

CLERK'S CERTIFICATE REGARDING ORDINANCE NO. 761

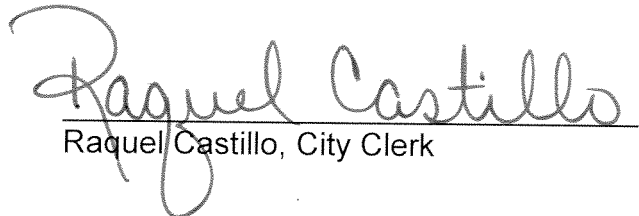
I, Raquel Castillo, the undersigned City Clerk of the City of Davenport, Florida (the "City"), DO HEREBY CERTIFY that:

(1) Ordinance No. 761 was read and approved on first reading by the City Commission in Regular Session at a meeting duly noticed and called and held on April 28, 2014 in the Commission Chambers at 1 South Allapaha Avenue, Davenport, Florida, at which a quorum of the following Commission was present and acting throughout: Mayor Darlene Bradley, Bobby Lynch, Deborah Burress, Tom Fellows, and Crystal Williams. The motion for approval was made by Mr. Lynch and seconded by Mrs. Williams and carried unanimously.

(2) Ordinance No. 761 was duly enacted on second and final reading by the City Commission in Regular Session at a meeting duly noticed and called and held on May 28, 2014 in the Commission Chambers at 1 South Allapaha Avenue, Davenport, Florida, at which a quorum of the following Commission was present and acting throughout: Mayor Darlene Bradley, Deborah Burress, Tom Fellows, and Crystal Williams. The motion for approval was made by Mrs. Williams and seconded by Mr. Fellows and carried unanimously.

(3) Attached hereto is a true and correct copy of Ordinance No. 761, adopted as stated in paragraph (2) above, which has been compared by me with the original thereof as recorded in the Minute Book of said City; and

IN WITNESS WHEREOF, I have hereunto set my hand and affix the official seal of the City as of the 30th day of May, 2014.


Raquel Castillo, City Clerk

ORDINANCE NO. 761

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DAVENPORT, FLORIDA ESTABLISHING THE HIGHLAND MEADOWS II COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR THE ESTABLISHMENT AND NAMING OF THE DISTRICT; PROVIDING FOR THE LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR THE DESCRIPTION OF THE FUNCTIONS AND POWERS OF THE DISTRICT; PROVIDING FOR THE DESIGNATION OF THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR NOTICE REQUIREMENTS AND FOR COMPLIANCE WITH ALL REMAINING SECTIONS OF CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, the “Uniform Community Development Act of 1980”, Chapter 190, Florida Statutes (hereinafter referred to as the “ACT”), sets forth the exclusive and uniform method for establishing a community development district; and

WHEREAS, Section 190.005(2) of the ACT requires that a Petition for the Establishment of a Community Development District of less than 1000 acres be filed by the Petitioner with the City Commission of the municipality having jurisdiction over the majority of land in the area in which the district is to be located; and

WHEREAS, Section 190.005(1)(a) of the ACT requires that such petition contain certain information to be considered at a public hearing before the City Commission of the City of Davenport, Florida (“Commission”); and

WHEREAS, Highland Meadows, LLC (“Petitioner”), having obtained written consent to the establishment of the Highland Meadows II Community Development District (the “District”) by the owner of one-hundred percent (100%) of the real property to be included in the District and having presented documents evidencing the control of the real property to be included in the District, has petitioned the Commission to adopt an ordinance establishing the District pursuant

to Chapter 190, Florida Statutes (2013); and

WHEREAS, the Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida and whose principal place of business is 346 East Central Avenue, Winter Haven, Florida 33880; and

WHEREAS, the Petition which is dated and which was submitted to the City on January 24, 2014, has been determined to contain the requisite information as mandated by Section 190.005(1)(a) of the ACT; and

WHEREAS, all interested persons and affected units of general-purpose local government will be or have been afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the City on May 28, 2014; and

WHEREAS, on May 28, 2014, the Commission considered the record of the public hearing and the factors set forth in Section 190.005(1)(e) of the ACT, and upon such review, has determined that granting the Petition to establish the Highland Meadows II Community Development District is in the best interest of the City of Davenport; and

WHEREAS, the establishment of the District shall not act to amend any land development approvals governing the land area to be included within the District; and

WHEREAS, it is believed that the establishment of the District will result in a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition; and

NOW, THEREFORE, BE IT ENACTED by the City Commission of the City of Davenport, Florida as follows:

SECTION 1. RECITALS INCORPORATED.

The above recitals are true and correct and are incorporated herein.

SECTION 2. AUTHORITY.

This Ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, codified in Chapter 190, Florida Statutes. Nothing contained herein shall constitute an amendment to any land development approvals for the land area included within the District.

SECTION 3. FINDINGS OF FACT.

The Commission hereby finds and determines, pursuant to Section 190.005(2) of the ACT, based on the testimony and evidence presented before the City Commission, and the record established at the public hearing that:

- A. All statements within the Petition are true and correct.
- B. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the state comprehensive plan, or the City of Davenport Comprehensive Plan.
- C. The area of land within the District, described in Exhibit "A", which is attached hereto and incorporated herein, is of a sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional interrelated community.
- D. The District is the best alternative available for delivering the community development services and facilities to the area that would be served by the District.
- E. The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and
- F. The area to be served by the District is amenable to separate special-district government.

SECTION 4. ESTABLISHMENT AND DISTRICT NAME.

There is hereby created a community development district situated entirely within the incorporated limits of the City of Davenport, Florida, which District shall be known as the “Highland Meadows II Community Development District”, and which shall be referred to in this Ordinance as the “District”.

SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT.

The external boundaries of the District are described in Exhibit “A”, and said boundaries encompass 170 acres, more or less.

SECTION 6. DISTRICT POWERS AND FUNCTIONS.

The powers and functions of the District are described in Chapter 190, Florida Statutes. The District shall have all powers and functions granted by the ACT pursuant to Sections 190.011 and 190.012(1) and (3), Florida Statutes, as amended from time to time. In addition, consent is hereby given to the District’s Board of Supervisors to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural and educational uses. Further, the District shall also have the authority to construct and to maintain a perimeter wall/fence for the District so long as the construction and specifications of the wall/fence are first approved by the City. The District shall have all further powers to establish additional systems and facilities as specified in the remaining subsections of Section 190.012(2), Florida Statutes, so long as said improvements and each of their specifications are first approved by the City. Pursuant to Section 190.002(3), Florida Statutes, the District shall not have or exercise any zoning or development permitting powers governing land development or the use of land.

Bonds to be issued by the District shall not constitute a debt, liability or general

obligation of the District, the City, the County or of the State of Florida, or of any political subdivision thereof, but shall be payable solely from the Pledged Revenues designated for the Bonds.

This Ordinance is not intended nor shall it be construed to expand, modify or delete any provisions of the Uniform Community Development District Act of 1980, as set forth in Chapter 190, Florida Statutes, nor shall it be intended to modify, restrict or expand any current prospective development or utility agreements.

SECTION 7. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District's Board of Supervisors are as follows:

Name: Rennie Heath
Address: 346 East Central Avenue
Winter Haven, Florida 33880

Name: Lauren Oakley Schwenk
Address: 346 East Central Avenue
Winter Haven, Florida 33880

Name: Michelle Cassidy
Address: 346 East Central Avenue
Winter Haven, Florida 33880

Name: Andrew Rhinehart
Address: 346 East Central Avenue
Winter Haven, Florida 33880

Name: Scott Shapiro
Address: 430 W. Davis Boulevard
Tampa, Florida 33606

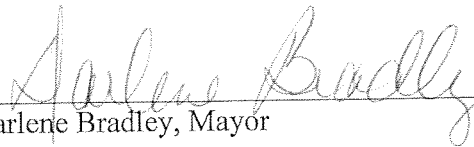
SECTION 8. SEVERABILITY.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining sections of this Ordinance.

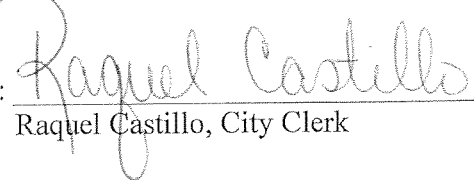
SECTION 9. EFFECTIVE DATE. This Ordinance shall take effect upon its approval and publication as required by law.

INTRODUCED, PASSED AND DULY ADOPTED ON FIRST READING by the City Commission of the City of Davenport, Florida, meeting in Regular Session this 28th day of April, 2014

CITY COMMISSION
OF DAVENPORT, FLORIDA

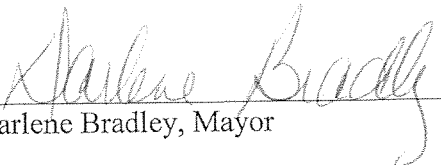
By: 
Darlene Bradley, Mayor

ATTEST:

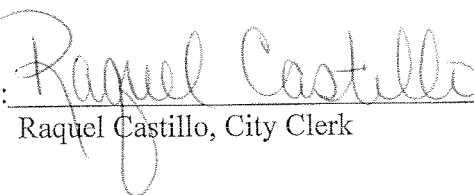
By: 
Raquel Castillo, City Clerk

INTRODUCED, PASSED AND DULY ADOPTED ON SECOND READING by the City Commission of the City of Davenport, Florida, meeting in Regular Session this 28th day of May, 2014

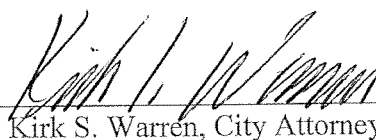
CITY COMMISSION
OF DAVENPORT, FLORIDA

By: 
Darlene Bradley, Mayor

ATTEST:

By: 
Raquel Castillo, City Clerk

APPROVED AS TO FORM AND CONTENT:

By: 
Kirk S. Warren, City Attorney

ORDINANCE NUMBER: 761

EXHIBIT "A"

DESCRIPTION SKETCH (Not a Survey)

DESCRIPTION:

(EXHIBIT 1):

ALL OF TRACTS 6, 7, 8, 10, 11 AND 12, IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT COMPANY SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING ALSO DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT 10; THENCE N-89°51'02"-W, ALONG THE SOUTH BOUNDARY OF THE AFORESAID TRACTS 10, 11, AND 12, A DISTANCE OF 994.57 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 12; THENCE N-00°15'10"-W, ALONG THE WEST BOUNDARY THEREOF, A DISTANCE OF 641.55 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S-89°38'36"-E, ALONG THE NORTH BOUNDARY OF THE AFORESAID TRACT 12, A DISTANCE OF 331.55 FEET TO THE NORTHEAST CORNER OF SAID TRACT 12, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE AFOREMENTIONED TRACT 6; THENCE N-00°15'04"-W, ALONG THE WEST BOUNDARY OF SAID TRACT 6, A DISTANCE OF 638.14 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S-89°33'51"-E, ALONG THE NORTH BOUNDARY OF THE AFORESAID TRACTS 6, 7 AND 8, A DISTANCE OF 979.73 FEET TO THE NORTHEAST CORNER OF SAID TRACT 8; THENCE S-00°14'46"-E, ALONG THE EAST BOUNDARY OF SAID TRACT 8, A DISTANCE OF 636.78 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE N-89°38'36"-W, ALONG THE SOUTH BOUNDARY OF SAID TRACT 8, A DISTANCE OF 316.55 FEET TO THE SOUTHWEST CORNER THEREOF, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF THE AFOREMENTIONED TRACT 10; THENCE S-00°14'52"-E, ALONG THE EAST BOUNDARY OF SAID TRACT 10, A DISTANCE OF 637.96 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT ROAD RIGHT-OF-WAY;

AND

(EXHIBIT 2):

ALL OF TRACTS 21, 22 AND 27, IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT COMPANY SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING ALSO DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT 27; THENCE S-89°51'47"-W, ALONG THE SOUTH BOUNDARY THEREOF, A DISTANCE OF 331.45 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; THENCE N-00°15'04"-W, ALONG THE WEST BOUNDARY OF SAID TRACT 27, A DISTANCE OF 639.25 FEET TO THE NORTHWEST CORNER OF SAID TRACT, SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF THE AFORESAID TRACT 21; THENCE N-89°59'37"-W, ALONG THE SOUTH BOUNDARY OF SAID TRACT 21, A DISTANCE OF 331.50 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N-00°15'10"-W, ALONG THE WEST BOUNDARY OF SAID TRACT 21, A DISTANCE OF 640.08 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S-89°51'02"-E, ALONG THE NORTH BOUNDARY OF SAID TRACT 21 AND THE NORTH BOUNDARY OF THE AFORESAID TRACT 22, A DISTANCE OF 663.05 FEET TO THE NORTHEAST CORNER OF SAID TRACT 22; THENCE S-00°14'58"-E, ALONG THE EAST BOUNDARY OF SAID TRACT 22, A DISTANCE OF 638.42 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 22, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF THE AFORESAID TRACT 27; THENCE S-00°14'58"-E, ALONG THE EAST BOUNDARY OF SAID TRACT 27, A DISTANCE OF 638.42 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT ROAD RIGHT-OF-WAY;

AND

(EXHIBIT 3):

ALL OF TRACTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15 AND 16, IN THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT COMPANY SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING ALSO DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT 9; THENCE N-89°54'27"-W, ALONG THE SOUTH BOUNDARY OF SAID TRACTS 9 AND 10, A DISTANCE OF 649.97 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 10; THENCE N-00°22'00"-W, ALONG THE WEST BOUNDARY OF SAID TRACT 10, A DISTANCE OF 640.13 FEET TO THE NORTHWEST CORNER OF SAID TRACT 10, SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF THE AFORESAID TRACT 6; THENCE S-89°59'45"-W, ALONG THE SOUTH BOUNDARY OF THE AFORESAID TRACTS 6 AND 5, A DISTANCE OF 664.51 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 5, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF THE AFORESAID TRACT 13; THENCE S-00°19'36"-E, ALONG THE EAST BOUNDARY OF SAID TRACT 13, A DISTANCE OF 639.01 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 16; THENCE N-89°54'27"-W, ALONG THE SOUTH BOUNDARY OF THE AFORESAID TRACTS 13, 14, 15 AND 16, A DISTANCE OF 1314.94 FEET TO THE SOUTHWEST CORNER OF SAID TRACT 16; THENCE N-00°14'46"-W, ALONG THE WEST BOUNDARY OF SAID TRACT 16 AND THE WEST BOUNDARY OF THE AFORESAID TRACT 1, A DISTANCE OF 1273.58 FEET TO THE NORTHWEST CORNER OF SAID TRACT 1; THENCE N-89°53'58"-E, ALONG THE NORTH BOUNDARY OF THE AFORESAID TRACTS 1, 2, 3, 4, 5, 6, 7 AND 8, A DISTANCE OF 2626.25 FEET TO THE NORTHEAST CORNER OF SAID TRACT 8; THENCE S-00°24'24"-E, ALONG THE EAST BOUNDARY OF SAID TRACT 8, A DISTANCE OF 641.23 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 8, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF THE AFORESAID TRACT 9; THENCE S-00°24'24"-E, ALONG THE EAST BOUNDARY OF SAID TRACT 9, A DISTANCE OF 641.23 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT ROAD RIGHT-OF-WAY;

AND

(DESCRIPTION CONTINUED ON PAGE 2 OF 9)

SHEET
1 OF 9

NOTE:

SEE SHEET 2 FOR NOTES AND SHEETS 3-9
FOR SKETCHES AND LEGEND.



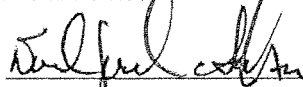
2130132

R E V I S I O N S

Description	Date	Dwn.	Ck'd	Order No.

SURVEYORS CERTIFICATE

The sketch represented hereon conforms to the requirements of Chapter 5J-17, Florida Administrative Code.


 DANIEL JOSEPH SULLIVAN
DATE OF SIGNATURE 4-28-2014

Tampa (813) 621-7841
 Fax (813) 664-1832
 Web Page: www.lesc.com



Drawn: DJS Checked: Client No:
 Original No.: 2130132 Current No.: 2130132

FLORIDA REGISTERED LAND SURVEYOR NO. 5640
 Drawing Date: 4-28-2014

8515 Palm River Road, Tampa, Florida 33619
 CERTIFICATE OF AUTHORIZATION NO. LB 3913

Sec.: 8 & 9 Twp.: 27 S. Rge.: 27 E.

DESCRIPTION SKETCH
(Not a Survey)

(DESCRIPTION CONTINUED FROM PAGE 1 OF 9)

(EXHIBIT 4):

ALL THAT PART OF WEST 3/4 OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LYING WEST OF THE RAILROAD AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 9; THENCE N-00°24'24"-W ALONG THE WEST BOUNDARY THEREOF A DISTANCE OF 656.25 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 9; THENCE S-89°57'54"-E, ALONG THE NORTH BOUNDARY OF SAID SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 A DISTANCE OF 1046.19 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 5766.11 FEET, SAID CURVE BEING THE WESTERLY RIGHT-OF-WAY OF THE FORMER SEABOARD COASTLINE RAILROAD; THENCE SOUTHWESTERLY ALONG SAID CURVE, AND SAID RIGHT-OF-WAY, THROUGH A CENTRAL ANGLE/Delta OF 7°11'37", (CHORD=723.47 FEET, CHORD BEARING=S-24°38'07"-W) FOR A DISTANCE OF 723.95 FEET TO THE SOUTH BOUNDARY OF THE AFORESAID NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9; THENCE N-89°49'47"-W, ALONG SAID SOUTH BOUNDARY, A DISTANCE OF 740.34 FEET TO THE POINT OF BEGINNING;

AND

(EXHIBIT 5):

THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 27 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9; THENCE N-89°48'41"-W, ALONG THE SOUTH BOUNDARY THEREOF, A DISTANCE OF 665.45 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 9; THENCE S-00°22'00"-E, ALONG THE EAST BOUNDARY THEREOF, A DISTANCE OF 655.13 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE N-89°38'09"-W, ALONG THE SOUTH BOUNDARY THEREOF, A DISTANCE OF 665.92 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE N-00°19'36"-W, ALONG THE WEST BOUNDARY THEREOF AND THE WEST BOUNDARY OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 9; THENCE S-89°54'27"-E, ALONG THE NORTH BOUNDARY THEREOF, A DISTANCE OF 664.98 FEET TO THE NORTHWEST CORNER OF THE AFOREMENTIONED NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE S-89°54'27"-E, ALONG THE NORTH BOUNDARY OF SAID NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 664.98 FEET TO THE NORTHEAST CORNER THEREOF; THENCE S-00°24'24"-E, ALONG THE EAST BOUNDARY THEREOF, A DISTANCE OF 656.25 FEET TO THE POINT OF BEGINNING; LESS AND EXCEPT ROAD RIGHT-OF-WAY;

AND

(EXHIBIT 6):

THAT PART OF TRACTS 17, 18 AND 19 LYING WEST OF THE RAILROAD IN THE SOUTHEAST 1/4 OF SECTION 09, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT COMPANY SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID TRACT 17; THENCE N-00°24'24"-W, ALONG THE WEST BOUNDARY THEREOF, A DISTANCE OF 641.29 FEET TO THE NORTHWEST CORNER OF SAID TRACT 17; THENCE S-89°49'47"-E, ALONG THE NORTH BOUNDARY OF SAID TRACT 17, THE NORTH BOUNDARY OF THE AFORESAID TRACT 18 AND THE NORTH BOUNDARY OF THE AFORESAID TRACT 19, A DISTANCE OF 719.51 FEET TO A NON-TANGENT INTERSECTION WITH THE WEST RIGHT-OF-WAY OF THE SEABOARD COASTLINE RAILROAD, SAID POINT BEING ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 5766.11 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE/Delta OF 6°41'29", (CHORD=673.01 FEET, CHORD BEARING=S-17°30'00"-W) FOR A DISTANCE OF 673.40 FEET TO THE SOUTH BOUNDARY OF THE AFOREMENTIONED TRACT 18; THENCE N-89°41'40"-W, ALONG THE SOUTH BOUNDARY OF SAID TRACT 18 AND THE SOUTH BOUNDARY OF THE AFORESAID TRACT 17, A DISTANCE OF 512.58 FEET TO THE POINT OF BEGINNING; LESS ALL THAT LYING WITHIN THE AFORESAID TRACT 19;

AND

(EXHIBIT 7):

ALL OF TRACT 28, IN THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 27 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT COMPANY SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 60, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING ALSO DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID TRACT 28; THENCE S-89°51'47"-W, ALONG THE SOUTH BOUNDARY THEREOF, A DISTANCE OF 331.48 FEET THE SOUTHWEST CORNER OF SAID TRACT 28; THENCE N-00°15'10"-W, ALONG THE WEST BOUNDARY OF SAID TRACT 28, A DISTANCE OF 640.08 FEET TO THE NORTHWEST CORNER OF SAID TRACT 28; THENCE S-89°59'37"-E, ALONG THE NORTH BOUNDARY OF SAID TRACT 28, A DISTANCE OF 331.50 FEET TO THE NORTHEAST CORNER OF SAID TRACT 28; THENCE S-00°15'04"-E, ALONG THE EAST BOUNDARY OF SAID TRACT 28, A DISTANCE OF 639.25 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 28 AND THE POINT OF BEGINNING; LESS AND EXCEPT ROAD RIGHT-OF-WAY.

NOTES:

1. No underground installation or improvements have been located except those shown hereon.
2. LANDMARK ENGINEERING & SURVEYING CORPORATION'S Certificate of Authorization Number to provide surveying is LB3913.
3. This drawing not valid without the signature and original seal of a Florida Registered Surveyor & Mapper.
4. As used on this drawing, certify means to state or declare a professional opinion of conditions regarding those facts or findings which are the subject of the certification and Does Not constitute a warranty or guarantee, either expressed or implied. This certification is only for the lands as described. It is Not a Certificate of Title, Zoning, Easements or Freedom of Encumbrances.
5. No instruments of record reflecting easements, rights-of-way and/or ownership were furnished to this surveyor except as shown hereon.

SHEET
2 OF 9

NOTE:

SEE SHEETS 1 & 2 FOR DESCRIPTION. SEE SHEETS 3-9 FOR SKETCHES AND LEGEND.

Drawn: DJS
Job No.: 2130132

LANDMARK
ENGINEERING & SURVEYING
CORPORATION

8515 Palm River Road, Tampa, Florida 33619
CERTIFICATE OF AUTHORIZATION NO. LB 3913

Tampa (813) 621-7841
Fax (813) 664-1832
Web Page: www.lesc.com

Sec.: . Twp.: . S. Rge.: . E.

DESCRIPTION SKETCH
(Not a Survey)

LEGEND:

- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- SEC. = SECTION
- TWP. = TOWNSHIP
- RGE. = RANGE
- PB = PLAT BOOK
- PG'S = PAGES
- (P) = PLAT
- R/W = RIGHT-OF-WAY
- O.R. = OFFICIAL RECORDS
- FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION

Not to Scale

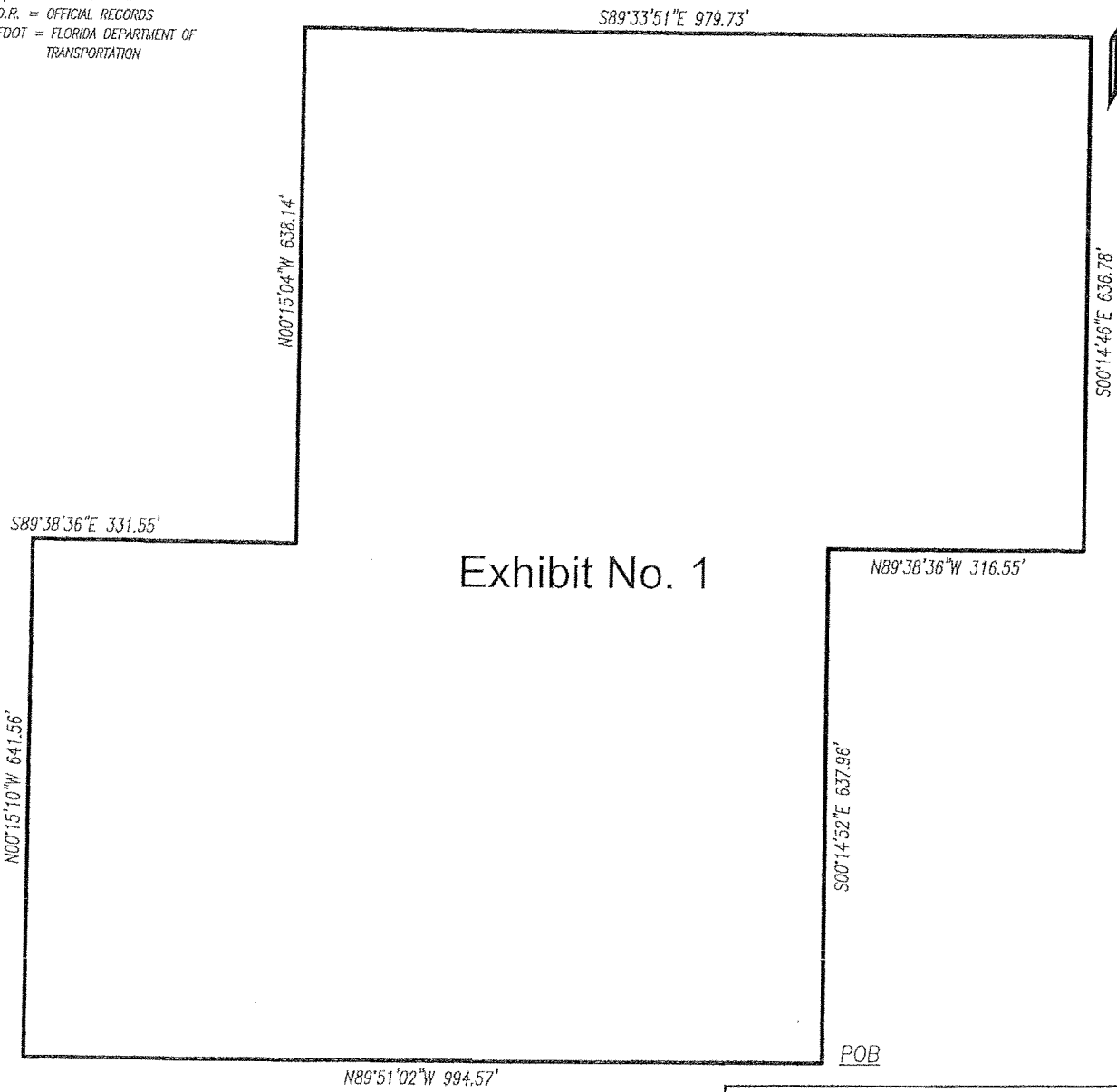


Exhibit No. 1

POB

Tampa (813) 621-7841
 Fax (813) 664-1832
 Web Page: www.lesc.com

LANDMARK
 ENGINEERING & SURVEYING
 CORPORATION

8515 Palm River Road, Tampa, Florida 33619
 CERTIFICATE OF AUTHORIZATION NO. LB 3913

Sec.: 8 & 9 Twp.: 27 S. Rge.: 27 E.

SHEET
3 OF 9

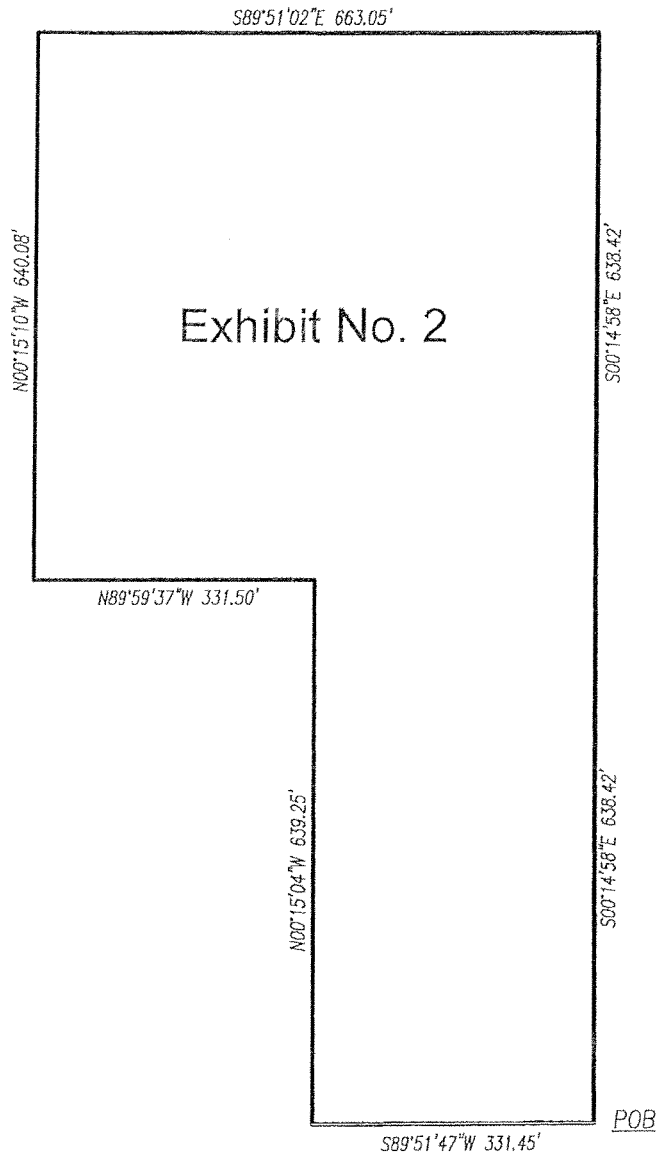
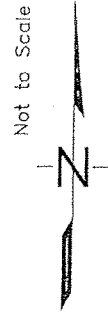
NOTE:
 SEE SHEETS 1 & 2 FOR DESCRIPTION.
 SEE SHEET 2 FOR NOTES.

Drawn: DJS
 Job No.: 2130132

DESCRIPTION SKETCH
(Not a Survey)

LEGEND:

POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
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SHEET
4 OF 9

NOTE:
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Drawn: DJS
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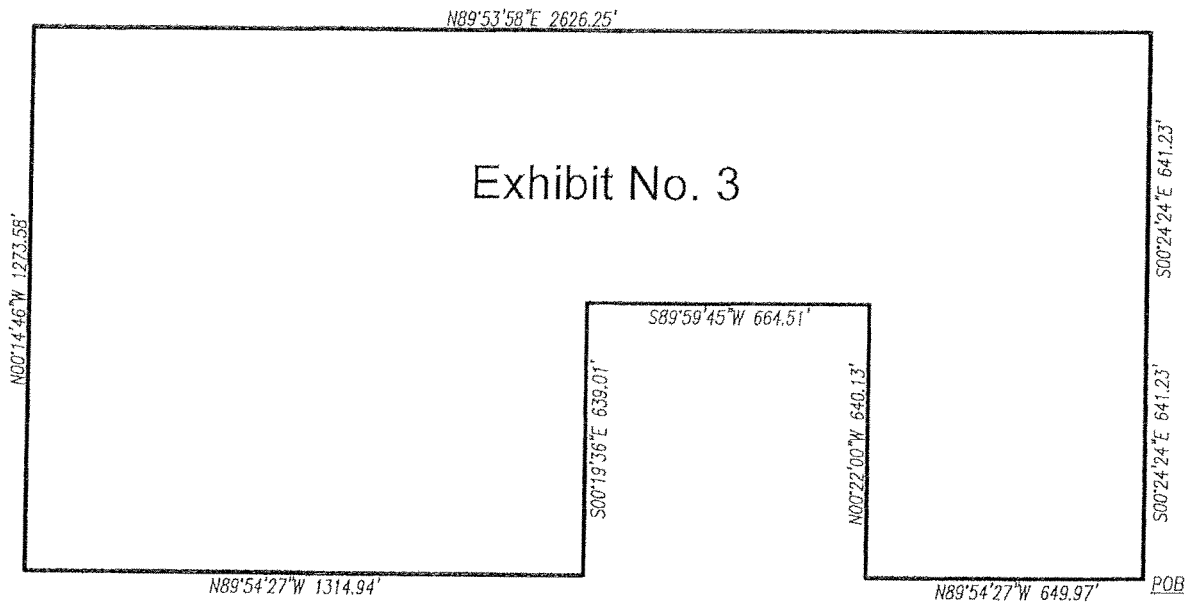
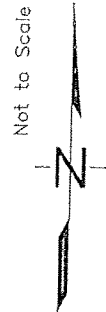
8515 Palm River Road, Tampa, Florida 33619
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Sec.: 8 & 9 Twp.: 27 S. Rge.: 27 E.

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SHEET
5 OF 9

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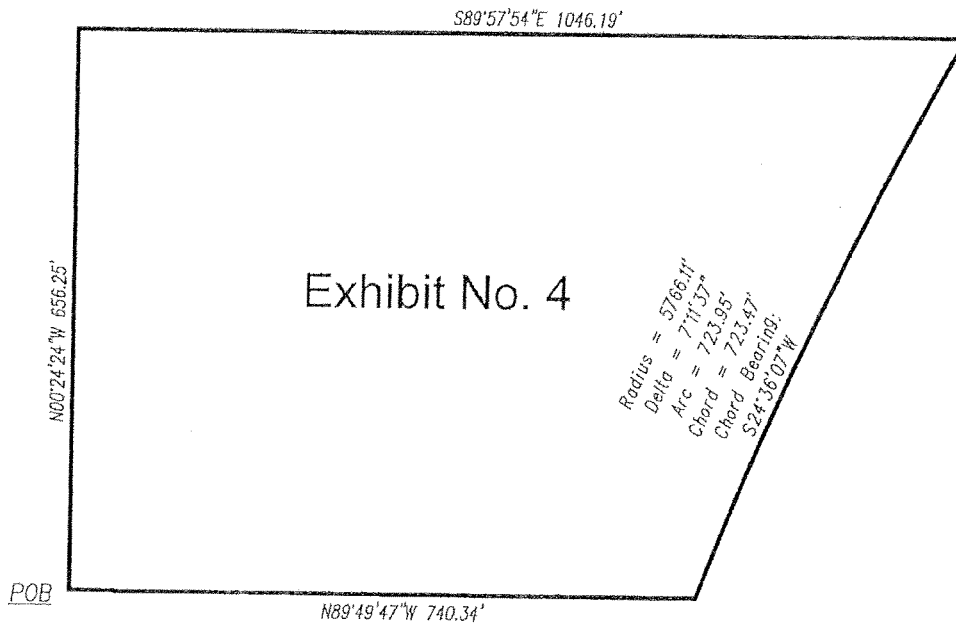
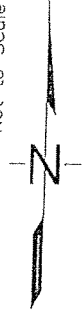
Sec.: 8 & 9 Twp.: 27 S. Rge.: 27 E.

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Not to Scale



Radius = 5766.41'
 Delta = 711°37'
 Arc = 723.95'
 Chord = 723.47'
 Chord Bearing: S24°36'07\"/>

SHEET
6 OF 9

NOTE:

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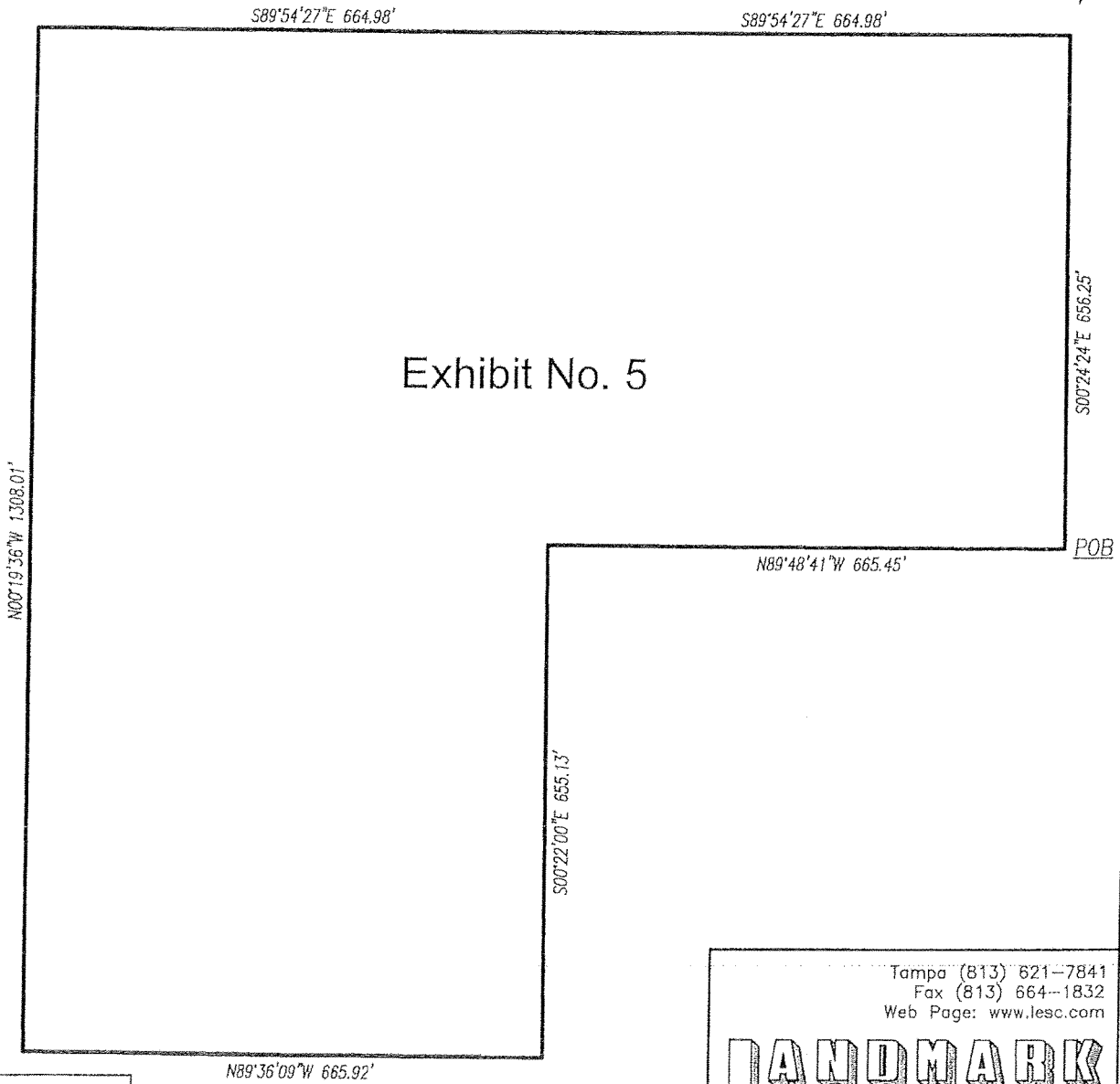
Sec.: 8 & 9 Twp.: 27 S. Rge.: 27 E.

DESCRIPTION SKETCH
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SHEET
7 OF 9

NOTE:
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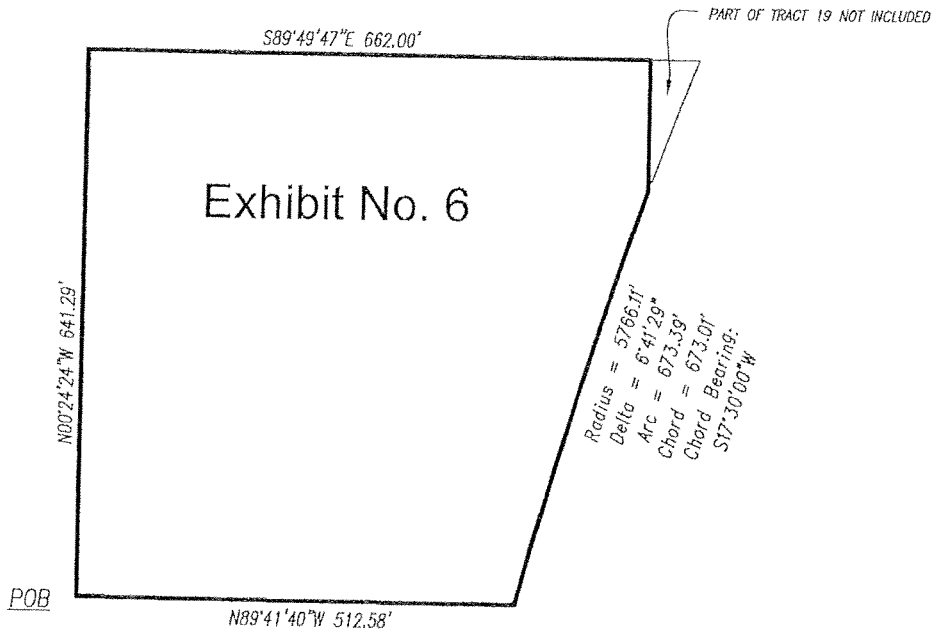
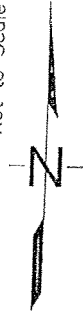
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SHEET
8 OF 9

NOTE:

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Job No.: 2180132

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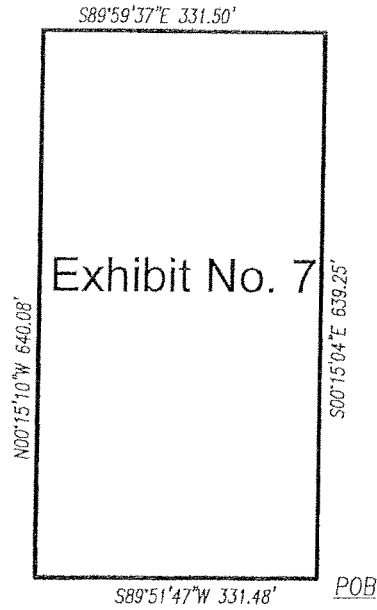
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SHEET
9 OF 9

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