



#93

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

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

RICK SCOTT
Governor

BILLY BIZZETT
Secretary

September 19, 2011

Mr. John Healey
Post Office Box 1110
Tampa, FL 33601

Re: LAKE BRANDON; File Number AGM-08-2010-005

Dear Mr. Healey:

Enclosed is a copy of the executed agreement for LAKE BRANDON. If you have any questions, please call Brenda Winningham in the Office of Comprehensive Planning at (850) 488-2356.

Sincerely,

D. Ray Eubanks, Administrator
Plan and DRI Processing Unit

DRE/dh

Enclosure

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

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

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

**ESSENTIALLY BUILT-OUT AGREEMENT FOR THE LAKE BRANDON
DRI (DRI NO. 93) PURSUANT TO SECTION 380.032(3) AND SECTION
380.06(15)(g)(4) FLORIDA STATUTES**

This Essentially Built-Out Agreement (“**Agreement**”) is entered into by and between **Providence Lakes, LLP**, a Florida limited liability partnership (“**Developer**”), **Hillsborough County**, a political subdivision of the State of Florida (“**County**”), and **State of Florida Department of Community Affairs** (“**Department**”) (collectively, the Developer, County, and Department are referred to herein as the “**Parties**”) subject to all other governmental regulations and solely at Developer’s risk.

RECITALS:

WHEREAS, Developer is the owner of that parcel of real estate located in Hillsborough County, Florida and more particularly described in **Exhibit “A”** attached hereto and incorporated herein by this reference (the “**Developer’s Property**”), which lands are located within the Lake Brandon Development of Regional Impact (“**DRI**”), which consists of approximately 495.153 acres, more or less, and is more particularly described in **Exhibit “B”** attached hereto and incorporated herein by this reference; and

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

WHEREAS, the Department is the state land planning agency having the power and duty to exercise general supervision of the administration and enforcement of Chapter 380, Florida Statutes (“**F.S.**”); and

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

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

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

WHEREAS, on December 21, 1983, the Board of County Commissioners approved the Development Order (Resolution #83-0164) for the Florida Corporate Center Development of Regional Impact (DRI #93) (the “**Original Development Order**”) pursuant to the provisions of Section 380.06, F.S.; and

WHEREAS, on June 21, 1988, the Board of County Commissioners adopted Resolution No. R88-0179, which amended the Original Development Order pursuant to the provisions of Section 380.06, F.S. (the “**First Amendment**”); and

WHEREAS, on January 23, 1990, the Board of County Commissioners adopted Resolution No. R90-0023, which amended the Original Development Order as amended by the First Amendment, by extending the dates of build-out of development of Phase 1 (including Phase 1A and 1B), Phase 2 and Phase 3 (including Phases 3A and 3B) each by two years, eleven months, and fifteen days and adopting a "Revised Phasing Schedule" (the "**Second Amendment**"); and

WHEREAS, on November 13, 1990, the Board of County Commissioners adopted Resolution No. R90-0244, which amended the Original Development Order as amended by the First Amendment and the Second Amendment, by modifying the "Master Plan" or "Map H" to allow the addition of 50.8 acres to the DRI development including land use parcels, retention lakes, and access points, adding residential, hotel and health related services as additional permissible land uses, adding a land use conversion mechanism, and making other changes (the "**Third Amendment**"); and

WHEREAS, on September 13, 1994, the Board of County Commissioners adopted Resolution No. R94-0225, which amended the Original Development Order as previously amended by the First Amendment, the Second Amendment and the Third Amendment, by extending the dates of build-out of development of Phase 1 (including Phase 1A and 1B), Phase 2, and Phase 3 (including Phase 3A and 3B), each by an additional two years and by establishing an expiration date of December 31, 2010 (the "**Fourth Amendment**"); and

WHEREAS, on November 21, 1995, the Board of County Commissioners adopted Resolution No. R95-265, which amended the Original Development Order as previously amended by the First Amendment, the Second Amendment, the Third Amendment and the Fourth Amendment, by incorporating a revised "Master Plan" or "Map H", revising the land use conversion mechanism, incorporating an equivalency matrix, identifying the minimum and maximum development thresholds for each approved land use, and re-sequencing the required transportation improvements (the "**Fifth Amendment**"); and

WHEREAS, on January 12, 1999, the Board of County Commissioners adopted Resolution No. R99-018, which amended the Original Development Order as previously amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment and Fifth Amendment, by revising the "Master Plan" or "Map H" to include an additional 47.33 acres and associated land uses, and modifying the land use equivalency matrix (the "**Sixth Amendment**"); and

WHEREAS, on October 25, 2005, the Board of County Commissioners adopted Resolution No. R05-0244, which amended and restated the Original Development Order as previously amended by the First Amendment, the Second Amendment, the Third Amendment, Fourth Amendment, Fifth Amendment and Sixth Amendment, in its entirety and renamed the DRI as the "Lake Brandon DRI", revised the "Master Plan" or "Map H", extended the build-out

date of all phases of development to December 31, 2010, extended the termination date of the DRI to December 31, 2015, revised the land use equivalency matrix, increased the retail square footage to 900,000 square feet gross leasable area, and increased the maximum residential units allowed to 3,400 dwelling units (the “**Seventh Amendment**”); and

WHEREAS, on November 12, 2007, the County was notified of the extension of three (3) years of both the build-out date under the DRI to December 31, 2013 and the termination date of the DRI to December 31, 2018 by virtue of House Bill No. 7203 (Chapter 2007-204, the Laws of Florida) approved by the Florida Legislature in 2007 (“**Legislative Extension**”);

WHEREAS, the Original Development Order as amended by the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment and the Legislative Extension is hereinafter referred to as the “**DRI Development Order**”; and

WHEREAS, the Developer’s Property is one of the few undeveloped tracts of land within the DRI and Developer desires to develop a maximum of 450 residential dwelling units on Developer’s Property; and

WHEREAS, in addition to Developer’s Property there are some small tracts of undeveloped property remaining within the DRI for which 20,000 square feet of office entitlements and 10,000 square feet of retail entitlements, or their equivalent uses, shall be retained; and

WHEREAS, the Developer has mailed notice regarding this Agreement to all owners of parcels located within 300 feet of the vacant DRI tracts and to all registered neighborhood or civic associations, including the Lake Brandon Association, Inc., which represents all owners within the Lake Brandon DRI, published notice of a public hearing regarding this Agreement, and posted a notice regarding this Agreement in the Lake Brandon DRI; and

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

WHEREAS, development within the DRI is substantially in compliance with the DRI Development Order in that the impacts of the total development are less than or equal to the impacts of the approved development as described in the report attached hereto as **Exhibit “D”** and incorporated herein by this reference.

NOW, THEREFORE, in consideration of the foregoing “Recitals”, which are true and correct and are incorporated herein by this reference, and the mutual covenants contained herein, it is hereby understood and agreed as follows:

1. **Determination of Essentially Built-Out Status.**

The Parties agree that pursuant to Section 380.06(15)(g)(4), F.S., the Lake Brandon DRI is "essentially built-out" because (a) the development is in compliance with all applicable terms and conditions of the DRI Development Order and as of December 31, 2013, the build-out date of the DRI will have expired, and (b) the amount of development that remains to be built on the Developer's Property together with any other undeveloped land located within the DRI does not create the likelihood of any additional regional impacts not previously addressed. The development that remains to be built is described in Sections 2 and 3 below, and may occur without further DRI review under Section 380.06, Florida Statutes (but still subject to the County's comprehensive plan and land development regulations).

2. **Development of Developer's Property.**

Developer's Property is legally described in **Exhibit "A"** attached hereto and is graphically depicted on that certain map attached hereto as **Exhibit "C"**. Developer has submitted a traffic analysis to identify the impacts of the development of the Developer's Property for a maximum of 450 residential units consisting of single-family units and/or multi-family units. Based on this study and the essentially built-out status of the DRI, and notwithstanding the build-out date in the DRI Development Order, the Developer's Property may be developed with a maximum of 450 residential units, whether they be multi-family, single-family, or a combination thereof, until December 31, 2017, without: (a) being required to undergo concurrency or transportation review; or (b) being required to pay transportation impact fees to the County. However, the County may require site access management improvements under local County access management regulations which are directly related to site plan approval for development of Developer's Property or any portion thereof.

3. **Development of Other Parcels within the DRI Except Developer's Property.**

The remaining vacant tracts or partially developed tracts within the DRI, except for the Developer's Property, may be developed with a maximum cumulative amount of 20,000 square feet of office and 10,000 square feet of retail uses or equivalent uses by way of exercise of the Revised Land Use Equivalency Matrix attached hereto as **Exhibit E** until December 31, 2017, without: (a) concurrency or transportation review by the County, or (b) payment of transportation impact fees until December 31, 2017. The County's Development Services Department shall be notified of the utilization of the Revised Land Use Equivalency Matrix in connection with the 20,000 square feet of office and 10,000 square feet of retail uses reserved herein at least fourteen (14) days prior to submittal of construction plans for the development on any lands within the DRI except for the Developer's Property.

4. **Other Future Development or Redevelopment.**

Any other future development or redevelopment of any tracts within this DRI that differs from or is in excess of that described in Sections 2 and 3 of this Agreement that occurs before December 31, 2017, and all development which occurs after December 31, 2017, shall be subject to the Hillsborough County Comprehensive Plan and the Hillsborough County Land Development Code including but not limited to concurrency and transportation impact fees. The appropriate methodology for any required traffic analysis shall be determined by the County. Any future development or redevelopment proposals shall be assessed for development of regional impact status on their own merits. No amendment to this Agreement for any such future development or redevelopment is either required or contemplated.

5. **Deletion of Remaining DRI Entitlements.**

All remaining un-built DRI entitlements (except for those described in Sections 2 and 3 hereof) are hereby deleted including without limitation all Phase 3B entitlements as described in the DRI Development Order. The DRI entitlements deleted hereby consist of the following:

180,733 square feet of Light Industrial Entitlements; and
1,332,078 square feet of Office Entitlements.

6. **Annual Reports.**

After the Effective Date of this Agreement, any annual reports which may be required for the DRI pursuant to Section 380.06(18), F.S., or under the DRI Development Order shall no longer be required.

7. **Agreement Effectuates Chapter 380, Florida Statutes.**

Developer asserts and warrants that all of the representations and statements made as set forth in this Agreement are true, accurate and complete. Based upon such representations and statements, the Department concludes that this Agreement is in the best interest of the State, is necessary and beneficial to the Department in its role as the state agency with the responsibility for the administration and enforcement of Chapter 380, F.S., and reasonably applies and effectuates the provisions and purposes of Chapter 380, F.S.

8. **Default.**

In the event of a breach of this Agreement or failure to comply with any condition of this Agreement, or if this Agreement is based upon materially inaccurate information, the

Department or the County may terminate this Agreement or file suit to enforce this Agreement as provided in Sections 380.06 and 380.11, F.S.

9. **No Waiver.**

Nothing in this Agreement shall constitute a waiver by any party of its right to appeal any development order pursuant to Section 380.07, F.S., except as acknowledged herein.

10. **Further DRI Review.**

Nothing contained herein shall exempt any proposed new development or redevelopment from complying with the state guidelines and standards used to determine whether a development must undergo DRI review pursuant to Section 380.06(2), F.S.

11. **Effect of Agreement on Rights and Obligations of Parties.**

This Agreement affects the rights and obligations of the Parties under Chapter 380, F.S. It is not intended to determine or influence the authority or decisions of any other state or local government or agency in issuance of any other permits and approvals which might be required by state law or local ordinance for any development authorized by this Agreement. This Agreement shall not prohibit the regional planning agency from commenting on any regional issue.

12. **Master Plan.**

The Master Plan (Map "H") of the development for the DRI property is attached hereto as **Exhibit "F"** and is incorporated herein by this reference.

13. **Binding Effect of Agreement and Recording.**

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

14. **Effective Date.**

The “**Effective Date**” of this Agreement shall be the date that the last party hereto signs and acknowledges this Agreement.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]



ATTEST:

PAT FRANK, Clerk of Circuit Court

Beverly Anne Miller
Deputy Clerk

HILLSBOROUGH COUNTY, a political subdivision of the State of Florida

By: [Signature]
Chairperson, Board of County Commissioners
Date of Approval/Execution: 8-9-11

APPROVED BY COUNTY ATTORNEY

[Signature]
Approved as to Form and Legal Sufficiency

BOARD OF COUNTY COMMISSIONERS
HILLSBOROUGH COUNTY FLORIDA
DOCUMENT NO. 11-0689

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

APPROVED BY COUNSEL FOR
DEPT. OF COMMUNITY AFFAIRS

[Signature]
Approved as to Form and Legal Sufficiency

By: [Signature]
Name: J. Thomas Beck
Title: Director of Community Planning
Date of Approval/Execution: 9-15-11

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this ___ day of _____, 2011, by _____ as _____ of the State of Florida Department of Community Affairs on behalf of said Department and who is either **(mark one)** ___ personally known to me, or ___ produced _____ as identification (picture identification required).

[AFFIX NOTARY SEAL OR STAMP]

Name: _____
Notary Public, State of Florida

WITNESSES:

PROVIDENCE LAKES, LLP, a Florida limited liability partnership,

Laura Coffey
Name: Laura Coffey
(Print or Type Name)

By: Lennar Homes, LLC, a Florida limited liability company, its general partner

Jo Ann Byrum
Name: JO ANN BYRUM
(Print or Type Name)

By: *[Signature]*
Name: Mark Metheny
(Print or Type Name)

Title: Vice President
Date of Approval/Execution: 8/17/2011

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 17th day of AUGUST, 2011, by MARK METHENY as VICE PRESIDENT of Lennar Homes, LLC, a Florida limited liability company, as general partner of Providence Lakes, LLP, a Florida limited liability partnership, on behalf of said entites, and who is either (mark one) personally known to me, or produced _____ as identification (picture identification required).

[AFFIX NOTARY SEAL OR STAMP]

Jo Ann Byrum
Name: JO ANN BYRUM
Notary Public, State of Florida

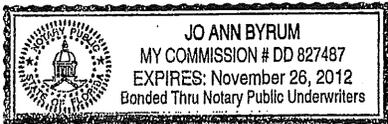


EXHIBIT "A"

"DEVELOPER'S PROPERTY"

EXHIBIT A

PARCEL 1 (POD 107)

(Legal Description of Parcel 107)

A PORTION OF LAND LYING IN TRACTS 11, 12, 13 AND 14 IN THE NORTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 29 SOUTH, RANGE 20 EAST, ACCORDING TO PLAT THEREOF SOUTH TAMPA AS RECORDED IN PLAT BOOK 6, PAGE 3 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 32 SOUTH 89°55'30" WEST, A DISTANCE OF 2,644.15 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID NORTHWEST ONE-QUARTER, SOUTH 89°57'08" WEST, A DISTANCE OF 1,451.95 FEET; THENCE DEPARTING SAID NORTHERLY LINE SOUTH 00°02'52" EAST, A DISTANCE OF 1,893.63 FEET TO THE POINT OF BEGINNING, ALSO BEING A POINT ON THE WESTERLY RIGHT OF WAY LINE OF EAST/WEST COLLECTOR ROAD; THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 01°00'48" WEST, A DISTANCE OF 667.50 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE EASTERLY; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 602.00 FEET, A CENTRAL ANGLE OF 10°33'30", AN ARC LENGTH OF 110.93, THE CHORD FOR WHICH BEARS SOUTH 04°15'57" EAST, A CHORD DISTANCE OF 110.78 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE NORTH 89°44'48" WEST, A DISTANCE OF 983.02 FEET; THENCE NORTH 00°14'29" EAST, A DISTANCE OF 270.37 FEET; THENCE NORTH 05°15'56" EAST, A DISTANCE OF 218.37 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 440.55 FEET, A CENTRAL ANGLE OF 122°41'14", AN ARC LENGTH OF 943.34 FEET, THE CHORD FOR WHICH BEARS NORTH 66°36'33" EAST, A CHORD DISTANCE OF 773.17 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE NORTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 37°57'10", AN ARC LENGTH OF 66.24 FEET, THE CHORD FOR WHICH BEARS SOUTH 71°01'25" EAST, A CHORD DISTANCE OF 65.04 FEET TO A POINT OF TANGENCY; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 174.26 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

PARCEL 2 (POD 114-(b))

(Legal Description of Parcel 107)

A PORTION OF LAND LYING IN TRACTS 2, 3 AND 4 IN THE SOUTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 29 SOUTH, RANGE 20 EAST, ACCORDING TO THE PLAT THEREOF SOUTH TAMPA AS RECORDED IN PLAT BOOK 6, PAGE 3 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 32 SOUTH 89°55'30" WEST, A DISTANCE OF 2,644.15 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID NORTHWEST ONE-QUARTER SOUTH 89°57'08" WEST, A DISTANCE OF 1,456.17 FEET; THENCE DEPARTING SAID NORTHERLY LINE SOUTH 00°02'52" EAST, A DISTANCE OF 2,871.49 FEET TO THE POINT OF BEGINNING, ALSO BEING A POINT ON THE WESTERLY RIGHT OF WAY LINE OF EAST/WEST COLLECTOR ROAD AND A POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE, ALSO ALONG SAID WESTERLY RIGHT OF WAY LINE, HAVING A RADIUS OF 602.00 FEET, A CENTRAL ANGLE OF 54°40'37", AN ARC LENGTH OF 574.48 FEET, THE CHORD FOR WHICH BEARS SOUTH 36°53'00" EAST, A CHORD DISTANCE OF 552.93 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE SOUTH 54°49'18" WEST, A DISTANCE OF 181.04 FEET; THENCE NORTH 89°44'48" WEST, A DISTANCE OF 1,446.22 FEET; THENCE NORTH 01°12'30" EAST, A DISTANCE OF 545.83 FEET; THENCE SOUTH 89°44'48" EAST, A DISTANCE OF 1,250.82 FEET TO THE POINT OF BEGINNING.

Less and Except Wetland 114-A Property as follows:

A PORTION OF LAND LYING IN TRACT 3 IN THE SOUTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 29 SOUTH, RANGE 20 EAST, ACCORDING TO THE PLAT THEREOF SOUTH TAMPA AS RECORDED IN PLAT BOOK 6, PAGE 3 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 32 SOUTH 89°55'30" WEST, A DISTANCE OF 2,644.15 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID NORTHWEST ONE-QUARTER SOUTH 89°57'08" WEST, A DISTANCE OF 1,819.43 FEET; THENCE DEPARTING SAID NORTHERLY LINE SOUTH 00°02'52" EAST, A DISTANCE OF 2,766.59 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 08°09'02" EAST, A DISTANCE OF 103.81 FEET; THENCE SOUTH 16°43'57" WEST, A DISTANCE OF 112.18 FEET; THENCE SOUTH 54°44'24" WEST, A DISTANCE OF 106.51 FEET; THENCE NORTH 68°41'09" W, A DISTANCE OF 115.79 FEET; THENCE NORTH 03°48'55" EAST, A

PARCEL 3 - POTENTIAL SCHOOL & PARK SITE

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 114-C/PARK PARCEL:

A PORTION OF LAND LYING IN TRACTS 2, 3, 4, 5, 6 AND 7 IN THE SOUTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 29 SOUTH, RANGE 20 EAST, ACCORDING TO THE PLAT THEREOF SOUTH TAMPA AS RECORDED IN PLAT BOOK 6, PAGE 3 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 32 SOUTH $89^{\circ}55'30''$ WEST, A DISTANCE OF 2,644.15 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID NORTHWEST ONE-QUARTER SOUTH $89^{\circ}57'08''$ WEST, A DISTANCE OF 1,456.17 FEET; THENCE DEPARTING SAID NORTHERLY LINE SOUTH $00^{\circ}02'52''$ EAST, A DISTANCE OF 2,671.49 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF EAST/WEST COLLECTOR ROAD AND A POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE, ALSO ALONG SAID WESTERLY RIGHT OF WAY LINE, HAVING A RADIUS OF 602.00 FEET, A CENTRAL ANGLE OF $54^{\circ}40'37''$, AN ARC LENGTH OF 574.48 FEET, THE CHORD FOR WHICH BEARS SOUTH $36^{\circ}53'00''$ EAST, A CHORD DISTANCE OF 552.93 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 602.00 FEET, A CENTRAL ANGLE OF $11^{\circ}37'04''$, AN ARC LENGTH OF 122.07 FEET, THE CHORD FOR WHICH BEARS SOUTH $70^{\circ}01'51''$ EAST, A CHORD DISTANCE OF 121.86 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE SOUTH $54^{\circ}49'18''$ WEST, A DISTANCE OF 479.24 FEET; THENCE SOUTH $01^{\circ}16'01''$ WEST, A DISTANCE OF 305.75 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, CONCAVE NORTHERLY; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 3168.12 FEET, A CENTRAL ANGLE OF $12^{\circ}17'58''$, AN ARC LENGTH OF 680.08 FEET, THE CHORD FOR WHICH BEARS SOUTH $83^{\circ}13'58''$ WEST, A CHORD DISTANCE OF 678.78 FEET; THENCE NORTH $00^{\circ}00'00''$ EAST, A DISTANCE OF 602.66 FEET; THENCE SOUTH $89^{\circ}44'48''$ EAST, A DISTANCE OF 810.03 FEET; THENCE NORTH $54^{\circ}49'18''$ EAST, A DISTANCE OF 181.04 FEET TO THE POINT OF BEGINNING.

PARCEL 114-D/SCHOOL PARCEL:

A PORTION OF LAND LYING IN TRACTS 4 AND 5 IN THE SOUTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 29 SOUTH, RANGE 20 EAST, ACCORDING TO THE PLAT THEREOF SOUTH TAMPA AS RECORDED IN PLAT BOOK 6, PAGE 3 OF

THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 32 SOUTH 89°55'30" WEST, A DISTANCE OF 2,644.15 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID NORTHWEST ONE-QUARTER SOUTH 89°57'08" WEST, A DISTANCE OF 1,456.17 FEET; THENCE DEPARTING SAID NORTHERLY LINE SOUTH 00°02'52" EAST, A DISTANCE OF 2,671.49 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF EAST/WEST COLLECTOR ROAD AND A POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE, ALSO ALONG SAID WESTERLY RIGHT OF WAY LINE, HAVING A RADIUS OF 602.00 FEET, A CENTRAL ANGLE OF 54°40'37", AN ARC LENGTH OF 574.48 FEET, THE CHORD FOR WHICH BEARS SOUTH 36°53'00" EAST, A CHORD DISTANCE OF 552.93 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE, SOUTH 54°49'18" WEST, A DISTANCE OF 181.04 FEET; THENCE NORTH 89°44'48" WEST, A DISTANCE OF 810.03 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 602.66 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, CONCAVE NORTHERLY; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 3168.12 FEET, A CENTRAL ANGLE OF 04°23'32", AN ARC LENGTH OF 242.87 FEET, THE CHORD FOR WHICH BEARS NORTH 88°25'17" WEST, A CHORD DISTANCE OF 241.81 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 87°31'33", AN ARC LENGTH OF 152.77 FEET, THE CHORD FOR WHICH BEARS NORTH 42°32'26" WEST, A CHORD DISTANCE OF 138.34 FEET TO A POINT OF TANGENCY; THENCE NORTH 01°13'25" EAST, A DISTANCE OF 70.03 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 80.00 FEET, A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 125.66 FEET, THE CHORD FOR WHICH BEARS NORTH 43°46'35" WEST, A CHORD DISTANCE OF 113.14 FEET TO A POINT OF TANGENCY; THENCE NORTH 88°46'35" WEST, A DISTANCE OF 230.39 FEET; THENCE NORTH 01°12'30" EAST, A DISTANCE OF 340.30 FEET; THENCE SOUTH 89°44'48" EAST, A DISTANCE OF 636.19 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT: THE LANDS LYING WITHIN THE ROAD RIGHT-OF-WAY ALONG THE WESTERLY BOUNDARY LINE OF THE LANDS DESCRIBED HEREIN AS PARCEL 114-D/SCHOOL PARCEL, AS CONTAINED IN THE PLAT OF SOUTH TAMPA, AS RECORDED IN PLAT BOOK 6, PAGE 3, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

TOGETHER WITH

LEGAL DESCRIPTION OF THE PROPERTY

THE LANDS LYING WITHIN THE ROAD RIGHT-OF-WAY ALONG THE WESTERLY BOUNDARY LINE OF THE PARCEL DESCRIBED AS FOLLOWS, AS CONTAINED IN THE PLAT OF SOUTH TAMPA, AS RECORDED IN PLAT BOOK 6, PAGE 3, OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA:

PARCEL 114-D/SCHOOL PARCEL:

A PORTION OF LAND LYING IN TRACTS 4 AND 5 IN THE SOUTHWEST ONE-QUARTER OF SECTION 32, TOWNSHIP 29 SOUTH, RANGE 20 EAST, ACCORDING TO THE PLAT THEREOF SOUTH TAMPA AS RECORDED IN PLAT BOOK 6, PAGE 3 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID SECTION 32 SOUTH 89°55'30" WEST, A DISTANCE OF 2,644.15 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 32; THENCE ALONG THE NORTHERLY LINE OF SAID NORTHWEST ONE-QUARTER SOUTH 89°57'08" WEST, A DISTANCE OF 1,456.17 FEET; THENCE DEPARTING SAID NORTHERLY LINE SOUTH 00°02'52" EAST, A DISTANCE OF 2,671.49 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF EAST/WEST COLLECTOR ROAD AND A POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE, ALSO ALONG SAID WESTERLY RIGHT OF WAY LINE, HAVING A RADIUS OF 602.00 FEET, A CENTRAL ANGLE OF 54°40'37", AN ARC LENGTH OF 574.48 FEET, THE CHORD FOR WHICH BEARS SOUTH 36°53'00" EAST, A CHORD DISTANCE OF 552.93 FEET; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE, SOUTH 54°49'18" WEST, A DISTANCE OF 181.04 FEET; THENCE NORTH 89°44'48" WEST, A DISTANCE OF 810.03 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 602.66 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE, CONCAVE NORTHERLY; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 3168.12 FEET, A CENTRAL ANGLE OF 04°23'32", AN ARC LENGTH OF 242.87 FEET, THE CHORD FOR WHICH BEARS NORTH 88°25'17" WEST, A CHORD DISTANCE OF 241.81 FEET TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 87°31'33", AN ARC LENGTH OF 152.77 FEET, THE CHORD FOR WHICH BEARS NORTH 42°32'26" WEST, A CHORD DISTANCE OF 138.34 FEET TO A POINT OF TANGENCY; THENCE NORTH 01°13'25" EAST, A DISTANCE OF 70.03 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 80.00 FEET, A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF

125.66 FEET, THE CHORD FOR WHICH BEARS NORTH $43^{\circ}46'35''$ WEST, A CHORD
DISTANCE OF 113.14 FEET TO A POINT OF TANGENCY; THENCE NORTH $88^{\circ}46'35''$
WEST, A DISTANCE OF 230.39 FEET; THENCE NORTH $01^{\circ}12'30''$ EAST, A DISTANCE
OF 340.30 FEET; THENCE SOUTH $89^{\circ}44'48''$ EAST, A DISTANCE OF 636.19 FEET TO
THE POINT OF BEGINNING.

EXHIBIT "B"

LAND SUBJECT TO THE LAND BRANDON DRI

EXHIBIT "B"

LEGAL DESCRIPTION

Tracts 1 to 16 inclusive in the Northeast 1/4, and Tracts 1, 2, 7, 8, 9, 10, 15 and 16 in the Northwest 1/4, AND Tracts 1, 2, 7, and 8 in the Southwest 1/4, AND Tracts 1 to 8 inclusive, Tracts 11 to 14 inclusive in the Southeast 1/4 of Section 32, Township 29 South, Range 20 East, of SOUTH TAMPA, as per plat or map thereof recorded in Plat Book 6, Page 3, Public Records of Hillsborough County, Florida, LESS that portion of Tracts 1 and 2 in the Northwest 1/4 and LESS that portion of Tracts 1, 2, 3 and 4 in the Northeast 1/4 of Section 32, Township 29 South, Range 20 East, of SOUTH TAMPA, deduced to the County of Hillsborough, a political Subdivision of the State of Florida, for road right of way on November 29, 1965, as recorded in Official Records Book 1570, Page 953, Public Records of Hillsborough County, Florida, AND LESS that portion of Tracts 1 and 2 in the Northwest 1/4 of Section 32, Township 29 South, Range 20 East, of SOUTH TAMPA, deduced to the County of Hillsborough, a political Subdivision of the State of Florida, for road right of way on July 9, 1982 as recorded in Official Records Book 3972, Page 192, Public Records of Hillsborough County, Florida, Also Less that portion of Tracts 1, 8, 9 and 16 in the Northeast 1/4 AND LESS that portion of Tracts 1 and 8 in the Southeast 1/4 of Section 32, Township 29 South, Range 20 East, of SOUTH TAMPA, deduced to the County of Hillsborough, a political Subdivision of the State of Florida, for road right of way purposes.

TOGETHER WITH the following described parcel:

Tract 16 in the Northeast 1/4 of Section 31, Township 29 South, Range 20 East, Hillsborough County, Florida, Tracts 3, 5, 6, 11, 12, 13 and 14 in the Northwest 1/4 of Section 32, Township 29 South, Range 20 East, Hillsborough County, Florida, all lying and being in SOUTH TAMPA Subdivision as recorded in Plat Book 6, Page 3 of the Public Records of Hillsborough County, Florida, LESS and EXCEPT right of way taken by order of taking recorded in Official Records Book 3988, Page 1880, also LESS right of way conveyed to the County of Hillsborough by instrument recorded in Official Records Book 1570, Page 953, of the Public Records of Hillsborough County, Florida.

TOGETHER WITH the following described parcel:

Tracts J, 4, 5 and 6, lying in the Northwest 1/4 of the Southwest 1/4 of Section 32, Township 29 South, Range 20 East, SOUTH TAMPA, according to the map or plat thereof recorded in Plat Book 6, Page 3 of the Public Records of Hillsborough County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of the Northwest 1/4 of the Southwest 1/4 of said Section 32, run thence North 00°03'43" East, 15.00 feet along the East boundary of said Northwest 1/4 of the Southwest 1/4; thence South 89°19'58" West, 15.00 feet, parallel with the South boundary of said Northwest 1/4 of the Southwest 1/4, to the Southeast corner of said Tract 6 and the Point of Beginning of the parcel being described; from said Point of Beginning continue thence South 89°19'13" West, 1280.60 feet along the South boundary of said Tract 6 and 5, to the Southwest corner of said Tract 5; thence North 00°02'56" East, 1501.03 feet along the West boundary of said Tracts 5 and 4 to the Northwest corner of said Tract 4; thence North 89°05'10" East, 1281.32 feet along the North boundary of said Tracts 4 and 3 to the Northeast corner of said Tract 3; thence South 00°04'41" West, 1305.94 feet along the East boundary of said Tracts J and 6 to the Point of Beginning.

TOGETHER WITH the following described parcel:

Tract 8 in the Southeast 1/4 of Section 31, Township 29 South, Range 20 East, SOUTH TAMPA, according to the map or plat thereof recorded in Plat Book 6, Page 3 of the Public Records of Hillsborough County, Florida; LESS LESS that part taken for State Road 93-A (1-75) by instrument recorded in Official Records Book 3945, Page 1754, Public Records of Hillsborough County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of the Southeast 1/4 of said Section 31; thence North 89°33'24" West along the North boundary of the Southeast 1/4 of said Section 31 a distance of 15.00 feet; thence South 00°02'33" West along a line being 15.00 feet West and parallel to the East boundary of said Southeast 1/4, a distance of 663.70 feet to the Northeast corner of said Tract 8 and the Point of Beginning; thence continue South 00°02'33" West along the Easterly boundary line of said Tract 8 a distance of 646.70 feet to the Southeast corner of said Tract 8; thence North 89°40'45" West along the Southerly boundary line of said Tract 8 a distance of 646.21 feet to the Southwest corner of said Tract 8; thence North 00°01'50" East along the Westerly boundary of said Tract 8 a distance of 113.75 feet to a point on the Easterly drainage right of way line for State Road No. 93-A (1-75), Section 10075-2405, Hillsborough County, Florida, also per document in Official Records Book 3945, Pages 1754-1755; thence North 85°25'53" East along said easterly drainage and State Road No. 93-A (1-75) right of way line a distance of 467.25 feet to the beginning of a curve concave to the Southeast having a radius of 2097.83 feet; thence run Northeasterly along said curve 87.95 feet through a central angle of 2°24'02" (said curve subtended with a chord bearing of North 16°37'57" East and a chord distance of 87.95 feet) to a point along the Northerly boundary line of said Tract 8; thence South 89°36'51" East departing said easterly drainage right of way line and along the Northerly boundary line of said Tract 8 a distance of 496.13 feet to the Point of Beginning.

Total combined area is 21,568,845.2 square feet or 493.153 acres, more or less.

Date signed
Prepared by FLD&E Surveying
4519 Georgia Road - Suite 150

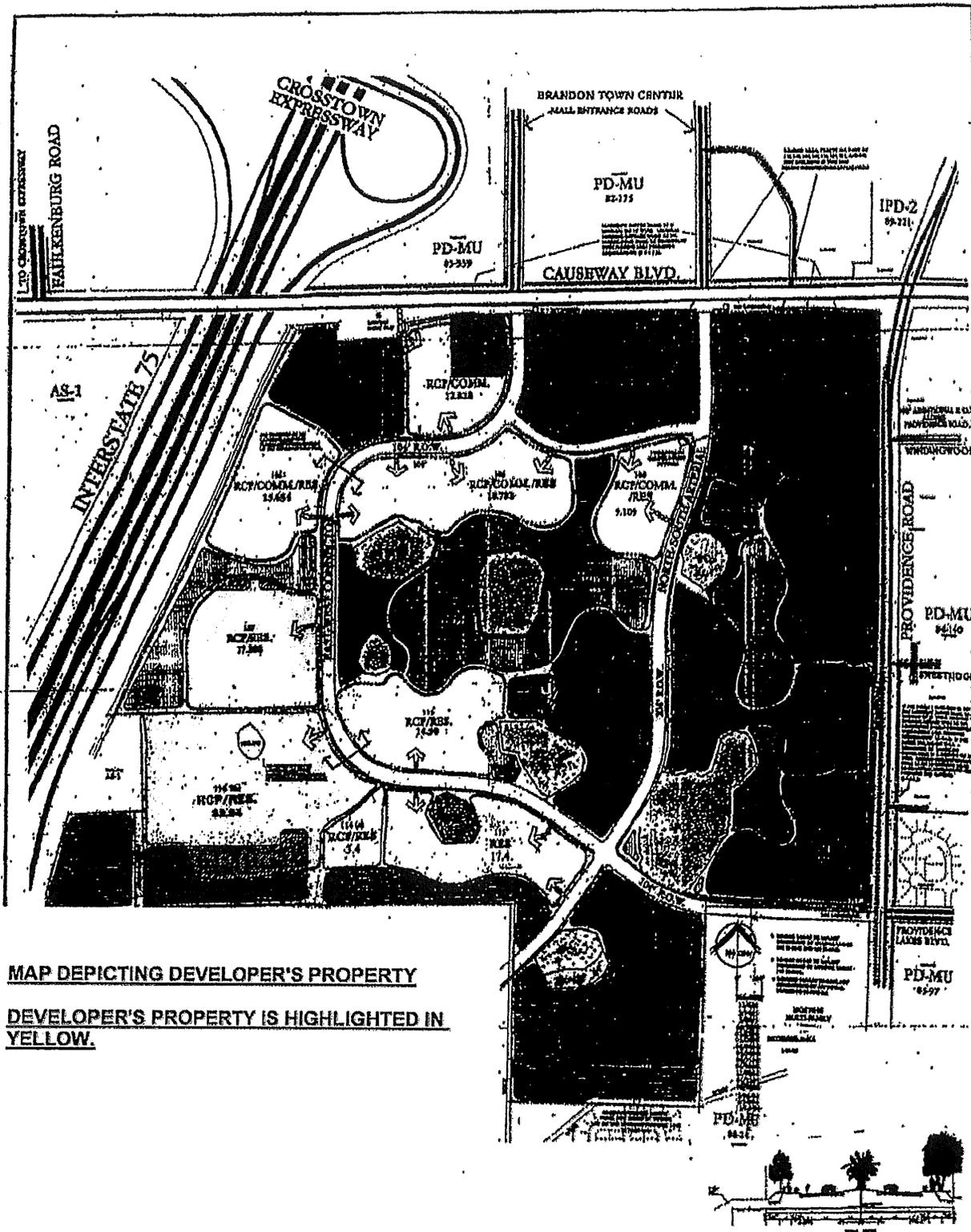
Donald Stone Lane
State of Florida
015 116 5000

7/10

EXHIBIT "C"

MAP DEPICTING DEVELOPER'S PROPERTY

EXHIBIT C



MAP DEPICTING DEVELOPER'S PROPERTY

DEVELOPER'S PROPERTY IS HIGHLIGHTED IN YELLOW.

EXHIBIT "D"

**COMPLIANCE WITH EXISTING DRI DEVELOPMENT
ORDER CONDITIONS**

EXHIBIT D
TO THE ESSENTIALLY BUILT-OUT
AGREEMENT FOR THE LAKE BRANDON DRI

<u>No.</u>	<u>Condition</u>	<u>COMPLIANCE</u>
1.	V.A. Public Facilities (Conditions 1-4)	The developer has complied with all applicable portions of such conditions.
2.	V.B. Energy (Conditions 1-6)	All development activities were performed in accordance with the approval conditions.
3.	V.C. Wetland/Wildlife	The developer has complied with all applicable portions of such conditions.
4.	V.D. Water Quantity	Floor Elevations of all habitable space and the elevation of all internal roadways are to be at or above the 100 year flood elevation level.
5.	V.E. Historical/Archaeological	No historical or archaeological resources were found.
6.	V.F. Water Quality	Surface water quality monitoring was conducted during the DRI. The results are typical and generally acceptable for a well maintained and functioning surface water management system.
7.	V.G. Geology	The developer has complied with all applicable portions of such conditions.

8. V.H. Air Quality
(Conditions 1 – 2.i)
 1. The developer has not sold or leased any property for any use that is obnoxious or offensive by reason of emission of odors, fumes, dust, smoke, noise or vibrations.
 - 2.a. – 2.1 All applicable conditions were adhered to during the grading activity of the site.

9. V.I. Maintenance Functions
(Conditions 1 – 4)

All open space and landscape areas in control of the developer, as well as all on-site wells and landscape irrigation systems, are maintained on a routine basis. Parking lot sweeping is also undertaken as a standard maintenance function.

10. V.J. Erosion Control
(Conditions 1 and 2)

All required erosion control appurtenances were in place during the grading activities and, upon completion of these activities, all required seeding and sodding activities were completed.

11. V.K. Drainage
(Conditions 1 – 6)

The developer has complied with all applicable portions of such conditions.

12. V.L. Transportation
(Conditions 1 – 3.e.)

The developer has complied with and, in some cases exceeded, all applicable portions of such conditions during the reporting period. Traffic monitoring was conducted during the DRI. The results are significantly less than the total project traffic volume approved for the traffic. Results of the monitoring are attached as exhibit D-1.

13. V.M. Equivalency Matrix

See Exhibit C for trade-off entitlements.

EXHIBIT "E"

"REVISED LAND USE EQUIVALENCY MATRIX"

TRADE OFF MATRIX

<u>From</u>	<u>Commercial</u>	<u>Office Park</u>
Commercial	-	3.69129 KSF/KSF
Office Park	0.2768 KSF/KSF	-
Single Family	-	-
Townhome	-	-

Example:

Convert 10,000 square feet of Office Park to Commercial.

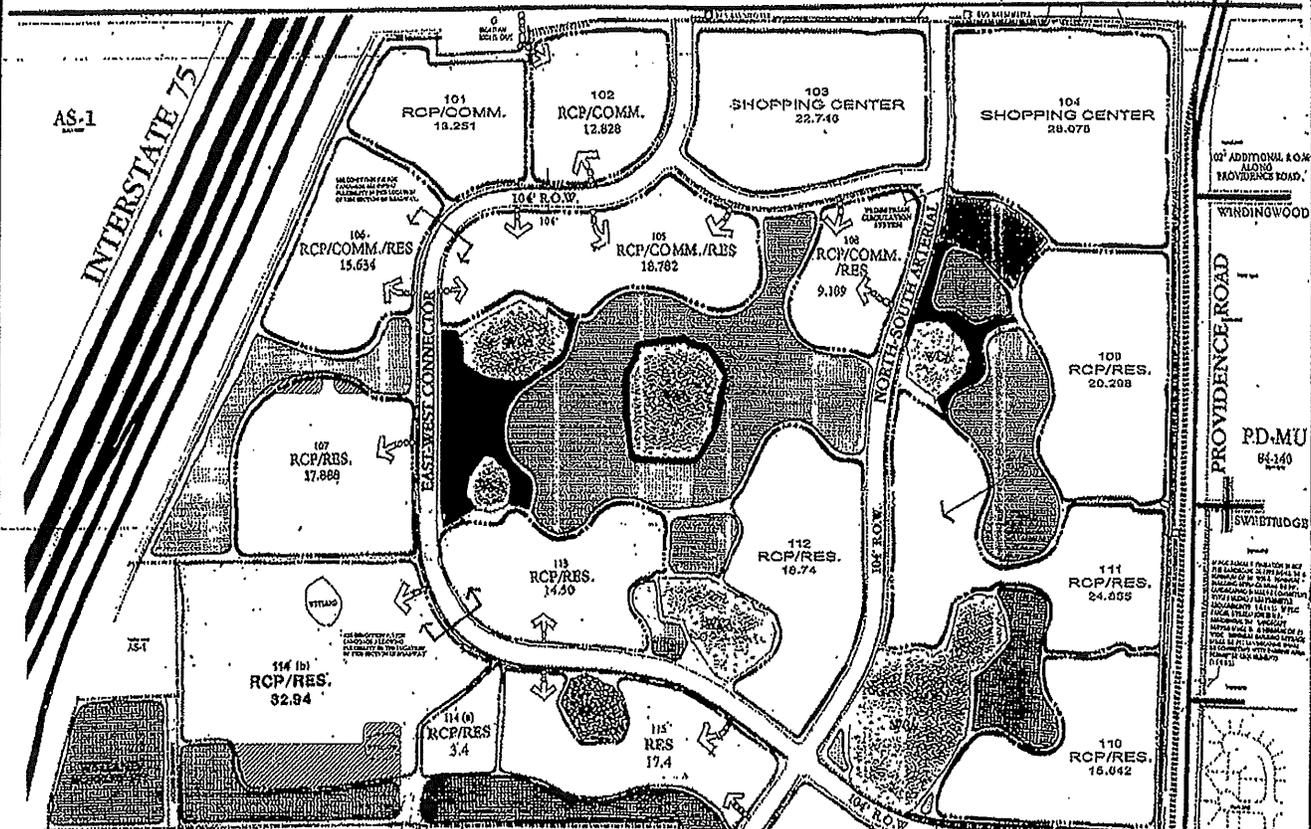
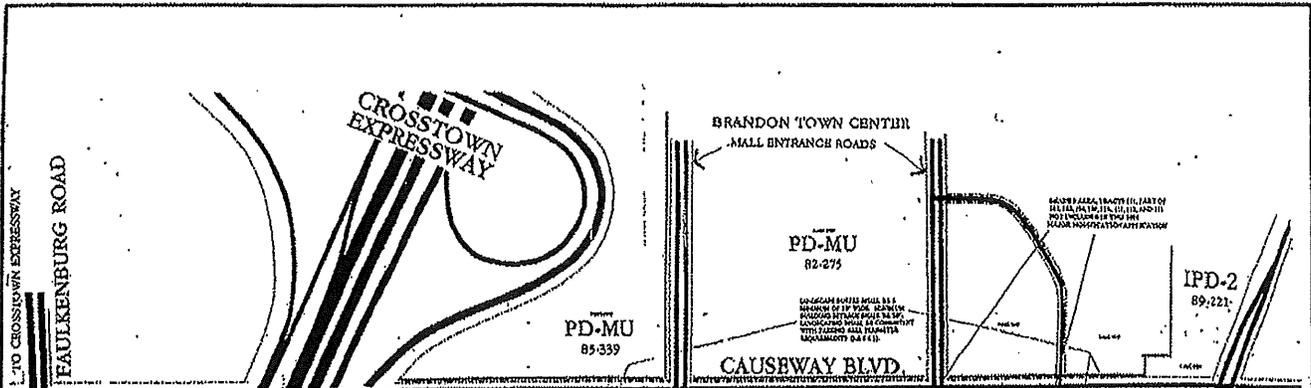
$$10,000 \text{ SF} \times 0.2768 = 2,768 \text{ SF}$$



LINCKS & ASSOCIATES, INC.

EXHIBIT "F"

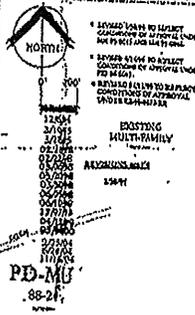
MASTER PLAN - "MAP H"



AS-1 LAND USE SCHEDULE AS-1

USE	ACRAGE	UNITS
OFFICE	118.88	17.83
COMMERCIAL	118.88	17.83
RETAIL	118.88	17.83
INDUSTRIAL	118.88	17.83
RESIDENTIAL	118.88	17.83

LAND USE	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
	(FEET)	(FEET)	(FEET)	(FEET)
Office	25	125	10	25
Commercial	25	125	10	25
Industrial	25	125	10	25



- NOTES
1. All dimensions are to center unless otherwise specified.
 2. All dimensions are to center unless otherwise specified.
 3. All dimensions are to center unless otherwise specified.
 4. All dimensions are to center unless otherwise specified.

LAKE BRANDON

MAP H

FLORIDA ENGINEERING AND ENVIRONMENTAL SERVICES, INC.
 4010 Cypress Road, Suite 130
 Tampa, Florida 33610
 Tel: (813) 886-9100 Fax: (813) 886-9102

DATE	1-9
BY	
CHECKED	
APPROVED	

EXHIBIT "G"

"NOTICE"

DISTANCE OF 102.71 FEET; THENCE NORTH $04^{\circ}15'24''$ EAST, A DISTANCE OF 120.71 FEET; THENCE NORTH $76^{\circ}06'88''$ EAST, A DISTANCE OF 98.70 FEET; THENCE SOUTH $71^{\circ}22'11''$ EAST, A DISTANCE OF 67.43 FEET; THENCE NORTH $82^{\circ}56'23''$ EAST, A DISTANCE OF 37.19 FEET TO THE POINT OF BEGINNING

AND LESS AND EXCEPT LOT 1 IN BLOCK 1 OF LAKE BRANDON TOWNHOMES 114-A, ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK 110, PAGE 158 OF THE PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA

This Instrument Prepared by
And Return to:

Morris C. Massey
Hill Ward Henderson, P.A.
101 E. Kennedy Blvd.
Suite 3700
Bank of America Plaza
Tampa, FL 33602

**NOTICE OF ESSENTIALLY BUILT-OUT AGREEMENT
FOR THE LAKE BRANDON DRI (DRI #93)
PURSUANT TO SECTIONS 380.032(3) AND 380.06(15)(g)(3) OR (4), FLORIDA STATUTES**

Notice is hereby given by Providence Lakes, LLP, of an Essentially Built-Out Agreement for the Lake Brandon DRI (DRI No. 93) pursuant to Sections 380.032(3), and 380.06(15)(g)(3) or (4), Florida Statutes, by and between Providence Lakes, LLP, Hillsborough County, and State of Florida Department of Community Affairs (the "Essentially Built-Out Agreement"), which was approved by Hillsborough County acting by and through its Board of County Commissioners at its regularly scheduled meeting on _____, 2011 by way of Resolution No. R_____. This Essentially Built-Out Agreement modifies and affects the Development Order for the Lake Brandon Development of Regional Impact No. 93 (the "DRI Development Order"). The DRI Development Order was originally approved by the Hillsborough County Board of County Commissioners on December 21, 1983 pursuant to Resolution No. 83-0164, and said DRI Development Order has been previously amended pursuant to (1) Resolution No. R88-0179, adopted June 21, 1988, (2) Resolution No. R90-0023, adopted January 23, 1990, (3) Resolution No. R90-0244, adopted November 13, 1990, (4) Resolution No. R94-0225, adopted September 13, 1994, (5) Resolution No. R95-265, adopted November 21, 1995, (6) Resolution No. R99-018, adopted January 12, 1999, (7) R05-0244 adopted October 25, 2005, and (8) Chapter 2007-204, the Laws of Florida.

The Essentially Built-Out Agreement together with the DRI Development Order and any prior amendments thereto may be examined at the office of the Clerk of the Board of County Commissioners, Records Department, 12th Floor, Frederick B. Karl County Center, 601 East Kennedy Boulevard, Tampa, Florida 33602.

The DRI Development Order as modified by the Essentially Built-Out Agreement constitutes a land development regulation applicable to the land covered by said DRI Development Order and Essentially Built-Out Agreement, which land is described as set forth in Exhibit A attached hereto and incorporated herein by this reference.

The recording of this Notice does not constitute a lien, cloud or encumbrance on real property, nor does it constitute actual or constructive notice of any such lien, cloud or encumbrance.

PROVIDENCE LAKES, LLP,
A Florida limited liability partnership,

By: Lennar Homes, LLC, a Florida limited liability company, its
general partner,

By: _____
Name: _____
(Print or Type Name)
Title: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by _____, as _____ of Lennar Homes, LLC, a Florida limited liability company, as general partner of the Providence Lakes, LLP, a Florida limited liability partnership, on behalf of said entities. He or she is either **[mark one]** _____ personally known to me, or _____ produced _____ **[picture identification required]** as identification.

[AFFIX NOTARY SEAL OR STAMP]

Name: _____
(Print or Type Name)
NOTARY PUBLIC, State of Ohio
My Commission Expires: _____

93

MECHANIK NUCCIO HEARNE & WESTER

A PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW
305 S. BOULEVARD
TAMPA, FLORIDA 33606-2150
INTERNET ADDRESS: <http://www.floridalandlaw.com>

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JOHN B. NEUKAMM
VINCENT L. NUCCIO, JR.
WILLIAM R. PAUL
KRISTA L. PENDINO*
ANNE Q. POLLACK
J. MEREDITH WESTER*

TEL: (813) 276-1920
FAX: (813) 276-1560
E-MAIL ADDRESS: aqp@floridalandlaw.com

*NORTH TAMPA OFFICE: 18560 N. DALE MABRY HWY.
LUTZ, FLORIDA 33548-7900
TEL: (813) 968-1002
FAX: (813) 968-1502

OF COUNSEL:
CAROLE T. KIRKWOOD
M. D. "CHIP" PURCELL*

REPLY TO: ■ TAMPA
□ NORTH TAMPA

July 22, 2011

VIA –EMAIL: johnm@tbrpc.org

Mr. John Meyer, DRI and IC&R Coordinator
Tampa Bay Regional Planning Council
4000 Gateway Centre Blvd., Suite 100
Pinellas Park, FL 33782

**Re: Lake Brandon Development of Regional Impact (#93)
Use of Equivalency Matrix**

Dear John:

Section V.M. of the Lake Brandon DRI Development Order permits the exchange of specific uses pursuant to the approved Equivalency Matrix.

In accordance with the Development Order, we are hereby notifying you of an equivalent exchange of 133,980 square feet of light industrial uses (identified as PD-RP uses on parcels labeled RCP/COMM) for 334 multi-family dwelling units. With this trade, a total of 1,323,358 square feet of light industrial entitlements will have been traded for 3,299 multi-family dwelling units.

We are also hereby notifying you of an equivalent exchange of 22,311 square feet of light industrial uses (identified as PD-RP uses on parcels labeled RCP/COMM) for 10,000 commercial square feet. With this trade, a total of 1,039,113 square feet of light industrial entitlements will have been traded for 460,240 commercial square feet.

These trades are consistent with the Development Order and the formula set forth in the approved Equivalency Matrix. A copy of the Equivalency Matrix is enclosed herein. A chart

Mr. John Meyer
July 22, 2011
Page 2 of 2

detailing the cumulative land use totals and remaining allowable quantities is also enclosed herein and will be submitted shortly with a revised and updated 2009-2010 Annual Report.

Please contact me if you have any questions.

Sincerely yours,



Anne Q. Pollack

/kwm

Enclosure

cc: Mr. John Healey (via email: healeyj@hillsboroughcounty.org)
Mr. Bernard Piawah (via email: bernard.piawah@dca.state.fl.us)
Ms. Brenda Winningham (via email: brenda.winningham@dca.state.fl.us)
Chris Wiglesworth, Esq. (via email: chris.wiglesworth@dca.state.fl.us)
Ms. Donna Harris (via email: donna.harris@dca.state.fl.us)
Mr. Jeffrey L. Greenacre (via email: jeff.greenacre@greenacreproperties.com)
Morris Massey, Esq. (via email: mmassey@hwlaw.com)

EXHIBIT E

**(Revised July, 2005)
EQUIVALENCY MATRIX¹
Lake Brandon**

Change From: Change To:	Office	Light Industrial	Commercial
Office	N/A	1,176 ² sf/ksf (1.1763) ³	3,366 sf/ksf (3.3659) ³
Light Industrial	927 sf/ksf (0.9268) ³	N/A	3,089 sf/ksf (3.0890) ³
Commercial	380 sf/ksf (0.3799) ³	443 sf/ksf (0.4482) ³	N/A
Residential (Multi-Family)	2,143 dus/ksf (2.1430) ³	2,493 dus/ksf (2.4929) ²	7,1331 dus/ksf (7.1331) ³
Hotel	1,867 rooms/ksf (1.8669) ³	2,176 rooms/ksf (2.1760) ³	6,222 rooms/ksf (6.2222) ³

¹ Land use exchanges are based on p.m. peak hour project traffic. Use of this matrix shall be limited to the following minimum and maximums to ensure that impacts for transportation, water, wastewater, solid waste and affordable housing are not exceeded.

Land Use	Minimum	Maximum
Office	0 sf ^a	1,000,000 sf
Industrial	0 sf	700,000 sf
Commercial	600,000 sf	900,000 sf
Residential (Multi-Family)	1,200 dus	3,400 dus
Hotel	0 rooms	200 rooms
a. The minimum Office square footage to be reserved for potential development is 250,000 sf.		

² Example exchanges:
Add 50,000 s.f. Office by reducing Light Industrial
50 ksf divided 1.1673 = 42,827; Reduce Light Industrial by 42,827 s.f.

Add 25,000 s.f. Commercial by reducing Office
25 ksf divided 0.3799 = 65,807; Reduce Office by 65,807 s.f.

³ Actual equivalency factor for use in calculations

**EXHIBIT C-1
LAKE BRANDON ENTITLEMENTS – TRADED AND BUILT**

BASE ENTITLEMENTS	MINIMUM/MAXIMUM ALLOWED	GRAND TOTAL OF ENTITLEMENTS TRADED AS OF END OF REPORTING PERIOD (11/30/2010)¹	GRAND TOTAL OF ENTITLEMENTS BUILT AS OF END OF REPORTING PERIOD (11/30/2010)	REMAINING ENTITLEMENTS AVAILABLE TO BE BUILT OR TRADED
2,618,000 sf PD-RP uses on parcels labeled RCP/COMM (Per 5/16/03 letter to John Meyer, this is all light industrial.)	0 sf / 700,000 sf	2,362,471 sf ^{2,3}	-0-	255,529 sf
1,442,000 sf PD-O uses on parcels labeled RCP/RES (Per 5/16/03 letter to John Meyer, this is all office.)	0 sf / 1,000,000 sf	-0-	85,961 (heated ⁴) 89,922 sf (gross ⁵)	1,356,039 sf
400,000 sf Retail 400,000 sf PD-C(C) uses on parcels labeled RCP/RES (Per 5/16/03 letter to John Meyer, this is all retail.)	600,000 sf / 900,000 sf	-0-	798,427 (heated ³) 889,254 sf (gross ⁴)	n/a
RESIDENTIAL (not a base use)	1,200 DUS/3,400 DUs	n/a	2,580 DUs	385

¹ Entitlements traded include those traded on June 13, 2011 and July 22, 2011, both of which are attached to this Annual Report as Exhibit C-2.

² 1,039,113 sf traded for 460,240 sf of retail.

³ 1,323,358 sf traded for 3,299 multi-family residential dwelling units.

⁴ The Hillsborough County Property Appraiser defines “heated” as “the areas within a building served by Heating or Air Conditioning.”

⁵ The Hillsborough County Property Appraiser defines “gross” as “the total square footage of all building areas,” and generally includes canopies, loading docks and other non enclosed areas in the calculation.

#93

EXHIBIT C-2

MECHANIK NUCCIO HEARNE & WESTER

A PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW
305 S. BOULEVARD
TAMPA, FLORIDA 33606-2150
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*NORTH TAMPA OFFICE: 18560 N. DALE MABRY HWY.
LUTZ, FLORIDA 33548-7900
TEL: (813) 968-1002
FAX: (813) 968-1502

OF COUNSEL:
CAROLE T. KIRKWOOD
M. D. "CHIP" PURCELL*

REPLY TO: ■ TAMPA
□ NORTH TAMPA

June 13, 2011

VIA – U.S. MAIL & EMAIL: johnm@tbrpc.org

Mr. John Meyer, DRI and IC&R Coordinator
Tampa Bay Regional Planning Council
4000 Gateway Centre Blvd., Suite 100
Pinellas Park, FL 33782

**Re: Lake Brandon Development of Regional Impact (#93)
Use of Equivalency Matrix**

Dear John:

Section V.M. of the Lake Brandon DRI Development Order permits the exchange of specific uses pursuant to the approved Equivalency Matrix. I notified you of an equivalent exchange on June 2, 2011, but have since noticed an error with one calculation in that notice. Therefore, I am sending you a revised notification. Please disregard the June 2, 2011 letter.

In accordance with the Development Order, we are hereby notifying you of an equivalent exchange of 484,175 square feet of light industrial uses (identified as PD-RP uses on parcels labeled RCP/COMM) for 1,207 multi-family dwelling units. With this trade, a total of 1,189,378 square feet of light industrial entitlements will have been traded for 2,965 multi-family dwelling units.

We are also hereby notifying you of an equivalent exchange of 437,313 square feet of light industrial uses (identified as PD-RP uses on parcels labeled RCP/COMM) for 193,642 commercial square feet. With this trade, a total of 1,016,802 square feet of light industrial entitlements will have been traded for 450,240 commercial square feet.

These trades are consistent with the Development Order and the formula set forth in the approved Equivalency Matrix. A copy of the Equivalency Matrix is enclosed herein. A chart

Mr. John Meyer
June 13, 2011
Page 2 of 2

detailing the cumulative land use totals and remaining allowable quantities is also enclosed herein and will be submitted shortly with the 2009-2010 Annual Report.

Please contact me if you have any questions.

Sincerely yours,



Anne Q. Pollack

/kwm

Enclosure

cc: Mr. John Healey (via email: healeyj@hillsboroughcounty.org)
Mr. Bernard Piawah (via U.S. Mail and email: bernard.piawah@dca.state.fl.us)
Ms. Donna Harris (via email: donna.harris@dca.state.fl.us)
Mr. Jeffrey L. Greenacre (via email: jeff.greenacre@greenacreproperties.com)
Morris Massey, Esq. (via email: mmassey@hwhlaw.com)

EXHIBIT E

**(Revised July, 2005)
EQUIVALENCY MATRIX¹
Lake Brandon**

Change From Change To:	Office	Light Industrial	Commercial
Office	N/A	1,176 ² sf/ksf (1.1763) ³	3,366 sf/ksf (3.3659) ³
Light Industrial	927 sf/ksf (0.9268) ³	N/A	3,089 sf/ksf (3.0890) ³
Commercial	380 sf/ksf (0.3799) ³	443 sf/ksf (0.4482) ³	N/A
Residential (Multi-Family)	2,143 dus/ksf (2.1430) ³	2,493 dus/ksf (2.4929) ²	7,1331 dus/ksf (7.1331) ³
Hotel	1,867 rooms/ksf (1.8669) ³	2,176 rooms/ksf (2.1760) ³	6,222 rooms/ksf (6.222) ³

¹ Land use exchanges are based on p.m. peak hour project traffic. Use of this matrix shall be limited to the following minimum and maximums to ensure that impacts for transportation, water, wastewater, solid waste and affordable housing are not exceeded.

Land Use	Minimum	Maximum
Office	0 sf ^a	1,000,000 sf
Industrial	0 sf	700,000 sf
Commercial	600,000 sf	900,000 sf
Residential (Multi-Family)	1,200 dus	3,400 dus
Hotel	0 rooms	200 rooms
a. The minimum Office square footage to be reserved for potential development is 250,000 sf.		

² Example exchanges:
Add 50,000 s.f. Office by reducing Light Industrial
50 ksf divided 1.1673 = 42,827; Reduce Light Industrial by 42,827 s.f.

Add 25,000 s.f. Commercial by reducing Office
25 ksf divided 0.3799 = 65,807; Reduce Office by 65,807 s.f.

³ Actual equivalency factor for use in calculations

**EXHIBIT C-1
LAKE BRANDON ENTITLEMENTS – TRADED AND BUILT**

BASE ENTITLEMENTS	MINIMUM/MAXIMUM ALLOWED	GRAND TOTAL OF ENTITLEMENTS TRADED AS OF END OF REPORTING PERIOD (11/30/2010)	GRAND TOTAL OF ENTITLEMENTS BUILT AS OF END OF REPORTING PERIOD (11/30/2010)	REMAINING ENTITLEMENTS AS OF END OF REPORTING PERIOD (11/30/2010)
2,618,000 sf PD-RP uses on parcels labeled RCP/COMM (Per 5/16/03 letter to John Meyer, this is all light industrial.)	0 sf / 700,000 sf	2,206,180 sf ^{1,2}	-0-	411,820 sf
1,442,000 sf PD-O uses on parcels labeled RCP/RES (Per 5/16/03 letter to John Meyer, this is all office.)	0 sf / 1,000,000 sf	-0-	85,961 (heated ³) 89,922 sf (gross ⁴)	1,356,039 sf
400,000 sf Retail 400,000 sf PD-C(C) uses on parcels labeled RCP/RES (Per 5/16/03 letter to John Meyer, this is all retail.)	600,000 sf / 900,000 sf	-0-	798,427 (heated ³) 889,254 sf (gross ⁴)	n/a
RESIDENTIAL (not a base use)	1,200 DUS/3,400 DUs	n/a	2,580 DUs	n/a

¹ 1,016,802 sf traded for 450,240 sf of retail.

² 1,189,378 sf traded for 2,965 multi-family residential dwelling units.

³ The Hillsborough County Property Appraiser defines "heated" as "the areas within a building served by Heating or Air Conditioning."

⁴ The Hillsborough County Property Appraiser defines "gross" as "the total square footage of all building areas," and generally includes canopies, loading docks and other non enclosed areas in the calculation.

MECHANIK NUCCIO HEARNE & WESTER

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*NORTH TAMPA OFFICE: 18560 N. DALE MABRY HWY.
LUTZ, FLORIDA 33548-7900
TEL: (813) 968-1002
FAX: (813) 968-1502

REPLY TO: TAMPA
 NORTH TAMPA

June 2, 2011

VIA – U.S. MAIL & EMAIL: johnm@tbrpc.org

Mr. John Meyer, DRI and IC&R Coordinator
Tampa Bay Regional Planning Council
4000 Gateway Centre Blvd., Suite 100
Pinellas Park, FL 33782

**Re: Lake Brandon Development of Regional Impact (#93)
Use of Equivalency Matrix**

Dear John:

Section V.M. of the Lake Brandon DRI Development Order permits the exchange of specific uses pursuant to the approved Equivalency Matrix.

In accordance with the Development Order, we are hereby notifying you of an equivalent exchange of 484,175 square feet of light industrial uses (identified as PD-RP uses on parcels labeled RCP/COMM) for 1207 multi-family dwelling units. With this trade, a total of 1,189,378 square feet of light industrial entitlements will have been traded for 2,965 multi-family dwelling units.

We are also hereby notifying you of an equivalent exchange of 432,044 square feet of light industrial uses (identified as PD-RP uses on parcels labeled RCP/COMM) for 193,642 commercial square feet. With this trade, a total of 1,004,552 square feet of light industrial entitlements will have been traded for 450,240 commercial square feet.

These trades are consistent with the Development Order and the formula set forth in the approved Equivalency Matrix. A copy of the Equivalency Matrix is enclosed herein. A chart detailing the cumulative land use totals and remaining allowable quantities is also enclosed herein and will be submitted shortly with the 2009-2010 Annual Report.

Mr. John Meyer
June 2, 2011
Page 2 of 2

Please contact me if you have any questions.

Sincerely yours,

A handwritten signature in black ink that reads "Anne Q. Pollack". The signature is written in a cursive style with a large, prominent "A" and "P".

Anne Q. Pollack

/kwm

Enclosure

cc: Mr. John Healey (via email: healeyj@hillsboroughcounty.org)
Mr. Bernard Piawah (via U.S. Mail and email: bernard.piawah@dca.state.fl.us)
Ms. Donna Harris (via email: donna.harris@dca.state.fl.us)
Mr. Jeffrey L. Greenacre (via email: jeff.greenacre@greenacreproperties.com)
Morris Massey, Esq. (via email: mmassey@hwhlaw.com)

EXHIBIT E

**(Revised July, 2005)
EQUIVALENCY MATRIX¹
Lake Brandon**

Change From: Change To:	Office	Light Industrial	Commercial
Office	N/A	1,176 ² sf/ksf (1.1763) ³	3,366 sf/ksf (3.3659) ³
Light Industrial	927 sf/ksf (0.9268) ³	N/A	3,089 sf/ksf (3.0890) ³
Commercial	380 sf/ksf (0.3799) ³	443 sf/ksf (0.4482) ³	N/A
Residential (Multi-Family)	2,143 dus/ksf (2.1430) ³	2,493 dus/ksf (2.4929) ²	7,1331 dus/ksf (7.1331) ³
Hotel	1,867 rooms/ksf (1.8669) ³	2,176 rooms/ksf (2.1760) ³	6,222 rooms/ksf (6.2222) ³

¹ Land use exchanges are based on p.m. peak hour project traffic. Use of this matrix shall be limited to the following minimum and maximums to ensure that impacts for transportation, water, wastewater, solid waste and affordable housing are not exceeded.

<u>Land Use</u>	<u>Minimum</u>	<u>Maximum</u>
Office	0 sf ^a	1,000,000 sf
Industrial	0 sf	700,000 sf
Commercial	600,000 sf	900,000 sf
Residential (Multi-Family)	1,200 dus	3,400 dus
Hotel	0 rooms	200 rooms
a. The minimum Office square footage to be reserved for potential development is 250,000 sf.		

² Example exchanges:
Add 50,000 s.f. Office by reducing Light Industrial
50 ksf divided 1.1673 = 42,827; Reduce Light Industrial by 42,827 s.f.

Add 25,000 s.f. Commercial by reducing Office
25 ksf divided 0.3799 = 65,807; Reduce Office by 65,807 s.f.

³ Actual equivalency factor for use in calculations

**EXHIBIT C-1
LAKE BRANDON ENTITLEMENTS – TRADED AND BUILT**

BASE ENTITLEMENTS	MINIMUM/MAXIMUM ALLOWED	GRAND TOTAL OF ENTITLEMENTS TRADED AS OF END OF REPORTING PERIOD (11/30/2010)	GRAND TOTAL OF ENTITLEMENTS BUILT AS OF END OF REPORTING PERIOD (11/30/2010)	REMAINING ENTITLEMENTS AS OF END OF REPORTING PERIOD (11/30/2010)
2,618,000 sf PD-RP uses on parcels labeled RCP/COMM (Per 5/16/03 letter to John Meyer, this is all light industrial.)	0 sf / 700,000 sf	2,193,930 sf ^{1,2}	-0-	424,070 sf
1,442,000 sf PD-O uses on parcels labeled RCP/RES (Per 5/16/03 letter to John Meyer, this is all office.)	0 sf / 1,000,000 sf	-0-	85,961 (heated ³) 89,922 sf (gross ⁴)	1,356,039 sf
400,000 sf Retail 400,000 sf PD-C(C) uses on parcels labeled RCP/RES (Per 5/16/03 letter to John Meyer, this is all retail.)	600,000 sf / 900,000 sf	-0-	798,427 (heated ³) 889,254 sf (gross ⁴)	n/a
RESIDENTIAL (not a base use)	1,200 DUS/3,400 DUs	n/a	2,580 DUs	n/a

¹ 1,004,552 sf traded for 450,240 sf of retail.

² 1,189,378 sf traded for 2,965 multi-family residential dwelling units.

³ The Hillsborough County Property Appraiser defines "heated" as "the areas within a building served by Heating or Air Conditioning."

⁴ The Hillsborough County Property Appraiser defines "gross" as "the total square footage of all building areas," and generally includes canopies, loading docks and other non enclosed areas in the calculation.

#93

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LUTZ, FLORIDA 33548-7900
TEL: (813) 968-1002
FAX: (813) 968-1502

REPLY TO: TAMPA
 NORTH TAMPA

August 17, 2010

VIA – U.S. MAIL and EMAIL: johnm@tbrpc.org

Mr. John Meyer, DRI and IC&R Coordinator
Tampa Bay Regional Planning Council
4000 Gateway Centre Blvd., Suite 100
Pinellas Park, FL 33782

**Re: Lake Brandon Development of Regional Impact (#93)
Use of Equivalency Matrix**

Dear John:

Section V.M. of the Lake Brandon DRI Development Order permits the exchange of specific uses pursuant to the approved Equivalency Matrix. In accordance with the Development Order, we are hereby notifying you of an equivalent exchange of 16,848 square feet of light industrial uses (identified as PD-RP uses on parcels labeled RCP/COMM) for 42 multi-family dwelling units. The trade is consistent with the formula set forth in the Equivalency Matrix.

A copy of the Equivalency Matrix is enclosed herein. A chart detailing the cumulative land use totals and remaining allowable quantities was submitted with the 2008-2009 Annual Report.

Please contact me if you have any further questions.

Sincerely yours,



Anne Q. Pollack

/kwm
Enclosure

cc: Bernard Piawah (via U.S. Mail and email: bernard.piawah@dca.state.fl.us)
John Healey (via email: healeyj@hillsboroughcounty.org)
Donna Harris (via email: donna.harris@dca.state.fl.us)
Jeffrey L. Greenacre (via email: jeff.greenacre@greenacreproperties.com)

EXHIBIT E

**(Revised July, 2005)
EQUIVALENCY MATRIX¹
Lake Brandon**

Change From: Change To:	Office	Light Industrial	Commercial
Office	N/A	1,176 ² sf/ksf (1.1763) ³	3,366 sf/ksf (3.3659) ³
Light Industrial	927 sf/ksf (0.9268) ³	N/A	3,089 sf/ksf (3.0890) ³
Commercial	380 sf/ksf (0.3799) ³	443 sf/ksf (0.4482) ³	N/A
Residential (Multi-Family)	2,143 dus/ksf (2.1430) ³	2,493 dus/ksf (2.4929) ²	7,1331 dus/ksf (7.1331) ³
Hotel	1,867 rooms/ksf (1.8669) ³	2,176 rooms/ksf (2.1760) ³	6,222 rooms/ksf (6.2222) ³

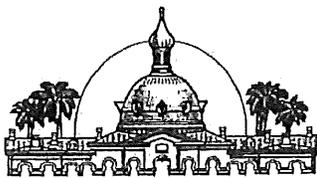
¹ Land use exchanges are based on p.m. peak hour project traffic. Use of this matrix shall be limited to the following minimum and maximums to ensure that impacts for transportation, water, wastewater, solid waste and affordable housing are not exceeded.

<u>Land Use</u>	<u>Minimum</u>	<u>Maximum</u>
Office	0 sf ^a	1,000,000 sf
Industrial	0 sf	700,000 sf
Commercial	600,000 sf	900,000 sf
Residential (Multi-Family)	1,200 dus	3,400 dus
Hotel	0 rooms	200 rooms
a. The minimum Office square footage to be reserved for potential development is 250,000 sf.		

² Example exchanges:
Add 50,000 s.f. Office by reducing Light Industrial
50 ksf divided 1.1673 = 42,827; Reduce Light Industrial by 42,827 s.f.

Add 25,000 s.f. Commercial by reducing Office
25 ksf divided 0.3799 = 65,807; Reduce Office by 65,807 s.f.

³ Actual equivalency factor for use in calculations



Hillsborough County
Florida

Office of the County Administrator
Patricia G. Bean

BOARD OF COUNTY COMMISSIONERS

- Brian Blair
- Rose V. Ferlita
- Ken Hagan
- Al Higginbotham
- Jim Norman
- Mark Sharpe
- Kevin White

Deputy County Administrator
Wally Hill

Assistant County Administrators
Kenneth C. Griffin
Carl S. Harness
Manus J. O' Donnell

July 1, 2008

David M. Mechanik
Mechanik Nuccio Hearne & Wester
305 S. Boulevard
Tampa, FL 33606-2150

RE: Lake Brandon, Development of Regional Impact #93
Build Out Date Extension

Dear Mr. Mechanik:

Staff has reviewed the documentation you provided to demonstrate that the Lake Brandon Development of Regional Impact (DRI) was under active construction on July 1, 2007 and therefore eligible for the 3 year build out date extension authorized by s.380.06(19)(c) *Florida Statutes*. This letter is to confirm that, based upon the information submitted, the project was under active construction on July 1, 2007. Therefore, the project's build out date is extended by three (3) years to December 31, 2013 and the expiration date is extended to December 31, 2018.

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
Nancy Takemori, County Attorney's Office

#93

PAT FRANK
Clerk of the Circuit Court
Hillsborough County, Florida



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

November 9, 2005

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

Re: Resolution No. R05-244 - Amending the Development Order for Lake Brandon (DRI #93)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on October 25, 2005.

We are providing this original for your files.

Sincerely,

Gail M. Letzring
Gail M. Letzring,
Manager, BOCC Records

jg
Attachment
Certified Mail 7002 2410 0001 4265 1348

- cc: Board files (orig.)
- Charles Gauthier, Chief, DCA Bureau of State Planning
- Ann Q. Pollack, Esquire, Mechanik, Nuccio, Hearne & Webster P.A.(orig.ltr.)
- Nancy Takemori, Assistant County Attorney
- John Healy, Senior Planner, Planning & Growth Management
- Sandra Davidson, County Attorney's Office
- Jim Glaros, Assistant Chief Deputy, Valuation, Property Appraiser's Office
- Mary Mahoney, Management & Budget

RESOLUTION - R05-244
AMENDED AND RESTATED
DEVELOPMENT ORDER FOR THE LAKE BRANDON
(F/K/A FLORIDA CORPORATE CENTER)
DEVELOPMENT OF REGIONAL IMPACT #93

WHEREAS, on December 21, 1983 the Board of County Commissioners approved the Development Order (Resolution #R83-0164) for the Florida Corporate Center Development of Regional Impact ("DRI") # 93 (the "Original Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on June 21, 1988 the Board of County Commissioners adopted Resolution No. R88-0179 which amended the Original Development Order pursuant to the provisions of Section 380.06, Florida Statutes (hereinafter, the "First Amendment"); and

WHEREAS, on January 23, 1990, the Board of County Commissioners adopted Resolution No. R90-0023 which amended the Original Development Order, as amended by the First Amendment, by extending the dates of buildout of development of Phase 1 (including Phase IA and 1B), Phase 2 and Phase 3 (including Phases 3A and 3B) each by two years, eleven months, and fifteen days and adopting a "Revised Phasing Schedule" (hereinafter, the "Second Amendment"); and

WHEREAS, on November 13, 1990, the Board of County Commissioners adopted Resolution No. R90-0244 which amended the Original Development Order, as amended by the First and Second Amendments, by modifying the approved General Site Development Plan to allow the addition of 50.8 acres to the DRI development (the "Project"), including land use parcels, retention lakes, and access points, adding residential, hotel and health related services as additional permissible land uses, adding a land use conversion mechanism, and making other changes (hereinafter, the "Third Amendment"); and

WHEREAS, on September 13, 1994, the Board of County Commissioners adopted Resolution No. R94-0225 which amended the Original Development Order, as amended by the First, Second and Third Amendments, by extending the dates of buildout of development of Phase 1 (including Phase IA and 1B), Phase 2, and Phase 3 (including Phase 3A and 3B), each by two years (for a cumulative extension of buildout of development by four (4) years, eleven (11) months and fifteen (15) days) to December 15, 2005; and established an expiration date of December 31, 2010; (hereinafter, the "Fourth Amendment"); and

WHEREAS, on November 21, 1995, the Board of County Commissioners adopted Resolution No. R95-265 which amended the Original Development Order, as amended by the First, Second, Third and Fourth Amendments, by incorporating a Revised Master Plan, revising the Land Use Conversion Mechanism, incorporating an equivalency matrix and identifying the minimum and maximum development thresholds for each approved land use, and resequencing the Development Order required transportation improvements (hereinafter, the "Fifth Amendment"); and

WHEREAS, on January 12, 1999, the Board of County Commissioners adopted Resolution No. R99-018 which amended the Original Development Order, as amended by the First, Second, Third, Fourth and Fifth Amendments, by incorporating a Revised Master Plan, dated December 7, 1998, to reflect the addition of 47.33 acres into the original development, modifying the design of the development to accommodate the additional land and incorporating a revised equivalency matrix (hereinafter, the "Sixth Amendment") (hereinafter, the Original Development Order, as amended by the First, Second, Third, Fourth, Fifth, and Sixth Amendments, shall be referred to as the "Development Order"); and

WHEREAS, DRI #93 shall hereinafter be referred to as the Lake Brandon DRI; and

WHEREAS, on December 3, 2003, Richard R. Mulholland (the "Developer") filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes, and on June 14, 2004, November 8, 2004, February 17, 2005 and July 19, 2005 filed responses to agency comments, for the Lake Brandon (f/k/a/ Florida Corporate Center) DRI, in accordance with Subsection 380.06(19), Florida Statutes, (hereinafter referred to as the "Notice of Change") requesting that the Development Order be amended as set forth below; and

WHEREAS, the Notice of Change proposed to amend the Development Order to change the name of the development to "Lake Brandon;" to incorporate a Revised Master Plan/Map H, attached hereto as Exhibit D; to extend the buildout date of development to December 31, 2010; to extend the termination date of the Development Order to December 31, 2015; to incorporate the Revised Equivalency Matrix, attached hereto as Exhibit E; and to increase the maximum retail square footage to 900,000 square feet gross leasable area; and to increase the maximum residential units allowed to 3,400; all as more particularly described in the Notice of Change; and

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

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

WHEREAS, the Board of County Commissioners has on **October 25, 2005** held a duly noticed public hearing on said Notice of Change and has heard and considered testimony and documents received thereon; and

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

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

WHEREAS, pursuant thereto, the Board of County Commissioners on October 25, 2005 issued the Amended and Restated Development Order approving the Lake Brandon DRI (hereinafter the "Amended and Restated Development Order"); and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

- A. Richard R. Mulholland, the successor developer of the Lake Brandon DRI (hereinafter referred to as the "Developer") submitted the Notice of Change to Hillsborough County, which proposed to change the name of the development to "Lake Brandon;" to incorporate a Revised Master Plan/Map H, attached hereto as Exhibit D; to extend the buildout date of development to December 31, 2010; to extend the termination date of the Development Order to December 31, 2015; to incorporate the Revised Equivalency Matrix, attached hereto as Exhibit E; and to increase the maximum retail square footage to 900,000 square feet gross leasable area; and to increase the maximum residential units allowed to 3,400; all as more particularly described in the Notice of Change (hereinafter said changes shall be referred to as the "Proposed Changes")
- B. The real property which is the subject of this Amended and Restated Development Order is legally described as set forth in Exhibit A, attached hereto and incorporated herein.
- C. The proposed development is not in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes.
- D. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council, the Florida Department of Transportation and the Florida Department of Community Affairs.
- E. The Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.
- F. The Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area, and are consistent with the State Comprehensive Plan.
- G. The Proposed Changes are consistent with the report and recommendations of the TBRPC and satisfy the provisions of Subsection 380.06(14), Florida Statutes, as amended.

- H. That the Proposed Changes are presumed to create a substantial deviation under Subsection 380.06(19), Florida Statutes.
- I. That based upon the analyses which are part of Exhibit A, the record of the proceedings and the conditions contained herein, the Applicant has submitted clear and convincing evidence to rebut the presumption created under Subsection 380.06(19), Florida Statutes.
- J. All development will occur in accordance with this Amended and Restated Development Order and Application.

II. CONCLUSIONS OF LAW

Based upon the compliance with the terms and conditions of this Amended and Restated Development Order, provisions of the Application, the reports, recommendations and testimony heard and considered by the Board of County Commissioners, it is concluded that:

- A. The Proposed Changes will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.
- B. The Proposed Changes are consistent with all local land development regulations.
- C. The development is consistent with the report and recommendations of the Tampa Bay Regional Planning Council.
- D. All applicable statutory and regulatory procedures have been adhered to.
- E. The proposed change to the name of the development is not a substantial deviation pursuant to Subsection 380.06(19)(e)2.a.
- F. All other proposed changes are presumed to create a substantial deviation under Subsection 380.06 (19), Florida Statutes.
- G. Based upon the analyses which are part of the Notice of Change, the record of the proceeding and the aforementioned reviews, and the conditions contained herein, the Developer has submitted clear and convincing evidence to rebut the presumption created under Subsection 380.06(19), Florida Statutes.
- H. Based on the foregoing and pursuant to Subsection 380.06(19), Florida Statutes, the Proposed Changes are found not to be a substantial deviation to the previously approved Development Order.
- I. The amendments to the Development Order do not create a change to the previously approved Development of Regional Impact constituting a substantial deviation under the provisions of Section 380.06(19), Florida Statutes.

- J. In considering whether the development should be approved subject to conditions, restrictions and limitations, Hillsborough County has considered the criteria stated in subsection 380.06(13), Florida Statutes.
- K. The review by Hillsborough County, the Hillsborough County City-County Planning Commission, the Tampa Bay Regional Planning Council, and other participating agencies and interested citizens indicates that impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Amended and Restated Development Order and the Application.
- L. The Notice of Change is approved subject to all terms and conditions of this Amended and Restated Development Order.

III. ORDER

That, having made the above findings of fact and conclusions of law, it is ordered that the Development Order, together with the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, Fifth Amendment and Sixth Amendment, is hereby amended to change the name of the development to "Lake Brandon;" to incorporate a Revised Master Plan/Map H, attached hereto as Exhibit D; to extend the buildout date of development to December 31, 2010; to extend the termination date of the Development Order to December 31, 2015; to incorporate the Revised Equivalency Matrix, attached hereto as Exhibit E; and to increase the maximum retail square footage to 900,000 square feet gross leasable area; and to increase the maximum residential units allowed to 3,400; all as more particularly described in the Notice of Change; and is restated in its entirety.

IV. GENERAL PROVISIONS

- A. This Resolution shall constitute the Amended and Restated Development Order of Hillsborough County in response to the Notice of Change.

(amended: Resolution No. R05- 244)

- B. The real property which is the subject of this Amended and Restated Development Order is set forth in the legal description in Exhibit A, attached hereto and incorporated herein.

(amended: Resolution No. R05- 244)

- C. All provisions contained within the Application shall be considered conditions of this Amended and Restated Development Order unless inconsistent with the terms and conditions of this Amended and Restated Development Order, in which case the terms and conditions of this Amended and Restated Development Order shall control.

(amended: Resolution No. R05- 244)

- D. The definitions contained in Chapter 380, Florida Statutes, shall govern and apply to this Amended and Restated Development Order.
- E. This Amended and Restated 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 Amended and Restated 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 Amended and Restated Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no matter affect the remaining portions or sections of this Amended and Restated Development Order which shall remain in full force and effect.
- G. Whenever this Amended and Restated Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected government agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough 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 Amended and Restated Development Order where the Developer is responsible for ongoing maintenance of facilities at Brandon, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private 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 Amended and Restated Development Order, which approval shall not be unreasonably withheld.
- I. Development activity constituting a substantial deviation from the terms or conditions of this Amended and Restated 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 Regional Planning Council shall result in further development of regional impact review pursuant to law and may if permitted by law in effect at the time result in Hillsborough County ordering a termination of development activity pending such review.
- J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Amended and Restated Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by

any Hillsborough County department or agency having particular responsibility over the area or subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Amended and Restated 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.

K. The Developer shall file an annual report in accordance with Section 380.06(16), Florida Statutes, and appropriate rules and regulations. Such report shall be due on the anniversary of the effective date of this Amended and Restated Development Order for each following year until and including such time as all terms and conditions of this Amended and Restated 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 Amended and Restated Development Order and may issue further orders and conditions to ensure compliance with the terms and conditions of this Amended and Restated Development Order. The Developer shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed. Provided, however, that the 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 Amended and Restated Development Order. This report shall contain:

1. The information required by the State Land Planning Agency to be included in the Annual Report, which information is described in the Rules and Regulations promulgated by the State Land Planning Agency pursuant to Section 380.06, Florida Statutes; and
2. A description of all development activities proposed to be conducted under the terms of this Amended and Restated Development Order for the year immediately following to the submittal of the annual report; and
3. A statement listing all applications for incremental review required pursuant to this Amended and Restated Development Order or other applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report; and
4. A statement setting forth the name(s) and address of any heir, assignee or successor in interest to this Amended and Restated Development Order.

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

- M. This Amended and Restated Development Order shall become effective upon adoption by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.
- N. Upon adoption, the Amended and Restated Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the Developer.
- O. This development of regional impact has received specific approval for the entire project described in the Application. References to “phases” in the Amended and Restated Development Order and the Application are intended to indicate the following development totals:

Phase 1 - office 615,000 square feet, light industrial 1,116,000 square feet, and commercial 90,000 square feet (Phase 1A-910,500 square feet of the uses allowed in Phase 1/Phase 1B - 910,500 of the uses allowed in Phase 1); and Phase 2 - office 449,000 square feet and light industrial 815,000 square feet; and Phase 3 - office 378,000 square feet, light industrial 687,000 square feet, and commercial 310,000 square feet (Phase 3A - 1,075,000 square feet of the uses allowed in Phase 3/Phase 3B - 300,000 square feet of the uses allowed in Phase 3.)

It is not the intent of this Amended and Restated Development Order or the Application to require that the development totals, i.e., the square footage totals (or dwelling unit totals or other conversions of such development totals as authorized herein), identified above as “phases” or “subphases”, be commenced or completed by any particular date so long as all approved development is completed prior to the buildout date in the year of development. Rather, it is the intent of this Amended and Restated Development Order that references herein to “phases” or “subphases” shall indicate at what level of development within the approved totals of various uses that a Amended and Restated Development Order condition or conditions, as more specifically set forth below, must be met. Definitions of “office,” “light industrial” and “commercial” uses are set forth on the Revised Master Plan/Map H dated November 2004, which is attached hereto and incorporated herein as Exhibit D to this Amended and Restated Development Order.

(amended: Resolution Nos. R90-0023, R90-0244, R95-265, R99-018, R05- 244)

- P. The date of buildout of development is December 31, 2010.

(amended: Resolution Nos. R94-0225; R95-265, R05- 244)

- Q. The termination date of this Amended and Restated Development Order is December 31, 2015.

R. The development shall not be subject to downzoning, or intensity reduction until December 31, 2015.

(amended: Resolution Nos. R94-0225; R95-265, R05- 244)

V. CONDITIONS

A. Public Facilities

1. Prior to issuance of any Detailed Site Plan Approval the Developer shall provide to Hillsborough County Planning and Growth Management Department verification that adequate police, fire service and emergency medical service facilities are available to serve the development for which such Detailed Site Plan Approval is sought.

(amended: Resolution No. R90-0244)

2. The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said Ordinance.
3. No Detailed Site Plan Approval shall be granted without an approved, permitted wastewater collection system, and sufficient treatment and effluent disposal capacity for that portion of the building construction. Approvals shall be obtained from all appropriate local and state agencies. Documentation of these approvals shall be provided to the Hillsborough County Planning and Growth Management Department prior to Detailed Site Plan Approval. Developer shall participate in County programs designed to maximize the use of effluent for non-potable uses, by providing reasonable open space.
4. No building permits shall be issued without an approved, permitted potable water distribution system and available capacity for that portion of the building construction. Approvals shall be obtained from all appropriate local and State agencies.

B. Energy

The Developer shall encourage, within operating and construction budget constraints, the following energy management/ conservation measures:

1. Landscape parking lots and building to improve energy conservation. Prior to any Detailed Site Plan Approval, the Developer shall provide a detailed Landscape Plan for the portion of the development for which such Detailed Site Plan Approval is sought indicating the areas and quantities of landscaped materials to be provided, which plan will meet or exceed the then existing landscape ordinance of Hillsborough County. It is the intent of this paragraph that

compliance with the then existing landscape ordinance is not to be governed by operating and construction budget constraints.

(amended: Resolution No. R90-0244)

2. Use of low pressure sodium vapor lighting in parking areas.
3. Use of energy conservation features and techniques for interior and exterior building design, including passive solar orientation of buildings.
4. Use of individual electrical meters for each occupant company as opposed to master meter for the entire building.
5. Use of alternate transportation methods such as carpooling vans and mass transit.
6. Appointment of energy manager for each land purchaser.

C. Wetlands/Wildlife

1. All viable wetlands within the Project, as delineated by the Hillsborough County Environmental Protection Commission, shall be preserved and shall be delineated on site plans and plats as "conservation areas." Those areas which have been previously altered and are no longer viable "conservation areas," as delineated by the Hillsborough County Environmental Protection Commission, may be removed. These altered wetlands shall be replaced with an equivalent ecosystem on a minimum acre-for-acre basis elsewhere on the site and shall be designated as "conservation areas."

The Project's stormwater drainage system may incorporate wetlands on-site, but no direct discharge from any impervious surfaces shall be permitted into any wetland which is designated as a "conservation" area. The Project's stormwater system shall be designed to maintain the existing hydro-period of all "conservation areas" on-site, unless otherwise approved by the Hillsborough County Environmental Protection Commission. The total stormwater management system, including lakes, swales, and wetland areas shall be designed and maintained in conformance with applicable law. The Developer shall preserve wetland habitats supporting the identified endangered and threatened species and species of special concern. All impervious surfaces shall be set back a minimum of thirty (30) feet from all areas designated as "conservation areas."

- a. In the event that any species listed in Rules 9J-2.041 or 39-27.003-.005, Florida Administrative Code (F.A.C.), are observed frequenting the site for nesting, feeding, or breeding, the Developer shall notify the Florida Game and Fresh Water Fish Commission ("FGFWFC") immediately, and shall coordinate the protection of the species consistent with the requirements of Rule 9J-2.041, F.A.C.

(added: Resolution No. R99-018)

- b. Impact to a population of gopher tortoise which may exist on the property, can be mitigated in accordance with existing law, which includes, but is not limited to obtaining a relocation permit or an incidental take permit from the FGFWFC.

(added: Resolution No. R99-018)

D. Water Quantity

Floor Elevations of all habitable space and the elevation of all internal roadways shall be at or above the 100 year flood elevation. No mobile homes shall be permitted except in conjunction with construction activities, interim security facilities, or interim agricultural uses.

(amended: Resolution No. R90-0244)

E. Historical/Archaeological

Any historical or archaeological resources found during construction shall be reported to the Florida Bureau of Archives and Records Management, and the disposition of such resources will be determined in cooperation with the Division of Archives and Hillsborough County. This condition shall not restrict the Applicant from developing elsewhere on the property.

(amended: Resolution No. R95-265)

F. Water Quality

A surface water quality monitoring program shall be conducted by the applicant to monitor any potential impact of the Project on DeLaney Creek and Archie Creek. Samples shall be collected on a monthly basis from all three on-site discharge points throughout the Project's site improvements (road, drainage, sewer and water installation). One sampling interval shall be scheduled prior to the commencement of any Project construction. Samples shall be collected on the same date each month, whenever possible. Daily rainfall data from the closest available weather reporting station shall be provided to correlate stream flow with concentrations of specified parameters. Parameters to be measured at each sampling point during each sampling interval are:

BOD5, Dissolved Oxygen, Turbidity, Total Nitrogen, Nitrate, Total Phosphorus, Oil/Grease, Lead, Temperature, pH and stream flow. The analysis of samples shall be performed by a State Certified Laboratory and reports submitted quarterly to the Hillsborough County Environmental Protection Commission, the Hillsborough County Planning and Growth Management Department and the Tampa Bay Regional Planning Council. Approval of future development Phases or proposed modifications will be contingent upon the condition that development of this Project will not result in further degradation of water quality in the receiving bodies of water.

G. Geology

The Developer shall conduct a lineament study of the property and modify the master development plan as appropriate. The Developer shall submit the lineament study and revised development plans prior to construction of any Phase I activities. Final soil tests should be completed by the Developer and submitted to Hillsborough County as a normal part of Hillsborough County development building requirements. Where appropriate, the results of these tests shall be utilized by staff during the construction permitting stages of development.

H. Air Quality

1. The Developer shall not sell or lease any property for any use that is obnoxious or offensive by reason of emission of odors, fumes, dust, smoke, noise, or vibrations. The applicant shall include the above condition in all leases and sales contracts. Where such emissions are unavoidable, that portion of the Project shall be subject to further review by Hillsborough County; and
2. The Developer shall also:
 - a. Undertake chemical stabilization over heavily traveled primary haul route road sections as necessary; and
 - b. Undertake mid-weekly cleaning of dirt during construction of paved roads adjacent to the site or as required by grading permit; and
 - c. Wherever possible, use selective clearing to allow natural seeding to stabilize the disturbed soil and berms to minimize wind erosion; and
 - d. Water all dirt roads as necessary; and
 - e. Develop asphalt roads as soon as practical; and
 - f. Stage clearing of lands within development areas to reduce land opened and exposed to windy conditions; and

- g. Undertake watering and spraying at all stages of clearing to ensure dust control; and
- h. Undertake mulching, seeding and sodding as soon as possible after final grading is completed; and
- i. Undertake progressive development of roadways, landscaping and buildings for purposes of reducing fugitive dust emissions.

I. Maintenance Functions

- 1. The Developer, his assigned agents or successors shall be responsible for the maintenance of all open space/recreational areas and landscaped areas within the development.

(amended: Resolution Nos. R94-0244)

- 2. Those portions of the stormwater drainage system and retention and detention ponds not dedicated to Hillsborough County shall remain the responsibility of the Developer, his assigned agents or his successors.
- 3. The Developer, his assigned agents or successors shall undertake parking lot sweeping as a routine maintenance function.
- 4. The Developer, his assigned agents or successors shall be responsible for the operation and maintenance of all on-site wells and landscape irrigation systems.

J. Erosion Control

Developer shall utilize the following practices to prevent potential pollutants from leaving the construction site:

- 1. Straw filter barriers and/or filter fabric at discharge points including temporary discharge points; and
- 2. Temporary sediment basins and perimeter dike systems to be installed as a first step in the grading process and to be checked and cleaned out regularly.

K. Drainage

- 1. Final master and detailed drainage plans shall be based on volume sensitive drainage criteria as established by the Hillsborough County Engineering Department.

- d. The sum of existing background traffic and proposed background traffic was used as the basis against which traffic generated by buildout of the Project was evaluated.

(amended: Resolution No. R90-0244)

The conditions precedent to consideration of a roadway segment as an element of the total impact of the Project are: (a) the Project's traffic on the roadway segment must equal or exceed five percent (5%) of the daily LOS C capacity of the existing roadway, and (b) the Developer's traffic, plus the total background traffic on the roadway segment, must result in a reduction of the level of service on the segment to daily LOS D or worse. If traffic generated by the Project on the specific road segment satisfies both the above conditions, the Developer's proportionate share of the cost of improving said roadway segment to an acceptable service level shall be considered part of the Developer's total fiscal impact on the transportation system. The proportionate share is calculated by multiplying the Project's traffic as a percentage of the daily LOS C capacity of the improved roadway times the cost of the proposed improvement. Not considered as an element of the total fiscal impact are improvements which are under construction or which have been assigned a funding commitment in an approved transportation improvements program. The commitments by the Developer or other responsible entities for those transportation system improvements necessary to accommodate each phase of the Lake Brandon development are identified below. The improvements listed in this Amended and Restated Development Order are predicated on Hillsborough County's table of improvements dated November 22, 1983 as shown as Exhibits B and C, attached hereto and incorporated herein.

(amended: Resolution No. R95-265; R05- 244)

(Current DRI Transportation analysis criteria used for Notice of Proposed Change 04-0314 require that the evaluation period is the p.m. peak hour, and that the level of service standard is LOS D.)

2. Transportation

The County, cognizant of the need to impose conditions which reasonably mitigate regional transportation impacts, has established three alternatives. Each alternative is sensitive to the Project's impact on the transportation facilities described in Exhibits B and C, attached hereto and incorporated herein, and is designed to satisfy the requirements of Section 380.06, Florida Statutes.

(amended: Resolution Nos. R95-265; R05- 244)

- a. Alternative a: Proportionate Share Contribution

(Alternative a was chosen by the Developer to mitigate transportation impacts)

- (1) The key element of this Alternative is the Developer's proportionate share contribution. The proportionate share is calculated by multiplying the Project's traffic as a percentage of the daily LOS C capacity of the improved roadway times the cost of the proposed improvement, pursuant to the methodology described above.

Implementation of the proportionate share contribution is tied to the Phases of the Project as described above at Section III General Provisions, Paragraph O and the respective Phase road improvements identified at Exhibits B and C, attached hereto and incorporated herein. The total proportionate share contribution for the transportation impacts generated by development of the entire Project is presently projected to be \$5,351,458.00 based upon the conditions contained herein.

In the event that a transportation study shows that the Florida Department of Transportation or other governmental entity, excluding the County, (subject to the provisions contained herein) should allocate funds in an approved transportation improvement program to cover all or a portion of the costs of any of the road improvements identified in Exhibits B and C, attached hereto and incorporated herein, then the Developer shall be entitled to a credit against the total proportionate share in accordance with the provisions contained in Paragraph (4), subparagraph (f) (i), (ii) herein.

In the event that the Developer is able to arrange for participation by private entities, that are involved solely in developing portions of the Project in part or all of the construction of Providence Road, the North-South Road, or the East-West Road (as identified herein), the Developer shall still be entitled to full credit for said construction in the same manner as if the Developer had completed said construction itself. If the private entity is involved in the development of land outside the boundaries of the Project and if its participation is required by law to be considered as a credit to said entity's transportation impact, the Developer of the Project shall be entitled to a credit but only in the amount that represents the difference between the credit given the private entity and the cost of construction of the road as identified in Exhibits B and C, attached hereto and incorporated herein.

The total amount has been divided into two subtotals which are tied to the Phases described herein.

(amended: Resolution Nos. R90-0244, R95-265)

- (2) Phases 1, 2, 3A

- (a) The improvements described in Exhibits B and C, attached hereto and incorporated herein, are projected to be required to mitigate the Project's transportation impacts combined with proposed and existing background traffic and represent the basis for the computation of the Developer's proportionate share contribution described in paragraph (b) below.

(amended: Resolution No. R95-265)

- (b) As a condition of the approval of Phases 1, 2 and 3A of the Project, the Developer shall assume financial responsibility as set forth below for a portion of the total proportionate share of the cost of construction of improvements to the facilities identified in Exhibits B and C, attached hereto and incorporated herein. The Developer's portion of the total proportionate share based upon the methodology contained herein is presently valued at \$4,954,889.00. To discharge its responsibility for this portion of the total proportionate share, the Developer shall construct the Providence Road, North-South Road, and East-West Road improvements as identified herein regardless of the actual cost of design, construction, construction administration, and right-of-way. All such costs of design, construction, construction administration, and right-of-way in excess of \$4,954,889.00 incurred by the Developer shall be applied as credit against the proportionate share.

(amended: Resolution Nos. R90-0244, R95-265)

- (i) Providence Road Improvements. The Developer shall construct improvements to Providence Road as follows:

Providence Road Widening. Developer shall unless otherwise required herein design and construct a portion of Providence Road. Said improvement shall consist of constructing a four (4) lane divided, rural road having a forty-six (46) foot wide median. (See Exhibit D attached hereto for approximate location of said improvement. The Developer shall be under no obligation to build said improvement at any other substantially different location.) The existing Providence Road may be incorporated into the four (4) lane design as the northbound roadway. The southbound roadway shall be constructed west of the existing road. Said improvement shall extend from the intersection with the East-West road described below, not to exceed 3,955 linear feet. All construction shall take place in accordance with County standards relating to

roadway design and construction for a minor arterial road section effective as of the date that construction is initiated. The Developer shall dedicate 102 feet of additional right-of-way to Hillsborough County and the County shall thereafter maintain the dedicated facility which includes the pavement and adjacent right-of-way. The total dedicated right-of-way for Providence Road, including the Developer's dedicated portion, shall be 200 feet in width. After approval of the Fifth Amendment to the Development Order, subject to no appeals, and upon the request of Hillsborough County, the Developer shall, within 90 days of receipt of such request, dedicate the subject additional 102 feet of right-of-way to Hillsborough County.

The widening of Providence Road as described herein shall be completed prior to issuance of certificates of occupancy for more than 2,832,200 square feet of the entire development (1,011,200 square feet of Phase 2 of the Project) or, in the event the Developer utilizes the provisions described below at Section M (Equivalency Matrix) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 4,130 PM peak hour external vehicle trip ends.

(amended: Resolution Nos. R90-0244, R95-265)

(THIS CONDITION HAS BEEN SATISFIED. Providence Road has been widened as required above.)

(ii) North-South Road and North-South Road Extension. The Developer shall construct the North-South Road and North-South Road Extension improvements as follows:

(a) North-South Road: The Developer shall design and construct a North-South road as a four-lane divided urban road section with twelve (12) foot wide lanes and a twenty-two (22) foot wide median from Lumsden Road to the East-West Road described below (the "North-South Road"). (See Exhibit D attached hereto for approximate location of said improvements. The Developer shall be under no obligation to build said improvement at any other substantially different location.) All design and

construction shall take place in accordance with County standards relating to roadway design and construction for a minor arterial road section effective as of the date that construction is initiated. The right-of-way for the North-South Road shall be dedicated prior to the issuance of certificates of occupancy for more than 1,000,000 square feet of the entire Project (1,000,000 square feet of Phase 1 of the Project) or, in the event the Developer utilizes the provisions described below at Section M (Equivalency Matrix) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 1,458 PM peak hour external vehicle trip ends. The dedicated right-of-way shall be ninety-four (94) feet in width. The construction of the North-South Road as described herein shall be completed prior to issuance of certificates of occupancy for more than 1,000,000 square feet of the entire Project (1,000,000 square feet of Phase 1 of the Project) or, in the event the Developer utilizes the provisions described below at Section M (Equivalency Matrix) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 1,458 PM peak hour external vehicle trip ends.

(amended: Resolution Nos. R90-0244, R95-265, R05-244)

(THIS CONDITION HAS BEEN SATISFIED. North-South Road has been constructed as a four-lane divided urban road section with twelve (12) foot wide lanes and a twenty-two (22) foot wide median from Lumsden Road to the East-West Road described below.)

- (b) North-South Road Extension: The Developer shall also design and construct the North-South Road Extension as follows:

- (1) North-South Road Extension/ Stage I: The Developer shall design and construct an extension of the North-South Road as a two-lane urban road section with twelve (12) foot wide lanes from the East-West Road to the southern Property boundary of the Project (the "North-South Road Extension/Stage I") to allow for a connection with the north-south roadway being designed and constructed by the developer of the Sterling Ranch development and having a terminus at the southern Property boundary. (See Exhibit D attached hereto for the approximate location of said improvement. The Developer shall be under no obligation to build said improvement at any other substantially different location). The North-South Road Extension/Stage I shall be designed and constructed in accordance with applicable County standards relating to roadway design and construction for a minor arterial road section effective as of the date that the design is approved. The dedicated right-of-way of said improvement shall be 74 feet in width. The right-of-way for the North-South Road Extension/Stage I shall be dedicated prior to said roadway being constructed and operational. The North-South Road Extension/Stage I shall be completed and the right-of-way for the North-South Road Extension/Stage I shall be dedicated prior to issuance of certificates of occupancy for more than 1,000,000 square feet of the entire Project (1,000,000 square feet of Phase 1 of the Project) or, in the event the Developer utilizes the provisions described below at Section M (Equivalency Matrix) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 1,458 PM peak hour external vehicle trip ends.

(amended: Resolution Nos. R95-265, R05-244)

(THIS CONDITION HAS BEEN SATISFIED. North-South Road Extension/Stage I has been constructed as required above.)

- (2) North-South Road Extension/ Stage II: The Developer shall also design and construct an additional two lanes of an extension of the North-South Road from the East-West Road to the southern property boundary of the Project (the "North-South Road Extension/Stage II") to allow for a connection with the north-south roadway being designed and constructed by the developer of the Sterling Ranch development (and having a terminus at the southern Property boundary. See Exhibit D attached hereto for the approximate location of said improvement. The Developer shall be under no obligation to build said improvement at any other substantially different location). The North-South Road Extension/Stage II shall be designed and constructed in accordance with applicable County standards relating to roadway design and construction for a minor arterial road section effective as of the date that the design is approved. The North-South Road Extension/Stage II shall be designed and constructed in a manner which results in the final North-South Road Extension (Stages I and II) being a four lane divided urban road section with twelve (12) foot wide lanes and a twenty-two (22) foot median. The dedicated right-of-way of said improvement shall be 20 feet in width, for a total dedicated right of way of the North South Road Extension (Stages I and II) of 94 feet in width. The right-of-way for the North-South Road Extension/Stage II shall be dedicated prior to said roadway being constructed and operational. The North-South Road Extension/Stage II shall be completed prior to the latter of the time frame set forth in subparagraph (ii)(b)(1), above, or within six (6) months of the time that the north-south roadway to be constructed by the developer of the Sterling Ranch development is constructed and operational as a four-lane roadway to the southern property boundary of the Project.

(amended: Resolution Nos. R95-265, R05-244)

(Hillsborough County has determined that the southerly extension of North-South Road Extension/ Stage II south of the southern Lake Brandon property line will be a two lane road. As a result, the Developer can not complete the

North-South Road Extension/ Stage II as a four lane roadway to its southern property line. The Developer has completed a four lane section of roadway south of the East-West Road and transitioned the North-South Road to a two lane roadway prior to the southern Lake Brandon property line to accommodate and properly connect to the two lane continuation of this roadway as requested by Hillsborough County.

Based on the foregoing, THIS CONDITION HAS BEEN SATISFIED.)

- (iii) East-West Road. The Developer shall design and construct the East-West Road improvements as follows:
 - (a) East-West Road/Stage I: Developer shall design and construct an East-West Road as a two-lane urban road section with twelve (12) foot wide lanes from Providence Road to the North-South Road (the "East-West Road/Stage I"). (See Exhibit D attached hereto for approximate location of said improvement. The Developer shall be under no obligation to build said improvement at any other substantially different location.) All design and construction shall take place in accordance with County standards relating to roadway design and construction for a minor arterial road section effective as of the date that construction is initiated. The dedicated right-of-way for the East-West Road/Stage I shall be seventy-four (74) feet in width. The right-of-way for the East-West Road/Stage I shall be dedicated prior to issuance of certificates of occupancy for more than 1,000,000 square feet of the entire Project (1,000,000 square feet of Phase 1 of the Project) or, in the event the Developer utilizes the provisions described below at Section M (Equivalency Matrix) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 1,458 PM peak hour external vehicle trip ends. The construction of the East-West Road/Stage I shall be completed prior to the issuance of the final certificates of occupancy for 1,000,000 square feet

of the entire Project (1,000,000 square feet of Phase 1 of the Project) or, in the event the Developer utilizes the provisions described below at Section M (Equivalency Matrix) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 1,458 PM peak hour external vehicle trip ends.

(amended: Resolution Nos. R90-0244, R95-265, R05-244)

(THIS CONDITION HAS BEEN SATISFIED. East-West Road/Stage I has been constructed as required above.)

- (b) East-West Road/Stage II: The Developer shall also design and construct an additional two lanes of an East-West road (the "East-West Road/Stage II"). (See Exhibit D attached hereto for the approximate location of said improvement. The Developer shall be under no obligation to build said improvement at any other substantially different location.) The East-West Road/Stage II shall be designed and constructed in accordance with County standards relating to roadway design and construction for a minor arterial road section effective as of the date that design is approved. The East-West Road/Stage II shall be designed and constructed in a manner which results in the final East-West Road (Stages I and II) being a four-lane divided urban road section with twelve (12) foot wide lanes and a twenty-two foot wide median. The construction of the East-West Road/Stage II shall be completed prior to the issuance of the final certificates of occupancy for 4,160,000 square feet of the entire Project (Phase 3A), or in the event the Developer utilizes the provisions described below at Section M (Equivalency Matrix) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 6,067 PM peak hour external

vehicle trip ends. The dedicated right-of-way for the East-West Road/Stage II shall be twenty (20) feet in width (for a total dedicated right-of way for the East-West Road/Stage I and Stage II, of ninety four (94) feet in width). The right-of-way for the East-West Road/Stage II shall be dedicated prior to the issuance of the final certificates of occupancy for 4,160,000 square feet of the entire Project (Phase 3A), or in the event the Developer utilizes the provisions described below at Section M (Equivalency Matrix) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 6,067 PM peak hour external vehicle trip ends.

(amended: Resolution Nos. R95-265, R05- 244)

(THIS CONDITION HAS BEEN SATISFIED. East-West Road/Stage II has been constructed as required above.)

- (iv) For purposes of this Amended and Restated Development Order, Certificate of Occupancy shall be construed to mean that certificate of occupancy issued for shell construction of buildings and shall not refer to those certificates of occupancy issued to individual businesses that may lease or otherwise acquire space within said facility.

(3) Phase 3B

- (a) For Phase 3B of the Project, the Developer shall assume financial responsibility based upon the conditions contained herein for the remaining \$396,569.00 of the total proportionate share contribution described herein.

Prior to issuance of any building permits for Phase 3B of the Project, the County and the Developer shall meet to discuss other options as to the nature and timing of the Developer's contributions which shall not exceed the above referenced \$396,569.00. To the extent that the Developer elects to satisfy said financial responsibility through the payment of cash, said payment shall occur no later than one year after the date of issuance of the first Certificate of Occupancy for Phase 3B. The Developer's contributions shall be utilized in such a manner as to provide a

reasonable benefit to the Developer and shall take into account the provisions contained below.

(amended: Resolution No. 90-0244)

- (i) Credit against the proportionate share contribution for Phase 3B will be allowed for right-of-way desired by the County and dedicated by the Developer, at any time, (except right-of-way for which a credit has already been given and other right-of-way dedicated to the County during any subdivision of the property) which right-of-way will be valued at its fair market value as of the date of dedication, or as otherwise agreed. For purpose of this paragraph, right-of-way shall be construed to mean right-of-way desired for construction of roads intended to implement area transportation plans and does not include right-of-way dedicated for any other County purpose.
 - (ii) Roadway construction performed by the Developer at the request of the County shall be valued on a cost basis in accordance with industry standards and generally accepted accounting principles.
- (4) Prior to the issuance of building permits for subsequent Phases but after completion of the preceding Phase, the Developer may, at his expense and at his option, conduct, in accordance with the provisions of Section 380.06, Florida Statutes, a new transportation study(ies) of the Lake Brandon transportation impact area as established by the County, the Tampa Bay Regional Planning Council and the Developer during the initial review of the application. This new traffic study(ies) shall be prepared in a manner consistent with that contained in the Application and shall be in accordance with the generally accepted traffic engineering practices. The new study(ies) shall analyze the transportation system in the impact area based on existing and approved development, plus the projected impact of the succeeding Phases of the Project or that portion of the succeeding Phases for which approvals are being sought. The new study shall serve to verify the findings of the original Development of Regional Impact and to indicate whether or not there are alternative transportation improvements or mechanisms, which, if implemented, will maintain the facilities identified in Exhibits B and C, attached hereto and incorporated herein, at a daily level of Service C and improvements no longer required may reduce proportionately the Project's proportionate share contribution for the Phases involved, which reduction shall be determined in accordance with the credit and adjustment provisions contained herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00. In addition to

providing a means of verification of original findings, the new study(ies) may include the following findings and conclusions:

(amended: Resolution Nos. R95-265, R05- 244)

- (a) If the new transportation study(ies) establishes that certain of the improvements referred to in Exhibits B and C, attached hereto and incorporated herein, should no longer be required as a factor in the determination of the Developer's proportionate contribution, because the specific roadway link or intersection does not satisfy both of the conditions precedent to the requirement for an improvement to be made, as set out above, or such other less stringent conditions precedent which have been established by the County and which are in effect, at the time of the transportation study(ies), then the Developer's proportionate share contribution for succeeding Phases of the Project shall be altered accordingly, subject to adjustment as described herein.

(amended: Resolution No. R95-265)

- (b) If the new study(ies) establishes that the Developer's share, expressed as a percentage, of the improved capacity of a roadway link or intersection changes, then the Developer's contribution to that improvement shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.
- (c) Credit against proportionate share contributions for other Phase(s) transportation impacts will be allowed for contributions made for other Phase(s) improvements to the extent that the new study shows the Project's traffic on particular roadways identified in the other Phase(s) no longer results in the requirement for improvements on said roadways under the conditions precedent which were applied during the other Phase(s) analysis, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.
- (d) Credit against the proportionate share contribution for other Phase(s) transportation impacts will be allowed for all contributions made in other Phase(s) which exceed the total proportionate share contribution for the other Phase(s) as said proportionate share identified in Exhibits B and C, attached hereto and incorporated herein.

(amended: Resolution No. R95-265)

- (e) (i) The Developer, at its option, may develop and participate in a Transportation System Management (TSM) Program. The TSM Program may include procedures to encourage and facilitate the use of car pooling, van pooling, flex time, transit ridership and provision of bus stop shelters, and shall be developed through the coordinated efforts of the Developer, Hillsborough County, Florida Department of Transportation, the Hillsborough County Metropolitan Planning Organization, and Tampa Bay Area Regional Planning Council. If the Developer can demonstrate to the County, in accordance with generally accepted traffic engineering methodology and practices, that the implementation of TSM measures over and above those identified in the Application can reduce the development's share of existing capacities for roadway links or intersections (at acceptable levels of service), below the five percent (5%) threshold which triggers the requirement for an improvement to be made, (or such other threshold as is then in effect) then, if such TSM measures are committed to by the Developer or other responsible agencies, those particular improvements will be deleted from the list of required improvements for which the Developer is assessed a proportionate share contribution and the assessments against the succeeding Phase(s) will be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.
 - (ii) If the Developer can demonstrate to the County that the implementation of TSM measures over and above those identified in the Application can reduce the development's share (expressed as a percentage) of the improved capacity of a roadway link or intersection, which percentage is the basis for calculating the Developer's contribution to an improvement, then the Developer's contribution to that improvement for the succeeding Phase(s) shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.
- (f) (i) In the event the new transportation study shows that the Florida Department of Transportation or other governmental entity, excluding the County, (subject to the provisions below), should allocate funds in an approved

transportation improvement program to cover all of the cost of any of the road improvements identified in Exhibits B and C, attached hereto and incorporated herein, then said improvement shall be deleted from the list of required improvements and the Developer's total proportionate share contribution shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00. To the extent that the County should receive road construction funds from sources other than: (a) current gasoline taxes in effect as of the date of this Amended and Restated Development Order, (b) ad valorem taxes, (c) transportation impact fee ordinance/resolution payments or other proportionate share contributions paid by any source except the Developer, whose contributions, credits, and adjustments shall be governed by the terms and conditions of this Amended and Restated Development Order, (Developer may elect pursuant to the terms of Alternative b, herein, to be governed by the terms of the transportation impact fee ordinance/resolution rather than the proportionate share contribution described in Alternative (a) or (d) current special assessments in effect as of the date of this Amended and Restated Development Order and shall allocate said funds in an approved transportation improvement program to cover all of the costs of any of the road improvements identified in Exhibits B and C, attached hereto and incorporated herein, then said improvement shall be deleted from the list of required improvements and the Developer's total proportionate share contribution shall be altered accordingly subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

- (ii) In the event that the Florida Department of Transportation or other governmental entity, excluding the County (subject to the provisions below), should allocate funds in an approved transportation improvement program to cover a portion of the cost of construction of a road improvement identified in Exhibits B and C; attached hereto and incorporated herein, then the Developer's proportionate share contribution shall be calculated by applying the development's share of the traffic, expressed as a percentage of the improved capacity of the road segment or intersection, against the remaining cost of construction of the road improvement which must be borne by the County.

As a result of the above described process, the total proportionate share contribution of the Developer shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00. To the extent that the County should receive road construction funds from sources other than: (a) current gasoline taxes in effect as of the date of this Amended and Restated Development Order, (b) ad valorem taxes, (c) transportation impact fee ordinance/resolution payments or other proportionate share contributions paid by any source except the Developer, whose contributions, credits, and adjustments shall be governed by the terms and conditions of this Amended and Restated Development Order, (Developer may elect pursuant to the terms of Alternative b, herein, to be governed by the terms of the transportation impact fee ordinance/resolution rather than the proportionate share contribution described in Alternative a.) or (d) current special assessments in effect as of the date of this Order and shall allocate said funds in an approved transportation improvement program to cover a portion of the costs of any of the road improvements identified in Exhibits B and C, attached hereto and incorporated herein, the Developer's total proportionate share contribution shall be altered in accordance with the terms of this paragraph, based upon the remaining cost to the County, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(amended: Resolution No. R05-~~244~~)

- (g) The "adjustment" referred to in this provision shall be calculated as follows:
 - (i) At the time an above provided adjustment is requested by the Developer, the cost of construction and the Developer's proportionate share contribution for the improvements in Exhibits B and C, attached hereto and incorporated herein, shall be recalculated based on then-projected construction costs (the "Revised Construction Costs").

(amended: Resolution No. R95-265)

- (ii) The Developer's proportionate share of the Revised Construction Costs for each improvement and the value of

the Developer's future road improvements, shall be recalculated applying the then applicable criteria for determining required improvements and proportionate share contributions (the Developer's "Revised Proportionate Share"). The sum of the individual Revised Proportionate Shares as calculated above shall be the Developer's adjusted contribution provided that in no event shall such adjusted contribution exceed the Developer's maximum contribution for the Phase under study. The phrase "maximum contribution for the Phase under study" shall be construed to mean the amount identified in Exhibits B and C, attached hereto and incorporated herein, as the total proportionate share contribution for the Phase under study.

- (iii) In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.
- (h) The new transportation study(ies) referenced herein shall be submitted to and reasonably approved by the County prior to its use as a basis for alteration of the Developer's proportionate share contribution(s). Once the conditions precedent for credit and adjustment have been established, then the credit and adjustment shall occur in accordance with the provisions contained herein. If as a result of the application of the credits and adjustments, the County and the Developer agree that implementation of the approved contribution plan is impracticable, then the Developer and the County shall also undertake to agree upon amendments to said plans. Said amendments shall be designed to discharge the Developer's proportionate share contribution as altered. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.
- (i) If at a future date it can be shown through subsequent transportation studies that as a result of the application of the credit and adjustment mechanisms described herein the Developer has fully or partially discharged its responsibility for the proportionate share contribution, as determined herein, then the Developer shall be released from its obligation to the extent of said discharge. In no event shall the County be required to refund to the Developer any portion of prior contributions.
- (j) If the County should develop a system of credits (in addition to the credits provided herein) that are applied in a uniform manner in the assessment of the transportation impacts and proportionate share contributions of the developments within the County, then the

2. Peak allowable discharge off the developed site based on the most critical 25 year storm may not exceed the existing peak discharge from the site based on the most critical 10 year storm.
3. The existing volume of runoff from the undeveloped site based on a 25 year—24 hour storm may not be exceeded in the first 24 hours of a 25 year—24 hour storm over the developed site.
4. All 25 year, flood plain storage on the existing site that is filled in must be mitigated with an equal volume on site.
5. Currently the County has drainage standards and criteria generally applicable to development, which standards and criteria may from time to time be amended. Accompanying these general regulations are specific drainage standards contained in this Amended and Restated Development Order which standards are site specific and are designed to remedy unique drainage issues associated with this Project. In the event the County should develop additional drainage regulations generally applicable to development throughout the Delaney Creek and Archie Creek drainage basins, then the development of this Project shall be subject to the terms of said regulations.
6. If a parcel of land lies within the 100 year flood plain, the Developer shall so notify the acquiring entity.

L. Transportation

1. Transportation Impact Analysis Methodology

It is projected that Lake Brandon development will substantially impact several regionally significant transportation facilities within the Project's impact area. Quantification of the Project's impact on area transportation facilities is based on the following methodology:

- a. Existing traffic volumes on roadways in the impact area were determined by physically counting traffic on those roadways.
- b. Growth factors were then applied to determine the "existing background" traffic for buildout of the development.

(amended: Resolution Nos. R90-0244, R05- 244)

- c. In addition to existing background traffic, allowances were made for traffic projected to be generated by approved developments which have not been built ("proposed background" traffic).

Developer may at the point of the next transportation study consider said credit in the computation of the Developer's proportionate share contribution, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

- (5) The County agrees to utilize the Developer's contributions for the specific purposes stated above. The County shall award contracts for construction of the improvements identified in Exhibits B and C, attached hereto and incorporated herein, upon receipt of contributions or impact assessment fees from development projects in this impact area which equal, in the aggregate, when coupled with funds received from other sources and funds allocated in the County's transportation improvement program, the cost of those improvements; provided, however, that the above referenced list of improvements may be modified based on subsequent transportation studies, transportation system management measures, or similar mitigation programs. The above described modification may amend the list of improvements identified in Exhibits B and C, attached hereto and incorporated herein, and related Developer's proportionate share contribution, but in no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(amended: Resolution No. R95-265)

- (6) Signage and traffic control devices located on private roads within the Project shall be the responsibility of the Developer. The Developer shall also be responsible for construction of access points and installation of traffic control devices necessitated by the Project at those locations where Project roads intersect County roads. The responsibilities contained in this paragraph are to be assumed by the Developer at his expense and are not intended to be considered part of the Developer's proportionate share contribution for off-site transportation improvements as described herein, but shall be in addition thereto.
- (7) The Developer shall provide bus shelters, bus turn-outs and information signs on or adjacent to the site when transit service becomes available to the area of a scope consistent with usage goals for this development as identified in the Application. The responsibilities contained in this paragraph are to be assumed by the Developer at its expense and are not intended to be considered part of the Developer's proportionate share contribution for off-site transportation improvements as described herein, but shall be in addition thereto.

b. Alternative b.

(Alternative b is no longer applicable as the Developer has chosen Alternative a to mitigate transportation impacts)

- (1) Upon the adoption of a County transportation impact fee ordinance/resolution, the Developer may, at its option, elect to be governed exclusively by the provisions of this Alternative b for satisfying its obligation to contribute a proportionate share for the Project. If the Developer elects this Alternative, the Developer shall complete all contractual obligations undertaken at that point in constructing any improvements agreed to as satisfying a portion of the proportionate contribution and thereafter, pay impact fees as imposed by ordinance or resolution to the extent and in the same manner as such fees are imposed on other developers subject to such fees; provided, however, that (a) the Developer shall be given credits against those impact fees imposed by ordinance or resolution, for all costs expended in engineering and constructing improvements under the contractual obligations referenced in this paragraph, (b) the Developer shall be given credit against those impact fees imposed by ordinance or resolution for other proportionate share contributions made pursuant to the terms of approved contribution plans described in Alternative a, and (c) in the event that the Florida Department of Transportation or other governmental entities should allocate funds (excluding County funds) in an approved transportation improvement program to cover costs of construction of one or more of the improvements identified in Exhibits B and C, attached hereto and incorporated herein, and the cost of these programmed improvements was included in the calculation of the Developer's impact fee, then the Developer's impact fee shall be reduced by an amount representing the proportionate amount of the fee attributable to said improvements.

(amended: Resolution No. R95-265)

- (2) Signage and traffic control devices located on private roads within the Project shall be the responsibility of the Developer. The Developer shall also be responsible for construction of access points and installation of traffic control devices necessitated by the Project at those locations where Project roads intersect County roads. This obligation is in addition to impact fees paid pursuant to ordinance or resolution.
- (3) The Developer shall provide bus shelters, bus turn-outs and information signs on or adjacent to the site when transit service becomes available to the area of a scope consistent with usage goals for this development as identified in the Application. This

obligation is in addition to fees paid pursuant to ordinance or resolution.

- (4) Nothing contained herein shall be construed to constitute a waiver by the Developer of its rights to contest the validity of said impact fee.

c. Alternative c.

(Alternative c is no longer applicable as the Developer has chosen Alternative a to mitigate transportation impacts)

- (1) The Developer may, rather than assume responsibility for a proportionate share contribution, identified in Alternative a., elect to delay development until such specific road improvements as may be necessary by the standard provided herein to accommodate the transportation impact of a particular Phase or portion thereof, as said Phases described above at Section III General Provisions, Paragraph O and the respective Phase road improvements identified in Exhibits B and C, attached hereto and incorporated herein, have been committed to by the appropriate entities. Said election shall be in writing and shall be delivered to the County Administrator. In the event the Developer elects to resume development of a particular Phase or portion thereof, then the Developer shall in writing notify the County Administrator of such election (said election shall be delivered to the County Administrator prior to the issuance of any development permits) and shall reassume the financial responsibility for its proportionate share contribution as identified in Alternative a. or the Developer may elect, prior to issuance of development permits, to complete a transportation study in accordance with the provisions contained in Paragraph a., subparagraph (4) of Alternative a. Any "adjustments" and "credits" allowed the Developer shall be computed in accordance with the terms contained in the referenced subparagraph. Upon completion of said study, the Developer shall assume financial responsibility for its proportionate share contribution derived from said study, in accordance with the terms of Alternative a. In no event shall Developer's total proportionate share contribution for the Project exceed \$5,351,458.00,

(amended: Resolution No. R95-265)

- (2) No development permits for the particular Phase or portion thereof shall be issued unless appropriate entities have, within the context of approved transportation improvement programs, committed to

the road improvements required to accommodate at daily LOS C the projected development traffic coupled with existing and proposed background traffic, which improvements are identified in Exhibits B and C, attached hereto and incorporated herein.

- (3) Even though the Developer may have elected to forego development of a particular Phase or portion thereof pursuant to the terms of this Alternative, said Developer shall be required to complete performance of the proportionate share contribution applicable to preceding Phases and that portion of a Phase which was not the subject of the election described above.

(amended: Resolution No. R95-265)

3. General Provisions

a. Amendments to Phases

- (1) The proposed Phases identified above at Section III General Provisions, Paragraph O are an integral part of the transportation condition. Therefore, if the Developer elects to amend the proposed Phases, it shall submit said amendments to the County for review and approval, which approval shall not be withheld if the terms of this Amended and Restated Development Order are otherwise fully complied with. If the County finds that amendments to the terms of this Amended and Restated Development Order are required by the amendments to the Phases, then said amendments to the extent consistent herewith shall be included as conditions of approval of the changes to the Phases. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(amended: Resolution No. 90-0244)

- (2) It is not the intent of this provision to prohibit or limit the Developer's right to develop the Project in revised Phases so long as all approved development is completed prior to the date of Project buildout. Rather, the purpose of this provision is to ensure that all prerequisites for each Phase of the Project are complied with. In recognition of this purpose, review by the County shall be accomplished in an expeditious manner and approval shall be granted as provided above and in no event shall it be unreasonably withheld. To the extent allowable by law, such revision in the Phase of development shall not constitute a substantial deviation from the terms of this Amended and Restated Development Order. For purposes of this Amended and Restated Development Order, a

Phase shall be considered complete upon issuance of the final Certificate of Occupancy for the Phase.

(amended: Resolution No. 90-0244)

- b. Nothing contained herein shall be construed to constitute a waiver by the Developer of its rights to contest the validity of this transportation condition, including but not limited to challenges involving equal protection issues related to treatment of similar Developments of Regional Impact.
- c. The following road facilities were not considered as elements of the Project's total fiscal impact on the transportation system because they are presently under construction or proposed for construction by Florida D.O.T.:
 - (1) Improve U.S. 301 to a six (6) lane divided facility from the intersection with S.R. 60 to the intersection with Interstate 75.
 - (2) Improve Buffalo Avenue to a four (4) lane divided facility from the intersection with U.S. 41 to the intersection with U.S. 301.
- d. The road segments described below may require future improvements (in addition to those improvements currently projected in Exhibits B and C, attached hereto and incorporated herein) by appropriate entities. The Developer or its assigns shall monitor traffic volumes on these segments at the end of each Phase. If traffic volumes (including Developer's traffic plus total background traffic) at that time fall below daily level of service D and the Project's traffic equals or exceeds 5% of the daily LOS C capacity of the existing roadway(s), those improvements required to maintain daily level of service C peak hour D that are in addition to those improvements currently projected in Exhibits B and C, attached hereto and incorporated herein, shall be added to Exhibits B and C, attached hereto and incorporated herein, for purposes of calculation, adjustments and credits utilizing such Exhibits according to the terms of this Order. In no event under this or any other section hereof, shall this study (1) increase the Developer's total proportionate share contribution for the Project above \$5,351,458.00, nor (2) shall this study affect the contribution method provided in Section V.L.2.a. The County shall award construction for said improvements in accordance with the provisions of paragraph (5), Alternative a, herein.

(amended: Resolution Nos. R95-265, R05-244)

- (1) The east/west corridor north (road segment EX-420, Exhibits B and C, attached hereto and incorporated herein, currently identified

in said Exhibits as requiring 4 lanes) from the intersection with Kings to the intersection with Lakewood.

- (2) The north/south corridor (road segment BF-210, Exhibits B and C, attached hereto and incorporated herein, currently identified in said Exhibits as requiring 4 lanes) from the intersection with Brandon Town Center's east/west road to the intersection with Lumsden Road.

(amended: Resolution Nos. R95-265, R05- 244)

- (3) Bell Shoals Road from the intersection with Lumsden Road to the intersection with Garnet Drive.
- (4) U.S. 301 from the intersection with C.R. 574 to the intersection with S.R. 60.

e. Monitoring.

When certificates of occupancy have been issued for 350,000 square feet or more of non-residential uses, an annual monitoring program to provide P.M. peak hour external traffic counts at the development's entrances shall begin. The purpose of the monitoring program is to verify external traffic generation of the Project in order to assure compliance with those Amended and Restated Development Order conditions which are based on specified external trip generation. Counts shall be performed on an annual basis through buildout of the development. This information shall be supplied in the required Annual Report. If an Annual Report is not submitted within thirty (30) days of its due date, or if the Annual Report indicates that the total external trips exceed projected counts by more than fifteen percent (15%), Hillsborough County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19), Florida Statutes and, if the variance is determined to be a substantial deviation, may amend the Amended and Restated Development Order to require additional roadway improvements or other mitigation measures according to the results of a revised transportation analysis. The results of the study may also serve as a basis for the Developer or reviewing agencies to request amendments to the Amended and Restated Development Order.

(amended: Resolution R05- 244)

f. Additional Transportation Conditions

As a condition of the approval of the first permit for vertical building development within Tracts 105, 106, 107 or 108, the following conditions shall apply:

- (1) The Developer, at its option, shall either construct or fund the following transportation improvements:
 - (a) Completion of a continuous eastbound through right turn lane on Causeway Boulevard from the western-most Lake Brandon Commercial Driveway to Providence Road within the existing right-of-way. This improvement shall utilize the existing right turn lanes, the County prepared and approved 100% design plans and permits previously issued to the County; and
 - (b) Design, permit and construct the extension of the eastbound and westbound left turn storage lanes on Lumsden Road/Causeway Boulevard at Providence Road to the furthest extent possible within the existing right-of-way.
- (2) The Developer shall pay to Hillsborough County the sum of \$1,500,000 towards the extension of the Gornto Lake Road Connection from State Road 60 to Brandon Town Center.

(amended: Resolution R05- 244)

M. Equivalency Matrix

Residential uses may be substituted for uses listed in Section III General Provisions, Paragraph O pursuant to the Equivalency Matrix attached hereto and incorporated herein as Exhibit E. Similarly, uses listed in Section III General Provisions, Paragraph O can also be substituted for each other pursuant to the Equivalency Matrix attached hereto and incorporated herein as Exhibit E. At the time of selection of a land use trade-off under the Equivalency Matrix, attached hereto and incorporated herein as Exhibit E, the Developer shall notify the Department of Community Affairs (“DCA”) and Tampa Bay Regional Planning Council (“TBRPC”) of said selection and shall also provide DCA, TBRPC and Hillsborough County with cumulative land use totals and remaining allowable quantities in the subsequent annual report for the Project. This condition shall not be construed as a requirement for an approval of a particular land use trade-off so long as the desired trade-off is consistent with the formula set forth in the Equivalency Matrix attached hereto and incorporated herein as Exhibit E.

(amended: Resolution Nos. R99-018, R95-265; R99-018)

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 of October 25, 2005, as same appears of record in Minute Book 353 Of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 9th day of November 2005.

PAT FRANK, CLERK



By: Maria O. K. Dign...
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

BY [Signature]
Approved as to Form and Legal Sufficiency

**LAKE BRANDON DRI
AMENDED AND RESTATED DEVELOPMENT ORDER
LIST OF EXHIBITS**

Exhibit A	Legal Description
Exhibits B & C	Hillsborough County's Table of Improvements dated November 22, 1983
Exhibit D	Revised Master Plan/Map H (dated November 2004)
Exhibit E	Revised Equivalency Matrix (dated October 2005)

EXHIBIT "A."

LEGAL DESCRIPTION

Tracts 1 to 16 inclusive in the Northeast 1/4, and Tracts 1, 2, 7, 8, 9, 10, 15 and 16 in the Northwest 1/4, AND Tracts 1, 2, 7, and 8 in the Southwest 1/4, AND Tracts 1 to 8 inclusive, Tracts 11 to 14 inclusive in the Southeast 1/4 of Section 32, Township 29 South, Range 20 East, of SOUTH TAMPA, as per plat or map thereof recorded in Plat Book 6, Page 3, Public Records of Hillsborough County, Florida, LESS that portion of Tracts 1 and 2 in the Northwest 1/4 and LESS that portion of Tracts 1, 2, 3 and 4 in the Northeast 1/4 of Section 32, Township 29 South, Range 20 East, of SOUTH TAMPA, deeded to the County of Hillsborough, a political Subdivision of the State of Florida, for road right of way on November 29, 1965 as recorded in Official Records Book 1570, Page 953, Public Records of Hillsborough County, Florida, AND LESS that portion of Tracts 1 and 2 in the Northwest 1/4 of Section 32, Township 29 South, Range 20 East, of SOUTH TAMPA, deeded to the County of Hillsborough, a political Subdivision of the State of Florida, for road right of way on July 9, 1982 as recorded in Official Records Book 3972, Page 192, Public Records of Hillsborough County, Florida. Also Less that portion of Tracts 1, 8, 9 and 16 in the Northeast 1/4 AND LESS that portion of Tracts 1 and 8 in the Southeast 1/4 of Section 32, Township 29 South, Range 20 East, of SOUTH TAMPA, deeded to the County of Hillsborough, a political Subdivision of the State of Florida, for road right of way purposes.

TOGETHER WITH the following described parcel:

Tract 16 in the Northeast 1/4 of Section 31, Township 29 South, Range 20 East, Hillsborough County, Florida, Tracts 3, 5, 6, 11, 12, 13 and 14 in the Northwest 1/4 of Section 32, Township 29 South, Range 20 East, Hillsborough County, Florida, all lying and being in SOUTH TAMPA Subdivision as recorded in Plat Book 6, Page 3 of the Public Records of Hillsborough County, Florida, LESS and EXCEPT right of way taken by order of taking recorded in Official Records Book 3988, Page 1880, also LESS right of way conveyed to the County of Hillsborough by instrument recorded in Official Records Book 1570, Page 953, of the Public Records of Hillsborough County, Florida.

TOGETHER WITH the following described parcel:

Tracts 3, 4, 5 and 6, lying in the Northwest 1/4 of the Southwest 1/4 of Section 32, Township 29 South, Range 20 East, SOUTH TAMPA, according to the map or plat thereof recorded in Plat Book 6, Page 3 of the Public Records of Hillsborough County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of the Northwest 1/4 of the Southwest 1/4 of said Section 32, run thence North 00°03'45" East, 15.00 feet along the East boundary of said Northwest 1/4 of the Southwest 1/4; thence South 89°19'58" West, 15.00 feet, parallel with the South boundary of said Northwest 1/4 of the Southwest 1/4, to the Southeast corner of said Tract 6 and the Point of Beginning of the parcel being described; from said Point of Beginning continue thence South 89°19'13" West, 1290.60 feet along the South boundary of said Tract 6 and 5, to the Southwest corner of said Tract 5; thence North 00°02'58" East, 1301.03 feet along the West boundary of said Tracts 5 and 4 to the Northwest corner of said Tract 4; thence North 89°06'10" East, 1291.32 feet along the North boundary of said Tracts 4 and 3 to the Northeast corner of said Tract 3; thence South 00°04'41" West, 1305.94 feet along the East boundary of said Tracts 3 and 6 to the Point of Beginning.

TOGETHER WITH the following described parcel:

Tract 8 in the Southeast 1/4 of Section 31, Township 29 South, Range 20 East, SOUTH TAMPA, according to the map or plat thereof recorded in Plat Book 6, Page 3 of the Public Records of Hillsborough County, Florida; LESS LESS that part taken for State Road 93-A (I-75) by instrument recorded in Official Records Book 3945, Page 1754, Public Records of Hillsborough County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of the Southeast 1/4 of said Section 31; thence North 89°33'24" West along the North boundary of the Southeast 1/4 of said Section 31 a distance of 15.00 feet; thence South 00°02'33" West along a line being 15.00 feet West and parallel to the East boundary of said Southeast 1/4, a distance of 663.70 feet to the Northeast corner of said Tract 8 and the Point of Beginning; thence continue South 00°02'33" West along the Easterly boundary line of Tract 8 a distance of 648.70 feet to the Southeast corner of said Tract 8; thence North 89°40'45" West along the Southerly boundary line of said Tract 8 a distance of 645.21 feet to the Southwest corner of said Tract 8; thence North 00°01'50" East along the Westerly boundary of said Tract 8 a distance of 113.75 feet to a point on the Easterly drainage right of way line for State Road No. 93-A (I-75), Section 10075-2405, Hillsborough County, Florida, also per document in Official Records Book 3945, Pages 1754-1755; thence North 15°25'53" East along said easterly drainage and State Road No. 93-A (I-75) right of way line a distance of 467.25 feet to the beginning of a curve concave to the Southeast having a radius of 2097.83 feet; thence run Northeasterly along said curve 87.96 feet through a central angle of 2°24'08" (said curve subtended with a chord bearing of North 16°37'57" East and a chord distance of 87.95 feet) to a point along the Northerly boundary line of said Tract 8; thence South 89°36'51" East departing said easterly drainage right of way line and along the Northerly boundary line of said Tract 8 a distance of 496.13 feet to the Point of Beginning.

Total combined area is 21,568,845.2 square feet or 495.153 acres, more or less.

Date signed
Prepared by FLD&E Surveying
4519 George Road - Suite 130

Donald Stone Lane
State of Florida
015 116 5002

F.C.C.

1990 DEVEL TRAFFIC	1990 DEVEL %	1990 DEVEL SHARE	1995 DEVEL TRAFFIC	1995 DEVEL %	1995 DEVEL SHARE	2000 DEVEL TRAFFIC	2000 DEVEL %	2000 DEVEL SHARE	PHASE		PHASE	
									3A 60 %	DEVEL SHARE	3B 40 %	DEVEL SHARE
1802	39.22	0	2755	20.67	0	4600	40.11	0	2760	0	1840	0
721	39.22	0	1102	20.67	0	1840	40.11	0	1104	0	736	0
360	39.22	0	551	20.67	0	920	40.11	0	552	0	368	0
2510	39.22	0	3838	20.67	0	6409	40.11	0	3846	0	2564	0
841	39.22	102867	1286	20.67	54217	2147	40.11	105210	1288	63126	859	42084
240	39.22	10772	367	20.67	5678	613	40.11	11017	368	6610	245	4407
1129	39.22	199087	1726	20.67	104931	2883	40.11	203622	1730	122173	1153	81449
601	39.22	22126	918	20.67	11662	1533	40.11	22630	920	13578	613	9052
745	39.22	24110	1139	20.67	12708	1901	40.11	24659	1141	14796	761	9864
1321	39.22	0	2020	20.67	0	3373	40.11	0	2024	0	1349	0
2870	39.22	0	4389	20.67	0	7329	40.11	0	4398	0	2932	0
2462	39.22	0	3765	20.67	0	6287	40.11	0	3772	0	2515	0
1273	39.22	118401	1947	20.67	62405	3251	40.11	121098	1950	72659	1300	48439
889	39.22	42095	1359	20.67	24822	2249	40.11	48168	1362	28901	908	19267
0	0.00	0	735	59.89	118486	1227	40.11	79359	736	47615	491	31743
841	39.22	96788	1286	20.67	51014	2147	40.11	98993	1288	59396	859	39597
2294	39.22	140623	3508	20.67	74118	5857	40.11	143827	3514	86296	2343	57531
360	39.22	12686	551	20.67	6686	920	40.11	12975	552	7785	368	5190
240	39.22	25850	367	20.67	13625	613	40.11	26439	368	15864	245	10576
300	39.22	11791	459	20.67	6215	767	40.11	12060	460	7236	307	4824
1501	39.22	58957	2294	20.67	31074	3833	40.11	60301	2300	36180	1533	24120
1561	39.22	0	2388	20.67	0	3987	40.11	0	2392	0	1595	0
420	39.22	15430	643	20.67	8133	1073	40.11	15782	644	9469	429	6313
180	39.22	0	275	20.67	0	460	40.11	0	276	0	184	0
240	39.22	8425	367	20.67	4441	613	40.11	8617	368	5170	245	3447
180	39.22	0	275	20.67	0	460	40.11	0	276	0	184	0
300	39.22	21941	459	20.67	11564	767	40.11	22441	460	13464	307	8976
60	39.22	0	92	20.67	0	153	40.11	0	92	0	61	0
360	39.22	27045	551	20.67	14255	920	40.11	27661	552	16597	368	11065
180	39.22	0	275	20.67	0	460	40.11	0	276	0	184	0
841	39.22	61434	1286	20.67	32380	2147	40.11	62834	1288	37700	859	25134
120	39.22	0	184	20.67	0	307	40.11	0	184	0	123	0
60	39.22	0	92	59.89	0	153	40.11	0	92	0	61	0
360	39.22	27554	551	20.67	14523	920	40.11	28181	552	16909	368	11273
120	39.22	0	184	20.67	0	307	40.11	0	184	0	123	0
0	0.00	0	92	20.67	0	153	40.11	0	92	0	61	0
841	39.22	23639	1286	20.67	12459	2147	40.11	24177	1288	14506	859	9671
1561	39.22	61629	2388	20.67	32483	3987	40.11	63033	2392	37820	1595	25213
2042	39.22	106514	3122	20.67	56140	5213	40.11	108941	3128	65364	2085	43576
540	39.22	48164	826	20.67	25385	1380	40.11	47261	828	29557	552	19704
2870	39.22	116700	4389	20.67	61508	7329	40.11	119358	4398	71615	2932	47743
2870	39.22	20594	4389	20.67	10854	7329	40.11	21063	4398	12638	2932	8425
4240	39.22	164269	6483	20.67	86580	10825	40.11	168011	6495	100807	4330	67204
4023	39.22	258975	6153	20.67	136497	10273	40.11	264875	6164	158925	4109	105950
0	0.00	0	0	0.00	0	3067	100.00	478552	1840	287131	1227	191421
		\$ 1833468			\$ 1084841				\$ 1459889		\$ 973259	

EXHIBIT B

11/22/83

F.C.C.

ROAD	EXIST	LOS C	TOTAL	TOTAL	% DEVEL	PROP	LOS C	% DEVEL	IMP.	DEVEL			
SEQN.	LINK	FROM	TO	LAYES	CAP.	TRAFFIC	TRAFFIC	OF EXIS	LAYES	CAP.	LOS C	COST	TOTAL
								LOS C					COST
60-400	S.R.60	PARSONS	KINGS	6	42700	80852	4600	11	8	55200	8.33	561209	0
60-420	S.R.60	KINGS	LAKEWOOD	6	27900	70138	1840	7	8	55200	3.33	900000	0
60-430	S.R.60	LAKEWOOD	NS COR	6	27900	85578	920	3	8	55200	1.67	460227	0
60-440	S.R.60	NS COR	1-75	6	42700	86153	6409	15	8	55200	11.61	762397	0
EX-420	EW COR N	KINGS	LAKEWOOD	0	0	32660	2147	999	4	27900	7.69	3409091	262295
EX-430	EW COR N	LAKEWOOD	NS COR	0	0	28041	613	999	4	27900	2.20	1249483	27467
EX-440	EW COR N	NS COR	1-75	0	0	30656	2883	999	4	27900	10.33	4913326	507641
LU-400	LUNSDEN	PARSONS	KINGS	2	11800	31623	1533	13	4	27900	5.50	1026601	56419
LU-420	LUNSDEN	KINGS	PRVDENCE	4	11800	34726	1901	16	6	42700	4.45	1380682	61477
LU-430	LUNSDEN	PRVDENCE	NS COR	6	42700	43987	3373	8	6	42700	7.90	0	0
LU-440	LUNSDEN	NS COR	1-75	6	42700	47774	7329	17	6	42700	17.16	0	0
LU-460	LUNSDEN	1-75	U.S.301	6	42700	41980	6287	15	6	42700	14.72	0	0
CA-470	CASWY BL	U.S.301	78TH ST	2	11800	25118	3251	28	4	27900	11.65	2591253	301904
CA-480	CASWY BL	78TH ST	U.S.41	2	11800	19566	2269	19	4	27900	8.13	1476412	128086
BR-400	EW COR S	BRYAN	KINGS	0	0	23538	1227	999	4	27900	4.40	4500000	197845
BR-420	EW COR S	KINGS	PRVDENCE	0	0	20250	2147	999	4	27900	7.69	3207645	246795
BR-430	EW COR S	PRVDENCE	NS COR	0	0	16333	5857	999	4	27900	20.99	1707989	358568
BL-400	BLMGDALE	JHN MORE	KINGS	2	11800	16156	920	8	4	27900	3.30	980975	32347
BL-420	BLMGDALE	KINGS	PRVDENCE	2	11800	13927	613	5	4	27900	2.20	2998450	65914
BL-430	BLMGDALE	PRVDENCE	NS COR	2	11800	18682	767	6	4	27900	2.75	1094180	30066
BL-440	BLMGDALE	NS COR	U.S.301	2	11800	25730	3833	32	4	27900	13.74	1094180	150332
60-300	S.R.60	PARSONS	BRYAN	6	42700	73292	3987	9	8	55200	7.22	559091	0
LU-300	LUNSDEN	PARSONS	BRYAN	2	11800	29648	1073	9	4	27900	3.85	1022727	39344
LU-320	LUNSDEN	BRYAN	LTH PINE	2	11800	19405	460	4	4	27900	1.65	1022727	0
BL-300	BLMGDALE	JHN MORE	BRYAN	2	11800	25764	613	5	4	27900	2.20	977273	21483
BL-320	BLMGDALE	BRYAN	LTH PINE	2	11800	34873	460	4	4	27900	1.65	977273	0
BY-200	BRYAN	S.R.60	LUNSDEN	2	11800	26485	767	6	4	27900	2.75	2035985	55946
BY-230	BRYAN	LUNSDEN	BLMGDALE	2	11800	21927	153	1	4	27900	0.55	4108988	0
PA-200	PARSONS	S.R.60	LUNSDEN	2	11800	38342	920	8	6	42700	2.15	3200758	68961
PA-220	PARSONS	LUNSDEN	BLMGDALE	2	11800	28804	460	4	4	27900	1.65	4108988	0
K1-200	KINGS	S.R.60	LUNSDEN	2	11800	32045	2147	18	4	27900	7.69	2035985	156648
K1-220	KINGS	LUNSDEN	EW COR S	2	11800	25662	307	3	4	27900	1.18	2054494	0
K1-230	KINGS	EW COR S	BLMGDALE	2	11800	23533	153	1	4	27900	0.55	2054494	0
PL-200	PAULS DR	S.R.60	LUNSDEN	2	11800	22017	920	8	4	27900	3.30	2130682	70253
PL-220	PAULS DR	LUNSDEN	EW COR S	0	0	10580	307	-999	2	11800	2.60	1120868	0
PL-230	PAULS DR	EW COR S	BLMGDALE	0	0	8004	153	-999	2	11800	1.30	1841426	0
LA-200	LAKEWOOD	S.R.60	EW COR N	2	11800	27323	2147	18	4	27900	7.69	783402	60275
LA-210	LAKEWOOD	EW COR N	LUNSDEN	2	11800	29276	3987	34	4	27900	14.29	1099774	157145
PR-220	PRVDENCE	LUNSDEN	EW COR S	2	11800	21527	5213	44	4	27900	18.69	1453512	271594
PR-230	PRVDENCE	EW COR S	BLMGDALE	2	11800	14417	1380	12	4	27900	4.95	2482955	122810
BF-200	NS COR	S.R.60	BTC PROP	0	0	19992	7329	999	4	27900	26.27	1132748	297567
BF-205	NS COR	BTC PROP	BTC EW	0	0	19992	7329	999	4	27900	26.27	199897	52512
BF-210	NS COR	BTC EW	LUNSDEN	0	0	31440	10825	999	4	27900	38.80	1079545	418860
BF-220	NS COR	LUNSDEN	EW COR S	0	0	26872	10273	999	4	27900	36.82	1793389	660347
BF-230	NS COR	EW COR S	BLMGDALE	0	0	8967	3067	999	2	11800	25.99	1841426	478552

* 999 DENOTES NEW ROAD SEGMENT

75432507 5351458

EXHIBIT B

ROAD				SEGMENT	LAYES	LAYES	R/W	R/W	R/W	R/W	R/W	CRIST.	CRIST.	TOTA
SECM	LINK	FROM	TO	LENGTH	EXIS.	PROP.	EXIS.	NEEDED	ACRES	\$/ACRE	COST	\$/MILE	COST	COS
60-400	S.R.60	PARSONS	KINGS	2450	6	8	176	200	1.46	75000	109504	900000	451705	56120
60-420	S.R.60	KINGS	LAKEWOOD	5280	6	8	200	200	0.00	75000	0	900000	900000	90000
60-430	S.R.60	LAKEWOOD	NS COR	2700	6	8	200	200	0.00	75000	0	900000	460227	46022
60-440	S.R.60	NS COR	I-75	3600	6	8	176	200	1.98	75000	148760	900000	613436	76239
EX-420	EW COR N	KINGS	LAKEWOOD	6000	0	4	0	176	24.24	75000	1818182	1400000	1590909	340909
EX-430	EW COR N	LAKEWOOD	NS COR	2050	0	4	0	200	9.41	75000	705923	1400000	543561	124948
EX-440	EW COR N	NS COR	I-75	3100	0	4	0	200	14.23	75000	1067493	6550322	3845833	491332
LU-400	LUNSDEN	PARSONS	KINGS	2650	2	4	50	176	7.67	75000	574897	900000	451705	102660
LU-420	LUNSDEN	KINGS	PRVDENCE	8100	4	6	200	200	0.00	75000	0	900000	1380682	138068
LU-430	LUNSDEN	PRVDENCE	NS COR	1500	6	6	200	200	0.00	75000	0	0	0	0
LU-440	LUNSDEN	NS COR	FAULKNBG	4700	6	6	200	200	0.00	75000	0	0	0	0
LU-460	LUNSDEN	FAULKNBG	U.S.301	3200	6	6	200	200	0.00	75000	0	0	0	0
CA-470	CASBY BL	U.S.301	78TH ST	8600	2	4	100	176	15.00	75000	1125344	900000	1465909	259125
CA-480	CASBY BL	78TH ST	U.S.41	4900	2	4	100	176	8.55	75000	641185	900000	835227	147641
BR-400	EW COR S	BRYAN	KINGS	7920	0	4	0	176	32.00	75000	2400000	1400000	2100000	450000
BR-420	EW COR S	KINGS	PRVDENCE	8100	0	4	100	176	14.13	75000	1059917	1400000	2147727	320764
BR-430	EW COR S	PRVDENCE	NS COR	4000	0	4	0	94	8.63	75000	447383	1400000	1060606	170798
BL-400	BLMGDALE	JHM MORE	KINGS	2650	2	4	60	176	7.06	75000	529270	900000	451705	98097
BL-420	BLMGDALE	KINGS	PRVDENCE	8100	2	4	60	176	21.57	75000	1617769	900000	1380482	299845
BL-430	BLMGDALE	PRVDENCE	NS COR	3100	2	4	70	176	7.54	75000	565771	900000	528409	109416
BL-440	BLMGDALE	NS COR	U.S.301	3100	2	4	70	176	7.54	75000	565771	900000	528409	109416
60-300	S.R.60	PARSONS	BRYAN	2640	6	8	176	200	1.45	75000	109091	900000	450000	55905
LU-300	LUNSDEN	PARSONS	BRYAN	2640	2	4	50	176	7.64	75000	572727	900000	450000	102227
LU-320	LUNSDEN	BRYAN	LTH PINE	2640	2	4	50	176	7.64	75000	572727	900000	450000	102227
BL-300	BLMGDALE	JHM MORE	BRYAN	2640	2	4	60	176	7.03	75000	527273	900000	450000	97727
BL-320	BLMGDALE	BRYAN	LTH PINE	2640	2	4	60	176	7.03	75000	527273	900000	450000	97727
BY-200	BRYAN	S.R.60	LUNSDEN	5500	2	4	60	176	14.65	75000	1098485	900000	937500	203591
BY-230	BRYAN	LUNSDEN	BLMGDALE	11100	2	4	60	176	29.56	75000	2216942	900000	1892045	410891
PA-200	PARSONS	S.R.60	LUNSDEN	5500	2	6	60	200	17.68	75000	1325758	1800000	1875000	320071
PA-220	PARSONS	LUNSDEN	BLMGDALE	11100	2	4	60	176	29.56	75000	2216942	900000	1892045	410891
K1-200	KINGS	S.R.60	LUNSDEN	5500	2	4	60	176	14.65	75000	1098485	900000	937500	20359
K1-220	KINGS	LUNSDEN	EW COR S	5500	2	4	60	176	14.78	75000	1108471	900000	946023	20544
K1-230	KINGS	EW COR S	BLMGDALE	5500	2	4	60	176	14.78	75000	1108471	900000	946023	20544
PL-200	PAULS DR	S.R.60	LUNSDEN	5500	2	4	50	176	15.91	75000	1193182	900000	937500	21306
PL-220	PAULS DR	LUNSDEN	EW COR S	4200	0	2	0	100	9.64	75000	723140	500000	397727	11208
PL-230	PAULS DR	EW COR S	BLMGDALE	6900	0	2	0	100	15.84	75000	1188017	500000	653409	18414
LA-200	LAKEWOOD	S.R.60	EW COR N	2600	2	4	100	176	4.54	75000	340220	900000	443182	7834
LA-210	LAKEWOOD	EW COR N	LUNSDEN	3650	2	4	100	176	6.37	75000	477617	900000	622159	10997
PR-220	PRVDENCE	LUNSDEN	EW COR S	4200	2	4	98	200	9.83	75000	737603	900000	715909	14535
PR-230	PRVDENCE	EW COR S	BLMGDALE	6900	2	4	66	176	17.42	75000	1306818	900000	1176136	24829
BF-200	NS COR	S.R.60	BTC PROP	3060	0	4	0	94	6.60	75000	495248	1100000	637500	11327
BF-205	NS COR	BTC PROP	BTC EW	540	0	4	0	94	1.17	75000	87397	1100000	112500	1996
BF-210	NS COR	BTC EW	LUNSDEN	1900	0	4	0	176	7.68	75000	575758	1400000	503788	18795
BF-220	NS COR	LUNSDEN	EW COR S	4200	0	4	0	94	9.06	75000	679752	1400000	1113636	17935
BF-230	NS COR	EW COR S	BLMGDALE	6900	0	2	0	100	15.84	75000	1188017	500000	653409	18414

467.37 35052583 40379924 254321

EXHIBIT C

EXHIBIT E
(Revised July, 2005)
EQUIVALENCY MATRIX¹
Lake Brandon

Change From: Change To:	Office	Light Industrial	Commercial
Office	N/A	1,176 ² sf/ksf (1.1763) ³	3,366 sf/ksf (3.3659) ³
Light Industrial	927 sf/ksf (0.9268) ³	N/A	3,089 sf/ksf (3.0890) ³
Commercial	380 sf/ksf (0.3799) ³	443 sf/ksf (0.4482) ³	N/A
Residential (Multi-Family)	2,143 dus/ksf (2.1430) ³	2,493 dus/ksf (2.4929) ²	7,1331 dus/ksf (7.1331) ³
Hotel	1,867 rooms/ksf (1.8669) ³	2,176 rooms/ksf (2.1760) ³	6,222 rooms/ksf (6.2222) ³

¹ Land use exchanges are based on p.m. peak hour project traffic. Use of this matrix shall be limited to the following minimum and maximums to ensure that impacts for transportation, water, wastewater, solid waste and affordable housing are not exceeded.

Land Use	Minimum	Maximum
Office	0 sf ^a	1,000,000 sf
Industrial	0 sf	700,000 sf
Commercial	600,000 sf	900,000 sf
Residential (Multi-Family)	1,200 dus	3,400 dus
Hotel	0 rooms	200 rooms

a. The minimum Office square footage to be reserved for potential development is 250,000 sf.

² Example exchanges:
 Add 50,000 s.f. Office by reducing Light Industrial
 50 ksf divided 1.1673 = 42,827; Reduce Light Industrial by 42,827 s.f.

Add 25,000 s.f. Commercial by reducing Office
 25 ksf divided 0.3799 = 65,807; Reduce Office by 65,807 s.f.

³ Actual equivalency factor for use in calculations

MECHANIK NUCCIO HEARNE & WESTER

A PROFESSIONAL ASSOCIATION
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305 S. BOULEVARD
TAMPA, FLORIDA 33606-2150
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JOHN B. NEUKAMM
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*NORTH TAMPA OFFICE: 18560 N. DALE MABRY HWY.
LUTZ, FLORIDA 33548-7900
TEL: (813) 968-1002
FAX: (813) 968-1502

OF COUNSEL:
RICHARD W. CANDELORA*

REPLY TO: TAMPA
 NORTH TAMPA

October 11, 2005

VIA – EMAIL and FEDERAL EXPRESS

Ms. Teresa Maio
Hillsborough County
Planning and Growth Management Department
601 E. Kennedy Blvd., 20th Floor
Tampa, Florida 33601-1110

RE: Lake Brandon Entitlements – Traded and Built

Dear Teresa:

This letter is in response to your October 10, 2005 phone call regarding the 2003-2004 Annual Report for Lake Brandon/Florida Corporate Center # 93. You have asked us to confirm the figures in the revised Entitlements Traded and Built table submitted to the Tampa Bay Regional Planning Council and Hillsborough County on May 27, 2005.

It appears that a figure was incorrectly transcribed in tabulating the numbers for 2004. The light industrial (PD-RP) entitlements traded should be as shown on the enclosed revised table of Lake Brandon Entitlements-Traded and Built (dated October 11, 2005). Please contact me if you have any further questions.

Sincerely yours,


Anne Q. Pollack

/cwe
Enclosure

cc: John Meyer, Tampa Bay Regional Planning Council (via FedEx)

LAKE BRANDON ENTITLEMENTS – TRADED AND BUILT

(Revised 10/11/05)

BASE ENTITLEMENTS	ENTITLEMENTS TRADED AS OF DEC. 31, 2003	ENTITLEMENTS BUILT AS OF DEC. 31, 2003	ENTITLEMENTS TRADED FROM JAN. 1, 2004 THROUGH NOV. 30, 2004	ENTITLEMENTS BUILT FROM JAN. 1, 2004 THROUGH NOV. 30, 2004	GRAND TOTAL OF ENTITLEMENTS TRADED TO DATE	GRAND TOTAL OF ENTITLEMENTS BUILT TO DATE	REMAINING ENTITLEMENTS AS OF NOV. 30, 2004
2,618,000 sf PD-RP uses on parcels labeled RCP/COMM (Per 5/16/03 letter to John Meyer, this is all light industrial.)	1,047,682 sf ^{1,2}	-0-	166,970 ^{3,4}	-0-	1,214,652 sf	-0-	1,403,348 sf
1,442,000 sf PD-O uses on parcels labeled RCP/RES (Per 5/16/03 letter to John Meyer, this is all office.)	-0-	-0-	-0-	-0-	-0-	-0-	1,442,000 sf
400,000 sf Retail	-0-	620,277 ⁵	-0-	10,700 sf ⁶	-0-	630,977 sf	n/a ⁷
400,000 sf PD-C(C) uses on parcels labeled RCP/RES (Per 5/16/03 letter to John Meyer, this is all retail.)	n/a	1,356 dus ⁸	n/a	360 dus ⁹	n/a	1,716 dus	n/a ¹⁰
RESIDENTIAL (not a base use)							

1 496,213 sf traded for 220,277 sf of retail.

2 551,469 sf traded for 1356 multi-family residential dwelling units.

3 24,164 sf traded for 10,700 sf of retail

4 142,806 sf traded for 360 multi-family residential dwelling units

5 Obtained 220,277 sf of retail by trading 496,213 sf of light industrial.

6 Obtained 10,700 sf of retail by trading 24,164 sf of light industrial.

7 Maximum allowed is 800,000 sf.

8 Obtained 1356 multi-family residential dwelling units by trading 551,469 sf of light industrial.

9 Obtained 360 multi-family residential dwelling units by trading 142,806 sf of light industrial.

10 Maximum allowed is 2,376 dus.

MECHANIK NUCCIO WILLIAMS HEARNE & WESTER

A PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW
BANK OF AMERICA PLAZA, SUITE 3140
101 EAST KENNEDY BOULEVARD
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J. MEREDITH WESTER*
GREGORY L. WILLIAMS

OF COUNSEL:
RICHARD W. CANDELORA*

TEL: 813 / 276-1920
FAX: 813 / 276-1560
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*NORTH TAMPA OFFICE: 18560 N. DALE MABRY HWY.
LUTZ, FLORIDA 33548
TEL: 813 / 968-1002
FAX: 813 / 968-1502

REPLY TO: TAMPA
 NORTH TAMPA

May 27, 2005

Mr. John Meyer
Tampa Bay Regional Planning Council
4000 Gateway Centre Blvd., Suite 100
Pinellas Park, FL 33782

Re: Lake Brandon/Florida Corporate Center: 2003-04 Annual Report

Dear John:

This letter is in response to your March 15, 2005 email regarding the 2003-2004 Annual Report for Lake Brandon/Florida Corporate Center # 93. You have asked us to demonstrate the conversion of 168,574 sq. ft. of light industrial to 10,700 sq. ft. of retail and 356 multi-family residential units. Enclosed, please find the approved Land Use Equivalency Matrix.

It appears that we miscalculated the conversion of light industrial to multi-family. The conversion of uses should be as shown below. I have also enclosed a revised table showing entitlements traded and built with the correct numbers.

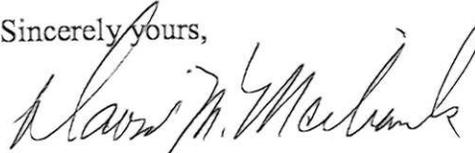
Multi-Family: ³⁶⁰ 356 duses / 2.4929 duse per ksf of Lt Indus.	= ^{144,410} 142,806 sf Lt Industrial
Retail: 10,700sf / 0.4428 sf per ksf of Lt. Indus.	= 24,164 sf Lt. Industrial
TOTAL Lt. Industrial traded	166,970 Lt. Industrial
	<u>168,574</u>

In the future, we will provide notification of use of the land use equivalency matrix at the time of conversion.

John Meyer
May 27, 2005
Page 2 of 2

Please contact me if you have further questions.

Sincerely yours,

A handwritten signature in black ink, appearing to read "David M. Mechanik". The signature is written in a cursive style with a large, looping initial "D".

David M. Mechanik

DMM/aqp

Enclosure

cc: Wayne Litzau
Randy Coen

TABLE 1
(Revised December 1998)

EQUIVALENCY MATRIX¹
Lake Brandon

Change From Change To:	Office	Light Industrial	Commercial
Office	N/A	1,176 ² sf/ksf (1.1763) ³	3,366 sf/ksf (3.3659) ³
Light Industrial	927 sf/ksf (0.9268) ³	N/A	3,089 sf/ksf (3.0890) ³
Commercial	380 sf/ksf ² (0.3799) ³	443 sf/ksf (0.4428) ³	N/A
Residential (Multi-Family)	2.143 dus/ksf (2.1430) ³	2.493 dus/ksf (2.4929) ²	7.1331 dus/ksf (7.1331) ³
Hotel	1.867 rooms/ksf (1.8669) ³	2.176 rooms/ksf (2.1760) ³	6.222 rooms/ksf (6.2222) ³

¹ Land use exchanges are based on p.m. peak hour project traffic. Use of this matrix shall be limited to the following minimums and maximums to ensure that impacts for transportation, water, wastewater, solid waste, and affordable housing are not exceeded.

Land Use	Minimum	Maximum
Office	250,000 s.f.	2,000,000 s.f.
Lt. Industrial	0 s.f.	1,000,000 s.f.
Commercial	200,000 s.f.	800,000 s.f.
Residential (Multi-Family)	220 dus	2,376 dus
Hotel	0 rooms	200 rooms

Light Industrial is permitted to be reduced to zero only if the Office minimum is expanded to 500,000 sq. ft.

² Example exchanges:

Add 50,000 s.f. Office by reducing Light Industrial
 $50 \text{ ksf} \div 1.1673 = 42.827$; Reduce Light Industrial by 42,827 s.f.

Add 25,000 s.f. Commercial by reducing Office
 $25 \text{ ksf} \div 0.3799 = 65.807$; Reduce Office by 65,807 s.f.

³ Actual equivalency factor for use in calculations.

RECEIVED
 DEC 28 1998
 PLANNING & GROWTH
 MANAGEMENT DEPARTMENT

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



13
Clerk to Board of
County Commissioners
County Center, 12th Floor
601 E. Kennedy Blvd.
P.O. Box 1110
Tampa, Florida 33601
Telephone 276-8100, ext. 6730

February 8, 1999

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

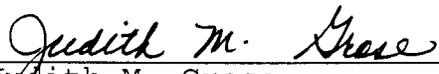
Re: Resolution No. R99-018 - Amending the Development Order for
Lake Brandon f/k/a Florida Corporate Center (DRI #93)

Dear Mr. Butts:

Attached is a certified copy of referenced resolution, which was
adopted by the Hillsborough County Board of County Commissioners on
January 12, 1999.

We are providing this copy for your files.

Sincerely,



Judith M. Grose
Senior Manager, BOCC Records

JG:sab

Attachment

Certified Mail #P220 536 048

cc: Board files (orig.)

David M. Mechanik, Mechanik, Nuccio, Smith, P.A.

J. Thomas Beck, Florida Department of Community Affairs

Susan Fernandez, Senior Assistant County Attorney

Kevin Mineer, Principal Planner, Planning & Growth Management

Beth Novak, County Attorney's Office

RESOLUTION NO. R99-018

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY,
FLORIDA, APPROVING A SIXTH AMENDMENT TO THE
DEVELOPMENT ORDER FOR DRI #93, LAKE BRANDON
(FORMERLY KNOWN AS FLORIDA CORPORATE CENTER)

Upon motion of Commissioner Norman, seconded by Commissioner
Wacksman, the following Resolution was adopted on this 12th day of
January, 1999.

WHEREAS, on December 21, 1983 the Board of County Commissioners approved the Development Order (Resolution #R83-0164) for DRI #93 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on June 21, 1988 a first amendment to the Development Order was approved by Resolution of the Board of County Commissioners (Resolution #R88-0179) pursuant to the provisions of Section 380.06, Florida Statutes (hereinafter the "First Amendment"); and

WHEREAS, on January 23, 1990 a second amendment to the Development Order was approved by Resolution of the Board of County Commissioners (Resolution #R90-0023) pursuant to the provisions of Section 380.06, Florida Statutes (hereinafter the "Second Amendment"); and

WHEREAS, on November 13, 1990, a third amendment to the Development Order was approved by Resolution of the Board of County Commissioners (Resolution #90-0244) pursuant to the provisions of Section 380.06, Florida Statutes, (hereinafter the "Third Amendment"); and

WHEREAS, on September 13, 1994, a fourth amendment to the Development Order was approved by Resolution of the Board of County Commissioners (Resolution #R94-0225) pursuant to the provisions of Section 380.06, Florida Statutes (hereinafter the "Fourth Amendment"); and

WHEREAS, on November 21, 1995, a fifth amendment to the Development Order was approved by Resolution of the Board of County Commissioners (Resolution #R95-265) pursuant to the provisions of Section 380.06, Florida Statutes (hereinafter the "Fifth Amendment") (hereinafter, the Development Order, as amended by the First, Second, Third, Fourth and Fifth Amendments, shall be referred to as the "Development Order"); and

WHEREAS, on April 17, 1998, Richard R. Mulholland (the "Developer") filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes, for the Lake Brandon (formerly known as Florida Corporate Center) DRI, in accordance with Subsection 380.06(19), Florida Statutes, (hereinafter referred to as the "NOPC") requesting that the Development Order be amended as set forth below; and

WHEREAS, on September 22, 1998, the Developer filed a supplement to the above referenced NOPC to incorporate a revised equivalency matrix which adds movie theaters as an approved use (hereinafter referred to as the "First Supplement to the NOPC"); and

WHEREAS, on November 17, 1998, the Developer filed a Response to Agency Comments (hereinafter referred to the "Response to Agency Comments"); and

WHEREAS, on December 28, 1998, and January 6, 1999, the Developer filed another supplement to the above referenced NOPC to incorporate a revised equivalency matrix which removes movie theaters as an approved use (hereinafter referred to as the "Second Supplement to the NOPC")(hereinafter the NOPC, First Supplement to the NOPC, Response to Agency Comments, and Second Supplement to the NOPC, incorporated herein by reference in attached Exhibit 1, shall together be referred to as the "Notice of Change"); and

WHEREAS, the Notice of Change proposed to amend the Development Order to incorporate a Revised Master Plan dated December 7, 1998, which is attached hereto and incorporated herein as Exhibit 2; to reflect the addition of 47.33 acres into the original development; to depict modifications in the design of the development to accommodate the additional land; and to incorporate the revised equivalency matrix which is attached hereto and incorporated herein as Exhibit 3; all as more particularly described in the Notice of Change (hereinafter said changes shall be referred to as the "Proposed Changes").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, at their regular meeting assembled this 12th day of January, 1999.

- I. That the following findings of fact and conclusions of law are made:
 - a. Richard R. Mulholland submitted to Hillsborough County the Notice of Change, incorporated herein by reference in Exhibit 1.
 - b. The Notice of Change proposed to amend the Development Order to incorporate a Revised Master Plan dated December 7, 1998, which is attached hereto and incorporated herein as Exhibit 2; to reflect the addition of 47.33 acres into the original development; to depict modifications in the design of the development to accommodate the additional land; and to incorporate the revised equivalency matrix which is attached hereto and

incorporated herein as Exhibit 3; all as more particularly described in the Notice of Change (hereinafter, all proposed modifications as set forth in the Notice of Change shall be referred to as the "Proposed Changes").

- c. That the Proposed Changes are consistent with the State Comprehensive Plan.
- d. That the Proposed Changes are consistent with all local land development regulations and the local comprehensive plan.
- e. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.
- f. That all statutory procedures have been adhered to.
- g. That the Proposed Changes are presumed to create a substantial deviation under Subsection 380.06 (19), Florida Statutes.
- h. That the review by Hillsborough County and other participating agencies and interested citizens concludes that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Resolution.
- i. That based upon the analyses which are part of the Notice of Change, incorporated herein by reference in Exhibit 1, the record of the proceeding and the aforementioned reviews, and the conditions contained herein, the Developer has submitted clear and convincing evidence to rebut the presumption created under Subsection 380.06(19), Florida Statutes.
- j. That based on the foregoing and pursuant to Subsection 380.06(19), Florida Statutes, the Proposed Changes are found not to be a substantial deviation to the previously approved Development Order.
- k. That the amendments to the Development Order do not create a change to the previously approved Development of Regional Impact constituting a substantial deviation under the provisions of Section 380.06(19), Florida Statutes.
- l. That the findings of fact and conclusions of law made in the Development Order are incorporated herein by reference, provided that to the extent that a finding of fact or conclusion of law in the original Development Order, or any amendments thereto, conflicts with another finding or conclusion in a different amendment, the more recent in time shall control.

II The Notice of Change is hereby approved and the Cumulative Development Order as submitted with the Fifth Amended Development Order, Res. R95-265, is hereby amended to incorporate the Notice of Change as follows:

A. Section III.O. of the Development Order, as amended, is hereby amended to refer to the Revised Master Plan dated December 7, 1998, attached hereto as Exhibit 2 and incorporated herein by reference.

B. Section IV.M. of the Development Order, as amended, is hereby amended to refer to the Equivalency Matrix attached hereto as Exhibit 3 and incorporated herein by reference.

C. Section IV.C of the Development Order is amended to add the following conditions:

a. In the event that any species listed in Rules 9J-2.041 or 39-27.003-.005, Florida Administrative Code (F.A.C.), are observed frequenting the site for nesting, feeding, or breeding, the Developer shall notify the Florida Game and Fresh Water Fish Commission (FGFWFC) immediately, and shall coordinate the protection of the species consistent with the requirements of Rule 9J-2.041, F.A.C.

b. Impact to a population of gopher tortoise which may exist on the property, can be mitigated in accordance with existing law, which includes, but is not limited to obtaining a relocation permit or an incidental take permit from the FGFWFC.

III The Development Order, as previously amended, is hereby reaffirmed in its entirety except as amended by this Resolution.

IV. The Developer's Certification, attached hereto and incorporated herein as Exhibit 1, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

V. The Developer shall record a Notice of Adoption of this Resolution in accordance with Subsection 380.06(15), Florida Statutes.

VI. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

VII. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk of the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, 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 of January 12, 1999, as the same appears of record in Minute Book 272 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 8th day of February, 1999.

APPROVED BY COUNTY ATTORNEY

BY [Signature]
Approved as to Form and
Legal Sufficiency.

RICHARD AKE, CLERK

[Signature]

Deputy Clerk



Exhibit List

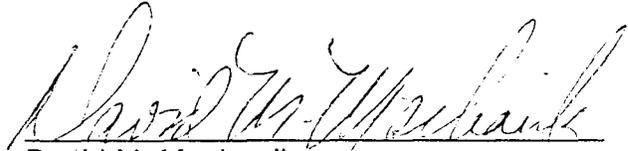
- | | |
|-----------|--|
| Exhibit 1 | Developer's Certification incorporating the NOPC, First Supplement to the NOPC, Response to Agency Comments, and Second Supplement to the NOPC |
| Exhibit 2 | Revised Master Plan, Map H, dated December 7, 1998 |
| Exhibit 3 | Revised Equivalency Matrix |

EXHIBIT 1
DEVELOPER'S CERTIFICATION

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

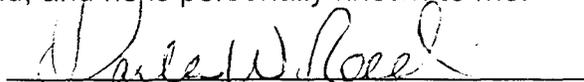
I hereby certify that on this day before me, the undersigned notary public authorized in the State and County named above to administer oaths and take acknowledgments, personally appeared David M. Mechanik, as attorney for Richard R. Mulholland, the applicant of the Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes, for the Lake Brandon (formerly known as Florida Corporate Center) DRI #93 ("NOPC"), to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Richard R. Mulholland filed the NOPC on April 17, 1998; the Amended NOPC on September 22, 1998; and the Response to Agency Comments on November 17, 1998; (hereinafter collectively referred to as the "Notice of Change").
2. The Notice of Change was filed with all persons as required by law.



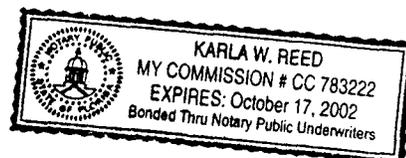
David M. Mechanik
Attorney for Richard R. Mulholland

Sworn to and subscribed before me this 8th day of December 1998, by David M. Mechanik, as Attorney for Richard R. Mulholland, and he is personally known to me.



Notary Public

My Commission Expires:



MAP H

LOCATED IN ORIGINAL D.O. FILE

TABLE 1
(Revised December 1998)

EQUIVALENCY MATRIX¹
Lake Brandon

Change From: Change To:	Office	Light Industrial	Commercial
Office	N/A	1,176 ² sf/ksf (1.1763) ³	3,366 sf/ksf (3.3659) ³
Light Industrial	927 sf/ksf (0.9268) ³	N/A	3,089 sf/ksf (3.0890) ³
Commercial	380 sf/ksf ² (0.3799) ³	443 sf/ksf (0.4428) ³	N/A
Residential (Multi-Family)	2.143 dus/ksf (2.1430) ³	2.493 dus/ksf (2.4929) ²	7.1331 dus/ksf (7.1331) ³
Hotel	1.867 rooms/ksf (1.8669) ³	2.176 rooms/ksf (2.1760) ³	6.222 rooms/ksf (6.2222) ³

¹ Land use exchanges are based on p.m. peak hour project traffic. Use of this matrix shall be limited to the following minimums and maximums to ensure that impacts for transportation, water, wastewater, solid waste, and affordable housing are not exceeded.

<u>Land Use</u>	<u>Minimum</u>	<u>Maximum</u>
Office	250,000 s.f.	2,000,000 s.f.
Lt. Industrial	0 s.f.	1,000,000 s.f.
Commercial	200,000 s.f.	800,000 s.f.
Residential (Multi-Family)	220 dus	2,376 dus
Hotel	0 rooms	200 rooms

Light Industrial is permitted to be reduced to zero only if the Office minimum is expanded to 500,000 sq. ft.

² Example exchanges:

Add 50,000 s.f. Office by reducing Light Industrial
 $50 \text{ ksf} \div 1.1673 = 42.827$; Reduce Light Industrial by 42,827 s.f.

Add 25,000 s.f. Commercial by reducing Office
 $25 \text{ ksf} \div 0.3799 = 65.807$; Reduce Office by 65,807 s.f.

³ Actual equivalency factor for use in calculations.

RECEIVED
DEC 28 1998
 PLANNING & GROWTH
 MANAGEMENT DEPARTMENT

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



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

December 8, 1995

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

Re: Resolution No. R95-265 - Amending the Development Order for
Florida Corporate Center (DRI #93)

Dear Mr. Butts:

Attached is a certified copy of referenced resolution, which was
adopted by the Hillsborough County Board of County Commissioners on
November 21, 1995.

We are providing this copy for your files.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Fryman".

Linda Fryman
Senior Manager, BOCC Records

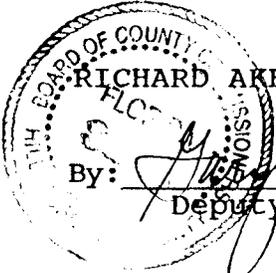
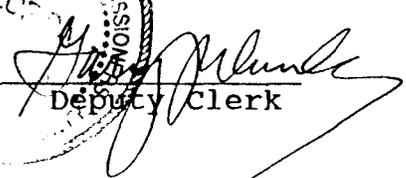
LF:ADF
Attachment
Certified Mail

cc: Board files (orig.)
J. Thomas Beck, Florida Department of Community Affairs
David Mechanik, Esq., Macfarlane, Ausley, Ferguson & McMullen
Vincent A. Marchetti, Senior 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. R95-265 Amending the Development Order for Florida Corporate Center (DRI #93) approved by the Board in its regular meeting of November 21, 1995, as the same appears of record in MINUTE BOOK 234 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 8th day of December, 1995.


RICHARD AKE, CLERK
By: 
Deputy Clerk

RESOLUTION NO. R95-265

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #93 DEVELOPMENT ORDER
FOR FLORIDA CORPORATE CENTER

Upon motion of Commissioner Berger, seconded by Commissioner Turanich, the following Resolution was adopted on this 5 day of 0, 1995.

WHEREAS, on December 21, 1983 the Board of County Commissioners approved the Development Order (Resolution #R83-0164) for DRI #93 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on June 21, 1988 a first amendment to the Development Order was approved by Resolution of the Board of County Commissioners (Resolution #R88-0179) pursuant to the provisions of Section 380.06, Florida Statutes (hereinafter the "First Amendment"); and

WHEREAS, on January 23, 1990 a second amendment to the Development Order was approved by Resolution of the Board of County Commissioners (Resolution #R90-0023) pursuant to the provisions of Section 380.06, Florida Statutes (hereinafter the "Second Amendment"); and

WHEREAS, on November 13, 1990, a third amendment to the Development Order was approved by Resolution of the Board of County Commissioners (Resolution #R90-0244) pursuant to the provisions of Section 380.06, Florida Statutes, (hereinafter the "Third Amendment"); and

WHEREAS, on September 13, 1994, a fourth amendment to the Development Order was approved by Resolution of the Board of County Commissioners (Resolution #R94-0225) pursuant to the provisions of Section 380.06, Florida Statutes (hereinafter the "Fourth Amendment")(hereinafter, the Development Order, as amended by the First, Second, Third and Fourth Amendments, shall be referred to as the "Development Order"); and

WHEREAS, on December 22, 1994, Richard R. Mulholland (the "Developer") filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes, for the Florida Corporate Center DRI, in accordance with Subsection 380.06(19), Florida Statutes (hereinafter the "Notification of Change") requesting that the Development Order be amended as set forth below.

WHEREAS, on April 24, 1995, May 22, 1995, and October 26, 1995, the Developer filed Supplemental Responses to agency comments (hereinafter the Notification of Change and the Supplemental Responses, a copy of which are attached hereto and incorporated herein as Composite Exhibit "1", shall together be referred to as the "Notice of Change"); and

WHEREAS, the Notice of Change proposed to amend the Development Order to incorporate a Revised Master Plan dated April 24, 1995, which is attached hereto and incorporated herein as Exhibit "2", to depict certain refinements in the internal roadway alignments and secondary access points, the stormwater/wetland management system, and the potential location of some land uses within the Development, to revise the Land Use Conversion Mechanism, currently approved for the Development, to incorporate the Equivalency Matrix, attached hereto and incorporated herein as Exhibit "3" and to identify the minimum and maximum development thresholds for each of the approved land uses, and to include the resequencing of the Development Order required transportation improvements, all as more particularly described in the Notice of Change (hereinafter said changes shall be referred to as the "Proposed Changes").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, at their regular meeting assembled this 21st day of November, 1995 :

I. That the following findings of fact and conclusions of law are made:

- a. Richard R. Mulholland submitted to Hillsborough County the Notice of Change, a copy of which is attached hereto and incorporated herein as Composite Exhibit "1".
- b. The Notice of Change proposed to amend the Development Order to incorporate a Revised Master Plan dated April 24, 1995, which is attached hereto and incorporated herein as Exhibit "2", to depict certain refinements in the internal roadway alignments and secondary access points, the stormwater/wetland management system, and the potential location of some land uses within the Development, to revise the Land Use Conversion Mechanism, currently approved for the Development, to incorporate the Equivalency Matrix, attached hereto and incorporated herein as Exhibit "3" and to identify the minimum and maximum development thresholds for each of the approved land uses, and to include the resequencing of the Development Order required transportation improvements, all as more particularly described in the Notice of Change (hereinafter, all proposed modifications as set forth in the Notice of Change shall be referred to as the "Proposed Changes").

- c. That the Proposed Changes are consistent with the State Comprehensive Plan.
- d. That the Proposed Changes are consistent with all local land development regulations and the local comprehensive plan.
- e. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area
- f. All statutory procedures have been adhered to.
- g. The Proposed Changes are presumed to create a substantial deviation under Subsection 380.06 (19), Florida Statutes.
- h. The review by Hillsborough County and other participating agencies and interested citizens concludes that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Resolution.
- i. That based upon the analyses which are part of Composite Exhibit "1", the record of the proceeding and the aforementioned reviews, and the conditions contained herein, the Developer has submitted clear and convincing evidence to rebut the presumption created under Subsection 380.06(19), Florida Statutes.
- j. That based on the foregoing and pursuant to Subsection 380.06(19), Florida Statutes, the Proposed Changes are found not to be a substantial deviation to the previously approved Development Order.
- k. The amendments to the Development Order, as reflected on Exhibit "4", attached hereto and incorporated herein, do not create a change to the previously approved Development of Regional Impact constituting a substantial deviation under the provisions of Section 380.06(19), Florida Statutes.
- l. The findings of fact and conclusions of law made in the Development Order are incorporated herein by reference, provided that to the extent that a finding of fact or conclusion of law in the original Development Order, or any amendments thereto, conflicts with another finding or conclusion in a different amendment, the more recent in time shall control.

II. The Notice of Change is hereby approved and the Development Order is hereby amended to incorporate the Notice of Change and as

shown in the Composite Development Order attached hereto as Exhibit "4" and incorporated herein.

III. The Development Order, as previously amended, is hereby reaffirmed in its entirety except as amended by this Resolution.

IV. The Developer's Certification, attached hereto and incorporated herein as Exhibit "5" affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

V. The Developer shall record a Notice of Adoption of this Resolution in accordance with Subsection 380.06(15), Florida Statutes.

VI. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06 Florida Statutes.

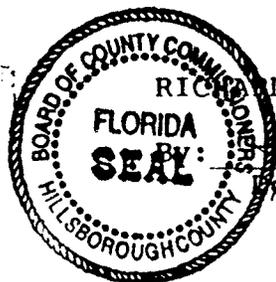
VII. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk of the Board of County Commissioners by certified mail to the State Land Planning Agency, The Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

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 of November 21, 1995, as the same appears of record in Minute Book 234 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 8th day of December, 1995.

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



RICHARD AKE, CLERK

[Signature]
Deputy Clerk

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



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

September 20, 1994

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

Re: CORRECTED RESOLUTION No. R94-0225 - Amending the Development
Order for Florida Corporate Center (DRI #93)

Dear Ms. Cooper:

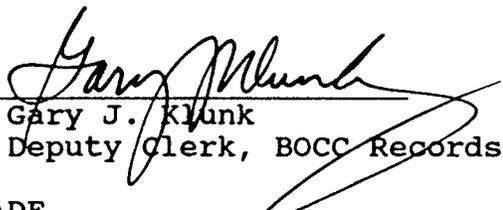
Attached is a certified copy of referenced resolution, which was
adopted by the Hillsborough County Board of County Commissioners on
September 13, 1994. Please destroy previous resolution, same
number, with our cover letter dated September 15, 1994.

We are providing this copy for your files. If you have any
questions, please call me at (813) 276-2029 ext. 7530.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By:


Gary J. Klunk
Deputy Clerk, BOCC Records

GJK:ADF
Attachment
Certified Mail

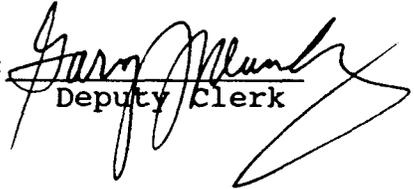
cc: Board files (orig.)
J. Thomas Beck, Florida Department of Community Affairs
Gordon J. Schiff, Esq. - MacFarlane Ausley Ferguson & McMullen
Jeanie Hanna, Senior Assistant County Attorney
Gene Boles, Director, Planning & Development Management

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. R94-0225 Amending the Development Order for Florida Corporate Center (DRI #93) approved by the Board in its regular meeting of September 13, 1994, as the same appears of record in MINUTE BOOK 220 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 20th day of September, 1994.

RICHARD AKE, CLERK

By: 
Deputy Clerk

RESOLUTION NO. R94-0225

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #93 DEVELOPMENT ORDER
FOR FLORIDA CORPORATE CENTER

Upon motion of Commissioner Platt, seconded by Commissioner Busansky, the following Resolution was adopted on this 13th day of September, 1994. Vote 5 to 0.

WHEREAS, on December 21, 1983, the Board of County Commissioners approved a Development Order, Resolution #R83-0164, for the FLORIDA CORPORATE CENTER Development of Regional Impact ("DRI") #93 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on June 21, 1988, a first amendment to the Development Order was approved by Resolution of the Board of County Commissioners, Resolution #R88-0179, pursuant to the provisions of Section 380.06, Florida Statutes, (hereinafter said Resolution shall be referred to as the "First Amendment"); and

WHEREAS, on January 23, 1990, a second amendment to the Development Order was approved by Resolution of the Board of County Commissioners, Resolution #90-0023, pursuant to the provisions of Section 380.06, Florida Statutes, (hereinafter said Resolution shall be referred to as the "Second Amendment"); and

WHEREAS, on November 13, 1990, a third amendment to the Development Order was approved by Resolution of the Board of County Commissioners, Resolution #R90-0244, pursuant to the provisions of Section 380.06, Florida Statute, (hereinafter said Resolution shall be referred to as the "Third Amendment"); and

WHEREAS, on July 18, 1994, Richard R. Mulholland (the "Developer") filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the FLORIDA CORPORATE CENTER DRI (the "Notification"); and

WHEREAS, on August 24, 1994, the Developer filed a letter containing a supplemental response (hereinafter the Notification and the supplemental response, attached hereto as Composite Exhibit "1", shall together be referred to as the "Notice of Change"); and

WHEREAS, the Notice of Change proposed to amend the Development Order, as previously amended by the First, Second and Third Amendments, to extend the date of buildout of development, of the FLORIDA CORPORATE CENTER DRI by an additional two (2) years (for a cumulative extension of buildout of development of four (4) years, eleven (11) months and fifteen (15) days) (hereinafter said change shall be referred to as the "Proposed Change"); and

WHEREAS, Subsection 380.06(19)(e)2., Florida Statutes, provides that the extension of the date of buildout of a development, or phase of a development, by a total of less than five (5) years, is not a substantial deviation and is not subject to a public hearing pursuant to Subsection 380.06(19)(f)3., Florida Statutes, or a determination pursuant to Subsection 380.06(19)(f)5., Florida Statutes; and

WHEREAS, the Proposed Change to the Development Order, as previously amended by the First, Second and Third Amendments, shall constitute the Fourth Amendment to the Development Order.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, at their regular meeting assembled this 13th day of September, 1994:

1. The following findings of fact are made:

a. Richard R. Mulholland submitted to Hillsborough County the Notice of Change, which is attached hereto as Composite Exhibit 1 and incorporated herein (hereinafter, all proposed modifications as set forth in the Notice of Proposed Change shall be referred to as the "Proposed Change").

b. That the Proposed Change is consistent with all local land development regulations and the local comprehensive plan.

c. That the Proposed Change does not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

d. In accordance with Subsection 380.06(19)(e)2., Florida Statutes, the Proposed Change is not a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes, and is not subject to a public hearing pursuant to Subsection 380.06(19)(f)3., Florida Statutes, or a determination pursuant to Subsection 380.06(19)(f)5., Florida Statutes.

e. All statutory procedures have been adhered to.

f. The findings of fact and conclusions of law made in the Development Order, as amended by the First, Second, and Third Amendments, are incorporated herein by reference.

2. The Development Order, as amended by the First, Second, and Third Amendments, is hereby amended to extend the date of buildout of development of the FLORIDA CORPORATE CENTER DRI, by a period of two (2) years (for a cumulative extension of buildout of development of four (4) years, eleven (11) months and fifteen (15) days) to December 15, 2005.

3. The Development Order, as amended by the First, Second, and Third Amendments, is hereby amended to establish an expiration date of December 31, 2010.

4. The Development Order, as amended by the First, Second, and Third Amendments, is hereby reaffirmed in its entirety except as amended by this Resolution.

5. The Developer's Certification, attached hereto as Exhibit 2, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

6. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

7. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

8. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

STATE OF FLORIDA

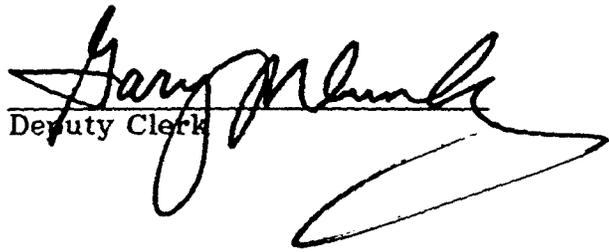
COUNTY OF HILLSBOROUGH

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 of September 13, 1994, as the same appears of record in Minute Book 220 of the Public Records of Hillsborough County, Florida.

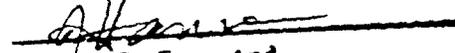
WITNESS my hand and official seal this 15th day of September, 1994.

RICHARD AKE, CLERK

By:


Deputy Clerk

APPROVED BY COUNTY ATTORNEY

BY 

Approved As To Form And
Legal Sufficiency.

Effective Date
11/20/90

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

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

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

1. I, Gordon J. Schiff, the undersigned authorized representative for Richard R. Mulholland, hereby give notice of a proposed change to a previously approved
(developer)

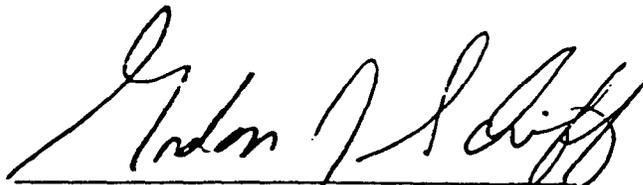
Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning

the Florida Corporate Center development, which information is true and
(original & current project name)

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
(local government) (planning council)

Regional Planning Council, and to the Bureau of Resource Management, Department of Community Affairs.

(Date)



(Signature)

Gordon J. Schiff, Authorized Agent
for Richard R. Mulholland

2. Applicant (name, address, phone).

Mr. Richard R. Mulholland
101 E. Kennedy Boulevard
Suite 3900
Tampa, Florida 33602
(813)225-1615

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

David M. Mechanik, Esq. and Gordon J. Schiff, Esq.
Macfarlane Ausley Ferguson & McMullen
2300 First Florida Tower
111 Madison Street
Tampa, FL 33602
(813) 273-4345

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

Florida Corporate Center is located within portions of Sections 31 and 32, Township 29 South, Range 20 East in the unincorporated area of Hillsborough County.

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 in the representations contained in either the development order of 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.

Pursuant to Subsection 380.06(19)(e)2., F.S., the proposed change is to extend the date of buildout of development of the Florida Corporate Center DRI by two (2) years. The subject extension, together with the previously approved extension described in the answer to Question 7. of this Notice of Proposed Change, will provide for a total extension of the date of buildout of development of four (4) years, eleven (11) months and fifteen (15) days. This Notice of Proposed Change does not propose a change to the pipeline mitigation procedure set forth in the adopted Development Order. This Notice of Proposed Change does not propose a change which involves the project's master site plan.

Subsection 380.06(19)(e)2., F.S., as amended, provides that the extension(s) of the date(s) of buildout of a development, or phase of a development, by a total of less than five (5) years is not a substantial deviation and is not subject to a public hearing.

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.

No change in land use types or amounts is proposed. Accordingly, the Chart has been omitted as an attachment to this Notice of Proposed Change.

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

The original DRI Development Order for the Florida Corporate Center DRI, Resolution #R83-0164 (the "Development Order"), was adopted by the Hillsborough County Board of County Commissioners ("BOCC") on December 21, 1983.

The first amendment to the Development Order (the "First Amendment"), Resolution #R88-0179, was adopted by the Hillsborough County Board of County Commissioners on June 21, 1988. The First Amendment provided for modification of the originally certified General Site Plan to allow for realignment of internal roadways; relocation of access points; relocation of some of the internal land use parcels, retention lakes and mitigation areas; and allowed for interim agricultural uses while the development progresses.

The second amendment to the Development Order (the "Second Amendment"), Resolution #R90-0023, was adopted by the Hillsborough County Board of County Commissioners on January 23, 1990. The Second Amendment provided for an extension of the date of build-out of development of Phase 1 (including Phase 1A and Phase 1B), Phase 2 and Phase 3 (including Phase 3A and Phase 3B), each by a period of two (2) years, eleven (11) months and fifteen (15) days.

The third amendment to the Development Order (the "Third Amendment"), Resolution #R90-0244, was adopted by the Hillsborough County Board of County Commissioners on November 13, 1990. The Third Amendment incorporated an additional 50.8 acre tract of land located adjacent to the western boundary of the site into the approved DRI site, and approved permissible land uses, retention lakes and access points for the additional area in the revised site plan, added residential, hotel and health related services as permissible uses and modified the site plan and the land use schedule to reflect the potential for such additional uses, removed the buildout dates for the subphases and provided one buildout date for the entire project, modified transportation mitigation and monitoring measures, added a land use conversion mechanism, added an affordable housing condition and made other minor changes.

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.

Not applicable.

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

a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas 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;

The specific language is included in the proposed Amended Development Order for the Florida Corporate Center DRI, attached as Exhibit "A" to this Notice of 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;

Not applicable.

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

Not applicable.

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

No change.

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

No change.

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"

PROPOSED AMENDED DEVELOPMENT ORDER
EXTENSION OF DATE OF BUILDOUT OF DEVELOPMENT FOR
FLORIDA CORPORATE CENTER NOPC

RESOLUTION NO. _____

Upon motion of Commissioner _____, seconded by Commissioner _____, the following Resolution was adopted on this ____ day of _____, 19__.

WHEREAS, on December 21, 1983, the Board of County Commissioners approved a Development Order, Resolution #R83-0164, for the FLORIDA CORPORATE CENTER Development of Regional Impact ("DRI") #93 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on June 21, 1988, a first amendment to the Development Order was approved by Resolution of the Board of County Commissioners, Resolution #R88-0179, pursuant to the provisions of Section 380.06, Florida Statutes, (hereinafter said Resolution shall be referred to as the "First Amendment"); and

WHEREAS, on January 23, 1990, a second amendment to the Development Order was approved by Resolution of the Board of County Commissioners, Resolution #90-0023, pursuant to the provisions of Section 380.06, Florida Statutes, (hereinafter said Resolution shall be referred to as the "Second Amendment"); and

WHEREAS, on November 13, 1990, a third amendment to the Development Order was approved by Resolution of the Board of County Commissioners, Resolution #R90-0244, pursuant to the provisions of Section 380.06, Florida Statute, (hereinafter said Resolution shall be referred to as the "Third Amendment"); and

WHEREAS, on _____, Richard R. Mulholland (the "Developer") filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the FLORIDA CORPORATE CENTER DRI (the "Notice of Change"), attached hereto as Exhibit "1"; and

WHEREAS, the Notice of Change proposed to amend the Development Order, as previously amended by the First, Second and Third Amendments, to extend the date of buildout of development, of the FLORIDA CORPORATE CENTER DRI by an additional two (2) years (for a cumulative extension of buildout of development of four (4) years, eleven (11) months and fifteen (15) days) (hereinafter said change shall be referred to as the "Proposed Change"); and

WHEREAS, Subsection 380.06(19)(e)2., Florida Statutes, provides that the extension of the date of buildout of a development, or phase of a development, by a total of less than five (5) years, is not a substantial deviation and is not subject to a public hearing pursuant to Subsection 380.06(19)(f)3., Florida Statutes, or a determination pursuant to Subsection 380.06(19)(f)5., Florida Statutes; and

WHEREAS, the Proposed Change to the Development Order, as previously amended by the First, Second and Third Amendments, shall constitute the Fourth Amendment to the Development Order.

NOW, THEREFORE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS
OF THE HILLSBOROUGH COUNTY, FLORIDA:

1. The following findings of fact are made:

a. Richard R. Mulholland submitted to Hillsborough County the Notice of Change, which is attached hereto as Exhibit 1 and incorporated herein (hereinafter, all proposed modifications as set forth in the Notice of Proposed Change shall be referred to as the "Proposed Change").

b. That the Proposed Change is consistent with all local land development regulations and the local comprehensive plan.

c. That the Proposed Change does not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

d. In accordance with Subsection 380.06(19)(e)2., Florida Statutes, the Proposed Change is not a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes, and is not subject to a public hearing pursuant to Subsection 380.06(19)(f)3., Florida Statutes, or a determination pursuant to Subsection 380.06(19)(f)5., Florida Statutes.

e. All statutory procedures have been adhered to.

f. The findings of fact and conclusions of law made in the Development Order, as amended by the First, Second, and Third Amendments, are incorporated herein by reference.

2. The Development Order, as amended by the First, Second, and Third Amendments, is hereby amended to extend the date of buildout of development of the FLORIDA CORPORATE CENTER DRI, by a period of two (2) years (for a cumulative extension of buildout of development of four (4) years, eleven (11) months and fifteen (15) days).

3. The Development Order, as amended by the First, Second, and Third Amendments, is hereby reaffirmed in its entirety except as amended by this Resolution.

4. The Developer's Certification, attached hereto as Exhibit 2, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

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 Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

7. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, 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 of _____, 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 _____, 19__.

RICHARD AKE, CLERK

By: _____
Deputy Clerk



EXHIBIT 1

NOPC

EXHIBIT 2

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths, and take acknowledgments, personally appeared Gordon J. Schiff, as attorney for Richard R. Mulholland, the applicant of the Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes for the Florida Corporate Center DRI #93 ("Notice of Change"), to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Richard R. Mulholland filed the Notice of Change on _____

_____.

2. The Notice of Change was filed with all persons as required by law.

Gordon J. Schiff
Attorney for Richard R.
Mulholland

Sworn to and subscribed before me this _____ day of _____, 19____,
by _____ as Attorney for Richard R. Mulholland. He
is personally known to me or has produced a Florida Driver License as identification
and did take an oath.

Notary Public

(Notarial Seal)

My Commission Expires:

MACFARLANE AUSLEY FERGUSON & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

111 MADISON STREET, SUITE 2300
P.O. BOX 1531 (ZIP 33601)
TAMPA, FLORIDA 33602
(813) 273-4200 FAX (813) 273-4306

227 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(904) 224-9115 FAX (904) 222-7560

400 CLEVELAND STREET
P.O. BOX 1669 (ZIP 34617)
CLEARWATER, FLORIDA 34615
(813) 441-8966 FAX (813) 442-8470

IN REPLY REFER TO:

August 24, 1994

P. O. Box 1531
Tampa, FL 33601

VIA HAND DELIVERY

Mr. Steve Luce
Principal Planner
Hillsborough County Planning &
Development Management Department
601 E. Kennedy Boulevard, 20th Floor
Tampa, Florida 33602

Re: Florida Corporate Center/DRI #93/Notification of a Proposed Change
to a Previously Approved Development of Regional Impact (DRI)
Subsection 380.06, Florida Statutes

Dear Steve:

Please allow this letter to serve as a supplemental response to comments provided by Mr. J. Thomas Beck and Mr. John E. Baker, Florida Department of Community Affairs, Jeanie Hanna, Esquire, Assistant County Attorney, and Mr. Kevin Mineer, Hillsborough County DRI Case Manager, concerning the pending Notice of Proposed Change for Florida Corporate Center DRI.

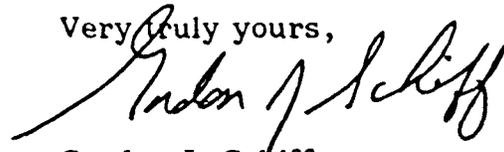
Pursuant to the comments of Mr. Beck and Mr. Baker (and my subsequent conversation with Mr. Mineer), an expiration date has been added to the proposed development order amendment. In addition, pursuant to my conversations with Ms. Hanna and Mr. Mineer, other non-substantive changes have been made to the proposed development order amendment. A redlined and a clean version of the revised proposed development order amendment, which has been modified in accordance with this supplemental response, is enclosed.

Copies of this supplemental response are being filed with the Florida Department of Community Affairs, the Tampa Bay Regional Planning Council and Hillsborough County.

August 24, 1994
Page 2

Should you have any questions concerning this supplemental response, please feel free to call me.

Very truly yours,



Gordon J. Schiff

GJS/klg

Enclosures

cc: Mr. J. Thomas Beck (w/encl.), via federal express
Florida Department of Community Affairs
2740 Centerview Drive
Tallahassee, FL 32399

Mr. John E. Baker (w/encl.), via federal express
Florida Department of Community Affairs
2740 Centerview Drive
Tallahassee, FL 32399

Mr. Kevin Mineer, DRI Case Manager (w/encl.), via hand delivery
Hillsborough County Planning and Development
Management Department
601 E. Kennedy Boulevard, 20th Floor
Tampa, FL 33602

Jeanie Hanna, Esquire (w/encl.), via hand delivery
Hillsborough County Attorney's Office
601 E. Kennedy Boulevard, 27th Floor
Tampa, FL 33602

Mr. Tim Butts (w/encl.), via courier
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702-2491

Richard Mulholland, Esq.

EXHIBIT "A"

~~PROPOSED AMENDED DEVELOPMENT ORDER
EXTENSION OF DATE OF BUILDOUT OF DEVELOPMENT FOR
FLORIDA CORPORATE CENTER NOPC~~

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #93 DEVELOPMENT ORDER
FOR FLORIDA CORPORATE CENTER

Upon motion of Commissioner _____, seconded by Commissioner _____, the following Resolution was adopted on this ____ day of _____, 19__.

WHEREAS, on December 21, 1983, the Board of County Commissioners approved a Development Order, Resolution #R83-0164, for the FLORIDA CORPORATE CENTER Development of Regional Impact ("DRI") #93 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on June 21, 1988, a first amendment to the Development Order was approved by Resolution of the Board of County Commissioners, Resolution #R88-0179, pursuant to the provisions of Section 380.06, Florida Statutes, (hereinafter said Resolution shall be referred to as the "First Amendment"); and

WHEREAS, on January 23, 1990, a second amendment to the Development Order was approved by Resolution of the Board of County Commissioners, Resolution #90-0023, pursuant to the provisions of Section 380.06, Florida Statutes, (hereinafter said Resolution shall be referred to as the "Second Amendment"); and

WHEREAS, on November 13, 1990, a third amendment to the Development Order was approved by Resolution of the Board of County Commissioners, Resolution #R90-0244, pursuant to the provisions of Section 380.06, Florida Statute, (hereinafter said Resolution shall be referred to as the "Third Amendment"); and

WHEREAS, on _____ July 18, 1994, Richard R. Mulholland (the "Developer") filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the FLORIDA CORPORATE CENTER DRI (the "~~Notice of Change~~" "Notification"); and

WHEREAS, on August 24, 1994, the Developer filed a letter containing a supplemental response (hereinafter the Notification and the supplemental response, attached hereto as Composite Exhibit "1", shall together be referred to as the "Notice of Change"); and

WHEREAS, the Notice of Change proposed to amend the Development Order, as previously amended by the First, Second and Third Amendments, to extend the date of buildout of development, of the FLORIDA CORPORATE CENTER DRI by an additional two (2) years (for a cumulative extension of buildout of development of four (4) years, eleven (11) months and fifteen (15) days) (hereinafter said change shall be referred to as the "Proposed Change"); and

WHEREAS, Subsection 380.06(19)(e)2., Florida Statutes, provides that the extension of the date of buildout of a development, or phase of a development, by a total of less than five (5) years, is not a substantial deviation and is not subject to a public hearing pursuant to Subsection 380.06(19)(f)3., Florida Statutes, or a determination pursuant to Subsection 380.06(19)(f)5., Florida Statutes; and

WHEREAS, the Proposed Change to the Development Order, as previously amended by the First, Second and Third Amendments, shall constitute the Fourth Amendment to the Development Order.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE HILLSBOROUGH COUNTY, FLORIDA, at their regular meeting assembled this ____ day of _____, 1994:

1. The following findings of fact are made:

a. Richard R. Mulholland submitted to Hillsborough County the Notice of Change, which is attached hereto as Composite Exhibit 1 and incorporated herein (hereinafter, all proposed modifications as set forth in the Notice of Proposed Change shall be referred to as the "Proposed Change").

b. That the Proposed Change is consistent with all local land development regulations and the local comprehensive plan.

c. That the Proposed Change does not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

d. In accordance with Subsection 380.06(19)(e)2., Florida Statutes, the Proposed Change is not a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes, and is not subject to a public hearing pursuant to Subsection 380.06(19)(f)3., Florida Statutes, or a determination pursuant to Subsection 380.06(19)(f)5., Florida Statutes.

e. All statutory procedures have been adhered to.

f. The findings of fact and conclusions of law made in the Development Order, as amended by the First, Second, and Third Amendments, are incorporated herein by reference.

2. The Development Order, as amended by the First, Second, and Third Amendments, is hereby amended to extend the date of buildout of development of the FLORIDA CORPORATE CENTER DRI, by a period of two (2) years (for a cumulative extension of buildout of development of four (4) years, eleven (11) months and fifteen (15) days) to December 15, 2005.

3. The Development Order, as amended by the First, Second, and Third Amendments, is hereby amended to establish an expiration date of December 31, 2010.

3 4. The Development Order, as amended by the First, Second, and Third Amendments, is hereby reaffirmed in its entirety except as amended by this Resolution.

4 5. The Developer's Certification, attached hereto as Exhibit 2, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

5 6. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

6 7. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

7 8. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, 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 of _____, 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 _____, 19__.

RICHARD AKE, CLERK

By:

Deputy Clerk

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #93 DEVELOPMENT ORDER
FOR FLORIDA CORPORATE CENTER

Upon motion of Commissioner _____, seconded by Commissioner _____, the following Resolution was adopted on this _____ day of _____, 19__.

WHEREAS, on December 21, 1983, the Board of County Commissioners approved a Development Order, Resolution #R83-0164, for the FLORIDA CORPORATE CENTER Development of Regional Impact ("DRI") #93 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on June 21, 1988, a first amendment to the Development Order was approved by Resolution of the Board of County Commissioners, Resolution #R88-0179, pursuant to the provisions of Section 380.06, Florida Statutes, (hereinafter said Resolution shall be referred to as the "First Amendment"); and

WHEREAS, on January 23, 1990, a second amendment to the Development Order was approved by Resolution of the Board of County Commissioners, Resolution #90-0023, pursuant to the provisions of Section 380.06, Florida Statutes, (hereinafter said Resolution shall be referred to as the "Second Amendment"); and

WHEREAS, on November 13, 1990, a third amendment to the Development Order was approved by Resolution of the Board of County Commissioners, Resolution #R90-0244, pursuant to the provisions of Section 380.06, Florida Statute, (hereinafter said Resolution shall be referred to as the "Third Amendment"); and

WHEREAS, on July 18, 1994, Richard R. Mulholland (the "Developer") filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the FLORIDA CORPORATE CENTER DRI (the "Notification"); and

WHEREAS, on August 24, 1994, the Developer filed a letter containing a supplemental response (hereinafter the Notification and the supplemental response, attached hereto as Composite Exhibit "1", shall together be referred to as the "Notice of Change"); and

WHEREAS, the Notice of Change proposed to amend the Development Order, as previously amended by the First, Second and Third Amendments, to extend the date of buildout of development, of the FLORIDA CORPORATE CENTER DRI by an additional two (2) years (for a cumulative extension of buildout of development of four (4) years, eleven (11) months and fifteen (15) days) (hereinafter said change shall be referred to as the "Proposed Change"); and

WHEREAS, Subsection 380.06(19)(e)2., Florida Statutes, provides that the extension of the date of buildout of a development, or phase of a development, by a total of less than five (5) years, is not a substantial deviation and is not subject to a public hearing pursuant to Subsection 380.06(19)(f)3., Florida Statutes, or a determination pursuant to Subsection 380.06(19)(f)5., Florida Statutes; and

WHEREAS, the Proposed Change to the Development Order, as previously amended by the First, Second and Third Amendments, shall constitute the Fourth Amendment to the Development Order.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, at their regular meeting assembled this ____ day of _____, 1994:

1. The following findings of fact are made:
 - a. Richard R. Mulholland submitted to Hillsborough County the Notice of Change, which is attached hereto as Composite Exhibit 1 and incorporated herein (hereinafter, all proposed modifications as set forth in the Notice of Proposed Change shall be referred to as the "Proposed Change").
 - b. That the Proposed Change is consistent with all local land development regulations and the local comprehensive plan.
 - c. That the Proposed Change does not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.
 - d. In accordance with Subsection 380.06(19)(e)2., Florida Statutes, the Proposed Change is not a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes, and is not subject to a public hearing pursuant to Subsection 380.06(19)(f)3., Florida Statutes, or a determination pursuant to Subsection 380.06(19)(f)5., Florida Statutes.
 - e. All statutory procedures have been adhered to.
 - f. The findings of fact and conclusions of law made in the Development Order, as amended by the First, Second, and Third Amendments, are incorporated herein by reference.
2. The Development Order, as amended by the First, Second, and Third Amendments, is hereby amended to extend the date of buildout of development of the FLORIDA CORPORATE CENTER DRI, by a period of two (2) years (for a cumulative extension of buildout of development of four (4) years, eleven (11) months and fifteen (15) days) to December 15, 2005.
3. The Development Order, as amended by the First, Second, and Third Amendments, is hereby amended to establish an expiration date of December 31, 2010.
4. The Development Order, as amended by the First, Second, and Third Amendments, is hereby reaffirmed in its entirety except as amended by this Resolution.
5. The Developer's Certification, attached hereto as Exhibit 2, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.



6. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

7. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

8. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, 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 of _____, 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 _____, 19__.

RICHARD AKE, CLERK

By: _____
Deputy Clerk

EXHIBIT 2

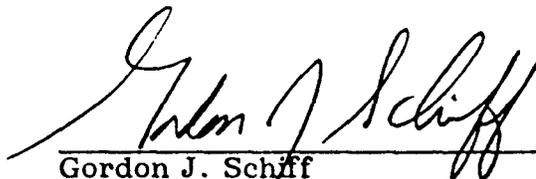
AFFIDAVIT

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

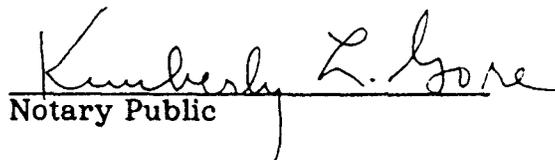
I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths, and take acknowledgments, personally appeared Gordon J. Schiff, as attorney for Richard R. Mulholland, the applicant of the Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes for the Florida Corporate Center DRI #93 ("Notice of Change"), to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Richard R. Mulholland filed the Notice of Change on July 18, 1994.
2. The Notice of Change was filed with all persons as required by law.



Gordon J. Schiff
Attorney for Richard R.
Mulholland

Sworn to and subscribed before me this 12 day of September, 1994, by Gordon J. Schiff, as Attorney for Richard R. Mulholland and he is personally known to me.



Notary Public

(Notarial Seal)

My Commission Expires:

KIMBERLY L. GORE
Notary Public, State of Florida
My comm. expires Feb. 23, 1995
No. CC079452

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida

RECEIVED

MAY - 2 1991

Tampa Bay Regional
Planning Council



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

April 30, 1991

Suzanne Cooper, DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
Suite 219
St. Petersburg, Florida 33702

Re: Page One - Scrivener's Error Third Whereas Paragraph -
Date January 29, 1990, Should Read January 23, 1990 -
Resolution No. R90-0244 - Amending DRI #93 Development
Order for Florida Corporate Center

Dear Ms. Cooper:

Attached is a certified corrected copy of referenced page from
resolution, adopted by the Hillsborough County Board of County
Commissioners on November 13, 1990.

We are providing this copy for your official files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: Judith M. Nichols
Judith M. Nichols
Manager, BOCC Records

JMN:CS

Attachment

Certified Mail

cc: Board files (1 orig.)

Vincent L. Nuccio, Jr., Esquire (Florida Corporate Center)
James Porter, Assistant County Attorney
Paula Harvey, Acting Director, Planning and Zoning
Ed Lehman, State Department of Community Affairs

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
Page One (1) from Resolution No. R90-0244 -
Amending DRI #93 Development Order for Florida
Corporate Center

adopted by the Board on November 13, 1990.

WITNESS my hand and official seal this 30th
day of April, 1991.

RICHARD AKE, CLERK

By: Judith M. Nichols
Deputy Clerk

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



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

December 13, 1990

Suzanne Cooper, DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
Suite 219
St. Petersburg, Florida 33702

Re: Resolution No. R90-0244 - Amending DRI #93 Development Order
for Florida Corporate Center

Dear Ms. Cooper:

Attached is a certified executed copy of referenced resolution,
adopted by the Hillsborough County Board of County Commissioners
on November 13, 1990.

We are providing this copy for your official files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: Judith M. Nichols
Judith M. Nichols
Manager, BOCC Records

JMN:CS
Attachment
Certified Mail
cc: Board files (1 orig.)
Ed Lehman, State Department of Community Affairs
John Dixon Wall, Chief Assistant County Attorney
Jeff Miller, Director, Planning and Zoning
Vincent L. Nuccio, Jr., Esquire (Florida Corporate Center)

mailed 12/13/90
received 12/14/90

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 R90-0244 - Amending DRI #93 Development Order
For Florida Corporate Center

_____ adopted by the Board in its regular meeting of
November 13, 1990, as the same appears of
record in MINUTE BOOK 174 of the Public Records of
Hillsborough County, Florida.

WITNESS my hand and official seal this 13th
day of December, 1990.

RICHARD AKE, CLERK

By: Judith M. Nichols
Deputy Clerk

RESOLUTION NO. R90-0244

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #93 DEVELOPMENT ORDER
FOR FLORIDA CORPORATE CENTER

Upon motion of Commissioner Haven Poe, seconded by Commissioner Rubin Padgett, the following Resolution was adopted on this 13th day of November, 1990.

WHEREAS, on December 21, 1983 the Board of County Commissioners approved the development order (Resolution #R83-0164) for DRI #93 (the "Development Order") pursuant to the provisions under Section 380.06 Florida Statutes; and

WHEREAS, on June 21, 1988 an amendment to the Development Order was approved by Resolution of the Board of County Commissioners (Resolution #R88-0179); and

WHEREAS, on January 23, 1990 the second amendment to the Development Order was approved by Resolution of the Board of County Commissioners (Resolution # R90-0023); and

WHEREAS, on June 22, 1990 Richard R. Mulholland filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) §380.06 (19) Florida Statutes in accordance with Section 380.06, (19) Florida Statutes (hereinafter the Notice of Change) requesting that the Development Order be amended as set forth below.

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

I. That the following findings of fact are made:

a. The amendments to the Development Order as reflected on Exhibit I attached hereto do not create a change to the previously approved development of regional impact constituting

a substantial deviation under the provisions of §380.06 (19) Florida Statutes (1989).

b. All statutory procedures have been adhered to.

c. The findings of fact and conclusions of law made in the Development Order are incorporated herein by reference.

II. The Development Order is hereby amended as shown in Exhibit I attached hereto and made apart thereof.

III. The Development Order, as previously amended, is hereby reaffirmed in its entirety except as amended by this Resolution.

IV. The Developer's Certification, Exhibit II attached hereto, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

V. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06 (15) Florida Statutes.

VI. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06 Florida Statutes (1989).

VII. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk of the Board of County Commissioners by certified mail to the State Land Planning Agency, The Tampa Bay Regional Planning Council, 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 of November 13, 1990, as the same appears of record in Minute Book 174 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 13th day of December, 1990.

RICHARD AKE, CLERK

APPROVED BY COUNTY ATTORNEY
John P. ...
As To Form And
Legal Sufficiency.

By: *Judith M. Nichols*
Deputy Clerk

Exhibit I
~~Resolution No. R83-0164~~

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
DRI #93
DEVELOPMENT ORDER

~~Upon motion of Commissioner, Jetton, seconded by Commissioner, Paulk, the following resolution was adopted this 21st day of December, 1983:~~

WHEREAS, on October, 1982, Florida Corporate Center, Inc. filed an application for development approval of a development of regional impact with the Hillsborough County Board of County Commissioners pursuant to the provisions of Section 380.06, Florida Statutes; and,

WHEREAS, said application proposed construction of a research corporate park located in eastern Hillsborough County, hereinafter referred to as Florida Corporate Center; and,

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

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

WHEREAS, the Board of County Commissioners has on April 11, May 9, June 20, August 15, 19, September 12, 26, October 11, Nov. 2, 23, Dec. 7, 13, 21, 1983 held a duly noticed public hearing on said application for development approval and has heard and considered testimony and documents received thereon; and,

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

WHEREAS, Hillsborough County has solicited, received and considered reports, comments and recommendations from interested

citizens, County and City agencies as well as the review and report of Hillsborough County Administration; and

WHEREAS, pursuant thereto, the Board of County Commissioners on December 21, 1983 issued this development order approving the Florida Corporate Center development of regional impact (hereinafter the "Development Order").

WHEREAS, on June 21, 1988 the Board of County Commissioners amended this Development Order (hereinafter the First Amendment) in response to a Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) §380.06 (19) Florida Statutes which had been filed on April 21, 1988, incorporated herein as Exhibit A-1 of Composite Exhibit A (hereinafter First Notice of Change; and

WHEREAS, the First Amendment modified the Development Order as provided in the First Notice of Change and as depicted on the site plan incorporated herein as Exhibit B-1 of Composite Exhibit A; and

WHEREAS, on January 29, 1990 the Board of County Commissioners amended this Development Order (hereinafter the Second Amendment) in response to a Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) §380.06 (19) Florida Statutes filed on December 13, 1989, incorporated herein as Exhibit A-2 of Composite Exhibit A (hereinafter the Second Notice of Change); and

WHEREAS, the Second Amendment extended the dates of buildout of development of Phase 1 (including Phase 1A and 1B), Phase 2, and Phase 3 (including Phase 3A and 3B) each by two years, eleven months, and fifteen days and adopted a "Revised Phasing Schedule" attached hereto as Exhibit B-2 of Composite Exhibit A; and

WHEREAS, on November 13, 1990 the Board of County Commissioners amended this Development Order (hereinafter the Third Amendment) in response to a Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) §380.06 (19) Florida Statutes which had been filed on June 22, 1990 incorporated herein as Exhibit A-3 of Composite Exhibit A (hereinafter the Third Notice of Change).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. Florida Corporate Center, Inc., hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, an application for development approval and sufficiency response, First Notice of Change, Second Notice of Change and Third Notice of Change which are attached hereto and marked Composite Exhibit A and incorporated herein by reference. Hereinafter, the word "aApplication" shall refer to the application for development approval, and the sufficiency response, First Notice of Change, Second Notice of Change and Third Notice of Change. In interpreting the Application, the latter of the foregoing listed documents shall take precedence over a preceding listed document to the extent of any inconsistency. For example, the legal description reflected in the Third Notice of Change (which the latest of the listed documents) shall be the approved legal description of the real property which is the subject of this Development Order.

B. The real property which is the subject of this the Development Order ~~application for development approval~~ is legally described as set forth in the Application. ~~Composite Exhibit A, attached hereto and made a part hereof by reference.~~

C. The proposed development is not an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes.

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

E. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council.

II. CONCLUSIONS OF LAW

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

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

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

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

B. In considering whether the development should be approved subject to conditions, restrictions and limitations, Hillsborough County has considered the criteria stated in subsection 380.06 (13), Florida Statutes.

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

D. The Application ~~application for development approval~~ is approved subject to all terms and conditions of this Development Order.

III. GENERAL PROVISIONS

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

B. All provisions contained within the Application ~~marked "Composite Exhibit A"~~ 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 Hillsborough County in response to the Application ~~for development approval~~ for the Florida Corporate Center Development of Regional Impact.

D. The definitions contained in Chapter 380, Florida Statutes (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 Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no matter 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 directly affected government agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough 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

Florida Corporate Center, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private 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, which approval shall not be unreasonably withheld.

I. Development activity constituting 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 Regional Planning Council shall result in further development of regional impact review pursuant to law and may if permitted by law in effect at the time result in Hillsborough County ordering a termination of development activity pending such review.

J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. 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.

K. The Developer shall file an annual report in accordance with Section 380.06(16), Florida Statutes (1981), and appropriate rules and regulations. Such report shall be due on the anniversary of the effective date of this Development Order 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 the 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. This report shall contain:

1. The information required by the State Land Planning Agency to be included in the Annual Report, which information is described in the Rules and Regulations promulgated by the State Land Planning Agency pursuant to Section 380.06, Florida Statutes; and

2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately following to the submittal of the annual report; and

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; and

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

L. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation, or ordinance of Hillsborough County, its agencies or commissions and to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review

shall be subject to all applicable rules, regulations and ordinances in effect at the time of the review.

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. Upon adoption, the Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the Developer.

O. This development of regional impact has received specific approval for the entire project described in the Application. References to "phases" in the Development Order and the Application are intended to indicate the following development totals: Phase 1 - office 615,000 square feet, light industrial 1,116,000 square feet, and commercial 90,000 square feet (Phase 1A-910,500 square feet of the uses allowed in Phase 1/Phase 1B - 910,500 of the uses allowed in Phase 1); and Phase 2 - office 449,000 square feet and light industrial 815,000 square feet; and Phase 3 - office 378,000 square feet, light industrial 687,000 square feet, and commercial 310,000 square feet (Phase 3A - 1,075,000 square feet of the uses allowed in Phase 3/Phase 3B - 300,000 square feet of the uses allowed in Phase 3.) It is not the intent of this Development Order or the Application to require that the development totals, i.e., the square footage totals (or dwelling unit totals or other conversions of such development totals as authorized herein), identified above as "phases" or "subphases", be commenced or completed by any particular date so long as all approved development is completed prior to the buildout date in the year 2003. Rather, it is the intent of this development order that references herein to "phases" or "subphases" shall indicate at what level of development within the approved totals of various uses that a development order condition or conditions, as more specifically set forth below, must be met. Definitions of "office", "light

industrial" and "commercial" uses are set forth on revised Map H which is attached as Exhibit "D" to this Development Order.

IV. CONDITIONS

A. Public Facilities

1. Prior to issuance of any Detailed Site Plan Approval ~~for each Phase of the development~~ the Developer shall provide to Hillsborough County Department of Development Coordination verification that adequate police, fire service and emergency medical service facilities are available to serve the development for which such Detailed Site Plan Approval is sought. ~~described Phase.~~

2. The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said Ordinance.

3. No ~~d~~Detailed Site Plan Approval shall be granted without an approved, permitted wastewater collection system, and sufficient treatment and effluent disposal capacity for that portion of the building construction. Approvals shall be obtained from all appropriate local and state agencies. Documentation of these approvals shall be provided to the Department of Development Coordination prior to Detailed Site Plan Approval. Developer shall participate in County programs designed to maximize the use of effluent for non-potable uses, by providing reasonable open space.

4. No building permits shall be issued without an approved, permitted potable water distribution system and available capacity for that portion of the building construction. Approvals shall be obtained from all appropriate local and State agencies.

B. Energy

The Developer shall encourage, within operating and construction budget constraints, the following energy management/conservation measures:

1. Landscape parking lots and building to improve energy conservation. Prior to any Detailed Site Plan Approval for each Phase of the development, the Developer shall provide a detailed landscape plan for the portion of the development for which such Detailed Site Plan Approval is sought indicating the areas and quantities of landscaped materials to be provided, which plan will meet or exceed the then existing landscape ordinance of Hillsborough County. It is the intent of this paragraph that compliance with the then existing landscape ordinance is not to be governed by operating and construction budget constraints.

2. Use of low pressure sodium vapor lighting in parking areas.

3. Use of energy conservation features and techniques for interior and exterior building design, including passive solar orientation of buildings.

4. Use of individual electrical meters for each occupant company as opposed to master meter for the entire building.

5. Use of alternate transportation methods such as carpooling vans and mass transit.

6. Appointment of energy manager for each land purchaser.

C. Wetlands/Wildlife

1. All viable wetlands within the project, as delineated by the Hillsborough County Environmental Protection Commission, shall be preserved and shall be delineated on site plans and plats as "conservation areas". Those areas which have been previously altered and are no longer viable "conservation" areas, as delineated by the Hillsborough County Environmental Protection Commission, may be removed. These altered wetlands shall be replaced with an equivalent ecosystem on a minimum acre-for-acre basis elsewhere on the site and shall be designated as "conservation areas."

The project's stormwater drainage system may incorporate wetlands on-site, but no direct discharge from any impervious surfaces shall be permitted into any wetland which is

designated as a "conservation" area. The project's stormwater system shall be designed to maintain the existing hydro-period of all "conservation areas" on-site, unless otherwise approved by the Hillsborough County Environmental Protection Commission. The total stormwater management system, including lakes, swales, and wetland areas shall be designed and maintained in conformance with applicable law. The Developer shall preserve wetland habitats supporting the identified endangered and threatened species and species of special concern. All impervious surfaces shall be setback a minimum of thirty (30) feet from all areas designated as "conservation areas".

D. Water Quantity

Floor Elevations of all habitable space and the elevation of all internal roadways shall be at or above the 100 year flood elevation. No mobile homes shall be permitted except in conjunction with construction activities, interim security facilities, or interim agricultural uses.

E. Historical/Agricultural

Any historical or archaeological resources found during construction shall be reported to the Florida Division of Archives, History and Records Management, and the disposition of such resources will be determined in cooperation with the Division of Archives and Hillsborough County. This condition shall not restrict the applicant from developing elsewhere on the property.

F. Water Quality

A surface water quality monitoring program shall be conducted by the applicant to monitor any potential impact of the project on DeLaney Creek and Archie Creek. Samples shall be collected on a monthly basis from all three on-site discharge points throughout the project's site improvements (road, drainage, sewer and water installation). One sampling interval shall be scheduled prior to the commencement of any project

construction. Samples shall be collected on the same date each month, whenever possible. Daily rainfall data from the closest available weather reporting station shall be provided to correlate stream flow with concentrations of specified parameters. Parameters to be measured at each sampling point during each sampling interval are: BOD5, Dissolved Oxygen, Turbidity, Total Nitrogen, Nitrate, Total Phosphorus, Oil/Grease, Lead, Temperature, pH and stream flow. The analysis of samples shall be performed by a State Certified Laboratory and reports submitted quarterly to the Hillsborough County Environmental Protection Commission, the Hillsborough County Department of Development Coordination and the Tampa Bay Regional Planning Council¹⁷. Approval of future development Phases or proposed modifications will be contingent upon the condition that development of this project will not result in further degradation of water quality in the receiving bodies of water.

G. Geology

The Developer shall conduct a lineament study of the property and modify the master development plan as appropriate. The Developer shall submit the lineament study and revised development plans prior to construction of any Phase I activities. Final soil tests should be completed by the Developer and submitted to Hillsborough County as a normal part of Hillsborough County development building requirements. Where appropriate, the results of these tests shall be utilized by staff during the construction permitting stages of development.

H. Air Quality

1. The Developer shall not sell or lease any property for any use that is obnoxious or offensive by reason of emission of odors, fumes, dust, smoke, noise, or vibrations. The applicant shall include the above condition in all leases and sales contracts. Where such emissions are unavoidable, that portion of the project shall be subject to further review by Hillsborough County; and

2. The Developer shall also:

a. Undertake chemical stabilization over heavily travelled primary haul route road sections as necessary; and

b. Undertake mid-weekly cleaning of dirt during construction off paved roads adjacent to the site or as required by grading permit; and

c. Wherever possible use selective clearing to allow natural seeding to stabilize the disturbed soil and berms to minimize wind erosion; and

d. Water all dirt roads as necessary; and

e. Develop asphalt road as soon as practical; and

f. Stage clearing of lands within development areas to reduce land opened and exposed to windy conditions; and

g. Undertake watering and spraying at all stages of clearing to insure dust control; and

h. Undertake mulching, seeding and sodding as soon as possible after final grading is completed; and

i. Undertake progressive development of roadways, landscaping and buildings for purposes of reducing fugitive dust emissions.

I. Maintenance Functions

1. The Developer, his assigned agents or successors shall be responsible for the maintenance of all open space/recreational areas and landscaped areas within ~~each phase~~ of the development.

2. Those portions of the stormwater drainage system and retention and detention ponds not dedicated to Hillsborough County shall remain the responsibility of the Developer, his assigned agents or his successors.

3. The Developer, his assigned agents or successors shall undertake parking lot sweeping as a routine maintenance function.

4. The Developer, his assigned agent or successor shall be responsible for the operation and maintenance of all on-site wells and landscape irrigation systems.

J. Erosion Control

Developer shall utilize the following practices to prevent potential pollutants from leaving the construction site:

1. Straw filter barriers and/or filter fabric at discharge points including temporary discharge points; and
2. Temporary sediment basins and perimeter dike systems to be installed as a first step in the grading process and to be checked and cleaned out regularly.

K. Drainage

1. Final master and detailed drainage plans shall be based on volume sensitive drainage criteria as established by the Hillsborough County Engineering Department.

2. Peak allowable discharge off the developed site based on the most critical 25 year storm may not exceed the existing peak discharge from the site based on the most critical 10 year storm.

3. The existing volume of runoff from the undeveloped site based on a 25 year-24 hour storm may not be exceeded in the first 24 hours of a 25 year-24 hour storm over the developed site.

4. All 25 year flood plain storage on the existing site that is filled in must be mitigated with an equal volume on site.

5. Currently the County has drainage standards and criteria generally applicable to development, which standards and criteria may from time to time be amended. Accompanying these general regulations are specific drainage standards contained in this Development Order which standards are site specific and are designed to remedy unique drainage issues associated with this project. In the event the County should develop additional drainage regulations generally applicable to development throughout the Delaney Creek and Archie Creek drainage basins, then the development of this project shall be subject to the terms of said regulations.

6. If a parcel of land lies within the 100 year flood plain, the Developer shall so notify the acquiring entity.

L. Transportation

1F. Transportation Impact Analysis Methodology

It is projected that Florida Corporate Center development will substantially impact several regionally significant transportation facilities within the Pproject's impact area. Quantification of the Pproject's impact on area transportation facilities is based on the following methodology:

a1. Existing traffic volumes on roadways in the impact area were determined by physically counting traffic on those roadways.

b2. Growth factors were then applied to determine the "existing background" traffic for buildout ~~each phase~~ of the development.

c3. In addition to existing background traffic, allowances were made for traffic projected to be generated by approved developments which have not been built ("proposed background" traffic).

d4. The sum of existing background traffic and proposed background traffic was used as the basis against which traffic generated by buildout ~~each phase~~ of the Pproject was evaluated.

The conditions precedent to consideration of a roadway segment as an element of the total impact of the Pproject are: (a) the Pproject's traffic on the roadway segment must equal or exceed five-percent (5%) of the daily LOS C capacity of the existing roadway, and (b) the Developer's traffic, plus the total background traffic on the roadway segment, must result in a reduction of the level of service on the segment to daily LOS D or worse. If traffic generated by the Pproject phase on the specific road segment satisfies both the above conditions, the Developer's proportionate share of the cost of improving said roadway segment to an acceptable service level shall be considered part of the Developer's total fiscal impact on the transportation system. The proportionate share is calculated by multiplying the Pproject's traffic as a percentage of the daily LOS C capacity of the improved roadway times the cost of the proposed improvement. Not considered as an element of the total

fiscal impact are improvements which are under construction or which have been assigned a funding commitment in an approved transportation improvements program. The commitments by the Developer or other responsible entities for those transportation system improvements necessary to accommodate each phase of the Florida Corporate Center development are identified below. The improvements listed in this Ddevelopment Oorder for the phase are predicated on the Tampa Bay Regional Planning Council's DRI Report dated March 14, 1983 and Hillsborough County's table of improvements dated November 22, 1983 as shown as Exhibits B and C.

II.2. Transportation

The County, cognizant of the need to impose conditions which reasonably mitigate regional transportation impacts, has established three alternatives. Each alternative is sensitive to the Project's impact on the transportation facilities described in Exhibit B and C and is designed to satisfy the requirements of Section 380.06, Florida Statutes.

aA. Alternative aA: Proportionate Share Contribution

(1) The key element of this Alternative is the Developer's proportionate share contribution. The proportionate share is calculated by multiplying the Project's traffic as a percentage of the daily LOS C capacity of the improved roadway times the cost of the proposed improvement, pursuant to the methodology described above.

Implementation of the proportionate share contribution is tied to the Phasesing schedule of the Project as described above at Section III General Provisions, paragraph O. and the respective Phase road improvements identified at Exhibits B and C. in Exhibits B, C and D. The total proportionate share contribution for the transportation impacts generated by development of the entire Pproject is presently projected to be \$5,351,458.00 based upon the conditions contained herein.

In the event that a transportation study shows that the Florida Department of Transportation or other governmental

entity, excluding the County, (subject to the provisions contained herein) should allocate funds in an approved transportation improvement program to cover all or a portion of the costs of any of the road improvements identified in Exhibit B and C, then the Developer shall be entitled to a credit against the total proportionate share in accordance with the provisions contained in paragraph (4), subparagraph (f) (i), (ii) herein.

In the event that the Developer is able to arrange for participation by private entities, that are involved solely in developing portions of the pProject in part orf all of the construction of Providence Road, the North-South Road, or the East-West Road (as identified herein), the Developer shall still be entitled to full credit for said construction in the same manner as if the Developer had completed said construction itself. If the private entity is involved in the development of land outside the boundaries of the Project and if its participation is required by law to be considered as a credit to said entity's transportation impact, the Developer of the Project shall be entitled to a credit but only in the amount that represents the difference between the credit given the private entity and the cost of construction of the road as identified in Exhibit B and C.

The total amount has been divided into two subtotals which are tied to the Phases described herein.

(2)- Phases 1, 2, 3A

(a)- The improvements described in Exhibits B and C are projected to be required to mitigate the Project's transportation impacts combined with proposed and existing background traffic and represent the basis for the computation of the Developer's proportionate share contribution described in paragraph (b) below.

(b)- As a condition of the approval of Phase 1, 2 and 3A of the Project the Developer shall assume financial responsibility as set forth below for a portion of the total proportionate share of the cost of construction of improvements to the facilities identified in Exhibit B and C. The Developer's

portion of the total proportionate share based upon the methodology contained herein is presently valued at \$4,954,889.00. To discharge its responsibility for this portion of the total proportionate share, the Developer shall ~~make the following contributions to Hillsborough County~~ construct the Providence Road, North-South Road, and East-West Road improvements as identified herein regardless of the actual cost of design, construction, construction administration, and right of way. All such costs of design, construction, construction administration, and right of way in excess of \$4,954,889.00 incurred by the Developer shall be applied as credit against the proportionate share.

(~~1~~i) Widening of Providence Road.

Developer shall unless otherwise required herein design and construct a portion of Providence Road. Said improvement shall consist of constructing a four (4) lane divided, rural road having a forty-six (46) foot wide median. (See Exhibit ED attached hereto for approximate location of said improvement. The Developer shall be under no obligation to build said improvement at any other substantially different location.) The existing Providence Road may be incorporated into the four (4) lane design as the northbound roadway. The southbound roadway shall be constructed west of the existing road. Said improvement shall extend from the intersection with the East-West road described below, not to exceed 3,955 linear feet. All construction shall take place in accordance with County standards relating to roadway design and construction for a minor arterial road section effective as of the date that construction is initiated. The Developer shall dedicate 102 feet of additional right-of-way to Hillsborough County and the County shall thereafter maintain the dedicated facility which includes the pavement and adjacent right-of-way. The total dedicated right-of-way for Providence Road, including the Developer's dedicated portion, shall be 200 feet in width. The subject additional 102 feet of right-of-way shall be dedicated prior to issuance of certificates of occupancy for more than 546,300 square feet of

Phase 1 or, in the event the Developer utilizes the provisions described below at Section M (Land Use Conversion Mechanism) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 3,610 daily external vehicle trip ends. The widening of Providence Road as described herein shall be completed prior to issuance of certificates of occupancy for more than 1,456,800 square feet of Phase 1 or, in the event the Developer utilizes the provisions described below at Section M (Land Use Conversion Mechanism) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 9,620 daily external vehicle trip ends.

(ii2) North-South Road. Developer shall design and construct a North-South road as a four-lane divided urban road section with twelve (12) foot wide lanes and a twenty-two (22) foot wide median from Lumsden Road to the East-West Road described below. (See Exhibit ED attached hereto for approximate location of said improvements. The Developer shall be under no obligation to build said improvement at any other substantially different location.) All design and construction shall take place in accordance with County standards relating to roadway design and construction for a minor arterial road section effective as of the date that construction is initiated. The right-of-way for the North/South Road shall be dedicated prior to the issuance of certificates of occupancy for more than 252,800 square feet of Phase 2 or, in the event the Developer utilizes the provisions described below at Section M (Land Use Conversion Mechanism) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 13,300 daily external vehicle trip ends. The dedicated

right-of-way shall be ninety-four (94) feet in width. The construction of the North-South Road as described herein shall be completed prior to issuance of certificates of occupancy for more than 1,011,200 square feet of Phase 2 or, in the event the Developer utilizes the provisions described below at Section M (Land Use Conversion Mechanism) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 17,100 daily external vehicle trip ends.

(iii) East-West Road. Developer shall design and construct an East-West Road as a four-lane divided urban road section with twelve (12) foot wide lanes and a twenty-two (22) foot wide median to the North-South Road. (See Exhibit ED attached hereto for approximate location of said improvement. The Developer shall be under no obligation to build said improvement at any other substantially different location.) All design and construction shall take place in accordance with County standards relating to roadway design and construction for a minor arterial road section effective as of the date that construction is initiated. The dedicated right-of-way shall be ninety-four (94) feet in width. The right-of-way for the East/West Road shall be dedicated prior to issuance of certificates of occupancy for more than 215,000 square feet of Phase 3A or, in the event the Developer utilizes the provisions described below at Section M (Land Use Conversion Mechanism) to substitute land uses, then prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 20,290 daily external vehicle trip ends. The construction of the East/West Road shall be completed prior to the issuance of the final certificates of occupancies for Phase 3A or, in the event the Developer utilizes the provisions described below at Section M (Land Use Conversion Mechanism) to substitute land uses, then

prior to the issuance of certificates of occupancy for more than such increment of development which, together with previous development for which certificates of occupancy have been received, will generate more than 25,750 daily external vehicle trip ends.

(iv4) For purposes of this Development Order, Certificate of Occupancy shall be construed to mean that certificate of occupancy issued for shell construction of buildings and shall not refer to those certificates of occupancy issued to individual businesses that may lease or otherwise acquire space within said facility.

(3)- Phase 3B

(a) For Phase 3B of the Project, the Developer shall assume financial responsibility based upon the conditions contained herein for the remaining \$396,569.00 of the total proportionate share contribution described herein.

Prior to issuance of any building permits for Phase 3B of the Project, the County and the Developer shall meet to discuss other options as to the nature and timing of the Developer's contributions which shall not exceed the above referenced \$396,569.00. To the extent that the Developer elects to satisfy said financial responsibility through the payment of cash, said payment shall occur no later than one year after the date of issuance of the first final Certificate of Occupancy for Phase 3B. The Developer's contributions shall be utilized in such a manner as to provide a reasonable benefit to the Developer and shall take into account the provisions contained below.

(i) Credit against the proportionate share contribution for Phase 3B will be allowed for right-of-way desired by the County and dedicated by the Developer, at any time, (except right-of-way for which a credit has already been given and other right-of-way dedicated to the County during any subdivision of the property) which right-of-way will be valued at its fair market value as of the date of dedication, or as otherwise agreed. For purpose of this paragraph, right-of-way shall be construed to mean right-of-way desired for construction

of roads intended to implement area transportation plans and does not include right-of-way dedicated for any other County purpose.

(ii) Roadway construction performed by the Developer at the request of the County shall be valued on a cost basis in accordance with industry standards and generally accepted accounting principles.

(4) Prior to the issuance of building permits for subsequent Phases but after completion of the preceding Phase, the Developer may, at his expense and at his option, conduct, in accordance with the provisions of Florida Statutes Section S.S. 380.06, a new transportation study(ies) of the Florida Corporate Center transportation impact area as established by the County, the Tampa Bay Regional Planning Council and the Developer during the initial review of the application. This new traffic study(ies) shall be prepared in a manner consistent with that contained in the aApplication and shall be in accordance with the generally accepted traffic engineering practices. The new study(ies) shall analyze the transportation system in the impact area based on existing and approved development, plus the projected impact of the succeeding Phases of the project or that portion of the succeeding Phases for which approvals are being sought. The new study shall serve to verify the findings of the original Development of Regional Impact and to indicate whether or not there are alternative transportation improvements or mechanisms, which, if implemented, will maintain the facilities identified in Exhibit B and C at a daily level of Service C and improvements no longer required may reduce proportionately the Pproject's proportionate share contribution for the pPhases involved, which reduction shall be determined in accordance with the credit and adjustment provisions contained herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00 In addition to providing a means of verification of original findings, the new study(ies) may include the following findings and conclusions.

(a) If the new transportation study(ies) establishes that certain of the improvements referred to in Exhibit B and C should no longer be required as a factor in the determination of the Developer's proportionate contribution, because the specific roadway link or intersection does not satisfy both of the conditions precedent to the requirement for an improvement to be made, as set out above, or such other less stringent conditions precedent which have been established by the County and which are in effect, at the time of the transportation study(ies), then the Developer's proportionate share contribution for succeeding Phases of the project shall be altered accordingly, subject to adjustment as described herein.

(b) If the new study(ies) establishes that the Developer's share, expressed as a percentage, of the improved capacity of a roadway link or intersection changes, then the Developer's contribution to that improvement shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351.458.00.

(c) Credit against proportionate share contributions for other Phase(s) transportation impacts will be allowed for contributions made for other Phase(s) improvements to the extent that the new study shows the Project's traffic on particular roadways identified in the other Phase(s) no longer results in the requirement for improvements on said roadways under the conditions precedent which were applied during the other Phase(s) analysis, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(d) Credit against the proportionate share contribution for other Phase(s) transportation impacts will be allowed for all contributions made in other Phase(s) which exceed the total proportionate share contribution for the other Phase(s) as said proportionate share identified in Exhibit B and C.

(e) (i) The Developer, at its option, may develop and participate in a Transportation System Management

(TSM) Program. The TSM Program may include procedures to encourage and facilitate the use of car pooling, van pooling, flex time, transit ridership and provision of bus stop shelters, and shall be developed through the coordinated efforts of the Developer, Hillsborough County, Florida Department of Transportation, the Hillsborough County Metropolitan Planning Organization, Tampa Bay Area Regional Planning Council. If the Developer can demonstrate to the County, in accordance with generally accepted traffic engineering methodology and practices, that the implementation of TSM measures over and above those identified in the application can reduce the development's share of existing capacities for roadway links or intersections (at acceptable levels of service), below the five percent (5%) threshold which triggers the requirement for an improvement to be made, (or such other threshold as is then in effect) then, if such TSM measures are committed to by the Developer or other responsible agencies, those particular improvements will be deleted from the list of required improvements for which the Developer is assessed a proportionate share contribution and the assessments against the succeeding Phase(s) will be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(ii) If the Developer can demonstrate to the County that the implementation of TSM measures over and above those identified in the application can reduce the development's share (expressed as a percentage) of the improved capacity of a roadway link or intersection, which percentage is the basis for calculating the Developer's contribution to an improvement, then the Developer's contribution to that improvement for the succeeding Phase(s) shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

~~(f)~~ (i) In the event the new transportation study shows that the Florida Department of

Transportation or other governmental entity, excluding the County, (subject to the provisions below), should allocate funds in an approved transportation improvement program to cover all of the cost of any of the road improvements identified in Exhibits B and C, then said improvement shall be deleted from the list of required improvements and the Developer's total proportionate share contribution shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00. To the extent that the County should receive road construction funds from sources other than: (a) current gasoline taxes in effect as of the date of this Development Order, (b) ad valorem taxes, (c) transportation impact fee ordinance/resolution payments or other proportionate share contributions paid by any source except the Developer, whose contributions, credits, and adjustments shall be governed by the terms and conditions of this Development Order, (Developer may elect pursuant to the terms of Alternative bB, herein, to be governed by the terms of the transportation impact fee ordinance/resolution rather than the proportionate share contribution described in Alternative aA.) or (d) current special assessments in effect as of the date of this Development Order and shall allocate said funds in an approved transportation improvement program to cover all of the costs of any of the road improvements identified in Exhibits B and C, then said improvement shall be deleted from the list of required improvements and the Developer's total proportionate share contribution shall be altered accordingly subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(ii) In the event that the Florida Department of Transportation or other governmental entity, excluding the County (subject to the provisions below), should allocate funds in an approved transportation improvement program to cover a portion of the cost of construction of a road

improvement identified in Exhibits B and C, then the Developer's proportionate share contribution shall be calculated by applying the development's share of the traffic, expressed as a percentage of the improved capacity of the road segment or intersection, against the remaining cost of construction of the road improvement which must be borne by the County. As a result of the above described process; the total proportionate share contribution of the Developer shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00. To the extent that the County should receive road construction funds from sources other than: (a) current gasoline taxes in effect as of the date of this Development Order, (b) ad valorem taxes, (c) transportation impact fee ordinance/resolution payments or other proportionate share contributions paid by any source except the Developer, whose contributions, credits, and adjustments shall be governed by the terms and conditions of this Order, (Developer may elect pursuant to the terms of Alternative bB, herein, to be governed by the terms of the transportation impact fee ordinance/resolution rather than the proportionate share contribution described in Alternative aA.) or (d) current special assessments in effect as of the date of this Order and shall allocate said funds in an approved transportation improvement program to cover a portion of the costs of any of the road improvements identified in Exhibits B and C, the Developer's total proportionate share contribution shall be altered in accordance with the terms of this paragraph, based upon the remaining cost to the County, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,341,458.00.

(g)- The "adjustment" referred to in this provision shall be calculated as follows:

(i)- At the time an above provided adjustment is requested by the Developer, the cost of construction and the Developer's proportionate share contribution

for the improvements in Exhibits B and C, shall be recalculated based on then-projected construction costs (the "Revised Construction Costs").

(ii) The Developer's proportionate share of the Revised Construction Costs for each improvement and the value of the Developer's future road improvements, shall be recalculated applying the then applicable criteria for determining required improvements and proportionate share contributions (the Developer's "Revised Proportionate Share"). The sum of the individual Revised Proportionate Shares as calculated above shall be the Developer's adjusted contribution provided that in no event shall such adjusted contribution exceed the Developer's maximum contribution for the Phase under study. The phrase "maximum contribution for the Phase under study" shall be construed to mean the amount identified in Exhibits B and C as the total proportionate share contribution for the Phase under study.

(iii) In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(h) The new transportation study(ies) referenced herein shall be submitted to and reasonably approved by the County prior to its use as a basis for alteration of the Developer's proportionate share contribution(s). Once the conditions precedent for credit and adjustment have been established, then the credit and adjustment shall occur in accordance with the provisions contained herein. If as a result of the application of the credits and adjustments, the County and the Developer agree that implementation of the approved contribution plan is impracticable, then the Developer and the County shall also undertake to agree upon amendments to said plans. Said amendments shall be designed to discharge the Developer's proportionate share contribution as altered. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(i)- If at a future date it can be shown through subsequent transportation studies that as a result of the application of the credit and adjustment mechanisms described herein the Developer has fully or partially discharged its responsibility for the proportionate share contribution, as determined herein, then the Developer shall be released from its obligation to the extent of said discharge. In no event shall the County be required to refund to the Developer any portion of prior contributions.

(j)- If the County should develop a system of credits (in addition to the credits provided herein) that are applied in a uniform manner in the assessment of the transportation impacts and proportionate share contributions of the developments within the County, then the Developer may at the point of the next transportation study consider said credit in the computation of the Developer's proportionate share contribution, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(5)- The County agrees to utilize the Developer's contributions for the specific purposes stated above. The County shall award contracts for construction of the improvements identified in Exhibits B and C upon receipt of contributions or impact assessment fees from development projects in this impact area which equal, in the aggregate, when coupled with funds received from other sources and funds allocated in the County's transportation improvement program, the cost of those improvements; provided, however, that the above referenced list of improvements may be modified based on subsequent transportation studies, transportation system management measures, or similar mitigation programs. The above described modification may amend the list of improvements identified in Exhibit B and C and related Developer's proportionate share contribution, but in no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(6) Signage and traffic control devices located on private roads within the pProject shall be the responsibility of the Developer. The Developer shall also be responsible for construction of access points and installation of traffic control devices necessitated by the pProject at those locations where pProject roads intersect County roads. The responsibilities contained in this paragraph are to be assumed by the Developer at his expense and are not intended to be considered part of the Developer's proportionate share contribution for off-site transportation improvements as described herein, but shall be in addition thereto.

(7) The Developer shall provide bus shelters, bus turnouts and information signs on or adjacent to the site when transit service becomes available to the area of a scope consistent with usage goals for this development as identified in the aApplication. The responsibilities contained in this paragraph are to be assumed by the Developer at his expense and are not intended to be considered part of the Developer's proportionate share contribution for off-site transportation improvements as described herein, but shall be in addition thereto.

bB. Alternative Bb.

(1) Upon the adoption of a County transportation impact fee ordinance/resolution, the Developer may, at its option, elect to be governed exclusively by the provisions of this Alternative bB for satisfying its obligation to contribute a proportionate share for the Project. If the Developer elects this Alternative, the Developer shall complete all contractual obligations undertaken at that point in constructing any improvements agreed to as satisfying a portion of the proportionate contribution and thereafter, pay impact fees as imposed by ordinance or resolution to the extent and in the same manner as such fees are imposed on other developers subject to such fees; provided, however, that (a) the Developer shall be given credits against those impact fees imposed by ordinance or

resolution, for all costs expended in engineering and constructing improvements under the contractual obligations referenced in this paragraph, (b) the Developer shall be given credit against those impact fees imposed by ordinance or resolution for other proportionate share contributions made pursuant to the terms of approved contribution plans described in Alternative aA, and (c) in the event that the Florida Department of Transportation or other governmental entities should allocate funds (excluding County funds) in an approved transportation improvement program to cover costs of construction of one or more of the improvements identified in Exhibit B and C and the cost of these programmed improvements was included in the calculation of the Developer's impact fee, then the Developer's impact fee shall be reduced by an amount representing the proportionate amount of the fee attributable to said improvements.

(2)- Signage and traffic control devices located on private roads within the Project shall be the responsibility of the Developer. The Developer shall also be responsible for construction of access points and installation of traffic control devices necessitated by the Project at those locations where pProject roads intersect County roads. This obligation is in addition to impact fees paid pursuant to ordinance or resolution.

(3)- The Developer shall provide bus shelters, bus turn-outs and information signs on or adjacent to the site when transit service becomes available to the area of a scope consistent with usage goals for this development as identified in the aApplication. This obligation is in addition to fees paid pursuant to ordinance or resolution.

(4)- Nothing contained herein shall be construed to constitute a waiver by the Developer of its rights to contest the validity of said impact fee.

ce. Alternative Ec.

(1)- The Developer may, rather than assume responsibility for a proportionate share contribution, identified in Alternative a.A, elect to delay development until such

specific road improvements as may be necessary by the standard provided herein to accommodate the transportation impact of a particular ~~p~~Phase or portion thereof, as said Phases described above at Section III. General Provisions, paragraph O and the respective Phase road improvements are identified in Exhibit B and ~~C, and D~~ have been committed to by the appropriate entities. Said election shall be in writing and shall be delivered to the County Administrator. In the event the Developer elects to resume development of a particular ~~p~~Phase or portion thereof, then the Developer shall in writing notify the County Administrator of such election (said election shall be delivered to the County Administrator prior to the issuance of any development permits) and shall reassume the financial responsibility for its proportionate share contribution as identified in Alternative a.A or the Developer may elect, prior to issuance of development permits, to complete a transportation study in accordance with the provisions contained in Paragraph a.A, subparagraph (4) of Alternative a.A. Any "adjustments" and "credits" allowed the Developer shall be computed in accordance with the terms contained in the referenced subparagraph. Upon completion of said study, the Developer shall assume financial responsibility for its proportionate share contribution derived from said study, in accordance with the terms of Alternative a.A. In no event shall Developer's total proportionate share contribution for the project exceed \$5,351,458.00.

(2) ~~2~~ No development permits for the particular ~~p~~Phase or portion thereof shall be issued unless appropriate entities have, within the context of approved transportation improvement programs, committed to the road improvements required to accommodate at daily LOS C the projected development traffic coupled with existing and proposed background traffic, which improvements are identified in Exhibit B and C.

(3) ~~3~~ Even though the Developer may have elected to forego development of a particular ~~p~~Phase or portion thereof pursuant to the terms of this Alternative, said Developer shall be required to complete performance of the proportionate share

contribution applicable to preceding ~~p~~Phases and that portion of a ~~p~~Phase which was not the subject of the election described above.

~~3~~HH. General Provisions

~~a~~A. Amendments to Phasesing Schedule

~~(1).~~ The development of the Project in accordance with ~~t~~The proposed ~~p~~Phasesing schedule identified above at Section III General Provisions, paragraph O. are in Exhibit B, C, and D is an integral part of the transportation condition. Therefore, if the Developer elects to amend the proposed ~~P~~phasesing schedule, it shall submit said amendments to the County for review and approval, which approval shall not be withheld ~~for mere acceleration of phases~~ if the terms of this Development Order are otherwise fully complied with. If the County finds that amendments to the terms of this Development Order are required by the amendments to the ~~P~~phasesing schedule, then said amendments to the extent consistent herewith shall be included as conditions of approval of the changes to the ~~p~~Phasesing schedule. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

2. It is not the intent of this provision to prohibit or limit the Developer's right to develop the Project ~~on an accelerated~~ in revised Phases schedule so long as all approved development is completed prior to the date of project buildout in 2003. Rather the purpose of this provision is to ensure that all prerequisites for each Phase of the Project are complied with. In recognition of this purpose, review by the County shall be accomplished in an expeditious manner and approval shall be granted as provided above and in no event shall it be unreasonably withheld. To the extent allowable by law, such ~~acceleration~~ revision in the Phase of development shall not constitute a substantial deviation from the terms of this Development Order. For purposes of this Development Order, a

Phase shall be considered complete upon issuance of the final Certificate of Occupancy for the Phase. ~~No building permits shall be issued for a subsequent phase until completion of the preceding phase.~~

bB. Nothing contained herein shall be construed to constitute a waiver by the Developer of his rights to contest the validity of this transportation condition, including but not limited to challenges involving equal protection issues related to treatment of similar non-residential Developments of Regional Impact.

eC. ~~Prior to the issuance of any building permits for Phase I the County shall have begun the development of a transportation improvement plan for the Brandon area in cooperation with the Florida Department of Transportation and the Tampa Bay Regional Planning Council. The completion of this plan is scheduled to be accomplished prior to the issuance of building permits for Phase 3B and may include but not be limited to:~~

~~(1). Identification of the regionally significant roadways which shall be included in the focus of the transportation plan, as well as identification of additional roadways to be constructed within the study area.~~

~~(2). The existing, approved and projected development to be included with the plan.~~

~~(3). The manner by which the traffic impact of existing development will be documented and assessed.~~

~~(4). The manner by which the traffic impact of approved and projected development will be documented and assessed.~~

~~(5). Daily Level of Service C, D peak hour shall be designated goal of the plan.~~

~~(6). A study of mass transit as a viable alternative to alleviate overburdening of the roadways.~~

~~(7). Identification of specific construction implementation goals, such as right of way acquisition and implementation of additional north/south and east/west corridors designed to coincide with transportation improvement needs~~

~~generated by each phase completion for projects approved within the study area.~~

~~(8). Identify available funding commitments for the improvements.~~

cD. The following road facilities were not considered as elements of the Project's total fiscal impact on the transportation system because they are presently under construction or proposed for construction by Florida D.O.T.:

(1) Improve U.S. 301 to a six (6) lane divided facility from the intersection with S.R. 60 to the intersection with Interstate 75.

(2) Improve Buffalo Avenue to a four (4) lane divided facility from the intersection with U.S. 41 to the intersection with U.S. 301.

dE. The road segments described below may require future improvements (in addition to those improvements currently projected in Exhibit B and C) by appropriate entities. The Developer or his assigns shall monitor traffic volumes on these segments at the end of each Phase. If traffic volumes (including Developer's traffic plus total background traffic) at that time fall below daily level of service D and the Project's traffic equals or exceeds 5% of the daily LOS C capacity of the existing roadway(s), those improvements required to maintain daily level of service C peak hour D that are in addition to those improvements currently projected in Exhibit B and C shall be added to Exhibits B and C for purposes of calculation, adjustments and credits utilizing such Exhibits according to the terms of this Order. In no event under this or any other section hereof, shall this study (1) increase the Developer's total pro rata share contribution for the Project above \$5,351,458.00, nor (2) shall this study described in this paragraph E affect the contribution method provided in Section II A. The County shall award construction for said improvements in accordance with the provisions of paragraph (5), Alternative aA, herein.

(1)- The east/west corridor north (road segment EX -420, Exhibit B and C currently identified in said Exhibit as requiring 4 lanes) from the intersection with Kings to the intersection with Lakewood.

(2)- The north/south corridor (road segment BF - 210, Exhibit B and C currently identified in said Exhibit as requiring 4 lanes) from the intersection with Brandon Town Center's east/west road to the intersection with Lumsden Road.

(3)- Bell Shoals Road from the intersection with Lumsden Road to the intersection with Garnet Drive.

(4)- U.S. 301 from the intersection with C.R. 574 to the intersection with S.R. 60.

e. Monitoring - When certificates of occupancy have been issued for 350,000 square feet or more of non-residential uses, an annual monitoring program to provide daily and P.M. peak hour external traffic counts at the development's entrances shall begin. The purpose of the monitoring program is to verify external traffic generation of the development in order to assure compliance with those Development Order conditions which are based on specified external trip generation. Counts shall be performed on an annual basis through buildout of the development. This information shall be supplied in the required Annual Report. If an Annual Report is not submitted within thirty (30) days of its due date, or if the Annual Report indicates that the total external trips exceed projected counts by more than fifteen percent (15%), Hillsborough County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19), Florida Statutes and, if the variance is determined to be a substantial deviation, may amend the Development Order to require additional roadway improvements or other mitigation measures according to the results of a revised transportation analysis. The results of the study may also serve as a basis for the Developer or reviewing agencies to request Development Order amendments.

M. Land Use Conversion Mechanism

Residential uses may be substituted for uses listed in Section III General Provisions, paragraph O. pursuant to the land use conversion mechanism described below. Similarly, uses listed in Section III General Provisions, paragraph O. can also be substituted for each other pursuant to the land use conversion mechanism. In no event, however, shall conversions to residential uses exceed a maximum of 600 dwelling units. Land use conversions involving the commercial use shall not allow more than 400,000 square feet or less than 200,000 square feet of each use. Further, the land use conversion mechanism shall not be used to create a single use project.

The land use conversion mechanism shall operate by submittal of a trip generation analysis to Hillsborough County staff reflecting the specific detailed calculations. The detailed calculations shall be prepared by applying specific trip rates documented in the most currently accepted ITE trip generation manual to both the land uses requested as well as the land uses which are being converted. The detailed calculation shall demonstrate that there is no increase in external traffic for daily and p.m. peak hour conditions (inbound and outbound). Residential as well as any land uses set forth in this Development Order at Section III General Provisions paragraph O. above shall be eligible for conversion upon a submittal of a trip generation analysis with detailed calculations which demonstrates that no increase in external project traffic for daily and p.m. peak hour conditions (inbound and outbound) will occur as a result of the conversions.

N. Affordable Housing

It is the intent of this Development Order that the use of the land use conversion mechanism described in paragraph M above will not increase the demand for affordable housing in excess of the local affordable housing supply. In order to insure that the use of the land use conversion mechanism does not result in such

an increase in demand in excess of the local supply of affordable housing, demand equivalency factors have been determined for each potential conversion of uses. The demand equivalency factors were established based upon a methodology developed in consultation with the Department of Community Affairs (DCA) which estimates the number of the employees and their respective income levels which would result from each of the non-residential land uses. It has been determined based upon the DCA's methodology that the addition of residential uses to the Project will not increase the demand for affordable housing and, therefore, that non-residential uses may be freely converted to residential uses without consideration of an affordable housing equivalency factor.

AFFORDABLE HOUSING DEMAND EQUIVALENCY FACTORS

<u>TRADE OFF</u>	<u>DEMAND EQUIVALENCY FACTOR</u>
<u>Commercial for Light Industrial</u>	<u>1.4064</u>
<u>Commercial for Office</u>	<u>0.8550</u>
<u>Office for Commercial</u>	<u>1.1695</u>
<u>Office for Light Industrial</u>	<u>1.6453</u>
<u>Light Industrial for Commercial</u>	<u>0.7108</u>
<u>Light Industrial for Office</u>	<u>0.6078</u>

EXAMPLE

Developer wishes to trade 10,000 of the approved 400,000 gross square feet of commercial uses for additional light industrial uses. How many additional gross square feet of light industrial use may the developer receive?

<u>Commercial Sq. Ft. Traded</u>	<u>Equivalency Factor</u>	<u>Additional Sq. Ft. of Industrial Floor Area Permitted</u>
<u>10,000</u>	<u>1.4064</u>	<u>14,064</u>

Notwithstanding the foregoing, in the event the Developer attempts to utilize the land use conversion mechanism where the demand equilvalency factors indicate an increase in the Project's aggregate demand for affordable housing, the Developer

shall have the right to conduct an affordable housing study in accordance with the then applicable Department of Community Affairs methodology. The study would measure the actual affordable housing demand generated by the proposed conversion and the local supply of affordable housing. The study shall be submitted to Hillsborough County and the Department of Community Affairs for their review and approval. The results of such study will be used as the basis for determining whether such increase in demand will actually occur and whether such increase, if any, will exceed the local affordable housing supply. In the event that no increase is shown or the supply is available to satisfy such increase, such conversion shall be approved.

~~STATE OF FLORIDA)~~

~~COUNTY OF HILLSBOROUGH)~~

~~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 resolution adopted by the Board at its regular meeting of December 21, 1983 as the same appears of record in Minute Book 94 of the Public Records of Hillsborough County, Florida.~~

~~WITNESS my hand and official seal this 27th day of December, 1983.~~

~~_____ JAMES F. TAYLOR, JR., CLERK~~

By: _____
DEPUTY CLERK

Exhibit II

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths, and take acknowledgments, personally appeared Vincent L. Nuccio, Jr., as attorney for Richard R. Mulholland, the applicant of the Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes for the Florida Corporate Center DRI #93 ("Notice of Change"), to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Richard R. Mulholland filed the Notice of Change on June 21, 1990.
2. The Notice of Change was filed with all persons as required by law.



Vincent L. Nuccio, Jr.
Attorney for Richard R. Mulholland

Sworn to and subscribed before me this 8th day of December, 1990.



Notary Public

(Notary Seal)

My Commission Expires:

NOTARY PUBLIC, State of Florida
My Commission Expires Jan. 28, 1994

COMPOSITE EXHIBIT "A"
TO FLORIDA CORPORATE CENTER DEVELOPMENT ORDER

APPLICATION FOR DEVELOPMENT APPROVAL,
SUFFICIENCY RESPONSE
AND NOTIFICATIONS OF PROPOSED CHANGE

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgements, personally appeared Vincent L. Nuccio, Jr., as attorney for Richard R. Mulholland, the applicant/owner of the Florida Corporate Center DRI, to me well known, who being by me first duly sworn, says upon oath as state below:

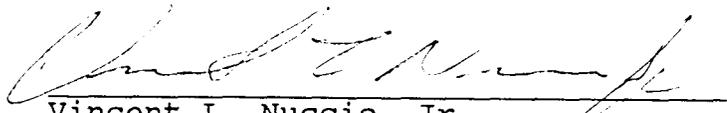
1. The application for development approval, dated October 1982 and the sufficiency response, dated November 19, 1982, are on file in the Public Records of Hillsborough County.

2. The Notification of Proposed Change, filed April 21, 1988, (Exhibit A-1/First Notice of Change), the Notification of Proposed Change, filed December 13, 1989, (Exhibit A-2/Second Notice of Change) and the Notification of Proposed Changed, filed June 22, 1990, (Exhibit A-3/Third Notice of Change), are all on file in the Public Records of Hillsborough County.

3. Exhibit B-1, the site plan adopted on June 21, 1988 in conjunction with the First Notice of Change is on file in the Public Records of Hillsborough County.

4. Exhibit B-2, the "Revised Phasing Schedule" adopted on January 29, 1990 in conjunction with the Second Notice of Change is on file in the Public Records of Hillsborough County.

5. All of the aforementioned documents were filed with Hillsborough County, the State of Florida Department of Community Affairs ("DCA"), the Tampa Bay Regional Planning Council ("TBRPC").



Vincent L. Nuccio, Jr.
Attorney for Richard R. Mulholland

Sworn to and subscribed before me this 8th day of December, 1990.



Notary Public

(Notarial Seal)

My commission expires:

NOTARY PUBLIC, State of Florida
My Commission Expires Jan. 28, 1994

F.C.C.

1990 DEVEL TRAFFIC	1990 DEVEL %	1990 DEVEL SHARE	1995 DEVEL TRAFFIC	1995 DEVEL %	1995 DEVEL SHARE	2000 DEVEL TRAFFIC	2000 DEVEL %	2000 DEVEL SHARE	PHASE 3A 60 %	DEVEL SHARE	PHASE 3B 40 %	DEVEL SHARE
1802	39.22	0	2755	20.67	0	4600	40.11	0	2760	0	1840	0
721	39.22	0	1102	20.67	0	1840	40.11	0	1104	0	736	0
360	39.22	0	551	20.67	0	920	40.11	0	552	0	368	0
2510	39.22	0	3838	20.67	0	6409	40.11	0	3846	0	2564	0
841	39.22	102867	1286	20.67	54217	2147	40.11	105210	1288	63126	859	42084
240	39.22	10772	367	20.67	5678	613	40.11	11017	368	6610	245	4407
1129	39.22	199087	1726	20.67	104931	2883	40.11	203622	1730	122173	1153	81449
601	39.22	22126	918	20.67	11662	1533	40.11	22630	920	13578	613	9052
745	39.22	24110	1139	20.67	12708	1901	40.11	24659	1141	14796	761	9864
1321	39.22	0	2020	20.67	0	3373	40.11	0	2024	0	1349	0
2870	39.22	0	4389	20.67	0	7329	40.11	0	4398	0	2932	0
2462	39.22	0	3765	20.67	0	6287	40.11	0	3772	0	2515	0
1273	39.22	118401	1947	20.67	62405	3251	40.11	121098	1950	72659	1300	48439
889	39.22	47095	1359	20.67	24822	2269	40.11	48168	1362	28901	908	19267
0	0.00	0	735	59.89	118486	1227	40.11	79359	736	47615	491	31743
841	39.22	96788	1286	20.67	51014	2147	40.11	98993	1288	59396	859	39597
2294	39.22	140623	3508	20.67	74118	5857	40.11	143827	3514	86296	2343	57531
360	39.22	12686	551	20.67	6686	920	40.11	12975	552	7785	368	5190
240	39.22	25850	367	20.67	13625	613	40.11	26439	368	15864	245	10576
300	39.22	11791	459	20.67	6215	767	40.11	12060	460	7236	307	4824
1501	39.22	58957	2296	20.67	31074	3833	40.11	60301	2300	36180	1533	24120
1561	39.22	0	2388	20.67	0	3987	40.11	0	2392	0	1595	0
420	39.22	15430	643	20.67	8133	1073	40.11	15782	644	9469	429	6313
180	39.22	0	275	20.67	0	460	40.11	0	276	0	184	0
240	39.22	8425	367	20.67	4441	613	40.11	8617	368	5170	245	3447
180	39.22	0	275	20.67	0	460	40.11	0	276	0	184	0
300	39.22	21941	459	20.67	11564	767	40.11	22441	460	13464	307	8976
60	39.22	0	92	20.67	0	153	40.11	0	92	0	61	0
360	39.22	27045	551	20.67	14255	920	40.11	27661	552	16597	368	11065
180	39.22	0	275	20.67	0	460	40.11	0	276	0	184	0
841	39.22	61434	1286	20.67	32380	2147	40.11	62834	1288	37700	859	25134
120	39.22	0	184	20.67	0	307	40.11	0	184	0	123	0
60	39.22	0	92	59.89	0	153	40.11	0	92	0	61	0
360	39.22	27554	551	20.67	14523	920	40.11	28181	552	16909	368	11273
120	39.22	0	184	20.67	0	307	40.11	0	184	0	123	0
0	0.00	0	92	20.67	0	153	40.11	0	92	0	61	0
841	39.22	23639	1286	20.67	12459	2147	40.11	24177	1288	14506	859	9671
1561	39.22	61629	2388	20.67	32483	3987	40.11	63033	2392	37820	1595	25213
2042	39.22	106514	3122	20.67	56140	5213	40.11	108941	3128	65364	2085	43576
540	39.22	48164	826	20.67	25385	1380	40.11	49261	828	29557	552	19704
2870	39.22	116700	4389	20.67	61508	7329	40.11	119358	4398	71615	2932	47743
2870	39.22	20594	4389	20.67	10854	7329	40.11	21063	4398	12638	2932	8425
4240	39.22	164269	6483	20.67	86580	10825	40.11	168011	6495	100807	4330	67204
4023	39.22	258975	6153	20.67	136497	10273	40.11	264875	6164	158925	4109	105950
0	0.00	0	0	0.00	0	3067	100.00	478552	1840	287131	1227	191421
		\$ 1833468			\$ 1084841				\$ 1459889			\$ 973259

EXHIBIT B

11/22/83

F.C.C.

ROAD				EXIST	LOS C	TOTAL	TOTAL	% DEVEL	PROP	LOS C	% DEVEL	IMP.	DEVEL
SEGM.	LINK	FROM	TO	LANES	CAP.	TRAFFIC	DEVEL TRAFFIC	OF EXIS LOS C	LANES	CAP.	OF PROP LOS C	COST	TOTAL COST
60-400	S.R.60	PARSONS	KINGS	6	42700	80852	4600	11	8	55200	8.33	561209	0
60-420	S.R.60	KINGS	LAKEWOOD	6	27900	70138	1840	7	8	55200	3.33	900000	0
60-430	S.R.60	LAKEWOOD	NS COR	6	27900	85578	920	3	8	55200	1.67	460227	0
60-440	S.R.60	NS COR	I-75	6	42700	86153	6409	15	8	55200	11.61	762397	0
EX-420	EW COR N	KINGS	LAKEWOOD	0	0	32660	2147	999	4	27900	7.69	3409091	262295
EX-430	EW COR N	LAKEWOOD	NS COR	0	0	28041	613	999	4	27900	2.20	1249483	27467
EX-440	EW COR N	NS COR	I-75	0	0	30656	2883	999	4	27900	10.33	4913326	507641
LU-400	LUMSDEN	PARSONS	KINGS	2	11800	31623	1533	13	4	27900	5.50	1026601	56419
LU-420	LUMSDEN	KINGS	PRVDENCE	4	11800	34726	1901	16	6	42700	4.45	1380682	61477
LU-430	LUMSDEN	PRVDENCE	NS COR	6	42700	43987	3373	8	6	42700	7.90	0	0
LU-440	LUMSDEN	NS COR	I-75	6	42700	47776	7329	17	6	42700	17.16	0	0
LU-460	LUMSDEN	I-75	U.S.301	6	42700	41980	6287	15	6	42700	14.72	0	0
CA-470	CASWY BL	U.S.301	78TH ST	2	11800	25118	3251	28	4	27900	11.65	2591253	301904
CA-480	CASWY BL	78TH ST	U.S.41	2	11800	19566	2269	19	4	27900	8.13	1476412	120086
BR-400	EW COR S	BRYAN	KINGS	0	0	23538	1227	999	4	27900	4.40	4500000	197845
BR-420	EW COR S	KINGS	PRVDENCE	0	0	20250	2147	999	4	27900	7.69	3207645	246795
BR-430	EW COR S	PRVDENCE	NS COR	0	0	16333	5857	999	4	27900	20.99	1707989	358568
BL-400	BLMGDALE	JHN MORE	KINGS	2	11800	16156	920	8	4	27900	3.30	980975	32347
BL-420	BLMGDALE	KINGS	PRVDENCE	2	11800	13927	613	5	4	27900	2.20	2998450	65914
BL-430	BLMGDALE	PRVDENCE	NS COR	2	11800	18682	767	6	4	27900	2.75	1094180	30066
BL-440	BLMGDALE	NS COR	U.S.301	2	11800	25730	3833	32	4	27900	13.74	1094180	150332
60-300	S.R.60	PARSONS	BRYAN	6	42700	73292	3987	9	8	55200	7.22	559091	0
LU-300	LUMSDEN	PARSONS	BRYAN	2	11800	29648	1073	9	4	27900	3.85	1022727	39344
LU-320	LUMSDEN	BRYAN	LTH PINE	2	11800	19405	460	4	4	27900	1.65	1022727	0
BL-300	BLMGDALE	JHN MORE	BRYAN	2	11800	25764	613	5	4	27900	2.20	977273	21483
BL-320	BLMGDALE	BRYAN	LTH PINE	2	11800	34873	460	4	4	27900	1.65	977273	0
BY-200	BRYAN	S.R.60	LUMSDEN	2	11800	26485	767	6	4	27900	2.75	2035985	55946
BY-230	BRYAN	LUMSDEN	BLMGDALE	2	11800	21927	153	1	4	27900	0.55	4108988	0
PA-200	PARSONS	S.R.60	LUMSDEN	2	11800	38342	920	8	6	42700	2.15	3200758	68961
PA-220	PARSONS	LUMSDEN	BLMGDALE	2	11800	28804	460	4	4	27900	1.65	4108988	0
KI-200	KINGS	S.R.60	LUMSDEN	2	11800	32045	2147	18	4	27900	7.69	2035985	156648
KI-220	KINGS	LUMSDEN	EW COR S	2	11800	25662	307	3	4	27900	1.10	2054494	0
KI-230	KINGS	EW COR S	BLMGDALE	2	11800	23533	153	1	4	27900	0.55	2054494	0
PL-200	PAULS DR	S.R.60	LUMSDEN	2	11800	22017	920	8	4	27900	3.30	2130682	70258
PL-220	PAULS DR	LUMSDEN	EW COR S	0	0	10580	307	-999	2	11800	2.60	1120868	0
PL-230	PAULS DR	EW COR S	BLMGDALE	0	0	8004	153	-999	2	11800	1.30	1841426	0
LA-200	LAKEWOOD	S.R.60	EW COR N	2	11800	27323	2147	18	4	27900	7.69	783402	60275
LA-210	LAKEWOOD	EW COR N	LUMSDEN	2	11800	29276	3987	34	4	27900	14.29	1099776	157145
PR-220	PRVDENCE	LUMSDEN	EW COR S	2	11800	21527	5213	44	4	27900	18.69	1453512	271594
PR-230	PRVDENCE	EW COR S	BLMGDALE	2	11800	14417	1380	12	4	27900	4.95	2482955	122810
BF-200	NS COR	S.R.60	BTC PROP	0	0	19992	7329	999	4	27900	26.27	1132748	297567
BF-205	NS COR	BTC PROP	BTC EW	0	0	19992	7329	999	4	27900	26.27	199897	52512
BF-210	NS COR	BTC EW	LUMSDEN	0	0	31440	10825	999	4	27900	38.80	1079545	418860
BF-220	NS COR	LUMSDEN	EW COR S	0	0	26872	10273	999	4	27900	36.82	1793388	660347
BF-230	NS COR	EW COR S	BLMGDALE	0	0	8967	3067	999	2	11800	25.99	1841426	478552

* 999 DENOTES NEW ROAD SEGMENT

\$

75432507 5351458

EXHIBIT B

ROAD	SEGMENT	LANES	LANES	R/W	R/W	R/W	R/W	R/W	CONST.	CONST.	TO			
SEGM	LINK	FROM	TO	LENGTH	EXIS.	PROP.	EXIS.	NEEDED	ACRES	\$/ACRE	COST	\$/MILE	COST	CO
60-400	S.R.60	PARSONS	KINGS	2650	6	8	176	200	1.46	75000	109504	900000	451705	5610
60-420	S.R.60	KINGS	LAKEWOOD	5280	6	8	200	200	0.00	75000	0	900000	900000	9000
60-430	S.R.60	LAKEWOOD	NS COR	2700	6	8	200	200	0.00	75000	0	900000	460227	4600
60-440	S.R.60	NS COR	I-75	3600	6	8	176	200	1.98	75000	148760	900000	613636	7620
EX-420	EW COR N	KINGS	LAKEWOOD	6000	0	4	0	176	24.24	75000	1818182	1400000	1590909	34090
EX-430	EW COR N	LAKEWOOD	NS COR	2050	0	4	0	200	9.41	75000	705923	1400000	543561	12490
EX-440	EW COR N	NS COR	I-75	3100	0	4	0	200	14.23	75000	1067493	6550322	3845833	49130
LU-400	LUMSDEN	PARSONS	KINGS	2650	2	4	50	176	7.67	75000	574897	900000	451705	10260
LU-420	LUMSDEN	KINGS	PRVDENCE	8100	4	6	200	200	0.00	75000	0	900000	1380682	13800
LU-430	LUMSDEN	PRVDENCE	NS COR	1500	6	6	200	200	0.00	75000	0	0	0	0
LU-440	LUMSDEN	NS COR	FAULKNBG	4700	6	6	200	200	0.00	75000	0	0	0	0
LU-460	LUMSDEN	FAULKNBG	U.S.301	3200	6	6	200	200	0.00	75000	0	0	0	0
CA-470	CASJY BL	U.S.301	78TH ST	8600	2	4	100	176	15.00	75000	1125344	900000	1465909	25910
CA-480	CASJY BL	78TH ST	U.S.41	4900	2	4	100	176	8.55	75000	641185	900000	835227	14760
BR-400	EW COR S	BRYAN	KINGS	7920	0	4	0	176	32.00	75000	2400000	1400000	2100000	45000
BR-420	EW COR S	KINGS	PRVDENCE	8100	0	4	100	176	14.13	75000	1059917	1400000	2147727	32070
BR-430	EW COR S	PRVDENCE	NS COR	4000	0	4	0	94	8.63	75000	647383	1400000	1060606	17070
BL-400	BLMGDALE	JHN MORE	KINGS	2650	2	4	60	176	7.06	75000	529270	900000	451705	9800
BL-420	BLMGDALE	KINGS	PRVDENCE	8100	2	4	60	176	21.57	75000	1617769	900000	1380682	29980
BL-430	BLMGDALE	PRVDENCE	NS COR	3100	2	4	70	176	7.54	75000	565771	900000	528409	10940
BL-440	BLMGDALE	NS COR	U.S.301	3100	2	4	70	176	7.54	75000	565771	900000	528409	10940
60-300	S.R.60	PARSONS	BRYAN	2640	6	8	176	200	1.45	75000	109091	900000	450000	5590
LU-300	LUMSDEN	PARSONS	BRYAN	2640	2	4	50	176	7.64	75000	572727	900000	450000	10220
LU-320	LUMSDEN	BRYAN	LTH PINE	2640	2	4	50	176	7.64	75000	572727	900000	450000	10220
BL-300	BLMGDALE	JHN MORE	BRYAN	2640	2	4	60	176	7.03	75000	527273	900000	450000	9770
BL-320	BLMGDALE	BRYAN	LTH PINE	2640	2	4	60	176	7.03	75000	527273	900000	450000	9770
BY-200	BRYAN	S.R.60	LUMSDEN	5500	2	4	60	176	14.65	75000	1098485	900000	937500	20350
BY-230	BRYAN	LUMSDEN	BLMGDALE	11100	2	4	60	176	29.56	75000	2216942	900000	1892045	41080
PA-200	PARSONS	S.R.60	LUMSDEN	5500	2	6	60	200	17.68	75000	1325758	1800000	1875000	32000
PA-220	PARSONS	LUMSDEN	BLMGDALE	11100	2	4	60	176	29.56	75000	2216942	900000	1892045	41080
KI-200	KINGS	S.R.60	LUMSDEN	5500	2	4	60	176	14.65	75000	1098485	900000	937500	20350
KI-220	KINGS	LUMSDEN	EW COR S	5550	2	4	60	176	14.78	75000	1108471	900000	946023	20540
KI-230	KINGS	EW COR S	BLMGDALE	5550	2	4	60	176	14.78	75000	1108471	900000	946023	20540
PL-200	PAULS DR	S.R.60	LUMSDEN	5500	2	4	50	176	15.91	75000	1193182	900000	937500	21300
PL-220	PAULS DR	LUMSDEN	EW COR S	4200	0	2	0	100	9.64	75000	723140	500000	397727	11200
PL-230	PAULS DR	EW COR S	BLMGDALE	6900	0	2	0	100	15.84	75000	1188017	500000	653409	18410
LA-200	LAKEWOOD	S.R.60	EW COR N	2600	2	4	100	176	4.54	75000	340220	900000	443182	7830
LA-210	LAKEWOOD	EW COR N	LUMSDEN	3650	2	4	100	176	6.37	75000	477617	900000	622159	10990
PR-220	PRVDENCE	LUMSDEN	EW COR S	4200	2	4	98	200	9.83	75000	737603	900000	715909	14530
PR-230	PRVDENCE	EW COR S	BLMGDALE	6900	2	4	66	176	17.42	75000	1306818	900000	1176136	24820
BF-200	NS COR	S.R.60	BTC PROP	3060	0	4	0	94	6.60	75000	495248	1100000	637500	11320
BF-205	NS COR	BTC PROP	BTC EW	540	0	4	0	94	1.17	75000	87397	1100000	112500	1990
BF-210	NS COR	BTC EW	LUMSDEN	1900	0	4	0	176	7.68	75000	575758	1400000	503788	10790
BF-220	NS COR	LUMSDEN	EW COR S	4200	0	4	0	94	9.06	75000	679752	1400000	1113636	17930
BF-230	NS COR	EW COR S	BLMGDALE	6900	0	2	0	100	15.84	75000	1188017	500000	653409	18410
									467.37		35052583		40379924	75432

EXHIBIT C

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



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

January 30, 1990

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida 33702

Attn: Suzanne Cooper
DRI Coordinator

Re: Resolution No. R90-0023 Amending DRI #93 Development
Order - Florida Corporate Center

Dear Ms. Cooper:

Enclosed please find an executed certified copy of the
referenced resolution, adopted by the Hillsborough County
Board of County Commissioners on January 23, 1990.

We are providing this certified copy for your official
files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: Edna L. Fitzpatrick /m
Edna L. Fitzpatrick
Director, BOCC Records

mailed 1/31/90

ELF:LT

cc: Board files (orig.)
Ed Lehman, State of Florida, Department of Community
Affairs
Jeff Miller, Director, Planning & Zoning
Gordon J. Schiff, Attorney for Florida Corporate Center
John Dixon Wall, Assistant County Attorney

Enclosure

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. R90-0023 Amending DRI #93 Development
Order - Florida Corporate Center

adopted by the Board in its regular meeting of
January 23, 1990, as the same appears of
record in MINUTE BOOK 164 of the Public Records of
Hillsborough County, Florida.

WITNESS my hand and official seal this 30th
day of January, 1990.

RICHARD AKE, CLERK

By: Merle Iris Bishop
Deputy Clerk

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #93 DEVELOPMENT ORDER FOR
FLORIDA CORPORATE CENTER

Upon motion of Commissioner Colson, seconded by Commissioner Padgett, the following Resolution was adopted on this 23rd day of January, 1990.

WHEREAS, on December 21, 1983, the Board of County Commissioners approved a Development Order, Resolution #R83-0164 for the FLORIDA CORPORATE CENTER Development of Regional Impact (DRI) #93 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS on June 21, 1988, the Board of County Commissioners approved amendments to the Development Order, Resolution #R88-0179 pursuant to the provisions of Section 380.06, Florida Statutes (hereinafter the December 21, 1983, Development Order as amended by the June 21, 1988, Resolution shall together be referred to as the "Development Order"); and

WHEREAS, on December 14, 1989, Richard R. Mulholland filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes, for the FLORIDA CORPORATE CENTER DRI ("Notice of Change") in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, the Notice of Change proposed an extension of the dates of buildout of development of Phase 1 (including Phase 1A and Phase 1B), Phase 2 and Phase 3 (including Phase 3A and Phase 3B), each by less than three (3) years, as more particularly stated in the Notice of Change; and

WHEREAS, Subsection 380.06(19)(e)2., Florida Statutes, provides that a proposed change which involves an extension of the date of buildout of a development, or any phase thereof, by less than three (3) years is not a substantial deviation and is not subject to a public hearing pursuant to subparagraph 380.06(19)(f)3., Florida Statutes, or a determination pursuant to subparagraph 380.06(19)(f)5., Florida Statutes.

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

1. The following findings of fact are made:
 - a. Richard R. Mulholland submitted to Hillsborough County the Notice of Change, which is attached hereto as Exhibit 1 and incorporated herein, which requested an extension of the dates of buildout of development of Phase 1 (including Phase 1A and Phase 1B), Phase 2 and Phase 3 (including Phase 3A and Phase 3B), each by two (2) years, eleven (11) months and fifteen (15) days (the "Proposed Change").
 - b. In accordance with Subsection 380.06(19)(e)2., Florida Statutes, the Proposed Change is not a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes, and is not subject to a public hearing pursuant to Subparagraph 380.06(19)(f)3., Florida Statutes, or a determination pursuant to Subparagraph 380.06(19)(f)5., Florida Statutes.

c. All statutory procedures have been adhered to.

d. The findings of fact and conclusions of law made in the Development Order are incorporated herein by reference.

2. The Development Order is hereby amended to extend the dates of buildout of development of Phase 1 (including Phase 1A and Phase 1B), Phase 2 and Phase 3 (including Phase 3A and Phase 3B), each by a period of two (2) years, eleven (11) months and fifteen (15) days. Accordingly, the Development Order is further amended to incorporate the Revised Phasing Schedule, attached hereto as Exhibit 2, which reflects such extensions of dates of buildout.

3. The Development Order is hereby reaffirmed in its entirety except as amended by this Resolution.

4. The Developer's Certification, attached hereto as Exhibit 3, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

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 Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

7. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, 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 of January 23, 1990, as the same appears of record in Minute Book 164 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 29th day of January, 1990.

APPROVED BY COUNTY ATTORNEY

BY: John P. Wall
Approved As To Form And
Legal Sufficiency.

RICHARD AKE, CLERK

By: Judith M. Nichols
Deputy Clerk

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

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

PREPARED FOR:

**RICHARD MULHOLLAND PROPERTIES, INC.
101 EAST KENNEDY BOULEVARD
SUITE 3900
TAMPA, FLORIDA 33602**

PREPARED BY:

**DAMES & MOORE
ONE NORTH DALE MABRY HIGHWAY
SUITE 700
TAMPA, FLORIDA 33609**

DECEMBER 13, 1989

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF STATE PLANNING
2470 Centerview Drive - Rhyne Building
Tallahassee, Florida 32399
(904) 488-4925

BRM-08-86

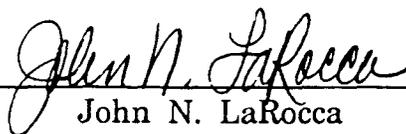
NOTIFICATION OF A PROPOSED CHANGE
TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06 (19), FLORIDA STATUTES

Subsection 380.06 (19), Florida Statutes (1985), requires that submittal of a proposed change to a previously approved D R I be made to the local government, the regional planning council, and the state land planning agency according to this form.

1. I, John N. LaRocca, the undersigned Authorized Agent for Richard R. Mulholland, hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06 (19), Florida Statutes (1985). In support thereof, I submit the following information concerning the Florida Corporate Center 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.

12-13-89

(Date)



John N. LaRocca
Authorized Agent for
Richard R. Mulholland

2. Applicant (name, address, phone)

Richard R. Mulholland
101 E. Kennedy Boulevard, Suite 3900
Tampa, Florida 33602
(813) 221-6761

3. Authorized Agents (name, address, phone)

Macfarlane, Ferguson, Allison & Kelly
Post Office Box 1531
Tampa, Florida 33601
(813) 223-2411
David M. Mechanik, Esquire

Dames & Moore
One North Dale Mabry Highway
Suite 700
Tampa, Florida 33609
(813) 875-1115
c/o John N. LaRocca

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

The Florida Corporate Center DRI is located in the central portion of unincorporated Hillsborough County, encompassing parts of Section 32, Township 29 South, Range 29 East.

5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, buildout date, development order conditions and requirements, or in the representations contained either in 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 to clarify the nature of the change or the resulting impacts.

Pursuant to Section 380.06 (19)(e)(2), Florida Statutes as amended, the developer wishes to extend the date of buildout of development and of all

intermediate phases thereof each by a period of two years, eleven months and 15 days. Section 380.06(19)(e)(2) deems such extensions not to be substantial deviations within the meaning of sub-section 380.06(19).

6. Complete the following table for all land use types approved in the development. If no change is proposed or has occurred, please indicate no change.

SUBSTANTIAL DEVIATION CHART

Type of Land Use	Proposed Change	Presently Approved Plan	Proposed Plan
Attraction/ Recreation	# Parking spaces	*	**
	# Spectators	*	**
	# Seats	*	**
	Site Locational Changes	*	**
	Acreage, including drainage, ROW, easements, etc.	*	**
	# External Vehicle Trips	*	**
	D.O. Conditions	*	**
	ADA Representations	*	**
Airports	Runway (length)	*	**
	Runway (strength)		
	Terminal (gross square feet)	*	**
	# Parking spaces	*	**
	# Gates	*	**
	Apron Area (gross square feet)	*	**
	Site Locational Changes	*	**
	Airport Acreage, including drainage, ROW, easements, etc.	*	**
	# External Vehicle Trips	*	**
	D.O. Conditions	*	**
ADA Representations	*	**	
Hospitals	# Beds	**	**
	# Parking Spaces	*	**
	Building (gross square feet)	*	**
	Site Locational Changes	*	**
	Acreage, including drainage, ROW, easements, etc.	*	**
	# External Vehicle Trips	*	**
	D.O. Conditions	*	**
ADA Representations			
Industrial	Acreage, including drainage, ROW, easements, etc.	*	**
	# Parking spaces	*	**
	Building (gross square feet)	*	**
	# Employees	*	**
	Chemical storage (barrels and lbs.)		
	Site Locational Changes	*	**
	# External Vehicle Trips	*	**
	D.O. Conditions	*	**
	ADA Representations	*	**

SUBSTANTIAL DEVIATION CHART (Con't.)

Type of Land Use	Proposed Change	Presently Approved Plan	Proposed Plan
Mining Operations	Acreage mined (year)	*	**
	Water Withdrawal (Gal/day)	*	**
	Size of Mine (acres), including drainage, ROW, easements , etc.	*	**
	Site Locational Changes	*	**
	# External Vehicle Trips	*	**
	D.O. Conditions	*	**
	ADA Representations	*	**
Office	Acreage, including drainage, ROW, easements , etc.	*	**
	Building (gross square feet)	*	**
	# Parking spaces	*	**
	# Employees	*	**
	Site Locational Changes	*	**
	# External Vehicle Trips	*	**
	D.O. Conditions	*	**
	ADA Representations	*	**
Petroleum/Chem. Storage	Storage Capacity (barrels and/or lbs.)	*	**
	Distance to Navigable Waters (feet)	*	**
	Site Locational Changes	*	**
	Facility Acreage, including drainage, ROW easements , etc.	*	**
	# External Vehicle Trips	*	**
	D.O. Conditions	*	**
	ADA Representations	*	**
Ports (Marinas)	# Boats, Wet Storage	*	**
	# Boats, Dry Storage	*	**
	Dredge and Fill (cu. yds.)	*	**
	Petroleum Storage (gals.)	*	**
	Site Locational Changes	*	**
	Port Acreage, including drainage, ROW, easements , etc.	*	**
	# External Vehicle Trips	*	**
	D.O. Conditions	*	**
ADA Representations	*	**	
Residential	# Dwelling Units	*	**
	Type of Dwelling Units	*	**
	# Lots	*	**
	Acreage, including drainage, ROW, easements , etc.	*	**
	Site Locational Changes	*	*
	# External Vehicle Trips	*	*
	D.O. Conditions	*	*
ADA Representations	*	*	
Wholesale/Retail/Service	Acreage, including drainage, ROW, easements , etc.	*	*
	Floor Space (gross square feet)	*	*
	# Parking spaces	*	*
	# Employees	*	*
	Site Locational Changes	*	*
	# External Vehicle Trips	*	*
	D.O. Conditions	*	*
	ADA Representations	*	*

SUBSTANTIAL DEVIATION CHART (Con't.)

Type of Land Use	Proposed Change	Presently Approved Plan	Proposed Plan
Hotel/Motel	# Rental Units	*	**
	Floor Space (gross square feet)	*	**
	# Parking Spaces	*	**
	# Employees	*	**
	Site Locational Changes	*	**
	Acreage, including drainage, ROW easements, etc.	*	**
	# External Vehicle Trips	*	**
	D. O. Conditions	*	**
	ADA Representations	*	**
R.V. Park	Acreage, including drainage, ROW, easements , etc.	*	**
	# Parking spaces	*	**
	Buildings (gross square feet)	*	**
	# Employees	*	**
	Site Locational Changes	*	**
	# External Vehicle Trips	*	**
	D.O. Conditions	*	**
	ADA Representations	*	**
Open Space (All natural and vegetated non-impervious surfaces)	Acreage	*	**
	Site Locational Changes	*	**
	Type of Open Space	*	**
	D.O. Conditions	*	**
	ADA Representations	*	**
Preservation, Buffer or Special Protection Areas	Acreage	*	**
	Site Locational Changes	*	**
	Development of Site Proposed	*	**
	D.O. Conditions	*	**
	ADA Representations	*	**

NOTES:

- * Other than the graphic modifications described in Question 7, no changes to the original approval have previously been requested.
- ** This is a proposal for time extension only. No changes to the presently approved site plan are being requested.

7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved D R I 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 D R I development order for the project ?

On June 21, 1988, a modification to the originally certified General Site Plan was approved by Resolution # R88-0179. The modification amended the General Site Plan to provide for the realignment of internal roadways and the

relocation of access points along Providence Road. This change also included the relocation of some of the internal land use parcels, retention lakes, and mitigation areas to accommodate the roadway realignments. However, these graphic modifications did not necessitate any changes to the conditions of approval for development cited within the development order (Hillsborough County Resolution # R83-0164). Furthermore, there has been no change in local government jurisdiction for any portion of the development site.

8. **Describe any lands purchased or optioned within 1/4 mile of the original DRI development order. Identify such land, its size, and intended use on a project master site plan or other map.**

Richard R. Mulholland has acquired an approximately 50 acre tract adjacent to and west of the subject D R I site. Exhibit 1 of this document contains a legal description and depicts the location of the property. There are no current plans for future development. The property is being held for investment purposes. The 1987 DRI Annual Report included the same information provided herein.

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:

9. **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.**

Not applicable.

10. **Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify :**
 - a. **All proposed specific changes to the nature, phasing, and build-out date of the development ; to development order conditions and requirements ; to commitments and representations in the Application for Development Approval ; to the acreage attributable to each described proposed**

change of land use, open space, areas 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 ;

The developer proposes to extend the date of buildout of development, and all of intermediate phases thereof, each by two years, eleven months and 15 days (see attached proposed resolution for precise language of amendment).

- 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 ;**

Not applicable.

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

Not applicable.

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

Not applicable

- e. A proposed amended development order date to 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**

Not applicable.

- 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.

- 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 2

REVISED PHASING SCHEDULE *

(1993)

PHASE 1

Office	615,000 s.f.
Distribution/L. Industrial	1,116,000 s.f.
Community Commercial	90,000 s.f.

PHASE 1A - 910,500 s.f. of the uses allowed in Phase 1

PHASE 1B - 910,500 s.f. of the uses allowed in Phase 1

(1998)

PHASE 2

Office	449,000 s.f.
Distribution/L. Industrial	815,000 s.f.
Community Commercial	-0-

(2003)

PHASE 3

Office	378,000 s.f.
Distribution/L. Industrial	687,000 s.f.
Community Commercial	310,000 s.f.

PHASE 3A - 1,075,000 s.f. of the uses allowed in Phase 3

PHASE 3B - 300,000 s.f. of the uses allowed in Phase 3

TOTAL

Office	1,442,000 s.f.
Distribution/L. Industrial	2,618,000 s.f.
Community Commercial	400,000 s.f.

* The Phasing Schedule in effect prior to the adoption of this Revised Phasing Schedule provided that the buildout of Phase 1 (including Phase 1A and Phase 1B), Phase 2 and Phase 3 (including Phase 3A and 3B) would occur, respectively, in 1990, in 1995 and in 2000. This Revised Phasing Schedule shall be construed to extend the previous dates of buildout of development of Phase 1 (including Phase 1A and Phase 1B), Phase 2 and Phase 3 (including Phase 3A and Phase 3B), each by a period of two (2) years, eleven (11) months and fifteen (15) days.

Exhibit 3

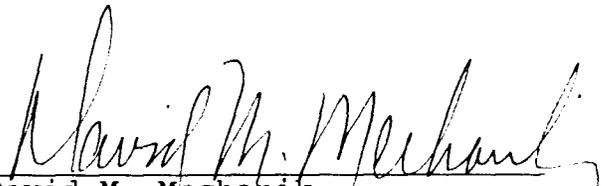
AFFIDAVIT

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths, and take acknowledgments, personally appeared David M. Mechanik, as attorney for Richard R. Mulholland, the applicant of the Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes for the Florida Corporate Center DRI #93 ("Notice of Change"), to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Richard R. Mullholland filed the Notice of Change on December 14, 1989.
2. The Notice of Change was filed with all persons as required by law.


David M. Mechanik
Attorney for Richard R.
Mulholland

Sworn to and subscribed before me this 11th day of January, 1990.


Notary Public

(Notarial Seal)

My Commission Expires:

NOTARY PUBLIC, State of Florida
My Commission Expires Feb. 7, 1993

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



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

CERTIFIED MAIL

July 21, 1988

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida 33702

Attn: Julia Greene
Executive Director

Re: Resolution No. R88-0179 - DRI #93 Amended Development
Order - Florida Corporate Center

Dear Ms. Greene:

Enclosed please find an executed original copy of the subject
Resolution, with attachments, which was adopted by the
Hillsborough County Board of County Commissioners on June 21,
1988.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: Edna L. Fitzpatrick
Edna L. Fitzpatrick
Deputy Clerk

ELF/lt

cc: Board files (1 orig.)
State of Florida, Dept. of Community Affairs
Richard R. Mulholland, Applicant
Florida Land Design & Engineering, Inc., Authorized Agent
Anita Bing, Assistant County Attorney
Raul Quintana, Zoning Technician, Planning & Zoning

Enclosures

RESOLUTION #R88-0179

DRI #93 AMENDED DEVELOPMENT ORDER - FLORIDA CORPORATE CENTER

Upon motion by Commissioner Talley , seconded by Commissioner Poe , the following resolution was adopted on this 21st day of June, 1988.

WHEREAS, on December 21, 1983, the Board of County Commissioners approved a Development Order, Resolution #R83-0164 for the Florida Corporate Center Development of Regional Impact, hereinafter referred to as Florida Corporate Center.

WHEREAS, on April 21, 1988, Florida Corporate Center requested an Amendment to the Order, in a document attached hereto as Exhibit "A" and made part hereof by reference (the "Proposed Amendment"); and

WHEREAS, the Proposed Amendment requests a modification to the originally certified General Site Plan to allow for realignment of internal roadways and a relocation of access points along Providence Road as well as the relocation of some of the internal land use parcels, retention lakes and mitigation areas; and

WHEREAS, the Proposed Amendment also requests that interim agricultural uses be allowed while research corporate park uses progress; and

WHEREAS, in the course of amending the Development Order, the Hillsborough County Board of County Commissioners must make a substantial deviation determination.

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

1. That the following findings of fact are made:
 - a. The amendment of the Development Order, attached hereto as Exhibit "A", and as depicted on the site plan attached as Exhibit "B" does not constitute a substantial deviation under Florida Statute 380.06.
 - b. All statutory procedures have been adhered to.
 - c. The findings of fact made in the original Development Order are incorporated herein by reference.
2. That the Florida Corporate Center Development Order approved by Resolution No. R-83-0164 is hereby amended as provided in Exhibit "A" attached hereto and made a part hereof, and as depicted on the site plan attached as Exhibit "B".
3. That Resolution No. R83-0164 is hereby reaffirmed in its entirety except as amended herein, and the Clerk is directed to include as part of this Development Order Amendment, Resolution No. R83-0164 along with attachments and/or a certificate from the developer affirming that a complete copy of the applications as modified has been delivered to all of the parties, as listed on the notice of proposed change.
4. Upon adoption, this Resolution shall be transmitted by the Ex-Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, 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 of June 21, 1988, as the same appears of record in Minute Book 145 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 21st day of July, 1988.

RICHARD AKE, CLERK

BY: Edna L. Fitzpatrick
Deputy Clerk

APPROVED BY CLERK OF THE CIRCUIT COURT
BY Anita L. Big
Approved As To Form and
Legal Sufficiency.

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF RESOURCE MANAGEMENT
2571 Executive Center Circle, East
Tallahassee, Florida 32399
(904) 488-4925

BRM-08-86

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 (1985), 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, John N. LaRocca, the undersigned Authorized Agent for Richard R. Mulholland hereby give notice of a change to a previously approved Development of Regional Impact in accordance with Subsection 380.06 (19), Florida Statutes (1985). In support thereof, I submit the following information concerning the Florida Corporate Center 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 State Planning, Department of Community Affairs.

4/21/88

(Date)



John N. LaRocca

John N. LaRocca
Authorized Agent for
Richard R. Mulholland

XII a (4)

2. Applicant: Mr. Richard R. Mulholland
101 E. Kennedy Blvd., Suite 3900
Tampa, FL 33602
(813) 221-6761
3. Authorized Agent(s): Florida Land Design & Engineering, Inc.
One North Dale Mabry
Suite 700
Tampa, FL 33609
(813) 875-1115
c/o Mr. John N. LaRocca, Principal
4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

Florida Corporate Center (FCC) is generally located within Section 32, Township 29 South, Range 20 East in the unincorporated area of Hillsborough County.

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 in 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 to clarify the nature of the change or the resulting impacts.

The originally certified General Site Plan, (attached as Exhibit 1), is proposed to be modified to allow for a realignment of internal roadways and a relocation of access points along Providence Road. Land use parcels, retention lakes, and mitigation areas are proposed to be relocated to accommodate the roadway realignments. Exhibit 2 depicts the proposed changes.



As a result of recent plans of the County and the applicant's coordination with applicable Hillsborough County departments, the applicant is proposing these refinements to the original site plan. When completed, a north-south road will provide a parallel facility to Interstate 75. In addition, the internal east-west collector has been realigned to better serve adjacent properties to provide access to the existing roadway network.

The proposed roadway realignments will also result in the modification of four parcels along Causeway Boulevard as follows:

- Parcels 1 and 2 on Exhibit 1 are renumbered as Parcel 9 on Exhibit 2 and are modified to include Commercial uses in addition to Research Corporate Park uses; and
- The commercial parcel centered between the two access roads from Causeway Blvd. on Exhibit 1 is numbered Parcel 3 on Exhibit 2 and is designated as Research Corporate Park; and
- The westernmost commercial parcel on Exhibit 1 is divided into two commercial parcels on Exhibit 2 (designated as Commercial Parcels 1 and 2) and is relocated slightly to the south of its present location.



XII a (6)

The proposed changes described above are currently under review by the Hillsborough County Planning and Zoning Department as a rezoning application to amend the original "Community Unit" zoning district to a "Planned Development - Mixed Use" district. The public hearing is scheduled for May 24, 1988.

The rezoning petition addresses an additional issue which is not pertinent to this notice of proposed change to the DRI but is offered here for your information. The petition requests that interim agricultural uses be allowed while research corporate park uses progress. The utilization of these interim agricultural uses are exempt from DRI review in accordance with Section 380.04(3)(e) of the 1987 Florida Statutes.

6. Complete the following table for all land use types approved in the development. If no change is proposed or has occurred, please indicate no change.

(See following page)



SUBSTANTIAL DEVIATION CHART

EXCERPTED FROM FORM BRM-08-86)

TYPE OF LAND USE	PROPOSED CHANGE	LAST APPROVAL NUMBER	PROPOSED NUMBER	
Research Corporate Park	Acreage, including drainage, ROW, easements, etc.		*(1)	
	Building (gross square feet)		*	
	# Parking Spaces		*	
	# Employees		*	
	Site locational changes		*	
	# External Vehicle Trips		*	
	D.O. Conditions		*	
	ADA Representations		*	
	Commercial	Acreage, including drainage, ROW, easements, etc.		*
		Floor Space (gross square feet)		*
# Parking Spaces			*	
# Employees			*	
Site locational changes			*	
# External Vehicle Trips			*	
D.O. Conditions			*	
ADA Representations			*	
Open Space (All natural and vegetated non-impervious surfaces)		Acreage		*(1)
		Site locational changes		*
	Type of open space		*	
	D.O. Conditions		*	
	ADA Representations		*	

* No change is proposed. The proposed modifications to the DRI relate to the realignment of the main internal roadways. The applicant does not propose any changes to the amount and type of development or the General Project Description provided in the original DRI-ADA. The conditions of approval for development cited in the Development Order, Hillsborough County Resolution No. R83-0164, are still applicable.

*(1) Field surveys of the Conservation Areas (wetlands) have increased the total acreage of these areas from 22.2 acres identified on Exhibit 1 dated January 2, 1985 to 39.7 shown on Exhibit 2 dated March 9, 1988. The additional wetland acreage has been accounted for by a reduction in the Research Corporate Park and Right-of-Way acreages.



XII a (8)

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?

No other requests for proposed modifications for substantial deviation determination or incremental DRI applications have been filed with the local government. Further, there has been no change in local government jurisdiction for any portion of the development site.

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 on a project master site plan and map.

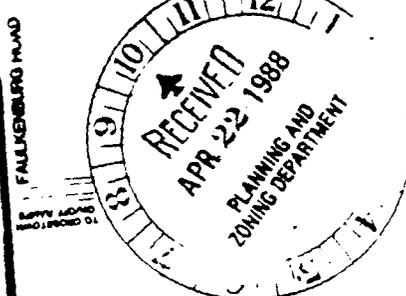
Richard R. Mulholland has acquired an approximately 50 acre tract adjacent to and west of the subject DRI site. Exhibit 3 contains a legal description and depicts the location of the property. There are no current plans for future development. The property is being held for investment purposes. The 1987 DRI Annual Report included the same information provided herein.



DS:kc
10927.28
(10927.28R - RPTS#9)

XII a (9)

FLORIDA LAND DESIGN
& ENGINEERING, INC.



FLORIDA CORPORATE CENTER

FLORIDA CORPORATE CENTER, INC.

MASTER DEVELOPMENT PLAN

LAND USE SCHEDULE

CATEGORY	NET ACRES	UNITS
RESEARCH CORPORATE PARK	2215	4060000
COMMERCIAL (40 GROSS ACRES)	380	400000
LANDSCAPE BUFFER	312	
CORPORATION	272	
LAKE'S	427	
INTERNAL ROADWAY ROW	106	
EXTERNAL ROADWAY ROW	318	
TOTAL	4000	

Exhibit 1

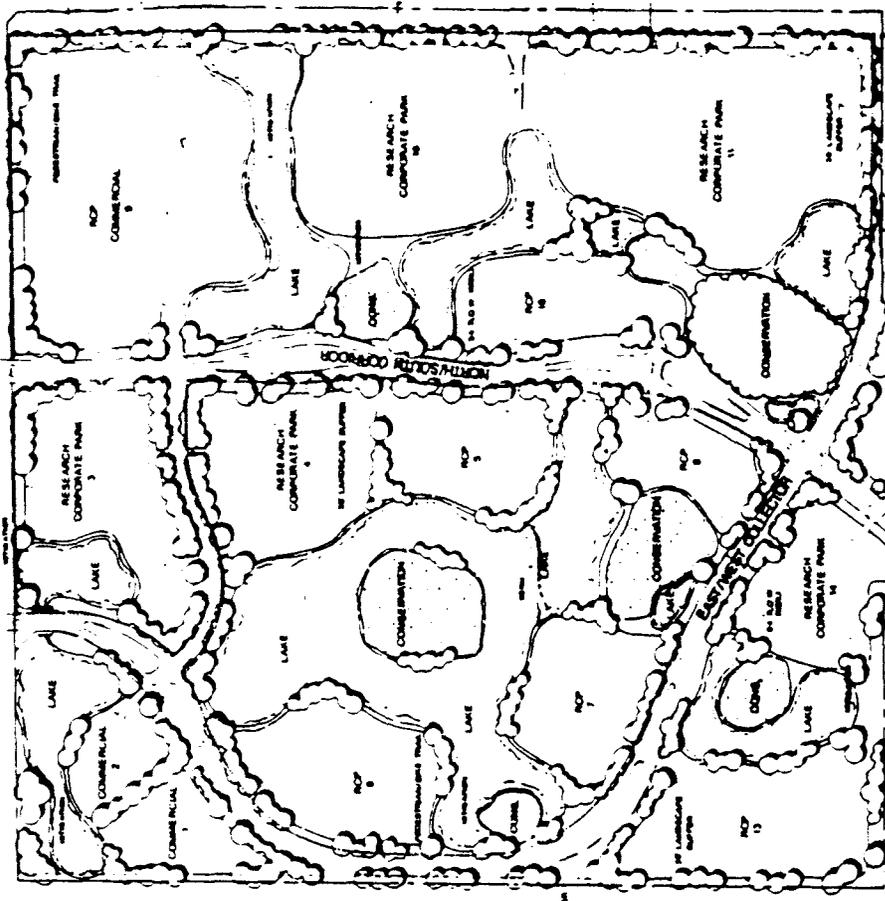
XII a (10)

11500 N. AVENUE

FLORIDA CORPORATE CENTER

FLORIDA CORPORATE CENTER, INC.

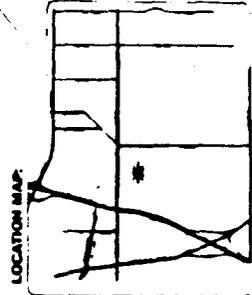
GENERAL SITE DEVELOPMENT PLAN



LEGAL DESCRIPTION

THE S.W. 1/4 OF SECTION 28, TOWNSHIP 28 N., RANGE 17 W., CO. 11, FLA.

AS SHOWN ON PLAT OF THE FLORIDA CORPORATE CENTER, INC., RESEARCH CORPORATE PARK, NO. 1, DATED 11/15/83, AND AS SHOWN ON PLAT OF THE FLORIDA CORPORATE CENTER, INC., RESEARCH CORPORATE PARK, NO. 2, DATED 11/15/83, AND AS SHOWN ON PLAT OF THE FLORIDA CORPORATE CENTER, INC., RESEARCH CORPORATE PARK, NO. 3, DATED 11/15/83, AND AS SHOWN ON PLAT OF THE FLORIDA CORPORATE CENTER, INC., RESEARCH CORPORATE PARK, NO. 4, DATED 11/15/83, AND AS SHOWN ON PLAT OF THE FLORIDA CORPORATE CENTER, INC., RESEARCH CORPORATE PARK, NO. 5, DATED 11/15/83, AND AS SHOWN ON PLAT OF THE FLORIDA CORPORATE CENTER, INC., RESEARCH CORPORATE PARK, NO. 6, DATED 11/15/83, AND AS SHOWN ON PLAT OF THE FLORIDA CORPORATE CENTER, INC., RESEARCH CORPORATE PARK, NO. 7, DATED 11/15/83, AND AS SHOWN ON PLAT OF THE FLORIDA CORPORATE CENTER, INC., RESEARCH CORPORATE PARK, NO. 8, DATED 11/15/83, AND AS SHOWN ON PLAT OF THE FLORIDA CORPORATE CENTER, INC., RESEARCH CORPORATE PARK, NO. 9, DATED 11/15/83, AND AS SHOWN ON PLAT OF THE FLORIDA CORPORATE CENTER, INC., RESEARCH CORPORATE PARK, NO. 10, DATED 11/15/83, AND AS SHOWN ON PLAT OF THE FLORIDA CORPORATE CENTER, INC., RESEARCH CORPORATE PARK, NO. 11, DATED 11/15/83, AND AS SHOWN ON PLAT OF THE FLORIDA CORPORATE CENTER, INC., RESEARCH CORPORATE PARK, NO. 12, DATED 11/15/83.



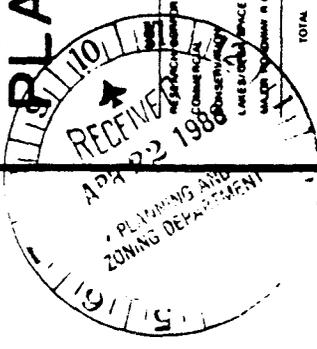
LAND USE SCHEDULE

LAND USE	ACRES	GROSS SQUARE FEET	F.A.R.
RESEARCH CORPORATE PARK	201.1	4,000,000	2.0
COMMERCIAL	10.0	400,000	2.0
CONVENTIONAL OFFICE	39.7	1,588,000	4.0
MAINTENANCE BLDG. P.O.M.	73.2	1,464,000	2.0
TOTAL	400.0	7,452,000	

NOTES:

1. ALL UTILITIES TO BE DELETED AND RELOCATED AS SHOWN ON THE UTILITIES MAP.
2. ALL EXISTING UTILITIES TO BE DELETED AND RELOCATED AS SHOWN ON THE UTILITIES MAP.
3. ALL EXISTING UTILITIES TO BE DELETED AND RELOCATED AS SHOWN ON THE UTILITIES MAP.
4. ALL EXISTING UTILITIES TO BE DELETED AND RELOCATED AS SHOWN ON THE UTILITIES MAP.
5. ALL EXISTING UTILITIES TO BE DELETED AND RELOCATED AS SHOWN ON THE UTILITIES MAP.
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9. ALL EXISTING UTILITIES TO BE DELETED AND RELOCATED AS SHOWN ON THE UTILITIES MAP.
10. ALL EXISTING UTILITIES TO BE DELETED AND RELOCATED AS SHOWN ON THE UTILITIES MAP.
11. ALL EXISTING UTILITIES TO BE DELETED AND RELOCATED AS SHOWN ON THE UTILITIES MAP.
12. ALL EXISTING UTILITIES TO BE DELETED AND RELOCATED AS SHOWN ON THE UTILITIES MAP.

Exhibit 2



FLD&E

Florida Land Design & Engineering, Inc.
 100 North Biscayne Blvd., Suite 2000, Miami, Florida 33132
 (305) 371-1111
 Fax: (305) 371-1112

XII a (11)

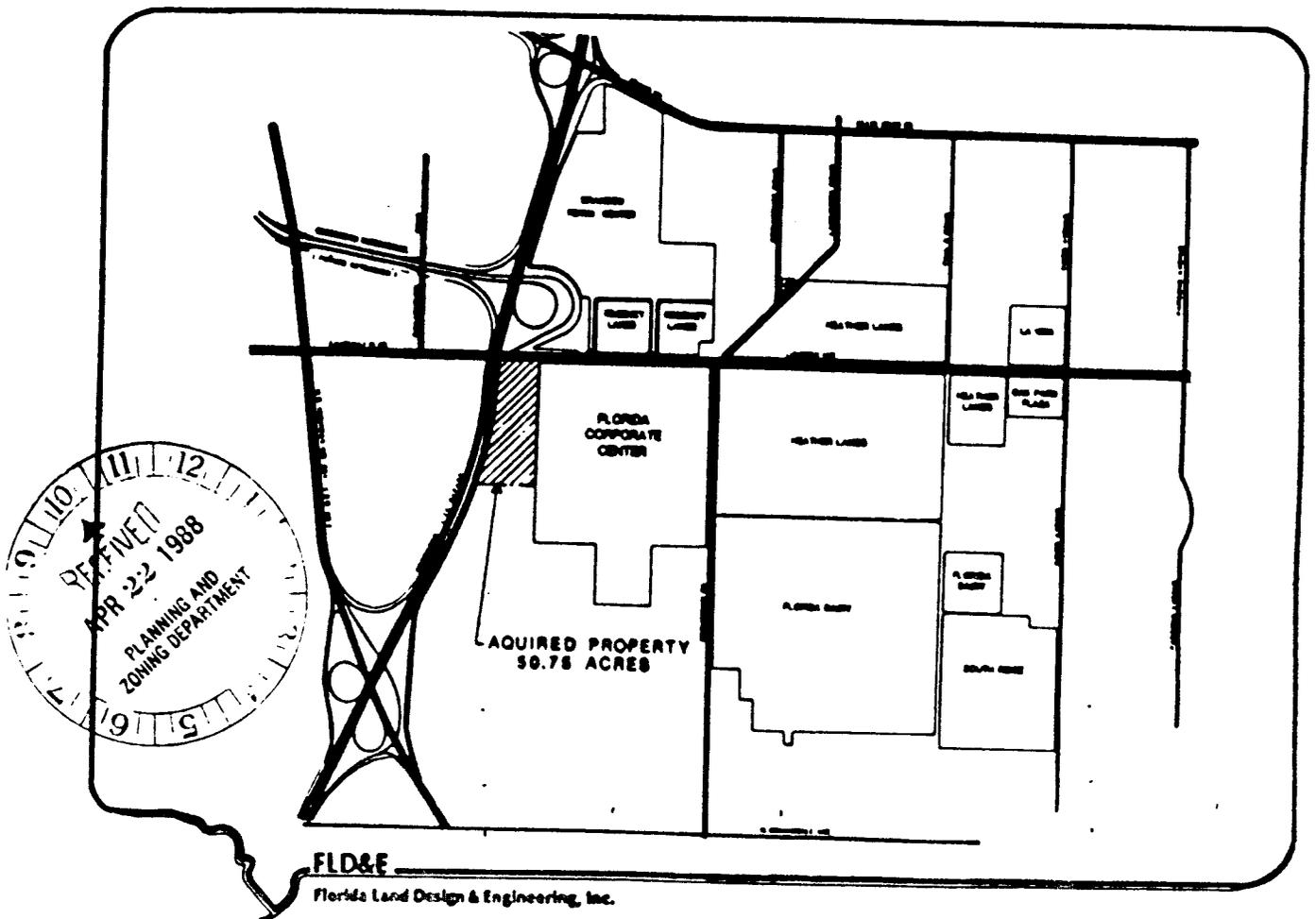
LEGAL DESCRIPTION (as provided by Client):

Tract 16 of South Tampa, as recorded in Plat Book 6, Page 3 of the Public Records of Hillsborough County, Florida in the Northeast 1/4 of Section 31, Township 29 South, Range 20 East, EXCEPT that portion of Tract 16 taken for State Road No. 93A (I-75) and a 100 foot drainage right-of-way as recorded in Civil Action No. 82-8608 of the Circuit Court of Florida in Hillsborough County.

AND ALSO

Tracts 3, 5, 6, 11, 12, 13, and 14 of South Tampa, as recorded in Plat Book 6, Page 3 of the Public Records of Hillsborough County, Florida, in the Northwest 1/4 of Section 32, Township 29 South, Range 20 East, EXCEPT that portion of Tract 3 deeded to Hillsborough County, Florida, as recorded in O.R. Book 1570, Page 953 of the Public Records of Hillsborough County, Florida, ALSO EXCEPT those portions of Tract 3, 5, 6, 12, and 13 taken for State Road No. 93A (I-75) and a 100 foot drainage right-of-way as recorded in Civil Action No. 82-8608 of the Circuit Court of Florida in Hillsborough County.

Containing 50.75 acres, more or less.



Resolution No. R83-0164

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
DRI #93
DEVELOPMENT ORDER

Upon motion of Commissioner, Jetton, seconded by Commissioner, Paulk, the following resolution was adopted this 21st day of December, 1983:

WHEREAS, on October, 1982, Florida Corporate Center, Inc. filed an application for development approval of a development of regional impact with the Hillsborough County Board of County Commissioners pursuant to the provisions of Section 380.06, Florida Statutes; and,

WHEREAS, said application proposed construction of a research corporate park located in eastern Hillsborough County, hereinafter referred to as Florida Corporate Center; and,

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

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

WHEREAS, the Board of County Commissioners has on April 11, May 9, June 20, August 15, 29, September 12, 26, October 11, Nov. 2, 23, Dec. 7, 13, 21, 1983 held a duly noticed public hearing on said application for development approval and has heard and considered testimony and documents received thereon; and,

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

WHEREAS, Hillsborough County has solicited, received and considered reports, comments and recommendations from interested citizens, County and City agencies as well as the review and report of Hillsborough County Administration.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. Florida Corporate Center, Inc., hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, an application for development approval and sufficiency response which are attached hereto and marked Composite Exhibit A and incorporated herein by reference. Hereinafter, the word "application" shall refer to the application for development approval, and the sufficiency response.

B. The real property which is the subject of the application for development approval is legally described as set forth in Composite Exhibit A, attached hereto and made a part hereof by reference.

C. The proposed development is not an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes.

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

E. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council.

II. CONCLUSIONS OF LAW

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

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

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

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

B. In considering whether the development should be approved subject to conditions, restrictions and limitations, Hillsborough County has considered the criteria stated in subsection 380.06 (13), Florida Statutes.

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

D. The application for development approval is approved subject to all terms and conditions of this Development Order.

III. GENERAL PROVISIONS

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

B. All provisions contained within the application marked "Composite Exhibit A" 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 Hillsborough County in response to the application for development approval for the Florida Corporate Center Development of Regional Impact.

D. The definitions contained in Chapter 380, Florida Statutes (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 Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no matter 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 directly affected government agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough 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 Florida Corporate Center, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private 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, which approval shall not be unreasonably withheld.

I. Development activity constituting 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 Regional Planning Council shall result in further development of regional impact review pursuant to law and may if permitted by law in effect at the time result in Hillsborough County ordering a termination of development activity pending such review.

J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. 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.

K. The Developer shall file an annual report in accordance with Section 380.06 (16), Florida Statutes (1981), and appropriate rules and regulations. Such report shall be due on the anniversary of the effec-

tive date of this Development Order 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 the 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. This report shall contain:

1. The information required by the State Land Planning Agency to be included in the Annual Report, which information is described in the Rules and Regulations promulgated by the State Land Planning Agency pursuant to Section 380.06, Florida Statutes; and

2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately following to the submittal of the annual report; and

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; and

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

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

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. Upon adoption, the Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the Developer.

IV. CONDITIONS

A. Public Facilities

1. Prior to issuance of Detailed Site Plan Approval for each Phase of the development, the Developer shall provide to Hillsborough County Department of Development Coordination verification that adequate police, fire service and emergency medical service facilities are available to serve the described Phase.

2. The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said Ordinance.

3. No Detailed Site Plan Approval shall be granted without an approved, permitted wastewater collection system, and sufficient treatment and effluent disposal capacity for that portion of the building construction. Approvals shall be obtained from all appropriate local and state agencies. Documentation of these approvals shall be provided to the Department of Development Coordination prior to Detailed Site Plan Approval. Developer shall participate in County programs designed to maximize the use of effluent for non-potable uses, by providing reasonable open space.

4. No building permits shall be issued without an approved, permitted potable water distribution system and available capacity for that portion of the building construction. Approvals shall be obtained from all appropriate local and State agencies.

B. Energy

The Developer shall encourage, within operating and construction budget constraints, the following energy management/conservation measures:

1. Landscape parking lots and building to improve energy conservation. Prior to detailed site plan approval for each Phase of the development, the Developer shall provide a detailed landscape plan indicating the areas and quantities of landscaped materials to be provided, which plan will meet or exceed the then existing landscape ordinance of Hillsborough County. It is the intent of this paragraph that compliance with the then existing landscape ordinance is not to be governed by operating and construction budget constraints.

2. Use of low pressure sodium vapor lighting in parking areas.

3. Use of energy conservation features and techniques for interior and exterior building design, including passive solar orientation of buildings.

4. Use of individual electrical meters for each occupant company as opposed to master meter for the entire building.

5. Use of alternate transportation methods such as car-pooling vans and mass transit.

6. Appointment of energy manager for each land purchaser.

C. Wetlands/Wildlife

1. All viable wetlands within the project, as delineated by the Hillsborough County Environmental Protection Commission, shall be preserved and shall be delineated on site plans and plats as "conservation areas". Those areas which have been previously altered and are no longer viable "conservation" areas, as delineated by the Hillsborough County Environmental Protection Commission, may be removed. These altered wetlands shall be replaced with an equivalent ecosystem on a minimum acre-for-acre basis elsewhere on the site and shall be designated as "conservation areas."

The project's stormwater drainage system may incorporate wetlands on-site, but no direct discharge from any impervious surfaces shall be permitted into any wetland which is designated as a "conserva-

tion" area. The project's stormwater system shall be designed to maintain the existing hydro-period of all "conservation areas" on-site, unless otherwise approved by the Hillsborough County Environmental Protection Commission. The total stormwater management system, including lakes, swales, and wetland areas shall be designed and maintained in conformance with applicable law. The Developer shall preserve wetland habitats supporting the identified endangered and threatened species and species of special concern. All impervious surfaces shall be setback a minimum of thirty (30) feet from all areas designated as "conservation areas".

D. Water Quantity

Floor elevations of all habitable space shall be at or above the 100 year flood elevation.

E. Historical/Agricultural

Any historical or archaeological resources found during construction shall be reported to the Florida Division of Archives, History and Records Management, and the disposition of such resources will be determined in cooperation with the Division of Archives and Hillsborough County. This condition shall not restrict the applicant from developing elsewhere on the property.

F. Water Quality

A surface water quality monitoring program shall be conducted by the applicant to monitor any potential impact of the project on DeLaney Creek and Archie Creek. Samples shall be collected on a monthly basis from all three on-site discharge points throughout the project's site improvements (road, drainage, sewer and water installation). One sampling interval shall be scheduled prior to the commencement of any project construction. Samples shall be collected on the same date each month, whenever possible. Daily rainfall data from the closest available weather reporting station shall be provided to correlate stream flow with concentrations of specified parameters. Parameters to be measured at each sampling point during each sampling interval are: BOD5, Dissolved Oxygen, Turbidity, Total Nitrogen, Nitrate, Total Phos-

phorus, Oil/Grease, Lead, Temperature, pH and stream flow. The analysis of samples shall be performed by a State Certified Laboratory and reports submitted quarterly to the Hillsborough County Environmental Protection Commission, the Hillsborough County Department of Development Coordination and the Tampa Bay Regional Planning Council. Approval of future development Phases or proposed modifications will be contingent upon the condition that development of this project will not result in further degradation of water quality in the receiving bodies of water.

G. Geology

The Developer shall conduct a lineament study of the property and modify the master development plan as appropriate. The Developer shall submit the lineament study and revised development plans prior to construction of any Phase I activities. Final soil tests should be completed by the Developer and submitted to Hillsborough County as a normal part of Hillsborough County development building requirements. Where appropriate, the results of these tests shall be utilized by staff during the construction permitting stages of development.

H. Air Quality

1. The Developer shall not sell or lease any property for any use that is obnoxious or offensive by reason of emission of odors, fumes, dust, smoke, noise, or vibrations. The applicant shall include the above condition in all leases and sales contracts. Where such emissions are unavoidable, that portion of the project shall be subject to further review by Hillsborough County; and

2. The Developer shall also:

a. Undertake chemical stabilization over heavily travelled primary haul route road sections as necessary; and

b. Undertake mid-weekly cleaning of dirt during construction off paved roads adjacent to the site or as required by grading permit; and

c. Wherever possible use selective clearing to allow natural seeding to stabilize the disturbed soil and berms to minimize wind erosion; and

d. Water all dirt roads as necessary; and

- e. Develop asphalt roads as soon as practical; and
- f. Stage clearing of lands within development areas to reduce land opened and exposed to windy conditions; and
- g. Undertake watering and spraying at all stages of clearing to insure dust control; and
- h. Undertake mulching, seeding and sodding as soon as possible after final grading is completed; and
- i. Undertake progressive development of roadways, landscaping and buildings for purposes of reducing fugitive dust emissions.

I. Maintenance Functions

- 1. The Developer, his assigned agents or successors shall be responsible for the maintenance of all open space/recreational areas and landscaped areas within each phase of the development.
- 2. Those portions of the stormwater drainage system and retention and detention ponds not dedicated to Hillsborough County shall remain the responsibility of the Developer, his assigned agents or his successors.
- 3. The Developer, his assigned agents or successors shall undertake parking lot sweeping as a routine maintenance function.
- 4. The Developer, his assigned agent or successor shall be responsible for the operation and maintenance of all on-site wells and landscape irrigation systems.

J. Erosion Control

Developer shall utilize the following practices to prevent potential pollutants from leaving the construction site:

- 1. Straw filter barriers and/or filter fabric at discharge points including temporary discharge points; and
- 2. Temporary sediment basins and perimeter dike systems to be installed as a first step in the grading process and to be checked and cleaned out regularly.

K. Drainage

1. Final master and detailed drainage plans shall be based on volume sensitive drainage criteria as established by the Hillsborough County Engineering Department.

2. Peak allowable discharge off the developed site based on the most critical 25 year storm may not exceed the existing peak discharge from the site based on the most critical 10 year storm.

3. The existing volume of runoff from the undeveloped site based on a 25 year-24 hour storm may not be exceeded in the first 24 hours of a 25 year-24 hour storm over the developed site.

4. All 25 year flood plain storage on the existing site that is filled in must be mitigated with an equal volume on site.

5. Currently the County has drainage standards and criteria generally applicable to development, which standards and criteria may from time to time be amended. Accompanying these general regulations are specific drainage standards contained in this Order which standards are site specific and are designed to remedy unique drainage issues associated with this project. In the event the County should develop additional drainage regulations generally applicable to development throughout the Delaney Creek and Archie Creek drainage basins, then the development of this project shall be subject to the terms of said regulations.

6. If a parcel of land lies within the 100 year flood plain, the Developer shall so notify the acquiring entity.

L. Transportation

I. Transportation Impact Analysis Methodology

It is projected that Florida Corporate Center development will substantially impact several regionally significant transportation facilities within the project's impact area. Quantification of the project's impact on area transportation facilities is based on the following methodology. Existing traffic volumes on roadways in the impact area were determined by physically counting traffic on those roadways. Growth factors were then applied to determine the "existing background" traffic for each phase of the development. In addition to existing background traffic, allowances were made for traffic projected to be generated by approved developments which have not been built ("proposed background" traffic). The sum of existing background traffic and proposed background traffic was used as the basis against which traffic generated by each phase of the project was evaluated.

The conditions precedent to consideration of a roadway segment as an element of the total impact of the project are: (a) the project's traffic on the roadway segment must equal or exceed five-percent (5%) of the daily LOS C capacity of the existing roadway, and (b) the Developer's traffic, plus the total background traffic on the roadway segment, must result in a reduction of the level of service on the segment to daily LOS D or worse. If traffic generated by the project phase on the specific road segment satisfies both the above conditions, the Developer's proportionate share of the cost of improving said roadway segment to an acceptable service level shall be considered part of the Developer's total fiscal impact on the transportation system. The proportionate share is calculated by multiplying the project's traffic as a percentage of the daily LOS C capacity of the improved roadway times the cost of the proposed improvement. Not considered as element of the total fiscal impact are improvements which are under construction or which have been assigned a funding commitment in an approved transportation improvements program. The commitments by the Developer or other responsible entities for those transportation system improvements necessary to accommodate each phase of the Florida Corporate Center develop-

ment are identified below. The improvements listed in this development order for the phases are predicated on the Tampa Bay Regional Planning Council's DRI Report dated March 14, 1983 and Hillsborough County's table of of improvements dated November 22, 1983, as shown as Exhibits B and C.

II. Transportation Impact Mitigation Alternatives

The County, cognizant of the need to impose conditions which reasonably mitigate regional transportation impacts, has established three alternatives. Each alternative is sensitive to the Project's impact on the transportation facilities described in Exhibit B and C and is designed to satisfy the requirements of Section 380.06, Florida Statutes.

A. Alternative A: Proportionate Share Contribution

1. The key element of this Alternative is the Developer's proportionate share contribution. The proportionate share is calculated by multiplying the Project's traffic as a percentage of the daily LOS C capacity of the improved roadway times the cost of the proposed improvement, pursuant to the methodology described above.

Implementation of the proportionate share contribution is tied to the Phasing schedule of the Project as described in Exhibits B, C and D. The total proportionate share contribution for the transportation impacts generated by development of the entire project is presently projected to be \$5,351,458.00 based upon the conditions contained herein.

In the event that a transportation study shows that the Florida Department of Transportation or other governmental entity, excluding the County, (subject to the provisions contained herein) should allocate funds in an approved transportation improvement program to cover all or a portion of the costs of any of the road improvements identified in Exhibit B and C, then the Developer shall be entitled to a credit against the total proportionate share in accordance with the provisions contained in paragraph 4, subparagraph f(i), (ii) herein.

In the event that the Developer is able to arrange for participation by private entities, that are involved solely in developing portions of the project in part or all of the construction of Providence Road, the North-South Road, or the East-West Road (as identified herein), the Developer shall still be entitled to full credit for said construction in the same manner as if the Developer had completed said construction itself. If the private entity is involved in the development of land outside the boundaries of the Project and if its participation is required by law to be considered as a credit to said entity's transportation impact, the Developer of the Project shall be entitled to a credit but only in the amount that represents the difference between the credit given the private entity and the cost of construction of the road as identified in Exhibit B and C.

The total amount has been divided into two subtotals which are tied to the Phases described herein.

2. Phases 1, 2, 3A

a. The improvements described in Exhibits B and C are projected to be required to mitigate the Project's transportation impacts combined with proposed and existing background traffic and represent the basis for the computation of the Developer's proportionate share contribution described in paragraph b below.

b. As a condition of the approval of Phase 1, 2 and 3A of the Project the Developer shall assume financial responsibility as set forth below for a portion of the total proportionate share of the cost of construction of improvements to the facilities identified in Exhibits B and C. The Developer's portion of the total proportionate share based upon the methodology contained herein is presently valued at \$4,954,889.00. To discharge its responsibility for this portion of the total proportionate share, the Developer shall make the following contributions to Hillsborough County:

(1) Widening of Providence Road Developer shall unless otherwise required herein design and construct a portion of Providence Road. Said improvement shall consist of constructing a four (4) lane divided, rural road having a forty six (46) foot wide median.

(See Exhibit E attached hereto for approximate location of said improvement.

The Developer shall be under no obligation to build said improvement at any other substantially different location.) The existing Providence Road may be incorporated into the four (4) lane design as the northbound roadway. The southbound roadway shall be constructed west of the existing road. Said improvement shall extend from the intersection with the East-West road described below, not to exceed 3,955 linear feet. All construction shall take place in accordance with County standards relating to roadway design and construction for a minor arterial road section effective as of the date that construction is initiated. The Developer shall dedicate 102 feet of additional right-of-way to Hillsborough County and the County shall thereafter maintain the dedicated facility which includes the pavement and adjacent right-of-way. The total dedicated right-of-way for Providence Road, including the Developers dedicated portion, shall be 200 feet in width. The subject additional 102 feet of right-of-way shall be dedicated prior to issuance of certificates of occupancy for more than 546,300 square feet of Phase 1. The widening of Providence Road as described herein shall be completed prior to issuance of certificates of occupancy for more than 1,456,800 square feet of Phase 1.

(2) North-South Road. Developer shall design and construct a North-South Road as a four-lane divided urban road section with twelve (12) foot wide lanes and a twenty-two (22) foot wide median from Lumsden Road to the East-West Road described below. (See Exhibit E attached hereto for approximate location of said improvements. The Developer shall be under no obligation to build said improvement at any other substantially different location.) All design and construction shall take place in accordance with County standards relating to roadway design and construction for a minor arterial road section effective as of the date that construction is initiated. The right-of-way for the North/South Road shall be dedicated prior to the issuance of certificates of occupancy for more than 252,800 square feet of Phase 2. The dedicated right-of-way shall be ninety-four (94) feet in width. The construction of the North-South Road as described herein shall be completed prior to issuance of certificates of occupancy for more than 1,011,200 square feet of Phase 2.

(3) East-West Road. Developer shall design and construct an East-West Road as a four-lane divided urban road section with twelve (12) foot wide lanes and a twenty-two (22) foot wide median to the North-South Road. (See Exhibit E attached hereto for approximate location of said improvement. The Developer shall be under no obligation to build said improvement at any other substantially different location.) All design and construction shall take place in accordance with County standards relating to roadway design and construction for a minor arterial road section effective as of the date that construction is initiated. The dedicated right-of-way shall be ninety-four (94) feet in width. The right-of-way for the East/West Road shall be dedicated prior to issuance of certificates of occupancy for more than 215,000 square feet of Phase 3 A. The construction of the East/West Road shall be completed prior to the issuance of the final certificates of occupancy for Phase 3A.

(4) For purposes of this Order Certificate of Occupancy shall be construed to mean that certificate of occupancy issued for shell construction of buildings and shall not refer to those certificates of occupancy issued to individual businesses that may lease or otherwise acquire space within said facility.

3. Phase 3B

a. For Phase 3B of the Project, the Developer shall assume financial responsibility based upon the conditions contained herein for the remaining \$396,569.00 of the total proportionate share contribution described herein.

Prior to issuance of any building permits for Phase 3B of the Project, the County and the Developer shall meet to discuss other options as to the nature and timing of the Developer's contributions which shall not exceed the above referenced \$396,569.00. To the extent that the Developer elects to satisfy said financial responsibility through the payment of cash, said payment shall occur no later than the date of issuance of the final Certificate of Occupancy for Phase 3B.

The Developer's contributions shall be utilized in such a manner as to provide a reasonable benefit to the Developer and shall take into account the provisions contained below.

(1) Credit against the proportionate share contribution for Phase 3B will be allowed for right-of-way desired by the County and dedicated by the Developer, at any time, (except right-of-way for which a credit has already been given and other right-of-way dedicated to the County during any subdivision of the property) which right-of-way will be valued at its fair market value as of the date of dedication, or as otherwise agreed. For purpose of this paragraph, right-of-way shall be construed to mean right-of-way desired for construction of roads intended to implement area transportation plans and does not include right-of-way dedicated for any other County purpose.

(2) Roadway construction performed by the Developer at the request of the County shall be valued on a cost basis in accordance with industry standards and generally accepted accounting principles.

4. Prior to the issuance of building permits for subsequent Phases but after completion of the preceding Phase, the Developer may, at his expense and at his option, conduct, in accordance with the provisions of Florida Statutes S.S. 380.06, a new transportation study(ies) of the Florida Corporate Center transportation impact area as established by the County, the Tampa Bay Regional Planning Council and the Developer during the initial review of the application. This new traffic study(ies) shall be prepared in a manner consistent with that contained in the application and shall be in accordance with the generally accepted traffic engineering practices. The new study(ies) shall analyze the transportation system in the impact area based on existing and approved development, plus the projected impact of the succeeding Phases of the project or that portion of the succeeding Phases for which approvals are being sought. The new study shall serve to verify the findings of the original Development of Regional Impact and to indicate whether or not there are alternative transportation improvements or mechanisms, which, if implemented, will maintain the facilities identified in Exhibit B and C at a daily level of Service C and improvements no longer required may reduce proportionately the project's proportionate share contribution for the phases involved,

which reduction shall be determined in accordance with the credit and adjustment provisions contained herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00. In addition to providing a means of verification of original findings, the new study(ies) may include the following findings and conclusions.

a. If the new transportation study(ies) establishes that certain of the improvements referred to in Exhibit B and C should no longer be required as a factor in the determination of the Developer's proportionate contribution, because the specific roadway link or intersection does not satisfy both of the conditions precedent to the requirement for an improvement to be made, as set out above, or such other less stringent conditions precedent which have been established by the County and which are in effect, at the time of the transportation study(ies), then the Developer's proportionate share contribution for succeeding Phases of the project shall be altered accordingly, subject to adjustment as described herein.

b. If the new study(ies) establishes that the Developer's share, expressed as a percentage, of the improved capacity of a roadway link or intersection changes, then the Developer's contribution to that improvement shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

c. Credit against proportionate share contributions for other Phase(s) transportation impacts will be allowed for contributions made for other Phase(s) improvements to the extent that the new study shows the Project's traffic on particular roadways identified in the other Phase(s) no longer results in the requirement for improvements on said roadways under the conditions precedent which were applied during the other Phase(s) analysis, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

d. Credit against the proportionate share contribution for other Phase(s) transportation impacts will be allowed for all

contributions made in other Phase(s) which exceed the total proportionate share contribution for the other Phase(s) as said proportionate share is identified in Exhibit B and C.

e. (i) The Developer, at its option, may develop and participate in a Transportation System Management (TSM) Program. The TSM Program may include procedures to encourage and facilitate the use of car pooling, van pooling, flex time, transit ridership and provision of bus stop shelters, and shall be developed through the coordinated efforts of the Developer, Hillsborough County, Florida Department of Transportation, the Hillsborough County Metropolitan Planning Organization, Tampa Bay Area Regional Planning Council. If the Developer can demonstrate to the County, in accordance with generally accepted traffic engineering methodology and practices, that the implementation of TSM measures over and above those identified in the application can reduce the development's share of existing capacities for roadway links or intersections (at acceptable levels of service), below the five percent (5%) threshold which triggers the requirement for an improvement to be made, (or such other threshold as is then in effect) then, if such TSM measures are committed to by the Developer or other responsible agencies, those particular improvements will be deleted from the list of required improvements for which the Developer is assessed a proportionate share contribution and the assessments against the succeeding Phase(s) will be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(ii) If the Developer can demonstrate to the County that the implementation of TSM measures over and above those identified in the application can reduce the development's share (expressed as a percentage) of the improved capacity of a roadway link or intersection, which percentage is the basis for calculating the Developer's contribution to an improvement, then the Developer's contribution to that improvement for the succeeding Phase(s) shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

f. (i.) In the event the new transportation study shows that the Florida Department of Transportation or other governmental entity, excluding the County, (subject to the provisions below), should allocate funds in an approved transportation improvement program to cover all of the cost of any of the road improvements identified in Exhibits B and C, then said improvement shall be deleted from the list of required improvements and the Developer's total proportionate share contribution shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00. To the extent that the County should receive road construction funds from sources other than: (a) current gasoline taxes in effect as of the date of this Order, (b) ad valorem taxes, (c) transportation impact fee ordinance/resolution payments or other proportionate share contributions paid by any source except the Developer, whose contributions, credits, and adjustments shall be governed by the terms and conditions of this Order, (Developer may elect pursuant to the terms of Alternative B, herein, to be governed by the terms of the transportation impact fee ordinance/resolution rather than the proportionate share contribution described in Alternative A.) or (d) current special assessments in effect as of the date of this Order and shall allocate said funds in an approved transportation improvement program to cover all of the costs of any of the road improvements identified in Exhibits B and C, then said improvement shall be deleted from the list of required improvements and the Developer's total proportionate share contribution shall be altered accordingly subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(ii) In the event that the Florida Department of Transportation or other governmental entity, excluding the County (subject to the provisions below), should allocate funds in an approved transportation improvement program to cover a portion of the cost of construction of a road improvement identified in Exhibits B and C, then the Developer's proportionate share contribution shall be calculated by applying the development's share of the traffic, expressed as a percentage of the improved capacity of the road segment or inter-

section, against the remaining cost of construction of the road improvement which must be borne by the County. As a result of the above described process; the total proportionate share contribution of the Developer shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00. To the extent that the County should receive road construction funds from sources other than: (a) current gasoline taxes in effect as of the date of this Order, (b) ad valorem taxes, (c) transportation impact fee ordinance/resolution payments or other proportionate share contributions paid by any source except the Developer, whose contributions, credits, and adjustments shall be governed by the terms and conditions of this Order, (Developer may elect pursuant to the terms of Alternative B, herein, to be governed by the terms of the transportation impact fee ordinance/resolution rather than the proportionate share contribution described in Alternative A.) or (d) current special assessments in effect as of the date of this Order and shall allocate said funds in an approved transportation improvement program to cover a portion of the costs of any of the road improvements identified in Exhibits B and C, the Developer's total proportionate share contribution shall be altered in accordance with the terms of this paragraph, based upon the remaining cost to the County, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,341,458.00.

g. The "adjustment" referred to in this provision shall be calculated as follows:

i. At the time an above provided adjustment is requested by the Developer, the cost of construction and the Developer's proportionate share contribution for the improvements in Exhibits B and C, shall be recalculated based on then-projected construction costs (the "Revised Construction Costs").

ii. The Developer's proportionate share of the Revised Construction Costs for each improvement and the value of the Developer's future road improvements, shall be recalculated applying the then applicable criteria for determining required improvements and proportionate share contributions (the Developer's "Revised Propor-

tionate Share"). The sum of the individual Revised Proportionate Shares as calculated above shall be the Developer's adjusted contribution provided that in no event shall such adjusted contribution exceed the Developer's maximum contribution for the Phase under study. The phrase "maximum contribution for the Phase under study" shall be construed to mean the amount identified in Exhibits B and C as the total proportionate share contribution for the Phase under study.

iii. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

h. The new transportation study(ies) referenced herein shall be submitted to and reasonably approved by the County prior to its use as a basis for alteration of the Developer's proportionate share contribution(s). Once the conditions precedent for credit and adjustment have been established, then the credit and adjustment shall occur in accordance with the provisions contained herein. If as a result of the application of the credits and adjustments, the County and the Developer agree that implementation of the approved contribution plan is impracticable, then the Developer and the County shall also undertake to agree upon amendments to said plans. Said amendments shall be designed to discharge the Developer's proportionate share contribution as altered. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

i. If at a future date it can be shown through subsequent transportation studies that as a result of the application of the credit and adjustment mechanisms described herein the Developer has fully or partially discharged its responsibility for the proportionate share contribution, as determined herein, then the Developer shall be released from its obligation to the extent of said discharge. In no event shall the County be required to refund to the Developer any portion of prior contributions.

j. If the County should develop a system of credits (in addition to the credits provided herein) that are applied in a uniform manner in the assessment of the transportation impacts and proportionate share contributions of the developments within the County, then the Developer may at the point of the next transportation study consider said credit in the computation of the Developer's proportionate

share contribution, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

5. The County agrees to utilize the Developer's contributions for the specific purposes stated above. The County shall award contracts for construction of the improvements identified in Exhibits B and C upon receipt of contributions or impact assessment fees from development projects in this impact area which equal, in the aggregate, when coupled with funds received from other sources and funds allocated in the County's transportation Improvement Program, the cost of those improvements; provided, however, that the above referenced list of improvements may be modified based on subsequent transportation studies, transportation system management measures, or similar mitigation programs. The above described modification may amend the list of improvements identified in Exhibit B and C and related Developer's proportionate share contribution, but in no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

6. Signage and traffic control devices located on private roads within the project shall be the responsibility of the Developer. The Developer shall also be responsible for construction of access points and installation of traffic control devices necessitated by the project at those locations where project roads intersect County roads. The responsibilities contained in this paragraph are to be assumed by the Developer at his expense and are not intended to be considered part of the Developer's proportionate share contribution for off-site transportation improvements as described herein, but shall be in addition thereto.

7. The Developer shall provide bus shelters, bus turn-outs and information signs on or adjacent to the site when transit service becomes available to the area of a scope consistent with usage goals for this development as identified in the application. The responsibilities contained in this paragraph are to be assumed by the Developer at his expense and are not intended to be considered part of the Developer's proportionate share contribution for off-site transportation improvements as described herein, but shall be in addition thereto.

B. Alternative B.

1. Upon the adoption of a County transportation impact fee ordinance/resolution, the Developer may, at its option, elect to be governed exclusively by the provisions of this Alternative B for satisfying its obligation to contribute a proportionate share for the Project. If the Developer elects this Alternative, the Developer shall complete all contractual obligations undertaken at that point in constructing any improvements agreed to as satisfying a portion of the proportionate contribution and thereafter, pay impact fees as imposed by ordinance or resolution to the extent and in the same manner as such fees are imposed on other developers subject to such fees; provided, however, that: (a) the Developer shall be given credits against those impact fees imposed by ordinance or resolution, for all costs expended in engineering and constructing improvements under the contractual obligations referenced in this paragraph, (b) the Developer shall be given credit against those impact fees imposed by ordinance or resolution for other proportionate share contributions made pursuant to the terms of approved contribution plans described in Alternative A, and (c) in the event that the Florida Department of Transportation or other governmental entities should allocate funds (excluding County funds) in an approved transportation improvement program to cover costs of construction of one or more of the improvements identified in Exhibit B and C and the cost of these programmed improvements was included in the calculation of the Developer's impact fee, then the Developer's impact fee shall be reduced by an amount representing the proportionate amount of the fee attributable to said improvements.

2. Signage and traffic control devices located on private roads within the Project shall be the responsibility of the Developer. The Developer shall also be responsible for construction of access points and installation of traffic control devices necessitated by the Project at those locations where project roads intersect County roads. This obligation is in addition to impact fees paid pursuant to ordinance or resolution.

3. The Developer shall provide bus shelters, bus turn-outs and information signs on or adjacent to the site when transit service becomes available to the area of a scope consistent with usage goals for this development as identified in the application. This obligation is in addition to fees paid pursuant to ordinance or resolution.

4. Nothing contained herein shall be construed to constitute a waiver by the Developer of its rights to contest the validity of said impact fee.

C. Alternative C

1. The Developer may, rather than assume responsibility for a proportionate share contribution, identified in Alternative A, elect to delay development until such specific road improvements as may be necessary by the standard provided herein to accommodate the transportation impact of a particular phase or portion thereof, as said Phases and respective Phase road improvements are identified in Exhibit B, C, and D, have been committed to by the appropriate entities. Said election shall be in writing and shall be delivered to the County Administrator. In the event the Developer elects to resume development of a particular phase or portion thereof, then the Developer shall in writing notify the County Administrator of such election (said election shall be delivered to the County Administrator prior to the issuance of any development permits) and shall reassume the financial responsibility for its proportionate share contribution as identified in Alternative A or the Developer may elect, prior to issuance of development permits, to complete a transportation study in accordance with the provisions contained in Paragraph A, subparagraph 4 of Alternative A. Any "adjustments" and "credits" allowed the Developer shall be computed in accordance with the terms contained in the referenced subparagraph. Upon completion of said study, the Developer shall assume financial responsibility for its proportionate share contribution derived from said study, in accordance with the terms of Alternative A. In no event shall Developer's total proportionate share contribution for the project exceed \$5,351,458.00.

2. No development permits for the particular phase or portion thereof shall be issued unless appropriate entities.

have, within the context of approved transportation improvement programs, committed to the road improvements required to accommodate at daily LOS C the projected development traffic coupled with existing and proposed background traffic, which improvements are identified in Exhibit B and C.

3. Even though the Developer may have elected to forego development of a particular phase or portion thereof to the terms of this Alternative, said Developer shall be required to complete performance of the proportionate share contribution applicable to preceding phases and that portion of a phase which was not the subject of the election described above.

III. General Provisions

A. Amendments to Phasing Schedule

1. The development of the Project in accordance with the proposed phasing schedule identified in Exhibit B, C, and D is an integral part of the transportation condition. Therefore, if the Developer elects to amend the proposed phasing schedule, it shall submit said amendments to the County for review and approval, which approval shall not be withheld for mere acceleration of phases if the terms of this Order are otherwise fully complied with. If the County finds that amendments to the terms of this Development Order are required by the amendments to the phasing schedule, then said amendments to the extent consistent herewith shall be included as conditions of approval of the changes to the phasing schedule. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

2. It is not the intent of this provision to prohibit or limit the Developer's right to develop the Project on an accelerated schedule. Rather the purpose of this provision is to ensure that all prerequisites for each Phase of the Project are complied with. In recognition of this purpose, review by the County shall be accomplished in an expeditious manner and approval shall be granted as provided above

and in no event shall it be unreasonably withheld. To the extent allowable by law, such acceleration of development shall not constitute a substantial deviation from the terms of this Development Order. For purposes of this Order, a Phase shall be considered complete upon issuance of the final Certificate of Occupancy for the Phase. No building permits shall be issued for a subsequent phase until completion of the preceding phase.

B. Nothing contained herein shall be construed to constitute a waiver by the Developer of his rights to contest the validity of this transportation condition, including but not limited to challenges involving equal protection issues related to treatment of similar non-residential Developments of Regional Impact.

C. Prior to the issuance of any building permits for Phase 1 the County shall have begun the development of a transportation improvement plan for the Brandon area in cooperation with the Florida Department of Transportation and the Tampa Bay Regional Planning Council. The completion of this plan is scheduled to be accomplished prior to the issuance of building permits for Phase 3B and may include but not be limited to:

1. Identification of the regionally significant roadways which shall be included in the focus of the transportation plan, as well as identification of additional roadways to be constructed within the study area.
2. The existing, approved and projected development to be included with the plan.
3. The manner by which the traffic impact of existing development will be documented and assessed.
4. The manner by which the traffic impact of approved and projected development will be documented and assessed.
5. Daily Level of Service C, D peak hour shall be designated goal of the plan.
6. A study of mass transit as a viable alternative to alleviate overburdening of the roadways.

7. Identification of specific construction implementation goals, such as right-of-way acquisition and implementation of additional north/south and east/west corridors designed to coincide with transportation improvement needs generated by each phase completion for projects approved within the study area.

8. Identify available funding commitments for the improvements.

D. The following road facilities were not considered as elements of the Project's total fiscal impact on the transportation system because they are presently under construction or proposed for construction by Florida D.O.T.:

1. Improve U.S. 301 to a six (6) lane divided facility from the intersection with S.R. 60 to the intersection with Interstate 75.

2. Improve Buffalo Avenue to a four (4) lane divided facility from the intersection with U.S. 41 to the intersection with U.S. 301.

E. The road segments described below may require future improvements (in addition to those improvements currently projected in Exhibit B and C by appropriate entities. The Developer or his assigns shall monitor traffic volumes on these segments at the end of each Phase. If traffic volumes (including Developer's traffic plus total background traffic) at that time fall below daily level of service D and the Project's traffic equals or exceeds 5% of the daily LOS C capacity of the existing roadway(s), those improvements required to maintain daily level of service C peak hour D that are in addition to those improvements currently projected in Exhibit B and C shall be added to Exhibits B and C for purposes of calculation, adjustments and credits utilizing such Exhibits according to the terms of this Order. In no event under this or any other section hereof, shall this study (1) increase the Developer's total pro rata share contribution for the Project above \$5,351,458.00, nor (2) shall this study described in this paragraph E affect the contribution method provided in Section II A. The County shall award construction for said improvements in accordance with the provisions of paragraph 5, Alternative A, herein.

1. The east/west corridor north (road segment EX - 420, Exhibit B and C currently identified in said Exhibit as requiring 4 lanes) from the intersection with Kings to the intersection with Lakewood.

Exhibit A to Resolution 83-0164 is on file
in the public records of Hillsborough County
located in the offices of the Clerk of the
Board of County Commissioners.

F.C.C.

PHASE 1

PHASE 2

PHASE 3

1990 DEVEL TRAFFIC	1990 DEVEL %	1990 DEVEL SHARE	1995 DEVEL TRAFFIC	1995 DEVEL %	1995 DEVEL SHARE	2000 DEVEL TRAFFIC	2000 DEVEL %	2000 DEVEL SHARE	PHASE 3A DEVEL %	DEVEL SHARE	PHASE 3B DEVEL %	DEVEL SHARE
1802	39.22	0	2755	20.67	0	4600	40.11	0	2760	0	1840	0
721	39.22	0	1102	20.67	0	1840	40.11	0	1104	0	736	0
360	39.22	0	551	20.67	0	920	40.11	0	552	0	368	0
2510	39.22	0	3233	20.67	0	6409	40.11	0	3246	0	2564	0
841	39.22	102867	1286	20.67	54217	2147	40.11	105210	1288	63126	859	42084
240	39.22	10772	367	20.67	5678	613	40.11	11017	368	6610	245	4407
1129	39.22	199087	1726	20.67	104931	2883	40.11	203622	1730	122173	1153	81449
601	39.22	22126	918	20.67	11662	1533	40.11	22630	920	13578	613	9052
745	39.22	24110	1139	20.67	12708	1901	40.11	24659	1141	14796	761	9864
1321	39.22	0	2020	20.67	0	3373	40.11	0	2024	0	1349	0
2870	39.22	0	4389	20.67	0	7329	40.11	0	4398	0	2932	0
2462	39.22	0	3765	20.67	0	6287	40.11	0	3772	0	2515	0
1273	39.22	118401	1947	20.67	62405	3251	40.11	121093	1950	72659	1300	49439
889	39.22	47095	1359	20.67	24322	2269	40.11	43168	1362	28901	908	19267
0	0.00	0	735	59.89	118486	1227	40.11	79359	736	47615	491	31743
841	39.22	96788	1286	20.67	51014	2147	40.11	98993	1288	59396	859	39597
2294	39.22	140623	3508	20.67	74118	5857	40.11	143827	3514	86296	2343	57531
360	39.22	12686	551	20.67	6696	920	40.11	12975	552	7785	368	5190
240	39.22	25850	367	20.67	13625	613	40.11	26439	368	15964	245	10576
300	39.22	11791	459	20.67	6215	767	40.11	12060	460	7236	307	4924
1501	39.22	59957	2296	20.67	31074	3833	40.11	60301	2300	36180	1533	24120
1551	39.22	0	2388	20.67	0	3987	40.11	0	2392	0	1595	0
420	39.22	15430	643	20.67	8133	1073	40.11	15782	644	9469	429	6313
180	39.22	0	275	20.67	0	460	40.11	0	276	0	184	0
240	39.22	8425	367	20.67	4441	613	40.11	8617	368	5170	245	3447
180	39.22	0	275	20.67	0	460	40.11	0	276	0	184	0
300	39.22	21941	459	20.67	11564	767	40.11	22441	460	13464	307	8976
60	39.22	0	92	20.67	0	153	40.11	0	92	0	61	0
360	39.22	27045	551	20.67	14255	920	40.11	27661	552	16597	368	11065
180	39.22	0	275	20.67	0	460	40.11	0	276	0	184	0
841	39.22	61434	1286	20.67	32390	2147	40.11	62834	1288	37700	859	25134
120	39.22	0	184	20.67	0	307	40.11	0	184	0	123	0
60	39.22	0	92	59.89	0	153	40.11	0	92	0	61	0
350	39.22	27554	551	20.67	14523	920	40.11	28181	552	16909	368	11273
120	39.22	0	184	20.67	0	307	40.11	0	184	0	123	0
0	0.00	0	92	20.67	0	153	40.11	0	92	0	61	0
841	39.22	23639	1286	20.67	12459	2147	40.11	24177	1288	14506	859	9671
1551	39.22	61627	2388	20.67	32493	3987	40.11	63033	2392	37820	1595	25213
2042	39.22	106514	3122	20.67	56140	5213	40.11	108941	3123	65364	2085	43576
540	39.22	48164	226	20.67	25385	1380	40.11	49261	228	25557	552	19704
2270	39.22	116700	4339	20.67	61598	7329	40.11	119358	4398	71615	2932	47743
2270	39.22	20594	4339	20.67	10854	7329	40.11	21063	4398	12683	2932	8425
4240	39.22	164269	6463	20.67	86990	10825	40.11	169011	6495	109907	4339	67204
4023	39.22	259975	6153	20.67	136497	10273	40.11	264375	6164	158925	4109	105950
0	0.00	0	0	0.00	0	3067	100.00	478552	1840	287131	1227	191421
\$ 1833463			\$ 1084841			\$ 1459889			\$ 973259			

EXHIBIT B

ROAD	SEGMENT	LAKES	LAKES	R/W	R/W	R/W	R/W	R/W	R/W	CONST.	CONST.		
SECT	LINK	FROM	TO	LENGTH	EXIS.	PROP.	EXIS.	NEEDED	ACRES	\$/ACRE	COST	\$/MILE	COST.
60-400	S.R.60	PARSONS	KINGS	2650	6	8	176	200	1.46	75000	109504	900000	451705
60-420	S.R.60	KINGS	LAKEWOOD	5280	6	8	200	200	0.00	75000	0	900000	900000
60-430	S.R.60	LAKEWOOD	NS COR	2700	6	8	200	200	0.00	75000	0	900000	460227
60-440	S.R.60	NS COR	I-75	3600	6	8	176	200	1.98	75000	148760	900000	613636
EX-420	EW COR N	KINGS	LAKEWOOD	6000	0	4	0	176	24.24	75000	1818182	1400000	1590909
EX-430	EW COR N	LAKEWOOD	NS COR	2050	0	4	0	200	9.41	75000	705923	1400000	543561
EX-440	EW COR N	NS COR	I-75	3100	0	4	0	200	14.23	75000	1067493	6550322	3345333
LU-400	LUNSDEN	PARSONS	KINGS	2650	2	4	50	176	7.67	75000	574897	900000	451705
LU-420	LUNSDEN	KINGS	PRVDENCE	8100	4	6	200	200	0.00	75000	0	900000	1380682
LU-430	LUNSDEN	PRVDENCE	NS COR	1500	6	6	200	200	0.00	75000	0	0	0
LU-440	LUNSDEN	NS COR	FAULKNBG	4700	6	6	200	200	0.00	75000	0	0	0
LU-460	LUNSDEN	FAULKNBG	U.S.301	3200	6	6	200	200	0.00	75000	0	0	0
CA-470	CASBY BL	U.S.301	78TH ST	8600	2	4	100	176	15.00	75000	1125344	900000	1465909
CA-430	CASBY BL	78TH ST	U.S.41	4900	2	4	100	176	8.55	75000	641185	900000	835227
BR-400	EW COR S	BRYAN	KINGS	7920	0	4	0	176	32.00	75000	2400000	1490000	2100000
BR-420	EW COR S	KINGS	PRVDENCE	8100	0	4	100	176	14.13	75000	1059917	1400000	2147727
BR-430	EW COR S	PRVDENCE	NS COR	4000	0	4	0	94	8.63	75000	647333	1490000	1068606
BL-400	BLUNSDALE	JHN MORE	KINGS	2650	2	4	60	176	7.06	75000	529270	900000	451705
BL-420	BLUNSDALE	KINGS	PRVDENCE	8100	2	4	60	176	21.57	75000	1617769	900000	1380682
BL-430	BLUNSDALE	PRVDENCE	NS COR	3100	2	4	70	176	7.54	75000	565771	900000	523409
BL-440	BLUNSDALE	NS COR	U.S.301	3100	2	4	70	176	7.54	75000	565771	900000	523409
60-300	S.R.60	PARSONS	BRYAN	2640	6	8	176	200	1.45	75000	109091	900000	450000
LU-300	LUNSDEN	PARSONS	BRYAN	2640	2	4	50	176	7.64	75000	572727	900000	450000
LU-320	LUNSDEN	BRYAN	LTH PINE	2640	2	4	50	176	7.64	75000	572727	900000	450000
BL-300	BLUNSDALE	JHN MORE	BRYAN	2640	2	4	60	176	7.03	75000	527273	900000	450000
BL-320	BLUNSDALE	BRYAN	LTH PINE	2640	2	4	60	176	7.03	75000	527273	900000	450000
BY-200	BRYAN	S.R.60	LUNSDEN	5500	2	4	60	176	14.65	75000	1098495	900000	937500
BY-220	BRYAN	LUNSDEN	BLUNSDALE	11100	2	4	60	176	29.56	75000	2216942	900000	1892045
PA-200	PARSONS	S.R.60	LUNSDEN	5500	2	6	60	200	17.69	75000	1325758	1600000	1875000
PA-220	PARSONS	LUNSDEN	BLUNSDALE	11100	2	4	60	176	29.56	75000	2216942	900000	1892045
KI-200	KINGS	S.R.60	LUNSDEN	5500	2	4	60	176	14.65	75000	1093485	900000	937500
KI-220	KINGS	LUNSDEN	EW COR S	5550	2	4	60	176	14.78	75000	1108471	900000	946023
KI-230	KINGS	EW COR S	BLUNSDALE	5550	2	4	60	176	14.78	75000	1108471	900000	946023
PL-200	PAULS DR	S.R.60	LUNSDEN	5500	2	4	50	176	15.91	75000	1193182	900000	937500
PL-220	PAULS DR	LUNSDEN	EW COR S	4200	0	2	0	100	9.64	75000	723140	500000	397727
PL-230	PAULS DR	EW COR S	BLUNSDALE	6900	0	2	0	100	15.84	75000	1188017	500000	653409
LA-200	LAKEWOOD	S.R.60	EW COR N	2600	2	4	100	176	4.54	75000	340220	900000	443182
LA-210	LAKEWOOD	EW COR N	LUNSDEN	3650	2	4	100	176	6.37	75000	477617	900000	622159
PR-220	PRVDENCE	LUNSDEN	EW COR S	4200	2	4	90	200	9.63	75000	737603	900000	715709
PR-230	PRVDENCE	EW COR S	BLUNSDALE	6900	2	4	60	176	17.42	75000	1306813	900000	1176136
BF-200	NS COR	S.R.60	BTC PROP	3060	0	4	0	94	6.60	75000	495243	1100000	637500
BF-205	NS COR	BTC PROP	BTC EW	540	0	4	0	94	1.17	75000	87397	1100000	112500
BF-210	NS COR	BTC EW	LUNSDEN	1900	0	4	0	176	7.63	75000	575753	1400000	503788
BF-220	NS COR	LUNSDEN	EW COR S	4200	0	4	0	94	9.66	75000	679752	1400000	1113636
BF-230	NS COR	EW COR S	BLUNSDALE	6900	0	2	0	100	15.84	75000	1188017	500000	653409
									467.37		35052533		40379224

EXHIBIT "D"

EXHIBIT
PHASING SCHEDULE

(1990)		
PHASE 1	Office	615,000 s.f.
	Distribution/L. Industrial	1,116,000 s.f.
	Community Commercial	90,000 s.f.

PHASE 1A - 910,500 s.f. of the uses allowed in Phase 1
PHASE 1B - 910,500 s.f. of the uses allowed in Phase 1

(1995)		
PHASE 2	Office	449,000 s.f.
	Distribution/L. Industrial	815,000 s.f.
	Community Commercial	-0- s.f.

(2000)		
PHASE 3	Office	378,000 s.f.
	Distribution/L. Industrial	687,000 s.f.
	Community Commercial	310,000 s.f.

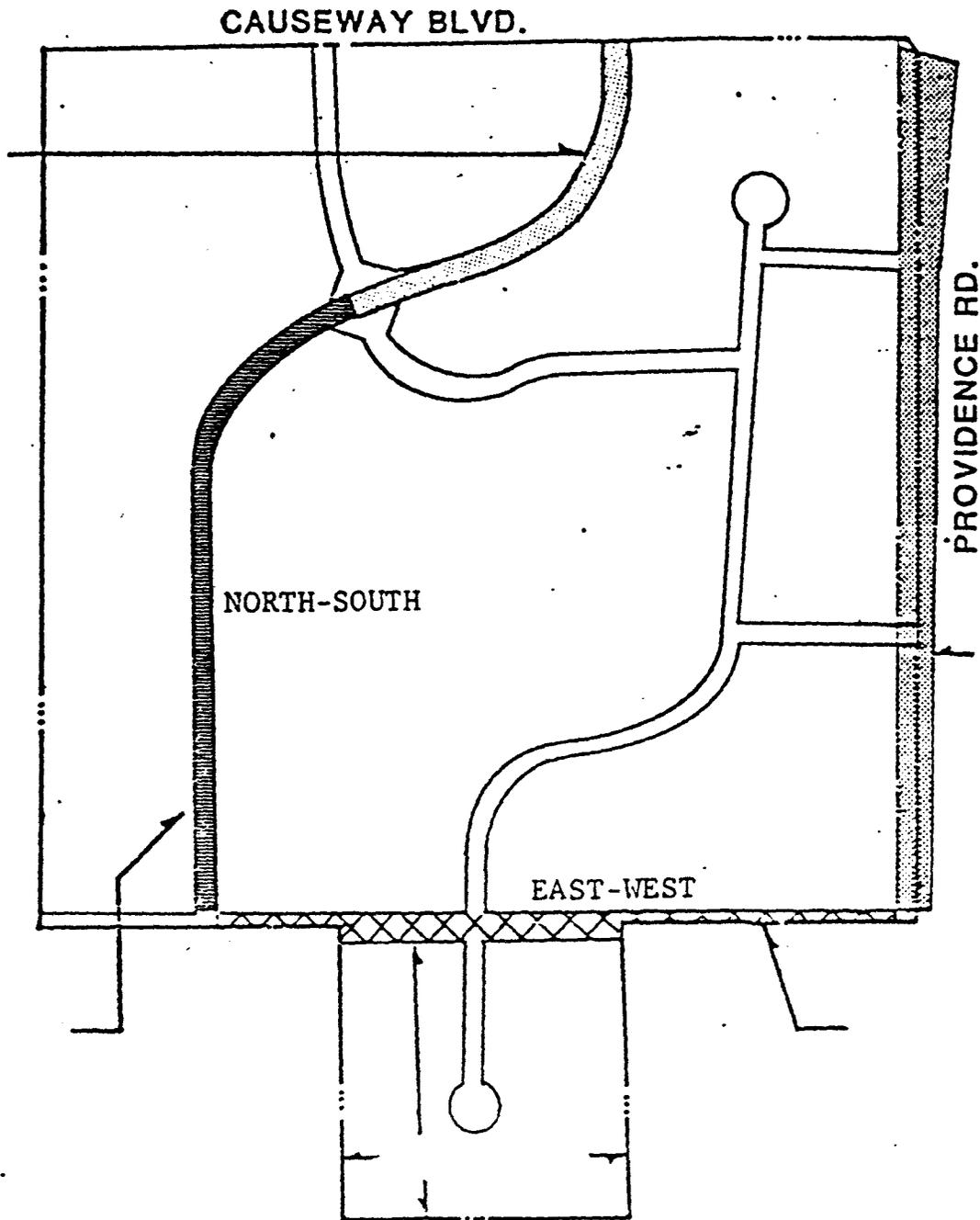
PHASE 3A - 1,075,000 s.f. of the uses allowed in Phase 3
PHASE 3B - 300,000 s.f. of the uses allowed in Phase 3

TOTAL	Office	1,442,000 s.f.
	Distribution/L. Industrial	2,618,000 s.f.
	Community Commercial	400,000 s.f.

EXHIBIT "E"

EXHIBIT TRANSPORTATION IMPROVEMENTS

PHASE 1, 2, 3A: APPROXIMATE LOCATIONS



FLORIDA CORPORATE CENTER

FLORIDA LAND DESIGN & ENGINEERING, INC.

WHEREAS, the Board of County Commissioners of Hillsborough County has on April 11, May 9, June 20, August 15, 29, September 12, 26, October 11, November 2, 23, December 7, 13, 21, 1983, held duly noticed public hearings on said petition for community unit rezoning and has heard and considered testimony and documents received thereon.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. The Board of County Commissioners as the governing body of local government having jurisdiction is authorized and empowered to consider the petition for community unit zoning filed by Florida Corporate Center, Inc., which petition is attached hereto as Composite Exhibit A and made a part hereof by reference.

B. The Board of County Commissioners of Hillsborough County having reviewed the described petition finds that the proposed Florida Corporate Center development is appropriate for consideration pursuant to the terms of the community unit zoning classification contained in the Zoning Regulations of Hillsborough County.

C. The terms and conditions contained in Development Order 93 enacted by the Board of County Commissioners of Hillsborough County on December 21, 1983, copy of which is attached hereto as Composite Exhibit B, are hereby incorporated into and made a part of this Resolution by reference.

D. The development of the Florida Corporate Center development in accordance with the terms of this Resolution is found to be consistent with the standards contained in the Comprehensive Land Use Plan enacted by the Board of County Commissioners of Hillsborough County pursuant to the authority contained in Chapter 75-390, Laws of Florida (1975), as amended.

II. CONCLUSIONS OF LAW

A. Provisions of this Resolution shall not be construed as a waiver or exception of any rule, regulation or ordinance of Hillsborough County, its agencies or commissions, and to the extent that further review is provided for in this Resolution, said review shall be subject to all applicable rules, regulations, and ordinances in effect at the time of said review.

B. The petition for community unit zoning #83-19 filed by the Florida Corporate Center, Inc., is approved subject to all terms and conditions contained herein.

III. CONDITIONS

A. The development of the Florida Corporate Center Development by Florida Corporate Center, Inc., shall proceed in strict accordance with the terms and conditions contained in the Development Order attached hereto as Composite Exhibit B, the general site plan, the land use conditions contained herein, and all applicable rules, regulations and ordinances of Hillsborough County.

B. All areas of the certified site plan which are designated as Research Corporate Park (RCP) shall be limited to those uses listed in the C-3A District of the Hillsborough County Zoning Code effective as of the date of this Resolution. Those areas on the certified site plan designated as commercial shall be limited to those uses listed in the C-1 District of the Zoning Code effective as of the date of this Resolution, with the exception of mini-warehouses.

C. Open space within the project shall be a minimum of twenty five percent (25%) of the gross land area of the parcel. No impervious surface shall be used to meet the minimum requirement of twenty five percent (25%) open space.

D. The eastern boundary of the project shall be buffered with a minimum of fifty feet (50') landscaped area. The exception to this distance shall be that portion of the project which is immediately west

of the commercial parcels in the Heather Lakes Project, a large C-U project immediately to the east of the development. There the buffer shall be a minimum of thirty feet (30') landscaped area. On the southern boundary of the parcel a minimum of fifty feet (50') landscape buffer shall be provided adjacent to all residentially or agriculturally zoned property, with the exception of areas north of the east/west corridor.

E. Except as stated herein relative to minimum size, parking in the commercial portion of the project shall meet the minimum requirements of Section 7 of the Zoning Code effective as of the date of this Resolution. In all of the office-related portions of the project, the Developer shall provide a minimum of four (4) spaces per one thousand (1,000) square feet of gross leasable area. All parking spaces shall be paved and be a minimum of 9' x 18' in dimension.

F. Drainage calculations and drawings will be reviewed at the time of detailed site plan approval by the Hillsborough County Drainage Department.

G. The Developer shall provide sidewalks in the right-of-way along Providence Road and Causeway Boulevard for the entire length of the parcel. The construction of the described sidewalks may be accomplished in segments as a condition precedent to approval of detailed site plans for areas adjacent to the described roadways. A detailed pedestrian/bikeway circulation plan showing an internal pedestrian/bikeway system shall be shown on each detailed site plan and the plan shall be implemented by the Developer at the Developer's expense. Said system shall be submitted to and reviewed by staff of the Department of Development Coordination. The pedestrian plan shall be designed in such a manner as to insure safe and continuous pedestrian circulation throughout the development.

H. All curb cuts into the project from Providence Road shall be a minimum of eight hundred feet (800') apart. All curb cuts into the project from Lumsden shall be a minimum of six hundred feet (600') apart.

I. All signage for the project shall be contained on the site, and shall comply with the requirements of the Hillsborough County Sign Ordinance particularly with reference to height and square footage.

J. All buildings within the project shall be architecturally finished on all sides.

K. The height of all structures in those areas designated as commercial shall be limited to two-stories and shall not exceed thirty-five feet (35') in height, with the exception of the hotel in the commercial portion of the project which shall be limited to four (4) stories and shall not exceed sixty feet (60') in height. Buildings within parcels 1, 2, 3, 12, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 shall be limited to three (3) stories and shall not exceed forty-five feet (45') in height. All structures within the remaining parcels 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17 shall be limited to four (4) stories and shall not exceed sixty feet (60') in height.

L. The Developer shall screen all mechanical equipment (for example, air conditioning equipment, service areas, and trash receptacles) from public places and neighboring properties through the use of features such as berms, fences, false facades, and dense landscaping.

M. Prior to Detailed Site Plan Approval, the Developer shall submit a revised General Site Plan for certification which reflects all the conditions listed above.

IV. EFFECTIVE DATE

This Resolution shall take effect upon passage by the Board of County Commissioners of Hillsborough County.

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

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 resolution adopted by the Board at its regular meeting of December 21, 1983 as the same appears of record in Minute Book 94 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 27th day of December, 1983.

JAMES F. TAYLOR, JR., CLERK

By: J. Ed Smith
DEPUTY CLERK

APPROVED BY COUNTY ATTORNEY
BY S.M.F.
Approved As To Form And
Legal Sufficiency.

ADDITIONAL ZONING APPLICATION MATERIALS
ARE OFFICIALLY FILED IN THE OFFICES OF
THE DEPARTMENT OF DEVELOPMENT COORDINATION.

Resolution No. R83-0164

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
DRI #93
DEVELOPMENT ORDER

Upon motion of Commissioner, Jetton, seconded by Commissioner, Paulk, the following resolution was adopted this 21st day of December, 1983:

WHEREAS, on October, 1982, Florida Corporate Center, Inc. filed an application for development approval of a development of regional impact with the Hillsborough County Board of County Commissioners pursuant to the provisions of Section 380.06, Florida Statutes; and,

WHEREAS, said application proposed construction of a research corporate park located in eastern Hillsborough County, hereinafter referred to as Florida Corporate Center; and,

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

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

WHEREAS, the Board of County Commissioners has on April 11, May 9, June 20, August 15, 29, September 12, 26, October 11, Nov. 2, 23, Dec. 7, 13, 21, 1983 held a duly noticed public hearing on said application for development approval and has heard and considered testimony and documents received thereon; and,

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

WHEREAS, Hillsborough County has solicited, received and considered reports, comments and recommendations from interested citizens, County and City agencies as well as the review and report of Hillsborough County Administration.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. Florida Corporate Center, Inc., hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, an application for development approval and sufficiency response which are attached hereto and marked Composite Exhibit A and incorporated herein by reference. Hereinafter, the word "application" shall refer to the application for development approval, and the sufficiency response.

B. The real property which is the subject of the application for development approval is legally described as set forth in Composite Exhibit A, attached hereto and made a part hereof by reference.

C. The proposed development is not an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes.

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

E. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council.

II. CONCLUSIONS OF LAW

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

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

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

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

B. In considering whether the development should be approved subject to conditions, restrictions and limitations, Hillsborough County has considered the criteria stated in subsection 380.06 (13), Florida Statutes.

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

D. The application for development approval is approved subject to all terms and conditions of this Development Order.

III. GENERAL PROVISIONS

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

B. All provisions contained within the application marked "Composite Exhibit A" 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 Hillsborough County in response to the application for development approval for the Florida Corporate Center Development of Regional Impact.

D. The definitions contained in Chapter 380, Florida Statutes (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 Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no matter 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 directly affected government agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough 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 Florida Corporate Center, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private 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, which approval shall not be unreasonably withheld.

I. Development activity constituting 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 Regional Planning Council shall result in further development of regional impact review pursuant to law and may if permitted by law in effect at the time result in Hillsborough County ordering a termination of development activity pending such review.

J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. 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.

K. The Developer shall file an annual report in accordance with Section 380.06 (16), Florida Statutes (1981), and appropriate rules and regulations. Such report shall be due on the anniversary of the effec-

tive date of this Development Order 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 the 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. This report shall contain:

1. The information required by the State Land Planning Agency to be included in the Annual Report, which information is described in the Rules and Regulations promulgated by the State Land Planning Agency pursuant to Section 380.06, Florida Statutes; and

2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately following to the submittal of the annual report; and

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; and

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

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

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. Upon adoption, the Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the Developer.

IV. CONDITIONS

A. Public Facilities

1. Prior to issuance of Detailed Site Plan Approval for each Phase of the development, the Developer shall provide to Hillsborough County Department of Development Coordination verification that adequate police, fire service and emergency medical service facilities are available to serve the described Phase.

2. The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said Ordinance.

3. No Detailed Site Plan Approval shall be granted without an approved, permitted wastewater collection system, and sufficient treatment and effluent disposal capacity for that portion of the building construction. Approvals shall be obtained from all appropriate local and state agencies. Documentation of these approvals shall be provided to the Department of Development Coordination prior to Detailed Site Plan Approval. Developer shall participate in County programs designed to maximize the use of effluent for non-potable uses, by providing reasonable open space.

4. No building permits shall be issued without an approved, permitted potable water distribution system and available capacity for that portion of the building construction. Approvals shall be obtained from all appropriate local and State agencies.

B. Energy

The Developer shall encourage, within operating and construction budget constraints, the following energy management/conservation measures:

1. Landscape parking lots and building to improve energy conservation. Prior to detailed site plan approval for each Phase of the development, the Developer shall provide a detailed landscape plan indicating the areas and quantities of landscaped materials to be provided, which plan will meet or exceed the then existing landscape ordinance of Hillsborough County. It is the intent of this paragraph that compliance with the then existing landscape ordinance is not to be governed by operating and construction budget constraints.

2. Use of low pressure sodium vapor lighting in parking areas.

3. Use of energy conservation features and techniques for interior and exterior building design, including passive solar orientation of buildings.

4. Use of individual electrical meters for each occupant company as opposed to master meter for the entire building.

5. Use of alternate transportation methods such as carpooling vans and mass transit.

6. Appointment of energy manager for each land purchaser.

C. Wetlands/Wildlife

1. All viable wetlands within the project, as delineated by the Hillsborough County Environmental Protection Commission, shall be preserved and shall be delineated on site plans and plats as "conservation areas". Those areas which have been previously altered and are no longer viable "conservation" areas, as delineated by the Hillsborough County Environmental Protection Commission, may be removed. These altered wetlands shall be replaced with an equivalent ecosystem on a minimum acre-for-acre basis elsewhere on the site and shall be designated as "conservation areas."

The project's stormwater drainage system may incorporate wetlands on-site, but no direct discharge from any impervious surfaces shall be permitted into any wetland which is designated as a "conserva-

tion" area. The project's stormwater system shall be designed to maintain the existing hydro-period of all "conservation areas" on-site, unless otherwise approved by the Hillsborough County Environmental Protection Commission. The total stormwater management system, including lakes, swales, and wetland areas shall be designed and maintained in conformance with applicable law. The Developer shall preserve wetland habitats supporting the identified endangered and threatened species and species of special concern. All impervious surfaces shall be setback a minimum of thirty (30) feet from all areas designated as "conservation areas".

D. Water Quantity

Floor elevations of all habitable space shall be at or above the 100 year flood elevation.

E. Historical/Agricultural

Any historical or archaeological resources found during construction shall be reported to the Florida Division of Archives, History and Records Management, and the disposition of such resources will be determined in cooperation with the Division of Archives and Hillsborough County. This condition shall not restrict the applicant from developing elsewhere on the property.

F. Water Quality

A surface water quality monitoring program shall be conducted by the applicant to monitor any potential impact of the project on DeLaney Creek and Archie Creek. Samples shall be collected on a monthly basis from all three on-site discharge points throughout the project's site improvements (road, drainage, sewer and water installation). One sampling interval shall be scheduled prior to the commencement of any project construction. Samples shall be collected on the same date each month, whenever possible. Daily rainfall data from the closest available weather reporting station shall be provided to correlate stream flow with concentrations of specified parameters. Parameters to be measured at each sampling point during each sampling interval are: BOD5, Dissolved Oxygen, Turbidity, Total Nitrogen, Nitrate, Total Phos-

phorus, Oil/Grease, Lead, Temperature, pH and stream flow. The analysis of samples shall be performed by a State Certified Laboratory and reports submitted quarterly to the Hillsborough County Environmental Protection Commission, the Hillsborough County Department of Development Coordination and the Tampa Bay Regional Planning Council. Approval of future development Phases or proposed modifications will be contingent upon the condition that development of this project will not result in further degradation of water quality in the receiving bodies of water.

G. Geology

The Developer shall conduct a lineament study of the property and modify the master development plan as appropriate. The Developer shall submit the lineament study and revised development plans prior to construction of any Phase I activities. Final soil tests should be completed by the Developer and submitted to Hillsborough County as a normal part of Hillsborough County development building requirements. Where appropriate, the results of these tests shall be utilized by staff during the construction permitting stages of development.

H. Air Quality

1. The Developer shall not sell or lease any property for any use that is obnoxious or offensive by reason of emission of odors, fumes, dust, smoke, noise, or vibrations. The applicant shall include the above condition in all leases and sales contracts. Where such emissions are unavoidable, that portion of the project shall be subject to further review by Hillsborough County; and

2. The Developer shall also:

a. Undertake chemical stabilization over heavily travelled primary haul route road sections as necessary; and

b. Undertake mid-weekly cleaning of dirt during construction off paved roads adjacent to the site or as required by grading permit; and

c. Wherever possible use selective clearing to allow natural seeding to stabilize the disturbed soil and berms to minimize wind erosion; and

d. Water all dirt roads as necessary; and

K. Drainage

1. Final master and detailed drainage plans shall be based on volume sensitive drainage criteria as established by the Hillsborough County Engineering Department.

2. Peak allowable discharge off the developed site based on the most critical 25 year storm may not exceed the existing peak discharge from the site based on the most critical 10 year storm.

3. The existing volume of runoff from the undeveloped site based on a 25 year-24 hour storm may not be exceeded in the first 24 hours of a 25 year-24 hour storm over the developed site.

4. All 25 year flood plain storage on the existing site that is filled in must be mitigated with an equal volume on site.

5. Currently the County has drainage standards and criteria generally applicable to development, which standards and criteria may from time to time be amended. Accompanying these general regulations are specific drainage standards contained in this Order which standards are site specific and are designed to remedy unique drainage issues associated with this project. In the event the County should develop additional drainage regulations generally applicable to development throughout the Delaney Creek and Archie Creek drainage basins, then the development of this project shall be subject to the terms of said regulations.

6. If a parcel of land lies within the 100 year flood plain, the Developer shall so notify the acquiring entity.

L. Transportation

I. Transportation Impact Analysis Methodology

It is projected that Florida Corporate Center development will substantially impact several regionally significant transportation facilities within the project's impact area. Quantification of the project's impact on area transportation facilities is based on the following methodology. Existing traffic volumes on roadways in the impact area were determined by physically counting traffic on those roadways. Growth factors were then applied to determine the "existing background" traffic for each phase of the development. In addition to existing background traffic, allowances were made for traffic projected to be generated by approved developments which have not been built ("proposed background" traffic). The sum of existing background traffic and proposed background traffic was used as the basis against which traffic generated by each phase of the project was evaluated.

The conditions precedent to consideration of a roadway segment as an element of the total impact of the project are: (a) the project's traffic on the roadway segment must equal or exceed five percent (5%) of the daily LOS C capacity of the existing roadway, and (b) the Developer's traffic, plus the total background traffic on the roadway segment, must result in a reduction of the level of service on the segment to daily LOS D or worse. If traffic generated by the project phase on the specific road segment satisfies both the above conditions, the Developer's proportionate share of the cost of improving said roadway segment to an acceptable service level shall be considered part of the Developer's total fiscal impact on the transportation system. The proportionate share is calculated by multiplying the project's traffic as a percentage of the daily LOS C capacity of the improved roadway times the cost of the proposed improvement. Not considered as element of the total fiscal impact are improvements which are under construction or which have been assigned a funding commitment in an approved transportation improvements program. The commitments by the Developer or other responsible entities for those transportation system improvements necessary to accommodate each phase of the Florida Corporate Center develop-

ment are identified below. The improvements listed in this development order for the phases are predicated on the Tampa Bay Regional Planning Council's DRI Report dated March 14, 1983 and Hillsborough County's table of of improvements dated November 22, 1983, as shown as Exhibits B and C.

II. Transportation Impact Mitigation Alternatives

The County, cognizant of the need to impose conditions which reasonably mitigate regional transportation impacts, has established three alternatives. Each alternative is sensitive to the Project's impact on the transportation facilities described in Exhibit B and C and is designed to satisfy the requirements of Section 380.06, Florida Statutes.

A. Alternative A: Proportionate Share Contribution

1. The key element of this Alternative is the Developer's proportionate share contribution. The proportionate share is calculated by multiplying the Project's traffic as a percentage of the daily LOS C capacity of the improved roadway times the cost of the proposed improvement, pursuant to the methodology described above.

Implementation of the proportionate share contribution is tied to the Phasing schedule of the Project as described in Exhibits B, C and D. The total proportionate share contribution for the transportation impacts generated by development of the entire project is presently projected to be \$5,351,458.00 based upon the conditions contained herein.

In the event that a transportation study shows that the Florida Department of Transportation or other governmental entity, excluding the County, (subject to the provisions contained herein) should allocate funds in an approved transportation improvement program to cover all or a portion of the costs of any of the road improvements identified in Exhibit B and C, then the Developer shall be entitled to a credit against the total proportionate share in accordance with the provisions contained in paragraph 4, subparagraph f(i), (ii) herein.

In the event that the Developer is able to arrange for participation by private entities, that are involved solely in developing portions of the project in part or all of the construction of Providence Road, the North-South Road, or the East-West Road (as identified herein), the Developer shall still be entitled to full credit for said construction in the same manner as if the Developer had completed said construction itself. If the private entity is involved in the development of land outside the boundaries of the Project and if its participation is required by law to be considered as a credit to said entity's transportation impact, the Developer of the Project shall be entitled to a credit but only in the amount that represents the difference between the credit given the private entity and the cost of construction of the road as identified in Exhibit B and C.

The total amount has been divided into two subtotals which are tied to the Phases described herein.

2. Phases 1, 2, 3A

a. The improvements described in Exhibits B and C are projected to be required to mitigate the Project's transportation impacts combined with proposed and existing background traffic and represent the basis for the computation of the Developer's proportionate share contribution described in paragraph b below.

b. As a condition of the approval of Phase 1, 2 and 3A of the Project the Developer shall assume financial responsibility as set forth below for a portion of the total proportionate share of the cost of construction of improvements to the facilities identified in Exhibits B and C. The Developer's portion of the total proportionate share based upon the methodology contained herein is presently valued at \$4,954,889.00. To discharge its responsibility for this portion of the total proportionate share, the Developer shall make the following contributions to Hillsborough County:

(1) Widening of Providence Road Developer shall unless otherwise required herein design and construct a portion of Providence Road. Said improvement shall consist of constructing a four (4) lane divided, rural road having a forty six (46) foot wide median.

(See Exhibit E attached hereto for approximate location of said improvement.

The Developer shall be under no obligation to build said improvement at any other substantially different location.) The existing Providence Road may be incorporated into the four (4) lane design as the northbound roadway. The southbound roadway shall be constructed west of the existing road. Said improvement shall extend from the intersection with the East-West road described below, not to exceed 3,955 linear feet. All construction shall take place in accordance with County standards relating to roadway design and construction for a minor arterial road section effective as of the date that construction is initiated. The Developer shall dedicate 102 feet of additional right-of-way to Hillsborough County and the County shall thereafter maintain the dedicated facility which includes the pavement and adjacent right-of-way. The total dedicated right-of-way for Providence Road, including the Developers dedicated portion, shall be 200 feet in width. The subject additional 102 feet of right-of-way shall be dedicated prior to issuance of certificates of occupancy for more than 546,300 square feet of Phase 1. The widening of Providence Road as described herein shall be completed prior to issuance of certificates of occupancy for more than 1,456,800 square feet of Phase 1.

(2) North-South Road. Developer shall design and construct a North-South Road as a four-lane divided urban road section with twelve (12) foot wide lanes and a twenty-two (22) foot wide median from Lumsden Road to the East-West Road described below. (See Exhibit E attached hereto for approximate location of said improvements. The Developer shall be under no obligation to build said improvement at any other substantially different location.) All design and construction shall take place in accordance with County standards relating to roadway design and construction for a minor arterial road section effective as of the date that construction is initiated. The right-of-way for the North/South Road shall be dedicated prior to the issuance of certificates of occupancy for more than 252,800 square feet of Phase 2. The dedicated right-of-way shall be ninety-four (94) feet in width. The construction of the North-South Road as described herein shall be completed prior to issuance of certificates of occupancy for more than 1,011,200 square feet of Phase 2.

(1) Credit against the proportionate share contribution for Phase 3B will be allowed for right-of-way desired by the County and dedicated by the Developer, at any time, (except right-of-way for which a credit has already been given and other right-of-way dedicated to the County during any subdivision of the property) which right-of-way will be valued at its fair market value as of the date of dedication, or as otherwise agreed. For purpose of this paragraph, right-of-way shall be construed to mean right-of-way desired for construction of roads intended to implement area transportation plans and does not include right-of-way dedicated for any other County purpose.

(2) Roadway construction performed by the Developer at the request of the County shall be valued on a cost basis in accordance with industry standards and generally accepted accounting principles.

4. Prior to the issuance of building permits for subsequent Phases but after completion of the preceding Phase, the Developer may, at his expense and at his option, conduct, in accordance with the provisions of Florida Statutes S.S. 380.06, a new transportation study(ies) of the Florida Corporate Center transportation impact area as established by the County, the Tampa Bay Regional Planning Council and the Developer during the initial review of the application. This new traffic study(ies) shall be prepared in a manner consistent with that contained in the application and shall be in accordance with the generally accepted traffic engineering practices. The new study(ies) shall analyze the transportation system in the impact area based on existing and approved development, plus the projected impact of the succeeding Phases of the project or that portion of the succeeding Phases for which approvals are being sought. The new study shall serve to verify the findings of the original Development of Regional Impact and to indicate whether or not there are alternative transportation improvements or mechanisms, which, if implemented, will maintain the facilities identified in Exhibit B and C at a daily level of Service C and improvements no longer required may reduce proportionately the project's proportionate share contribution for the phases involved,

which reduction shall be determined in accordance with the credit and adjustment provisions contained herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00. In addition to providing a means of verification of original findings, the new study(ies) may include the following findings and conclusions.

a. If the new transportation study(ies) establishes that certain of the improvements referred to in Exhibit B and C should no longer be required as a factor in the determination of the Developer's proportionate contribution, because the specific roadway link or intersection does not satisfy both of the conditions precedent to the requirement for an improvement to be made, as set out above, or such other less stringent conditions precedent which have been established by the County and which are in effect, at the time of the transportation study(ies), then the Developer's proportionate share contribution for succeeding Phases of the project shall be altered accordingly, subject to adjustment as described herein.

b. If the new study(ies) establishes that the Developer's share, expressed as a percentage, of the improved capacity of a roadway link or intersection changes, then the Developer's contribution to that improvement shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

c. Credit against proportionate share contributions for other Phase(s) transportation impacts will be allowed for contributions made for other Phase(s) improvements to the extent that the new study shows the Project's traffic on particular roadways identified in the other Phase(s) no longer results in the requirement for improvements on said roadways under the conditions precedent which were applied during the other Phase(s) analysis, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

d. Credit against the proportionate share contribution for other Phase(s) transportation impacts will be allowed for all

contributions made in other Phase(s) which exceed the total proportionate share contribution for the other Phase(s) as said proportionate share is identified in Exhibit B and C.

e. (i) The Developer, at its option, may develop and participate in a Transportation System Management (TSM) Program. The TSM Program may include procedures to encourage and facilitate the use of car pooling, van pooling, flex time, transit ridership and provision of bus stop shelters, and shall be developed through the coordinated efforts of the Developer, Hillsborough County, Florida Department of Transportation, the Hillsborough County Metropolitan Planning Organization, Tampa Bay Area Regional Planning Council. If the Developer can demonstrate to the County, in accordance with generally accepted traffic engineering methodology and practices, that the implementation of TSM measures over and above those identified in the application can reduce the development's share of existing capacities for roadway links or intersections (at acceptable levels of service), below the five percent (5%) threshold which triggers the requirement for an improvement to be made, (or such other threshold as is then in effect) then, if such TSM measures are committed to by the Developer or other responsible agencies, those particular improvements will be deleted from the list of required improvements for which the Developer is assessed a proportionate share contribution and the assessments against the succeeding Phase(s) will be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(ii) If the Developer can demonstrate to the County that the implementation of TSM measures over and above those identified in the application can reduce the development's share (expressed as a percentage) of the improved capacity of a roadway link or intersection, which percentage is the basis for calculating the Developer's contribution to an improvement, then the Developer's contribution to that improvement for the succeeding Phase(s) shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

f. (i.) In the event the new transportation study shows that the Florida Department of Transportation or other governmental entity, excluding the County, (subject to the provisions below), should allocate funds in an approved transportation improvement program to cover all of the cost of any of the road improvements identified in Exhibits B and C, then said improvement shall be deleted from the list of required improvements and the Developer's total proportionate share contribution shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00. To the extent that the County should receive road construction funds from sources other than: (a) current gasoline taxes in effect as of the date of this Order, (b) ad valorem taxes, (c) transportation impact fee ordinance/resolution payments or other proportionate share contributions paid by any source except the Developer, whose contributions, credits, and adjustments shall be governed by the terms and conditions of this Order, (Developer may elect pursuant to the terms of Alternative B, herein, to be governed by the terms of the transportation impact fee ordinance/resolution rather than the proportionate share contribution described in Alternative A.) or (d) current special assessments in effect as of the date of this Order and shall allocate said funds in an approved transportation improvement program to cover all of the costs of any of the road improvements identified in Exhibits B and C, then said improvement shall be deleted from the list of required improvements and the Developer's total proportionate share contribution shall be altered accordingly subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

(ii) In the event that the Florida Department of Transportation or other governmental entity, excluding the County (subject to the provisions below), should allocate funds in an approved transportation improvement program to cover a portion of the cost of construction of a road improvement identified in Exhibits B and C, then the Developer's proportionate share contribution shall be calculated by applying the development's share of the traffic, expressed as a percentage of the improved capacity of the road segment or inter-

section, against the remaining cost of construction of the road improvement which must be borne by the County. As a result of the above described process; the total proportionate share contribution of the Developer shall be altered accordingly, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00. To the extent that the County should receive road construction funds from sources other than: (a) current gasoline taxes in effect as of the date of this Order, (b) ad valorem taxes, (c) transportation impact fee ordinance/resolution payments or other proportionate share contributions paid by any source except the Developer, whose contributions, credits, and adjustments shall be governed by the terms and conditions of this Order, (Developer may elect pursuant to the terms of Alternative B, herein, to be governed by the terms of the transportation impact fee ordinance/resolution rather than the proportionate share contribution described in Alternative A.) or (d) current special assessments in effect as of the date of this Order and shall allocate said funds in an approved transportation improvement program to cover a portion of the costs of any of the road improvements identified in Exhibits B and C, the Developer's total proportionate share contribution shall be altered in accordance with the terms of this paragraph, based upon the remaining cost to the County, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,341,458.00.

g. The "adjustment" referred to in this provision shall be calculated as follows:

i. At the time an above provided adjustment is requested by the Developer, the cost of construction and the Developer's proportionate share contribution for the improvements in Exhibits B and C, shall be recalculated based on then-projected construction costs (the "Revised Construction Costs").

ii. The Developer's proportionate share of the Revised Construction Costs for each improvement and the value of the Developer's future road improvements, shall be recalculated applying the then applicable criteria for determining required improvements and proportionate share contributions (the Developer's "Revised Propor-

tionate Share"). The sum of the individual Revised Proportionate Shares as calculated above shall be the Developer's adjusted contribution provided that in no event shall such adjusted contribution exceed the Developer's maximum contribution for the Phase under study. The phrase "maximum contribution for the Phase under study" shall be construed to mean the amount identified in Exhibits B and C as the total proportionate share contribution for the Phase under study.

iii. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

h. The new transportation study(ies) referenced herein shall be submitted to and reasonably approved by the County prior to its use as a basis for alteration of the Developer's proportionate share contribution(s). Once the conditions precedent for credit and adjustment have been established, then the credit and adjustment shall occur in accordance with the provisions contained herein. If as a result of the application of the credits and adjustments, the County and the Developer agree that implementation of the approved contribution plan is impracticable, then the Developer and the County shall also undertake to agree upon amendments to said plans. Said amendments shall be designed to discharge the Developer's proportionate share contribution as altered. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

i. If at a future date it can be shown through subsequent transportation studies that as a result of the application of the credit and adjustment mechanisms described herein the Developer has fully or partially discharged its responsibility for the proportionate share contribution, as determined herein, then the Developer shall be released from its obligation to the extent of said discharge. In no event shall the County be required to refund to the Developer any portion of prior contributions.

j. If the County should develop a system of credits (in addition to the credits provided herein) that are applied in a uniform manner in the assessment of the transportation impacts and proportionate share contributions of the developments within the County, then the Developer may at the point of the next transportation study consider said credit in the computation of the Developer's proportionate

share contribution, subject to adjustment as described herein. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

5. The County agrees to utilize the Developer's contributions for the specific purposes stated above. The County shall award contracts for construction of the improvements identified in Exhibits B and C upon receipt of contributions or impact assessment fees from development projects in this impact area which equal, in the aggregate, when coupled with funds received from other sources and funds allocated in the County's transportation Improvement Program, the cost of those improvements; provided, however, that the above referenced list of improvements may be modified based on subsequent transportation studies, transportation system management measures, or similar mitigation programs. The above described modification may amend the list of improvements identified in Exhibit B and C and related Developer's proportionate share contribution, but in no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

6. Signage and traffic control devices located on private roads within the project shall be the responsibility of the Developer. The Developer shall also be responsible for construction of access points and installation of traffic control devices necessitated by the project at those locations where project roads intersect County roads. The responsibilities contained in this paragraph are to be assumed by the Developer at his expense and are not intended to be considered part of the Developer's proportionate share contribution for off-site transportation improvements as described herein, but shall be in addition thereto.

7. The Developer shall provide bus shelters, bus turnouts and information signs on or adjacent to the site when transit service becomes available to the area of a scope consistent with usage goals for this development as identified in the application. The responsibilities contained in this paragraph are to be assumed by the Developer at his expense and are not intended to be considered part of the Developer's proportionate share contribution for off-site transportation improvements as described herein, but shall be in addition thereto.

B. Alternative B.

1. Upon the adoption of a County transportation impact fee ordinance/resolution, the Developer may, at its option, elect to be governed exclusively by the provisions of this Alternative B for satisfying its obligation to contribute a proportionate share for the Project. If the Developer elects this Alternative, the Developer shall complete all contractual obligations undertaken at that point in constructing any improvements agreed to as satisfying a portion of the proportionate contribution and thereafter, pay impact fees as imposed by ordinance or resolution to the extent and in the same manner as such fees are imposed on other developers subject to such fees; provided, however, that: (a) the Developer shall be given credits against those impact fees imposed by ordinance or resolution, for all costs expended in engineering and constructing improvements under the contractual obligations referenced in this paragraph, (b) the Developer shall be given credit against those impact fees imposed by ordinance or resolution for other proportionate share contributions made pursuant to the terms of approved contribution plans described in Alternative A, and (c) in the event that the Florida Department of Transportation or other governmental entities should allocate funds (excluding County funds) in an approved transportation improvement program to cover costs of construction of one or more of the improvements identified in Exhibit B and C and the cost of these programmed improvements was included in the calculation of the Developer's impact fee, then the Developer's impact fee shall be reduced by an amount representing the proportionate amount of the fee attributable to said improvements.

2. Signage and traffic control devices located on private roads within the Project shall be the responsibility of the Developer. The Developer shall also be responsible for construction of access points and installation of traffic control devices necessitated by the Project at those locations where project roads intersect County roads. This obligation is in addition to impact fees paid pursuant to ordinance or resolution.

3. The Developer shall provide bus shelters, bus turn-outs and information signs on or adjacent to the site when transit service becomes available to the area of a scope consistent with usage goals for this development as identified in the application. This obligation is in addition to fees paid pursuant to ordinance or resolution.

4. Nothing contained herein shall be construed to constitute a waiver by the Developer of its rights to contest the validity of said impact fee.

C. Alternative C

1. The Developer may, rather than assume responsibility for a proportionate share contribution, identified in Alternative A, elect to delay development until such specific road improvements as may be necessary by the standard provided herein to accommodate the transportation impact of a particular phase or portion thereof, as said Phases and respective Phase road improvements are identified in Exhibit B, C, and D, have been committed to by the appropriate entities. Said election shall be in writing and shall be delivered to the County Administrator. In the event the Developer elects to resume development of a particular phase or portion thereof, then the Developer shall in writing notify the County Administrator of such election (said election shall be delivered to the County Administrator prior to the issuance of any development permits) and shall reassume the financial responsibility for its proportionate share contribution as identified in Alternative A or the Developer may elect, prior to issuance of development permits, to complete a transportation study in accordance with the provisions contained in Paragraph A, subparagraph 4 of Alternative A. Any "adjustments" and "credits" allowed the Developer shall be computed in accordance with the terms contained in the referenced subparagraph. Upon completion of said study, the Developer shall assume financial responsibility for its proportionate share contribution derived from said study, in accordance with the terms of Alternative A. In no event shall Developer's total proportionate share contribution for the project exceed \$5,351,458.00.

2. No development permits for the particular phase or portion thereof shall be issued unless appropriate entities

have, within the context of approved transportation improvement programs, committed to the road improvements required to accommodate at daily LOS C the projected development traffic coupled with existing and proposed background traffic, which improvements are identified in Exhibit B and C.

3. Even though the Developer may have elected to forego development of a particular phase or portion thereof to the terms of this Alternative, said Developer shall be required to complete performance of the proportionate share contribution applicable to preceding phases and that portion of a phase which was not the subject of the election described above.

III. General Provisions

A. Amendments to Phasing Schedule

1. The development of the Project in accordance with the proposed phasing schedule identified in Exhibit B, C, and D is an integral part of the transportation condition. Therefore, if the Developer elects to amend the proposed phasing schedule, it shall submit said amendments to the County for review and approval, which approval shall not be withheld for mere acceleration of phases if the terms of this Order are otherwise fully complied with. If the County finds that amendments to the terms of this Development Order are required by the amendments to the phasing schedule, then said amendments to the extent consistent herewith shall be included as conditions of approval of the changes to the phasing schedule. In no event shall the Developer's total proportionate share contribution for the Project exceed \$5,351,458.00.

2. It is not the intent of this provision to prohibit or limit the Developer's right to develop the Project on an accelerated schedule. Rather the purpose of this provision is to ensure that all prerequisites for each Phase of the Project are complied with. In recognition of this purpose, review by the County shall be accomplished in an expeditious manner and approval shall be granted as provided above

7. Identification of specific construction implementation goals, such as right-of-way acquisition and implementation of additional north/south and east/west corridors designed to coincide with transportation improvement needs generated by each phase completion for projects approved within the study area.

8. Identify available funding commitments for the improvements.

D. The following road facilities were not considered as elements of the Project's total fiscal impact on the transportation system because they are presently under construction or proposed for construction by Florida D.O.T.:

1. Improve U.S. 301 to a six (6) lane divided facility from the intersection with S.R. 60 to the intersection with Interstate 75.

2. Improve Buffalo Avenue to a four (4) lane divided facility from the intersection with U.S. 41 to the intersection with U.S. 301.

E. The road segments described below may require future improvements (in addition to those improvements currently projected in Exhibit B and C by appropriate entities. The Developer or his assigns shall monitor traffic volumes on these segments at the end of each Phase. If traffic volumes (including Developer's traffic plus total background traffic) at that time fall below daily level of service D and the Project's traffic equals or exceeds 5% of the daily LOS C capacity of the existing roadway(s), those improvements required to maintain daily level of service C peak hour D that are in addition to those improvements currently projected in Exhibit B and C shall be added to Exhibits B and C for purposes of calculation, adjustments and credits utilizing such Exhibits according to the terms of this Order. In no event under this or any other section hereof, shall this study (1) increase the Developer's total pro rata share contribution for the Project above \$5,351,458.00, nor (2) shall this study described in this paragraph E affect the contribution method provided in Section II A. The County shall award construction for said improvements in accordance with the provisions of paragraph 5, Alternative A, herein.

1. The east/west corridor north (road segment EX - 420, Exhibit B and C currently identified in said Exhibit as requiring 4 lanes) from the intersection with Kings to the intersection with Lakewood.

- e. Develop asphalt roads as soon as practical; and
- f. Stage clearing of lands within development areas to reduce land opened and exposed to windy conditions; and
- g. Undertake watering and spraying at all stages of clearing to insure dust control; and
- h. Undertake mulching, seeding and sodding as soon as possible after final grading is completed; and
- i. Undertake progressive development of roadways, landscaping and buildings for purposes of reducing fugitive dust emissions.

I. Maintenance Functions

- 1. The Developer, his assigned agents or successors shall be responsible for the maintenance of all open space/recreational areas and landscaped areas within each phase of the development.
- 2. Those portions of the stormwater drainage system and retention and detention ponds not dedicated to Hillsborough County shall remain the responsibility of the Developer, his assigned agents or his successors.
- 3. The Developer, his assigned agents or successors shall undertake parking lot sweeping as a routine maintenance function.
- 4. The Developer, his assigned agent or successor shall be responsible for the operation and maintenance of all on-site wells and landscape irrigation systems.

J. Erosion Control

Developer shall utilize the following practices to prevent potential pollutants from leaving the construction site:

- 1. Straw filter barriers and/or filter fabric at discharge points including temporary discharge points; and
- 2. Temporary sediment basins and perimeter dike systems to be installed as a first step in the grading process and to be checked and cleaned out regularly.

2. The north/south corridor (road segment BF - 210, Exhibit B and C currently identified in said Exhibit as requiring 4 lanes) from the intersection with Brandon Town Center's east/west road to the intersection with Lumsden Road.

3. Bell Shoals Road from the intersection with Lumsden Road to the intersection with Garnet Drive.

4. U.S. 301 from the intersection with C.R. 574 to the intersection with S.R. 60.

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

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 resolution adopted by the Board at its regular meeting of December 21, 1983 as the same appears of record in Minute Book 94 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 27th day of
December, 1983.

JAMES F. TAYLOR, JR., CLERK

By: J. Ed Smith
DEPUTY CLERK

APPROVED BY COUNTY ATTORNEY

BY SMF

Approved As To Form And
Legal Sufficiency.

EXHIBIT "D"

EXHIBIT
PHASING SCHEDULE

(1990)
PHASE 1

Office	615,000 s.f.
Distribution/L. Industrial	1,116,000 s.f.
Community Commercial	90,000 s.f.

PHASE 1A - 910,500 s.f. of the uses allowed in Phase 1
PHASE 1B - 910,500 s.f. of the uses allowed in Phase 1

(1995)
PHASE 2

Office	449,000 s.f.
Distribution/L. Industrial	815,000 s.f.
Community Commercial	-0- s.f.

(2000)
PHASE 3

Office	378,000 s.f.
Distribution/L. Industrial	687,000 s.f.
Community Commercial	310,000 s.f.

PHASE 3A - 1,075,000 s.f. of the uses allowed in Phase 3
PHASE 3B - 300,000 s.f. of the uses allowed in Phase 3

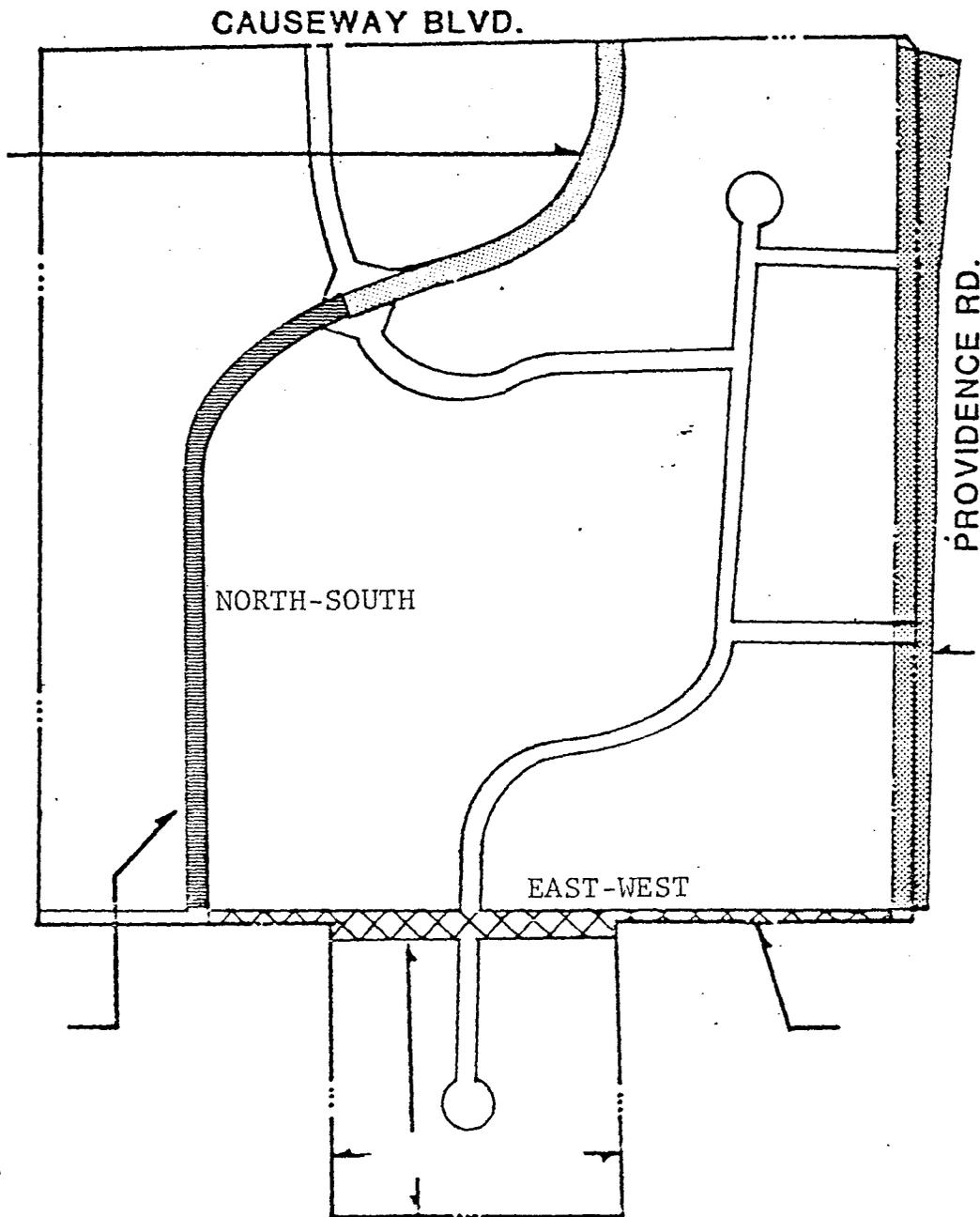
TOTAL

Office	1,442,000 s.f.
Distribution/L. Industrial	2,618,000 s.f.
Community Commercial	400,000 s.f.

EXHIBIT "E"

EXHIBIT TRANSPORTATION IMPROVEMENTS

PHASE 1, 2, 3A: APPROXIMATE LOCATIONS



FLORIDA CORPORATE CENTER

FLORIDA LAND DESIGN & ENGINEERING, INC.

COUNTY

An Affirmative Action
Equal Opportunity Employer



OF HILLSBOROUGH

POST OFFICE BOX 1110 TAMPA, FLORIDA 33601

*26 ✓
file*

BOARD OF COUNTY COMMISSIONERS

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

December 27, 1983

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

Re: Florida Corporate Center Development of Regional Impact

Dear Mr. Ockunzzi:

Enclosed please find the Development Order for the Florida Corporate Center Development of Regional Impact. Accompanying the Development Order are certain exhibits. I have not included the Application for Development Approval since your office has a copy of same.

Should you require any further information concerning this Development Order, please feel free to contact Richard E. Davis, Assistant County Attorney, at (813) 272-5670.

Sincerely,

J. Ed Smith
J. Ed Smith
Chief Deputy Clerk

JES:RED:dm

Enclosures

*orig
New Dec 20/1983
copy #15 10/1983*

F.C.C.

ROAD				EXIST	LOS C	TOTAL	TOTAL	% DEVEL	PROP	LOS C	% DEVEL	IMP.	DEVEL
SEGM.	LINK	FROM	TO	LANES	CAP.	TRAFFIC	TRAFFIC	OF EXIS LOS C	LANES	CAP.	OF PROP LOS C	COST	TOTAL COST
60-400	S.R.60	PARSONS	KINGS	6	42700	80852	4680	11	8	55200	8.33	561209	0
60-420	S.R.60	KINGS	LAKWOOD	6	27900	70138	1840	7	8	55200	3.33	900000	0
60-430	S.R.60	LAKWOOD	NS COR	6	27900	85578	920	3	8	55200	1.67	460227	0
60-440	S.R.60	NS COR	I-75	6	42700	86153	6409	15	8	55200	11.61	762397	0
EX-420	EW COR N	KINGS	LAKWOOD	0	0	32660	2147	999	4	27900	7.69	3409091	262295
EX-430	EW COR N	LAKWOOD	NS COR	0	0	28041	613	999	4	27900	2.20	1249483	27467
EX-440	EW COR N	NS COR	I-75	0	0	30656	2833	999	4	27900	10.33	4913326	507641
LU-400	LUNSDEN	PARSONS	KINGS	2	11800	31623	1533	.13	4	27900	5.50	1026601	56419
LU-420	LUNSDEN	KINGS	PRVDENCE	4	11800	34726	1901	16	6	42700	4.45	1380682	61477
LU-430	LUNSDEN	PRVDENCE	NS COR	6	42700	43987	3373	8	6	42700	7.90	0	0
LU-440	LUNSDEN	NS COR	I-75	6	42700	47776	7329	17	6	42700	17.16	0	0
LU-460	LUNSDEN	I-75	U.S.301	6	42700	41980	6287	15	6	42700	14.72	0	0
CA-470	CASWY BL	U.S.301	78TH ST	2	11800	25118	3251	28	4	27900	11.65	2591253	391904
CA-480	CASWY BL	78TH ST	U.S.41	2	11800	19566	2269	19	4	27900	8.13	1476412	120086
BR-400	EW COR S	BRYAN	KINGS	0	0	23538	1227	999	4	27900	4.40	4500000	197845
BR-420	EW COR S	KINGS	PRVDENCE	0	0	20250	2147	999	4	27900	7.69	3207645	246795
BR-430	EW COR S	PRVDENCE	NS COR	0	0	16333	5857	999	4	27900	20.99	1707989	358568
BL-400	BLMGDALE	JHN MORE	KINGS	2	11800	16156	920	8	4	27900	3.30	980975	32347
BL-420	BLMGDALE	KINGS	PRVDENCE	2	11800	13927	613	5	4	27900	2.20	2993450	65914
BL-430	BLMGDALE	PRVDENCE	NS COR	2	11800	18682	767	6	4	27900	2.75	1094180	30066
BL-440	BLMGDALE	NS COR	U.S.301	2	11800	25730	3833	32	4	27900	13.74	1094180	150332
60-300	S.R.60	PARSONS	BRYAN	6	42700	73292	3987	9	8	55200	7.22	559091	0
LU-300	LUNSDEN	PARSONS	BRYAN	2	11800	29648	1073	9	4	27900	3.85	1022727	39344
LU-320	LUNSDEN	BRYAN	LTH PINE	2	11800	19405	460	4	4	27900	1.65	1022727	0
BL-300	BLMGDALE	JHN MORE	BRYAN	2	11800	25764	613	5	4	27900	2.20	977273	21483
BL-320	BLMGDALE	BRYAN	LTH PINE	2	11800	34873	460	4	4	27900	1.65	977273	0
BY-200	BRYAN	S.R.60	LUNSDEN	2	11800	26485	767	6	4	27900	2.75	2035985	55946
BY-230	BRYAN	LUNSDEN	BLMGDALE	2	11800	21927	153	1	4	27900	0.55	4108939	0
PA-200	PARSONS	S.R.60	LUNSDEN	2	11800	38342	920	8	6	42700	2.15	3200758	68961
PA-220	PARSONS	LUNSDEN	BLMGDALE	2	11800	28804	460	4	4	27900	1.65	4108989	0
KI-200	KINGS	S.R.60	LUNSDEN	2	11800	32045	2147	18	4	27900	7.69	2035985	153648
KI-220	KINGS	LUNSDEN	EW COR S	2	11800	25662	307	3	4	27900	1.10	2054494	0
KI-230	KINGS	EW COR S	BLMGDALE	2	11800	23533	153	1	4	27900	0.55	2054494	0
PL-200	PAULS DR	S.R.60	LUNSDEN	2	11800	22017	920	8	4	27900	3.30	2130682	70258
PL-220	PAULS DR	LUNSDEN	EW COR S	0	0	10580	307	-999	2	11800	2.60	1120868	0
PL-230	PAULS DR	EW COR S	BLMGDALE	0	0	8004	153	-999	2	11800	1.39	1841426	0
LA-200	LAKWOOD	S.R.60	EW COR N	2	11800	27323	2147	18	4	27900	7.69	783402	60275
LA-210	LAKWOOD	EW COR N	LUNSDEN	2	11800	29276	3937	34	4	27900	14.29	1077776	157145
PR-220	PRVDENCE	LUNSDEN	EW COR S	2	11800	21527	5213	44	4	27900	18.69	1453512	271594
PR-230	PRVDENCE	EW COR S	BLMGDALE	2	11800	14417	1380	12	4	27900	4.95	2482955	122810
BF-200	NS COR	S.R.60	BTC PROP	0	0	19992	7329	999	4	27900	26.27	1132748	297567
BF-205	NS COR	BTC PROP	BTC EW	0	0	19992	7329	999	4	27900	26.27	199397	52512
BF-210	NS COR	BTC EW	LUNSDEN	0	0	31440	10925	999	4	27900	39.80	1079545	418360
BF-220	NS COR	LUNSDEN	EW COR S	0	0	26872	10273	999	4	27900	36.82	1793388	660347
BF-230	NS COR	EW COR S	BLMGDALE	0	0	8967	3967	999	2	11800	25.99	1841426	478552

* 999 DENOTES NEW ROAD SEGMENT

\$

75432597 5351459

2000

ROAD	SEGMENT	LANES	LANES	R/W	R/W	R/W	R/W	R/W	R/W	CCNST.	CCNST.	T		
SEGN	LINK	FROM	TO	LENGTH	EXIS.	PROP.	EXIS.	NEEDED	ACRES	\$/ACRE	COST	\$/MILE	COST.	
60-400	S.R.60	PARSONS	KINGS	2650	6	8	176	200	1.46	75000	109504	900000	451705	56
60-420	S.R.60	KINGS	LAKEWOOD	5280	6	8	200	200	0.00	75000	0	900000	900000	90
60-430	S.R.60	LAKEWOOD	NS COR	2700	6	8	200	200	0.00	75000	0	900000	460227	48
60-440	S.R.60	NS COR	I-75	3600	6	8	176	200	1.98	75000	148760	900000	613636	78
EX-420	EW COR N	KINGS	LAKEWOOD	6000	0	4	0	176	24.24	75000	1818182	1400000	1590909	340
EX-430	EW COR N	LAKEWOOD	NS COR	2050	0	4	0	200	9.41	75000	705923	1400000	543561	124
EX-440	EW COR N	NS COR	I-75	3100	0	4	0	200	14.23	75000	1067493	6550322	3845833	491
LU-400	LUNSDEN	PARSONS	KINGS	2650	2	4	50	176	7.67	75000	574897	900000	451705	102
LU-420	LUNSDEN	KINGS	PRVDENCE	8100	4	6	200	200	0.00	75000	0	900000	1380682	138
LU-430	LUNSDEN	PRVDENCE	NS COR	1500	6	6	200	200	0.00	75000	0	0	0	0
LU-440	LUNSDEN	NS COR	FAULKNBG	4700	6	6	200	200	0.00	75000	0	0	0	0
LU-460	LUNSDEN	FAULKNBG	U.S.301	3200	6	6	200	200	0.00	75000	0	0	0	0
CA-470	CASWY BL	U.S.301	78TH ST	8600	2	4	100	176	15.00	75000	1125344	900000	1465909	250
CA-480	CASWY BL	78TH ST	U.S.41	4900	2	4	100	176	8.55	75000	641185	900000	835227	140
BR-400	EW COR S	BRYAN	KINGS	7920	0	4	0	176	32.00	75000	2400000	1400000	2100000	450
BR-420	EW COR S	KINGS	PRVDENCE	8100	0	4	100	176	14.13	75000	1059917	1400000	2147727	320
BR-430	EW COR S	PRVDENCE	NS COR	4000	0	4	0	94	8.63	75000	647383	1400000	1060606	170
BL-400	BLMGDALE	JAY MORE	KINGS	2650	2	4	60	176	7.06	75000	529270	900000	451705	90
BL-420	BLMGDALE	KINGS	PRVDENCE	8100	2	4	60	176	21.57	75000	1617769	900000	1380682	290
BL-430	BLMGDALE	PRVDENCE	NS COR	3100	2	4	70	176	7.54	75000	565771	900000	528409	100
BL-440	BLMGDALE	NS COR	U.S.301	3100	2	4	70	176	7.54	75000	565771	900000	528409	100
60-300	S.R.60	PARSONS	BRYAN	2640	6	8	176	200	1.45	75000	109091	900000	450000	56
LU-300	LUNSDEN	PARSONS	BRYAN	2640	2	4	50	176	7.64	75000	572727	900000	450000	100
LU-320	LUNSDEN	BRYAN	LTH PINE	2640	2	4	50	176	7.64	75000	572727	900000	450000	100
BL-300	BLMGDALE	JAY MORE	BRYAN	2640	2	4	60	176	7.03	75000	527273	900000	450000	90
BL-320	BLMGDALE	BRYAN	LTH PINE	2640	2	4	60	176	7.03	75000	527273	900000	450000	90
BY-200	BRYAN	S.R.60	LUNSDEN	5500	2	4	60	176	14.65	75000	1098485	900000	937500	200
BY-230	BRYAN	LUNSDEN	BLMGDALE	11100	2	4	60	176	29.56	75000	2216942	900000	1892045	410
PA-200	PARSONS	S.R.60	LUNSDEN	5500	2	6	60	200	17.68	75000	1325758	1800000	1875000	320
PA-220	PARSONS	LUNSDEN	BLMGDALE	11100	2	4	60	176	29.56	75000	2216942	900000	1892045	410
KI-200	KINGS	S.R.60	LUNSDEN	5500	2	4	60	176	14.65	75000	1098485	900000	937500	200
KI-220	KINGS	LUNSDEN	EW COR S	5550	2	4	60	176	14.78	75000	1108471	900000	946023	200
KI-230	KINGS	EW COR S	BLMGDALE	5550	2	4	60	176	14.78	75000	1108471	900000	946023	200
PL-200	PAULS DR	S.R.60	LUNSDEN	5500	2	4	50	176	15.91	75000	1193182	900000	937500	210
PL-220	PAULS DR	LUNSDEN	EW COR S	4200	0	2	0	100	9.64	75000	723140	500000	397727	110
PL-230	PAULS DR	EW COR S	BLMGDALE	6900	0	2	0	100	15.84	75000	1188017	500000	653409	180
LA-200	LAKEWOOD	S.R.60	EW COR N	2600	2	4	100	176	4.54	75000	340220	900000	443182	70
LA-210	LAKEWOOD	EW COR N	LUNSDEN	3650	2	4	100	176	6.37	75000	477617	900000	622159	100
PR-220	PRVDENCE	LUNSDEN	EW COR S	4200	2	4	90	200	9.83	75000	737603	900000	715909	140
PR-230	PRVDENCE	EW COR S	BLMGDALE	6900	2	4	60	176	17.42	75000	1306818	900000	1176136	240
BF-200	NS COR	S.R.60	BTC PROP	3060	0	4	0	94	6.60	75000	495248	1100000	637500	110
BF-205	NS COR	BTC PROP	BTC EW	540	0	4	0	94	1.17	75000	87397	1100000	112500	10
BF-210	NS COR	BTC EW	LUNSDEN	1900	0	4	0	176	7.68	75000	575758	1400000	503788	100
BF-220	NS COR	LUNSDEN	EW COR S	4200	0	4	0	94	9.06	75000	679752	1400000	1113636	170
BF-230	NS COR	EW COR S	BLMGDALE	6900	0	2	0	100	15.84	75000	1188017	500000	653409	180

467.37 35052583 40379224 754