

#248



PASCO COUNTY, FLORIDA

NEW PORT RICHEY
DADE CITY
LAND O' LAKES
FAX

(727) 847-8193
(352) 521-4274
(813) 996-7341
(727) 847-8084

GROWTH MANAGEMENT DEPARTMENT
WEST PASCO GOVT. CENTER
7530 LITTLE ROAD, SUITE 320
NEW PORT RICHEY, FL 34654-5598

CERTIFIED MAIL NO. 7005 3110 0000 9349 3551
RETURN RECEIPT REQUESTED

May 7, 2010

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

RE: Sunlake Centre Development of Regional Impact (#248)
Abandonment

Dear Mr. Meyer:

Enclosed please find a certified copy of the Sunlake Centre Development of Regional Impact (#248) Abandonment (Resolution No. 10-232), which is hereby rendered in accordance with Chapter 380.06, Florida Statutes and Chapter 9J-2.025 Florida Administrative Code. This Resolution of Abandonment was approved by the Pasco County Board of County Commissioners on April 27, 2010.

Please contact me with any questions at (727) 847-8193 or cspidell@pascocountyfl.net.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia D. Spidell".

Cynthia D. Spidell, MBA
Senior Planner & DRI Coordinator

Enclosure

BY COMMISSIONER _____

RESOLUTION NO. 10-232

**A RESOLUTION REPEALING THE DEVELOPMENT
ORDER FOR, AND ABANDONING THE SUNLAKE
CENTRE DEVELOPMENT OF REGIONAL IMPACT
NO. 248.**

WHEREAS, the original Development Order for the Sunlake Centre Development of Regional Impact ("DRI") was adopted by the Board of County Commissioners on March 28, 2006, as Resolution No. 06-182 ("Original DO"); and

WHEREAS, in accordance with Section 380.06(19), Florida Statutes, as amended ("F.S."), on March 31, 2009, Sunlake-Equity Joint Venture ("Applicant/Developer") filed a Notice of Proposed Change to a Previously Approved DRI ("NOPC"), which the Board of County Commissioners adopted on July 28, 2009, as Resolution No. 09-320 (the Original DO, as amended by the NOPC, being referred to as the "DO"); and

WHEREAS, in accordance with Section 380.06(26), F.S., on October 27, 2009, Applicant filed an Application for Abandonment of a Development of Regional Impact for the DRI ("Abandonment Application"), and provided copies of the Abandonment Application to the Tampa Bay Regional Planning Council ("TBRPC"), the Florida Department of Community Affairs ("FDCA"), and the Florida Department of Transportation ("FDOT"); and

WHEREAS, the Board of County Commissioners is the governing body having jurisdiction over the review and approval of DRIs, and the amendment and/or abandonment thereof, in Pasco County in accordance with Section 380.06, F.S.; and

WHEREAS, the Board of County Commissioners has reviewed the Abandonment Application, as well as all related testimony and evidence submitted by each party and members of the general public; and

WHEREAS, the Board of County Commissioners wishes at this time to approve the abandonment of the DRI, and the associated repeal of the DO; and

WHEREAS, the Board of County Commissioners has approved the Abandonment Application on April 27, 2010, and hereby adopts this Resolution repealing the DO and abandoning the DRI ("Resolution").

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, in regular session duly assembled, as follows:

STATE OF FLORIDA, COUNTY OF PASCO
THIS IS TO CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE DOCUMENT
ON FILE OR OF PUBLIC RECORD IN THIS OFFICE
WITNESS MY HAND AND OFFICIAL SEAL THIS
3rd DAY OF May 2010
PAULA S. O'NEIL, CLERK & COMPTROLLER
BY K M S Cornick DEPUTY CLERK

1. **GENERAL FINDINGS OF FACT**

The Board of County Commissioners makes the following general findings of fact:

(a) The Applicant/Developer has filed, in accordance with Section 380.06(26), F.S., an Abandonment Application NOPC for the DRI and associated responses to requests for additional information.

(b) The real property encompassed by the Sunlake Centre DRI is owned by the individual property owners described in the Abandonment Application. A description of the real property is attached hereto as **Exhibit B ("Property")**, and is incorporated into this Amendment by this reference.

(c) The nature, type, scope, intensity, density, and general impact of development proposed for the Property after abandonment of the DRI ("**Project**") are summarized in the Abandonment Application, and are less than the eighty percent (80%) DRI thresholds established by Section 380.0651, F.S., and Rule 28-24, Florida Administrative Code ("**F.A.C.**").

(d) On December 17, 2009, the TBRPC notified Pasco County that the TBRPC had no objection to the Abandonment Application.

(e) On March 31, 2010, the FDOT notified Pasco County that the FDOT had no objection to the Abandonment Application.

(f) The Board of County Commissioners scheduled a public hearing on the Abandonment Application for April 27, 2010.

(g) The public notice requirement of Section 380.06(26), F.S., has been satisfied.

(h) At the public hearing, all parties were afforded the opportunity to present evidence and argument on all issues and to submit rebuttal evidence, and any member of the general public requesting to do so was given the opportunity to present written or oral communications.

(i) The Board of County Commissioners received and considered various other reports and information including, but not limited to, the recommendation of the Pasco County Development Services Branch and the Development Review Committee ("**DRC**").

2. **CONCLUSIONS OF LAW**

The Board of County Commissioners hereby finds that the abandonment of the Sunlake Centre DRI as proposed by the Abandonment Application:

(a) Will not unreasonably interfere with the achievement of the objectives of the State Comprehensive Plan and State Land Development Plan applicable to the Property .

(b) The Project, as governed by the MPUD Conditions of Approval, is consistent with the Pasco County Land Development Code (local land development regulations), and the adopted Comprehensive Plan.

(c) The Property is not in an area of critical State concern.

(d) The Project does not create additional, unmitigated impacts to public facilities not mitigated previously through the DO, or any type of unmitigated regional impact, and the Project will not meet or exceed eighty percent (80%) of any applicable DRI thresholds.

(e) Nothing herein shall limit or modify the rights approved by the MPUD Conditions of Approval, or the protection afforded under Section 163.3167(8), F.S.

(f) Based on the transportation mitigation completed by the Applicant with respect to the Project prior to the adoption of this Resolution, the Project is and shall remain vested for transportation concurrency purposes through December 31, 2013 in accordance with the MPUD Conditions of Approval, and Pasco County's land development regulations.

(g) These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the various departments of Pasco County, and the Applicant/Developer are authorized to proceed with respect to development of the Project pursuant to the MPUD Conditions of Approval, without regard to the DO, which is repealed hereby, and without DRI review.

3. **ORDER**

The Board of County Commissioners, having made the above findings of fact and having drawn the above conclusions of law, hereby approves the Abandonment Application, and orders that the DO is hereby repealed and the DRI is hereby abandoned, and shall be governed by Pasco County's Comprehensive Plan, the MPUD Conditions of Approval, and Pasco County's Land Development Code and other applicable regulations.

4. **PROCEDURES**

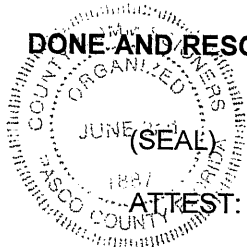
(a) **Notice of Adoption:** A Notice of Abandonment shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with Section 380.06(15)(f), Florida Statutes, as amended.

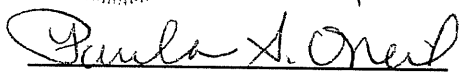
(b) **Certified Resolution:** The Clerk of the Circuit Court, Secretarial Services, for the Board of County Commissioners shall return eight (8) signed and certified copies of this resolution, including all exhibits, and Notice of Adoption to the Pasco County Growth Management Department. The Pasco County Growth Management Department shall then send

out the copies of each document to FDCA, TBRPC, and to the attorney of record in these proceedings.

(c) Severability: Each provision of this Resolution is material to the Board of County Commissioners' approval of this Resolution. Accordingly, the provisions are not severable. In the event any section, subsection, sentence, clause, or provision of this resolution is declared illegal or invalid by a body with jurisdiction to make such determination, the remainder of this Resolution shall be suspended until such time that the Board of County Commissioners modifies the this Resolution to address the illegal or invalid provision; provided, however, that such suspension shall not exceed nine (9) months in duration and such determination shall not affect the validity of any of the Project's entitlements for which a complete application has been submitted, or approval has been received, for a preliminary plan, preliminary site plan, plat, construction plan, Building Permit, or Certificates of Occupancy. Notwithstanding the foregoing, if a third party challenges any section, subsection, sentence, clause, or provision of this Resolution and the challenged portion is subsequently declared illegal or invalid, this Resolution shall not be suspended and shall remain in full force and effect except for that portion declared illegal or invalid. If any section, subsection, sentence, clause, or provision of this Resolution is declared illegal or invalid as the result of a third party challenge, the Applicant/Developer shall cooperate with the County to amend this Resolution to address the portion which has been declared invalid or illegal.

DONE AND RESOLVED this 27th day of April, 2010.




PAULA S. O'NEIL,
CLERK AND COMPTROLLER

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA


PAT MULIERI, ED.D, CHAIRMAN

APPROVED

APR 27 2010

BOCC

EXHIBITS

- A. ABANDONMENT APPLICATION (incorporated by reference and on file with Pasco County's Growth Management Department)**
- B. LEGAL DESCRIPTION OF PROPERTY**

EXHIBIT A

ABANDONMENT APPLICATION

**INCORPORATED BY REFERENCE AND ON FILE WITH THE GROWTH
MANAGEMENT DEPARTMENT**

EXHIBIT B
LEGAL DESCRIPTION OF PROPERTY

DESCRIPTION OF:

DRI PARCEL I:

THAT PART OF SECTIONS 21, AND 28, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA BEING PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA, THENCE NORTH 00°09'52" EAST, ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 27, FOR 51.95 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 14570-2521; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: 1) SOUTH 88°00'50" WEST, 730.63 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; 2) THENCE WESTERLY, 519.82 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,859.86 FEET, A CENTRAL ANGLE OF 16°00'50" AND A CHORD OF 518.13 FEET BEARING NORTH 83°58'45" WEST; 3) THENCE NORTH 75°58'20" WEST, 54.32 FEET TO THE POINT OF BEGINNING; 4) THENCE CONTINUING NORTH 75°58'20" WEST, 1,979.25 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; 5) THENCE WESTERLY, 965.70 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,914.79 FEET, A CENTRAL ANGLE OF 18°58'58" AND A CHORD OF 961.29 FEET BEARING NORTH 85°27'49" WEST; 6) THENCE SOUTH 85°02'42" WEST, 788.49 FEET; THENCE NORTH 00°02'00" WEST, 457.20 FEET; THENCE NORTH 89°58'00" EAST, 60.00 FEET; THENCE SOUTH 00°02'00" EAST, 143.00 FEET, THENCE NORTH 89°58'00" EAST, 890.00 FEET, THENCE SOUTH 00°02'00" EAST, 178.00 FEET, THENCE NORTH 89°58'00" EAST, 356.00 FEET, THENCE NORTH 50°28'00" EAST, 690.00 FEET, THENCE NORTH 00°02'00" WEST, 337.00 FEET; THENCE NORTH 89°58'00" EAST, 1,350.00 FEET; THENCE NORTH 00°02'00" WEST, 806.00 FEET; THENCE SOUTH 89°58'00" WEST, 1,415.00 FEET; THENCE NORTH 44°58'00" WEST, 640.00 FEET; THENCE NORTH 00°02'00" WEST, 494.68 FEET; THENCE SOUTH 70°18'26" EAST, 498.68 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY, 643.57 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 73°44'51" AND A CHORD OF 600.05 FEET BEARING NORTH 72°49'09" EAST; THENCE NORTH 35°56'43" EAST, 1,620.83 FEET; THENCE SOUTH 61°14'59" EAST, 873.45 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY, 78.54 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND A CHORD OF 70.71 FEET BEARING SOUTH 16°14'59" EAST; THENCE SOUTH 28°45'01" WEST, 239.28 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHWESTERLY, 1,304.65 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,600.00 FEET, A CENTRAL ANGLE OF 28°45'01" AND A CHORD OF 1,291.00 FEET BEARING SOUTH 14°22'31" WEST; THENCE SOUTH 00°00'00" WEST, 2,527.31 FEET TO THE POINT OF BEGINNING.
CONTAINING 145.380 ACRES, MORE OR LESS.

LESS AND EXCEPT FROM DRI PARCEL I:

DRI EXCEPTION PARCEL A:

THAT PART OF SECTIONS 21, AND 28, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27, THENCE NORTH 00°09'52" EAST, ALONG THE WEST BOUNDARY OF THE

NORTHWEST 1/4 OF SAID SECTION 27, FOR 51.95 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 14570-2521; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: 1) SOUTH 88°00'50" WEST, 730.63 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; 2) THENCE WESTERLY, 519.82 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,859.86 FEET, A CENTRAL ANGLE OF 16°00'50" AND A CHORD OF 518.13 FEET BEARING NORTH 83°58'45" WEST; 3) THENCE NORTH 75°58'20" WEST, 54.32 FEET; THENCE N 00°00'00" E, A DISTANCE OF 1,856.74 FEET TO THE POINT OF BEGINNING; THENCE N 90°00'00" W, 476.42 FEET; THENCE NORTH 00°02'00" WEST, 350.89 FEET; THENCE SOUTH 89°58'00" WEST, 1,415.00 FEET; THENCE NORTH 44°58'00" WEST, 640.00 FEET; THENCE NORTH 00°02'00" WEST, 494.68 FEET; THENCE SOUTH 70°18'26" EAST, 498.68 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY, 643.57 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 73°44'51" AND A CHORD OF 600.05 FEET BEARING NORTH 72°49'09" EAST; THENCE NORTH 35°56'43" EAST, 1,620.83 FEET; THENCE SOUTH 61°14'59" EAST, 873.45 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY, 78.54 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND A CHORD OF 70.71 FEET BEARING SOUTH 16°14'59" EAST; THENCE SOUTH 28°45'01" WEST, 239.28 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHWESTERLY, 1,304.65 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,600.00 FEET, A CENTRAL ANGLE OF 28°45'01" AND A CHORD OF 1,291.00 FEET BEARING SOUTH 14°22'31" WEST; THENCE SOUTH 00°00'00" WEST, 670.57 FEET TO THE POINT OF BEGINNING. CONTAINING 80.514 ACRES, MORE OR LESS.

DRI PARCEL I CONTAINING A NET AREA OF $145.380 - 80.514 = 64.866$ ACRES, MORE OR LESS.

TOGETHER WITH:

DRI PARCEL II:

THAT PART OF SECTIONS 21, 22, 27 AND 28, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA BEING PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27, THENCE NORTH 00°09'52" EAST, ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 27, FOR 51.95 FEET TO THE POINT OF BEGINNING ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 14570-2521; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: SOUTH 88°00'50" WEST, 730.63 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; 2) THENCE WESTERLY, 369.35 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,859.86 FEET, A CENTRAL ANGLE OF 11°22'42" AND A CHORD OF 368.74 FEET BEARING NORTH 86°17'49" WEST; THENCE NORTH 00°00'00" WEST, 2,571.01 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY, 1,204.29 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,400.00 FEET, A CENTRAL ANGLE OF 28°45'01" AND A CHORD OF 1,191.70 FEET BEARING NORTH 14°22'31" EAST; THENCE NORTH 28°45'01" EAST, 238.64 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE EASTERLY, 80.85 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF

92°39'00" AND A CHORD OF 72.33 FEET BEARING NORTH 75°04'31" EAST TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY, 501.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 650.00 FEET, A CENTRAL ANGLE OF 44°10'24" AND A CHORD OF 488.81 FEET BEARING SOUTH 36°30'47" EAST; THENCE SOUTH 14°25'35" EAST, 678.07 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHEASTERLY, 432.46 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 750.00 FEET, A CENTRAL ANGLE OF 33°02'16" AND A CHORD OF 426.50 FEET BEARING SOUTH 30°56'43" EAST; THENCE SOUTH 47°27'51" EAST, 64.67 FEET; THENCE SOUTH 62°48'00" WEST, 477.82 FEET, THENCE SOUTH 35°56'00" WEST, 873.00 FEET, THENCE SOUTH 00°02'00" EAST, 783.00 FEET; THENCE NORTH 89°58'00" EAST, 505.00 FEET; THENCE NORTH 40°34'00" EAST, 926.00 FEET; THENCE NORTH 00°18'00" EAST, 122.00 FEET; THENCE SOUTH 79°38'00" EAST, 155.62 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY, 97.07 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 650.00 FEET, A CENTRAL ANGLE OF 8°33'23" AND A CHORD OF 96.98 FEET BEARING SOUTH 29°03'53" WEST TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, 1,023.90 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,530.00 FEET, A CENTRAL ANGLE OF 3800°20'35" AND A CHORD OF 1,004.89 FEET BEARING SOUTH 14°10'17" EAST; THENCE SOUTH 05°00'00" EAST, 492.23 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHWESTERLY, 40.58 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 93°00'50" AND A CHORD OF 36.27 FEET BEARING SOUTH 41°30'25" WEST; THENCE SOUTH 88°00'50" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, 159.02 FEET TO THE POINT OF BEGINNING.
CONTAINING 69.939 ACRES, MORE OR LESS.

DRI PARCEL II CONTAINING A NET AREA OF 69.939 ACRES, MORE OR LESS.

TOGETHER WITH:

DRI PARCEL III:

THAT PART OF SECTION 27, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA BEING PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27, THENCE NORTH 00°09'52" EAST, ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 27, FOR 51.95 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 14570-2521; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 88°00'50" EAST, 309.23 FEET TO THE POINT OF BEGINNING; THENCE NORTHWESTERLY, 37.95 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 86°59'10" AND A CHORD OF 34.41 FEET BEARING NORTH 48°29'35" WEST; THENCE NORTH 05°00'00" WEST, 500.13 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHERLY, 956.97 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,430.00 FEET, A CENTRAL ANGLE OF 38°20'35" AND A CHORD OF 939.22 FEET BEARING NORTH 14°10'17" EAST TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY, 137.61 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 750.00 FEET, A CENTRAL ANGLE OF 10°30'45" AND A CHORD OF 137.41 FEET BEARING NORTH 28°05'12" EAST; THENCE SOUTH 79°38'00" EAST, 201.58 FEET; THENCE SOUTH 27°26'00" EAST, 313.00 FEET: THENCE SOUTH 00°02'00" EAST, 905.00 FEET; THENCE SOUTH 13°10'00" EAST, 289.23 FEET TO THE BEGINNING OF A NON-

TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, 86.19 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,740.12 FEET, A CENTRAL ANGLE OF 1°48'08" AND A CHORD OF 86.18 FEET BEARING SOUTH 67°30'44" WEST; THENCE SOUTH 88°00'50" WEST, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, 554.89 FEET TO THE POINT OF BEGINNING.

DRI PARCEL III CONTAINING 19.897 ACRES, MORE OR LESS.

LESS THE FOLLOWING:

A PARCEL OF LAND LYING WITHIN SECTION 27, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 26 SOUTH, RANGE 18 EAST; THENCE N00°09'52"E, A DISTANCE OF 51.95 FEET TO A POINT ON THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, AS TAKEN FROM FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 14570-2521, STATE ROAD NUMBER 54, PASCO COUNTY, FLORIDA, DATED 5-29-97; THENCE, ALONG SAID EXISTING NORTHERLY RIGHT-OF-WAY LINE, N88°00'50"E, A DISTANCE OF 309.23 FEET TO THE POINT OF BEGINNING; THENCE N44°02'25"E, DEPARTING SAID EXISTING NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 50.41 FEET; THENCE N88°00'50"E, A DISTANCE OF 512.55 FEET TO THE POINT OF INTERSECTION WITH A NON TANGENT CURVE TO THE LEFT, THENCE EASTERLY 44.47 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2,705.12 FEET, A CENTRAL ANGLE OF 00°56'31" AND A CHORD BEARING AND DISTANCE OF N67°48'53"E, 44.47 FEET; THENCE S22°08'13"E, A DISTANCE OF 35.00 FEET, TO THE POINT OF INTERSECTION WITH A NON TANGENT CURVE TO THE RIGHT, SAID POINT ALSO BEING ON THE AFOREMENTIONED EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, THENCE WESTERLY 50.83 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2,740.12 FEET, A CENTRAL ANGLE OF 01°03'47" AND A CHORD BEARING AND DISTANCE OF S67°52'54"W, 50.83 FEET; THENCE S88°00'50"W, A DISTANCE OF 554.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.347 SQUARE FEET OR 0.467 ACRES, MORE OR LESS.

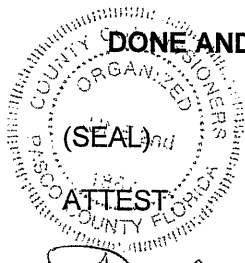
TOTAL NET DRI AREA = 64.866 + 69.939 + 19.897 - 0.467 = 154.235 ACRES, MORE OR LESS.

**NOTICE OF ABANDONMENT OF THE
SUNLAKE CENTRE DEVELOPMENT OF REGIONAL IMPACT NO. 248**

Pursuant to Section 380.06(15)(f), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 10-232, dated April 27, 2010, has adopted an Amendment to the Development Order for Development of Regional Impact No. 248 ("DRI"), known as Sunlake Centre ("Amendment"), repealing the Development Order, and effecting the abandonment of the DRI. The Amendment constitutes a land development regulation applicable to the property described in Exhibit "A" attached hereto.

The Amendment may be examined upon request at the Office of the Clerk to the Board of County Commissioners of the Pasco County Courthouse, Dade City, Florida.

The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in Exhibit "A" or actual constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

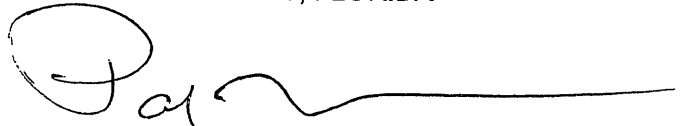


DONE AND RESOLVED this 27 day of April, 2010.



PAULA S. O'NEIL, CLERK & COMPTROLLER

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA



PAT MULIERI, ED.D, CHAIRMAN

APPROVED

APR 27 2010

BOCC

DESCRIPTION OF:

DRI PARCEL I:

THAT PART OF SECTIONS 21, AND 28, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA BEING PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA, THENCE NORTH 00°09'52" EAST, ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 27, FOR 51.95 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 14570-2521; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: 1) SOUTH 88°00'50" WEST, 730.63 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; 2) THENCE WESTERLY, 519.82 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,859.86 FEET, A CENTRAL ANGLE OF 16°00'50" AND A CHORD OF 518.13 FEET BEARING NORTH 83°58'45" WEST; 3) THENCE NORTH 75°58'20" WEST, 54.32 FEET TO THE POINT OF BEGINNING; 4) THENCE CONTINUING NORTH 75°58'20" WEST, 1,979.25 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; 5) THENCE WESTERLY, 965.70 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,914.79 FEET, A CENTRAL ANGLE OF 18°58'58" AND A CHORD OF 961.29 FEET BEARING NORTH 85°27'49" WEST; 6) THENCE SOUTH 85°02'42" WEST, 788.49 FEET; THENCE NORTH 00°02'00" WEST, 457.20 FEET; THENCE NORTH 89°58'00" EAST, 60.00 FEET; THENCE SOUTH 00°02'00" EAST, 143.00 FEET, THENCE NORTH 89°58'00" EAST, 890.00 FEET, THENCE SOUTH 00°02'00" EAST, 178.00 FEET, THENCE NORTH 89°58'00" EAST, 356.00 FEET, THENCE NORTH 50°28'00" EAST, 690.00 FEET, THENCE NORTH 00°02'00" WEST, 337.00 FEET; THENCE NORTH 89°58'00" EAST, 1,350.00 FEET; THENCE NORTH 00°02'00" WEST, 806.00 FEET; THENCE SOUTH 89°58'00" WEST, 1,415.00 FEET; THENCE NORTH 44°58'00" WEST, 640.00 FEET; THENCE NORTH 00°02'00" WEST, 494.68 FEET; THENCE SOUTH 70°18'26" EAST, 498.68 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY, 643.57 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 73°44'51" AND A CHORD OF 600.05 FEET BEARING NORTH 72°49'09" EAST; THENCE NORTH 35°56'43" EAST, 1,620.83 FEET; THENCE SOUTH 61°14'59" EAST, 873.45 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY, 78.54 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND A CHORD OF 70.71 FEET BEARING SOUTH 16°14'59" EAST; THENCE SOUTH 28°45'01" WEST, 239.28 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHWESTERLY, 1,304.65 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,600.00 FEET, A CENTRAL ANGLE OF 28°45'01" AND A CHORD OF 1,291.00 FEET BEARING SOUTH 14°22'31" WEST; THENCE SOUTH 00°00'00" WEST, 2,527.31 FEET TO THE POINT OF BEGINNING.
CONTAINING 145.380 ACRES, MORE OR LESS.

LESS AND EXCEPT FROM DRI PARCEL I:

DRI EXCEPTION PARCEL A:

THAT PART OF SECTIONS 21, AND 28, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27, THENCE NORTH 00°09'52" EAST, ALONG THE WEST BOUNDARY OF THE

NORTHWEST 1/4 OF SAID SECTION 27, FOR 51.95 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 14570-2521; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: 1) SOUTH 88°00'50" WEST, 730.63 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; 2) THENCE WESTERLY, 519.82 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,859.86 FEET, A CENTRAL ANGLE OF 16°00'50" AND A CHORD OF 518.13 FEET BEARING NORTH 83°58'45" WEST; 3) THENCE NORTH 75°58'20" WEST, 54.32 FEET; THENCE N 00°00'00" E, A DISTANCE OF 1,856.74 FEET TO THE POINT OF BEGINNING; THENCE N 90°00'00" W, 476.42 FEET; THENCE NORTH 00°02'00" WEST, 350.89 FEET; THENCE SOUTH 89°58'00" WEST, 1,415.00 FEET; THENCE NORTH 44°58'00" WEST, 640.00 FEET; THENCE NORTH 00°02'00" WEST, 494.68 FEET; THENCE SOUTH 70°18'26" EAST, 498.68 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY, 643.57 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 73°44'51" AND A CHORD OF 600.05 FEET BEARING NORTH 72°49'09" EAST; THENCE NORTH 35°56'43" EAST, 1,620.83 FEET; THENCE SOUTH 61°14'59" EAST, 873.45 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY, 78.54 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND A CHORD OF 70.71 FEET BEARING SOUTH 16°14'59" EAST; THENCE SOUTH 28°45'01" WEST, 239.28 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHWESTERLY, 1,304.65 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,600.00 FEET, A CENTRAL ANGLE OF 28°45'01" AND A CHORD OF 1,291.00 FEET BEARING SOUTH 14°22'31" WEST; THENCE SOUTH 00°00'00" WEST, 670.57 FEET TO THE POINT OF BEGINNING. CONTAINING 80.514 ACRES, MORE OR LESS.

DRI PARCEL I CONTAINING A NET AREA OF $145.380 - 80.514 = 64.866$ ACRES, MORE OR LESS.

TOGETHER WITH:

DRI PARCEL II:

THAT PART OF SECTIONS 21, 22, 27 AND 28, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA BEING PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27, THENCE NORTH 00°09'52" EAST, ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 27, FOR 51.95 FEET TO THE POINT OF BEGINNING ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 14570-2521; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: SOUTH 88°00'50" WEST, 730.63 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; 2) THENCE WESTERLY, 369.35 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,859.86 FEET, A CENTRAL ANGLE OF 11°22'42" AND A CHORD OF 368.74 FEET BEARING NORTH 86°17'49" WEST; THENCE NORTH 00°00'00" WEST, 2,571.01 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY, 1,204.29 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,400.00 FEET, A CENTRAL ANGLE OF 28°45'01" AND A CHORD OF 1,191.70 FEET BEARING NORTH 14°22'31" EAST; THENCE NORTH 28°45'01" EAST, 238.64 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE EASTERLY, 80.85 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF

92°39'00" AND A CHORD OF 72.33 FEET BEARING NORTH 75°04'31" EAST TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY, 501.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 650.00 FEET, A CENTRAL ANGLE OF 44°10'24" AND A CHORD OF 488.81 FEET BEARING SOUTH 36°30'47" EAST; THENCE SOUTH 14°25'35" EAST, 678.07 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHEASTERLY, 432.46 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 750.00 FEET, A CENTRAL ANGLE OF 33°02'16" AND A CHORD OF 426.50 FEET BEARING SOUTH 30°56'43" EAST; THENCE SOUTH 47°27'51" EAST, 64.67 FEET; THENCE SOUTH 62°48'00" WEST, 477.82 FEET, THENCE SOUTH 35°56'00" WEST, 873.00 FEET, THENCE SOUTH 00°02'00" EAST, 783.00 FEET; THENCE NORTH 89°58'00" EAST, 505.00 FEET; THENCE NORTH 40°34'00" EAST, 926.00 FEET; THENCE NORTH 00°18'00" EAST, 122.00 FEET; THENCE SOUTH 79°38'00" EAST, 155.62 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY, 97.07 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 650.00 FEET, A CENTRAL ANGLE OF 8°33'23" AND A CHORD OF 96.98 FEET BEARING SOUTH 29°03'53" WEST TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, 1,023.90 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,530.00 FEET, A CENTRAL ANGLE OF 3800°20'35" AND A CHORD OF 1,004.89 FEET BEARING SOUTH 14°10'17" EAST; THENCE SOUTH 05°00'00" EAST, 492.23 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHWESTERLY, 40.58 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 93°00'50" AND A CHORD OF 36.27 FEET BEARING SOUTH 41°30'25" WEST; THENCE SOUTH 88°00'50" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, 159.02 FEET TO THE POINT OF BEGINNING.
CONTAINING 69.939 ACRES, MORE OR LESS.

DRI PARCEL II CONTAINING A NET AREA OF 69.939 ACRES, MORE OR LESS.

TOGETHER WITH:

DRI PARCEL III:

THAT PART OF SECTION 27, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA BEING PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27, THENCE NORTH 00°09'52" EAST, ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 27, FOR 51.95 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 14570-2521; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 88°00'50" EAST, 309.23 FEET TO THE POINT OF BEGINNING; THENCE NORTHWESTERLY, 37.95 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 86°59'10" AND A CHORD OF 34.41 FEET BEARING NORTH 48°29'35" WEST; THENCE NORTH 05°00'00" WEST, 500.13 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHERLY, 956.97 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,430.00 FEET, A CENTRAL ANGLE OF 38°20'35" AND A CHORD OF 939.22 FEET BEARING NORTH 14°10'17" EAST TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY, 137.61 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 750.00 FEET, A CENTRAL ANGLE OF 10°30'45" AND A CHORD OF 137.41 FEET BEARING NORTH 28°05'12" EAST; THENCE SOUTH 79°38'00" EAST, 201.58 FEET; THENCE SOUTH 27°26'00" EAST, 313.00 FEET; THENCE SOUTH 00°02'00" EAST, 905.00 FEET; THENCE SOUTH 13°10'00" EAST, 289.23 FEET TO THE BEGINNING OF A NON-

TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, 86.19 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,740.12 FEET, A CENTRAL ANGLE OF 1°48'08" AND A CHORD OF 86.18 FEET BEARING SOUTH 67°30'44" WEST; THENCE SOUTH 88°00'50" WEST, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, 554.89 FEET TO THE POINT OF BEGINNING.

DRI PARCEL III CONTAINING 19.897 ACRES, MORE OR LESS.

LESS THE FOLLOWING:

A PARCEL OF LAND LYING WITHIN SECTION 27, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 26 SOUTH, RANGE 18 EAST; THENCE N00°09'52"E, A DISTANCE OF 51.95 FEET TO A POINT ON THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, AS TAKEN FROM FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 14570-2521, STATE ROAD NUMBER 54, PASCO COUNTY, FLORIDA, DATED 5-29-97; THENCE, ALONG SAID EXISTING NORTHERLY RIGHT-OF-WAY LINE, N88°00'50"E, A DISTANCE OF 309.23 FEET TO THE POINT OF BEGINNING; THENCE N44°02'25"E, DEPARTING SAID EXISTING NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 50.41 FEET; THENCE N88°00'50"E, A DISTANCE OF 512.55 FEET TO THE POINT OF INTERSECTION WITH A NON TANGENT CURVE TO THE LEFT, THENCE EASTERLY 44.47 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2,705.12 FEET, A CENTRAL ANGLE OF 00°56'31" AND A CHORD BEARING AND DISTANCE OF N67°48'53"E, 44.47 FEET; THENCE S22°08'13"E, A DISTANCE OF 35.00 FEET, TO THE POINT OF INTERSECTION WITH A NON TANGENT CURVE TO THE RIGHT, SAID POINT ALSO BEING ON THE AFOREMENTIONED EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, THENCE WESTERLY 50.83 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2,740.12 FEET, A CENTRAL ANGLE OF 01°03'47" AND A CHORD BEARING AND DISTANCE OF S67°52'54"W, 50.83 FEET; THENCE S88°00'50"W, A DISTANCE OF 554.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.347 SQUARE FEET OR 0.467 ACRES, MORE OR LESS.

TOTAL NET DRI AREA = 64.866 + 69.939 + 19.897 - 0.467 = 154.235 ACRES, MORE OR LESS.



PASCO COUNTY, FLORIDA

NEW PORT RICHEY
DADE CITY
LAND O' LAKES
FAX

(727) 847-8193
(352) 521-4274
(813) 996-7341
(727) 847-8084

GROWTH MANAGEMENT DEPARTMENT
WEST PASCO GOVT. CENTER
7530 LITTLE ROAD, SUITE 320
NEW PORT RICHEY, FL 34654-5598

April 27, 2010

Mike McDaniel, Chief
Office of Comprehensive Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Re: Sunlake Centre Development of Regional Impact, Application for Abandonment

Dear Mr. McDaniel:

We are in receipt of your correspondence dated December 18, 2009 and offer the following responses to the outstanding issues listed in your letter.

DCA Comment No. 1:

1. Map Exhibit A is intended to depict the developed portions of the site. However, the map is illegible and difficult to read. The Map appears to be inconsistent with the boundaries of the most recently approved DRI Map H. The applicant should provide a revised map, utilizing DRI Map H, depicting the developed portions of the site, including the amounts and types of development. Ensure that the amounts and types of development depicted on the map are consistent with the application.

Response:

Please find attached a revised map which utilizes Map H and depicts the developed portions of the site, including the amounts and types of development.

DCA Comment No. 2:

Map Exhibit B, is intended to show the master development plan after abandonment. However, the map does not depict the proposed amount of vertical and horizontal development to be constructed after abandonment. Furthermore, Maps Exhibit A and Exhibit B are different maps; as a result, it is difficult to identify both the existing developed portions and proposed portions of development after abandonment. The applicant should provide a revised map, utilizing DRI Map H that is consistent with Exhibit A. The map should depict the existing developed portions of the site and the proposed developed portions after abandonment, including the amounts and types of development. The map should be consistent with the application.

Response:

The master plan post abandonment shall be the revised MPUD Master Planned Unit Development Master Plan, which is attached for reference. This map reflects the same land area as shown on Map H.

DCA Comment No. 3:

3. The application is not clear as to the amount of undeveloped tracts of land within the DRI project. The development summary in Part A of the application states that only 30.8 acres have been developed. However, Exhibit D states that there are no undeveloped tracts of land within the DRI project. The applicant should clarify the existing undeveloped tracts of land that will be developed after abandonment.

Response:

The development summary in Part A and Exhibit D pertain to two separate parts of the application. The development summary in Part A of the application describes the actual amount of development completed, which is 30.8 acres. Exhibit D is in response to A.4 of the FDCA application which states the following:

4. Identify all undeveloped tracts of land (other than individual single family lots) *sold to separate entities or developers*. Specify the size and buyer of each tract or parcel. Attach a map identifying the undeveloped tracts as EXHIBIT D. (*Italics added for emphasis.*)

Therefore Exhibit D represents undeveloped tracts sold to separate entities or developers. The applicant has confirmed in their application that there are no undeveloped tracts of land that have been sold to separate entities or developers.

DCA Comment No. 4:

4. The applicant has not provided any information pertaining to the types and amounts of impacts to natural resources and public facilities, including transportation facility impacts from the existing and proposed development of the project after abandonment. In the application, under Exhibit H, entitled "Material Adverse Impacts," the applicant simply states "none." The applicant should provide this information.

Response:

The application form requires that only "material adverse impacts" be identified. There are no material regional adverse impacts for this project. All regional impacts associated with Phase 1 of the DRI have been fully mitigated through the required payment of impact fees, the payment of a proportionate share obligation, and the construction of transportation improvements as required by the Development Order. The applicant has satisfied fully all of the foregoing regional requirements, resulting in the complete mitigation of all material regional impacts associated with Phase 1 of the DRI. The remaining local impacts shall be mitigated through the payment of impact fees and completion of any site-related improvements as applicable.

DCA Comment No. 5:

5. The applicant has not clearly provided information regarding the ownership of the parcels within the DRI. In the Application, under Exhibit E, it is stated that the applicant is the owner of all or part of the property identified as the Sunlake Center DRI. Please have the applicant provide information regarding the ownership of each parcel in the project, and information showing that all owners were informed of the abandonment and agree to the abandonment of the Development Order.

Please find attached a list from the Property Appraiser's site of all the tax folios comprising the DRI, along with the printouts of the parcel maps to which they relate. Map H has been labeled with the numbers correlating to the list of folios, in order to map the ownership. This information clearly

demonstrates that the ownership is vested entirely in the applicant (Sunlake-Equity Joint Venture) and Sunlake-Equity One, LLC, who signed the Certification attached to the application as Exhibit E.

DCA Comment No. 6:

6. The application is not accompanied with a statement from Pasco County indicating whether all developments on the site to date, are in compliance with all applicable local regulations and that all conditions of the existing development order have been complied with. The applicant should include with the application, documents showing that all development order conditions have been complied with. It should be noted that any future development will be subject to the Aggregation Rule, pursuant to Rule 9J-2.0275, F.A.C.

Response:

This response confirms that all development within Sunlake Centre DRI/MPUD is in compliance with all applicable local regulations and all regional conditions of the existing development order have been complied with. A summary of the development order obligations and documentation verifying the completed status of each item is included in the application as Exhibit I. To further clarify the applicant's response of "ongoing" as to the status of DO condition 5.1.(2), the Pasco County Land Development Code addresses this condition with specific definitions and requirements associated with hazardous materials. Consequently, the applicant will be required to continue to comply with this condition by virtue of the County Land Development Code's application to the project. The remaining local impacts shall be mitigated through the payment of impact fees and completion of any site-related improvements as applicable.

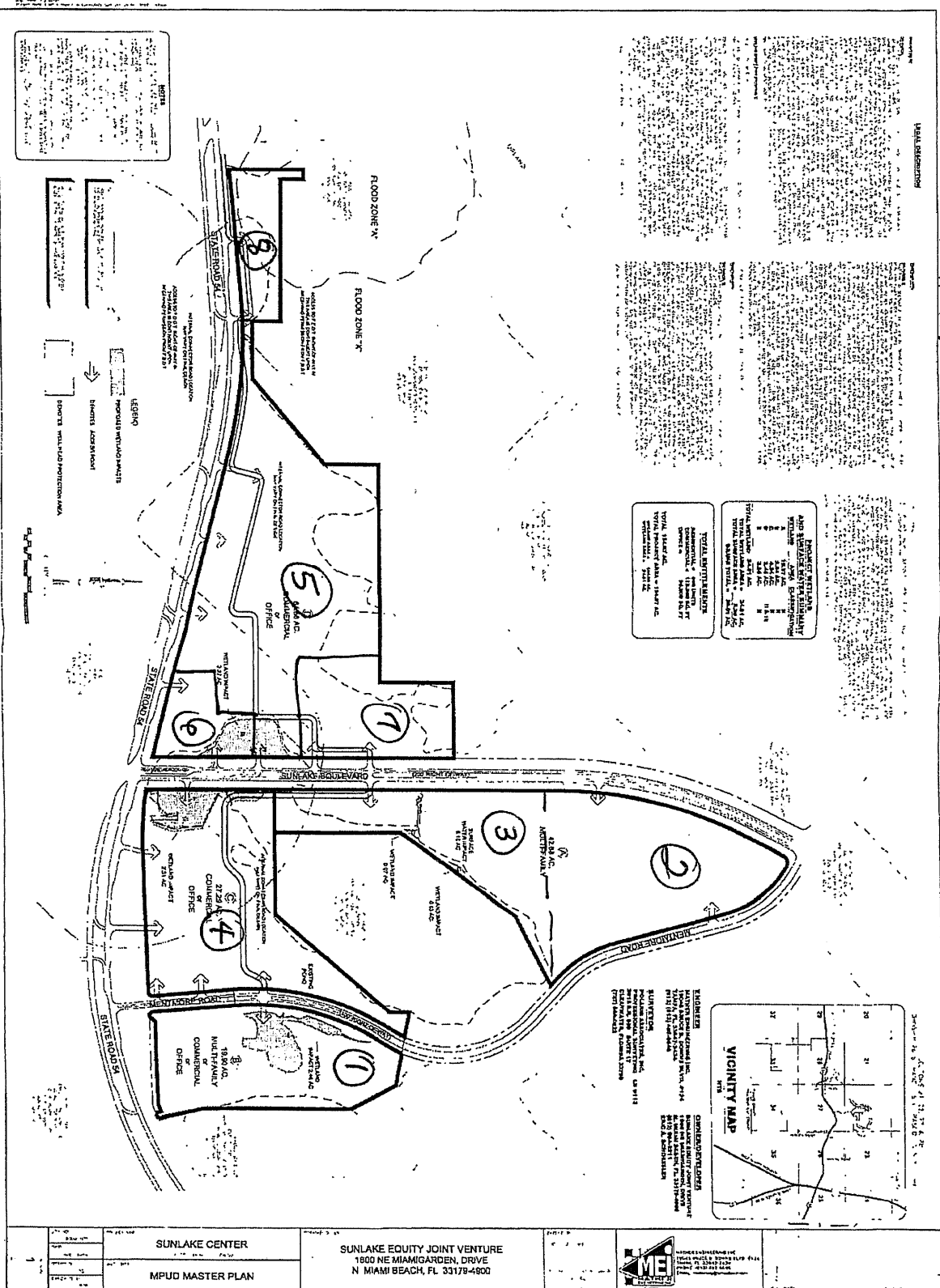
Should you have any questions, please contact this office at (727) 847-8193.

Sincerely,



Cynthia D. Spidell
Senior Planner & DRI Coordinator

Enclosure



Welcome : Records Search : Name Search

Name Search Results for: SUNLAKE EQUITY

Home Search Again

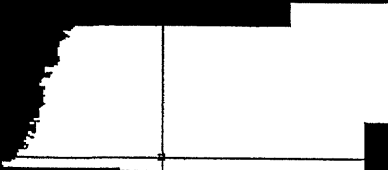
Displaying 8 records View in groups of: 10 25 50 100 500

	Map	Parcel	Name ▼	Address
1	X	<u>21-26-18-0000-00100-0040</u>	SUNLAKE EQUITY JOINT VENTURE	(No Physical Address) 1600 NE MIAMI GARDENS DR
2	X	<u>27-26-18-0000-00400-0030</u>	SUNLAKE EQUITY JOINT VENTURE	19049 STATE ROAD 54
3	X	<u>28-26-18-0000-00200-0050</u>	SUNLAKE EQUITY JOINT VENTURE	(No Physical Address) 1600 NE MIAMI GARDENS DR
4	X	<u>28-26-18-0000-00200-0070</u>	SUNLAKE EQUITY ONE LLC	18799 STATE ROAD 54
5	X	<u>28-26-18-0000-00200-0020</u>	SUNLAKE EQUITY ONE LLC	18521 STATE ROAD 54
6	X	<u>28-26-18-0000-00200-0023</u>	SUNLAKE EQUITY ONE LLC	18661 STATE ROAD 54
7	X	<u>28-26-18-0000-00200-0024</u>	SUNLAKE EQUITY ONE LLC	(No Physical Address) 1600 NE MIAMI GARDENS DR
8	X	<u>28-26-18-0000-00200-0025</u>	SUNLAKE EQUITY ONE LLC	(No Physical Address) 1600 NE MIAMI GARDENS DR

①

Pasco County, Florida

Mike Wells
Pasco County Property Appraiser



When I click on the map:

- ☐ Quick Info
- ☐ Full Info*
- ☒ Zoom In 1.5x

Choose Layers:

- Parcel Lines (Default)
- Parcel Labels (Automatic)
- Street Names (Automatic)
- 2008 1 ft - Color
- Select Additional Layer
- Select Grouping

Draw **Help** **Print**

Image Size / Quality:

S  L

(Quality applies if imagery is selected)

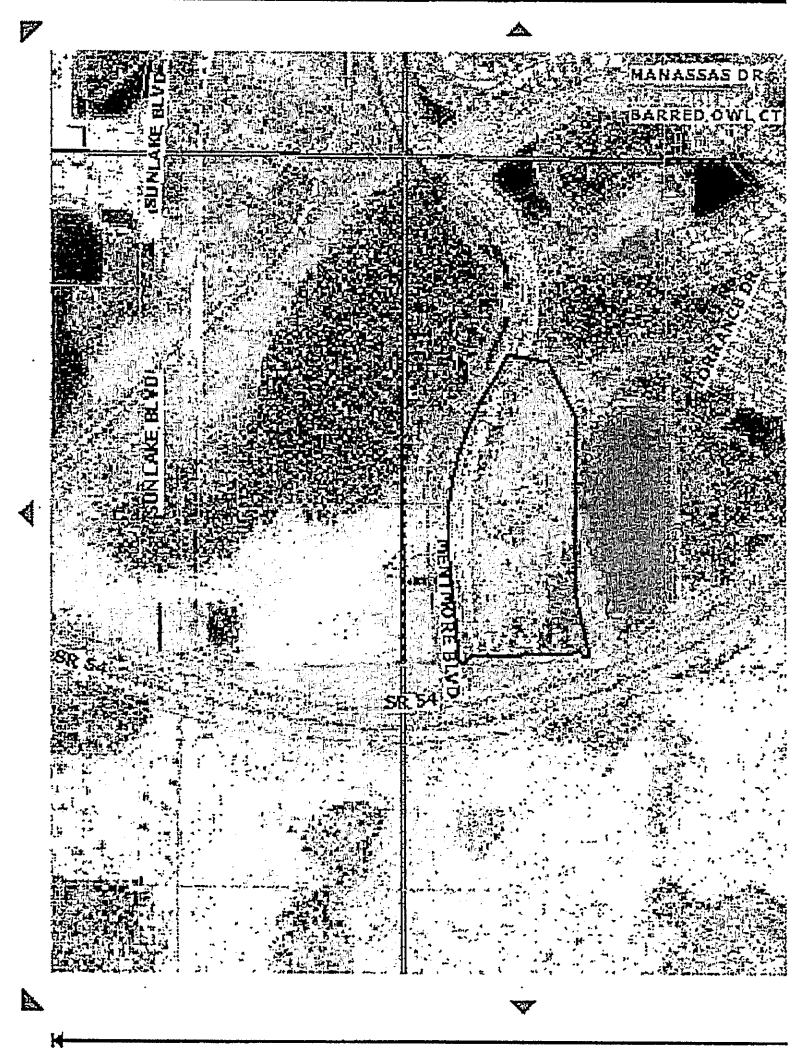
Low Quality (Fast / JPEG)

Links of Interest:

- Recent Sales in this area
- Search for property in Pasco
- Map Search

MapID# 8101292/4321

2.1 miles W of Land O Lakes

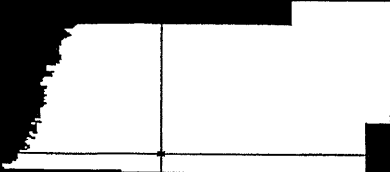


4,683 Feet

Street name information is maintained by the Pasco County Department.

Pasco County, Florida

Mike Wells
Pasco County Property Appraiser



When I click on the map:

- ☐ Quick Info
- ☐ Full Info*
- ☒ Zoom In 1.5x

Choose Layers:

- Parcel Lines (Default)
- Parcel Labels (Automatic)
- Street Names (Automatic)
- 2008 1 ft - Color
- Select Additional Layer
- Select Grouping

Draw **Help** **Print**

Image Size / Quality:

S  L

(Quality applies if imagery is selected)

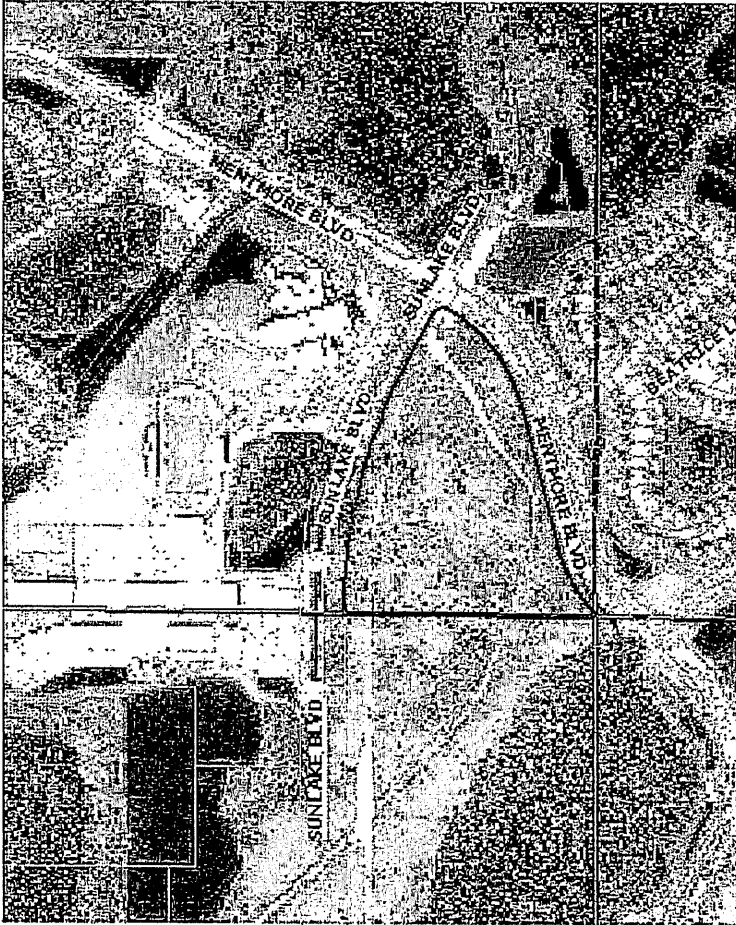
Low Quality (Fast / JPEG)

Links of Interest:

- Recent Sales in this area
- Search for property in Pasco
- Map Search

MapID# 8101293/4322

2.4 miles WNW of Land O Lakes

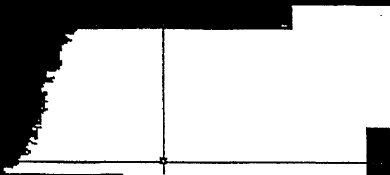


4,180 Feet

Street name information is maintained by the Pasco County Department.

Pasco County, Florida

Mike Wells
Pasco County Property Appraiser



When I click on the map:

- ☐ Quick Info
- ☐ Full Info*
- ☒ Zoom In 1.5x

Choose Layers:

- Parcel Lines (Default)
- Parcel Labels (Automatic)
- Street Names (Automatic)
- 2008 1 ft - Color
- Select Additional Layer
- Select Grouping

Draw **Help** **Print**

Image Size / Quality:

S  L

(Quality applies if imagery is selected)

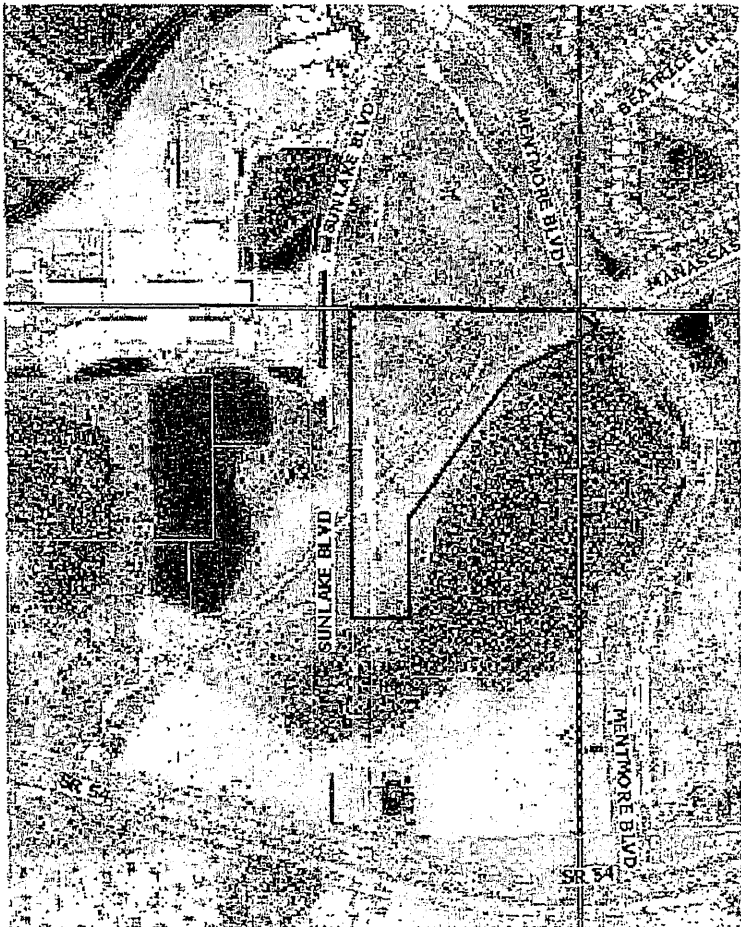
Low Quality (Fast / JPEG)

Links of Interest:

- Recent Sales in this area
- Search for property in Pasco
- Map Search

MapID# 8101369/4521

2.4 miles WNW of Land O Lakes

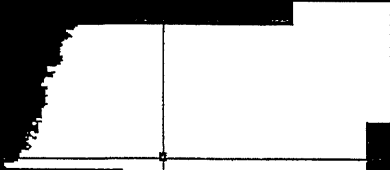


4,582 Feet

Street name information is maintained by the Pasco County Department.

Pasco County, Florida

Mike Wells
Pasco County Property Appraiser



When I click on the map:

- ☐ Quick Info
- ☐ Full Info*
- ☒ Zoom In 1.5x

Choose Layers:

- Parcel Lines (Default)
- Parcel Labels (Automatic)
- Street Names (Automatic)
- 2008 1 ft - Color
- Select Additional Layer
- Select Grouping

Draw **Help** **Print**

Image Size / Quality:

S X L

(Quality applies if imagery is selected)

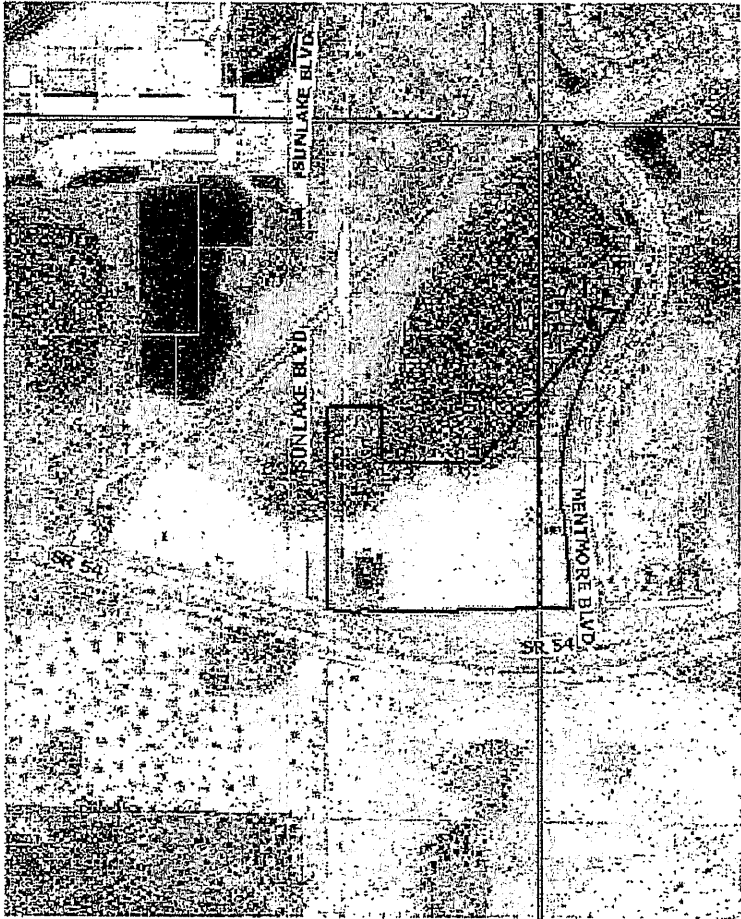
Low Quality (Fast / JPEG)

Links of Interest:

Recent Sales in this area
Search for property in Pasco
Map Search

MapID# 8101305/4322

2.3 miles W of Land O Lakes



4,891 Feet

Street name information is maintained by the Pasco County Department.

Pasco County, Florida
Mike Wells
Pasco County Property Appraiser

When I click on the map:

- ☐ Quick Info
- ☐ Full Info*
- ☒ Zoom In 1.5x

Choose Layers:

- Parcel Lines (Default)
- Parcel Labels (Automatic)
- Street Names (Automatic)

2008 1 ft - Color

- Select Additional Layer
- Select Grouping

Draw

Help

Print

Image Size / Quality:

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(Quality applies if imagery is selected)

Low Quality (Fast / JPEG)

Links of Interest:

- Recent Sales in this area
- Search for property in Pasco
- Map Search

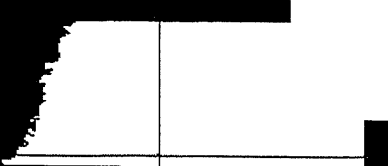
MapID# 8101300/4322

2.7 miles W of Land O Lakes

Street name information is maintained by the Pasco County Department.

Pasco County, Florida

Mike Wells
Pasco County Property Appraiser



When I click on the map:

- ☐ Quick Info
- ☐ Full Info*
- ☒ Zoom In 1.5x

Choose Layers:

- Parcel Lines (Default)
- Parcel Labels (Automatic)
- Street Names (Automatic)
- 2008 1 ft - Color
- Select Additional Layer
- Select Grouping

Draw

Help

Print

Image Size / Quality:

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(Quality applies if imagery is selected)

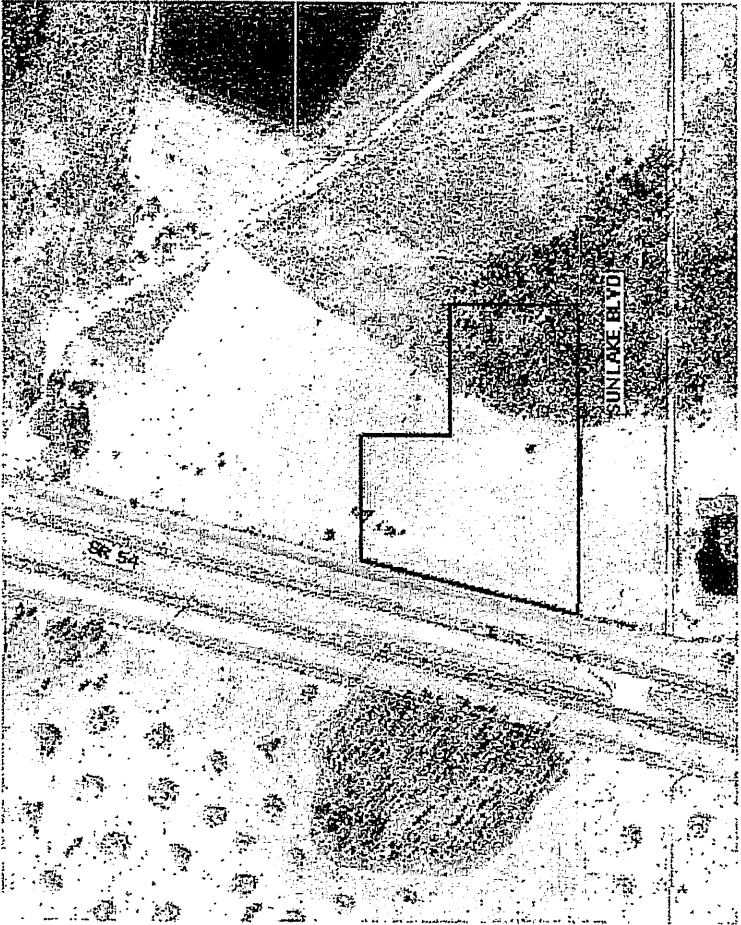
Low Quality (Fast / JPEG)

Links of Interest:

- Recent Sales in this area
- Search for property in Pasco
- Map Search

MapID# 8101310/4321

Section 28, Township 26, Range 18, 2.5 miles W of La



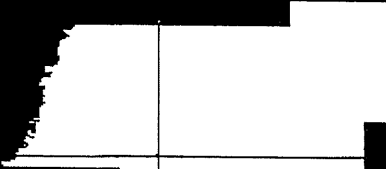
1,951 Feet

Street name information is maintained by the Pasco County Department.

7

Pasco County, Florida

Mike Wells
Pasco County Property Appraiser



When I click on the map:

- ☐ Quick Info
- ☐ Full Info*
- ☒ Zoom In 1.5x

Choose Layers:

- Parcel Lines (Default)
- Parcel Labels (Automatic)
- Street Names (Automatic)
- 2008 1 ft - Color
- Select Additional Layer
- Select Grouping

[Draw](#) [Help](#) [Print](#)

Image Size / Quality:

S-X--L

(Quality applies if imagery is selected)

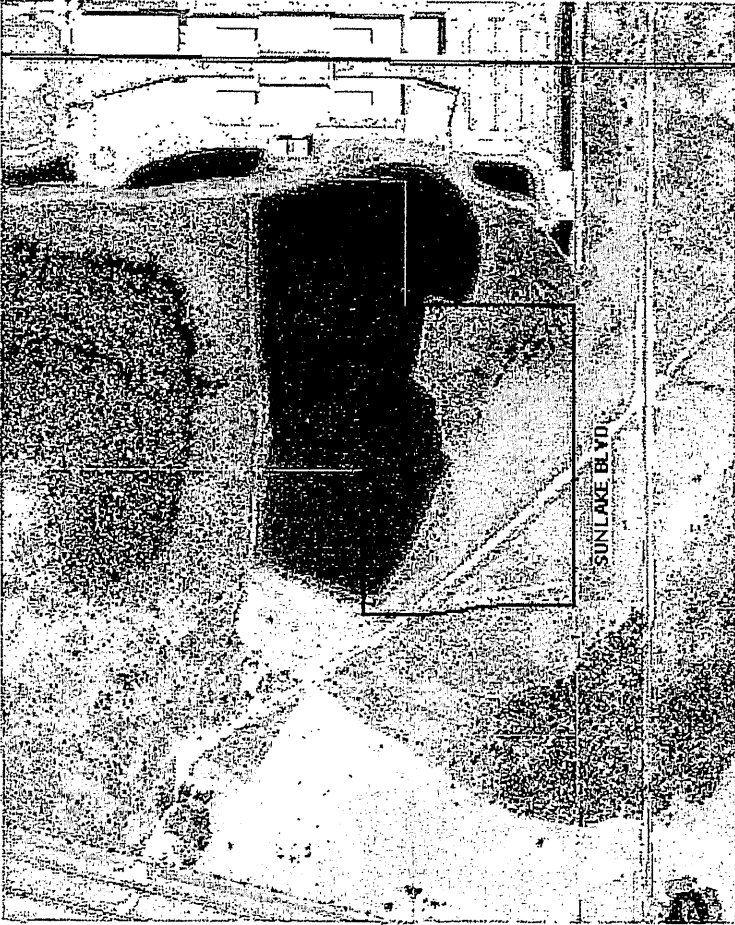
[Low Quality \(Fast / JPEG\)](#)

Links of Interest:

- [Recent Sales in this area](#)
- [Search for property in Pasco](#)
- [Map Search](#)

MapID# 8101312/4323

2.6 miles W of Land O Lakes



SUNLAKE BLVD

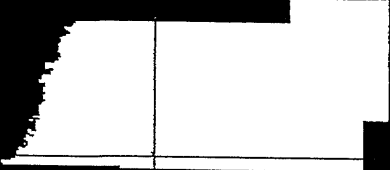
2,600 Feet

Street name information is maintained by the Pasco Cou
Department.

8

Pasco County, Florida

Mike Wells
Pasco County Property Appraiser



When I click on the map:

- ☐ Quick Info
- ☐ Full Info*
- ☒ Zoom In 1.5x

Choose Layers:

- Parcel Lines (Default)
- Parcel Labels (Automatic)
- Street Names (Automatic)
- 2008 1 ft - Color
- Select Additional Layer
- Select Grouping

Image Size / Quality:



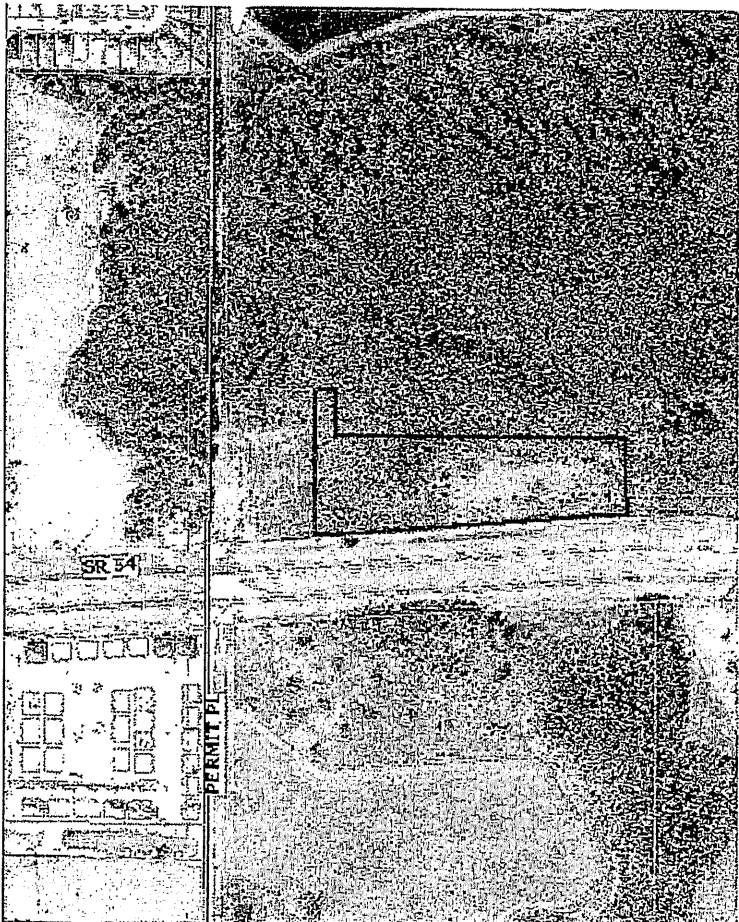
(Quality applies if imagery is selected)

Links of Interest:

- Recent Sales in this area
- Search for property in Pasco
- Map Search

MapID# 8101315/4522

3.1 miles W of Land O Lakes



2,865 Feet

Street name information is maintained by the Pasco County Department.



PASCO COUNTY, FLORIDA

NEW PORT RICHEY
DADE CITY
LAND O' LAKES
FAX

(727) 847-8193
(352) 521-4274
(813) 996-7341
(727) 847-8084

GROWTH MANAGEMENT DEPARTMENT
WEST PASCO GOVT. CENTER
7530 LITTLE ROAD, SUITE 320
NEW PORT RICHEY, FL 34654-5598

CERTIFIED MAIL NO. 7004 1160 0000 4437 6898
RETURN RECEIPT REQUESTED

August 18, 2009

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

RE: Sunlake Centre - Development of Regional Impact (#248)
Amendment to Development Order

Dear Mr. Meyer:

Enclosed please find a certified copy of the Sunlake Centre Development of Regional Impact #248, Amendment to Development Order (Resolution No. 09-320), which is hereby rendered in accordance with Chapter 380.06, Florida Statutes and Chapter 9J-2.025 Florida Administrative Code. This development order was approved by the Board of County Commissioners on July 28, 2009.

Sincerely,

Justyna Buszewski
Planner II

Enclosure

**NOTICE OF ADOPTION OF AMENDMENT TO THE DEVELOPMENT
ORDER APPROVING, WITH CONDITIONS, THE SUNLAKE CENTRE
DEVELOPMENT OF REGIONAL IMPACT NO. 248**

Pursuant to Section 380.06(15)(f), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 09-320, dated 7/28/09, 2009, has adopted an Amendment to the Development Order for Development of Regional Impact No. 248, known as Sunlake Centre ("**Amendment**"). The Amendment constitutes a land development regulation applicable to the property described in **Exhibit "A"** attached hereto.

A legal description of the property covered and the Amendment may be examined upon request at the Office of the Clerk to the Board of County Commissioners of the Pasco County Courthouse, Dade City, Florida.

The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in **Exhibit "A"** or actual constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

DONE AND RESOLVED this 28th day of July, 2009.



Paula S. O'Neil
PAULA S. O'NEIL,
CLERK AND COMPTROLLER

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

Jack Mariano
JACK MARIANO, CHAIRMAN

APPROVED

JUL 28 2009

BOCC

APPROVED AS TO LEGAL FORM AND SUFFICIENCY
Office of the Pasco County Attorney

Jeffrey N. Steinmeyer
ATTORNEY

STATE OF FLORIDA, COUNTY OF PASCO
THIS IS TO CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE DOCUMENT
ON FILE OR OF PUBLIC RECORD IN THIS OFFICE
WITNESS MY HAND AND OFFICIAL SEAL THIS
6th DAY OF August 2009
PAULA S. O'NEIL, CLERK & COMPTROLLER

BY Beverly Beem DEPUTY CLERK

1 of 1 page

BY COMMISSIONER _____

RESOLUTION NO. 09-320

**A RESOLUTION ADOPTING AN AMENDMENT TO THE
DEVELOPMENT ORDER APPROVING, WITH
CONDITIONS, THE SUNLAKE CENTRE
DEVELOPMENT OF REGIONAL IMPACT NO. 248.**

WHEREAS, the original Development Order for the Sunlake Centre Development of Regional Impact ("DRI") was adopted by the Board of County Commissioners on March 28, 2006, as Resolution No. 06-182 ("Original DO"); and

WHEREAS, in accordance with Section 380.06(19), Florida Statutes, as amended Sunlake-Equity Joint Venture ("Applicant/Developer") filed a Notice of Proposed Change to a Previously Approved DRI ("NOPC"), a copy of which NOPC, including the changes proposed ("Proposed Changes") is attached hereto as Exhibit "A"; and

WHEREAS, on March 31, 2009, the Applicant filed an application entitled Notification of Proposed Change (NOPC) to a previously approved DRI application with Pasco County, Florida (County), with copies provided, to the Tampa Bay Regional Planning Council (TBRPC) and the Florida Department of Community Affairs (FDCA); and

WHEREAS, on November 25, 2008, the Board of County Commissioners adopted amendments to the County's Concurrency Management Regulations (Concurrency Amendments) to extend, without additional concurrency review or analysis, the concurrency expiration date of all projects in Pasco County by one (1) year (the One-Year Extension); and

WHEREAS, on June 23, 2009, the Board of County Commissioners adopted Resolution No. 09-269 pursuant to the County's Concurrency Management Regulations to extend, without additional concurrency review or analysis, the concurrency expiration date of all projects in Pasco County by an additional two (2) additional years (the Two-Year Extension); and

WHEREAS, the Sunlake Centre DRI is eligible for the Two-Year Extension subject to the criteria set forth in such Resolution; and

WHEREAS, the Board of County Commissioners is the governing body having jurisdiction over the review and approval of DRIs in Pasco County in accordance with Florida Statute 380.06 as amended; and

WHEREAS, the Board of County Commissioners has reviewed the NOPC as well as all related testimony and evidence submitted by each party and members of the general public; and

STATE OF FLORIDA, COUNTY OF PASCO
THIS IS TO CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE DOCUMENT
ON FILE OR OF PUBLIC RECORD IN THIS OFFICE
WITNESS MY HAND AND OFFICIAL SEAL THIS

6th DAY OF AUGUST 2009
PAULA S. O'NEIL, CLERK & COMPTROLLER

BY Beverly Beem DEPUTY CLERK

pages 4 thru 21

WHEREAS, the Board of County Commissioners wishes at this time to 1) extend the Phase 1 build-out date until December 30, 2015, for state and regional review purposes; 2) extend the expiration date of the DO until December 30, 2025; 3) extend the Phase 1 build-out date of the project for transportation concurrency purposes through December 31, 2013, in recognition of the One-Year Extension and the Two-Year Extension; 4) modify the Master Development Plan (Map H) to correct typographical errors in order to ensure consistency with the existing Table 1 entitled "Sunlake Centre Land Use Schedule"; 5) Update the Map H to a) increase the number of multi-family units assigned to Parcel "I" by 36 (to 216), while simultaneously reducing the multi-family units to Parcel "H" by the same 36 (to 384), b) remove a 0.467 acre parcel conveyed to the Florida Department of Transportation from the southern end of Parcel "I", and c) revise the "Notes" to reflect the new build-out dates under "Timing" of the "Anticipated Phasing Schedule".

WHEREAS, the Board of County Commissioners has approved the NOPC on July 28, 2009, and hereby adopts this Amendment to the Development Order for the Sunlake Centre Development of Regional Impact No. 248 ("**Amendment**"). The Original DO, as amended by this Amendment, is referred to herein as the "**DO**".

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, in regular session duly assembled that the DO for the Project be amended as set forth below;

1. **GENERAL FINDINGS OF FACT**

The Board of County Commissioners makes the following general findings of fact:

(a) The Applicant/Developer has filed, in accordance with Section 380.06(19), Florida Statutes, an NOPC for the Sunlake Centre DRI and associated responses to requests for additional information.

(b) The nature, type, scope, intensity, density, and general impact of the Proposed Changes to the Sunlake Centre DRI are summarized in the NOPC.

(c) The specific findings of fact and regional impacts contained in the Tampa Bay Regional Planning Council ("**TBRPC**") NOPC Report, is attached hereto as **Exhibit B**, and is incorporated into this Amendment by this reference.

(d) The real property encompassed by the Sunlake Centre DRI is owned by the individual property owners described in the NOPC. A description of the real property is attached hereto as **Exhibit C ("Property")**, and is incorporated into this Amendment by this reference.

(e) On May 7, 2009, the TBRPC notified Pasco County that the NOPC review was complete, the TBRPC had drafted the NOPC Report, and that the local government should act upon the pending application.

(f) On May 18, 2009, the TBRPC adopted the NOPC Report for the Sunlake Centre DRI. It was the determination of the TBRPC that the Proposed Changes do not constitute a substantial deviation pursuant to Section 380.06(19), Florida Statutes, and, therefore, does not require further DRI review.

(g) The Board of County Commissioners received and considered the TBRPC NOPC Report.

(h) The Board of County Commissioners scheduled a public hearing on the NOPC application for July 28, 2009.

(i) The public notice requirement of Section 380.06(19), Florida Statutes, has been satisfied.

(j) At the public hearing, all parties were afforded the opportunity to present evidence and argument on all issues and to submit rebuttal evidence, and any member of the general public requesting to do so was given the opportunity to present written or oral communications.

(k) The Board of County Commissioners received and considered various other reports and information including, but not limited to, the recommendation of the Pasco County Development Services Branch and the Development Review Committee ("DRC").

2. CONCLUSIONS OF LAW

The Board of County Commissioners hereby finds that the Sunlake Centre DRI as amended by the NOPC:

(a) Will not unreasonably interfere with the achievement of the objectives of the State Comprehensive Plan and State Land Development Plan applicable to the area encompassed by the application.

(b) As conditioned, the DO is consistent with the report and recommendation of the TBRPC.

(c) As conditioned, the DO is consistent with the Pasco County Land Development Code (local land development regulations), and the adopted Comprehensive Plan.

(d) The land that is the subject of the DO is not in an area of critical State concern.

(e) The Proposed Changes do not create additional, unmitigated impacts to public facilities or any type of unmitigated regional impact beyond those addressed in the

Original DO. The Proposed Changes do not constitute a substantial deviation pursuant to Chapter 380.06, Florida Statutes.

(f) Nothing herein shall limit or modify the rights originally approved by the Original DO or the protection afforded under Section 163.3167(8), Florida Statutes.

(g) As conditioned, this DO is vested for transportation concurrency purposes through the dates set forth herein.

(h) These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the various departments of Pasco County, and the Applicant/Developer are authorized to approve/conduct development as described herein.

3. **ORDER**

The Board of County Commissioners, having made the above findings of fact and having drawn the above conclusions of law, hereby approves the Proposed Changes, and orders that the Original DO be amended as follows:

(a) Phasing Schedule: Table 1 set forth in Section 4.a., of the Original DO, is hereby replaced with the following:

TABLE 1
SUNLAKE CENTRE DRI
LAND USE AND PHASING SCHEDULE

Land Use	Phase 1	Phase 2 (TBD)***	Total
	12/31/2013* 12/30/2015**		
Retail (Sq. Ft.)	110,000	530,000	640,000
Office (Sq. Ft.)	95,000	245,000	340,000
Residential (d.u.)	600	0	600

*The build-out date for transportation concurrency is 12/31/2013, unless otherwise extended pursuant to the County's Concurrency Management Ordinance.

** The build-out date for state and regional review purposes is 12/30/2015, unless otherwise extended under State law.

*** The build-out date for Phase 2 has not been established for regional/state review or transportation concurrency.

(b) Build-Out of Project: Section 4.d. of the Original DO is hereby amended and restated as follows:

(1) For state and regional review purposes, the build-out date for Phase 1 shall be December 30, 2015, unless otherwise extended by State law.

(2) Transportation Concurrency Build-out Date: Unless extended by the Board of County Commissioners pursuant to the Concurrency Management Ordinance, the build-out date for Phase 1 for transportation concurrency purposes shall be December 31, 2013 (or such date to which such concurrency is extended pursuant to Section 5.n.(6) of the DO). The December 31, 2013 date for transportation concurrency includes the One-Year Extension and the Two-Year Extension. Any delay in the transportation concurrency build-out date of the project beyond December 31, 2013, may require a new transportation analysis, in accordance with applicable law, as the basis for a DO amendment which may include re-evaluation of required transportation mitigation. The County Administrator or the Board of County Commissioners may waive any applicable transportation analysis requirement for any entitlements within the project that satisfy the Limited Exemption criteria of Section 402.7 of the County's Concurrency Management Ordinance; however, build-out date extensions for such entitlements are still subject to applicable statutory requirements in Section 380.06(19), Florida Statutes, as may be amended from time to time.

(c) Transportation: Section 5.n.(6) of the Original DO is hereby amended and restated as follows:

The transportation concurrency build-out date for Phase 1 of December 31, 2013 includes the One-Year Extension and the Two-Year Extension. Should the Board of County Commissioners grant any build-out date or transportation concurrency extensions pursuant to Section 402.11.A of the LDC (whether prior to or after adoption of this Amendment), the December 31, 2013 date set forth above shall be automatically extended by the duration of such extension and shall not require a Notice of Proposed Change or development order amendment unless required by State law.

(d) Map H: Map H attached hereto as **Exhibit D** shall be substituted for, and constitute the approved Map H Master Development Plan for the DRI.

(e) Effective Period: The effective period of the DO set forth in Section 4.b.(2) of the Original DO is hereby extended to December 31, 2025, and the date set forth in

Section 3.d. of the Original DO through which the approved DRI shall not be subject to downzoning, unit density reduction, or intensity is hereby extended to December 31, 2025.

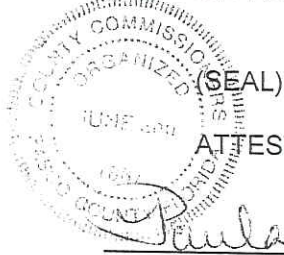
4. **PROCEDURES**

(a) **Notice of Adoption:** A Notice of Adoption of this resolution shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with Section 380.06(15)(f), Florida Statutes, as amended.

(b) The Clerk of the Circuit Court, Secretarial Services, for the Board of County Commissioners shall return eight (8) signed and certified copies of this resolution, including all exhibits, and Notice of Adoption to the Pasco County Growth Management Department. The Pasco County Growth Management Department shall then send out the copies of each document to FDCA, TBRPC, and to the attorneys of record in these proceedings.

(c) **Severability:** Each provision of this Amendment is material to the Board of County Commissioners' approval of this Amendment. Accordingly, the provisions are not severable. In the event any section, subsection, sentence, clause, or provision of this resolution is declared illegal or invalid by a body with jurisdiction to make such determination, the remainder of the resolution shall be suspended until such time that the Board of County Commissioners modifies the DO to address the illegal or invalid provision; provided, however, that such suspension shall not exceed nine (9) months in duration and such determination shall not affect the validity of 1) DRI entitlements for which a complete application has been submitted, or approval has been received, for a preliminary plan, preliminary site plan, plat, construction plan, Building Permit, or Certificates of Occupancy; or 2) any DRI mitigation committed to or performed as of the date the determination is made. Notwithstanding the foregoing, the resolution shall not be suspended if the Applicant/Developer and all affected successors or assigns agree to abide by all of the provisions of the resolution until a Notice of Proposed Change is adopted to modify the DO in order to address the illegal or invalid provision. Notices of Proposed Change to the DO shall not be considered challenges to the DO, and decisions by the Pasco County Board of County Commissioners regarding any NOPC or the like shall not have the effect of suspending the DO under any circumstances. Notwithstanding the foregoing, if a third party challenges any section, subsection, sentence, clause, or provision of this resolution and the challenged portion of the resolution is subsequently declared illegal or invalid, the resolution shall not be suspended and shall remain in full force and effect except for that portion declared illegal or invalid. If any section, subsection, sentence, clause, or provision of this resolution is declared illegal or invalid as the result of a third party challenge, the Applicant/Developer shall cooperate with the County to amend this resolution to address the portion which has been declared invalid or illegal.

DONE AND RESOLVED this 28th day of July, 2009.



Paula S. O'Neil
PAULA S. O'NEIL,
CLERK AND COMPTROLLER

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

Jack Mariano
JACK MARIANO, CHAIRMAN

APPROVED

JUL 28 2009

BOCC

EXHIBITS

- A. NOPC APPLICATION*
- B. TBRPC NOPC REPORT
- C. LEGAL DESCRIPTION OF PROPERTY
- D. AMENDED MAP H

* INCORPORATED BY REFERENCE AND ON FILE WITH THE GROWTH
MANAGEMENT DEPARTEMENT

EXHIBIT A

NOPC APPLICATION

**INCORPORATED BY REFERENCE AND ON FILE WITH THE GROWTH
MANAGEMENT DEPARTEMENT**

EXHIBIT B
TBRPC NOPC REPORT



NOPC

Notice of Proposed Change Report
4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, FL 33782
Phone (727) 570-5151 / FAX (727) 570-5118
www.tbrpc.org

**DRI #248 - SUNLAKE CENTRE
PASCO COUNTY**

On April 8, 2009 (dated April 7, 2009), the Applicant submitted a Notice of Proposed Change application requesting modifications to the Development Order. Supplemental information was neither requested nor received. The following provides a summary of project entitlements and history, a description of the proposal, and the Council recommendation.

PROJECT DESCRIPTION

On March 28, 2006, the Pasco County Board of County Commissioners adopted Resolution No. 06-182 as a Development Order for the project. The Development Order authorizes specific approval for only Phase 1 of a two-phase project. Specific approval of Phase 2 is contingent upon further transportation and air quality analyses. Development must commence during (or before) 2009 and the Development Order subsequently expires on December 31, 2020.

The project is situated on approximately 150.35 acres in south central Pasco County, generally along the north side of S.R. 54 midway between the Suncoast Parkway and U.S. 41.

The project has not been previously amended.

The following constitutes the approved phasing schedule:

LAND USE	PHASE 1 (2006-2010)	PHASE 2* (TBD)	TOTAL
Commercial (Sq. Ft.)	110,000	530,000	640,000
Office (Sq. Ft.)	95,000	245,000	340,000
Residential/Multi-Family (Units)	600	0	600

* - Specific approval of Phase 2 shall require additional transportation and air quality analysis in accordance with Section 380.06, F.S. and Rule 9J-2, F.A.C.

PROPOSED CHANGES UNDER THIS NOPC

The applicant has requested the following modifications to the Development Order:

- extend the Phase 1 buildout date and the Development Order expiration date by periods of four years, 11 months and 15 days (to December 30, 2015 and December 30, 2025 respectively);

- recognize the granting of a one-year local transportation concurrency extension by Pasco County Land Development Code Section 402.11.A.;
- modify the *Master Development Plan* (aka Map H) to correct the following **typographical errors** in order to ensure consistency with the existing Table 1 entitled “*Sunlake Centre Land Use Schedule*”:
 - change the Office entitlements assigned to Parcel “C” from “5,000 sq. ft.” to “15,000 sq. ft.”; and
 - change the Commercial entitlements assigned to Parcel “J” from “577,000 sq. ft.” to “530,000 sq. ft.”
- update the *Master Development Plan* (aka Map H) to reflect:
 - simultaneously increase the number of multi-family units assigned to Parcel “I” by 36 (to 216), while reducing the multi-family units assigned to Parcel “H” by the same 36 (to 384);
 - remove a 0.467-acre parcel conveyed to the Florida Department of Transportation from the southern end of Parcel “I”; and
 - modify the buildout dates to reflect the current extension request recognized above.

CONSISTENCY WITH SUBSECTION 380.06(19), FLORIDA STATUTES

Subsections 380.06(19)(c), 380.06(19)(e)2.i., and 380.06(19)(e)3., F.S. identify the provisions applicable to this proposal. These citations respectively read as follows:

“... An extension of 5 years or less is not a substantial deviation... Any extension of the buildout date of a project or a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof if applicable by a like period of time.”

“changes required to conform to permits approved by any federal, state or regional permitting agency, provided that these changes do not create additional regional impacts” (is not a Substantial Deviation).

“Any renovation or redevelopment within a previously approved development of regional impact which does not change land use or increase density or intensity of use” (is not a Substantial Deviation).

DISCUSSION

The following statements serve as representations made by, or on behalf of, the applicant or are statements or recommendations made by Tampa Bay Regional Planning Council staff. These references/recommendations were relied upon by the Tampa Bay Regional Planning Council to determine that no further information would be required in conjunction with the current proposal:

1. Although the project has two phases, Council staff is only recognizing a four-year, 11 month and 30 day extension associated with only the first Phase. Phase 2 is only conceptually approved. As stipulated in the current Development Order, specific approval of Phase 2 is subject to further transportation and air quality analyses. Once the corresponding analyses are submitted, reviewed, approved and mitigation incorporated into the Development Order, the Phase 2 buildout date reflected in the analyses will serve as the Phase 2 buildout date.

2. The Applicant's request to assign an additional 10,000 sq. ft. of Office uses to Parcel "C" on the Master Development Plan is appropriate. The project has been approved for an overall 340,000 sq. ft. of Office uses, yet the current Master Development Plan sums to only 330,000 sq. ft. of Office uses.
3. The Applicant's request to reduce the Parcel "J" Commercial uses by 47,000 sq. ft. is also appropriate for the Master Development Plan. The project has been approved for an overall 640,000 sq. ft. of Commercial uses, yet 687,000 sq. ft. of Commercial uses has been designated between Parcels B, C & J.

RECOMMENDED ACTION

Indicate to Pasco County and the Florida Department of Community Affairs that the proposal is not a Substantial Deviation as recognized above.

EXHIBIT 1

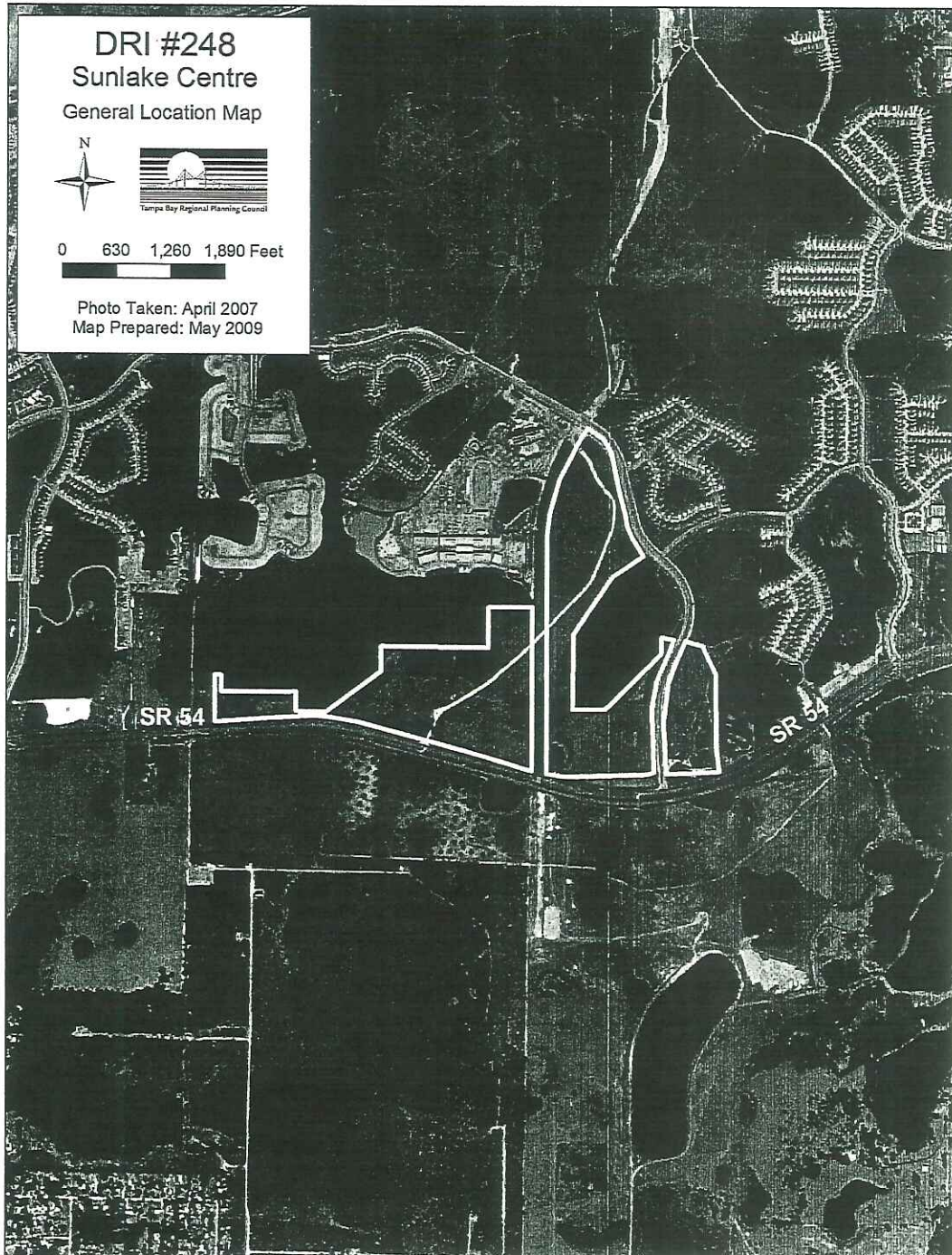


EXHIBIT C
LEGAL DESCRIPTION OF PROPERTY

DESCRIPTION OF:

DRI PARCEL I:

THAT PART OF SECTIONS 21, AND 28, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA BEING PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA, THENCE NORTH 00°09'52" EAST, ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 27, FOR 51.95 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 14570-2521; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: 1) SOUTH 88°00'50" WEST, 730.63 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; 2) THENCE WESTERLY, 519.82 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,859.86 FEET, A CENTRAL ANGLE OF 16°00'50" AND A CHORD OF 518.13 FEET BEARING NORTH 83°58'45" WEST; 3) THENCE NORTH 75°58'20" WEST, 54.32 FEET TO THE POINT OF BEGINNING; 4) THENCE CONTINUING NORTH 75°58'20" WEST, 1,979.25 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; 5) THENCE WESTERLY, 965.70 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,914.79 FEET, A CENTRAL ANGLE OF 18°58'58" AND A CHORD OF 961.29 FEET BEARING NORTH 85°27'49" WEST; 6) THENCE SOUTH 85°02'42" WEST, 788.49 FEET; THENCE NORTH 00°02'00" WEST, 457.20 FEET; THENCE NORTH 89°58'00" EAST, 60.00 FEET; THENCE SOUTH 00°02'00" EAST, 143.00 FEET, THENCE NORTH 89°58'00" EAST, 890.00 FEET, THENCE SOUTH 00°02'00" EAST, 178.00 FEET, THENCE NORTH 89°58'00" EAST, 356.00 FEET, THENCE NORTH 50°28'00" EAST, 690.00 FEET, THENCE NORTH 00°02'00" WEST, 337.00 FEET; THENCE NORTH 89°58'00" EAST, 1,350.00 FEET; THENCE NORTH 00°02'00" WEST, 806.00 FEET; THENCE SOUTH 89°58'00" WEST, 1,415.00 FEET; THENCE NORTH 44°58'00" WEST, 640.00 FEET; THENCE NORTH 00°02'00" WEST, 494.68 FEET; THENCE SOUTH 70°18'26" EAST, 498.68 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY, 643.57 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 73°44'51" AND A CHORD OF 600.05 FEET BEARING NORTH 72°49'09" EAST; THENCE NORTH 35°56'43" EAST, 1,620.83 FEET; THENCE SOUTH 61°14'59" EAST, 873.45 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY, 78.54 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND A CHORD OF 70.71 FEET BEARING SOUTH 16°14'59" EAST; THENCE SOUTH 28°45'01" WEST, 239.28 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHWESTERLY, 1,304.65 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,600.00 FEET, A CENTRAL ANGLE OF 28°45'01" AND A CHORD OF 1,291.00 FEET BEARING SOUTH 14°22'31" WEST; THENCE SOUTH 00°00'00" WEST, 2,527.31 FEET TO THE POINT OF BEGINNING.
CONTAINING 145.380 ACRES, MORE OR LESS.

LESS AND EXCEPT FROM DRI PARCEL I:

DRI EXCEPTION PARCEL A:

THAT PART OF SECTIONS 21, AND 28, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27, THENCE NORTH 00°09'52" EAST, ALONG THE WEST BOUNDARY OF THE

NORTHWEST 1/4 OF SAID SECTION 27, FOR 51.95 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 14570-2521; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: 1) SOUTH 88°00'50" WEST, 730.63 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; 2) THENCE WESTERLY, 519.82 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,859.86 FEET, A CENTRAL ANGLE OF 16°00'50" AND A CHORD OF 518.13 FEET BEARING NORTH 83°58'45" WEST; 3) THENCE NORTH 75°58'20" WEST, 54.32 FEET; THENCE N 00°00'00" E, A DISTANCE OF 1,856.74 FEET TO THE POINT OF BEGINNING; THENCE N 90°00'00" W, 476.42 FEET; THENCE NORTH 00°02'00" WEST, 350.89 FEET; THENCE SOUTH 89°58'00" WEST, 1,415.00 FEET; THENCE NORTH 44°58'00" WEST, 640.00 FEET; THENCE NORTH 00°02'00" WEST, 494.68 FEET; THENCE SOUTH 70°18'26" EAST, 498.68 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY, 643.57 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 73°44'51" AND A CHORD OF 600.05 FEET BEARING NORTH 72°49'09" EAST; THENCE NORTH 35°56'43" EAST, 1,620.83 FEET; THENCE SOUTH 61°14'59" EAST, 873.45 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY, 78.54 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND A CHORD OF 70.71 FEET BEARING SOUTH 16°14'59" EAST; THENCE SOUTH 28°45'01" WEST, 239.28 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHWESTERLY, 1,304.65 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,600.00 FEET, A CENTRAL ANGLE OF 28°45'01" AND A CHORD OF 1,291.00 FEET BEARING SOUTH 14°22'31" WEST; THENCE SOUTH 00°00'00" WEST, 670.57 FEET TO THE POINT OF BEGINNING. CONTAINING 80.514 ACRES, MORE OR LESS.

DRI PARCEL I CONTAINING A NET AREA OF $145.380 - 80.514 = 64.866$ ACRES, MORE OR LESS.

TOGETHER WITH:

DRI PARCEL II:

THAT PART OF SECTIONS 21, 22, 27 AND 28, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA BEING PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27, THENCE NORTH 00°09'52" EAST, ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 27, FOR 51.95 FEET TO THE POINT OF BEGINNING ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 14570-2521; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: SOUTH 88°00'50" WEST, 730.63 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; 2) THENCE WESTERLY, 369.35 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,859.86 FEET, A CENTRAL ANGLE OF 11°22'42" AND A CHORD OF 368.74 FEET BEARING NORTH 86°17'49" WEST; THENCE NORTH 00°00'00" WEST, 2,571.01 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHEASTERLY, 1,204.29 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,400.00 FEET, A CENTRAL ANGLE OF 28°45'01" AND A CHORD OF 1,191.70 FEET BEARING NORTH 14°22'31" EAST; THENCE NORTH 28°45'01" EAST, 238.64 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE EASTERLY, 80.85 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF

92°39'00" AND A CHORD OF 72.33 FEET BEARING NORTH 75°04'31" EAST TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHEASTERLY, 501.13 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 650.00 FEET, A CENTRAL ANGLE OF 44°10'24" AND A CHORD OF 488.81 FEET BEARING SOUTH 36°30'47" EAST; THENCE SOUTH 14°25'35" EAST, 678.07 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE SOUTHEASTERLY, 432.46 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 750.00 FEET, A CENTRAL ANGLE OF 33°02'16" AND A CHORD OF 426.50 FEET BEARING SOUTH 30°56'43" EAST; THENCE SOUTH 47°27'51" EAST, 64.67 FEET; THENCE SOUTH 62°48'00" WEST, 477.82 FEET, THENCE SOUTH 35°56'00" WEST, 873.00 FEET, THENCE SOUTH 00°02'00" EAST, 783.00 FEET; THENCE NORTH 89°58'00" EAST, 505.00 FEET; THENCE NORTH 40°34'00" EAST, 926.00 FEET; THENCE NORTH 00°18'00" EAST, 122.00 FEET; THENCE SOUTH 79°38'00" EAST, 155.62 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY, 97.07 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 650.00 FEET, A CENTRAL ANGLE OF 8°33'23" AND A CHORD OF 96.98 FEET BEARING SOUTH 29°03'53" WEST TO A POINT OF REVERSE CURVATURE; THENCE SOUTHWESTERLY, 1,023.90 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,530.00 FEET, A CENTRAL ANGLE OF 3800°20'35" AND A CHORD OF 1,004.89 FEET BEARING SOUTH 14°10'17" EAST; THENCE SOUTH 05°00'00" EAST, 492.23 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE SOUTHWESTERLY, 40.58 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 93°00'50" AND A CHORD OF 36.27 FEET BEARING SOUTH 41°30'25" WEST; THENCE SOUTH 88°00'50" WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, 159.02 FEET TO THE POINT OF BEGINNING.

CONTAINING 69.939 ACRES, MORE OR LESS.

DRI PARCEL II CONTAINING A NET AREA OF 69.939 ACRES, MORE OR LESS.

TOGETHER WITH:

DRI PARCEL III:

THAT PART OF SECTION 27, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA BEING PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27, THENCE NORTH 00°09'52" EAST, ALONG THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION 27, FOR 51.95 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54 ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP, SECTION NO. 14570-2521; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 88°00'50" EAST, 309.23 FEET TO THE POINT OF BEGINNING; THENCE NORTHWESTERLY, 37.95 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 86°59'10" AND A CHORD OF 34.41 FEET BEARING NORTH 48°29'35" WEST; THENCE NORTH 05°00'00" WEST, 500.13 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT; THENCE NORTHERLY, 956.97 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 1,430.00 FEET, A CENTRAL ANGLE OF 38°20'35" AND A CHORD OF 939.22 FEET BEARING NORTH 14°10'17" EAST TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY, 137.61 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 750.00 FEET, A CENTRAL ANGLE OF 10°30'45" AND A CHORD OF 137.41 FEET BEARING NORTH 28°05'12" EAST; THENCE SOUTH 79°38'00" EAST, 201.58 FEET; THENCE SOUTH 27°26'00" EAST, 313.00 FEET; THENCE SOUTH 00°02'00" EAST, 905.00 FEET; THENCE SOUTH 13°10'00" EAST, 289.23 FEET TO THE BEGINNING OF A NON-

TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, 86.19 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2,740.12 FEET, A CENTRAL ANGLE OF 1°48'08" AND A CHORD OF 86.18 FEET BEARING SOUTH 67°30'44" WEST; THENCE SOUTH 88°00'50" WEST, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, 554.89 FEET TO THE POINT OF BEGINNING.

DRI PARCEL III CONTAINING 19.897 ACRES, MORE OR LESS.

LESS THE FOLLOWING:

A PARCEL OF LAND LYING WITHIN SECTION 27, TOWNSHIP 26 SOUTH, RANGE 18 EAST, PASCO COUNTY, FLORIDA AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 27, TOWNSHIP 26 SOUTH, RANGE 18 EAST; THENCE N00°09'52"E, A DISTANCE OF 51.95 FEET TO A POINT ON THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, AS TAKEN FROM FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 14570-2521, STATE ROAD NUMBER 54, PASCO COUNTY, FLORIDA, DATED 5-29-97; THENCE, ALONG SAID EXISTING NORTHERLY RIGHT-OF-WAY LINE, N88°00'50"E, A DISTANCE OF 309.23 FEET TO THE POINT OF BEGINNING; THENCE N44°02'25"E, DEPARTING SAID EXISTING NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 50.41 FEET; THENCE N88°00'50"E, A DISTANCE OF 512.55 FEET TO THE POINT OF INTERSECTION WITH A NON TANGENT CURVE TO THE LEFT, THENCE EASTERLY 44.47 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2,705.12 FEET, A CENTRAL ANGLE OF 00°56'31" AND A CHORD BEARING AND DISTANCE OF N67°48'53"E, 44.47 FEET; THENCE S22°08'13"E, A DISTANCE OF 35.00 FEET, TO THE POINT OF INTERSECTION WITH A NON TANGENT CURVE TO THE RIGHT, SAID POINT ALSO BEING ON THE AFOREMENTIONED EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 54, THENCE WESTERLY 50.83 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 2,740.12 FEET, A CENTRAL ANGLE OF 01°03'47" AND A CHORD BEARING AND DISTANCE OF S67°52'54"W, 50.83 FEET; THENCE S88°00'50"W, A DISTANCE OF 554.89 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.347 SQUARE FEET OR 0.467 ACRES, MORE OR LESS.

TOTAL NET DRI AREA = 64.866 + 69.939 + 19.897 - 0.467 = 154.235 ACRES, MORE OR LESS.

EXHIBIT D
AMENDED MAP H



PASCO COUNTY, FLORIDA

FAX (727) 847-8084
DADE CITY (352) 521-4274
LAND O' LAKES (813) 996-7341
NEW PORT RICHEY (727) 847-8193

GROWTH MAGEMENT DEPARTMENT
WEST PASCO GOVERNMENT CENTER
7530 LITTLE ROAD, SUITE 320
NEW PORT RICHEY, FL 34654-5598

CERTIFIED MAIL NO. 7003-3110-6048-5298
RETURN RECEIPT REQUESTED

April 4, 2006

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

RE: Sunlake Centre Development of Regional Impact #248
Development Order

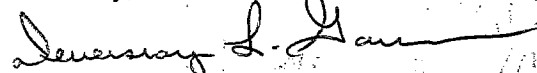
Dear Mr. Meyer:

Enclosed please find a certified original of the Sunlake Centre Development of Regional Impact #248, Development Order (Resolution No. 06-182), which is hereby rendered in accordance with Chapter 380.06, Florida Statutes. This development order was approved by the Pasco County Board of County Commissioners on March 28, 2006.

Further, the developer shall record a Notice of Adoption with the Clerk of the Circuit Court in accordance with Chapter 380.06(15)(f), F.S. Enclosed find an original executed Notice of Adoption for recording. Please record the Notice of Adoption within 45 days and return a photocopy of the recorded document to this office for our records.

Please feel free to contact this office if you have any questions.

Sincerely,


Deversray L. Garner
Planner II

Enclosure

cc: Eric A. Schoessler, Amprop Development, 4210 W. Spruce Street, Suite 202
Tampa, FL 33607

**A RESOLUTION ADOPTING A DEVELOPMENT ORDER
APPROVING, WITH CONDITIONS, THE SUNLAKE CENTRE
DEVELOPMENT OF REGIONAL IMPACT NO. 248.**

WHEREAS, in accordance with Section 380.06, Florida Statutes (F.S.), as amended, SUNLAKE EQUITY JOINT VENTURE (hereinafter referred to as the Applicant/Developer), a Florida joint venture, as successor in interest to E & D Land Corporation, a Florida corporation, filed an Application for Development Approval (ADA) for a Development of Regional Impact (DRI) commonly known as SUNLAKE CENTRE (Project); and,

WHEREAS, the Pasco County Board of County Commissioners is the governing body having jurisdiction over the review and approval of DRIs in accordance with Section 380.06, F.S., as amended; and,

WHEREAS, the culmination of review pursuant to Section 380.06, F.S., requires approval, approval with conditions, or denial of the ADA; and,

WHEREAS, this Development Order (DO) for the SUNLAKE CENTRE DRI was adopted by the Board of County Commissioners on March 28, 2006.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County, Florida, in regular session duly assembled that:

The ADA of the SUNLAKE CENTRE DRI is approved with conditions as set forth in the following DO which is hereby adopted by the Board of County Commissioners:

SUNLAKE CENTRE DO

1. General Findings Of Fact

The Board of County Commissioners makes the following general findings of fact:

a. The Applicant/Developer has filed, in accordance with Section 380.06, F.S., as amended, an ADA for the SUNLAKE CENTRE DRI and associated nine (9) responses to requests for additional information, collectively referred to herein as the ADA.

b. The nature, type, scope, intensity, density, and general impact of the proposed SUNLAKE CENTRE DRI, in part, are those that are provided for in the ADA and Sufficiency Responses (Exhibit A) and in the Specific Findings of Fact and regional impacts contained in Pages 1-46 of the Tampa Bay Regional Planning Council (TBRPC) DRI Final Report (Exhibit B). Both Exhibits A and B are incorporated into this DO by reference and are on file with the Pasco County Growth Management Department.

c. The real property encompassed by the SUNLAKE CENTRE DRI is owned by Sunlake Equity Joint Venture and a description of the real property is attached hereto as Exhibit C (Property) which is made a part of this DO.

d. Simultaneously with adoption of this Development Order, the Board of County Commissioners is considering adoption of a Comprehensive Plan amendment for the Project to ROR (Retail/Office/Residential) as well as creation of a subarea and subarea policies for the Project. The proposed development is consistent with the applicable provisions of the ROR classification and subarea policies and other applicable Goals, Objectives, and Policies of the Comprehensive Plan.

e. On July 12, 2004, TBRPC notified Pasco County that the sufficiency review was complete, that the TBRPC had initiated the preparation of its DRI Final Report, and that the local government should set a date for a public hearing on the pending application.

f. The Board of County Commissioners has scheduled a public hearing on the ADA for March 28, 2006.

g. Notice of the hearing was published in a newspaper of general circulation at least sixty (60) days prior to the date set for the Board of County Commissioners hearing.

h. At the public hearing, all parties were afforded the opportunity to present evidence and arguments on all issues and to submit rebuttal evidence.

i. Additionally, at the public hearing, any member of the general public requesting to do so was given the opportunity to present written or oral communications.

j. The Board of County Commissioners received and considered the TBRPC Final Report on the above-referenced application.

k. The Board of County Commissioners received and considered various other reports and information including, but not limited to, the recommendation of the Pasco County Growth Management Department and the Pasco County Development Review Committee (DRC).

2. Conclusions of Law

The Board of County Commissioners hereby finds as follows:

a. This SUNLAKE CENTRE DRI will not unreasonably interfere with the achievement of the objectives of the State Comprehensive Plan and State Land Development Plan applicable to the Property.

b. As conditioned, this DRI/DO is consistent with the report and recommendation of the TBRPC.

c. As conditioned, this DRI/DO is consistent with the applicable provisions of the Pasco County Land Development Code (local land development regulations).

d. As conditioned, this DRI/DO is consistent with the applicable provisions of the Pasco County Comprehensive Plan (the Comprehensive Plan).

e. The land that is the subject of this DRI/DO is not in an Area of Critical State Concern.

f. As conditioned, this DRI/DO is consistent with the applicable provisions of the adopted State Comprehensive Plan.

3. Approval Stipulation

a. The requirements of and conditions contained in this DO shall regulate the development of the Property described in Exhibit C. Following the adoption of this DO, all plans for development on this Property shall be consistent with the conditions and restrictions recited herein. Such conditions shall be binding upon all of the Applicant's/Developer's successors in interest to the Property.

In the event the Pasco County Administrator or his designee determines that a violation of the provisions hereof has occurred, the Pasco County Administrator or his designee may issue a Notice of Noncompliance to the Applicant/Developer. If the noncompliance is not corrected by the date stated in the Notice of Noncompliance, the Pasco County Administrator or his designee may require that all development related to the violation shall cease until the violation has been corrected. The Applicant/Developer may appeal the determination to the Board of County Commissioners pursuant to Article 317 of the Pasco County Land Development Code.

b. All development specifically authorized by this DO shall be carried out in accordance with the provisions hereof.

(1) Adverse impacts shall be mitigated as specified in this DO.

(2) The Applicant's/Developer's commitments set forth in Exhibit D shall be honored by the Applicant/Developer except as they may be superseded by the specific terms of this DO.

c. Development of the SUNLAKE CENTRE DRI shall also be governed by the standards and procedural provisions of the Comprehensive Plan. The land development regulations shall be applied in a manner consistent with Section 163.3194(1)(b), F.S., and the land development regulations. Conflicts between land development regulations and this DO shall be resolved in accordance with applicable law.

d. The approved DRI shall not be subject to downzoning, unit density reduction, or intensity before December 31, 2020, unless the County can demonstrate that substantial changes in the conditions underlying the approval of this DO have occurred or that the change is clearly established by the local government to be essential to the public health, safety, or welfare. Compliance with this DO, any associated development agreement, the MPUD Master Planned Unit Development conditions, the Pasco

County Comprehensive Plan, and Land Development Code shall not constitute downzoning, unit density reduction, or intensity reduction for purposes of the prohibition contained in this paragraph.

e. Any obligations of the Applicant/Developer contained in this DO may be assigned to a community development district, property owners' association, homeowners' association, or other entity approved by Pasco County.

4. Phasing and Duration:

a. Phasing Schedule:

(1) Development of SUNLAKE CENTRE shall proceed in accordance with the phasing schedule stated in Table 1 below:

TABLE 1
SUNLAKE CENTRE DRI
LAND USE SCHEDULE

Land Use	Phase 1 (Year 2010)	Phase 2 (Year 2010)	Total
Retail (s.f.)	110,000	530,000	640,000
Office (s.f.)	95,000	245,000	340,000
Residential (d.u.)	600	0	600

Phase 1 of the DRI is specifically approved. Phase 2 of the DRI is conceptually approved. Specific approval of Phase 2 shall require additional transportation and air quality analysis in accordance with Section 380.06, Florida Statutes and Rule 9J-2, F.A.C.

b. Effective Date and Duration:

(1) This DO for the SUNLAKE CENTRE DRI shall not be deemed effective until the Florida Department of Community Affairs (FDCA) has issued its Notice of Intent and the appeal period has passed for all Comprehensive Plan amendments associated with the SUNLAKE CENTRE DRI.

(2) The effective period is until December 31, 2020. The effective period may be extended by the Board of County Commissioners upon a showing of good cause and as provided by Florida Statutes. Application for such extension shall be made at least sixty (60) days prior to the expiration. All extensions shall be subject to a substantial deviation determination pursuant to Chapter 380.06(19), F.S.

c. Commencement of Development:

Commencement of development of the SUNLAKE CENTRE DRI shall occur within three (3) years of the effective date of this DO. For the purpose of this DO, "commencement of development" shall mean the commencement of development of infrastructure, roadways, or other vertical development, unless otherwise approved by Pasco County.

d. Build-Out of Project:

(1) The build-out date for the project shall be December 31, 2010.

(2) Any delay in the build-out date beyond December 31, 2010, shall require a new transportation analysis in accordance with Section 380.06, F.S., as the basis for a DO amendment which may include re-evaluation of the required transportation mitigation.

5. Specific Conditions

a. Development Components:

Subject to the possible exchange of land uses as described elsewhere herein, this Project consists of the land uses described in Table 1.

b. Land Use Exchange:

Development entitlements within the project may be exchanged pursuant to the Land Use Equivalency Matrix set forth in Exhibit E, attached hereto. Land use exchange requests shall be provided to and approved by the Pasco County DRC, with copies to the FDCA and TBRPC, a minimum of fourteen (14) days prior to final authorization granted by Pasco County and the use thereof shall be reported in the next biennial report. Exhibit E represents the Land Use Equivalency Matrix, which is acceptable.

(1) The traffic impacts of the revised land use mix shall not exceed the approved traffic impacts of the land use mix being replaced.

(2) Any amendments to the land use mix or proposed schedule, other than those permitted herein, shall be approved pursuant to a Notice of Proposed Change (NOPC) as required by Chapter 380.06(19), F.S.

c. Water Quality and Drainage:

(1) Development of the project shall not result in levels of service for off-site drainage structures below acceptable standards as established in the adopted Comprehensive Plan and the Land Development Code as may be amended from time to time.

(2) The Project's stormwater-management system shall be designed, constructed, and maintained to meet or exceed Chapters 17-25 and 40D-4, or 40D-40, Florida Administrative Code (F.A.C.), and Pasco County stormwater-management requirements, as they may be amended from time to time. Treatment shall be provided by biological filtration wherever feasible. Best Management Practices for reducing adverse water quality impacts as required by the regulations of Pasco County and other appropriate regulatory bodies shall be implemented. In addition, the Applicant/Developer shall comply with the following design requirements:

(a) All swales shall be fully vegetated and operational.

(b) Dry stormwater, retention/detention areas, including side slopes and bottoms, shall be vegetated as required.

(c) The Applicant/Developer or other responsible entities shall ensure that the stormwater management system is being properly maintained in keeping with its design and is providing the level of stormwater storage and treatment as established in the Environmental Resource Permit or as established by Pasco County, whichever is the most stringent.

(d) Should the Applicant/Developer discover that any portion of the stormwater management system is not being adequately maintained or that the system is not functioning properly, the Applicant/Developer shall, within seven (7) days, report such a fact to the County and shall promptly undertake any necessary repairs or modifications to the system. The biennial report shall include any such problems and the necessary repairs or modifications to remedy them as well as what repairs or modifications to the system have been undertaken since the previous biennial report.

(e) Landscape and irrigation shall be in conformance with the Land Development Code in effect at the time of preliminary plan/site plan approval.

(f) The Applicant/Developer should advise future residents of seasonal variations within created water features and should not be perceived as lakes with constant water levels.

(3) Predevelopment hydrologic/hydraulic properties shall remain unaltered to maintain the quantity and timing of runoff discharges to offsite wetlands and creeks.

(4) The development activities shall not breach the clay-confining unit, and in no event, should contact with the limestone aquifer be allowed. It is the Applicant's/Developer's responsibility to prevent this occurrence, and any remedial actions that are required should contact occur shall be required to be addressed by the Applicant/Developer prior to development. The development activities shall not breach the wetland outlets or conveyances unless it is to restore artificially connected wetlands to a more natural state so that existing wetland and normal flow quantities are substantially maintained.

(5) A groundwater monitoring program shall be developed in coordination with the Florida Department of Environmental Protection (FDEP), Southwest Florida Water Management District (SWFWMD), and Tampa Bay Water (TBW) to establish parameters, methodology, and locations of monitoring sites. Any such program shall be submitted to the FDEP, SWFWMD, and TBW for review and to Pasco County for approval. The groundwater quality monitoring program shall be instituted before commencement of development as defined in the Pasco County Land Development Code to provide background data and shall continue to project build-out. If reclaimed water for irrigation purposes is used in the future, any groundwater monitoring program will be amended as required by the permit for use of reclaimed water. In the event there is a violation of any State water quality standard, the specific construction or other activity identified as causing the violation shall cease until the violation is corrected. Monitoring results shall be reported at least annually or more often as may be required and included in the biennial report.

(6) To protect surface water quality and the South Pasco Wellfield located downstream from the Project, stormwater exiting the site shall meet all applicable State of Florida water quality standards. The Applicant/Developer shall develop a surface, water-quality monitoring program, if required, in the permitting process.

(7) An integrated pest management program shall be implemented to minimize the use of fertilizers and pesticides.

d. Wetlands:

(1) Wetland protection and impacts shall be in accordance with all applicable County, State, and Federal laws, permits, rules and regulations, and Comprehensive Plan policies.

(2) Development plans for each parcel in the project will identify the limits of wetlands pursuant to wetland delineation surveys conducted in coordination with SWFWMD and other regulatory agencies as may be applicable.

(3) Existing annual hydroperiods normal pool elevations, and seasonal high-water elevations shall be maintained in substantial conformance with permit requirements by appropriate jurisdictional entities.

e. Floodplain/Disaster Preparedness:

(1) Elevation for all habitable structures shall be at, or above, the 100-year floodplain elevation. All preliminary plan/preliminary site plan submittals shall show 100-year floodplain elevations. Roadways providing access to residential areas shall be at, or above, floodplain elevations as identified in the Pasco County Land Development Code.

(2) No fill shall be added within the 100-year floodplain without approval by the appropriate permitting agencies.

f. Wellfield Protection:

(1) The Applicant/Developer shall comply with the current Wellhead Protection Ordinance (Section 612 of the Land Development Code, as amended).

(2) Should any noticeable soil slumping or sinkhole formation become evident, the Applicant/Developer shall immediately notify the County, TBW, and SWFWMD, and adopt one (1) or more of the following procedures as determined to be appropriate by the County and SWFWMD:

(a) If the slumping or sinkhole formation becomes evidence before or during construction activities, stop all work (except for mitigation activities) in the affected area and remain stopped until the County and SWFWMD approve resuming construction activities.

(b) Take immediate measures to ensure no surface water drains into the affected areas.

(c) Visually inspect the affected area.

(d) Excavate and backfill as required to fill the affected area and prevent further subsidence.

(e) Use geotextile materials in the backfilling operation, when appropriate.

(f) If the affected area is in the vicinity of a water-retention area, maintain a minimum distance of five (5) feet from the bottom of the retention pond to the surface of the limerock clay or karst connection.

(g) If the affected area is in the vicinity of a water-retention area and the above methods do not stabilize the collapse, relocate the retention area.

(3) Discharge of stormwater into depressions with direct or demonstrated hydrologic connection to the Floridian Aquifer is prohibited.

(4) The historic, average, rainfall volume discharged from the project should be maintained postdevelopment. The Applicant/Developer shall propose stormwater design solutions which achieve this goal; i.e., use of swale systems and reducing treatment volume requirements, in cooperation with the TBW and to the extent the permitting agencies (Pasco County and SWFWMD) can allow.

g. Vegetation and Wildlife:

(1) The Applicant/Developer shall comply with the rules and regulations, including the adopted Comprehensive Plan and Rule 9J-2.041, F.A.C., of all applicable agencies regarding the protection of regulated wildlife and plant species found on site. In the event any additional State or Federally listed species, nesting colonies of wading birds, or nesting Florida sandhill cranes are discovered on site during project development, the Applicant/Developer shall immediately notify the Florida Fish and Wildlife Conservation Commission and implement the recommended measures for species protection in accordance with the requirements of Chapter 68A-27, F.A.C.

(2) Nuisance and exotic plant species shall be removed from the Project site during site development. A plan shall be developed to address how the Project site will be maintained free of nuisance and exotic species in perpetuity. The plan shall be submitted to Pasco County for approval prior to the first preliminary plan being approved for the Project and included in the first biennial report.

(3) The Property may continue to be used for agricultural activities during development but at no greater intensity than at present. No silvicultural or agricultural activities shall be initiated on land not currently under such use.

(4) Impacts to natural resources of regional significance shall only occur if justified pursuant to the *Future of the Region, a Strategic Regional Policy Plan for the Tampa Bay Region*, Policy 4.5.2. Mitigation for justifiable impacts to Natural Resources of Regional Significance should meet the ratios set forth in that Policy and Policy 4.5.6.; i.e., two (2) created: one (1) impacted for special habitats

(strategic habitat conservation areas and priority wetlands), and twice that amount if mitigation is in the form of restoration of disturbed habitat of a similar nature, at a minimum.

(5) Prior to preliminary plan/preliminary site plan submittal, the Developer shall submit to and obtain approval by Pasco County and FFWCC of a Kestrel Nesting Survey completed pursuant to FFWCC protocols and guidelines.

h. Air Quality:

Best management practices shall be employed during site preparation and construction to minimize air-quality impacts. Phase 2 of the DRI is not specifically approved for air quality; additional air quality analysis in accordance with Section 380.06, Florida Statutes, and Rule 9J-2, F.A.C., shall be required to obtain specific approval of Phase 2.

i. Land

Prior to commencing development, the Applicant/Developer shall provide the Pasco County Engineering Services Department, Survey Division, with two (2) pair of Global Positioning Satellite (GPS) control points with twenty-four (24) hour access. The Applicant/Developer and the County Surveyor shall mutually determine the location. The Applicant's/Developer's existing survey shall be valid for permitting purposes until final plat approval is requested. All final plats will be referenced from this point in accordance with Rule 61G17-6, FAC. All the GPS points shall be installed in accordance with standards contained in Rule 61G17-6, FAC.

j. Soil:

Best Management Practices to reduce soil erosion and fugitive dust shall be implemented during site preparation and construction.

k. Utilities/Water Supply and Wastewater Treatment:

(a) Potable water and wastewater capacity exists for the Project through Pasco County, and water and wastewater services will be provided by Pasco County in accordance with Chapter 110 of the Pasco County Code of Ordinances, as it may be amended. The Applicant/Developer shall construct all water and wastewater facilities within the Project to Pasco County standards in effect when application is made for connection.

(b) Outdoor water conservation techniques, such as installation of rain-censor shutoffs, preservation of natural areas, use of Florida-friendly landscaping and employing efficient irrigation technology and techniques shall be encouraged for use throughout the development. Reclaimed water, when available, will be used for lawn irrigation.

(c) Indoor water conservation techniques shall include installation of high efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices as required by

the standard plumbing codes (Southern Building Codes). Water-saving devices shall be required in the Project as mandated by the Florida Water Conservation Act (Section 553.14, F.S.).

(d) The Applicant/Developer will evaluate installing a dual water system during site development.

(e) No permanent septic tanks shall be installed in the Project.

l. Solid/Hazardous/Biohazardous Waste and Recycling:

(1) Pasco County has determined that adequate capacity exists through Pasco County's facilities to process the solid waste generated by the Project, and Pasco County shall provide such services to the Project. The collection, transportation, and disposal of solid waste are controlled by Chapter 90 of the Pasco County Code or Ordinances and shall take place in accordance with the terms thereof.

(2) Commercial and office tenants shall be provided with information at the time of purchase or lease which identifies hazardous and/or medical materials and proper procedures for the handling and disposal of such materials. If businesses using or producing hazardous materials or medical waste locate within the Project, these materials shall be handled in a manner consistent with applicable Federal, State, and local regulations.

m. Energy:

The energy conservation measures referenced in the Applicant's/Developer's commitments, attached hereto as Exhibit D, shall be implemented.

n. Transportation:

Transportation-system improvements required to mitigate the impact of Phase 1 of this proposed development have been identified during the development-review process and are set forth herein. Phase 2 of the DRI is not specifically approved for transportation; additional transportation analysis in accordance with Section 380.06, Florida Statutes and Rule 9J-2, F.A.C., shall be required to obtain specific approval of Phase 2.

(1) Proportionate Share

Pursuant to section 163.3180(12) F.S., and Rule 9J-2.045, FAC, the Applicant/Developer's Phase 1 proportionate share contribution for those improvement projects listed in Proportionate Share Table (Exhibit I) is Eight-Hundred Fifty-Eight Thousand Nine Hundred Forty-Nine and 00/100 Dollars (\$858,949.00) (the "Proportionate Share") which is expressed in 2005 dollars.

The Applicant/Developer and County have agreed that the Applicant/Developer can make a payment of the Proportionate Share to Pasco County in order to expeditiously construct either the U.S. 41 and S.R. 54 intersection improvements or other parallel or reliever facilities. The Proportionate Share shall be adjusted at the time of payment based on the latest available FDOT construction cost estimate for

construction of the U.S 41 / S.R 54 interchange and paid to Pasco County prior to issuance of the first Certificate of Occupancy; however, no such adjustment will be required if the Applicant/Developer makes the required payment within 90 days of the latter of the date on which (a) the adopted DO becomes non-appealable, and (b) the Board of County Commissioners approves the rezoning for the Project, however, such unadjusted payment will not be accepted by the County after December 31, 2006. The Proportionate Share payment is not eligible for transportation impact fee credits.

(2) Sunlake Boulevard

The Applicant/Developer shall construct the western 2 lanes of Sunlake Boulevard from S.R. 54 north to Mentmore Road including all the intersection improvements along Sunlake Boulevard set forth on Exhibit G in accordance with the County approved ultimate 6-lane design for Sunlake Boulevard being performed by the developer of the Concord (f/k/a/ LeDantec) Master Planned Unit Development (such western 2 lanes and intersection improvements being hereinafter referred to as the "Sunlake Boulevard Improvements"). The estimated cost of constructing the Sunlake Boulevard Improvements is Four Million Three Hundred Forty Seven Thousand Eight Hundred Sixty Three 00/100 Dollars (\$4,347,863.00) ⁽¹⁾ (herein after referred as "Estimated Cost of Construction"). The Estimated Cost of Construction shall be updated at the time of the posting of the required Letter of Credit. The update shall be based on rate changes shown in the most recent FDOT District 7 unit cost estimates and the most recent Pasco County Right-of-Way cost index adopted by the Pasco County Transportation Impact Fee Ordinance.

Prior to the first plat approval, or where no plat is required, prior to the first construction plan approval, the Applicant/Developer shall post a Letter of Credit in favor of the County in an amount equal to 125% of the Estimated Cost of Construction or 125% of the actual cost estimate following completion of the 100% design plans by Concord Station (f/k/a LeDantec), whichever is greater. The Letter of Credit shall be in a form and for a duration acceptable to the Pasco County Attorney's Office.

Prior to the issuance of the first Certificate of Occupancy within any development bubble other than development bubbles I or G, as shown on Map H (Exhibit F), the Applicant/Developer or another owner in the DRI pursuant to Section 5.s.(a) herein) shall either:

(a) construct the Sunlake Boulevard Improvements and such construction shall be accepted by the County for maintenance, or,

(b) in the event that the developer of the Bexley Ranch DRI or others enter into a construction contract acceptable to the County for all or any portion of the Sunlake Boulevard Improvements before the Applicant/Developer (or another owner in the DRI pursuant to Section 5.s.(a) herein) enters into a

⁽¹⁾ \$4,347,863.00 is an estimated cost based on \$3,824,350 cost per mile per direction per FDOT July 2005 Unit Construction Cost (Exhibit "H") for 0.49 mile plus \$600,000 for intersection improvements.

construction contract acceptable to the County for construction of such improvements, then Applicant/Developer shall pay a cash contribution to the County equivalent to the actual construction costs or the costs set forth in the County approved construction contract for that portion of the Sunlake Boulevard Improvements constructed by the developer of the Bexley DRI or others, whichever is greater at the time of the issuance of the first Certificate of Occupancy.

Construction shall be in accordance with all applicable Pasco County Right-Of-Way Use Permit requirements and the construction requirements of the Development Agreement Between Pasco County and JDI Land, L.L.C. For Roadway Development Of LeDantec MPUD, dated January 27, 2004. In addition, construction shall include at the Applicant/Developer's sole expense, all shoulders, striping, signage, signalization, medians, guardrails, handrails, multi-modal paths, sidewalks, mass transit stops, and other roadway appurtenances, all as determined by the County, FDOT and other applicable permitting agencies to be necessary during the design and permitting of such improvements. The Applicant/Developer shall be responsible at its sole expense for acquiring, if necessary, any right-of-way needed to construct the Sunlake Boulevard Improvements.

The Sunlake Boulevard Improvements are not creditable against the proportionate-share dollar amount or creditable against the Pasco County Transportation Impact Fee requirements of the development.

(3) Access Management

The Applicant/Developer shall be responsible for construction of all access improvements set forth in Exhibit G, including frontage road(s), for the project prior to or concurrent with vertical construction of the portions of the project necessitating such improvements as determined by the County at the time of preliminary plan /preliminary site plan approval and/or at the time of issuance of access permits for the project, unless a different deadline is set forth in this DO. At each preliminary plan/preliminary site plan approval, the DRC or Development Review Division may also require further site access/site-related intersection improvements and site access/site-related roadway improvements. All access improvements, number of access points, spacing, and geometry of access points shown on Map H (Exhibit F) attached hereto are subject to compliance with the provisions of the Pasco County and Florida Department of Transportation (FDOT) access-management regulations at the time of preliminary plan/preliminary site plan review.

These improvements are not creditable against the proportionate-share dollar amount or creditable against the Pasco County Transportation Impact Fee requirements of the development.

(4) Trip Generation Monitoring

Eighteen (18) months following construction plan approval for vertical

construction of fifty (50) percent of the DRI entitlements in terms of the p.m. peak-hour project trip generation, or prior to construction plan approval for vertical construction of sixty-five (65) percent of the DRI entitlements in terms of p.m. peak-hour project trip generation, the Applicant/Developer shall institute a monitoring program to provide external p.m. peak hour counts and projected counts at the project entrances as set forth below. Monitoring shall continue on an annual basis until project buildout and shall be submitted to the Pasco County MPO Department annually from the date of commencement and shall also be included in the biennial report. Each monitoring event shall be conducted within a six (6) month period from the due date for each biennial report to ensure that the counts are relatively current.

The monitoring program shall consist of weekday p.m. peak hour directional counts from 4:00 to 6:00 p.m., with subtotals at fifteen (15) minute increments, at all project driveways. The sum of the project trips will be totaled in fifteen (15) minute increments and the highest four (4) consecutive fifteen (15) minute totals will be summed to determine the project's total p.m. peak hour traffic volume. This total will include net external trips, diverted trips, and pass-by trips, and pass-by diverted trips. For Phase 1 the total p.m. peak hour project trips at the project entrance driveways was estimated to be 1,205 (584 inbound, 621 outbound), which included 220 pass-by and 230 internal trips.

If monitoring results demonstrate that the project is generating more than five (5) percent above the number of trips estimated in the original analysis (as stated above) or a traffic monitoring annual report is not submitted within thirty (30) days of its due date, Pasco County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19) F.S., and may amend the DO to require additional roadway improvements. Any required transportation analysis shall be subject to review by all appropriate review entities.

The results of each monitoring report shall be submitted to Pasco County, TBRPC, and FDOT.

(5) Public Transit

The Applicant/Developer shall comply with the County and the Pasco County Public Transportation Department (PCPT) requirements to accommodate mass transit service to and within the project. A detailed description of the overall transit accommodations plan shall include, but is not limited to, a proposed ingress and egress route for buses, and bus stops proposed to service the project, including, but not limited to, benches, shelters, lighting, pedestrian walkways, landscaping and placement as required by the County or PCPT. The Applicant/Developer shall submit the detailed description of the overall transit accommodation plan to Pasco County Growth Management Department for review and Development Review Committee approval prior to preliminary plan/preliminary site plan submittal of the first unit or phase within the development. Approval of the detailed description of the overall transit accommodations plan is subject to PCPT review and approval, in accordance with the PCPT Transit Infrastructure Guidelines (June 2005), as

may be amended from time to time, or any subsequent ordinance adopted by Pasco County. The Applicant/Developer shall include and show on any preliminary plan/preliminary site plan submittal the DRC approved transit accommodations facilities, which shall be constructed with the infrastructure improvements of each affected preliminary plan/preliminary site plan unless an alternative phasing of transit accommodations facilities construction is approved with the overall transit accommodations plan. The Applicant/Developer and/or their successors agree to maintain the transit accommodations facilities in good working condition as determined by PCPT, and further agree to assume all liability, including obtaining additional insurance if necessary, for the transit accommodations facilities. The Applicant/Developer and their successors shall not refuse PCPT or any other transit authority, or any of their users/patrons, access to such facilities.

6. Concurrency

The Applicant/Developer's continued performance in accordance with Section 5.n., Transportation, of this DO shall vest Phase 1 of the project for transportation concurrency purposes through the build out date of December 31, 2010, as it may be extended from time to time.

(7) Transportation System Management (TSM) Program

In the first year following the issuance of a Certificate of Occupancy (CO) for the first office development in the project, the Applicant/Developer or its successor shall initiate a TSM Program to divert vehicle trips from the p.m. peak-hour. The TSM Program shall include an annual assessment of the actual achievement of trips diverted from the p.m. peak-hour as a result of the program. Results of the TSM Program shall be included in each biennial report.

o. Educational Facilities: The Applicant/Developer shall pay school impact fees as full mitigation for the impacts of any residential component of the Project on the District School Board of Pasco County in accordance with the terms of the School Impact Fee Ordinance No. 01-06, as amended.

p. Recreation and Open Space: To the extent of any residential development within the Project, the Applicant/Developer shall comply with the Pasco County Neighborhood Parks Ordinance No. 02-26, adopted October 29, 2002, as amended, and the Pasco County Park Impact Fee Ordinance No. 02-03, adopted January 29, 2002, as amended.

q. Health Care/Police/Fire:

(a) Pasco County shall provide fire, police, and EMS service to the Project. The Applicant/Developer or builders shall be required to pay impact fees for such services as provided for in Pasco County's impact fee ordinances.

(b) The Project shall be constructed to meet or exceed State and local fire codes and regulations. Prior to the issuance of building permits, the Applicant/Developer, or contractor therefore, shall provide assurance that the buildings (excluding residential or other buildings not

otherwise required to be sprinklered) will be supplied with sprinkler systems and that functioning fire hydrants in sufficient number and appropriate locations to accommodate firefighting operations will be provided.

r. Hurricane Preparedness:

The Applicant/Developer shall coordinate with the Pasco County Office of Emergency Management regarding incorporation of hurricane and wind resistant technology into the design criteria of all development. The Applicant/Developer shall comply as applicable with the Pasco County Hurricane Mitigation for New Development in the Hurricane Vulnerability Zone (HVZ) and for New Mobile Homes Ordinance, No. 04-42, adopted September 21, 2004.

s. General Conditions:

(a) Should the Applicant/Developer divest itself of all interest in the Project prior to the expiration of this DO, the Applicant/Developer shall designate the successor entity to be responsible for preparation of the biennial report, which designation shall be effective upon notification and consent by Pasco County.

(b) In addition to the MPUD Master Planned Unit Development conditions of approval, the Applicant/Developer shall comply with all Pasco County ordinances, including all impact fee ordinances.

(c) If the Applicant/Developer desires to abandon any part or all of this DRI, they must do so pursuant to Rule 9J-2.0251, F.A.C. (Abandonment of Development Orders), as amended.

6. Procedures

a. Biennial Reports:

(1) Monitoring of the DRI by Pasco County shall be the responsibility of the County Administrator or his designee.

(2) The Applicant/Developer shall provide a biennial report on the required form to the Pasco County Development Services Branch, TBRPC, and FDCA on the anniversary date of final adoption of this DO and every other year thereafter during the term of this DO. The contents of the biennial report shall meet the requirements of Chapter 380.06(18), F.S., as amended, and shall include all additional data and information as required in this DO.

(3) If the biennial report is not submitted within thirty (30) days after the due date, Pasco County shall notify the Applicant/Developer and shall declare the Project not to be in compliance with the DO. Should the report not be submitted within thirty (30) days after such notification, all ongoing development activity, further issuance of Building Permits, and extension of services to the Project shall cease immediately pursuant to Chapter 380.06(18), F.S., as amended, until a public hearing has been held, pursuant to Chapter 380.06(19), F.S., as amended.

(4) In addition to the required elements of the biennial report, the Applicant/ Developer shall include:

(a) The cumulative number of square feet approved to utilize the land-use tradeoff mechanism, including the number of square feet exchanged.

(b) The cumulative number of units (by type and square feet of retail and office or dwelling units of residential) with site-plan approval for retail and office and plat approval for residential.

(c) A synopsis of all DRI and zoning amendments.

(d) A synopsis of ownership (major parcels),

(e) A list of DRI/DO conditions of approval and whether the conditions have been met by the Applicant/Developer.

(f) Applicable transportation monitoring data.

(5) The Applicant/Developer may not assign the obligation to submit the report or any part thereof without the consent of the TBRPC and the County Administrator or his designee.

7. Amendments/Substantial Deviations:

Proposed changes to this DO are subject to review pursuant to the terms of this DO and provisions of Chapter 380.06(19), F.S., as amended, prior to implementation of such changes. An application to amend any provision of this DO shall be made on the required form NOPC to a previously approved DRI and shall be provided by the Applicant/Developer to the TBRPC, FDCA, and Pasco County.

8. Notice of Adoption:

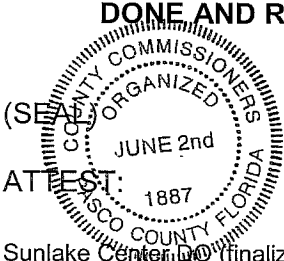
(1) A Notice of Adoption of this resolution shall be filed and recorded in the public records of Pasco County, Florida, in accordance with Chapter 380.06(15)(f), F.S., as amended.

(2) The Clerk of the Circuit Court, Secretarial Services, for the Board of County Commissioners shall return five (5) signed and certified copies of this DO, including all exhibits, and Notice of Adoption and additional executed Notice of Adoption to the Pasco County Development Services Branch. The Pasco County Development Services Branch shall then send out the copies of each document to FDCA, TBRPC, and to the attorneys of record of these proceedings.

9. Severability:

If any section, subsection, sentence, clause, or provision of this resolution is held invalid, the remainder of the resolution shall be construed as not having contained the said section, subsection, clause, or other provision and shall not be affected by such holding.

DONE AND RESOLVED this 28th day of March 2006.



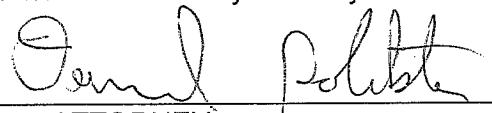
BOARD OF COUNTY COMMISSIONERS OF
PASCO COUNTY, FLORIDA


JED PITTMAN, CLERK


STEVE SIMON, CHAIRMAN

APPROVED AS TO LEGAL FORM AND SUFFICIENCY
Office of the Pasco County Attorney

APPROVED
MAR 28 2006


ATTORNEY

EXHIBITS

- A. Application (ADA* and Sufficiency Responses*)
- B. TBRPC Final Report*
- C. Legal Description
- D. Developer's Commitments
- E. Land Use Equivalency Matrix
- F. Map H - Master Development Plan
- G. Access Related Improvements
- H. July 2005 FDOT Costs
- I. Proportionate Share Table

*Incorporated by reference only

EXHIBIT “A”

Application for Development Approval Sufficiency Responses

(Incorporated by reference and on file with Pasco County Growth Management Department)

EXHIBIT “B”

Tampa Bay Regional Planning Council Final Report

(Incorporated by reference and on file with Pasco County Growth Management Department)

EXHIBIT "C"

Legal Description

DRI PARCEL 1:

That part of Sections 21, and 28, Township 26 South, Range 18 East, Pasco County, Florida being particularly described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 27, Township 26 South, Range 18 East, Pasco County, Florida, thence North 00° 09'52" East, along the West boundary of the Northwest 1/4 of said Section 27, for 51.95 feet to the northerly right-of-way line of State Road 54 according to the State of Florida State Road Department Right-of-Way Map, Section No. 14570-2521; thence along said Northerly right-of-way line the following six (6) courses: 1) South 88° 00'50" West, 730.63 feet to the beginning of a curve to the right; 2) thence Westerly, 519.82 feet along the arc of said curve having a radius of 1,859.86 feet, a central angle of 16° 00'50" and a chord of 518.13 feet bearing North 83° 58'45" West; 3) thence North 75° 58'20" West, 54.32 feet to the POINT OF BEGINNING; 4) thence continuing North 75° 58'20" West, 1,979.25 feet to the beginning of a curve to the left; 5) thence Westerly, 965.70 feet along the arc of said curve having a radius of 2,914.79 feet, a central angle of 18° 58'58" and a chord of 961.29 feet bearing North 85° 27'49" West; 6) thence South 85° 02'42" West, 788.49 feet; thence North 00° 02'00" West, 457.20 feet; thence North 89° 58'00" East, 60.00 feet; thence South 00° 02'00" East, 143.00 feet; thence North 89° 58'00" East, 890.00 feet; thence South 00° 02'00" East, 178.00 feet; thence North 89° 58'00" East, 356.00 feet; thence North 50° 28'00" East, 690.00 feet; thence North 00° 02'00" West, 337.00 feet; thence North 89° 58'00" East, 1,350.00 feet; thence North 00° 02'00" West, 806.00 feet; thence South 89° 58'00" West, 1,415.00 feet; thence North 44° 58'00" West, 640.00 feet; thence North 00° 02'00" West, 494.68 feet; thence South 70° 18'26" East, 498.68 feet to the beginning of a curve to the right; thence northeasterly, 643.57 feet along the arc of said curve having a radius of 500.00 feet, a central angle of 73° 44'51" and a chord of 600.05 feet bearing North 72° 49'09" East; thence North 35° 56'43" East, 1,620.83 feet; thence South 61° 14'59" East, 873.45 feet to the beginning of a curve to the right; thence Southeasterly, 78.54 feet along the arc of said curve having a radius of 50.00 feet, a central angle of 90° 00'00" and a chord of 70.71 feet bearing South 16° 14'59" East; thence South 28° 45'01" West, 239.28 feet to the beginning of a curve to the left; thence Southwesterly, 1,304.65 feet along the arc of said curve having a radius of 2,600.00 feet, a central angle of 28° 45'01" and a chord of 1,291.00 feet bearing South 14° 22'31" West; thence South 00° 00'00" West, 2,527.31 feet to the POINT OF BEGINNING.

LESS AND EXCEPT FROM DRI PARCEL 1:

DRI Exception Parcel A:

That part of Sections 21, and 28, Township 26 South, Range 18 East, Pasco County, Florida, being particularly described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 27, thence North 00° 09'52" East, along the West boundary of the Northwest 1/4 of said Section 27, for 51.95 feet to the Northerly right-of-way line of State Road 54 according to the State of Florida State Road Department Right-of-Way Map, Section No. 14570-2521; thence along said Northerly right-of-way line the following three (3) courses: 1) South 88° 00'50" West, 730.63 feet to the beginning of a curve to the right; 2) thence Westerly, 519.82 feet along the arc of said curve having a radius of 1,859.86 feet, a central angle of 16° 00'50" and a chord of 518.13 feet bearing North 83° 58'45" West; 3) thence North 75° 58'20" West, 54.32 feet; thence North 00° 00'00" East a distance of 1,856.74 feet to the POINT OF BEGINNING; thence North 90° 00'00" West 476.42 feet; thence North 00° 02'00" West, 350.89 feet; thence South 89° 58'00" West, 1,415.00 feet; thence North 44° 58'00" West, 640.00 feet; thence North 00° 02'00" West, 494.68 feet; thence South 70° 18'26" East, 498.68 feet to the beginning of a curve to the right; thence Northeasterly, 643.57 feet along the arc of said curve having a radius of 500.00 feet, a central angle of 73° 44'51" and a chord of 600.05 feet bearing North 72° 49'09" East; thence North 35° 56'43" East, 1,620.83 feet; thence South 61° 14'59" East, 873.45 feet to the beginning of a curve to the right; thence Southeasterly, 78.54 feet along the arc of said curve having a radius of 50.00 feet, a central angle of 90° 00'00" and a chord of 70.71 feet bearing South 16° 14'59" East; thence South 28° 45'01" West, 239.28 feet to the beginning of a curve to the left; thence Southwesterly, 1,304.65 feet along the arc of said curve having a radius of 2,600.00 feet, a central angle of 28° 45'01" and a chord of 1,291.00 feet bearing South 14° 22'31" West; thence South 00° 00'00" West, 670.57 feet to the POINT OF BEGINNING.

TOGETHER WITH:

DRI PARCEL 2:

That part of Sections 21, 22, 27 and 28, Township 26 South, Range 18 East, Pasco County, Florida being particularly described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 27, thence North 00° 09'52" East, along the West boundary of the Northwest 1/4 of said Section 27, for 51.95 feet to the POINT OF BEGINNING on the Northerly right-of-way line of State Road 54 according to the State of Florida State Road Department Right-of-Way Map, Section No. 14570-2521; thence along said northerly right-of-way line the following two (2) courses: 1) thence South 88° 00'50" West, 730.63 feet to the beginning of a curve to the right; 2) thence Westerly, 369.35 feet along the arc of said curve having a radius of 1,859.86 feet, a central angle of 11° 22'42" and a chord of 368.74 feet bearing North 86° 17'49" West; thence North 00° 00'00" West, 2,571.01 feet to the beginning of a curve to the right; thence Northeasterly, 1,204.29 feet along the arc of said curve having a radius of 2,400.00 feet, a central angle of 28° 45'01" and a chord of 1,191.70 feet bearing North 14° 22'31" East; thence North 28° 45'01" East, 238.64 feet to the beginning of a curve to the right; thence Easterly, 80.85 feet along the arc of said curve having a radius of 50.00 feet, a central angle of 92° 39'00" and a chord of 72.33 feet bearing North 75° 04'31" East to a point of compound curvature; thence Southeasterly, 501.13 feet along the arc of a curve to the right having a radius of 650.00 feet, a central angle of 44° 10'24" and a chord of 488.81 feet bearing South 36° 30'47" East; thence South 14° 25'35" East, 678.07 feet to the beginning of a curve to the left; thence Southeasterly, 432.46 feet along the arc of said curve having a radius of 750.00 feet, a central angle of 33° 02'16" and a chord of 426.50 feet bearing South 30° 56'43" East; thence South 47° 27'51" East, 64.67 feet; thence South 62° 48'00" West, 477.82 feet, thence South 35° 56'00" West, 873.00 feet, thence South 00° 02'00" East, 783.00 feet; thence North 89° 58'00" East, 505.00 feet; thence North 40° 34'00" East, 926.00 feet; thence North 00° 18'00" East, 122.00 feet; thence South 79° 38'00" East, 155.62 feet to the beginning of a non-tangent curve to the right; thence Southwesterly, 97.07 feet along the arc of said curve having a radius of 650.00 feet, a central angle of 8° 33'23" and a chord of 96.98 feet bearing South 29° 03'53" West to a point of reverse curvature; thence Southwesterly, 1,023.90 feet along the arc of a curve to the left having a radius of 1,530.00 feet, a central angle of 38° 20'35" and a chord of 1,004.89 feet bearing South 14° 10'17" West; thence South 05° 00'00" East, 492.23 feet to the beginning of a curve to the right; thence Southwesterly, 40.58 feet along the arc of said curve having a radius of 25.00 feet, a central angle of 93° 00'50" and a chord of 36.27 feet bearing South 41° 30'25" West; thence South 88° 00'50" West, along the Northerly right-of-way line of State Road 54, 159.02 feet to the POINT OF BEGINNING.

TOGETHER WITH:

DRI PARCEL 3:

That part of Section 27, Township 26 South, Range 18 East, Pasco County, Florida being particularly described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 27, thence North 00° 09'52" East, along the West boundary of the Northwest 1/4 of said Section 27, for 51.95 feet to the Northerly right-of-way line of State Road 54 according to the State of Florida State Road Department Right-of-Way Map, Section No. 14570-2521; thence along said northerly right-of-way line North 88° 00'50" East, 309.23 feet to the POINT OF BEGINNING; thence Northwesterly, 37.95 feet along the arc of a non-tangent curve to the right having a radius of 25.00 feet, a central angle of 86° 59'10" and a chord of 34.41 feet bearing North 48° 29'35" West; thence North 05° 00'00" West, 500.13 feet to the beginning of a curve to the right; thence Northerly, 956.97 feet along the arc of said curve having a radius of 1,430.00 feet, a central angle of 38° 20'35" and a chord of 939.22 feet bearing North 14° 10'17" East to a point of reverse curvature; thence Northeasterly, 137.61 feet along the arc of a curve to the left having a radius of 750.00 feet, a central angle of 10° 30'45" and a chord of 137.41 feet bearing North 28° 05'12" East; thence South 79° 38'00" East, 201.58 feet; thence South 27° 26'00" East, 313.00 feet; thence South 00° 02'00" East, 905.00 feet; thence South 13° 10'00" East, 289.23 feet to the beginning of a non-tangent curve to the right; thence Southwesterly, along said Northerly right-of-way line of State Road 54, 86.19 feet along the arc of said curve having a radius of 2,740.12 feet, a central angle of 1° 48'08" and a chord of 86.18 feet bearing South 67° 30'44" West; thence South 88° 00'50" West, continuing along said Northerly right-of-way line of State Road 54, 554.89 feet to the POINT OF BEGINNING.

EXHIBIT “D”

Developer’s Commitments

Exhibit D

The following commitments have been made by, or on behalf of, the applicant in the Application for Development Approval (ADA), the First Sufficiency Response (SR1), the Second Sufficiency Response (SR2), the Third Sufficiency (SR3), the Fourth Sufficiency (SR4), the Fifth Sufficiency (SR5), the Sixth Sufficiency (SR6), the Seventh Sufficiency (SR7), the Eighth Sufficiency (SR8) and/or the Ninth Sufficiency Response (SR9).

GENERAL

1. *Regionally significant natural resource locations, indicated in the TBRPC map will be field verified and their extent will be determined through site-specific investigation. These resources will be protected through site planning and permitting. (ADA/Page 10-10 & SR6/Section 2/Revised Page 10-9)*
2. *Sunlake Centre will maintain the function of natural systems which exist on-site through the maintenance and protection of significant wetlands and certain upland preservation areas. (ADA/Page 10-12 & SR6/Section 2/Revised Page 10-11)*
3. *The applicant acknowledges that a rezoning application for Sunlake Centre is necessary and will pursue rezoning concurrent with development order approval. (SR1/Page 10-8)*
4. *The developer is agreeable to a Development Order Condition which commits not to develop this [the] 0.26 acre area [located in southwest corner of DRI parcel]. (SR8/Page 9-2)*

VEGETATION AND WILDLIFE

1. *Cattle grazing will terminate upon commencement of site work. (SR1/Page 12-1)*
2. *The Applicant has designated over 26 acres of wetland protection areas. (SR6/Section 2/Revised Page 12-20)*
3. *The applicant intends to maintain all wetlands under their control in their natural state. (SR7/Section 1/Page 12-1)*

WETLANDS

1. *In areas of the site which constitute the intermediate watersheds for large on-site and off-site wetland systems, wetland edges will be maintained and enhanced. (ADA/Page 10-2 & SR6/Section 2/Revised Page 10-2)*
2. *Opportunities to restore hydroperiods by judicial capture of stormwater runoff and to rehabilitate borrow pits will be evaluated as construction plans are developed for each parcel. (ADA/Page 13-1 & SR6/Section 2/Revised Page 13-1)*

3. *Wetland areas that are to remain during construction are protected by a combination of Best Management Practices (e.g. silt fencing) required by the agencies and the provision of wetland buffers consisting of existing plant communities. (ADA/Page 13-4 & SR6/Section 2/Revised Page 13-4)*
4. *The applicant proposes to minimize impacts to wetlands by limiting wetland encroachment to the minimum necessary. (SR2/Page 13-1)*
4. *No wetland disturbances are anticipated in order to construct the building program depicted on Map H. (SR4/Section 2/Revised Page 13-4)*
5. *Wetland areas that are to remain during construction are protected by a combination of Best Management Practices (e.g. silt fencing) required by the agencies (e.g. SWFWMD, Pasco County, USEPA) and the provision of wetland buffers consisting of plant communities. (SR4/Section 2/Revised Page 13-4)*
6. *It is the intent of the development plan as shown in Map H to protect 26 acres of wetlands and borrow pits from negative impacts through proper planning, conservation easement and/or other suitable mechanism. (SR6/Section 2/Revised Page 13-1)*

WATER QUALITY

1. *Wetland buffers will be provided as well as maintenance of acceptable hydroperiods. Impact areas will be minimized to the greatest extent possible... (ADA/Page 14-3)*
2. *On-site surface waters within Sunlake Centre will be protected from construction impacts by various measures, including the use of staked hay bales and/or silt fences, reducing both erosion and sediment transport into wetland areas. (ADA/Page 14-3)*
3. *The developer is willing to share this information [i.e. results of connections to piezometers, groundwater monitoring wells and staff gauges] with Tampa Bay Water. (SR1/Page 14-3)*
4. *The post-development discharge will be designed to not exceed the pre-development standards, insuring hydrological downstream systems will not be impaired. (SR1/Page 14-4)*
5. *Applicant would agree not to allow any underground tanks within 1,000 feet of the South Pasco Wellfield. (SR1/Page 14-4)*
6. *The Development Order will include a specific condition to address groundwater monitoring. (SR8/Page 14-1)*

WATER SUPPLY

1. *Reclaimed water, when available, will be used for lawn irrigation. (ADA/Page 10-9, SR1/Page 17-2 & SR6/Section 2/Revised Page 10-9)*

2. *The developers of the Sunlake Centre community will practice water conservation. (ADA/Page 17-4 & SR6/Section 2/Revised Page 17-4)*
3. *Water conservation... will be encouraged through the property owners association(s) within the development. (SR1/Page 10-2)*
4. *Modern and efficient fixtures such as low-flush toilets, low supply taps, and showers will be recommended for water conservation along with encouraging xeriscaping of lawns and common areas to reduce the demand for non-potable water. Modern rain sensor shut-off, preservation of natural area, mulching in landscaped areas, and efficient irrigation technology and techniques will be requested to ensure and reduce water demands. (SR1/Page 17-1)*

WASTEWATER MANAGEMENT

Septic tanks are not planned for permanent use in Sunlake Centre. (ADA/Page 18-2)

STORMWATER MANAGEMENT

1. *The stormwater management plan will place particular emphasis on these methods [i.e. creation of wetland systems, and construction of littoral zones to be vegetated by native aquatic species and utilization of existing isolated wetland system to provide biological treatment to maintain water quality] to enhance water quality by using natural biological mechanisms for the breakdown of pollutants and nutrient uptake. (ADA/Page 19-2)*
2. *Where stormwater is routed through an isolated wetland system, a sedimentation basin will be provided on the upstream side of the isolated wetland. Where lakes or ponds are to be constructed adjacent to isolated systems, littoral zone areas, as well as deeper sump areas, will be constructed as part of the new system. Where new wetland systems are to be created, it shall include the construction of a littoral zone that presents a suitable environment for establishment of suitable native aquatic vegetation and this will provide biological treatment to maintain water quality. (ADA/Page 19-2)*
3. *Storage facilities will provide attenuation of the post-development runoff to maintain the pre-development levels in accordance with the design criteria previously stated. (ADA/Page 19-3)*
4. *The Applicant is willing and affirmatively desires to cooperate with all agencies having jurisdiction over the potential rehydration of the wetlands to be retained on site, which have been substantially degraded by excess pumping at the adjoining wetfields and prolonged drought conditions. (SR1/Pages 18-2 & 19-2)*

5. *A geotechnical investigation will be undertaken prior to commencing development activities, including borings to locate or determine the absence of limerock or confining layers within proposed lakes, ponds, or other excavations on site (SR1/Page 19-1). Then, during construction, the geotechnical consultant will observe the excavation while it is in progress and, should the above-mentioned clay or limestone layers be encountered, he will advise that the contractor stop digging at those locations. (SR2/Page 14-3)*

AIR QUALITY

1. *To minimize wind erosion, clearing and grubbing operations will be performed only on individual parcels of land where construction is scheduled to proceed. (ADA/Page 22-1 & SR8/Page 22-1)*
2. *Measures to be employed to minimize fugitive dust will include sodding, mulching, or planting of landscaped material in cleared and disturbed areas. Watering procedures will be employed as necessary to minimize fugitive dust. (ADA/Page 22-1 & SR8/Page 22-1)*
3. *The use of transportation alternatives will reduce on-site vehicular usage and associated auto pollutant emissions. (ADA/Page 22-2 & SR8/Page 22-2)*

EXHIBIT “E”

Land Use Equivalency Matrix

Sunlake Centre Land Use Trade-offs

General Trade Off Matrix

Change	To →	General Office (1,000 sq. ft.)	Multifamily (Dwelling unit)	Retail (1,000 sq. ft.)
From ↓				
Retail (1,000 sq. ft)		4.9184	16.7816	--
Office (1,000 sq. ft.)		--	Not allowed	Not allowed
Multifamily (Dwelling unit)		0.2931	--	0.0596

Example: Trade from Retail to Office
Trade 2,000 sq. ft. of Retail for ? sq. ft. of Office
= 2,000 sq. ft. of Retail * 4.9184 = 9,837 sq. ft. of Office

Note: No conversion from office entitlements is allowed.

	Phase 1 Maximum	Phase 1 Minimum
Retail	148,500	0
Office	340,000	95,000
Multifamily	600	390

EXHIBIT “F”

Map H - Master Development Plan

EXHIBIT “G”

Access Related Improvements

SUNLAKE DRI, Phase 1
February 17, 2006

Roadway	Cross Road Intersection	Improvement			
SR 54	Access Driveway 1: SR 54 & Parcel G West				
		Westbound Right-Turn Lane			
	Access Driveway 2: SR 54 & Parcel G East				
		Eastbound Left-Turn Lane			
		Westbound Right-Turn Lane			
	Access Driveway 3: SR 54 & Parcel J West				
		No Improvements (Future Phase 2)			
	Access Driveway 4: SR 54 & Parcel J Middle				
		No Improvements (Future Phase 2)			
	Access Driveway 5: SR 54 & Parcel J East				
		No Improvements (Future Phase 2)			
		Westbound Left-Turn Lane (Existing)			
	Access Driveway 6: SR 54 & Parcel E/D				
		Westbound Right-Turn Lane			
	Access Driveway 7: SR 54 & Sunlake Boulevard				
		Eastbound Left-Turn Lane			
		Westbound Combination Left/U-Turn Lane			
		Westbound Right-Turn Lane			
		Southbound Dual Left-Turn Lanes			
		Southbound Right-Turn Lane			
	Access Driveway 8: SR 54 & Parcel C West				
		Westbound Right-Turn Lane			
	Access Driveway 9: SR 54 & Parcel C East				
		Eastbound Left-Turn Lane			
		Westbound Left-Turn Lane (Existing)			
		Westbound Right-Turn Lane			
	Access Driveway 10: SR 54 & Mentmore Drive				
		Westbound Right-Turn Lane			
		Southbound Left-Turn Lane			
		Southbound Right-Turn Lane			
	Access Driveway 11: SR 54 & Parcel I East				
		Eastbound Left-Turn Lane (May not be needed)			
Sunlake Boulevard	Access Driveway 12: Sunlake Boulevard & Parcel A				
		Northbound Right-Turn Lane			
	Access Driveway 13: Sunlake Boulevard & Parcel D				
		Southbound Right-Turn Lane			
	Access Driveway 14: Sunlake Boulevard & Parcel C West				
		Northbound Left-Turn Lane			
	Access Driveway 15: Sunlake Boulevard & Parcel F South				
		Southbound Right-Turn Lane			
	Access Driveway 16: Sunlake Boulevard & Parcel F West				
		Northbound Left-Turn Lane			
Mentmore Drive	Access Driveway 17: Mentmore Drive				
		Northbound Right-Turn Lane			
	Access Driveway 18: Mentmore Drive				
		Northbound Left-Turn Lane			
	Access Driveway 19: Mentmore Drive				
		Northbound Left-Turn Lane			
		Southbound Right-Turn Lane			

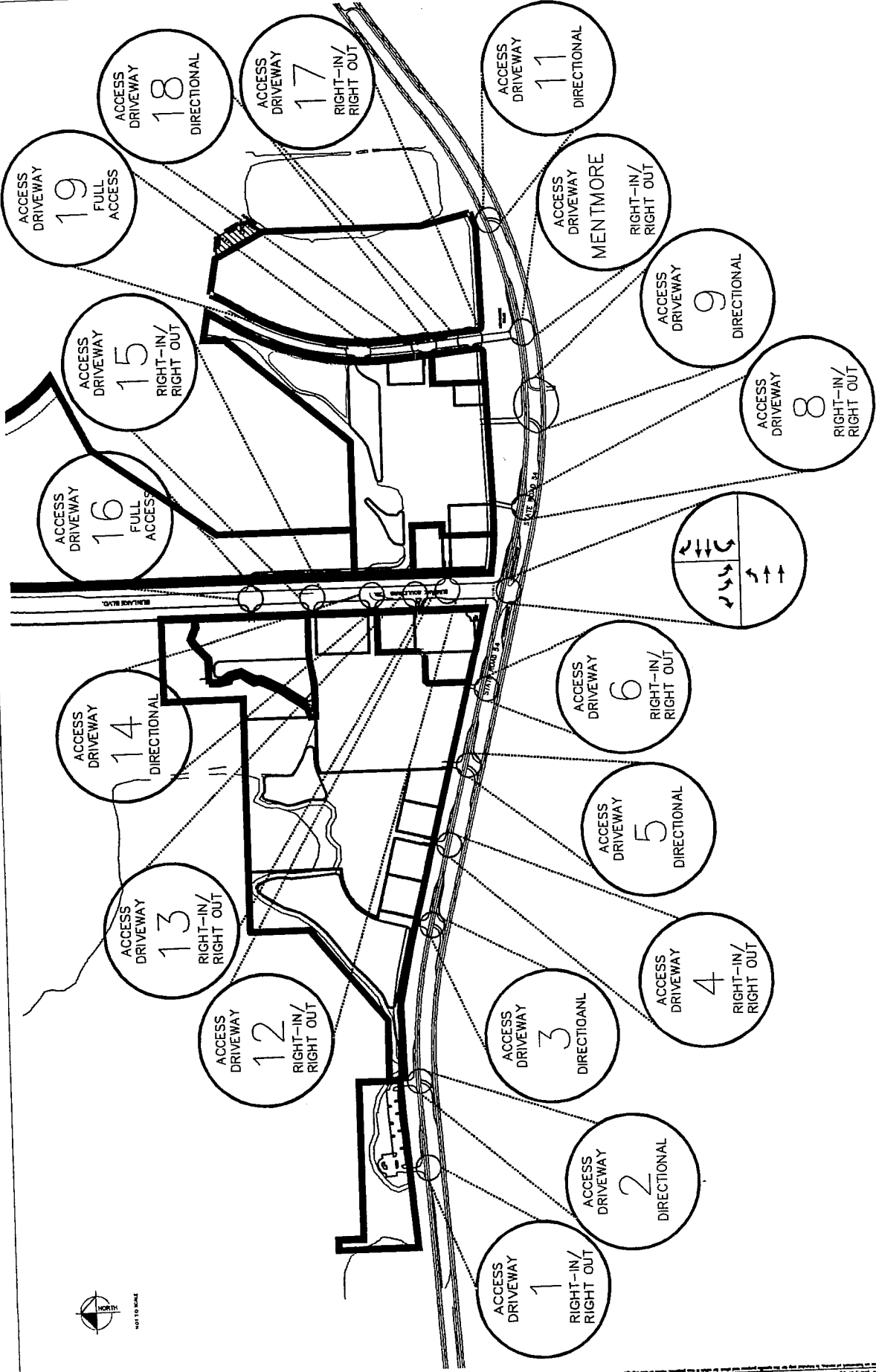


EXHIBIT G.

SUNLAKE CENTRE DRIMPUD ACCESS LOCATIONS AND TYPES	
DATE: 11/25/2014	BY: [Signature]
PROJECT: SUNLAKE CENTRE DRIMPUD	CLIENT: SUNLAKE CENTRE DRIMPUD
DESIGNED BY: [Signature]	CHECKED BY: [Signature]
 Kiewit-Hill and Associates, Inc. 1000 West 10th Street, Suite 100 Lincoln, NE 68501 Phone: 402.441.1111 Fax: 402.441.1112 www.khac.com	

EXHIBIT “H”

July 2005 FDOT Costs

9

10% Factor for Mobilization and Mobilization factor was used for exclusive left and right turn lanes. A 10% factor was used for all other figures.

Revised in Third Quarter

3. The figures are based on market costs for intermediate goods.
4. Costs shown are present day costs.

8/4/2005

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[Faint handwritten notes or markings]

Section 1: Introduction

1 Estimates were derived from FDOT LRE system

1. Estimates were derived from FDOT LRE system
2. These figures exclude costs for intersections/interchanges, cross street improvements, right-of-way, ITS, and landscaping.
3. The figures are based on market costs for Hillsborough County.
4. Costs shown are present day costs.
5. The costs developed for this report are not site-specific and should be used for preliminary estimating purposes only.

2005.xls | Roadway Summary Sheet

8/4/2005

Bridge Cost Per Square Foot Revised July 2005

Construction		Estimated Construction Cost	Adjusted Per Square Foot Cost
New Construction			
Low Level		\$51	\$55
Mid Level		\$60	\$100
High Level		\$70	\$120
Overpass (Over Roadway)		\$65	\$90
Bascule		\$420	\$1,100
Pedestrian Overpass		\$235	\$215
Widening			
Low Level		\$60	\$115
Mid Level		\$65	\$135
High Level		\$30	\$162
Overpass (Over Roadway)		\$65	\$122
Bridge Removal			
Typical Concrete Bridge		\$19	\$25

Revised in First Quarter

Revised in Second Quarter

Revised in Third Quarter

Note:

1. Figures are for 2005 construction costs per square foot of deck area.

2. All figures exclude costs for right-of-way, bridge approaches, and approach slabs.

3. Adjusted figures account for recent increase in concrete and steel, and the effects of labor and material shortages in the construction industry.

4. The costs developed for this report are not site-specific and should be used for preliminary estimating purposes only.

Other Roadway Related Costs
Revised July 2005

Other Roadway Related Costs										Total Project Cost
Revised July 2005										
Item	Unit	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	
Traffic Signals										
2-Lane Meet Am (Each)		1	\$118,329	\$17,749	1	\$20,412	\$198,613	1	\$29,342	\$254,296
4-Lane Meet Am (Each)		1	\$125,932	\$18,890	1	\$21,723	\$208,191	1	\$31,227	\$270,836
6-Lane Meet Am (Each)		1	\$180,571	\$24,056	1	\$27,864	\$265,113	1	\$39,767	\$344,847
Bicycle and Pedestrian Facilities										
Sidewalks Per Mile (5' Width - 1 Side)		1	\$123,639	\$18,546	1	\$19,873	\$186,618	1	\$27,993	\$242,603
Sidewalks Per Mile (6' Width - 1 Side)		1	\$148,368	\$22,255	1	\$23,368	\$223,843	1	\$33,591	\$291,128
Multi-Use Trail Per Mile (12' Width - 1 Side)		1	\$196,040	\$29,406	1	\$30,876	\$295,898	1	\$44,385	\$384,667
Stormwater Retention Facilities										
1-Acre Pond Site (Each)		1	\$174,766	\$8,739	1	\$27,528	\$263,821	1	\$39,573	\$342,967
Median Retrofit		1			1	\$27,879	\$267,178	1	\$40,077	\$347,331
Convert 14' Center Turn Lane to 14' Raised Median (Per Mile)		1	\$161,620	\$24,243	1	\$27,879	\$267,178	1	\$40,077	\$347,331
Cross Street Improvements										
Widen 1-Leg of Existing Rural 2-Lane Cross Street to Accommodate 2 Receiving Lanes, Dual Left Turn Lanes, and Exclusive Right Turn Lane (Approximate Length of 0.25 Miles)		1	\$639,801	\$140,970	1	\$162,116	\$1,553,609	1	\$233,041	\$2,019,691

* A 15% MOT factor was used for Traffic Signals, Median Retrofit, and Cross Street Improvements. A 5% factor was used for all other figures.

- Note:
1. Estimates were derived from FDOT LRE system
 2. The figures are based on market costs for Hillsborough County.
 3. Costs shown are present day costs.
 4. The costs developed for this report are not site-specific and should be used for preliminary estimating purposes only.

Interchange Cost
Revised March 2005

Single Point Urban Interchange (SPUI)

- Note:
1. Cost was derived from average of SR 54/US 41 Interchange and SR 56/75 Interchange. SR 56 interchange costs were inflated to present day costs for an accurate comparison.
 2. Cost shown is for construction only. Does not include Design, CEI, and right-of-way.

The attached cost data reflects FDOT D7 long range estimates and utilizes recent costs for actual projects. This data will be updated and disseminated quarterly.

Construction Cost Assumptions

RURAL			
New Construction	Widening	Milling and Resurfacing	
12' Travel Lanes 40' Depressed Median 10' Outside Shoulders with 5' Paved 8' Inside Shoulders (Grassed) 5' Sidewalks (Both Sides) Additional Pavement for Turnouts, Crossovers, Turn Lanes Earthwork (Clearing and Grubbing, Embankment) Signing & Pavement Markings 1 Acre Pond/Lane/Mile (4 Lanes = 4 Acres) Drainage Features (Pipes, Endwalls, MES) Lighting	12' Travel Lanes 40' Depressed Median 10' Outside Shoulders with 5' Paved 8' Inside Shoulders (Grassed) 5' Sidewalks (Both Sides) Milling and Resurfacing of Existing Pavement Additional Pavement for Turnouts, Crossovers, Turn Lanes Earthwork (Clearing and Grubbing, Borrow) Signing & Pavement Markings 2 Acre Pond/Additional Lane (2 New Lanes = 4 Acres) Drainage Features (Pipes, Endwalls, MES) Lighting	12' Travel Lanes 40' Depressed Median 10' Outside Shoulders with 5' Paved 8' Inside Shoulders (Grassed) Milling and Resurfacing of Existing Pavement Additional Pavement for Turnouts, Crossovers, Turn Lanes Signing & Pavement Markings Drainage Features (Pipe Desilting)	
URBAN			
New Construction	Widening	Milling and Resurfacing	
12' Travel Lanes 30' Raised Median 4' Bike Lanes (Both Sides) Curb and Gutter 5' Sidewalks (Both Sides) Additional Pavement for Turnouts, Crossovers, Turn Lanes Earthwork (Clearing and Grubbing, Embankment) Signing & Pavement Markings 1 Acre Pond/Lane/Mile (4 Lanes = 4 Acres) Drainage Features (Pipes, Inlets, Manholes) Conventional Lighting	12' Travel Lanes 30' Raised Median 4' Bike Lanes (Both Sides) Curb and Gutter 5' Sidewalks (Both Sides) Milling and Resurfacing of Existing Pavement Additional Pavement for Turnouts, Crossovers, Turn Lanes Earthwork (Clearing and Grubbing, Borrow) Signing & Pavement Markings 2 Acre Pond/Additional Lane (2 New Lanes = 4 Acres) Drainage Features (Pipes, Inlets, Manholes) Conventional Lighting	12' Travel Lanes 30' Raised Median 4' Bike Lanes (Both Sides) Curb and Gutter Milling and Resurfacing of Existing Pavement Additional Pavement for Turnouts, Crossovers, Turn Lanes Signing & Pavement Markings Drainage Features (Pipe Desilting, Manhole Adjustments)	

The attached cost data reflects FDOT D7 long range estimates and utilizes recent costs for actual projects. This data will be updated and disseminated quarterly.

EXHIBIT “I”

Proportionate Share Table

EXHIBIT “I”

Proportionate Share Table

Improvements	Total Cost	Proportionate Share %	Proportionate Share Amount
SR 54/US 41 Interchange	\$99,815,800.00	0.86%	\$858,949.00

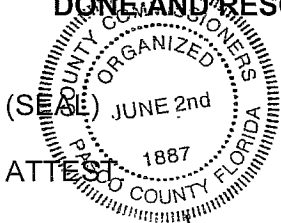
**NOTICE OF ADOPTION OF THE DEVELOPMENT
ORDER FOR THE SUNLAKE CENTRE
DEVELOPMENT OF REGIONAL IMPACT**

Pursuant to Section 380.06(15)(f), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 06-182, dated March 28, 2006, has adopted the development order (DO) for a Development of Regional Impact known as Sunlake Centre. The above-reverenced DO constitutes a land development regulation applicable to the property described in Exhibit "C" of the DO.

A legal description of the property covered and the DO may be examined upon request at the Office of the Clerk to the Board of County Commissioners of the Pasco County Courthouse, Dade City, Florida.

The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in the above-mentioned Exhibit "C" or actual constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

DONE AND RESOLVED this 28th day of March 2006.



BOARD OF COUNTY COMMISSIONERS OF
PASCO COUNTY, FLORIDA

JED PITTMAN, CLERK

STEVE SIMON, CHAIRMAN

APPROVED AS TO LEGAL FORM AND SUFFICIENCY
Office of the Pasco County Attorney

APPROVED

MAR 28 2006

ATTORNEY