

PASCO COUNTY, FLORIDA

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October 14, 2004

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

RE: Heritage Pines - Development of Regional Impact (#077)
Development Order Amendment

Dear Mr. Meyer:

Enclosed please find a certified copy of the Heritage Pines Development of Regional Impact #077, Development Order Amendment (Resolution No. 04-04-287), which is hereby rendered in accordance with Chapter 380.06, Florida Statutes. This development order amendment was approved by the Pasco County Board of County Commissioners on September 21, 2004.

Sincerely,

Michael LaSala, AICP
Senior Planner

Enclosure

cc: Samuel P. Steffey II, Growth Management Administrator

**A RESOLUTION AMENDING, CONSOLIDATING, AND RESTATING THE
DEVELOPMENT ORDER FOR THE HERITAGE PINES (FORMERLY KNOWN
AS TIMBER PINES SOUTH AND ORIGINALLY AS BEACON VILLAGES)
DEVELOPMENT OF REGIONAL IMPACT.**

WHEREAS, in accordance with Section 380.06, Florida Statutes (F.S.), the Pasco County Board of County Commissioners (Board) adopted a development order approving, with conditions, the HERITAGE PINES Development of Regional Impact (DRI), by Resolution No. 82-128, amended by Resolution Nos. 89-248, 95-315, 97-174, 98-67, 99-268, and 04-118 (development order); and,

WHEREAS, on April 17, 2003, U.S. Home Corporation, a Delaware corporation (Applicant) and the State of Florida, Department of Community Affairs (FDCA), entered into a Section 380.032 Agreement for Heritage Pines DRI (Section 380.032 Agreement), in which the Applicant agreed to submit an application entitled Notification of Proposed Change (NOPC) to a previously approved DRI application requesting an extension of the build-out date through December 31, 2005, and the FDCA agreed that it would not require a transportation analysis in connection with such request; which the NOPC also sought to 1) revise Map H to remove the adult-living facility/skilled-nursing facility (162 units); remove the independent retirement-rental units (50 units); add 139 single-family residential (retirement) units; and reduce residential, commercial, and open space by 8.65 acres with a corresponding increase of 8.65 acres of golf course; 2) amend certain development order conditions; and 3) increase the public services facility site by 0.3 acre as requested by Pasco County staff as part of the NOPC review; and,

WHEREAS, on July 16, 2003, the Applicant filed the NOPC with Pasco County, Florida (County), with copies provided to the Tampa Bay Regional Planning Council (TBRPC) and FDCA; and,

WHEREAS, in order to provide a single development order document incorporating all applicable provisions of the initial development order and subsequent modifications, a Consolidated and Restated Development Order has been prepared; and,

WHEREAS, the Board, as the governing body of the local government having jurisdiction pursuant to Chapter 380, F.S., is authorized and empowered to consider amendments to DRIs; and,

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

WHEREAS, on March 10, 2004, the Board approved an extension of the build-out date for the DRI and increased the acreage of the public service facilities site, and agreed to consider at a future date the other Proposed Changes requested in the NOPC; and,

WHEREAS, the Board wishes at this time to 1) revise Map H to remove the adult-living facility/skilled-nursing facility (162 units); remove the independent retirement-rental units (50 units); add 139 single-family residential (retirement) units; and reduce residential, commercial, and open space by 8.65 acres with a

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corresponding increase of 8.65 acres of golf course; and 2) amend certain development order conditions (the "Proposed Changes"), and decrease commercial acreage by an additional 0.5 acre which corresponds to the previously approved increase in public services facilities site acreage.

NOW, THEREFORE, BE IT RESOLVED by the Board in regular session, duly assembled this 21st day of September 2004, that the development order for Heritage Pines be amended as set forth below:

I. General Findings of Fact: The Board, having received all related comments, testimony, and evidence submitted by each party and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:

- A. The development order is a valid final development order within the provisions of Section 163.3167(8), F.S., affecting the property described on Exhibit A attached hereto and incorporated herein.
- B. The NOPC includes a description of the Proposed Changes.
- C. The Proposed Changes necessitate amending the development order findings and conditions described herein.
- D. A comprehensive review of the impacts generated by the Proposed Changes, together with all previous amendments, has been conducted by Pasco County ("County"), the TBRPC, and FDCA.
- E. The Proposed Changes, together with all previous amendments, do not create additional regional impacts on transportation or other public facilities, including water, wastewater, drainage, solid waste, recreation, and mass transit over those approved in the development order; nor do they create impacts that were not previously reviewed.

F. The NOPC complies with the terms of the Section 380.032 Agreement.

II. Conclusions of Law. The Board, having made the above findings of fact, reaches the following conclusions of law:

- A. Development in accordance with the development order, amended in accordance with the Proposed Changes, will not unreasonably interfere with the achievement of the objectives of the adopted State Comprehensive Plan.
- B. The development order, amended in accordance with the Proposed Changes, is consistent with the land development regulations and the adopted local comprehensive plan.
- C. The proposed development is not located in an area of critical state concern designated as such pursuant to Section 380.05, F.S. (1993).
- D. The Proposed Changes have satisfactorily addressed all regional issues related to development of the DRI and the presumption of a substantial deviation has been rebutted.

E. The Proposed Changes, once effective, are consistent with the provisions of Section 402, Pasco County Land Development Code, the Pasco County Concurrency Management System, and the Development Rights granted by the development order, as amended hereby, remain vested through December 31, 2005.

F. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record and these proceedings, the various departments of the County, and the developer are authorized to approve/conduct development as described herein.

G. The review by the County, TBRPC, and other participating agencies and interested citizens reveals that the Proposed Changes do not create additional impacts on regionally significant natural resources, facilities, and services beyond those approved in the development order, and that impacts are adequately addressed pursuant to the requirements of Chapter 380, F.S. The Proposed Changes, therefore, do not constitute a "substantial deviation" from the development order, pursuant to Chapter 380.06, F.S.

III. Order. Having made the above findings of fact and drawn the above conclusions of law, it is ordered that the development order be and is hereby amended, consolidated and restated as follows:

A. The Revised Master Development Plan, dated June 21, 2004, which is attached hereto and made a part hereof as Exhibit B, is hereby approved and adopted and becomes part of the development order. This Revised Master Development Plan supersedes all previously adopted master plans.

B. The legal description of the DRI dated March 4, 1997, is attached hereto and made a part hereof as Exhibit A.

C. The development phasing and build-out schedule for the DRI is hereby approved and adopted to reflect a single phase of development including, but not limited to, 1,445 retirement residential, dwelling units; 45,000 square feet of commercial development on 5.3 acres; and 198.05 acres of golf course. Build-out of this single phase of development shall occur on or before December 31, 2005, as described herein. Any delay in the build-out date of the project beyond December 31, 2005, shall require a new transportation analysis in accordance with Chapter 380.06, F.S., as the basis for a development order amendment which may include additional roadway improvements.

D. Specific Findings on Impact and Conditions Restricting Development.

Water Quantity and Drainage.

1. Findings

The proposed development is located in a recharge area for the Floridan Aquifer. There is no significant confining layer in this area and recharge occurs directly from infiltration and percolation of rainfall. The water quality of the Floridan Aquifer in the area of the proposed development is suitable for potable use. Potable water for the project will be supplied through an extension of the County

water main, supplemented by one on-site well which will be operated by Pasco County. U.S. Home Corporation will dedicate to Pasco County, when requested in writing, one (1) potable water production well site of not more than a one (1) acre site needed for the supplemental well.

The site is comprised of three (3) historic sinkholes which contain permanent surface water. Inceptor grass swales or pretreatment ponds are planned for construction adjacent to these historic sinkholes to prevent stormwater runoff from discharging directly into them. There are numerous other sinkholes located in the southwest corner of the site which were created in 1998 as a result of a well drilling incident in the area of Golf Course Hole Nos. 2 and 3. These new sinkholes are proposed to be grouped into three (3) stormwater ponds. Two (2) of the proposed ponds encompassing the sinkholes will require adjacent pretreatment ponds. The third proposed pond containing sinkholes has been determined by the Southwest Florida Water Management District (SWFWMD) not to have a direct connection to the Floridan aquifer, thus no pretreatment will be necessary.

A large freshwater marsh which historically was only seasonally wet will be used to create a new lake, which was reviewed and agreed to by the SWFWMD. Cypress swamp is also found on the site, but are only seasonally wet. The development as proposed is expected to create no significant impacts to the cypress swamp. The entire lake and cypress areas shall be preserved as a park.

The proposed drainage system is planned to maintain the existing drainage patterns of the undeveloped site by making maximum use of the existing topography. Due to the undulating topography and the many small depressions found on the project site, there is little natural stormwater runoff to offsite areas. Major elements of the proposed drainage system include detention/retention areas, conservation areas, and swales and culverts.

The designated retention/detention areas will take maximum advantage of the deep sandy soils found within the project and will generally be located within natural depressions. For portions of the project located within an open drainage basin, the off-site discharge shall be limited to the historic discharge for a twenty-five (25) year, twenty-four (24) hour storm event. For portions of the project located within a closed drainage basin, the total post development volume for the 100-year, twenty-four (24) hour storm event will be stored. The project shall be designed so that discharges will meet applicable State water quality standards, as set forth in Chapter 17-3 and Section 17-4.24, Florida Administrative Code. All discharges to Hunter's Lake shall be treated for water quality and quantity standard.

The conservation areas include the lake, cypress swamp, and the historic sinkholes. Stormwater runoff will not be discharged directly into these natural areas. Interceptor swales or treatment sumps will be designated to detain and treat stormwater before discharging into these natural areas.

Conditions

- a. Prior to approval of the first development phase, the developer shall implement and provide to Pasco County and the TBRPC a study which is to determine the lineament intersections of greatest sinkhole potential occurrence on the project site. The SWFWMD may require additional site specific subsurface testing and/or modifications to the development plan. This condition was initially fulfilled on July 7, 1997, through the report of the Stormwater Retention Area Geotechnical Studies Timber Pines South dated May 9, 1996. Additional subsurface testing and modifications to the development plan have occurred and are referenced elsewhere within this development order.
- b. The drainage system shall be designed as conceptually presented in the Application for Development Approval (ADA), including the use of the existing topography, conservation areas, swales, culverts, and detention/retention areas. The entity, other than Pasco County, responsible for maintenance of the drainage system in each increment (bubble) shall be determined during the review and approval of preliminary plans submitted for each increment.
- c. All surface runoff generated by the development shall be diverted from any historic sinkholes and routed to a detention area, unless specifically waived by the County and SWFWMD. A grass swale, or other County approved pretreatment device, shall be placed around historic sinkholes to keep any surface runoff from entering such sinkholes.
- d. No residential or commercial structure or well construction is permitted within the limits of the "Event Area" as identified on the Master Development Plan, Revised Map H attached hereto as Exhibit B.
- e. Utilization of the "Event Area" shall be limited to open areas such as golf course development and potential stormwater management areas.
- f. A 200-foot buffer shall be established around the perimeter of the event area within which detailed Ground Penetrating Radar and supplemental geotechnical studies will be required prior to the construction of any residential or other structures.
- g. Construction shall be delayed within the "Event Area" and buffer area for a period of not less than two (2) years from the sinkhole occurrence in February 1998 (or two [2] years of two cycles of seasonal wetting and drying) to check for further sinkhole development. The delineated event area and 200-foot buffer area should be carefully cleared and graded to facilitate inspection which shall be conducted on a monthly basis with any new sinkholes carefully documented. Each new sinkhole shall be measured, surveyed, and included as an addition to the existing sinkhole data base.
- h. Proposed residential buildings to be located within the 200-foot buffer area shall be subject to structural enhancements to increase the rigidity of the bearing walls to aid in bridging any newly occurring localized surface depressions. All permits in the sinkhole area will be inspected

by an independent professional engineer hired by the developer in accordance with Section 104.3.2 of the Standard Building Code and Pasco County Administrative Policy BIAP99-100, latest edition.

i. Where irrigation wells are to be constructed, a pilot exploration boring is advised to assist in the sitting process, and the prohibition of construction of groundwater withdrawal wells by individual homeowners is also recommended so as to minimize the potential for excessively stressing the existing geological formations and possibly triggering future similar events. No wells are permitted in the 200-foot buffer area.

j. The "Event Area," as illustrated on Map H, can be used for management of stormwater, provided all relevant stormwater management permit requirements are met.

k. The developer shall conduct routine quarterly sampling for pesticides via two (2) monitoring wells advanced into the upper Floridan aquifer. The location, construction, and monitoring should be done under Pasco County Master Reuse System, Domestic Wastewater Permit No. FLA 127272-006-DWIR, which was modified to add Heritage Pines Golf Course. The developer shall coordinate with Pasco County Utilities Services Branch to add the additional wells to this permit.

l. Erosion measures, as provided in the ADA, shall be implemented during construction of drainage ways.

2. Wetlands.

Findings

Approximately twenty-five (25) acres of wetland community exists on the site. The identified wetland acres are not proposed for development. It is recommended that the wetland areas be preserved in their natural or existing state.

Conditions

a. The major wetland areas shall be preserved in their natural state, with the record plats appropriately designating such areas. If specifically approved by Pasco County and the SWFWMD, the wetlands may be used as stormwater run-off receiving bodies. This does not preclude any permitting that may be required by the Florida Department of Environmental Protection.

b. As committed in the ADA, a buffer and greenbelt or open space of sufficient width to preserve the natural wetlands shall be provided between wetlands and structures.

3. Flood Plains.

Findings

There are no existing natural water courses on the proposed site and, therefore, no natural river flood plains are present. Approximately four (4) percent of the site lies within the 100-year flood prone area. All of these flood prone areas are wetlands and will be retained in their natural state. Any potential localized flooding due to the development will be mitigated by the design of the internal

drainage system. It is recommended that a buffer or greenbelt area of sufficient width to retain wetland integrity be provided between the wetland areas and any constructed buildings on the site. The ADA contains a letter from Pasco County verifying that Pasco County qualifies for Federal flood insurance.

Conditions

No development shall occur in the 100-year flood plain, as was committed in the ADA.

4. Soils.

Findings

There are six (6) major soil types found on the proposed site. All soils presently on the site evidence some limitations for development. Soils with the most severe limitations are located in an area not proposed for development. Two (2) small pockets of depressional soils will be altered by filling the perimeter and excavating the interior of the depression for drainage retention. Soils with moderate limitations for land development will be modified through traditional engineering practices. Soils with infertile characteristics in the areas designated for recreational use will be overcome by proper turf management practices. It is not anticipated that the existing water table levels will be lowered as a result of the proposed development.

There are no known mineral deposits of commercial value on the site, other than sandfill material required for the development which will be obtained on-site. Soil conservation measures have been proposed in the ADA to control erosion during construction activities.

At the time of the ADA submission, three (3) sinkholes were present on the site. Existing vegetation on the banks of the sinkholes indicate that the sinks are stable and are a minimum of twenty (20) years in age. The limitations imposed by the sinkholes' slopes will be overcome by constructing gentle slopes and establishing new vegetation on the banks of the sinkholes. The two (2) largest sinkholes will be preserved as open space. These two (2) sinkholes will not receive direct discharges of stormwater run-off. It is recommended that the developer submit to Pasco County and the TBRPC the results of a study to determine the lineament intersections of greatest sinkhole potential on the project site. Pasco County may then require additional site specific subsurface testing or development plan alteration as necessary and appropriate. This condition was initially fulfilled on July 7, 1997, through the report of the Stormwater Retention Area Geotechnical Studies Timber Pines South dated May 9, 1996.

Soil conservation measures have been proposed in the ADA to control erosion during construction activities.

Conditions

As proposed in the ADA, the dust control measures, such as watering, seeding, sodding steep slopes, and the use of staked hay bales in drainage ways, shall be instituted during

construction. This condition was initially fulfilled on July 7, 1997, through the report of the Stormwater Retention Area Geotechnical Studies Timber Pines South dated May 9, 1996. Additional subsurface testing and modifications to the development plan have occurred and are referenced elsewhere within this development order.

5. Air Quality.

Findings

Three (3) major sources of air pollutants generated by the Heritage Pines development will be those associated with vehicular traffic. At the time of the ADA, it was estimated that vehicular emissions at build-out will be: 832.6 pounds of hydrocarbons, 740.1 pounds of nitrogen oxide, 7,354.9 pounds of carbon monoxide, and traces of sulfur dioxide (SO₂) and particulates. The proposed development is located in Pasco County which is an ozone nonattainment area.

A secondary source of air pollution will be fugitive dust during project construction and site clearing. The Applicant has committed to a program of measures to control air pollution during construction, such as watering, seeding, mulching, sodding steep slopes, and utilization of staked hay bales in drainage ways. It is recommended that implementation of these measures be required in the development order.

Conditions

As proposed in the ADA, the dust control measures, such as watering, seeding, sodding steep slopes and the use of staked hay bales in drainage ways, shall be instituted during construction.

6. Natural Vegetation and Wildlife.

Findings

Heritage Pines is located on the coastal, sand-hill ridge running north-south in western Pasco and Hernando Counties. This ridge is occasionally pocketed with cypress swamps, small lakes and ponds, marshes, and other depressions. Historically, the sand hills were converted to pastures and citrus groves. Slash pine was planted on 467 acres of the 650-acre site to replace damaged groves. The general vegetation communities found on the site include the following ten (10) groups: abandoned grove, citrus grove, cypress swamps, marshes, oak, open field, pine plantation, sand hill, sinkholes, and wax myrtle. There are no rare, threatened, or endangered plants found on the site.

At the time of the ADA, a variety of wildlife habitat existed at the proposed development site. The majority of wildlife species observed were found in communities overlying the former sand hills. Also, several sightings of wildlife were associated with the large marsh and pond, and in the area of largest of the three (3) sinkhole ponds. Measures proposed to protect existing wildlife include the preservation of the large marsh and ponds.

At the time of the ADA, there were no wildlife species observed which are currently on the endangered species list. Two (2) reptiles observed, the Alligator and the Gopher Tortoise, are on the Florida Fish and Wildlife Conservation Commission's (FFWCC) threatened list. The Alligator is also listed as threatened on the Federal list for this area. Threatened or endangered species which were not observed but in all likelihood do exist on the site include the Woodstork, Bald Eagle, Sandhill Crane, Scrub Jay, Indigo Snake, and Striped Newt. The ADA states that should endangered species be found on the site, they will be afforded maximum protection.

Conditions

- a. Should an endangered wildlife species be found on-site, the known habitat shall be isolated, the proper authorities shall be contacted, and appropriate measures implemented to preserve the habitat.
- b. In order to mitigate impacts to gopher tortoise wildlife on the approximate sixteen (16) acres of real property approved for addition to the DRI, via Resolution No. 95-315, the developer shall select one (1) of the following alternatives or a combination thereof:
 - (1) The developer will make a contribution in the amount of Seven Thousand Five Hundred Seventy-Nine and 44/100 Dollars (\$7,579.44) to the Fish and Wildlife Habitat Trust Fund (Habitat Trust), Tampa Bay Regional account, administered by the FFWCC. Such sum shall be payable on or before September 26, 1996. Funds paid to the Habitat Trust shall be used for habitat acquisition in Pasco County. Should such purchase within the County be impractical, representatives of the Habitat Trust shall petition the FFWCC for permission to locate such preserve habitat outside the boundaries of the County within the boundaries of the jurisdictional area of the TBRPC or the Withlacoochee Regional Planning Council (WRPC).
 - (2) The developer shall enter into a Development Agreement with the FFWCC that authorizes the developer to purchase one (1) or more parcels of suitable gopher tortoise habitat, that are of proper size, and that are either 1) located adjacent to public lands that are managed in a manner compatible with gopher tortoise protection; 2) located in an existing or proposed mitigation park within the boundaries of the jurisdictional area of the TBRPC or WRPC; or 3) privately held and which are acceptable to both the FFWCC and FDCA. Simultaneous to the purchase of gopher tortoise habitat, the developer shall donate the gopher tortoise habitat to the public land owner, or the public agency designated to manage the mitigation park.
 - (3) The developer shall preserve one (1) or more parcels of suitable gopher tortoise habitat that are of proper size within the boundary of the DRI.

The developer has complied with this condition through the payment of Seven Thousand Five Hundred Seventy-Nine and 44/100 Dollars (\$7,579.44) to the Habitat Trust on August 28, 1997.

7. Historical and Archaeological Sites

Findings

No known historical or archaeological sites exist on the Heritage Pines project site. At the suggestion of the State Bureau of Historic Sites and Properties (Bureau), an archaeological survey of the property was performed by the Suncoast Archaeological Society. While a notable burial ground was discovered several miles from this development site, this survey concluded that no significant historical or archaeological resources are located on this site. The Bureau has indicated concurrence with this conclusion. It is recommended that if any unique or significant historical or archaeological sites are discovered during construction, the proper state authorities will be notified to determine their importance and to identify any measures to be undertaken for their preservation.

Conditions

Should any significant historical or archaeological site be discovered during construction, the proper authorities shall be immediately notified and their recommendation for preservation and excavation will be implemented.

8. Water Supply.

Findings

At build-out it is estimated that the average daily demand for potable water at Heritage Pines will be 0.28 million gallons daily (mgd). The estimated nonpotable water demand is expected to be 0.10 mgd. Potable water for Heritage Pines will be supplied by Pasco County via an extension of the existing water main along U.S. 19 and supplemented by one (1) on-site well which site will be dedicated to Pasco County when requested by it in writing. Nonpotable water for golf course and open space irrigation will be supplied by on-site private wells or the County's supply system.

Conditions

a. The water conservation measures committed in the ADA, such as landscape plantings selected for minimal water requirements, controlled vegetation systems to maximize benefits of water, and water saving plumbing fixtures shall be implemented. The developer shall consider the use of shallow wells used in conjunction with treated wastewater as an alternative to the usage of potable water for nonpotable water demands, such as irrigation of the golf course.

b. A water and sewer agreement shall be consummated between the developer and the County. Such agreement shall stipulate the responsibility for the construction, operation, and ownership of one (1) on-site well and water distribution lines. Nothing herein or in such agreement shall limit the ability of the developer to construct, operate, and maintain wells for irrigation purposes as may be approved by the SWFWMD if reclaimed water is insufficient to accommodate the irrigation needs of the project, provided the wells do not materially and adversely impact Pasco County's ability to utilize the well site located on the project premises for the production of potable water.

The developer has complied with this condition by entering into a Utilities Service Agreement with Pasco County on April 25, 1989.

9. Wastewater.

Findings

It is estimated that the total average daily flows of wastewater for this development will be 265,020 gallons per day (0.26 mgd) at build-out.

Conditions

A water and sewer agreement shall be consummated between the developer and the County prior to construction drawing approval. Such agreement shall stipulate the responsibility for the construction, operation, and ownership of one (1) on-site well, as noted in Section 8, above.

The developer has complied with this condition by entering into a Utilities Service Agreement with Pasco County on April 25, 1989.

10. Solid Waste.

Findings

It is estimated that the average daily solid waste to be generated by Heritage Pines will be 6.96 tons/day at build-out.

Conditions

Each preliminary or site plan approval will be contingent upon the developer submitting a letter from the Pasco County Utilities Services Branch, reflecting that adequate solid waste disposal capacity is available to serve the number of units contained within the preliminary site plan.

11. Energy.

Findings

Heritage Pines electrical energy is projected to average 48,410 kilowatts per day upon completion. Peak demand is projected to be 6,724 kilowatts at build-out. All electrical service will be provided by Withlacoochee River Electric Cooperative (WREC).

Energy conservation measures have been incorporated into the overall design of Heritage Pines. Residential units at the proposed development will be constructed in accordance with the Florida Energy Efficiency Building Code. Heritage Pines will take advantage of energy conservation by clustering the proposed residential units and by providing on-site neighborhood shopping facilities which will reduce the need for vehicular travel.

Conditions

Preliminary or site plan approval of each phase will be contingent upon the developer presenting a letter to the County from the WREC reflecting that the WREC has the ability to provide service to that phase receiving preliminary or site plan approval.

The energy conservation measures proposed in the ADA, such as heat exchangers, use of recycled products, landscaping techniques, and bike paths, shall be implemented.

12. Transportation.

The transportation analysis described in the 1995 NOPC (Resolution No. 95-315) is adopted as the "Findings" of Section 12 (Transportation).

Conditions

a. Prior to recording of the first plat for retirement residential units, the developer shall pay to Pasco County the sum of One Million and 00/100 Dollars (\$1,000,000.00) as an advance payment (Advance Payment) for transportation impact fees for the retirement residential units to be built on parcels other than the independent retirement rental parcel.

The Advance Payment shall not be returned to the developer or the present owner if the Advance Payment is not encumbered within five (5) years from date of payment and/or is not expended within eight (8) years from date of payment. The developer hereby agrees to waive its right to request a refund of the Advance Payment, or portion thereof, as set forth in Sections VII (C) and (D) of the New Development Fair Share Contribution for Road Improvements Ordinance as amended.

The transportation impact fee in effect at the time of such payment shall be "frozen" for retirement residential units until such time as the Advance Payment is exhausted.

The "frozen" transportation impact fee shall be the lesser of 1) Two Thousand One Hundred Sixty-Six and 72/100 (\$2,166.72) per retirement residential, dwelling unit (i.e., the standard fee for a single-family dwelling unit); or 2) the impact fee based on a traffic study submitted by the developer, in accordance with the requirements of The New Development Fair Share Contribution for Road Improvements Ordinance, and approved by Pasco County. If the "frozen" transportation impact fee is based on the traffic study, then the developer will provide annual monitoring (or other less frequent monitoring as may be acceptable to Pasco County) to verify the traffic generation or trip lengths contained in the traffic study. In the event the trip generation rates or trip lengths in the traffic study, as shown by subsequent monitoring, are

exceeded by more than fifteen (15) percent on a consistent basis, then the transportation impact fee for any new retirement residential units shall be adjusted accordingly, but in no event shall the adjusted rate exceed Two Thousand One Hundred Sixty-Six and 71/100 Dollars (\$2,166.71).

After the Advance Payment is exhausted, the developer shall then pay the transportation impact fees from time to time imposed by Pasco County as development of the retirement residential dwellings occur.

Relative to development of the commercial, assisted-living facility, skilled-nursing facility, and independent retirement rental parcels, the developer shall be required to pay the transportation impact fee in effect at the time the development occurs, and shall not be used to exhaust the Advance Payment.

The developer has complied with this condition through payment of One Million and 00/100 Dollars (\$1,000,000.00) to Pasco County on July 2, 1998. Further, on December 27, 2002, the Advanced Payment was exhausted.

b. Pasco County assures the developer that, subject to funding limitations or other circumstances beyond the County's control, County Line Road will remain operating at an acceptable level of service under the Pasco County Comprehensive Plan.

c. Prior to the issuance of a Certificate of Occupancy (CO) for the 100th residential (retirement) unit and the 198.05-acre golf course component, the developer shall complete construction of the following improvement to County Line Road/Dartmouth Avenue/Drive A (Grand Club Drive) intersection: construct the Dartmouth Avenue/Drive A (Grand Club Drive) project entrance drive to County Line Road with an eastbound, right-turn lane; a westbound, left-turn lane; a northbound, left-turn lane; and a shared through/right-turn lane.

The developer has complied with this condition by the construction of all of the above referenced improvements.

d. Prior to the issuance of a CO for the 500th residential (retirement) unit, the developer shall submit to Pasco County a traffic signal warrant analysis of the County Line Road/Dartmouth Avenue/Drive A (Grand Club Drive) intersection. If this study does not demonstrate that a traffic signal is warranted, then the developer shall submit to Pasco County a second traffic signal warrant analysis for this same intersection prior to the issuance of a CO for the 800th residential (retirement) unit. If this second study does not demonstrate that a traffic signal is warranted, then the developer shall submit a third traffic signal warrant analysis for the same intersection prior to the issuance of a CO for the 1,100th residential (retirement) unit. If any of the signal warrant analyses demonstrates that a traffic signal is warranted at this location, then developer shall, upon receipt of all required approvals and permits, commence installation of the traffic signal.

If Pasco County reasonably determines that the traffic signal may be warranted before the above described thresholds are reached, then the County shall notify the developer in writing that a traffic signal warrant study shall be required, and the developer shall then prepare and submit a traffic signal warrant analysis to Pasco County for review. The developer shall not be required to prepare and submit a traffic signal warrant analysis as a result of either the unit thresholds described above, or in response to the County's written notice, more than once in any twelve (12) month period.

In addition, if a traffic signal is warranted, then the developer shall construct a limited four (4) lane section of County Line Road consisting of the construction of 500 linear feet of four (4) lane roadway located at the approach to the intersection (both eastbound and westbound) and the construction of 1,320 linear feet of four (4) lane roadway departing the intersection (both eastbound and westbound), plus required through lane transitions at the approaches and departures of the intersection (both eastbound and westbound) ("Limited Four-Lane Section"). A drawing of the Limited Four-Lane Section is attached hereto as Exhibit C.

The developer shall be entitled to continue with development beyond the 500th, 800th, or 1,100th unit, provided the developer is proceeding in good faith with the installation of the traffic signal and/or the design, permitting, or construction of the Limited Four-Lane Section.

The traffic signal, warrant analysis of the County Line Road/Dartmouth Avenue/Drive A intersection, as prepared by King Engineering Associates dated April 2004, and received on April 19, 2004, demonstrates that a traffic signal is warranted at this intersection. The developer shall complete the signalization of the intersection no later than March 31, 2005.

e. Prior to the issuance of a CO for the first square foot of commercial development on the 5.3-acre commercial site, the developer of the commercial parcel shall complete construction of an intersection improvement at County Line Road between Dartmouth Avenue and Drive B to provide a right-in/right-out access point to the commercial site.

f. Prior to the issuance of a CO for Tract 33, the developer shall construct an intersection improvement at County Line Road/Fountain Court/Drive C to provide eastbound and westbound, turn lanes, and to construct Drive C.

g. The developer shall dedicate seventy (70) feet of right-of-way along the project's northern boundary to accommodate the four (4) laning of County Line Road. This obligation for dedication shall not preclude the developer from seeking compensation or credit under any transportation impact fee ordinance or any other agreement or law.

The developer shall dedicate this right-of-way within ninety (90) days after written notification from Pasco County, but no sooner than approval of the first record plat.

The developer has complied with this condition by the dedication of right-of-way as referenced above.

h. The developer shall, upon written request from Pasco County, at the time hereinafter provided, dedicate as right-of-way the existing fifty (50) foot easement area located along a portion of the project's southern boundary, more particularly described in an easement recorded in O.R. Book 646, Page 252, of the Public Records of Pasco County, Florida, to accommodate a public roadway.

The developer shall dedicate to the public by plat this right-of-way at such time as the contiguous real property owned by the developer to the north thereof is platted.

The developer has complied with this condition by the dedication of the above-referenced right-of-way (O.R. Book 4483, Pages 1935-1936).

i. Construction vehicles are prohibited from using Duda Avenue and the public right-of-way described in Subparagraph h above, for access to the property described in Exhibit A.

13. Recreation.

Findings

Recreation and Open Space for the development will include 198.05 acres of golf course with associated club facility, twenty-five (25) acres of Wetlands Conservation/Preservation and 95.53 acres of Miscellaneous Open Space. These areas are shown on the Revised Master Development Plan, attached hereto as Exhibit B, and will be the responsibility of the owner, its successors or assigns.

Conditions

The developer shall comply with Pasco County Neighborhood Parks Ordinance No. 02-26 as amended and Pasco County Parks and Recreation Impact Fee Ordinance No. 02-03 as amended.

14. Educational Facilities.

Findings

Heritage Pines development is designed to primarily provide housing for retired persons with very few school-age children estimated to reside at Heritage Pines upon completion of the project. The ADA contains a letter from the Pasco County District School Board confirming that the school system will be able to accommodate the students added from Heritage Pines and indicating that no new school facilities or sites will be necessary as a result of the proposed development.

Conditions

None.

15. Health Care.

Findings

No specific on-site medical or health care facilities are proposed for Heritage Pines. The nearest hospital to Heritage Pines is located in Hudson, about ten (10) miles away. Emergency Medical Services (EMS) will be provided to Heritage Pines from existing EMS facilities operated by Pasco County with a present response time to the project site of about six (6) minutes. At the time of the ADA submission, the EMS service had a full-time staff of fifty-eight (58) professionals.

Conditions

See Condition No. 16 below.

16. Fire Protection.

Findings

Fire protection services will be provided by Pasco County Fire Service District II. Primary service will be provided by Station 100 located on U.S. 19 near Fivay Road with a referenced response time of seven (7) minutes and secondary service with a response time of twenty (20) minutes. In addition, these will be backed up by Spring Hill Stations 1 and 2, located in Hernando County.

Conditions

The developer shall donate a minimum 1.29-acre parcel (200 feet deep by 280 feet wide of developable upland) to the County for use as a public service facility at a mutually agreed upon location, which shall be shown on the next approval of the MPUD Master Planned Unit Development Master Plan and the DRI Master Development Plan (Map-H) during the next NOPC review. The land shall be conveyed to Pasco County by fee simple title transfer within 180 days of the County's request. In the event the County has not requested the property prior to the platting of the 800th single-family unit, then the developer shall notify the County in writing that this offer to donate shall expire unless the County requests a conveyance of the subject property within twelve (12) months of the written notification. In the event the County fails to request the conveyance of the property within this twelve (12) month period, then the developer shall be released from any further obligation to donate the public service parcel. In any event, any deed conveying the site to the County will include a reverter cause automatically causing a reversion to the developer in the event construction on the site is not commenced by the County within two (2) years of the conveyance. The review of any site plan and landscaping plan for the site and the design of the building shall be coordinated with the developer.

All conveyances required pursuant to this approval shall be in a form acceptable to the Pasco County Real Estate Division and shall be free and clear of all liens and

encumbrances, including exclusions from the boundaries of any special districts and exemption from all covenants and deed restrictions.

17. Police Protection.

Findings

Heritage Pines will be served by the Pasco County Sheriff's Department. A letter from the Sheriff's Department indicates that the department will be able to provide anticipated police protection services to the future residents at Heritage Pines and that response time for emergency calls should not exceed five (5) minutes. No on-site police protection services, facilities, or site will be dedicated or otherwise provided.

Conditions

None.

18. Housing.

Findings

Heritage Pines is a proposed development consisting of 1,445 retirement residential, dwelling units, 45,000 square feet of commercial development on 5.3 acres, and 198.05 acres of golf course. It is planned to consist of a variety of housing types to include single-family detached and villa condominium units. The price range for the units will range between One Hundred Twenty Thousand and 00/100 Dollars (\$120,000.00) and Two Hundred Forty Thousand and 00/100 Dollars (\$240,000.00). The proposed site for Heritage Pines will be developed by its owner, U.S. Home Corporation.

The primary marketing effort for Heritage Pines will be directed within the Tampa Bay Region, and the major target group is expected to be the fifty-five (55) and over age group.

Conditions

None.

19. Economy.

Findings

At time of the ADA submission, approximately One Hundred Seventeen Million and 00/100 Dollars (\$117,000,000.00) was estimated to be spent on construction of Heritage Pines, of which sixty-six (66) percent was estimated to be spent in the Tampa Bay Region. The proposed development was estimated to generate employment for 3,465 construction workers and, upon completion, an estimated 118 permanent jobs will be created with an annual payroll of One Million Five Hundred Thousand and 00/100 (\$1,500,000.00).

Major capital improvements will be necessary to accommodate this proposed development in several areas of public facilities. Development costs for internal streets, drainage, sewer, and water supply will be borne solely by the developer.

Conditions

None.

20. Golf Course.

Findings

Pursuant to the Revised Master Plan, attached hereto as Exhibit B, the developer is proposing 198.05 acres of golf course. Depending upon market conditions and final golf course designs, the golf course component may be modified. The developer may reduce the golf course component to no less than 145 acres, or may increase the golf course component in accordance with the tradeoff mechanism which provides for one (1) residential retirement unit to be converted to 1.4 acres of golf course, with the total golf course component not to exceed 210 acres. The golf course acreage approved in this Resolution may not be used by Pasco County to satisfy the Open Space requirements of the Pasco County Comprehensive Plan.

The developer shall formulate guidelines for the maintenance of golf course(s) that address the limited use of herbicides, pesticides, and fertilizers and includes best management practices. These guidelines shall be formulated and implemented prior to the opening of the golf courses, and shall be submitted to the County for approval. Any change in the guidelines shall require approval by the County and shall be included in the DRI Annual Report following the change.

The developer shall utilize xeriscaping techniques when appropriate to minimize irrigation requirements.

IV. General Conditions Restricting Development

- A. Development of the area embraced by the ADA shall be governed by the standards and procedural provisions of adopted comprehensive plans, elements thereof, and the land development regulations.
- B. Construction of all improvements shall be governed by applicable County building, plumbing, electrical, energy, and other codes or regulations.
- C. Installation of public facilities shall conform to regulations established in County codes or ordinances establishing such regulations.

V. Monitoring Procedures

- A. The local official responsible for monitoring the Heritage Pines DRI shall be the County Administrator or his designee.

VI. Duration

- A. The development order took effect on July 6, 1982.
- B. The duration of the development order shall be a period of approximately twenty-three (23) years, through December 31, 2005, provided that the effective period may be extended by the Board upon a showing of good cause.

VII. Annual Report

- A. The developer shall provide an annual report to the official responsible for monitoring the DRI, TBRPC, and FDCA on July 6th of each year during the term of the development order. The report shall include, at a minimum, the following information:

- 1. Any changes in the proposed plan of development.
- 2. Description of the development activities which have occurred over the previous year, including a summary of the number, type, and location of residential units and commercial structures.
- 3. A description of development activity proposed for the next year.
- 4. A statement setting forth names and addresses of any assignees or successors in interest to this development order.

VIII. Amendment/Substantial Deviations

All proposed substantial and material changes to the DRI for which a development order has been approved shall be submitted to the Board for a substantial deviation determination prior to implementation of such changes by the developer. As used in this paragraph, the term substantial deviation means any change which creates a reasonable likelihood of additional significant adverse regional impacts or any other significant regional impact which was not previously reviewed by the Board or TBRPC.

Prior to amending any provision in this development order or issuing any substantial deviation determination, the County shall provide the TBRPC with reasonable notice of its intent to consider such an amendment. Such notice shall be reasonably calculated to permit the TBRPC to appear at the public hearing or present written comments on the proposed change prior to the effective date of the amendment or change.

Effect of development order/ADA:

- 1. All development of the property subject to this development order shall substantially conform to the ADA, unless otherwise modified by the provisions of this development order.

IX. Miscellaneous Provisions

- A. A Notice of Adoption of this Resolution shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with the Section 380.06(14)(a), Florida Statutes, and the development order contained herein shall govern the development of Heritage Pines DRI.

B. The County agrees that the approved DRI, shall not be subject to down-zoning, unit density reduction, or intensity reduction for the duration of this development order, through December 31, 2005, unless the County can demonstrate that substantial changes in conditions underlying the approval of the development order have occurred, or that the development order was based on substantially inaccurate information provided by the developer, or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

X. Effective Date

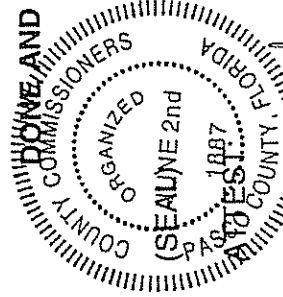
If this amendment to the development order is not appealed, it shall take effect the earlier of a) the date all parties with the right to appeal issue a written statement that they will not appeal this amendment to the development order or b) forty-five (45) days after a certified copy hereof has been rendered to the FDCA and no appeal has been filed. If this amendment to the development order is appealed, it shall take effect upon the conclusion of the appeal. Upon adoption, certified copies of this resolution shall be transmitted by the Pasco County Growth Management Department via certified mail to the FDCA, TBRPC, and the Applicant, pursuant to F.S., Chapter 380.

XI. Notice of Adoption

A Notice of Adoption of this Resolution, in the form attached hereto and incorporated herein as Exhibit D, shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with Section 380.06(15)(f), F.S., as amended.

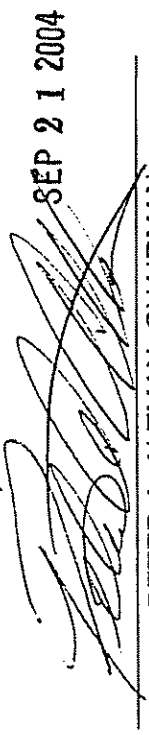
XII. Certified Copies

The Clerk of the Board shall return five certified copies of this Resolution and the Notice of Adoption described in Section XI above to the Pasco County Growth Management Department, which shall then send copies of each document to the FDCA and TBRPC, and to the attorney of record in these proceedings.

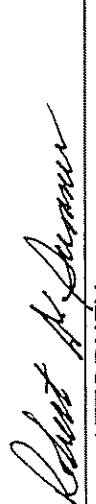



JED PITTMAN, CLERK

BOARD OF COUNTY COMMISSIONERS OF
PASCO COUNTY, FLORIDA
APPROVED


PETER A. ALTMAN, CHAIRMAN

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


ATTORNEY

EXHIBITS

- A. Legal Description
- B. Map H
- C. Limited Four Lane Section
- D. Notice of Adoption

EXHIBIT A

LEGAL DESCRIPTION

EXHIBIT "A"

LEGAL DESCRIPTION

Parcels "A" and "B":

A parcel of land located within Sections 5 and 6, Township 24 South, Range 17 East, Pasco County, Florida. Being more particularly described as follows:

Commence at the Northeast corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida, thence, along the East line of said Section 5 and the West line of the unrecorded plat of Orange Hill Estates and Orange Hill Estates First Addition, S00°34'15"W, for 50.00 feet to the Point of Beginning; thence continue along said line, S00°34'15"W, for 2594.71 feet to the East 1/4 corner of said Section 5; thence S00°33'23"W, for 2669.82 feet to the Southeast corner of said Section 5; thence, along the South line of said Section 5, N89°46'38"W, for 1371.51 feet; thence, leaving said line, N00°34'36"E, for 663.34 feet, thence N89°52'08"W, for 660.84 feet; thence S00°32'06"W, for 663.86 feet to the South line of said Section 5; thence, along said line N89°46'28"W, for 660.64 feet to the South 1/4 corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida; thence, continue along said South line, N89°50'13"W, for 2643.84 feet to the Southwest corner of said Section 5; thence along the West line of said Section 5 and the East line of the unrecorded plat of Highlands, N00°31'43"E, for 2645.16 feet to the West 1/4 corner of said Section 5 and the East 1/4 corner of Section 6, Township 24 South, Range 17 East, Pasco County, Florida; thence, along the East-West centerline of said Section 6, S88°20'12"W, for 1321.95 feet; thence, leaving said centerline, N00°26'42"E, for 680.14 feet; thence N88°47'05"E, for 1323.69 feet to the Southeast corner of Arlington Woods Phase 2-A as recorded in Plat Book 30 Pages 22 and 23 of the Public Records of Pasco County, Florida and the West line of said Section 5; thence, along said West line, NCC°36'17"E, for 1959.87 feet; thence, along a line being 50.00 feet perpendicular to the South boundary of Spring Hill Unit 3 as recorded in Plat Book 7, Pages 96 through 107 of the Public Records of Hernando County, Florida, S89°41'11"E, for 5287.09 feet to the Point of Beginning, containing 650.04 acres, more or less.

Subject to:

A 50' ingress-egress easement over the West 9/16 of Section 5, Township 24 South, Range 17 East, Pasco County, Florida as recorded in OR Book 646, Page 252 of the Public Records of Pasco County, Florida.

Total net acreage = 650.04 acres, more or less.

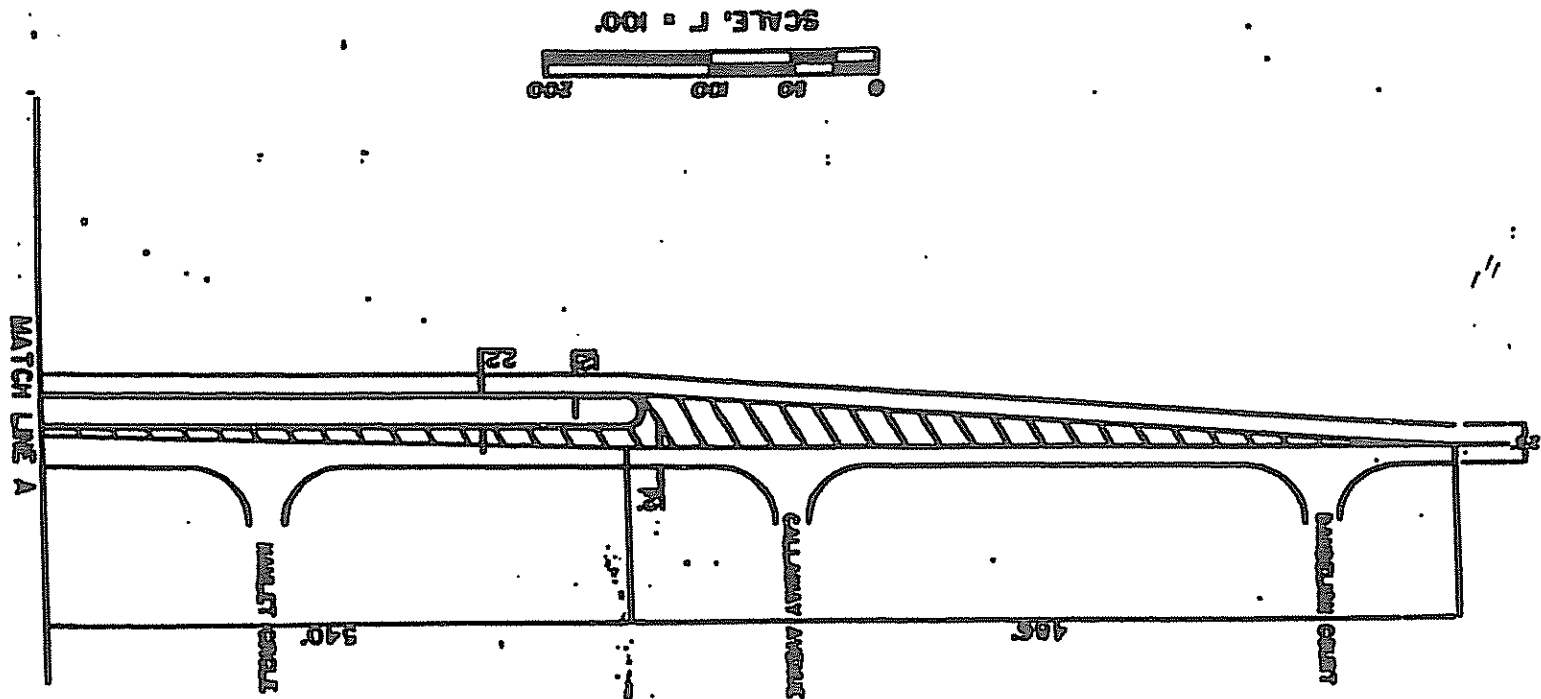
EXHIBIT B

MAP H

EXHIBIT C

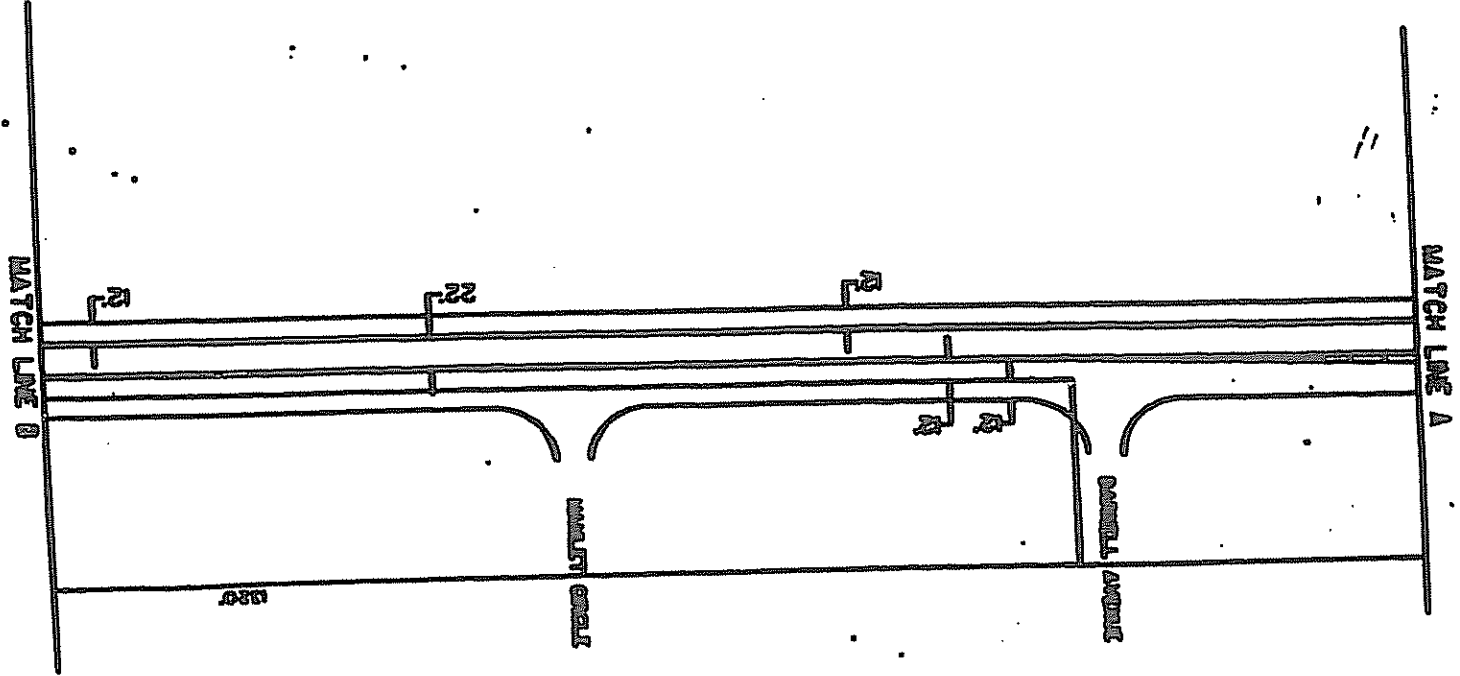
LIMITED FOUR LANE SECTION

LIMITED FOUR LANE SECTION



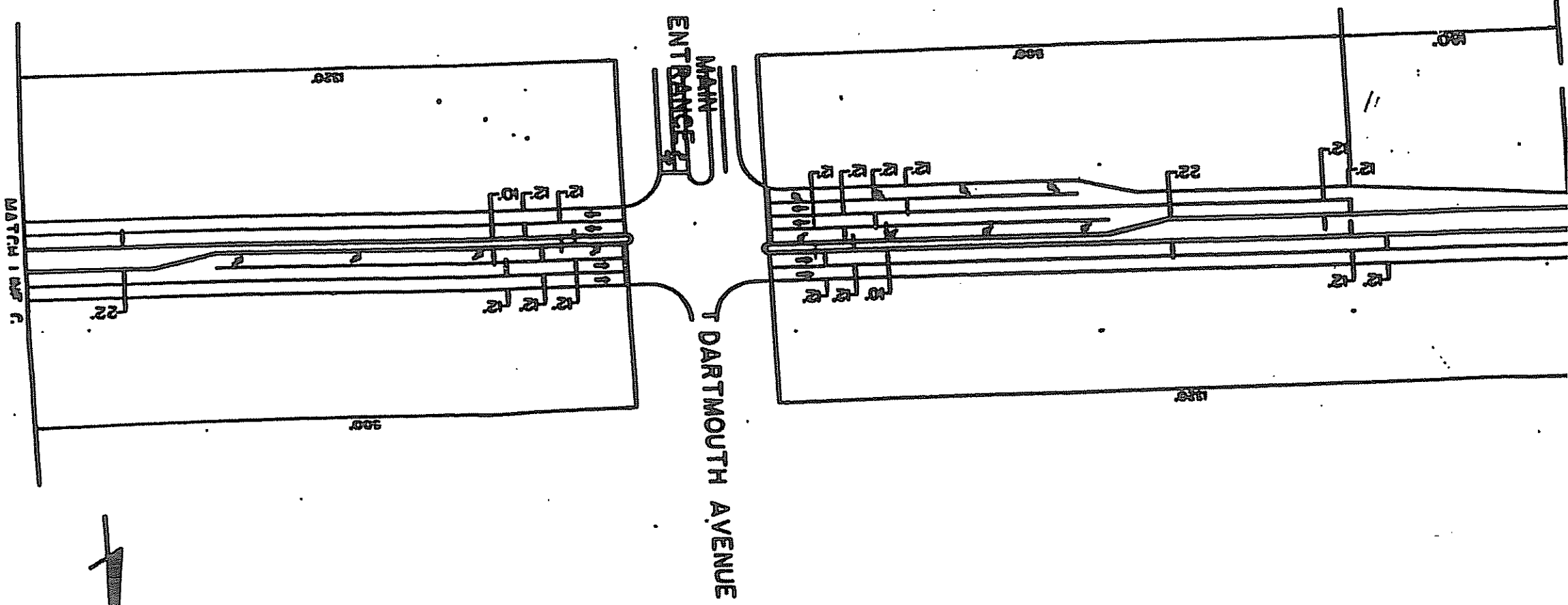
SHT. 1 OF 5

LIMITED FOUR LANE SECTION

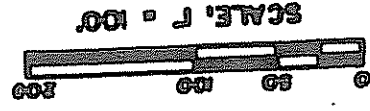
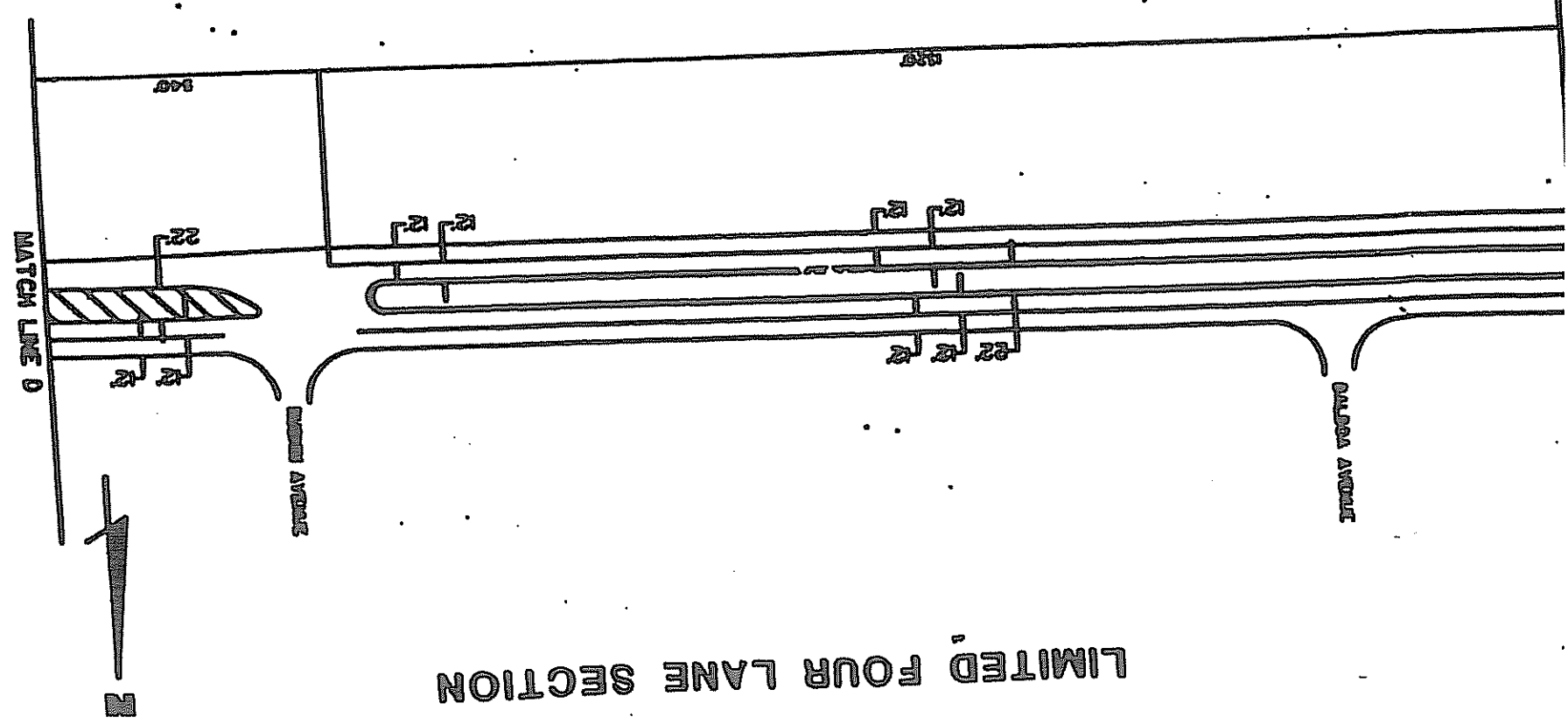


SCALE, 1" = 100'

LIMITED FOUR LANE SECTION



LIMITED FOUR LANE SECTION



LIMITED FOUR LANE SECTION

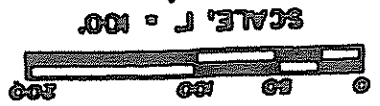
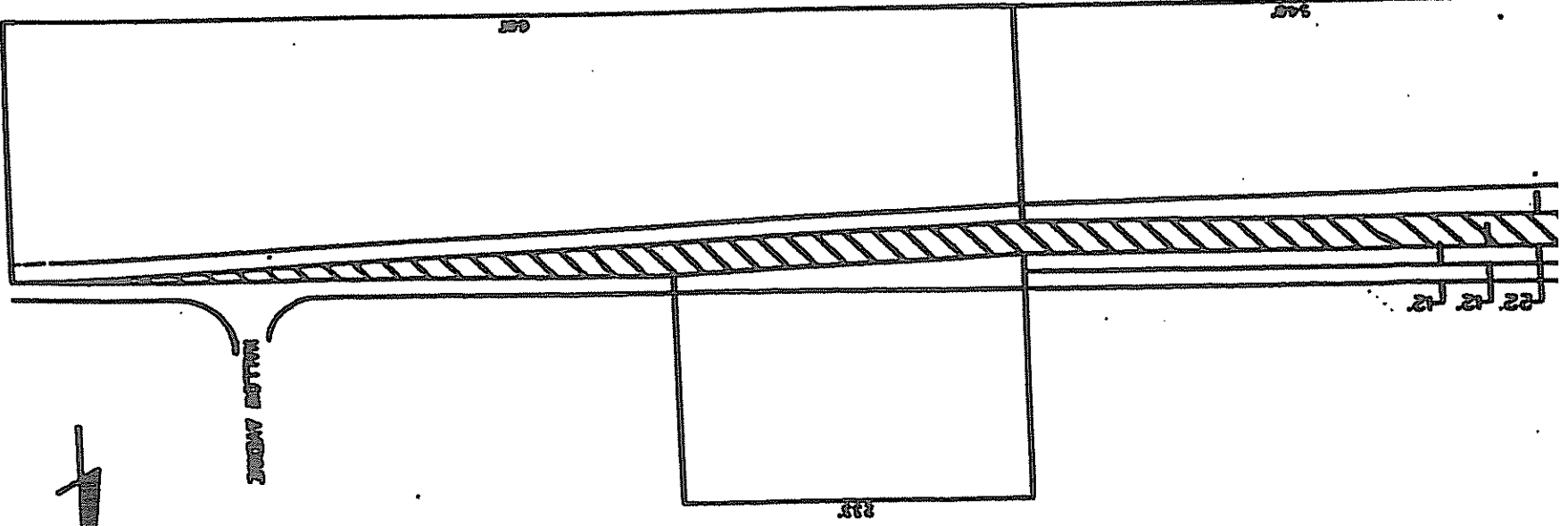


EXHIBIT D

NOTICE OF ADOPTION

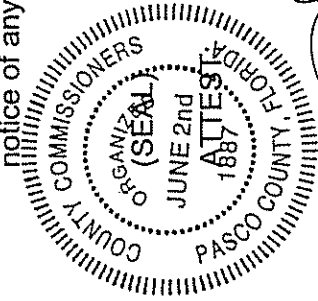
NOTICE OF ADOPTION OF THE AMENDED, CONSOLIDATED AND RE-STATE
DEVELOPMENT ORDER FOR HERITAGE PINES (F.K.A. TIMBER PINES SOUTH,
F.K.A. BEACON VILLAGES) DEVELOPMENT OF REGIONAL IMPACT

Pursuant to Section 380.06(15)(f), Florida Statutes, notice is hereby given that the
Pasco County Board of County Commissioners, by Resolution No. 04-277 dated
September 21, 2004, has adopted an amendment to the development order for a
Development of Regional Impact known as Heritage Pines (f.k.a Timber Pines South,
f.k.a. Beacon Villages) (Resolution No. 82-128). The above-referenced development
order constitutes a land development regulation applicable to the property described in
Exhibit A of the development order.

A legal description of the property covered and the development order may be
examined upon request at the Office of the Clerk to the Board of County Commissioners
of Pasco County, 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 above-mentioned Exhibit A nor actual nor constructive

notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.



Jed Pittman
JED PITTMAN, CLERK

Peter A. Altman
PETER A. ALTMAN, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

APPROVED
SEP 21 2004

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

BY: Robert D. Farmer
ATTORNEY

EXHIBIT "A"

LEGAL DESCRIPTION

Parcels "A" and "B":

A parcel of land located within Sections 3 and 6, Township 24 South, Range 17 East, Pasco County, Florida. Being more particularly described as follows:

Commence at the Northeast corner of Section 3, Township 24 South, Range 17 East, Pasco County, Florida; thence, along the East line of said Section 3 and the West line of the unrecorded plat of Orange Hill Estates and Orange Hill Estates First Addition, $500^{\circ}14'15''$ W, for 50.00 feet to the Point of Beginning; thence continue along said line, $500^{\circ}14'15''$ W, for 2594.71 feet to the East 1/2 corner of said Section 3; thence $500^{\circ}15'23''$ W, for 2669.82 feet to the Southeast corner of said Section 3; thence, along the South line of said Section 3, $N89^{\circ}46'38''$ W, for 1321.51 feet; thence, leaving said line, $N00^{\circ}14'36''$ E, for 663.14 feet, thence $N89^{\circ}52'08''$ W, for 660.84 feet; thence $500^{\circ}12'06''$ W, for 663.86 feet to the South line of said Section 3; thence, along said line $N89^{\circ}46'28''$ W, for 660.64 feet to the South 1/2 corner of Section 3, Township 24 South, Range 17 East, Pasco County, Florida; thence, continue along said South line, $N89^{\circ}50'13''$ W, for 2643.84 feet to the Southwest corner of said Section 3; thence along the West line of said Section 3 and the East line of the unrecorded plat of Highlands, $N00^{\circ}11'43''$ E, for 2643.16 feet to the West 1/2 corner of said Section 3 and the East 1/2 corner of Section 6, Township 24 South, Range 17 East, Pasco County, Florida; thence, along the East-West centerline of said Section 6, $S88^{\circ}20'12''$ W, for 1321.95 feet; thence, leaving said centerline, $N00^{\circ}26'42''$ E, for 680.34 feet; thence thence, leaving said centerline, corner of Arlington Woods $N88^{\circ}47'09''$ E, for 1323.69 feet to the Southeast corner of the Public Records of Phase 2-A as recorded in Plat Book 30 Pages 22 and 23 of the Public Records of Pasco County, Florida and the West line of said Section 3; thence, along said West line, $N88^{\circ}36'37''$ E, for 1959.87 feet; thence, along a line being 50.00 feet perpendicular to the South boundary of Spring Hill Unit 3 as recorded in Plat Book 7, Pages 96 through 107 of the Public Records of Hernando County, Florida, $S89^{\circ}41'11''$ E, for 5287.09 feet to the Point of Beginning, containing 650.04 acres, more or less.

Subject to:

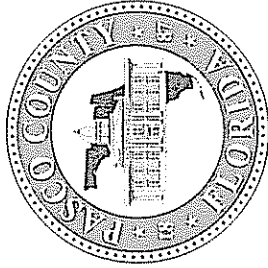
A 50' ingress-egress easement over the West 9/16 of Section 3, Township 24 South, Range 17 East, Pasco County, Florida as recorded in OR Book 646, Page 252 of the Public Records of Pasco County, Florida.

Total net acreage = 650.04 acres, more or less.

STATE OF FLORIDA
COUNTY OF PASCO

THIS IS TO CERTIFY THAT THE FOREGOING
IS A TRUE AND CORRECT COPY OF
PAGE(S) 34 OF 34 PAGES
OF THE ORIGINAL OF RECORD IN MY
OFFICE. WITNESS MY HAND AND THE
COUNTY'S OFFICIAL SEAL THIS
24 DAY OF April, 2004

JED PITTMAN, CLERK TO THE BOARD
BY Kenneth A. Callahan, D.C.



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

CERTIFIED MAIL NO. 70032260000040039879
RETURN RECEIPT REQUESTED

April 7, 2004

Mr. John Meyer
DRI Coordinator
Tampa Bay Regional
Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

RE: Heritage Pines - Development of Regional Impact (#077)
Development Order Amendment

Dear Mr. Meyer:

Enclosed please find a certified copy of the Heritage Pines Development of Regional Impact #077, Development Order Amendment (Resolution No. 04-118), which is hereby rendered in accordance with Chapter 380.06, Florida Statutes. This development order amendment was approved by the Pasco County Board of County Commissioners on March 10, 2004.

Sincerely,

Michael LaSala, AICP
Senior Planner

Enclosure

cc: Samuel P. Steffey II, Growth Management Administrator
File

#77A

BY COMMISSIONER _____

RESOLUTION NO. 04-118

A RESOLUTION AMENDING, CONSOLIDATING, AND RESTATING THE DEVELOPMENT ORDER FOR THE HERITAGE PINES (FORMERLY KNOWN AS TIMBER PINES SOUTH AND ORIGINALLY AS BEACON VILLAGES) DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, in accordance with Section 380.06, Florida Statutes (F.S.), the Pasco County Board of County Commissioners (Board) adopted a development order approving, with conditions, the HERITAGE PINES Development of Regional Impact (DRI), by Resolution No. 82-128, amended by Resolution Nos. 89-248, 95-315, 97-174, 98-67, and 99-268 (development order); and,

WHEREAS, on April 17, 2003, U.S. Home Corporation, a Delaware corporation (Applicant) and the State of Florida, Department of Community Affairs (FDCA), entered into a Section 380.032 Agreement for Heritage Pines DRI (Section 380.032 Agreement), in which the Applicant agreed to submit an application entitled Notification of Proposed Change (NOPC) to a previously approved DRI application requesting an extension of the build-out date through December 31, 2005, and FDCA agreed that it would not require a transportation analysis in connection with such request; which NOPC also sought to 1) revise Map H to remove the adult-living facility/skilled-nursing facility (162 units); remove the independent retirement-rental units (50 units); add 139 single-family residential (retirement) units; and reduce residential, commercial, and open space by 8.65 acres with a corresponding increase of 8.65 acres of golf course; 2) amend certain development order conditions; and 3) increase the public services facility site by 0.29 acre as requested by County staff as part of NOPC review (collectively, the "Proposed Changes"); and,

WHEREAS, on July 16, 2003, the Applicant filed NOPC with Pasco County, Florida (County), with copies provided to the Tampa Bay Regional Planning Council (TBRPC) and FDCA; and,

WHEREAS, in order to provide a single development order document incorporating all applicable provisions of the initial development order and subsequent modifications, a Consolidated and Restated Development Order has been prepared; and,

WHEREAS, the Board, as the governing body of the local government having jurisdiction pursuant to Chapter 380, F.S., is authorized and empowered to consider amendments to DRIs; and,

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

WHEREAS, the Board wishes at this time to extend the build-out date for DRI and increase the acreage of the public service facilities site (the "Revised Proposed Changes"), and consider at a future date the other Proposed Changes requested in NOPC.

NOW, THEREFORE, BE IT RESOLVED by the Board in regular session, duly assembled this 10th day of March 2004, that the development order for Heritage Pines be amended as set forth below:

I. General Findings of Fact: The Board, having received all related comments, testimony, and evidence submitted by each party and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:

A. The development order is a valid final development order within the provisions of Section 163.3167(8), F.S., affecting the property described on Exhibit A attached hereto and incorporated herein.

B. NOPC includes a description of the Proposed Changes, including the Revised Proposed Changes.

C. The Revised Proposed Changes necessitate amending the development order findings and conditions described herein.

D. A comprehensive review of the impacts generated by the Revised Proposed Changes, together with all previous amendments, has been conducted by Pasco County ("County"), TBRPC, and FDCA.

E. The Revised Proposed Changes, together with all previous amendments, do not create additional regional impacts on transportation or other public facilities, including water, wastewater, drainage, solid waste, recreation, and mass transit over those approved in the development order; nor do they create impacts that were not previously reviewed.

F. NOPC complies with the terms of the Section 380.032 Agreement.

II. Conclusions of Law. The Board, having made the above findings of fact, reaches the following conclusions of law:

A. Development in accordance with the development order, amended in accordance with the Revised Proposed Changes, will not unreasonably interfere with the achievement of the objectives of the adopted State Comprehensive Plan.

B. The development order, amended in accordance with the Revised Proposed Changes, is consistent with the land development regulations and the adopted local comprehensive plan.

C. The proposed development is not located in an area of critical state concern designated as such pursuant to Section 380.05, F.S. (1993).

D. The Revised Proposed Changes have satisfactorily addressed all regional issues related to development of the DRI and the presumption of a substantial deviation has been rebutted.

E. The Revised Proposed Changes, once effective, are consistent with the provisions of Section 402, Pasco County Land Development Code, the Pasco County Concurrency Management System, and the Development Rights granted by the development order, as amended hereby, remain vested through December 31, 2005.

F. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record and these proceedings, the various departments of the County, and the developer are authorized to approve/conduct development as described herein.

G. The review by the County, TBRPC, and other participating agencies and interested citizens reveals that the Revised Proposed Changes do not create additional impacts on regionally significant natural resources, facilities, and services beyond those approved in the development order, and that impacts are adequately addressed pursuant to the requirements of Chapter 380, F.S.. The Revised Proposed Changes, therefore, do not constitute a "substantial deviation" from the development order, pursuant to Chapter 380.06, F.S..

III. Order. Having made the above findings of fact and drawn the above conclusions of law, it is ordered that the development order be and is hereby amended, consolidated and restated as follows:

A. The Revised Master Development Plan, dated January 25, 1999, which is attached hereto and made a part hereof as Exhibit B, is hereby approved and adopted and becomes part of the development order. This Revised Master Development Plan supersedes all previously adopted master plans.

B. The legal description of the DRI dated March 4, 1997, is attached hereto and made a part hereof as Exhibit A.

C. The development phasing and build-out schedule for DRI is hereby approved and adopted to reflect a single phase of development including, but not limited to, 1,306 retirement residential dwelling units; 50 independent retirement rental multifamily dwelling units; 162 assisted-living facility dwelling units; 140-bed nursing home; 45,000 square feet of commercial development on 5.8 acres; and 189 acres of golf course. Build-out of this single phase of development shall occur on or before December 31, 2005, as described herein. Any delay in the build-out date of the project beyond December 31, 2005, shall require a new transportation analysis in accordance with Chapter 380.06, F.S., as the basis for a development order amendment which may include additional roadway improvements.

D. Specific Findings on Impact and Conditions Restricting Development.

Water Quantity and Drainage.

1. Findings

The proposed development is located in a recharge area for the Floridan Aquifer. There is no significant confining layer in this area and recharge occurs directly from infiltration and percolation of rainfall. The water quality of the Floridan Aquifer in the area of the proposed development is suitable for potable use. Potable water for the project will be supplied through an extension of the County water main, supplemented by one on-site well which will be operated by Pasco County. U. S. Home Corporation will

dedicate to Pasco County, when requested in writing, one (1) potable water production well site of not more than a one (1) acre site needed for the supplemental well.

The site is comprised of three (3) historic sinkholes which contain permanent surface water. Inceptor grass swales or pretreatment ponds are planned for construction adjacent to these historic sinkholes to prevent stormwater runoff from discharging directly into them. There are numerous other sinkholes located in the southwest corner of the site which were created in 1998 as a result of a well drilling incident in the area of golf course hole Nos. 2 and 3. These new sinkholes are proposed to be grouped into three (3) stormwater ponds. Two (2) of the proposed ponds encompassing the sinkholes will require adjacent pre-treatment ponds. The third proposed pond containing sinkholes has been determined by the Southwest Florida Water Management District (SWFWMD) not to have a direct connection to the Floridan aquifer, thus no pre-treatment will be necessary.

A large freshwater marsh which historically was only seasonally wet will be used to create a new lake, which was reviewed and agreed to by SWFWMD. Cypress swamp is also found on the site, but are only seasonally wet. The development as proposed is expected to create no significant impacts to the cypress swamp. The entire lake and cypress areas shall be preserved as a park.

The proposed drainage system is planned to maintain the existing drainage patterns of the undeveloped site by making maximum use of the existing topography. Due to the undulating topography and the many small depressions found on the project site, there is little natural stormwater runoff to offsite areas. Major elements of the proposed drainage system include detention/retention areas, conservation areas, and swales and culverts.

The designated retention/detention areas will take maximum advantage of the deep sandy soils found within the project and will generally be located within natural depressions. For portions of the project located within an open drainage basin, the off-site discharge shall be limited to the historic discharge for a twenty-five (25) year, twenty-four (24) hour storm event. For portions of the project located within a closed drainage basin, the total post development volume for the 100-year, twenty-four (24) hour storm event will be stored. The project shall be designed so that discharges will meet applicable state water quality standards, as set forth in Chapter 17-3 and Section 17-4.24, Florida Administrative Code. All discharges to Hunter's Lake shall be treated for water quality and quantity standard.

The conservation areas include the lake, cypress swamp, and the historic sinkholes. Stormwater runoff will not be discharged directly into these natural areas. Interceptor swales or treatment sumps will be designated to detain and treat stormwater before discharging into these natural areas.

Conditions

- a. Prior to approval of the first development phase, the developer shall implement and provide to Pasco County and TBRPC a study which is to determine the lineament

intersections of greatest sinkhole potential occurrence on the project site. SWFWMD may require additional site specific subsurface testing and/or modifications to the development plan. This condition was initially fulfilled on July 7, 1997, through the report of the Stormwater Retention Area Geotechnical Studies Timber Pines South dated May 9, 1996. Additional subsurface testing and modifications to the development plan have occurred and are referenced elsewhere within this development order.

b. The drainage system shall be designed as conceptually presented in Application for Development Approval (ADA), including the use of the existing topography, conservation areas, swales, culverts, and detention/retention areas. The entity, other than Pasco County, responsible for maintenance of the drainage system in each increment (bubble) shall be determined during the review and approval of preliminary plans submitted for each increment.

c. All surface runoff generated by the development shall be diverted from any historic sinkholes and routed to a detention area, unless specifically waived by the County and SWFWMD. A grass swale, or other County approved pretreatment device, shall be placed around historic sinkholes to keep any surface runoff from entering such sinkholes.

d. No residential or commercial structure or well construction is permitted within the limits of the "Event Area" as identified on the Master Development Plan, Revised Map H attached hereto as Exhibit B.

e. Utilization of the "Event Area" shall be limited to open areas such as golf course development and potential stormwater management areas.

f. A 200-foot buffer shall be established around the perimeter of the event area within which detailed Ground Penetrating Radar and supplemental geotechnical studies will be required prior to the construction of any residential or other structures.

g. Construction shall be delayed within the "Event Area" and buffer area for a period of not less than two (2) years from the sinkhole occurrence in February 1998 (or two [2] years of two cycles of seasonal wetting and drying) to check for further sinkhole development. The delineated event area and 200-foot buffer area should be carefully cleared and graded to facilitate inspection which shall be conducted on a monthly basis with any new sinkholes carefully documented. Each new sinkhole shall be measured, surveyed and included as an addition to the existing sinkhole data base.

h. Proposed residential buildings to be located within the 200-foot buffer area shall be subject to structural enhancements to increase the rigidity of the bearing walls to aid in bridging any newly occurring localized surface depressions. All permits in the sinkhole area will be inspected by an independent Professional Engineer hired by the developer in accordance with Section 104.3.2 of the Standard Building Code and Pasco County Administrative Policy BIAP99-100, latest edition.

i. Where irrigation wells are to be constructed, a pilot exploration boring is advised to assist in the sitting process, and the prohibition of construction of groundwater withdrawal wells by individual homeowners is also recommended so as to minimize the potential for excessively stressing the existing geological formations and possibly triggering future similar events. No wells are permitted in the 200-foot buffer area.

j. The "Event Area," as illustrated on Map H, can be used for management of stormwater, provided all relevant stormwater management permit requirements are met.

k. The developer shall conduct routine quarterly sampling for pesticides via two (2) monitoring wells advanced into the upper Floridan aquifer. The location, construction, and monitoring should be done under Pasco County Master Reuse System, Domestic Wastewater Permit No. FLA 127272-006-DWIR, which was modified to add Heritage Pines Golf Course. The developer shall coordinate with Pasco County Utilities to add the additional wells to this permit.

l. Erosion measures, as provided in ADA, shall be implemented during construction of drainage ways.

2. Wetlands.

Findings

Approximately twenty-five (25) acres of wetland community exists on the site. The identified wetland acres are not proposed for development. It is recommended that the wetland areas be preserved in their natural or existing state.

Conditions

a. The major wetland areas shall be preserved in their natural state, with the record plats appropriately designating such areas. If specifically approved by Pasco County and SWFWMD, the wetlands may be used as stormwater run-off receiving bodies. This does not preclude any permitting that may be required by the Florida Department of Environmental Protection.

b. As committed in ADA, a buffer and greenbelt or open space of sufficient width to preserve the natural wetlands shall be provided between wetlands and structures.

3. Flood Plains.

Findings

There are no existing natural water courses on the proposed site and, therefore, no natural river flood plains are present. Approximately four (4) percent of the site lies within the 100-year flood prone area. All of these flood prone areas are wetlands and will be retained in their natural state. Any potential localized flooding due to the development will be mitigated by the design of the internal drainage system. It is recommended that a buffer or greenbelt area of sufficient width to retain wetland

integrity be provided between the wetland areas and any constructed buildings on the site. ADA contains a letter from Pasco County verifying that Pasco County qualifies for federal flood insurance.

Conditions

No development shall occur in the 100-year flood plain, as was committed in ADA.

4. Soils.

Findings

There are six (6) major soil types found on the proposed site. All soils presently on the site evidence some limitations for development. Soils with the most severe limitations are located in an area not proposed for development. Two (2) small pockets of depressional soils will be altered by filling the perimeter and excavating the interior of the depression for drainage retention. Soils with moderate limitations for land development will be modified through traditional engineering practices. Soils with infertile characteristics in the areas designated for recreational use will be overcome by proper turf management practices. It is not anticipated that the existing water table levels will be lowered as a result of the proposed development.

There are no known mineral deposits of commercial value on the site, other than sandfill material required for the development which will be obtained on-site. Soil conservation measures have been proposed in ADA to control erosion during construction activities.

At the time of ADA submission, three (3) sinkholes were present on the site. Existing vegetation on the banks of the sinkholes indicate that the sinks are stable and are a minimum of twenty (20) years in age. The limitations imposed by the sinkholes' slopes will be overcome by constructing gentle slopes and establishing new vegetation on the banks of the sinkholes. The two (2) largest sinkholes will be preserved as open space. These two (2) sinkholes will not receive direct discharges of stormwater run-off. It is recommended that the developer submit to Pasco County and TBRPC the results of a study to determine the lineament intersections of greatest sinkhole potential on the project site. Pasco County may then require additional site specific subsurface testing or development plan alteration as necessary and appropriate. This condition was initially fulfilled on July 7, 1997, through the report of the Stormwater Retention Area Geotechnical Studies Timber Pines South dated May 9, 1996.

Soil conservation measures have been proposed in ADA to control erosion during construction activities.

Conditions

As proposed in ADA, the dust control measures, such as watering, seeding, sodding steep slopes, and the use of staked hay bales in drainage ways, shall be instituted during construction. This condition was initially fulfilled on July 7, 1997, through the report of the Stormwater

Retention Area Geotechnical Studies Timber Pines South dated May 9, 1996. Additional subsurface testing and modifications to the development plan have occurred and are referenced elsewhere within this development order.

5. Air Quality.

Findings

Three (3) major sources of air pollutants generated by the Heritage Pines development will be those associated with vehicular traffic. At the time of ADA, it was estimated that vehicular emissions at build-out will be: 832.6 pounds of hydrocarbons, 740.1 pounds of nitrogen oxide, 7,354.9 pounds of carbon monoxide, and traces of sulfur dioxide (SO₂) and particulates. The proposed development is located in Pasco County which is an ozone nonattainment area.

A secondary source of air pollution will be fugitive dust during project construction and site clearing. The Applicant has committed to a program of measures to control air pollution during construction, such as watering, seeding, mulching, sodding steep slopes, and utilization of staked hay bales in drainage ways. It is recommended that implementation of these measures be required in the development order.

Conditions

As proposed in ADA, the dust control measures, such as watering, seeding, sodding steep slopes and the use of staked hay bales in drainage ways, shall be instituted during construction.

6. Natural Vegetation and Wildlife.

Findings

Heritage Pines is located on the coastal, sand-hill ridge running north-south in western Pasco and Hernando Counties. This ridge is occasionally pocketed with cypress swamps, small lakes and ponds, marshes, and other depressions. Historically, the sand hills were converted to pastures and citrus groves. Slash pine was planted on 467 acres of the 650-acre site to replace damaged groves. The general vegetation communities found on the site include the following ten (10) groups: abandoned grove, citrus grove, cypress swamps, marshes, oak, open field, pine plantation, sand hill, sinkholes, and wax myrtle. There are no rare, threatened or endangered plants found on the site.

At the time of ADA, a variety of wildlife habitat existed at the proposed development site. The majority of wildlife species observed were found in communities overlying the former sand hills. Also, several sightings of wildlife were associated with the large marsh and pond, and in the area of largest of the three (3) sinkhole ponds. Measures proposed to protect existing wildlife include the preservation of the large marsh and ponds.

At the time of ADA, there were no wildlife species observed which are currently on the endangered species list. Two (2) reptiles observed, the Alligator and the Gopher Tortoise, are on the Florida Fish and Wildlife Conservation Commission's (FFWCC) threatened list. The Alligator is also listed as threatened on the Federal list for this area. Threatened or endangered species which were not observed but in all likelihood do exist on the site include the Woodstork, Bald Eagle, Sandhill Crane, Scrub Jay, Indigo Snake, and Striped Newt. ADA states that should endangered species be found on the site, they will be afforded maximum protection.

Conditions

a. Should an endangered wildlife species be found on-site, the known habitat shall be isolated, the proper authorities shall be contacted, and appropriate measures implemented to preserve the habitat.

b. In order to mitigate impacts to gopher tortoise wildlife on the approximate sixteen (16) acres of real property approved for addition to DRI, via Resolution No. 95-315, the developer shall select one (1) of the following alternatives or a combination thereof:

(1) The developer will make a contribution in the amount of Seven Thousand Five Hundred Seventy-nine and 44/100 Dollars (\$7,579.44) to the Fish and Wildlife Habitat Trust Fund (Habitat Trust), Tampa Bay Regional account, administered by FFWCC. Such sum shall be payable on or before September 26, 1996. Funds paid to the Habitat Trust shall be used for habitat acquisition in Pasco County. Should such purchase within the County be impractical, representatives of the Habitat Trust shall petition FFWCC for permission to locate such preserve habitat outside the boundaries of the County within the boundaries of the jurisdictional area of TBRPC or the Withlacoochee Regional Planning Council (WRPC).

(2) The developer shall enter into a Development Agreement with FFWCC that authorizes the developer to purchase one (1) or more parcels of suitable gopher tortoise habitat, that are of proper size, and that are either 1) located adjacent to public lands that are managed in a manner compatible with gopher tortoise protection; 2) located in an existing or proposed mitigation park within the boundaries of the jurisdictional area of TBRPC or WRPC; or 3) privately held and which are acceptable to both FFWCC and FDCA. Simultaneous to the purchase of gopher tortoise habitat, the developer shall donate the gopher tortoise habitat to the public land owner, or the public agency designated to manage the mitigation park.

(3) The developer shall preserve one (1) or more parcels of suitable gopher tortoise habitat that are of proper size within the boundary of DRI.

The developer has complied with this condition through the payment of Seven Thousand Five Hundred Seventy-Nine and 44/100 Dollars (\$7,579.44) to the Habitat Trust on August 28, 1997.

7. Historical and Archaeological Sites

Findings

No known historical or archaeological sites exist on the Heritage Pines project site. At the suggestion of the State Bureau of Historic Sites and Properties (Bureau), an archaeological survey of the property was performed by the Suncoast Archaeological Society. While a notable burial ground was discovered several miles from this development site, this survey concluded that no significant historical or archaeological resources are located on this site. The Bureau has indicated concurrence with this conclusion. It is recommended that if any unique or significant historical or archaeological sites are discovered during construction, the proper state authorities will be notified to determine their importance and to identify any measures to be undertaken for their preservation.

Conditions

Should any significant historical or archaeological site be discovered during construction, the proper authorities shall be immediately notified and their recommendation for preservation and excavation will be implemented.

8. Water Supply.

Findings

At build-out it is estimated that the average daily demand for potable water at Heritage Pines will be 0.28 million gallons daily (mgd). The estimated nonpotable water demand is expected to be 0.10 mgd. Potable water for Heritage Pines will be supplied by Pasco County via an extension of the existing water main along U.S. 19 and supplemented by one (1) on-site well which site will be dedicated to Pasco County when requested by it in writing. Nonpotable water for golf course and open space irrigation will be supplied by on-site private wells or the County's supply system.

Conditions

a. The water conservation measures committed in ADA, such as landscape plantings selected for minimal water requirements, controlled vegetation systems to maximize benefits of water, and water saving plumbing fixtures shall be implemented. The developer shall consider the use of shallow wells used in conjunction with treated wastewater as an alternative to the usage of potable water for nonpotable water demands, such as irrigation of the golf course.

b. A water and sewer agreement shall be consummated between the developer and the County. Such agreement shall stipulate the responsibility for the construction, operation, and ownership of one (1) on-site well and water distribution lines. Nothing herein or in such agreement shall limit the ability of the developer to construct, operate, and maintain wells for irrigation purposes as may be approved by SWFWMD if reclaimed water is insufficient to accommodate the irrigation needs of the project, provided the wells do not materially and adversely impact Pasco County's ability to utilize the well site located on the project premises for the production of potable water.

The developer has complied with this condition by entering into a Utilities Service Agreement with Pasco County on April 25, 1989.

9. Wastewater.

Findings

It is estimated that the total average daily flows of wastewater for this development will be 265,020 gallons per day (0.26 mgd) at build-out.

Conditions

A water and sewer agreement shall be consummated between the developer and the County prior to construction drawing approval. Such agreement shall stipulate the responsibility for the construction, operation, and ownership of one (1) on-site well, as noted in Section 8, above.

The developer has complied with this condition by entering into a Utilities Service Agreement with Pasco County on April 25, 1989.

10. Solid Waste.

Findings

It is estimated that the average daily solid waste to be generated by Heritage Pines will be 6.96 tons/day at build-out.

Conditions

Each preliminary or site plan approval will be contingent upon the developer submitting a letter from the Pasco County Utilities Services Branch, reflecting that adequate solid waste disposal capacity is available to serve the number of units contained within the preliminary site plan.

11. Energy.

Findings

Heritage Pines electrical energy is projected to average 48,410 kilowatts per day upon completion. Peak demand is projected to be 6,724 kilowatts at build-out. All electrical service will be provided by Withlacoochee River Electric Cooperative (WREC).

Energy conservation measures have been incorporated into the overall design of Heritage Pines. Residential units at the proposed development will be constructed in accordance with the Florida Energy Efficiency Building Code. Heritage Pines will take advantage of energy conservation by clustering the proposed residential units and by providing on-site neighborhood shopping facilities which will reduce the need for vehicular travel.

Conditions

Preliminary or site plan approval of each phase will be contingent upon the developer presenting a letter to the County from WREC reflecting that WREC has the ability to provide service to that phase receiving preliminary or site plan approval.

The energy conservation measures proposed in ADA, such as heat exchangers, use of recycled products, landscaping techniques, and bike paths, shall be implemented.

12. Transportation.

The transportation analysis described in the 1995 NOPC (Resolution No. 95-315) is adopted as the "Findings" of Section 12 (Transportation).

Conditions

a. Prior to recording of the first plat for retirement residential units, the developer shall pay to Pasco County the sum of One Million and 00/100 Dollars (\$1,000,000.00) as an advance payment (Advance Payment) for transportation impact fees for the retirement residential units to be built on parcels other than the independent retirement rental parcel.

The Advance Payment shall not be returned to the developer or the present owner if the Advance Payment is not encumbered within five (5) years from date of payment and/or is not expended within eight (8) years from date of payment. The developer hereby agrees to waive its right to request a refund of the Advance Payment, or portion thereof, as set forth in Sections VII (C) and (D) of the New Development Fair Share Contribution for Road Improvements Ordinance as amended.

The transportation impact fee in effect at the time of such payment shall be "frozen" for retirement residential units until such time as the Advance Payment is exhausted.

The "frozen" transportation impact fee shall be the lesser of 1) Two Thousand One Hundred Sixty-Six and 72/100 (\$2,166.72) per retirement residential dwelling unit (i.e., the standard fee for a single-family dwelling unit); or 2) the impact fee based on a traffic study submitted by the developer, in accordance with the requirements of The New Development Fair Share Contribution for Road Improvements Ordinance, and approved by Pasco County. If the "frozen" transportation impact fee is based on the traffic study, then the developer will provide annual monitoring (or other less frequent monitoring as may be acceptable to Pasco County) to verify the traffic generation or trip lengths contained in the traffic study. In

the event the trip generation rates or trip lengths in the traffic study, as shown by subsequent monitoring, are exceeded by more than fifteen (15) percent on a consistent basis, then the transportation impact fee for any new retirement residential units shall be adjusted accordingly, but in no event shall the adjusted rate exceed Two Thousand One Hundred Sixty-Six and 71/100 Dollars (\$2,166.71).

After the Advance Payment is exhausted, the developer shall then pay the transportation impact fees from time to time imposed by Pasco County as development of the retirement residential dwellings occur.

Relative to development of the commercial, assisted-living facility, skilled-nursing facility, and independent retirement rental parcels, the developer shall be required to pay the transportation impact fee in effect at the time the development occurs, and shall not be used to exhaust the Advance Payment.

The developer has complied with this condition through payment of One Million and 00/100 Dollars (\$1,000,000.00) to Pasco County on July 2, 1998. Further, on December 27, 2002, the Advanced Payment was exhausted.

b. Pasco County assures the developer that, subject to funding limitations or other circumstances beyond the County's control, County Line Road will remain operating at an acceptable level of service under the Pasco County Comprehensive Plan.

c. Prior to the issuance of a Certificate of Occupancy (CO) for the 100th residential (retirement) unit and the 191-acre golf course component, the developer shall complete construction of the following improvement to County Line Road/Dartmouth Avenue/Drive A (Grand Club Drive) intersection: construct the Dartmouth Avenue/Drive A (Grand Club Drive) project entrance drive to County Line Road with an eastbound, right-turn lane; a westbound, left-turn lane; a northbound, left-turn lane; and a shared through/right-turn lane.

The developer has complied with this condition by the construction of all of the above referenced improvements.

d. Prior to the issuance of a CO for the 500th residential (retirement) unit, the developer shall submit to Pasco County a traffic signal warrant analysis of the County Line Road/Dartmouth Avenue/Drive A (Grand Club Drive) intersection. If this study does not demonstrate that a traffic signal is warranted, then the developer shall submit to Pasco County a second traffic signal warrant analysis for this same intersection prior to the issuance of a CO for the 800th residential (retirement) unit. If this second study does not demonstrate that a traffic signal is warranted, then the developer shall submit a third traffic signal warrant analysis for the same intersection prior to the issuance of a CO for the 1,100th residential (retirement) unit. If any of the signal warrant analyses demonstrates that a traffic signal is warranted at this

location, then developer shall, upon receipt of all required approvals and permits, commence installation of the traffic signal.

If Pasco County reasonably determines that the traffic signal may be warranted before the above described thresholds are reached, then the County shall notify the developer in writing that a traffic signal warrant study shall be required, and the developer shall then prepare and submit a traffic signal warrant analysis to Pasco County for review. The developer shall not be required to prepare and submit a traffic signal warrant analysis as a result of either the unit thresholds described above, or in response to the County's written notice, more than once in any twelve (12) month period.

In addition, if a traffic signal is warranted, then the developer shall construct a limited four (4) lane section of County Line Road consisting of the construction of 500 linear feet of four (4) lane roadway located at the approach to the intersection (both eastbound and westbound) and the construction of 1,320 linear feet of four (4) lane roadway departing the intersection (both eastbound and westbound), plus required through lane transitions at the approaches and departures of the intersection (both eastbound and westbound) ("Limited Four-Lane Section"). A drawing of the Limited Four-Lane Section is attached hereto as Exhibit C.

The developer shall be entitled to continue with development beyond the 500th, 800th, or 1,100th unit, provided the developer is proceeding in good faith with the installation of the traffic signal and/or the design, permitting, or construction of the Limited Four-Lane Section.

A traffic signal, warrant analysis of the County Line Road/Dartmouth Avenue/Drive A intersection was received on February 7, 2003. This does not preclude future requests for further traffic-signal, warrant analyses.

e. Prior to the issuance of a CO for the first square foot of commercial development on the 5.8-acre commercial site, the developer of the commercial parcel shall complete construction of an intersection improvement at County Line Road between Dartmouth Avenue and Drive B to provide a right-in/right-out access point to the commercial site.

f. Prior to the issuance of a CO for the independent retirement rental unit for Tract 33 (the independent retirement rental parcel) the developer of the independent retirement rental parcel shall construct an intersection improvement at County Line Road/Fountain Court/Drive C to provide eastbound and westbound, turn lanes, and to construct Drive C.

g. The developer shall dedicate seventy (70) feet of right-of-way along the project's northern boundary to accommodate the four (4) laning of County Line Road. This obligation for dedication shall not preclude the developer from seeking compensation or credit under any transportation impact fee ordinance or any other agreement or law.

The developer shall dedicate this right-of-way within ninety (90) days after written notification from Pasco County, but no sooner than approval of the first record plat.

The developer has complied with this condition by the dedication of right-of-way as referenced above.

h. The developer shall, upon written request from Pasco County, at the time hereinafter provided, dedicate as right-of-way the existing fifty (50) foot easement area located along a portion of the project's southern boundary, more particularly described in an easement recorded in O.R. Book 646, Page 252, of the Public Records of Pasco County, Florida, to accommodate a public roadway.

The developer shall dedicate to the public by plat this right-of-way at such time as the contiguous real property owned by the developer to the north thereof is platted.

The developer has complied with this condition by the dedication of the above-referenced right-of-way (O.R. Book 4483, Pages 1935-1936).

i. Construction vehicles are prohibited from using Duda Avenue and the public right-of-way described in Subparagraph h above, for access to the property described in Exhibit A.

13. Recreation.

Findings

Recreation and Open Space for the development will include 189 acres of golf course with associated club facility, twenty-five (25) acres of Wetlands Conservation/Preservation and 97.47 acres of Miscellaneous Open Space. These areas are shown on the Revised Master Development Plan, attached hereto as Exhibit B, and will be the responsibility of the owner, its successors or assigns.

Conditions

The developer shall comply with Pasco County Neighborhood Parks Ordinance No. 02-26 as amended and Pasco County Parks and Recreation Impact Fee Ordinance No. 02-03 as amended.

14. Educational Facilities.

Findings

Heritage Pines development is designed to primarily provide housing for retired persons with very few school-age children estimated to reside at Heritage Pines upon completion of the project. ADA contains a letter from the Pasco County District School Board confirming that the school system will be able to accommodate the students added from Heritage Pines and indicating that no new school facilities or sites will be necessary as a result of the proposed development.

Conditions

None.

15. Health Care.

Findings

No specific on-site medical or health care facilities are proposed for Heritage Pines. The nearest hospital to Heritage Pines is located in Hudson, about ten (10) miles away. Emergency Medical Services (EMS) will be provided to Heritage Pines from existing EMS facilities operated by Pasco County with a present response time to the project site of about six (6) minutes. At the time of ADA submission, the EMS service had a full-time staff of fifty-eight (58) professionals.

Conditions

See Condition No. 16 below.

16. Fire Protection.

Findings

Fire protection services will be provided by Pasco County Fire Service District II. Primary service will be provided by Station 100 located on U.S. 19 near Fivay Road with a referenced response time of seven (7) minutes and secondary service with a response time of twenty (20) minutes. In addition, these will be backed up by Spring Hill Stations 1 and 2, located in Hernando County.

Conditions

The developer shall donate a minimum 1.29-acre parcel (200 feet deep by 280 feet wide of developable upland) to the County for use as a public service facility at a mutually agreed upon location, which shall be shown on the next approval of the MPUD Master Planned Unit Development Master Plan and the DRI Master Development Plan (Map-H) during the next NOPC review. The land shall be conveyed to Pasco County by fee simple title transfer within 180 days of the County's request. In the event the County has not requested the property prior to the platting of the 800th single-family unit, then the developer shall notify the County in writing that this offer to donate shall expire unless the County requests a conveyance of the subject property within twelve (12) months of the written notification. In the event the County fails to request the conveyance of the property within this twelve (12) month period, then the developer shall be released from any further obligation to donate the public service parcel. In any event, any deed conveying the site to the County will include a reverter cause automatically causing a reversion to the developer in the event construction on the site is not commenced by the County within two (2) years of the conveyance. The review of any site plan and landscaping plan for the site and the design of the building shall be coordinated with the developer.

All conveyances required pursuant to this approval shall be in a form acceptable to the Pasco County Real Estate Division and shall be free and clear of all liens and

encumbrances, including exclusions from the boundaries of any special districts and exemption from all covenants and deed restrictions.

17. Police Protection.

Findings

Heritage Pines will be served by the Pasco County Sheriff's Department.

A letter from the Sheriff's Department indicates that the department will be able to provide anticipated police protection services to the future residents at Heritage Pines and that response time for emergency calls should not exceed five (5) minutes. No on-site police protection services, facilities, or site will be dedicated or otherwise provided.

Conditions

None.

18. Housing.

Findings

Heritage Pines is a proposed development consisting of 1,306 retirement residential dwelling units, fifty (50) independent retirement rental multifamily dwelling units, 162 assisted-living facility dwelling units, 140-bed nursing home, 45,000 square feet of commercial development on 5.8 acres, and 189 acres of golf course. It is planned to consist of a variety of housing types to include single-family detached and villa condominium units. The price range for the units will range between One Hundred Twenty Thousand and 00/100 Dollars (\$120,000.00) and Two Hundred Forty Thousand and 00/100 Dollars (\$240,000.00). The proposed site for Heritage Pines will be developed by its owner, U.S. Home Corporation.

The primary marketing effort for Heritage Pines will be directed within the Tampa Bay Region, and the major target group is expected to be the fifty-five (55) and over age group.

Conditions

None.

19. Economy.

Findings

At time of ADA submission, approximately One Hundred Seventeen Million and 00/100 Dollars (\$117,000,000.00) was estimated to be spent on construction of Heritage Pines, of which sixty-six (66) percent was estimated to be spent in the Tampa Bay Region. The proposed development was estimated to generate employment for 3,465 construction workers and, upon completion, an estimated 118 permanent jobs will be created with an annual payroll of One Million Five Hundred Thousand and 00/100 (\$1,500,000.00).

Major capital improvements will be necessary to accommodate this proposed development in several areas of public facilities. Development costs for internal streets, drainage, sewer, and water supply will be borne solely by the developer.

Conditions

None.

20. Golf Course.

Findings

Pursuant to the revised Master Plan, attached hereto as Exhibit B, the developer is proposing 189 acres of golf course. Depending upon market conditions and final golf course designs, the golf course component may be modified. The developer may reduce the golf course component to no less than 145 acres, or may increase the golf course component in accordance with the tradeoff mechanism which provides for one (1) residential retirement unit to be converted to 1.4 acres of golf course, with the total golf course component not to exceed 210 acres. The golf course acreage approved in this Resolution may not be used by Pasco County to satisfy the Open Space requirements of the Pasco County Comprehensive Plan.

The developer shall formulate guidelines for the maintenance of golf course(s) that address the limited use of herbicides, pesticides, and fertilizers and includes best management practices. These guidelines shall be formulated and implemented prior to the opening of the golf courses, and shall be submitted to the County for approval. Any change in the guidelines shall require approval by the County and shall be included in the DRI Annual Report following the change.

The developer shall utilize xeriscaping techniques when appropriate to minimize irrigation requirements.

IV. General Conditions Restricting Development

A. Development of the area embraced by ADA shall be governed by the standards and procedural provisions of adopted comprehensive plans, elements thereof, and the land development regulations.

B. Construction of all improvements shall be governed by applicable County building, plumbing, electrical, energy, and other codes or regulations.

C. Installation of public facilities shall conform to regulations established in County codes or ordinances establishing such regulations.

V. Monitoring Procedures

A. The local official responsible for monitoring the Heritage Pines DRI shall be the County Administrator or his designee.

VI. Duration

- A. The development order took effect on July 6, 1982.
- B. The duration of the development order shall be a period of approximately twenty-three (23) years, through December 31, 2005, provided that the effective period may be extended by the Board upon a showing of good cause.

VII. Annual Report

- A. The developer shall provide an annual report to the official responsible for monitoring the DRI, TBRPC, and FDCA on July 6th of each year during the term of the development order. The report shall include, at a minimum, the following information:

- 1. Any changes in the proposed plan of development.
- 2. Description of the development activities which have occurred over the previous year, including a summary of the number, type, and location of residential units and commercial structures.
- 3. A description of development activity proposed for the next year.
- 4. A statement setting forth names and addresses of any assignees or successors in interest to this development order.

VIII. Amendment/Substantial Deviations

All proposed substantial and material changes to DRI for which a development order has been approved shall be submitted to the Board for a substantial deviation determination prior to implementation of such changes by the developer. As used in this paragraph, the term substantial deviation means any change which creates a reasonable likelihood of additional significant adverse regional impacts or any other significant regional impact which was not previously reviewed by the Board or TBRPC.

Prior to amending any provision in this development order or issuing any substantial deviation determination, the County shall provide TBRPC with reasonable notice of its intent to consider such an amendment. Such notice shall be reasonably calculated to permit TBRPC to appear at the public hearing or present written comments on the proposed change prior to the effective date of the amendment or change.

Effect of development order/ADA

- 1. All development of the property subject to this development order shall substantially conform to ADA, unless otherwise modified by the provisions of this development order.

IX. Miscellaneous Provisions

- A. A Notice of Adoption of this Resolution shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with the Section 380.06(14)(a), Florida Statutes, and the development order contained herein shall govern the development of Heritage Pines DRI.

B. The County agrees that the approved DRI, shall not be subject to down-zoning, unit density reduction, or intensity reduction for the duration of this development order, through December 31, 2005, unless the County can demonstrate that substantial changes in conditions underlying the approval of the development order have occurred, or that the development order was based on substantially inaccurate information provided by the developer, or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

X. Effective Date

If this amendment to the development order is not appealed, it shall take effect the earlier of a) the date all parties with the right to appeal issue a written statement that they will not appeal this amendment to the development order or b) forty-five (45) days after a certified copy hereof has been rendered to FDCA and no appeal has been filed. If this amendment to the development order is appealed, it shall take effect upon the conclusion of the appeal. Upon adoption, certified copies of this resolution shall be transmitted by the Pasco County Growth Management Department via certified mail to FDCA, TBRPC, and the Applicant, pursuant to F.S., Chapter 380.

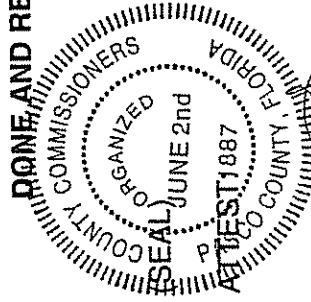
XI. Notice of Adoption

A Notice of Adoption of this Resolution, in the form attached hereto and incorporated herein as Exhibit D, shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with Section 380.06(15)(f), F.S., as amended.

XII. Certified Copies

The Clerk of the Board shall return a signed certified copy of this Resolution and the Notice of Adoption described in Section XI above to the Pasco County Growth Management/Zoning Department, which shall then send copies of each document to FDCA and TBRPC, and to the attorney of record in these proceedings.

DONE AND RESOLVED this 10th day of March, 2004.



JED PITTMAN, CLERK

BOARD OF COUNTY COMMISSIONERS OF
PASCO COUNTY, FLORIDA

APPROVED
MAR 10 2004
PETER A. ALTMAN, CHAIRMAN

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

ATTORNEY

EXHIBITS

- A. Legal Description
- B. Map H
- C. Limited Four Lane Section
- D. Notice of Adoption

EXHIBIT A

LEGAL DESCRIPTION

EXHIBIT "A"

LEGAL DESCRIPTION

Parcels "A" and "B":

A parcel of land located within Sections 5 and 6, Township 24 South, Range 17 East, Pasco County, Florida. Being more particularly described as follows:

Commence at the Northeast corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida, thence, along the East line of said Section 5 and the West line of the unrecorded plat of Orange Hill Estates and Orange Hill Estates First Addition, S00°34'15"W, for 50.00 feet to the Point of Beginning; thence continue along said line, S00°34'15"W, for 2594.71 feet to the East 1/4 corner of said Section 5; thence S00°35'23"W, for 2669.82 feet to the Southeast corner of said Section 5; thence, along the South line of said Section 5, N89°46'38"W, for 1321.51 feet; thence, leaving said line, N00°34'36"E, for 665.34 feet, thence N89°52'08"W, for 660.84 feet; thence S00°32'06"W, for 663.86 feet to the South line of said Section 5; thence, along said line N89°46'28"W, for 660.64 feet to the South 1/4 corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida; thence, continue along said South line, N89°50'13"W, for 2643.84 feet to the Southwest corner of said Section 5; thence along the West line of said Section 5 and the East line of the unrecorded plat of Highlands, N00°31'43"E, for 2645.16 feet to the West 1/4 corner of said Section 5 and the East 1/4 corner of Section 6, Township 24 South, Range 17 East, Pasco County, Florida; thence, along the East-West centerline of said Section 6, S88°20'32"W, for 1321.95 feet; thence, leaving said centerline, N00°26'42"E, for 680.34 feet; thence N88°47'05"E, for 1321.69 feet to the Southeast corner of Arlington Woods Phase 2-A as recorded in Plat Book 30 Pages 22 and 23 of the Public Records of Pasco County, Florida and the West line of said Section 5; thence, along said West line, N00°36'37"E, for 1959.87 feet; thence, along a line being 50.00 feet perpendicular to the South boundary of Spring Hill Unit 5 as recorded in Plat Book 7, Pages 96 through 107 of the Public Records of Hernando County, Florida, S89°41'11"E, for 5287.09 feet to the Point of Beginning, containing 650.04 acres, more or less.

Subject to:

A 50' ingress-egress easement over the West 9/16 of Section 5, Township 24 South, Range 17 East, Pasco County, Florida as recorded in OR Book 646, Page 252 of the Public Records of Pasco County, Florida.

Total net acreage = 650.04 acres, more or less.

EXHIBIT B

MAP H

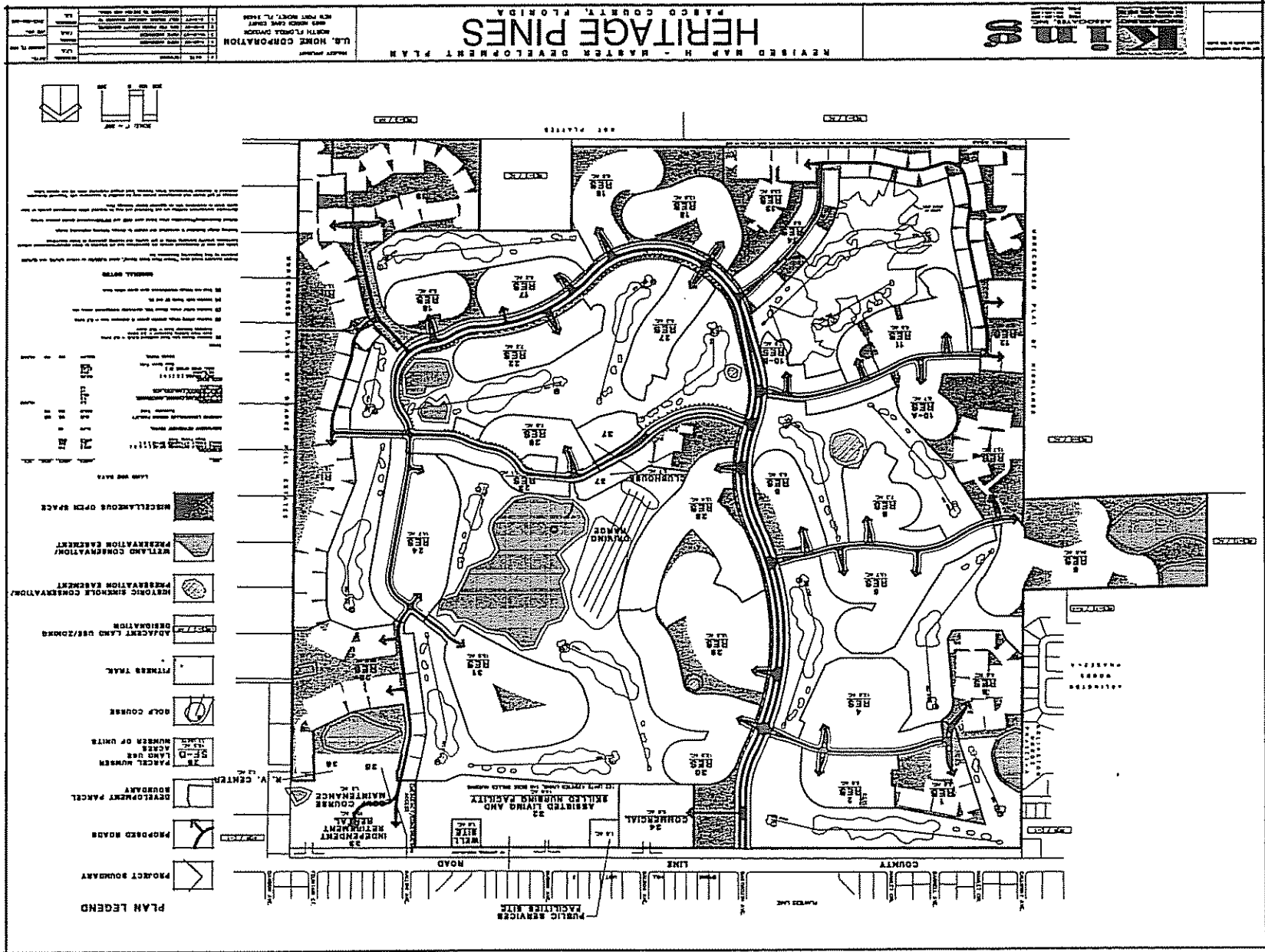


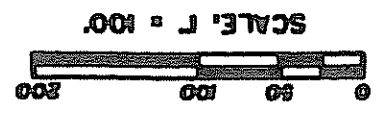
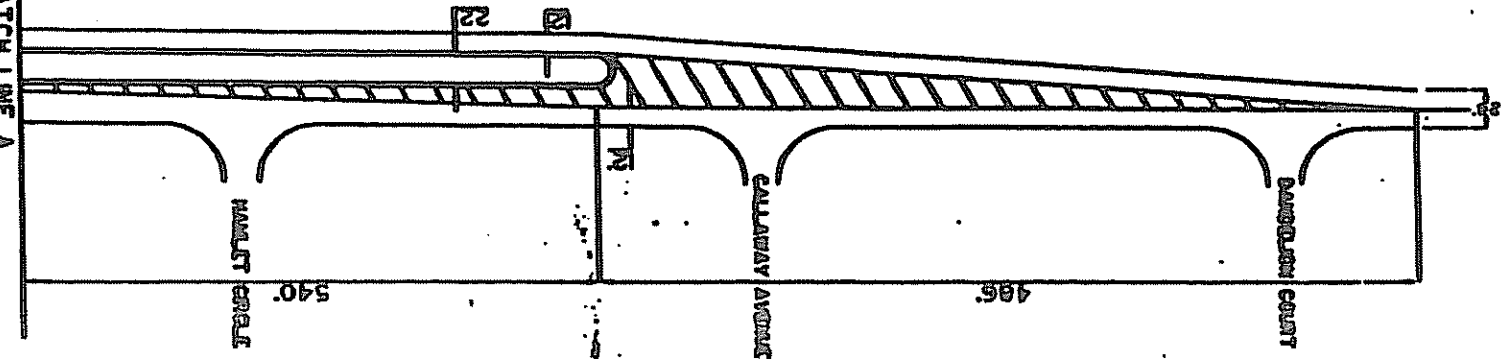
EXHIBIT C

LIMITED FOUR LANE SECTION

LIMITED FOUR LANE SECTION

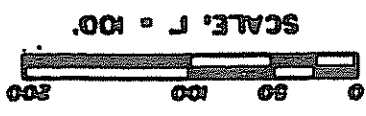
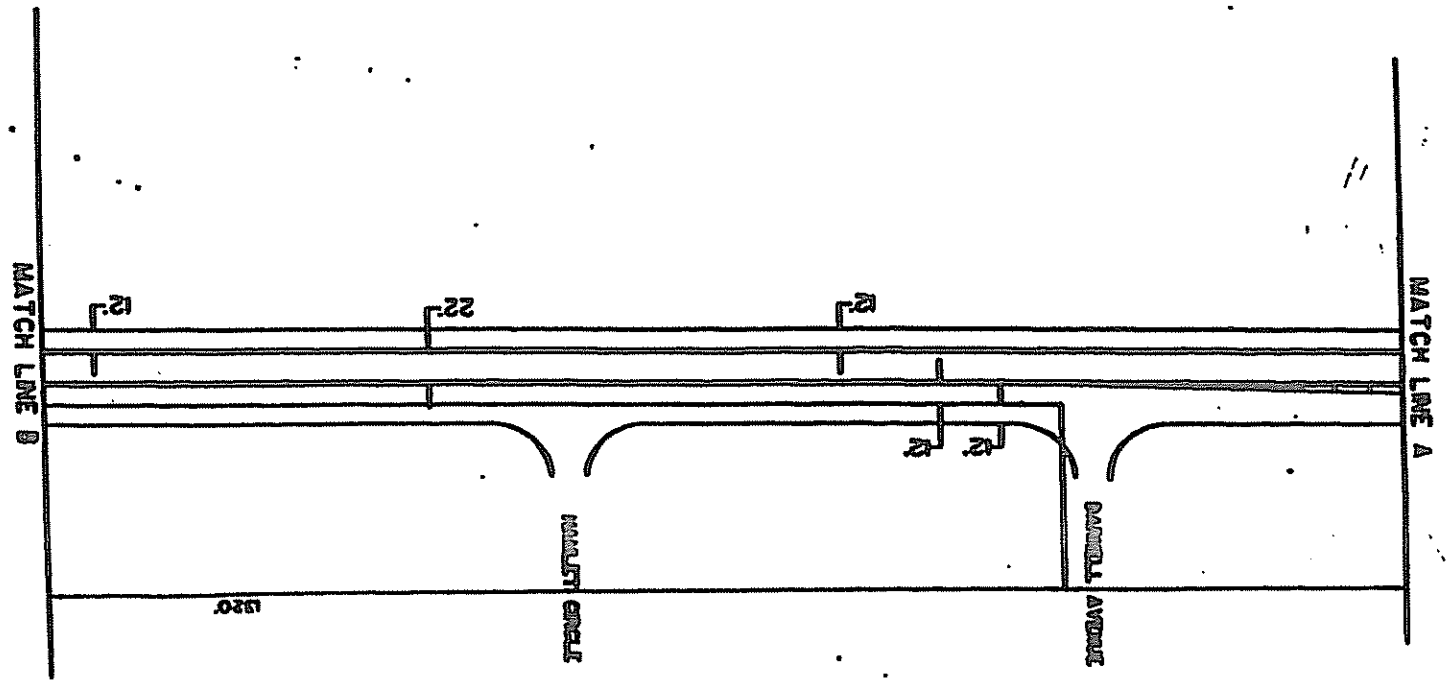


MATCH LINE A

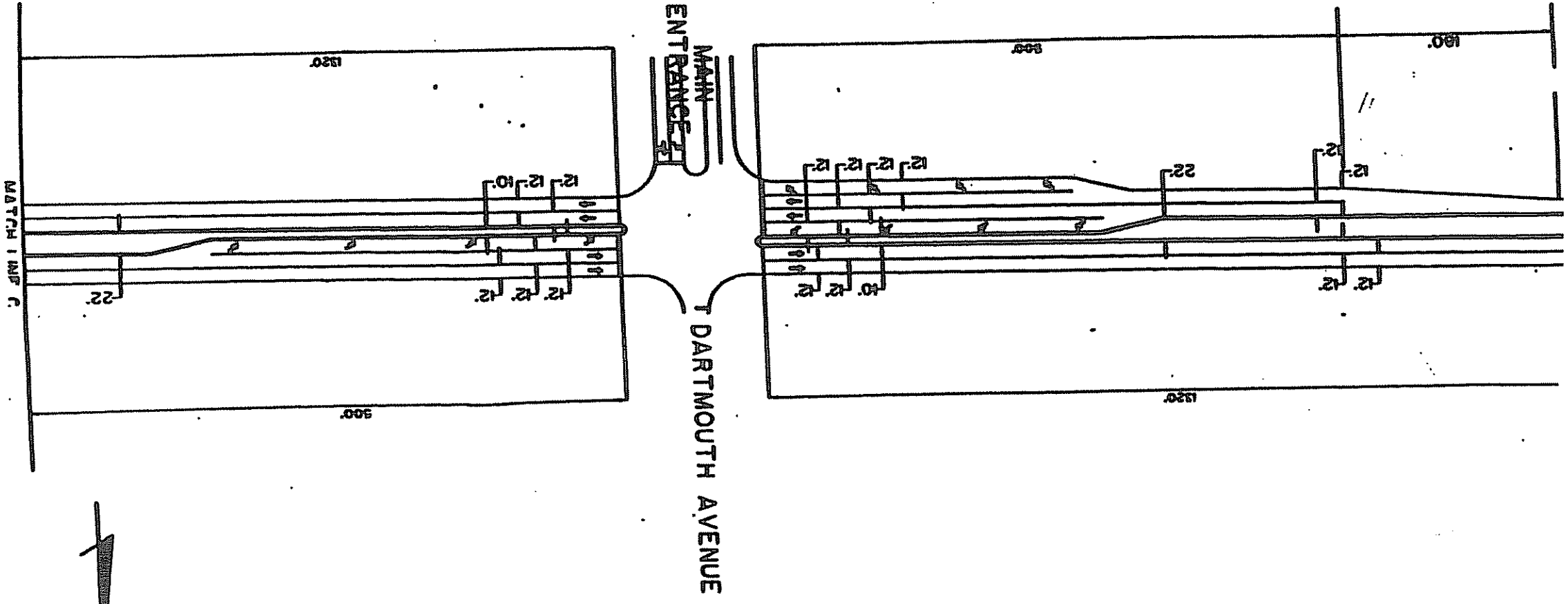


SHT: 1 OF 5

LIMITED FOUR LANE SECTION



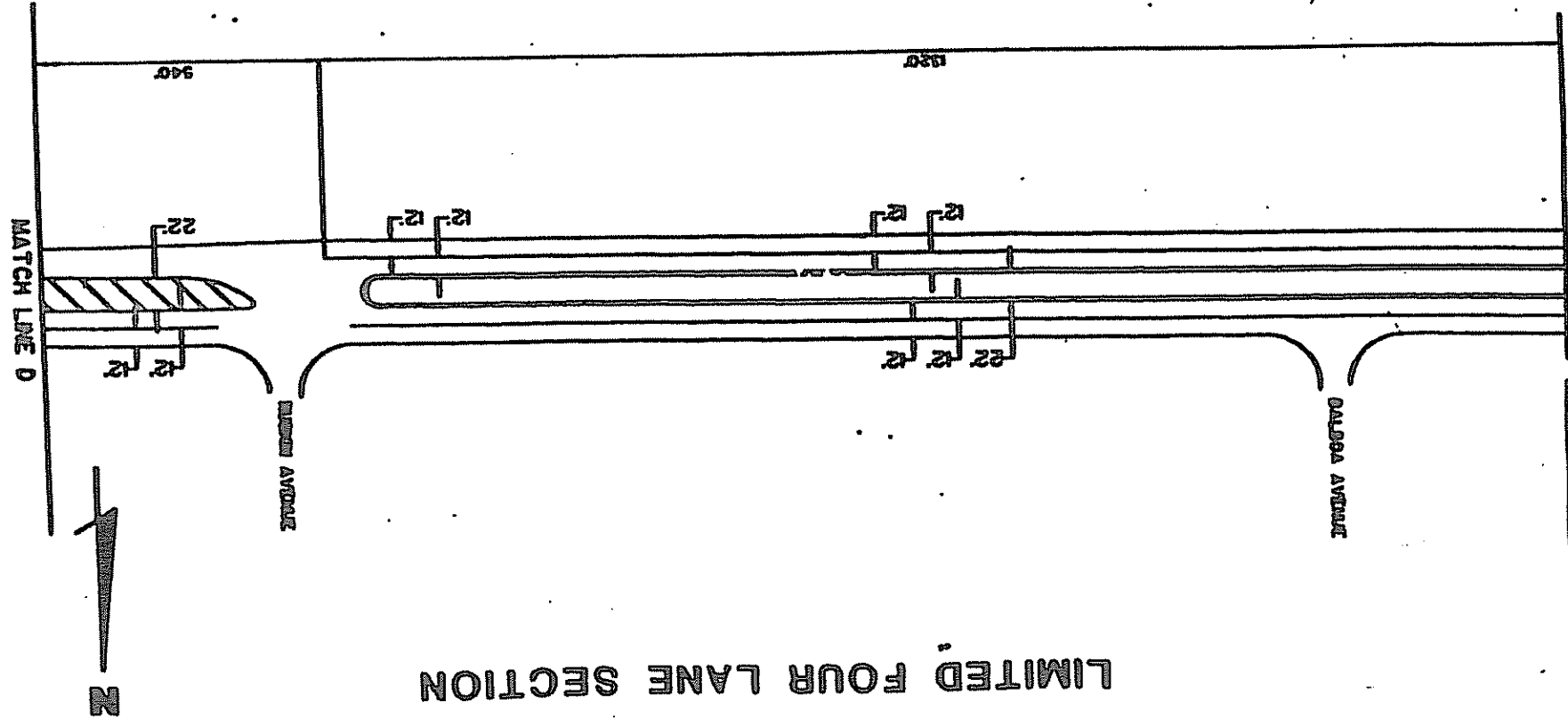
LIMITED FOUR LANE SECTION



SCALE, 1" = 100'

SHT. 3 OF 5

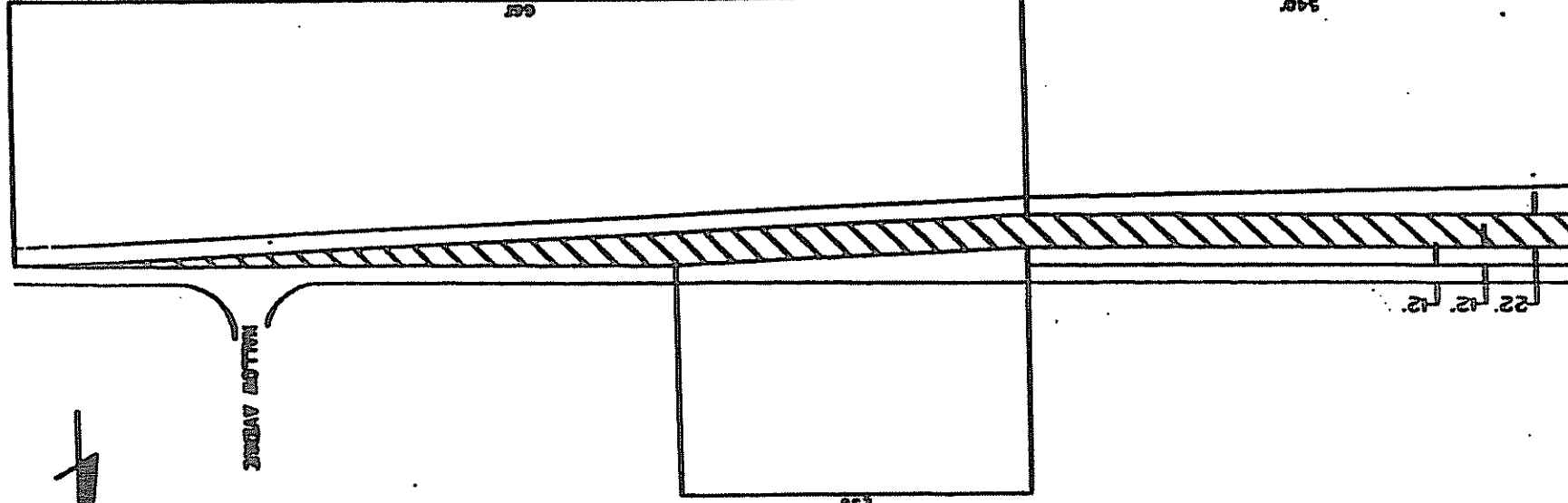
LIMITED FOUR LANE SECTION



LIMITED FOUR LANE SECTION



WILLOW AVENUE



SHT. 5 OF 5

EXHIBIT D

NOTICE OF ADOPTION

EXHIBIT "D"

NOTICE OF ADOPTION OF THE AMENDED, CONSOLIDATED AND RE-STATED
DEVELOPMENT ORDER FOR HERITAGE PINES (F.K.A. TIMBER PINES SOUTH,
F.K.A. BEACON VILLAGES) 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. _____ dated _____, has adopted an amendment to the development order for a _____, Development of Regional Impact known as Heritage Pines (f.k.a Timber Pines South, f.k.a. Beacon Villages) (Resolution No. 82-128). The above-referenced development order constitutes a land development regulation applicable to the property described in Exhibit A of the development order.

A legal description of the property covered and the development order may be examined upon request at the Office of the Clerk to the Board of County Commissioners of Pasco County, 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 above-mentioned Exhibit A nor actual nor constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

(SEAL)

ATTEST:

JED PITTMAN, CLERK

PETER A. ALTMAN, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

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

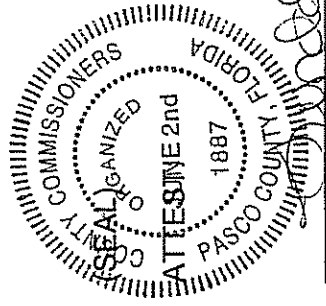
BY: _____
ATTORNEY

NOTICE OF ADOPTION OF THE AMENDED, CONSOLIDATED AND RE-STATE
DEVELOPMENT ORDER FOR HERITAGE PINES (F.K.A. TIMBER PINES SOUTH,
F.K.A. BEACON VILLAGES) 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. 12-118 dated
March 10, 2004, has adopted an amendment to the development order for a
Development of Regional Impact known as Heritage Pines (f.k.a Timber Pines South,
f.k.a. Beacon Villages) (Resolution No. 82-128). The above-referenced development
order constitutes a land development regulation applicable to the property described in
Exhibit A of the development order.

A legal description of the property covered and the development order may be
examined upon request at the Office of the Clerk to the Board of County Commissioners
of Pasco County, 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 above-mentioned Exhibit A nor actual nor constructive
notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.



[Signature]
JED PITTMAN, CLERK

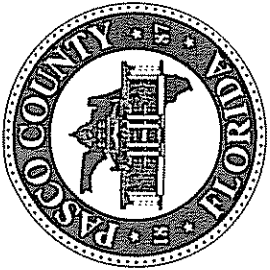
[Signature]
PETER A. ALTMAN, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

APPROVED
MAR 10 2004

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

BY: [Signature]
ATTORNEY

STATE OF FLORIDA
COUNTY OF PASCO
THIS IS TO CERTIFY THAT THE FOREGOING
IS A TRUE AND CORRECT COPY OF
PAGE(S) 17 OF 27 PAGES
OF THE ORIGINAL OF RECORD IN MY
OFFICE. WITNESS MY HAND AND THE
COUNTY'S OFFICIAL SEAL THIS
March 10, 2004
JED PITTMAN, CLERK TO THE BOARD
BY: [Signature] D.C.



PASCO COUNTY, FLORIDA

Growth Management/Zoning Department
West Pasco Government Center
7530 Little Road, Suite 320
New Port Richey, FL 34654
Tel. (727) 847-8140
Fax (727) 847-8084

CERTIFIED MAIL NO. P 306 260 466
RETURN RECEIPT REQUESTED

September 13, 1999

Mr. John Meyer
DRI Coordinator
Tampa Bay Regional
Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

RE: Heritage Pines - Development of Regional Impact (#77)
Development Order Amendment

Dear Mr. Meyer:

Enclosed please find a certified copy of the Heritage Pines Development of Regional Impact, Development Order Amendment (Resolution No. 99-268), which is hereby rendered in accordance with Chapter 380.06, Florida Statutes. This development order amendment was approved by the Pasco County Board of County Commissioners on August 24, 1999.

Sincerely,

Michael Lasala, AICP
Planner II

ML/ml

Enclosure

cc: Samuel P. Steffey II, Growth Management Administrator
File

A RESOLUTION AMENDING, CONSOLIDATING, AND RESTATING THE DEVELOPMENT ORDER FOR THE HERITAGE PINES (FORMERLY KNOWN AS TIMBER PINES SOUTH AND ORIGINALLY AS BEACON VILLAGES) DEVELOPMENT OF REGIONAL IMPACT

WHEREAS, in accordance with Section 380.06, Florida Statutes, the Pasco County Board of County Commissioners (Board) adopted a development order approving, with conditions, the HERITAGE PINES Development of Regional Impact (DRI), by Resolution No. 82-128, amended by Resolution Nos. 89-248, 95-315, 97-174, and 98-67 (Development Order); and

WHEREAS, on February 1, 1999, U.S. Home Corporation filed an application entitled *Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) pursuant to Subsection 380.06(19), Florida Statutes* (the NOPC) proposing to 1) relocate residential units and adjust "Village" unit amounts and acreage to reflect final engineering design; 2) adopt a Revised Master Development Plan (Map H) to reflect changes in land uses; and 3) amend certain other Development Order findings and conditions (the Proposed Changes); and

WHEREAS, in order to provide a single Development Order document incorporating all applicable provisions of the initial Development Order and subsequent modifications, a Consolidated and Restated Development Order has been prepared; and

WHEREAS, the Board, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider amendments to DRI'S; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board in regular session, duly assembled this 24th day of August 1999, that the Development Order for Heritage Pines be amended as set forth below:

I. General Findings of Fact. The Board, having received all related comments, testimony, and evidence submitted by each party and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:

A. The Development Order is a valid final development order within the provisions of Section 163.3167(8), Florida Statutes, affecting the property described on Exhibit A attached hereto and incorporated herein.

B. NOPC includes a description of the Proposed Changes.

C. The Proposed Changes necessitate amending the Development Order findings and conditions described herein.

D. A comprehensive review of the impacts generated by the Proposed Changes, together with all previous amendments, has been conducted by Pasco County ("County"), the Tampa Bay Regional Planning Council (TBRPC), and the Department of Community Affairs, State of Florida (FDCA).

E. The Proposed Changes, together with all previous amendments, do not create additional regional impacts on transportation or other public facilities, including water, wastewater, drainage, solid waste, recreation, and mass transit over those approved in the Development Order; nor do they create impacts that were not previously reviewed.

II. Conclusions of Law. The Board, having made the above findings of fact, reaches the following conclusions of law:

- A. Development in accordance with the Development Order, amended as proposed in NOPC, will not unreasonably interfere with the achievement of the objectives of the adopted State Comprehensive Plan.
- B. The Development Order, amended as proposed in NOPC, is consistent with the land development regulations and the adopted local comprehensive plan.
- C. The proposed development is not located in an area of critical state concern designated as such pursuant to Section 380.05, Florida Statutes (1993).
- D. The NOPC has satisfactorily addressed all regional issues related to development of the DRI and the presumption of a substantial deviation has been rebutted.
- E. The Proposed Changes, once effective, are consistent with the provisions of Section 402, Pasco County Land Development Code, the Pasco County Concurrency Management System, and the Development Rights granted by the Development Order, as amended hereby, remain vested thereunder.
- F. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record and these proceedings, the various departments of the County, and the developer are authorized to approve/conduct development as described herein.
- G. The review by the County, TBRPC, and other participating agencies and interested citizens reveals that the Proposed Changes do not create additional impacts on regionally significant natural resources, facilities, and services beyond those approved in the Development Order, and that impacts are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes. The proposed amendments, therefore, do not constitute a "substantial deviation" from the Development Order, pursuant to Chapter 380.06, Florida Statutes.

III. Order. Having made the above findings of fact and drawn the above conclusions of law, it is ordered that the Development Order be and is hereby amended, consolidated and restated as follows:

- A. The Revised Master Development Plan, dated January 25, 1999, which reflects the Proposed Changes, and which is attached hereto and made a part hereof as Exhibit B, is hereby approved and adopted and becomes part of the Development Order. This Revised Master Development Plan supersedes all previously adopted master plans.
- B. The legal description of the DRI dated, March 4, 1997, is attached hereto and made a part hereof as Exhibit A.
- C. The development phasing and build-out schedule for DRI is hereby approved and adopted to reflect a single phase of development including, but not limited to, 1,306 retirement residential dwelling units; 50 independent retirement rental multifamily dwelling units; 162 assisted living facility (ALF) dwelling units; 140-bed nursing home; 45,000 square feet of commercial development on 5.8 acres; and 189 acres of golf course. Build-out of this single phase of development shall occur on or before December 31, 2002, as described herein.

- D. Specific Findings on Impact and Conditions Restricting Development.

- 1. Water Quantity and Drainage.

Findings

The proposed development is located in a recharge area for the Floridan Aquifer. There is no significant confining layer in this area and recharge occurs directly from infiltration and percolation of rainfall. The water quality of the Floridan Aquifer in the area of the proposed development is suitable for potable use. Potable water for the project will be supplied through an extension of the County water main, supplemented by one on-site well which will be operated by Pasco County. U. S. Home Corporation will dedicate to Pasco County, when requested in writing, one (1) potable water production well site of not more than a one (1) acre site needed for the supplemental well.

The site is comprised of three (3) historic sinkholes which contain permanent surface water. Inceptor grass swales or pretreatment ponds are planned for construction adjacent to these historic sinkholes to prevent stormwater runoff from discharging directly into them. There are numerous other sinkholes located in the southwest corner of the site which were created in 1998 as a result of a well drilling incident in the area of golf course hole Nos. 2 and 3. These new sinkholes are proposed to be grouped into three (3) stormwater ponds. Two (2) of the proposed ponds encompassing the sinkholes will require adjacent pre-treatment ponds. The third proposed pond containing sinkholes has been determined by SWFWMD not to have a direct connection to the Floridan aquifer, thus no pre-treatment will be necessary.

A large freshwater marsh which historically was only seasonally wet will be used to create a new lake, which was reviewed and agreed to by SWFWMD. Cypress swamp is also found on the site, but are only seasonally wet. The development as proposed is expected to create no significant impacts to the cypress swamp. The entire lake and cypress areas shall be preserved as a park.

The proposed drainage system is planned to maintain the existing drainage patterns of the undeveloped site by making maximum use of the existing topography. Due to the undulating topography and the many small depressions found on the project site, there is little natural stormwater runoff to offsite areas. Major elements of the proposed drainage system include detention/retention areas, conservation areas, and swales and culverts.

The designated retention/detention areas will take maximum advantage of the deep sandy soils found within the project and will generally be located within natural depressions. For portions of the project located within an open drainage basin, the off-site discharge shall be limited to the historic discharge for a twenty-five (25) year, twenty-four (24) hour storm event. For portions of the project located within a closed drainage basin, the total post development volume for the 100-year, twenty-four (24) hour storm event will be stored. The project shall be designed so that discharges will meet applicable state water quality standards, as set forth in Chapter 17-3 and Section 17-4.24, F.A.C. All discharges to Hunter's Lake shall be treated for water quality and quantity standard.

The conservation areas include the lake, cypress swamp, and the historic sinkholes. Stormwater runoff will not be discharged directly into these natural areas. Interceptor swales or treatment sumps will be designated to detain and treat stormwater before discharging into these natural areas.

Conditions

- a. Prior to approval of the first development phase, the developer shall implement and provide to Pasco County and Tampa Bay Regional Planning Council a study which is to determine the lineament intersections of greatest sinkhole potential occurrence on the project site. SWFWMD may require additional site specific subsurface testing and/or modifications to the development plan. This condition was initially fulfilled on July 7, 1997, through the report of the Stormwater Retention Area Geotechnical Studies Timber Pines South dated May 9, 1996. Additional subsurface testing and modifications to the development plan have occurred and are referenced elsewhere within this Development Order.
- b. The drainage system shall be designed as conceptually presented in Application for Development Approval (ADA), including the use of the existing topography, conservation areas, swales, culverts, and detention/retention areas. The entity, other than Pasco County, responsible for maintenance of the drainage system in each increment (bubble) shall be determined during the review and approval of preliminary plans submitted for each increment.
- c. All surface runoff generated by the development shall be diverted from any historic sinkholes and routed to a detention area, unless specifically waived by the County and

SWFWMD. A grass swale, or other County approved pretreatment device, shall be placed around historic sinkholes to keep any surface runoff from entering such sinkholes.

d. No residential or commercial structure or well construction is permitted within the limits of the "Event Area" as identified on the Master Development Plan, Revised Map H attached hereto as Exhibit B.

e. Utilization of the "Event Area" shall be limited to open areas such as golf course development and potential stormwater management areas.

f. A 200-foot buffer shall be established around the perimeter of the event area within which detailed Ground Penetrating Radar and supplemental geotechnical studies will be required prior to the construction of any residential or other structures.

g. Construction shall be delayed within the "Event Area" and buffer area for a period of not less than two years from the sinkhole occurrence in February 1998 (or two years of two cycles of seasonal wetting and drying) to check for further sinkhole development. The delineated event area and 200-foot buffer area should be carefully cleared and graded to facilitate inspection which shall be conducted on a monthly basis with any new sinkholes carefully documented. Each new sinkhole shall be measured, surveyed and included as an addition to the existing sinkhole data base.

h. Proposed residential buildings to be located within the 200-foot buffer area shall be subject to structural enhancements to increase the rigidity of the bearing walls to aid in bridging any newly occurring localized surface depressions. All permits in the sinkhole area will be inspected by an independent Professional Engineer hired by the developer in accordance with Section 104.3.2 of the Standard Building Code and Pasco County Administrative Policy BIAP99-100, latest edition.

i. Where irrigation wells are to be constructed, a pilot exploration boring is advised to assist in the sitting process, and the prohibition of construction of groundwater withdrawal wells by individual homeowners is also recommended so as to minimize the potential for excessively stressing the existing geological formations and possibly triggering future similar events. No wells are permitted in the 200-foot buffer area.

j. The "Event Area," as illustrated on Map H, can be used for management of stormwater, provided all relevant stormwater management permit requirements are met.

k. The developer shall conduct routine quarterly sampling for pesticides via two (2) monitoring wells advanced into the upper Floridan aquifer. The location, construction, and monitoring should be done under Pasco County Master Reuse System, Domestic Wastewater Permit No. FLA 127272-006-DWIR, which was modified to add Heritage Pines Golf Course. The developer shall coordinate with Pasco County Utilities to add the additional wells to this permit.

l. Erosion measures, as provided in ADA, shall be implemented during construction of drainage ways.

2. Wetlands.

Findings

Approximately twenty-five (25) acres of wetland community exists on the site. The identified wetland acres are not proposed for development. It is recommended that the wetland areas be preserved in their natural or existing state.

Conditions

a. The major wetland areas shall be preserved in their natural state, with the record plats appropriately designating such areas. If specifically approved by Pasco County and SWFWMD, the wetlands may be used as stormwater run-off receiving bodies. This does not preclude any permitting that may be required by the Florida Department of Environmental Protection.

b. As committed in ADA, a buffer and greenbelt or open space of sufficient width to preserve the natural wetlands shall be provided between wetlands and structures.

3. Flood Plains.

Findings

There are no existing natural water courses on the proposed site and, therefore, no natural river flood plains are present. Approximately four (4) percent of the site lies within the 100-year flood prone area. All of these flood prone areas are wetlands and will be retained in their natural state. Any potential localized flooding due to the development will be mitigated by the design of the internal drainage system. It is recommended that a buffer or greenbelt area of sufficient width to retain wetland integrity be provided between the wetland areas and any constructed buildings on the site. ADA contains a letter from Pasco County verifying that Pasco County qualifies for federal flood insurance.

Conditions

No development shall occur in the 100-year flood plain, as was committed in ADA.

4. Soils.

Findings

There are six major soil types found on the proposed site. All soils presently on the site evidence some limitations for development. Soils with the most severe limitations are located in an area not proposed for development. Two (2) small pockets of depressional soils will be altered by filling the perimeter and excavating the interior of the depression for drainage retention. Soils with moderate limitations for land development will be modified through traditional engineering practices. Soils with infertile characteristics in the areas designated for recreational use will be overcome by proper turf management practices. It is not anticipated that the existing water table levels will be lowered as a result of the proposed development.

There are no known mineral deposits of commercial value on the site, other than sandfill material required for the development which will be obtained on-site. Soil conservation measures have been proposed in ADA to control erosion during construction activities.

At the time of ADA submission, three sinkholes were present on the site. Existing vegetation on the banks of the sinkholes indicate that the sinks are stable and are a minimum of 20 years in age. The limitations imposed by the sinkholes' slopes will be overcome by constructing gentle slopes and establishing new vegetation on the banks of the sinkholes. The two (2) largest sinkholes will be preserved as open space. These two (2) sinkholes will not receive direct discharges of stormwater run-off. It is recommended that the developer submit to Pasco County and Tampa Bay Regional Planning Council the results of a study to determine the lineament intersections of greatest sinkhole potential on the project site. Pasco County may then require additional site specific subsurface testing or development plan alteration as necessary and appropriate. This condition was initially fulfilled on July 7, 1997, through the report of the Stormwater Retention Area Geotechnical Studies Timber Pines South dated May 9, 1996.

Soil conservation measures have been proposed in ADA to control erosion during construction activities.

Conditions

As proposed in ADA, the dust control measures, such as watering, seeding, sodding steep slopes, and use of staked hay bales in drainage ways, shall be instituted during construction. This condition was initially fulfilled on July 7, 1997, through the report of the Stormwater Retention Area Geotechnical Studies Timber Pines South dated May 9, 1996. Additional subsurface testing and modifications to the development plan have occurred and are referenced elsewhere within this Development Order.

5. Air Quality.

Findings

Three (3) major sources of air pollutants generated by the Heritage Pines development will be those associated with vehicular traffic. At the time of ADA, it was estimated that vehicular emissions at build-out will be: 832.6 pounds of hydrocarbons, 740.1 pounds of nitrogen oxide, 7,354.9 pounds of carbon monoxide, and traces of sulfur dioxide (SO₂) and particulates. The proposed development is located in Pasco County which is an ozone nonattainment area.

A secondary source of air pollution will be fugitive dust during project construction and site clearing. The applicant has committed to a program of measures to control air pollution during construction, such as watering, seeding, mulching, sodding steep slopes, and utilization of staked hay bales in drainage ways. It is recommended that implementation of these measures be required in the development order.

Conditions

As proposed in ADA, the dust control measures, such as watering, seeding, sodding steep slopes and use of staked hay bales in drainage ways, shall be instituted during construction.

6. Natural Vegetation and Wildlife.

Findings

Heritage Pines is located on the coastal sandhill ridge running north-south in western Pasco and Hernando Counties. This ridge is occasionally pocketed with cypress swamps, small lakes and ponds, marshes, and other depressions. Historically, the sandhills were converted to pastures and citrus groves. Recently slash pine was planted on 467 acres of the 650-acre site to replace damaged groves. The general vegetation communities found on the site include the following ten (10) groups: abandoned grove, citrus grove, cypress swamps, marshes, oak, open field, pine plantation, sandhill, sinkholes, and wax myrtle. There are no rare, threatened or endangered plants found on the site.

At the time of ADA, a variety of wildlife habitat existed at the proposed development site. The majority of wildlife species observed were found in communities overlying the former sandhills. Also, several sightings of wildlife were associated with the large marsh and pond, and in the area of largest of the three (3) sinkhole ponds. Measures proposed to protect existing wildlife include the preservation of the large marsh and ponds.

At the time of ADA, there were no wildlife species observed which are currently on the endangered species list. Two (2) reptiles observed, the Alligator and the Gopher Tortoise, are on the Florida Game and Fresh Water Fish Commission threatened list. The Alligator is also listed as threatened on the Federal list for this area. Threatened or endangered species which were not observed but in all likelihood do exist on the site include the Woodstork, Bald Eagle, Sandhill Crane, Scrub Jay, Indigo Snake, and Striped Newt. ADA states that should endangered species be found on the site, they will be afforded maximum protection.

Conditions

a. Should an endangered wildlife species be found on-site, the known habitat shall be isolated, the proper authorities shall be contacted, and appropriate measures implemented to preserve the habitat.

b. In order to mitigate impacts to gopher tortoise wildlife on the approximate sixteen (16) acres of real property approved for addition to DRI, via Resolution No. 95-315, the developer shall select one of the following alternatives or a combination thereof:

(1) The developer will make a contribution in the amount of Seven Thousand Five Hundred Seventy-nine and 44/100 Dollars (\$7,579.44) to the Fish and Wildlife Habitat Trust Fund (Habitat Trust), Tampa Bay Regional account, administered by the Florida Game and Fresh Water Fish Commission (FGFWFC). Such sum shall be payable on or before September 26, 1996. Funds paid to the

Habitat Trust shall be used for habitat acquisition in Pasco County. Should such purchase within the County be impractical, representatives of the Habitat Trust shall petition FGFWFC for permission to locate such preserve habitat outside the boundaries of the County within the boundaries of the jurisdictional area of TBRPC or the Withlacoochee Regional Planning Council (WRPC).

(2) The developer shall enter into a Development Agreement with FGFWFC that authorizes the developer to purchase one (1) or more parcels of suitable gopher tortoise habitat, that are of proper size, and that are either 1) located adjacent to public lands that are managed in a manner compatible with gopher tortoise protection; 2) located in an existing or proposed mitigation park within the boundaries of the jurisdictional area of TBRPC or WRPC; or 3) privately held and which are acceptable to both FGFWFC and FDCA. Simultaneous to the purchase of gopher tortoise habitat, the developer shall donate the gopher tortoise habitat to the public land owner, or the public agency designated to manage the mitigation park.

(3) The developer shall preserve one (1) or more parcels of suitable gopher tortoise habitat that are of proper size within the boundary of DRI.

The developer has complied with this condition through the payment of Seven Thousand Five Hundred Seventy-nine and 44/100 Dollars (\$7,579.44) to the Habitat Trust on August 28, 1997.

7. Historical and Archaeological Sites

Findings

No known historical or archaeological sites exist on the Heritage Pines project site. At the suggestion of the State Bureau of Historic Sites and Properties (Bureau), an archaeological survey of the property was performed by the Suncoast Archaeological Society. While a notable burial ground was discovered several miles from this development site, this survey concluded that no significant historical or archaeological resources are located on this site. The Bureau has indicated concurrence with this conclusion. It is recommended that if any unique or significant historical or archaeological sites are discovered during construction, the proper state authorities will be notified to determine their importance and to identify any measures to be undertaken for their preservation.

Conditions

Should any significant historical or archaeological site be discovered during construction, the proper authorities shall be immediately notified and their recommendation for preservation and excavation will be implemented.

8. Water Supply.

Findings

At build-out it is estimated that the average daily demand for potable water at Heritage Pines will be 0.28 million gallons daily (mgd). The estimated nonpotable water demand is expected to be 0.10 mgd. Potable water for Heritage Pines will be supplied by Pasco County via an extension of the existing water main along U.S. 19 and supplemented by one (1) on-site well which site will be dedicated to Pasco County when requested by it in writing. Nonpotable water for golf course and open space irrigation will be supplied by on-site private wells or the County's supply system.

Conditions

a. The water conservation measures committed in ADA, such as landscape plantings selected for minimal water requirements, controlled vegetation systems to maximize benefits of water, and water saving plumbing fixtures shall be implemented. The developer shall consider the use of shallow wells used in conjunction with treated wastewater as an alternative to the usage of potable water for nonpotable water demands, such as irrigation of the golf course.

b. A water and sewer agreement shall be consummated between the developer and the County. Such agreement shall stipulate the responsibility for the construction, operation,

and ownership of one (1) on-site well and water distribution lines. Nothing herein or in such agreement shall limit the ability of the developer to construct, operate, and maintain wells for irrigation purposes as may be approved by SWFWMD if reclaimed water is insufficient to accommodate the irrigation needs of the project, provided the wells do not materially and adversely impact Pasco County's ability to utilize the well site located on the project premises for the production of potable water.

The developer has complied with this condition by entering into a Utilities Service Agreement with Pasco County on April 25, 1989.

9. Wastewater.

Findings

It is estimated that the total average daily flows of wastewater for this development will be 265,020 gallons per day (0.26 mgd) at build-out.

Conditions

A water and sewer agreement shall be consummated between the developer and the County prior to construction drawing approval. Such agreement shall stipulate the responsibility for the construction, operation and ownership of one on-site well, as noted in Section 8, above.

The developer has complied with this condition by entering into a Utilities Service Agreement with Pasco County on April 25, 1989.

10. Solid Waste.

Findings

It is estimated that the average daily solid waste to be generated by Heritage Pines will be 6.96 tons/day at build-out.

Conditions

Each preliminary or site plan approval will be contingent upon the developer submitting a letter from the Pasco County Utilities Services Branch, reflecting that adequate solid waste disposal capacity is available to serve the number of units contained within the preliminary site plan.

11. Energy.

Findings

Heritage Pines electrical energy is projected to average 48,410 kilowatts per day upon completion. Peak demand is projected to be 6,724 kilowatts at build-out. All electrical service will be provided by Withlacoochee River Electric Cooperative (WREC).

Energy conservation measures have been incorporated into the overall design of Heritage Pines. Residential units at the proposed development will be constructed in accordance with the Florida Energy Efficiency Building Code. Heritage Pines will take advantage of energy conservation by clustering the proposed residential units and by providing on-site neighborhood shopping facilities which will reduce the need for vehicular travel.

Conditions

Preliminary or site plan approval of each phase will be contingent upon the developer presenting a letter to the County from WREC reflecting that WREC has the ability to provide service to that phase receiving preliminary or site plan approval.

The energy conservation measures proposed in ADA, such as heat exchangers, use of recycled products, landscaping techniques, and bike paths, shall be implemented.

12. Transportation.

The transportation analysis described in the 1995 NOPC (Resolution No. 95-315) is adopted as the "Findings" of Section 12 (Transportation).

Conditions

a. Prior to recording of the first plat for retirement residential units, the developer shall pay to Pasco County the sum of One Million and 00/100 Dollars (\$1,000,000.00) as an

advance payment (the "Advance Payment") for transportation impact fees for the retirement residential units to be built on parcels other than the independent retirement rental parcel.

The Advance Payment shall not be returned to the developer or the present owner if the Advance Payment is not encumbered within five (5) years from date of payment and/or is not expended within eight (8) years from date of payment. The developer hereby agrees to waive its right to request a refund of the Advance Payment, or portion thereof, as set forth in Section VII (C) and (D) of the New Development Fair Share Contribution for Road Improvements Ordinance, as amended.

The transportation impact fee in effect at the time of such payment shall be "frozen" for retirement residential units until such time as the Advance Payment is exhausted.

The "frozen" transportation impact fee shall be the lesser of 1) Two Thousand One Hundred Sixty-six and 72/100 (\$2,166.72) per retirement residential dwelling unit (i.e., the standard fee for a single-family dwelling unit); or 2) the impact fee based on a traffic study submitted by the developer, in accordance with the requirements of The New Development Fair Share Contribution for Road Improvements Ordinance, and approved by Pasco County. If the "frozen" transportation impact fee is based on the traffic study, then the developer will provide annual monitoring (or other less frequent monitoring as may be acceptable to Pasco County) to verify the traffic generation or trip lengths contained in the traffic study. In the event the trip generation rates or trip lengths in the traffic study, as shown by subsequent monitoring, are exceeded by more than fifteen (15) percent on a consistent basis, then the transportation impact fee for any new retirement residential units shall be adjusted accordingly, but in no event shall the adjusted rate exceed Two Thousand One Hundred Sixty-six and 71/100 Dollars (\$2,166.71).

After the Advance Payment is exhausted, the developer shall then pay the transportation impact fees from time to time imposed by Pasco County as development of the retirement residential dwellings occur.

Relative to development of the commercial, assisted living facility, skilled nursing facility, and independent retirement rental parcels, the developer shall be required to pay the transportation impact fee in effect at the time the development occurs, and shall not be used to exhaust the Advance Payment.

The developer has complied with this condition through payment of One Million and 00/100 Dollars (\$1,000,000.00) to Pasco County on July 2, 1998.

b. Pasco County assures the developer that County Line Road will remain operating at an acceptable level of service under the Pasco County Comprehensive Plan.

c. Prior to issuance of a certificate of occupancy for the 100th residential (retirement) unit and the 191-acre golf course component, the developer shall complete construction of the following improvement to County Line Road/Dartmouth Avenue/Drive A (Grand Club Drive) intersection: construct the Dartmouth Avenue/Drive A (Grand Club Drive) project entrance drive to County Line Road with an eastbound right-turn lane, a westbound left-turn lane, a northbound left-turn lane and a shared through/right-turn lane.

The developer has complied with this condition by the construction of all of the above referenced improvements.

d. Prior to the issuance of a certificate of occupancy for the 500th residential (retirement) unit, the developer shall submit to Pasco County a traffic signal warrant analysis of the County Line Road/Dartmouth Avenue/Drive A (Grand Club Drive) intersection. If this study does not demonstrate that a traffic signal is warranted, then the developer shall submit to Pasco County a second traffic signal warrant analysis for this same intersection prior to the issuance of a certificate of occupancy for the 800th residential (retirement) unit. If this second study does not demonstrate that a traffic signal is warranted, then the developer shall submit a third traffic signal warrant analysis for the same intersection prior to the issuance of a certificate of occupancy for the 1,100th residential (retirement) unit. If any of the

signal warrant analyses demonstrates that a traffic signal is warranted at this location, then developer shall, upon receipt of all required approvals and permits, commence installation of the traffic signal.

If Pasco County reasonably determines that the traffic signal may be warranted before the above described thresholds are reached, then the County shall notify the developer in writing that a traffic signal warrant study shall be required, and the developer shall then prepare and submit a traffic signal warrant analysis to Pasco County for review. The developer shall not be required to prepare and submit a traffic signal warrant analysis as a result of either the unit thresholds described above, or in response to the County's written notice, more than once in any twelve (12) month period.

In addition, if a traffic signal is warranted, then the developer shall construct a limited four (4) lane section of County Line Road consisting of the construction of 500 linear feet of four (4) lane roadway located at the approach to the intersection (both eastbound and westbound) and the construction of 1,320 linear feet of four (4) lane roadway departing the intersection (both eastbound and westbound), plus required through lane transitions at the approaches and departures of the intersection (both eastbound and westbound). ("Limited Four Lane Section"). A drawing of the Limited Four Lane Section is attached hereto as Exhibit C.

The developer shall be entitled to continue with development beyond the 500th, 800th, or 1,100th unit, provided the developer is proceeding in good faith with the installation of the traffic signal and/or the design, permitting, or construction of the Limited Four Lane Section.

e. Prior to the issuance of a certificate of occupancy for the first square foot of commercial development on the 5.8-acre commercial site, the developer of the commercial parcel shall complete construction of an intersection improvement at County Line Road between Dartmouth Avenue and Drive B to provide a right-in/right-out access point to the commercial site.

f. Prior to the issuance of a certificate of occupancy for the independent retirement rental unit for Tract 33 (the independent retirement rental parcel) the developer of the independent retirement rental parcel shall construct an intersection improvement at County Line Road/Fountain Court/Drive C to provide eastbound and westbound turn lanes, and to construct Drive C.

g. The developer shall dedicate seventy (70) feet of right-of-way along the project's northern boundary to accommodate the four (4) laning of County Line Road. This obligation for dedication shall not preclude the developer from seeking compensation or credit under any transportation impact fee ordinance or any other agreement or law.

The developer shall dedicate this right-of-way within ninety (90) days after written notification from Pasco County, but no sooner than approval of the first record plat.

The developer has complied with this condition by the dedication of right-of-way as referenced above.

h. The developer shall, upon written request from Pasco County, at the time hereinafter provided, dedicate as right-of-way the existing fifty (50) foot easement area located along a portion of the project's southern boundary, more particularly described in an easement recorded in O.R. Book 646, Page 252, of the Public Records of Pasco County, Florida, to accommodate a public roadway.

The developer shall dedicate to the public by plat this right-of-way at such time as the contiguous real property owned by the developer to the north thereof is platted.

i. Construction vehicles are prohibited from using Duda Avenue and the public right-of-way described in Subparagraph h above, for access to the property described in Exhibit A.

13. Recreation.

Findings

Recreation and Open Space for the development will include 189 acres of golf course with associated club facility, twenty-five (25) acres of Wetlands Conservation/Preservation and

97.47 acres of Miscellaneous Open Space. These areas are shown on the Revised Master Development Plan, attached hereto as Exhibit B, and will be the responsibility of the owner, its successors or assigns.

Conditions

The developer shall donate One Hundred and 00/100 Dollars (\$100.00) per dwelling unit (unless modified by ordinance) to the County for park impacts prior to each record plat approval, or where no record plat is required, prior to each building permit for each increment. The developer shall also provide, to the County, a Fifty Dollar (\$50.00) per unit (unless modified by ordinance) park service fee prior to each record plat approval for each increment, or where no record plat is required, prior to building permit for each increment.

14. Educational Facilities.

Findings

Heritage Pines development is designed to primarily provide housing for retired persons with very few school-age children estimated to reside at Heritage Pines upon completion of the project. ADA contains a letter from the Pasco County District School Board confirming that the school system will be able to accommodate the students added from Heritage Pines and indicating that no new school facilities or sites will be necessary as a result of the proposed development.

Conditions

None.

15. Health Care.

Findings

No specific on-site medical or health care facilities are proposed for Heritage Pines. The nearest hospital to Heritage Pines is located in Hudson, about ten (10) miles away. Emergency Medical Services (EMS) will be provided to Heritage Pines from existing EMS facilities operated by Pasco County with a present response time to the project site of about six (6) minutes. At the time of ADA submission, the EMS service had a full-time staff of fifty-eight (58) professionals.

Conditions

See Condition No. 16 below.

16. Fire Protection.

Findings

Fire protection services will be provided by Pasco County Fire Service District II. Primary service will be provided by Station 100 located on U.S. 19 near Fivay Road with a referenced response time of seven (7) minutes and secondary service with a response time of twenty (20) minutes. In addition, these will be backed up by Spring Hill Stations 1 and 2, located in Hernando County.

Conditions

The developer shall donate a minimum one (1) acre parcel (upland) to the County for use as a public service facility at a mutually agreed upon location, which shall be shown on the approved MPUD Plan. The land shall be conveyed to Pasco County by fee simple title transfer within 180 days of the County's request. In the event the County has not requested the property prior to the platting of the 800th single-family unit, then the developer shall notify the County in writing that this offer to donate shall expire unless the County requests a conveyance of the subject property within twelve (12) months of the written notification. In the event the County fails to request the conveyance of the property within this twelve (12) month period, then the developer shall be released from any further obligation to donate the public service parcel. In any event, any deed conveying the site to the County will include a reverter cause automatically causing a reversion to the developer in the event construction on the site is not commenced by the County within two (2) years of the conveyance. The review of any site plan and landscaping plan for the site and the design of the building shall be coordinated with the developer.

17. Police Protection.

Findings

Heritage Pines will be served by the Pasco County Sheriff's Department. A letter from the Sheriff's Department indicates that the department will be able to provide anticipated police protection services to the future residents at Heritage Pines and that response time for emergency calls should not exceed five (5) minutes. No on-site police protection services, facilities, or site will be dedicated or otherwise provided.

Conditions

None.

18. Housing.

Findings

Heritage Pines is a proposed development consisting of 1,306 retirement residential dwelling units, fifty (50) independent retirement rental multifamily dwelling units, 162 assisted living facility (ALF) dwelling units, 140-bed nursing home, 45,000 square feet of commercial development on 5.8 acres, and 189 acres of golf course. It is planned to consist of a variety of housing types to include single-family detached and villa condominium units. The price range for the units will range between One Hundred Twenty Thousand and 00/100 Dollars (\$120,000.00) and Two Hundred Forty Thousand and 00/100 Dollars (\$240,000.00). The proposed site for Heritage Pines will be developed by its owner, U.S. Home Corporation.

The primary marketing effort for Heritage Pines will be directed within the Tampa Bay Region, and the major target group is expected to be the fifty-five (55) and over age group.

Conditions

None.

19. Economy.

Findings

At time of ADA submission, approximately One Hundred Seventeen Million and 00/100 Dollars (\$117,000,000.00) was estimated to be spent on construction of Heritage Pines, of which sixty-six (66) percent was estimated to be spent in the Tampa Bay Region. The proposed development was estimated to generate employment for 3,465 construction workers and, upon completion, an estimated 118 permanent jobs will be created with an annual payroll of One Million Five Hundred Thousand and 00/100 (\$1,500,000.00).

Major capital improvements will be necessary to accommodate this proposed development in several areas of public facilities. Development costs for internal streets, drainage, sewer, and water supply will be borne solely by the developer.

Conditions

None.

20. Golf Course.

Findings

Pursuant to the revised Master Plan, attached hereto as Exhibit B, the developer is proposing 189 acres of golf course. Depending upon market conditions and final golf course designs, the golf course component may be modified. The developer may reduce the golf course component to no less than 145 acres, or may increase the golf course component in accordance with the tradeoff mechanism which provides for one (1) residential retirement unit to be converted to 1.4 acres of golf course, with the total golf course component not to exceed 210 acres. The golf course acreage approved in this Resolution may not be used by Pasco County to satisfy the Open Space requirements of the Pasco County Comprehensive Plan.

The developer shall formulate guidelines for the maintenance of golf course(s) that address the limited use of herbicides, pesticides, and fertilizers and includes best management practices. These guidelines shall be formulated and implemented prior to the opening of the golf courses, and shall be submitted to the County for approval. Any change in the guidelines shall require approval by the County and shall be included in the DRI Annual Report following the change.

The developer shall utilize xeriscaping techniques when appropriate to minimize irrigation requirements.

IV. General Conditions Restricting Development

- A. Development of the area embraced by ADA shall be governed by the standards and procedural provisions of adopted comprehensive plans, elements thereof, and the land development regulations.
- B. Construction of all improvements shall be governed by applicable County building, plumbing, electrical, energy, and other codes or regulations.
- C. Installation of public facilities shall conform to regulations established in County codes or ordinances establishing such regulations.

V. Monitoring Procedures

- A. The local official responsible for monitoring the Heritage Pines Development of Regional Impact shall be the County Administrator or his designee.

VI. Duration

- A. The Development Order took effect on July 6, 1982.
- B. The duration of the Development Order shall be a period of approximately twenty (20) years, through December 31, 2002, provided that the effective period may be extended by the Board upon a showing of good cause.

VII. Annual Report

- A. The developer shall provide an annual report to the official responsible for monitoring the DRI, TBRPC, and FDCA on July 6th of each year during the term of the development order. The report shall include, at a minimum, the following information:

1. Any changes in the proposed plan of development.
2. Description of the development activities which have occurred over the previous year, including a summary of the number, type, and location of residential units and commercial structures.
3. A description of development activity proposed for the next year.
4. A statement setting forth names and addresses of any assignees or successors in interest to this development order.

VIII. Amendment/Substantial Deviations

All proposed substantial and material changes to a DRI for which a development order has been approved shall be submitted to the Board for a substantial deviation determination prior to implementation of such changes by the developer. As used in this paragraph, the term substantial deviation means any change which creates a reasonable likelihood of additional significant adverse regional impacts or any other significant regional impact which was not previously reviewed by the Board or TBRPC.

Prior to amending any provision in this development order or issuing any substantial deviation determination, the County shall provide TBRPC with reasonable notice of its intent to consider such an amendment. Such notice shall be reasonably calculated to permit TBRPC to appear at the public hearing or present written comments on the proposed change prior to the effective date of the amendment or change.

Effect of Development Order/ADA

1. All development of the property subject to this development order shall substantially conform to ADA, unless otherwise modified by the provisions of this development order.

IX. Miscellaneous Provisions

A. A Notice of Adoption of this Resolution shall be filed and recorded in the Public Records of Pasco County, Florida, in accordance with the Section 380.06(14)(a), Florida Statutes, and the development order contained herein shall govern the development of Heritage Pines DRI.

B. The County Attorney is hereby authorized and directed to cause a certified copy hereof to be served on FDCA, TBRPC, and upon attorneys of record in these proceedings .

C. Funds collected from fees imposed under this development order shall be placed in separate trust accounts for each type of capital improvement for which the fee was collected, including transportation facilities and public safety facilities. Thereafter, monies collected shall be used solely for the expansion of capital improvements necessitated by the impacts of the development approved in the development order.

D. The County agrees that the approved DRI, shall not be subject to down-zoning, unit density reduction, or intensity reduction for the duration of this Development Order, through December 31, 2002, unless the County can demonstrate that substantial changes in conditions underlying the approval of the Development Order have occurred, or that the Development Order was based on substantially inaccurate information provided by the developer, or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

X. Effective Date

This Resolution shall take effect immediately upon adoption.

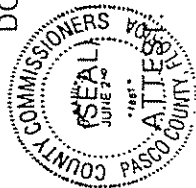
XI. Notice of Adoption

A Notice of Adoption of this Resolution, in the form attached hereto and incorporated herein as Exhibit D, 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.

XII. Certified Copies

The Clerk of the Board shall return a signed certified copy of this Resolution and the Notice of Adoption described in Section XI above to the Pasco County Growth Management/Zoning Department, which shall then send copies of each document to FDCA and TBRPC, and to the attorney of record in these proceedings.

DONE AND RESOLVED this 24th day of August, 1999.



BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

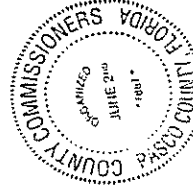
BY: Jed Pittman
JED PITTMAN, CLERK

BY: Ann Hildebrand
ANN HILDEBRAND, CHAIRMAN

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

APPROVED
AUG 24 1999

BY: _____
ATTORNEY



STATE OF FLORIDA
COUNTY OF PASCO

THIS IS TO CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL OF REC-
ORD IN MY OFFICE. WITNESS MY HAND THE COUN-
TY'S OFFICIAL SEAL THIS 24th day of Aug/1999

JED PITTMAN, CLERK TO THE BOARD
BY: Donna Schmitt

EXHIBIT A
Legal Description

EXHIBIT "A"

LEGAL DESCRIPTION

Parcels "A" and "B":

A parcel of land located within Sections 5 and 6, Township 24 South, Range 17 East, Pasco County, Florida. Being more particularly described as follows:

Commence at the Northeast corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida, thence, along the East line of said Section 5 and the West line of the unrecorded plat of Orange Hill Estates and Orange Hill Estates First Addition, S00°34'15"W, for 50.00 feet to the Point of Beginning; thence continue along said line, S00°34'15"W, for 2594.71 feet to the East $\frac{1}{4}$ corner of said Section 5; thence S00°35'23"W, for 2669.82 feet to the Southeast corner of said Section 5; thence, along the South line of said Section 5, N89°46'38"W, for 1321.51 feet; thence, leaving said line, N00°34'36"E, for 665.34 feet, thence N89°52'08"W, for 660.84 feet; thence S00°32'06"W, for 663.86 feet to the South line of said Section 5; thence, along said line N89°46'28"W, for 660.64 feet to the South $\frac{1}{4}$ corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida; thence, continue along said South line, N89°50'13"W, for 2643.84 feet to the Southwest corner of said Section 5; thence along the West line of said Section 5 and the East line of the unrecorded plat of Highlands, N00°31'49"E, for 2645.16 feet to the West $\frac{1}{4}$ corner of said Section 5 and the East $\frac{1}{4}$ corner of Section 6, Township 24 South, Range 17 East, Pasco County, Florida; thence, along the East-West centerline of said Section 6, S88°20'32"W, for 1321.95 feet; thence, leaving said centerline, N00°26'42"E, for 680.34 feet; thence N88°47'05"E, for 1323.69 feet to the Southeast corner of Arlington Woods Phase 2-A as recorded in Plat Book 30 Pages 22 and 23 of the Public Records of Pasco County, Florida and the West line of said Section 5; thence, along said West line, N00°36'37"E, for 1959.87 feet; thence, along a line being 50.00 feet perpendicularly to the South boundary of Spring Hill Unit 5 as recorded in Plat Book 7, Pages 96 through 107 of the Public Records of Hernando County, Florida, S89°41'11"E, for 5287.09 feet to the Point of Beginning, containing 650.04 acres, more or less.

Subject to:

A 50' ingress-egress easement over the West 9/16 of Section 5, Township 24 South, Range 17 East, Pasco County, Florida as recorded in OR Book 646, Page 252 of the Public Records of Pasco County, Florida.

Total net acreage = 650.04 acres, more or less.

EXHIBIT B
Revised Master Development Plan

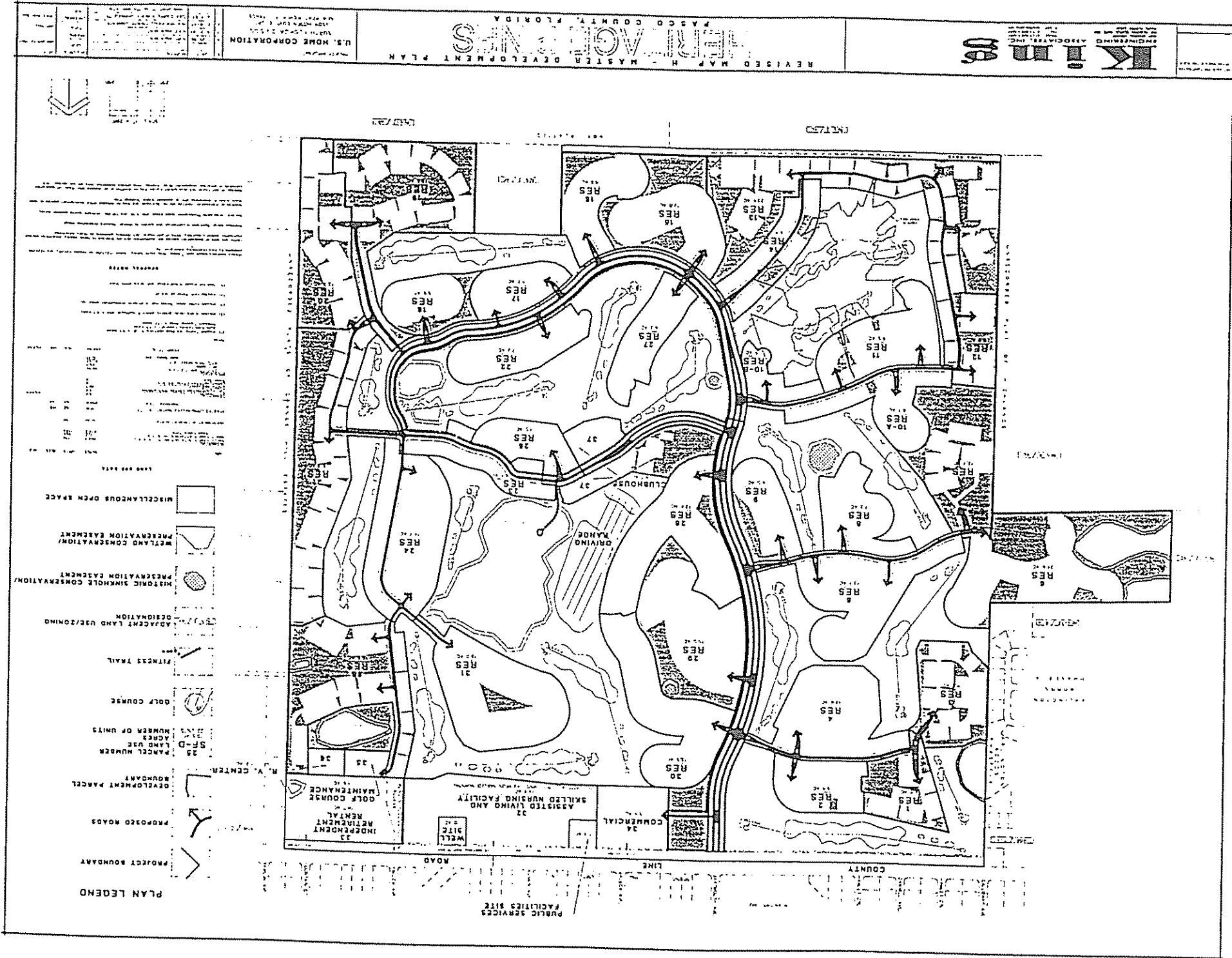
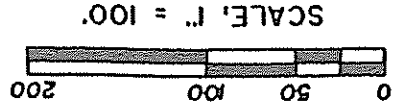
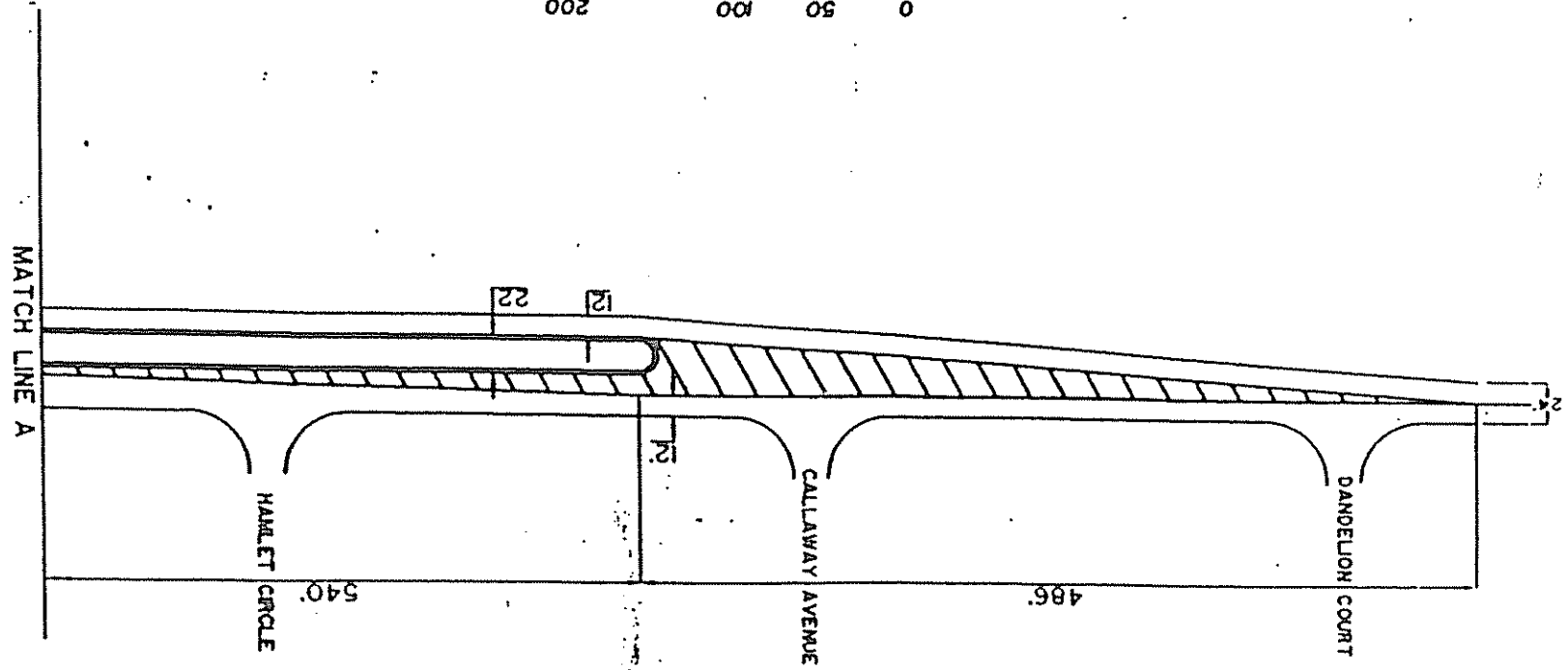
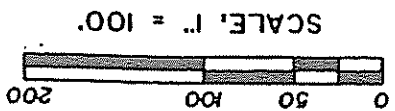
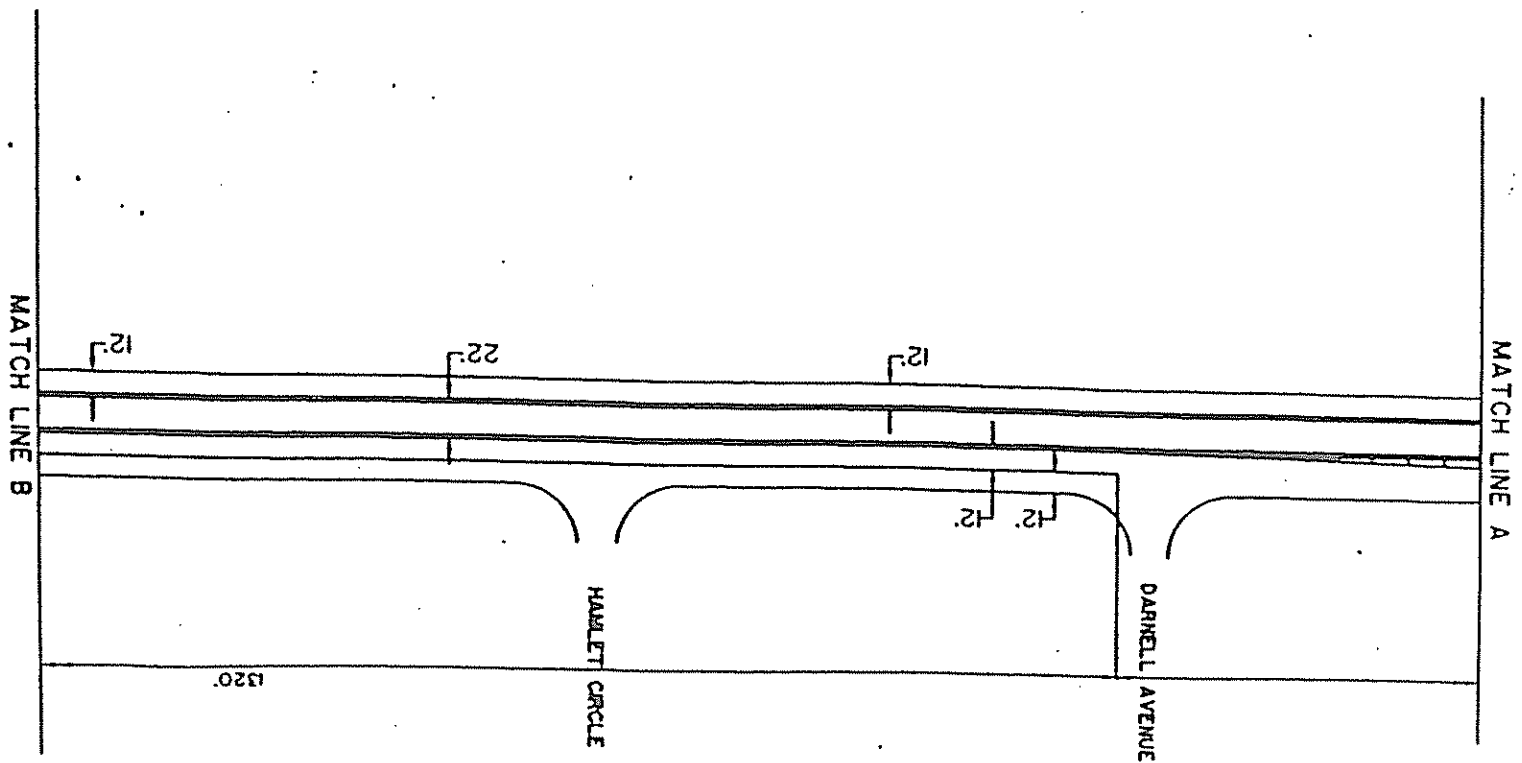


EXHIBIT C
Limited Four Lane Section

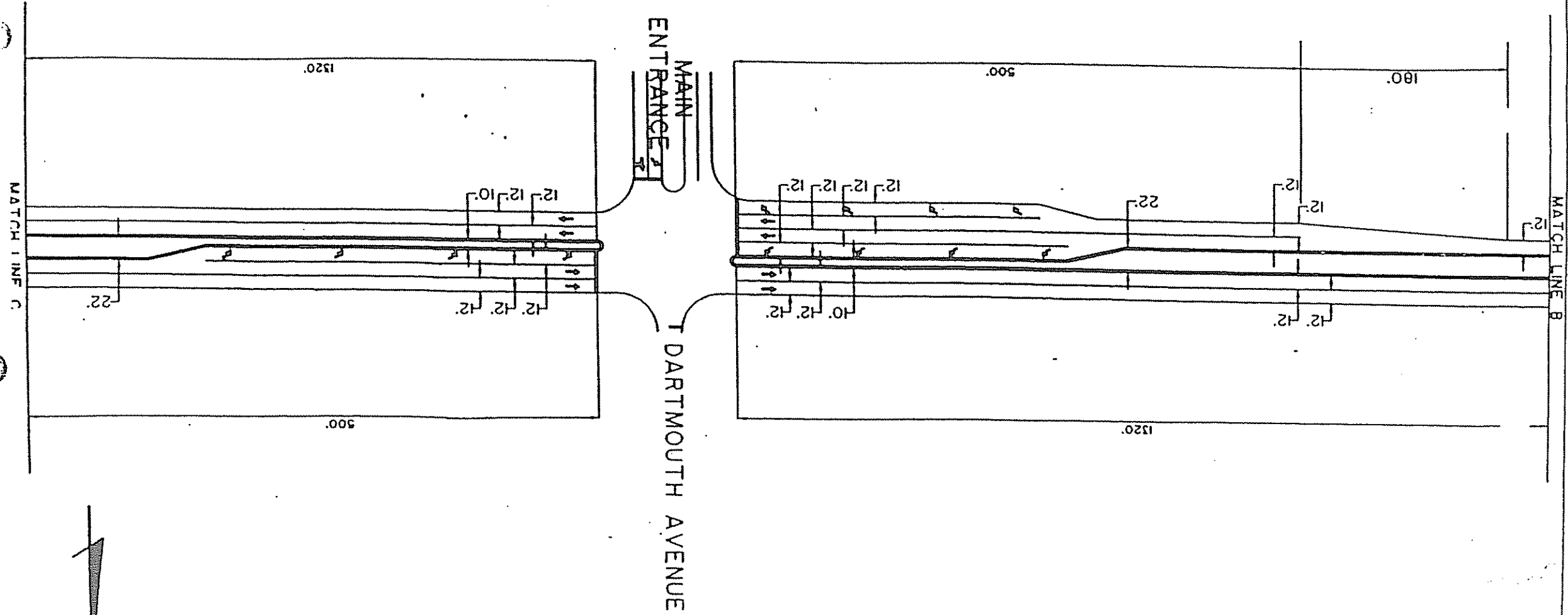
LIMITED FOUR LANE SECTION



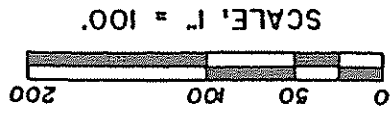
LIMITED FOUR LANE SECTION

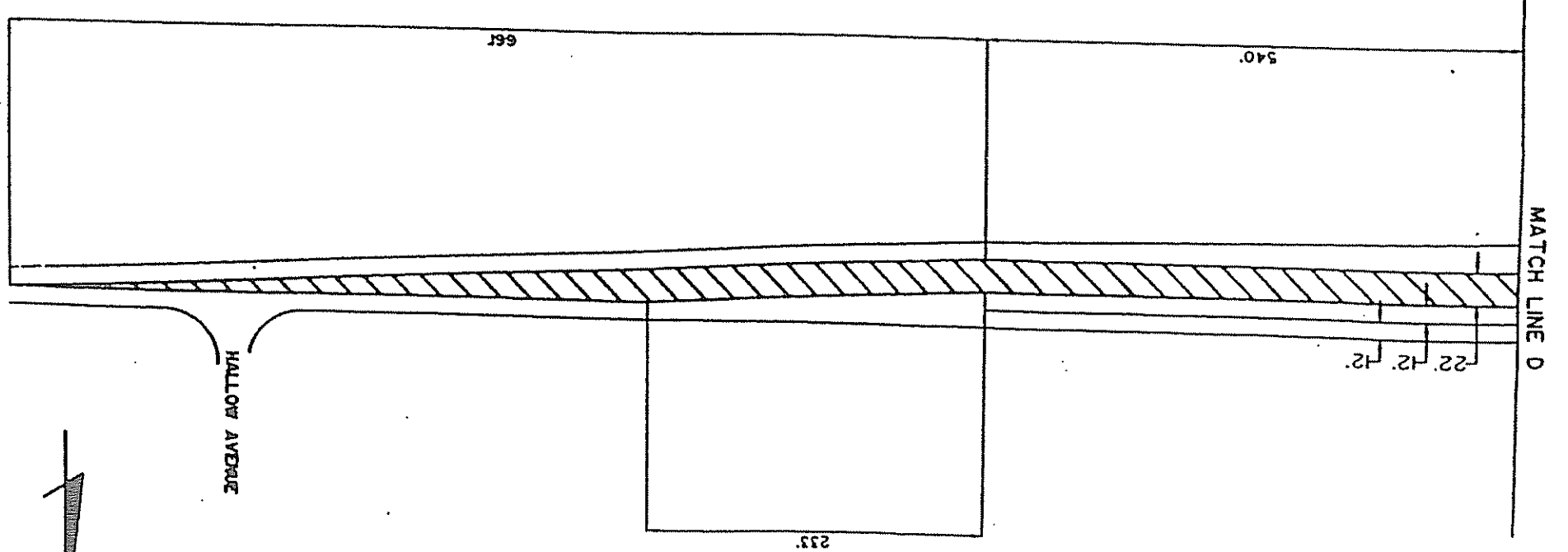
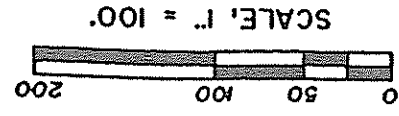


LIMITED FOUR LANE SECTION



SHT. 4 OF 5





LIMITED FOUR LANE SECTION



EXHIBIT "A"

Legal Description

PARCELS "A" AND "B"

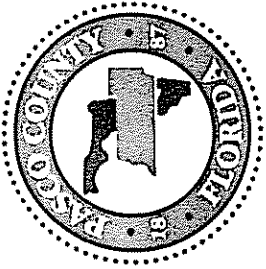
A parcel of land located within Section 5 and 6, Township 24 South, Range 17 East, Pasco County, Florida. Being more particularly described as follows:

Commence at the Northeast corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida, thence, along the East line of said Section 5 and the West line of the unrecorded plat of Orange Hill Estates and Orange Hill Estates First Addition, S00°34'15"W, for 50.00 feet to the POINT OF BEGINNING; thence continue along said line, S00°34'15"W, for 2594.71 feet to the East 1/4 corner of said Section 5; thence S00°35'23"W, for 2669.82 feet to the Southeast corner of said Section 5; thence, along the South line of said Section 5, N89°46'38"W, for 1321.51 feet; thence, leaving said line, N00°34'36"E, for 665.34 feet, thence N89°52'08"W, for 660.84 feet; thence S00°32'06"W, for 663.86 feet to South line of said Section 5; thence, along said line, N89°46'28"W, for 660.84 feet to the South 1/4 corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida; thence, continue along said South line, N89°50'13"W, for 2643.84 feet to the Southwest corner of said Section 5; thence along the West line of said Section 5 and the East line of the unrecorded plat of Highlands, N00°31'48"E, for 2645.16 feet to the West 1/4 corner of said Section 5 and the East 1/4 corner of Section 6, Township 24 South, Range 17 East, Pasco County, Florida; thence, along the East-West centerline of said Section 6, S88°20'32"W, for 1321.95 feet; thence, leaving said centerline, N00°26'42"E, for 680.34 feet; thence N88°47'05"E, for 1323.69 feet to the Southeast corner of Arlington Woods Phase 2-A as recorded in plat book 30 pages 22 and 23 of the public records of Pasco County, Florida and the West line of said Section 5; thence, along said West line, N00°36'37"E, for 1959.87 feet; thence, along a line being 50.00 feet perpendicularly to the South boundary of Spring Hill Unit 5 as recorded in plat book 7, pages 96 through 107 of the public records of Hernando County, Florida, S89°41'11"E, for 5287.09 feet to the POINT OF BEGINNING. Containing 650.04 acres, more or less.

SUBJECT TO:

A 50' ingress-egress easement over the West 9/16 of Section 5, Township 24 South, Range 17 East, Pasco County, Florida as recorded in O.R. Book 646, Page 252 of the public records of Pasco County, Florida.

EXHIBIT "B"



PASCO COUNTY, FLORIDA

FAX (813) 847-8084
DADE CITY (352) 521-4274
LAND O' LAKES (813) 996-7341
NEW PORT RICHEY (813) 847-8132

GROWTH MANAGEMENT/ZONING DEPT.
WEST PASCO GOVT. CENTER, S-320
7530 LITTLE ROAD
NEW PORT RICHEY, FL 34654

January 16, 1998

Mr. Tim Butts
DRI Coordinator
Tampa Bay Regional
Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

RE: Heritage Pines Development of Regional Impact Development Order Amendment

Dear Mr. Butts:

Enclosed please find for your records a certified copy of the Heritage Pines Development of Regional Impact, Development Order Amendment (Resolution No. 98-67). The document was approved by the Pasco County Board of County Commissioners on January 6, 1998.

Sincerely,

Samuel P. Steffey II
Growth Management Administrator

SPS/ltr/j011502/67

Enclosure

cc: Mr. Richard K. Dutter, AICP, Director of Planning, King Engineering Associates, Inc., 8406 Massachusetts Avenue, Suite A-2, New Port Richey, FL
Ms. Marina Pennington, Community Program Administrator, Division of Resource Planning and Management, Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL
Ms. Carol Collins, Planner IV, Bureau of Local Planning, Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL
Mr. Robert Friedman, U.S. Home Corporation, 2368 Fair Skies Drive, Spring Hill, FL
Ms. Maria Abadal Cahill, Growth Management Administrator, Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL
File Copy

BY COMMISSIONER _____

RESOLUTION NO. 98-67

RESOLUTION AMENDING THE DEVELOPMENT ORDER
FOR THE HERITAGE PINES (FKA TIMBER PINES SOUTH)
DEVELOPMENT OF REGIONAL IMPACT

WHEREAS, in accordance with Section 380.06, Florida Statutes, the Pasco County Board of County Commissioners (the "Commission") adopted a development order approving, with conditions, the Beacon Villages Development of Regional Impact ("DRI"), by Resolution No. 82-128, amended by Resolution No. 89-248, 95-315, and 97-174 (the "Development Order"); and

WHEREAS, on October 31, 1997, U.S. Home Corporation filed an application entitled Notification of a Proposed Change to a Previously Approved Development of Regional Impact ("DRI") pursuant to Subsection 380.06(19), Florida Statutes, (the "NOPC") proposing to (i) Relocate Residential units and adjust "Village" unit amounts and acreage to reflect final engineering design decisions and to accommodate the inclusion of an Assisted Living and Skilled Nursing Facility; (ii) Adopt a Revised Master Development Plan (Map 'H') to reflect the changes in land use. A copy of Revised Map 'H' is included with the NOPC; (iii) Change project name from "Timber Pines South" to "Heritage Pines;" and (iv) amend certain other Development Order conditions, (the "Proposed Changes"); and

WHEREAS, the Commission, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider amendments to DRIs; and

WHEREAS, the Commission has reviewed the NOPC, as well as all related testimony and evidence submitted by each party and members of the general public.

NOW, THEREFORE, BE IT RESOLVED by the Commission in regular session, duly assembled this 16th day of January 1998, that the Development Order for Timber Pines South be amended as set forth below:

1. General Findings of Fact. The Commission, having received all related comments, testimony and evidence submitted by each party and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:

- A. The Development Order is a valid final development order within the provisions of Section 163.3167(8), Florida Statutes, affecting the property described on Exhibit "A". attached hereto and incorporated herein.
- B. The NOPC includes a description of the Proposed Changes.
- C. The Proposed Changes necessitate amending the Development Order conditions described herein.
- D. A comprehensive review of the impacts generated by the Proposed Changes, together with all previous amendments, has been conducted by

Pasco County (the "County"), the Tampa Bay Regional Council ("TBRC") and the Department of Community Affairs, State of Florida ("DCA").

- E. The Proposed Changes, together with all previous amendments, do not create additional regional impacts on transportation or other public facilities, including water, wastewater, drainage, solid waste, recreation and mass transit over those approved in the Development Order nor do they create impacts that were not previously reviewed.

2. Conclusions of Law. The Commission, having made the above findings of fact, reaches the following conclusions of law:

- A. Development in accordance with the Proposed Changes will not unreasonably interfere with the achievement of the objectives of the adopted State Comprehensive Plan.
- B. The Proposed Changes are consistent with the land development regulations and the adopted local comprehensive plan.
- C. The Proposed Changes are not located in an area of critical state concern designated as such pursuant to Section 380.05, Florida Statutes (1993).
- D. Certain of the Proposed Changes, are presumed to create a substantial deviation, pursuant to Subsection 380.06(19), Florida Statutes.
- E. The NOPC has satisfactorily addressed all regional issues related to development of the DRI and the presumption of a substantial deviation has been rebutted.
- F. The Proposed Changes, together with all previous amendments, do not create additional impacts to public facilities or any type of regional impact over those approved in the Development Order.
- G. The proposed amendments, therefore, do not constitute a substantial deviation from the Development Order, pursuant to Chapter 380.06, Florida Statutes.
- H. Nothing herein shall limit or modify the rights originally approved by the Development Order or the protection afforded under Section 163.3167(8), Florida Statutes.
- I. The Proposed Changes, once effective, are consistent with the provisions of Section 402, Pasco County Land Development Code, the Pasco County Concurrency Management System, and the Development Rights granted by the Development Order, as amended hereby, remain vested thereunder.
- I. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record and these proceedings, the

various departments of the County, and developer are authorized to approve/conduct development as described herein.

- J. The review by the County, the TBRC, and other participating agencies and interested citizens reveals that the Proposed Changes do not create additional impacts on regionally significant natural resources, facilities and services beyond those approved in the Development Order, and that impacts are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.

3. Order. Having made the above findings of fact and drawn the above conclusions of law, it is ordered that the Development Order be amended as follows:

- A. The Revised Master Development Plan, dated October 31, 1997, which reflects the Proposed Changes, and which is attached hereto and made a part hereof as Exhibit "B", is hereby approved and adopted and becomes part of the Development Order. This Revised Master Development Plan supersedes all previously adopted master plans.

- B. The development name is hereby changed for all purposes to "Heritage Pines".

- C. Section 12 (Transportation Conditions) of the Development Order is hereby amended to read:

- a. Prior to recording of the first plat for retirement residential units, the developer shall pay to Pasco County the sum of \$1 million as an advance payment (the "Advance Payment") for transportation impact fees for the retirement residential units to be built on parcels other than the independent retirement rental parcel.

The Advance Payment shall not be returned to the developer or the present owner if the Advance Payment is not encumbered within five (5) years and/or is not expended within eight (8) years. The developer hereby agrees to waive its right to request a refund of the Advance Payment, or portion thereof, as set forth in Section VIII (C) and (D) of The New Development Fair Share Contribution or Road Improvements Ordinance, as amended.

The transportation impact fee in effect at the time of such payment shall be "frozen" for retirement residential units until such time as the Advance Payment is exhausted.

The "frozen" transportation impact fee shall be the lesser of (i) \$2,166.71 per retirement residential dwelling unit (i.e., the standard fee for a single family dwelling unit), or (ii) the impact fee based on a traffic study submitted by the developer, in accordance with the requirements of The New Development Fair Share Contribution for Road Improvements Ordinance, and approved by Pasco County. If the

"frozen" transportation impact fee is based on the traffic study, then the developer will provide annual monitoring (or other less frequent monitoring as may be acceptable to Pasco County) to verify the traffic generation or trip lengths contained in the traffic study. In the event the trip generation rates or trip lengths in the traffic study, as shown by subsequent monitoring, are exceeded by more than fifteen percent (15%) on a consistent basis, then the transportation impact fee for any new retirement residential units shall be adjusted accordingly, but in no event shall the adjusted rate exceed \$2,166.71.

After the Advance Payment is exhausted, the developer shall then pay the transportation impact fees from time to time imposed by Pasco County as development of the retirement residential dwellings occur.

Relative to development of the commercial, assisted living and skilled nursing facility, and independent retirement rental parcels, the developer shall be required to pay the transportation impact fee in effect at the time the development occurs, and shall not be used to exhaust the Advance Payment.

- b. Pasco County hereby assures the developer that County Line Road will remain operating at an acceptable level of service under the Pasco County Comprehensive Plan.
- c. Prior to issuance of a certificate of occupancy for the 100th residential (retirement) unit and the 191 acre golf course component, the developer shall complete construction of the following improvement to the County Line Road/Dartmouth Avenue/Drive A (Grand Club Drive) intersection: Construct the Dartmouth Avenue/Drive A (Grand Club Drive) project entrance drive to County Line Road with an eastbound right turn lane, a westbound left turn lane, a northbound left turn lane and a shared through/right turn lane.
- d. Prior to issuance of a certificate of occupancy for the 500th residential (retirement) unit, the developer shall submit to Pasco County a traffic signal warrant analysis of the County Line Road/Dartmouth Avenue/Drive A (Grand Club Drive) intersection. If this study does not demonstrate that a traffic signal is warranted, then the developer shall submit to Pasco County a second traffic signal warrant analysis for this same intersection prior to the issuance of a certificate of occupancy for the 800th residential (retirement) unit. If this second study does not demonstrate that a traffic signal is warranted, then the developer shall submit a third traffic signal warrant analysis for the same intersection prior to the issuance of a certificate of occupancy for the 1,100th residential (retirement) unit. If any of the signal warrant analyses demonstrates that a traffic signal is warranted at this location, then developer shall, upon receipt of all required approvals and permits, commence installation of the traffic signal.

If Pasco County reasonably determines that the traffic signal may be warranted before the above described unit thresholds are reached, then the County shall notify the developer in writing that a traffic signal warrant study shall be required, and the developer shall then prepare and submit a traffic signal warrant analysis to Pasco County for review. The developer shall not be required to prepare and submit traffic signal warrant analysis as a result of either the unit thresholds described above, or in response to the County's written notice, more than once in any twelve month period.

In addition, if a traffic signal is warranted, then the developer shall construct a limited four lane section of County Line Road consisting of the construction of 500 linear feet of four lane roadway located at the approach to the intersection (both eastbound and westbound) and the construction of 1320 linear feet of four lane roadway departing the intersection (both eastbound and westbound), plus required through lane transitions at the approaches and departures of the intersection (both eastbound and westbound) ("Limited Four Lane Section"). A drawing of the Limited Four Lane Section is attached hereto as Exhibit "C."

The developer shall be entitled to continue with development beyond the 500th, 800th or 1,100th unit, provided the developer is proceeding in good faith with the installation of the traffic signal and/or the design, permitting, or construction of the Limited Four Lane Section.

- e. Prior to the issuance of a certificate of occupancy for the first square foot of commercial development on the 5.8 acre commercial site, the developer of the commercial parcel shall complete construction of an intersection improvement at County Line Road between Dartmouth Avenue and Drive B to provide a right-in/right-out access point to the commercial site.
 - f. Prior to the issuance of a certificate of occupancy for the first independent retirement rental unit for Tract 33 (the independent retirement rental parcel) the developer of the independent retirement rental parcel shall construct an intersection improvement at County Line Road/Fountain Court/Drive C to provide eastbound and westbound left turn lanes, and to construct Drive C.
 - g. The developer shall dedicate seventy feet (70') of right-in/right-out along the project's northern boundary to accommodate the four laning of County Line Road. This obligation for dedication shall not preclude the developer from seeking compensation or credit under any transportation impact fee ordinance or any other agreement or law.
- The developer shall dedicate this right-of-way within ninety (90) days after written notification from Pasco County, but no sooner than approval of the first record plat.

h. The developer shall, upon written request from Pasco County, at the time hereinafter provided, dedicate as right-of-way the existing fifty (50) foot easement area located along a portion of the project's southern boundary, more particularly described in an easement recorded in O.R. Book 646, Page 252 of the Public Records of Pasco County, Florida, to accommodate a public roadway.

The developer shall dedicate to the public by plat this right-of-way at such time as the contiguous real property owned by the developer to the north thereof is platted.

i. Construction vehicles are prohibited from using Duda Avenue and the public right-of-way described in subparagraph h. above, for access to the property described in Exhibit "A."

D. Section 13 (Recreation) of the Development Order is amended to read:

Findings

Recreation and Open Space for the development will include 191 acres of golf course with associated club facility, 25 acres of Wetlands Conservation/Preservation and 95.5 acres of Miscellaneous Open Space. These areas are shown on the Revised Master Development Plan, attached hereto as Exhibit "B," and will be the responsibility of the owner, its successor or assigns.

Condition

a. The developer shall donate One Hundred Dollars (\$100.00) per dwelling unit (unless modified by ordinance) to the County for park impacts prior to each record plat approval or, where no record plat is required, prior to each building permit for each increment. The developer shall also provide, to the County, a Fifty Dollar (\$50.00) per unit (unless modified by ordinance) park service fee prior to each record plat approval for each increment, or where no record plat is required, prior to each building permit for each increment.

E. Section 19 (Golf Course) is amended to read:

Pursuant to the Revised Master Plan, attached hereto as Exhibit "B," developer is proposing 191 acres of golf course. Depending upon market conditions and final golf course designs, the golf course component may be modified. The developer may reduce the golf course component to no less than 145 acres, or may increase the golf course component in accordance with the tradeoff mechanism which provides for 1.0 residential retirement unit to be converted to 1.4 acres of golf course, with the total golf course

component not to exceed 210 acres. The golf course acreage approved in this Resolution may not be used by Pasco County to satisfy the Open Space requirements of the Pasco County Comprehensive Plan.

The developer shall formulate guidelines for the maintenance of golf course(s) that addresses the limited use of herbicides, pesticides, and fertilizers and includes best management practices. These guidelines shall be formulated and implemented prior to the opening of the golf courses, and shall be submitted to the County for approval. Any change in the guidelines shall require approval by the County and shall be included in the DRI Annual Report following the change.

The developer shall utilize xeriscaping techniques when appropriate to minimized irrigation requirements.

- F. The development phasing and build-out schedule for the DRI is hereby approved and adopted to reflect a single phase development, including but not limited to, 1,342 retirement residential dwelling units, 50 independent retirement rental multi-family dwelling units, 126 Assisted Living Facility (ALF) dwelling units, 80 bed nursing home, 45,000 square feet of commercial development on 5.8 acres, and 191 acres of golf course. Build-out of this single phase development shall occur on or before December 31, 2002, as described herein.

4. Effective Date. This Resolution shall take effect immediately upon adoption.

5. Notice of Adoption. A Notice of Adoption of this Resolution, in the form attached hereto and incorporated herein as Exhibit "C", 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.

6. Certified Copies. The Clerk of the Commission shall return a signed certified copy of this Resolution and the Notice of Adoption described in Section 5 above to the Pasco County Growth Management Department, which shall then send copies of each document to the DCA and the TBRPC, and to the attorney of record in these proceedings.

DONE AND RESOLVED this 6th day of January 1998.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

By: James S. Danks/D.C.
JED PITTMAN, CLERK

By: Sylvia Young
SYLVIA YOUNG, CHAIRMAN

APPROVED

APPROVED AS TO LEGAL FORM AND CONTENT JAN 06 1998
Office of County Attorney

By: [Signature]
ATTORNEY

EXHIBIT "B"

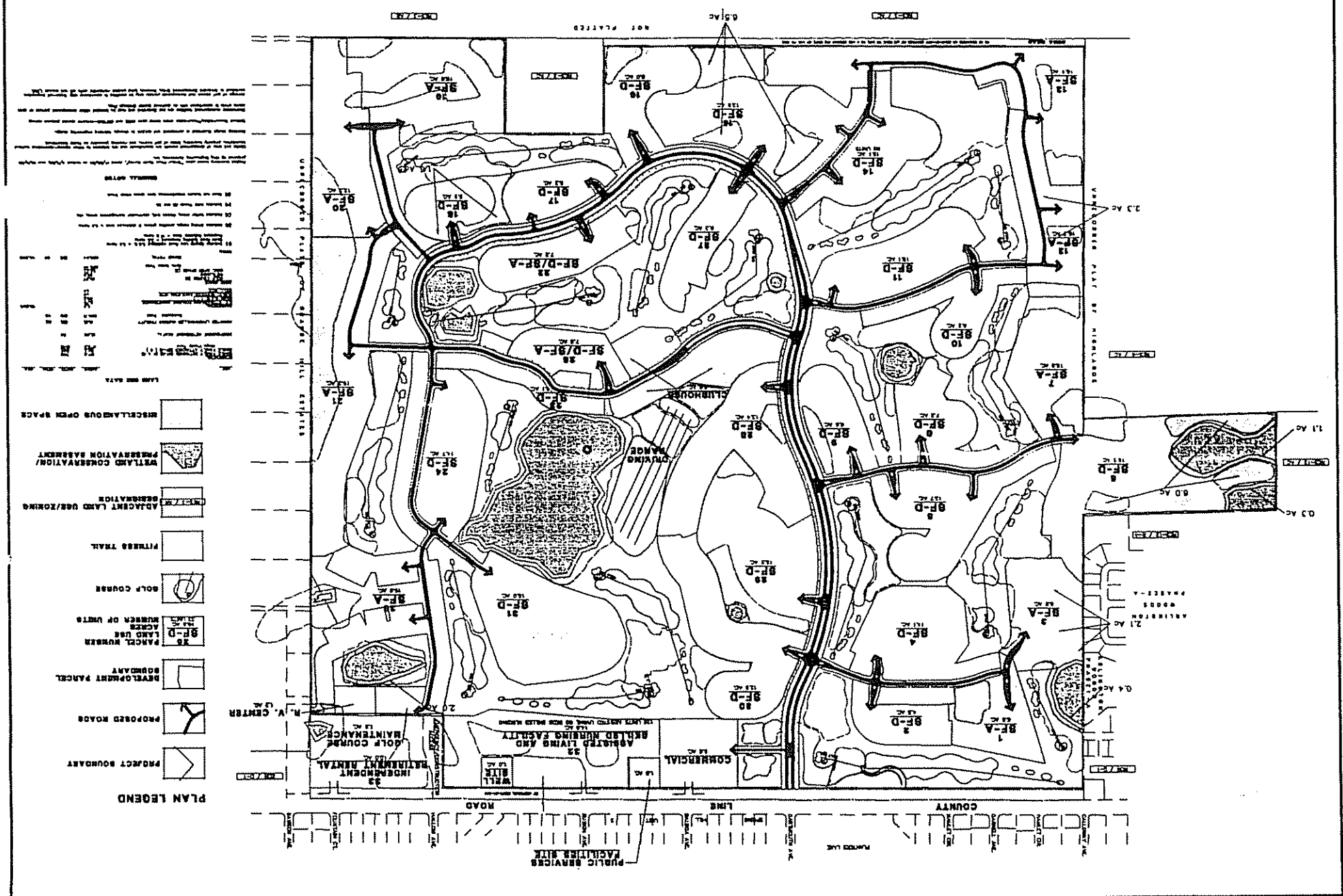


EXHIBIT "C"

NOTICE OF ADOPTION OF AMENDMENT OF THE
DEVELOPMENT ORDER FOR THE HERITAGE PINES
DEVELOPMENT OF REGIONAL IMPACT (DRI)

PURSUANT TO SECTION 380.06(15)(f), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners by Resolution No. 98-67, dated January 6th, 1998, has adopted an amendment to the Development Order for the Heritage Pines Development of Regional Impact (DRI) (formerly known as Timber Pines South). The above-referenced Development Order, as amended, constitutes a land development regulation applicable to the property described in Exhibit "A" of the Development Order.

A legal description of the property concerned, the Development Order and the resolution amending the Development Order may be examined upon request at the Office of the Clerk of the Board of County Commissioners of Pasco County, 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 "A" or actual or constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

By: Sylvia Young
SYLVIA YOUNG, Chairperson

APPROVED

JAN 06 1998

STATE OF FLORIDA)

COUNTY OF PASCO)

The foregoing Notice of Adoption of Development Order was acknowledged before me this 6th date of January, 1998, as Chairperson of the BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA. He is personally known to me and did not take an oath.

Dee Dee S. Deane, D.C.
Deputy Clerk Notary Public

APPROVED AS TO LEGAL FORM AND CONTENT
Office of County Attorney

By: [Signature]
ATTORNEY



PASCO COUNTY, FLORIDA

FAX
DADE CITY
LAND O' LAKES
NEW PORT RICHEY

(813) 847-8084
(352) 521-4274
(813) 996-7341
(813) 847-8132

GROWTH MANAGEMENT/ZONING DEPT.
WEST PASCO GOVT. CENTER, S-320
7530 LITTLE ROAD
NEW PORT RICHEY, FL 34654

March 12, 1997

Mr. J. Thomas Beck, Chief
Bureau of Local Planning
Florida Dept. of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

RE: Timber Pines South (f.k.a. Beacon Villages) Development
of Regional Impact Substantial Deviation Determination

Dear Mr. Beck:

The purpose of this letter is to inform your agency that the Pasco County Board of County Commissioners held a public hearing to determine if proposed changes to the Timber Pines South Development of Regional Impact (DRI)/Development Order (DO) created a substantial deviation. The Board met on Tuesday, March 4, 1997, and determined the proposed changes did not create a substantial deviation to the DO and did not require further DRI review.

A copy of Resolution No. 97-174 amending the DO and the Notice of Adoption are enclosed for your records. The Notice of Proposed Change (NOPC) application submitted by King Engineering Associates, Inc., on December 10, 1996, included an amendment increasing the golf course component from 195 acres to 203.1 acres. However, subsequent to transmittal of the NOPC application, the applicant withdrew the request, because the sketches and legal descriptions of the proposed golf course acreage total less than 195 acres and this amendment request is no longer necessary. Copies of the sketches and legal descriptions for Timber Pines South Golf Course are enclosed for your records.

Please do not hesitate to call me if there are any questions or you need more information.

Sincerely,

Samuel P. Steffey II / *JS*

Deborah J. Bolduc
Planner II

DJB/e031153/53:ltr

Enclosures

cc: Tim Butts, AICP, DRI Coordinator, Tampa Bay Regional Planning Council,
9455 Koger Boulevard, St. Petersburg, FL 33702-2491
Richard K. Dutter, AICP, Vice-President, King Engineering Associates, Inc.,
8406 Massachusetts Avenue, Suite A-2, New Port Richey, FL 34653
Jerry Grief, Chief Planner, Hernando County Planning Department, 20 North Main
Street, Room 262, Brooksville, FL 34601-2828 (without enclosures)
J. Benjamin Harrill, Figurski & Harrill, Attorneys at Law, The Holiday Tower,
2435 U.S. 19 North, Suite 350, Holiday, FL 34691 (without enclosures)
Samuel P. Steffey II, Growth Management Administrator

BY COMMISSIONER _____

RESOLUTION NO. 99-174

RESOLUTION AMENDING THE DEVELOPMENT ORDER
FOR THE
TIMBER PINES SOUTH (FKA BEACON VILLAGES)
DEVELOPMENT OF REGIONAL IMPACT

WHEREAS, in accordance with Section 380.06, Florida Statutes, the Pasco County Board of County Commissioners (the "Commission") adopted a development order approving, with conditions, the Beacon Villages Development of Regional Impact ("DRI"), by Resolution No. 82-128, amended by Resolution No. 89-248 and 95-315 (the "Development Order"); and

WHEREAS, on December 9, 1996, U.S. Home Corporation filed an application entitled Notification of a Proposed Change to a Previously Approved Development of Regional Impact ("DRI") pursuant to Subsection 380.06(19), Florida Statutes," (the "NOPC") proposing to (i) remove 5.86 acres of real property; (ii) increase open space; (iii) revise the internal roadway network; (iv) adopt a revised Master Development Plan to reflect the "Proposed Changes"; and (v) amend certain other Development Order conditions (the "Proposed Changes").

WHEREAS, the Commission, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider amendments to DRIs; and

WHEREAS, the Commission has reviewed the NOPC, as well as all related testimony and evidence submitted by each party and members of the general public.

NOW, THEREFORE, BE IT RESOLVED by the Commission in regular session, duly assembled this ____ day of _____ 1997, that the Development Order for Timber Pines South be amended as set forth below:

1. General Findings of Fact. The Commission, having received all related comments, testimony and evidence submitted by each party and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:
 - A. The Development Order is a valid final development order within the provisions of Section 163.3167(8), Florida Statutes, affecting the property described on Exhibit "A". attached hereto and incorporated herein.
 - B. The NOPC includes a description of the Proposed Changes.
 - C. The Proposed Changes necessitate amending the Development Order conditions described herein.
 - D. A comprehensive review of the impacts generated by the Proposed Changes, together with all previous amendments, has been conducted by Pasco County (the "County"), the Tampa Bay Regional Planning Council

("TBRPC") and the Department of Community Affairs, State of Florida ("DCA").

- E. The Proposed Changes, together with all previous amendments, do not create additional regional impacts on transportation or other public facilities, including water, wastewater, drainage, solid waste, recreation and mass transit over those approved in the Development Order nor do they create impacts that were not previously reviewed.

2. Conclusions of Law. The Commission, having made the above findings of fact, reaches the following conclusions of law:

- A. Development in accordance with the Proposed Changes will not unreasonably interfere with the achievement of the objectives of the adopted State Comprehensive Plan.
- B. The Proposed Changes are consistent with the land development regulations and the adopted local comprehensive plan.
- C. The Proposed Changes are not located in an area of critical state concern designated as such pursuant to Section 380.05, Florida Statutes (1993).
- D. Certain of the Proposed Changes, are presumed to create a substantial deviation, pursuant to Subsection 380.06(19), Florida Statutes.
- E. The NOPC has satisfactorily addressed all regional issues related to development of the DRI and the presumption of a substantial deviation has been rebutted.
- F. The Proposed Changes, together with all previous amendments, do not create additional impacts to public facilities or any type of regional impact over those approved in the Development Order.

The proposed amendments, therefore, do not constitute a substantial deviation from the Development Order, pursuant to Chapter 380.06, Florida Statutes.
- G. Nothing shall grant or limit the obligations contained within the Development Order issued _____, except specified herein.
- H. Nothing herein shall limit or modify the rights originally approved by the Development Order or the protection afforded under Section 163.3167(8), Florida Statutes.
- I. The Proposed Changes, once effective, are consistent with the provisions of Section 402, Pasco County Land Development Code, the Pasco County Concurrency Management System, and the Development Rights granted by the Development Order, as amended hereby, remain vested thereunder.

J. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record and these proceedings, the various departments of the County, and developer are authorized to approve/conduct development as described herein.

K. The review by the County, the TBRPC, and other participating agencies and interested citizens reveals that the Proposed Changes do not create additional impacts on regionally significant natural resources, facilities and services beyond those approved in the Development Order, and that impacts are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.

3. Order. Having made the above findings of fact and drawn the above conclusions of law, it is ordered that the Development Order be amended as follows:

A. The revised legal description for the DRI, which excludes the approximate 5.86 acres of real property described in the NOPC, and which is attached hereto and made a part hereof as Exhibit A," is hereby approved and adopted and becomes part of the Development Order.

B. The Revised Master Development Plan, dated February 10, 1997, which reflects the Proposed Changes, and which is attached hereto and made a part hereof as Exhibit "B", is hereby approved and adopted and becomes part of the Development Order. This Revised Master Development Plan supersedes all previously adopted master plans.

C. The development phasing and build-out schedule for the DRI is hereby approved and adopted to reflect a single phase development, including but not limited to 1,482 residential dwelling units, 45,000 square feet of commercial development on 5.8 acres, and 195 acres of golf course. Build-out of this single phase of development shall occur on or before December 31, 2002, as described herein.

D. Section 13 (Recreation) of the Development Order is amended to read:

Findings

Recreation and Open Space for the development will include 195 acres of golf course with associated club facility, 25 acres of Wetlands Conservation/Preservation and 95.5 acres of Miscellaneous Open Space. These areas are shown on the Revised Master Development Plan, attached hereto as Exhibit "B," and will be the responsibility of the owner, its successor or assigns.

E. Section 19 (Golf Course) is hereby adopted to read:

Pursuant to the revised Master Plan, attached hereto as Exhibit "B", the developer is proposing 195 acres of golf course. Depending upon market conditions and final golf course designs, the golf course component may be modified. The developer may increase the golf

course component in accordance with the tradeoff mechanism which provides for 1.0 residential retirement unit to be converted to 1.4 acres of golf course, with the total golf course component not to exceed 210 acres. The golf course acreage approved in this Resolution may not be used by Pasco County to satisfy the Open Space requirements of the Pasco County Comprehensive Plan.

4. Effective Date. This Resolution shall take effect immediately upon adoption.

5. Notice of Adoption. A Notice of Adoption of this Resolution, in the form attached hereto and incorporated herein as Exhibit "C", 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.

6. Certified Copies. The Clerk of the Commission shall return a signed certified copy of this Resolution and the Notice of Adoption described in Section 6 above to the Pasco County Growth Management Department, which shall then send copies of each document to the DCA and the TBRPC, and to the attorney of record in these proceedings.

DONE AND RESOLVED this 4th day of March 1997.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

By: Annunzio Schmede, Jr.
3/6/97 JED PYTTMAN, CLERK

By: David H. Clark, Jr.
DAVID H. CLARK, JR., CHAIRMAN

APPROVED AS TO LEGAL FORM AND CONTENT

Office of County Attorney
By: [Signature]
ATTORNEY

EXHIBIT "A"

Legal Description

EXHIBIT "A"

LEGAL DESCRIPTION

Parcels "A" and "B":

A parcel of land located within Sections 5 and 6, Township 24 South, Range 17 East, Pasco County, Florida. Being more particularly described as follows:

Commence at the Northeast corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida, thence, along the East line of said Section 5 and the West line of the unrecorded plat of Orange Hill Estates and Orange Hill Estates First Addition, S00°34'15"W, for 50.00 feet to the Point of Beginning; thence continue along said line, S00°34'15"W, for 2594.71 feet to the East $\frac{1}{4}$ corner of said Section 5; thence S00°35'23"W, for 2669.82 feet to the Southeast corner of said Section 5; thence, along the South line of said Section 5, N89°46'38"W, for 1321.51 feet; thence, leaving said line, N00°34'36"E, for 665.34 feet, thence N89°52'08"W, for 660.84 feet; thence S00°32'06"W, for 663.86 feet to the South line of said Section 5; thence, along said line N89°46'28"W, for 660.64 feet to the South $\frac{1}{4}$ corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida; thence, continue along said South line, N89°50'13"W, for 2643.84 feet to the Southwest corner of said Section 5; thence along the West line of said Section 5 and the East line of the unrecorded plat of Highlands, N00°31'48"E, for 2645.16 feet to the West $\frac{1}{4}$ corner of said Section 5 and the East $\frac{1}{4}$ corner of Section 6, Township 24 South, Range 17 East, Pasco County, Florida; thence, along the East-West centerline of said Section 6, S88°20'32"W, for 1321.95 feet; thence, leaving said centerline, N00°26'42"E, for 680.34 feet; thence N88°47'05"E, for 1323.69 feet to the Southeast corner of Arlington Woods Phase 2-A as recorded in Plat Book 30 Pages 22 and 23 of the Public Records of Pasco County, Florida and the West line of said Section 5; thence, along said West line, N00°36'37"E, for 1959.87 feet; thence, along a line being 50.00 feet perpendicular to the South boundary of Spring Hill Unit 5 as recorded in Plat Book 7, Pages 96 through 107 of the Public Records of Hernando County, Florida, S89°41'11"E, for 5287.09 feet to the Point of Beginning, containing 650.04 acres, more or less.

Subject to:

A 50' ingress-egress easement over the West 9/16 of Section 5, Township 24 South, Range 17 East, Pasco County, Florida as recorded in OR Book 646, Page 252 of the Public Records of Pasco County, Florida.

Total net acreage = 650.04 acres, more or less.

EXHIBIT "B"

Revised Master Development Plan

EXHIBIT "C"

NOTICE OF ADOPTION OF AMENDMENT OF THE
DEVELOPMENT ORDER FOR THE TIMBER PINES SOUTH
(FKA KNOWN AS BEACON VILLAGES)
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. 97-174, dated 3/04, 1997, has adopted an amendment to the Development Order for the Timber Pines South Development of Regional Impact (f/k/a Beacon Villages Development of Regional Impact). The above-referenced Development Order, as amended, constitutes a land development regulation applicable to the property described in Exhibit "A" of the Development Order.

A legal description of the property conceded, the Development Order and the resolution amending the Development Order may be examined upon request at the Office of the Clerk to the Board of County Commissioners of Pasco County, 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 "A" or actual or constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

By: David H. Clark, Jr.
David H. Clark, Jr., Chairman

STATE OF FLORIDA)
COUNTY OF PASCO)

The foregoing Notice of Adoption of Development Order was acknowledged before me this day of May March, 1997, by David H. Clark, Jr., as Chairperson of the BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA. He is personally known to me and did not take an oath.

Connie M. Schroeder
Notary Public Deputy Clerk

APPROVED AS TO LEGAL FORM AND CONTENT
Office of County Attorney

By: [Signature]

EXHIBIT "A"

LEGAL DESCRIPTION

Parcels "A" and "B":

A parcel of land located within Sections 5 and 6, Township 24 South, Range 17 East, Pasco County, Florida. Being more particularly described as follows:

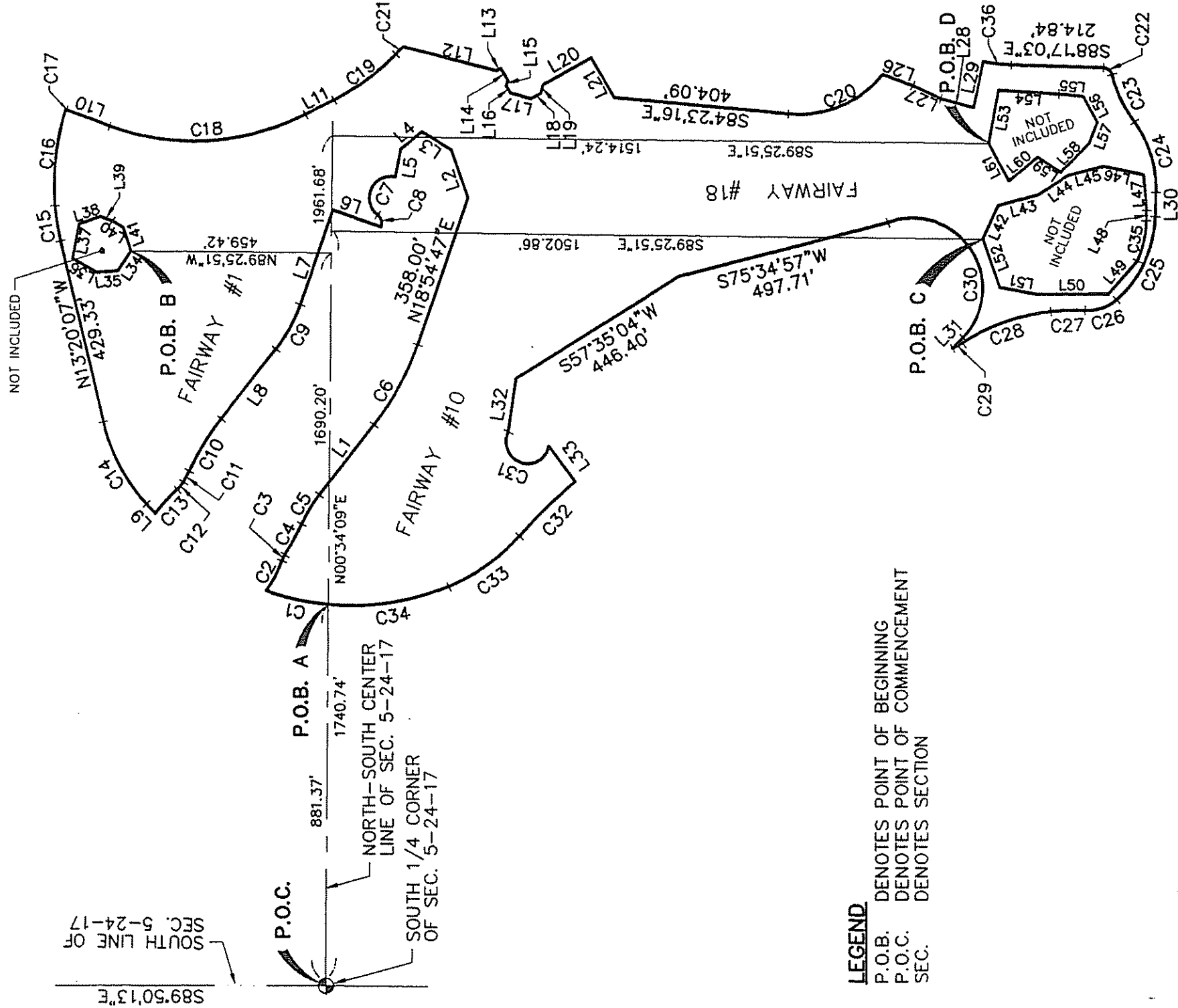
Commence at the Northeast corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida, thence, along the East line of said Section 5 and the West line of the unrecorded plat of Orange Hill Estates and Orange Hill Estates First Addition, S00°34'15"W, for 50.00 feet to the Point of Beginning; thence continue along said line, S00°34'15"W, for 2594.71 feet to the East $\frac{1}{4}$ corner of said Section 5; thence S00°35'23"W, for 2669.82 feet to the Southeast corner of said Section 5; thence, along the South line of said Section 5, N89°46'38"W, for 1321.51 feet; thence, leaving said line, N00°34'36"E, for 665.34 feet, thence N89°52'08"W, for 660.84 feet; thence S00°32'06"W, for 663.86 feet to the South line of said Section 5; thence, along said line N89°46'28"W, for 660.64 feet to the South $\frac{1}{4}$ corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida; thence, continue along said South line, N89°50'13"W, for 2643.84 feet to the Southwest corner of said Section 5; thence along the West line of said Section 5 and the East line of the unrecorded plat of Highlands, N00°31'48"E, for 2645.16 feet to the West $\frac{1}{4}$ corner of said Section 5 and the East $\frac{1}{4}$ corner of Section 6, Township 24 South, Range 17 East, Pasco County, Florida; thence, along the East-West centerline of said Section 6, S88°20'32"W, for 1321.95 feet; thence, leaving said centerline, N00°26'42"E, for 680.34 feet; thence N88°47'05"E, for 1323.69 feet to the Southeast corner of Arlington Woods Phase 2-A as recorded in Plat Book 30 Pages 22 and 23 of the Public Records of Pasco County, Florida and the West line of said Section 5; thence, along said West line, N00°36'37"E, for 1959.87 feet; thence, along a line being 50.00 feet perpendicular to the South boundary of Spring Hill Unit 5 as recorded in Plat Book 7, Pages 96 through 107 of the Public Records of Hernando County, Florida, S89°41'11"E, for 5287.09 feet to the Point of Beginning, containing 650.04 acres, more or less.

Subject to:

A 50' ingress-egress easement over the West 9/16 of Section 5, Township 24 South, Range 17 East, Pasco County, Florida as recorded in OR Book 646, Page 252 of the Public Records of Pasco County, Florida.

Total net acreage = 650.04 acres, more or less.

THIS IS NOT A SURVEY



LEGEND

P.O.B. DENOTES POINT OF BEGINNING
P.O.C. DENOTES POINT OF COMMENCEMENT
SEC. DENOTES SECTION



SCALE: 1" = 300'

REVISED BOUNDARY ON 2/6/97

SURVEYORS NOTES

THIS IS NOT A SURVEY

1. THERE MAY BE ADDITIONAL EASEMENTS AND OR RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
2. BEARINGS ARE BASED ON UPON A BEARING BETWEEN PASCO COUNTY G.P.S. CONTROL STATIONS "D10-031" AND "D10-032". SAID LINE BEARS: S23°21'44"W.
3. THE SKETCH SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO DEPICT A SURVEY PERFORMED IN THE FIELD.
4. THE SKETCH AND LEGAL DESCRIPTION SHOWN HERewith, WAS PREPARED WITHOUT BENEFIT OF A TITLE ABSTRACT AND IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS OR ANY OTHER MATTERS OF RECORD.

#776

LINE	DIRECTION	DISTANCE
L1	N37°53'20"E	203.71'
L2	N18°27'52"W	117.36'
L3	N58°28'06"W	81.45'
L4	S48°57'29"W	63.54'
L5	S11°10'53"W	65.47'
L6	N71°05'13"W	117.00'
L7	S18°54'47"W	228.91'
L8	S37°53'20"W	203.71'
L9	N42°48'57"W	30.76'
L10	S69°00'46"E	108.73'
L11	N61°49'51"E	74.40'
L12	S75°37'32"E	222.66'

LINE	DIRECTION	DISTANCE
L13	N60°22'28"E	11.61'
L14	S29°37'32"E	32.27'
L15	S15°22'28"W	13.64'
L16	S29°37'32"E	20.00'
L17	S74°37'32"E	49.50'
L18	N60°22'28"E	25.00'
L19	N15°22'28"E	21.21'
L20	N60°22'28"E	128.39'
L21	S29°37'32"E	107.23'
L26	S68°48'36"E	73.45'
L27	S64°36'40"E	72.36'
L28	S73°58'12"E	79.69'
L29	N11°22'40"E	111.67'
L30	S01°42'57"W	55.35'
L31	N44°14'28"E	35.93'
L32	S08°14'56"W	123.06'
L33	S36°26'32"E	102.42'
L34	S34°22'59"W	55.33'
L35	S85°31'16"W	49.52'
L36	N60°00'26"W	64.44'
L37	N11°10'24"E	80.79'
L38	N71°44'55"E	51.19'
L39	S71°58'13"E	29.59'
L40	S59°19'40"E	29.82'
L41	S18°54'51"E	56.66'
L42	N24°50'30"E	83.02'
L43	N74°31'25"E	97.21'
L44	N56°43'43"E	81.39'
L45	N75°35'08"E	86.38'
L46	S77°49'44"E	92.45'
L47	S05°12'08"E	82.43'
L48	S01°42'57"W	23.26'
L49	S41°06'03"W	101.85'
L50	S89°42'55"W	163.85'
L51	N79°50'13"W	88.22'
L52	N19°07'44"W	118.75'
L53	N10°13'10"E	128.45'
L54	S86°21'40"E	138.10'
L55	S84°25'39"E	57.09'
L56	S27°52'42"E	69.86'
L57	S19°44'16"W	52.40'
L58	S44°04'29"W	95.57'
L59	N56°05'25"W	64.19'
L60	S49°27'25"W	87.00'
L61	N27°46'01"W	99.88'

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	580.00'	145.84'	73.31'	145.45'	N77°37'20"W	14°24'24"
C2	331.00'	79.26'	39.82'	79.08'	N27°08'09"E	13°43'14"
C3	69.00'	14.74'	7.40'	14.72'	N26°23'49"E	12°14'34"
C4	642.00'	79.89'	40.00'	79.84'	N28°57'12"E	07°07'48"
C5	358.00'	78.11'	39.21'	77.95'	N31°38'19"E	12°30'02"
C6	642.00'	212.63'	107.30'	211.65'	N28°24'03"E	18°58'33"
C7	50.00'	133.34'	206.65'	97.20'	S24°46'58"W	152°47'50"
C8	25.00'	30.77'	17.68'	28.87'	S16°21'05"E	70°31'44"
C9	358.00'	118.57'	59.83'	118.03'	S28°24'03"W	18°58'33"
C10	642.00'	140.07'	70.31'	139.79'	S31°38'19"W	12°30'02"
C11	358.00'	29.99'	15.01'	29.98'	S27°47'18"W	04°48'01"
C12	69.00'	22.39'	11.29'	22.29'	S39°29'02"W	18°35'27"
C13	331.00'	74.49'	37.40'	74.33'	S42°19'56"W	12°53'40"
C14	420.00'	216.10'	110.50'	213.73'	N28°04'32"W	29°28'50"
C15	520.00'	81.72'	40.94'	81.63'	N08°50'00"W	09°00'14"
C16	605.00'	227.25'	114.98'	225.91'	N06°25'45"E	21°31'15"
C17	20.00'	1.66'	0.83'	1.66'	S71°23'06"E	04°44'40"
C18	540.00'	463.29'	246.98'	449.21'	N86°24'32"E	49°09'23"
C19	540.00'	179.90'	90.79'	179.07'	N52°17'13"E	19°05'15"
C20	243.00'	247.39'	135.62'	236.85'	N66°26'48"E	58°19'53"
C21	464.00'	24.43'	12.22'	24.43'	N44°15'06"E	03°01'02"
C22	20.00'	26.09'	15.27'	24.28'	S50°54'56"E	74°44'14"
C23	330.00'	125.97'	63.76'	125.21'	S24°28'57"E	21°52'17"
C24	270.00'	174.99'	90.69'	171.94'	S16°51'04"E	37°08'03"
C25	270.00'	217.16'	114.84'	211.35'	S24°45'25"W	46°04'57"
C26	100.00'	79.02'	41.70'	76.98'	S70°26'06"W	45°16'25"
C27	480.00'	79.70'	39.94'	79.61'	S88°18'55"W	09°30'48"
C28	480.00'	218.99'	111.44'	217.10'	S70°29'18"W	26°08'25"
C29	245.00'	27.64'	13.83'	27.62'	S60°39'00"W	06°27'49"
C30	162.30'	438.43'	725.43'	316.77'	N33°08'52"W	154°46'40"
C31	50.00'	170.74'	363.76'	99.07'	S71°22'26"E	195°39'11"
C32	1240.00'	180.02'	90.17'	179.86'	S46°19'57"W	08°19'05"
C33	460.00'	201.17'	102.22'	199.57'	S54°42'07"W	25°03'25"
C34	580.00'	282.88'	144.31'	280.08'	S81°12'08"W	27°56'39"
C35	250.00'	95.70'	48.44'	95.11'	S12°40'54"W	21°55'55"
C36	380.00'	64.00'	32.12'	64.00'	S83°27'12"E	09°39'43"

LEGAL DESCRIPTION OF GOLF COURSE FAIRWAYS 1, 10 AND 18:

A tract of land lying within Section 5, Township 24 South, Range 17 East, Pasco County, Florida and being more particularly described as follows:

Commence at the South 1/4 corner of said Section 5; thence, along the North-South centerline of said Section 5, N00°34'09"E, for 881.37 feet to the POINT OF BEGINNING #A, said point also being a point of intersection with a non-tangent curve concave to the North; thence leaving said North-South centerline, westerly along the arc of said curve with a radial bearing N05°10'28"E, and having a radius of 580.00 feet, a central angle of 14°24'24", an arc length of 145.84 feet and a chord bearing N77°37'20"W, for 145.45 feet to the point of intersection with a non-tangent curve concave to the Northwest; thence northeasterly along the arc of said curve with a radial bearing N56°00'14"W, and having a radius of 331.00 feet, a central angle of 13°43'14", an arc length of 79.26 feet and a chord bearing N27°08'09"E, for 79.08 feet to the point of reverse curvature with a curve concave to the Southeast; thence northerly along the arc of said curve, having a radius of 69.00 feet, a central angle of 12°14'34", an arc length of 14.74 feet and a chord bearing N26°23'49"E, for 14.72 feet to the point of reverse curvature with a curve concave to the Northwest; thence northeasterly along the arc of said curve, having a radius of 79.89 feet and a chord bearing N28°57'12"E, for 79.84 feet to the point of reverse curvature with a curve concave to the Southeast; thence northeasterly along the arc of said curve, having a radius of 358.00 feet, a central angle of 12°30'02", an arc length of 78.11 feet and a chord bearing N31°38'19"E, for 77.95 feet to the point of tangency; thence N37°53'20"E, for 203.71 feet to the point of curvature of a curve concave to the Northwest; thence northeasterly along the arc of said curve, having a radius of 642.00 feet, a central angle of 18°58'33", an arc length of 212.63 feet and a chord bearing N28°24'03"E, for 211.65 feet to the point of tangency; thence N18°54'47"E, for 358.00 feet; thence N18°27'52"W, for 117.36 feet; thence N58°28'06"W, for 81.45 feet; thence S48°57'29"W, for 63.54 feet; thence S11°10'53"W, for 65.47 feet to the point of intersection with a non-tangent curve concave to the Northwest; thence easterly along the arc of said curve with a radial bearing S11°10'53"W, and having a radius of 50.00 feet, a central angle of 152°47'50", an arc length of 133.34 feet and a chord bearing S24°46'58"W, for 97.20 feet to the point of cusp with a curve concave to the West; thence southeasterly along the arc of said curve, having a radius of 25.00 feet, a central angle of 70°31'44", an arc length of 30.77 feet and a chord bearing S16°21'05"E, for 28.87 feet to the point of intersection with a non-tangent line; thence N71°05'13"W, for 117.00 feet; thence S18°54'47"W, for 228.91 feet to the point of curvature of a curve concave to the Northwest; thence Southerly along the arc of said curve, having a radius of 358.00 feet, a central angle of 18°58'33", an arc length of 118.57 feet and a chord bearing S28°24'03"W, for 118.03 feet to the point of tangency; thence S37°53'20"W, for 203.71 feet to the point of curvature of a curve concave to the Southeast; thence southwesterly along the arc of said curve, having a radius of 642.00 feet, a central angle of 12°30'02", an arc length of 140.07 feet and a chord bearing S31°38'19"W, for 139.79 feet to the point of reverse curvature with a curve concave to the Northwest; thence southwesterly along the arc of said curve, having a radius of 358.00 feet, a central angle of 04°48'01", an arc length of 29.99 feet and a chord bearing S27°47'18"W, for 29.98 feet to the point of compound curvature with a curve concave to the Northwest; thence southwesterly along the arc of said curve, having a radius of 69.00 feet, a central angle of 18°35'27", an arc length of 22.39 feet and a chord bearing S39°29'02"W, for 22.29 feet to the point of reverse curvature with a curve concave to the Southeast; thence southwesterly along the arc of said curve, having a radius of 331.00 feet, a central angle of 12°53'40", an arc length of 74.49 feet and a chord bearing S42°19'56"W, for 74.33 feet to the point of intersection with a non-tangent line; thence N42°48'57"W, for 30.76 feet to the point of curvature of a curve concave to the Northeast; thence northwesterly along the arc of said curve, having a radius of 420.00 feet, a central angle of 29°28'50", an arc length of 216.10 feet and a chord bearing

to the point of curvature of a curve concave to the North; thence Easterly along the arc of said curve, having a radius of 540.00 feet, a central angle of $49^{\circ}09'23''$, an arc length of 463.29 feet and a chord bearing $N86^{\circ}24'32''E$, for 449.21 feet to the point of tangency; thence $N61^{\circ}49'51''E$, for 74.40 feet to the point of curvature of a curve concave to the Northwest; thence Northeasterly along the arc of said curve, having a radius of 540.00 feet, a central angle of $19^{\circ}05'15''$, an arc length of 179.90 feet and a chord bearing $N52^{\circ}17'13''E$, for 179.07 feet to the point of reverse curvature of a curve concave to the South; thence Northeasterly along the arc of said curve, having a radius of 464.00 feet, a central angle of $03^{\circ}01'02''$, an arc length of 24.43 feet and a chord bearing $N44^{\circ}15'06''E$, for 24.43 feet; thence $S75^{\circ}37'32''E$, for 222.66 feet; thence $N60^{\circ}22'28''E$, for 11.61 feet; thence $S29^{\circ}37'32''E$, for 32.27 feet; thence $S15^{\circ}22'28''W$, for 13.64 feet; thence $S29^{\circ}37'32''E$, for 20.00 feet; thence $S74^{\circ}37'32''E$, for 49.50 feet; thence $N60^{\circ}22'28''E$, for 25.00 feet; thence $N15^{\circ}22'28''E$, for 21.21 feet; thence $N60^{\circ}22'28''E$, for 128.39 feet; thence $S29^{\circ}37'32''E$, for 107.23 feet; thence $S84^{\circ}23'16''E$, for 404.09 feet to the point of curvature of a curve concave to the Northwest; thence northeasterly along the arc of said curve, having a radius 243.00 feet, a central angle of $58^{\circ}19'53''$, an arc length of 247.39 feet and a chord bearing $N66^{\circ}26'48''E$, for 236.85 feet to the point of intersection with a non-tangent line; thence $S68^{\circ}48'36''E$, for 73.45 feet; thence $S64^{\circ}36'40''E$, for 72.36 feet; thence $S73^{\circ}58'12''E$, for 79.69 feet; thence $N11^{\circ}22'40''E$, for 111.67 feet to a non-tangent curve concave to the North; thence Easterly along the arc of said curve, having a radius of 380.00 feet, a central angle of $09^{\circ}39'43''$, an arc length of 64.00 feet and a chord bearing $S83^{\circ}27'12''E$, for 64.00 feet to the point of tangency; thence $S88^{\circ}17'03''E$, for 214.84 feet to the point of curvature of a curve concave to the Southwest; thence easterly along the arc of said curve, having a radius of 20.00 feet, a central angle of $74^{\circ}44'14''$, an arc length of 26.09 feet and a chord bearing $S50^{\circ}54'56''E$, for 24.28 feet to the point of reverse curvature with a curve concave to the Northeast; thence southerly along the arc of said curve, having a radius of 330.00 feet, a central angle of $21^{\circ}52'17''$, an arc length of 125.97 feet and a chord bearing $S24^{\circ}28'57''E$, for 125.21 feet to the point of reverse curvature with a curve concave to the West; thence southeasterly along the arc of said curve, having a radius of 270.00 feet, a central angle of $37^{\circ}08'03''$, an arc length of 174.99 feet and a chord bearing $S16^{\circ}51'04''E$, for 171.94 feet to the point of tangency; thence $S01^{\circ}42'57''W$, for 55.35 feet to the point of curvature of a curve concave to the Northwest; thence southerly along the arc of said curve, having a radius of 270.00 feet, a central angle of $46^{\circ}04'57''$, an arc length of 217.16 feet and a chord bearing $S24^{\circ}45'25''W$, for 211.35 feet to the point of compound curvature with a curve concave to the North; thence Southwesterly along the arc of said curve, having a radius of 100.00 feet, a central angle of $45^{\circ}16'25''$, an arc length of 79.02 feet and a chord bearing $S70^{\circ}26'06''W$, for 76.98 feet to the point of reverse curvature with a curve concave to the South; thence westerly along the arc of said curve, having a radius of 480.00 feet, a central angle of $09^{\circ}30'48''$, an arc length of 79.70 feet and a chord bearing $S88^{\circ}18'55''W$, for 79.61 feet to the point of compound curvature with a curve concave to the South; thence westerly along the arc of said curve, having a radius of 480.00 feet, a central angle of $26^{\circ}08'25''$, an arc length of 218.99 feet and a chord bearing $S70^{\circ}29'18''W$, for 217.10 feet to the point of reverse curvature with a curve concave to the Northwest; thence southwesterly along the arc of said curve, having a radius of 245.00 feet, a central angle of $06^{\circ}27'49''$, an arc length of 27.64 feet and a chord bearing $S60^{\circ}39'00''W$, for 27.62 feet to the point of intersection with a non-tangent line; thence $N44^{\circ}14'28''E$, for 35.93 feet to the point of curvature of a curve concave to the Northeast; thence southwesterly along the arc of said curve, having a radius of 162.30 feet, a central angle of $154^{\circ}46'40''$, an arc length of 438.43 feet and a chord bearing $N33^{\circ}08'52''W$, for 316.77 feet to the point of intersection with a non-tangent line; thence $S75^{\circ}34'57''W$, for 497.71 feet; thence $S57^{\circ}35'04''W$, for 446.40 feet; thence $S08^{\circ}14'56''W$, for 123.06 feet to the point of intersection with a non-tangent curve concave to the North; thence southwesterly along the arc of said curve with a radial bearing $S63^{\circ}32'50''E$, and having a radius of 50.00 feet, a central angle of $195^{\circ}39'11''$, an arc length of 170.74 feet and a chord bearing $S71^{\circ}22'26''E$, for 99.07 feet to the point of intersection with a non-tangent line; thence $S36^{\circ}26'32''E$,

and containing 33.30 acres, more or less.

LESS THE FOLLOWING DESCRIBED:

A tract of land lying within Section 5, Township 24 South, Range 17 East, Pasco County, Florida and being more particularly described as follows:

Commence at the South 1/4 corner of said Section 5; thence, along the North-South centerline of said Section 5, N00°34'09"E, for 1690.20 feet; thence leaving said North-South centerline, N89°25'51"W, for 459.42 feet to the POINT OF BEGINNING B; thence S34°22'59"W, for 55.33 feet; thence S85°31'16"W, for 49.52 feet; thence N60°00'26"W, for 64.44 feet; thence N11°10'24"E, for 80.79 feet; thence N71°44'55"E, for 51.19 feet; thence S71°58'13"E, for 29.59 feet; thence S59°19'40"E, for 29.82 feet; thence S18°54'51"E, for 56.66 feet to the POINT OF BEGINNING B and containing 0.29 acres, more or less.

ALSO LESS THE FOLLOWING:

A tract of land lying within Section 5, Township 24 South, Range 17 East, Pasco County, Florida and being more particularly described as follows:

Commence at the South 1/4 corner of said Section 5; thence, along the North-South centerline of said Section 5, N00°34'09"E, for 1740.74 feet; thence leaving said North-South centerline, S89°25'51"E, for 1502.86 feet to the POINT OF BEGINNING C; thence N24°50'30"E, for 83.02 feet; thence N74°31'25"E, for 97.21 feet; thence N56°43'43"E, for 81.39 feet; thence N75°35'08"E, for 86.38 feet; thence S77°49'44"E, for 92.45 feet; thence S05°12'08"E, for 82.43 feet; thence S01°42'57"W, for 23.26 feet to the point of curvature of a curve concave to the West; thence southerly along the arc of said curve, having a radius of 250.00 feet, a central angle of 21°55'55", an arc length of 95.70 feet and a chord bearing S12°40'54"W, for 95.11 feet to the point of intersection with a non-tangent line; thence S41°06'03"W, for 101.85 feet; thence S89°42'55"W, for 163.85 feet; thence N79°50'13"W, for 88.22 feet; thence N19°07'44"W, for 118.75 feet to the POINT OF BEGINNING C and containing 1.97 acres, more or less.

ALSO LESS THE FOLLOWING:

A tract of land lying within Section 5, Township 24 South, Range 17 East, Pasco County, Florida and being more particularly described as follows:

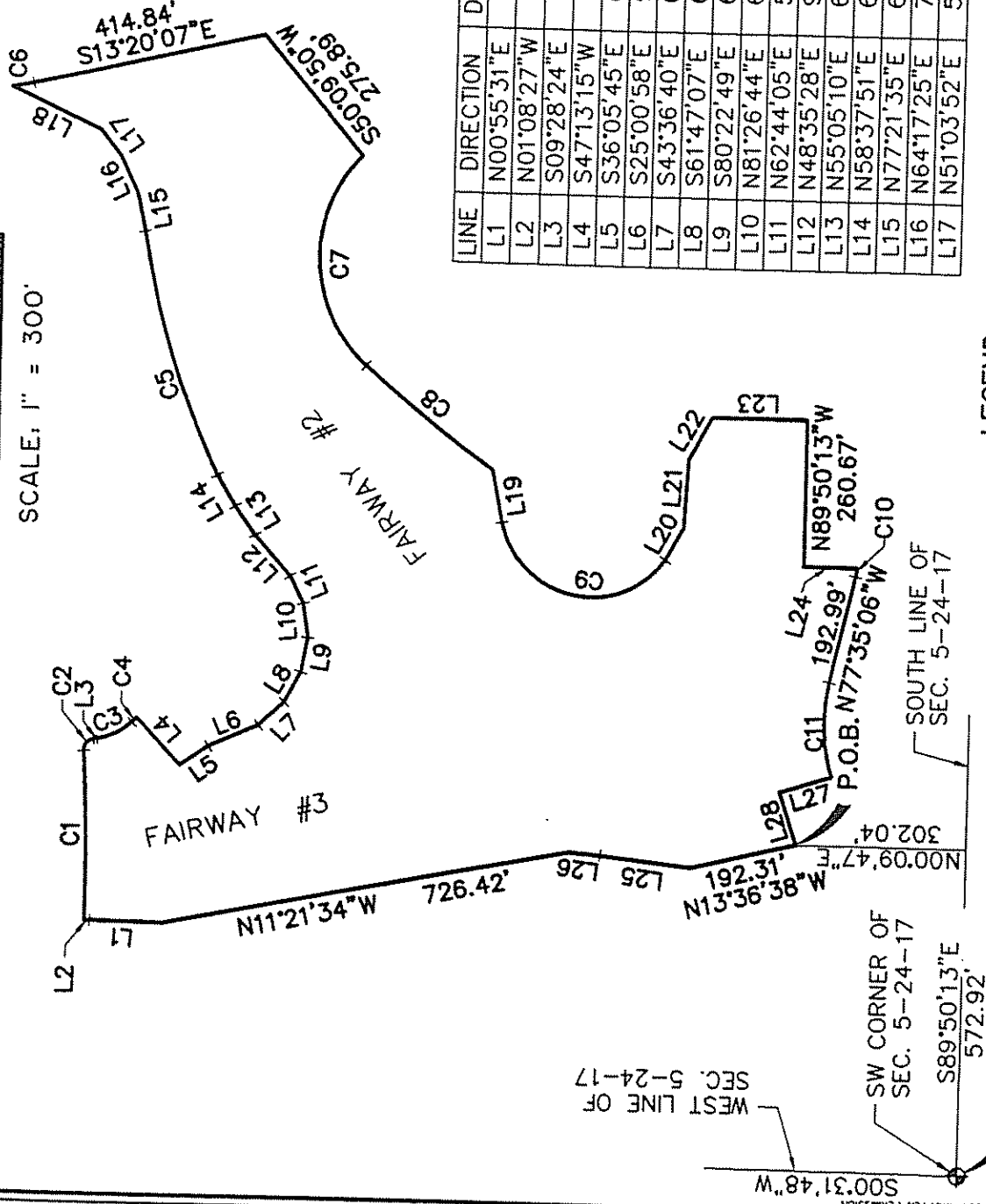
Commence at the South 1/4 corner of said Section 5; thence, along the North-South centerline of said Section 5, N00°34'09"E, for 1961.68 feet; thence leaving said North-South centerline, S89°25'51"E, for 1514.24 feet to the POINT OF BEGINNING D; thence N10°13'10"E, for 128.45 feet; thence S86°21'40"E, for 138.09 feet; thence S84°25'39"E, for 57.09 feet; thence S27°52'43"E, for 69.86 feet; thence S19°44'16"W, for 52.40 feet; thence S44°04'29"W, for 95.57 feet; thence N56°05'25"W, for 64.19 feet; thence S49°27'25"W, for 87.00 feet; thence N27°46'01"W, for 99.88 feet to the POINT OF BEGINNING D and containing 0.87 acres, more or less.

Having a total acreage of 30.17 acres, more or less.

THIS IS NOT A SURVEY



SCALE: 1" = 300'



LINE	DIRECTION	DISTANCE
L1	N00°55'31"E	128.74'
L2	N01°08'27"W	9.75'
L3	S09°28'24"E	6.58'
L4	S47°13'15"W	115.42'
L5	S36°05'45"E	60.14'
L6	S25°00'58"E	95.93'
L7	S43°36'40"E	61.17'
L8	S61°47'07"E	61.17'
L9	S80°22'49"E	61.17'
L10	N81°26'44"E	61.37'
L11	N62°44'05"E	54.06'
L12	N48°35'28"E	95.91'
L13	N55°05'10"E	61.67'
L14	N58°37'51"E	63.02'
L15	N77°21'35"E	68.45'
L16	N64°17'25"E	74.70'
L17	N51°03'52"E	56.59'

LEGEND

P.O.B. DENOTES POINT OF BEGINNING
P.O.C. DENOTES POINT OF COMMENCEMENT
SEC. DENOTES SECTION

SURVEYORS NOTES

1. THERE MAY BE ADDITIONAL EASEMENTS AND OR RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
2. BEARINGS ARE BASED ON UPON A BEARING BETWEEN PASCO COUNTY G.P.S. CONTROL STATIONS "D10-031" AND "D10-032". SAID LINE BEARS: S23°21'44"W.
3. THE SKETCH SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO DEPICT A SURVEY PERFORMED IN THE FIELD.
4. THE SKETCH AND LEGAL DESCRIPTION SHOWN HERewith, WAS PREPARED WITHOUT BENEFIT OF A TITLE ABSTRACT AND IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS OR ANY OTHER MATTERS OF RECORD.

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	3525.00'	305.38'	152.78'	305.28'	N88°32'37"E	04°57'49"
C2	20.00'	29.48'	18.16'	26.89'	S51°42'21"E	84°27'53"
C3	114.00'	69.92'	36.10'	68.83'	S27°02'41"E	35°08'32"
C4	375.00'	12.02'	6.01'	12.02'	S43°41'51"E	01°50'12"
C5	1592.60'	450.22'	226.62'	448.73'	N72°25'10"E	16°11'50"
C6	665.00'	38.00'	19.00'	37.99'	S11°41'54"E	03°16'25"
C7	256.40'	412.53'	266.37'	369.45'	S87°50'03"W	92°11'07"
C8	2406.80'	290.28'	145.31'	290.10'	S38°17'11"W	06°54'37"
C9	162.20'	379.35'	382.15'	298.62'	S11°44'36"W	134°00'13"
C10	267.00'	15.30'	7.65'	15.30'	N79°13'36"W	03°17'00"
C11	333.00'	172.63'	88.30'	170.71'	S87°33'48"W	29°42'12"

LINE	DIRECTION	DISTANCE
L18	N24°45'24"E	172.13'
L19	S78°44'43"W	92.24'
L20	S61°54'38"E	65.93'
L21	S86°42'13"E	121.88'
L22	S61°54'38"E	84.60'
L23	S00°09'47"W	169.49'
L24	S00°09'47"W	95.33'
L25	N06°19'17"E	162.50'
L26	N04°47'27"E	57.35'
L27	N18°06'01"W	96.37'
L28	S71°53'59"W	99.22'

REVISED BOUNDARY ON 2/20/97

LEGAL DESCRIPTION OF GOLF COURSE FAIRWAYS 2 & 3

A tract of land lying within Section 5, Township 24 South, Range 17 East, Pasco County, Florida and being more particularly described as follows:

Commence at Southwest corner of said Section 5; thence along South line of said Section 5, S89°50'13"E, for 572.92 feet; thence leaving said South line, N00°09'47"E, for 302.04 feet, to the POINT OF BEGINNING; thence N13°36'38"W, for 192.31 feet; thence N06°19'17"E, for 162.50 feet; thence N04°47'27"E, for 57.35 feet; thence N11°21'34"W, for 726.42 feet; thence N00°55'31"E, for 128.74 feet; thence N01°08'27"W, for 9.75 feet to the point of intersection with a non-tangent curve concave to the North; thence Easterly along the arc of said curve with a radial bearing N01°01'32"E, and having a radius of 3525.00 feet, a central angle of 04°57'49", an arc length of 305.38 feet and a chord bearing N88°32'37"E, for 305.28 feet to the point of reverse curvature with a curve concave to the Southwest; thence Easterly along the arc of said curve, having a radius of 20.00 feet, a central angle of 84°27'53", an arc length of 29.48 feet and a chord bearing S51°42'21"E, for 26.89 feet to the point of intersection with a tangent line; thence S09°28'24"E, for 6.58 feet to the point of intersection with a curve concave to the Northeast; thence Southerly along the arc of said curve, having a radius of 114.00 feet, a central angle of 35°08'32", an arc length of 69.92 feet and a chord bearing S27°02'41"E, for 68.83 feet to the point of reverse curvature with a curve concave to the Southwest; thence Southeasterly along the arc of said curve, having a radius of 375.00 feet, a central angle of 01°50'12", an arc length of 12.02 feet and a chord bearing S43°41'51"E, for 12.02 feet to the point of intersection with a non-tangent line; thence S47°13'15"W, for 115.42 feet; thence S36°05'45"E, for 60.14 feet; thence S25°00'58"E, for 95.93 feet; thence S43°36'40"E, for 61.17 feet; thence S61°47'07"E, for 61.17 feet; thence S80°22'49"E, for 61.17 feet; thence N81°26'44"E, for 61.37 feet; thence N62°44'05"E, for 54.06 feet; thence N48°35'28"E, for 95.91 feet; thence N55°05'10"E, for 61.67 feet; thence N58°37'51"E, for 63.02 feet to the point of intersection with a non-tangent curve concave to the South; thence Northeasterly along the arc of said curve with a radial bearing S25°40'45"E, and having a radius of 1592.60 feet, a central angle of 16°11'50", an arc length of 450.22 feet and a chord bearing N72°25'10"E, for 448.73 feet to the point of intersection with a non-tangent line; thence N77°21'35"E, for 68.45 feet; thence N64°17'25"E, for 74.70 feet; thence N51°03'52"E, for 56.59 feet; thence N24°45'24"E, for 172.13 feet to the point of intersection with a non-tangent curve concave to the East; thence Southerly along the arc of said curve with a radial bearing N79°56'18"E, and having a radius of 665.00 feet, a central angle of 03°16'25", an arc length of 38.00 feet and a chord bearing S11°41'54"E, for 37.99 feet to the point of tangency; thence S13°20'07"E, for 414.84 feet; thence S50°09'50"W, for 275.89 feet to the point of intersection with a non-tangent curve concave to the South; thence Northwesterly along the arc of said curve with a radial bearing S43°55'37"W, and having a radius of 256.40 feet, a central angle of 92°11'07", an arc length of 412.53 feet and a chord bearing S87°50'03"W, for 369.45 feet to the point of intersection with tangent curve concave to the Southeast; thence southwesterly along the arc of said curve, having a radius of 2406.80 feet, a central angle of 06°54'37", an arc length of 290.28' and chord bearing S38°17'11"W, for 290.10 feet to a non-tangent line; thence S78°44'43"W, for 92.24 feet to the point of curvature of a curve concave to the East; thence Westerly along the arc of said curve, having a radius of 162.20 feet, a central angle of 134°00'13", an arc length of 379.35 feet and a chord bearing S11°44'36"W, for 298.62 feet to the point of intersection with a non-tangent line; thence S61°54'38"E, for 65.93 feet; thence S86°42'13"E, for 121.88 feet; thence S61°54'38"E, for 84.60 feet; thence S00°09'47"W, for 169.49 feet; thence N89°50'13"W, for 260.67 feet; thence S00°09'47"W, for 95.33 feet to the point of intersection with a non-tangent curve concave to the South; thence westerly along the arc of said curve with a radial bearing S12°24'55"W, and having a radius of 267.00 feet, a central angle of 03°17'00", an arc length of 15.30 feet and a chord bearing N79°13'36"W, for 15.30 feet to the point

THIS IS NOT A SURVEY

SURVEYORS NOTES

1. THERE MAY BE ADDITIONAL EASEMENTS AND OR RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
2. BEARINGS ARE BASED ON UPON A BEARING BETWEEN PASCO COUNTY G.P.S. CONTROL STATIONS "D10-031" AND "D10-032". SAID LINE BEARS: S23°21'44"W.
3. THE SKETCH SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO DEPICT A SURVEY PERFORMED IN THE FIELD.
4. THE SKETCH AND LEGAL DESCRIPTION SHOWN HERewith, WAS PREPARED WITHOUT BENEFIT OF A TITLE ABSTRACT AND IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS OR ANY OTHER MATTERS OF RECORD.

LEGEND

P.O.B. DENOTES POINT OF BEGINNING
P.O.C. DENOTES POINT OF COMMENCEMENT
SEC. DENOTES SECTION

SEC. DENOTES SECTION

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	675.00'	195.75'	98.56'	195.06'	N63°57'14"E	16°36'56"
C2	895.00'	94.94'	47.51'	94.89'	N58°41'06"E	06°04'40"
C3	475.00'	9.08'	4.54'	9.08'	N62°16'18"E	01°05'45"
C4	358.80'	248.23'	129.31'	243.31'	N82°38'20"E	39°38'19"
C5	1341.20'	43.57'	21.79'	43.57'	S78°28'21"E	01°51'41"
C6	168.40'	381.87'	360.53'	305.15'	S10°33'02"W	129°55'36"
C7	50.00'	151.81'	948.35'	99.86'	S64°20'49"E	173°57'50"
C8	120.00'	9.31'	4.66'	9.31'	N26°26'51"E	04°26'51"
C9	1225.00'	157.03'	78.63'	156.93'	N80°38'28"E	07°20'41"
C10	2167.00'	422.74'	212.04'	422.07'	S22°29'49"E	11°10'39"
C11	167.00'	395.78'	411.16'	309.45'	N84°01'11"E	135°47'21"
C12	935.00'	291.65'	147.02'	290.47'	S12°03'04"W	17°52'19"
C13	750.00'	228.92'	115.36'	228.03'	S12°14'35"W	17°29'18"
C14	20.00'	18.42'	9.92'	17.77'	S71°47'34"W	52°45'47"
C15	263.50'	8.06'	4.03'	8.06'	N80°56'57"W	01°45'09"
C16	413.00'	33.43'	16.73'	33.42'	N82°23'31"W	04°38'17"
C17	487.00'	64.91'	32.50'	64.86'	N80°53'35"W	07°38'10"
C18	525.00'	198.90'	100.66'	197.71'	N87°55'42"W	21°42'24"
C19	635.55'	13.61'	6.80'	13.61'	S80°36'18"W	01°13'37"
C20	2135.55'	650.29'	327.68'	647.78'	S71°16'05"W	17°26'49"
C21	162.50'	510.51'	1583.13'	325.00'	N59°36'14"W	180°00'00"
C22	3364.91'	194.13'	97.09'	194.10'	S89°24'14"W	03°18'20"

LINE	DIRECTION	DISTANCE
L1	S27°10'50"E	116.20'
L2	S75°30'50"W	32.80'
L3	S54°24'45"E	38.52'
L4	S84°31'18"E	106.80'
L5	S31°24'09"E	50.28'
L6	S28°40'16"W	136.81'
L7	S61°19'44"E	115.12'
L8	N28°40'16"E	170.79'
L9	S83°57'20"E	120.99'
L10	N06°02'40"E	69.82'
L11	N01°33'34"W	73.76'
L12	N03°06'30"W	88.74'
L13	S15°31'52"E	63.66'
L14	S18°37'26"E	50.07'
L15	S86°53'05"E	7.91'
L16	N08°46'53"W	110.55'
L17	N28°48'38"E	61.39'
L18	N42°20'25"E	132.88'
L19	N30°23'45"E	42.05'
L20	S30°23'46"W	53.92'
L21	S18°27'07"W	132.88'
L22	S30°23'46"W	88.45'
L23	S26°31'54"W	71.50'
L24	S16°07'59"W	66.27'
L25	S05°44'03"W	56.83'
L26	N09°53'34"W	89.32'
L27	N31°13'15"W	172.07'
L28	N36°27'58"W	35.69'
L29	S64°37'37"E	21.14'
L30	S44°17'23"E	75.50'
L31	S06°32'46"E	61.72'
L32	S06°01'47"W	70.21'
L33	S23°11'46"W	34.58'
L34	S73°14'39"W	128.00'
L35	N77°10'35"W	40.91'
L36	N49°33'19"W	91.77'
L37	N11°34'30"W	83.73'
L38	N76°06'39"E	20.39'
L39	N13°50'06"E	60.26'
L40	N39°10'40"E	45.36'
L41	N75°54'21"E	89.04'
L42	S79°15'55"E	42.77'
L43	S16°54'30"E	129.85'

LEGAL DESCRIPTION, GOLF COURSE FAIRWAYS 4 AND 9:

A tract of land lying within Section 5, Township 24 South, Range 27 East, Pasco County, Florida and being more particularly described as follows:

Commence at the West 1/4 corner of said Section 5; thence, along the East-West centerline of said Section 5, N89°55'51"E, for 291.05 feet; thence leaving said East-West centerline of said Section 5, N00°04'09"W, for 152.03 feet to the POINT OF BEGINNING A, said point also being a point of intersection with a non-tangent curve concave to the Northwest; thence easterly along the arc of said curve with a radial bearing N17°44'19"W, and having a radius of 675.00 feet, a central angle of 16°36'56", an arc length of 195.75 feet and a chord bearing N63°57'14"E, for 195.06 feet to the point of reverse curvature with a curve concave to the Southeast; thence northeasterly along the arc of said curve, having a radius of 895.00 feet, a central angle of 06°04'40", an arc length of 94.94 feet and a chord bearing N58°41'06"E, for 94.89 feet to the point of compound curvature with a curve concave to the Southeast; thence northeasterly along the arc of said curve, having a radius of 475.00 feet, a central angle of 01°05'45", an arc length of 9.08 feet and a chord bearing N62°16'18"E, for 9.08 feet to the point of intersection with a non-tangent line; thence S27°10'50"E, for 116.20 feet to the point of intersection with a non-tangent curve concave to the South; thence northeasterly along the arc of said curve with a radial bearing S27°10'50"E, and having a radius of 358.80 feet, a central angle of 39°38'19", an arc length of 248.23 feet and a chord bearing N82°38'20"E, for 243.31 feet to the point of reverse curvature with a curve concave to the North; thence easterly along the arc of said curve, having a radius of 1341.20 feet, a central angle of 01°51'41", an arc length of 43.57 feet and a chord bearing S78°28'21"E, for 43.57 feet to the point of intersection with a non-tangent line; thence S75°30'50"W, for 32.80 feet to the point of curvature of a curve concave to the East; thence westerly along the arc of said curve, having a radius of 168.40 feet, a central angle of 129°55'36", an arc length of 381.87 feet and a chord bearing S10°33'02"W, for 305.15 feet to the point of tangency; thence S54°24'45"E, for 38.52 feet; thence S84°31'18"E, for 106.80 feet; thence S31°24'09"E, for 50.28 feet; thence S28°40'16"W, for 136.81 feet; thence S61°19'44"E, for 115.12 feet to the point of intersection with a non-tangent curve concave to the Southwest; thence northeasterly along the arc of said curve with a radial bearing S67°21'53"E, and having a radius of 50.00 feet, a central angle of 173°57'50", an arc length of 151.81 feet and a chord bearing S64°20'49"E, for 99.86 feet to the point of tangency; thence N28°40'16"E, for 170.79 feet to the point of curvature of a curve concave to the Northwest; thence northeasterly along the arc of said curve, having a radius of 120.00 feet, a central angle of 04°26'51", an arc length of 9.31 feet and a chord bearing N26°26'51"E, for 9.31 feet to the point of intersection with a non-tangent line; thence S83°57'20"E, for 120.99 feet; thence N06°02'40"E, for 69.82 feet; thence N07°07'04"W, for 326.87 feet; thence N01°33'34"W, for 73.76 feet; thence N03°06'30"W, for 88.74 feet to the point of intersection with a non-tangent curve concave to the North; thence easterly along the arc of said curve with a radial bearing N05°41'11"W, and having a radius of 1225.00 feet, a central angle of 07°20'41", an arc length of 157.03 feet and a chord bearing N80°38'28"E, for 156.93 feet to the point of intersection with a non-tangent line; thence S15°31'52"E, for 63.66 feet; thence S18°37'26"E, for 50.07 feet; thence S16°54'30"E, for 129.85 feet to the point of curvature of a curve concave to the East; thence southerly along the arc of said curve, having a radius of 2167.00 feet, a central angle of 11°10'39", an arc length of 422.74 feet and a chord bearing S22°29'49"E, for 422.07 feet to the point of compound curvature with a curve concave to the North; thence southeasterly along the arc of said curve, having a radius of 167.00 feet, a central angle of 135°47'21", an arc length of 395.78 feet and a chord bearing N84°01'11"E, for 309.45 feet to the point of intersection with a non-tangent line; thence S86°53'05"E, for 7.91 feet to the point of intersection with a non-tangent curve concave to the West; thence southerly along the arc of said curve with a radial bearing N86°53'05"W, and having a radius of 935.00 feet, a central angle of

feet, a central angle of $01^{\circ}45'09''$, an arc length of 8.06 feet and a chord bearing $N80^{\circ}56'57''W$, for 8.06 feet to the point of reverse curvature with a curve concave to the South; thence westerly along the arc of said curve, having a radius of 413.00 feet, a central angle of $04^{\circ}38'17''$, an arc length of 33.43 feet and a chord bearing $N82^{\circ}23'31''W$, for 33.42 feet to the point of reverse curvature with a curve concave to the North; thence westerly along the arc of said curve, having a radius of 487.00 feet, a central angle of $07^{\circ}38'10''$, an arc length of 64.91 feet and a chord bearing $N80^{\circ}53'35''W$, for 64.86 feet to the point of reverse curvature with a curve concave to the South; thence westerly along the arc of said curve, having a radius of 525.00 feet, a central angle of $21^{\circ}42'24''$, an arc length of 198.90 feet and a chord bearing $N87^{\circ}55'42''W$, for 197.71 feet to the point of intersection with a non-tangent line; thence $N08^{\circ}46'53''W$, for 110.55 feet to the point of intersection with a non-tangent curve concave to the South; thence westerly along the arc of said curve with a radial bearing $S08^{\circ}46'53''E$, and having a radius of 635.55 feet, a central angle of $01^{\circ}13'37''$, an arc length of 13.61 feet and a chord bearing $S80^{\circ}36'18''W$, for 13.61 feet to the point of compound curvature with a curve concave to the South; thence westerly along the arc of said curve, having a radius of 2135.55 feet, a central angle of $17^{\circ}26'49''$, an arc length of 650.29 feet and a chord bearing $S71^{\circ}16'05''W$, for 647.78 feet to the point of intersection with a non-tangent line; thence $N28^{\circ}48'38''E$, for 61.39 feet; thence $N42^{\circ}20'25''E$, for 132.88 feet; thence $N30^{\circ}23'45''E$, for 42.05 feet to the point of curvature of a curve concave to the Northeast; thence southerly along the arc of said curve, having a radius of 162.50 feet, a central angle of $180^{\circ}00'00''$, an arc length of 510.51 feet and a chord bearing $N59^{\circ}36'14''W$, for 325.00 feet to the point of tangency; thence $S30^{\circ}23'46''W$, for 53.92 feet; thence $S18^{\circ}27'07''W$, for 132.88 feet; thence $S30^{\circ}23'46''W$, for 88.45 feet; thence $S26^{\circ}31'54''W$, for 71.50 feet; thence $S16^{\circ}07'59''W$, for 66.27 feet; thence $S05^{\circ}44'03''W$, for 56.83 feet to the point of intersection with a non-tangent curve concave to the North; thence westerly along the arc of said curve with a radial bearing $N02^{\circ}14'56''W$, and having a radius of 3364.91 feet, a central angle of $03^{\circ}18'20''$, an arc length of 194.13 feet and a chord bearing $S89^{\circ}24'14''W$, for 194.10 feet to the point of intersection with a non-tangent line; thence $N09^{\circ}53'34''W$, for 89.32 feet; thence $N17^{\circ}52'08''E$, for 591.31 feet; thence $N31^{\circ}13'15''W$, for 172.07 feet; thence $N36^{\circ}27'58''W$, for 35.69 feet; thence $N30^{\circ}47'33''W$, for 295.74 feet to the POINT OF BEGINNING A; and containing 20.82 acres, more or less.

LESS THE FOLLOWING:

A tract of land lying within Section 5, Township 24 SOUTH, Range 27 East, Pasco County, Florida and being more particularly described as follows:

Commence at the West 1/4 corner of said Section 5; thence, along the East-West centerline of said Section 5, $N89^{\circ}55'51''E$, for 1316.82 feet; thence, leaving East-West centerline, $S00^{\circ}04'09''E$, for 263.99 feet to the POINT OF BEGINNING B; thence $S64^{\circ}37'37''E$, for 21.14 feet; thence $S44^{\circ}17'23''E$, for 75.50 feet; thence $S06^{\circ}32'46''E$, for 61.72 feet; thence $S06^{\circ}01'47''W$, for 70.21 feet; thence $S23^{\circ}11'46''W$, for 34.58 feet; thence $S73^{\circ}14'39''W$, for 128.00 feet; thence $N77^{\circ}10'35''W$, for 40.91 feet; thence $N49^{\circ}33'19''W$, for 91.77 feet; thence $N11^{\circ}34'30''W$, for 83.73 feet; thence $N76^{\circ}06'39''E$, for 20.39 feet; thence $N13^{\circ}50'06''E$, for 60.26 feet; thence $N39^{\circ}10'40''E$, for 45.36 feet; thence $N75^{\circ}54'21''E$, for 89.04 feet; thence $S79^{\circ}15'55''E$, for 42.77 feet to the POINT OF BEGINNING B; and containing 1.28 acres, more or less.

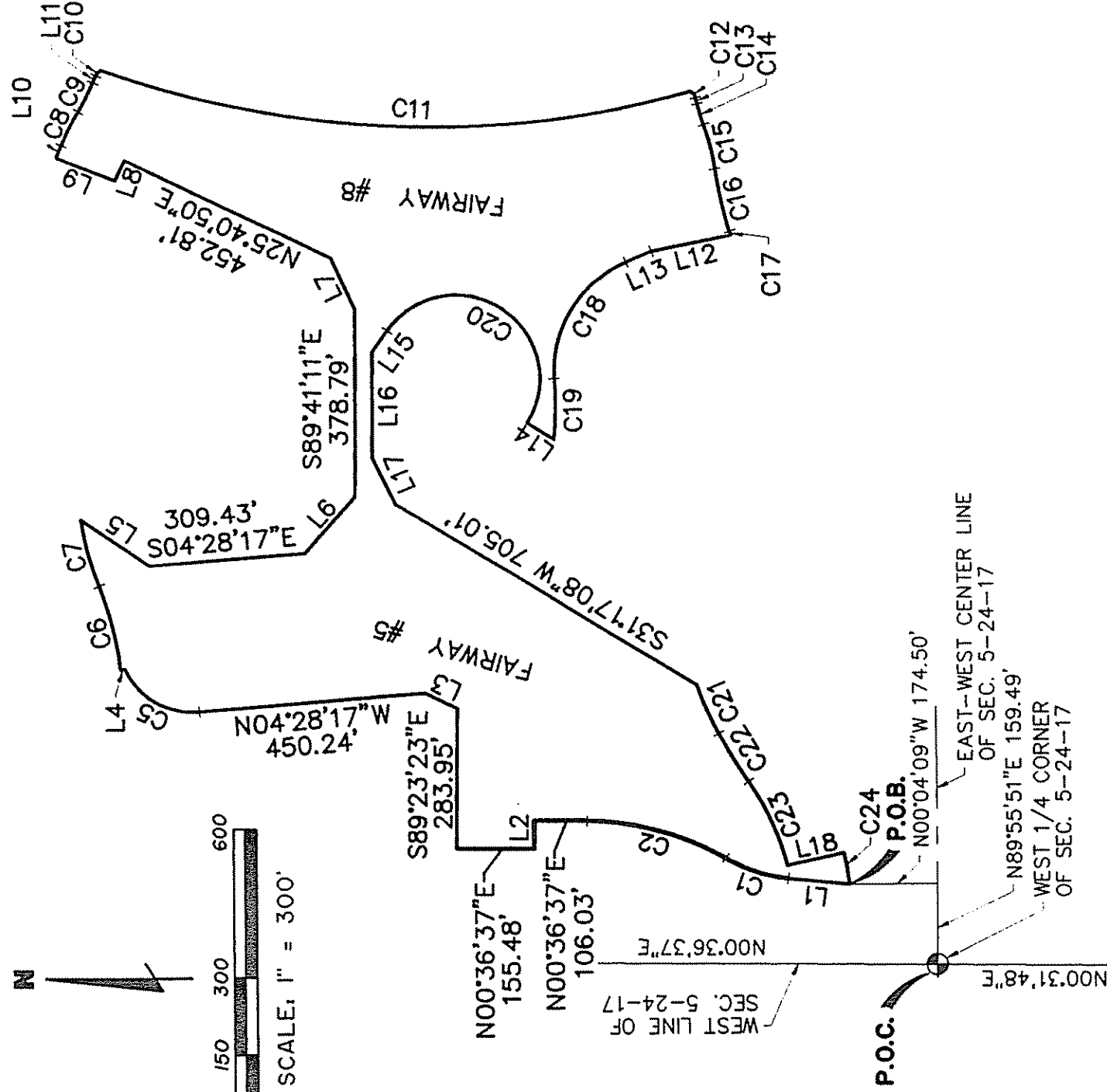
Having a total acreage of 19.54 acres, more or less.

THIS IS NOT A SURVEY

N



SCALE: 1" = 300'



LEGEND

- P.O.B. DENOTES POINT OF BEGINNING
P.O.C. DENOTES POINT OF COMMENCEMENT
SEC. DENOTES SECTION

SURVEYORS NOTES

1. THERE MAY BE ADDITIONAL EASEMENTS AND OR RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
2. BEARINGS ARE BASED ON UPON A BEARING BETWEEN PASCO COUNTY G.P.S. CONTROL STATIONS "D10-031" AND "D10-032". SAID LINE BEARS: S23°21'44"W.
3. THE SKETCH SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO DEPICT A SURVEY PERFORMED IN THE FIELD.
4. THE SKETCH AND LEGAL DESCRIPTION SHOWN HERewith, WAS PREPARED WITHOUT BENEFIT OF A TITLE ABSTRACT AND IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS OR ANY OTHER MATTERS OF RECORD.

REVISED BOUNDARY ON 2/20/97

LINE	DIRECTION	DISTANCE
L1	N05°45'44"E	123.39'
L2	N89°23'23"W	61.00'
L3	N26°06'44"E	70.73'
L4	N05°46'32"W	9.03'
L5	S35°07'18"W	164.75'
L6	S48°43'10"E	153.43'
L7	N65°25'46"E	114.30'
L8	N64°19'10"W	44.46'
L9	N21°40'35"E	124.21'
L10	S68°19'25"E	26.30'
L11	S68°19'25"E	15.84'
L12	N11°07'53"W	161.58'
L13	N22°45'09"W	55.80'
L14	N31°17'08"E	62.79'
L15	N55°19'58"W	51.99'
L16	N89°41'11"W	213.31'
L17	S64°34'13"W	107.58'
L18	S12°47'06"E	115.75'

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	289.00'	132.06'	67.20'	130.91'	N18°51'10"E	26°10'51"
C2	536.00'	293.12'	150.32'	289.48'	N16°16'36"E	31°19'58"
C5	150.00'	181.35'	103.61'	170.50'	N30°09'49"E	69°16'13"
C6	638.23'	173.08'	87.08'	172.55'	N76°27'19"E	15°32'18"
C7	611.77'	140.46'	70.54'	140.15'	N75°15'49"E	13°09'17"
C8	487.00'	77.94'	39.05'	77.85'	S63°44'20"E	09°10'09"
C9	413.00'	66.09'	33.12'	66.02'	S63°44'20"E	09°10'09"
C10	20.00'	16.44'	8.71'	15.98'	S44°46'42"E	47°05'24"
C11	1890.00'	1195.74'	618.65'	1175.90'	S02°15'06"W	36°14'57"
C12	20.00'	17.74'	9.50'	17.17'	S51°09'06"W	50°49'46"
C13	1163.50'	11.75'	5.87'	11.75'	S76°51'20"W	00°34'43"
C14	413.00'	44.96'	22.50'	44.94'	S74°01'34"W	06°14'17"
C15	487.00'	93.30'	46.79'	93.16'	S76°23'43"W	10°58'36"
C16	825.00'	128.69'	64.48'	128.56'	S77°24'54"W	08°56'15"
C17	1175.00'	8.08'	4.04'	8.08'	S73°08'36"W	00°23'38"
C18	237.10'	293.66'	169.01'	275.25'	N58°14'04"W	70°57'50"
C19	772.40'	122.66'	61.46'	122.53'	N89°10'02"W	09°05'55"
C20	168.20'	522.40'	9406.99'	336.35'	N33°38'35"E	177°57'05"
C21	640.75'	106.39'	53.32'	106.27'	S66°28'49"W	09°30'48"
C22	1060.75'	112.52'	56.31'	112.47'	S58°41'06"W	06°04'40"
C23	509.25'	191.71'	97.00'	190.58'	S66°25'50"W	21°34'08"
C24	625.00'	65.22'	32.64'	65.19'	S80°12'16"W	05°58'45"

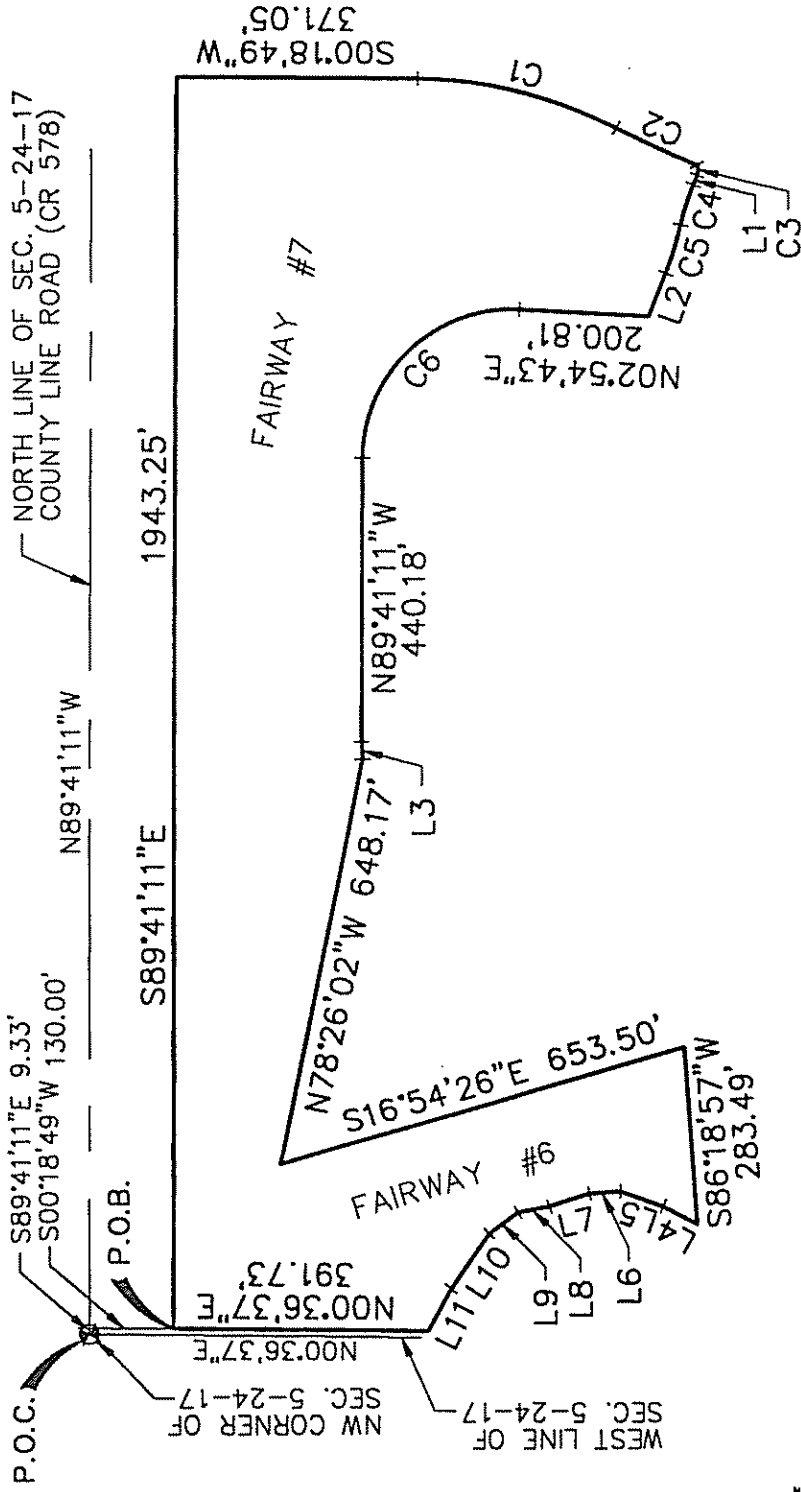
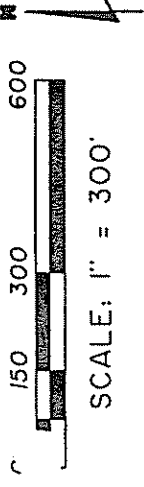
LEGAL DESCRIPTION OF GOLF COURSE HOLES 5 & 8

A tract of land lying within Section 5, Township 24 South, Range 17 East, Pasco County, Florida and being more particularly described as follows:

Commence at West 1/4 corner of said Section 5; thence along East-West center line of said Section 5, N89°55'51"E, for 159.49 feet; thence leaving said center line, N00°04'09"W, for 174.50 feet, to the POINT OF BEGINNING; thence N05°45'44"E, for 123.39 feet to the point of intersection with a tangent curve concave to the Southeast; thence Northerly along the arc of said curve, having a radius of 289.00 feet, a central angle of 26°10'51", an arc length of 132.06 feet and a chord bearing N18°51'10"E, for 130.91 feet to the point of intersection with a tangent curve concave to the West; thence Northeasterly along the arc of said curve, having a radius of 536.00 feet, a central angle of 31°19'58", an arc length of 293.12 feet and a chord bearing N16°16'36"E, for 289.48 feet to the point of intersection with a tangent line; thence N00°36'37"E, for 106.03 feet; thence N89°23'23"W, for 61.00 feet; thence N00°36'37"E, for 155.48 feet; S89°23'23"E, for 283.95 feet; thence N26°06'44"E, for 70.73 feet; thence N04°28'17"W, for 450.24 feet to the point of intersection with a tangent curve concave to the Southeast; thence Northerly along the arc of said curve, having a radius of 150.00 feet, a central angle of 69°16'13", an arc length of 181.35 feet and a chord bearing N30°09'49"E, for 170.50 feet to the point of intersection with a non-tangent line; thence N05°46'32"W, for 9.03 feet to the point of intersection with a non-tangent curve concave to the North; thence Easterly along the arc of said curve with a radial bearing N05°46'32"W, and having a radius of 638.23 feet, a central angle of 15°32'18", an arc length of 173.08 feet and a chord bearing N76°27'19"E, for 172.55 feet to the point of intersection with a tangent curve concave to the South; thence Easterly along the arc of said curve, having a radius of 611.77 feet, a central angle of 13°09'17", an arc length of 140.46 feet and a chord bearing N75°15'49"E, for 140.15 feet to the point of intersection with a non-tangent line; thence S35°07'18"W, for 164.75 feet; thence S04°28'17"E, for 309.43 feet; thence S48°43'10"E, for 153.43 feet; thence S89°41'11"E, for 378.79 feet; thence N65°25'46"E, for 114.30 feet; thence N25°40'50"E, for 452.81 feet; thence N64°19'10"W, for 44.46 feet; thence N21°40'35"E, for 124.21 feet; thence S68°19'25"E, for 26.30 feet to the point of intersection with a tangent curve concave to the Southwest; thence Easterly along the arc of said curve, having a radius of 487.00 feet, a central angle of 09°10'09", an arc length of 77.94 feet and a chord bearing S63°44'20"E, for 77.85 feet to the point of intersection with a tangent curve concave to the Northeast; thence Southeasterly along the arc of said curve, having a radius of 413.00 feet, a central angle of 09°10'09", an arc length of 66.09 feet and a chord bearing S63°44'20"E, for 66.02 feet to the point of intersection with a tangent line; thence S68°19'25"E, for 15.84 feet to the point of intersection with a tangent curve concave to the Southwest; thence Easterly along the arc of said curve, having a radius of 20.00 feet, a central angle of 47°05'24", an arc length of 16.44 feet and a chord bearing S44°46'42"E, for 15.98 feet to the point of intersection with a non-tangent curve concave to the East; thence Southerly along the arc of said curve with a radial bearing S69°37'25"E, and having a radius of 1890.00 feet, a central angle of 36°14'57", an arc length of 1195.74 feet and a chord bearing S02°15'06"W, for 1175.90 feet to the point of intersection with a non-tangent curve concave to the Northwest; thence Southwesterly along the arc of said curve with a radial bearing N64°15'47"W, and having a radius of 20.00 feet, a central angle of 50°49'46", an arc length of 17.74 feet and a chord bearing S51°09'06"W, for 17.17 feet to the point of intersection with a tangent curve concave to the North; thence Westerly along the arc of said curve, having a radius of 1163.50 feet, a central angle of 00°34'43", an arc length of 11.75 feet and a chord bearing S76°51'20"W, for 11.75 feet to the point of intersection with a tangent curve concave to the South; thence Westerly along the arc of said curve, having a radius of 413.00 feet, a central angle of 06°14'17", an arc length of 44.96 feet and a chord bearing S74°01'34"W, for 44.94 feet to the point of intersection with a tangent curve concave to the North; thence Westerly along the arc of said curve, having a radius of

thence N11°07'53"W, for 161.58 feet; thence N22°45'09"W, for 55.80 feet to the point of intersection with a tangent curve concave to the Southwest; thence Northwesterly along the arc of said curve, having a radius of 237.10 feet, a central angle of 70°57'50", an arc length of 293.66 feet and a chord bearing N58°14'04"W, for 275.25 feet to the point of intersection with a tangent curve concave to the North; thence Westerly along the arc of said curve, having a radius of 772.40 feet, a central angle of 09°05'55", an arc length of 122.66 feet and a chord bearing N89°10'02"W, for 122.53 feet to the point of intersection with a non-tangent line; thence N31°17'08"E, for 62.79 feet to the point of intersection with a non-tangent curve concave to the Northwest; thence Southeasterly along the arc of said curve with a radial bearing N32°37'07"E, and having a radius of 168.20 feet, a central angle of 177°57'05", an arc length of 522.40 feet and a chord bearing N33°38'35"E, for 336.35 feet to the point of tangency; thence N55°19'58"W, for 51.99 feet; thence N89°41'11"W, for 213.31 feet; thence S64°34'13"W, for 107.58 feet; thence S31°17'08"W, for 705.01 feet to the point of intersection with a non-tangent curve concave to the Southeast; thence Westerly along the arc of said curve with a radial bearing S18°45'47"E, and having a radius of 640.75 feet, a central angle of 09°30'48", an arc length of 106.39 feet and a chord bearing S66°28'49"W, for 106.27 feet to the point of compound curvature with a curve concave to the Southeast; thence Southwesterly along the arc of said curve, having a radius of 1060.75 feet, a central angle of 06°04'40", an arc length of 112.52 feet and a chord bearing S58°41'06"W, for 112.47 feet to the point of reverse curvature with a curve concave to the Northwest; thence Southwesterly along the arc of said curve, having a radius of 509.25 feet, a central angle of 21°34'08", an arc length of 191.71 feet and a chord bearing S66°25'50"W, for 190.58 feet to the point of intersection with a non-tangent line; thence S12°47'06"E, for 115.75 feet to the point of intersection with a non-tangent curve concave to the North; thence Westerly along the arc of said curve with a radial bearing N12°47'06"W, and having a radius of 625.00 feet, a central angle of 05°58'45", an arc length of 65.22 feet and a chord bearing S80°12'16"W, for 65.19 feet to the POINT OF BEGINNING and containing 20.22 acres, more or less.

THIS IS NOT A SURVEY



SURVEYORS NOTES

1. THERE MAY BE ADDITIONAL EASEMENTS AND OR RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
2. BEARINGS ARE BASED ON UPON A BEARING BETWEEN PASCO COUNTY G.P.S. CONTROL STATIONS "D10-031" AND "D10-032". SAID LINE BEARS: S23°21'44"W.
3. THE SKETCH SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO DEPICT A SURVEY PERFORMED IN THE FIELD.
4. THE SKETCH AND LEGAL DESCRIPTION SHOWN HERewith, WAS PREPARED WITHOUT BENEFIT OF A TITLE ABSTRACT AND IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS OR ANY OTHER MATTERS OF RECORD.

LEGEND

- P.O.B. DENOTES POINT OF BEGINNING
P.O.C. DENOTES POINT OF COMMENCEMENT
SEC. DENOTES SECTION

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	685.00'	320.42'	163.19'	317.50'	S13°42'51"W	26°48'02"
C2	1890.00'	136.49'	68.28'	136.46'	S25°02'44"W	04°08'16"
C3	20.00'	16.44'	8.71'	15.98'	S88°07'53"W	47°05'24"
C4	413.00'	66.09'	33.12'	66.02'	N72°54'29"W	09°10'09"
C5	487.00'	77.94'	39.05'	77.85'	N72°54'29"W	09°10'09"
C6	231.00'	373.33'	241.72'	334.01'	N43°23'14"W	92°35'54"

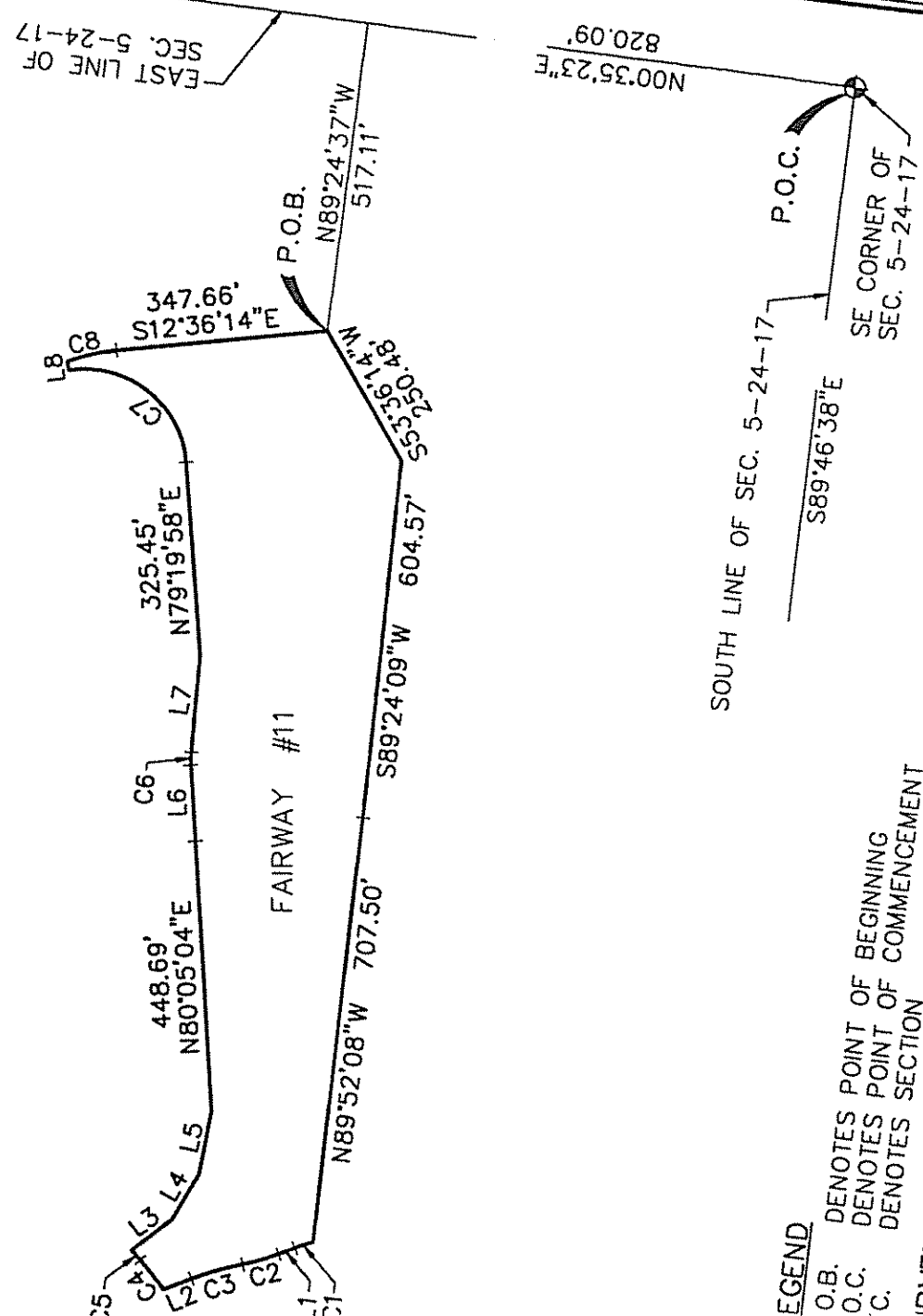
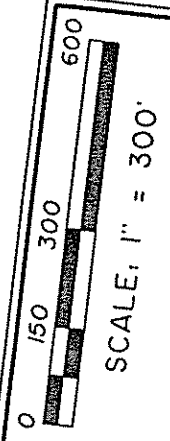
LINE	DIRECTION	DISTANCE
L1	N68°19'25"W	15.84'
L2	N68°19'25"W	71.62'
L3	S87°08'54"W	26.94'
L4	N27°56'49"E	58.57'
L5	N19°27'47"E	69.55'
L6	N03°13'22"W	48.15'
L7	N17°49'26"W	65.67'
L8	N10°41'16"W	49.89'
L9	N36°35'17"W	55.72'
L10	N54°53'46"W	103.22'
L11	N60°40'18"W	73.72'

LEGAL DESCRIPTION OF GOLF COURSE FAIRWAYS 6 & 7

A tract of land lying within Section 5, Township 24 South, Range 17 East, Pasco County, Florida and being more particularly described as follows:

Commence at the Northwest corner of said Section 5; thence along North line of said Section 5, S89°41'11"E, for 9.33 feet; thence leaving said line, S00°18'49"W, for 130.00 feet; to the POINT OF BEGINNING; thence S89°41'11"E, for 1943.25 feet; thence S00°18'49"W, for 371.05 feet to the point of intersection with a tangent curve concave to the West; thence Southerly along the arc of said curve, having a radius of 685.00 feet, a central angle of 26°48'02", an arc length of 320.42 feet and a chord bearing S13°42'51"W, for 317.50 feet to the point of intersection with a tangent curve concave to the Southeast; thence Southwesterly along the arc of said curve, having a radius of 1890.00 feet, a central angle of 04°08'16", an arc length of 136.49 feet and a chord bearing S25°02'44"W, for 136.46 feet to the point of intersection with a non-tangent curve concave to the North; thence Southwesterly along the arc of said curve with a radial bearing N25°24'49"W, and having a radius of 20.00 feet, a central angle of 47°05'24", an arc length of 16.44 feet and a chord bearing S88°07'53"W, for 15.98 feet to the point of intersection with a tangent line; thence N68°19'25"W, for 15.84 feet to the point of intersection with tangent curve concave to the South; thence Westerly along the arc of said curve, having a radius of 413.00 feet, a central angle of 09°10'09", an arc length of 66.09 feet and a chord bearing N72°54'29"W, for 66.02 feet to the point of intersection with a tangent curve concave to the North; thence Westerly along the arc of said curve, having a radius of 487.00 feet, a central angle of 09°10'09", an arc length of 77.94 feet and a chord bearing N72°54'29"W, for 77.85 feet to the point of intersection with a tangent line; thence N68°19'25"W, for 71.62 feet; thence N02°54'43"E, for 200.81 feet to the point of intersection with a tangent curve concave to the Southwest; thence Northerly along the arc of said curve, having a radius of 231.00 feet, a central angle of 92°35'54", an arc length of 373.33 feet and a chord bearing N43°23'14"W, for 334.01 feet to the point of intersection with a tangent line; thence N89°41'11"W, for 440.18 feet; thence S87°08'54"W, for 26.94 feet; thence N78°26'02"W, for 648.17 feet; thence S16°54'26"E, for 653.50 feet; thence S86°18'57"W, for 283.49 feet; thence N27°56'49"E, for 58.57 feet; thence N19°27'47"E, for 69.55 feet; thence N03°13'22"W, for 48.15 feet; thence N17°49'26"W, for 65.67 feet; thence N10°41'16"W, for 49.89 feet; thence N36°35'17"W, for 55.72 feet; thence N54°53'46"W, for 103.22 feet; thence N60°40'18"W, for 73.72 feet; thence N00°36'37"E, for 391.73 feet, to the POINT OF BEGINNING; and containing 18.72 acres , more or less.

THIS IS NOT A SURVEY



LEGEND

- O.B. DENOTES POINT OF BEGINNING
- O.C. DENOTES POINT OF COMMENCEMENT
- C. DENOTES SECTION

SURVEYORS NOTES

THESE MAY BE ADDITIONAL EASEMENTS AND OR RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY. RINGS ARE BASED ON UPON A BEARING BETWEEN PASCO COUNTY G.P.S. CONTROL SKETCH SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT SKETCH AND LEGAL DESCRIPTION SHOWN HEREWITH, WAS PREPARED WITHOUT BENEFIT TITLE ABSTRACT AND IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS BY OTHER MATTERS OF RECORD.

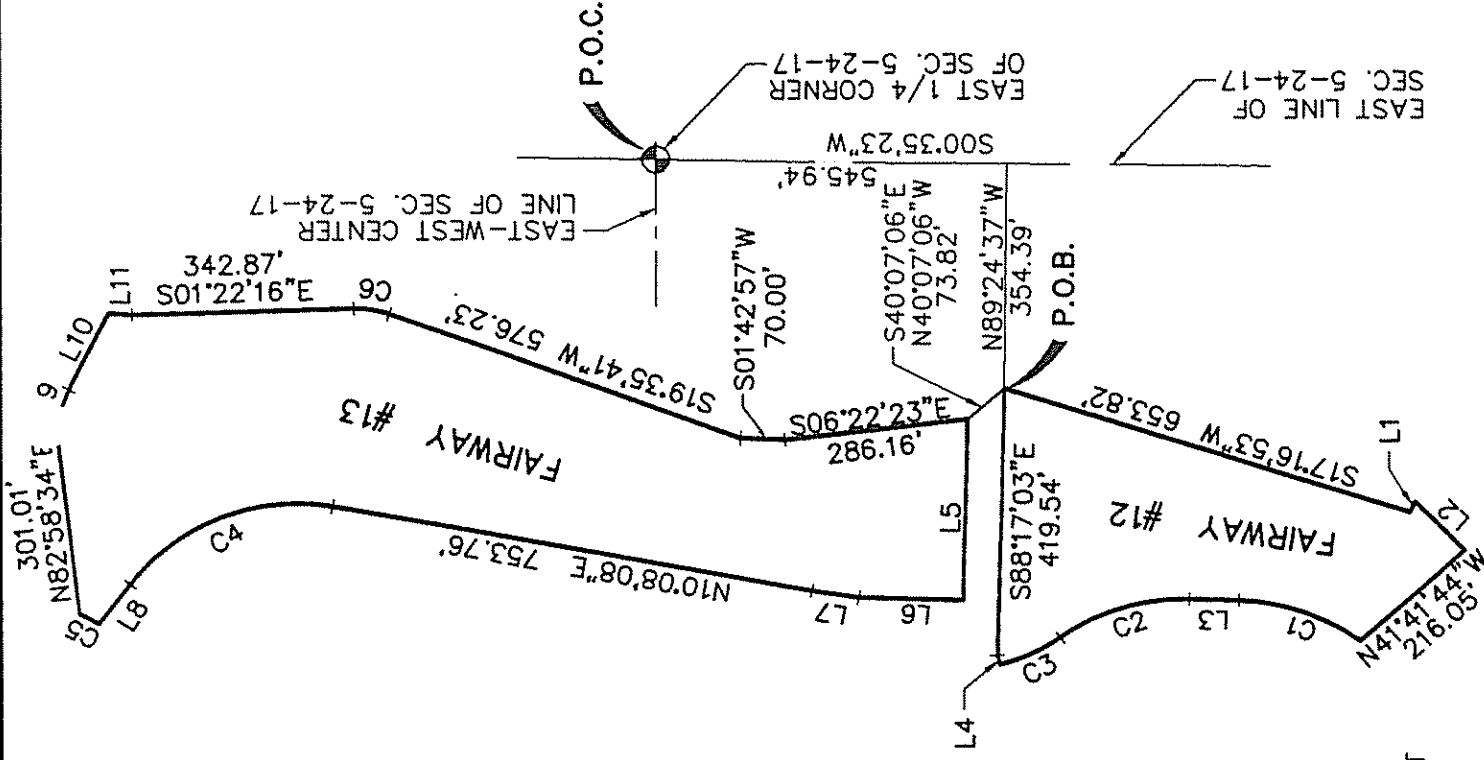
LINE	LENGTH	TANGENT	CHORD	BEARING	DELTA	LINE	DIRECTION	DISTANCE
1	32.84'	16.43'	32.83'	N25°20'28"W	04°33'59"	L1	N27°37'28"W	29.10'
2	62.41'	31.28'	62.33'	N22°50'39"W	09°33'37"	L2	N27°37'28"W	48.76'
3	87.77'	43.99'	87.67'	N22°50'39"W	09°33'37"	L3	S44°05'21"E	84.22'
4	62.25'	31.15'	62.23'	N45°07'17"E	05°53'45"	L4	S65°20'00"E	86.15'
5	21.43'	10.71'	21.43'	N42°44'03"E	01°07'16"	L5	S85°11'49"E	104.38'
6	22.46'	11.25'	22.44'	N84°18'47"E	08°34'41"	L6	N79°59'13"E	104.38'
7	277.38'	182.63'	246.64'	N31°48'27"E	95°03'02"	L7	N79°59'13"E	104.38'
8	83.85'	42.15'	83.63'	S19°46'29"E	95°03'02"	L8	N79°59'13"E	104.38'

THIS IS NOT A SURVEY

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SCALE: 1" = 300'



LINE	DIRECTION	DISTANCE
L1	S64°01'06"E	18.34'
L2	S44°50'04"W	108.16'
L3	N01°42'57"E	75.59'
L4	N76°27'11"E	14.97'
L5	N88°17'03"W	283.70'
L6	N01°42'57"E	161.81'
L7	N08°11'05"E	73.68'
L8	N52°22'02"W	80.55'
L9	S68°17'03"E	56.22'
L10	S62°21'21"E	133.15'
L11	S02°40'41"W	34.87'

LEGEND

P.O.B. DENOTES POINT OF BEGINNING

P.O.C. DENOTES POINT OF COMMENCEMENT

SEC. DENOTES SECTION

SURVEYORS NOTES

1. THERE MAY BE ADDITIONAL EASEMENTS AND OR RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
2. BEARINGS ARE BASED ON UPON A BEARING BETWEEN PASCO COUNTY G.P.S. CONTROL STATIONS "D10-031" AND "D10-032". SAID LINE BEARS: S23°21'44"W.
3. THE SKETCH SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO DEPICT A SURVEY PERFORMED IN THE FIELD.
4. THE SKETCH AND LEGAL DESCRIPTION SHOWN HERewith, WAS PREPARED WITHOUT BENEFIT OF A TITLE ABSTRACT AND IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS OR ANY OTHER MATTERS OF RECORD.

REVISED BOUNDARY ON 2/20/97

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	330.00'	200.91'	103.68'	197.82'	N19°09'25"E	34°52'57"
C2	330.00'	213.88'	110.85'	210.15'	N16°51'04"W	37°08'03"
C3	270.00'	103.07'	52.17'	102.44'	N24°28'57"W	21°52'17"
C4	321.50'	350.72'	195.10'	333.58'	N21°06'57"W	62°30'10"
C5	205.00'	33.26'	16.67'	33.22'	N29°19'51"E	09°17'43"
C6	150.00'	54.89'	27.75'	54.58'	S09°06'42"W	20°57'57"

LEGAL DESCRIPTION OF GOLF COURSE FAIRWAYS 12 & 13

A tract of land lying within Section 5, Township 24 South, Range 17 East, Pasco County, Florida and being more particularly described as follows:

Commence at East 1/4 corner of said Section 5; thence along East line of said Section 5, S00°35'23"W, for 545.94 feet; thence leaving said East line, N89°24'37"W, for 354.39 feet, to the POINT OF BEGINNING; thence S17°16'53"W, for 653.82 feet; thence S64°01'06"E, for 18.34 feet; thence S44°50'04"W, for 108.16 feet; thence N41°41'44"W, for 216.05 feet to the point of intersection with a non-tangent curve concave to the West; thence Northeasterly along the arc of said curve with a radial bearing N53°24'06"W, and having a radius of 330.00 feet, a central angle of 34°52'57", an arc length of 200.91 feet and a chord bearing N19°09'25"E, for 197.82 feet to the point of tangency; thence N01°42'57"E, for 75.59 feet to the point of curvature of a curve concave to the West; thence Northerly along the arc of said curve, having a radius of 330.00 feet, a central angle of 37°08'03", an arc length of 213.88 feet and a chord bearing N16°51'04"W, for 210.15 feet to the point of reverse curvature with a curve concave to the Northeast; thence Northwesterly along the arc of said curve, having a radius of 270.00 feet, a central angle of 21°52'17", an arc length of 103.07 feet and a chord bearing N24°28'57"W, for 102.44 feet to the point of intersection with a non-tangent line; thence N76°27'11"E, for 14.97 feet; thence S88°17'03"E, for 419.54 feet; thence N40°07'06"W, for 73.82 feet; thence N88°17'03"W, for 283.70 feet; thence N01°42'57"E, for 161.81 feet; thence N08°11'05"E, for 73.68 feet; thence N10°08'08"E, for 753.76 feet to the point of curvature of a curve concave to the West; thence Northerly along the arc of said curve, having a radius of 321.50 feet, a central angle of 62°30'10", an arc length of 350.72 feet and a chord bearing N21°06'57"W, for 333.58 feet to the point of tangency; thence N52°22'02"W, for 80.55 feet to the point of intersection with a non-tangent curve concave to the Northwest; thence Northeasterly along the arc of said curve with a radial bearing N56°01'18"W, and having a radius of 205.00 feet, a central angle of 09°17'43", an arc length of 33.26 feet and a chord bearing N29°19'51"E, for 33.22 feet to the point of intersection with a non-tangent line; thence N82°58'34"E, for 301.01 feet; thence S68°17'03"E, for 56.22 feet; thence S62°21'21"E, for 133.15 feet; thence S02°40'41"W, for 34.87 feet; thence S01°22'16"E, for 342.87 feet to the point of curvature of a curve concave to the West; thence Southerly along the arc of said curve, having a radius of 150.00 feet, a central angle of 20°57'57", an arc length of 54.89 feet and a chord bearing S09°06'42"W, for 54.58 feet to the point of tangency; thence S19°35'41"W, for 576.23 feet; thence S01°42'57"W, for 70.00 feet; thence S06°22'23"E, for 286.16 feet; thence S40°07'06"E, for 73.82 feet to the POINT OF BEGINNING and containing 13.27 acres, more or less.

COUNTY LINE ROAD (CR 578)

NORTH LINE OF
SEC. 5-24-17
NORTH 1/4 CORNER
OF SEC. 5-24-17

P.O.C.

0 150 300 600

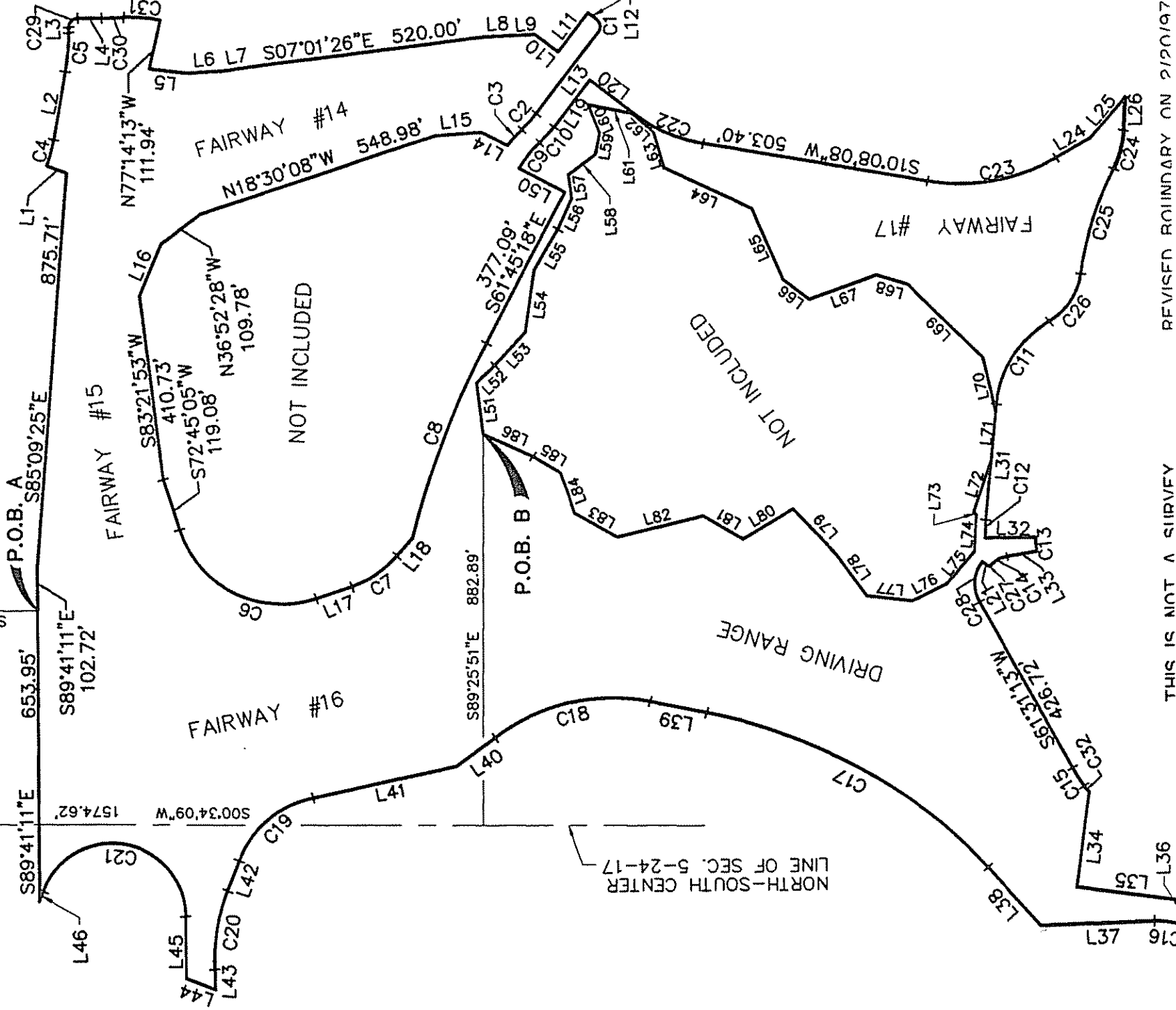


SCALE: 1" = 300'



LEGEND

- P.O.B. DENOTES POINT OF BEGINNING
- P.O.C. DENOTES POINT OF COMMENCEMENT
- SEC. DENOTES SECTION



REVISED BOUNDARY ON 2/20/97

THIS IS NOT A SURVEY

SURVEYORS NOTES

1. THERE MAY BE ADDITIONAL EASEMENTS AND OR RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
2. BEARINGS ARE BASED ON UPON A BEARING BETWEEN PASCO COUNTY G.P.S. CONTROL STATIONS "D10-031" AND "D10-032". SAID LINE BEARS: S23°21'44"W.
3. THE SKETCH SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO DEPICT A SURVEY PERFORMED IN THE FIELD.
4. THE SKETCH AND LEGAL DESCRIPTION SHOWN HERewith, WAS PREPARED WITHOUT BENEFIT OF A TITLE ABSTRACT AND IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS OR ANY OTHER MATTERS OF RECORD.

LINE	DIRECTION	DISTANCE
L1	N20°43'12"E	46.51'
L2	S80°03'17"E	155.02'
L3	S89°25'45"E	12.10'
L4	S00°34'15"W	51.76'
L5	S07°22'14"W	82.04'
L6	S03°23'58"E	79.24'
L7	S08°23'08"E	65.02'
L8	S02°52'06"E	65.17'
L9	S01°07'01"E	50.94'
L10	S37°37'58"W	63.60'
L11	S52°22'02"E	110.00'
L12	S37°37'58"W	24.14'
L13	N52°22'02"W	228.79'
L14	N28°14'42"E	65.25'
L15	N04°03'43"W	104.78'

LINE	DIRECTION	DISTANCE
L16	N67°04'10"W	125.64'
L17	S18°30'08"E	82.63'
L18	S48°16'46"E	53.45'
L19	S52°22'02"E	131.79'
L20	S37°37'58"W	130.66'
L21	N37°08'08"E	16.18'
L24	S30°31'01"E	88.58'
L25	S49°56'46"E	121.70'
L26	N87°08'33"W	75.28'
L31	N84°23'16"W	263.13'
L32	S00°35'40"E	111.50'
L33	N09°44'32"W	66.64'
L34	N82°04'25"W	215.30'
L35	S07°55'35"W	240.00'
L36	N82°04'25"W	53.63'

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00'	31.42'	20.00'	28.28'	S82°37'58"W	90°00'00"
C2	325.00'	48.78'	24.43'	48.73'	N48°04'04"W	08°35'56"
C3	275.00'	49.25'	24.69'	49.18'	N48°53'56"W	10°15'41"
C4	333.00'	62.62'	31.40'	62.53'	S74°40'02"E	10°46'29"
C5	533.00'	87.21'	43.70'	87.11'	S84°44'31"E	09°22'28"
C6	237.10'	377.64'	242.36'	338.97'	S27°07'34"W	91°15'14"
C7	237.10'	123.22'	63.04'	121.84'	S33°23'27"E	29°46'39"
C8	1859.50'	468.87'	235.68'	467.63'	S68°58'43"E	14°26'49"
C9	275.00'	75.15'	37.81'	74.91'	S51°35'48"E	15°39'24"
C10	325.00'	48.78'	24.43'	48.73'	S48°04'04"E	08°35'56"
C11	236.50'	226.06'	122.51'	217.56'	N57°00'14"W	54°46'03"
C12	386.50'	41.87'	20.95'	41.85'	N87°29'28"W	06°12'24"
C13	275.00'	30.90'	15.47'	30.89'	S86°11'12"W	06°26'18"
C14	63.00'	42.71'	22.21'	41.90'	N29°09'48"W	38°50'33"
C15	676.00'	49.32'	24.67'	49.31'	S59°25'49"W	04°10'48"
C16	162.30'	58.59'	29.62'	58.27'	N08°49'28"E	20°41'01"
C17	1135.80'	727.81'	376.89'	715.43'	N29°48'54"E	36°42'53"
C18	435.80'	365.50'	194.28'	354.89'	N12°34'04"W	48°03'14"
C19	231.50'	226.37'	123.16'	217.46'	N40°18'37"W	56°01'35"
C20	436.50'	176.80'	89.63'	175.60'	N79°55'38"W	23°12'27"
C21	162.35'	452.36'	904.26'	319.59'	N10°29'31"E	159°38'36"
C22	342.00'	164.13'	83.68'	162.56'	S23°53'03"W	27°29'50"
C23	417.00'	295.87'	154.47'	289.70'	S10°11'26"E	40°39'09"
C24	208.50'	92.35'	46.94'	91.59'	N75°35'44"W	25°22'38"
C25	766.50'	247.25'	124.71'	246.18'	N72°08'53"W	18°28'56"
C26	145.00'	131.01'	70.36'	126.60'	N55°30'17"W	51°46'09"
C27	4.00'	5.98'	3.71'	5.44'	N05°43'28"W	85°43'13"
C28	83.00'	96.05'	54.22'	90.78'	N85°19'37"W	66°18'21"
C29	20.00'	31.42'	20.00'	28.28'	S44°25'45"E	90°00'00"
C30	625.00'	49.80'	24.92'	49.79'	S01°42'43"E	04°33'57"
C31	275.00'	80.43'	40.51'	80.15'	S04°23'02"W	16°45'29"
C32	83.00'	18.64'	9.38'	18.64'	S50°53'40"W	12°53'30"

LINE	DIRECTION	DISTANCE
L37	N01°31'02"W	253.93'
L38	N48°10'21"E	173.83'
L39	N11°27'28"E	128.70'
L40	N36°35'41"W	107.58'
L41	N12°17'50"W	326.95'
L42	N68°19'25"W	71.61'
L43	S88°28'08"W	45.06'
L44	N21°40'35"E	69.44'
L45	S89°41'11"E	136.50'
L46	N69°19'46"W	23.83'
L50	N28°14'42"E	115.27'
L51	N83°14'35"E	114.96'
L52	S43°45'43"E	56.89'
L53	S46°34'20"E	100.86'
L54	S81°13'34"E	136.94'
L55	S59°09'55"E	105.04'
L56	S65°20'25"E	75.90'
L57	N82°24'27"E	54.19'
L58	S36°43'59"E	75.81'
L59	S79°10'46"E	51.22'
L60	N68°51'15"E	68.42'
L61	S11°45'48"W	99.47'
L62	S42°28'04"W	64.99'
L63	S74°13'39"W	84.09'
L64	S25°51'07"W	214.88'
L65	S66°35'22"W	171.56'
L66	S37°32'34"W	73.38'
L67	S19°30'01"E	156.51'
L68	S16°51'48"W	73.26'
L69	S44°13'47"W	229.75'
L70	S77°21'11"W	126.14'
L71	N84°23'16"W	110.50'
L72	N71°13'14"W	124.03'
L73	S46°51'53"W	8.75'
L74	N86°18'56"W	81.19'
L75	N48°59'14"W	95.22'
L76	N26°45'11"W	85.19'
L77	N07°09'51"E	102.18'
L78	N54°29'44"E	117.25'
L79	N47°12'42"E	136.70'
L80	N30°54'07"W	131.36'
L81	N31°31'21"E	101.63'
L82	N13°31'59"W	198.08'
L83	N30°16'57"E	109.81'
L84	N71°16'55"E	96.89'
L85	N32°07'55"E	71.46'
L86	N24°43'59"E	121.57'

LEGAL DESCRIPTION OF GOLF COURSE FAIRWAYS 14, 15, 16, 17 AND DRIVING RANGE

A tract of land lying within Section 5, Township 24 South, Range 17 East, Pasco County, Florida and being more particularly described as follows:

Commence at North 1/4 corner of said Section 5; thence along North line of said Section 5, S89°41'11"E, for 480.96 feet; thence leaving said North line, S00°18'49"W, for 590.00 feet to the POINT OF BEGINNING A; thence S89°41'11"E, for 102.72 feet; thence S85°09'25"E, for 875.71 feet; thence N20°43'12"E, for 46.51 feet to the point of intersection with a non-tangent curve concave to the North; thence Easterly along the arc of said curve with a radial bearing N°43'13"E, and having a radius of 330.00 feet, a central angle of 10°46'29", an arc length of 62.62 feet and a chord bearing S74°40'02"E, for 62.53 feet to the point of tangency; thence S80°03'17"E, for 155.02 feet to the point of curvature of a curve concave to the North; thence Easterly along the arc of said curve, having a radius of 533.00 feet, a central angle of 09°22'28", an arc length of 87.21 feet and a chord bearing S84°44'31"E, for 87.11 feet to the point of tangency; thence S89°25'45"E, for 12.10 feet to the point of curvature of a curve concave to the Southwest; thence Southeasterly along the arc of said curve, having a radius of 20.00 feet, a central angle of 90°00'00", an arc length of 31.42 feet and a chord bearing S44°25'45"E, for 28.28 feet to a point of tangency; thence S00°34'15"W, for 51.76 feet to the point of curvature of a curve concave to the East; thence Southerly along the arc of said curve, having a radius of 625.00 feet, a central angle of 04°33'57", an arc length of 49.80 feet and a chord bearing S01°42'43"E, for 49.79 feet to the point of reverse curvature of a curve concave to the West; thence Southerly along the arc of said curve, having a radius of 275.00 feet, a central angle of 16°45'29", an arc length of 80.43 feet and a chord bearing S04°23'02"W, for 80.15 feet to the point of intersection with a non-tangent line; thence N77°14'13"W, for 111.94 feet; thence S07°22'14"W, for 82.04 feet; thence S03°23'58"E, for 79.24 feet; thence S08°23'08"E, for 65.02 feet; thence S07°01'26"E, for 520.00 feet; thence S02°52'06"E, for 65.17 feet; thence S01°07'01"E, for 50.94 feet; thence S37°37'58"W, for 63.60 feet; thence S52°22'02"E, for 110.00 feet; thence S37°37'58"W, for 24.14 feet to the point of curvature of a curve concave to the North; thence Southwesterly along the arc of said curve, having a radius of 20.00 feet, a central angle of 90°00'00", an arc length of 31.42 feet and a chord bearing S82°37'58"W, for 28.28 feet to the point of tangency; thence N52°22'02"W, for 228.79 feet to the point of curvature of a curve concave to the Northeast; thence Northwesterly along the arc of said curve, having a radius of 325.00 feet, a central angle of 08°35'56", an arc length of 48.78 feet and a chord bearing N48°04'04"W, for 48.73 feet to the point of reverse curvature with a curve concave to the Southwest; thence Northwesterly along the arc of said curve, having a radius of 275.00 feet, a central angle of 10°15'41", an arc length of 49.25 feet and a chord bearing N48°53'56"W, for 49.18 feet to the point of intersection with a non-tangent line; thence N28°14'42"E, for 65.25 feet; thence N04°03'43"W, for 104.78 feet; thence N18°30'08"W, for 548.98 feet; thence N36°52'28"W, for 109.78 feet; thence N67°04'10"W, for 125.64 feet; thence S83°21'53"W, for 410.73 feet; thence S72°45'05"W, for 119.08 feet to the point of curvature of a curve concave to the East; thence Southerly along the arc of said curve, having a radius of 237.10 feet, a central angle of 91°15'14", an arc length of 377.64 feet and a chord bearing S27°07'34"W, for 338.97 feet to the point of tangency; thence S18°30'08"E, for 82.63 feet to the point of curvature of a curve concave to the Northeast; thence Southeasterly along the arc of said curve, having a radius of 237.10 feet, a central angle of 29°46'39", an arc length of 123.22 feet and a chord bearing S33°23'27"E, for 121.84 feet to the point of tangency; thence S48°16'46"E, for 53.45 feet to the point of intersection with a non-tangent curve concave to the South; thence Easterly along the arc of said curve with a radial bearing S13°47'53"W, and having a radius of 1859.50 feet, a central angle of 14°26'49", an arc length of 468.87 feet and a chord bearing S68°58'43"E, for 467.63 feet to the point of tangency; thence S61°45'18"E, for 377.09 feet; thence N28°14'42"E, for 115.27 feet to the point of intersection with a non-tangent curve concave to the Southwest; thence Southeasterly along

of a curve concave to the East; thence Southerly along the arc of said curve, having a radius of 417.00 feet, a central angle of $40^{\circ}39'09''$, an arc length of 295.87 feet and a chord bearing $S10^{\circ}11'26''E$, for 289.70 feet to the point of tangency; thence $S30^{\circ}31'01''E$, for 88.58 feet; thence $S49^{\circ}56'46''E$, for 121.70 feet; thence $N87^{\circ}08'33''W$, for 75.28 feet to the point of intersection with a non-tangent curve concave to the North; thence Westerly along the arc of said curve, having a radius of 208.50 feet, a central angle of $25^{\circ}22'38''$, an arc length of 92.35 feet and a chord bearing $N75^{\circ}35'44''W$, for 91.59 feet to the point of reverse curvature with a curve concave to the South; thence Northwesterly along the arc of said curve, having a radius of 766.50 feet, a central angle of $18^{\circ}28'56''$, an arc length of 247.25 feet and a chord bearing $N72^{\circ}08'53''W$, for 246.18 feet to the point of reverse curvature with a curve concave to the Northeast; thence Westerly along the arc of said curve, having a radius of 145.00 feet, a central angle of $51^{\circ}46'09''$, an arc length of 131.01 feet and a chord bearing $N55^{\circ}30'17''W$, for 126.60 feet to the point of reverse curvature with a curve concave to the Southwest; thence Northwesterly along the arc of said curve, having a radius of 236.50 feet, a central angle of $54^{\circ}46'03''$, an arc length of 226.06 feet and a chord bearing $N57^{\circ}00'14''W$, for 217.56 feet to the point of tangency; thence $N84^{\circ}23'16''W$, for 263.13 feet to the point of curvature of a curve concave to the South; thence Westerly along the arc of said curve, having a radius of 386.50 feet, a central angle of $06^{\circ}12'24''$, an arc length of 41.87 feet and a chord bearing $N87^{\circ}29'28''W$, for 41.85 feet to the point of intersection with a non-tangent line; thence $S00^{\circ}35'40''E$, for 111.50 feet to the point of intersection with a non-tangent curve concave to the South; thence Westerly along the arc of said curve with a radial bearing $S00^{\circ}35'40''E$, and having a radius of 275.00 feet, a central angle of $06^{\circ}26'18''$, an arc length of 30.90 feet and a chord bearing $S86^{\circ}11'12''W$, for 30.89 feet to the point of intersection with a non-tangent line; thence $N09^{\circ}44'32''W$, for 66.64 feet to the point of curvature of a curve concave to the Southwest; thence Northerly along the arc of said curve, having a radius of 63.00 feet, a central angle of $38^{\circ}50'33''$, an arc length of 42.71 feet and a chord bearing $N29^{\circ}09'48''W$, for 41.90 feet to the point of reverse curvature with a curve concave to the Northeast; thence Westerly along the arc of said curve, having a radius of 4.00 feet, a central angle of $85^{\circ}43'13''$, an arc length of 5.98 feet and a chord bearing $N05^{\circ}43'28''W$, for 5.44 feet to the point of tangency; thence $N37^{\circ}08'08''E$, for 16.18 feet to the point of intersection with a non-tangent curve concave to the South; thence Westerly along the arc of said curve with a radial bearing $N52^{\circ}10'29''W$, and having a radius of 83.00 feet, a central angle of $66^{\circ}18'21''$, an arc length of 96.05 feet and a chord bearing $N85^{\circ}19'37''W$, for 90.78 feet to the point of tangency; thence $S61^{\circ}31'13''W$, for 426.72 feet to the point of curvature of a curve concave to the Southeast; thence Southwesterly along the arc of said curve, having a radius of 676.00 feet, a central angle of $04^{\circ}10'48''$, an arc length of 49.32 feet and a chord bearing $S59^{\circ}25'49''W$, for 49.31 feet to the point of compound curvature of a curve concave to the Southeast; thence Southwesterly along the arc of said curve, having a radius of 83.00 feet, a central angle of $12^{\circ}53'30''$, an arc length of 18.64 feet and a chord bearing $S50^{\circ}53'40''W$, for 18.64 feet to the point of intersection with a non-tangent line; thence $N82^{\circ}04'25''W$, for 215.30 feet; thence $S07^{\circ}55'35''W$, for 240.00 feet; thence $N82^{\circ}04'25''W$, for 53.63 feet to the point of intersection with a non-tangent curve concave to the West; thence Northerly along the arc of said curve with a radial bearing $N70^{\circ}50'01''W$, and having a radius of 162.30 feet, a central angle of $20^{\circ}41'01''$, an arc length of 58.59 feet and a chord bearing $N08^{\circ}49'28''E$, for 58.27 feet to the point of tangency; thence $N01^{\circ}31'02''W$, for 253.93 feet; thence $N48^{\circ}10'21''E$, for 173.83 feet to the point of curvature of a curve concave to the Northwest; thence Northeasterly along the arc of said curve, having a radius of 1135.80 feet, a central angle of $36^{\circ}42'53''$, an arc length of 727.81 feet and a chord bearing $N29^{\circ}48'54''E$, for 715.43 feet to the point of tangency; thence $N11^{\circ}27'28''E$, for 128.70 feet to the point of curvature of a curve concave to the West; thence Northerly along the arc of said curve, having a radius of 435.80 feet, a central angle of $48^{\circ}03'14''$, an arc length of 365.50 feet and a chord bearing $N12^{\circ}34'04''W$, for 354.89 feet to the point of tangency; thence $N36^{\circ}35'41''W$, for 107.58 feet; thence $N12^{\circ}17'50''W$, for 326.95 feet to the point of curvature of a curve concave to the Southwest; thence Northerly along the arc of said

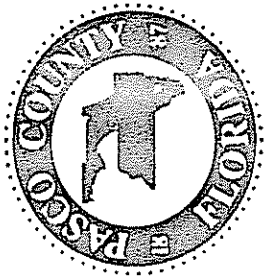
23.83 feet; thence S89°41'11"E, for 653.95 feet to the POINT OF BEGINNING A and containing 64.01 acres, more or less.

LESS THE FOLLOWING

A tract of land lying within Section 5, Township 24 South, Range 17 East, Pasco County, Florida and being more particularly described as follows:

Commence at North 1/4 corner of said Section 5; thence along North-South center line of said Section 5, S00°34'09"W, for 1574.62 feet; thence leaving said center line, S89°25'51"E, for 882.89 feet, to the POINT OF BEGINNING B; thence N83°14'35"E, for 114.96 feet; thence S43°45'43"E, for 56.89 feet; thence S46°34'20"E, for 100.86 feet; thence S81°13'34"E, for 136.94 feet; thence S59°09'55"E, for 105.04 feet; thence S65°20'25"E, for 75.90 feet; thence N82°24'27"E, for 54.19 feet; thence S36°43'59"E, for 75.81 feet; thence S79°10'46"E, for 51.22 feet; thence N68°51'15"E, for 68.42 feet; thence S11°45'48"W, for 99.47 feet; thence S42°28'04"W, for 64.99 feet; thence S74°13'39"W, for 84.09 feet; thence S25°51'07"W, for 214.88 feet; thence S66°35'22"W, for 171.56 feet; thence S37°32'34"W, for 73.38 feet; thence S19°30'01"E, for 156.51 feet; thence S16°51'48"W, for 73.26 feet; thence S44°13'47"W, for 229.75 feet; thence S77°21'11"W, for 126.14 feet; thence N84°23'16"W, for 110.50 feet; thence N71°13'14"W, for 124.03 feet; thence S46°51'53"W, for 8.75 feet; thence N86°18'56"W, for 81.19 feet; thence N48°59'14"W, for 95.22 feet; thence N26°45'11"W, for 85.19 feet; thence N07°09'51"E, for 102.18; thence N54°29'44"E, for 117.25 feet; thence N47°12'42"E, for 136.70 feet; thence N30°54'07"W, for 131.36 feet; thence N31°31'21"E, for 101.63 feet; thence N13°31'59"W, for 198.08 feet; thence N30°16'57"E, for 109.81 feet; thence N71°16'55"E, for 96.89 feet; thence N32°07'55"E, for 71.46 feet; thence N24°43'59"E, for 121.57 feet to the POINT OF BEGINNING B and containing 16.39 acres, more or less.

Having a total acreage of 47.62 acres.



PASCO COUNTY, FLORIDA

FAX (813) 847-8084
DADE CITY (904) 521-4274
LAND O' LAKES (813) 996-7341
NEW PORT RICHEY (813) 847-8132

GROWTH MANAGEMENT/ZONING DEPT.
WEST PASCO GOVT. CENTER, S-320
7530 LITTLE ROAD
NEW PORT RICHEY, FL 34654

October 5, 1995

Mr. J. Thomas Beck, Chief
Bureau of State Planning
Florida Dept. of Community Affairs
2470 Centerview Drive
Tallahassee, FL 32399

RE: Timber Pines South, Development of Regional
Impact (f.k.a. Beacon Villages)

Dear Mr. Beck:

The purpose of this letter is to inform your agency that the Pasco County Board of County Commissioners held a public hearing to determine if proposed changes to the Beacon Villages (n.k.a. Timber Pines South) Development of Regional Impact Development Order created a substantial deviation. The Board met on September 26, 1995, and determined that the information provided by the applicant was sufficient to rebut the substantial deviation presumption and that the proposed changes did not require further Development of Regional Impact review.

A copy of Resolution No. 95-315 amending the development order and the Notice of Adoption are enclosed for your records.

Please do not hesitate to call me if there are any questions or you need more information.

Sincerely,

Samuel P. Steffey II
Growth Management Administrator

SPS/DJB/ml00407/53:ltr

Enclosures

cc: Timothy A. Johnson, Jr., Johnson, Blakely, Pope, Bokor, Ruppel, and Burns,
P.A., Attorneys and Counselors at Law, 911 Chestnut Street, Clearwater,
FL 34617-1368
✓ Tim Butts, AICP, DRI Coordinator, Tampa Bay Regional Planning Council,
9455 Koger Boulevard, St. Petersburg, FL 33702-2491
✓ Larry Jennings, Planning Director, Hernando County Planning Department,
20 North Main Street, Room 262, Brooksville, FL 34601-2807
Bipin Parikh P.E., Assistant County Administrator (Development Services)
Deborah J. Bolduc, Planner II

BY COMMISSIONER _____

RESOLUTION NO. 95-315

RESOLUTION AMENDING THE DEVELOPMENT ORDER
FOR THE BEACON VILLAGES (NOW KNOWN AS TIMBER
PINES SOUTH) DEVELOPMENT OF REGIONAL IMPACT
(RESOLUTION NO. 86-17).

WHEREAS, in accordance with Section 380.06, Florida Statutes, the Pasco County Board of County Commissioners (the "Commission") adopted a development order approving, with conditions, the Beacon Villages Development of Regional Impact ("DRI"), by Resolution No. 82-128, amended by Resolution No. 89-248 (the "Development Order"); and

WHEREAS, on October 21, 1994, U.S. Home Corporation filed an application entitled "Notification of a Proposed Change to a Previously Approved Development of Regional Impact ("DRI") pursuant to Subsection 380.06(19), Florida Statutes," which was subsequently amended on May 26, 1995 (the "NOPC") proposing to (i) change the name of the DRI to Timber Pines South; (ii) reduce the number of residential units to 1,482; (iii) add approximately 16 acres of real property; (iv) reduce and relocate the commercial component; (v) eliminate a public park; (vi) reduce wetland acreage; (vii) increase golf course acreage; (viii) add a tradeoff mechanism to permit an increase in the amount of proposed golf course; (ix) eliminate an interim wastewater treatment plant site; (x) revise the internal roadway network; (xi) adopt a revised Master Development Plan to reflect the changes in land uses; (xii) extend the project build-out to December 31, 2002; and (xiii) amend certain other Development Order conditions (the "Proposed Changes").

WHEREAS, the Commission, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider amendments to DRIs; and

WHEREAS, the Commission has reviewed the NOPC, as well as all related testimony and evidence submitted by each party and members of the general public.

NOW, THEREFORE, BE IT RESOLVED by the Commission in regular session, duly assembled this 21st day of September, 1995, that the Development Order for Beacon Villages (now known as Timber Pines South) be amended as set forth below:

1. General Findings of Fact. The Commission, having received all related comments, testimony and evidence submitted by each party and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:

- A. The Development Order is a valid final development order within the provisions of Section 163.3167(8), Florida Statutes, affecting the

property described on Exhibit "A" attached hereto and incorporated herein.

- B. The NOPC includes a description of the Proposed Changes.
- C. The Proposed Changes necessitate amending the Development Order conditions described herein.
- D. A comprehensive review of the impacts generated by the Proposed Changes, together with all previous amendments, has been conducted by Pasco County (the "County"), the Tampa Bay Regional Planning Council ("TBRPC") and the Department of Community Affairs, State of Florida ("DCA").
- E. The Proposed Changes, together with all previous amendments, do not create additional regional impacts on transportation or other public facilities, including water, wastewater, drainage, solid waste, recreation and mass transit over those approved in the Development Order nor do they create impacts that were not previously reviewed.

3. Conclusions of Law. The Commission, having made the above findings of fact, reaches the following conclusions of law:

- A. Development in accordance with the Proposed Changes will not unreasonably interfere with the achievement of the objectives of the adopted State Comprehensive Plan.
- B. The Proposed Changes are consistent with the land development regulations and the adopted local comprehensive plan.
- C. The Proposed Changes are not located in an area of critical state concern designated as such pursuant to Section 380.05, Florida Statutes (1993).
- D. Certain of the Proposed Changes, are presumed to create a substantial deviation, pursuant to Subsection 380.06(19), Florida Statutes.
- E. The NOPC has satisfactorily addressed all regional issues related to development of the DRI and the presumption of a substantial deviation has been rebutted.
- F. The Proposed Changes, together with all previous amendments, do not create additional impacts to public facilities or any type of regional impact over those approved in the Development Order.

The proposed amendments, therefore, do not constitute a "substantial deviation" from the Development Order, pursuant to Chapter 380.06, Florida Statutes.

- G. Nothing herein shall limit or modify the rights originally approved by the Development Order or the protection afforded under Section 163.3167(8), Florida Statutes.
- H. The Proposed Changes, once effective, are consistent with the provisions of Section 402, Pasco County Land Development Code, the Pasco County Concurrency Management System, and the Development Rights granted by the Development Order, as amended hereby, remain vested thereunder.
- I. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record and these proceedings, the various departments of the County, and developer are authorized to approve/conduct development as described herein.
- J. The review by the County, the TBRPC, and other participating agencies and interested citizens reveals that the Proposed Changes do not create additional impacts on regionally significant natural resources, facilities and services beyond those approved in the Development Order, and that impacts are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.

4. Order. Having made the above findings of fact and drawn the above conclusions of law, it is ordered that the Development Order be amended as follows:

- A. The project name is hereby changed for all purposes to Timber Pines South.
- B. The revised legal description for the DRI, which includes the approximate 16 acres of real property described in the NOPC, and which is attached hereto and made a part hereof as Exhibit "A," is hereby approved and adopted and becomes part of the Development Order.
- C. The Revised Master Development Plan, dated May 12, 1995, which reflects the Proposed Changes, and which is attached hereto and made a part hereof as Exhibit "B," is hereby approved and adopted and becomes part of the Development Order. This Revised Master Development Plan supersedes all previously adopted master plans.

- D. The development phasing and build-out schedule for the DRI is hereby approved and adopted to reflect a single phase development, including but not limited to 1,482 residential dwelling units¹, 45,000 square feet of commercial development on 5.8 acres, and 195 acres of golf course². Build-out of this single phase of development shall occur on or before December 31, 2002, as described herein.
- E. Of the total 1,482 residential dwelling units, 1,412 are retirement units and 70 are multi-family units. The developer shall record a deed restriction that limits the use of the 1,412 retirement units to "housing for older persons," as described by Section 760.29, Florida Statutes (1993).
- F. The "Findings" described in Section 1 (Water Quantity and Drainage) of the Development Order are amended to reduce the number of on-site wells from two to one, and to update the description of the proposed drainage plan to be consistent with current standards. The "Findings" are hereby amended to read:

Findings

The proposed development is located in a recharge area for the Floridan Aquifer. There is no significant confining layer in this area and recharge occurs directly from infiltration and percolation of rainfall. The water quality of the Floridan Aquifer in the area of the proposed development is suitable for potable use. Potable water for the project will be supplied through an extension of the County water main, supplemented by one on-site well, which will be dedicated to and operated by Pasco County.

Three sink holes comprise the only permanent surface water located on the site. Interceptor grass swales will be constructed around the sink holes to prevent stormwater runoff from discharging directly into the sink hole waters. A large freshwater marsh and cypress swamp are also found on the site, but they are only seasonally wet. It is not expected that there will be a significant impact on the cypress swamp

¹ Of the total 1,482 units, 1,412 are retirement units and 70 are multi-family.

² The revised Master Development Plan reflects 195 acres of golf course. The developer may reduce the golf course component to 145 acres, or the developer may increase the golf course component, in accordance with the approved tradeoff mechanism that would permit 1.0 residential (retirement) units to be converted to 1.4 acres of golf course, not to exceed 210 acres of total golf course, for the DRI.

by the proposed development, and the entire swamp area will be preserved as parkland.

The proposed drainage system is planned to maintain the existing drainage patterns of the undeveloped site by making maximum use of the existing topography. Due to the undulating topography and the many small depressions found on the project site, there is little natural stormwater runoff to offsite areas. The major elements of the drainage system include detention/retention areas, and conservation areas.

The designated retention/detention areas will take maximum advantage of the deep sandy soils found within the project and will generally be located within natural depressions. For portions of the project located within an open drainage basin, the off-site discharge shall be limited to the historic discharge for a 25-year, 24-hour storm event. For portions of the project located within a closed drainage basin, the total post development volume leaving the site shall be no more than the total pre-development volume leaving the site for the 100-year, 24-hour storm event. The project shall be designed so that discharges will meet applicable state water quality standards, as set forth in Chapter 17-3 and Section 17-4.24, F.A.C. All discharges to Hunter's Lake shall be treated for water quality. Retention areas will be designed to retain and percolate a 100-year or 25-year, as appropriate, 24-hour storm event. These detention areas will be designed to retain and percolate a 25-year, 24 hour storm event and will limit the overflow discharge from these basins to the point that post-development runoff will not exceed pre-development conditions; these areas will be treated for water quality before discharging into Hunter's Lake.

The conservation areas include the marsh, cypress swamp and sinkholes. Stormwater runoff will not be discharged directly into these natural areas. Interceptor swales or treatment sumps will be designated to detain and treat stormwater before discharging into these natural areas.

- G. The "Findings" described in Section 2 (Wetlands) of the Development Order are amended to reflect current wetland jurisdiction acreage and to delete reference to "public park." The "Findings" are hereby amended to read:

Findings

Approximately 25.0 acres of wetland community exists on the site. The identified wetland areas are not proposed for development. It is recommended that the wetland areas be preserved in their natural or existing state.

H. Section 6 (Natural Vegetation and Wildlife Conditions) of the Development Order is hereby amended to read:

Conditions

- a. Should an endangered wildlife species be found on-site, the known habitat shall be isolated, the proper authorities shall be contacted, and appropriate measures implemented to preserve the habitat.
- b. In order to mitigate for impacts to gopher tortoise wildlife on the approximate 16 acres of real property approved herein for addition to the DRI, the developer shall select one of the following alternatives, or combination thereof:
 - (1) The developer shall make a contribution in the amount of \$7,579.44 to the Fish and Wildlife Habitat Trust Fund ("Habitat Trust"), Tampa Bay Region account, administered by the Florida Game and Freshwater Fish Commission ("FG&FWFC"). Such sum shall be payable within one year after the effective date of this Resolution. Funds paid to the Habitat Trust shall be used for habitat acquisition in Pasco County. Should such purchase within the County be impractical, representatives of the Habitat Trust shall petition the FG&FWFC for permission to locate such preserve habitat outside the boundaries of the County within the boundaries of the jurisdictional area of the TBRPC or the Withlacoochee Regional Planning Council ("WRPC").
 - (2) The developer shall enter into a Development Agreement with the FG&FWFC that authorizes the developer to purchase one or more parcels of suitable gopher tortoise habitat, that are of

proper size, and that are either (i) located adjacent to public lands that are managed in a manner compatible with gopher tortoise protection; (ii) located in an existing or proposed mitigation park within the boundaries of the jurisdictional area of the TBRPC or the WRPC; or (iii) privately held and which are acceptable to both the FG&FWFC and the DCA. Simultaneous to the purchase of such gopher tortoise habitat, the developer shall donate the gopher tortoise habitat to the public land owner, or the public agency designated to manage the mitigation park.

- (3) The developer shall preserve one or more parcels of suitable gopher tortoise habitat, that are of proper size within the boundary of the DRI,

I. Section 8.b (Water Supply Conditions) of the Development Order is hereby amended to read:

- b. A water and sewer agreement shall be consummated between the developer and the County prior to construction drawing approval. Such agreement shall stipulate the responsibility for the construction, operation, and ownership of one on-site well and water distribution lines. Nothing herein or in such agreement shall limit the ability of the developer to construct, operate, and maintain wells for irrigation purposes if reclaimed water is insufficient to accommodate the irrigation needs of the project, provided the wells do not materially and adversely impact Pasco County's ability to utilize the well site located on the project premises for the production of potable water.

J. Section 9 (Wastewater Conditions) is hereby amended to read:

Conditions

A water and sewer agreement shall be consummated between the developer and the County prior to construction drawing approval. Such agreement shall stipulate the responsibility for the construction, operation and ownership of one on-site well, as noted in Section 8, above.

K. The transportation analysis described in the NOPC is hereby adopted as the "Findings" of Section 12 (Transportation).

L. Section 12 (Transportation Conditions) of the Development Order is hereby amended to read:

- a. Prior to recording of the first plat for retirement residential units, the developer shall pay to Pasco County the sum of \$1 million as an advance payment (the "Advance Payment") for transportation impact fees for the retirement residential units to be built on parcels other than the multi-family parcel.

The Advance Payment shall not be returned to the developer or the present owner if the Advance Payment is not encumbered within five (5) years and/or is not expended within eight (8) years. The developer hereby agrees to waive its right to request a refund of the Advance Payment, or portion thereof, as set forth in Section VIII (C) and (D) of The New Development Fair Share Contribution for Road Improvements Ordinance, as amended.

The transportation impact fee in effect at the at the time of such payment shall be "frozen" for retirement residential units until such time as the Advance Payment is exhausted.

The "frozen" transportation impact fee shall be the lesser of (i) \$2,166.71 per retirement residential dwelling unit (i.e., the standard fee for a single family dwelling unit), or (ii) the impact fee based on a traffic study submitted by the developer, in accordance with the requirements of The New Development Fair Share Contribution for Road Improvements Ordinance, and approved by Pasco County. If the "frozen" transportation impact fee is based on the traffic study, then the developer will provide annual monitoring (or other less frequent monitoring as may be acceptable to Pasco County) to verify the traffic generation or trip lengths contained in the traffic study. In the event the trip generation rates or trip lengths in the traffic study, as shown by subsequent monitoring, are exceeded by more than fifteen percent (15%) on a consistent basis,

then the transportation impact fee for any new retirement residential units shall be adjusted accordingly, but in no event shall the adjusted rate exceed \$2,166.71.

After the Advance Payment is exhausted, the developer shall then pay the transportation impact fees from time to time imposed by Pasco County as development of the retirement residential dwellings occur.

Relative to development of the commercial and multi-family parcels, the developer shall be required to pay the transportation impact fee in effect at the time the development occurs, and shall not be used to exhaust the Advance Payment.

b. Pasco County hereby assures the developer that County Line Road will remain operating at an acceptable level of service under the Pasco County Comprehensive Plan.

c. Prior to issuance of a certificate of occupancy for the 100th residential (retirement) unit and the 195 acre golf course component, the developer shall complete construction of the following improvement to the County Line Road/Dartmouth Avenue/Drive A intersection: Construct the Dartmouth Avenue/Drive A project entrance drive to County Line Road with an eastbound right turn lane, a westbound left turn lane, a northbound left turn lane and a shared through/right turn lane.

d. Prior to issuance of a certificate of occupancy for the 500th residential (retirement) unit, the developer shall submit to Pasco County a traffic signal warrant analysis of the County Line Road/Dartmouth Avenue/Drive A intersection. If this study does not demonstrate that a traffic signal is warranted, then the developer shall submit to Pasco County a second traffic signal warrant analysis for this same intersection prior to the issuance of a certificate of occupancy for the 800th residential (retirement) unit. If this second study does not demonstrate that a traffic signal is warranted, then the developer shall submit a third traffic signal warrant analysis for the same intersection prior to the issuance

of a certificate of occupancy for the 1,100th residential (retirement) unit. If any of the signal warrant analyses demonstrates that a traffic signal is warranted at this location, then developer shall, upon receipt of all required approvals and permits, commence installation of the traffic signal.

If Pasco County reasonably determines that the traffic signal may be warranted before the above described unit thresholds are reached, then the County shall notify the developer in writing that a traffic signal warrant study shall be required, and the developer shall then prepare and submit a traffic signal warrant analysis to Pasco County for review. The developer shall not be required to prepare and submit a traffic signal warrant analysis as a result of the either the unit thresholds described above, or in response to the County's written notice, more than once in any twelve month period.

In addition, if a traffic signal is warranted, then the developer shall construct a limited four lane section of County Line Road consisting of the construction of 500 linear feet of four lane roadway located at the approach to the intersection (both eastbound and westbound) and the construction of 1320 linear feet of four lane roadway departing the intersection (both eastbound and westbound), plus required through lane transitions at the approaches and departures of the intersection (both eastbound and westbound) ("Limited Four Lane Section"). A drawing of the Limited Four Lane Section is attached hereto as Exhibit "C."

The developer shall be entitled to continue with development beyond the 500th, 800th or 1,100th unit, provided the developer is proceeding in good faith with the installation of the traffic signal and/or the design, permitting, or construction of the Limited Four Lane Section.

- e. Prior to the issuance of a certificate of occupancy for the first square foot of commercial development on the 5.8 acre commercial site, the developer of the commercial parcel shall complete construction of an intersection improvement at County Line Road between

Dartmouth Avenue and Drive B to provide a right-in/right-out access point to the commercial site.

- f. Prior to the issuance of a certificate of occupancy for the first multi-family residential unit for Tract 37 (the multi-family parcel) the developer of the multi-family parcel shall construct an intersection improvement at County Line Road/Fountain Court/Drive C to provide eastbound and westbound left turn lanes, and to construct Drive C.
- g. The developer shall dedicate seventy feet (70') of right-of-way along the project's northern boundary to accommodate the four laning of County Line Road. This obligation for dedication shall not preclude the developer from seeking compensation or credit under any transportation impact fee ordinance or any other agreement or law.

The developer shall dedicate this right-of-way within ninety (90) days after written notification from Pasco County, but no sooner than approval of the first record plat.
- h. The developer shall, upon written request from Pasco County, at the time hereinafter provided, dedicate as right-of-way the existing fifty (50) foot easement area located along a portion of the project's southern boundary, more particularly described in an easement recorded in O.R. Book 646, Page 252 of the Public Records of Pasco County, Florida, to accommodate a public roadway.

The developer shall dedicate to the public by plat this right-of-way at such time as the contiguous real property owned by the developer to the north thereof is platted.
- i. Construction vehicles are prohibited from using Duda Avenue and the public right-of-way described in subparagraph h. above, for access to the property described in Exhibit "A."

M. Section 13 (Recreation) of the Development Order is amended to read:

Findings

Recreation and Open Space for the development will include 195 acres of golf course with associated club facility, 25 acres of Wetlands Conservation/Preservation and 61.5 acres of Miscellaneous Open Space. These areas are shown on the Revised Master Development Plan, attached hereto as Exhibit "B," and will be the responsibility of the owner, its successor or assigns.

Condition

a. The developer shall donate One Hundred Dollars (\$100.00) per dwelling unit (unless modified by ordinance) to the County for park impacts prior to each record plat approval or, where no record plat is required, prior to each building permit for each increment. The developer shall also provide, to the County, a Fifty Dollar (\$50.00) per unit (unless modified by ordinance) park service fee prior to each record plat approval for each increment, or where no record plat is required, prior to each building permit for each increment.

N. A new Section 19 (Golf Course) is hereby adopted to read:

Pursuant to the revised Master Plan, attached hereto, the developer is proposing 195 acres of golf course. Depending upon market conditions and final golf course designs, the golf course component may be modified. The developer may reduce the golf course component to no less than 145 acres, or may increase the golf course component in accordance with the tradeoff mechanism which provides for 1.0 residential retirement unit to be converted to 1.4 acres of golf course, with the total golf course component not to exceed 210 acres. The golf course acreage approved in this Resolution may not be used by Pasco County to satisfy the Open Space requirements of the Pasco County Comprehensive Plan.

The developer shall formulate guidelines for the maintenance of golf course(s) that addresses the limited use of herbicides,

pesticides, and fertilizers and includes best management practices. These guidelines shall be formulated and implemented prior to the opening of the golf courses, and shall be submitted to the County for approval. Any change in the guidelines shall require approval by the County and shall be included in the DRI Annual Report following the change.

The developer shall utilize xeriscaping techniques when appropriate to minimized irrigation requirements.

O. The Section of the Development Order entitled "Duration" is hereby amended to read:

1. The Development Order took effect on July 6, 1982.
2. The duration of the Development Order shall be a period of approximately twenty (20) years, through December 31, 2002, provided that the effective period may be extended by the Board upon a showing of good cause.

P. The Section of the Development Order entitled "Miscellaneous Provisions" is hereby amended to add the following provisions:

4. The County agrees that the approved DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction for the duration of this Development Order, through December 31, 2002, unless the County can demonstrate that substantial changes in the conditions underlying the approval of the Development Order have occurred, or that the Development Order was based on substantially inaccurate information provided by the developer, or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

5. The developer shall commence physical development on the DRI on or before three years from the effective date of this Resolution.

5. Effective Date. This Resolution shall take effect immediately upon adoption.

6. Notice of Adoption. A Notice of Adoption of this Resolution, in the form attached hereto and incorporated herein as Exhibit "D," 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.

7. Certified Copies. The Clerk of the Commission shall return a signed certified copy of this Resolution and the Notice of Adoption described in Section 6 above to the Pasco County Growth Management Department, which shall then send copies of each document to the DCA and the TBRPC, and to the attorney of record in these proceedings.

DONE AND RESOLVED this 26th day of September, 1995.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

By: Claine H. Mitchell, DC
JED PITTMAN, CLERK

By: Sylvia Wang
CHAIRPERSON

APPROVED AS TO LEGAL FORM AND CONTENT

Office of County Attorney

By: [Signature]

09/18/95 5:17 PM d-18
21018.92365
#0052428.11

STATE OF FLORIDA
COUNTY OF PASCO

THIS IS TO CERTIFY THAT THE FOREGOING IS A
TRUE AND CORRECT COPY OF THE ORIGINAL OF REC-
ORD IN MY OFFICE. WITNESS MY HAND AND THE COUN-
TY'S OFFICIAL SEAL THIS 28th day of Sept 1995

JED PITTMAN, CLERK TO THE BOARD

By: Claine H. Mitchell D.C.

EXHIBIT "A"

Legal Description

SECTION 5 AND 6, TOWNSHIP 24 SOUTH, RANGE 17 EAST, PASCO COUNTY, FLORIDA

SURVEY DESCRIPTION

PARCELS "A" AND "B"

A parcel of land located within Section 5 and 6, Township 24 South, Range 17 East, Pasco County, Florida. Being more particularly described as follows:

Commence at the Northeast corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida, thence, along the East line of said Section 5 and the West line of the unrecorded plat of Orange Hill Estates and Orange Hill Estates First Addition, S00°34'15"W, for 50.00 feet to the POINT OF BEGINNING; thence continue along said line, S00°34'15"W, for 2594.71 feet to the East 1/4 corner of said Section 5; thence S00°35'23"W, for 2659.82 feet to the Southeast corner of said Section 5; thence, along the South line of said Section 5, N89°46'38"W, for 1321.51 feet; thence, leaving said line, N00°34'36"E, for 665.34 feet, thence N89°52'08"W, for 660.84 feet; thence S00°32'06"W, for 663.86 feet to South line of said Section 5; thence, along said line, N89°46'28"W, for 660.64 feet to the South 1/4 corner of Section 5, Township 24 South, Range 17 East, Pasco County, Florida; thence, continue along said South line, N89°50'13"W, for 2643.84 feet to the Southwest corner of said Section 5; thence along the West line of said Section 5 and the East line of the unrecorded plat of Highlands, N00°31'48"E, for 2645.16 feet to the West 1/4 corner of said Section 5 and the East 1/4 corner of Section 6, Township 24 South, Range 17 East, Pasco County, Florida; thence, along the East-West centerline of said Section 6, S88°20'32"W, for 1321.95 feet; thence, leaving said centerline, N00°26'42"E, for 680.34 feet; thence N88°47'05"E, for 1323.69 feet to the Southeast corner of Arlington Woods Phase 2--A as recorded in plat book 30 pages 22 and 23 of the public records of Pasco County, Florida and the West line of said Section 5; thence, along said West line, N00°36'37"E, for 1959.87 feet; thence, along a line being 50.00 feet perpendicularly to the South boundary of Spring Hill Unit 5 as recorded in plat book 7, pages 96 through 107 of the public records of Hernando County, Florida, S89°41'11"E, for 5287.09 feet to the POINT OF BEGINNING. Containing 650.04 acres, more or less.

SUBJECT TO:

A 50' ingress-egress easement over the West 9/16 of Section 5, Township 24 South, Range 17 East, Pasco County, Florida as recorded in O.R. Book 646, Page 252 of the public records of Pasco County, Florida.

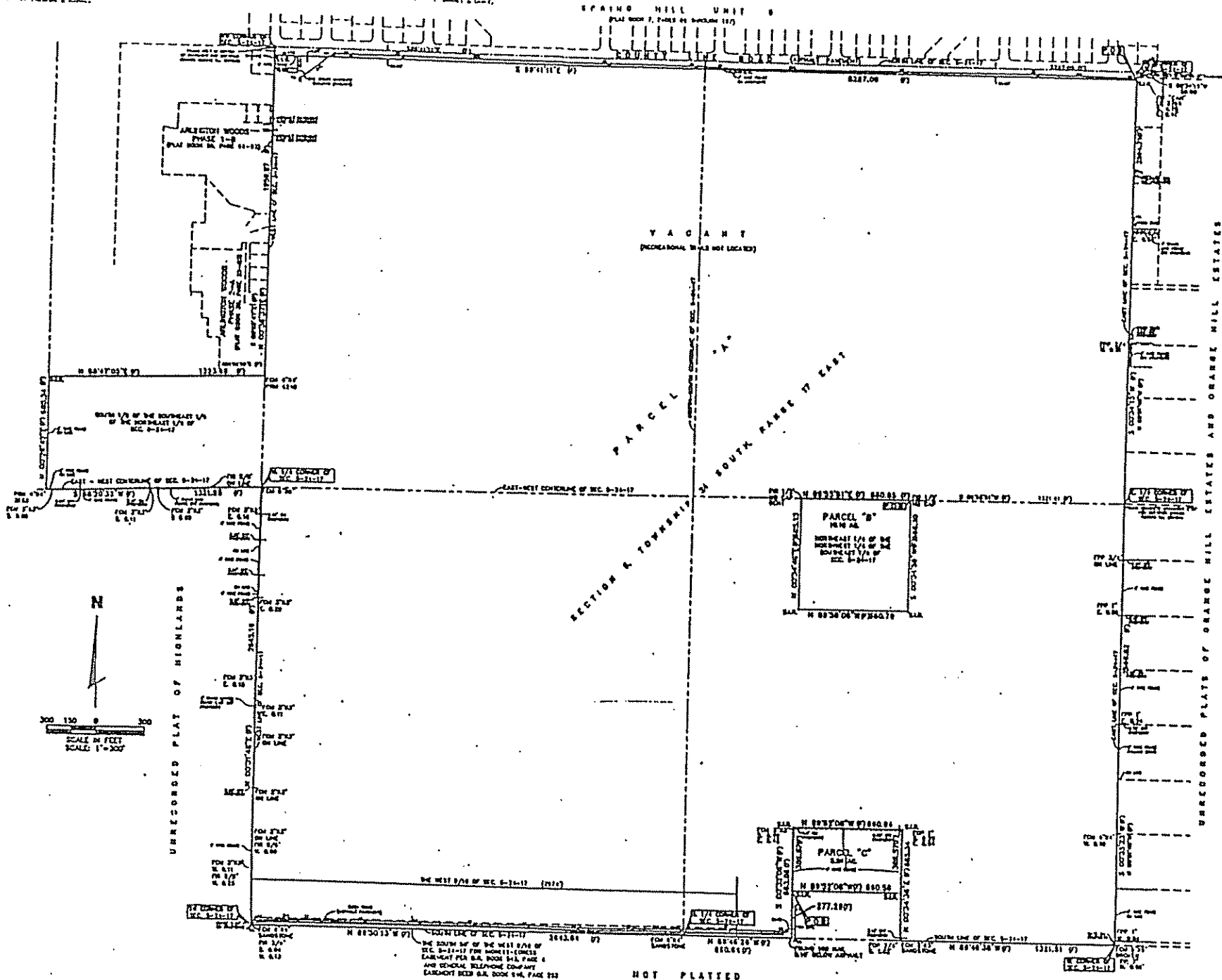
ALONG WITH:

PARCEL "C"

A tract of land being the North 386.56 feet of the Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 24 South, Range 17 East, Pasco County, Florida and being more particularly described as follows:

Commence at the South 1/4 corner of said Section 5; thence S89°46'28"E, along the South line of the Southeast 1/4 of said Section 5, for 660.64 feet to the Southwest corner of the Southeast 1/4 of the Southwest 1/4 of said Section 5; thence S00°32'06"E, along the West line of said Southeast 1/4 of said Section 5; thence S00°34'15"W, for 50.00 feet to the POINT OF BEGINNING; thence continue N00°32'06"E, along said West line, for 386.57 feet to the Northwest corner of said Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 5; thence S89°52'08"E, along the North line of said Southeast 1/4 of said Section 5; thence S00°34'36"W, for 660.84 feet to the Northeast corner of said Southeast 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 5; thence S00°34'36"W, along the East line of said Southeast 1/4 of said Section 5; thence S00°34'36"W, for 386.56 feet; thence leaving said East line N89°52'08"W, along a line being 50.00 feet South of and parallel to aforesaid North line, for 660.56 feet to the POINT OF BEGINNING and containing 5.86 acres, more or less.

Total Net Acreage = 655.90 Acres, more or less.



This certifies that a survey of the property described herein was made under my supervision and that the survey meets the minimum technical standards set forth by the Florida Board of Professional Land Surveyors in Chapter 1901-5, Florida Administrative Code, pursuant to Section 171.201, Florida Statutes, and that the survey is a true and correct representation thereof to the best of my knowledge and belief, subject to errors and omissions stated herein.

Not valid unless signed, dated and stamped with professional seal.

11/20/14
Eric A. Kasper
Professional Land Surveyor
State of Florida

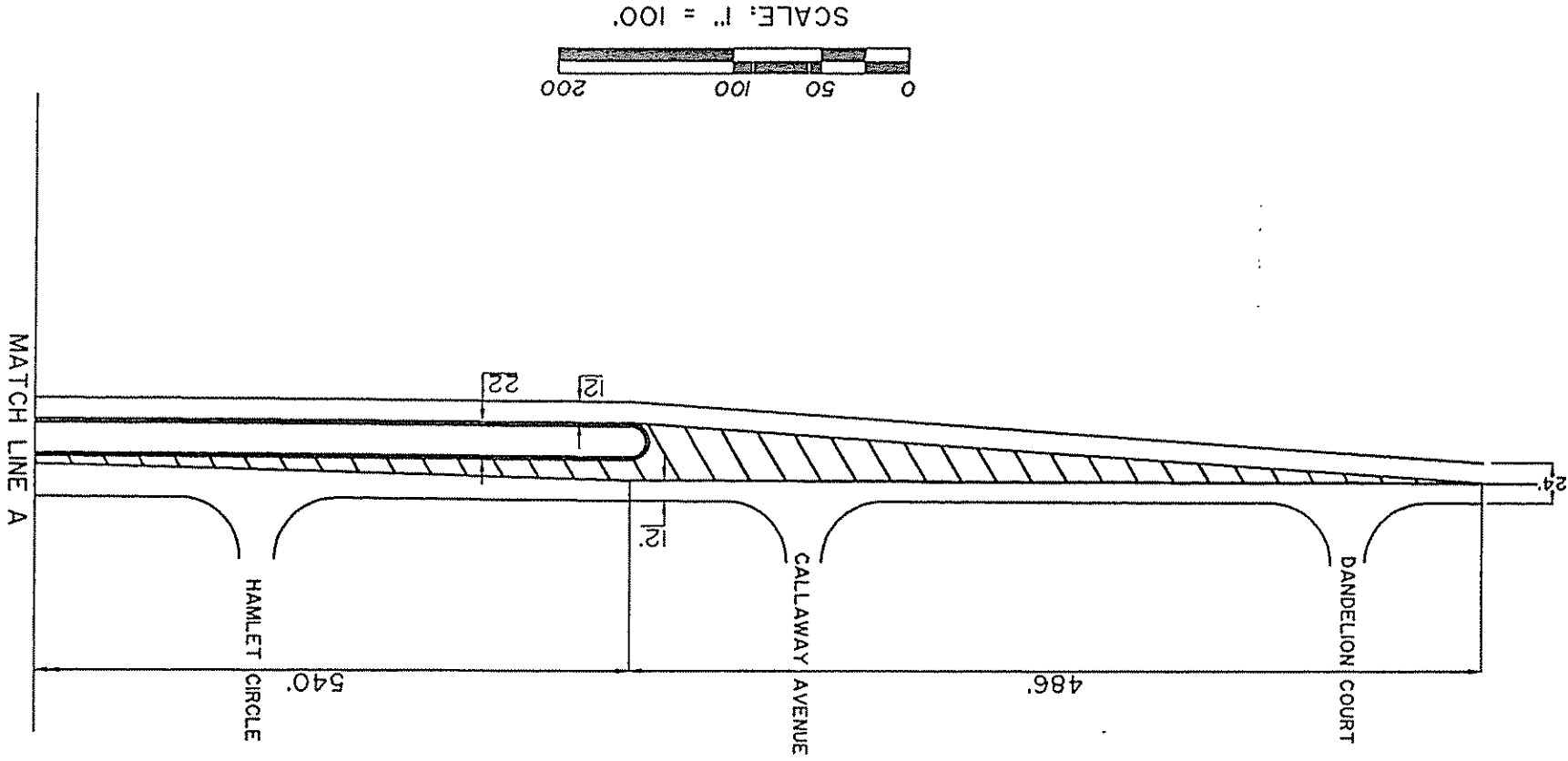
EXHIBIT "B"

Revised Master Development Plan

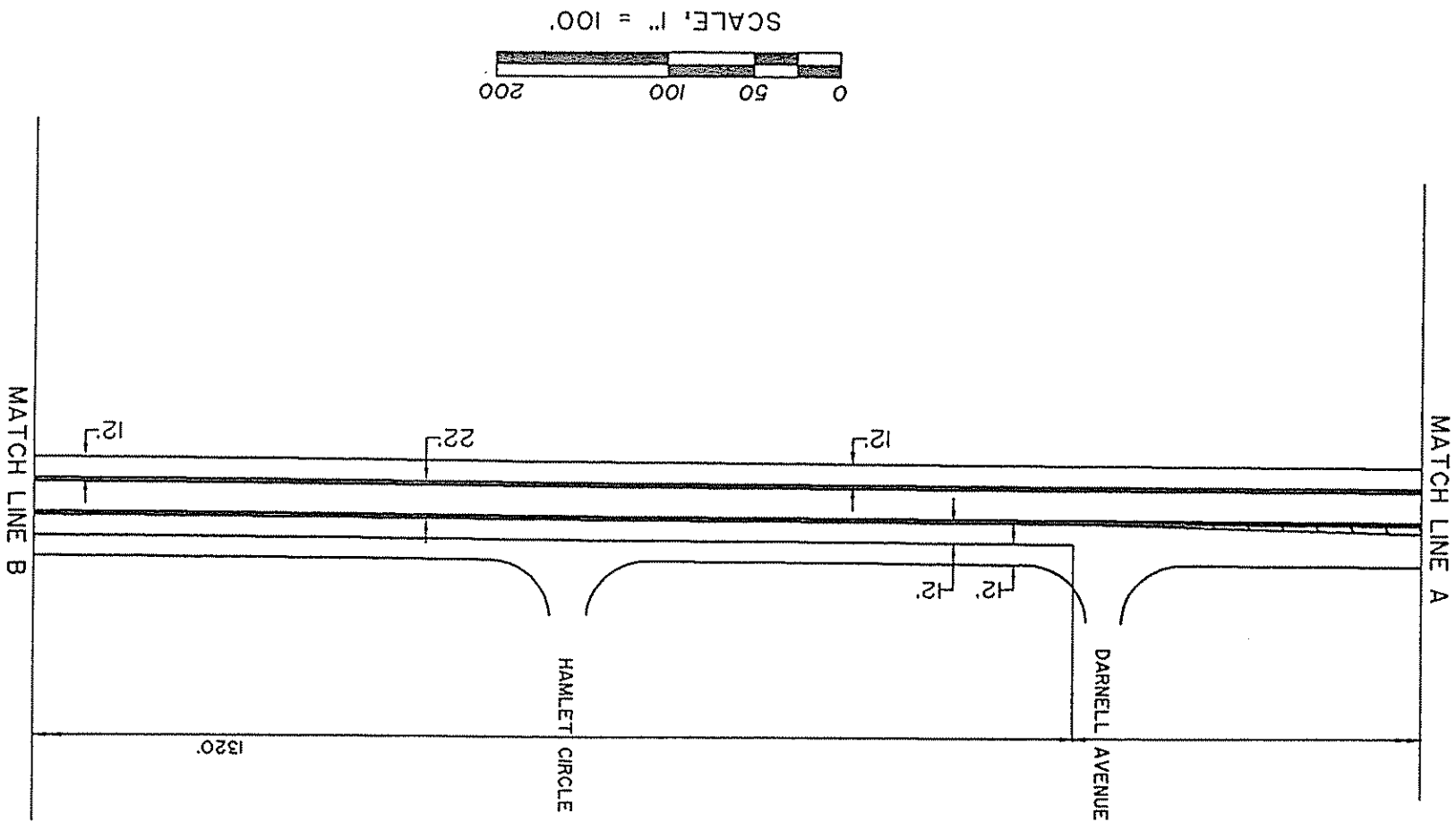
EXHIBIT "C"

LIMITED FOUR LANE SECTION
COUNTY LINE ROAD

LIMITED FOUR LANE SECTION

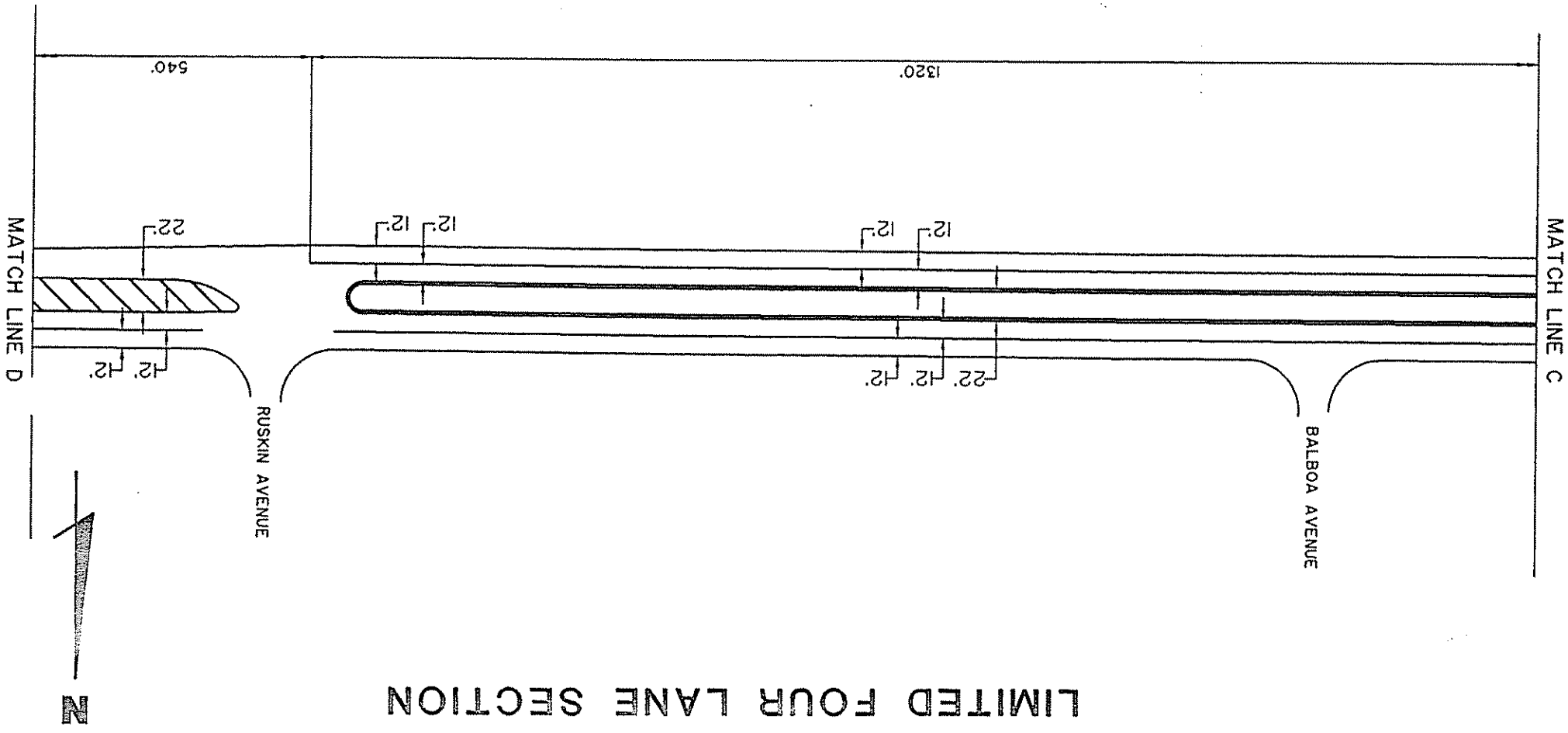


LIMITED FOUR LANE SECTION

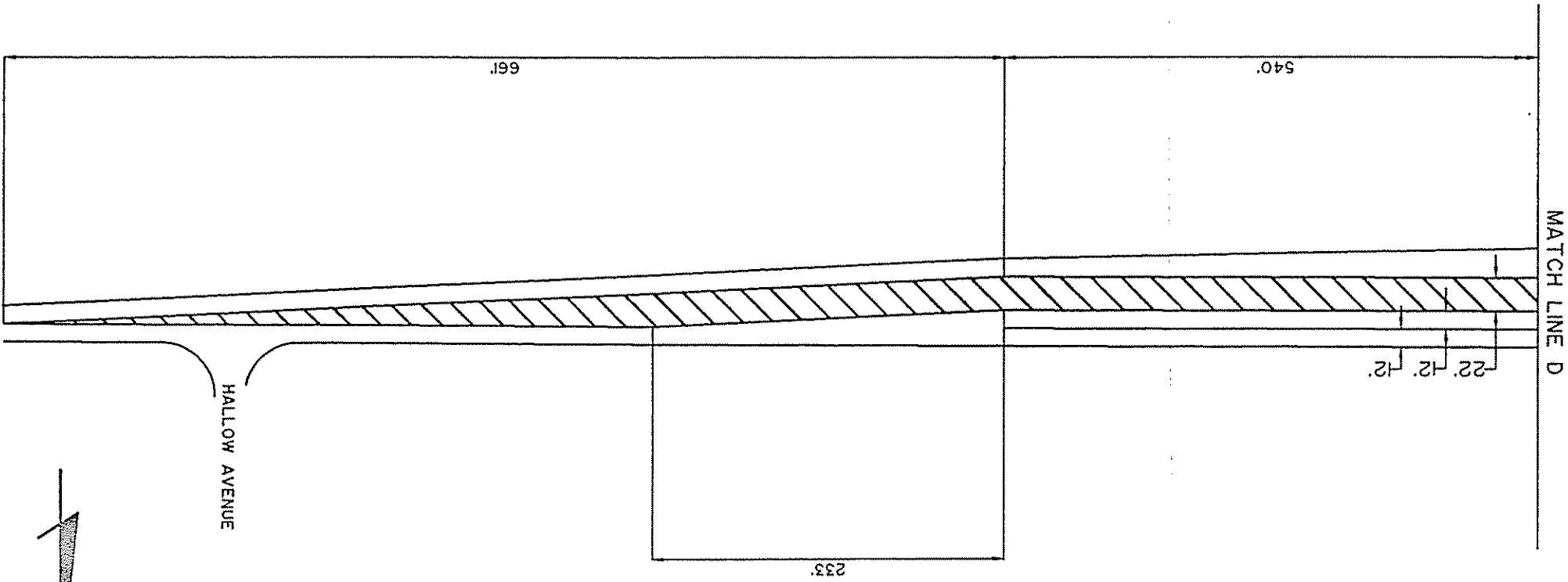




LIMITED FOUR LANE SECTION



HALLOW AVENUE



MATCH LINE D

SCALE, 1" = 100'

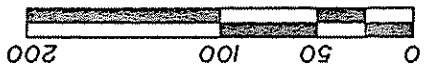


EXHIBIT "D"

NOTICE OF ADOPTION OF AMENDMENT OF THE
DEVELOPMENT ORDER FOR THE BEACON VILLAGES
(NOW KNOWN AS TIMBER PINES SOUTH)
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. 95-315, dated Sept 26, 1995, has adopted an amendment to the Development Order for the Timber Pines South Development of Regional Impact (f/k/a Beacon Villages Development of Regional Impact). The above-referenced Development Order, as amended, constitutes a land development regulation applicable to the property described in Exhibit "A" of the Development Order.

A legal description of the property concerned, the Development Order and the resolution amending the Development Order may be examined upon request at the Office of the Clerk to the Board of County Commissioners of Pasco County, 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 "A" or actual or constructive notice of any of the same under the authority of Section 380.06(15)(f), Florida Statutes.

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

By: [Signature]
Chairperson

STATE OF FLORIDA)

COUNTY OF PASCO)

The foregoing Notice of Adoption of Development Order was acknowledged before me this 26th day of September, 1995, by Sylvia y Dung, as Chairperson of the BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA. He is personally known to me and did not take an oath.

Elaine H. Mitchell
~~Notary Public~~ Deputy Clerk

APPROVED AS TO LEGAL FORM AND CONTENT
Office of County Attorney

By: [Signature]

BEACON VILLAGES DEVELOPMENT ORDER AMENDMENT
DEVELOPMENT OF REGIONAL IMPACT
NONSUBSTANTIAL DEVIATION DETERMINATION

RESOLUTION AMENDING RESOLUTION NO. 82-128, REVISING THE CONDITIONS OF DEVELOPMENT APPROVAL FOR THE BEACON VILLAGES DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, on July 6, 1982, the Board of County Commissioners of Pasco County adopted by Resolution No. 82-128, a Development of Regional Impact Development Order approving, with conditions, the Beacon Villages Development of Regional Impact consisting of 2,996 residential units; and

WHEREAS, on July 11, 1988, Daniel N. Martin, acting as agent for Frank Orsi, filed an application requesting a nonsubstantial deviation determination pursuant to Section 380.06(19), Florida Statutes; and

WHEREAS, the proposed change would remove the requirement that 19.4 acres of parkland be dedicated to Pasco County by February, 1983, which date has elapsed; and

WHEREAS, the Board of County Commissioners of Pasco County makes the following findings of fact:

1. Daniel N. Martin, acting as agent for Frank Orsi, has filed an application for a nonsubstantial deviation determination.
2. The Board of County Commissioners of Pasco County is the local government governing body having jurisdiction over the review and approval of said Development of Regional Impact in accordance with Section 380.06, Florida Statutes.
3. The developer has submitted the request for approval of a proposed change simultaneously to Pasco County, the Tampa Bay Regional Planning Council, and the State Department of Community Affairs.
4. The Board of County Commissioners of Pasco County has considered on the above-referenced requests on August 29, 1989.
5. All parties were afforded the opportunity to present evidence and argument on all issues, conduct cross-examination, and submit rebuttal evidence.
6. Any member of the general public requesting to do so was given the opportunity to present written or oral communications.
7. The Board of County Commissioners has received and considered the recommendation of the Pasco County Planning Department.

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

1. The above-referenced proposed change to the Beacon Villages Development of Regional Impact does not constitute a substantial deviation and, therefore, does not require further Development of Regional Impact review pursuant to Chapter 380.06(19), Florida Statutes, as amended.
2. The proposed change to the Beacon Villages Development of Regional Impact is approved and Resolution No. 82-128 hereby amended incorporating approval of the following change to Condition 15 of the DRI Development Order: "The 19.4-acre public park shall be deeded/dedicated to the County at the first submittal of any preliminary plan in Phase II. Maintenance of this facility will be the responsibility of the County. The ownership and maintenance of the remaining recreation/open space shall be assigned prior to the preliminary plan approval of each phase."

DONE AND RESOLVED THIS 29th DAY OF August, 1989.



BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

器

JED PTTMAM. CLERK

by: Frank R. Adams, D.C.

BY: **X**

ALLAN G. SAFRANEK, JR., CHAIRMAN

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

BY:

Attorney

BEACON VILLAGES DEVELOPMENT OF REGIONAL IMPACT (DRI)

Pursuant to Section 380.06(14)(d), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 89-248, dated August 29, 1989, has adopted an amendment to a Development Order for the Development of Regional Impact known as Beacon Villages. A legal description of the property covered and the Development Order may be examined upon request at the Office of the Clerk to the Board of County Commissioners of Pasco County, Pasco County Courthouse, Dade City, Florida.

The above referenced Development Order constitutes a land development regulation applicable to the property described in Exhibit "A."

The recording of this Notice shall not constitute a lien, cloud, or encumbrance on the real property described in Exhibit "A" nor actual nor constructive notice of any of the same under the authority of Section 380.06(14)(d), Florida Statutes.

State of Florida)

County of Pasco)

The foregoing Notice of Adoption of Development Order was acknowledged before me this

29th day of August, 1989.

ALLAN G. SAFRANEK, JR., CHAIRMAN
Board of County Commissioners

~~Notary Public~~ Deputy Clerk
State of Florida at Large
My Commission Expires:

APPROVED AS TO LEGAL FORM AND CONTENT
Office of the County Attorney

Attorney

RECORD VERIFIED
JED PITTMAN
San Joaquin County

SEP 1 4 36 PM '89

5.9 5 4 3 9

beavil:atty

O. R. 1837. PG 1072

LEGAL DESCRIPTION

THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 24 SOUTH, RANGE 17 EAST, PASCO COUNTY, FLORIDA AND ALL OF SECTION 5, TOWNSHIP 24 SOUTH, RANGE 17 EAST, PASCO COUNTY, FLORIDA LESS THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5, AND LESS THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5, AND LESS THE NORTH 50.00 FEET OF SAID SECTION 5 FOR RIGHT-OF-WAY OF COUNTY LINE ROAD.

BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 5, TOWNSHIP 24 SOUTH, RANGE 17 EAST PASCO COUNTY, FLORIDA AND RUN S 00°35'56" W, 50.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE S 00°35'56" W, ALONG THE EASTERLY LINE OF SAID SECTION 5 A DISTANCE OF 2594.59 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 5; THENCE S 00°37'16" W, 2670.03 FEET ALONG THE EASTERLY LINE OF SAID SECTION 5, TO THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE N 89°44'37" W, ALONG THE SOUTHERLY LINE OF SAID SECTION 5 A DISTANCE OF 1321.44 FEET; THENCE N 00°36'56"E 665.75 FEET; THENCE N 89°49'12" W, 660.36 FEET; THENCE S 00°36'04" W, 664.87 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID SECTION 5; THENCE N 89°44'37" W, 660.54 FEET TO THE SOUTH 1/4 CORNER OF SECTION 5; THENCE N 89°48'43" W, 2643.98 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 5; THENCE N 00°33'41" E, 2645.08 FEET TO THE WEST 1/4 CORNER OF SECTION 5; THENCE S 88°22'21" W, 1204.80 FEET ALONG THE EAST/WEST CENTERLINE OF SECTION 6; THENCE N 00°18'56" W, 656.27 FEET; THENCE N 88°22'06" E, 1295.69 FEET TO A POINT ON THE WESTERLY LINE OF SECTION 5; THENCE N 00°38'04" E, 1973.99 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY LINE ROAD; THENCE S 89°39'25" E, ALONG SAID RIGHT-OF-WAY LINE 5287.23 FEET TO THE POINT OF BEGINNING;

LESS THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 5 BEING FURTHER DESCRIBED AS FOLLOWS;
 COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 5 AND RUN S 89°57'08" W, 1321.77 FEET TO THE POINT OF BEGINNING (P.O.B.#2); THENCE S 00°36'28" W, 665.75 FEET; THENCE N 89°58'19" W, 660.80 FEET; THENCE N 00°36'04" E, 664.87 FEET; THENCE N 89°57'08" E, 660.88 FEET TO THE POINT OF BEGINNING #2.
 SAID PARCEL SUBJECT TO A 50 FOOT INGRESS/EGRESS EASEMENT OVER THE SOUTH 50.00 FEET OF THE WEST 9/16 OF SAID SECTION 5.

SAID PARCEL CONTAINING 638.905 ACRES MORE OR LESS.

Prepared by:
 King Engineering Associates, Inc.

REA

STATE OF FLORIDA
 COUNTY OF PASCO

THIS IS TO CERTIFY THAT THE FOREGOING IS A
 TRUE AND CORRECT COPY OF THE ORIGINAL OF REC-
 ORD IN MY OFFICE. WITNESS MY HAND AND THE COUN-

TY'S OFFICIAL SEAL THIS 8th day of September, 1989
 JED PITTMAN, CLERK TO THE BOARD

BY Gracie A. Palmer D.C.

O.R. 1837 PG 1073

x

A F F I D A V I T

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

By the power vested in me by the Board of County Commissioners ("Board") of Hillsborough County, Florida, I, RODNEY COLSON, Chairman of the Board, do hereby certify that the above and foregoing is a true and correct copy of the development order approved and adopted by the Board at its duly noticed hearing on August 20, 1984, and do hereby execute the development order on behalf of the Board.

WITNESS my hand this 30th day of August, 1984.



RODNEY COLSON
Chairman

Board of County Commissioners
Hillsborough County, Florida

11/1/84

BY COMMISSIONER _____

RESOLUTION NO. 82-128

RESOLUTION ADOPTING A DEVELOPMENT ORDER
APPROVING, WITH CONDITIONS, THE BEACON VIL-
LAGES DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, Frank Orsi has filed an Application for Development Approval (ADA) with the Pasco County Planning and Zoning staff; and

WHEREAS, the ADA has been received in accordance with Chapter 380.06, Florida Statutes; and

WHEREAS, the culmination of that review requires the approval, denial, or approval with conditions, of the above-referenced ADA;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pasco County in regular session, duly assembled, this 6th day of JULY, 1982, that:

The above-referenced ADA is approved with conditions, as set forth in the following Development Order which is hereby adopted by the Board of County Commissioners:

BEACON VILLAGES, DRI DEVELOPMENT ORDER

General Findings of Fact

The Board of County Commissioners of Pasco County makes the following general Findings of Fact:

1. Frank Orsi, in accordance with Section 380.06, Florida Statutes, has filed with Pasco County an ADA for Beacon Villages Development of Regional Impact (DRI No. 77).
2. The Board of County Commissioners of Pasco County is the local government governing body having jurisdiction over the review and approval of said DRI in accordance with Section 380.06, Florida Statutes.
3. The Board of County Commissioners is in receipt of a sufficiency notification from the Tampa Bay Regional Planning Council, dated March 8, 1982.
4. The Board of County Commissioners has scheduled public hearings on the above-referenced ADA before the Pasco County Planning Commission and before the Board.
5. Notice of such notice has been published at least sixty (60) days prior to the date set for the Board hearing.
6. Both the Pasco County Planning Commission and the Board of County Commissioners have held public hearings on the above-referenced ADA on April 28, 1982, and July 6, 1982, respectively.

7. At said public hearings, all parties were afforded the opportunity to present evidence and argument on all issues, conduct cross-examination, and submit rebuttal evidence.
8. Additionally, at said public hearings, any member of the general public requesting to do so was given the opportunity to present written or oral communications.
9. The Board of County Commissioners has received and considered the Tampa Bay Regional Planning Council report on the above-referenced ADA.
10. The Board of County Commissioners has received and considered the recommendation of the Pasco County Planning Commission and various other reports and information, including but not limited to, the recommendation of the Pasco County Planning and Zoning staffs.
11. The real property involved in this proposed DRI is owned by Frank Orsi, and a description of said real property is attached hereto as Exhibit "A" and made a part hereof by reference.
12. The nature, type, scope, intensity, density, costs, and general impact of the proposed Development of Regional Impact is that which is summarized on composite Exhibit "B" attached hereto and incorporated by reference herein. (TBRPC impact synopsis)
13. The land use designation for the area subject to the ADA is residential, commercial, and recreational.
14. Zoning on the property which is subject to the ADA is Master Planned Unit Development (MPUD).

Specific Findings on Impact and Conditions Restricting Development.

1. Water Quantity and Drainage

Findings

The proposed development is located in a recharge area for the Floridan Aquifer. There is no significant confining layer in this area and recharge occurs directly from infiltration and percolation of rainfall. The water quality of the Floridan Aquifer in the area of the proposed development is suitable for potable use. Potable water for the project will be supplied through an extension of the County water main, supplemented by two on-site wells which will be dedicated to and operated by Pasco County.

Three sinkholes comprise the only permanent surface water located on the site. Interceptor grass swales will be constructed around the sinkholes to

prevent stormwater runoff from discharging directly into the sinkhole waters. A large freshwater marsh and cypress swamp are also found on the site, but they are only seasonally wet. It is not expected that there will be a significant impact on the cypress swamp by the proposed development, and the entire swamp area will be preserved as a parkland.

The proposed drainage system for Beacon Villages is planned to maintain the existing drainage patterns of the undeveloped site by making use of the existing topography. It will have minimal disturbance of wetland areas. Major elements of the proposed drainage system include detention/retention areas, conservation areas, and swales and culverts.

Designated detention/retention areas will take advantage of the deep sandy soils found within the project, and generally be located within natural depressions. All detention/retention areas will be designed to retain and percolate a 25-year, 24-hour duration storm.

Conditions

- a. Prior to approval of the first development phase, the developer shall implement and provide to Pasco County and Tampa Bay Regional Planning Council a study which is to determine the lineament intersections of greatest sinkhole potential occurrence on the project site. Pasco County may require additional site specific subsurface testing and/or modifications to the development plan.
- b. The drainage system shall be designed as conceptually presented in the ADA, including the use of the existing topography, conservation areas, swales, culverts, and detention/retention areas. The entity responsible for maintenance of the drainage system in each increment (bubble) shall be determined during the review and approval of preliminary plans submitted for each increment.
- c. All surface runoff generated by the development shall be diverted from any sinkholes and routed to a detention area, unless specifically waived by the County and FDER. A berm, or other County approved device, shall be placed around sinkholes to keep any surface runoff from entering such sinkholes.
- d. Erosion measures, as provided in the ADA, shall be implemented during construction of the drainage ways.

2. Wet Lands

Findings

Approximately 33.7 acres of wetland community exists on the site. The wetlands are comprised of 2.2 acres of cypress swamp forest and 31.5 acres of freshwater marshes. Standing water has not been observed in any of the drainage ditches or depressions on the site. The identified wetland areas are not proposed for development, but will be utilized as natural drainage retention areas for stormwater runoff. A public park is proposed on the western boundary of the site and will contain the cypress swamp which will be retained in its natural state. It is expected that the wetland areas will help improve the water quality of the project's stormwater runoff. It is recommended that major wetland areas be preserved in their natural or existing state as committed in the ADA, and that the only disturbance allowable should be the addition of Department of Environmental Regulation and Pasco County approved stormwater runoff to the wetland areas.

Conditions

- a. The major wetland areas shall be preserved in their natural state, with the record plats appropriately designating such areas. If specifically approved by Pasco County and the Florida Department of Environmental Regulation, the wetlands may be used as stormwater runoff receiving bodies.
- b. As committed in the ADA, a buffer and greenbelt or open space of sufficient width to preserve the natural wetlands shall be provided between wetlands and structures.

3. Flood Plains

Findings

There are no existing natural water courses on the proposed site and, therefore, no natural river flood plains are present. Approximately four percent of the site lies within the 100-year flood prone area. All of these flood prone areas are wetlands and will be retained in their natural state. Any potential localized flooding due to the development will be mitigated by the design of the internal drainage system. It is recommended that a buffer or greenbelt area of sufficient width to retain wetland integrity be provided between the wetland areas and any constructed buildings on the site. The ADA contains a letter from Pasco County verifying that Pasco County qualifies for federal flood insurance.

Conditions

No development shall occur in the 100-year flood plain, as was committed in the ADA.

4. Soils

Findings

There are six major soil types found on the proposed site. All soils presently on the site evidence some limitations for development. Soils with the most severe limitations are located in an area not proposed for development. Two small pockets of depressional soils will be altered by filling the perimeter and excavating the interior of the depression for drainage retention. Soils with moderate limitations for land development will be modified through traditional engineering practices. Soils with infertile characteristics in the areas designated for recreational use will be overcome by proper turf management practices. It is not anticipated that the existing water table levels will be lowered as a result of the proposed development.

There are no known mineral deposits of commercial value on the site, other than sandfill material required for the development which will be obtained on-site.

There are three sinkholes present on the site. Existing vegetation on the banks of the sinkholes indicate that the sinks are stable and are a minimum of 20 years in age. The limitations imposed by the sinkholes' slopes will be overcome by constructing gentle slopes and establishing new vegetation on the banks of the sinkholes. The two largest sinkholes will be preserved as open space. These two sinkholes will not receive direct discharges of stormwater runoff. It is recommended that the developer submit to Pasco County and Tampa Bay Regional Planning Council the results of a study to determine the lineament intersections of greatest sinkhole potential on the project site. Pasco County may then require additional site specific subsurface testing or development plan alteration as necessary and appropriate.

Soil conservation measures have been proposed in the ADA to control erosion during construction activities.

Conditions

As proposed in the ADA, the dust control measures, such as watering, seeding, sodding steep slopes and use of pinned hay bales in drainage ways, shall be instituted during construction.

5. Air Quality

Findings

Three major sources of air pollutants generated by the Beacon Villages development will be those associated with vehicular traffic. It is estimated that vehicular emissions at build-out will be: 832.6 pounds of hydrocarbons, 740.1 pounds of nitrogen oxide, 7,354.9 pounds of carbon monoxide, and traces of sulfur dioxide (SO₂) and particulates. The proposed development is located in Pasco County which is an ozone nonattainment area.

A secondary source of air pollution will be fugitive dust during project construction and site clearing. The applicant has committed to a program of measures to control air pollution during construction, such as watering, seeding, mulching, sodding steep slopes and utilization of pinned hay bales in drainage ways. It is recommended that implementation of these measures be required in the development order.

Conditions

As proposed in the ADA, the dust control measures, such as watering, seeding, sodding steep slopes and use of pinned hay bales in drainage ways, shall be instituted during construction.

6. Natural Vegetation and Wildlife

Findings

Beacon Villages is located on the coastal sandhill ridge running north-south in western Pasco and Hernando Counties. This ridge is occasionally pocketed with cypress swamps, small lakes and ponds, marshes, and other depressions. Historically, the sandhills were converted to pastures and citrus groves. Recently, slash pine was planted on 467 acres of the 640-acre site to replace damaged groves. The general vegetation communities found on the site include the following ten groups: abandoned grove, citrus grove, cypress swamps, marshes, oak, open field, pine plantation, sandhill, sinkholes, and wax myrtle. There are no rare, threatened or endangered plants found on the site.

A variety of wildlife habitats exist at the proposed development site. The majority of wildlife species observed were found in communities overlying the former sandhills. Also, several sightings of wildlife were associated with the large marsh and pond, and in the area of largest of the three sinkhole ponds. Measures proposed to protect existing wildlife include the preservation of the large marsh and ponds and the development of the park area, which will include the cypress swamp.

There are no wildlife species observed which are currently on the endangered species list. Two reptiles observed, the Alligator and the Gopher Tortoise, are on the Florida Game and Fresh Water Fish Commission threatened list. The Alligator is also listed as threatened on the Federal list for this area. Threatened or endangered species which were not observed but in all likelihood do exist on the site include the Woodstork, Bald Eagle, Sandhill Crane, Scrub Jay, Indigo Snake, and Striped Newt. The ADA states that should endangered species be found on the site, they will be afforded maximum protection.

Conditions

Should an endangered wildlife species be found on-site, the known habitat shall be isolated, the proper authorities shall be contacted, and appropriate measures implemented to preserve the habitat.

7. Historical and Archaeological Sites

Findings

No known historical or archaeological sites exist on the Beacon Villages project site. At the suggestion of the State Bureau of Historic Sites and Properties, an archaeological survey of the property was performed by the Suncoast Archaeological Society. While a notable burial ground was discovered several miles from this development site, this survey concluded that no significant historical or archaeological resources are located on the site. The Bureau of Historic Sites has indicated concurrence with this conclusion. It is recommended that if any unique or significant historical or archaeological sites are discovered during construction, the proper state authorities will be notified to determine their importance and to identify any measures to be undertaken for their preservation.

Conditions

Should any significant historical or archaeological site be discovered during construction, the proper authorities shall be immediately notified and their recommendation for preservation and excavation will be implemented.

8. Water Supply

Findings

At build-out it is estimated that the average daily demand for potable water at Beacon Villages will be 0.78 mgd. The estimated nonpotable water demand is expected to be 0.26 mgd. Potable water for Beacon Villages will be supplied by Pasco County via an extension of the existing water main along U.S. 19 and supplemented by two on-site wells which will be dedicated to Pasco County. Nonpotable water for golf course and open space irrigation will be supplied by on-site private wells or the County's supply system.

Conditions

- a. The water conservation measures committed in the ADA, such as landscape plantings selected for minimal water requirements, controlled vegetation systems to maximize benefits of water, and water saving plumbing fixtures shall be implemented. The developer shall consider the use of shallow wells used in conjunction with treated wastewater as an alternative to the usage of potable water for non-potable water demands, such as irrigation of the golf course.
- b. A water and sewer agreement shall be consummated between the Developer and the County prior to construction drawing approval of the first phase. Such agreement shall stipulate the responsibility for the construction, operation, and ownership of the two on-site wells and water distribution lines.

9. Wastewater

Findings

It is estimated that the total average daily flows of wastewater for this development will be 693,000 gallons per day (0.69 mgd) at build-out. An interim wastewater treatment plant is proposed to be constructed on the project site. The treatment facility, which will be an extended aeration plant designed to provide secondary treatment with a minimum of 90 percent reduction of BOD and suspended solids will be operated and maintained by Pasco County.

The first phase of the interim plant will have a capacity of .125 million gallons per day and will be capable of providing wastewater service to the project through 1983. Effluent from the wastewater plant will be disposed of in evaporation and percolation ponds, and sludge resulting from the treatment process will be disposed of at an approved County site.

As the initial design capacity of the interim plant is reached, Pasco County will decide whether to continue the operation of the plant and expand its capacity or abandon the plant and divert wastewater flows to a subregional treatment facility. However, it is not certain whether or not the subregional facility will be completed by the time the initial capacity of the interim plant is reached.

Conditions

A water and sewer agreement shall be consummated between the Developer and the County prior to construction drawing approval of the first phase. Such agreement shall stipulate the responsibility of the two on-site wells, interim sewage treatment plant and the future subregional sewage treatment plant.

In addition, the agreement shall make the provision that the interim sewage treatment plant be designed and constructed in a manner to facilitate future expansion.

10. Solid Waste

Findings

It is estimated that the average daily solid waste to be generated by Beacon Villages will be 13.73 tons/day at build-out. Solid waste will be collected by Hatcher's Disposal, Inc., and the ADA contains a letter from Hatcher's Disposal, Inc. confirming its future capacity to provide collection services to Beacon Villages. Solid waste generated by this proposed development will be disposed of at a County-owned landfill. However, the designated disposal site, Ridge Road Landfill, reached its capacity in March of 1982, and no documentation has been presented for review which assures that adequate disposal site capacity will be available to serve this development.

Conditions

Each preliminary or site plan approval will be contingent upon the developer submitting a letter from the Pasco County Environmental Control Division, reflecting that adequate solid waste disposal capacity is available to serve the number of units contained within the preliminary site plan.

11. Energy

Findings

Beacon Villages' electrical energy demand is projected to average 95,544 kilowatts per day upon completion. Peak demand is projected to be 13,270 kilowatts at build-out. All electrical service will be provided by Withlacoochee River Electric Cooperative. The ADA contains a letter indicating Withlacoochee's expected excess capacities and ability to provide electrical service to Beacon Villages "pending governmental and public regulation regarding the expansion of electrical facilities." The Withlacoochee River Electric Cooperative will be required to expand its existing facilities and must therefore obtain the necessary approvals, environmental permits and right-of-way acquisitions which are not yet in process. It is recommended that the Development Order referenced a firm commitment by Withlacoochee River Electric Cooperative to provide service to all phases of the proposed development.

Energy conservation measures have been incorporated into the overall design of Beacon Villages. Residential units at the proposed development will be constructed in accordance with the Florida Energy Efficiency Building Code. Beacon Villages will take advantage of energy conservation by clustering 39 percent of the proposed residential units and by providing on-site neighborhood shopping facilities which will reduce the need for vehicular travel.

Conditions

Preliminary or site plan approval of each phase will be contingent upon the developer presenting a letter to the County from Withlacoochee River Electric Cooperative, Inc. reflecting that the Cooperative has the ability to provide service to that phase receiving preliminary or site plan approval.

The energy conservation measures proposed in the ADA, such as heat exchanges, sodium vapor street lamps, use of recycled products, landscaping techniques, and bike paths, shall be implemented.

12. Transportation

Findings

Beacon Villages is proposed for construction in northern Pasco County, just east of U.S. 19 and south of the Pasco/Hernando County boundary. The major road serving the development site is C.R. 578. The western coastal area of Pasco County is undergoing an unprecedented period of growth with numerous residential developments proposed.

At present, the roadways surrounding the proposed site are generally operating at a satisfactory level of service (LOS) of C or better. The exceptions are U.S. 19 south of Fivay Road and S.R. 52 east of U.S. 19. These operate at daily LOS D and F, respectively.

The Development of Regional Impact/Application for Development Approval (DRI/ADA) includes an analysis of transportation impacts for the years 1986 and 1992 within the area bounded as follows:

- * U.S. 19 on the west,
- * S.R. 50 on the north,
- * U.S. 41 on the east, and
- * S.R. 52 on the south.

Few improvements are programmed within this area. The Florida Department of Transportation (FDOT) has scheduled widening of U.S. 19 to six lanes divided from south of S.R. 52 (Stone Road) to north of Fivay Road. Various intersections along this stretch of U.S. 19 will also be improved.

The DRI/ADA transportation analysis indicates that the general LOS on area roadways in 1986 will be quite good. However, the following roadways' daily LOS will deteriorate to below LOS C: portions of C.R. 578 (County Line Road), Fivay Road, and portions of U.S. 19. By 1992, these roadways, plus U.S. 41, will operate below daily LOS C. A number of intersections will also require upgrading during this period of time.

Since the project is expected to generate approximately 28,000 daily external vehicle trips, it will substantially contribute to increased congestion on the surrounding roadways. It is expected that by 1992 the project will contribute the following percentage of traffic to these roadways:

- * C.R. 578, from 50 percent to 72 percent of total traffic;
- * Cobblestone Drive, 51 percent of the traffic;

- * Fivay Road, 23 percent of the traffic;
- * U.S. 19, from 15 percent to 33 percent of the traffic; and
- * U.S. 41, from 13 percent to 26 percent of the traffic.

Conditions

- a. Pasco County shall adopt a West Pasco Interim Transportation Improvements Plan (ITIP) in cooperation with the Tampa Bay Regional Planning Council, the Florida Department of Transportation, the New Port Richey/West Pasco Metropolitan Planning Organization, and the developers in the study area. The ITIP shall be consistent in content with the methodology required for the adoption of a formal transportation improvements plan and shall include:
 - (1) An evaluation of existing and future levels of service on the regionally significant roadways in West Pasco County. All existing, approved, and projected development in the area will be considered in this evaluation.
 - (2) Proposed improvements to existing regionally significant roadways which are required in order to maintain a Level of Service C (Level of Service D in peak hours) or other acceptable Level of Service identified in any adopted ITIP on such roadways.
 - (3) Proposed new transportation corridors or roadways which will be needed to contribute to the maintenance of a Level of Service C (Level of Service D in peak hours) or other acceptable Level of Service identified in any adopted ITIP on existing regionally significant roadways.
 - (4) An assessment of traffic impacts from existing, approved, and projected development will be assessed.
 - (5) The procedures by which mass transit will be studied as a viable alternative for alleviating overburdening of regionally significant roadways.
 - (6) A formula or mathematical expression for allocating the proportionate share of the cost of improvements of the transportation system in West Pasco County. Such formula or mathematical expression may also be adopted, alternatively, by County Ordinance. The mathematical expression may take into account:

- (a) The number of external trips generated at the reasonably expected buildout level by each DRI on the specific regionally significant roadway links identified in the report of the Tampa Bay Regional Planning Council for each DRI (Exhibit D);
- (b) The number of trips which can be maintained at Level of Service C (Level of Service D in peak hours) or other acceptable Level of Service identified in any adopted ITIP on each specific improved regionally significant roadway identified in the report of the Tampa Bay Regional Planning Council (capacity) for each DRI (Exhibit D);
- (c) The improvements and cost of improvements of each specific regionally significant roadway identified in the report of the Tampa Bay Regional Planning Council for each DRI (Exhibit D);
- (d) A method for adjusting the proportionate share to reflect increases or decreases in prices due to inflation or deflation;
- (e) Assignments of specific roadway improvements to be constructed by the developer of each DRI based upon the DRI's proportionate share of the cost of such improvements of regionally significant roadways as such improvements are specified in the report of the Tampa Bay Regional Planning Council for each DRI (Exhibit D);
- (f) Designation of the timing or sequence for construction of specific roadway improvements by the developers of each DRI;
- (g) An adjustment or other credit where other funding sources are used to construct an improvement which is otherwise assigned to the DRI developer by the ITIP;
- (h) An adjustment or other credit to the proportionate share of the DRI developer for tax revenues to be contributed by the development subsequent to construction on the basis of a ratio between the total dollar amount of tax revenues devoted to road improvements in the

County budget and the dollar amount of the entire County budget.

- (7) Similar factors for other undeveloped and developing lands in western Pasco County.
- (8) Impacts on other roads in western Pasco County.

b. General Conditions

- (1) If the following roadway segments fall below Level of Service C or other acceptable Level of Service identified in the ITIP (or future ITIP) or Level of Service D in peak hours, the County shall not approve any further site plans or preliminary plans within the DRI beyond 1201 units until such time as the developer, the County, or other entities with jurisdiction make commitments to improve the roadways in a manner sufficient to restore said roadways to a Level of Service C (D in peak hours) or other acceptable Level of Service identified in the ITIP (or future revised ITIP):

- (a) County Line Road (CR-578) from U.S. 19 to the eastern boundary of the DRI.
- (b) U.S 19 from County Line Road (CR-578) to Fivay Road.
- (c) Fivay Road from U.S. 19 to S.R. 52.

- (2) The developer shall, prior to the completion of the first 1201 units and prior to the completion of the next additional 1,200 units thereafter, perform updated traffic analysis covering the external trips generated by the existing and approved development, plus the next projected phase or portion thereof for which the developer is seeking approval. The analysis shall be related to the then current existing and committed transportation systems. The traffic analysis shall be prepared in a format similar to that contained in the ADA, shall be in accordance with generally accepted traffic engineering practices, and shall be validated by a Transportation Planning Agency designated by the County. In addition, the traffic analysis may indicate alternative transportation improvements or mechanisms which, when implemented, will offset the transportation impacts of the DRI. The findings of this validated traffic analysis, when approved by the County and TBRPC, shall replace

the original DRI traffic analysis as presented in the ADA for all development up to the latest phase of development which is analyzed in the analysis. The findings of the validated traffic analysis may also be utilized by the County in any formula established in the ITIP for calculating the current proportionate share of the developer for the cost of the regionally significant improvements specified in the report of the Tampa Bay Regional Planning Council (Exhibit D) and associated improvement construction assignments designated for the developer.

- (3) The developer shall dedicate or donate, to the County right-of-way, sufficient to provide a total minimum of 120 feet in width along the following roads where said roads adjoin or traverse the boundaries of the project:

- (a) County Line Road (20-Foot Dedication)
- (b) Right-of-way for North/South Arterial (Colony Road Extension) from County Line Road to Duda Avenue (120-Foot Dedication).

The developer shall have 90 days from the time the right-of-way is needed to deed or otherwise dedicate the right-of-way.

- (4) Unless waived by the County, there shall be no physical road connection from Beacon Villages to Duda Avenue (to the south) until such time as the Colony Road Extension is constructed from Beacon Villages to 8th Avenue.

- (5) The developer shall construct left and right turn lanes on C.R. 578 (County Line Road) at U.S. 19, and deceleration and stack lanes on U.S. 19 at C.R. 578. These improvements must be constructed prior to the completion of Phase I or no further development in the DRI will be approved by the County. The cost of these improvements shall be credited toward Beacon Villages proportionate share of the traffic improvements as outlined in Condition d.

- (6) The developer shall construct Florida Department of Transportation Case IV improvements along all Beacon Villages' road intersections with C.R. 578 and, in addition, left and right turn lanes on the entrance roads.

(7) The developer shall contribute to the County the cost of traffic signalization at the three Beacon Villages entrance roads on C.R. 578. Each signalization contribution shall be made when the signalization for that specific intersection is found to be warranted by the County Engineer.

c. Transportation Improvement Alternatives - The Beacon Villages development will have a substantial negative impact on several regionally significant highway facilities within the primary impact area identified in the ADA. Roadway improvements required to mitigate the negative impact of this proposed development on transportation facilities have been identified in the ADA. The two alternatives which follow are measures which may mitigate the negative transportation impact associated with the Beacon Villages DRI. One of these two alternatives must be implemented by the County and/or the developer.

ALTERNATIVE I

1. Commitments for the following roadway improvements shall be made by Pasco County or other entity with jurisdiction before development approval shall be issued by the County beyond 1201 units.
 - a. Widen C.R. 578 from two lanes to four lanes from U.S. 19 to Beacon Villages' most eastern entrance road, referenced as needed in the ADA. (Beacon Villages is estimated to contribute 55 percent of the total projected 1986 traffic).
 - b. Add a left-turn lane to the westbound approach at the intersection of U.S. 19 with C.R. 578, referenced as needed in the ADA (70 percent of left-turn traffic).
 - c. Signalize the intersection of C.R. 578 and Cobblestone Drive, referenced as needed in the ADA (34 percent).
 - d. Signalize and add appropriate turn lanes at the intersections of C.R. 578 and the three Beacon Villages' entrance roads, referenced as needed in the ADA (54 percent, 58 percent, and 62 percent).
 - e. Widen Fivay Road from two lanes to four lanes from U.S. 19 to S.R. 52 (12 percent).

- f. Widen U.S. 19 from four lanes divided to six lanes divided from C.R. 578 to the beginning of the six lanes divided section north of Fivay Road (19 percent).
 - g. Add a left-turn lane to the northbound approach and signalize the intersection of U.S. 41 and C.R. 578 (18 percent).
 - h. Signalize the intersection of U.S. 19 and C.R. 578 (28 percent).
2. Commitments from Pasco County or other entities with jurisdiction for improvements of the following roadways is a prerequisite to development approval beyond 2574 units (Phase 2).
 - a. Widen C.R. 578 from two lanes to four lanes from Beacon Villages' most eastern entrance road to Cobblestone Drive, as referenced in the ADA (44 percent).
 - b. Add one right-turn lane to the northbound approach, one left-turn lane to the southbound approach, and one left-turn lane and one right-turn lane to the westbound approach at the intersection of C.R. 578 and U.S. 19; the total westbound approach width would be 48 feet including special turn lanes, as referenced in the ADA (40 percent).
 - c. Add one left-turn lane to the northbound approach, one right-turn lane to the southbound approach, and one left-turn lane to the eastbound approach at the intersection of C.R. 578 with U.S. 41; each approach would be 24 feet wide including special turn lanes, as referenced in the ADA (30 percent).
 - d. Add appropriate turn lanes to the intersection of C.R. 578 and Cobblestone Drive (46 percent).
 - e. Grade separate the intersection of U.S. 19 and Fivay Road (25 percent).
 - f. Widen U.S. 41 from two lanes to four lanes to the north and south of C.R. 578 (from 13 percent to 26 percent).

ALTERNATIVE II

1. Upon the adoption of the ITIP, any future revised ITIP, or County road impact fee ordinances, the provisions of Alternative

tive II shall be complied with, to the exclusion of Alternative I and the DRI developer may:

- a. Construct those specific roadway improvements established in any adopted ITIP which would be equivalent in cost to the amount of the DRI's proportionate share as determined by the ITIP funding formula; or,
 - b. Make a cash contribution of the DRI's proportionate share in accordance with the mathematical formula and timing schedule set forth in the ITIP, any future revised ITIP, or other County road impact fee ordinance provided that monies collected from the developer shall be expended on improvements within the DRI impact area, which are directly related to the objective of mitigating transportation impacts generated by the DRI. The developer shall become responsible for paying any established road impact fee for all units within the approved DRI, including the initial 1201 units, only to the extent and in the same manner such fees are imposed on other developers subject to such fees.
2. If equivalent roadway improvements are not constructed or cash contributions are not made in accordance with the ITIP or other County ordinance establishing road impact fees, the County shall not approve any further site or preliminary plans within the DRI beyond 1,201 units (Phase II).

13. Recreation

Findings

Recreation and open space for this development will include a 59.3-acre golf course with associated club facility, a 19-acre multipurpose public park, and 18 acres of marsh. The golf course will be privately owned and managed and is anticipated to be open to the public on a fee basis. The 19-acre park will be dedicated to Pasco County, and the developer will provide pedestrian, bicycle, and roadway access to the park. All other open space and recreation areas will become the responsibility of a homeowners' association. The large marsh area will remain in its natural state for passive recreational purposes and will become part of a condominium for maintenance.

Conditions

The 19.4-acre public park shall be deeded/dedicated to the County at the first submittal of any preliminary plan in Phase 2 or prior to February, 1983, whichever comes first. Maintenance of this facility will be the responsibility of the County. The ownership and maintenance of the remaining recreation/open space shall be assigned prior to the preliminary plan approval of each phase.

14. Educational Facilities

Findings

Beacon Villages development is designed to primarily provide housing for re-tired persons with a total of 358 school-age children estimated to reside at Beacon Villages upon completion of the project. The ADA contains a letter from the Pasco County District School Board confirming that the school system will be able to accommodate the students added from Beacon Villages and indicating that no new school facilities or sites will be necessary as a result of the proposed development.

Conditions

None.

15. Health Care

Findings

No specific on-site medical or health care facilities are proposed for Beacon Villages. The nearest hospital to Beacon Villages is located in Hudson, about 10 miles away. Emergency medical services (EMS) will be provided to Beacon Villages from existing EMS facilities operated by Pasco County with a present response time to the project site of about six minutes. At the present time, the EMS service has a full-time staff of 58 professionals. Recently, an additional 240 extended care beds were approved for Pasco and Hernando Counties, and a 60-bed facility will be constructed in the vicinity of Bayonet Point Hospital.

Conditions

See Condition #16 below.

16. Fire Protection

Findings

Fire protection services will be provided by Pasco County Fire Service District II. Primary service will be provided by Station 100 located on U.S. 19 near Fivay Road with a referenced response time of seven minutes and sec-

ondary service with a response time of twenty minutes. In addition, these will be backed up by Spring Hill Stations 1 and 2, located in Hernando County. A new fire station is needed in this area and the developer has agreed to donate a site at Beacon Villages for a fire station.

Conditions

The project shall be served by the Pasco County Fire Service and the developer shall donate to the County \$25 per dwelling unit for public safety facilities and equipment, in lieu of the one acre Fire/EMS station site. This rate shall remain until such time as the County establishes such impact fees. These funds shall be donated prior to building permit issuance.

17. Police Protection

Findings

Beacon Villages will be served by the Pasco County Sheriff's Department. A letter from the Sheriff's Department indicates that the department will be able to provide anticipated police protection services to the future residents at Beacon Villages and that response time for emergency calls should not exceed five minutes. No on-site police protection services, facilities, or sites will be dedicated or otherwise provided.

Conditions

None.

18. Housing

Findings

Beacon Villages is a proposed 2,996-unit residential development. It is planned to consist of a variety of housing types to include single family detached and villa condominium units. The price range for the units will range between \$31,900 and \$57,900. The proposed site for Beacon Villages will be developed by its owner, Frank Orsi, as finished lots with all major improvements completed. The developed sites will then be offered to Beacon Homes, Inc. who will build the finished units for sale to qualified purchasers.

The primary marketing effort for Beacon Villages will be directed within the Tampa Bay Region, and the major target group is expected to be the 55 and over age group. Upon completion, the 55+ age group is anticipated to represent 65 to 72 percent of all purchasers in Beacon Villages. Beacon Villages will not be oriented to the vacation home buyer, but absentee owners are expected to comprise up to 10 percent of the buyers of single family detached

units and as much as 30 percent of the villa condominium owners. The net and gross residential densities for Beacon Villages at built-out will be 4.9 and 4.7 units/acre.

Conditions

None.

19. Economy

Findings

Approximately \$117 million will be spent on the construction of Beacon Villages, of which 66 percent will be spent in the Tampa Bay Region. The proposed development will generate employment for 3,465 construction workers and, upon completion, an estimated 118 permanent jobs will be created with an annual payroll of \$1.5 million. It is estimated that the ad valorem tax yield from the development will be \$1,404,179 at built-out. The project will generate over \$30 million in total retail expenditures.

This development will take 118 acres of land currently planted in orange groves and 467.5 acres of planted pines. However, the orange groves were heavily damaged in the 1981 frost. The planted pines are small and would not be marketable for at least 10 years.

Major capital improvements will be necessary to accommodate this proposed development in several areas of public facilities. Development costs for internal streets, drainage, sewer, and water supply will be borne solely by the developer. In addition, as outlined in the ADA, the developer has agreed to provide a number of off-site and additional on-site capital improvements as part of the PUD rezoning agreement for Beacon Villages. Also, considerable transportation improvements will be required as a result of this development.

Conditions

None.

Conclusions of Law

The Board of County Commissioners hereby finds as follows:

1. The Beacon Villages DRI will not unreasonably interfere with the achievement of the objectives of the State Land Development Plan, if any, applicable to the area encompassed in ADA;
2. The development is consistent with local land development regulations;

3. The development is consistent with the report and recommendations of the Regional Planning Agencies.
4. The development is not in an area of critical state concern.

General Conditions Restricting Development

1. Development of the area embraced by the ADA shall be governed by the standards and procedural provisions of adopted comprehensive plans, elements thereof, and land development regulations.
2. Construction of all improvements shall be governed by applicable County building, plumbing, electrical, energy, and other codes or regulations.
3. Installation of public facilities shall conform to regulations established in County codes or ordinances establishing such regulations.

Monitoring Procedures

1. The local official responsible for monitoring the Beacon Villages Development of Regional Impact shall be the Director of Community Development.

Duration

1. This development order shall take effect on July 6, 1982.
2. The duration of the development order shall be a period of fourteen (14) years, provided that the effective period may be extended by the Board upon a showing of good cause.

Annual Report

1. Frank Orsi shall provide an annual report to the official responsible for monitoring the DRI, the Tampa Bay Regional Planning Council, and the state land planning agency on July 6th of each year during the term of the development order. The report shall include, at a minimum, the following information:
 - a. Any changes in the proposed plan of development;
 - b. Description of the development activities which have occurred over the previous year, including a summary of the number, type, and location of residential units and commercial structures;
 - c. A description of development activity proposed for the next year;
 - d. A statement setting forth names and addresses of any assignees or successors in interest to this development order.

Amendment/Substantial Deviations

All proposed substantial and material changes to a Development of Regional Impact for which a development order has been approved shall be submitted to the Board of County Commissioners for a substantial deviation determination prior to implementation of such

changes by the developer. As used in this paragraph, the term substantial deviation means any change to a previously approved Development of Regional Impact which creates a reasonable likelihood of additional significant adverse regional impacts or any other significant regional impact which was not previously reviewed by the Board of County Commissioners or the Regional Planning Agency. The following types of changes to the approved DRI development shall require submission for a substantial deviation determination:

1. Any proposed plans which differ substantially from an approved Master Site Plan or Master Drainage Plan.
2. Any plan which does not substantially conform to or implement the conditions set forth in this development order.

Prior to amending any provision in this development order or issuing any substantial deviation determination, the County shall provide Tampa Bay Regional Planning Council with reasonable notice of its intent to consider such an amendment. Such notice shall be reasonably calculated to permit Tampa Bay Regional Planning Council to appear at the public hearing or present written comments on the proposed change prior to the effective date of the amendment or change.

Effect of Development Order/ADA

1. The requirements of and conditions imposed by this development order shall constitute regulations or restrictions which restrict the development of the property described in Exhibit "A" attached hereto. Following the adoption of this development order, all plans for development on the referenced property shall be consistent with the conditions and restrictions recited in this development order. Such regulations and restrictions shall be binding upon all successors in interest to any of the parties hereto.
2. All development of the property subject to this development order shall substantially conform to the ADA filed by Frank Orsi, unless otherwise modified by the provisions of this development order. Said ADA is attached hereto as Exhibit "C".

Miscellaneous Provisions

1. 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(14)(a), Florida Statutes, and the development order contained herein shall govern the development of the Beacon Villages DRI.
2. The County Attorney is hereby authorized and directed to cause a certified copy hereof to be served on the State Land Planning Agency, the Tampa Bay Regional Planning Council, and upon attorneys of record in these proceedings

for Frank Orsi.

3. Funds collected from fees imposed under this development order shall be placed in separate trust accounts for each type of capital improvement for which the fee was collected, including transportation facilities and public safety facilities. Thereafter monies collected shall be used solely for the expansion of such capital improvements necessitated by the impacts of the development approved in the development order.

Severability

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that 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 said section, subsection, sentence, clause, or provision, and shall not be effected by such holding.

DONE AND RESOLVED this 10th day of July, 1982.

(SEAL)

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY: [Signature]
BARRY M. DOYLE, CHAIRMAN

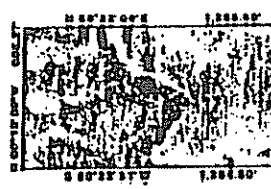
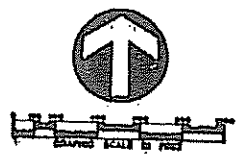
ATTEST:

Jed Pittman

Jed Pittman, Clerk

APPROVED AS TO FORM AND LEGALITY
Office of the County Attorney

[Signature] Attorney



LEGAL DESCRIPTION

THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 17 EAST, PASCO COUNTY, FLORIDA AND ALL OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 17 EAST, PASCO COUNTY, FLORIDA 1880 THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 8, AND 1880 THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 8, AND LESS THE NORTH 2000 FEET OF SAID SECTION 8 FOR RIGHT-OF-WAY OF COUNTY LINE ROAD

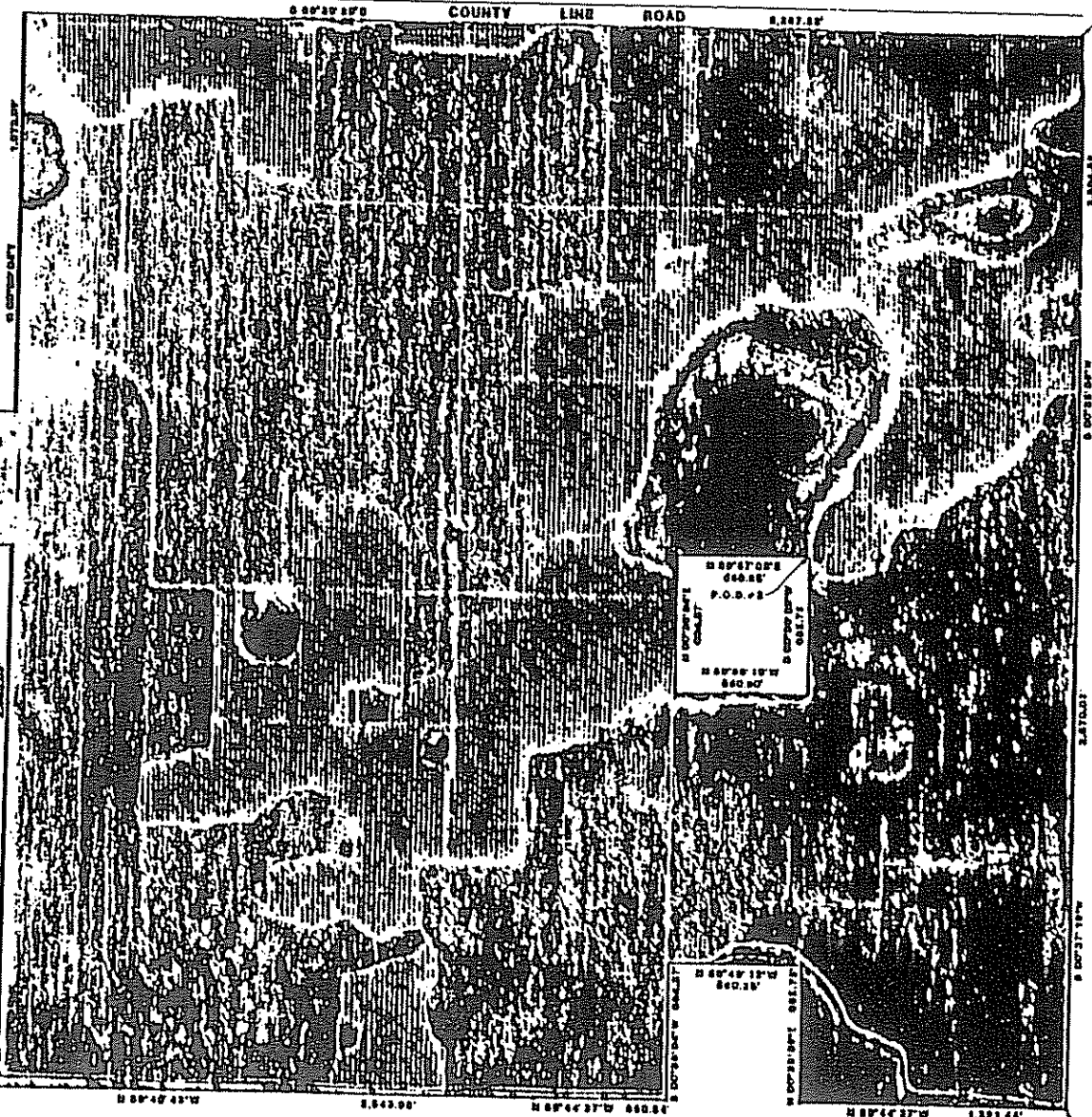
BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 17 EAST, PASCO COUNTY, FLORIDA, AND RUN 8 00'00" N 86 15'00" E 86 15 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, SAID POINT BEING THE POINT OF BEGINNING, THENCE CONTINUE S 80°00'00" W, ALONG THE EASTERLY LINE OF SAID SECTION 8 A DISTANCE OF 8,540.00 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 8, THENCE S 80°00'00" W, 8 540.00 FEET ALONG THE EASTERLY LINE OF SAID SECTION 8, TO THE SOUTHWEST CORNER OF SAID SECTION 8, THENCE N 80°00'00" W, ALONG THE SOUTHERLY LINE OF SAID SECTION 8 A DISTANCE OF 1,321.44 FEET, THENCE N 80°00'00" W, 850.00 FEET, THENCE S 80°00'00" W, 850.00 FEET, THENCE N 80°00'00" W, 850.00 FEET, THENCE S 80°00'00" W, 850.00 FEET TO A POINT ON THE SOUTHERLY CORNER OF SAID SECTION 8, THENCE N 80°00'00" W, 850.00 FEET TO THE SOUTH 1/2 CORNER OF SECTION 8, THENCE N 80°00'00" W, 8 540.00 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 8, THENCE S 80°00'00" W, 8 540.00 FEET TO THE WEST 1/4 CORNER OF SECTION 8, THENCE S 80°00'00" W, 1,321.44 FEET ALONG THE EASTERLY CORNER OF SECTION 8, THENCE N 80°00'00" W, 850.00 FEET, THENCE S 80°00'00" W, 1,321.44 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY LINE ROAD, THENCE S 80°00'00" W, ALONG SAID RIGHT-OF-WAY LINE 8 167.24 FEET TO THE POINT OF BEGINNING, LESS THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 8.

BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 8 AND RUN S 80°00'00" W, 1,321.44 FEET TO THE POINT OF BEGINNING IF N 80°00'00" W, 850.00 FEET, THENCE S 80°00'00" W, 850.00 FEET, THENCE N 80°00'00" W, 850.00 FEET, THENCE S 80°00'00" W, 850.00 FEET, THENCE N 80°00'00" W, 850.00 FEET, THENCE S 80°00'00" W, 850.00 FEET TO A POINT ON THE SOUTHERLY CORNER OF SAID SECTION 8.

SAID PARCEL CONTAINS 600 ACRES MORE OR LESS.



PREPARED FOR
FRANK ORSI
 NEW PORT RICHEY, FLORIDA

PREPARED BY
NEA Engineering Associates, Inc.
 TAMPA, FLORIDA
 AUGUST, 1981

Beacon Villages
 PASCO COUNTY, FLORIDA

EXHIBIT A
 AERIAL PHOTOGRAPH
 & BOUNDARY MAP

EXHIBIT "B"
Summary of Impacts

<u>Total Development Area:</u>	640.0 Acres (Total)
<u>Residential:</u>	536.1 Acres
<u>Commercial/Offices:</u>	5.8 Acres
<u>Recreation/Open Space:</u>	98.1 Acres
 <u>Total Projected Population:</u>	7,000
 <u>Number of Dwelling Units:</u>	2,996
 <u>Average Price Range:</u>	\$31,900 - \$57,900 (1981 dollars)
 <u>Estimated Project Construction Expenditures:</u>	\$117,838,496
 <u>Estimated Cumulative Ad Valorem Tax Yield:</u>	\$1,404,179

Water Supply:

<u>Estimated Daily Water Requirements at Build-Out</u>	780,000 gallons per day
<u>Potable:</u>	260,000 gallons per day
<u>Non-Potable:</u>	1,040,000 gallons per day
<u>Total:</u>	

Sewage Treatment:

<u>Estimated Average Daily Flows at Build-Out</u>	693,000 Gallons Per Day
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Solid Waste:

<u>Estimated Average Daily Generation at Build-Out</u>	13.73 Tons/Day
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Energy:

<u>Projected Average Daily Electrical Requirement at Build-Out</u>	95,544 KiloWatt Hours
 <u>Peak Demand:</u>	13,270 KiloWatt Hours

Beacon Villages Phasing Schedule						
Phase	Units	Acres	Residential		Commercial	
			2 of	Size	2 of	Size
1	419	76.2	11.9	—	59.3	9.3
2	782	118.7	18.5	—	19.4	3.0
3	692	147.5	23.1	—	—	—
4	681	94.2	14.7	5.8	—	—
5	422	100.3	15.7	—	—	—
Totals	2,996	536.9	83.9	5.8	78.7	12.3

Primary Transportation Network:

	<u>Percentage of Average Daily Traffic</u> <u>Attributed to Development at Build-Out</u>	
	<u>Build-Out</u> <u>Level of Service</u>	<u>Existing</u> <u>Level of Service</u>
C.R. 578 -50 to 72 percent	E	C
Cobblestone Drive - 51 percent	C	B
Fivay Road - 23 percent	F	C
U.S. 19 - 15 to 33 percent	D	C
U.S. 41 - 13 to 25 percent	E	C

Build-Out:

1992

Exhibit "D"

The following roadway improvements were found to be needed to maintain a L.O.S. C by the time of Beacon Villages' build-out (approximately 1992). It is not intended that Beacon Villages be required to construct 100% of these improvements. This list is intended for purposes of calculating Beacon Villages' proportionate share of roadway improvements. The proportionate share may be used for construction of some of these improvements or toward construction of alternative improvements, which come from the interim transportation improvements plan.

Widen C.R. 578 from two lanes to four lanes from U.S. 19 to Beacon Villages' most eastern entrance road, referenced as needed in the ADA.

Add a left turn lane to the westbound approach at the intersection of U.S. 19 with C.R. 578, referenced as needed in the ADA.

Signalize the intersection of C.R. 578 and Cobblestone Drive, referenced as needed in the ADA.

Signalize the intersection of C.R. 578 and U.S. 19.

Widen Fivay Road from two lanes to four lanes from U.S. 19 to S.R. 52.

Widen U.S. 19 from four lanes divided to six lanes divided from C.R. 578 to the beginning of the six lanes divided section north of Fivay Road.

Add a left turn lane to the northbound approach and signalize the intersection of U.S. 41 and C.R. 578.

Signalize the intersection of U.S. 19 and C.R. 578.

Widen C.R. 578 from two lanes to four lanes from Beacon Villages' most eastern entrance road to Cobblestone Drive, as referenced in the ADA.

Add one right turn lane to the northbound approach, one left turn lane to the southbound approach, and one left turn lane and one right turn lane to the westbound approach at the intersection of C.R. 578 and U.S. 19; the total westbound approach width would be 48 feet including special turn lanes, as referenced in the ADA.

Add one left turn lane to the northbound approach, one right turn lane to the southbound approach, and one left turn lane to the eastbound approach at the intersection of C.R. 578 with U.S. 41; each approach would be 24 feet wide including special turn lanes, as referenced in the ADA.

Add appropriate turn lanes to the intersection of C.R. 578 and Cobblestone Drive.

NOTICE OF ADOPTION OF DEVELOPMENT ORDER

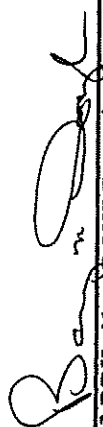
BEACON VILLAGES DRI

Pursuant to Section 380.06(14)(d), Florida Statutes, notice is hereby given that the Pasco County Board of County Commissioners, by Resolution No. 82- , dated , 1982, has adopted a Development Order for the Development of Regional Impact known as Beacon Villages. A legal description of the property covered and the Development Order may be examined upon request at the Office of the Clerk to the Board of County Commissioners of Pasco County, Pasco County Courthouse, Dade City, Florida.

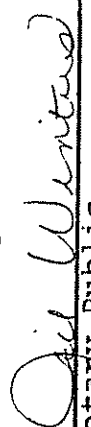
The above referenced Development Order constitutes a land development regulation applicable to the property described in Exhibit "A".

THE RECORDING OF THIS NOTICE SHALL NOT CONSTITUTE A LIEN, CLOUD, OR ENCUMBRANCE ON THE REAL PROPERTY DESCRIBED IN EXHIBIT "A" NOR ACTUAL NOR CONSTRUCTIVE NOTICE OF ANY OF THE SAME UNDER THE AUTHORITY OF SECTION 380.06(14)(d), FLORIDA STATUTES.

State of Florida)
County of Pasco)


BARRY M. DOYLE, Chairman
Board of County Commissioners

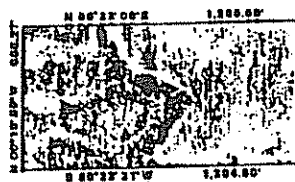
The foregoing Notice of Adoption of Development Order was acknowledged before me this 6th day of July, 1982.


Notary Public
State of Florida at Large
My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JULY 13 1983
*BONDED THRU GENERAL INS. UNDERWRITERS

APPROVED AS TO FORM AND LEGALITY
Office of the County Attorney .

By  Attorney



THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8,
TOWNSHIP 24 SOUTH, RANGE 12 EAST, PASCUD COUNTY, FLORIDA AND ALL OF SECTION 8,
TOWNSHIP 24 SOUTH, RANGE 12 EAST, PASCUD COUNTY, FLORIDA LESS THE SOUTHWEST
1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF RAO BAND SECTION 8, AND LESS THE
NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF RAO BAND SECTION 8,
AND LESS THE NORTH 8000 FEET OF RAO BAND SECTION 8 FOR RIGHT-OF-WAY OF COUNTY
LINE ROAD.

SEMS FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 44 SOUTH, RANGE 17 EAST, PARCELO COUNTY, FLORIDA AND RUN S 60°00'00"E, 284.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY LINE ROAD, SAID POINT BEING THE POINT OF BEGINNING, THENCE CONTINUE S 60°00'00"E, ALONG THE EASTERNLY LINE OF SAID ROAD, A DISTANCE OF 1,326.00 FEET ALONG THE EAST 1/4 CORNER OF SAID SECTION 8, THENCE S 60°00'00"E, 1,326.00 FEET ALONG THE EAST 1/4 CORNER OF SAID SECTION 8, TO THE SOUTHEAST CORNER OF SAID SECTION 8, THENCE S 60°00'00"E, ALONG THE SOUTHERLY LINE OF SAID SECTION 8, A DISTANCE OF 1,326.00 FEET, THENCE N 60°00'00"E, 633.00 FEET, THENCE S 60°00'00"E, 1,326.00 FEET, THENCE S 60°00'00"E, 633.00 FEET, THENCE S 60°00'00"E, 1,326.00 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID SECTION 8, THENCE N 60°00'00"E, 633.00 FEET TO THE SOUTH 1/4 CORNER OF SECTION 8, THENCE N 60°00'00"E, 1,326.00 FEET TO THE WEST 1/4 CORNER OF SECTION 8, THENCE N 60°00'00"E, 633.00 FEET TO THE WEST 1/4 CORNER OF SECTION 8, THENCE N 60°00'00"E, 1,326.00 FEET ALONG THE EASTWEST CENTERLINE OF SECTION 8, THENCE N 60°00'00"E, 633.00 FEET, THENCE N 60°00'00"E, 1,326.00 FEET TO A POINT ON THE WESTERLY LINE OF SECTION 8, THENCE N 60°00'00"E, 1,326.00 FEET TO A POINT ON THE WESTERLY LINE OF RIGHT-OF-WAY LINE OF SAID COUNTY LINE ROAD, THENCE S 60°00'00"E, ALONG SAID ROAD, A DISTANCE OF 1,326.00 FEET TO THE POINT OF BEGINNING, LESS THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8.

BEING FURTHER DESCRIBED AS FOLLOWS,
COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 6 AND RUN E 89°31'46"W,
325.17 FEET TO THE POINT OF BEGINNING OF CURVE #1, THENCE @ 90°48'46"W, 636.18
FEET, THENCE @ 89°18'10"W, 800.00 FEET, THENCE @ 90°48'46"W, 804.18 FEET, THENCE
N 61°01'48"E, 66.18 FEET TO THE POINT OF BEGINNING OF SAID PARCEL SUBJECT TO A
36 FOOT UNINCORPORATED EASEMENT OVER THE SOUTH 60.00 FEET OF THE WEST 1/4 OF
SAID SECTION 6

ALL PARCEL CONTAINERS ARE TO BE KEPT CLOSED UNTIL USED

PREPARED BY
NA King Engineering Associates, Inc.
 Coral Gables, Florida August, 1961

EXHIBIT A
AERIAL PHOTOGRAPH
& BOUNDARY MAP