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Darrin Taylor
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November 20, 2012

Karl Holley, Planning Director
Sumter County Planning Department
7375 Powell Road, Suite 115
Wildwood Florida 34785

Re: Section 380.06(19)(e)2. Amendment to The Tri- County Villages of Sumter DRI

Dear Mr. Holley:

The Villages is requesting a minor amendment to the Tri-County Villages of Sumter DRI development order, specifically the solid waste provisions in Section III.H. of the DO. This amendment meets the criteria for a minor change based on a determination by the Department of Economic Opportunity (DEO) pursuant to s.380,06(19)(e)2.l. The Department's determination letter is attached as **Exhibit A** to the application.

Since this amendment is an (e)2. change, then no NOPC review is required. Enclosed is our application requesting an amendment to the development order which includes the proposed development order language.

Thank you for your cooperation and assistance. If there are any questions, please call me.

Sincerely,

Darrin Taylor, AICP
Government Consultant

DFT/bno
Attachment

25131922.1

REQUEST FOR SECTION 380.06(19)(E)2.K., F.S. CHANGE FOR THE TRI-COUNTY VILLAGES OF SUMTER DRI

(11th Amendment)

Prepared for:

THE VILLAGES OF LAKE-SUMTER, INC.
1020 LAKE SUMTER LANDING
THE VILLAGES, FLORIDA 32162

Prepared by:

CARLTON FIELDS, P.A.
215 SOUTH MONROE, SUITE 500
TALLAHASSEE, FLORIDA 32302

NOVEMBER, 2012

REQUEST FOR SECTION 380.06(19)(E)2.K., F.S. CHANGE FOR THE TRI-COUNTY VILLAGES OF SUMTER DRI

1. I, Darrin Taylor, the undersigned authorized representative of The Villages of Lake-Sumter, Inc., hereby gives notice of a proposed change to an approved Development of Regional Impact (DRI) in accordance with Section 380.06(19)(e)2.k., F.S. In support, I submit the following information concerning the The Tri-County Villages of Sumter DRI, which information is true and correct to the best of my knowledge. As supported in this application, this change meets the criteria of Section 380.06(19)(e)2.k., F.S., thereby no NOPC review is required. A copy of the Department of Economic Opportunity's (DEO) determination letter is attached as **Exhibit A**. The local government can approve the amendment based on their local approval process. However, we are providing courtesy copies of the proposed amendment, under separate cover, to the Withlacoochee Regional Planning Council (WRPC) and the DEO. The statute does require that a copy of the adopted amendment be submitted to the WRPC and DEO pursuant to Section 380.06(19)(e)2., F.S.

11/20/12
(Date)

(Signature)

2. **Applicant (name, address, phone).**

The Villages of Lake Sumter, Inc.
c/o Martin L. Dzuro, Vice President
990 Old Mill Run
The Villages, Florida 32162
(352) 753-6262

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

Darrin Taylor, AICP
Carlton Fields, P.A.
215 South Monroe, Suite 500
P.O. Drawer 190
Tallahassee, Florida 32302
(850) 224-1585
dtaylor@carltonfields.com

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

Sumter County, Township 18 South, Range 2 East, Section 1.

5. **Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representations contained in either the development order or the Application for Development Approval.**

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate.

The Villages is proposing to amend the solid waste provisions, specifically Section III.H of the Tri-County Villages of Sumter DO. Currently the development order limits the Villages' authority to provide solid waste service to the buildout date of the development order. The Villages would like to remove that limitation. Attached is the current and proposed development order language as **Exhibit B**.

This development order amendment would not result in any regional impacts. Under Chapter 380.06(19)(e), F.S., changes that clearly do not create regional impacts are not substantial deviations and are eligible for approval as a s.380.06(19)(e)2. amendment. While there is no specific provision under (19)(e)2. regarding this type of change, the DEO has determined based on its statutory authority in s.380.06(19)(e)2.l. that this change meets the (e)2 criteria. The DEO's determination letter is attached as **Exhibit A**.

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

Tri-County Villages is a mixed-use retirement community located in northwestern Lake County/Town of Lady Lake and in northeastern Sumter County. It was formerly referred to as Orange Blossom Gardens and consists of four components.

A. A portion of the property lying north and east of U.S. 27/441 was vested from Development of Regional Impact (DRI) review pursuant to a binding letter of vested rights dated November 29, 1973.

B. On January 18, 1988, the second portion of the development was approved as a DRI known as Orange Blossom Gardens-South (OBGS) by the Town of Lady Lake in Ordinance 88-1.

C. The third portion of the development was approved on May 7, 1990 by Town of Lady Lake Ordinance 90-12 for development as a substantial deviation to the original OBG-South DRI. This ordinance recognized the addition of a large development called Orange Blossom Gardens-West (OBGW) in Sumter County adjacent to OBGS. The OBGW DRI was approved on May 29, 1990 by the Sumter County Board of County Commissioners and on May 7, 1990 by the Town of Lady Lake. The OBGW DRI DO subsequently received minor amendments on August 14, 1990, and again on February 16, 1993.

D. The fourth component of the Orange Blossom Gardens development was approved on September 20, 1994 by the Sumter County Commission and October 12, 1994, by the Town of Lady Lake. This component added significant land area and development to the OBGW and OBGS DRIs and consolidated the entire development into a single entity called the Tri-County Villages under the new corporate name of Villages of Lake-Sumter, Inc.

A complete history of The Tri-County Villages DOs and amendments in Lady Lake and Sumter County is provided below:

<u>Lady Lake Ordinance 88-1</u>

This ordinance, approved on January 18, 1988 by the Town Council, authorized the original DRI DO for OBGS. The DO authorized 1,375 single-family residential units, 225 multi-family units and 500,000 s.f. of commercial space on 595.17 acres.

<u>Lady Lake Ordinance 90-12</u>

The Town Council approved this ordinance on May 7, 1990. The ordinance was passed to recognize the authorization of additional development of Orange Blossom Gardens in

Sumter County. The DRI-sized addition to the development in Sumter County was treated as a substantial deviation from the OBGS DO. However, the new development in Sumter County was named Orange Blossom Gardens-West. No additional development was authorized in the Town of Lady Lake. See Sumter resolution dated May 29, 1990 below for development authorized for OBGW.

Sumter County Resolution dated 05/29/90

This resolution authorized the OBGW substantial deviation to the OBGS DO. The DO authorized 200,000 s.f. gross leasable area (GLA) of community commercial space, 3,425 single family residential units and 2,725 multi-family units or any combination of these residential types, not exceeding 6,150 dwelling units on 1,737 acres and a gross density of 3.54 units per acre if conventionally constructed housing is employed. If any manufactured housing is utilized, a deviation of 10% from the maximum caps on 3,425 single family units and 2,725 multi-family units is allowed providing the total does not exceed 6,150 dwelling units on 1,737 acres and a gross density of 3.54 units per acre is maintained.

Sumter County Resolution dated 08/14/90

This amendment to the May 29, 1990 Sumter County DO provided clarification to Section III, H.3.b. (Page 9) of the resolution regarding hurricane preparedness. The amendment required the Developer to submit an emergency preparedness plan meeting the mitigation requirements of Rule 9J-2.0265 F.A.C. prior to the issuance of the 146th building permit or occupancy permit for mobile homes. The annual status report of the Developer shall show the cumulative and annual number of building permits and occupancy permits issued for mobile homes.

Sumter County Resolution dated 02/16/93

This amendment to the May 29, 1990 Sumter County DO amended the requirement that no building permit would be approved for any residential structure unless the structure had direct access via a Sumter County road to the North-South Collector road connecting CR-466 with US-441/27. The amendment provided an exception for a rectory for the St. Timothy's Catholic Church.

Sumter County Resolution dated 09/20/94

This amendment to the May 29, 1990 Sumter County DO consolidated all of the development in Sumter County approved for OBGW under the May 29, 1990 resolution and its amendments plus additional development and land area. The consolidated DO provided for 12,400 conventionally constructed single family dwelling units on 2,097.3 acres; 20 acres of institutional space, on which the Developer may construct local government and community facilities and up to 200,000 square feet of churches; up to 1,200 ACLF units; 910,000 square feet of Gross Floor Area (GFA) of neighborhood, community or general retail structures on 103 acres; 120,000 square feet GFA of office space on 12 acres; 720 acres of golf courses; and 738 acres of related roads, recreation and conservation areas, on a total project area of 3,697 acres, where residential density shall not exceed 3.354 dwelling units per gross acre.

Lady Lake Ordinance 94-17

This amendment to Ordinance 90-12 provided approval for additions to the OBGS or Lady Lake portion of the development and consolidated the total development in Lady Lake. The DO approved total development in the Town of Lady Lake to be 2,048 single family attached or detached dwelling units on 393 acres; 1,250,000 s.f. of Gross Floor Area of neighborhood, community, or general retail structures on 160 acres; 60 acres of golf courses, and 75 acres of related roads, recreation and conservation areas for a total project area of 688 acres, where residential density shall not exceed 3 dwelling units per gross acre.

Memorandum of Correction to Ordinance 94-17

A Memorandum Of Correction was filed by the Town Manager of Lady Lake correcting three "scrivener's errors" to Ordinance 94-17.

Sumter County Resolution dated 10/29/96

This amendment to the September 20, 1994 resolution of Sumter County implemented the following changes: Reconfigured golf courses for Villages 4 and 5 to eliminate 9 Holes and eliminate 9 holes from Village 9; provided for filling wetland areas 12A and 12B in Village 4; realigned a road (El Camino Real) along the northern boundary of the project and added a roundabout (traffic circle) as an entrance feature; relocated residential land from Village 4 to Village 2 commercial area and relocated commercial development in Village 2 to east side of El Camino Real; created new lakes in Village 4; relocated water wellfields from Florida Power Corporation ROW easement to areas adjacent to the Gopher Tortoise Preserve and the Central Gopher Tortoise Management Area/Kestrel Preserve; added 43± acres to the northeast side of the DRI along US 441/27 and classified the area as Village Commercial on the Master Development Plan; corrected a scrivener's error in the alignment of the acreage totals with the corresponding land uses in The Tri-County Villages DO Land Use Allocations (Revised 4/6/94) table (Exhibit B) and correctly reflected the new land use totals in the revised Land Use Allocation Table (June 1996).

Lady Lake Ordinance 98-13 dated 8/3/98

This amendment designated an existing 48 unit hotel in the Village Town Center commercial area as a separate DRI land use and converted 100 units of residential sufficient to accommodate the 48 hotel units without increasing total traffic. The amendment added 47 townhouse hotel rental units to the Village Town Center commercial area and converted 35 units of residential and 8,000 s.f. of retail commercial sufficient to accommodate the 47 hotel units without increasing total traffic. The amendment also designated an existing 8 screen movie theater in the Village Town Center commercial area as a separate DRI land use and converted 32,000 s.f. of retail commercial sufficient to accommodate the 8 screen, 1,235 seat theater without increasing total traffic.

Sumter County Resolution dated 9/15/98

This resolution made minor changes in land use locations and acreage amounts and designated a Medical Center complex on Map H consisting of a possible 90 bed hospital, a wellness center and medical office; converted 39,700 s.f. (figure rounded) of the

currently approved 850,000 s.f. of Village Commercial in Sumter County into a proposed 90 bed hospital; reduced the development plan by 410 residential units and 26,000 s.f. of Village Commercial to accommodate additional traffic resulting from conversion of general Office to Medical Office and to correct December 1993 traffic generation analysis which used 90,000 s.f. of Office instead of 120,000 s.f.

Lady Lake Ordinance No. 99-37 dated 10/18/99

This Ordinance amended the DO to provide for the following changes:

Land use changes as reflected in the Land Use Allocation Table and Phasing Chart and Map H (revised August 1999) for the Sumter County Tri-County Villages area; transfer 47 existing townhouse villa hotel units allocated in the Village Town Center commercial area to the La Hacienda hotel location to increase the hotel allocation in this location to 95 units; add 33 new hotel units to the La Hacienda hotel location thereby raising the total hotel allocation in this location to 128 hotel units and decreasing the land area for the hotel land use by 6.3 acres to construct 80 new hotel units; add 147 townhouse residential units to the Village Town Center commercial area and increase residential acreage by 20.1 acres; convert 27,000 s.f. of retail commercial sufficient to accommodate the additional 33 hotel units and 147 residential units and decrease Town Center commercial acreage by 13.8 acres.

Lady Lake Ordinance 2000-20

This ordinance added the Sumter County Commercial Area known as "Spanish Plaines" to Map H-1 so that it will depict the entire Town Center area. It reclassified three areas to Institutional land use to reflect church use. These areas include 4.0 acres for Church On The Square (Lady Lake), 3.4 acres for St. George Episcopal Church (Lady Lake), and 1.3 acres for St. Timothy's Catholic Church (Lady Lake). The ordinance reduced Town Center Commercial (Lady Lake) by 4.0 acres, 3.4 acres and 1.3 acres, a total of 8.7 acres. It added provisions to the DO strengthening the requirement to maintain level of service on public roads internal to the development.

Sumter County Resolution dated 5/15/00

This resolution added a commercial area known as "Spanish Plaines" to Map H-1; redesignated 10.8 acres of Institutional land use to Village Center Commercial; reclassified 2.8 acres from Village Commercial to Institutional land use for St. Timothy's Catholic Church; reclassified 2.8 acres of Open Space to Institutional land use; reclassified .78 acres of Open Space to Well/Water Treatment Plant land use; reconfigured the medical center area of 3.9 acres of Village Commercial (retail), 7.5 acres of Office and 9.2 acres of Hospital to 14 acres of Office and 6.6 acres of Hospital without changing the overall gross floor area of Village Commercial, Offices or the number of Hospital beds; redesignated .9 acres of Village Center Commercial to Residential without changing the number of residential units; redesignated .6 acres of roads as Wellfields/Water Treatment Plant, and; added a condition strengthening the requirement to maintain level of service on public roads internal to the development.

Sumter County Resolution dated 9/12/01

This resolution made the following changes in land use locations, acreage amounts and entitlements to the Sumter County portion of the DRI:

Converted 14.8 acres of Residential land in Village 2 located adjacent to CR 466 to Institutional use for the construction of two churches; converted 19 acres of Neighborhood Commercial located in Village 9 at the intersection of Buena Vista Boulevard and El Camino Real to Residential Use; Increased the number of hospital beds from 90 to 350; revised the residential and golf course phasing of the DRI to reflect much higher absorption rates for residential housing and associated golf course construction than originally programmed; reduced the acreage for golf courses was by 2.8 acres and residential acreage was increased by 2.8 acres; deleted 60,000 s.f. of Neighborhood Commercial in Sumter County to accommodate additional traffic resulting from the increase of 260 hospital beds.

Sumter County Resolution dated 5/14/02

This resolution made the following changes in land use locations and acreage amounts to Map H and H-1, Master Development Plan and its accompanying Land Allocation and Phasing Tables:

A. Add 232.5 acres to the existing DRI but not increase existing entitlements;

B. Add 184.8 acres of Residential land to the development plan;

C. Add a net of 5.9 acres of Village Commercial land to the development plan and convert 23.4 acres of Village Commercial to Residential to accommodate Nursing Home beds and/or Adult Congregate Living Facilities;

D. Add 15 acres of Institutional land to accommodate church construction;

E. Increase Lakes/Retention land use by 15 acres;

F. Add 11.7 acres of Roadways; and

G. Provide for an additional access point to the regional roadway network via C.R. 101.

Sumter County Resolution dated 4/22/2003

This resolution made the following changes in land use locations and acreage amounts to Map H and H-1, Master Development Plan and its accompanying Land Allocation and Phasing Tables:

A. Add a 4.1 acre parcel to the existing DRI while simultaneously converting approximately 2.1 acres to the right-of-way for a relocation of CR 101, which yields a net increase in commercial land of approximately 2.0 acres but not increase existing entitlements;

B. Revise the Master Development Plan (Map H) to show the relocation of the intersection of CR 101 with CR 466 at the southwestern corner of the development and show new property;

C. Revise the legal description of The Tri-County Villages DRI.

Lady Lake Ordinance 2003-07

This Ordinance amended the DO to provide for the following changes:

A. Add a 1.07 acre parcel located in the northwest quadrant of the US 27/441/Avenida Central intersection to the DRI to be designated on the Master

Development Plan as Village Center Commercial without increasing any entitlements.

B Convert a 2.1 acre parcel located directly adjacent to the 1.07 acre (in A. above) from commercial to an 80 room hotel site by simultaneously reducing 25,000 square feet of currently approved commercial floor area to offset any external traffic impacts.

C. Change the Annual Report due date from February 15 to May 1 beginning with the 2003 report.

Sumter County Resolution dated 3/16/2004

This resolution made the following changes in land use locations and acreage amounts to Map H and H-1, Master Development Plan and its accompanying Land Allocation and Phasing Tables:

A. Add 157.5 acres to the existing DRI.

B. Increase entitlement by 95,000 square feet of retail/service use and 59,000 square feet of office use.

Lady Lake Ordinance 2004-6

This Ordinance amended the DO to provide for the following changes:

A. Add a 29.88 acre parcel to the DRI to be designated as Town Center Commercial without increasing entitlements.

B. Provide a list of land uses specifically allowed in the 29.88 acre parcel.

C. Incorporate a change from Residential to Town Center Commercial use (without changing entitlements) for a 2.54 acre parcel in the Town Center Commercial Area.

Sumter County Resolution dated October 26, 2004

This Resolution created an amended and restated DO for the substantial deviation that provided for an increase of 715,000 square feet of retail/service floor area and the addition of 300 hotel rooms to be located in the southwestern part of the DRI in the "Leatherman-Smith Tract" (now known as "Buffalo Ridge").

Lady Lake Ordinance 2005-7

This Ordinance amended the DO to provide for the following changes:

A. Convert 29,000 square feet of Town Center Commercial floor area to 125 hotel rooms.

B. Convert 1.4 acres from Town Center Commercial to Hotel.

C. Update the Tri-County Villages Map H, H-1 and H-2.

There has been no change of local government jurisdiction since the last approval or DO was issued.

Sumter County Resolution dated February 10, 2009

This Resolution amended the DO for the Sumter portion of the Tri-County Villages DRI as follows:

1. Updated Map H-1 Land Use Allocation and Phasing Tables to reflect the conversion of 24 approved, but unbuilt dwelling units to 16 skilled nursing facility beds and 14 approved, but unbuilt, dwelling units to 9 independent living units (all Assisted Living Facilities) pursuant to the land use conversion table contained within the DO.
2. Affordable Housing – Included requirement for a one-time payment of $419,916 to the County for use in the County's affordable housing program to fully mitigate for the affordable housing conditions within the DO.
3. Transportation – Included the Proportionate Share Joint Participation Agreement between The Villages of Lake-Sumter, Inc. and the Florida Department of Transportation, executed on January 27, 2009. This agreement provides for the cumulative mitigation of transportation impacts through buildout. The transportation projects within the agreement include:
    a. Adding 2 new lanes to US 301 from south of Oxford to the north end of the CSX railroad overpass in Wildwood
    b. Intersection/operational improvements to US 301 and Florida Turnpike, CR 466 and US 301, US 301 and SR 44, and Morse Boulevard and CR 466
    c. Commitment to commence construction of a partial interchange at CR 468 and the Florida Turnpike by December 1, 2014
4. Modeling and Monitoring – Removed transportation monitoring and modeling requirements from the DO. This was the result of the full mitigation of The Villages transportation impacts through buildout from the transportation improvements contained within the Proportionate Share Joint Participation Agreement between The Villages of Lake-Sumter, Inc. and the Florida Department of Transportation. However, it does include a payment of $15,000 per year from the Villages of Lake-Sumter Inc. from 2010 to 2014 to the County to support the County's traffic count and monitoring program. In addition, the requirement to address the annual monitoring and modeling report is removed from the DO due to the elimination of the transportation monitoring and modeling requirement.
5. Buildout and Expiration Date – The DO clarifies the buildout date as December 31, 2014 and expiration date of the DO as December 31, 2019. This maintains consistency between the four Developments of Regional Impact and one Florida Quality Development that comprises The Villages.

A similar amendment was adopted by the Town of Lake Lady Lake on February 23, 2009 for the Lake County portion of the Tri-County Villages DRI.

7. Does the proposed change result in a change to the buildout date or any phasing date of the project? If so, indicate the proposed new buildout or phasing dates.

No change in dates proposed.

8. **Will the proposed change require an amendment to the local government comprehensive plan?**

No.

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06(15) F.S., and 9J-2.025, F.A.C.:

9. **An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.**

No Change.

10. **Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order.**

Language changes related to this proposed DO amendment are found in the proposed resolution adopting this eleventh amendment to the original Sumter County Development Order for The Tri-County Villages of Sumter DRI attached as **EXHIBIT B**.

This amendment does not add or delete any land to The Tri-County Villages of Sumter DRI or make any other changes.

EXHIBITS

EXHIBIT A	COPY OF DEO DETERMINATION LETTER
EXHIBIT B	PROPOSED AMENDMENT TO THE TRI-COUNTY VILLAGES OF SUMTER DEVELOPMENT ORDER

EXHIBIT A

COPY OF DEO DETERMINATION LETTER

Rick Scott
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Hunting F. Deutsch
EXECUTIVE DIRECTOR

November 20, 2012

Mr. Darrin Taylor, AICP
Carlton Fields
215 South Monroe Street, Suite 500
Tallahassee, Florida 32302-0190

RE: The Villages of Sumter and Tri-County Villages of Sumter Developments of Regional Impact (DRI), File Nos. ADA-0500-007 and 06-200-007 Non-substantive Modification

Dear Mr. Taylor:

In your letter dated November 16, 2012, you requested a determination of whether a proposed change to the Villages of Sumter and the Tri-County Villages of Sumter DRIs (the Villages) may be reviewed and adopted as a non-substantive amendment to the development order without the need for submittal of a notification of proposed change pursuant to Section 380.06(19), Florida Statutes (F.S.).

The proposed amendment is to the solid waste provisions, which currently limit the Villages' authority to provide solid waste service to the buildout date of the development order. The proposed amendment to the development order would remove this limitation.

Section 380.06(19)(e)2.l, F.S., states that changes which do not create the likelihood of additional regional impacts are not substantial deviations and are eligible for approval as a Section 380.06(19)e.2, F.S., amendment. The Department concurs that the change to the solid waste provision described above is eligible for consideration as a Section 380.06(19)(e)2.l, F.S. amendment. The Department has consulted with the Withlacoochee Planning Council regarding the proposed change.

Therefore, Pursuant to sub-paragraph 380.06(19)(e)2.l, F.S., the proposed change does not require the filing of a Notice of Proposed Change. The County must render the amended Development Order to the Department once it is adopted. Thank you for the opportunity to review this proposed change, if you have any questions regarding this matter, please contact Ana Richmond at (850)717-8509.

Sincerely,

Mike McDaniel, Chief
Office of Comprehensive Planning

MM/ar

cc: Mr. Mike Moehlman, Executive Director, Witlahcoochee Regional Planning Council
Ms. Sue Farnsworth, County Planner, Sumter County

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711.

EXHIBIT B

PROPOSED AMENDMENT TO
THE TRI-COUNTY VILLAGES OF SUMTER DEVELOPMENT ORDER

EXHIBIT B

RESOLUTION

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA, ADOPTING AN ELEVENTH AMENDMENT TO THE DEVELOPMENT ORDER FOR THE TRI-COUNTY VILLAGES OF SUMTER DEVELOPMENT OF REGIONAL IMPACT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on _____, 2012 The Villages of Lake-Sumter, Inc. submitted a request for a development order amendment pursuant to 380.06 (19), Florida Statutes (F.S.), to the Tri-County Villages of Sumter Development of Regional Impact (DRI) Amended and Restated Development Order (ADO); and

WHEREAS, on November 20, 2012 The Florida Department of Economic Opportunity (DEO) determined that this development order amendment was not a substantial deviation and did not require the filing of a Notice of Proposed Change (NOPC) pursuant to s.380.06(19)(e)2.l.; and

WHEREAS, the Sumter County Board of County Commissioners has conducted an advertised public hearing on December 11, 2012 for the purpose of receiving public comment.

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

SECTION 1. FINDINGS OF FACT.

Based on the documentation and testimony received at the public hearing, the Board hereby finds as fact as follows:

1. Tri-County Villages is a mixed-use retirement community located in northwestern Lake County/Town of Lady Lake and in northeastern Sumter County. It was formerly referred to as Orange Blossom Gardens and consists of four components.

   A. A portion of the property lying north and east of U.S. 27/441 was vested from Development of Regional Impact (DRI) review pursuant to a binding letter of vested rights dated November 29, 1973.

   B. On January 18, 1988, the second portion of the development was approved as a DRI known as Orange Blossom Gardens-South (OBGS) by the Town of Lady Lake in Ordinance 88-1.

   C. The third portion of the development was approved on May 7, 1990 by Town of Lady Lake Ordinance 90-12 for development as a substantial deviation to the original OBG-South DRI. This ordinance recognized the addition of a large development called Orange Blossom Gardens-West (OBGW) in Sumter County

adjacent to OBGS. The OBGW DRI was approved on May 29, 1990 by the Sumter County Board of County Commissioners and on May 7, 1990 by the Town of Lady Lake. The OBGW DRI DO subsequently received minor amendments on August 14, 1990, and again on February 16, 1993.

D. The fourth component of the Orange Blossom Gardens development was approved on September 20, 1994 by the Sumter County Commission and October 12, 1994, by the Town of Lady Lake. This component added significant land area and development to the OBGW and OBGS DRIs and consolidated the entire development into a single entity called the Tri-County Villages under the new corporate name of Villages of Lake-Sumter, Inc.

2. On January 18, 1988, the Lady Lake Town Council, authorized the original DRI DO for OBGS. The DO authorized 1,375 single-family residential units, 225 multi-family units and 500,000 s.f. of commercial space on 595.17 acres.

3. On May 7, 1990, Lady Lake Town Council authorized additional development of Orange Blossom Gardens in Sumter County. The DRI-sized addition to the development in Sumter County was treated as a substantial deviation from the OBGS DO. However, the new development in Sumter County was named Orange Blossom Gardens-West. No additional development was authorized in the Town of Lady Lake. See Sumter resolution dated May 29, 1990 below for development authorized for OBGW.

4. On May 29, 1990, the Sumter County Commission authorized the OBGW substantial deviation to the OBGS DO. The DO authorized 200,000 s.f. gross leasable area (GLA) of community commercial space, 3,425 single family residential units and 2,725 multi-family units or any combination of these residential types, not exceeding 6,150 dwelling units on 1,737 acres and a gross density of 3.54 units per acre if conventionally constructed housing is employed. If any manufactured housing is utilized, a deviation of 10% from the maximum caps on 3,425 single family units and 2,725 multi-family units is allowed providing the total does not exceed 6,150 dwelling units on 1,737 acres and a gross density of 3.54 units per acre is maintained.

5. On August 14, 1990, the Sumter County Commission approved a DO amendment that provided clarification to Section III, H.3.b. (Page 9) of the resolution regarding hurricane preparedness. The amendment required the Developer to submit an emergency preparedness plan meeting the mitigation requirements of Rule 9J-2.0265 F.A.C. prior to the issuance of the 146th building permit or occupancy permit for mobile homes. The annual status report of the Developer shall show the cumulative and annual number of building permits and occupancy permits issued for mobile homes.

6. On February 16, 1993, the Sumter County Commission approved a DO revision that amended the requirement that no building permit would be approved for any residential structure unless the structure had direct access via a Sumter County road to the North-South Collector road connecting CR-466 with US-441/27. The amendment provided an exception for a rectory for the St. Timothy's Catholic Church.

7. On September 20, 1994, the Sumter County Commission consolidated all of the development in Sumter County approved for OBGW under the May 29, 1990 resolution and its amendments plus additional development and land area. The consolidated DO provided for 12,400 conventionally constructed single family dwelling units on 2,097.3 acres; 20 acres of institutional space, on which the Developer may construct local government and community facilities and up to 200,000 square feet of churches; up to 1,200 ACLF units; 910,000 square feet of Gross Floor Area (GFA) of neighborhood,

community or general retail structures on 103 acres; 120,000 square feet GFA of office space on 12 acres; 720 acres of golf courses; and 738 acres of related roads, recreation and conservation areas, on a total project area of 3,697 acres, where residential density shall not exceed 3.354 dwelling units per gross acre.

8. The Town of Lady Lake approved Ordinance 94-17 which amended Ordinance 90-12 by providing approval for additions to the OBGS or Lady Lake portion of the development and consolidated the total development in Lady Lake. The DO approved total development in the Town of Lady Lake to be 2,048 single family attached or detached dwelling units on 393 acres; 1,250,000 s.f. of Gross Floor Area of neighborhood, community, or general retail structures on 160 acres; 60 acres of golf courses, and 75 acres of related roads, recreation and conservation areas for a total project area of 688 acres, where residential density shall not exceed 3 dwelling units per gross acre.

9. A Memorandum of Correction to Ordinance 94-17 was filed by the Town Manager of Lady Lake correcting three "scrivener's errors" to Ordinance 94-17.

10. On October 29, 1996, the Sumter County Commission approved the following changes: Reconfigured golf courses for Villages 4 and 5 to eliminate 9 Holes and eliminate 9 holes from Village 9; provided for filling wetland areas 12A and 12B in Village 4; realigned a road (El Camino Real) along the northern boundary of the project and added a roundabout (traffic circle) as an entrance feature; relocated residential land from Village 4 to Village 2 commercial area and relocated commercial development in Village 2 to east side of El Camino Real; created new lakes in Village 4; relocated water wellfields from Florida Power Corporation ROW easement to areas adjacent to the Gopher Tortoise Preserve and the Central Gopher Tortoise Management Area/Kestrel Preserve; added 43± acres to the northeast side of the DRI along US 441/27 and classified the area as Village Commercial on the Master Development Plan; corrected a scrivener's error in the alignment of the acreage totals with the corresponding land uses in The Tri-County Villages DO Land Use Allocations (Revised 4/6/94) table (Exhibit B) and correctly reflected the new land use totals in the revised Land Use Allocation Table (June 1996).On August 3, 1998, the Lady Lake approved an amendment which designated an existing 48 unit hotel in the Village Town Center commercial area as a separate DRI land use and converted 100 units of residential sufficient to accommodate the 48 hotel units without increasing total traffic. The amendment added 47 townhouse hotel rental units to the Village Town Center commercial area and converted 35 units of residential and 8,000 s.f. of retail commercial sufficient to accommodate the 47 hotel units without increasing total traffic. The amendment also designated an existing 8 screen movie theater in the Village Town Center commercial area as a separate DRI land use and converted 32,000 s.f. of retail commercial sufficient to accommodate the 8 screen, 1,235 seat theater without increasing total traffic.

11. On September 15, 1998, the Sumter County Commission approved the following minor changes in land use locations and acreage amounts and designated a Medical Center complex on Map H consisting of a possible 90 bed hospital, a wellness center and medical office; converted 39,700 s.f. (figure rounded) of the currently approved 850,000 s.f. of Village Commercial in Sumter County into a proposed 90 bed hospital; reduced the development plan by 410 residential units and 26,000 s.f. of Village Commercial to accommodate additional traffic resulting from conversion of general Office to Medical Office and to correct December 1993 traffic generation analysis which used 90,000 s.f. of Office instead of 120,000 s.f.

12. On October 18, 1999, the Town Lady Lake amended the DO to provide for the following changes:

    Land use changes as reflected in the Land Use Allocation Table and Phasing Chart and Map H (revised August 1999) for the Sumter County Tri-County Villages area; transfer 47 existing townhouse villa hotel units allocated in the Village Town Center commercial area to the La Hacienda hotel location to increase the hotel allocation in this location to 95 units; add 33 new hotel units to the La Hacienda hotel location thereby raising the total hotel allocation in this location to 128 hotel units and decreasing the land area for the hotel land use by 6.3 acres to construct 80 new hotel units; add 147 townhouse residential units to the Village Town Center commercial area and increase residential acreage by 20.1 acres; convert 27,000 s.f. of retail commercial sufficient to accommodate the additional 33 hotel units and 147 residential units and decrease Town Center commercial acreage by 13.8 acres.

13. The Town of Lady Lake adopted Ordinance 2000-20 which added the Sumter County Commercial Area known as "Spanish Plaines" to Map H-1 so that it will depict the entire Town Center area. It reclassified three areas to Institutional land use to reflect church use. These areas include 4.0 acres for Church On The Square (Lady Lake), 3.4 acres for St. George Episcopal Church (Lady Lake), and 1.3 acres for St. Timothy's Catholic Church (Lady Lake). The ordinance reduced Town Center Commercial (Lady Lake) by 4.0 acres, 3.4 acres and 1.3 acres, a total of 8.7 acres. It added provisions to the DO strengthening the requirement to maintain level of service on public roads internal to the development.

14. On May 15, 2000, the Sumter County Commission approved the addition of a commercial area known as "Spanish Plaines" to Map H-1; redesignated 10.8 acres of Institutional land use to Village Center Commercial; reclassified 2.8 acres from Village Commercial to Institutional land use for St. Timothy's Catholic Church; reclassified 2.8 acres of Open Space to Institutional land use; reclassified .78 acres of Open Space to Well/Water Treatment Plant land use; reconfigured the medical center area of 3.9 acres of Village Commercial (retail), 7.5 acres of Office and 9.2 acres of Hospital to 14 acres of Office and 6.6 acres of Hospital without changing the overall gross floor area of Village Commercial, Offices or the number of Hospital beds; redesignated .9 acres of Village Center Commercial to Residential without changing the number of residential units; redesignated .6 acres of roads as Wellfields/Water Treatment Plant, and; added a condition strengthening the requirement to maintain level of service on public roads internal to the development.

15. On September 12, 2001, the Sumter County Commission approved the following changes in land use locations, acreage amounts and entitlements to the Sumter County portion of the DRI:

    Converted 14.8 acres of Residential land in Village 2 located adjacent to CR 466 to Institutional use for the construction of two churches; converted 19 acres of Neighborhood Commercial located in Village 9 at the intersection of Buena Vista Boulevard and El Camino Real to Residential Use; Increased the number of hospital beds from 90 to 350; revised the residential and golf course phasing of the DRI to reflect much higher absorption rates for residential housing and associated golf course construction than originally programmed; reduced the acreage for golf courses was by 2.8 acres and residential acreage was increased by 2.8 acres; deleted 60,000 s.f. of Neighborhood Commercial in Sumter County to accommodate additional traffic resulting from the increase of 260 hospital beds.

16. On May 14, 2002, the Sumter County Commission approved the following changes in land use locations and acreage amounts to Map H and H-1, Master Development Plan and its accompanying Land Allocation and Phasing Tables:

    A. Add 232.5 acres to the existing DRI but not increase existing entitlements;

    B. Add 184.8 acres of Residential land to the development plan;

    C. Add a net of 5.9 acres of Village Commercial land to the development plan and convert 23.4 acres of Village Commercial to Residential to accommodate Nursing Home beds and/or Adult Congregate Living Facilities;

    D. Add 15 acres of Institutional land to accommodate church construction;

    E. Increase Lakes/Retention land use by 15 acres;

    F. Add 11.7 acres of Roadways; and

    G. Provide for an additional access point to the regional roadway network via C.R. 101.

17. On April 22, 2003, the Sumter County Commission approved the following changes in land use locations and acreage amounts to Map H and H-1, Master Development Plan and its accompanying Land Allocation and Phasing Tables:

    A. Add a 4.1 acre parcel to the existing DRI while simultaneously converting approximately 2.1 acres to the right-of-way for a relocation of CR 101, which yields a net increase in commercial land of approximately 2.0 acres but not increase existing entitlements;

    B. Revise the Master Development Plan (Map H) to show the relocation of the intersection of CR 101 with CR 466 at the southwestern corner of the development and show new property;

    C. Revise the legal description of The Tri-County Villages DRI.

18. The Town of Lady Lake adopted Ordinance 2003-07 which amended the DO to provide for the following changes:

    A. Add a 1.07 acre parcel located in the northwest quadrant of the US 27/441/Avenida Central intersection to the DRI to be designated on the Master Development Plan as Village Center Commercial without increasing any entitlements.

    B Convert a 2.1 acre parcel located directly adjacent to the 1.07 acre (in A. above) from commercial to an 80 room hotel site by simultaneously reducing 25,000 square feet of currently approved commercial floor area to offset any external traffic impacts.

    C. Change the Annual Report due date from February 15 to May 1 beginning with the 2003 report.

19. On March 16, 2004, the Sumter County Commission approved the following changes in land use locations and acreage amounts to Map H and H-1, Master Development Plan and its accompanying Land Allocation and Phasing Tables:

    A. Add 157.5 acres to the existing DRI.

    B. Increase entitlement by 95,000 square feet of retail/service use and 59,000 square feet of office use.

20. The Town of Lady Lake adopted Ordinance 2004-6 which amended the DO to provide for the following changes:

    A. Add a 29.88 acre parcel to the DRI to be designated as Town Center Commercial without increasing entitlements.

    B. Provide a list of land uses specifically allowed in the 29.88 acre parcel.

    C. Incorporate a change from Residential to Town Center Commercial use (without changing entitlements) for a 2.54 acre parcel in the Town Center Commercial Area.

21. On October 26, 2004, the Sumter County Commission adopted an amended and restated DO for the substantial deviation that provided for an increase of 715,000 square feet of retail/service floor area and the addition of 300 hotel rooms to be located in the southwestern part of the DRI in the "Leatherman-Smith Tract" (now known as "Buffalo Ridge").

22. The Town of Lady Lake adopted Ordinance 2005-7 which amended the DO to provide for the following changes:

    A. Convert 29,000 square feet of Town Center Commercial floor area to 125 hotel rooms.

    B. Convert 1.4 acres from Town Center Commercial to Hotel.

    C. Update the Tri-County Villages Map H, H-1 and H-2.

    There has been no change of local government jurisdiction since the last approval or DO was issued.

23. On February 10, 2009, the Sumter County Commission approved the following amendments for the Sumter portion of the Tri-County Villages DRI as follows:

    1. Updated Map H-1 Land Use Allocation and Phasing Tables to reflect the conversion of 24 approved, but unbuilt dwelling units to 16 skilled nursing facility beds and 14 approved, but unbuilt, dwelling units to 9 independent living units (all Assisted Living Facilities) pursuant to the land use conversion table contained within the DO.

    2. Affordable Housing – Included requirement for a one-time payment of $419,916 to the County for use in the County's affordable housing program to fully mitigate for the affordable housing conditions within the DO.

    3. Transportation – Included the Proportionate Share Joint Participation Agreement between The Villages of Lake-Sumter, Inc. and the Florida Department of Transportation, executed on January 27, 2009. This agreement provides for the cumulative mitigation of transportation impacts through buildout. The transportation projects within the agreement include:

        a. Adding 2 new lanes to US 301 from south of Oxford to the north end of the CSX railroad overpass in Wildwood

        b. Intersection/operational improvements to US 301 and Florida Turnpike, CR 466 and US 301, US 301 and SR 44, and Morse Boulevard and CR 466

        c. Commitment to commence construction of a partial interchange at CR 468 and the Florida Turnpike by December 1, 2014

4. Modeling and Monitoring – Removed transportation monitoring and modeling requirements from the DO. This was the result of the full mitigation of The Villages transportation impacts through buildout from the transportation improvements contained within the Proportionate Share Joint Participation Agreement between The Villages of Lake-Sumter, Inc. and the Florida Department of Transportation. However, it does include a payment of $15,000 per year from the Villages of Lake-Sumter Inc. from 2010 to 2014 to the County to support the County's traffic count and monitoring program. In addition, the requirement to address the annual monitoring and modeling report is removed from the DO due to the elimination of the transportation monitoring and modeling requirement.

5. Buildout and Expiration Date – The DO clarifies the buildout date as December 31, 2014 and expiration date of the DO as December 31, 2019. This maintains consistency between the four Developments of Regional Impact and one Florida Quality Development that comprises The Villages.

A similar amendment was adopted by the Town of Lake Lady Lake on February 23, 2009 for the Lake County portion of the Tri-County Villages DRI.

24.. On _____, 2012, the Developer submitted a s.380.06(19)(e)2. amendment to the solid waste provisions, specifically Subsection 3 of Section III.H of the Amended Development Order for Tri-County Villages of Sumter Development of Regional Impact dated October 26, 2004 is amended by restating that Subsection as follows:

3. *The Developer, or its designee, shall be the exclusive hauler of all residential solid waste collected within the Development. If a solid waste franchise ordinance is subsequently adopted within Sumter County, the Developer shall be grand-fathered in as the franchisee within the Development, subject however to the obligation of the Developer to pay all applicable franchise and other fees imposed county-wide. Notwithstanding the expiration of the Development Order this provision shall continue until December 31, 2043.*

SECTION 2. CONCLUSIONS OF LAW.

Based on the Findings of Fact adopted above, Sumter County hereby adopts the following Conclusions of Law.

1. Sumter County is the governing body having jurisdiction over the review and approval of the NOPC, pursuant to Chapter 380, F.S., and is authorized and empowered to issue this amendment to The Tri-County Villages of Sumter DRI ADO.

2. The property does not lie within an Area of Critical State Concern.

3. The proposed development is consistent with the applicable local comprehensive plan as amended and is consistent with the applicable local land development regulations.

4. The proposed development is consistent with the Withlacoochee Strategic Regional Policy Plan.

5. The provisions of this amendment to the ADO shall not be construed as a waiver of or exception to any local, state or federal law or regulation.

6. The impacts of this development, as conditioned by this Amendment to the ADO, are adequately addressed pursuant to the requirements of Chapter 380, F.S., and the changes as approved by the County do not constitute a substantial deviation to the ADO or subsequent amendments or create additional adverse local impacts.

7. To the extent that the Application for Development Approval (ADA) or NOPC, or any other document is inconsistent with the terms and conditions of this Amendment to the ADO, this Amendment to the ADO shall prevail.

SECTION 3. GENERAL CONDITIONS.

Sumter County, having made the aforementioned Findings of Fact and Conclusions of Law, hereby approves the following proposed changes contained in the NOPC, subject to the following modifications and conditions of development set forth in this Amendment to the ADO:

Amend the solid waste provisions, specifically Subsection 3 of Section III.H of the Amended Development Order for the Tri-County Villages of Sumter Development of Regional Impact dated October 26, 2004 is amended by restating that Subsection as follows:

> 3. *The Developer, or its designee, shall be the exclusive hauler of all residential solid waste collected within the Development. If a solid waste franchise ordinance is subsequently adopted within Sumter County, the Developer shall be grand-fathered in as the franchisee within the Development, subject however to the obligation of the Developer to pay all applicable franchise and other fees imposed county-wide. Notwithstanding the expiration of the Development Order this provision shall continue until December 31, 2043.*

BE IT FURTHER RESOLVED BY THE SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS THAT THE FOLLOWING SHALL APPLY:

1. Final Order. That this Amendment to the ADO shall constitute the final order of Sumter County in response to the DRI NOPC filed by the Developer.

2. Definitions. That the definitions found in Chapter 380, F.S. (2011) shall apply to this amendment to the ADO.

3. Assignability: Persons Bound. That this Amendment to the ADO shall be binding upon the Developer and its heirs, assignees, or successors in interest including community development districts created pursuant to Ch. 190, F.S.

4. Severability. That in the event any portion or section of this amendment to the ADO is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this amendment to the ADO, which shall remain in full force and effect.

5. Recordation of Notice of Adoption. Within 15 working days of rendition of the corresponding 7th DOA by Sumter County, the Developer shall cause a Notice of Adoption of this amendment to be recorded among the Public Records of Sumter County in accordance with Section 380.06 (15), F.S., and shall provide a copy of the recorded Notice to the Sumter County, Sumter County, the WRPC, the ECFRPC and the DCA.

6. Restriction on Downzoning, Density Reduction or Intensity Reduction. That Sumter County agrees that the approved DRI shall not be subject to down zoning, density reduction, or intensity reduction after the effective date of this amendment to the ADO, unless Sumter County can demonstrate that substantial changes in the conditions underlying the approval of the amendment to the ADO have occurred, or that the amendment to the ADO was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by Sumter County to be essential to the public health, safety or welfare.

7. Impact Fees. That approval of this amendment to the ADO shall not exempt any portion or unit of the Tri-County Villages of Sumter development from any future impact fees imposed by Sumter County. Developer credit for applicable improvements paid for by it pursuant to the requirements of this amendment to the ADO shall be given as provided for by Section 380.06(16), F.S.

8. Effective Date. That upon adoption, this Amendment to the ADO shall be transmitted to the WRPC, the FDCA and the Developer and shall become effective upon rendering of this Development Order by Sumter County.

9. Transmittal of Amendment. That copies of this Amendment to the ADO shall be transmitted immediately by certified mail to the WRPC, FDCA and the Developer, by Sumter County.

ADOPTED, in Regular Session this_____, 2012, by the Sumter County Board of County Commissioners.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA

_____

CLERK AND AUDITOR

_____

CHAIRMAN

EXHIBITS

Exhibit 1 Legal Description of the Tri-County Villages of Sumter DRI

EXHIBIT 1

REVISED LEGAL DESCRIPTION

OF THE

TRI-COUNTY VILLAGES OF SUMTER DRI

LEGAL DESCRIPTION
AMENDED TRI-COUNTY VILLAGES OF SUMTER
DEVELOPMENT OF REGIONAL IMPACT
SHOWING ADDITIONAL TRACT ADDED 10-28-03

A TRACT OF LAND IN SECTIONS 1, 2, 3, 4, 9, 8, 10, 11, 12, 13, 14, 15, 16, AND 17 TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE S1/2 OF THE SE1/4 OF SECTION 9; FROM SAID POINT OF BEGINNING RUN NORTH TO THE NORTHWEST CORNER OF AFORESAID S1/2 OF SE1/4; THENCE EAST TO THE SOUTHWEST CORNER OF THE NE1/4 OF THE SE1/4 OF SECTION 9; THENCE NORTH TO THE NORTHWEST CORNER OF THE SE1/4 OF THE NE1/4 OF SECTION 9; THENCE WEST TO THE SOUTHWEST CORNER OF THE N1/2 OF THE NE1/4; THENCE NORTH TO THE SOUTHEAST CORNER OF THE E1/2 OF THE SW1/4 OF SECTION 4; THENCE WEST TO THE SOUTHWEST CORNER OF SAID E1/2 OF SW1/4; THENCE NORTH TO THE NORTHWEST CORNER OF SAID E1/2 OF SW1/4; THENCE EAST TO THE NORTHEAST CORNER OF SAID E1/2 OF SW1/4; THENCE NORTH TO THE SOUTHEAST CORNER OF SAID NE1/4 OF THE NW1/4 OF SECTION 4; THENCE WEST TO THE SOUTHWEST CORNER OF SAID NE1/4 OF NW1/4; THENCE NORTH TO THE NORTHWEST CORNER OF SAID NE1/4 OF NW1/4; THENCE EAST ALONG THE NORTH LINE OF SECTION 4 TO THE NORTHWEST CORNER OF SECTION 3; THENCE CONTINUE EAST ALONG THE NORTH LINE OF SECTION 3 TO THE NORTHEAST CORNER OF THE NW1/4 OF SECTION 3; THENCE SOUTH TO THE NORTHWEST CORNER OF THE S1/2 OF THE NE1/4 OF SECTION 3; THENCE EAST TO THE NORTHWEST CORNER OF THE NE1/4 OF THESE1/4 OF THE NE1/4 OF SECTION 3; THENCE SOUTH TO THE SOUTHWEST CORNER OF SAID NE1/4 OF SE1/4 OF NE1/4 THENCE EAST TO THE NORTHWEST CORNER OF THE S1/2 OF THE S1/2 OF THE NW1/4 OF SECTION 2; THENCE CONTINUE EAST ALONG THE NORTH LINE OF SAID S1/2 OF S1/2 OF NW1/4 TO A POINT THAT IS 330 FEET WEST OF THE EAST LINE OF THE NW1/4 OF SECTION 2; THENCE PARALLEL WITH SAID EAST LINE RUN SOUTH TO THE EAST-WEST MID-SECTION LINE OF SECTION 2; THENCE ALONG SAID MID-SECTION LINE RUN EAST TO THE NORTHWEST CORNER OF THE N1/2 OF THE SW1/4 OF SECTION 1; THENCE CONTINUE EAST TO THE NORTHEAST CORNER OF SAID N1/2 OF SW1/4 ; THENCE NORTHEASTERLY TO AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 441/27 (BEING 200 FEET WIDE) WITH THE EAST BOUNDARY OF THE W1/2 OF THE NE1/4 OF SAID SECTION 1; THENCE ALONG SAID RIGHT-OF-WAY LINE RUN SOUTHEASTERLY TO THE EAST LINE OF SECTION 1; THENCE ALONG SAID EAST LINE AND ALONG THE EAST LINE OF SECTION 12 AND 13 RUN

SUMTER COUNTY, FLORIDA
GLORIA HAYWARD, CLERK OF CIRCUIT COURT
11/18/2005 #2005-40794
03:13:18PM B-1478 P-220

EXHIBIT
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OUTH TO THE SOUTHEAST CORNER OF THE N1/2 OF SE1/4 OF SECTION 13; THENCE WEST TO THE SOUTHEAST CORNER OF THE N1/2 OF THE SW1/4 OF SECTION 13; THENCE ALONG THE SOUTH LINE OF SAID N1/2 OF SW1/4 RUN WEST TO THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD C-466 (BEING 100.00 FEET WIDE); THENCE ALONG SAID RIGHT-OF-WAY LINE CONTINUE WEST TO THE EAST LINE OF THE SE1/4 OF SECTION 14; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD C-466 RUN N89°45'11"W, 256.48 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 475, PAGE 510, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG THE EASTERLY BOUNDARY OF AFOREMENTIONED PROPERTY WITH THE FOLLOWING (5) COURSES: N00°29'26"E, 690.11 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 175.00 FEET; THENCE NORTHWESTERLY 170.86 FEET ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 55°56'21" AND A CHORD BEARING AND DISTANCE OF N27°28'45"W, 164.15 FEET TO THE POINT OF TANGENCY; THENCE N55°26'55"W, 176.96 FEET; THENCE N00°29'26"E, 925.00 FEET; THENCE N49°49'19"W, 1092.25 FEET TO A POINT ON THE WEST LINE OF THE SE1/4 OF THE NE1/4 OF SECTION 14; SAID POINT BEING S00°21'41"E, 24.96 FEET OF THE NORTHWEST CORNER OF THE SE1/4 OF THE NE1/4 OF SECTION 14; THENCE N00°21'41"W ALONG AFORESAID WEST LINE 24.96 FEET TO THE SOUTHWEST CORNER OF THE NE 1/4 OF THE NE1/4 OF SECTION 14; THENCE ALONG THE WEST LINE OF SAID NE1/4 OF NE1/4 RUN N00°23'21"E, 1093.86 FEET; THENCE N45°13'10"E, 163.12 FEET; THENCE N00°23'21"E, 252.92 FEET; THENCE N21°04'15"W, 190.48 FEET; THENCE N41°28'52"W, 274.41 FEET THENCE N52°14'07"W, 157.86 FEET; THENCE N89°37'47"W, 1059.81 FEET TO THE NORTH-SOUTH MID-SECTION LINE OF SECTION 11; THENCE ALONG SAID MID-SECTION LINE RUN NORTH TO THE SOUTHEAST CORNER OF THE W1/2 OF SECTION 2; SAID POINT BEING N89°41'35"E, 2646.82 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 2; THENCE ALONG THE EAST LINE OF THE W1/2 OF SECTION 2 RUN N00°04'27"W, 109.72 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE FLORIDA POWER CORPORATION TRANSMISSION LINE EASEMENTS ; THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE RUN N44°26'00"W, 622.28 FEET; THENCE S00°04'35"E, 506.40 FEET TO A POINT THAT IS 50.00 FEET NORTH OF THE SOUTH LINE OF THE SW1/4 OF SECTION 2; THENCE PARALLEL WITH SAID SOUTH LINE RUN S89°41'35"W TO THE WEST LINE OF THE SW1/4 OF SECTION 2; SAID POINT ALSO BEING ON THE EAST LINE OF THE SE1/4 OF SECTION 3; THENCE PARALLEL WITH AND 50.00 FEET NORTH OF SOUTH LINE OF THE SE1/4 OF SECTION 3 RUN WEST TO THE WEST LINE OF SAID SE1/4; THENCE SOUTH TO THE SOUTHWEST CORNER OF SAID SE1/4; THENCE CONTINUE SOUTH TO THE SOUTHEAST CORNER OF THE N1/2 OF THE NW1/4 OF SECTION 10; THENCE ALONG THE SOUTH LINE OF SAID N1/2 OF NW1/4 RUN WEST TO

SUMTER COUNTY, FLORIDA
GLORIA HAYWARD, CLERK OF CIRCUIT COURT

11/18/2005 #2005-40794
03:13:18PM B-1478 P-221

HE NORTHEAST CORNER OF THE SW1/4 OF THE NW1/4 OF SECTION 10; THENCE SOUTH TO THE NORTHEAST CORNER OF THEW1/2 OF THE SW1/4 OF SECTION 10; THENCE SOUTH TO THE SOUTHEAST CORNER OF SAID W1/2 OF SW1/4; SAID POINT ALSO BEING ON THE NORTH LINE OF THE NW1/4 OF SECTION 15; THENCE ALONG SAID NORTH LINE RUN WEST 185.91 FEET, MORE OR LESS, TO A 4-INCH CONCRETE MONUMENT; SAID MONUMENT BEING N89°59'15E, 1142.39 FEET OF THE NORTHWEST CORNER OF SECTION 15; FROM SAID CONCRETE MONUMENT RUN SOUTH 1334.50 FEET TO THE SOUTH LINE OF THE N1/2 OF THE NW1/4 OF SECTION 15; THENCE S89°53'52"W ALONG SAID SOUTH LINE 363.01 FEET TO A POINT ON THE ARC OF A CURVE IN THE NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD C-466 (BEING 100-FEET WIDE); SAID CURVE BEING CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1959.86 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 208.17 FEET; SAID ARC HAVING A CENTRAL ANGLE OF 06°05'09", A TANGENT DISTANCE OF 104.18 FEET, A CHORD BEARING OF N86°26'53"W AND A CHORD DISTANCE OF 208.07 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N89°29'27"W ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE EAST LINE OF THE NE1/4 OF SECTION 16; THENCE CONTINUE WEST ALONG SAID RIGHT-OF-WAY LINE TO THE WEST LINE OF THE NE1/4 OF SECTION 16; THENCE NORTH ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

AND

THE NE1/4 OF THE NW 1/4 OF SECTION 16, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, AND THE E1/2 OF THE SW1/4, THE NW1/4 OF THE SE1/4, AND THE SW1/4 OF THE NE1/4 AND SE1/4 OF NW1/4, LESS BEGIN AT SW CORNER OF SE 1/4 OF NW1/4, NORTH 525 FEET, EAST 415 FEET, SOUTH 525 FEET, WEST 415 FEET TO POINT OF BEGINNING OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA.
LESS RIGHT-OF-WAY FOR COUNTY ROAD 466 AND COUNTY ROAD 101.

AND

THOSE PORTIONS OF SECTIONS 8, 9, 16 AND 17, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THAT PORTION OF SECTION 9, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9; THENCE N89°24'25"W, ALONG THE SOUTH LINE THEREOF, 1,325.87 FEET TO THE SOUTHWEST CORNER OF SAID

SUMTER COUNTY, FLORIDA
GLORIA HAYWARD, CLERK OF CIRCUIT COURT
11/18/2005 #2005-40794
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SECTION 9; THENCE N00°22'59"E, ALONG THE WEST LINE OF SAID SECTION, A DISTANCE OF 30.00 FEET; THENCE S89°24'25"E, PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 A DISTANCE OF 871.60 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 170.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 55°27'39", AN ARC DISTANCE OF 164.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 230.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 55°12'55", AN ARC DISTANCE OF 221.65 FEET; THENCE S89°39'10"E, 125.00 FEET TO THE EAST LINE OF THE SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 ; THENCE S00°20'50"W, 203.75 FEET TO THE POINT OF BEGINNING. LESS RIGHT-OF-WAY FOR COUNTY ROAD 101.

AND

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16. TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA; THENCE S00°33'29"W, ALONG THE EAST LINE THEREOF A DISTANCE OF 594.277 FEET TO THE SOUTH LINE OF THE NORTH 594.277 FEET OF THE SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE S89°24'25"E, ALONG THE EASTERLY EXTENSION OF THE SAID SOUTH LINE A DISTANCE OF 16.11 FEET TO THE WEST RIGHT-OF-WAY OF COUNTY ROAD 101 AS SHOWN ON THE PLAT OF VILLAGES OF SUMTER UNIT NO. 67 AS RECORDED IN PLAT BOOK 5, PAGES 49 THROUGH 49C, INCLUSIVE, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO COURSES, N13°40'21"W, 37.40 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EAST AND HAVING A RADIUS OF 1,040.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°38'33", AN ARC DISTANCE OF 29.81 FEET TO A POINT ON THE EAST LINE OF THE SAID NORTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE S00°33'29"W, ALONG SAID EAST LINE A DISTANCE OF 65.24 FEET TO THE POINT OF BEGINNING.

AND

THAT PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16, LYING NORTH OF THE RIGHT-OF-WAY FOR COUNTY ROAD 466; LESS RIGHT-OF-WAY FOR COUNTY ROAD 101.

AND

THE SOUTH 106.60 FEET OF THE EAST 3/4 OF THE SOUTHEAST 1/4 OF SAID

SUMTER COUNTY, FLORIDA
GLORIA HAYWARD, CLERK OF CIRCUIT COURT
11/18/2005 #2005-40/94
03:13:18PM B-1478 P-223

ECTION 8.

AND

THAT PORTION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 17, LYING NORTH OF THE RIGHT-OF-WAY FOR COUNTY ROAD 466; LESS RIGHT-OF-WAY FOR COUNTY ROAD 103.

AND

THAT PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; LYING NORTH OF COUNTY ROAD 466; LESS ANY PORTION THEREOF LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY: COMMENCE AT THE INTERSECTION OF THE NORTH-SOUTH MID-SECTION LINE OF SAID SECTION 17 AND THE NORTHERLY RIGHT-OF-WAY OF COUNTY ROAD 466; THENCE ALONG SAID RIGHT-OF-WAY N89°23'30"W, 153.35 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO COURSES, N89°23'30"W, 0.34 FEET; N89°22'50"W, 1170.69 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 17; THENCE N00°24'31"E ALONG SAID WEST LINE A DISTANCE OF 17.87 FEET; THENCE DEPARTING SAID WEST LINE S89°22'50"E, 366.79 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTH AND HAVING A RADIUS OF 9,050.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°33'13", AN ARC DISTANCE OF 403.35 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTH AND HAVING A RADIUS OF 8,950.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°33'53", AN ARC DISTANCE OF 400.63 FEET TO A POINT ON THE SAID NORTHERLY RIGHT-OF-WAY AND THE POINT OF BEGINNING;

AND

LESS RIGHT-OF-WAY FOR COUNTY ROAD 103;

AND

LESS RIGHT-OF WAY FOR COUNTY ROAD 105;

AND

LESS AND EXCEPT HICKORY HILL HAMMOCK , A SUBDIVISION RECORDED IN PLAT BOOK 4, PAGES 77 AND 77-A, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA.

SUMTER COUNTY, FLORIDA
GLORIA HAYWARD, CLERK OF CIRCUIT COURT
11/18/2005 #2005-40794
03:13:18PM B-1478 P-224