TAB 9

Project #17-722 Terra Ceia Townhomes – PID#2416820005

PROJECT SUMMARY			
CASE NUMBER	Project # 17-722		
PROJECT ADDRESS	N/A		
PARCEL I.D. #	2416820005		
APPLICANT(S)	Terra Ceia Development Partners, LLC/Zirkelbach Signature Homes, LLC		
GENERAL LOCATION	West of 14 th Avenue West\10 Downing Street Condos, and south of Terra Ceia Bay Clubhouse & Golf.		
ACREAGE	3.42 acres m.o.l.		
FUTURE LAND USE	PC (Planned Community)		
ZONING	PD-H (Planned Development Housing)		
PROPOSED USE(S)	22, 1-Story Residential Villas		
STAFF REVIEWER	Karla Owens, City Planner		
STAFF RECOMMENDATION	Recommend Approval of General Development Plan with Specified Conditions and Deviations.		
CITY ATTORNEY REVIEW	Yes		
ADVISORY BOARD RECOMMENDATION	Not applicable		

INTRODUCTION

History:

The subject property was originally permitted for 50 residential units as part of the 1992 Terra Ceia Golf and Country Club P.U.D. I & II. Subsequently, in 2003, a general development plan for this parcel was submitted in the name of 1600 Pennsylvania Avenue at Terra Ceia Bay Country Club. That GDP proposed 93 apartment/condo units in two, 9 story buildings for a total density of 26.31 du/acre, but was denied by the City. In March 2005, a Conceptual Development Plan was submitted by the Manatee Fruit Company which designated the Terra Ceia Parent Tract as PD-H zoning.

The currently proposed project is to construct 22, one-story residential villas on the subject property. The property is located immediately west of the 10 Downing Street building, and is bordered to the north and south by the golf course. The access to the property is via Terra Ceia Bay Lane, a 36 foot platted right-of-way owned by the CDD. The parcel is also included in the existing FDEP storm-water master plan, but is not part of the Terra Ceia Community Development District.

Request:

The proposed General Development Plan is to construct 22, one-story residential villas on the subject property

which is currently undeveloped and zoned PD-H. There will be a total of eleven buildings, each containing two residential units with attached garages. The property will also contain a proposed open space/water feature/fountain area, and will be a private, gated community marketed toward seniors. The applicant has requested a waiver from the requirements of a conceptual plan and has instead submitted a general development plan for review. In addition, the developer, Terra Ceia Development Partners, LLC/Zirkelbach Signature Homes, LLC, is requesting a deviation from following development guidelines set forth in Section 8.5 of the City Code:

- 1. Section 8.5(a) (1) requires perimeter landscaped setbacks of 35 feet between the walls of all structures and the perimeter of the district. The developer is requesting a deviation from required perimeter setbacks on the north, south and east boundaries of the property. The closest building wall on the north boundary is 12.88 feet from the property line. There is, however, an additional 15 foot proposed grading easement as well as a new 6.5 foot golf cart path proposed by the developer just outside the north property line which effectively provides 34.38 feet of open space between the wall of the closest building and the golf course. The closest building wall on the west boundary is 21.90 feet. In addition, the southwest corner of that building is only 2.24 feet from the property line due to the geometry of the parcel. The west boundary of the property abuts two .8 acre residential lots in the Boccage Subdivision. The western boundary of the subject property is approximately 111 feet from the closest home on the adjoining property. There is also a grove of existing mature trees along the western boundary creating a natural buffer from the rear of the lots in the Boccage Subdivision. Finally, the closest building wall on the south boundary is 7 feet from the property line. Like the north boundary, there is a proposed 30 foot drainage easement immediately abutting the south boundary of this property. The 7 foot setback together with the 30 foot drainage easement will provide 37 feet of open space buffer between the closest building and the golf course on the south;
- 2. Section 8.5(a) (2) requires a 25 foot separation wall to wall between structures. The developer is requesting a proposed building separation of 18.5 feet for the eight homes abutting the south property line. The setbacks between these buildings were reduced to maximize the east and west perimeter setbacks. Additionally, since the units are proposed as one-story dwellings, the separation between buildings will be otherwise sufficient for egress; and
- 3. Section 8.5 (a) (3) requires a 35 foot setback from private right-of-way. The developer is proposing a single right of way through the project which will be a gated community. The developer is requesting a reduction of the setback from the right-of-way from 35 feet to twenty (20) feet. There are developmental limitations to the site due to the geometry of the parcels. In addition, the driveways for each unit are a minimum of twenty (20) feet in length, which results in the setback from the private road to be the same.

The proposal is consisted with the City's Comprehensive Plan, with the PD-H zoning district regulations, and with the surrounding neighborhood as analyzed and set forth below.

ANALYSIS OF SITE CHARACTERISTICS AND SURROUNDING AREA

- 1. <u>Density:</u> The proposed density of this project is approximately 6.5 du/acre. The *allowable* density on this parcel pursuant to the City's Comprehensive Plan is 55 du/acre. The *allowable* density under the PD-H zoning district is 16 du/acre. In addition, the average density of surrounding residential projects in this area is 31.45 du/acre. Also, as mentioned above, the 1992 Preliminary Development Plan for Terra Ceia P.U.D. I & II showed a density of 50 units on this parcel. The proposed density of this plan is significantly below allowable densities and is, therefore, in compliance with the City's Comprehensive Plan and Zoning Ordinance.
- 2. <u>Surrounding Uses:</u> The adjoining property to the north and south of this project is developed golf course. The property borders the rear property lines of two .8 acre lots in the Boccage Subdivision on the west end, and the 10 Downing Street building on the east end. The access to this property is through a platted, designated access road, Terra Ceia Bay Lane, which is owned/maintained by the Terra Ceia CDD. This project will be gated with no other through access. The proposed project will serve as a good, low density transitional development between the higher density condominium to the

east and the single family subdivision to the west.

- 3. Flood Zones: Zone AE (Elevation 9 feet for finished floor elevation).
- 4. Utility Connections: Water, sewer, irrigation, electric, cable, etc. are all available in this area.
- 5. Transportation: No traffic study is required by the City Code
- 6. <u>Schools:</u> It is anticipated that this project will be marketed to senior citizens. However, the School Board of Manatee County has provided the attached report indicating that they have no objections and that they do have capacity at this time.
- 7. <u>Wetlands and Endangered Species:</u> There is no wetland area or endangered species which have been identified on the subject property.
- 8. Solid Waste: Each unit will have residential trash service.
- 9. <u>Landscaping:</u> There are 3 existing mature oak trees which will remain along the west property line. The developer will also install 5 live oak trees along the north perimeter along with a total of 82 shrubs elsewhere along the property boundaries. Each townhome building will be individually landscaped as set forth on the plan.
- 10. Open Space: Section 8.5(i) of the City Code requires 25% of the gross site be designated as open space. The developer has dedicated 1.38 acres which is approximately 40% of the site for open space including grass areas and a water/fountain feature area. In addition, the density of the project is very low and all of the units will enjoy a golf course view.
- 11. Proposed GDP Conditions/Survey Discrepancies: The existing survey for the subject property shows a 31 foot private roadway easement along the southern portion of the parcel. This easement is different from the proposed roadway through the project and must be vacated or otherwise addressed prior to final site/construction plan approval of the townhome development. In addition, the roadway access area east of the property connecting Terra Ceia Bay Lane to the project does not match what has been proposed. Consequently, if the General Development Plan is approved, both issues must be legally resolved prior to final site/construction plan approval.

Staff Recommendation:

Staff recommends the Planning and Zoning Board recommend approval of the proposed General Development Plan for the Terra Ceia Townhomes with the following conditions and deviations from Section 8.5 of the City Code:

Conditions:

- 1. The private roadway easement (D) currently depicted on the existing survey of the property and contained on Page C1 of the General Development Plan shall be vacated or otherwise legally removed prior to the City's approval of final site/construction plans for this project; and
- 2. The eastern roadway connection currently depicted on the existing survey and contained on Page C1 of the General Development Plan shall be legally removed prior to the City's approval of final site/construction plans for this project.

Deviations:

1. Reduction of perimeter landscaped setbacks between structure walls and the perimeter of the district from 35 feet to 12.88 feet on the north boundary; from 35 feet to 21.90 feet on the west boundary; from

- 35 feet to 2.24 feet on the southwest corner; and from 35 feet to 7 feet on the south boundary of the subject property; and
- 2. Reduction of setback between buildings from 25 feet to 18.5 feet for the townhomes along the south property line; and
- 3. Reduction of structure setback from private right-of-way from 35 feet to 20 feet.

Funding:

No funding is required for this item.

PLANNING AND ZONING BOARD RECOMMENDATION

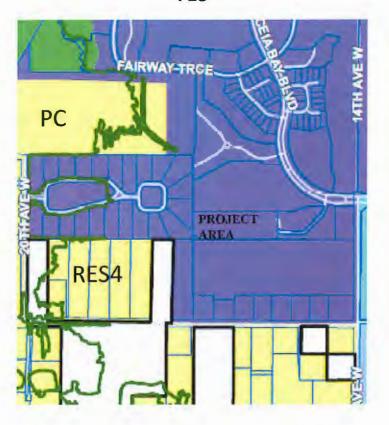
On May 25, 2017, the Planning and Zoning Board held a public hearing to consider a recommendation to the City Commission of this general development plan. Motion was that the GDP was found consistent with the City's Comprehensive Plan and Ordinances, and recommended for approval (3-2) subject the following deviations and revised conditions:

The private roadway easement (D) currently depicted on the existing survey of the property and
contained on Page C1 of the General Development Plan shall be vacated or otherwise legally removed
prior to the City's approval of the final site/construction plans for this project and the entryway shall
connect to the CDD-owned drive to the east through a road or easement acceptable to the City Attorney.

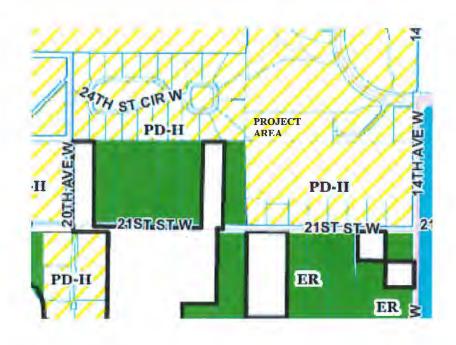
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- 2. Reduction of setback between buildings from 25 feet to 18.5 feet for the townhomes along the south property line; and
- 3. Reduction of structure setback from private right-of-way from 35 feet to 20 feet.

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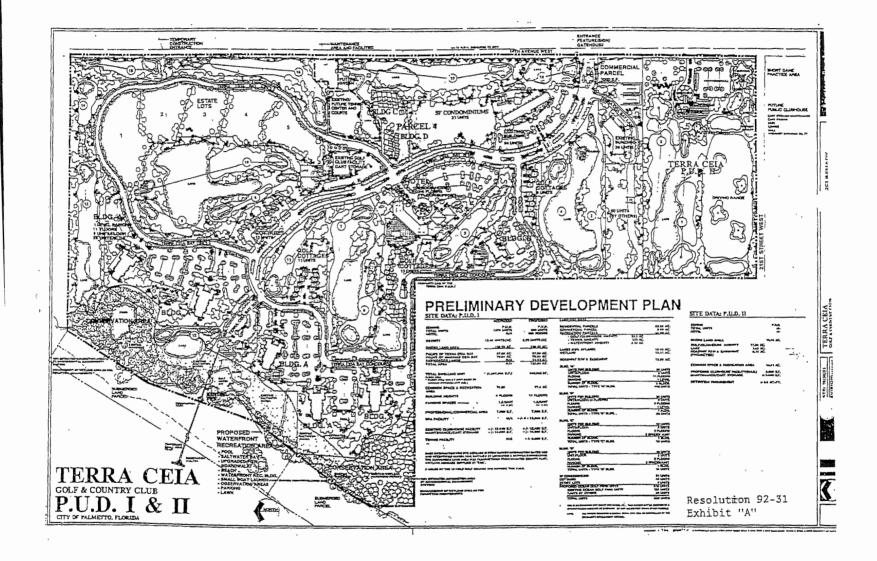


ZONING



SUBJECT PROPERTY LABELED IN RED





School District of Manatee County

School Report

		Scho	or resport			
This report is in respo		Report does not res				d development
	eport is intended to b					
Project Information		5-505.				
Local Government:	City of Palmetto		Case Planner:	Allen Tusing	F	ee: \$650 DUE
Project Name:	Terra Ceia Townho	omes			Da	te: 04/26/17
Application Type:	General Developm	ent Plan (GDP)			CC	L:
Application Number:	GDP 2017-722				SS	A: <u>1</u>
DTS Number:	-				MEP	'S:
Address/PIN:	PIN 2416820005				Acre	es: 3.42
Development Plan Review	v - Summarv					
Impacts to Educational F	•			YES	NO	
School Capacity Level-of-				-	х	
Sidewalks and Bicycle Pat				X	-	_
School crosswalks, signs, o	crossing guards and t	raffic impacts		X	_	_
Transportation, bus stops a	nd bus shelter comm	ents		X	_	_
School site desired within	development		_	-	X	
Development compatible c	oncerns with nearby	school(s)	-	-	X	_
Other:				-	X	_
Development Plan Review	v - Comments			47 44	nin a de	
Sidewalks and Bicycle Prederical Terra Ceia townhomes is I a partial sidewalk on the wappreciate a complete side students with a safe route students with a	ocated within the tweet side of 14th Ave walk network on the to area schools and bool Signs, Crossing Crequesting school signs, the City of Palmetto os, and Bus Shelters not located within the	W. As the City of P west side of 14th A us stops. Guards and Traffic ans or markings for the stops of the st	almetto reviews the West that connect the West that connect the West that the West the West that the West that the West that the West the West the West the	neir infrastructure s from Terra Ceia time. In the future access the sidewa	needs, the School Bay Blvd to 17th a, a midblock cross alk on the east side	District would St W providing swalk may be e of 14th St W at es may require a
42.7 feet curb to curb. Projected Students	,	and digwal markets				
Proposed Dwelling Unit	Dwelling Units	Elementary	Middle	High	Total	
Townhouse/Duplex	22	5	1	1	7	
Signature:	941) 708-8800 X1	Executive	Planner	Date:	4/27/1	7

PROJECT FILE #_11-722 RECEIVED MAY 15 2017

VICINITY MAP - NOT TO SCALE

BEFORE YOU DIG ONE CALL OF FLORIDA

GENERAL DEVELOPMENT PLAN

ZIRKELBACH SIGNATURE HOMES, LLC TERRA CEIA TOWNHOMES CITY OF PALMETTO

MANATEE COUNTY, FLORIDA SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST

DEVIATION REQUEST FOR THE CONCEPTUAL GDP

25 FEET TO 18.5 FEET BETWEEN THE PROPOSED BUILDINGS.

I. THE BUILDING SETBACK BETWEEN BUILDINGS IS BEING REDUCED FROM

2. PUBLIC OR PRIVATE RIGHT-OF-WAY SETBACK: 35 FEET IS REQUIRED FROM ANY STRUCTURE TO RIGHT-OF-WAY, THIS IS BEING REDUCED TO 20 FEET. 3. MINIMUM COMMON OPEN SPACE AND RECREATION AREAS; TWENTY-FIVE (25) PERCENT OF THE GROSS SITE ACREAGE SHALL BE DELINEATED AS TRACTS FOR COMMON OPEN SPACE AND RECREATION AREAS. THE PARCEL IS PART OF A PD PLAN AND THE GOLF COURSE SHOULD MEET THIS REQUIREMENT FOR THE

DEVELOPMENT TEAM

1415 10TH STREET WEST PALMETTO, PL 34221 PHONE: (941) 729-0000

SURVEYOR
HASER CONSULTING P.A.
405 NORTH RED STREET, SUITE 185
TANPA, P., 31609
PHONE 013/2 207-1661
CONTACT: DAVID FERRARO, PLS

UTILITY PROVIDERS

SHEET INDEX

CONSTRUCTION NOTES SITE DEMOLITION PLAN

DIMENSION PLAN GRADING PLAN UTILITY AND PROFILE PLAN

LANDSCAPING PLAN CONSTRUCTION DETAILS CONSTRUCTION DETAILS







LAURIE S. BURCAW

ZIRKELBACH SIGNATURE HOMES. LLC

> MUNICIPALITY MANATEE COUNTY



COVER SHEET CI

processing and the party of 12 EXISTING SURVEY

DEVELOPMENT.

GENERAL NOTES:

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- THE CONTRACTOR SHALL EXERCISE DITASHE CAUTION IN AREAS OF BURIED LITELITES AND SHALL CALL SURSINET AT LIBOURS 479, AT LEAST 48 HOURS PROR TO CONSTRUCTION, TO AREANGE FOR RELD LOCATIONS OF BURIED UTELITICS.
- THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE TO DITTING FACILITIES, ABOYS OR BROW GROUND, THAT MAY OCCUR AS A RESULT OF THE WORK PRIFORMED, BY THE CONTRACTOR OR SUBJECT PRACTORS, AS CALLED FOR IN THESE CONTRACT
- If is the contractor's reproherenty to become famelian with the maint inspection and certification redurents specified by the validus government. Alginicis and the shores in the contractor shall offain all necessary frames shore to construction, and schedule imprections according to accord instructions/resource/instructions.
- b. THE CONTRACTOR SHALL SUBHIT SHOP DRAWINGS ON ALL PRE-CAST AND HANUFACTURED TITHS TO THE OWNER'S ENGINEER FOR APPROVAL PRIOR TO ORDINANG, FAILURE TO OSTAN APPROVAL BROKE INSTALLATION MAY RESULT IN REMOVAL AND REPLACEMENT AT THE CONTRACTIONS DEPRINS.
- ALL UTILITY SERVICE STUB-OUTS (WATER, SANITARY SEWER, etc.) ARE TO BE INSTALLED TO WITHIN 3" OF BUILDINGS, UNLESS OTHERWISE NOTED ON PLANS.
- CONTRACTOR TO COORDINATE WITH THE APPLICABLE BLECTIKE UTILITY SUPPLIER REGARDING ANY NECESSARY RELOCATION D) OF UNDERGROUND ANDIOR OVERHEAD BLECTIKE FACILITIES, AND OR THE LOCATION AND INSTALLATION OF TRANSPORMER PADS) AND ASSOCIATE DILCTINE FACILITIES.
- MARTY
 A DURING THE CONSTRUCTION AND/OR PAINTENANCE OF THE PROJECT, ALL LAMTY
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- B. LABOR SAFETY REGULATIONS SHALL CONFORM YO THE PROVISIONS SET FORTH BY COSHA IN THE PEDEXAL REGISTER OF THE DEPARTMENT OF TRANSPORTATION.
- C. THE RENIEWE STANDARDS AS SET FORTH IN THE CURRENT EDITION OF THE STATE OF MIGHT WAS CONSTRUCTION, PRINTENANCE AND UTERTY OFFRATIONS SHALL BE FOLLOWED IN THE SEEDA, APPLICATION, INSTANDARD, IN ANAPTRANCE AND REVOVAL PROTECT THE USEDA APPLICATION, INSTANDARD, AND REVOVAL PROTECT THE USEDA AND CONSTRUCTION PERSONNEL RIOM HAZARDS WITHIN THE ROOKET USERS.
- D. ALL TRAPPIC CONTROL MARKINGS AND DEVICES SHALL CONFORM TO THE MICE
 SET FORTH IN THE MANUAL ON UNIFORM TRAPPIC CONTROL DEVICES PRIPAGE
 U.S. DEPARTMENT OF TRANSPORTATION PEDERAL HIGHWAY ADMINISTRATION.
- E. ALL SUBSISTACE CONSTRUCTION SHALL COMPLY WITH THE TRENCH SMETY ACT.
 THE CONTRACTOR SHALL INSURE THAT THE METHOD OF TRENCH INICITECTION AND
 CONSTRUCTION BY COMPLENIC WITH THE OCCUPATIONAL SAFETY AND HEALTH
 ADMINISTRATION (OSMA) SEQUENTIONAL.

IT SHALL BE THE SOLE REPONSIBILITY OF THE CONTRACTOR TO COMPLY AND ENFORCE ALL APPLICABLE SAFETY INCULATIONS. THE ABOVE INFORMATION HAS BEEN PROVIDED FOR THE CONTRACTOR'S REGINATION ONLY AND DOES NOT IMPLY THAT THE OWNER OR PROVINCER WILL RESPECT ANDOR DIFFORCE SAFETY REGULATIONS.

- 10. IT SHALL BE THE REPONSIBILITY OF THE CONTRACTOR TO OBTAIN ANY "ONLITE PRING PRINTET; OF REQUERD) FOR CONSTRUCTION OF THE PROPOSED UPLATY FACILITIES. THE CRIMAL CONTRACTOR PRIOR TO THE STANCE OF CONTRUCTION, THESE REALS AND SUBSEQUENT REVISIONS TO THESE PLANS, THAT ARE SIMILD BY THE PROPOSED, WHILE BE SURGET TO THE APPROVAL CONTROL OF THE PRINCE THE PROPOSED, WHILE BE SURGET TO THE APPROVAL CONTROL OF THE PRINCE.
- 11. THE GRAPHIC INFORMATION DEFICTED ON THISE FLANS HAS BEEN COMPILED TO PROPORTION BY SCALE AS ACCUMENTLY AS POSSIBLE HOWEVER, DUE TO REPRODUCTIVE DISTORTION, REDUCTION, ANDIOR REVISIONS, INFORMATION CONTAINED HEARTH IS NOT INTENDED TO BE SCALED FOR CONSTRUCTION PURPORS.
- 12. ALL SINGIFICATIONS AND DOCUMENTS REPERFINCED HERRIN SHALL BE OF THE LATEST
- ALL UNDERGROUND UTILITIES MUST BE IN-PLACE, TESTED AND INSPECTED PRIOR TO BASE AND SURFACE CONSTRUCTION.
- . WORK MANOAMED UNDER THIS CONTRACT SHALL INTERFACE SHOOTHLIT WITH ANY OTHER WORK BEING REPORTED ON MIT BY OTHER CONTRACTORS SHOOTHLIT TO THE MICE ON TRACTOR SHAD UTILITY COMPANIES. IT WILL BE MICESSAY FOR THE GINERAL CONTRACTOR TO COMMINIST AND SCHOOLE ITS ACTIVITIES ACCOMMINIST.

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CLEARING AND SITE PREPARATION NOTES:

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- ALL CONSTRUCTION DEBRIS AND OTHER WASTE MATURIAL SHALL BE DISPOSED OF OFFSITE, BY THE CONTRACTOR, IN ACCORDANCE WITH APPLICABLE REGULATOR:
- 4. THE CONTRACTOR IS TO PREPARE THE SITE IN ACCORDANCE WITH THE SORS REPORT COMES OF WHICH ARE AVAILABLE THROUGH THE OWNER OR SOILS TESTING COMPANY DIRECTLY.

- CONTRACTOR IS TO PROVIDE EXCESION CONTROLASIONS MARRIES (SAY BALES OR SIXTHDON, CURTANGS TO PROVIDE STATION OF ADJUGANT ROCESTY.

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- IF WIND EROSION BECOMES SIGNIFICANT OURING CONSTRUCTION, THE CONTRACTOR SMALL STABLEZE THE APPECTED AREA USING SPRINKLING, BURGATION OR OTHER ACCEPTAGE HETHOOD.
- 4. CONTRACTOR SHALL INSPECT AND MAINTAIN ON A DAILY BASS ALL BROSION-SEDMENTATION CONTROL FACILITIES
- THE CONTRACTOR SHALL BRIGHE THAT BLITATION ACCUMULATIONS GREATER THAN THE LESSER OF IZ INCHES OR ONE-HALF THE DIPTH OF THE SETATION CONTROL BARRIER SHALL BE IMMEDIATELY REMOVED AND PLACED IN UPLAND AREAS.
- CONTRACTOR SHALL MAKE SURE THAT UNDUE SOIL/SAND IS NOT TRACKED OPPSITI, IF IT BECOMES AN ISSUE, CONTRACTOR SHALL ADD A CONSTRUCTION BRITAINCE WITH SEIDHENT REMOVAL (GRAVEL DRINE) AND SHALL REMOVE ANY SEDPRINT/SOIL TRACKED OPPSITE DAILY OR SOONIE.

CONSTRUCTION SITE WORK TESTING:

- 1. ALL SITE WORK CONSTRUCTION TESTING SHALL BE MERFORMED BY A CERTIFIED/LICENSED CERTIFICAL ENGINEERING FROM
- ALL SITE WORK CONSTRUCTION TESTING SHALL BE CONDUCTED IN ACCORDANCE WITH THOUSETS GOSTICIONICAL REPORT AND/OR THE TESTING PRANMSTREE OF THE LOCAL MUNICIPALITY/AGENCY HAVING JURISDICTION OVER THE SITE WORK. THE MORE STRINGENT KOOLINGTHATS SHALL APPLY.
- 3 COPES OF PASSING TEST RESULTS SHALL BE PROVIDED TO THE DEVELOPER, SINGINERA ON RECORD, CONTRACTOR AND LOCAL MUNICIPALITY/AGENCY FOR PLANDSES SUCH AS B HOT LIMITED TO, CERTIFICATION, AND ACCEPTANCE OF PRESIDES BY THE DEVELOPER.
- THE SERVICES OF A CONSTRUCTION TESTING GEOTECHNICAL FIRM SHALL BE RETAINED BY THE DEVELOPER UNLESS OTHERWEIR SPECIFIED IN THE BID DOCUMENTS.
- ENGINEER WILL NOT BE REPONSELE FOR SCHIDUUNG, COORDINATION OR EVALUATION OF THE SOILS TESTING AND CENTRICATIONS. IT SHALL BE THE SOILS REPONSELITY OF THE OWNER/DEVELOPER TO HAKE THE INCESSARY ARRANGEMENTS DIRECTLY WITH THE SOILS TESTING LARONATOR/RIGITSCHINICAL, FIRM AND THE STIT CONTRACTOR.

TESTING AND INSPECTION REQUIREMENTS (SANITARY):

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- THE CONTRACTOR SHALL PERFORM AN INFILITATION/IEXTETRATION TEST ON ALL GRANTY SEWERS IN ACCORDANCE WITH THE REQUILITOR'S ACCORDANCE SHEDICTION. SAID TESTS ARE TO BE CERTIFIED BY THE INFINITES OF RECORD AND SUMMITTED TO THE REQUISITORY AGENCY FOR APPLOVAL. THE SCHEDULAG. COORDINATION AND INTIFICATION OF ALL RAWITES IT THE CONTRACTOR'S.
- 2. ALL PORCE PLANG (IF APPLICABLE) SHALL BE SUBJECT TO A HYDROSYTATIC PRESTURE TEST IN ACCORDANCE WITH THE REQULATORY AGENCY HAVING (INSIGNETION, SAID TESTS ARE TO BE CERTIFIED IT THE INTERFECT OF REFORMATION ASSISTED FOR THE REQULATORY AGENCY FOR APPOINT. THE SCHOOLUNG, COORDINATION AND NOTIFICATION OF ALL FARTIES IS THE CONTRACTORY REPORTABLE.

PAYING AND GRADING NOTES:

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- THE CONTRACTOR SHALL BE RESPONSING FOR PROTECTING EXCAVATIONS AGAINST COLLAPSE AND WILL PROVIDE BEACHS. SHETTING OR SHORING AS INDCESSARY. DEWATERING HETHODS SHALL BE USED AS REQUIRED TO KEP TRENCHES DRY WHILE HIPE AND APPLICITIONANCES ARE SERING PLACED.
- ALL NECESSARY FILL AND SHEARICHENT THAT IS PLACED DURING CONSTRUCTION SHALL CONSIST OF HATRIAL SPECIFED ST THE OWNERS SOLE TETTING COMPANY OR INGINIER AND IS PLACED AND COMPACTIO ACCORDING TO THESE PLANS
- PROPOSED SPOT ELEVATIONS REPRESENT FINISHED PAVEMENT OR GROUND SURFACE
- IT MAY BE NECESSARY TO HELD ADJUST PAYENENT ELEVATIONS TO PRESERVE THE ROOT SYSTEMS OF TASES SHOWN TO BE SAVED, CONTRACTOR TO COORDINATE WITH OWNERS DIGHLER PROBE TO ANY ELEVATION CHANGES.
- CONTRACTOR SHALL SAW CUT, TACK AND MATCH EXISTING PAVEMENT AT
- CURRING SHALL BE PLACED AT THE EDGE OF ALL PAVENEDY, UNLESS OTHERWISE NOTED. REPER TO THE LATEST EDITION OF F.D.O.T. "ROADWAT AND TRAFFIC DESIGN STANDARDS" FOR ITALIAL AND SPECIFICATIONS OF ALL F.D.O.T. TYPE CURE AND CULT
- PAIOR TO CONSTRUCTING CONCRETE PAYEMENT, THE CONTRACTOR IS TO SUBMIT A PROPOSED JOINTING PATTERN TO THE SOILS ENGINEER FOR APPROVAL.
- CONTRACTOR TO PROVIDE A 1/2" TO 1" BITUHINOUS EXPANSION JOINT HATERIAL WITH SLALES AT MUTHINT OF CONCRETE AND OTHER MATERIALS (STRUCTURES, OTHER PLACED CONCRETE ETC.)
- NLL PAYEMENT MARKINGS SHALL BE MADE IN ACCORDANCE WITH F.D.O.T. STANDARD NDDX II 17346
- 11. THE CONTRACTOR WILL STARRIDE BY SED AND MUTCH, SOD, OR OTHER APPROVED THE UTILITY STATES AREAS WITHIN ONE WIEX FOLLOWING CONSTRUCTION THE UTILITY STATES AND PAVENEY AREAS CONTRACTOR SHALL HAINTAIN SUCH AREAS UNTIL THE UTILITY STATES AND PAVENEY AREAS CONTRACTOR TO COORDINATE WITH OWNER, ROBADING THE OF MATERIAL LANDSCAPING AND BARCATION REQUIREMENT

TESTING AND INSPECTION REQUIREMENTS (PAYING/GRADING):

- THE CONTRACTOR IS REPONDED. FOR COORDINATING AMPLICABLE TETTING WITH THE SOLD REGISTER. TESTY WILL BE REQUIRED MEASURET WITH SITT SOCIETY CONTRACTOR OF THE WAY SO GROUD, ENGURED BY TOO AND THE MONEY OF THE WORLD AND THE STORY OF THE MONEY OF THE MONEY OF THE MONEY OF THE STORY OF THE STORY
- A QUALIFIED TETTING LABOUATORY SHALL REMOVED ALL TESTING NECESSAY TO ASSUME COMPLIANCE OF THE NEWAZE PATERIALS AS REQUIRED BY THESE PLANT AND THE TESTING AS THE TESTING.

SANITARY SYSTEM NOTES:

- ALL DIP MPE SHALL BE CLASS SO OR HIGHER. REFER TO NOTE MS: 6, 7 & 10 BELOW FOR ADDITIONAL DIP SPECIFICATIONS, ADEQUATE MEASURES AGAINST CORROSION SHALL BE
- ALL PYC FPF SHALL BE SOUD WALL POLYVIN'TL CHLORIDE MPII AND COMPLY WITH ASTH D 3014 AND ALL APPLICABLE ASTH DOCUMENTS AS COVERED IN SECTION No. 2 OF ASTH D 304H. MAIN LINES SHALL BE A HENHUM OF 8" DIAMETER, AND LATERAS SHALL BE A PRIMINGH 6" DIAMETER.
- ALL SANITARY SEWER MAINS, LATERALS AND PORCE HAINS SHALL HAVE A MINIMUM OF 36 INCHES OF COVIR UNLESS OTHERWISE NOTED ON PLANS.
- ALL GRAVITY SEWERS HUST BE SOR 26 PYC OR DIF CLASS SHIPE. ELASTOMERIC GALKET (ORNT) SHALL BE UTILIZED FOR PYC HIPE, AND SHALL COMPLY WITH ASTM F477, ASTM D1311 A ASTM F1334. (ORNTS SHALL COMPLY WITH ASTM D13112.
- ALL PIC FORCE HANG OF MISCURED) SHALL BE CLAST 300, OR 14 FOR 6" DIAMETER, AND CLAST 300, OR 16 FOR 6" DIAMETER, AND CLAST 300, OR 16 FOR 6" DIAMETER PRE IN ACCORDANCE WITH AWAY COME OF THE ANALYSIS OF THE
- ALL SANITARY MANHOLES SHALL RE LOCATED NO MORE THAN 400 PEET APART AND SHALL CONFORM TO THE DETARS CONTAINED HEREIN, AS WELL AS WITH ASTM C472.
- ALL DUCTILE IRON PIPE SHALL PRET REQUIREMENTS OF AWWA CISI, AND SPEC, AZI,51,
- ALL DUCTLE ROM RM AND RITTINGS SHALL BE PROVIDED WITH A YIRGIN POLYETHYLEND INTERIOR UNING COMENTING WITH ASTH D 1248 (40 NUS THICK) MEAT BONDED TO THE INTERIOR OF ALL PIES ALL DEP RES SHALL HAVE A STANDARD OUTSIDE COATING COMENTING WITH ASTH CISHAL.
- ALL SLOPES FOR GRAVITY SEWER PLANS AND SERVICE CONNECTIONS SHALL COMPLY WITH THE POLLOWING MINIPUM CHADES: 6" @ 1.00%, 6" @ 0.30%.
- ALL SANITARY SEWER WORK SHALL CONFORM WITH APPLICABLE COUNTY OF MANATES COUNTY UTILITY ETANDARD SPECIFICATIONS.
- PRIOR TO COMPRICING WORK WHICH REQUIRES CONNECTING PROPOSED FACELITIES TO DISTING LINES OR, APPLICTAINANCES. THE CONTRACTOR SHALL YOLF THE LOCATION AND RENATION(S) OF DISTING CONNECTION FOINT(S) AND HOTPY THE OWN(S) SHOR
- SANITARY SEWER MAINS SHALL HAVE SUITABLE MAGNETIC LOCATOR TAPK(R) BURIED AT LEAST 18 INCHES ABOVE THE MAIN LINES.
- 1). FORCE MAINS SHALL HAVE SUITABLE MAGNETIC LOCATOR TAPE(S) BURIED AT LEAST 18 INCH! ABOVE THE PORCE MAIN.

WATER SYSTEM NOTES:

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WHEN THE RECLESSED WATTS LINE IS TRANSFOR THAN WATTER FOR RUBLE COCCESS PRESENTION PARABILMY OSTANDARIES SYMMATION OF RECLARIED WATER LINES AND DOMESTIC WATER LINES SHALL BE PRACTICED. A REPORT HORIZONAL PREPARATION OF THE REST LICENTER OF DOTTES) OF THEIR PETER FOR COLTEGED TO OUTDOOR SHALL BE PRACTICATION FOR THE CLICATION WATER LINES AND EITHER FOTALIS WATER HAND SHAWLED CONTRACT VISITING. SPANNED SHALL BE PRACTICATION OF THE PETER FOTALIS WATER HAND OF SAVING COLLIGATION HISTORY. BY HAND AND SHALL BE PRACTICATED HISTORY SHALL BE PRACTICATED.

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- ALL DIP FIFE SHALL BE HW CLASS IN OR PRESSURE CLASS 750, RETER TO NOTE IF 8 BROW FOR ADDITIONAL DIP SPICIFICATIONS ADEQUATE PROMULES AGAINST CORROSSON SHALL SEUTILIZZED.
- WALL WATER MAIN 1995 FITTINGS AND AMURTENANCES SHALL BE INSTALLED TO COMPLY WITH APPLICABLE UTILITY DEPARTMENT SPECIFICATIONS.
- 4. ALL WATER MAINS SHALL BE INSTALLED WITH A MINIMUM OF 3% INCHES OF COVER WHERE POSSIBLE 4F
- ALL WATER SERVICE LINES, VALVES AND HICTERS SHALL BE INSTALLED TO COMPLY WITH APPLICABLE
 HUNCIPALITY/AGENCY DEPARTMENT STANDARDS AND SPECIFICATIONS.
- E. THRUST BLOCKING/RESTAINED JOINTS SHALL BE MOVIDED AT ALL RITTINGS AND HIDRANTS, IN ACCORDANCE WITH APRICANLEUTILITY DIPT. SPECIFICATIONS.
- ALL DUCTEJ IRON HIRE EHALL SE HANUFACTURED IN ACCORDANCE WITH THE LATEST EDITION OF AWWA CISTAZI ST. PPT PAUL SE RERNESIED IN 18 OR 29 FOOT SECTIONS. PPE THIONNESS SHALL RE CLASS NA. UNICES OFFERWARE SPECIME.
- E. ALL WATER SYSTEM CONSTRUCTION, UP TO AND INCLUDING FORM OF PETERING AND SACK FLOW PREVENTION OF ADQUIRDS, SHALL BE BULT ACCORDING TO THE PREPARENCED STANDARDS
- ALL ON-BITS HIS INDIGANTS SHALL BE PAINTED WITH HIGH GRADE ENAMEL PEDERALL COLOR SHALL CONCY, WITH APPLICABLE UTSETS HAVING RESISTENCES, AND SEC DISEA APPROVED, AND HIST SELECTED A THE PROPER SECULATED AS THE OFFICE SECULATED AS THE OFFICE SECULATED AS THE OFFICE SECULATED WAS ENGLISHED FOR PROTECTION ALL ANS HYDRANTS SHALL CONNEY WITH AWAYS STANDARDS CAUGH THE PROPERTY OF THE OFFICE AND THE PROPERTY OF THE OFFICE AND THE
- CONTRACTOR TO INSTALL TEMPORARY SLOWOFFS, AT THE CHIPG) OF PROPOSED WATER MAINS AND SERVICE LATERALS TO BUILDINGS. TO ASSISTE ADDICABLE TO LIBERTY AND PROPOSED WATER MAINS AND SERVICE LATERALS TO BUILDINGS. TO ASSISTE ADDICABLE TO LIBERTY.
- . ALL WATTE HAINS BHALL BE PHASSURE TISTED IN ACCORDANCE WITH AWWA MANUAL HID, CONCERN HIDGOSTATIC TESTING OF PICE SPING OFFISTE UTILITIES HYDROSTATIC TESTING TO BE WITHESSED BY HANDSHAL UTILITED DEPARTMENT HEMPETCH.
- ALL WATER HAINS SHALL BE STERLETO IN ACCORDANCE WITH THE APPLICABLE SECTION OF THE LATEST AWAYA SPECIFICATION CISS AND IMMATE, COUNTY LITELITY DEPARTMENT SPECIFICATIONS.
- . ALL IVIC WATER HAIN, 4" TO 13" DUNKTER HINNS, SHALL COMPORN TO AWWA C'ROS (DR. 18) STANDARD SPICIPICATIONS, PRESSURE CLASS 180 PR. ALL PVC WATER MAIN PHYSIG LESS THAN 4" DIAMETER SHALL RE SONDIALS IN MESSURE CLASS 100 PR.
- ALL THE WHITE HAVE SHALL WAY A SETTING A SHAPE IT COLOTED, THE BASED ONE THE WHITE AND A SHAPE ONE THE SHAPE AND A SHAPE OF THE SHAPE O
- FIRE LINES SHALL, BE INSTALLED BY A CONTRACTOR, DULY LICENSED BY THE STATE OF ILORIDA FIRE MASSALLES OFFICE CONTRACTOR TO YEAR'S REQUIREMENTS FROM TO CONSTRUCTION OF THE FIRE PROTECTION SYSTEM.
- 14. FRA PROTECTION SHALL HERT ALL THE INCOURTMENTS OF THE APPLICABLE HUNICIPALITY OR COUNTY.

TESTING AND INSPECTION REQUIREMENTS (WATER):

- ALL COMPONENTS OF THE WATER SYSTEM INCLINENG SITTEMAL PROBABITS. CONNECTIONS, AND VALVES SHALL REPARCH NECOMED UNTER MOSPELY MESSURE TESTED AND ACCOUNTED ST THE OWNERS GROWING MESSURE TESTED AND ACCOUNTED SET AND AVERTED DATASETTEST PSYCHICATIONS. CONTRACTOR TO NOTITE THE OWNERS SECIENCE AND AMPLICABLE ACCIONCY RESPECTORS 48 HOUSE IN ADVANCED OF RESPONSIVE SETS.
- 2 COMPACTOR SHALL ARRANGE FOR CHILL





LAURIE S. BURCAW

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> > TAMPA OFFICE

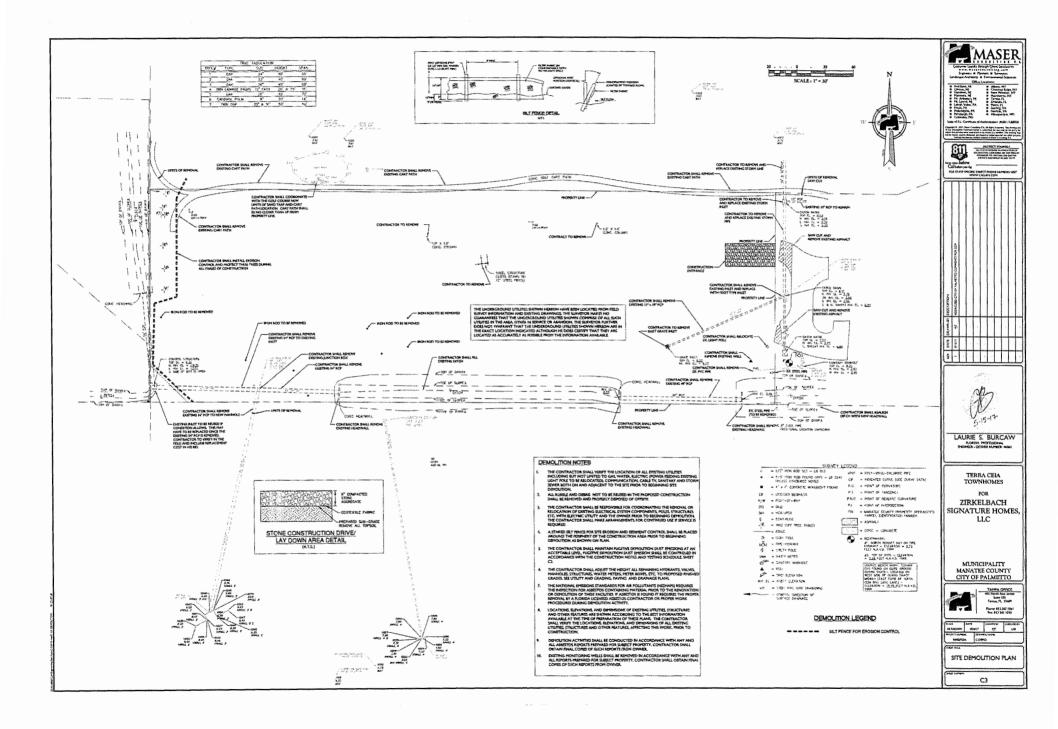
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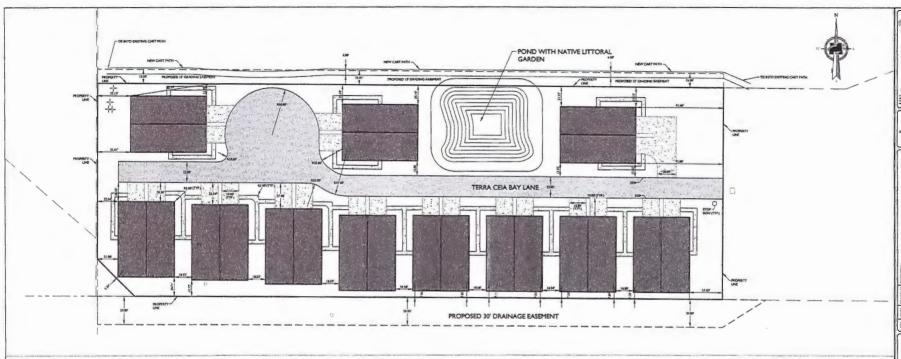


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LAURIE S. BURCAW

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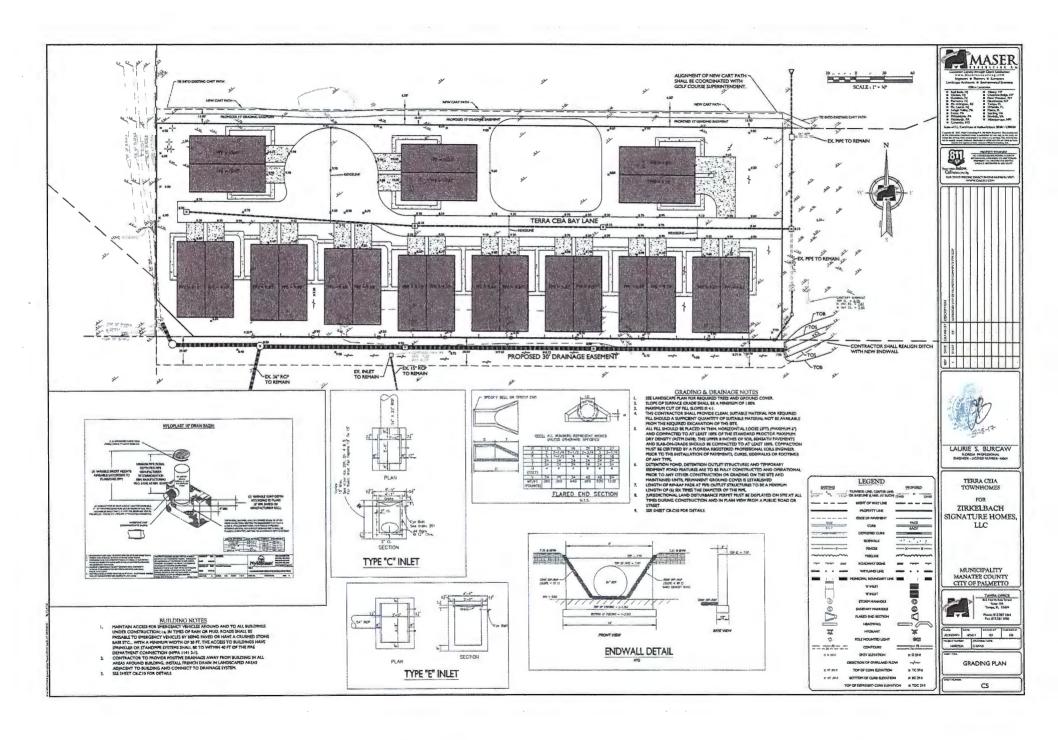
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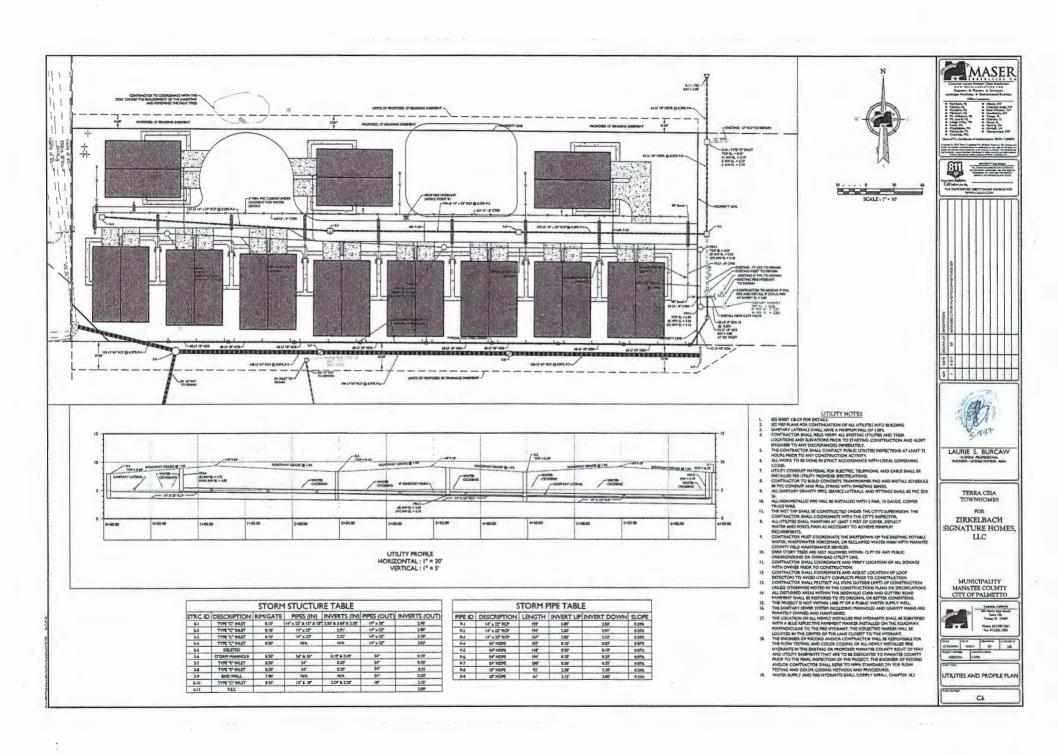


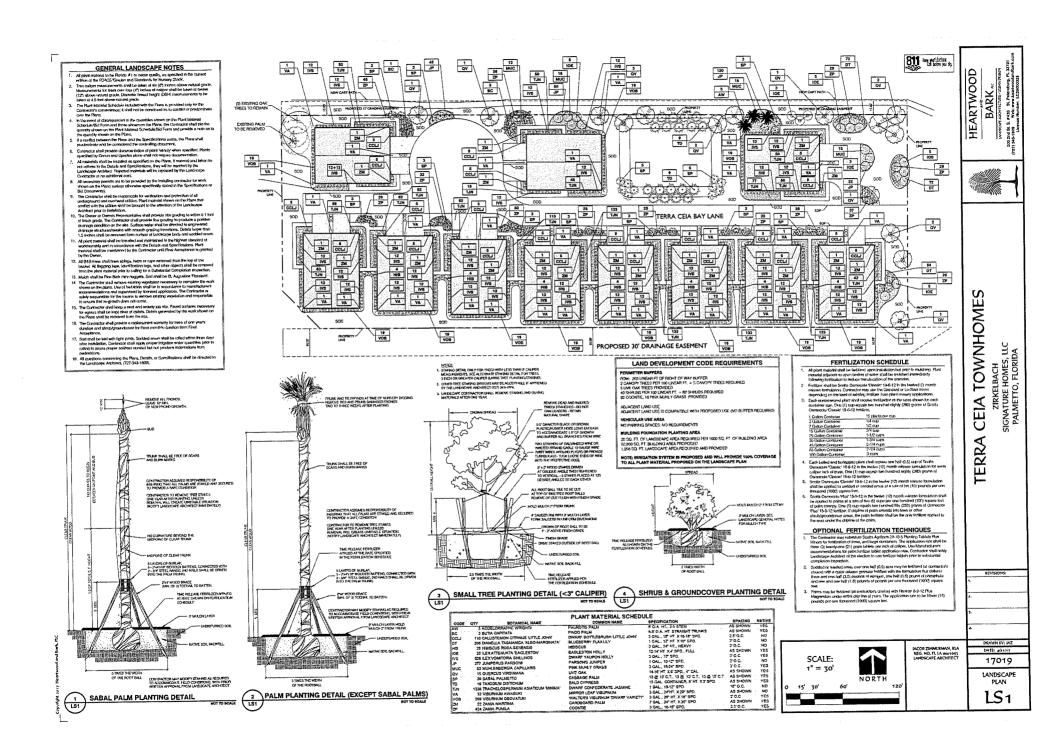


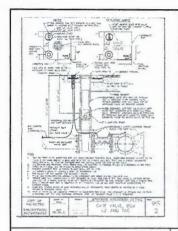
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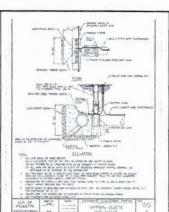
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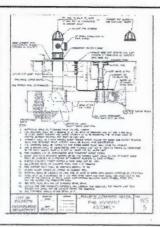


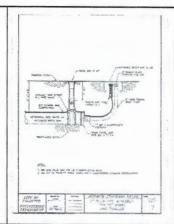




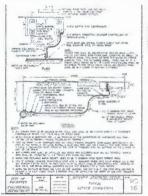












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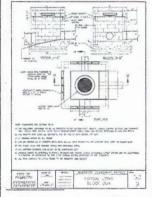
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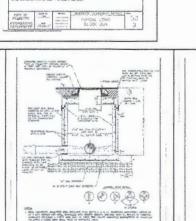
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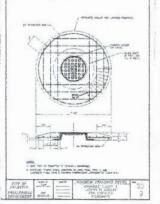
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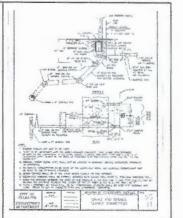




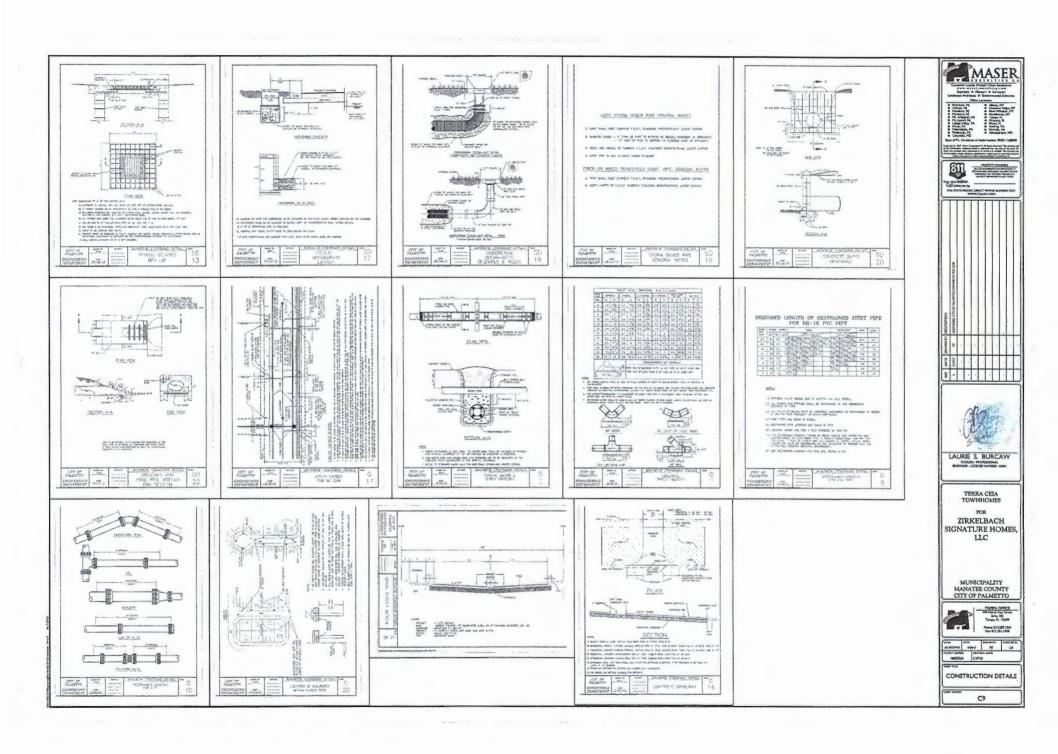
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City of Palmetto Planning & Zoning Board Agenda Item

Meeting Date

05/15/2017

	, 190	riad reeiii		03/13/2017
Presenter: Kar	la Owens, City Planner	Department:	Public Work	S
Title: Terra Ceia Townhomes Conceptual/General Development Plan (Ordinance 2017-07)				
Project Description	<u>on</u>			
The subject property was permitted as part of the master plan for Terra Ceia and is part of the Community Development District. The proposed project is to construct a new project containing 22 residential villas on the subject property. Each unit will be single story with attached garages. The property will also contain a proposed open space/playground area and will be a private, gated community. This proposal is consistent with the City's Comprehensive Plan, with the PD-H zoning district requirements, and with the surrounding neighborhood. The Planning and Zoning Board will hold a public hearing on May 25, 2017 to discuss the project and to provide recommendations to the City Commission.				
City Attorney Reviewed:	✓ Yes☐ No☐ N/AAdvisory BoardRecommendation:	☑ For Consi☑ Against With:☑ N/A		Plan, City
Motion Requested: Motion to schedule Ordinance 2017-07 for a Public Hearing on June 5, 2017 at 7:00PM or as soon thereafter as same can be heard in the Chambers.				
Staff Contact:	Karla Owens, City Planner	Public V	Public Works 941-723-4	
Attachments:	Location Map			



CITY OF PALMETTO ORDINANCE NO. 2017-07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR A 22-UNIT, ONE-STORY RESIDENTIAL VILLAS PROJECT ON A 3.42-ACRE SITE ZONED PD-H AND GENERALLY LOCATED WEST OF 14TH AVENUE WEST AND SOUTH OF TERRA CEIA BAY CLUBHOUSE & GOLF; SAID PARCEL IS PID#2416820005, PALMETTO, FLORIDA, AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services; and

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and

WHEREAS, the City Commission of the City of Palmetto has certain regulatory authority granted to it by the Florida Constitution, the Florida Statutes and the City Charter to regulate the use of land within its corporate boundaries; and

WHEREAS, Terra Ceia Development Partners, LLC owns approximately 3.42 acres of property located west of 14th Avenue West and south of Terra Ceia Bay Clubhouse & Golf, Palmetto, and being collectively described in Exhibit "A" attached hereto (the "Property"); and

WHEREAS, Terra Ceia Development Partners, LLC will be further referred to herein as "Owner"; and

WHEREAS, Owner has requested approval of a Conceptual/General Development Plan for a 22-unit, one story-story, residential villas project on the Property, as depicted on the document attached as Exhibit B (the "Project"); and

WHEREAS, the Planning and Zoning Board reviewed the proposed Project, held a properly noticed public hearing on May 25, 2017, received public comment and testimony, and provided its recommendation to the City Commission of the City of Palmetto; and

WHEREAS, the City Commission of the City of Palmetto held a properly noticed public hearing on June 5, 2017, and received public comment and testimony at said hearing; and

WHEREAS, the City Commission of the City of Palmetto finds that approval of the Project benefits the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AS FOLLOWS:

Section 1. Findings of Fact.

- A. The above-referenced "WHEREAS" clauses are adopted herein as findings of fact.
- B. The Planning and Zoning Board, acting as the Local Planning Agency, has recommended approval of the Project with certain conditions as set forth in Section 2 below.
- C. The Project, as conditioned, is consistent with the City of Palmetto's Comprehensive Plan.
- D. The Project, as conditioned, is compatible with adjacent land uses and complies with all pertinent provisions of the City of Palmetto's Zoning Code.

Ordinance 2017-07 Page 3 of 6

Section 2. Project Approval. The Project is hereby approved with the following

stipulations:

Section 3. Repeal of Ordinances in Conflict. This Ordinance hereby repeals and

replaces any ordinances in conflict.

Section 4. Severability. If any section, sub-section, paragraph, sentence, clause or

phrase in this Ordinance shall be held invalid by a court of competent jurisdiction, then

such invalidity shall not affect the remaining portions hereof.

Section 5. Effective Date. This Ordinance shall take effect as provided for by law and

by City Charter, Section 14, upon execution by the Mayor, or, if the Mayor vetoes the

Ordinance, upon reconsideration by the City Commission and passing of the Ordinance by

at least four (4) votes.

PASSED AND DULY ADOPTED, by the City Commission, in open session, with a

quorum present and voting, this 5th day of June, 2017.

First Reading:

May 15, 2017

Publication:

May 5, 2017

Second Reading and

Public Hearing:

June 5, 2017

CITY OF PALMETTO, FLORIDA, BY AND THROUGH THE CITY COMMISSION OF THE CITY OF PALMETTO

$R\mathbf{v}^{\centerdot}$			
HV			

SHIRLEY GROOVER BRYANT, MAYOR

ATTEST:	James R. Freeman City Clerk		
By:			
City Clerk/Deputy Clerk			

EXHIBIT A

Legal description

DESCRIPTION:

PARCEL 2-A:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST; THENCE SO0'23'58"W, ALONG THE EAST LINE OF SAID SECTION 10, 1500.26 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 165 FEET OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 10, THENCE CONTINUE SO0'23'58"W, ALONG SAID SECTION LINE, 1838.31 FEET TO THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE N89'39'43"W, ALONG THE SOUTH LINE OF SAID NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, 680.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N89'39'43"W ALONG SAID LINE, 506.03 FEET TO THE INTERSECTION WITH A PRIVATE ROAD EASEMENT, SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S39'06'20'E, 72.59 FEET; THENCE RUN NORTHEASTERLY, ALONG SAID ROADWAY EASEMENT AND THE ARC OF SAID CURVE; THENCE NBO'23'58"E, ALONG SAID ROADWAY EASEMENT, 90.00 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 55.00 FEET, THENCE RUN NORTHEASTERLY, ALONG SAID ROADWAY EASEMENT AND THE ARC OF SAID CURVE; THENCE NBO'23'58"E, ALONG SAID ROADWAY EASEMENT, 90.00 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 55.00 FEET, THENCE RUN NORTHEASTERLY, ALONG SAID ROADWAY EASEMENT AND THE ARC OF SAID CURVE; THENCE NBO'36'02"E, ALONG SAID ROADWAY EASEMENT, 365.00 FEET, THENCE RUN NORTHEASTERLY, ALONG SAID ROADWAY EASEMENT AND THE ARC OF SAID CURVE; THENCE S89'36'02"E, ALONG SAID ROADWAY EASEMENT. 365.00 NORTHEASTERLY, ALONG SAID ROADWAY EASEMENT AND THE ARC OF SAID CURVE; THENCE S89'36'02"E, ALONG SAID ROADWAY EASEMENT, 365.00 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 80.00 FEET; THENCE RUN SOUTHEASTERLY, ALONG SAID ROADWAY EASEMENT AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 18'44'37", A DISTANCE OF 26.17 FEET; THENCE S00'23'58"W, PARALLEL WITH THE EAST LINE OF SAID SECTION 10, 54:44 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATER COUNTY, FLORIDA.

COMMENCE AT THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, THENCE SD0"23'58"W ALONG THE EAST LINE OF SAID SECTION 10, 1500.26 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 165 FEET OF THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE CONTINUE SD0"23'58"W, ALONG SAID SECTION LINE, 1573.35 FEET; THENCE N89'36'02"W, PERPENDICULAR WITH THE EAST LINE OF SAID SECTION 10, 425.00 FEET; THENCE S69"9'09"W, 112.53 FEET; THENCE N89'36'02"W, PERPENDICULAR WITH THE EAST LINE OF SAID SECTION 10, 130.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N89'36'02"W, 664.22 FEET TO THE INTERSECTION WITH THE WEST LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE S00"17'15"W, ALONG SAID WEST LINE, 135.51 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 111.00 FEET; THENCE RUN SOUTHEASTERLY, ALONG SAID ROADWAY EASEMENT, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 53'57'35", A DISTANCE OF 104.54 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 39.00 FEET; THENCE RUN SOUTHEASTERLY AND NORTHEASTERLY, ALONG SAID ROADWAY EASEMENT AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 83'57'35", A DISTANCE OF 57.19 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NOO"23'58"E, ALONG SAID ROADWAY EASEMENT, 90.00 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NOO"23'58"E, ALONG SAID ROADWAY EASEMENT, 90.00 FEET TO THE POINT OF TANGENCY OF SAID CURVE. THROUGH A CENTRAL ANGLE OF 30'00'00", A DISTANCE OF 45.03 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 30'00'00", A DISTANCE OF 45.03 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 30'00'00", A DISTANCE OF 45.03 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 30'00'00", A DISTANCE OF 45.03 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 30'00'00", A DISTANCE OF 45.03 FEET TO THE POINT OF TANGENCY OF SAID CURV DISTANCE OF 45.03 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S8936'02'E, ALONG SAID ROADWAY EASEMENT, 365.00 FEET TO THE POINT OF CURVATURE OR A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 111.00 FEET; THENCE RUN SOUTHEASTERLY, ALONG SAID ROADWAY EASEMENT AND THE ARC OF SAID CURVE, THROUGH CENTRAL ANGLE OF 13'23'27", A DISTANCE OF 25.94 FEET; THENCE NOO'23'58"E, PARALLEL WITH THE EAST LINE OF SAID SECTION 10, 138.53 FEET TO THE POINT OF BEGINNING BEING AND LYING IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

PARCEL 2-C:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, THENCE SOG'23'56"W, ALONG THE EAST LINE OF SAID SECTION 10, 1500.26 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 165 FEET TO THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 10; THENCE CONTINUE SOO'23'56"W, ALONG SAID SECTION 10; THENCE FEET TO THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE N89'39'43"W, ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, 1235.16 FEET TO THE INTERSECTION WITH A PRIVATE ROADWAY EASEMENT, FOR A POINT OF BEGINNING, SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S75'24'08"W, 80.00 FEET; THENCE CONTINUE N89'39'43"W, ALONG SAID SOUTH LINE OF THE SOUTHEAST 1/4, 49.12 FEET TO A POINT WHICH LIES S89'39'43"E, 39.50 FEET FROM THE SOUTHWEST CORNER OF SAID NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, THENCE N44'41'14"W, 55.89 FEET TO THE INTERSECTION WITH THE WEST LINE OF SAID NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, SAID POINT LYING NOO'17'15"E, 39.50 FEET FROM THE SOUTHEAST 1/4, 19.89 FEET TO THE INTERSECTION WITH A PRIVATE ROADWAY EASEMENT, THENCE NOO'17'15"E, ALONG SAID WEST LINE OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, 19.89 FEET TO THE INTERSECTION WITH A PRIVATE ROADWAY EASEMENT, THENCE S89'35'02"E, ALONG SAID PRIVATE ROADWAY EASEMENT, THENCE S89'35'02"E, ALONG SAID PRIVATE ROADWAY EASEMENT, THENCE S89'35'02"E, ALONG SAID PRIVATE ROADWAY EASEMENT, THENCE RUN SOUTHEAST THE POINT OF CURVATURE OF A CURVE CONCAVE. TO THE SOUTHWEST, HAMNG A RADIUS OF 80.00 FEET; THENCE RUN SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 75'00'10", A DISTANCE OF 104.72 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

EXHIBIT B Approved General Development Plan



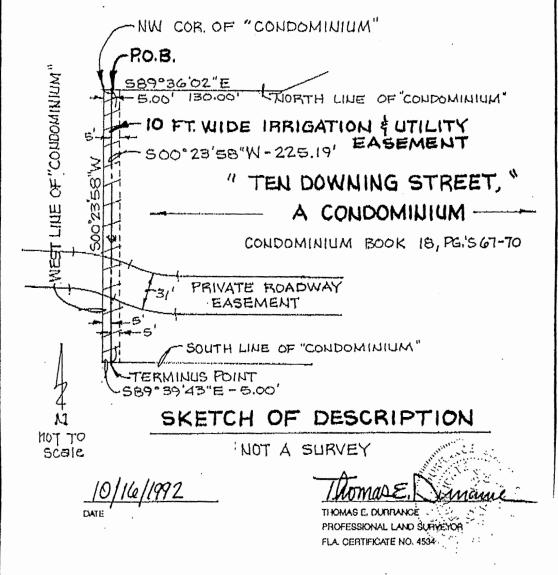
Corve Number 1 Redus= 80.00' Delta= 06'37'46' Arc= 9.26' 5.89'36'02'E. 130.00 Curve Number 3 Radus= 89.00' Delta= 25'22'23' Arc= 39.41' 138. Curve Humber 4

Radha= 120.00'
Delta= 25'22'23'
Arc= 53.14' - B.O' WIDE IRRIGATION EASEMENT ,58°E. PARCEL B TEN DOWNING STREET 'n 2.00 5.89'36'02'E. 129.59 PRIVATE ROADWAY EASEMENT OR BOOK 1047, FG 3836-3841-N.89'36'02'W. 129.59 N.OO'23'58'E. 54.44' PARCEL A 8.0' WIDE IRRIGATION EASEMENT TEN DOWNING STREET SOUTH LINE OF TEN DOWNING STREET CONDOMNUM BOOK 19 PAGE 67 BASIS OF BEARINGS NOTES: BEARINGS SHOWN HEREON ARE BASED ON A LINE IDENTFIED ON THIS SKETCH. THIS SKETCH REPRESENTS A ... IRRIGATION EASEMENT THE WESTERLY 8.00 FEET OF PARCEL 'A' AND PARCEL 'B', TEN DOWNING STREET , A CONDOMINIUM AS RECORDED IN CONDOMINIUM BOOK 18. PAAGES 67 THRU 70 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA. C SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORDS LEGEND I, JEFFREY L. HOSTETLER, CERTIFY THAT THE SURVEY OR SKETCH REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. AND SET 1/2"IRON ROD-PLS 4911 THAT SAID MEETS THE STANDARDS OF CHAPTER 21HH-6 F.A.C.. FOUND IRON ROD FOUND 4"x4" CONC. MONUMENT FOUND IRON PIPE 9-20-93 FOUND P.K. NAIL JEFFREY L. HOSTETLER, PLA STATE OF FLORIDA LICENSE NUMBER 4911 DATE MEASURED DATA RECORD DATA NOT VALID WITHOUT EMBOSSED SURVEYOR'S SEAL. CERTIFIED TO: DATE OF SURVEY 09-14-93 REVISIONS J--CON OCEAN GOLF PARK LIMITED DATE OF SKETCH 09-14-93 SCALE 1' = 60' JOB No. 078-012A HOSTETLER AND ASSOCIATES PROFESSIONAL LAND SURVEYORS . LAND PLANNERS - ASSOCIATE ENGINEERS 1532 EIGHTH AVENUE DRIVE WEST - BRADENTON FLORIDA - 34205 - (813)746-1199 - FAX 746-0987

DESCRIPTION: TERRA CEIA GOLF & COUNTRY CLUB

A 10.0 FT. WIDE IRRIGATION AND UTILITY EASEMENT LYING 5.0 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE; TO WIT:

COMMENCE AT THE NORTHWEST CORNER OF "TEN DOWNING STREET, A CONDOMINIUM", AS RECORDED IN CONDOMINIUM BOOK 18, PAGES 67 THROUGH 70, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S 89°36'02" E, ALONG THE NORTH LINE OF SAID "TEN DOWNING STREET, A CONDOMINIUM", A DISTANCE OF 5.0 FT. FOR A POINT OF BEGINNING; THENCE S 00°23'58" W, ALONG THE EASEMENT CENTERLINE, PARALLEL WITH THE WEST LINE OF SAID "CONDOMINIUM" AND 5.0 FT. EASTERLY THEREFROM, A DISTANCE OF 225.19 FT. TO THE INTERSECTION WITH THE SOUTH LINE OF SAID "CONDOMINIUM" FOR THE TERMINUS OF SAID EASEMENT CENTERLINE, SAID POINT LYING S 89°39'43" E, A DISTANCE OF 5.0 FT. FROM THE SOUTHWEST CORNER OF SAID "CONDOMINIUM", BEING AND LYING IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.



NOT VALID UNLESS EMBOSSED BY SURVEYOR'S SEAL

JOB NUMBER: 3751

DRAWN BY: T.E.D.

SCALE: NA

SHEET NUMBER 1 OF 1



LOMBARDO & SKIPPER, INC.

Consulting Engineers, Surveyors & Planners P.O. Box 188 • 825 • 4th Street West • Palmetto, Florida 34221 • (813) 722-4561 - 748-0600

BK 1422 PG 6671 DKT # 000686527

GRANT OF EASEMENT

Made Maler , 1993, by and between Ten Downing Street Condominium Association, Inc. (the "Grantor") and Palms of Terra Ceia Bay Community Development District (the "Grantee").

The following recitals of fact are a material part of this instrument.

The Grantor is the Condominium Association created in connection with and pursuant to the Declaration of Condominium ("the Declaration"), for Ten Downing Street, a Condominium ("the Condominium"), recorded in Official Records Book 1112, Fage 79 et seq. of the Public Records of Manatee County, Florida, and the survey recorded at Condominium Book 18, Pages 67 through 70 of the Public Records of Manatee County, Florida ("the survey").

The Grantor manages the common elements defined and described in the Declaration and the survey, including that property described in Exhibit "A" attached hereto and made a part hereof.

The Grantee has requested an easement across the Condominium for the purpose of placing and maintaining utility lines for the supply of water to golf course property south of the Condominium.

There being no prohibition in the Declaration, the Board of Directors of the Grantor has the authority pursuant to section 718.111(10), Florida Statutes, to grant the easement hereinafter described to the grantee, and said Board of Directors has exercised that authority, consistent with the requirements of section 617.0832, Florida Statutes, finding that the interests of Grantor's members would not be adversely affected by this Grant of Easement, under the terms and conditions hereof.

The Grantor wishes to grant and the Grantee wishes to receive an easement over, under and across the Condominium in accordance with the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the sum of One Hundred Dollars (\$100.00) paid by the Grantee to the Grantor, and the promises and covenants herein contained, the receipt and adequacy of which consideration is hereby acknowledged, the parties agree as follows:

1. Grant of Easement. The Grantor hereby grants to the Grantee its successors and assigns, a non exclusive perpetual easement over, under and through the Condominium property, as described in Exhibit "A" hereto, for the purpose of installing under ground, operating, maintaining, repairing and replacing utility lines and equipment, at the Grantee's sole expense, for the purpose of supplying water, across the Condominium property, to property to the south of the Condominium, for irrigation and other purposes.

- 2. Restoration After Installation and Repairs. The Grantee hereby covenants and agrees to minimize disruption to the Condominium property by the installation of its utility lines pursuant to this easement, and after that installation (as well as after any maintenance, repair or replacement) to restore the Condominium property to its previous condition or better, including but not limited to the restoration of asphalt pavement and lawns.
- 3. Running of Benefits and Burdens. All provisions of this instrument, including the benefits and the burdens, run with the title to property and are binding upon and inure to the successors and assigns of the parties hereto.
- 4. Attorneys' Fees. Either party may enforce this instrument by appropriate action and the prevailing party in such litigation shall recover the costs and expenses of the action, inclusive of appellate proceedings, and reasonable attorneys' fees.
- 5. Construction. The rule of strict construction does not apply to this grant. This grant shall be given a reasonable construction in that the intention of the parties to confer a usable right of enjoyment on the Grantee is effectuated.
- 6. Release of Easement. The Grantee may terminate the easement herein granted by recording a release in recordable form in the Public Records of Manatee County, Florida whereupon all rights, duties and liabilities hereby created shall terminate.

IN WITNESS WHEREOF, the parties have signed this instrument on the day and year first above written.

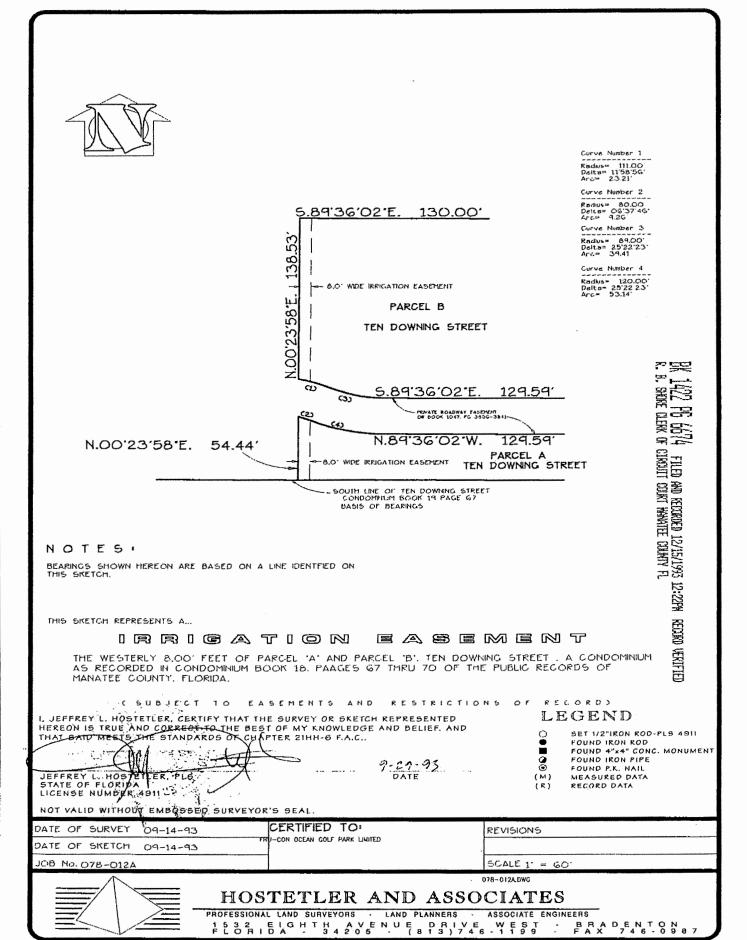
Witnesses:

TEN DOWNING STREET CONDOMINIUM ASSOCIATION, INC., a Florida corporation

print CAROL L. WALLACE By: Sathryn Shafer, President (SEAL)

print Jane Joung

COUNTY OF MAXALLE
The foregoing instrument was acknowledged before me this Aday of Mile 1993, by Kathryn Shafer as President of Ten Downing Street Condominium Association, Inc., a Florida corporation, on behalf of the corporation. The is personally known to me or has produced as identification.
OFFICIAL NOTARY SEAL DEBORAH M. PLUNKETT Notary Public State of Florida Bonded thru Des Champs & Gregory, Inc. AMERICAN FIRE & CASUALTY CO. My Comm. Expires OCT 28, 1996 Commission #: CC239141 NOTARY PUBLIC sign ALLOW Print EBORAH Print EBORAH My Commission expires:
witnesses: PALMS OF TERRA CEIA BAY COMMUNITY DEVELOPMENT DISTRICT By: Lead Journal Chan
print Monica (Phillips
print VACK R. Smith.
STATE OF FLORIDA COUNTY OF MANAGER
The foregoing instrument was acknowledged before me this day of loss of 1993, by the loss of Palms of Terra Ceia Bay Community Development District, on behalf of the corporation. He/she is personally known to me or has produced as identification.
OFFICIAL NOTARY SEAL DEBORAH M. PLUNKETT Notary Public State of Florida Bonded thru Des Champs & Gregory, Inc. AMERICAN FIRE & CASUALTY CO, My Comm. Expires OCT 28, 1998 Commission #: CC239141 NOTARY PUBLIC sign NOTARY PUBLIC



PREPARED BY AND TO BE RETURNED TO:
Robert S. Freedman, Esquire
Carlton, Fields, Ward, Emmanuel,
Smith & Cutler, P.A.
Post Office Box 3239
Tampa, Florida 33601-3239

Tax Parcel #	
Grantee's Tax ID #_	

SPECIAL WARRANTY DEED

This Special Warranty Deed is made and executed this 22nd day of November, 1996, by FRU-CON OCEAN GOLF PARK, LTD., a Florida limited partnership, having its principal place of business at 2802 Terra Ceia Bay Boulevard, Palmetto, Florida 34221 (hereinafter called the "Grantor"), to PALMS OF TERRA CEIA BAY COMMUNITY DEVELOPMENT DISTRICT, whose post office address is Post Office Box 1383, Palmetto, Florida 34220 (hereinafter called the "Grantee"):

(Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations).

Witnesseth: That the Grantor, for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, all that certain land situate in Manatee County, Florida, viz:

AS SET FORTH IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

("Property").

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with the Grantee that the Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property, and hereby warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, solely.

And the Grantor hereby declares a perpetual easement, for the benefit of (1) itself and its successors and assigns and (2) the owners of real property located within the physical boundaries of the Palms of Terra Ceia Bay Community Development District and their guests

and invitees, over, across and through the Property for purposes of providing legal ingress and egress to and from public roadways located adjacent to or contiguous with the Property.

In Witness Whereof, the Grantor has caused these presents to be executed the day and year first above written.

WITNESSES:	FRU-CON OCEAN GOLF PARK, LTD., a Florida limited partnership, by its sole general partner, The Fru-Con Projects, Inc., a Florida corporation, formerly known as Fru-Con Ocean Golf Park Corporation
Mary C. Stein	ву: 00 г.
Name: MARY C. STEIN	Name: DA.A. ZEHALER
Maria Wazlawek	Title: VICE PRESIDENT
Name: HARIA WAZLAWEK	
Mary C. Stein	Attest: Degra H. Monni
Name: MAKA C. STEIN	Name: PRESCH MORRS Title: U. Phisident / Justing
Maria Wo 3 la wek	Title. C. Prestons / Marris
Name: MARIA WAZLAWER	(0541)
	(SEAL)
COUNTY OF St. Louis	
The foregoing instrument was acknowled Movember, 1996, by a, a, 3 ekner as <u>Vice President</u> and <u>Vice President</u>	edged before me this $\frac{\partial \partial ND}{\partial M}$ day of and $\frac{\partial MD}{\partial M}$ H. Morris,
Projects, Inc., a Florida corporation, formerly kn	respectively, of The Fru-Con
the sole general partner of FRU-CON OCEAN G	
They either A are personally known to me or i	
as identification	on.
My Commission Expires: CHERI G. LYNE	Oheri A. Lyne (Signatural
(AFFIX NOTARY SEALMY COMMISSION EXPIRES DEC. 26, 1	1997 Name: Cheri G. Lyne
The state of the s	(Legibly Printed), Notary Public, State of <u>Mussimi</u>
A HAA A COLOR OF THE STATE OF T	
PUDITO	/O
Toron 15	(Commission Number, if any)
A CONTRACTOR	

Exhibit A

COMMENCE AT THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST; THENCE N.89°38'48"W. ALONG THE NORTH LINE OF SAID SECTION 10 A DISTANCE OF 52.00 FEET TO THE INTERSECTION WITH THE RIGHT OF WAY LINE OF 14TH AVENUE WEST; THENCE S.00°23'58"W. ALONG SAID RIGHT OF WAY LINE, PARALLEL WITH THE EAST LINE OF SAID SECTION 10 AND 52.00 FEET WESTERLY THEREFROM A DISTANCE OF 1500.23 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 165 FEET OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 10: THENCE N.89°37'48"W. ALONG SAID SOUTH LINE OF THE NORTH 185 FEET A DISTANCE OF 433.53 FEET (SAID POINT HEREINAFTER KNOWN AS POINT #1) FOR A POINT OF BEGINNING; THENCE N.89°37'48"W. ALONG SAID SOUTH LINE OF THE NORTH 165 FEET OF THE SE 1/4 OF THE NE 1/4 A DISTANCE OF 43.80 FEET TO POINT #2; THENCE S.23°49'13"W. A DISTANCE OF 1.36 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 18°17'58" AND A RADIUS OF 395.00 FEET: THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 126.16 FEET TO THE P.R.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 43°50'55" AND A RADIUS OF 320.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 244.90 FEET TO THE P.C.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 103°29'36" AND A RADIUS OF 20.00 FEET; THENCE SOUTHWESTERLY AND NORTHWESTERLY ALONG THE ARC A DISTANCE OF 38.13 FEET TO THE P.T. OF SAID CURVE; THENCE N.27°08'14"W. A DISTANCE OF 136,44 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 16°35'42" AND A RADIUS OF 235.89 FEET; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 68.32 FEET TO THE P.T. OF SAID CURVE; THENCE N.10°32"32"W. A DISTANCE OF 144.85 FEET TO THE P.C. OF A CURVE TO LEFT HAVING A CENTRAL ANGLE OF 00°18'31" AND A RADIUS OF 500.00 FEET: THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 2.40 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 165 FEET OF SAID SE 1/4 OF THE NE 1/4 (SAID POINT HEREINAFTER KNOWN AS POINT #3); THENCE N.89°37'48"W. ALONG SAID SOUTH LINE OF THE NORTH 165.00 FEET A DISTANCE OF 102.44 FEET TO POINT #4, SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S.76°20'04"W. A RADIAL DISTANCE OF 400.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC THROUGH A CENTRAL ANGLE OF 03°07'24" AND A DISTANCE OF 21.81 FEET TO THE P.T. OF SAID CURVE; THENCE S.10°32'32"E. A DISTANCE OF 144.85 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 16°35'42" AND A RADIUS OF 335.89 FEET; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 97.29 FEET TO THE P.T. OF SAID CURVE; THENCE S.27°08'14"E. A DISTANCE OF 144.72 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90°00'00" AND A RADIUS OF 20,00 FEET; THENCE SOUTHERLY AND SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 31.42 FEET TO THE P.T. OF SAID CURVE; THENCE \$.62°51'46"W. A DISTANCE OF 141.47 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 49°53'57" AND A RADIUS OF 305.00 FEET; THENCE WESTERLY ALONG THE ARC A DISTANCE OF 285.63 FEET TO THE P.R.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 22°23'00" AND A RADIUS OF 395.00 FEET; THENCE WESTERLY ALONG THE ARC A DISTANCE OF 154.31 FEET TO THE P.T OF SAID CURVE; THENCE N.89°37'17"W. A DISTANCE OF 542.08 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 74°56'37" AND A RADIUS OF 70.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 91.54 FEET TO THE P.C.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 30°50'29" AND A RADIUS OF 880.00 FEET; THENCE NORTHERLY ALONG THE ARC A DISTANCE OF 368.03 FEET TO THE P.C.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 27°52'33" AND A RADIUS OF 105.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 51.09 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 186 FEET OF THE NE 1/4 OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 10 (SAID POINT HEREINAFTER KNOWN AS POINT #5); THENCE N.89°37'48"W. ALONG SAID SOUTH LINE OF THE NORTH 185 FEET A DISTANCE OF 49.81 FEET TO POINT #6, SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S.59°38'21"E. A RADIAL DISTANCE OF 145.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC THROUGH A CENTRAL ANGLE OF 14°12'50" A DISTANCE OF 36.97 FEET TO THE P.C.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 30°50'29" AND A RADIUS OF 720.00 FEET: THENCE SOUTHERLY ALONG THE ARC A DISTANCE OF 387.56 FEET TO THE P.C.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 74°55'37" AND A RADIUS OF 110.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 143.85 FEET TO THE P.T. OF SAID CURVE: THENCE S.89°37'17"E. PARALLEL WITH THE SOUTH LINE OF THE NE 1/4 OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 10 AND 5.00 FEET NORTHERLY THEREFROM A DISTANCE OF 642.08 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 22°23'00" AND A RADIUS OF 366.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 138.68 FEET TO THE P.R.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 49°53'57" AND A RADIUS OF 345.00 FEET; THENCE EASTERLY AND NORTHEASTERLY ALONG THE ARC A DISTANCE OF 300.46 FEET TO THE P.T. OF SAID CURVE; THENCE N.62°51'46"E. A DISTANCE OF 141.47 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90°00'00" AND A RADIUS OF 20.00 FEET; THENCE NORTHEASTERLY AND SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 31.42 FEET TO THE P.T. OF SAID CURVE: THENCE S.27°08'14"E. A DISTANCE OF 125.00 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 43°33'57" AND A RADIUS OF 426.45 FEET; THENCE SOUTHEASTERLY AND SOUTHERLY ALONG THE ARC A DISTANCE OF 323.50 FEET TO THE P.R.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 88°15'26" AND A RADIUS OF 539.55 FEET; THENCE SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 831.11 FEET TO THE P.R.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 87°61'28" AND A RADIUS OF 20.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 30.67 FEET TO THE P.T. OF SAID CURVE; THENCE \$.16°01'45"W. A DISTANCE OF 20.95 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 29°22'13" AND A RADIUS OF 130.19 FEET; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 66.74 FEET TO THE P.T. OF SAID CURVE; THENCE S.45°23'58"W. A DISTANCE OF 160.59 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 45°00'00" AND A RADIUS OF 37.29 FEET; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 29.29 FEET TO THE P.T. OF SAID CURVE; THENCE N.89°36'02"W. A DISTANCE OF 129.69 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL

T#484784.1 Page 3 of 5

ANGLE OF 25°22'23" AND A RADIUS OF 89.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 39.41 FEET TO THE P.R.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 25°22'23" AND A RADIUS OF 111.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 49.16 FEET TO THE P.T. OF SAID CURVE; THENCE N.89°36'02"W. A DISTANCE OF 365.00 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 30°00'00" AND A RADIUS OF 86.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 45.03 FEET TO THE P.T. OF SAID CURVE; THENCE S.60°23'58"W. A DISTANCE OF 90.00 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 83°57'36" AND A RADIUS OF 39.00 FEET; THENCE SOUTHWESTERLY AND NORTHWESTERLY ALONG THE ARC A DISTANCE OF 57.15 FEET TO THE P.R.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 53°57'35" AND A RADIUS OF 111.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 104.54 FEET TO THE P.T. OF SAID CURVE; THENCE N.89°38'02"W. A DISTANCE OF 11.52 FEET TO THE INTERSECTION WITH THE WEST LINE OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 10; THENCE S.00°17'15"W. ALONG SAID WEST LINE OF THE NE 1/4 OF THE SE 1/4 A DISTANCE OF 31.00 FEET; THENCE S.89°36'02"E. A DISTANCE OF 11.46 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 75°00'10" AND A RADIUS OF 80.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 104.72 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 10; THENCE S.89°39'43"E. ALONG SAID SOUTH LINE OF THE NORTH 1/2/ OF THE NE 1/4 OF THE SE 1/4 A DISTANCE OF 89.13 FEET TO A POINT ON A CURVE WHOSE RADIUS POINT LIES S.39°08'20"E, A RADIAL DISTANCE OF 72.58 FEET; THENCE NORTHEASTERLY ALONG THE ARC THROUGH A CENTRAL ANGLE OF 09°30'18" A DISTANCE OF 12.04 FEET TO THE P.T. OF SAID CURVE; THENCE N.60°23'58"E. A DISTANCE OF 90.00 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 30°00'00" AND A RADIUS OF 55.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 28.80 FEET TO THE P.T. OF SAID CURVE; THENCE S.89°38'02"E. A DISTANCE OF 385.00 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 25°22'23" AND A RADIUS OF 80.00 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 35.43 FEET TO THE P.R.G. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 25°22'23" AND A RADIUS OF 120.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 53.14 FEET TO THE P.T. OF SAID CURVE; THENCE S.89°38'02"E. A DISTANCE OF 129.59 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°00'00" AND A RADIUS OF 88.29 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 53.84 FEET TO THE P.T. OF SAID CURVE; THENCE N.45°23'58"E. A DISTANCE OF 160.59 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 28°22'13" AND A RADIUS OF 161.19 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 82.63 FEET TO THE P.T. OF SAID CURVE: THENCE N.18°01'45"E. A DISTANCE OF 22.80 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 84°51'53" AND A RADIUS OF 20,00 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 29.62 FEET TO THE P.R.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10°29'40" AND A RADIUS OF 538.55 FEET; THENCE EASTERLY ALONG THE ARC A DISTANCE OF 98.83 FEET TO THE P.T. OF SAID CURVE; THENCE S.89°38'02"E., PERPENDICULAR WITH THE EAST LINE OF SAID SECTION 10, A DISTANCE OF 68.00 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 41°36'45" AND A RADIUS OF 20.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 14.52 FEET; THENCE S.89°36'02"E., PERPENDICULAR WITH THE EAST LINE OF SAID SECTION 10, A DISTANCE OF 6.72 FEET TO THE INTERSECTION WITH THE RIGHT OF WAY LINE OF 14TH AVENUE WEST; THENCE N.00°23'58"E., ALONG SAID RIGHT OF WAY LINE, PARALLEL WITH THE EAST LINE OF SAID SECTION 10, AND 52.00 FEET WESTERLY THEREFROM, A DISTANCE OF 125.04 FEET TO A POINT ON A CURVE WHOSE RADIUS POINT LIES N.89°35'02"W. A RADIAL DISTANCE OF 20.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC THROUGH A CENTRAL ANGLE OF 90°00'00" AND A DISTANCE OF 31.42 FEET TO THE P.T. OF SAID CURVE; THENCE N.89°38'02"W., PERPENDICULÁR WITH THE EAST LINE OF SAID SECTION 10, A DISTANCE OF 88.00 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 108°01'45" AND A RADIUS OF 439,55 FEET; THENCE NORTHWESTERLY AND NORTHEASTERLY ALONG THE ARC A DISTANCE OF 813.41 FEET TO THE P.R.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 43°33'67" AND A RADIUS OF 625.45 FEET; THENCE RUN NORTHEASTERLY AND NORTHWESTERLY ALONG THE ARC A DISTANCE OF 399.54 FEET TO THE P.T. OF SAID CURVE; THENCE N.27°08'14"W. A DISTANCE OF 131.50 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 79°23'08" AND A RADIUS OF 20.00 FEET; THENCE NORTHWESTERLY AND NORTHEASTERLY ALONG THE ARC A DISTANCE OF 27.71 FEET TO THE P.R.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 46°43'36" AND A RADIUS OF 360.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 293.59 FEET TO THE P.R.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 18°17'58" AND A RADIUS OF 355.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 113.38 FEET TO THE P.T. OF SAID CURVE; THENCE N.23°49'13"E, A DISTANCE OF 18.71 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

COMMENCE AT THE AFOREMENTIONED POINT #3 FOR A <u>POINT OF BEGINNING</u>; THENCE N.89°37'48"W. ALONG THE SOUTH LINE OF THE NORTH 185.00 FEET OF SAID SE 1/4 OF THE NE 1/4 A DISTANCE OF 102.44 FEET (ALSO BEING POINT #4 AS PREVIOUSLY DESCRIBED), SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S.76°20'04"W. A RADIAL DISTANCE OF 400.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC THROUGH A CENTRAL ANGLE OF 38°06'04" AND A DISTANCE OF 272.98 FEET TO THE P.T. OF SAID CURVE; THENCE N.52°46'00"W. A DISTANCE OF 138.04 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 38°39'40" AND A RADIUS OF 300.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 191.96 FEET TO THE P.T. OF SAID CURVE; THENCE N.89°25'40"W. A DISTANCE OF 37.40 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 53°20'20" AND A RADIUS OF 300.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 279.28 FEET TO THE P.T. OF SAID CURVE; THENCE S.37°14'00"W. A DISTANCE OF 184.67 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 43°53'29" AND A RADIUS OF 170.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE

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OF 130.23 FEET TO THE P.R.C. OF A CURVE LEFT HAVING A CENTRAL ANGLE OF 37°06'07" AND A RADIUS OF 106.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 67.99 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 165 FEET OF THE NE 1/4 OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION 10 (ALSO BEING POINT #5 AS PREVIOUSLY DESCRIBED); THENCE N.89°37'48"W. ALONG SAID SOUTH LINE OF THE NORTH 166 FEET A DISTANCE OF 49.61 FEET TO POINT #6, SAID POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S.59°38'21"E. A RADIAL DISTANCE OF 145.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC THROUGH A CENTRAL ANGLE OF 50°45'50" AND A DISTANCE OF 128,47 FEET TO THE P.R.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 43°53'29" AND A RADIUS OF 130.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 99.59 FEET TO THE P.T. OF SAID CURVE; THENCE N.37°14'00"E. A DISTANCE OF 268.97 FEET TO THE P.T. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 48°34'60" AND A RADIUS OF 325.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 275,56 FEET TO THE P.R.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 85°14'30" AND A RADIUS OF 20.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 20.76 FEET TO THE P.T. OF SAID CURVE; THENCE S.89°25'40"E. A DISTANCE OF 8.00 FEET TO POINT #7; THENCE CONTINUE S.89°25'40"E. A DISTANCE OF 24.00 FEET TO POINT #8; THENCE 8,89°26'40"E. A DISTANCE OF 8.00 FEET; THENCE 8.00°34'20"W. A DISTANCE OF 1.90 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 83°00'47" AND A RADIUS OF 20.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 28.98 FEET TO THE P.R.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 29°40'27" AND A RADIUS OF 400.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 207.17 FEET TO THE P.T. OF SAID CURVE; THENCE S.52°48'00"E. A DISTANCE OF 138.04 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 41°56'57" AND A RADIUS OF 500.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 366.08 FEET TO THE POINT OF BEGINNING, (ALSO BEING POINT #3 AS PREVIOUSLY DESCRIBED) BEING AND LYING IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

ALSO TOGETHER WITH:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST; THENCE N.89°38'48"W. ALONG THE NORTH LINE OF SAID SECTION 10 A DISTANCE OF 52.00 FEET TO THE INTERSECTION WITH THE RIGHT OF WAY OF 14TH AVENUE WEST; THENCE 5.00°23'58"W. ALONG SAID RIGHT OF WAY LINE, PARALLEL WITH THE EAST LINE OF SAID SECTION 10 AND 52.00 FEET WESTERLY THEREFROM A DISTANCE OF 528.84 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S.00°23'58"W. ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 84.00 FEET TO THE P.C. OF A CURVE WHOSE RADIUS POINT LIES N.89°38'03"W. AND A RADIAL DISTANCE OF 35.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC THROUGH A CENTRAL ANGLE OF 90°00'00" AND A DISTANCE OF 54.98 FEET TO THE P.T. OF SAID CURVE: THENCE N.89°36'03"W. PERPENDICULAR WITH THE EAST LINE OF SAID SECTION 10 A DISTANCE OF 185,53 FEET TO POINT #8; THENCE CONTINUE N.89°36'03"W. A DISTANCE OF 40.00 FEET (SAID POINT HEREINAFTER KNOWN AS POINT #10): THENCE CONTINUE N.89°38'03"W. A DISTANCE OF 22.87 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 15°00'52" AND A RADIUS OF 63.00 FEET: THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 16.51 FEET TO THE P.T. OF SAID CURVE; THENCE S.75°23'05"W. A DISTANCE OF 6.58 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 84°30'49" AND A RADIUS OF 25.00 FEET; THENCE WESTERLY AND SOUTHERLY ALONG THE ARC A DISTANCE OF 36.88 FEET TO THE P.T. OF SAID CURVE (SAID POINT HEREINAFTER KNOWN AS POINT #11); THENCE S.80°52'16"W. A DISTANCE OF 24,00 FEET TO A POINT BEING ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S.80°52′16″W. A RADIAL DISTANCE OF 338.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 330.88 FEET THROUGH A CENTRAL ANGLE OF 56°05'19" TO THE P.C.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 29°18'30" AND A RADIUS OF 788.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC A DISTANCE OF 403.08 FEET TO THE P.C.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 48°41'09° AND A RADIUS OF 338.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC A DISTANCE OF 287.21 FEET TO THE P.T. OF SAID CURVE; THENCE S.36°47'19"W. A DISTANCE OF 100.82 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 36°12'58" AND A RADIUS OF 200.00 FEET; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC A DISTANCE OF 126.42 FEET TO THE P.T. OF SAID CURVE; THENCE S.00°34'20"W. A DISTANCE OF 387.88 TO POINT #8 (PREVIOUSLY DESCRIBED IN PART 1 OF THIS DESCRIPTION); THENCE N.89°25'40"W. A DISTANCE OF 24.00 FEET TO POINT #7 (PREVIOUSLY DESCRIBED IN PART 1 OF THIS DESCRIPTION); THENCE N.00°34'20"E. A DISTANCE OF 387.88 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 36°12'58" AND A RADIUS OF 224.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 141.59 FEET TO THE P.T. OF SAID CURVE; THENCE N.36°47'19"E. A DISTANCE OF 100.62 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 48°41'09" AND A RADIUS OF 362.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 307.60 FEET TO THE P.C.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 29° 18'30" AND A RADIUS OF 812.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 416.38 FEET TO THE P.C.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 44°42′56" AND A RADIUS OF 362.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC A DISTANCE OF 282.52 FEET TO THE P.R.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 84°06'47" AND A RADIUS OF 28.00 FEET; THENCE SOUTHEASTERLY AND EASTERLY ALONG THE ARC A DISTANCE OF 41.11 FEET TO THE P.T. OF SAID CURVE; THENCE N.75°23'05"E. A DISTANCE OF 2.86 FEET TO THE P.C. OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 15°00'52" AND A RADIUS OF 87.00 FEET: THENCE EASTERLY ALONG THE ARC A DISTANCE OF 22.80 FEET TO THE P.T. OF SAID CURVE; THENCE S.89°36'03"E., PERPENDICULAR WITH THE EAST LINE OF SAID SECTION 10, A DISTANCE OF 258.40 FEET TO THE P.C. OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 90°00'00" AND A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC A DISTANCE OF 39.27 FEET TO THE POINT OF BEGINNING, BEING AND LYING IN SECTION 10, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

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LEGAL DESCRIPTION BUILDING PARCEL NO. 1-A

LEGAL DESCRIPTION: BUILDING PARCEL NO. 1-A

COMPENSE AT THE MORTHEAST CORNER OF SECTION 10, TWP, 34 S., RGE, 17 E.,
THENCE S 00°23'58" W, ALONS THE EAST LINE OF SAID SECTION 10, 1500.26 FT, TO THE
INTERSECTION WITH THE SOUTH LINE OF THE MORTH 165 FT. OF THE SE 1/4 OF THE NE
174 OF SAID SECTION 10; THENCE CONTINUE S 00°22'58" W, ALONS SAID SECTION 10; THENCE CONTINUE S 00°22'58" W, ALONS SAID SECTION 10; THENCE CONTINUE S 00°22'58" W, ALONS SAID SECTION 10, 52.72 FT. TO THE INTERSECTION WITH THE SOUTHERLY LINE OF A PRIVATE
ROAD EASEMENT, FOR A POINT OF BEGINNING, SAID POINT BEING THE ARC OF A CHAVE
HOSE RADIUS POINT LIES S '14759'73" W, 20.00 FT.; THENCE CONTINUE N 89°36'02" W,
PERPENDICULAR WITH THE EAST LINE OF SAID SECTION 10, 141.28 FT.; THENCE
S 00°23'58" W, PARALLE WITH THE EAST LINE OF SAID SECTION 10, 141.28 FT.; THENCE
NORTH 1/2 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 110; THENCE N 89°35'19" W,
ALONG SAID SOUTH LINE OF THE NORTH 1/2 OF THE NE 1/4 OF THE SE 1/4 OF THE SE

CONTAINING 1.16 ACRES, MORE OR LESS.

BOUNDARIES OF CONDOMINIUM UNITS

- HORIZONITAL BOUNDARIES: THE UPPER AND LOWER BOUNDARIES OF THE UNITS SHALL BE THE PLANE FORMED BY THE CENTERLINE OF THE CONCRETE CEILING SLAB AND THE PLANE FORMED BY THE CENTERLINE OF THE CONCRETE FLOOR SLAB:
- VERTICAL BOUNDARIES: THE VERTICAL BOUNDARIES OF THE UNITS SHALL BE:
 - EXTERIOR BOUNDARIES: THE EXTERIOR OF THE OUTSIDE WALLS OF THE UNIT BUILDING EXCEPT WHERE THERE IS ATTACHED TO OR IN EXISTENCE AS A PART OF THE BUILDING A BALCONY OR OTHER PORTION OF THE BUILDING SERVING ONLY THE UNIT BEING BOUNDED, IN WHICH EVENT THE BOUNDARIES SHALL DE SUCH AS WILL INCLUDE ALL SUCH STRUCTURES.
 - BETWEEN UNITS: THE PLANE FORMED BY THE CENTERLINE OF THE WALL BETWEEN UNITS.
 - BETWEEN UNITS AND COMMON WALKWAY OR BETWEEN UNITS AND OTHER COMMON USE AREAS: THE PLANE FORMED BY THE EXTERIOR OF THE UNIT WALL BETWEEN THE UNIT AND SAID WALKWAY OR COMMON USE AREA.

GENERAL NOTES

- BEARINGS ARE BASED ON AM ASSUMED MERIDIAN OF \$ 00°23'58" M, FOR THE EAST LINE OF SECTION 10, TMP. 34 S., RGE. 17 E.

 EASPENTS FOR MINIMENANCE, UTILITIES, SUPPORT, INGRESS AND EGRESS, EXIST TRADOGROUT THE CONDOMINUM PROPERTY. AS DESCRIBED IN THE DECLARATION OF CONDOMINUM. SPACES AND STORAGE LINITS WHEN ASSIGNED TO A SPECIFIC UNIT CONSTITUTE LIMITED COMPON ELEMENTS.

 LIMITED COMPON ELEMENTS.

 LIMITED COMPON ELEMENTS.

 LIMITED COMPON ELEMENTS WHEN ASSIGNED TO A SPECIFIC UNIT CONSTITUTE LIMITED COMPON ELEMENTS.

 LIMITED CONDOMINIUM PLAT IS IDENTIFIED BY A UNIT NUMBER AS SHOWN HEREON I.E.; UNIT 101 (ON FIRST FLOOR) UNIT 201 (ON SECOND FLOOR), ETC.

 THIS CONDOMINIUM PLAT IS SUBJECT TO ALL THE PROVISIONS OF THE DECLARATION OF CONDOMINIUM TO WHICH THIS PLAT IS ATTACHED AS EXHIBIT "B".

SURVEYORS CERTIFICATE

I, THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, HERBY CERTIFY THAT THE CONSTRUCTION OF THE IMPROVEMENTS DESCRIBED HERBEIN ARE SUBSTANTIALLY COPPLETE SO THAT THE MATERIAL, TOGETHER WITH THE PROVISIONS OF THE DECLARATION DESCRIBINGS THAT CONDITION OF THE IMPROVEMENTS TO THE BEST OF MY KOMMALDED AND BELIEF AND SO THAT THE IDENTIFICATION, LOCATION AND DIMENSIONS OF THE COMPON BELIEF AND SO THAT THE IDENTIFICATION, LOCATION AND DIMENSIONS OF THE COMPON BELIEF AND OF EACH UNIT CAN BE DETERMINED, AND THAT THIS DOCUMENT WAS BASED ON A SURVEY PREPARED UNDER MY DIRECTION AND SUPERVISION IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, CHAPTER 21HH-6, FLORIDA ADMINISTRATIVE CODE.

April, 1984 DATE OF SURVEY

March /5, /985

AN SKIPPER P A SEPTIMENT STATES

CONDOMINIUM BOOK 18 PAGE 67

TEN DOWNING STREET A CONDOMINIUM

PALMS OF TERRA CEIA BAY, A CONDOMINIUM COMMUNITY IN SECTION 10,TWP.345.,RGE.17E.,MANATEE COUNTY,FLORIDA

LEGAL DESCRIPTION : BUILDING PARCEL NO. I - B

LEGAL DESCRIPTION: BUILDING PARCEL NO. I - B

COMMENCE AT THE NORTHEAST CORNER OF SECTION 10, TMP. 34 S., RGE. 17 E.;
THENCE S 00°23'58" N., ALONG THE EAST LINE OF SAID SECTION 10, 1500.26 FT. TO THE
INTERSECTION WITH THE SOUTH LINE OF THE NORTH 165 FT. OF THE SE 1/4 OF THE HE
1/4 OF SAID SECTION 10; THENCE CONTINUE S 00°23'58" N. ALONG SAID SECTION LINE,
1573.35 FT.; THENCE N 89°36'02" N. PERPENDICLAR WITH THE EAST LINE OF SAID
SECTION 10, 293.31 FT. TO THE INTERSECTION WITH THE PRIVATE ROAD EASEMENT, FOR A
POINT OF DEGINNING, THENCE CONTINUE N 89°36'02" N. PERPENDICLAR WITH THE EAST
LINE OF SAID SECTION 10, 131.69 FT.; THENCE S 69°19'09" N., 112.53 FT.; THENCE
OF SAID SECTION 10, 131.69 FT.; THENCE S 69°19'09" N., 112.53 FT.; THENCE
OF OR 00°23'58" N. PARALLE WITH THE EAST LINE OF SAID SECTION 10, 130.00 FT.;
THENCE S 00°23'58" N. PARALLE WITH THE EAST LINE OF SAID SECTION 10, 130.00 FT.;
THENCE S 00°23'58" N. PARALLE WITH THE EAST LINE OF SAID POINT BEING ON THE ARC
OF A CURVE MODE RADIUS POINT LIES S 13°07'725" N., 111.00 FT.; THENCE RN SOUTHEASTERLY, ALONG SAID ROADWAY EASTHEINT, AND THE ARC OF SAID CURVE, THROUGH A
ALONG SAID ROADWAY EASTHEINT, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL MASILE
OF 13°52'2'23", A DISTANCE OF 39.41 FT. TO THE P.T. OF SAID CURVE; THROUGH A CENTRAL MASILE
OF 25°22'23", A DISTANCE OF 39.41 FT. TO THE P.T. OF SAID CURVE; THROUGH A CENTRAL MASILE
OF 25°22'23", A DISTANCE OF 39.41 FT. TO THE P.T. OF SAID CURVE; THROUGH A CENTRAL MASILE
OF 45°00'00", A DISTANCE OF 29.29. FT. TO THE P.T. OF SAID CURVE; THENCE THE CENTRAL MASILE
OF 45°00'00", A DISTANCE OF 29.29. FT. TO THE P.T. OF SAID CURVE; THENCE
CONCAVE TO THE NORTH-MEST, HAVING A RADIUS OF 30.10 FT.; THENCE RIN NORTH-EASTERLY,
ALONG SAID ROADWAY EAST-EMPT, 129.59 FT. TO THE P.C. OF A CURVE
CONCAVE TO THE NORTH-MEST, HAVING A RADIUS OF 30.10 FT.; THENCE RIN NORTH-EASTERLY,
CONCAVE TO THE NORTH-MEST, HAVING A RADIUS OF 30.10 FT.; THENCE RIN NORTH-EASTERLY,
CONCAVE TO THE NORTH-MEST, HAVING A RADIUS OF 30.10 FT.; THENCE RIN NO

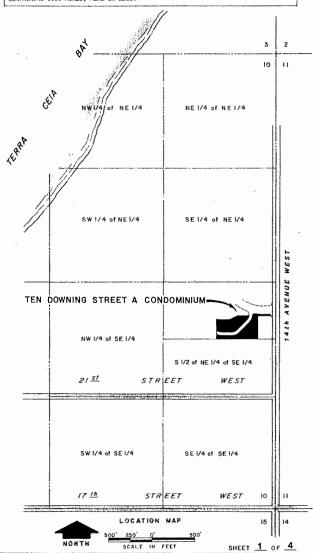


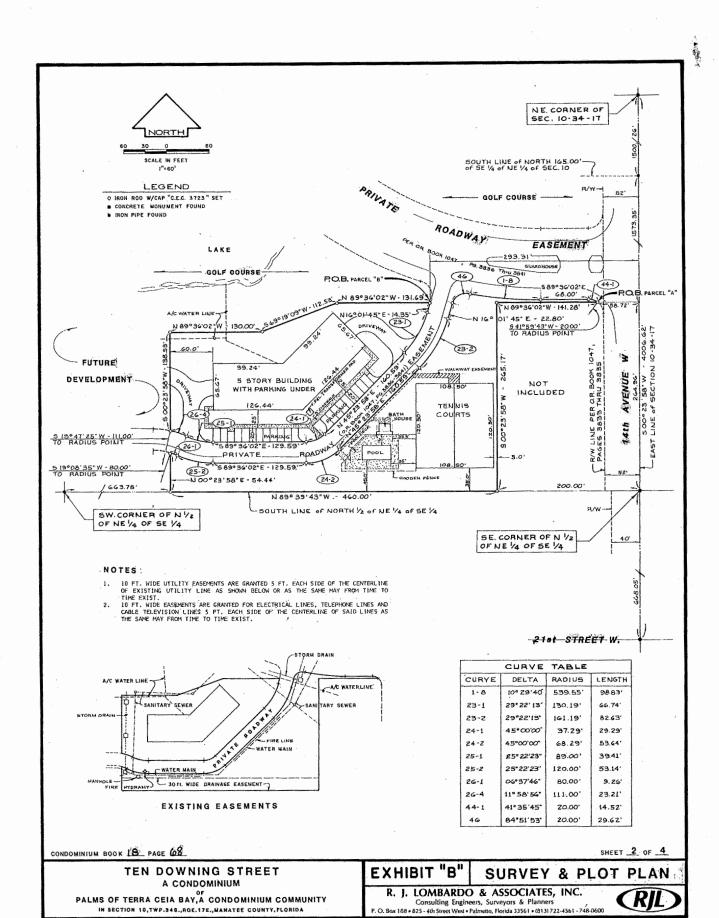
EXHIBIT "B"

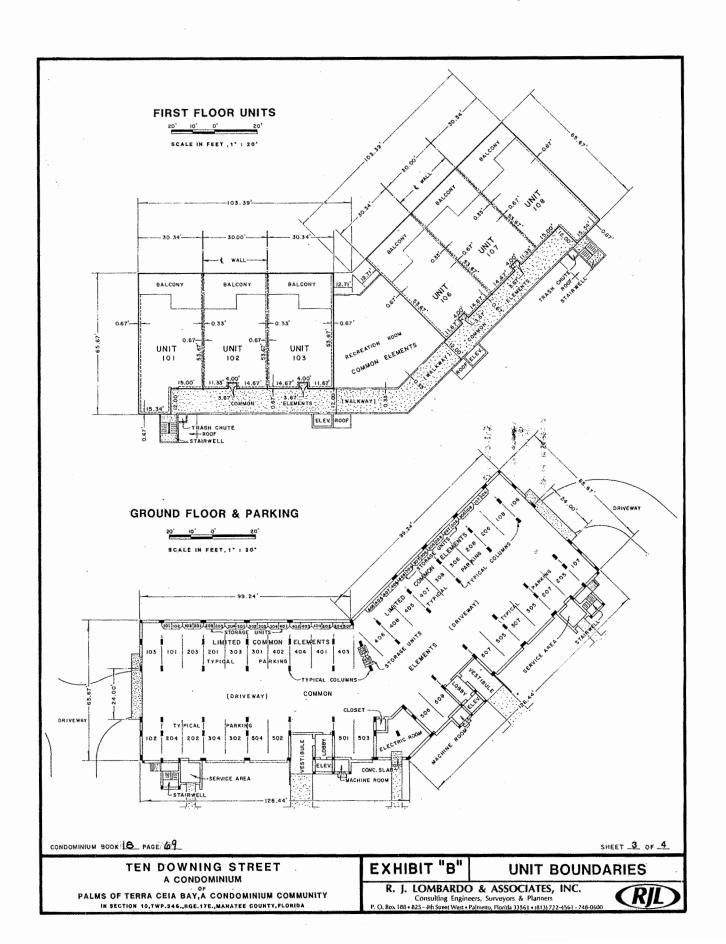
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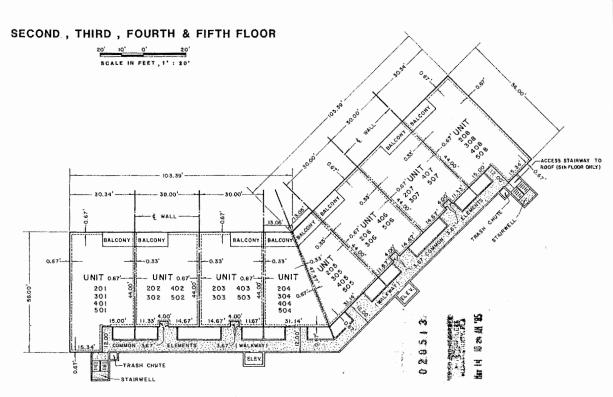
R. J. LOMBARDO & ASSOCIATES, INC.

Consulting Engineers, Surveyors & Planners P. O. Box 188 • 825 - 4th Street West • Palmetto, Florida 33561 • (813) 722-4561 - 748-0600



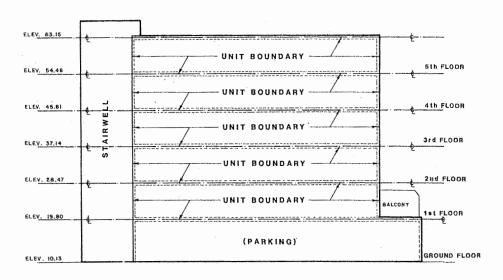






VERTICAL BOUNDARIES

NO SCALE



CONDOMINIUM BOOK 18 PAGE 70

SHEET 4 OF 4

TEN DOWNING STREET A CONDOMINIUM

OF
PALMS OF TERRA CEIA BAY, A CONDOMINIUM COMMUNITY
IN SECTION 10,7WP.348.,RGE.17E.,WANATEE COUNTY,FLORIDA



UNIT BOUNDARIES

R. J. LOMBARDO & ASSOCIATES, INC. Consulting Engineers, Surveyors & Planners P. O. Box 188 • 825 • 9th Street West • Palposto, Florinka 33361 • (813) 722-4561 • 740-0660



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CITY OF PALMETTO, ORDINANCE NO. 03-789

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, VACATING A PORTION OF 14th AVENUE WEST RIGHT-OF-WAY AS MORE PARTICULARLY DESCRIBED IN SECTION 2 OF THIS ORDINANCE AND AS GRAPHICALLY DEPICTED ON EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (V0304 –Manatee Fruit Company, approximately 5.54 acres)

BE IT ORDAINED by the City Council of the City of Palmetto, Florida as follows:

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate, and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions and render municipal services; and

WHEREAS, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any powers for municipal purposes, except when expressly prohibited by law and to enact ordinance in furtherance of thereof; and

WHEREAS, the City Council of the City of Palmetto, Florida was duly convened at its regular meeting place in the City Hall of the City of Palmetto, Florida on January 5, 2004; and

WHEREAS, pursuant to the Notice of Hearing for the vacation having been duly made by advertisement in the Bradenton Herald on November 19, 2003; and

WHEREAS, all things necessary and required by law for the vacation of a portion of 14th Avenue West right-of-way described in Section 2 having been accomplished; and

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WHEREAS, the City Council has determined that it is necessary, desirable and in the best interest of the citizens of the City, in order to protect the public health, safety, and welfare, to adopt this Ordinance

NOW, THEREFORE, BE IT FURTHER ORDAINED, BY THE CITY COUNCIL OF THE CITY OF PALMETTO, FLORIDA, AS FOLLOWS:

<u>Section 1</u>: <u>Findings of Fact</u>. The forgoing "whereas" clauses are adopted herein as findings of fact, and are accepted as a basis for adoption of this Ordinance.

Section 2: Vacated Right-Of-Way. The City Council of the City of Palmetto, Florida, pursuant to due and proper petition and application and other procedures as required by law and the rules and regulations of this Council for vacating the following described right-of-way having been accomplished including Notice of Public Hearing being legally published and upon the Hearing held by said Council on Monday January 5, 2003, pursuant to said Notice, and with the evidence of ownership of the abutting property owners and the abutting lands having been submitted to this Council, the Council of the City of Palmetto, Florida, does hereby vacate, close and abandon the following described right-of-way, which is graphically depicted on Exhibit "A" attached hereto:

SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"

Section 3: Easement. A 15-foot wide public utility easement shall be retained for the following described property:

SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "B"

Section 4: Severability. It is the intent of this Ordinance to comply with the

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

Section 3: Effective Date. This Ordinance shall take effect upon the effective date of Ordinance 03-788 as provided for by law and by City Charter, Section 13 upon execution by the Mayor or, if disapproval occurs, upon reconsideration by the City Council and passing of the Ordinance by at least four (4) votes.

PASSED AND DULY ADOPTED, in open session with a quorum present and voting, this 5th day of January, 2004.

First Reading:

December 1, 2003

Publication:

December 15, 2003

Second Reading

and Public Hearing: January 5, 2004

CITY OF PALMETTO, FLORIDA BY AND THROUGH ITS CITY COUNCIL OF THE CITY OF PALMETTO

ATTEST:

KE. Free, Jr., City Clerk

Exhibit "A"

THAT PORTION OF 14^{TH} AVENUE WEST LYING IN SECTION 10 & 11, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, NORTH OF TERRA CEIA BOULEVARD AS DESCRIBED IN OFFICIAL BOOK 1581, PAGE 6246 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA

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Exhibit "B"

THAT PORTION OF 14TH AVENUE WEST LYING IN SECTION 10 & 11, TOWNSHIP 34 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA, NORTH OF TERRA CEIA BOULEVARD AS DESCRIBED IN OFFICIAL BOOK 1581, PAGE 6246 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA

