

STAFF REPORT
DEVELOPMENT ORDER AMENDMENT
for
APOLLO BEACH DEVELOPMENT OF REGIONAL IMPACT
Petition #25-0026 – Apollo Beach DRI #59

SIGN-OFF APPROVALS	INITIAL	DATE
DIRECTOR, COMMUNITY DEVELOPMENT DIVISION	<i>J B G</i>	12/18/24

Prepared by
Development Services Department
Community Development Division

PETITION NUMBER: 25-0026 (Apollo Beach DRI # 59)

BOCC MEETING DATE: January 7, 2025

RECOMMENDATION

Staff recommends that the Board of County Commissioners approve the proposed changes for the Apollo Beach Development of Regional Impact (DRI). Staff recommends approval in accordance with the attached resolution. This recommendation is based, in part, on the Apollo Beach Map H dated December 18, 2024.

This development order amendment is accompanied by related application MM 24-0677, which is a modification to PD 77-0123 (as most recently modified by PRS 22-0429).

PROPOSED CHANGES

The purpose of this development order (DO) amendment is to allow for the following changes listed below.

- (1) To modify the form of development and uses, without a change in density, of Pockets 70A, 70B, 72, and 105 to:
 - a. Remove the option to develop single-family attached development from each pocket;
 - b. Allow for private docking facilities to adjoin each pocket;
 - c. Remove Yacht Club as an allowable use within Pocket 105.
 - d. Remove golf course from pockets 70A and 72;

- (2) Revise Map H, Pocket Table to:
 - a. Modify boundary between Pockets 70A and 70B;
 - b. Remove golf course from pockets 70A and 72;
 - c. Remove single-family, attached use from Pockets 70A, 70B, 72, and 105;
 - d. Remove Yacht Club use from Pocket 105.
 - e. Transfer a portion of Pocket 70B to Pocket 70A to expand the building envelope.

BACKGROUND

The Apollo Beach DRI is located in southwestern Hillsborough County and within the Urban Service Area (see Attachment A). The project's Future Land Use designations are RES-6 (Residential-6) which allows a maximum of six (6) dwelling units per acre and Office Commercial - 20. Non-residential uses within the RES-6 Future Land Use category are permitted a Floor Area Ratio (FAR) of 0.25.

The Board of County Commissioners (BOCC) originally approved the Development Order (DO) for the Apollo Beach Development of Regional Impact (DRI) on February 21, 1979. This DO specifically approved Phase I development and was identified as DRI #59. Phases II, III and IV were given conceptual approval.

On April 24, 1990 the BOCC approved a DO (R90-0116) granting specific approval to Phases II and III. Phases II and III, including conceptually approved Phase IV, were identified DRI #209.

On July 15, 1997 the Board approved a DO (R97-169) consolidating DRI #59 and #209.

On March 23, 1999, the Board approved an amendment (R99-052) separating the project into two DRIs: Apollo Beach (DRI#59/209) and Harbor Bay (DRI# 241).

Since 1999, numerous modifications to the DRI have occurred (see Development Order History).

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AGENCY REVIEW

The following agencies have reviewed this application and offer no objections: Hillsborough County City-County Planning Commission and Development Services Department-Transportation Section.

DEVELOPMENT ORDER HISTORY

On February 21, 1979 the BOCC granted Phase I development approval to Frandorson Properties for the Apollo Beach DRI. The project was originally proposed to contain 17,925 dwelling units on 5,180 acres located on the west side of U.S. Highway 41 and south of Big Bend Road in southern Hillsborough County. At the time of approval, approximately 4,109 residential units had been vested against DRI requirements and one 7-acre pocket (pocket #77) was deemed “complete” by the Department of Community Affairs (DCA). The development order (DO) specifically approved 5,719 residential units (adjusted to 4,969 through a subsequent DO amendment) and 143 acres of commercial development. The BOCC also granted conceptual approval for 7,685 dwelling units for Phases II-IV.

On February 5, 1985 the BOCC adopted Resolution R85-0038 approving the construction of a 70 slip marina as a private facility designed to serve the residential community of Pocket 83.

On April 24, 1990 the BOCC adopted Resolution R90-0116 granting specific approval to Phases II and III and conceptual approval for Phase IV. The DO for these phases was assigned DRI # 209. DRI #209 consisted of 5,762 dwelling units (a reduction of 1,923 units from the conceptual approval under DRI #59) and 2,004,000 square feet (sq. ft.) of commercial, office, medical, and industrial uses. DRI #209 was considered the second half of the overall Apollo Beach DRI.

On May 7, 1991 the BOCC adopted Resolution R91-0086 adopting a new condition that required the Developer to file a NOPC to resolve appeals of R90-0116 filed by the Tampa Bay Regional Planning Council and the Florida Department of Community Affairs.

On September 21, 1993 the BOCC adopted Resolution R93-0202 adopting changes pursuant to the NOPC required by R91-0086. R93-0202 changed locations of land uses and reduced development entitlements of Pocket 83.

In 1993, Hillsborough County acquired \pm 1,080 acres of environmentally sensitive land through the Environmental Lands Acquisition and Protection Program (ELAPP) within the DRI #209 portion of the project (Phases II through IV). This purchase reduced the development potential of DRI #209 by 4,169 dwelling units, 7.8 acres of commercial uses, 39 acres of medically related uses (all the medical square feet), 18 acres of office park uses, and 30 acres of recreation.

On July 15, 1997 the BOCC approved Resolution R97-169 that consolidated DRI #59 (Phase I) and DRI #209 (Phases II – IV).

On March 23, 1999 the BOCC approved Resolution R99-052 which deleted \pm 612 acres from the Apollo Beach DRI and established the Harbor Bay DRI (#242, R99-051). The Harbor Bay DRI reduced development potential within the Apollo Beach DRI by an additional 1,750 dwelling units, 260,000 square feet of commercial uses and 40,000 square feet of office uses.

On February 22, 2000 the BOCC approved Resolution R00-028 that revised the designation of Pocket 80C from commercial to multi-family uses, recognized the “executive office” use on the second floor of the ancillary clubhouse for Lantern Bay, and revised Section IV.A. Phasing Schedule

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and Deadlines, to change the land use designation of Pocket 80C.

On January 23, 2001 the BOCC approved Resolution R01-009 deleting an additional ± 376.8 acres from Apollo Beach (for inclusion within the Harbor Bay DRI). This further reduced development potential within the Apollo Beach DRI by an additional 338 dwelling units and 574,992 square feet of industrial uses. As a result of this amendment, the development entitlements of Phase II of the Apollo Beach DRI were reduced to 30 residential units.

On September 26, 2001 the BOCC approved Resolution R01-200 extending the project's build-out date to December 29, 2006.

On October 22, 2002 the BOCC approved Resolution R02-267 making the following changes:

1. Added a new Pocket (#108) to the Apollo Beach DRI. This 16.6-acre tract is located at the southern terminus of Golf and Sea Boulevard. The parcel was developed with a single-family dwelling and accessory agricultural uses. The applicant proposed adding this land to the DRI to be used as a golf driving range.
2. Subdivided Pocket 70 into 70A and 70B. Proposed Pocket 70B will remain a golf course. Pocket 70A was proposed to allow, at the developer's option, single-family attached or detached residential uses as an alternative use.
3. Subdivided Pocket 99 into 99A and 99B, and add Pocket 99A to the Apollo Beach DRI. Pocket 99A is 3.29 acres and is comprised of the three southernmost lots of Pocket 99. Allowed, as an alternative use, relocation of a proposed golf club house from Pocket 72 to Pocket 99A which is also designated for three single-family units.
4. Added single-family attached or detached uses to Pocket 105. Pocket 105 is designated and approved for use as a Yacht Club.
5. Added residential uses (single-family attached and detached) as an alternative use to Pocket 72 which is approved for a golf club house.
6. Allowed for up to a total of 130 single-family attached/detached dwelling units within Pockets 70A, 72, and 105 (i.e., no more than 130 units total in all three pockets combined).

The changes are summarized as shown below. Please note that some pockets referenced are currently within the Apollo Beach DRI and some are outside of the Apollo Beach DRI. All pockets (except new Pocket 108) are in the same zoning district, PD #77-123 that encompasses the Apollo Beach DRI. PD #77-123 was subject to related PRS #02-1089.

Changes to Pockets within the Apollo Beach DRI (#59/209)		
Pocket	From	To
#70A	Created by splitting existing Pocket 70. Existing land use is a golf course driving range	Single-family attached or detached development or continued use for golf course recreational uses
#70B	Created by splitting existing Pocket 70. Existing land use is a golf course	Remains as a golf course
#72	Vacant; designated for golf club house uses	Single-family attached or detached development or future use as a golf club house

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Changes to Pockets within the Apollo Beach DRI (#59/209)		
Pocket	From	To
#105	Currently approved for a yacht club (10,000 s.f.)	Single-family attached or detached development or yacht club

Note: The maximum number of residential units that can be built in Pockets 70A, 72 and 105 is 130 units. Development entitlements of Pocket 101, previously approved for 353 units, were reduced by 130 units (to 233) units as part of PRS 02-1089.

Changes to Pockets Then Outside the Apollo Beach DRI*			
Pocket	From	To	Notes
#99A	Created by splitting existing Pocket 99; currently approved for single family attached or detached uses up to 10 units.	Golf course club house relocated from Pocket 72, or 3 residential units	Included in the Apollo Beach DRI
#99B	Created by splitting existing Pocket 99; currently approved for single family attached or detached uses up to 10 units	Up to 7 residential units	Remained outside the Apollo Beach DRI but within the zoning district applied to the DRI
#101	Reduce residential development entitlements from 353 to 233 through related PRS #02-1089		Remained outside the Apollo Beach DRI but within the zoning district applied to the DRI
#108	Agricultural/Residential (currently not part of DRI or PD #77-123)	Golf driving range	Included in the Apollo Beach DRI

On June 13, 2006 the BOCC approved a Notice of Proposed Change (06-0488) removing Pocket #49, a ±11.12 acre parcel known as the “Mixon Tract,” from the Apollo Beach DRI. This parcel was the last remaining parcel in Phase II (a.k.a. DRI #259) of the Apollo Beach DRI.

Reduction of Development Entitlements Summary: Development entitlements within the Apollo Beach DRI have been significantly reduced from those originally approved. This was accomplished primarily by three events. First was the purchase in 1993 of ±1,080 acres of environmentally sensitive land through the Environmental Lands Acquisition and Protection Program. This purchase was estimated to reduce development potential by 4,169 dwelling units, 7.8 acres of commercial uses, 39 acres of medically related uses (all the medical square feet), and 18 acres of office park uses.

Second, on March 23, 1999 the BOCC approved the Harbor Bay DRI (#242) dividing the Apollo Beach DRI into two separate DRIs. The Harbor Bay DRI reduced development potential within the Apollo Beach DRI by an additional 1,750 dwelling units, 260,000 square feet of commercial uses and 40,000 square feet of office uses.

Third, on January 23, 2001 the BOCC approved the deletion of an additional 376.8 acres from Apollo Beach (for inclusion within the Harbor Bay DRI). This further reduced development potential within the Apollo Beach DRI by an additional 338 dwelling units and 574,992 square feet of industrial uses. As a result of this amendment, the development entitlements of Phase II of the Apollo Beach DRI were reduced to 30 residential units.

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[Development entitlements were also reduced when DRI 59 (Phase I) and DRI 201 (Phases II – IV) were consolidated by Resolution R97-169 adopted by the Board on July 15, 1997.]

On June 13, 2006 the Board approved a Notice of Proposed Change (06-0488) removing Pocket #49, a ±11.12 acre parcel known as the “Mixon Tract,” from the Apollo Beach DRI. This parcel was the last remaining parcel in Phase II (a.k.a. DRI #259) of the Apollo Beach DRI. The Apollo Beach DRI now consists solely of Phase I development, and is hereafter referred to as DRI #59.

On July 25, 2006 the Board approved a Notice of Proposed Change (05-0296) extending the build out date for the entire DRI by five (5) years from December 29, 2006 to December 29, 2011.

On August 11, 2020, the Board approved DO Amendment #20-0385 which reallocated 24,000 sf of the unallocated commercial square footage in the DRI to Pocket 61. This increased the permissible square footage in Pocket 61 from 160,000 to 184,000 square feet. The unallocated commercial square footage within the DRI decreased from 70,437 to 46,437 square feet. Application #20-0385 also recognized previous executive order extensions for the building out date Phase 1 and further extended the building out date and expiration date of Phase 1.

On June 7, 2022, the Board approved DO Amendment #22-0735 (R22-058), which permitted a second development option for Pockets 106 and 107. Pocket 106 was previously approved for 265 multi-family units. Pocket 107 was previously approved for 26 single-family attached units. The new development Option 2 allows for 23 single-family detached units in Pocket 106 and 21 single-family detached units in 107. The DRI’s Map H was updated to reflect this second development option.

On February 13, 2024, the Board approved DO Amendment #23-0335 (R24-006), which allowed a surface parking lot on properties having folio numbers 52054.0710 and 52055.0200. The approval also included a revision to Map H of the DRI to reflect the parking lot as an allowable use.

Attachment A: DRI Project Location

Attachment B: Subject Area Location within the DRI

Attachment C: Proposed Map H

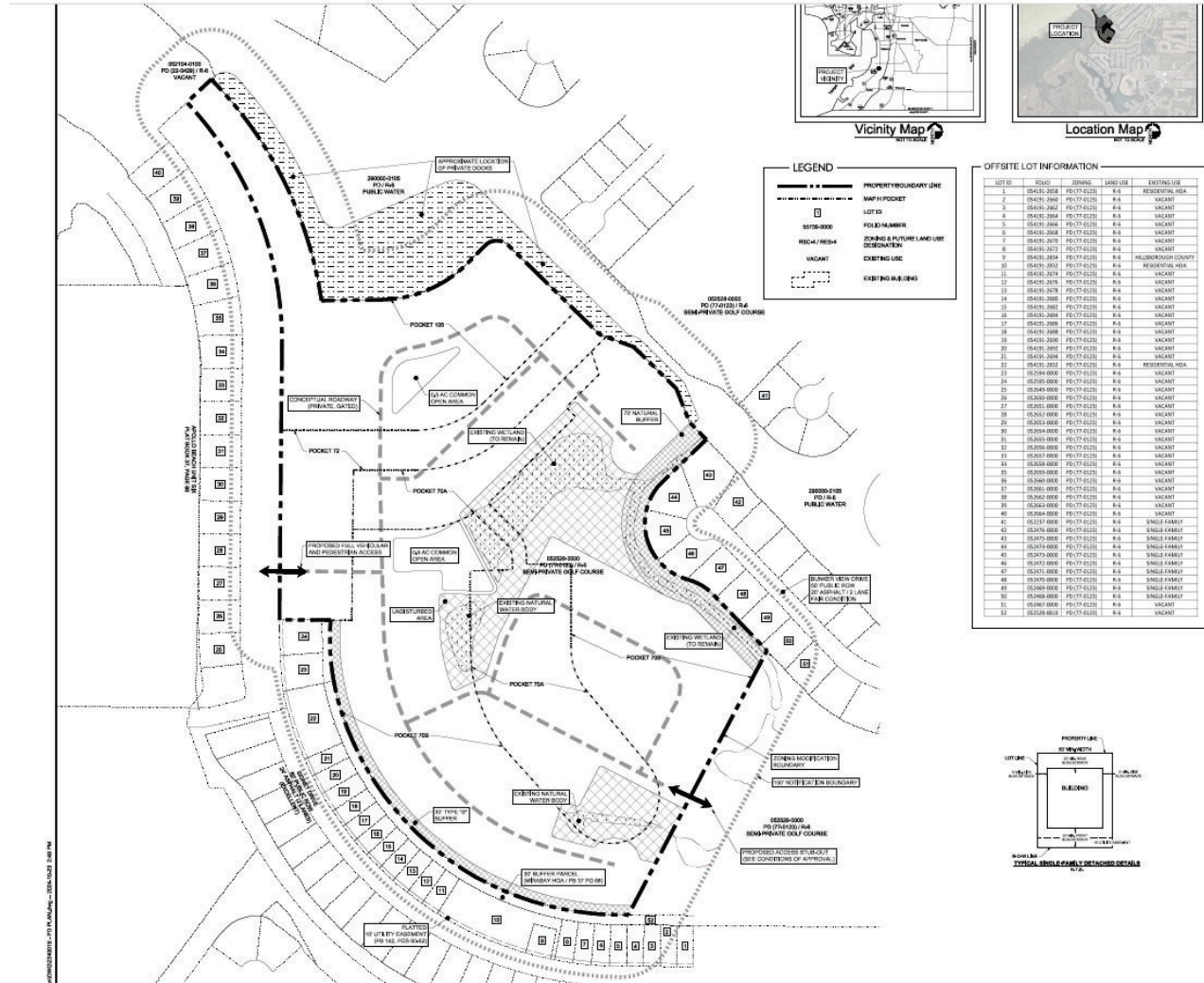
Attachment E: Proposed Amended and Restated Development Order

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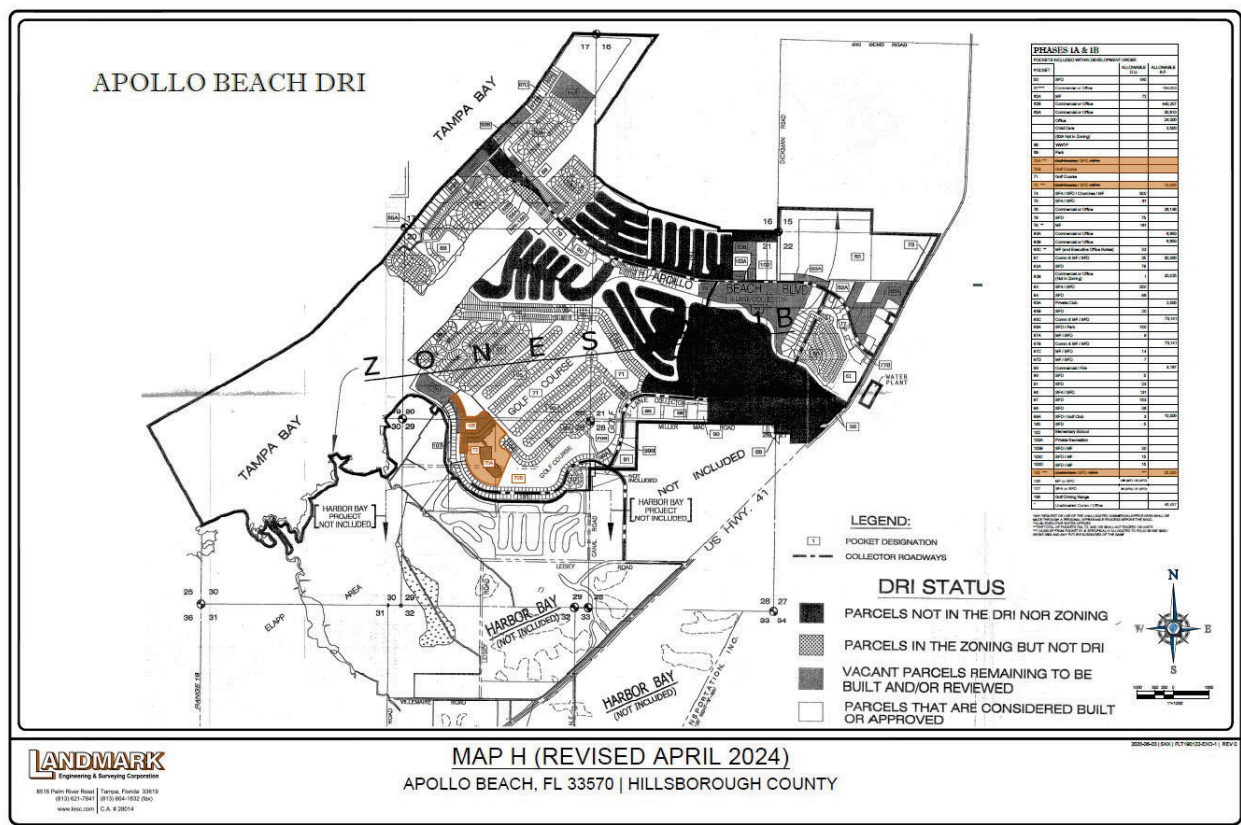
ATTACHMENT A – DRI PROJECT LOCATION



ATTACHMENT B: SUBJECT AREA LOCATION WITHIN THE DRI



ATTACHMENT C: PROPOSED MAP H



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ATTACHMENT E: PROPOSED AMEDNED AND RESTATED DEVELOPMENT ORDER

**AMENDED AND RESTATED DEVELOPMENT ORDER
APOLLO BEACH DRI**

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, AMENDING AND RESTATING THE DEVELOPMENT ORDER (RESOLUTION NO. R97-169) PREVIOUSLY AS AMENDED, FOR THE APOLLO BEACH DEVELOPMENT OF REGIONAL IMPACT (DRI #59).

Upon motion by Commissioner _____, seconded by Commissioner _____, the following Resolution was adopted by a vote of _____ to _____ Commissioner(s) _____ voting “No.”

WHEREAS, on February 21, 1979, Hillsborough County (County) approved a development order for the Apollo Beach Development of Regional Impact (DRI) (DRI #59) pursuant to Chapter 380, Florida Statutes (F. S.); and

WHEREAS, the original development order approved development of Apollo Beach DRI #59 in Phases I-IV, granting specific approval for Phase I and conceptual approval for Phase II-IV; and

WHEREAS, on February 5, 1985, Hillsborough County approved a revised development order, Resolution No. 85-0038, for the Apollo Beach DRI (DRI #59); and

WHEREAS, on April 24, 1990, Hillsborough County approved a development order Resolution No. 90-0116, for the Apollo Beach DRI Phases II, III, and IV (DRI #209) which granted specific approval for Phases II and III, and conceptual approval for Phase IV; and

WHEREAS, on May 7, 1991, Hillsborough County approved a revised development order, Resolution No. 91-0086, for the Apollo Beach DRI Phases II, III, and IV (DRI #209); and

WHEREAS, on September 21, 1993, Hillsborough County approved a revised development order, Resolution No. 93-00202, for the Apollo Beach DRI Phase I (DRI #59); and

WHEREAS, on July 15, 1997, Hillsborough County approved a “consolidated development order” combining the approval of Apollo Beach DRI #59 and DRI #209, into a single DRI (DRI #59) development order (Resolution No. 97-169) covering all phases of the DRI; and

WHEREAS, on March 23, 1999, Hillsborough County approved Resolution No. R99-052 deleting approximately 612 acres contained in Phases II and III from the Apollo Beach DRI and including them in a separate new DRI development order for the Harbor Bay DRI (Resolution No.

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99-051), and making conforming amendments to the Apollo Beach DRI; and, on February 22, 2000, Hillsborough County approved amendments to the Apollo Beach DRI changing certain commercial uses to multifamily uses and making other minor changes (Resolution No. 2000-28); and

WHEREAS, on January 23, 2001, through Resolution 01-009, Terrabrook, Apollo Beach, L.P., the developer of the Harbor Bay DRI (1) deleted approximately 374.4 acres within the Apollo Beach DRI from that DRI; and (2) added that land to the Harbor Bay DRI; and (3) made conforming changes to the Apollo Beach DRI development order to reflect the deletion of those lands; and

WHEREAS, on September 25, 2001, through Resolution 01-200, the Board of County Commissioners approved an extension in time for the Phase I portion of Apollo Beach DRI # 59/209 to December 29, 2006; and

WHEREAS, on October 22, 2002, through Resolution 02-267, the Board of County Commissioners approved several modifications that included: a) dividing pocket 70 into two pockets, 70A and 70B; b) adding as an alternative use (at the developer’s option) single family attached and detached residential uses to pocket 70A (currently approved as a golf driving range); c) dividing development pocket 99 into two pockets, pocket 99A and 99B, and providing the option to relocate, as an alternative use at the developer’s option, the existing golf club house from pocket 72 to pocket 99A as well as to incorporate it into the Apollo Beach DRI; d) and adding single family attached and detached residential uses as an additional use (at the developer’s option), to Apollo Beach development pocket 105; and e) adding single family attached and single family detached as an alternative use (at the developer’s option), to Apollo Beach pocket 72 (currently approved as a golf club house) and adding new land for a new Apollo Beach development pocket (pocket 108) for a golf driving range; and

WHEREAS, on June 13, 2006, the Board of County Commissioners, at the request of Belleair Capital Group, Inc., a developer within Apollo Beach DRI, extracted the “Mixon” Parcel, (defined as “Pocket 49” an 11.12 acre parcel and sole remnant of DRI 209 “Phases II - IV” of the Apollo Beach DRI and completely isolated from the rest of the Apollo Beach project), with accompanying Master Site Plan (Map H) revisions deleting the Parcel from the DRI (Resolution 06-119); and

WHEREAS, on July 25, 2006, the Board of County Commissioners, at the request of Apollo Beach 107 Partnership, LLP, one of the developers within Apollo Beach DRI, approved an NOPC for an extension of the buildout date for Phase I to December 29, 2011, and an extension of the expiration date for the Apollo Beach DRI #59 to April 29, 2016 (Resolution 06-146); and

WHEREAS, as documented by the Tampa Bay Regional Planning Council and in accordance with executive order extensions, the buildout date for Phase I has been extended to December 29, 2030, and the expiration date has been extended to April 29, 2035; and

WHEREAS, on August 11, 2020, the Board of County Commissioners, at the request of BW Apollo Venture I, LLC, and BW Apollo Venture II, LLC, several of the developers within the Apollo Beach DRI, approved extensions of the buildout date for Phase I to December 29,

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2030, approved extensions of the expiration date for the Apollo Beach DRI #59 to April 29, 2035, and approved the modification of Apollo Beach pocket 61 to reallocate 24,000 s.f. of previously unallocated commercial square footage to the said pocket 61, decreasing unallocated commercial square footage from 70,437 s.f. to 46,437 s.f. (Resolution R20-070); and

WHEREAS, on June 7, 2022, the Board of County Commissioners, at the request of Impact Properties, Inc., a developer of property located within the Apollo Beach DRI, approved an amendment to the subject Development Order adding two development options for Apollo Beach DRI pockets 106 and 107, specifically: 1) the option to maintain the existing entitlements approved for the said pockets with 265 multi-family units approved in pocket 106 and 26 single-family attached units approved in pocket 107, or 2) the option to construct 23 single family detached units in pocket 106 and 21 single family detached units in pocket 107 (Resolution R22-058); and

WHEREAS, on February 13, 2024, the Board of County Commissioners at the request of 6400 Apollo Beach Blvd Holdings, LLC, a developer of property located within the Apollo Beach DRI, approved an amendment to the subject Development Order revising Map H to include “surface parking lot” as an allowable use in Pockets 78 and 81 for folios 52055.0200 and 52054.0710 (Resolution 24-006); and

WHEREAS, Apollo Beach Property, LLC (“Developer”), has, on March 28, 2023, October 2, 2024 filed an application to amend the Development Order (hereafter “DO Amendment”), requesting to remove the parcel with tax folio number 52055.0200 from Pocket 78 and relocate the parcel in Pocket 81 reconfigure Pockets 70A, 72, and 105, and to partially amend the entitlements in those Pockets; and

WHEREAS, Hillsborough County gave notice and held a public hearing on _____, ~~2023~~2025 on the proposed DO Amendment, providing the public and other interested parties an opportunity to be heard and present evidence concerning the Developer’s proposed amendment to the Development Order for the Apollo Beach DRI #59.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS _____ DAY OF _____, ~~2023~~2025:

Section 1. The changes to the Consolidated Development Order for Apollo Beach DRI 59, as amended, as proposed by the Developer, do not result in any new or additional impacts requiring further DRI review.

Section 2. The provisions of Resolution No. 85-0038 and Resolution No. R97-169, as previously amended by Resolution No. 99R-052, Resolution No. 90-0116, Resolution No. 91-0086, Resolution No. 93-00202, Resolution No. R99-052, Resolution 01-009, Resolution 01-200, Resolution 02-267, Resolution 06-119, Resolution 06-146, Resolution 20-070 ~~and~~, Resolution R22-058, Resolution **R25-xxx** that are not amended herein shall remain in full force and effect.

Section 3. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the Developer.

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Section 4. The BOCC, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the DO Amendment and to approve amendments to DRIs.

Section 5. In the event that any portion or section of this Resolution 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 development order which shall remain in full force and effect.

Section 6. This Resolution shall become effective upon adoption by the Board of County Commissioners of the County in accordance with Section 380.06, Florida Statutes. The Developer shall record a notice of the adoption of this Resolution in the Hillsborough County public records pursuant to the form previously required by Section 380.06(15)(f), Florida Statutes (2017).

The Amended and Restated Development Order in its entirety is as follows:

I. FINDINGS OF FACT

- A. Applications for Development Approval and Sufficiency Responses which were previously submitted to Hillsborough County are incorporated herein by reference. Since then, various developers have submitted Applications for Notices of Proposed Change and Amendments to the Development Order as applicable to specific properties. Hereinafter, the word “Application” shall refer to the Application for the NOPC and/or a DO Amendment and other exhibits specifically incorporated in this and previous Resolutions.
- B. The real property which is the subject of the Application is legally described as set forth in Composite Exhibit “A”, together with the revised Master Site Plan (Map H, dated December 18, 2024 as set forth in Exhibit “B”).
- C. The proposed development is not in an Area of Critical State Concern as designated pursuant to Section 380.05, Florida Statutes.
- D. All development will occur in accordance with the Development Order and Application.
- E. A comprehensive review of the impacts generated by the Development has been conducted by the Hillsborough County Administration, as applicable.
- F. The authorized agent for the Developer is ~~6400-Apollo Beach Blvd Holdings~~Property, LLC.

II. CONCLUSIONS OF LAW

- A. Based upon the compliance with the terms and conditions of this Amended and Restated Development Order (“Development Order”), provisions of the Application as set forth in the DO Amendment, prior approvals granted under DRI # 59 and DRI # 209 and their corresponding Applications for Development Approval and Sufficiency Responses, the reports, recommendations and testimony heard, it is concluded that:

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1. The Development is consistent with local land development regulations and is consistent with the local government comprehensive plan adopted pursuant to the Hillsborough County Local Government Comprehensive Planning Act, Chapter 75390, Laws of Florida, as amended, and state and regional comprehensive plans.
- B. All statutory procedures have been adhered to and the impacts of the development authorized hereby are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.
- C. The review by Hillsborough County, the Hillsborough County City-County Planning Commission, and other participating agencies and interested citizens indicates that impacts are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Development Order and the Application.
- D. The proposed changes set forth in the DO Amendment are approved subject to all terms and conditions of the Development Orders not otherwise modified by this Amendment.

III. GENERAL PROVISIONS

- A. This Resolution shall constitute the Development Order of Hillsborough County in response to the Application for Development Approval for the Apollo Beach Development of Regional Impact.
- B. The legal description set forth in Composite Exhibit "A" is hereby incorporated into and by reference made a part of this Development Order.
- C. All provisions contained within DRI # 59 and DRI # 209 Development Orders and their corresponding Applications for Development Approval and Sufficiency Responses shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.
- D. The definitions contained in Chapter 380, Florida Statutes, shall govern and apply to this Development Order.
- E. This Development Order shall be binding upon the Developers and their successors and assigns, including any entity which may assume any of the responsibilities imposed on the Developers by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to include any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of any branch of government or governmental agency.
- F. In the event that any portion or section of this Development Order is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Development Order which shall remain in full force and effect.
- G. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected governmental agencies and departments as are or may be designated by the

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Board of County Commissioners of Hillsborough County to review developments set forth under applicable laws and rules governing Developments of Regional Impact.

- H. In each instance in this Development Order where the Developers are responsible for ongoing maintenance of facilities at Apollo Beach, the Developers may transfer any or all of their maintenance responsibilities to an appropriate entity created for purposes of such maintenance. However, before such transfer may be made and becomes effective, the body to which responsibility will be transferred must be approved by the County, and/or other agencies (if any) required by law to approve such transfer or entity. Upon determination that the entity or body in question can and will be responsible to provide maintenance as required in this Development Order, such approval by the County and other agencies (if any) shall not be unreasonably withheld.
- I. A substantial deviation from the terms or conditions of this Development Order or other changes to the approved development plans which create a reasonable likelihood of additional adverse regional impact may result in the County ordering a termination of all development approved herein.
- J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. In the event of a deviation, the County Administrator shall issue a notice of such noncompliance to the Developers, or the County Administrator shall recommend that the Board of County Commissioners establish a hearing to consider such deviations. The Developer shall be given notice of any such hearing. In the event that circumstances require an immediate action, so as to prevent irreparable harm, the County Administrator need not issue a notice of non-compliance.
- K. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation or ordinance of Hillsborough County, its agencies and commissions, and except as otherwise provided herein, to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable laws, rules, regulations and ordinances in effect at the time of the review unless exempted or vested pursuant to law.
- L. This Development Order shall become effective upon the adoption by the Board of County Commissioners of the County in accordance with Section 380.06, Florida Statutes, as amended. A notice of the adoption of the Development Order shall be recorded in the Hillsborough County public records pursuant to the requirements previously set forth in Florida Statutes, Section 380.06 Florida Statutes (2017). All time frames stipulated herein shall be tolled during any appeal or litigation affecting this Development Order.
- M. The Developers have elected, pursuant to Subsection 380.06 (5) (c), Florida Statutes, and to the extent not already exempted, to be bound by the provisions of Chapters 403 and 373 and each Chapter's respective implementing rules and regulations in effect as of the effective date of this Development Order. Accordingly, to the extent that the provisions of Subsection 380.06 (5) (c), Florida Statutes, affected the determination as to which laws, rules or regulations are applicable

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to the Development, said determination shall apply notwithstanding any condition in this Development Order to the contrary.

- N. An assessment of development activity as of December 2019, based on Property Appraiser data, is attached as C.

(added: R20-070)

IV. SPECIFIC CONDITIONS

A. Development Schedule and Deadlines

1. The development of the project shall proceed in accordance with the following schedule:

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EXISTING DEVELOPMENT	As of 12/31/1996	Units/ Sq. Ft	Total PM Peak Trips	PM Peak Entering	PM Peak Exiting
RESIDENTIAL UNITS	BUILT	607	549	357	192
COMMERCIAL	SQ. FT.	225,072	1,100	550	550
OFFICE	SQ. FT.	0			
INDUSTRIAL	SQ. FT.	0			
MARINA*	NO. SLIPS	78	15	9	6
	TOTAL TRIPS		1664	916	748
PHASE IB					
(remainder of DRI # 59)					
BUILD OUT DATE	12/29/2030				
RESIDENTIAL UNITS	SFD	1,822	1,480	962	518
	**MF		0	0	0
COMMERCIAL	SQ. FT.	515,392	1,853	890	963
COMMERCIAL***	SQ. FT.	130,000	776	388	388
OFFICE***	SQ. FT.	140,000	281	48	233
INDUSTRIAL	SQ. FT.	0	0	0	0
MARINA*	NO. SLIPS	8	2	1	1
TOTAL	TOTAL TRIPS		4,392	2,289	2,103
<i>PHASE II AND III have been eliminated as a result of the Harbor Bay(DRI # 241) bifurcation resolutions 99-052, and 01-009 and deletion of the Mixon tract, approved on June 13, 2006</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>

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EXISTING DEVELOPMENT	As of 12/31/1996	Units/ Sq. Ft	Total PM Peak Trips	PM Peak Entering	PM Peak Exiting
TOTAL PROJECT ****					
RESIDENTIAL UNITS	UNITS	2,429	2,029	1,319	710
COMMERCIAL	SQ. FT.	870,464	3,729	1,828	1,901
OFFICE	SQ. FT.	140,000	281	48	233
INDUSTRIAL	SQ. FT.	0	0	0	0
MARINA*	NO. SLIPS	86	17	10	7
	TOTAL TRIPS		6,056	3,205	2,851

*Any expansion of either wet or dry commercial boat slips within the project will be counted cumulatively with the previously approved slips in any DRI determination

**Applicant may develop single or multi-family development within select identified areas.

***Applicant may develop in office areas subject to no increase in overall PM Peak or PM Peak directional trips

Resolution # 02-267 added 130 residential units to pockets 70A, 72, and 105 and acknowledges 3 residential units within pocket 99A for a total of 133 supplementary units within Phase 1B.

(amended: R20-070; R06-146; R06-119; R02-267; R01-200; R01-009; R00-028; R99-052; R97-169)

2. ~~Specific final development approval is accorded to the development set forth in IV.A.1 above (the portion of the project specifically approved by DRI # 59), subject to the conditions contained herein. (deleted: R25-_____)~~

Increments of individual approved land uses, or any subphase, portion or combination thereof, may be converted to other increments of individual approved land uses having the equivalent trip generation based on the Institute of Transportation Engineer's ("ITE") Trip Generation, latest edition. In addition, the cumulative project totals for each approved land use shall not be exceeded as a result of such conversion. Prior to such conversion, the Developers shall provide the County for review and approval, traffic trip generation data sufficient to verify that such conversion will not result in directional trip generation which exceeds that projected.

This data shall be submitted to the Florida Department of Transportation. Although the phasing of certain land uses may be accelerated the geographic location of the land uses may not be altered from the original approved master plan without the developers filing a notice of proposed change to determine whether a substantial deviation has occurred, in either case a development order amendment will be required. As an exception to this restriction, the geographic location of office uses and commercial uses may be exchanged without filing a notice of change as required above. Nothing in this section shall be construed as a predetermination that any proposed change in geographic locations of uses which would be required by this order to file a notice of change, is or is not a substantial deviation.

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(amended: R06-146).

3. *(deleted: R06-146)*

4a. Marina Provisions: Any expansion of the Andalucia Marina beyond the approved seventy-eight (78) marina boat slips shall require a substantial deviation determination. Eight (8) accessory wet marina boat slips shall be permitted with Pocket #80. A total of eighty-six (86) marina boat slips are specifically approved. Any additional marina facilities shall be subject to review and approval based on either:

a) a satisfactory demonstration to the County by the property owner of existing marina development rights; or

b) the definition of “substantial deviation” as set forth in Section III.I, of this Development Order.

(amended: R20-070).

4b. Residential Boat Slips: Each waterfront residential unit shall be permitted one (1) individual non-commercial boat slip. ~~Such slips shall not require a substantial deviation determination pursuant to Subsection 380.06 (19), Florida Statutes~~ Additionally, a private dock facility for non-commercial boat slips shall be allowed in Pocket 105 for waterfront and/or non-waterfront residential units within Pockets 70A and 72. *(amended: R25-___).*

5. *(deleted: R06-146; the area referred to in this paragraph was made part of the Harbor Bay DRI #241 by R01-009).*

6. The physical development of the consolidated Apollo Beach development has commenced.

7. This Development Order shall remain in effect for a period up to and including April 29, 2035. No development shall be commenced after expiration of the Development Order. Any development activity for which plans have been submitted to the County for its review and approval prior to the expiration date of this Development Order may be completed in accordance with the requirements of the Development Order, if approved. This Development Order may be extended by the Board of County Commissioners of Hillsborough County on the finding of excusable delay in any proposed development activity. However, any application for extension must be filed with Hillsborough County, TBRPC and DCA a minimum of thirty (30) days prior to the expiration date of this Development Order.

(amended: R20-070)

8. This Development shall not be subject to downzoning, or intensity reduction until April 29, 2035, unless the local government can demonstrate that substantial changes in the conditions underlying the approval of the Development Order have occurred, or the Development Order was based on substantially inaccurate information provided by the Developers, or that the change is clearly established by the local government to be essential to the public health, safety, or welfare.

(amended: R20-070)

B. Transportation

1. General Transportation Conditions for remaining development:

Mobility Fees. The transportation impacts of all remaining development will be mitigated through payment of mobility fees pursuant to the terms of the Hillsborough County Mobility Fee Ordinance, Ord. No. 16-8, as it may be amended.

(amended: R20-070)

2. *(deleted: R06-146; phases II, III, IV and the Mixon Tract were deleted by R99-052, R01-009, R06-119 and as a result of the 1993 Environmental Lands Acquisition Protection Program (“ELAPP”) purchase).*

3. *(deleted: R06-146; phases II, III, IV and the Mixon Tract were deleted by R99-052, R01-009, R06-119 and as a result of the 1993 Environmental Lands Acquisition Protection Program (“ELAPP”) purchase).*

C. *(deleted: R06-146; phases II, III, IV and the Mixon Tract were deleted by R99-052, R01009, R06-119 and as a result of the 1993 Environmental Lands Acquisition Protection Program (“ELAPP”) purchase).*

D. Public Facilities

1. *(deleted: R06-146; phases II, III, IV and the Mixon Tract were deleted by R99052, R01-009, R06-119 and as a result of the 1993 Environmental Lands Acquisition Protection Program (“ELAPP”) purchase).*

2. **Drainage and Flood Control**

a. The stormwater management systems shall be designed, constructed, and maintained to meet or exceed Chapter 40D-4, FAC, unless specifically exempted by SWFWMD. The systems shall be designed, constructed, and maintained to meet or exceed Chapter 17-25, FAC. Treatment shall be provided by biological filtration, wherever feasible.

b. The stormwater management system for the development shall be designed, constructed, and maintained at minimum, to meet the requirements of the Hillsborough County Stormwater Management Technical Manual. The design criteria to be used is that which is in effect at the time of construction plan submittal for a particular phase of the development. In addition, the stormwater management system shall provide retention for the first one-inch of runoff generated from the site, unless this requirement is proven by the Developers to be unnecessary for groundwater recharge and surface water quality protection purposes.

c. *(deleted: R06-146; phases II, III, IV and the Mixon Tract were deleted by R99-052, R01-009, R06-119 and as a result of the 1993 Environmental Lands Acquisition Protection Program (“ELAPP”) purchase).*

d. Best Management Practices for reducing water quality impacts, as recommended by Hillsborough County and SWFWMD, shall be implemented

and shall include a street cleaning program for parking and roadway areas within the development.

- e. *(deleted: R06-146; phases II, III, IV and the Mixon Tract were deleted by R99-052, R01-009, R06-119 and as a result of the 1993 Environmental Lands Acquisition Protection Program (“ELAPP”) purchase).*
- f. The Developers shall be responsible for the operation and maintenance of the on-site stormwater management facilities unless otherwise required or approved by the County.
- g. No fill shall be allowed in the 100-year freshwater riverrain floodplain without equal flood plain storage value compensation within the stormwater management system. Also, in order to mitigate potential property damage from flooding, all elevations for habitable structures shall be at or above the 100-year flood level.
- h. All necessary drainage and associated access easements shall be conveyed by the Developers to the County as required, in accordance with County policies existing at the time of construction plan submittal for a particular phase. All easement documents shall be fully executed and recorded prior to, or concurrent with issuance of certificates of occupancy or plat approval, whichever is applicable for the particular parcel or phase.
- i. To the extent not already exempted, the Developers have elected to be bound by the rules adopted pursuant to Chapters 373 and 403, Florida Statutes in effect at the time of adoption of this development order amendment. Accordingly, all applications for development permits pursuant to those chapters and which are necessary for, and consistent with the development authorized by this development order amendment, to the extent not exempted, shall be subject to the rules adopted pursuant to those chapters in effect at the time of adoption of this development order amendment.

3. Water Supply

- a. *(deleted: R06-146; phases II, III, IV and the Mixon Tract were deleted by R99-052, R01-009, R06-119 and as a result of the 1993 Environmental Lands Acquisition Protection Program (“ELAPP”) purchase).*
- b. *(deleted: R06-146; phases II, III, IV and the Mixon Tract were deleted by R99-052, R01-009, R06-119 and as a result of the 1993 Environmental Lands Acquisition Protection Program (“ELAPP”) purchase).*
- c. *(deleted: R06-146; phases II, III, IV and the Mixon Tract were deleted by R99-052, R01-009, R06-119 and as a result of the 1993 Environmental Lands Acquisition Protection Program (“ELAPP”) purchase).*
- d. The Developers shall encourage the use of the lowest quality water reasonably available and suitable for a given purpose in order to reduce the unnecessary use of the potable water.
- e. Adequate fire flow and pressure shall be maintained within Apollo Beach.

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- f. Planning and development of this project shall conform to, and further, the rules and guidelines adopted by the Southwest Florida Water Management District of the Eastern Tampa Bay Water Use Caution Area.

E. Hurricane Preparedness

1. The Developers shall promote hurricane awareness and shall cooperate with local and regional authorities to prepare a plan to ensure the safe and orderly evacuation order is issued. The plan shall be implemented by the Developers: (1) using its best efforts to have all buildings closed for the duration of a hurricane evacuation order; (2) informing all residents and employees of evacuation routes out of the flood prone area and measures to be followed in the event of same; and (3) making all efforts to coordinate with an inform appropriate public authorities of building closings, security and safety measures, and evacuation plans.
2. To the greatest extent possible, the Developers shall coordinate with Hillsborough County Emergency Management officials, TBRPC, and the Tampa Bay Suncoast Chapter of the American Red Cross to determine appropriate shelter mitigation.
(amended: R06-146)

D. General

1. Developers' Commitments. The Developers' commitments are set forth in the ADAs and Development Orders for DRI #59 are hereby incorporated by reference and shall be honored, except as they may be superseded by specific terms of the Development Order.
2. *(deleted: R22-058 to reflect statutory change)*
3. Notice of Adoption. The Developer shall record a notice of adoption of this Development Order pursuant to the form previously required in Subsection 380.06(15), Florida Statutes.
4. Effective Date. The effective date of this Development Order shall be the date of its transmittal by the clerk of the Board of County Commissioners as set out below.
5. Date Rendered. This Development Order shall be deemed rendered as of the postmark date of the transmittal of copies hereof to the Developer.

Upon adoption, this Resolution shall be transmitted by the Ex-Officio Clerk of the Board of County Commissioners by certified mail to the Developer or Developer's Representative and other recipients specified by specified by statute of rules.

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STATE OF FLORIDA)

)

COUNTY OF HILLSBOROUGH)

I, CINDY STUART VICTOR D. CRIST, Clerk of the Circuit Court and Ex-officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its _____ meeting of _____ as same appears of record in Minute Book _____ of the Public Records of Hillsborough County, Florida,

WITNESS my hand and official seal this _____ day of _____, 20245.

ATTEST: CINDY STUART VICTOR D. CRIST, CLERK

By:

Deputy Clerk

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Composite Exhibit "A" Legal Description

APOLLO D.R.I.

(LESS HARBOR BAY, ELAPP, DICKMAN, SCHOOL (*i.e.*: Harbor Bay West and East), the Mixon tract, and HILLSBOROUGH COUNTY DRAINAGE RIGHT-OF-WAY and adding pockets 99A and 108)

LEGAL DESCRIPTION:

A parcel of land lying in Sections 15, 16, 17, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32 and 33, Township 31 South, Range 19 East, Hillsborough County, Florida, more particularly described as follows:

Commence at the Southwest corner of Section 33; run thence N 00°29'21" E, along the West boundary of said Section 33, a distance of 1484.40 feet; thence N 64°47'39" W, a distance of 775.38 feet; thence S 75°11'06" W, a distance of 675.22 feet; thence S 54°49'48" W, a distance of 538.13 feet; thence S 89°39'54" W, a distance of 633.74 feet; thence S 87°40'13" W, a distance of 301.58 feet; thence N 89°22'37" W, a distance of 1260.43 feet; thence N 00°48'27" E, a distance of 1282.59 feet; thence N 89°25'52" W, a distance of 1331.17 feet; thence S 00°55'14" W, a distance of 1285.88 feet; along the East boundary of Section 31; thence N 89°23'45" W, a distance of 3979.64 feet; thence S 00°35'07" W, a distance of 1298.26 feet; thence N 89°34'29" W, a distance of 1324.04 feet to the Southwest corner of said Section 31, thence N 00°30'05" E, along the West boundary of said section 31 and 30, a distance of 7423.41 feet; thence N 29°16'56" W, a distance of 3969.60 feet to a point on the Hillsborough County bulkhead line in Tampa Bay as recorded in Plat Book 35, Page 16 of the Public Records of Hillsborough County, Florida; thence N 60°43'04" E, along said bulkhead line, a distance of 5194.59 feet; thence N 45°51'25" E, a distance of 2900.52 feet; thence N 38°38'27" E, a distance of 2448.98 feet; thence N 45°37'51" E, a distance of 3629.23 feet; thence N 34°59'22" E, a distance of 2288.40 feet; thence S 88°58'27" E, a distance of 653.64 feet to the Northwest corner of Section 16, thence continue S 88°58'27" E, a distance of 1703.52 feet; thence S 34°59'22" W, a distance of 3039.10 feet to a point on the West boundary of said Section 16; thence leaving the stated bulkhead line S 00°53'49" W, along said West boundary of Section 16, a distance of 1318.47 feet; thence S 48°01'42" E, a distance of 357.43 feet to a point on the Northerly boundary of a resubdivision of Apollo Beach Unit 8, as recorded in Plat Book 42, Page 58 of the Public Records of Hillsborough County, Florida; thence along said Northerly boundary S 47°33'02" E, a distance of 50.00 feet; thence along an arc to the left a distance of 1362.35 feet with a radius of 2793.82 feet, subtended by a chord of 1348.89 feet, chord bearing S 61°31'13" E; thence S 75°29'23" E, along the North boundary of Apollo Beach Unit 8, Section A, as recorded in Plat Book 35, Page 97 of the Public Records of Hillsborough County, Florida, a distance of 958.41 feet; thence S 75°34'05" E, along the North boundary of Sabal Key Unit 2 as recorded in Plat Book 46, Page 51 of the Public Records of Hillsborough County, Florida, a distance of 1181.81 feet; thence S 01°06'31" W, a distance of 110.85 feet to a point on the North boundary of Section 21; thence along said North boundary S 89°34'17" E, a distance of 1690.87 feet to the Southwest corner of Section 15; thence N 00°44'36" E, along the West boundary of said Section 15, a distance of 662.52 feet; thence S 89°20'12" E, a distance of 2643.40 feet; thence S 00°48'54" W, a distance of 663.76 feet to a point on the North boundary of Section 22, thence S 89°18'35" E, along said North boundary a distance of 1923.31 feet to a point on the Westerly right of way boundary of U.S. Highway 41 (S.R. 45); thence along said Westerly right of way boundary S 28°38'02" W, a distance of 2577.17

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feet; thence N 61°21'58" W, a distance of 200.00 feet; thence S 28°38'02" W, a distance of 100.00 feet; thence S 61°21'58" E, a distance of 200.00 feet; thence S 28°38'02" W, a distance of 769.90 feet; thence N 61°21'58" W, a distance of 18.00 feet; thence S 28°38'02" W, a distance of 1627.50 feet to a point of curvature; thence along an arc to the right a distance of 169.25 feet with a radius of 2714.79 feet subtended by a chord of 169.22 feet, chord bearing S 30°25'12" W; thence S 60°36'58" E, a distance of 13.01 feet to a point on a curve; thence along an arc concave to the Northwesterly, a distance of 246.17 feet with a radius of 2727.79 feet subtended by a chord of 246.09 feet, chord bearing of S 34°46'40" W; thence N 60°36'58" W, a distance of 40.40 feet to a point on a curve; thence along an arc concave to the Northwesterly, a distance of 457.43 feet with a radius of 2687.79 feet, subtended by a chord of 456.88 feet, chord bearing S 42°21'30" W, to a point of tangency; thence S 47°14'02" W, a distance of 229.20 feet; thence N 89°19'12" W, a distance of 134.56 feet; thence S 47°14'02" W, a distance of 243.63 feet; thence S 89°19'12" E, a distance of 200.00 feet thence S 47°14'02" W, a distance of 572.95 feet thence N 89°19'12" W, a distance of 490.64 feet; thence N 00°53'46" E a distance of 271.54 feet; thence N 89°12'12" W, a distance of 439.87 feet; thence N 00°53'46" E, a distance of 290.00 feet, to the Southeast corner of stated Section 21; thence N 89°23'43" W, along the South boundary of said Section 21 also being the centerline of Miller Mac Road (Clay-Gully Road Plat) a distance of 3962.79 feet thence S 00°53'17"W, a distance of 1324.17 feet; thence N 89°22'11" W, a distance of 1320.86 feet to the East boundary of Section 29; thence S 00°53'07" W, along said East boundary, a distance of 1323.58 feet; thence N 89°20'36" W, a distance of 1322.15 feet thence S 00°46'56" W, a distance of 1324.06 feet; thence S 89°21'52" E, a distance of 1319.77 feet; thence S 89°19'10" E, a distance of 2738.91 feet to a point on the stated Westerly right-of-way boundary of U.S. Highway 41 (S.R. 45); thence S 47°14'02" W, along said right-of-way boundary, a distance of 463.05 feet; thence S 47°18'00" W, a distance of 1464.29 feet to a point on the North boundary of Section 33; thence S 89°17'39" E, along said North boundary a distance of 3083.65 feet to a point on the Westerly right-of-way boundary of Seaboard Coastline Railroad; thence S 28°37'33" W, along said Westerly right-of-way a distance of 5791.97 feet to the South boundary of stated Section 33; thence N 89°06'38" W, along said South boundary a distance of 2050.00 feet to the Southwest corner of said Section 33, said point being the POINT OF BEGINNING.

ALSO a tract in Section 22, Township 31 South, Range 19 East, more particularly described as follows: From the Southwest corner of stated Section 22, run S 89°19'12" E, along the South boundary of Section 22, a distance of 2084.69 feet to a point on the East right-of-way boundary of Seaboard Coastline Railroad; thence N 28°37'33" E, along said right-of-way boundary a distance of 737.35 feet to a POINT OF BEGINNING; thence continue along said right-of-way boundary a distance of 726.00 feet; thence S 61°22'27" E, a distance of 300.00 feet; thence S 28°37'33" W, a distance of 726.00 feet; thence N 61°22'27" W, a distance of 300.00 feet to the POINT OF BEGINNING.

AND

Development Pocket 99A

DESCRIPTION: Parcels D, E, and F, ST ANDREWS CLOSE MINOR SUBDIVISION

Containing approximately 3.29 acres

AND

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Development Pocket 108 (relocated driving range)

DESCRIPTION: A parcel of land lying in the North 1/2 of Sections 28, Township 31 South, Range 18 East, Hillsborough County, Florida, and a portion of Tracts 47 and 56, RUSKIN TOMATO FARMS, according to the map or plat thereof as recorded in Plat Book 27, Page 110 of the Public Records of Hillsborough County, Florida, and being more particularly described as follows:

Commence at the Southeast corner of Section 29, Township 31 South, Range 18 East, Hillsborough County, Florida, and run thence N.00°51'10"E., 2646.83 feet along the East boundary of said Section 29; thence N.89°17'14"W., 190.17 feet along the South boundary of the Northeast 1/4 of said Section 29 (also being the South boundary of said Tract 55); thence N.00°49'48"E., 653.98 feet to a point on the South boundary of APOLLO BEACH UNIT SIX, as recorded in Plat Book 37, Page 88 of the Public Records of Hillsborough County, Florida; thence S.89°22'53"E., 76.80 feet along the South boundary of said APOLLO BEACH UNIT SIX to the Southeast corner thereof and the Southwest corner of property of Charles F. and Lori L. Bruno as described in O.R. Book 8631, Page 368, Public Records of Hillsborough County, Florida; thence along the South boundary of the Bruno property S.89°22'53"E., 143.36 feet to the Southeast corner thereof and the POINT OF BEGINNING; thence N.00°54'10"E., 407.84 feet along the East boundary of the Bruno property to the South boundary of property of Patricia Landwehr Corr as recorded in O.R. Book 7588, Page 804, Public Records of Hillsborough County, Florida; thence S.89°22'53"E., 104.62 feet along the South boundary of the Corr property; thence N.00°37'07"E., 403.35 feet along the East boundary of the Corr property to the South right-of-way line of Signet Drive; thence along said Southerly right-of-way line the following three (3) courses: 1) Easterly, 80.36 feet along the arc of a curve to the right having a radius of 345.00 feet and a central angle of 13°20'45" (chord bearing S.67°46'44"E., 80.18 feet) to a point of tangency; 2) S.61°06'22"E., 273.02 feet to a point of curvature; 3) Southerly, 39.27 feet along the arc of a curve to the right having a radius of 25.00 feet and a central angle of 90°00'00" (chord bearing S.16°06'22"E., 35.36 feet) to the right-of-way line Golf and Sea Boulevard; thence along the existing right-of-way line for Golf and Sea Boulevard the following three (3) courses: 1) S.28°53'38"W., 106.52 feet; 2) S.61°06'22"E., 110.00 feet; thence along the proposed right-of-way line for Golf and Sea Boulevard the following four (4) courses: 1) S.61°06'22"E., 30.00 feet; 2) N.28°53'38"E., 111.52 feet; 3) S.61°06'22"E., 145.48 feet to a point of curvature; 4) Southeasterly, 246.77 feet along the arc of a curve to the right having a radius of 450.00 feet and a central angle of 31°25'13" (chord bearing S.45°23'45"E., 243.69 feet); thence S.67°00'00"W., 281.56 feet; thence S.00°53'15"W., 190.00 feet; thence S.89°22'16"E., 320.00 feet to the proposed right-of-way line of said Golf and Sea Boulevard; thence S.00°53'15"W., 466.23 feet along said proposed right-of-way line; thence N.89°06'45"W., 284.08 feet; thence NORTH, 114.13 feet; thence N.59°17'36"W., 340.36 feet; thence N.54°03'49"W., 284.72 feet; thence N.89°22'53"W., 107.76 feet to the POINT OF BEGINNING. Containing 14.676 acres, more or less

and

Com At Nw Cor Of Sw 1/4 S 89 Deg 22 Min 16 Sec E 2 951.33 Ft For Pob N 00 Deg 53 Min 15 Sec E 670.01 3 Ft N 89 Deg 22 Min 16 Sec W 320 Ft N 00 Deg 53 Min 4 15 Sec E 190 Ft N 67 Deg 00 Min 00 Sec E 281.56 Ft 5 Curve To Left Rad 450 Ft Chrd Brg N 45 Deg 23 Min 6 45 Sec W 243.69 Ft N 61 Deg 06 Min 22 Sec W 145.48 7 Ft S 28 Deg 53 Min 38 Sec W 111.52 Ft N 61 Deg 06 8 Min 22 Sec W 30 Ft N 28 Deg 53 Min 38 Sec E 223.96 9 Ft S 89 Deg 22 Min 52 Sec E 2.98 Ft Curve To Left 10 Rad 25 Ft Chrd Brg S 29 Deg 20 Min 59 Sec E 26.32 11 Ft S 61 Deg 06 Min 22 Sec E 150.48 Ft Curve To

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12 Right Rad 550 Ft Chrd Brg S 30 Deg 06 Min 33 Sec E 13 566.49 Ft S 00 Deg 53 Min 15 Sec W 743.24 Ft And N 14 89 Deg 22 Min 16 Sec W 100 Ft To Pob Less Rd R/W Containing 1.95 acres, more or less for a total of 16.6 acres

LESS:

The following described properties:

That part of the Northeast 1/4 of Section 32, Township 31 South, Range 19 East lying South of U.S. Highway 41, (S.R. 45).

ALSO that portion of the North 1/2 of the Southeast 1/4 of Section 32, Township 31 South, Range 19 East, lying North and West of U.S. Highway 41 (S.R. 45), less the West 488.10 feet.

ALSO tract 65 of Ruskin Tomato Farms as recorded in Plat Book 27, Page 110 of the Public Records of Hillsborough County, Florida.

Said parcel containing 5227.19 acres M.O.L.
Gross Acreage. 47.07 acres M.O.L. Rights-of-Way.
Total Net Acreage 5180.12

(Plus 99A and 108 totaling 20 M.O.L. acres)

AND ALSO LESS (ELAPP PROPERTY)

DESCRIPTION:

A parcel of land lying in Sections 19, 20, 29, 30, 31 and 32, Township 31 South, Range 19 East, Hillsborough County, Florida; explicitly described as follows:

That part of aforesaid Section 19, lying above the mean highwater line of Tampa Bay.

Together with: that part of aforesaid Section 20, lying above the mean highwater line of Tampa Bay and Southwesterly of Biscayne Canal as shown on the record plat of Apollo Beach Unit No. 6, as recorded in Plat Book 37, Page 88, of the Public Records of Hillsborough County, Florida.

Together with: that part of Tracts 51, 52 and 53, Ruskin Tomato Farms as recorded in Plat Book 27, Page 110, of the Public Records of Hillsborough County, Florida, lying Southwesterly of Biscayne Canal as shown on the record plat of Apollo Beach Unit No. 6, as recorded in Plat Book 37, Page 88, of the Public Records of Hillsborough County, Florida and Northwesterly of the unnamed canal running through said Tracts 52 and 53; together with the unimproved right of way abutting said Tracts 51 and 52; all lying within aforesaid Section 29, Township 31 South, Range 19 East, Hillsborough County, Florida; and all of Tract 67, Ruskin Tomato Farms as recorded in Plat Book 27, Page 110, of the Public Records of Hillsborough County, Florida, lying Southwesterly of the canal right of way as recorded in Deed Book 1106, Page 308, of the Public Records of Hillsborough County, Florida.

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Together with: that portion of aforesaid Section 30, Township 31 South, Range 19 East, Hillsborough County, Florida, lying above the mean highwater line of Tampa Bay. Together with: All of aforesaid Section 31, Township 31 South, Range 19 East, Hillsborough County, Florida, less the Southerly 80 feet of the Southwest One-Quarter of the Southwest One-Quarter of said Section 31 for right of way purposes as recorded in Official Record Book 1648, Page 926, of the Public Records of Hillsborough County, Florida and less the Southeast One-Quarter of the Southwest One-Quarter of said Section 31 and less the South half of the Southeast One-Quarter of said Section 31, Township 31 South, Range 19 East, Hillsborough County, Florida, and less maintained right of way for Villemaire Road.

Together with: that portion of aforesaid Section 32, Township 31 South, Range 19 East, Hillsborough County, Florida, explicitly described as follows: Commence at the Northwest corner of said Section 32 for the Point of Beginning, thence on the Northerly boundary thereof S 89°22'58" E, a distance of 382.24 feet, to the Southeast corner of Section 29, Township 31 South, Range 19 East, Hillsborough County, Florida, thence continue on said Northerly boundary, S 89°22'58" E, a distance of 887.01 feet, to the Westerly right of way boundary of the canal as recorded in Deed Book 1106, Page 308, of the Public Records of Hillsborough County, Florida; thence on said Westerly canal right of way, S 31°16'29" E, a distance of 1004.27 feet; thence continue on said Westerly right of way S 59°09'11" E, a distance of 962.77 feet, to the Westerly right of way boundary of Leisey Road as maintained by Hillsborough County; thence on said Westerly maintained right of way boundary, S 00°55'35" W, a distance of 479.51 feet; thence departing said right of way boundary, N 89°16'02" W, a distance of 1860.73 feet; thence S 00°37'31" W, a distance of 668.48 feet, to the Northerly right of way boundary of Villemaire Road, as recorded in Deed Book 1106, Page 310, of the Public Records of Hillsborough County, Florida; thence on said Northerly right of way boundary, N 89°26'00" W, a distance of 780.42 feet to a point on the Westerly boundary of aforesaid Section 32, said point being N 00°53'52" E, 60.00 feet from the Southwest corner of the Northwest One-Quarter of said Section 32; thence on the Westerly boundary of said Section 32, N 00°53'52" E, a distance of 2482.35 feet to the Point of Beginning.

Contains 1079.5 acres of land more or less above mean high water.

AND ALSO LESS:

(HARBOR BAY - TRACT "V")

DESCRIPTION: A parcel of land lying in Sections 28, 29, 32 and 33, Township 31 South, Range 19 East, Hillsborough County, Florida and being more particularly described as follows;

From the Southwest corner of the Northwest 1/4 of Section 32, Township 31 South, Range 19 East, run thence N.00°53'55"E., 60.00 feet along the West boundary of the Northwest 1/4 of said Section 32; thence S.89°25'58"E., 780.75 feet along the North right-of-way line of Villemaire Road (also being a line 60.00 feet North of and parallel with the South boundary of the Northwest 1/4 of said Section 32) to the **POINT OF BEGINNING**; thence along the Easterly boundary of property deeded to Hillsborough County and recorded in Official Records Book 7073, Page 320, Public Records of Hillsborough County, Florida the following two (2) courses: 1) N.00°36'25"E., 668.30 feet; 2) S.89°16'25"E., 1860.63 feet to the Westerly maintained right-of-way line of Leisey Road; thence N.00°55'35"E., 514.13 feet along said Westerly maintained right-of-way line to the North boundary of a 30 foot wide Drainage Canal as recorded in Deed Book 1106, Page 308, Public Records of Hillsborough County, Florida; thence

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N.59°07'43"W., 937.77 feet along said Drainage Canal; thence N.31°17'43"W., 2730.60 feet along said Drainage Canal to the West boundary of the aforesaid Section 29; thence N.00°28'03"E., 1168.22 feet along said West boundary to the Northwest corner of the Southwest 1/4 of said Section 29; thence S.89°17'14"E., 622.24 feet along the North boundary of the Southwest 1/4 of said Section 29 to the Northwest corner of Tract 65, RUSKIN TOMATO FARMS, according to the plat thereof as recorded in Plat Book 27, Page 110, Public Records of Hillsborough County, Florida; thence along the Westerly boundary of said Tract 65, S.48°41'18"E., 1991.58 feet to the Southwest corner of said Tract 65; thence along the South boundary of said Tract 65, S.89°20'09"E., 465.65 feet to the Southeast corner of said Tract 65; thence along the East boundary of said Tract 65, N.00°40'32"E., 1295.64 feet to the Northeast corner of said Tract 65; thence along the North boundary of said Tract 65, N.89°17'14"W., 1612.28 feet to the centerline of a drainage canal; thence along the centerline of said canal the following fourteen (14) courses: 1) N.12°57'40"W., 112.26 feet; 2) N.00°11'29"W., 77.99 feet; 3) N.26°34'39"E., 26.86 feet; 4) N.28°19'33"E., 51.78 feet; 5) N.35°31'21"E., 99.07 feet; 6) N.36°11'35"E., 79.11 feet; 7) N.36°16'26"E., 89.95 feet; 8) N.36°29'54"E., 92.87 feet; 9) N.37°43'25"E., 72.46 feet; 10) N.36°45'54"E., 83.83 feet; 11) N.36°54'42"E., 74.67 feet; 12) N.34°31'46"E., 77.69 feet; 13) N.38°01'31"E., 79.67 feet; 14) N.38°17'39"E., 111.88 feet to a point on the curved Southerly boundary of Biscayne Canal according to the plat of APOLLO BEACH - UNIT SIX, as recorded in Plat Book 37, Page 88, Public Records of Hillsborough County, Florida; thence along the Southerly boundary of said Apollo Beach Unit Six, the following four (4) courses: 1) Southeasterly, 1328.34 feet along the arc of a curve to the left having a radius of 1305.00 feet and a central angle of 58°19'14" (chord bearing S.60°18'45"E., 1271.74 feet) to a point of tangency; 2) S.89°28'22"E., 1374.19 feet to a point of curvature; 3) Northeasterly, 723.06 feet along the arc of a curve to the left having a radius of 788.28 feet and a central angle of 52°33'18" (chord bearing N.64°14'59"E., 697.97 feet); 4) S.89°22'53"E., 442.25 feet; thence S.00°49'48"W., 653.98 feet to the South boundary of the Northeast 1/4 of said Section 29, said point also being the North boundary of Tract 63, of the aforesaid RUSKIN TOMATO FARMS; thence along the North boundary of said Tract 63, N.89°17'14"W., 1131.95 feet; thence along the West boundary of said Tract 63, S.00°46'49"W., 1294.53 feet; thence along the South boundary of said Tract 63, S.89°20'09"E., 1319.65 feet; thence along the South boundary of the aforesaid Tract 62, S.89°19'05"E., 1051.37 feet; thence S.00°53'15"W., 60.00 feet along the Southerly projection of the West boundary of the East 269.17 feet of said Tract 62, to a point on the South right-of-way line of Leisey Road (North boundary of Tract 71 of said RUSKIN TOMATO FARMS); thence S.89°19'05"E., 1562.31 feet along said South right-of-way line (North boundary of Tracts 71 and 72 of said RUSKIN TOMATO FARMS) to the intersection right-of-way for Leisey Road with U.S. Highway No. 41 (S.R. 45); thence S.41°51'46"E., 65.34 feet along said intersection right-of-way line; thence along the Westerly right-of-way line of said U.S. Highway No.41 the following six (6) courses: 1) S.47°13'56"W., 349.59 feet; 2) S.47°17'54"W., 4033.93 feet to a point of curvature; 3) Southwesterly, 990.76 feet along the arc of a curve to the right having a radius of 11409.16 feet and a central angle of 04°58'32" (chord bearing S.49°47'10"W., 990.45 feet); 4) N.37°43'34"W., 18.00 feet to a point on a curve; 5) Southwesterly, 81.61 feet along the arc of said curve to the right having a radius of 11391.16 feet and a central angle of 00°24'38" (chord bearing S.52°28'44"W., 81.61 feet); 6) S.77°22'04"W., 129.32 feet to the North right-of-way line of the aforesaid Villemaire Road; thence N.89°25'58"W., 3401.98 feet along said North right-of-way line (also being a line 60.00 feet North of and parallel with the South boundary of the Northwest 1/4 of said Section 32) to the **POINT OF BEGINNING**.

Containing 561.496 acres, more or less.

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AND ALSO LESS:

(HARBOR BAY - TRACT "W")

DESCRIPTION: A parcel of land lying in the South 1/2 of Section 32, Township 31 South, Range 19 East, Hillsborough County, Florida and being more particularly described as follows:

BEGINNING at the Northeast corner of the Southwest 1/4 of Section 32, Township 31 South, Range 19 East, run thence S.89°25'58"E., 492.97 feet along the North boundary of the Southeast 1/4 of said Section 32; thence S.00°46'29"W., 836.58 feet to the Westerly right-of-way line of U.S. Highway No. 41 (S.R. No.45); thence S.52°46'06"W., 315.97 feet to along said Westerly right-of-way line to a point of curvature; thence Southwesterly, 388.78 feet along the arc of a curve to the left having a radius of 7211.97 feet and a central angle of 03°05'19" (chord bearing S.51°13'26"W., 388.73 feet) along said Westerly right-of-way line; thence N.89°28'12"W., 1272.63 feet; thence N.00°55'56"E., 1277.53 feet to the North boundary of the Southwest 1/4 of said Section 32; thence S.89°25'58"E., 1324.84 feet along the North boundary of the Southwest 1/4 of said Section 32 to the **POINT OF BEGINNING**.

Containing 50.515 acres, more or less.

ALTOGETHER containing 3488.6 acres, more or less.

AND ALSO LESS THE TWO FOLLOWING DESCRIBED PARCELS:

DICKMAN

DESCRIPTION: Two parcels of land lying in Section 33, Township 31 South, Range 19 East, Hillsborough County, Florida, and being more particularly described as follows:

PARCEL A

From the Southwest corner of said Section 33, run thence along the West boundary of said Section 33, N.00°28'54"E., 94.37 feet; thence S.89°31'06"E., 30.00 feet to a point on the Easterly right-of-way line of 12th STREET N.E., said point also being the **POINT OF BEGINNING**; thence along said Easterly right-of-way line the following four (4) courses: 1) along a line lying 30.00 feet East of and parallel with said West boundary of Section 33, N.00°28'54"E., 2538.91 feet; 2) N.89°25'58"W., 2.26 feet; 3) N.01°10'14"E., 488.02 feet; 4) N.05°28'29"E., 187.04 feet to a point on the Southeasterly right-of-way line of U.S. HIGHWAY NO. 41; thence along said Southeasterly right-of-way line, N.47°17'54"E., 1752.09 feet; thence S.89°17'28"E., 1139.57 feet; thence N.02°05'17"E., 569.99 feet; thence along a line lying 30.00 feet South of and parallel with the North boundary of the aforesaid Section 33 the following two (2) courses: 1) S.89°17'18"E., 523.01 feet; 2) S.89°28'33"E., 1305.33 feet to a point on the Westerly boundary of a Hillsborough County Drainage right-of-way, as recorded in Deed Book 1233, Page 323, Public Records of Hillsborough County, Florida, said point hereinafter referred to as **POINT "A"**; thence along said Westerly boundary the following three (3) courses: 1) SOUTH, 778.92 feet; 2) S.28°37'25"W., 1496.17 feet; 3) S.61°22'35"E., 30.00 feet to a point on the Northwesterly boundary of a Railroad right-of-way for SEABOARD COASTLINE RAILROAD; thence along said Northwesterly boundary S.28°37'25"W., 3315.54 feet to a point on the Northerly right-of-way line of

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19th AVENUE; thence along said Northerly right-of-way line the following four (4) courses: 1) N.88°53'27"W., 1144.45 feet to a point of curvature; 2) Westerly, 230.72 feet along the arc of a curve to the left having a radius of 68,799.94 feet and a central angle of 00°11'32" (chord bearing N.88°59'13"W., 230.72 feet); 3) S.00°55'01"W., 5.00 feet to a point on a curve; 4) Westerly, 644.73 feet along the arc of said curve to the left having a radius of 68,794.94 feet and a central angle of 00°32'13" (chord bearing N.89°21'05"W., 644.73 feet) to a point on the aforesaid Easterly right-of-way line of 12th STREET N.E.; thence along said Easterly right-of-way line, N.26°06'22"W., 55.86 feet to the **POINT OF BEGINNING**.

Containing 336.495 acres, more or less.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

PARCEL B:

From a point previously referred to as **POINT "A"**, run thence N.00°31'27"E., 30.00 feet to a point on the aforesaid Northerly boundary of Section 33; thence along said Northerly boundary the following two (2) courses: 1) S.89°28'33"E., 29.73 feet to the **POINT OF BEGINNING**; 2) continue S.89°28'33"E., 443.30 feet to a point on the aforesaid Northwesterly boundary of the Railroad right-of-way for SEABOARD COASTLINE RAILROAD; thence along said Northwesterly boundary, S.28°37'25"W., 925.33 feet to a point on the Easterly boundary of the aforesaid Hillsborough County Drainage right-of-way; thence along said Easterly boundary, NORTH, 816.30 feet to the **POINT OF BEGINNING**.

Containing 4.153 acres, more or less.

Altogether containing 340.648 acres, more or less.

AND ALSO LESS THE FOLLOWING DESCRIBED PARCEL:

PARCEL C

DESCRIPTION: A portion of the 30 foot wide HILLSBOROUGH COUNTY DRAINAGE RIGHT-OF-WAY, as recorded in Deed Book 1233, Page 323, Public Records of Hillsborough County, Florida, lying in Section 33, Township 31 South, Range 19 East, Hillsborough County, Florida, and being more particularly described as follows:

From a point previously referred to as **POINT "A"**, said point also being the **POINT OF BEGINNING**, run thence along the Westerly and Southerly boundaries of said 30 foot wide HILLSBOROUGH COUNTY DRAINAGE RIGHT-OF-WAY, the following three (3) courses: 1) SOUTH, 778.92 feet; 2) S.28°37'25"W., 1496.17 feet; 3) S.61°22'35"E., 30.00 feet to a point on the Northwesterly boundary of a Railroad right-of-way for SEABOARD COASTLINE RAILROAD; thence along the Easterly boundary of said 30 foot wide HILLSBOROUGH COUNTY DRAINAGE RIGHT-OF-WAY, the following two (2) courses: 1) said Northwesterly boundary of a Railroad right-of-way for SEABOARD COASTLINE RAILROAD, N.28°37'25"E., 1503.83 feet; 2) NORTH, 816.30 feet to a point on the North boundary of the aforesaid Section 33, said point also being the Northeast corner of said 30 foot wide HILLSBOROUGH

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COUNTY DRAINAGE RIGHT-OF-WAY; thence along said North boundary of Section 33, and the North boundary of said 30 foot wide HILLSBOROUGH COUNTY DRAINAGE RIGHT-OF-WAY, the following two (2) courses: 1) N.89°28'33"W., 1335.01 feet; 2) N.89°17'18"W., 522.24 feet; thence S.02°05'17"W., 30.01 feet to a point on the South boundary of said 30 foot wide HILLSBOROUGH COUNTY DRAINAGE RIGHT-OF-WAY; thence along said South boundary, lying 30.00 feet South of and parallel with the aforesaid North boundary of Section 33, the following two (2) courses 1) S.89°17'18"E., 523.01 feet; 2) S.89°28'33"E., 1305.33 feet to the **POINT OF BEGINNING**.

Containing 2.852 acres, more or less.

AND ALSO LESS THE FOLLOWING DESCRIBED PARCEL:

SCHOOL SITE

A Portion of O.R. Book 3993, Pg. 1960

DESCRIPTION: A parcel of land lying in Section 32, Township 31 South, Range 19 East, Hillsborough County, Florida, and being more particularly described as follows:

Commence at the Southwest corner of Section 33, run N.00°29'21"E., along the Westerly boundary of Section 33 a distance of 1484.40 feet to the intersection with the centerline of the Canal for POINT OF BEGINNING. From POINT OF BEGINNING run thence N.64°47'39"W., along centerline of canal a distance of 775.38 feet; thence S.75°11'06"W., a distance of 675.22 feet; thence S.54°49'48"W., a distance of 538.13 feet; thence S.89°39'54"W., a distance of 633.74 feet to a point on the Southeasterly right-of-way boundary of U.S. 41 (State Road 45); thence along a curve concave to the Southeasterly a distance of 152.90 feet with a radius of 7029.98 feet subtended by a chord of 152.90 feet, chord bearing N.52°08'49"E., thence N.52°46'12"E., along Southeasterly right-of-way boundary, a distance of 1787.09 feet to a point of curvature; thence along a curve to the left a distance of 126.72 feet with a radius of 11,591.19 feet subtended by a chord of 126.72 feet, chord bearing N.52°27'24.5"E.; thence S.89°25'52"E., 793.17 feet; thence S.00°29'21"W., 1088.31 feet along the Westerly boundary of Section 33 to the POINT OF BEGINNING.

LESS the Following:

(a) Right-of-way for 20th Avenue and 12th Street Northwest.

(b) That part of the North 1/2 of the Southeast 1/4 of Section 32, Township 31 South, Range 19 East, lying East of the public road conveyed to Tallie B. Carter, Sr., et ux, et al, by Deed recorded April 28, 1952 in Deed Book 1680 on Page 311.

Containing 33.308 acres, more or less.

AND ALSO LESS THE FOLLOWING DESCRIBED PARCEL:

MIXON SITE

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A parcel of land lying in the NW ¹/₄ of Section 33, Township 31 South, Range 19 East, Hillsborough County, Florida, and being more particularly described as follows: Commence at the NW corner of said Section 33, run thence S 89°23'08" E, 354.50 feet, along the North boundary line of said Section 33 to a point being the SW corner of Section 28, Township 31 South, Range 19 East from said point continue thence along the North boundary line of aforementioned Section 33, S 89°17'39" E, 1609.08 feet to a point on the Easterly right-of-way line of U.S. Highway 41 (State Road 45), also being the POINT OF BEGINNING (P.O.B.); thence continue on the North boundary line-of said Section 33, S 89°17'39" E, 520.84 feet; run thence S 02°06'03" W, 600.00 feet; run thence along a line South of and parallel to the North boundary line of said Section 33, N 89°17'39" W, 1140.40 feet to a point returning to the Easterly right-of-way line of U.S. Highway 41 (State Road 45), run thence N 47°18'00" E, 872.90 feet along said Easterly right-of-way line to the POINT OF BEGINNING.

totaling approximately 11.12 acres, more or less

ALTOGETHER containing 3111.8 acres, more or less.

(Plus 99A and 108 totaling 20 acres)

(and minus the Mixon tract totaling approximately 11.12 acres)

AGC-AB-001

P:\APOLLO BEACH\APOLLODICKMAN-DRI-REMOVE

VBR

July 22, 1998

VBR

(Revised) September 10, 1998

VBR

(Revised Title) January 19, 1999

VBR

(Revised) June 30, 2000

VBR

(Revised) July 19, 2000

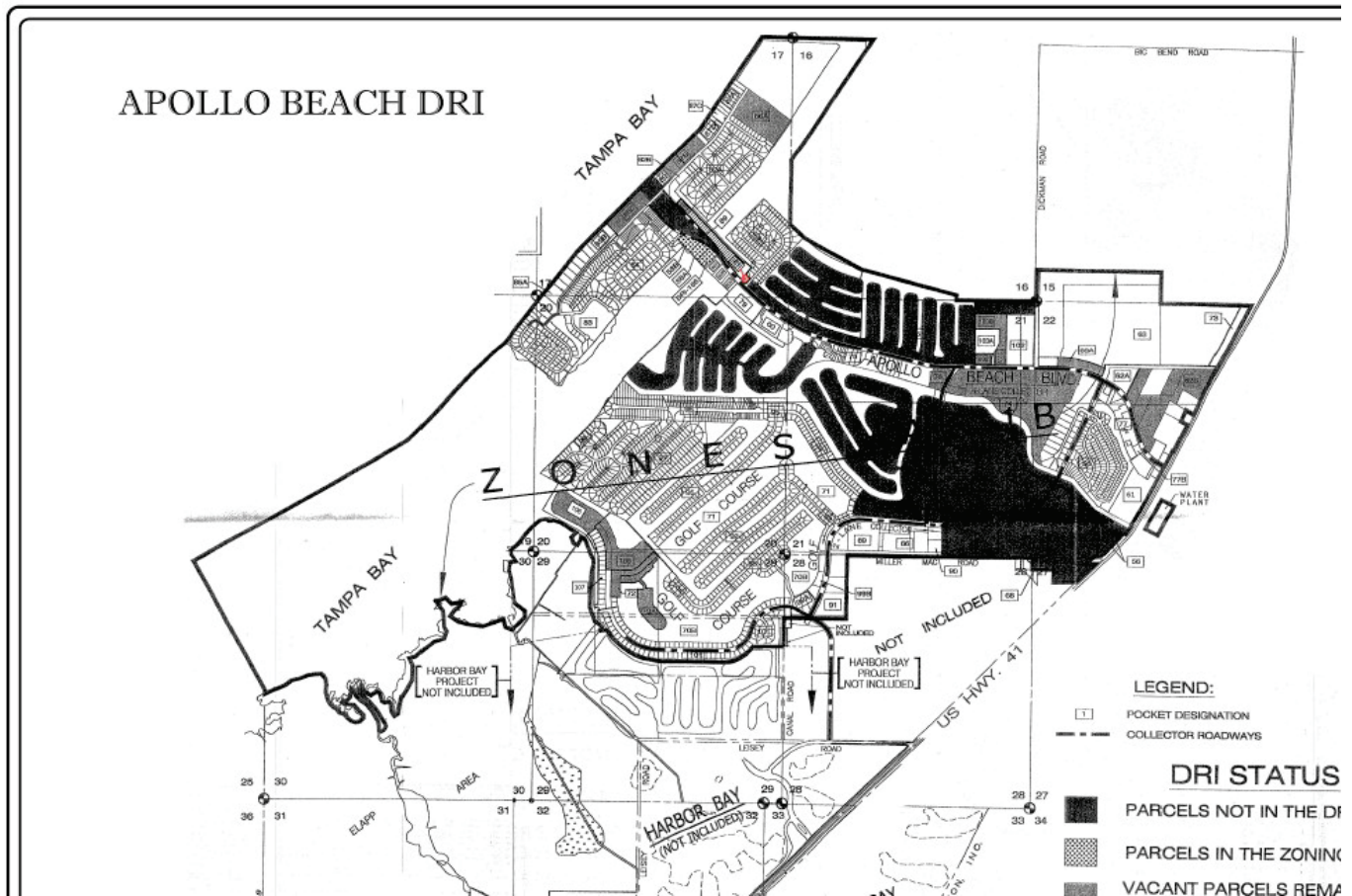
VBR

(Revised) August 23, 2000

Revised October 22, 2002

Revised May 30, 2006 (removal of the Mixon Tract)

EXHIBIT B – Site Plan



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EXHIBIT C

An estimate of development and remaining entitlements based on Property Appraiser data within Phase I as of December 2019.

TOTAL PROJECT		Total	Estimated Built (based on Property Appraiser data and an assessment of recent aerials)	Estimated Remaining to be Built
RESIDENTIAL UNITS	UNITS	2,429	1,465	964
COMMERCIAL	SQ. FT.	870,464	624,792	245,672
OFFICE	SQ. FT.	140,000	28,306	111,694
INDUSTRIAL	SQ. FT.	-		-
MARINA	NO. SLIPS	86	78	8

Source: Property Appraiser data and a review of recent aerials.