, that receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of this Development Order. The report shall contain:
 - 1. A description of all development activity conducted pursuant to this Development Order during the year immediately preceding the submission of the annual report;
 - 2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately subsequent to the submission of the annual report;
 - 3. A statement listing all applications for incremental review required pursuant to this Development Order or other applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report;

4. A statement setting forth the name(s) and address of any assignee or successor in interest to this Development Order;
5. Shall contain a statement that all persons have received copies of the annual report as required under Section 380.06(16), Florida Statutes; and
6. A statement describing any conversions pursuant to Section III, Paragraph K(19) during the reporting period and a cumulative total of conversions.

It is the intent herein that the foregoing requirements for submittal of the annual report shall be in addition to and not in lieu of any submittal requirements for an annual report as promulgated by the State Land Planning Agency.

- M. This Development Order shall become effective upon adoption by the Board of County Commissioners of the County in accordance with Section 380.06, Florida Statutes (1981).
- N. The property which is subject to this Development Order and/or all owner(s) thereof shall be subject to any county or statewide impact fee or user charge or any other county-wide assessment or tax that may be imposed to fund, in whole or in part, the costs of roadway maintenance or construction. Nothing herein shall be construed to limit or modify any legal remedies Developer may seek to contest the validity of such county or statewide impact fee, user charge, county-wide assessment or tax as set forth in this paragraph.
- O. Upon adoption, this Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail or other delivery service for which a receipt as proof of service is required, to the State Land Planning Agency, the TBRPC, and the Developer.
- P. This Development Order shall remain in effect through December 31, 2015.

Q. Prior to December 31, 2015, the development approved herein shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes in the conditions underlying the approval of this Development Order have occurred or the Development Order was based on substantially inaccurate information provided by the Developer or that the change is clearly established by the County to be essential to the public health, safety, or welfare.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, PAT FRANK, 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 on March 8, 2005, as the same appears of record in Minute Book 346 of the Public Records of Hillsborough County, Florida

WITNESS my hand and official seal this March 25, 2005.

PAT FRANK, CLERK

By: Mildred K. Dym
DEPUTY CLERK



APPROVED BY COUNTY ATTORNEY

By: [Signature]
Approved as to Form and
Legal Sufficiency

Exhibit A – Legal Description
Exhibit B – Revised Map H
Exhibit C – Phase IIIA Improvements

RP&D\Summerfield Amended & Restated DO CLEAN 2-25-05.DOC

#341077 v1 - Summerfield/Final Approved Dev Order

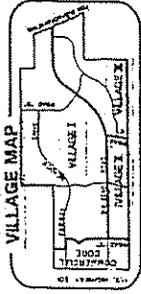
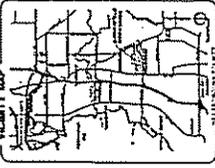
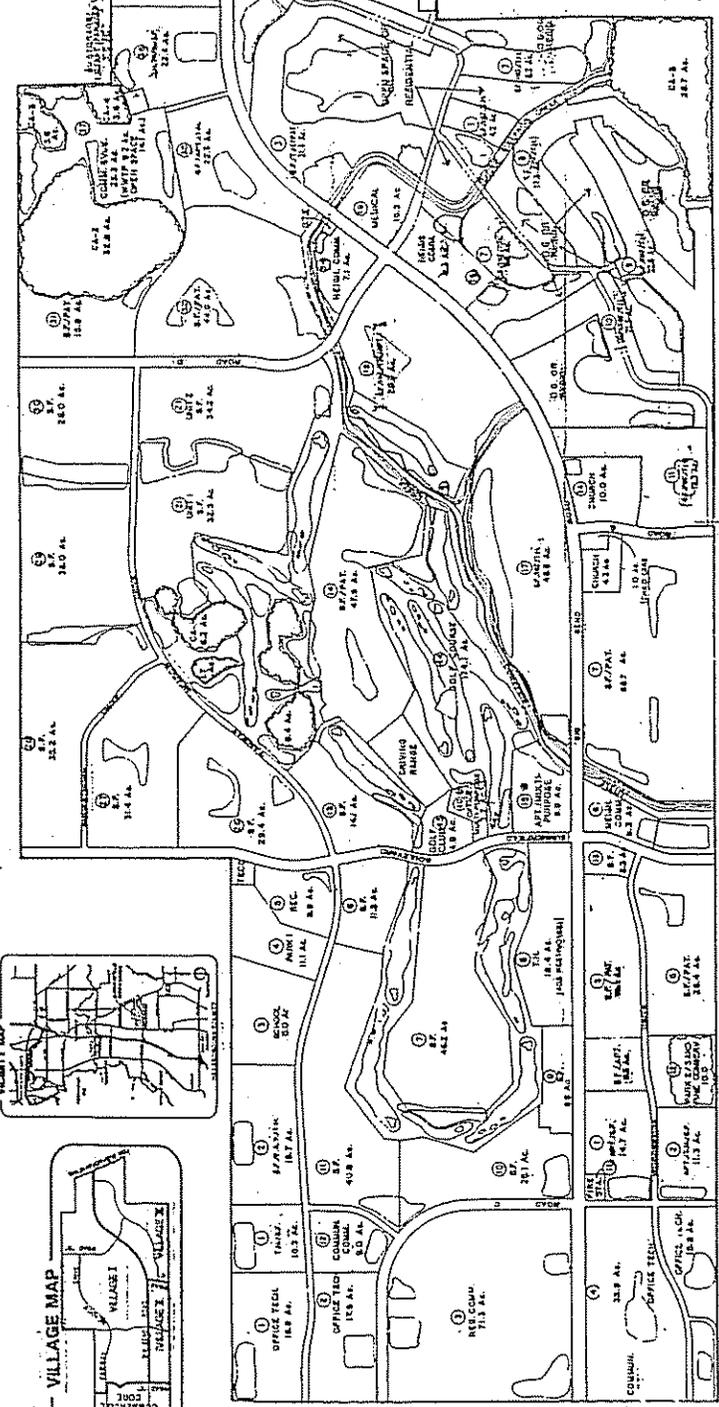
A parcel of land including all or portions of Sections 8, 9, 10, 11, 15 16 and 17 in Township 31 South; Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 8, Township 31, South Range 20 East; thence N.89°42'37"E. along the South line of the Southwest 1/4 said Section 8 for 132.00 feet to a point of intersection with the Easterly Right-of-Way line of U.S. Highway #301 (State Road No. 43), said point being the POINT OF BEGINNING of the herein described parcel of land; thence continue along the Easterly Right-of-Way line of U.S. Highway #301 for the following two (2) described courses: 1) N.00°00'03"E. for 2769.81 feet to the Point of Curvature of a circular curve concave to the East; 2) Northerly along the arc of said curve having a radius of 5597.58 feet and a central angle of 5°41'23", for 555.86 feet to an intersection with the South line of the North 1980 feet of the North 3/4 of said Section 8; thence run along the last described South line for the following three (3) courses: 1) N.89°41'18"E. for 2508.84 feet to an intersection with the East line of the Northwest 1/4 of said Section 8; 2) N.89°47'46"E. for 1716.03 feet; 3) N.89°48'58" E. for 968.63 feet to an intersection with the West line of the Northwest 1/4 of said Section 9, Township 31 South, Range 20 East; thence N.0°15'23"W. along the West line of the Northwest 1/4 of said Section 9 for 1980.14 feet to the Northwest corner of said Section 9; thence N.89°46'00"E. along the North line of the Northwest 1/4 of said Section 9 for 2624.32 feet to the Northeast corner of the Northwest 1/4 of said Section 9; thence N.89°44'54"E. along the North line of the Northeast 1/4 of said Section 9 for 1269.79 feet; thence N.89°45'12"E. continuing along the North line of the Northeast 1/4 of said Section 9 for 1357.46 feet to the Northeast corner of said Section 9, the same being the Northwest corner of said Section 10; thence N.89°28'59"E. along the North line of said Section 10 for 2139.02 feet to a concrete monument; thence S.1°29'39"E. for 880.79 feet to a concrete monument; thence N.89°30'21"E. for 2155.06 feet to a concrete monument, said point being a point on the Westerly Right-of-Way line of Balm-Riverview Road; thence run along the Westerly Right-of-Way line of Balm-Riverview Road for the following three (3) described courses: 1) S.23°27'37"E. for 1433.57 feet; 2) S.24°15'00"E. for 1417.22 feet; 3) S.29°56'27"E. for 547.87 feet to an intersection with the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 11, Township 31 South, Range 20 East; thence run S.89°57'01"W. along the last described South line for 282.67 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 10, Township 31 South, Range 20 East; thence S.89°34'32"W. along the South line of the North 1/2 of

the Southeast 1/4 of said Section 10 for 2686.38 feet to the Southwest corner of the North 1/2 of the Southeast 1/4 of said Section 10; thence S.1°31'35"E. along the East line of the Southwest 1/4 of said Section 10 for 1323.68 feet to the South 1/4 corner of said Section 10; thence S.0°11'05"W. along the East line of the Northwest 1/4 of Section 15, Township 31 South, Range 20 East, for 1325.76 feet to the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 15; thence S.89°34'24"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 15 for 2663.20 feet to the Southeast corner of the North 1/2 of the Northeast 1/4 of Section 16, Township 31 South, Range 20 East; thence S.89°36'20"W. along the South line of the North 1/4 of said Section 16 for 5359.98 feet to the Southwest corner of the North 1/4 of said Section 16; thence S.89°39'42"W. along the South line of the North 1/2 of the Northeast 1/4 of said Section 17, Township 31 South, Range 20 East for 2681.22 feet; thence S.89°46'15"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 17 for 2565.01 feet to an intersection with the Easterly Right-of-Way line of the aforementioned U.S. Highway 2301; thence run N.00°00'41"E. along the last described Easterly Right-of-Way line for 1326.67 feet to the POINT OF BEGINNING. LESS therefrom the existing Right-of-Way for Big Bend Road and any other dedicated Rights-of-Way.



BALM-RIVERVIEW ROAD



LEGAL DESCRIPTION

LOT 1, TRACT 1, SUBDIVISION 1, BALM-RIVERVIEW ROAD, ...

NOTES

1. ALL LOTS ARE TO BE DEVELOPED IN ACCORDANCE WITH THE ...

LAND USE SUMMARY

TRACT NUMBER	ACRES	LAND USE
1	1.2	RESIDENTIAL
2	1.5	RESIDENTIAL
3	1.8	RESIDENTIAL
4	2.1	RESIDENTIAL
5	2.4	RESIDENTIAL
6	2.7	RESIDENTIAL
7	3.0	RESIDENTIAL
8	3.3	RESIDENTIAL
9	3.6	RESIDENTIAL
10	3.9	RESIDENTIAL
11	4.2	RESIDENTIAL
12	4.5	RESIDENTIAL
13	4.8	RESIDENTIAL
14	5.1	RESIDENTIAL
15	5.4	RESIDENTIAL
16	5.7	RESIDENTIAL
17	6.0	RESIDENTIAL
18	6.3	RESIDENTIAL
19	6.6	RESIDENTIAL
20	6.9	RESIDENTIAL
21	7.2	RESIDENTIAL
22	7.5	RESIDENTIAL
23	7.8	RESIDENTIAL
24	8.1	RESIDENTIAL
25	8.4	RESIDENTIAL
26	8.7	RESIDENTIAL
27	9.0	RESIDENTIAL
28	9.3	RESIDENTIAL
29	9.6	RESIDENTIAL
30	9.9	RESIDENTIAL
31	10.2	RESIDENTIAL
32	10.5	RESIDENTIAL
33	10.8	RESIDENTIAL
34	11.1	RESIDENTIAL
35	11.4	RESIDENTIAL
36	11.7	RESIDENTIAL
37	12.0	RESIDENTIAL
38	12.3	RESIDENTIAL
39	12.6	RESIDENTIAL
40	12.9	RESIDENTIAL
41	13.2	RESIDENTIAL
42	13.5	RESIDENTIAL
43	13.8	RESIDENTIAL
44	14.1	RESIDENTIAL
45	14.4	RESIDENTIAL
46	14.7	RESIDENTIAL
47	15.0	RESIDENTIAL
48	15.3	RESIDENTIAL
49	15.6	RESIDENTIAL
50	15.9	RESIDENTIAL
51	16.2	RESIDENTIAL
52	16.5	RESIDENTIAL
53	16.8	RESIDENTIAL
54	17.1	RESIDENTIAL
55	17.4	RESIDENTIAL
56	17.7	RESIDENTIAL
57	18.0	RESIDENTIAL
58	18.3	RESIDENTIAL
59	18.6	RESIDENTIAL
60	18.9	RESIDENTIAL
61	19.2	RESIDENTIAL
62	19.5	RESIDENTIAL
63	19.8	RESIDENTIAL
64	20.1	RESIDENTIAL
65	20.4	RESIDENTIAL
66	20.7	RESIDENTIAL
67	21.0	RESIDENTIAL
68	21.3	RESIDENTIAL
69	21.6	RESIDENTIAL
70	21.9	RESIDENTIAL
71	22.2	RESIDENTIAL
72	22.5	RESIDENTIAL
73	22.8	RESIDENTIAL
74	23.1	RESIDENTIAL
75	23.4	RESIDENTIAL
76	23.7	RESIDENTIAL
77	24.0	RESIDENTIAL
78	24.3	RESIDENTIAL
79	24.6	RESIDENTIAL
80	24.9	RESIDENTIAL
81	25.2	RESIDENTIAL
82	25.5	RESIDENTIAL
83	25.8	RESIDENTIAL
84	26.1	RESIDENTIAL
85	26.4	RESIDENTIAL
86	26.7	RESIDENTIAL
87	27.0	RESIDENTIAL
88	27.3	RESIDENTIAL
89	27.6	RESIDENTIAL
90	27.9	RESIDENTIAL
91	28.2	RESIDENTIAL
92	28.5	RESIDENTIAL
93	28.8	RESIDENTIAL
94	29.1	RESIDENTIAL
95	29.4	RESIDENTIAL
96	29.7	RESIDENTIAL
97	30.0	RESIDENTIAL
98	30.3	RESIDENTIAL
99	30.6	RESIDENTIAL
100	30.9	RESIDENTIAL

PHASING TABLE

TRACT NUMBER	PHASE	ACRES
1	1	1.2
2	1	1.5
3	1	1.8
4	1	2.1
5	1	2.4
6	1	2.7
7	1	3.0
8	1	3.3
9	1	3.6
10	1	3.9
11	1	4.2
12	1	4.5
13	1	4.8
14	1	5.1
15	1	5.4
16	1	5.7
17	1	6.0
18	1	6.3
19	1	6.6
20	1	6.9
21	1	7.2
22	1	7.5
23	1	7.8
24	1	8.1
25	1	8.4
26	1	8.7
27	1	9.0
28	1	9.3
29	1	9.6
30	1	9.9
31	1	10.2
32	1	10.5
33	1	10.8
34	1	11.1
35	1	11.4
36	1	11.7
37	1	12.0
38	1	12.3
39	1	12.6
40	1	12.9
41	1	13.2
42	1	13.5
43	1	13.8
44	1	14.1
45	1	14.4
46	1	14.7
47	1	15.0
48	1	15.3
49	1	15.6
50	1	15.9
51	1	16.2
52	1	16.5
53	1	16.8
54	1	17.1
55	1	17.4
56	1	17.7
57	1	18.0
58	1	18.3
59	1	18.6
60	1	18.9
61	1	19.2
62	1	19.5
63	1	19.8
64	1	20.1
65	1	20.4
66	1	20.7
67	1	21.0
68	1	21.3
69	1	21.6
70	1	21.9
71	1	22.2
72	1	22.5
73	1	22.8
74	1	23.1
75	1	23.4
76	1	23.7
77	1	24.0
78	1	24.3
79	1	24.6
80	1	24.9
81	1	25.2
82	1	25.5
83	1	25.8
84	1	26.1
85	1	26.4
86	1	26.7
87	1	27.0
88	1	27.3
89	1	27.6
90	1	27.9
91	1	28.2
92	1	28.5
93	1	28.8
94	1	29.1
95	1	29.4
96	1	29.7
97	1	30.0
98	1	30.3
99	1	30.6
100	1	30.9

LEGEND

- TRACT NUMBER
- ACRES
- LAND USE
- RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- OFFICE
- RECREATION
- UTILITY
- ROAD
- RAILROAD
- WATERWAY
- WATER
- WOODLAND
- WETLAND
- UNDEVELOPED



REVISED MAP H
MASTER DEVELOPMENT PLAN
POLY TISSON

EXHIBIT C

PHASE 3A - INTERSECTION FAIR SHARE COSTS (REVISED 11/30/04)

		TOTAL	PHASE
		COST	3A
INTERSECTION	IMPROVEMENT		FAIR SHARE
			COST
US 41 @ SYMMES RD	SIGNALIZE	200000	469
US 41 @ BIG BEND	TURN LANES	100000	2464
US 301 @ 19 TH AVE	SIGNALIZE	200000	2652
US 301 @ BALM ROAD	SIGNALIZE	200000	3170
US 301 @ BIG BEND ROAD	TURN LANES	500000	26459
US 301 @ GIBSONTON DRIVE	TURN LANES	100000	3863
US 301 @ BALM RIVERVIEW	TURN LANES	100000	931
US 301 @ RIVERVIEW DR	TURN LANES	400000	3728
US 301 @ BLOOMINGDALE	TURN LANES	400000	1683
US 301 @ FALKENBURG RD	TURN LANES	200000	917
US 301 @ I 75	SIGNALIZE	200000	406
BIG BEND RD @ I 75 WEST	TURN LANES	300000	6528
BIG BEND RD @ I 75 EAST	TURN LANES	300000	4091
BIG BEND RD @ I 75 EAST	SIGNALIZE	200000	3082
BIG BEND RD @ BALM RIVERVIEW	SIGNALIZE	200000	4420
GIBSONTON @ I 75 WEST	TURN LANES	100000	525
GIBSONTON @ I 75 WEST	SIGNALIZE	200000	650
GIBSONTON @ I 75 EAST	TURN LANES	100000	92
GIBSONTON @ I 75 EAST	SIGNALIZE	200000	901
LUMSDEN RD @ PROVIDENCE RD	TURN LANES	200000	387
LUMSDEN RD @ PROVIDENCE RD	6LANE RDWY	2143064	4151
BLOOMINGDALE @ PROVIDENCE RD	TURN LANES	200000	371
BELL SHOALS RD @ BLOOMINGDALE	TURN LANES	100000	537
LITHIA PINECREST @ CR 39	TURN LANES	400000	1979
LITHIA PINECREST @ CR 39	SIGNALIZE	200000	762
SR 674 @ I 75	SIGNALIZE	200000	703
RHODINE RD @ BALM RIVERVIEW RD	SIGNALIZE	200000	3417
	TOTAL	7643064	78869

DRI #73

Summerfield Crossings

Resolution #R05-059

Revised Map H

Located in Original Development Order book

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



P.O. Box 1110
Tampa, Florida 33601
Telephone (813) 276-8100

August 21, 2000

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

Re: Resolution No. R00-161 - Amending the Development Order for
Summerfield Crossings (DRI #73)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which
was adopted by the Hillsborough County Board of County
Commissioners on August 8, 2000.

We are providing this original for your files.

Sincerely,

Judith M. Grose for
Judith M. Grose,
Senior Manager, BOCC Records

md

Attachment

Certified Mail #P220536173

cc: Board files (orig.)

J. Thomas Beck, Florida Department of Community Affairs
Timothy A Johnson, Esq. - Johnson, Blakely, Pope, etal
Susan Fernandez, Senior Assistant County Attorney
John Healy, Senior Planner, Planning & Growth Management
Beth Novak, County Attorney's Office

RESOLUTION NO. R-00-161

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #73 DEVELOPMENT ORDER FOR
SUMMERFIELD CROSSINGS (F/K/A BIG BEND)

Upon motion of Commissioner Norman, seconded by Commissioner Scott, the following Resolution was adopted on this 8th day of August, 2000, by a vote of 4 to 3.

WHEREAS, in accordance with Section 380.06, Florida Statutes, on January 22, 1982, the Board of County Commissioners (BOCC) approved a Development Order, Resolution #82-33, for the Summerfield Crossings Development of Regional Impact (DRI) #73, f/k/a Big Bend DRI, (hereinafter, together with the below described amendment, referred to as the Development Order) pursuant to the provisions of Section 380.06, Florida Statutes, legally described in Exhibit A attached hereto; and

WHEREAS, on August 10, 1993, the BOCC adopted Resolution 93-0161, an amendment to the Development Order, which included, among other amendments, an extension of the development buildout by approximately eleven years; and

WHEREAS, on September 28, 1999, U.S. Home Corporation (U.S. Home) the developer of Summerfield Crossings, filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Pursuant to Subsection 380.06(19), F.S.", which was amended on January 26, 2000, June 13, 2000 and July 19, 2000 (hereinafter referred to as the NOPC), a copy of which is attached hereto as Exhibit B; and

WHEREAS, the NOPC proposed to (i) extend the buildout date, (ii) extend the completion dates of Phases I, II, III and IV, (iii) amend certain development order conditions to reflect changes in the transportation network affected by the project, (iv) amend Map H to redesignate the use and/or boundaries of certain tracts, provide for multi-purpose tracts and update the total acreages based on the changes to tract boundaries, (v) provide a land use conversion factor for commercial and residential uses, and (vi) make certain other changes described herein (hereinafter referred to as Proposed Changes).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR SESSION THIS 8TH DAY OF AUGUST, 2000, AS FOLLOWS:

1. The following Findings of Fact are made:
 - A. U.S. Home submitted to Hillsborough County (County) an NOPC, which requested approval of the following Proposed Changes:
 - (1) an extension of the project buildout date (Phase IV) from December 31, 2005 to December 31, 2015;
 - (2) an extension of the completion dates of (i) Phase I from December 31, 1995 to December 31, 2005, (ii) Phase II from December 31, 1998 to December 31, 2005, and (iii) Phase III from December 31, 2002 to December 31, 2011;
 - (3) amendment of certain development order conditions to reflect changes in the transportation network affected by the project;
 - (4) amendment of Map H to redesignate the use and/or boundaries of certain tracts, provide for multi-purpose tracts and update the total acreages based on the changes to tract boundaries;
 - (5) provide a land use conversion factor for commercial and residential uses; and
 - (6) make certain other changes described herein, including providing for an expiration date and a date for which the DRI shall not be subject to down-zoning (provisions required by law).
 - B. A Notice of Proposed Change is required to obtain approval of Phase IV.
 - C. The BOCC, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to approve amendments to DRIs.
 - D. A review of the impacts generated by the Proposed Changes has been conducted by the County, the Tampa Bay Regional Planning Council (TBRPC) and the Department of Community Affairs (DCA).
 - E. The Proposed Changes approved herein result in no new or additional regional impacts requiring further DRI review.

2. The following Conclusions of Law are made:
 - A. All statutory procedures have been adhered to and the impacts of the development authorized hereby are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.
 - B. Resolutions #82-33 and #93-0161 are incorporated herein by reference and are hereby reaffirmed in their entirety except as amended herein.
 - C. Except as specifically set forth herein, nothing herein shall limit or modify (i) the rights originally approved by the Development Order, (ii) the protection afforded under Section 163.3167(8), Florida Statutes, or (iii) established setbacks and lot coverage requirements.
 - D. The amendment adopted hereby is consistent with the State Comprehensive Plan, with the Comprehensive Plan of the County, and with applicable land development regulations, and does not unreasonably interfere with the achievement of the objectives of the State Land Development Plan applicable to the area.
 - E. The applicant has submitted clear and convincing evidence to rebut the presumption of a substantial deviation created under Subsection 380.06(19), Florida Statutes, and the amendment of the Development Order as set forth herein, is found not to be a substantial deviation to the previously approved Development Order.
3. Based on the above Findings of Fact and Conclusions of Law, the BOCC hereby amends the Development Order as follows:
 - A. Article III, Paragraph D, of the Development Order is hereby amended to read as follows:

On June 3, 1987, the County and the developer entered into an Agreement Regarding Park Improvements for Summerfield, amended on August 8, 2000 (collectively, the "Agreement"), relating to park requirements imposed for the development. The Agreement, as may be amended from time to time, shall govern the park requirements for the development. Violation of the terms, conditions and requirements of the Agreement shall render the project out of compliance with the Development Order.

B. Article III, Paragraph K, of the Development Order is hereby amended to read:

1. The developer shall reserve sufficient land along the Big Bend Road corridor between U.S. 301 and Road "C" to accommodate the construction of a six lane divided roadway. [The following right-of-way for Big Bend Road has already been either dedicated or reserved: 140 feet dedicated between U.S. 301 and Road "C"; 120 feet dedicated between Road "C" and a point just west of Road "G"; and 120 feet reserved between a point just west of Road "G" and Balm-Riverview Road.] Each time the developer seeks preliminary plat or preliminary plan approval for a portion of the project, the County shall determine, based upon the most recent Biennial transportation report (a report required as set forth in paragraph K.6. below) whether the traffic which will be generated by that portion will, when added to traffic volume generated or projected as a result of the portions previously developed or previously or concurrently approved, cause total traffic volume to rise above acceptable levels for any portion of Big Bend Road. If it is determined that traffic is likely to exceed such levels, the developer will, at that time, dedicate such land along the Big Bend Road corridor as is necessary to accommodate construction of whatever road improvements the County determines are necessary to ensure that Big Bend Road will operate at least at Level of Service D (peak hour). If it is later determined by the County that any part of these reserved lands are not in fact needed to accommodate the road improvements herein contemplated, the BOCC may allow development there in accordance with the other terms and conditions of this Development Order.
2. The developer shall be responsible for design and construction of all internal roadway improvements within the Summerfield Crossings development. These roads shall be constructed in accordance with the County standards in effect at the time of construction, except as provided herein. With regard to Summerfield Blvd., Road "C," Road "D" and Road "G," unless otherwise provided for in paragraphs K.7 or K.11.(g) below, the developer shall be responsible to dedicate the right-of-way for the segments of each roadway that extend beyond constructed development to the DRI's northern and southern boundaries, as applicable. The remaining roadway segments may be constructed to extend to the DRI's northern and southern boundaries at such time as preliminary plats or preliminary plans are approved for property to the north or south of Summerfield Crossings, but

in no event shall the construction of any roadway segments be delayed beyond the initiation of Phase IV.

3. The developer shall be responsible for design and construction of intersection geometric and signalization improvements at the access points of the Summerfield Crossings development with adjacent exterior roads, which are required because of traffic generated or expected to be generated by the Summerfield Crossings development. All intersections meeting signal warrants at access points to U.S. 301 or Big Bend Road, as a result of total current and projected traffic, shall be designed to the more conservative of the following: (a) Level of Service D (peak hour) or (b) critical lane operation level for the five-year projected traffic.
4. Access to U.S. 301 from the Regional Mall, Community Commercial and Office/Tech Areas will be designed at a Level of Service D (peak hour).
5. The minimum spacing between major intersections leading from any point within the development to U.S. 301 or Big Bend Road shall be made so as to optimize traffic flow as determined by the County in accordance with standard engineering practice.
6. Commencing at such time as the development is generating eighty-five percent (85%) of the projected external vehicle trip ends for combined Phases I and II, and every two (2) years thereafter, a trip generation monitoring study shall be required to monitor the actual cumulative total traffic generated by the entire project. The total projected external PM Peak Hour vehicle trip ends for combined Phases I and II are 3,138 with 1,643 Entering, and 1,498 Exiting. The purpose of this monitoring study is to verify the trip generation and internal capture rates utilized by the Developer. In each annual report the Developer shall identify the number and cumulative percentage of projected external trip ends relative to the projected external trip ends for combined Phases I and II. At such time that the development is generating eighty five percent (85%) of the projected external trip ends for combined Phases I and II, the Developer shall submit to the County and DCA the trip generation monitoring study as part of the revised transportation analysis described below which is next due.

The trip generation monitoring study will be based on a methodology which shall be submitted by the Developer no later than three (3) months prior to the study's due date. The methodology shall be reviewed and approved by the County and DCA (or their designees) and shall include a copy of the site plan with all locations indicated where the traffic counts will be conducted and the general location of existing development. The trip generation monitoring study shall be used to determine if the substantial deviation threshold of a 15% increase of external vehicle trips has occurred. If the trip generation monitoring study indicates that the 15% threshold of external trips is met or exceeded, this shall constitute a substantial deviation to the approved development and the development shall be subject to further development of regional impact review. The County shall not issue any permits for development until such time that further review is completed. Additionally, if the trip generation monitoring study is not submitted to, and approved by, the County and DCA, the County shall not issue any further development permits.

On a biennial basis starting on January 31, 2001, and every two years afterwards, the developer shall prepare and submit a revised transportation analysis to be reviewed and approved by the County and DCA. The purpose of this transportation analysis is to determine the adequacy of the transportation improvements listed in this Development Order. The revised transportation analysis may be submitted as part of the DRI annual report. The County shall issue no further development permits if the biennial transportation analysis is not submitted to, and approved by, the County and DCA.

The written methodology for this transportation analysis shall be submitted to the County and DCA at least three (3) months prior to the due date of the study. The County and DCA must specifically approve the methodology.

At a minimum, the biennial transportation analysis shall include all roadway segments where project traffic contributes 4.5 % or greater of the adopted level of service peak-hour directional service volume and all project driveways. The trip generation assumptions, projections, and roadway network used to develop the conditions relating to transportation system improvements may be adjusted by the County as appropriate in light of the data generated by these studies or as recommended by DCA. If applicable, the DCA may recommend to the developer and to the BOCC

modifications to the transportation system improvement conditions. The transportation system improvement conditions may only be modified accordingly by the BOCC.

7. Except as provided in condition K.2. above, the developer shall plan and provide for two collector roadways on approximately 1-mile spacings extending from Balm Road to Symmes Road and from Balm Road to Rhodine Road on reasonably direct and environmentally practical alignments. These two collector roadways are commonly referred to in the May, 1993, transportation analysis submitted in connection with a Notice of Proposed Change application as Summerfield Boulevard and the combination of Road "D" and Road "G." Alternatively, the developer may provide a different road alignment, subject to the County's approval, that is designed to facilitate north-south traffic flow through the project and alleviate traffic impact on major corridors.
8. A proposal to change construction of the Regional Mall to a phase earlier than Phase III, as set out in the application, shall be considered as a substantial deviation from the approved development and shall require further assessment pursuant to Chapter 380.06, Florida Statutes.
9. The following transportation system improvements shall be completed or under construction before initiation of any development phase after Phase II:
 - (a) Add an eastbound right-turn lane and a westbound left-turn lane at the intersection of Boyette Road and Balm-Riverview Road;
 - (b) Signalize the intersection of Big Bend Road at Balm-Riverview Road, when warranted;
 - (c) Signalize the intersection of Big Bend Road at the I-75 East Ramp, when warranted;
 - (d) Signalize the intersection of Rhodine Road and Balm-Riverview Road, when warranted;
 - (e) Signalize the intersection of U.S. 301 and Symmes Road, when warranted;

- (f) Signalize the intersection of U.S. 301 and Rhodine Road, when warranted;
- (g) Signalize the intersection of Big Bend Road and Road C, when warranted; and
- (h) Add an eastbound left-turn lane and a westbound right-turn lane at the intersection of Big Bend Road and Road C.

10. The following transportation system improvements shall be completed or under construction before initiation of any development phase after Phase III.

- (a) Widening of Big Bend Road to 6 lanes from I-75 to U.S. 301. [Design plans have been approved by Hillsborough County.]

The developer shall participate in the cost of construction of the 5th and 6th lane by making a fair share contribution of money to Hillsborough County. The developer's fair share contribution shall be determined by use of the formula described below:

$$\begin{array}{r}
 \text{Developer's existing and} \\
 \text{projected traffic volumes} \\
 \text{on the described segment} \\
 \hline
 \text{Total existing and projected} \\
 \text{traffic volumes on the} \\
 \text{described segment}
 \end{array}
 \times
 \begin{array}{r}
 \text{total} \\
 \text{cost of} \\
 \text{construction}
 \end{array}$$

The determination of the traffic volumes described above shall be made at the completion of Phase III. The total cost of construction shall include: plans preparation, grading, base, required drainage structures, surface, bridges, signing and signalization. The contribution shall be transmitted to Hillsborough County upon the request of the Board of County Commissioners of Hillsborough County which request may issue at any time after completion of Phase III and the required traffic analysis.

- (b) Widening of U.S. 301 to 4 lanes from Big Bend Road to Rhodine Road.
- (c) Construct Fairway Meadow Drive from U.S. 301 to Summerfield Boulevard.

Stacy
Burgess

- (d) Add a westbound left turn lane to Big Bend Road at U.S. 41.
 - (e) Add a westbound left turn lane to Causeway Boulevard at U.S. 301.
 - (f) Construct Woodbridge Drive from U.S. 301 to Summerfield Boulevard.
 - (g) Signalize the intersection of U.S. 301 and Fairway Meadow Drive, when warranted.
 - (h) Signalize the intersection of U.S. 301 and Woodbridge Drive, when warranted.
 - (i) Add a southbound right turn lane to Bloomingdale Avenue West at Kings Avenue.
 - (j) Signalize the intersection of Big Bend Road and Road D, when warranted.
 - (k) Add a northbound right turn lane, a southbound left turn lane, a westbound left turn lane, an eastbound through lane and a westbound through lane at the intersection of Big Bend Road and U.S. 301.
 - (l) Add a northbound left-turn lane and a southbound right-turn lane at the intersection of Big Bend Road and Balm-Riverview Road.
11. Prior to commencing any development in Phase IV, the Developer shall obtain approval of Phase IV from the County, DCA, TBRPC and FDOT through approval of a Notification of Proposed Change to a DRI, pursuant to the provisions of Section 380.06, Florida Statutes. As part of such review process, the Developer shall host a transportation methodology meeting and provide to the County and the TBRPC, a traffic analysis pursuant to the provisions of Section 380.06, Florida Statutes. Such updated traffic analysis shall indicate transportation improvements or mechanisms which must be implemented by Developer in order to maintain the affected roadways at an acceptable Level of Service.

12. If transit utilization appears to be feasible in the future in meeting some of the transportation demands of the development, the developer shall cooperate with the Hillsborough Area Regional Transit Authority in providing bus stops, shelters, etc., to encourage the use of transit.
13. For purposes of this section the words "under construction" shall be construed to mean physical construction activities pursuant to the terms of an executed contract.
14. There shall be a trade off mechanism which will allow land uses to be traded in accordance with the following standards:
 - (a) With respect only to the 39.5 acre parcel located at the southeast quadrant of U.S. Hwy. 301 and Big Bend Road, as shown on Revised Map H attached hereto as Exhibit "C," 1,000 square feet of Office/Tech land use is equivalent to 382 square feet of commercial land use and vice versa.
 - (b) With respect to any parcels designated for any type of residential use on Revised Map H attached hereto as Exhibit "C:"
 - (1) 1.0 Single Family detached unit = 1.84 Townhomes;
 - (2) 1.0 Townhome = 0.87 Apartment;
 - (3) 1.0 Apartment = 1.14 Townhomes;
 - (4) 1.0 Apartment = 0.63 Single Family detached unit; and
 - (5) 1.0 Townhome = 0.55 Single Family detached unit.

- (c) With respect to Parcels 15 and 40 designated for commercial use on Revised Map H attached hereto as Exhibit "C," such commercial uses may be traded in accordance with the schedule attached hereto as Exhibit "D," provided that the aggregate development on Parcels 15 and 40 may not exceed a maximum of (i) 150,000 square feet of commercial or (ii) 262 dwelling units, or (iii) appropriate combination thereof.
- (d) Developer shall notify the County, TBRPC and the DCA thirty (30) days prior to utilizing the conversion factors set forth in this section.

C. Article III, Paragraph M, of the Development Order is hereby amended to read:

"M. The proposed development plan for the project is as follows:

USE/PHASE	I (Completion -2005)	II (Completion- 2005)	III (Completion - 2011)	IV (Completion - 2015)	TOTAL
RESIDENTIAL					
Single Family and Patio Homes	760	728	604	547	2,639 d.u.
Townhouses and Villa Homes	251	457	430	270	1,408 d.u.
Multi-family Apartments	0	220	258	172	650 d.u.
Retirement	105	0	0	0	105 d.u.
SUBTOTAL	1,116	1,405	1,292	989	4,802 d.u.*
COMMERCIAL					
Neighborhood Centers	48,000	37,000	67,000	30,000	182,000 sq. ft.
Community Centers	60,300	115,000	103,500	--	278,800 sq. ft.
Regional Mall	--	--	380,000	380,000	760,000 sq. ft.
SUBTOTAL	108,300	152,000	550,500	410,000	1,220,800 sq. ft.
OFFICE/TECHNICAL PARK	20,000	80,000	180,000	288,800	568,800 sq. ft.
COMMUNITY SERVICES					
Schools		1	1		2 schools
Churches					2 sites
Community Services					4 sites
Medical		76,000			76,000 sq. ft.
RECREATION/OPEN SPACE					
Golf and Recreation Complex	182.2				182.2 acres
Recreation					8.9 acres
Parks					44.9 acres

*Unit increase from 4,750 is due to incorporation of 105 existing retirement units.

- D. The Developer is authorized to complete the development as described herein subject to the terms and conditions of the Development Order, as amended hereby.
 - E. Article IV, Paragraph L of the Development Order, is hereby amended to add:
 - 6. A statement describing any conversions pursuant to Section III, Paragraph K(14) during the reporting period and a cumulative total of conversions.
 - F. Article IV, Paragraph P of the Development Order, General Provisions, is hereby amended to read:

“The Development Order shall remain in effect for a period of 33 years, through December 31, 2015.”
 - G. Article IV, Paragraph Q of the Development Order, General Provisions, is hereby amended to read:

“Prior to December 31, 2015, the development approved herein shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless the County can demonstrate that substantial changes in the conditions underlying the approval of the Development Order have occurred or the Development Order was based on substantially inaccurate information provided by the developer or that the change is clearly established by the County to be essential to the public health, safety, or welfare.”
 - H. Map H, Master Development Plan for Summerfield Crossings, is hereby revised and replaced by the Revised Map H, Master Development Plan, dated July 26, 2000, attached hereto as Exhibit “C.”
- 4. The development approved herein is vested against the concurrency provisions adopted by the County.
 - 5. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.
 - 6. This Resolution shall become effective upon rendition by the BOCC in accordance with Section 380.06, Florida Statutes.

7. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk of the BOCC by certified mail to the DCA, the TBRPC, and other recipients specified by statute or rules.

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 on August 8, 2000, as the same appears of record in Minute Book 291 of the Public Records of Hillsborough County, Florida

WITNESS my hand and official seal this 21st day of August, 2000.

RICHARD AKE, CLERK

By: Mildred K. Sun

APPROVED BY COUNTY ATTORNEY

By: [Signature]
Approved as to Form and
Legal Sufficiency



- Exhibit A – Legal Description
- Exhibit B – NOPC Application
- Exhibit C – Revised Map H
- Exhibit D – Commercial/Residential Conversion Factors

#219587 v1

EXHIBIT "A"
TO RESOLUTION NO. R-00-161

Page 1 of 2

A parcel of land including all or portions of Sections 8, 9, 10, 11, 15 16 and 17 in Township 31 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 8, Township 31, South Range 20 East; thence N.89°42'37"E. along the South line of the Southwest 1/4 said Section 8 for 132.00 feet to a point of intersection with the Easterly Right-of-Way line of U.S. Highway #301 (State Road No. 43), said point being the POINT OF BEGINNING of the herein described parcel of land; thence continue along the Easterly Right-of-Way line of U.S. Highway #301 for the following two (2) described courses: 1) N.00°00'03"E. for 2769.81 feet to the Point of Curvature of a circular curve concave to the East; 2) Northerly along the arc of said curve having a radius of 5597.58 feet and a central angle of 5°41'23", for 555.86 feet to an intersection with the South line of the North 1980 feet of the North 3/4 of said Section 8; thence run along the last described South line for the following three (3) courses: 1) N.89°41'18"E. for 2508.84 feet to an intersection with the East line of the Northwest 1/4 of said Section 8; 2) N.89°47'46"E. for 1716.03 feet; 3) N.89°48'58" E. for 968.63 feet to an intersection with the West line of the Northwest 1/4 of said Section 9, Township 31 South, Range 20 East; thence N.0°15'23"W. along the West line of the Northwest 1/4 of said Section 9 for 1980.14 feet to the Northwest corner of said Section 9; thence N.89°46'00"E. along the North line of the Northwest 1/4 of said Section 9 for 2624.32 feet to the Northeast corner of the Northwest 1/4 of said Section 9; thence N.89°44'54"E. along the North line of the Northeast 1/4 of said Section 9 for 1269.79 feet; thence N.89°45'12"E. continuing along the North line of the Northeast 1/4 of said Section 9 for 1357.46 feet to the Northeast corner of said Section 9, the same being the Northwest corner of said Section 10; thence N.89°28'59"E. along the North line of said Section 10 for 2139.02 feet to a concrete monument; thence S.1°29'39"E. for 880.79 feet to a concrete monument; thence N.89°30'21"E. for 2155.06 feet to a concrete monument, said point being a point on the Westerly Right-of-Way line of Balm-Riverview Road; thence run along the Westerly Right-of-Way line of Balm-Riverview Road for the following three (3) described courses: 1) S.23°27'37"E. for 1433.57 feet; 2) S.24°15'00"E. for 1417.22 feet; 3) S.29°56'27"E. for 547.87 feet to an intersection with the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 11, Township 31 South, Range 20 East; thence run S.89°57'01"W. along the last described South line for 282.67 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 10, Township 31 South, Range 20 East; thence S.89°34'32"W. along the South line of the North 1/2 of

the Southeast 1/4 of said Section 10 for 2686.38 feet to the Southwest corner of the North 1/2 of the Southeast 1/4 of said Section 10; thence S.1°31'35"E. along the East line of the Southwest 1/4 of said Section 10 for 1323.68 feet to the South 1/4 corner of said Section 10; thence S.0°11'05"W. along the East line of the Northwest 1/4 of Section 15, Township 31 South, Range 20 East, for 1325.76 feet to the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 15; thence S.89°34'24"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 15 for 2663.20 feet to the Southeast corner of the North 1/2 of the Northeast 1/4 of Section 16, Township 31 South, Range 20 East; thence S.89°36'20"W. along the South line of the North 1/4 of said Section 16 for 5359.98 feet to the Southwest corner of the North 1/4 of said Section 16; thence S.89°39'42"W. along the South line of the North 1/2 of the Northeast 1/4 of said Section 17, Township 31 South, Range 20 East for 2681.22 feet; thence S.89°46'15"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 17 for 2565.01 feet to an intersection with the Easterly Right-of-Way line of the aforementioned U.S. Highway #301; thence run N.00°00'41"E. along the last described Easterly Right-of-Way line for 1326.67 feet to the POINT OF BEGINNING. LESS therefrom the existing Right-of-Way for Big Bend Road and any other dedicated Rights-of-Way.

EXHIBIT "B"
TO RESOLUTION NO. ~~RD~~- 161

NOPC APPLICATION

1. Notification of Proposed Change Application submitted 9/28/99.
2. Letter from Timothy A. Johnson, Jr., dated January 26, 2000, amending NOPC application.
3. Letter from Timothy A. Johnson, Jr., dated June 9, 2000, amending NOPC application.
4. Letter from Timothy A. Johnson, Jr., dated July 19, 2000, amending NOPC application.
5. Letter from Timothy A. Johnson, Jr., dated July 27, 2000, amending NOPC application.

HILLSBOROUGH COUNTY PERMIT SERVICES CENTER APPLICATION

OFFICIAL USE ONLY

APPLICATION #: _____ - _____
 ZHM DATE : _____
 BOCC DATE: _____

FOLIO #: _____
 SEC: _____ TWN: _____ RNG: _____
 ATLAS PAGE: _____

GENERAL ACREAGE: _____ ZONING: _____ LU: _____
 LOCATION: _____

DSC TECH: _____ GZ TECH: _____ RECEIPT #: _____

Permit Service Center Planner Who Provided Land Use
 Counselling: _____

TYPE OF APPLICATION:

- | | |
|--|---|
| BOCC Action | Administrative Action |
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Administrative Waiver |
| <input type="checkbox"/> Personal Appearance | <input type="checkbox"/> Administrative Review |
| <input type="checkbox"/> Major Modification | <input type="checkbox"/> Limited Use (Non-Noticed) |
| <input type="checkbox"/> Alcoholic Beverage Zoning | <input type="checkbox"/> Limited Use (Noticed) |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Non Conforming Lot (NCL) |
| <input type="checkbox"/> Subdivision Waiver | <input type="checkbox"/> Non-Conforming Use (NCU) |
| <input type="checkbox"/> Other: | <input checked="" type="checkbox"/> Other: NOPC(X) <input type="checkbox"/> NOPC(PH) <input type="checkbox"/> |

SITE INFORMATION: Tax Folio # See attached
 Street Address: _____
 Current Use: _____

(Additional information, see Exhibit "A")

REPRESENTATIVE/PRIMARY CONTACT: Timothy A. Johnson, Jr., Esquire
 Phone: Daytime (727) 461 - 1818 Evening (_____) _____
 Address: 911 Chestnut Street
 City Clearwater State FL Zip: 33756

Is this application accompanied by other applications?
 If yes, what are the application numbers? Yes, Personal Appearance Application

If this is a DRI, list the project name and number:
SUMMERFIELD CROSSINGS DRI (DRI #73)

If this is an Annual Report Submittal: Anniversary Date: _____
 Reporting Period _____ to _____

I HEREBY SWEAR OR AFFIRM THAT ALL THE INFORMATION PROVIDED IN THE SUBMITTED APPLICATION PACKET IS TRUE AND ACCURATE, TO THE BEST OF MY KNOWLEDGE, AND AUTHORIZE THE REPRESENTATIVE LISTED ABOVE TO ACT ON MY BEHALF ON THIS PETITION.

U.S. HOME CORPORATION
 By: James Lashley
 Signature of the Applicant
James Lashley, Regional Vice President
) Type or Print Name Legibly

I HEREBY AUTHORIZE THE PROCESSING OF THIS APPLICATION AND RECOGNIZE THAT THE FINAL ACTION TAKEN ON THIS PETITION SHALL BE BINDING TO THE PROPERTY AS WELL AS TO THE CURRENT, AND ANY FUTURE OWNERS.

U.S. HOME CORPORATION
 By: James Lashley
 Signature of the Owners
James Lashley, Regional Vice President
) Type or Print Name Legibly

PERMIT SERVICES CENTER DATE RECEIVED: _____

HILLSBOROUGH COUNTY PERMIT SERVICES CENTER APPLICATION
EXHIBIT "A"

APPLICATION # _____ TYPE: _____

SITE INFORMATION

Folio # See attached
Acreage 1.88

Section 8, 9 TWN 31S Range 20E
10, 11, 15, 16, 17

APPLICANT U.S. HOME CORPORATION
Address 311 Park Place Blvd., Suite 600
City Clearwater State FL Zip 34619

Daytime Phone (727) 796 - 0911
Evening Phone (_____) _____ - _____

PROPERTY OWNER (Same as Applicant)
Address _____
City _____ State _____ Zip _____

Daytime Phone (_____) _____ - _____
Evening Phone (_____) _____ - _____

UTILITIES TO BE UTILIZED

Water: Public Water Private Water (well)
Sewer: Public Sewer Septic Tank
 Interim Treatment Plant

ZONING VIOLATIONS

Are you in zoning violation? Yes No

Have you been issued a citation? Yes No
If so, when were you cited? _____

Are you scheduled for the Code Enforcement Board?
 Yes No

If a DRI, Is the Project in noncompliance with the terms of the
Development Order? Yes No

ZONING HISTORY

Has the property received an approval as a Non-Conforming Lot (NCL) or a
Non-Conforming Use (NCU)? Yes No
If yes, please list the petition number: _____

If a Zoning or Special Use petition has been heard on this property in
the past year, provide the petition number: _____

APPLICANT'S INITIALS: [Signature]

OWNER'S INITIALS: [Signature]

FOLIO NUMBERS
(Summerfield Crossings DRI – NOPC Application)

77667.0054	77669.0043
77682.0472	77669.2000
77716.0026	77682.0002
77686.0200	77683.0027
77683.2000	77686.0000
77686.0036	77686.0035
77719.1000	77719.0000
77682.0500	77719.0041

#196784 v1 - USH/Summerfid/Folio Nos

AFFECTED NEIGHBORHOOD ORGANIZATIONS

NONE

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF RESOURCE MANAGEMENT
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100
(850) 488-8466

RPM-BSP-PROPCHANGE-1

**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 council, and the state land planning agency according to this form.

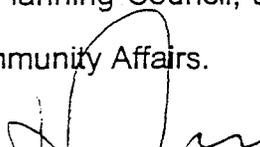
1. We, TIMOTHY A. JOHNSON, JR., and E. D. ARMSTRONG III, authorized representatives of U.S. HOME CORPORATION, a Delaware corporation, hereby give notice of a proposed change to a previously approved Development of Regional Impact (DRI) in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, we submit the following information concerning the SUMMERFIELD CROSSINGS DRI (formerly known as Big Bend DRI #73), which information is true and correct to the best of our knowledge. We have submitted today, under separate cover, copies of this completed notification to Hillsborough County, Florida, to the Tampa Bay Regional Planning Council, and to the Bureau of Resource Management, Department of Community Affairs.

9/28/99

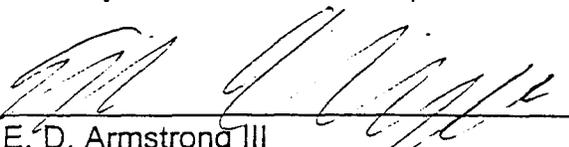
(Date)

9/28/99

(Date)



Timothy A. Johnson, Jr., Esquire



E.D. Armstrong III
Authorized Representatives

2. Applicant:

U. S. HOME CORPORATION
311 Park Place Blvd., Suite 600
Clearwater, FL 33759
Phone: (727) 796-0911
Contact: James Lashley, Regional Vice President

3. Authorized Agents:

Timothy A. Johnson, Jr., Esquire
E. D. Armstrong III, Esquire
Johnson, Blakely, Pope, Bokor,
Ruppel & Burns, P.A.
911 Chestnut Street
Clearwater, Florida 33756
Phone: (727) 461-1818

4. Location of approved DRI and proposed change:

The Summerfield Crossings DRI is located in Sections 8, 9, 10, 11, 15, 16 and 17, Township 31 South, Range 20 East, Hillsborough County, Florida, and is located in unincorporated Hillsborough County. The legal description of the Summerfield Crossings DRI property is set forth in Exhibit A attached.

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 Applicant is filing this Notice of Proposed Change Application (NOPC) to (i) extend the buildout date; (ii) extend the completion dates of Phases I, II, III, and IV; (iii) eliminate the commencement dates of Phases III and IV; (iv) amend certain development order conditions to reflect changes in the transportation network affected by the project; (v) amend Map H to redesignate the use and/or boundaries of certain tracts, provide for multi-purpose tracts and update the total acreages based on the changes to tract boundaries; (v) provide a land use conversion factor for commercial and residential uses; and (vi) make certain other

changes described in the proposed revised development order (Proposed Changes). The following paragraphs describe the Proposed Changes in more detail.

Phasing and Buildout Extension.

The Applicant requests a ten-year extension of buildout of the DRI from December 31, 2005 to December 31, 2015, and revision of the phasing schedule. A comparison of the current approved phasing schedule and the proposed completion dates follows:

Phase	Approved Schedule	Proposed Completion Dates
I	1982-1995	2005
II	1996-1998	2005
III	1999-2002	2011
IV	2003-2005	2015

The Applicant has submitted with this NOPC a Transportation Analysis supporting the proposed changes to the phasing schedule as to Phases I, II and III, provided that the hereinafter described required improvements are made by the developer.

In conjunction with the extension to 2015 of the buildout for Phase IV, the Applicant proposes to replace the current Phase IV transportation improvements with a requirement that the developer submit a traffic analysis prior to obtaining any development approvals for Phase IV.

Proposed Amendments to the Development Order re Transportation Network.

The Transportation Analysis prepared by King Engineering Associates, Inc., dated July, 1999, is submitted herewith as Exhibit B to this NOPC.

In accordance with the findings set forth in the Transportation Analysis, the Applicant proposes to replace the required transportation improvements set forth in the development order with the following requirements:

- (i) The following transportation system improvements shall be completed or under construction before initiation of any development phase after Phase II:
 - (a) Add an eastbound right-turn lane and a westbound left-turn lane at the intersection of Boyette Road and Balm-Riverview Road;

- (b) Signalize the intersection of Big Bend Road at Balm-Riverview Road, when warranted; and
 - (c) Signalize the intersection of Big Bend Road at the I-75 East Ramp, when warranted.
- (ii) The following transportation system improvements shall be completed or under construction before initiation of any development phase after Phase III:
- (a) Widening of Big Bend Road to 6 lanes from I-75 to U.S. 301;
 - (b) Add a northbound left-turn lane and a southbound right-turn lane at the intersection of Big Bend Road and Balm-Riverview Road;
 - (c) Widening of U.S. 301 to 4 lanes from Big Bend Road to Rhodine Road;
 - (d) Construct Fairway Meadow Drive from U.S. 301 to Summerfield Boulevard;
 - (e) Add a westbound left-turn lane to Big Bend Road at U.S. 41;
 - (f) Signalize the intersection of U.S. 301 and Rhodine Road, when warranted;
 - (g) Signalize the intersection of U.S. 301 and Symmes Road, when warranted;
 - (h) Add a westbound left turn lane to Causeway Boulevard at U.S. 301; and
 - (i) Construct Woodbridge Drive from U.S. 301 to Summerfield Boulevard.
- (iii) Due to the extension of the completion of Phase IV to 2015, the Transportation Analysis does not address what transportation improvements will be required in connection with the development of Phase IV. Instead, the Applicant proposes to delete the development order requirements for specific transportation improvements to be completed in connection with Phase IV and to add a requirement as follows:

Prior to issuance of any permits for Phase IV development, the Developer shall provide to Hillsborough County and the Tampa Bay Regional Planning

Council, pursuant to the provisions of Section 380.06, Florida Statutes, updated traffic counts on the roadways within the project area and projections of traffic volumes that will result from completion of Phase IV. Such updated traffic analysis shall indicate transportation improvements or mechanisms which must be implemented by the Developer in order to maintain the roadways within the project area at an acceptable Level of Service.

Conversion Matrix.

The Applicant requests approval of a land use conversion matrix which will permit the developer to convert commercial development entitlements to single-family residential. The proposed conversion factors are set forth on Exhibit C and are designed to balance P.M. peak hour external vehicle trips based on the specific phase and the type of commercial development to be converted. Single-family residential uses pursuant to such conversion shall be developed on portions of the Property which permit such use.

Revised Map H.

A revised Master Development Plan (Map H) is attached hereto as Exhibit D.

The significant proposed changes to the Master Development Plan are:

- (i) Designated Tracts 1, 15 and 40, Village 1, as "Multi-Purpose." Multi-Purpose Tracts may be developed as neighborhood commercial, office, apartments, townhomes, retirement homes or single-family detached homes.
- (ii) Re-labeled the following tracts:
 - (a) Portion of Village 1 from Tract 43 (Golf Club) to Tract 40 (Office);
 - (b) Village 1, Tract 35 from "Apt." to "Apt./T.H.;"
 - (c) Village 1, Tract 38 from "T.H." to "T.H./Apt./Park;"
 - (d) Portion of Village 2, Tract 3 from "S.F./PAT." to "S.F./Apt.;"
 - (e) Village 2, Tract 2 from "T.H." to "Apt./T.H.;"
 - (f) 1.0 acre parcel of Village 2, Tract 7 from "Comm. Svce. (Child Care)" to "Child care/Office;"
 - (g) All of Village 3 to reflect the new layout of "Heritage Greens";

- (iii) Removed a 1.0 acre RV storage parcel from Village 1, Tract 38;
- (iv) Labeled alternate locations for Neigh. Comm. (Tract 16) and Medical (Tract 19);
- (v) Revised land use summary to include the possibility of retirement units and/or additional golf course facilities; and
- (vi) Revised Note #2 to reflect that the minimum open space acreage for the project is 483 acres in accordance with the original development order.

The Applicant has submitted an application for a Minor Modification with a Personal Appearance simultaneously with the submittal of this NOPC application to amend the zoning of the Property to conform to the revised Map H.

The precise language proposed as amendments to the Development Order that would effectuate these changes is presented in a proposed resolution, attached hereto as Exhibit E.

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, please indicate no change.**

See Exhibit F attached hereto.

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 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?**

The Summerfield Crossings (f/k/a Big Bend) DRI was originally approved by the Hillsborough County Board of County Commissioners on January 22, 1982, by Resolution 82-33. On August 10, 1993, the Board adopted Resolution 93-0161 amending the Summerfield Crossings Development Order as follows:

- (i) Reduction of residential development by 1,500 units, reduction of commercial development by 259,200 square feet, reduction of Office/Tech

development by 91,200 square feet and reduction of Medical Facilities development by 24,000 square feet.

- (ii) Extension of Phase I by approximately 11 years, Phase II by approximately 12 years, Phase III by approximately 13 years and Phase IV by approximately 14 years.
- (iii) Approval of a revised development plan to reflect the reduction in development and extension of the project buildout date and phases thereof.
- (iv) Adoption of a revised Map H, Master Development Plan.
- (v) Addition of a trade-off mechanism which would permit exchanges between Office/Tech uses and Commercial uses on the 39.5 acre parcel located at the southeast quadrant of U.S. Hwy. 301 and Big Bend Road and a trade-off mechanism which would permit exchanges between certain residential development types.
- (vi) Amendments to the Development Order to modify certain transportation conditions.

There has been no change in local government jurisdiction for any portion of the development since the Development Order was issued.

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, and intended use, and adjacent non-project land uses within 1/2 mile on a project master site plan or other map.

The Applicant has not purchased or optioned any additional land within 1/4 mile of the original DRI site.

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.

No.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.

Yes _____

No X

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 Applicant is requesting approval to extend the buildout date by ten years, from December 31, 2005, to December 31, 2015, and to extend the phasing completion dates by periods of seven to ten years. The proposed new buildout and phasing dates are:

Phase	Approved Schedule	Proposed Completion Dates
I	1982-1995	2005
II	1996-1998	2005
III	1999-2002	2011
IV	2003-2005	2015

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

No.

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:

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 attached.

13. Pursuant to Subsection 380.06(10)(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 for 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;

A proposed resolution amending the Development Order is attached hereto as Exhibit E.

- 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;**

There is no change in the legal description of the Property.

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

See the proposed resolution attached hereto as Exhibit E.

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

See the proposed resolution attached hereto as Exhibit E.

- 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**

See the proposed resolution attached hereto as Exhibit E.

- 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 9J-2.025(7), F.A.C.**

Not applicable.

Exhibit A – Legal Description
Exhibit B – Transportation Analysis
Exhibit C – Land Use Conversion Factors
Exhibit D – Revised Map H
Exhibit E – Resolution
Exhibit F – Substantial Deviation Chart

JOHNSON, BLAKELY, POPE, BOKOR, RUPPEL & BURNS, P.A.

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*OF COUNSEL

PLEASE REPLY TO CLEARWATER

FILE NO. 21018.99698

January 26, 2000

Via Hand Delivery

Mr. Kevin Mineer, AICP
Senior Planner
Hillsborough County Planning & Development
Management Department
601 E. Kennedy Boulevard
Tampa, FL 33601

Re: Summerfield Crossings DRI
Notice of Proposed Change Application (#99-1464)
Personal Appearance Application (#99-1465)

Dear Kevin:

In light of the comments that U.S. Home (USH) received from the County and other agencies, USH hereby amends its Notice of Proposed Change Application to propose the following:

1. Only 105 existing units are designated as Retirement on Map H and the land use table. There is no trade-off for additional retirement units. The total number of units in the project is 4,802, an increase of only 52 units.
2. The trade-off mechanism for conversion to commercial, as set forth in Section 14(c) of the development order, is limited to Parcels 15 and 40.
3. There is no change on Map H concerning Parcel 7, Area 1. It will remain designated for Child Care only.
4. We have revised Section III.K.14 of the development order to provide for notices of any trade-offs to be given to DCA and Hillsborough County.

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ATTORNEYS AND COUNSELLORS AT LAW

Mr. Kevin Mineer, AICP
January 26, 2000
Page 2

5. Map H has been revised to designate Village III as open space or residential (reference to a golf course, other than in the notes as an option, has been deleted).

6. We have revised Section III.K.11 of the development order as you have suggested to require that the applicant undergo review pursuant to Section 380.06, F.S., prior to commencing any development in Phase IV.

Enclosed is a revised proposed Ordinance reflecting the above revisions to U.S. Home's request.

To the extent the above amendments affect the referenced Personal Appearance Application filed simultaneously with the NOPC, U. S. Home hereby amends its Personal Appearance Application accordingly.

Also enclosed is a detailed response to each of the agency comments.

Very truly yours,



Timothy A. Johnson, Jr.

TAJ/js
encls.

cc: Mr. James Lashley
John M. Meyer, DRI Coordinator, TBRPC
Kent Fast, AICP, FDOT
Charles Gauthier, AICP, Chief, Bureau of Local Planning, DCA
David S. Winkle, Senior Transportation Planner, Hillsborough County

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*OF COUNSEL

PLEASE REPLY TO CLEARWATER

FILE NO. 21018.99698

June 9, 2000

**VIA FACSIMILE (813) 272-6068
AND UNITED STATES MAIL**

Daniel C. Santos, AICP
Senior Planner
Hillsborough County Planning & Growth
Management Department
601 East Kennedy Boulevard
Post Office Box 1110
Tampa, FL 33601

Re: Notice of Proposed Change Application Submitted by U.S. Home
Corporation in connection with Summerfield Crossings DRI

Dear Dan:

On behalf of the applicant, U.S. Home Corporation, we hereby amend the referenced application to include a request for the following revisions to Map H, in addition to those described in the application submitted September 28, 1999, as amended January 26, 2000:

1. Village 1, Tracts 32 and 33 have been combined to form Tract 32.
2. The boundary between Tracts 32 and 35 of Village 1 has been modified and the new acreages added to the plan.

The above revisions are shown on Revised Map H delivered to the County on January 26, 2000; however, these changes were not included in the recap of Map H revisions set forth in the NOPC application.

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ATTORNEYS AND COUNSELLORS AT LAW

Daniel C. Santos, AICP
Senior Planner
Hillsborough County Planning & Growth
Management Department
June 9, 2000
Page 2

To the extent necessary, we hereby similarly amend the applicant's Personal Appearance Application submitted simultaneously with the NOPC application.

If you have any questions concerning the applications, please feel free to call my legal assistant, Jayne Sears, or me.

Very truly yours,



Timothy A. Johnson, Jr.

TAJ/js

cc: Mr. James Lashley
Edwin G. Farmer, Senior Project Manager
John M. Meyer, DRI Coordinator, TBRPC
Kent Fast, AICP, FDOT
Charles Gauthier, AICP, Chief, Bureau of Local Planning, DCA
David S. Winkle, Senior Transportation Planner, Hillsborough County

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*OF COUNSEL

PLEASE REPLY TO CLEARWATER

FILE NO. 21018.99698

July 19, 2000

Via Hand Delivery

John E. Healey, AICP
Principal Planner
Hillsborough County Planning & Growth
Management Department
601 E. Kennedy Blvd., 20th Floor
Tampa, FL 33601

Re: Summerfield Crossings DRI/NOPC 99-1464 and PRS 99-1465

Dear John:

On behalf of the applicant, U.S. Home Corporation, we hereby amend the referenced NOPC application as follows:

1. Enclosed are 11 sets of Revised Map H, dated 7/6/00, which reflects the following changes to the proposed Map H dated 12/22/99:

- (i) Re-label Tract 38, Village 1 to remove Apartment as a permitted use.
- (ii) Add acreages to the western portion of Village II, Tract 3.
- (iii) Add Note #6 indicating "Any parcels designated for more than one use may be used for any one or more of those uses."
- (iv) Add permitted uses to certain tracts as more particularly described on the enclosed list of proposed changes to Map H, dated July 12, 2000.

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JOHNSON, BLAKELY, POPE, BOKOR, RUPPEL & BURNS, P.A.
ATTORNEYS AND COUNSELLORS AT LAW

John E. Healey, AICP
July 19, 2000
Page 2

2. Revise Article III, Paragraph K (6) of the Development Order regarding ongoing traffic studies. The text of this amendment is still under discussion.
3. Withdraw the request to add Paragraph N to Article III of the Development Order. The enclosed Resolution has been revised accordingly.
4. Withdraw the request to change the language in Article III.K.2.

To the extent the foregoing changes affect Revised Map H, we hereby amend the referenced personal appearance application accordingly.

Enclosed for your review are two versions of the proposed resolution amending the development order, as follows: (i) a version which reflects only the revisions to the resolution since the version submitted on 6/13/00; and (ii) a version which is in legislative format for adoption by the Board of County Commissioners.

If you have any additional questions regarding the requested changes, please feel free to call my legal assistant, Jayne Sears, or me.

Very truly yours,



Timothy A. Johnson, Jr.

TAJ/js
encls.

cc: Shirley Gersholowitz, AICP, Manager
David S. Winkle, Senior Transportation Planner, Hillsborough County
John M. Meyer, DRI Coordinator, TBRPC
Kent Fast, AICP, FDOT
Charles Gauthier, AICP, Chief, Bureau of Local Planning, DCA
Mr. James Lashley
Edwin G. Farmer, Sr. Project Manager, KEA

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*OF COUNSEL

PLEASE REPLY TO CLEARWATER
PRIVATE LINE: 727-467-2123

FILE NO. 21018.99698

July 27, 2000

Via Hand Delivery

John E. Healey, AICP
Principal Planner
Hillsborough County Planning & Growth
Management Department
601 E. Kennedy Blvd., 20th Floor
Tampa, FL 33601

Re: Summerfield Crossings DRI/NOPC 99-1464 and PRS 99-1465.

Dear John:

On behalf of the applicant, U.S. Home Corporation, we enclose a revised resolution amending the Summerfield Crossings DRI development order, which we believe to be in final form. The changes to the resolution since the version that was delivered to you on July 19, 2000, are the following:

1. Addition of a new Finding of Fact (#1.B) that "A Notice of Proposed Change is required to obtain approval of Phase IV" and renumbering of subsequent findings.
2. Revision of Article III, Paragraph K.6 regarding traffic generation monitoring and transportation studies.
3. Addition of new subparagraph 14 (d) to Article III that "The Developer shall notify the County, the TBRPC and DCA thirty (30) days prior to utilizing the conversion factors set forth in this section."

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ATTORNEYS AND COUNSELLORS AT LAW

John E. Healey, AICP
July 27, 2000
Page 2

4. Revision of Article IV, Paragraph L, subparagraph 6 to state "A statement describing any conversions pursuant to Section III, Paragraph K (14) during the reporting period and a cumulative total of conversions."

In addition, my office will be providing to you via e-mail (or disk), the enclosed final version of the resolution for your use in making final changes, such as adding the resolution number.

Also enclosed are 11 sets of Revised Map H, dated 7/26/00, which has been revised to conform to the "Village" layout as exists on the currently-approved Map H. This does not involve an additional change to any of the uses, but merely to revise the drawing in the upper left corner of the Map which formerly depicted "Areas" to now depict "Villages."

If you have any questions, please feel free to call my legal assistant, Jayne Sears, or me.

Very truly yours,

Timothy A. Johnson, Jr. (js)

Timothy A. Johnson, Jr.

SIGNED IN ATTORNEY'S ABSENCE
TO PREVENT DELAY IN MAILING

TAJ/ar
encls.

cc: Shirley Gersholowitz, AICP, Manager
David S. Winkle, Senior Transportation Planner, Hillsborough County
John M. Meyer, DRI Coordinator, TBRPC
Kent Fast, AICP, FDOT
Charles Gauthier, AICP, Chief, Bureau of Local Planning, DCA
Mr. James Lashley
Edwin G. Farmer, Sr. Project Manager, KEA

Revised

*See original
in John's
Office*

Map H

**located in original
development order
book**

EXHIBIT "D"

TO RESOLUTION

NO.R00- 161

Conversion Matrix

Parcel 15 = 9.9 Acres

Parcel 40 = 3.2 Acres

13.1 Acres

Hillsborough County Future Land Use designation = URBAN Mixed Use - 20 (1.0 F.A.R.)

To convert Acres to dwelling units = $13.1 \times 20 = 262$ dwelling units

To convert Acres to square feet = $13.1 \times 43,560 = 570,636$ square feet

Using an F.A.R. of 25% (.25) = 142,659 square feet = use 150,000

Proposed Conversion =	<u>Minimum</u>	<u>Maximum</u>
Dwelling Units	0	262
Retail Square Feet	0	150,000

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



P.O. Box 1110
Tampa, Florida 33601
Telephone 276-8100

August 27, 1993

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

Re: Resolution No. R93-0161 - Amending the Development Order for Summerfield Crossing, f.k.a. Big Bend (DRI #73)

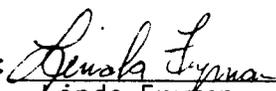
Dear Ms. Cooper:

Attached is a certified copy of referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on August 10, 1993.

We are providing this copy for your files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: 
Linda Fryman
Manager, BOCC Records

mailed 8/27/93
received 8/30/93

LF:ADF

Attachment

Certified Mail

cc: Board files (1 orig.)

J. Thomas Beck, Florida Department of Community Affairs
Summerfield Crossing

c/o Timothy A. Johnson, Jr., Esquire

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. R93-0161 Amending the Development Order for
Summerfield Crossing, f.k.a. Big Bend (DRI #73)

approved by the Board in its _____ regular meeting
of _____ August 10 _____, 19 93 _____, as the same
appears of record in MINUTE BOOK _____ 207 _____ of the
Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 27th _____
day of _____ August _____, 19 93 _____.

RICHARD AKE, CLERK

By: *Linda Lynn*
Deputy Clerk

RESOLUTION NO. R- 93-0161

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #73 DEVELOPMENT ORDER FOR
SUMMERFIELD CROSSINGS (F/K/A BIG BEND)

Upon motion of Commissioner Lydia Miller, seconded by Commissioner Sylvia Kimbell, the following Resolution was adopted on this 10th day of August, 1993, by a vote of 5 to 1.

WHEREAS, on January 22, 1982, the Board of County Commissioners (the "BOCC") approved a Development Order, Resolution #82-33, for the Summerfield Crossings Development of Regional Impact ("DRI") #73, f/k/a Big Bend DRI, (hereinafter referred to as the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes, legally described in Exhibit "A," attached hereto; and

WHEREAS, on April 30, 1993, U.S. Home Corporation ("U.S. Home") the developer of Summerfield Crossings, filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Pursuant to Subsection 380.06(19), F.S." (hereinafter referred to as the "NOPC"), attached hereto as Exhibit "B"; and

WHEREAS, the NOPC proposed to reduce the amount of approved development, to extend the date of buildout, and of each phase thereof, to revise the development plan and Map H, Master Development Plan, to reflect the reduction of development, extension of buildout dates and certain changes to the location of Parks, to provide for land use trade-off mechanisms and to amend the Development Order to modify certain transportation conditions and to include an expiration date and a date for which the DRI shall not be subject to down-zoning (hereinafter referred to as "Proposed Changes").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR SESSION THIS 10TH DAY OF AUGUST, 1993, AS FOLLOWS:

1. The following Findings of Fact are made:

A. U.S. Home submitted to Hillsborough County an NOPC, which requested approval of the following Proposed Changes:

(1) approval of a reduction of the amount of development approved in the Development Order (i.e. reduce Residential development by 1,500 units, Commercial development by 259,200 square feet, Office/Tech development by 91,200 square feet and Medical Facilities by 24,000 square feet);

- (2) approval of an extension of the project buildout date and, phases thereof (i.e. Phase I would be extended by approximately 11 years, Phase II by approximately 12 years, Phase III by approximately 13 years, and Phase IV by approximately 14 years);
 - (3) approval of a revised development plan to reflect the reduction in development and extension of the project buildout date, and phases thereof as described in subparagraphs (1) and (2) above;
 - (4) adoption of the Revised Map H, Master Development Plan (dated April 30, 1993), a copy of which is attached hereto as Exhibit "C," to reflect the reduction in development, extension of buildout dates and certain changes to the number and location of Parks;
 - (5) approval of a trade-off mechanism which would permit exchanges between Office/Tech uses and Commercial uses on the 39.5 acre parcel located at the southeast quadrant of U.S. Hwy. 301 and Big Bend Road and a trade-off mechanism which would permit exchanges between certain residential development types; and
 - (6) approval of amendments to the Development Order to modify certain transportation conditions and to provide for an expiration date and a date for which the DRI shall not be subject to down-zoning (provisions required by law).
- B. The BOCC, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to approve amendments to DRIs.
 - C. A review of the impacts generated by the Proposed Changes has been conducted by Hillsborough County, the Tampa Bay Regional Planning Council ("TBRPC") and the Department of Community Affairs ("DCA").
 - D. The Proposed Changes approved herein result in no new or additional regional impacts requiring further DRI review.

2. The following Conclusions of Law are made:
 - A. All statutory procedures have been adhered to and the impacts of the development authorized hereby are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.
 - B. Resolution #82-33 is incorporated herein by reference and is hereby reaffirmed in its entirety except as amended herein.
 - C. Except as specifically set forth herein, nothing herein shall limit or modify (i) the rights originally approved by the Development Order, (ii) the protection afforded under Section 163.3167(8), Florida Statutes, or (iii) established setbacks and lot coverage requirements.
 - D. The amendment adopted hereby is consistent with the State Comprehensive Plan, with the Comprehensive Plan of Hillsborough County, and with applicable land development regulations, and does not unreasonably interfere with the achievement of the objectives of the State Land Development Plan applicable to the area.
 - E. The applicant has submitted clear and convincing evidence to rebut the presumption of a substantial deviation created under Subsection 380.06(19), Florida Statutes, and the amendment of the Development Order as set forth herein, is found not to be a substantial deviation to the previously approved Development Order.
3. Based on the above Findings of Fact and Conclusions of Law, the BOCC hereby amends the Summerfield Crossings DRI Development Order as follows:
 - A. All references to the Big Bend DRI are hereby amended to refer to the DRI's new project name, Summerfield Crossings.
 - B. Article III, Paragraph D, of the Development Order is hereby amended to read as follows:
 1. Parks and Recreation areas are as shown on the Revised Map H, Master Development Plan (dated April 30, 1993) and have been reviewed and approved by Hillsborough County.

The developer shall reserve those areas designated "Parks" and, within six months after receiving from the Board of County Commissioners (1) a request for dedication,

and (2) plans and specifications for the nature and location of improvements, if any, to be made by the developer, shall dedicate them to Hillsborough County. Appropriate deed restrictions may be specified by the County at the time of dedication. The dedication of each such Park area shall coincide with the development of those portions of the project which the area is intended to serve.

Upon receiving a request for dedication of any such Park area, the developer shall commence construction or placement of any improvements that have been specified for that area, in order that they might be completed, if feasible, prior to dedication. The developer shall provide these improvements, at its own cost and expense, up to a total cost of \$100,000.00, at such time and in such of the recreation or open space areas as the Board of County Commissioners may direct. Improvements shall comply with pertinent standards established by Hillsborough County.

If, at the time all building permits have been issued for any phase of the development, Hillsborough County has not yet requested dedication of any Park area which is a part of that phase, the developer shall so notify the Board of County Commissioners. If within ninety (90) days of receipt of such notification the Board has not requested dedication of that area and provided plans and specifications for the improvements to be made there, if any, such area shall cease to be available for dedication and shall become private recreation or open space subject to the provisions of paragraph 2 below. However, this provision shall not apply if Hillsborough County's failure to request dedication is necessitated by the provisions of paragraphs J.2 and J.3, relating to schools.

2. The Master Development Plan shall be revised to show as private recreation or open space all areas designated on the ADA Master Development Plan for golf course or other recreational or open space use, and not referred to in paragraph 1 above as available for dedication to the County or for elimination from the Plan. These areas, as well as public recreation or open space areas identified in paragraph 1 above but no longer available under the terms thereof for

dedication to Hillsborough County, shall be used, improved, and maintained by the developer for the indicated purposes, in a manner approved by Hillsborough County.

C. Article III, Paragraph K, of the Development Order is hereby amended to read as follows:

1. The developer shall reserve sufficient land along the Big Bend Road corridor between U.S. 301 and Road "C" to accommodate the construction of a six lane divided roadway. [The following right-of-way for Big Bend Road has already been either dedicated or reserved: 140 feet dedicated between U.S. 301 and Road "C"; 120 feet dedicated between Road "C" and a point just west of Road "G"; and 120 feet reserved between a point just west of Road "G" and Balm-Riverview Road.] Each time the developer seeks preliminary plat or preliminary plan approval for a portion of the project, the County shall determine, based upon the most recent Bi Annual transportation report (a report required as set forth in paragraph K.6. below) whether the traffic which will be generated by that portion will, when added to traffic volume generated or projected as a result of the portions previously developed or previously or concurrently approved, cause total traffic volume to rise above acceptable levels for any portion of Big Bend Road. If it is determined that traffic is likely to exceed such levels, the developer will, at that time, dedicate such land along the Big Bend Road corridor as is necessary to accommodate construction of whatever road improvements the County determines are necessary to ensure that Big Bend Road will operate at least at Level of Service D (peak hour). If it is later determined by the County that any part of these reserved lands are not in fact needed to accommodate the road improvements herein contemplated, the Board of County Commissioners may allow development there, in accordance with the other terms and conditions of this Development Order.
2. The developer shall be responsible for design and construction of all internal roadway improvements within the Summerfield Crossings development. These roads shall be constructed

in accordance with Hillsborough County standards in effect at the time of construction, except as provided herein. With regard to Summerfield Blvd., Road "C," Road "D" and Road "G," unless otherwise provided for in paragraphs K.7 or K.11.(g) below, the developer shall be responsible to dedicate the right-of-way for the segments of each roadway that extend beyond constructed development to the DRI's northern and southern boundaries, as applicable. The remaining roadway segments may be constructed to extend to the DRI's northern and southern boundaries at such time as preliminary plats or preliminary plans are approved for property to the north or south of Summerfield Crossings, but in no event shall the construction of any roadway segments be delayed beyond the initiation of Phase IV.

3. The developer shall be responsible for design and construction of intersection geometric and signalization improvements at the access points of the Summerfield Crossings development with adjacent exterior roads, which are required because of traffic generated or expected to be generated by the Summerfield Crossings development. All intersections meeting signal warrants at access points to U.S. 301 or Big Bend Road, as a result of total current and projected traffic, shall be designed to the more conservative of the following: (a) Level of Service D (peak hour) or (b) critical lane operation level for the five-year projected traffic.
4. Access to U.S. 301 from the Regional Mall, Community Commercial and Office/Tech Areas will be designed at a Level of Service D (peak hour).
5. The minimum spacing between major intersections leading from any point within the development to U.S. 301 or Big Bend Road shall be made so as to optimize traffic flow as determined by the County in accordance with standard engineering practice.
6. (a) The developer shall prepare and submit, every two (2) years from the date of issuance of the Development Order, as amended, for review and approval by

appropriate DCA and County authorities, a revised traffic/transportation analysis to show adequacy of transportation facilities provided. This analysis shall include current traffic counts on the links where the development traffic comprises 4.5% of the acceptable level of service standard capacity and shall include the projected impact of uncompleted portions of the Summerfield Crossings development. The nature and extent of analysis to be conducted by the developer shall be obtained in writing from Hillsborough County and the DCA prior to the date of submittal of the analysis.

(b) The trip generation assumptions, projections, and roadway network used to develop the conditions relating to transportation system improvements may be adjusted by Hillsborough County as appropriate in light of the data generated by these studies or as recommended by DCA. If applicable, the DCA may recommend to the Developer and to the Board of County Commissioners modifications to the transportation system improvement conditions. The transportation system improvement conditions may only be modified accordingly by the Board of County Commissioners.

7. Except as provided in condition K.2. above, the developer shall plan for and provide two collector roadways on approximately 1-mile spacings extending from Balm Road to Symmes Road and from Balm Road to Rhodine Road on reasonably direct and environmentally practical alignments. These two collector roadways are commonly referred to in the May, 1993, transportation analysis submitted in connection with a Notice of Proposed Change application as Summerfield Boulevard and the combination of Road "D" and Road "G." Alternatively, the developer may provide a different road alignment, subject to the County's approval, that is designed to facilitate north-south traffic flow through the project and alleviate traffic impact on major corridors. In conjunction with the

development of these collector roads, the Developer shall be responsible for the extension of Symmes Road from U.S. 301 to Balm-Riverview Road.

8. A proposal to change construction of the Regional Mall to a phase earlier than Phase III, as set out in the application shall be considered as a substantial deviation from the approved development and shall require further assessment pursuant to Chapter 380.06, Florida Statutes.
9. The following transportation system improvements shall be completed or under construction before initiation of any development phase after Phase I:
 - (a) Interstate 75 shall be completed in the primary Impact Area from S.R. 674 north to S.R. 60. [This improvement has been completed.]
 - (b) Widening of Big Bend Road from 2 lanes to 4 lanes from U.S. 301 to I-75. [This improvement has been completed.]
10. The following transportation system improvements shall be completed or under construction before initiation of any development phase after Phase II:
 - (a) Widening of Big Bend Road from 2 lanes to 4 lanes from U.S. 301 to Road "G." [This improvement has been completed.]
 - (b) Widening of Big Bend Road from 2 lanes to 4 lanes from Road "G" to Road "D." [Design plans have been approved by Hillsborough County.]
 - (c) Improvements to the following intersections as described herein:
 - (1) U.S. 301/Bloomingdale Avenue - construct a southbound left turn lane.
 - (2) U.S. 301/Riverview Drive - construct an eastbound right turn lane.

- (3) U.S. 301/Gibson Drive - at the eastbound approach convert the outer lane to a shared through/right turn lane.
- (4) U.S. 301/Symmes Road - unsignalized - construct an eastbound left turn lane.
- (5) U.S. 301/Fairway Meadow Drive - construct a connection to U.S. 301.
- (6) U.S. 301/Woodbridge Drive - construct a connection to U.S. 301.

11. The following transportation system improvements shall be completed or under construction before initiation of any development phase after Phase III.

- (a) Widening of Big Bend Road from 4 lanes to 6 lanes from U.S. 301 to Road "C." [Design plans have been approved by Hillsborough County.]

The developer shall participate in the cost of construction of the 5th and 6th lane by making a fair share contribution of money to Hillsborough County. The developer's fair share contribution shall be determined by use of the formula described below:

$$\begin{array}{r}
 \text{Developer's existing and} \\
 \text{projected traffic volumes} \\
 \text{on the described segment} \\
 \hline
 \text{Total existing and} \\
 \text{projected traffic volumes} \\
 \text{on the described segment}
 \end{array}
 \times
 \begin{array}{r}
 \text{total} \\
 \text{cost of} \\
 \text{construc-} \\
 \text{tion}
 \end{array}$$

The determination of the traffic volumes described above shall be made at the completion of Phase III. The total cost of construction shall include: plans preparation, grading, base, required drainage structures, surface, bridges, signing and signalization. The contribution shall be transmitted to Hillsborough County upon the request of the Board of County Commissioners of Hillsborough County which request may

issue at any time after completion of Phase III and the required traffic analysis.

- (b) Widening of I-75 to 8 lanes from Gibsonton Drive to S.R. 60. [This improvement has been completed.]
- (c) Widening of U.S. 301 from 2 lanes to 4 lanes from Rhodine Road to Gibsonton Drive.
- (d) Channelization and signalization of the intersection of U.S. 301 and Boyette Road. [This improvement has been completed.]
- (e) Symmes Road Extension - Extend Symmes Road east of U.S. 301 to Balm Riverview Road.
- (f) Improvements to the following intersections as described herein:
 - (1) U.S. 301/Gibsonton Drive - add one left turn lane to eastbound, northbound and southbound approaches.
 - (2) U.S. 301/Symmes Road - connect Symmes' westbound approach to U.S. 301.
 - (3) U.S. 301/Road "C" - construct connection to U.S. 301.
- (g) Construct Summerfield Blvd., from Balm Road to Symmes Road; Road "D," from Big Bend Road to Rhodine Road; Road "G," from Balm Road to Big Bend Road; and Symmes Road from U.S. 301 to Balm-Riverview Road.

12. The following transportation system improvements shall be completed or under construction before June 15, 2004, or permits for Phase IV development will not continue to be issued:

- (a) Channelization and signalization of the intersection of Boyette Road and Balm/Riverview Road.

- (b) U.S. 301/Bloomington Avenue - add one through lane to eastbound and westbound approaches.
 - (c) U.S. 301/Riverview Drive - add one right turn lane to the northbound and southbound approaches.
 - (d) U.S. 301/Balm-Riverview Road - add one left turn lane to the southbound approach.
 - (e) U.S. 301/Gibson Drive - add one right turn lane to the eastbound approach and add one through lane to the northbound approach.
 - (f) U.S. 301/Symmes Road - construct a northbound right turn lane and a southbound right turn lane, signalize.
 - (g) U.S. 301/Big Bend Road - add one through lane to the eastbound and westbound approaches.
 - (h) Big Bend Road/Balm-Riverview Road - construct an eastbound left turn lane.
 - (i) Boyette Road/Balm-Riverview Road - signalize.
13. If transit utilization appears to be feasible in the future in meeting some of the transportation demands of the development, the developer shall cooperate with the Hillsborough Area Regional Transit Authority in providing bus stops, shelters, etc., to encourage the use of transit.
14. For purposes of this section the words "under construction" shall be construed to mean physical construction activities pursuant to the terms of an executed contract.
15. There shall be a trade off mechanism which will allow land uses to be traded in accordance with the following standards:
- a. With respect only to the 39.5 acre parcel located at the southeast quadrant of U.S. Hwy. 301 and Big Bend Road, as shown on

Revised Map H attached hereto as Exhibit "C," 1,000 square feet of Office/Tech land use is equivalent to 382 square feet of commercial land use and vice versa.

b. With respect to any parcels designated for residential use on Revised Map H attached hereto as Exhibit "C:"

- 1) 1.0 Single Family detached unit = 1.84 Townhomes;
- 2) 1.0 Townhome = 0.87 Apartment;
- 3) 1.0 Apartment = 1.14 Townhomes;
- 4) 1.0 Apartment = 0.63 Single Family detached unit; and
- 5) 1.0 Townhome = 0.55 Single Family detached unit.

D. Article III of the Development Order is amended to include Paragraph "M," which shall read as follows:

"M. The proposed development plan for the project is as follows:

USE/PHASE	I (1982-95)	II (1996-98)	III (1999-2002)	IV (2003-2005)	TOTAL
RESIDENTIAL					
Single Family and Patio Homes	760	728	604	547	2,639 d.u.
Townhouses and Villa Homes	304	457	430	270	1,461 d.u.
Multi-family Apartments	-	220	258	172	650 d.u.
SUBTOTAL	<u>1,064</u>	<u>1,405</u>	<u>1,292</u>	<u>989</u>	<u>4,750 d.u.</u>
COMMERCIAL					
Neighborhood Centers	48,000	37,000	67,000	30,000	182,000 sq.ft.
Community Centers	60,300	115,000	103,500	-	278,800 sq.ft.
Regional Mall	-	-	380,000	380,000	760,000 sq.ft.
SUBTOTAL	<u>108,300</u>	<u>152,000</u>	<u>550,500</u>	<u>410,000</u>	<u>1,220,800 sq.ft.</u>
OFFICE/TECHNICAL PARK	20,000	80,000	180,000	288,800	568,800 sq.ft.
COMMUNITY SERVICES					
Schools		1	1	2 schools	
Churches					2 sites
Community Services					4 sites
Medical		76,000			76,000 sq.ft.
RECREATION/OPEN SPACE					
Golf and Recreation Complex	182.2			182.2 acres	
Recreation Parks					8.9 acres 44.9 acres

- E. Article IV, Paragraph P, of the Development Order is hereby deleted.
- F. The Developer is authorized to complete the development as described herein subject to the terms and conditions of the Development Order, as amended hereby.
- G. Article IV of the Development Order, General Provisions, is hereby amended to include a new Paragraph "P," which shall read as follows:
- "The Development Order shall remain in effect for a period of 23 years, through December 31, 2005."
- H. Article IV of the Development Order, General Provisions, is hereby amended to include Paragraph "Q," which shall read as follows:
- "Prior to December 31, 2005, the development approved herein shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless Hillsborough County can demonstrate that substantial changes in the conditions underlying the approval of the Development Order have occurred or the Development Order was based on substantially inaccurate information provided by the developer or that the change is clearly established by Hillsborough County to be essential to the public health, safety, or welfare."
- I. Map H, Master Development Plan for Summerfield Crossings, is hereby revised and replaced by the Revised Map H, Master Development Plan, dated April 30, 1993, attached hereto as Exhibit "C."
4. The development approved herein is vested against the concurrency provisions adopted by Hillsborough County.
5. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.
6. This Resolution shall become effective upon rendition by the BOCC in accordance with Section 380.06, Florida Statutes.
7. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk of the BOCC by certified mail to the DCA, the TBRPC, and other recipients specified by statute or rules.

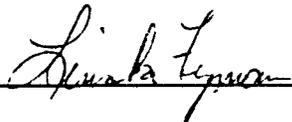
STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

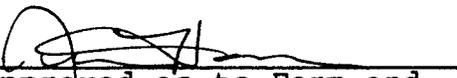
I, RICHARD AKE, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting on August 10, 1993, as the same appears of record in Minute Book 207 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 27th day of August, 1993.

RICHARD AKE, CLERK

By: 

APPROVED BY COUNTY ATTORNEY

By: 
Approved as to Form and
Legal Sufficiency

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911\DHM\21018ccr1
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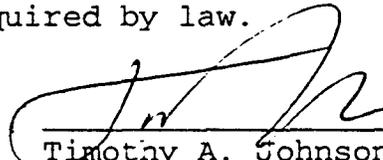
AFFIDAVIT

STATE OF FLORIDA }
 }
COUNTY OF PINELLAS }

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 acknowledgments, personally appeared Timothy A. Johnson, Jr., as attorney for U.S. Home corporation ("U.S. Home"), the applicant for the Summerfield Crossings DRI Notice of Proposed-Change application (DRI Change No. 1), to me well known, who being by me first duly sworn, says upon oath as stated below:

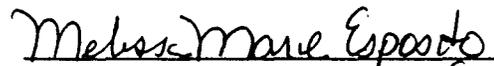
1. U.S. Home filed its Notice of Proposed Change for the Summerfield Crossings DRI on April 30, 1993.

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.



Timothy A. Johnson, Jr.
Attorney for U.S. Home

Sworn to and subscribed before me this 18th day of August, 1993.


Notary Name: Melissa Marie Esposito
My Commission Expires:



MELISSA MARIE ESPOSITO
MY COMMISSION # CC280773 EXPIRES
May 30, 1997
BONDED THRU TROY FAIR INSURANCE, INC.

EXHIBIT "A"
LEGAL DESCRIPTION

EXHIBIT "A"

A parcel of land including all or portions of Sections 8, 9, 10, 11, 15, 16 and 17 in Township 31 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 8, Township 31, South Range 20 East; thence N.89°42'37"E. along the South line of the Southwest 1/4 said Section 8 for 132.00 feet to a point of intersection with the Easterly Right-of-Way line of U.S. Highway 1301 (State Road No. 43), said point being the POINT OF BEGINNING of the herein described parcel of land; thence continue along the Easterly Right-of-Way line of U.S. Highway 1301 for the following two (2) described courses: 1) N.00°00'03"E. for 2769.81 feet to the Point of Curvature of a circular curve concave to the East; 2) Northerly along the arc of said curve having a radius of 5597.58 feet and a central angle of 5°41'23", for 555.86 feet to an intersection with the South line of the North 1980 feet of the North 3/4 of said Section 8; thence run along the last described South line for the following three (3) courses: 1) N.89°41'18"E. for 2508.84 feet to an intersection with the East line of the Northwest 1/4 of said Section 8; 2) N.89°47'46"E. for 1716.03 feet; 3) N.89°48'58" E. for 968.63 feet to an intersection with the West line of the Northwest 1/4 of said Section 9, Township 31 South, Range 20 East; thence N.0°15'23"W. along the West line of the Northwest 1/4 of said Section 9 for 1980.14 feet to the Northwest corner of said Section 9; thence N.89°46'00"E. along the North line of the Northwest 1/4 of said Section 9 for 2624.32 feet to the Northeast corner of the Northwest 1/4 of said Section 9; thence N.89°44'54"E. along the North line of the Northeast 1/4 of said Section 9 for 1269.79 feet; thence N.89°45'12"E. continuing along the North line of the Northeast 1/4 of said Section 9 for 1357.46 feet to the Northeast corner of said Section 9, the same being the Northwest corner of said Section 10; thence N.89°28'59"E. along the North line of said Section 10 for 2139.02 feet to a concrete monument; thence S.1°29'39"E. for 880.79 feet to a concrete monument; thence N.89°30'21"E. for 2155.06 feet to a concrete monument, said point being a point on the Westerly Right-of-Way line of Balm-Riverview Road; thence run along the Westerly Right-of-Way line of Balm-Riverview Road for the following three (3) described courses: 1) S.23°27'37"E. for 1433.57 feet; 2) S.24°15'00"E. for 1417.22 feet; 3) S.29°56'27"E. for 547.87 feet to an intersection with the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 11, Township 31 South, Range 20 East; thence run S.89°57'01"W. along the last described South line for 282.67 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 10, Township 31 South, Range 20 East; thence S.89°34'32"W. along the South line of the North 1/2 of the Southeast 1/4 of said Section 10 for 2686.38 feet to the Southwest corner of the North 1/2 of the Southeast 1/4 of said Section 10; thence S.1°31'35"E. along the East line of the Southwest 1/4 of said Section 10 for 1323.68 feet to the South 1/4 corner of said Section 10; thence S.0°11'05"W. along the East line of the Northwest 1/4 of Section 15, Township 31 South, Range 20 East, for 1325.76 feet to the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 15; thence S.89°34'24"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 15 for 2663.20 feet to the Southeast corner of the North 1/2 of the Northeast 1/4 of Section 16, Township 31 South, Range 20 East; thence S.89°36'20"W. along the South line of the North 1/4 of said Section 16 for 5359.98 feet to the Southwest corner of the North 1/4 of said Section 16; thence S.89°39'42"W. along the South line of the North 1/2 of the Northeast 1/4 of said Section 17, Township 31 South, Range 20 East for 2681.22 feet; thence S.89°46'15"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 17 for 2565.01 feet to an intersection with the Easterly Right-of-Way line of the aforementioned U.S. Highway 1301; thence run N.00°00'41"E. along the last described Easterly Right-of-Way line for 1326.67 feet to the POINT OF BEGINNING. LESS therefrom the existing Right-of-Way for Big Bend Road and any other dedicated Rights-of-Way.

EXHIBIT "B"

NOPC APPLICATION
APRIL 30, 1993, AS AMENDED

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

RPM-BSP-PROPCHANGE-1

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 council, and the state land planning agency according to this form.

1. I, Gene Lanton, the undersigned authorized representative of U.S. Home Corporation, a Delaware corporation, hereby give notice of a proposed change to a previously approved Development of Regional Impact (DRI) in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the Summerfield Crossings DRI (f/k/a Big Bend DRI) 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, to the Tampa Bay Regional Planning Council, and to the Bureau of Resource Management, Department of Community Affairs.

4/30/93

(Date)

Gene Lanton
Gene Lanton

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DEVELOPMENT SERVICES
CENTER

APR 30 1993

2. Applicant:

U.S. Home Corporation
311 Park Place Blvd., Ste. 600
Clearwater, FL 34616
Phone: (813) 796-0911

3. Authorized Agent:

Timothy A. Johnson, Jr., Esquire
Johnson, Blakely, Pope, Bokor,
Ruppel & Burns, P.A.
911 Chestnut Street
Clearwater, Florida 34616
Phone: (813) 461-1818

4. Location of approved DRI and proposed change:

Summerfield Crossings DRI is located within the unincorporated area of Hillsborough County, Florida. More specifically, the property lies in Sections 8, 9, 10, 11, 15, 16 and 17, Township 31 South, Range 20, East, Hillsborough County, Florida. A copy of the legal description for the DRI is attached hereto as Exhibit "A."

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 Applicant, by submission of this Notice of Proposed Change application ("NOPC"), is proposing to amend the Summerfield Crossings Development Order to:

- a. reduce the amount of approved development;

- b. extend the project buildout date, and phases thereof;
- c. revise the approved development plan to reflect the reduction in development and extension of buildout dates; and
- d. revise Map H, Master Development Plan, to reflect the reduction in development and extension of buildout dates and certain changes in the number and location of parks.
- e. revise the Development Order to include an expiration date and a date for which the DRI shall not be subject to down-zoning (provisions required by law).

Reduction of Development: The Applicant is proposing to decrease total Residential development by 1,500 units, to decrease Commercial development by 259,200 square feet, to decrease Office/Tech development by 91,200 square feet and to decrease Medical Facilities by 24,000 square feet. This significant decrease of total project development offsets the potential for adverse development impacts, which were not previously reviewed and/or addressed in development order conditions, that could be associated with the requested extension of project buildout, and phases thereof.

DEVELOPMENT SERVICES
UNIT

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APR 10 1993

Extension of Buildout: The Applicant is also proposing an extension of the project buildout and phases thereof. A comparison of the original approved phasing schedule and the proposed phasing schedule is as follows:

<u>PHASE</u>	<u>ORIGINAL SCHEDULE</u>	<u>PROPOSED SCHEDULE</u>
I	1981 - 1984	1982 - 1995
II	1984 - 1986	1996 - 1998
III	1986 - 1989	1999 - 2002
IV	1989 - 1991	2003 - 2005

DEVELOPMENT
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A Transportation Analysis supporting the proposed changes will be forthcoming shortly. The Transportation Analysis will provide sufficient justification that the cumulative effect of reducing the approved development and extending the project buildout, and phases thereof, does not create any additional regional impact not previously reviewed.

To assist reviewing agencies in understanding the reduction in total development, and phases thereof, the Applicant has created a comparative table showing the adopted and proposed Development Plan. The comparative table is attached hereto as Exhibit "B." As the name implies, the Applicant is requesting approval of the revised development plan described as the "Proposed Development Plan."

Changes in Parks: Since adoption of the Development Order the Applicant has worked in concert with Hillsborough County to provide acceptable locations and types of Parks for the DRI. The number of public Parks and the location of the

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Parks have changed, but the amount of Park acreage has increased. The Applicant is proposing to amend the Development Order to reflect the changes which have been agreed to by Hillsborough County.

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, please indicate no change.

Please refer to the Substantial Deviation Determination Chart, attached as Exhibit "C."

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 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?

The Summerfield Crossings DRI was approved by the Hillsborough County Board of County Commissioners ("BOCC") on January 22, 1982, pursuant to Resolution No. 82-33. Although not amendments to the DRI Development Order, it should be noted that:

- a. On December 10, 1991, the BOCC accepted the 1990-91 Annual Report for Summerfield Crossings DRI. At that time, the BOCC found that the DRI was not in compliance with the Development Order because development of the project was more than eight (8) years behind schedule. [The BOCC relied on the phasing information presented in the DRI Application for Development Approval ("ADA").

CONCURRENCE WITH BOCC
COUNCIL
APR 30 1993

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The DRI Development Order did not specify phasing dates. The Development Order incorporated, by reference, the information in the ADA.] The BOCC required that an NOPC be submitted to Hillsborough County by December 10, 1992, to specifically address the phasing schedule. Also at that meeting, the BOCC approved postponement of the submittal of the Bi-Annual Traffic Analysis to December, 1992, in order that it would be submitted concurrently with the NOPC application.

- b. In October, 1992, the Applicant requested an extension of the deadline to submit the Bi-Annual Traffic Analysis report and NOPC.
- c. On January 12, 1993, the BOCC approved an extension to file the NOPC subject to certain conditions. One such condition was that the Applicant would file an NOPC on or before April 30, 1993, to address phasing. The Applicant is complying with this condition by submission of this NOPC.

Finally, there has been no change in local government jurisdiction for any portion of the Summerfield Crossings development since the Development Order was issued.

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DEVELOPMENT SERVICES
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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, and intended use, and adjacent non-project land uses within 1/2 mile on a project master site plan or other map.

The Applicant has neither purchased nor optioned any such land.

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.

The proposed changes are less than forty percent (40%) of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes. The Applicant is proposing to reduce the amount of approved development, which in turn, does not result in the triggering of any of the referenced criteria.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.

Yes _____ No X

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. Please see description of changes provided on page 3, response to Question 5, of this Application.

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

No.

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:

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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.

Please refer to the Revised Map H, Master Development Plan, (dated April 30, 1993), attached hereto as Exhibit "D."

13. Pursuant to Subsection 380.06(10)(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 for 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;
- 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;
- c. A proposed amended development order deadline for commencing physical development of the proposed changes, is applicable;
- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;
- 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
- 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 9J-2.025(7), F.A.C.

Please refer to the draft Resolution attached hereto as Exhibit "E."

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DEVELOPMENT SERVICES
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EXHIBIT "A"
LEGAL DESCRIPTION

DEVELOPMENT SERVICES
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A parcel of land including all or portions of sections 8, 9, 10, 11, 15, 16 and 17 in Township 31 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 8, Township 31, South Range 20 East; thence N.89°42'37"E. along the South line of the Southwest 1/4 said Section 8 for 132.00 feet to a point of intersection with the Easterly Right-of-Way line of U.S. Highway 1301 (State Road No. 43), said point being the POINT OF BEGINNING of the herein described parcel of land; thence continue along the Easterly Right-of-Way line of U.S. Highway 1301 for the following two (2) described courses: 1) N.00°00'03"E. for 2769.81 feet to the Point of Curvature of a circular curve concave to the East; 2) Northerly along the arc of said curve having a radius of 5597.58 feet and a central angle of 5°41'23", for 555.86 feet to an intersection with the South line of the North 1980 feet of the North 3/4 of said Section 8; thence run along the last described South line for the following three (3) courses: 1) N.89°41'18"E. for 2508.84 feet to an intersection with the East line of the Northwest 1/4 of said Section 8; 2) N.89°47'46"E. for 1716.03 feet; 3) N.89°48'58" E. for 968.63 feet to an intersection with the West line of the Northwest 1/4 of said Section 9, Township 31 South, Range 20 East; thence N.0°15'23"W. along the West line of the Northwest 1/4 of said Section 9 for 1980.14 feet to the Northwest corner of said Section 9; thence N.89°46'00"E. along the North line of the Northwest 1/4 of said Section 9 for 2624.32 feet to the Northeast corner of the Northwest 1/4 of said Section 9; thence N.89°44'54"E. along the North line of the Northeast 1/4 of said Section 9 for 1269.79 feet; thence N.89°45'12"E. continuing along the North line of the Northeast 1/4 of said Section 9 for 1357.46 feet to the Northeast corner of said Section 9, the same being the Northwest corner of said Section 10; thence N.89°28'59"E. along the North line of said Section 10 for 2139.02 feet to a concrete monument; thence S.1°29'39"E. for 880.79 feet to a concrete monument; thence N.89°30'21"E. for 2155.06 feet to a concrete monument, said point being a point on the Westerly Right-of-Way line of Balm-Riverview Road; thence run along the Westerly Right-of-Way line of Balm-Riverview Road for the following three (3) described courses: 1) S.23°27'37"E. for 1433.57 feet; 2) S.24°15'00"E. for 1417.22 feet; 3) S.29°56'27"E. for 547.87 feet to an intersection with the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 11, Township 31 South, Range 20 East; thence run S.89°57'01"W. along the last described South line for 282.67 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 10, Township 31 South, Range 20 East; thence S.89°34'32"W. along the South line of the North 1/2 of the Southeast 1/4 of said Section 10 for 2686.38 feet to the Southwest corner of the North 1/2 of the Southeast 1/4 of said Section 10; thence S.1°31'35"E. along the East line of the Southwest 1/4 of said Section 10 for 1323.68 feet to the South 1/4 corner of said Section 10; thence S.0°11'05"W. along the East line of the Northwest 1/4 of Section 15, Township 31 South, Range 20 East, for 1325.76 feet to the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 15; thence S.89°34'24"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 15 for 2663.20 feet to the Southeast corner of the North 1/2 of the Northeast 1/4 of Section 16, Township 31 South, Range 20 East; thence S.89°36'20"W. along the South line of the North 1/4 of said Section 16 for 5359.98 feet to the Southwest corner of the North 1/4 of said Section 16; thence S.89°39'42"W. along the South line of the North 1/2 of the Northeast 1/4 of said Section 17, Township 31 South, Range 20 East for 2681.22 feet; thence S.89°46'15"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 17 for 2565.01 feet to an intersection with the Easterly Right-of-Way line of the aforementioned U.S. Highway 1301; thence run N.00°00'41"E. along the last described Easterly Right-of-Way line for 1326.67 feet to the POINT OF BEGINNING. LESS therefrom the existing Right-of-Way for Big Bend Road and any other dedicated Rights-of-Way.

RECORDING SERVICES
 APR 30 1993

EXHIBIT "B"
COMPARATIVE LAND USE TABLE

10-1-1968

10-1-1968

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EXHIBIT
COMPARATIVE LAND USE TABLE

APPROVED DEVELOPMENT PLAN

USE/PHASE	I (1981-84)	II (1984-86)	III (1986-89)	IV (1989-91)	TOTAL
RESIDENTIAL					
Single Family and Patio Homes	768	912	748	548	2,976 d.u.
Townhouses and Villa Homes	632	602	635	354	2,223 d.u.
Multi-family Apartments	-	336	317	398	1,051 d.u.
SUBTOTAL	<u>1,400</u>	<u>1,850</u>	<u>1,700</u>	<u>1,300</u>	<u>6,250 d.u.</u>
COMMERCIAL					
Neighborhood Centers	48,000	-	67,000	67,000	182,000 sq.ft.
Community Centers	-	115,000	87,000	96,000	298,000 sq.ft.
Regional Mall	-	-	700,000	300,000	1,000,000 sq.ft.
SUBTOTAL	<u>48,000</u>	<u>115,000</u>	<u>854,000</u>	<u>463,000</u>	<u>1,480,000 sq.ft.</u>
OFFICE/TECHNICAL PARK	150,000	180,000	260,000	70,000	660,000 sq.ft.
COMMUNITY SERVICES					
Schools	0	1	-	1	2 elementary
Churches	-	1	-	1	2 sites
Community Services	1	-	-	-	1 site
Medical	-	100,000	-	-	100,000 sq.ft.
RECREATION/OPEN SPACE					
Golf and Recreation Complex	18 hole reg. and 18 hole exec. course				219 acres
Recreation Parks					43 acres

PROPOSED DEVELOPMENT PLAN

USE/PHASE	I (1982-95)	II (1996-98)	III (1999-2002)	IV (2003-2005)	TOTAL
RESIDENTIAL					
Single Family and Patio Homes	760	728	604	547	2,639 d.u.
Townhouses and Villa Homes	304	457	430	270	1,461 d.u.
Multi-family Apartments	-	220	258	172	650 d.u.
SUBTOTAL	<u>1,064</u>	<u>1,405</u>	<u>1,292</u>	<u>989</u>	<u>4,750 d.u.</u>
COMMERCIAL					
Neighborhood Centers	48,000	37,000	67,000	30,000	182,000 sq.ft.
Community Centers	60,300	115,000	103,500	-	278,800 sq.ft.
Regional Mall	-	-	380,000	380,000	760,000 sq.ft.
SUBTOTAL	<u>108,300</u>	<u>152,000</u>	<u>550,500</u>	<u>410,000</u>	<u>1,220,800 sq.ft.</u>
OFFICE/TECHNICAL PARK	20,000	80,000	180,000	288,800	568,800 sq.ft.
COMMUNITY SERVICES					
Schools		1		1	2 schools
Churches					2 sites
Community Services					4 sites
Medical		76,000			76,000 sq.ft.
RECREATION/OPEN SPACE					
Golf and Recreation Complex	182.2				182.2 acres
Recreation Parks					8.9 acres
					44.9 acres

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EXHIBIT "C"
SUBSTANTIAL DEVIATION CHART

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 SUBSTANTIAL DEVIATION CHART
 SUMMERFIELD CROSSINGS DRI

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

DEVELOPMENT SERVICES
 CENTER

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EXHIBIT "C"
SUBSTANTIAL DEVIATION CHART SUMMERFIELD CROSSINGS DRI (continued)

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Industrial.	Acreeage, including drain- age, ROW, easements, etc. # Parking Spaces Buildings (gross sq. ft.) # Employees Chemical storage (barrels and lbs.) Site locational changes # External Vehicle Trips D.O. conditions ADA representations	(1)		
	Acreeage 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	N/A		
Mining Operations	Acreeage, including drain- age, ROW, easements, etc. Building (gross sq. ft.) # Parking Spaces # Employees Site locational changes # External Vehicle Trips D.O. conditions ADA representations	69.2 ac. (4)	76 ac.	760,000 sq. ft. (2)
Office	Building (gross sq. ft.) # Parking Spaces # Employees Site locational changes # External Vehicle Trips D.O. conditions ADA representations	644,800 sq. ft. No change No change No change (3) No change No change		

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EXHIBIT "C"
 SUBSTANTIAL DEVIATION CHART SUMMERFIELD CROSSINGS DRI (continued)

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		N/A	
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		N/A	
Residential	# dwelling units Type of dwelling units # lots Acreage, including drainage, ROW, easements, etc. Site locational changes # External Vehicle Trips D.O. conditions ADA representations	4,750 d.u. 1,039 ac. (4) No change (3) No change No change	6,250 d.u. 1,039 ac.	

DEPARTMENT SERVICES
 CENTER

APR 30 1993

EXHIBIT "C"
SUBSTANTIAL DEVIATION CHART SUMMERFIELD CROSSINGS DRI (continued)

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Wholesale, Retail, Service	Acreeage, including drain- age, ROW, easements, etc.	109 ac. (4)	120 ac.	
	Floor Space (gross sq. ft.)	1,220,800 sq. ft.	1,480,000 sq. ft.	
	# Parking Spaces	No change		
	# Employees	No change		
	Site locational changes	No change		
	# External Vehicle Trips	(3)		
	D.O. Conditions	No change		
	ADA representations	No change		
	# Rental Units			N/A
	Floor Space (gross sq. ft.)			
Hotel/Motel	# Parking Places			
	# Employees			
	Site locational changes			
	Acreeage, including drain- age, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			
	Acreeage, including drainage, ROW, easements, etc.			N/A
	# Parking Spaces			
	Buildings (gross square feet)			
R.V. Park	# Employees			
	Site locational changes			
	# External Vehicle Trips			
	D.O. conditions			
	ADA representations			
	Acreeage, including drainage, ROW, easements, etc.			
	# Parking Spaces			
	Buildings (gross square feet)			
	# Employees			
	Site locational changes			

APR 30 1993
CIVIL ENGINEER

EXHIBIT "D"

REVISED MAP H, MASTER DEVELOPMENT PLAN

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DEVELOPMENT SERVICES
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APR 30 1993

EXHIBIT "C"
SUBSTANTIAL DEVIATION CHART SUMMERFIELD CROSSINGS DRI (continued)

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	552.9 ac. (4)	483 ac. (4)	
	Site locational changes	No change		
	Type of open space	No change		
	D.O. conditions	No change		
Preservation, Buffer or Special Protection Areas	ADA representations	No change		
	Acreage	111 ac. (5)	103 ac. (5)	
	Site locational changes	No change		
	Development of site proposed	No change		
	D.O. conditions	No change		
	ADA representations	No change		

(1) Light industrial issues are permitted in the "Office/Tech" category. For purposes of completing this chart these uses are included under the heading "Office."
 (2) "Office" entitlements include "Office/Tech" and "Medical" categories.
 (3) Please refer to a Transportation Analysis to be provided under separate cover.
 (4) For purposes of completing this Chart "Open Space" includes Golf and Recreation Complex, Recreation, Parks, Lakes, Conservation and Drainage.
 (5) For purposes of completing this Chart, 111 acres of "Conservation" are shown in this category.

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EXHIBIT "E"
DRAFT RESOLUTION

EXHIBIT "E"

RESOLUTION NO. R- _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #73 DEVELOPMENT ORDER FOR
SUMMERFIELD CROSSINGS (F/K/A BIG BEND)

Upon motion of Commissioner _____, seconded by
Commissioner _____, the following Resolution was adopted on
this ____ day of _____, 1993, by a vote of ____ to ____.

WHEREAS, on January 22, 1982, the Board of County
Commissioners (the "BOCC") approved a Development Order,
Resolution #82-33, for the Summerfield Crossings Development of
Regional Impact ("DRI") #73, f/k/a Big Bend DRI, (hereinafter
referred to as the "Development Order") pursuant to the
provisions of Section 380.06, Florida Statutes, legally described
in Exhibit "A," attached hereto; and

WHEREAS, on April 30, 1993, U.S. Home Corporation ("U.S.
Home") the developer of Summerfield Crossings, filed an
application entitled "Notification of Proposed Change to a
Previously Approved Development of Regional Impact (DRI) Pursuant
to Subsection 380.06(19), F.S." (hereinafter referred to as the
"NOPC"), attached hereto as Exhibit "B"; and

WHEREAS, the NOPC proposed to reduce the amount of approved
development, to extend the date of buildout, and of each phase
thereof, to revise the development plan and Map H, Master
Development Plan, to reflect the reduction of development,
extension of buildout dates and certain changes to the location
of Parks, and to amend the Development Order to include an
expiration date and a date for which the DRI shall not be subject
to down-zoning (hereinafter referred to as "Proposed Changes").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

1. The following findings of fact are made:

A. U.S. Home submitted to Hillsborough County an NOPC,
which requested approval of the following Proposed
Changes:

- (1) approval of a reduction of the amount of
development approved in the Development Order;
- (2) approval of an extension of the project
buildout date and, phases thereof;

- (3) approval of a revised development plan to reflect the reduction in development and extension of the project buildout date, and phases thereof;
- (4) adoption of the Revised Map H, Master Development Plan (dated April 30, 1993), a copy of which is attached hereto as Exhibit "C," to reflect the reduction in development, extension of buildout dates and certain changes to the number and location of Parks; and
- (5) approval of amendments to the Development Order to provide for an expiration date and a date for which the DRI shall not be subject to down-zoning (provisions required by law).

- B. The BOCC, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to approve amendments to DRIs.
- C. A review of the impacts generated by the Proposed Changes has been conducted by Hillsborough County, the Tampa Bay Regional Planning Council ("TBRPC") and the Department of Community Affairs ("DCA").
- D. The Proposed Changes approved herein result in no new or additional regional impacts requiring further DRI review.

2. The following Conclusions of Law are made:

- A. All statutory procedures have been adhered to and the impacts of the development authorized hereby are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.
- B. Resolution #82-33 is incorporated herein by reference and is hereby reaffirmed in its entirety except as amended herein.
- C. Nothing herein shall limit or modify (i) the rights originally approved by the Development Order, (ii) the protection afforded under Section 163.3167(8), Florida Statutes, or (iii) established setbacks and lot coverage requirements.
- D. The amendment adopted hereby is consistent with the State Comprehensive Plan, with the Comprehensive Plan of Hillsborough County, and with applicable land development regulations, and does not

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unreasonably interfere with the achievement of the objectives of the State Land Development Plan applicable to the area.

- E. The applicant has submitted clear and convincing evidence to rebut the presumption of a substantial deviation created under Subsection 380.06(19), Florida Statutes, and the amendment of the Development Order as set forth herein, is found not to be a substantial deviation to the previously approved Development Order.
3. Based on the above Findings of Fact and Conclusions of Law, the BOCC hereby amends the Summerfield Crossings DRI Development Order as follows:

A. Article III, Paragraph D, of the Development Order is hereby amended to read as follows:

- 1. Parks and Recreation areas are as shown on the Revised Map H, Master Development Plan (dated April 30, 1993) and have been reviewed and approved by Hillsborough County.

The developer shall reserve those areas designated "Parks" and, within six months after receiving from the Board of County Commissioners (1) a request for dedication, and (2) plans and specifications for the nature and location of improvements, if any, to be made by the developer, shall dedicate them to Hillsborough County. Appropriate deed restrictions may be specified by the County at the time of dedication. The dedication of each such Park area shall coincide with the development of those portions of the project which the area is intended to serve.

Upon receiving a request for dedication of any such Park area, the developer shall commence construction or placement of any improvements that have been specified for that area, in order that they might be completed, if feasible, prior to dedication. The developer shall provide these improvements, at its own cost and expense, up to a total cost of \$100,000.00, at such time and in such of the recreation or open space areas as the Board of County Commissioners may direct. Improvements shall comply with pertinent standards established by Hillsborough County.

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If, at the time all building permits have been issued for any phase of the development, Hillsborough County has not yet requested dedication of any Park area which is a part of that phase, the developer shall so notify the Board of County Commissioners. If within ninety (90) days of receipt of such notification the Board has not requested dedication of that area and provided plans and specifications for the improvements to be made there, if any, such area shall cease to be available for dedication and shall become private recreation or open space subject to the provisions of paragraph 2 below. However, this provision shall not apply if Hillsborough County's failure to request dedication is necessitated by the provisions of paragraphs J.2 and J.3, relating to schools.

2. The Master Development Plan shall be revised to show as private recreation or open space all areas designated on the ADA Master Development Plan for golf course or other recreational or open space use, and not referred to in paragraph 1 above as available for dedication to the County or for elimination from the Plan. These areas, as well as public recreation or open space areas identified in paragraph 1 above but no longer available under the terms thereof for dedication to Hillsborough County, shall be used, improved, and maintained by the developer for the indicated purposes, in a manner approved by Hillsborough County.

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B. Article III of the Development Order is amended to include Paragraph "M," which shall read as follows:

"M. The proposed development plan for the project is as follows:

PROPOSED DEVELOPMENT PLAN

USE/PHASE	I (1982-95)	II (1996-98)	III (1999-2002)	IV (2003-2005)	TOTAL
RESIDENTIAL					
Single Family and Patio Homes	760	728	604	547	2,639 d.u.
Townhouses and Villa Homes	304	457	430	270	1,461 d.u.
Multi-family Apartments	-	220	258	172	650 d.u.
SUBTOTAL	<u>1,064</u>	<u>1,405</u>	<u>1,292</u>	<u>989</u>	<u>4,750 d.u.</u>
COMMERCIAL					
Neighborhood Centers	48,000	37,000	67,000	30,000	182,000 sq.ft.
Community Centers	60,300	115,000	103,500	-	278,800 sq.ft.
Regional Mall	-	-	380,000	380,000	760,000 sq.ft.
SUBTOTAL	<u>108,300</u>	<u>152,000</u>	<u>550,500</u>	<u>410,000</u>	<u>1,220,800 sq.ft.</u>
OFFICE/TECHNICAL PARK	20,000	80,000	180,000	288,800	568,800 sq.ft.
COMMUNITY SERVICES					
Schools		1		1	2 schools
Churches					2 sites
Community Services					4 sites
Medical		76,000			76,000 sq.ft.
RECREATION/OPEN SPACE					
Golf and Recreation Complex	182.2				182.2 acres
Recreation Parks					8.9 acres
					44.9 acres

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C. Article IV, Paragraph P, of the Development Order is hereby deleted.

D. Map H, Master Development Plan for Summerfield Crossings, is hereby revised and replaced by the Revised Map H, Master Development Plan, dated April 30, 1993, attached hereto as Exhibit "C."

E. The Developer is authorized to complete the development as described herein subject to the terms and conditions of the Development Order, as amended hereby.

F. Article IV of the Development Order, General Provisions, is hereby amended to include Paragraph "Q," which shall read as follows:

"The Development Order shall remain in effect for a period of 23 years, through December 31, 2005."

G. Article IV of the Development Order, General Provisions, is hereby amended to include Paragraph "R," which shall read as follows:

"The development approved herein shall not be subject to down-zoning, unit density reduction, or intensity reduction, unless Hillsborough County can demonstrate that substantial changes in the conditions underlying the approval of the Development Order have occurred or the Development Order was based on substantially inaccurate information provided by the developer or that the change is clearly established by Hillsborough County to be essential to the public health, safety, or welfare."

4. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.
5. This Resolution shall become effective upon rendition by the BOCC in accordance with Section 380.06, Florida Statutes.
6. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk of the BOCC by certified mail to the DCA, the TBRPC, and other recipients specified by statute or rules.

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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 on _____, 1993, as the same appears of record in Minute Book _____ of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this ____ day of _____, 1993.

RICHARD AKE, CLERK

By: _____

APPROVED BY COUNTY ATTORNEY

By: _____
Approved as to Form and
Legal Sufficiency

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911\DHM\21018ASR1
81864 (ME)

EXHIBIT "A"
LEGAL DESCRIPTION

93 0280

A parcel of land including all or portions of sections 8, 9, 10, 11, 15, 16 and 17 in Township 31 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 8, Township 31, South Range 20 East; thence N.89°42'37"E. along the South line of the Southwest 1/4 said Section 8 for 132.00 feet to a point of intersection with the Easterly Right-of-Way line of U.S. Highway 1301 (State Road No. 43), said point being the POINT OF BEGINNING of the herein described parcel of land; thence continue along the Easterly Right-of-Way line of U.S. Highway 1301 for the following two (2) described courses: 1) N.00°00'03"E. for 2769.81 feet to the Point of Curvature of a circular curve concave to the East; 2) Northerly along the arc of said curve having a radius of 5597.58 feet and a central angle of 5°41'23", for 555.86 feet to an intersection with the South line of the North 1980 feet of the North 3/4 of said Section 8; thence run along the last described South line for the following three (3) courses: 1) N.89°41'18"E. for 2508.84 feet to an intersection with the East line of the Northwest 1/4 of said Section 8; 2) N.89°47'46"E. for 1716.03 feet; 3) N.89°48'58" E. for 968.63 feet to an intersection with the West line of the Northwest 1/4 of said Section 9, Township 31 South, Range 20 East; thence N.0°15'23"W. along the West line of the Northwest 1/4 of said Section 9 for 1980.14 feet to the Northwest corner of said Section 9; thence N.89°46'00"E. along the North line of the Northwest 1/4 of said Section 9 for 2624.32 feet to the Northeast corner of the Northwest 1/4 of said Section 9; thence N.89°44'54"E. along the North line of the Northeast 1/4 of said Section 9 for 1269.79 feet; thence N.89°45'12"E. continuing along the North line of the Northeast 1/4 of said Section 9 for 1357.46 feet to the Northeast corner of said Section 9, the same being the Northwest corner of said Section 10; thence N.89°28'59"E. along the North line of said Section 10 for 2139.02 feet to a concrete monument; thence S.1°29'39"E. for 880.79 feet to a concrete monument; thence N.89°30'21"E. for 2155.06 feet to a concrete monument, said point being a point on the Westerly Right-of-Way line of Balm-Riverview Road; thence run along the Westerly Right-of-Way line of Balm-Riverview Road for the following three (3) described courses: 1) S.23°27'37"E. for 1433.57 feet; 2) S.24°15'00"E. for 1417.22 feet; 3) S.29°56'27"E. for 547.87 feet to an intersection with the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 11, Township 31 South, Range 20 East; thence run S.89°57'01"W. along the last described South line for 282.67 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 10, Township 31 South, Range 20 East; thence S.89°34'32"W. along the South line of the North 1/2 of the Southeast 1/4 of said Section 10 for 2686.38 feet to the Southwest corner of the North 1/2 of the Southeast 1/4 of said Section 10; thence S.1°31'35"E. along the East line of the Southwest 1/4 of said Section 10 for 1323.68 feet to the South 1/4 corner of said Section 10; thence S.0°11'05"W. along the East line of the Northwest 1/4 of Section 15, Township 31 South, Range 20 East, for 1325.76 feet to the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 15; thence S.89°34'24"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 15 for 2663.20 feet to the Southeast corner of the North 1/2 of the Northeast 1/4 of Section 16, Township 31 South, Range 20 East; thence S.89°36'20"W. along the South line of the North 1/4 of said Section 16 for 5359.98 feet to the Southwest corner of the North 1/4 of said Section 16; thence S.89°39'42"W. along the South line of the North 1/2 of the Northeast 1/4 of said Section 17, Township 31 South, Range 20 East for 2681.22 feet; thence S.89°46'15"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 17 for 2565.01 feet to an intersection with the Easterly Right-of-Way line of the aforementioned U.S. Highway 1301; thence run N.00°00'41"E. along the last described Easterly Right-of-Way line for 1326.67 feet to the POINT OF BEGINNING. LESS therefrom the existing Right-of-Way for Big Bend Road and any other dedicated Rights-of-Way.

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EXHIBIT "B"
NOPC APPLICATION
(APRIL 30, 1993)

93 0280

EXHIBIT "C"

REVISED MAP H, MASTER DEVELOPMENT PLAN
(APRIL 30, 1993)

93_ 0280

EXHIBIT "C"

REVISED MAP H, MASTER DEVELOPMENT PLAN
(APRIL 30, 1993)



1148 ENGINEERING ACCOUNTS, INC. 3146 WILSON CENTER BLVD. SUITE 400 TAMPA, FLA. 33614

EXHIBIT "C"



PREPARED FOR US HOME CORPORATION 311 PARK PLACE BLVD SUITE 600 CLEMATON, FLA. 33518

REVISED MAP H MASTER DEVELOPMENT PLAN

DATE: APRIL 24, 1993

PHASING TABLE

Phase	Area	Acres	Units
1	1-10	100.0	1000
2	11-20	100.0	1000
3	21-30	100.0	1000
4	31-40	100.0	1000
5	41-50	100.0	1000
6	51-60	100.0	1000
7	61-70	100.0	1000
8	71-80	100.0	1000
9	81-90	100.0	1000
10	91-100	100.0	1000

LAND USE SUMMARY

Land Use	Area (Acres)	Units
Residential	1000.0	10000
Commercial	100.0	1000
Industrial	100.0	1000
Public	100.0	1000
Open Space	100.0	1000
Water	100.0	1000
Other	100.0	1000

NOTES

1. THIS MAP H IS A REVISION OF MAP H, DATED APRIL 24, 1993.

2. THE REVISIONS TO MAP H ARE AS FOLLOWS:

3. THE REVISIONS TO MAP H ARE AS FOLLOWS:

4. THE REVISIONS TO MAP H ARE AS FOLLOWS:

5. THE REVISIONS TO MAP H ARE AS FOLLOWS:

LEGAL DESCRIPTION

THE LEGAL DESCRIPTION OF THE LAND SHOWN ON THIS MAP H IS AS FOLLOWS:

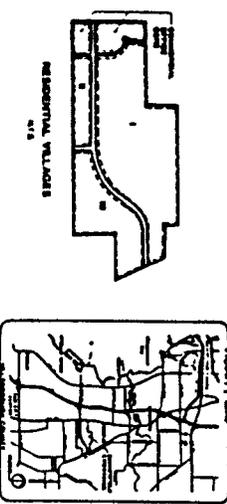
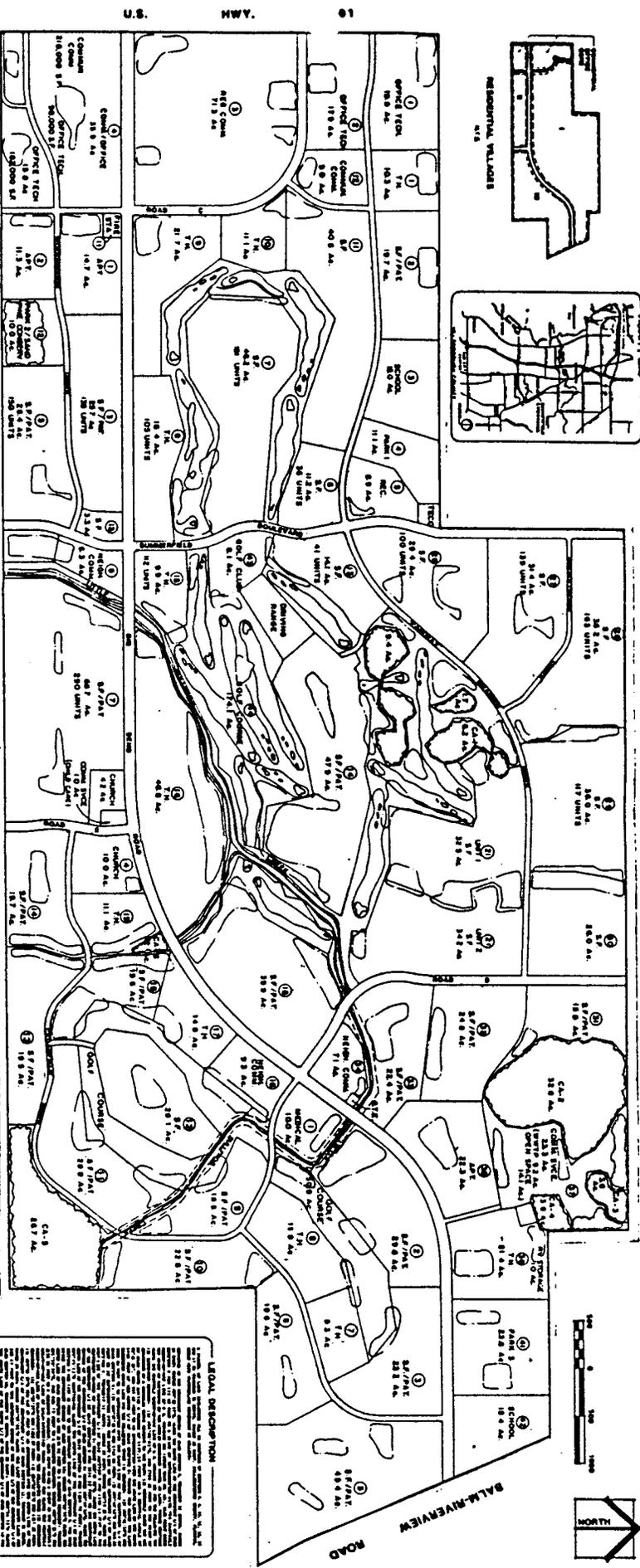
1. THE LEGAL DESCRIPTION OF THE LAND SHOWN ON THIS MAP H IS AS FOLLOWS:

2. THE LEGAL DESCRIPTION OF THE LAND SHOWN ON THIS MAP H IS AS FOLLOWS:

3. THE LEGAL DESCRIPTION OF THE LAND SHOWN ON THIS MAP H IS AS FOLLOWS:

4. THE LEGAL DESCRIPTION OF THE LAND SHOWN ON THIS MAP H IS AS FOLLOWS:

5. THE LEGAL DESCRIPTION OF THE LAND SHOWN ON THIS MAP H IS AS FOLLOWS:



DEVELOPMENT ORDER
FOR
BIG BEND, #73
HILLSBOROUGH COUNTY

On January 27, 1982 the Council received a copy of a development order granting approval of the proposed U.S. Home Big Bend development issued by the Hillsborough County Board of County Commissioners on January 22, 1982. In accordance with Section 380.07, Florida Statutes, this development order has been reviewed for consistency with the Council's report and recommendations adopted November 9, 1981.

Within a 10-year build-out period, U.S. Home proposes to construct a residential/commercial community at U.S. 301 and Big Bend Road in southwest Hillsborough County. It is proposed that the 1,886-acre Big Bend development will house approximately 14,700 persons in 6,250 dwelling units, offer extensive shopping facilities, contain 66 acres of business offices and light research industry, include two golf courses, provide five park sites and designate 221 acres as open space.

The development order appears to be consistent with s.380.06(14), Florida Statutes requirements. Further, the Council's adopted conditions for approval have been satisfactorily addressed in the development order. The Council's recommendations for mitigating regional issues and Hillsborough County's associated conditions for approval are summarized as follows:

1. Clarification whether wastewater treatment for this development shall be provided by 201 wastewater treatment facilities or by an interim wastewater treatment plant and assignment of operation and maintenance responsibilities.

The development order stipulates that the developer shall provide an interim wastewater treatment plant to serve the development to be dedicated to and operated and maintained by Hillsborough County until service can be provided by a County wastewater treatment system. When County service is available, the development shall be required to connect to the County system.

2. Designation of the water system and solid waste disposal capacity required to serve this development.

A water distribution master plan, wastewater collection master plan and preliminary engineering calculations must be submitted to Hillsborough County prior to approval of any development, in accordance with the development order. Also, the physical disposal of solid waste shall be the responsibility of Hillsborough County. The collection and transportation of solid waste for disposal is controlled by County ordinance.

3. Assurance that the identified areas of greatest sinkhole potential will be retained as open space and that additional subsurface testing be done before final approval is given for construction of the regional mall.

The development order stipulates that primary lineament intersections shall be retained as major open space with minimal building construction. Final plans for the regional mall will not be approved until in-depth subsurface testings are performed. The development order further stipulates that no development will be approved within the lineament intersection boundaries until direct investigation is done to confirm that the local limerock structure can support the proposed construction.

4. Mitigative measures be implemented to minimize the environmental impact on existing drainage patterns, water quality, air quality and soils.

The development order requires that the developer implement a program of measures to reduce air pollution and erosion during construction. The development order also stipulates that the drainage system shall be as conceptually proposed in the ADA and shall be designed for maximum groundwater recharge in areas having on-site irrigation wells. The developer shall be responsible for maintenance of drainage features not dedicated to the County and shall provide sufficient rights-of-way to permit access to lakes and retention areas for maintenance purposes.

5. Construction of the regional mall earlier than referenced in the ADA would be considered a substantial deviation pursuant to Chapter 380.06, F.S.

The development order stipulates that a proposal to change construction of the regional mall to a phase earlier than Phase III, as set out in the application, shall be considered as a substantial deviation from the approved development and shall require further assessment pursuant to Chapter 380.06, Florida Statutes.

6. Commitments from the responsible entities for roadway improvements needed to assure that roadways in the project area will operate at a satisfactory level of service, and/or an optional procedure whereby additional periodic transportation analysis may be performed to provide an updated verification of the roadway improvements which will be required to maintain a satisfactory level of service.

The developer shall be responsible for the design and construction of all internal roadway improvements. The intersection improvements at the access points to the development, shall provide sufficient right-of-way to accommodate future additional lanes on Balm Riverview Road, and shall participate in a fair share cost of future construction of the 5th and 6th lane to Big Bend Road. In addition, the development order sets forth specific roadway improvements which must be under construction during each phase of the development.

The following transportation system improvements shall be completed or under construction before initiation of any development phase after Phase I:

- a. Interstate 75 shall be completed in the primary Impact Area from SR 674 north to SR 60.
- b. Widening of Big Bend Road from 2 lanes to 4 lanes from US 301 to I-75.

- c. Widening of US 301 from 2 lanes to 4 lanes from Big Bend Road to SR 60.

The following transportation system improvements shall be completed or under construction before initiation of any development phase after Phase II.

- a. Widening of Big Bend Road from 2 lanes to 4 lanes from US 301 to Balm-Riverview Road.
- b. Widening of Big Bend Road from 4 lanes to 6 lanes from US 301 to I-75 and acquisition of right-of-way for future 8 lanes.
- c. Improvements of the interchange at Big Bend Road and I-75 such that the projected impact of traffic shall not exceed Level of Service D during the peak hour after completion of Phase IV.

The following transportation system improvements shall be completed or under construction before initiation of any development phase after Phase III.

- a. Widening of Big Bend Road from 4 lanes to 6 lanes from US 301 to Balm-Riverview Road.
- b. Widening of I-75 to 8 lanes from Big Bend Road to SR 60.
- c. Widening of US 301 from 4 lanes to 6 lanes from Big Bend Road to Gibsonton Drive.
- d. Widening of US 301 from 2 lanes to 4 lanes from Big Bend Road to SR 674.
- e. Widening of Balm-Riverview Road from 2 lanes to 4 lanes from Big Bend Road to US 301.
- f. Construction of an interchange at Big Bend Road and US 301.
- g. Channelization and signalization of the intersection of Boyette Road and Balm-Riverview Road.
- h. Channelization and signalization of the intersection of US 301 and Boyette Road.

The following intersections shall be maintained at the more conservative of the following: (1) Level of Service D for five year projected traffic at peak hour, or (2) critical lane operation level for five year projected traffic:

- a. US 301 and Big Bend Road.
- b. Big Bend Road and Balm-Riverview Road.

These roadway improvements and intersection improvements identified in the Council's report, are the responsibility of Hillsborough County and

Florida Department of Transportation and will be limiting factors to build-out of the development if the traffic level of the roadways falls below an adequate LOS (C or D Peak Hour). The improvements will be also addressed in a transportation analysis to be conducted every two years to provide an update on existing conditions which will verify the original assessments of improvement required by the development order or provide the basis for adjustment as necessary.

It is recommended that the Council concur with the development order, as issued.

1 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
2 HILLSBOROUGH COUNTY, FLORIDA
3 DRI #81-21
4 DEVELOPMENT ORDER

5 Upon motion of Commissioner Kotvas , seconded by Com-
6 missioner Bowmer , the following Resolution was adopted this
7 22nd day of January, 1982:

8 WHEREAS, on July 17, 1981, U.S. Home Corporation filed an appli-
9 cation for development approval of a development of regional impact
10 with the Hillsborough County Board of County Commissioners pursuant
11 to the provisions of Section 380.06, Florida Statutes; and,

12 WHEREAS, said application proposed construction of a planned
13 community, Big Bend, in southern Hillsborough County located on 1886
14 acres offering a full range of community support facilities to
15 residents; and,

16 WHEREAS, the Board of County Commissioners as the governing
17 body of local government having jurisdiction pursuant to Section
18 380.06, Florida Statutes, is authorized and empowered to consider
19 applications for development approval for developments of regional
20 impact; and,

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

23 WHEREAS, the Board of County Commissioners has on December 14,
24 and December 17, 1981, and on January 20 and January 22, 1982, held
25 a duly noticed public hearing on said application for development
26 approval and has heard and considered testimony and documents re-
27 ceived thereon; and,

28 WHEREAS, the Board of County Commissioners has received and
29 considered the report and recommendations of the Tampa Bay Regional
30 Planning Council; and,
31

1 WHEREAS, Hillsborough County has solicited, received and con-
2 sidered reports, comments and recommendations from interested
3 citizens, County and City agencies as well as the review and report
4 of Hillsborough County Administration.

5 NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COM-
6 MISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

7 I. FINDINGS OF FACT

8 A. That the real property which is the subject of the
9 application for development approval is legally described as set
10 forth on Exhibit A, attached hereto and made a part hereof by
11 reference.

12 B. That the U.S. Home Corporation, hereinafter referred to
13 as "Developer", submitted to Hillsborough County, Florida, an
14 application for development approval and sufficiency response which
15 are attached hereto and marked Composite Exhibit B and incorporated
16 herein by reference to the extent not inconsistent with the terms
17 and conditions of this development order. Hereinafter, the word
18 "application" shall refer to the application for development
19 approval, and the sufficiency response.

20 C. That the proposed development is not an area of critical
21 state concern as designated pursuant to Section 380.05, Florida
22 Statutes.

23 D. That development will occur in accordance with this
24 development order, and with the application as set forth in Exhibit
25 B to the extent it is not inconsistent with the terms and conditions
26 of this development order.

27 E. That a comprehensive review of the impact generated by
28 the development has been conducted by the Hillsborough County
29 Administration, the Hillsborough County Environmental Protection
30 Commission, the Hillsborough County City-County Planning Commission,
31 and the Tampa Bay Regional Planning Council.

1 II. CONCLUSIONS OF LAW

2 A. Based upon the compliance with the terms and conditions of
3 this development order, provisions of the application as set forth
4 in Exhibit B, the reports, recommendations and testimony heard and
5 considered by the Board of County Commissioners, it is concluded
6 that:

7 1. The development will not unreasonably interfere with
8 the achievement of the objectives of the adopted State Land De-
9 velopment Plan applicable to the area.

10 2. The development is consistent with local land de-
11 velopment regulations.

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

14 B. The provisions of this development order shall not be
15 construed as a waiver of or exception to any rule, regulation, or
16 ordinance of Hillsborough County, its agencies or commissions, and
17 to the extent that further review is provided for in this develop-
18 ment order, said review shall be subject to all applicable rules,
19 regulations and ordinances in effect at the time of the review.

20 C. The review by Hillsborough County, the Hillsborough County
21 City-County Planning Commission, the Hillsborough County Environ-
22 mental Protection Commission, the Tampa Bay Regional Planning
23 Council, and other participating agencies and interested citizens
24 indicates that impacts are adequately addressed pursuant to the
25 requirements of Section 380.06, Florida Statutes, within the terms
26 and conditions of this development order and the application, to
27 the extent not inconsistent with this development order.

28 D. The application for development approval is approved
29 subject to all terms and conditions of this development order.

30 III. CONDITIONS

31 A. Environmental

1. The portion of the Sand Pine Scrub Community con-
sisting of the seven (7) acres nearest the southern property line

1 shall be preserved in its natural state. Construction in the re-
2 maining portion of the Sand Pine Scrub Community shall incorporate
3 natural vegetation into landscaping where possible. Development in
4 this remaining portion shall be subject to detailed site plan review
5 and approval by the Environmental Protection Commission. The Sand
6 Pine Scrub Community shall be identified on the revised general
7 site plan.

8 2. [All viable wetland areas shall be preserved in their
9 natural state. The precise location of such areas shall be deter-
10 mined by the Environmental Protection Commission at the time of de-
11 tailed site plan approval, consistent with the wetland areas generally
12 delineated on Exhibit C attached hereto and made a part hereof by
13 reference.

14 3. In order to minimize loss of property as a result of
15 sinkholes, the primary lineament intersections shall be retained as
16 major open space with minimal building construction, as referenced
17 in the application. Final plans submitted for the regional mall will
18 not be approved until in-depth subsurface testings are performed to
19 determine the actual potential for sinkhole occurrence. No develop-
20 ment will be approved within the lineament intersection boundaries
21 until a direct investigation using gravity mapping, borings, or
22 other engineering techniques acceptable to the County is done to con-
23 firm that the local limerock structure for the affected building
24 area is capable of properly supporting the development proposed for
25 this site.

26 4. A program of measures to reduce air pollution and
27 erosion during construction shall be implemented as referenced in
28 the application.

29 5. If, at any time during the development period, the
30 water quality monitoring program for Bullfrog Creek currently
31

1 supplied by the United States Geological Survey and the Florida De-
2 partment of Environmental Regulation is determined by Hillsborough
3 County to be insufficient to provide for the protection of the public
4 health and safety, the developer shall be responsible for establishing
5 an adequate water quality monitoring program which shall be approved
6 by Hillsborough County.

7 B. Energy

8 State-of-the-Art Energy Conservation measures as
9 deemed cost effective shall be incorporated into the residential
10 portion of the development. The developer shall also incorporate as
11 part of the development plans for the commercial and office buildings
12 of the development, energy management practices such as landscaping,
13 energy conserving construction requirements, ridesharing, street
14 lighting, operating practices and life cycle costing for construc-
15 tion and operation.

16 C. Drainage

17 1. Drainage shall be designed to maintain pre-development
18 ground and surface water levels, so as to avoid any alteration of the
19 integrity and viability of the preserved wetlands.

20 2. All drainage flood control structures shall be non-
21 adjustable.

22 3. Any displacement of natural storage within the 25-year
23 floodplain, which results from filling or the locating of detention
24 ponds within the floodplain, or otherwise, shall be mitigated by the
25 provision of equal storage capacity in other parts of the project pre-
26 viously or concurrently approved for development. The developer shall
27 delineate natural floodwater storage areas on preliminary plans for
28 each subdivision unit or other discrete portion of the project and
29 shall protect these areas from filling except as provided above.
30
31

1 4. The peak discharge from the large paved office and
2 commercial sites adjacent to U.S. 301 must be determined by the more
3 conservative of the following predevelopment conditions:

4 a. The time of concentration of the
5 commercial sites themselves, or

6 b. The time of concentration of the
7 most critical storm for Bullfrog Creek.

8 5. The developer shall provide sufficient rights-of-way
9 or easements for access to lakes, drainage control structures, and
10 retention areas for equipment for mosquito and aquatic weed control
11 activities conducted by appropriate government agencies. The area
12 should be adequate to launch a boat for these purposes without the
13 need for access through residential yards.

14 6. The developer shall be responsible for maintenance of
15 drainage features, located in portions of the drainage areas not
16 dedicated to the County, in order to help control mosquitoes and
17 aquatic weeds.

18 7. The drainage system constructed for the Big Bend De-
19 velopment shall incorporate components as conceptually proposed in
20 the application, subject to approval by Hillsborough County. The
21 system shall be designed for maximum ground water recharge in areas
22 having on-site irrigation wells.

23 D. Parks and Recreation Areas

24 1. The Master Development Plan shall be revised to show
25 as open space or recreation areas available for dedication to Hills-
26 borough County: (1) a 10-acre site adjacent to each of the two
27 school sites; and (2) a 10-acre site in the vicinity of the 5-acre
28 site currently shown on the ADA Master Development Plan in the south-
29 west part of the project, which will encompass and include the area
30 identified as the Sand Pine Scrub community. The 9-acre site cur-
31 rently shown in the southern portion as a part of Village III, and

1 the 6-acre site adjacent to the conservation area in Village I, may
2 be eliminated.

3 The developer shall reserve these areas and, within
4 six months after receiving from the Board of County Commissioners
5 (1) a request for dedication, and (2) plans and specifications for
6 the nature and location of improvements, if any, to be made by the
7 developer there, shall dedicate them to Hillsborough County. Appro-
8 priate deed restrictions may be specified by the County at the time
9 of dedication. The dedication of each such area shall coincide with
10 the development of those portions of the project which the area is
11 intended to serve.

12 Upon receiving a request for dedication of any such
13 area, the developer shall commence construction or placement of any
14 improvements that have been specified for that area, in order that
15 they might be completed, if feasible, prior to dedication. The
16 developer shall provide these improvements, at its own cost and ex-
17 pense, up to a total cost of \$100,000.00, at such time and in such
18 of the recreation or open space areas as the Board of County Com-
19 missioners may direct. Improvements shall comply with pertinent
20 standards established by Hillsborough County.

21 If, at the time all building permits have been issued
22 for any phase of the development, Hillsborough County has not yet re-
23 quested dedication of any recreation or open space area which is a
24 part of that phase, the developer shall so notify the Board of County
25 Commissioners. If within ninety (90) days of receipt of such noti-
26 fication the Board has not requested dedication of that area and pro-
27 vided plans and specifications for the improvements to be made there,
28 if any, such area shall cease to be available for dedication and shall
29 become private recreation or open space subject to the provisions of
30 paragraph 2 below. However, this provision shall not apply if Hills-
31

1 borough County's failure to request dedication is necessitated by the
2 provisions of paragraphs J.2 and J.3, relating to schools.

3 2. The Master Development Plan shall be revised to show
4 as private recreation or open space all areas designated on the ADA
5 Master Development Plan for golf course or other recreational or
6 open space use, and not referred to in paragraph 1 above as available
7 for dedication to the County or for elimination from the Plan. These
8 areas, as well as public recreation or open space areas identified in
9 paragraph 1 above but no longer available under the terms thereof for
10 dedication to Hillsborough County, shall be used, improved, and main-
11 tained by the developer for the indicated purposes, in a manner
12 approved by Hillsborough County.

13 E. Medical and/or Health Care Facility

14 As referenced in the application, the developer shall
15 reserve a ten-acre site for development of a medical and/or health
16 care facility. This site shall be subject to appropriate deed re-
17 strictions to insure development for medical purposes.

18 F. Police Protection

19 1. The developer will incorporate environmental security
20 planning for crime reduction as an integral part of site planning and
21 building construction. This planning will be done in cooperation
22 with the Hillsborough County Sheriff's Department's Crime Awareness
23 Team, starting at the initial site planning stage. The plan will
24 include adequate security hardware, consideration of street and
25 building orientation, street lighting, special consideration for
26 crime problem areas (i.e., regional mall, multi-family developments,
27 and convenience stores) and crime prevention programs by the Hills-
28 borough County Sheriff's Department.

29 2. At the commencement of each phase of the development,
30 the developer shall demonstrate that such emergency plans and police
31 manpower and/or facilities as are necessary to provide adequate police
protection for that phase have been or will be provided.

1 G. Community Services

2 As referenced in the application, the developer shall
3 reserve a five-acre site for general community service facilities to
4 meet project needs as identified by the developer and approved by
5 Hillsborough County. This site shall be dedicated to the County,
6 upon the County's determination that the site is needed. The deed
7 shall contain appropriate restrictions.

8 H. Fire Control

9 1. A site for construction of a fire station and EMS
10 facility adequate to serve the needs of the entire project shall be
11 reserved, and shall be dedicated to Hillsborough County upon request,
12 which site shall be located not more than 1/2 mile from the inter-
13 section of Big Bend Road and U.S. 301.

14 2. If the County at any time prior to January 1, 1985,
15 indicates its willingness to accept, equip and operate a fire and
16 EMS facility at the designated location, the developer shall con-
17 struct, at its own cost and expense, not to exceed \$200,000.00, a
18 facility of sufficient size to house a four-man engine company plus
19 an EMS ambulance unit and shall convey same to the County. Should
20 the cost of construction of such a facility exceed \$200,000.00, then
21 the County shall assume the responsibility for construction and the
22 developer shall at the request of the County contribute the sum of
23 \$200,000.00 to the County.

24 I. Construction of Multi-Family Units

25 Multi-family units shall be constructed as early as
26 economically feasible. The developer shall designate for construc-
27 tion of rental residential units as much land as it determines is
28 economically feasible to so designate.

29 J. Schools

30 1. The developer shall construct a sidewalk/bike path
31 system within the development to provide pedestrians with access to

1 the school sites. The sidewalks shall be constructed to the boun-
2 daries of the school sites. The design, location, and method of
3 construction shall be subject to County review and approval. The
4 sidewalk condition contained herein shall not be construed to be a
5 waiver of the sidewalk construction requirements contained in the
6 Subdivision Regulations of Hillsborough County.

7 2. Two school sites shall be reserved as shown in the
8 application. As to the eastern school site in Village IV, the ad-
9 joining recreation areas shall not be significantly developed until
10 building permits for seventy five percent (75%) of the project's
11 dwelling units have been issued. At the option of the School Board,
12 and upon its determination that such a facility will be needed, this
13 adjoining recreation area or a portion thereof shall be dedicated to
14 the Hillsborough County School Board for use as an elementary school
15 or junior high school.

16 3. If both school sites have not been previously dedi-
17 cated, the developer shall advise the School Board as soon as build-
18 ing permits have been issued for seventy five percent (75%) of the
19 project's dwelling units. If within sixty (60) days after being so
20 advised, the School Board has not notified the developer in writing
21 of the need for the school site, the sites shall no longer be re-
22 served for school purposes. As to the eastern site in Village IV,
23 the adjoining recreation area shall then be available for recreational
24 development and the designated school site shall be available for
25 residential development. However, the availability of additional
26 residential land shall in no way authorize the construction of a
27 number of dwelling units in excess of the number approved for the
28 entire project, nor shall the density on such sites exceed the
29 average net density of the residential portions of the project pre-
30 viously approved.
31

1 4. If at the time the east-west road which borders the
2 western school site on the south is under construction, the School
3 Board has requested dedication of that school site, the developer
4 shall provide the geometric road improvements necessary to handle
5 the traffic the school is anticipated to generate.

6 K. Transportation

7 1. The developer shall reserve sufficient land along the
8 Big Bend Road corridor between U.S. 301 and Balm-Riverview Road to
9 accommodate the construction of a six lane divided roadway. Each
10 time the developer seeks detailed site plan approval for a portion
11 of the project, the County shall determine whether the traffic which
12 will be generated by that portion will, when added to traffic volume
13 generated or projected as a result of the portions previously de-
14 veloped or previously or concurrently approved, cause total traffic
15 volume to rise above acceptable levels for any portion of Big Bend
16 Road. If it is determined that traffic is likely to exceed such
17 levels, the developer will, at that time, dedicate such land along
18 the Big Bend Road corridor as is necessary to accommodate construc-
19 tion of whatever road improvements the County determines are neces-
20 sary to ensure that Big Bend Road will operate at least at Level of
21 Service C. If it is later determined by the County that any part
22 of these reserved lands are not in fact needed to accommodate the
23 road improvements herein contemplated, the Board of County Commis-
24 sioners may allow development there, in accordance with the other
25 terms and conditions of this Development Order.

26 2. The developer shall reserve sufficient land to accom-
27 modate right-of-way for two additional lanes on the west side of
28 Balm-Riverview Road. Each time the developer seeks detailed site plan
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1 approval and/or preliminary plat approval for a portion of the pro-
2 ject, the County shall determine whether the traffic which will be
3 generated by that portion will, when added to traffic volume
4 generated or projected as a result of the portions previously de-
5 veloped or previously or concurrently approved, cause total traffic
6 volume to rise above acceptable levels for that segment of Balm-
7 Riverview Road. If it is determined that traffic is expected to
8 exceed these levels, the developer will, at that time, dedicate such
9 land along the Balm-Riverview Road corridor as is necessary to
10 accommodate construction of two additional lanes on the west side of
11 Balm-Riverview Road. The location of the right-of-way shall be
from the northeast corner of the development to the southeast corner.

12 3. The developer shall be responsible for design and
13 construction of all internal roadway improvements within the Big
14 Bend development. These roads shall be constructed in accordance
15 with Hillsborough County standards in effect at the time of con-
struction.

16 4. The developer shall be responsible for design and
17 construction of intersection geometric and signalization improvements
18 at the access points of the Big Bend development with adjacent ex-
19 terior roads, which are required because of traffic generated or
20 expected to be generated by the Big Bend development. All inter-
21 sections meeting signal warrants at access points to U.S. 301 or
22 Big Bend Road, as a result of total current and projected traffic,
shall be designed to the more conservative of the following:

23 (1) Level of Service D (peak hour) or (2) critical lane operation
24 level for the five-year projected traffic.

25 5. Access to U.S. 301 from the Regional Mall, Community
26 Commercial and Office/Tech Areas will be designed at a Level of
27 Service C.
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1 6. The minimum spacing between major intersections
2 leading from any point within the development to U.S. 301 or Big
3 Bend Road shall be made so as to optimize traffic flow as determined
4 by the County in accordance with standard engineering practice.

5 7. (a) The developer shall prepare and submit, every
6 two (2) years from the date of issuance of the Development Order,
7 for review and approval by appropriate County authorities, a revised
8 traffic/transportation analysis to show adequacy of transportation
9 facilities provided. This analysis shall include current traffic
10 counts on Big Bend Road, U.S. 301, I-75, and Balm-Riverview Road,
11 and shall include the projected impact of uncompleted portions of
12 the Big Bend Development. The nature and extent of analysis to
13 be conducted by the developer shall be approved by Hillsborough
County prior to the date of submittal of the analysis.

14 (b) The trip generation assumptions and projections
15 used to develop the conditions relating to transportation system
16 improvements may be adjusted by Hillsborough County as appropriate
17 in light of the data generated by these studies. The trans-
18 portation system improvement conditions may be modified accordingly
19 by the Board of County Commissioners at the request of the developer.

20 8. The developer shall plan for and provide two collector
21 roadways on approximately 1-mile spacings extending from the south
22 boundary to the north boundary of the development on reasonably
23 direct and environmentally practical alignments. Alternatively,
24 the developer may provide a different road alignment, subject to
25 the County's approval, that is designed to facilitate north-south
26 traffic flow through the project and alleviate traffic impact on
27 major corridors.

28 9. A proposal to change construction of the Regional
29 Mall to a phase earlier than Phase III, as set out in the applica-
30 tion shall be considered as a substantial deviation from
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1 the approved development and shall require further assessment pur-
2 suant to Chapter 380.06, Florida Statutes.

3 10. The following transportation system improvements shall
4 be completed or under construction before initiation of any develop-
5 ment phase after Phase I:

6 a. Interstate 75 shall be completed in the
7 primary Impact Area from S.R. 674 north to
S.R. 60.

8 b. Widening of Big Bend Road from 2 lanes
to 4 lanes from U.S. 301 to I-75.

9 c. Widening of U.S. 301 from 2 lanes to
10 4 lanes from Big Bend Road to S.R. 60.

11 11. The following transportation system improvements shall
12 be completed or under construction before initiation of any develop-
13 ment phase after Phase II.

14 a. Widening of Big Bend Road from 2 lanes
15 to 4 lanes from U.S. 301 to Balm-Riverview
Road.

16 The developer shall design and con-
17 struct the third and fourth lane referenced
18 herein. The developer shall submit design
19 plans for the described construction which
20 plans shall be subject to periodic County
21 review prior to being finalized. All design
22 plans shall be prepared in accordance with
23 the standards and criteria established by the
24 American Association of State Transportation
25 Highway Officials and the Florida Department
26 of Transportation Manual of Uniform Standards
27 for Design, Construction and Maintenance for
28 Streets and Highways, and Hillsborough County
29 Road Construction Standards in effect at the
30 time of submittal of such plans to the County.
31 Additionally, such design and construction
shall be accomplished in a manner that will
facilitate further expansion to 6 lanes by
the addition of 2 lanes within the median
area of the constructed 4-lane roadway.

32 b. Widening of Big Bend Road from 4 lanes
33 to 6 lanes from U.S. 301 to I-75 and acqui-
sition of right-of-way for future 8 lanes.

34 c. Improvements of the interchange at Big
35 Bend Road and I-75 such that the projected
36 impact of traffic shall not exceed Level of
37 Service D during the peak hour after comple-
38 tion of Phase IV.

1 12. The following transportation system improvements
 2 shall be completed or under construction before initiation of any
 3 development phase after Phase III.

4 a. Widening of Big Bend Road from 4 lanes to
 5 6 lanes from U.S. 301 to Balm-Riverview Road.

6 The developer shall participate in the
 7 cost of construction of the 5th and 6th lane
 8 by making a fair share contribution of money
 9 to Hillsborough County. The developer's fair
 10 share contribution shall be determined by use
 11 of the formula described below:

Developer's existing and projected traffic volumes on the described segment	total x cost of construc- tion
Total existing and projected traffic volumes on the described segment	

12 The determination of the traffic volumes
 13 described above shall be made at the comple-
 14 tion of Phase III. The total cost of con-
 15 struction shall include: plans preparation,
 16 grading, base, required drainage structures,
 17 surface, bridges, signing and signalization.
 18 The contribution shall be transmitted to
 19 Hillsborough County upon the request of the
 20 Board of County Commissioners of Hillsborough
 21 County which request may issue at any time
 22 after completion of Phase III and the required
 23 traffic analysis.

- 24 b. Widening of I-75 to 8 lanes from Big
 25 Bend Road to S.R. 60.
- 26 c. Widening of U.S. 301 from 4 lanes to
 27 6 lanes from Big Bend Road to Gibsonton Drive.
- 28 d. Widening of U.S. 301 from 2 lanes to 4
 29 lanes from Big Bend Road to S.R. 674.
- 30 e. Widening of Balm-Riverview Road from 2
 31 lanes to 4 lanes from Big Bend Road to U.S.
 301.
- f. Construction of an interchange at Big
 Bend Road and U.S. 301.
- g. Channelization and signalization of the
 intersection of Boyette Road and Balm-Riverview
 Road.
- h. Channelization and signalization of the
 intersection of U.S. 301 and Boyette Road.

13. The following intersections shall be maintained at
 the more conservative of the following: (1) Level of Service D for
 five year projected traffic at peak hour, or (2) critical lane
 operation level for five year projected traffic:

1 a. U.S. 301 and Big Bend Road.

2 b. Big Bend Road and Balm-Riverview Road.

3 14. If transit utilization appears to be feasible in the
4 future in meeting some of the transportation demands of the develop-
5 ment, the developer shall cooperate with the Hillsborough Area Re-
6 gional Transit Authority in providing bus stops, shelters, etc., to
7 encourage the use of transit.

8 15. For purposes of this section the words "under con-
9 struction" shall be construed to mean physical construction activi-
10 ties pursuant to the terms of an executed contract.

11 L. Water and Sewer Service

12 1. The developer is to provide sufficient effluent dis-
13 posal sites to accept the effluent which will be generated by the
14 project.

15 2. Water wells may be utilized for irrigation on an
16 interim basis. However, once wastewater effluent is available to
17 any irrigation site, any such irrigation wells must be plugged and
18 wastewater effluent must be utilized for irrigation.

19 3. All development must comply with County standards.
20 A water distribution master plan, wastewater collection master plan,
21 and the preliminary engineering calculations must be submitted to
22 Hillsborough County prior to approval of any development. In addi-
23 tion, construction schedules must be updated on an annual basis.

24 4. Upon approval by the County, the developer shall pro-
25 vide, at its own cost and expense, an interim wastewater treatment
26 plant of sufficient capacity to serve the development, to be dedi-
27 cated to and operated and maintained by Hillsborough County until
28 such time as service can be provided by a County wastewater treat-
29 ment system. At such time as service by the County is available,
30 the development shall be required to connect to the County system.

31 5. The instrument by which the interim wastewater
treatment plant is dedicated to Hillsborough County shall contain
the following provision:

1 "Six months after the developer connects
2 to a County wastewater treatment plant,
3 ownership of the parcel upon which the
4 interim wastewater treatment plant has been
5 constructed shall revert to the developer.
6 Hillsborough County, at its option, may,
7 during this six-month period, remove from
8 the premises all or any part of the interim
9 wastewater treatment plant, including all
10 facilities and equipment connected in any
11 way with its operation, whether above or
12 below ground, and without regard to whether
13 such facilities and equipment are legal fix-
14 tures."

15 6. The physical disposal of solid waste shall be the
16 responsibility of Hillsborough County. The collection and trans-
17 portation of solid waste for disposal is controlled by County or-
18 dinance.

19 IV. GENERAL PROVISIONS

20 A. The legal description set forth in Exhibit A is hereby
21 incorporated into and by reference made a part of this development
22 order.

23 B. All provisions contained within the application for de-
24 velopment approval marked "Composite Exhibit B" shall be considered
25 conditions of this development order unless inconsistent with the
26 terms and conditions of this development order, in which case the
27 terms and conditions of this development order shall control.

28 C. This Resolution shall constitute the development order of
29 Hillsborough County in response to the application for development
30 approval for the Big Bend Development of Regional Impact.

31 D. The definitions contained in Chapter 380, Florida Sta-
32 tutes (1981), shall govern and apply to this development order.

33 E. This development order shall be binding upon the developer
34 and its heirs, assignees or successors in interest including any
35 entity which may assume any of the responsibilities imposed on the
36 developer by this development order. It is understood that any
37 reference herein to any governmental agency shall be construed to
38 mean any future instrumentality which may be created or designated
39 as successors in interest to, or which otherwise possesses any of
40 the powers and duties of, any branch of government or governmental
41 agency.

42 F. In the event that any portion or section of this develop-
ment order is determined to be invalid, illegal or unconstitutional

1 by a court of competent jurisdiction, such decision shall in no
2 manner affect the remaining portions or sections of this development
3 order which shall remain in full force and effect.

4 G. Whenever this development order provides for or otherwise
5 necessitates reviews or determinations of any kind subsequent to its
6 issuance, the right to review shall include all government agencies
7 and departments as are or may be designated by the Board of County
8 Commissioners of Hillsborough County to review development of re-
9 gional impact applications as well as all governmental agencies and
10 departments set forth under applicable laws and rules governing de-
11 velopments of regional impact.

12 H. In each instance in this development order where the
13 developer is responsible for ongoing maintenance of facilities at
14 Big Bend, the developer may transfer any or all of its responsibili-
15 ties to improve and maintain those facilities to an appropriate
16 private or public body created to perform such responsibilities.
17 Provided, however, that before such transfer may be effective, the
18 body to which responsibility has been or will be transferred must be
19 approved by the County, upon determination that the entity in ques-
20 tion can and will be responsible to provide maintenance as required
21 in this development order.

22 I. A certified true copy of this Resolution shall be recorded
23 in accordance with Section 380.06, Florida Statutes (1981).

24 J. A substantial deviation from the terms or conditions of
25 this development order or other changes to the approved development
26 plans which create a reasonable likelihood of additional adverse
27 regional impact, or any other regional impact not previously reviewed
28 by the Regional Planning Council may result in Hillsborough County
29 ordering a termination of all development approved herein. Nothing
30 herein shall be construed to limit or modify the right of Hills-
31 borough County to make a substantial deviation determination pursuant
to the provisions of Section 380.06(17), Florida Statutes (1981).

1 K. The County Administrator of Hillsborough County shall be
2 responsible for monitoring all terms and conditions of this develop-
3 ment order. For purposes of this condition, the County Administrator
4 may rely upon or utilize information supplied by any Hillsborough
5 County department or agency having particular responsibility over the
6 area or subject involved. The County Administrator shall report to
7 the Board of County Commissioners any findings of deviation from the
8 terms and conditions of this development order. The County Adminis-
9 trator shall issue a notice of such non-compliance to the developer
10 and if the deviation is not corrected within a reasonable amount of
11 time shall recommend that the Board of County Commissioners establish
12 a hearing to consider such deviations. The developer shall be given
13 notice of any such hearing. In the event that circumstances require
14 an immediate action, so as to prevent irreparable harm, the County
15 Administrator need not issue a notice of non-compliance.

16 L. The developer shall file an annual report in accordance with
17 Section 380.06(16), Florida Statutes (1981). Such report shall be
18 due on the anniversary of the effective date of this development
19 order for each following year until and including such time as all
20 terms and conditions of this development order are satisfied. Such
21 report shall be submitted to the County Administrator who shall after
22 appropriate review, submit it for receipt by the Board of County Com-
23 missioners. The Board of County Commissioners shall review the re-
24 port for compliance with the terms and conditions of this development
25 order and may issue further orders and conditions to insure com-
26 pliance with the terms and conditions of this development order. The
27 developer shall be notified of any Board of County Commissioners
28 hearing wherein such report is to be reviewed. Provided, however,
29 that receipt and review by the Board of County Commissioners shall
30 not be considered a substitute or a waiver of any terms or condi-
31 tions of this development order. The report shall contain:

1 1. A description of all development activity conducted
2 pursuant to this development order during the year immediately pre-
3 ceding the submission of the annual report;

4 2. A description of all development activities proposed
5 to be conducted under the terms of this development order for the
6 year immediately subsequent to the submission of the annual report;

7 3. A statement listing all applications for incremental
8 review required pursuant to this development order or other appli-
9 cable local regulations which the developer proposes to submit during
the year immediately following submittal of the annual report;

10 4. A statement setting forth the name(s) and address of
11 any heir, assignee or successor in interest to this development
12 order; and,

13 5. Shall contain a statement that all persons have re-
14 ceived copies of the annual report as required under Section 380.
15 06(16), Florida Statutes.

16 It is the intent herein that the foregoing requirements
17 for submittal of the annual report shall be in addition to and not
18 in lieu of any submittal requirements for an annual report as pro-
mulgated by the State Land Planning Agency.

19 M. This development order shall become effective upon adoption
20 by the Board of County Commissioners of Hillsborough County in
21 accordance with Section 380.06, Florida Statutes (1981).

22 N. The property which is subject to this development order
23 and/or all owner(s) thereof shall be subject to any county or state-
24 wide impact fee or user charge or any other county-wide assessment
25 or tax that may be imposed to fund, in whole or in part, the costs
26 of roadway maintenance or construction. Nothing herein shall be
27 construed to limit or modify any legal remedies developer may seek
to contest the validity of such county or statewide impact fee, user
charge, county-wide assessment or tax as set forth in this paragraph.

28 O. Upon adoption, this development order shall be transmitted
29 by the Ex Officio Clerk to the Board of County Commissioners, by
30
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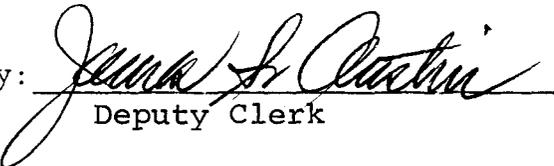
1 certified mail to the State Land Planning Agency, the Tampa Bay
2 Regional Planning Council, and the developer.

3 P. The development shall proceed in strict accordance with the
4 development phasing plan contained in the application. The develop-
5 er is specifically prohibited from proceeding with the development
6 of any Phase after Phase I until completion of development of the
7 proceeding Phase.

8 I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex
9 Officio Clerk of the Board of County Commissioners of Hillsborough
10 County, Florida, do hereby certify that the above and foregoing
11 is a true and correct copy of a development order adopted by the
12 Board at a duly convened public hearing held on January 22, 1982,
13 as the same appears of record in Minute Book 81 of the Public
14 Records of Hillsborough County, Florida.

15 WITNESS my hand and official seal this 26th day of January
16 _____, 1982.

17 JAMES F. TAYLOR, JR., CLERK

18 By: 
19 Deputy Clerk

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29 BOARD OF COUNTY COMMISSIONERS
30 HILLSBOROUGH COUNTY, FLORIDA

31 DOCUMENT No. 82-33

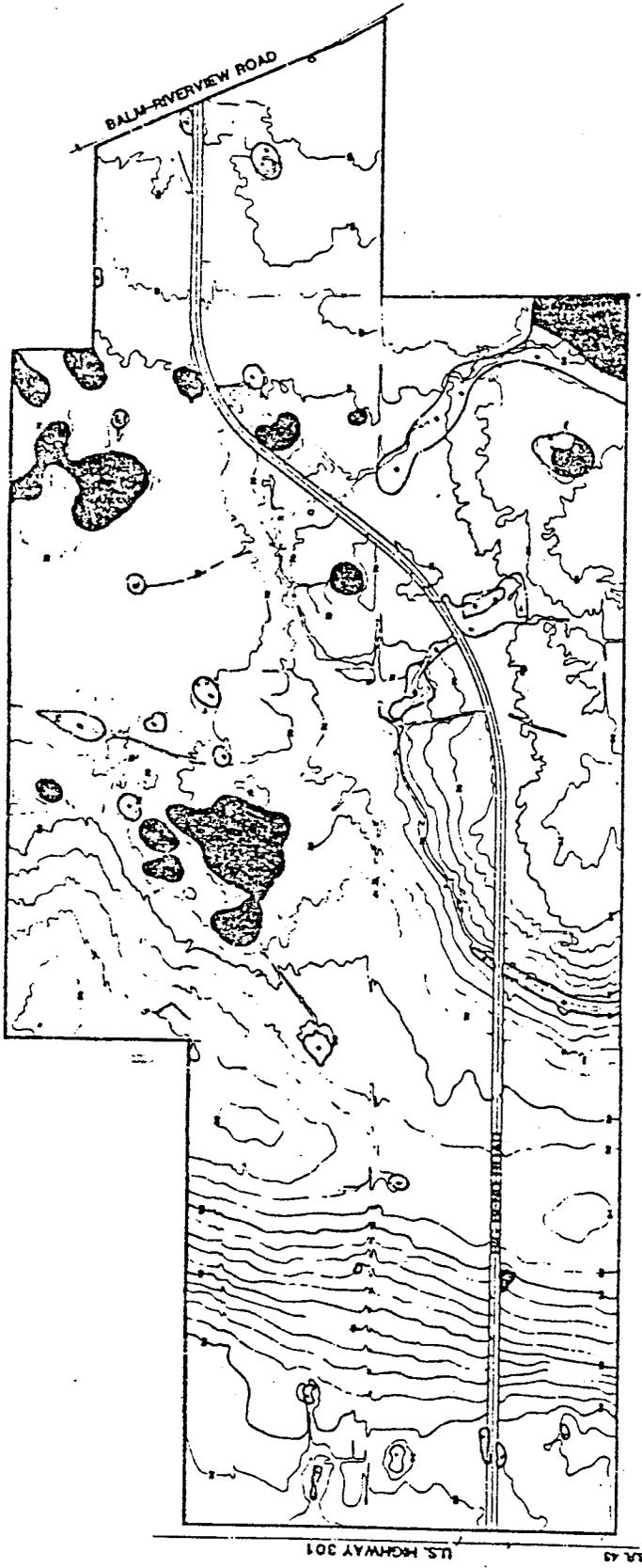
LEGAL D' CRIPTON

E-4-1
E-1-1
E-1-1
E-1-1

A parcel of land including all or portions of Sections 8, 9, 10, 11, 15 16 and 17 in Township 31 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 8, Township 31, South Range 20 East; thence N.89°42'37"E. along the South line of the Southwest 1/4 said Section 8 for 132.00 feet to a point of intersection with the Easterly Right-of-Way line of U.S. Highway #301 (State Road No. 43), said point being the POINT OF BEGINNING of the herein described parcel of land; thence continue along the Easterly Right-of-Way line of U.S. Highway #301 for the following two (2) described courses: 1) N.00°00'03"E. for 2769.81 feet to the Point of Curvature of a circular curve concave to the East; 2) Northerly along the arc of said curve having a radius of 5597.58 feet and a central angle of 5°41'23", for 555.86 feet to an intersection with the South line of the North 1980 feet of the North 3/4 of said Section 8; thence run along the last described South line for the following three (3) courses: 1) N.89°41'18"E. for 2508.84 feet to an intersection with the East line of the Northwest 1/4 of said Section 8; 2) N.89°47'46"E. for 1716.03 feet; 3) N.89°48'58" E. for 968.63 feet to an intersection with the West line of the Northwest 1/4 of said Section 9, Township 31 South, Range 20 East; thence N.0°15'23"W. along the West line of the Northwest 1/4 of said Section 9 for 1980.14 feet to the Northwest corner of said Section 9; thence N.89°46'00"E. along the North line of the Northwest 1/4 of said Section 9 for 2624.32 feet to the Northeast corner of the Northwest 1/4 of said Section 9; thence N.89°44'54"E. along the North line of the Northeast 1/4 of said Section 9 for 1269.79 feet; thence N.89°45'12"E. continuing along the North line of the Northeast 1/4 of said Section 9 for 1357.46 feet to the Northeast corner of said Section 9, the same being the Northwest corner of said Section 10; thence N.89°28'59"E. along the North line of said Section 10 for 2139.02 feet to a concrete monument; thence S.1°29'39"E. for 880.79 feet to a concrete monument; thence N.89°30'21"E. for 2155.06 feet to a concrete monument, said point being a point on the Westerly Right-of-Way line of Balm-Riverview Road; thence run along the Westerly Right-of-Way line of Balm-Riverview Road for the following three (3) described courses: 1) S.23°27'37"E. for 1433.57 feet; 2) S.24°15'00"E. for 1417.22 feet; 3) S.29°56'27"E. for 547.87 feet to an intersection with the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 11, Township 31 South, Range 20 East; thence run S.89°57'01"W. along the last described South line for 282.67 feet to the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section 10, Township 31 South, Range 20 East; thence S.89°34'32"W. along the South line of the North 1/2 of the Southeast 1/4 of said Section 10 for 2686.38 feet to the Southwest corner of the North 1/2 of the Southeast 1/4 of said Section 10; thence S.1°31'35"E. along the East line of the Southwest 1/4 of said Section 10 for 1323.68 feet to the South 1/4 corner of said Section 10; thence S.0°11'05"W. along the East line of the Northwest 1/4 of Section 15, Township 31 South, Range 20 East, for 1325.76 feet to the Southeast corner of the North 1/2 of the Northwest 1/4 of said Section 15; thence S.89°34'24"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 15 for 2663.20 feet to the Southeast corner of the North 1/2 of the Northeast 1/4 of Section 16, Township 31 South, Range 20 East; thence S.89°36'20"W. along the South line of the North 1/4 of said Section 16 for 5359.98 feet to the Southwest corner of the North 1/4 of said Section 16; thence S.89°39'42"W. along the South line of the North 1/2 of the Northeast 1/4 of said Section 17, Township 31 South, Range 20 East for 2681.22 feet; thence S.89°46'15"W. along the South line of the North 1/2 of the Northwest 1/4 of said Section 17 for 2565.01 feet to an intersection with the Easterly Right-of-Way line of the aforementioned U.S. Highway #301; thence run N.00°00'41"E. along the last described Easterly Right-of-Way line for 1326.67 feet to the POINT OF BEGINNING. LESS therefrom the existing Right-of-Way for Big Bend Road and any other dedicated Rights-of-Way.

EXHIBIT C
WETLANDS



WETLANDS

BIG BEND

U.S. HOME CORPORATION
CENTRAL FLORIDA LAND DEVELOPMENT DIVISION/AD-1 REGION

POST, BUCKLEY, SCHUH & JERRIGAN, INC.
CONSULTING ENGINEERS AND PLANNERS



EXHIBIT 16-1

VIABLE WETLANDS AS
DETERMINED BY EPC
STAFF INDICATED IN
BLACK.

SOURCE: P.B.S.&J, INC. 1981