

RESOLUTION NO. 86-R-293A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF MARION COUNTY, FLORIDA
ADOPTING A DEVELOPMENT ORDER FOR THE OAK
RUN DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, on November 22, 1985, Development and Construction Corporation of America (DECCA) on behalf of itself and Chanrai Investments, Inc. (Chanrai), together referred to as the Developers which term also includes the successors and assigns of DECCA and Chanrai, filed a Development of Regional Impact Application for Development Approval (ADA) with the Marion County Board of County Commissioners (Marion County or the County), in accordance with Section 380.06, Florida Statutes (1986); and

WHEREAS, the Developers propose either individually or jointly to develop 4,926 dwelling units on 1,081.1 acres of residential use, 10 acres for institutional use, 30 acres of commercial use, 10 acres of office use, 51 acres of recreation area, 30 acres for a wastewater treatment site, 77 acres of water retention area, 9.5 acres for an interim construction site (to be converted to commercial use after the build-out of the Oak Run Development), and further propose to set aside 40 acres of wildlife reserve and to dedicate approximately 16.4 acres of dedicated road right-of-way on an approximately 1,355 acre site, hereinafter referred to as Oak Run or the development constituting a Residential Development of Regional Impact under Rule 27F-2.073, Florida Administrative Code, on real property located in Marion County and described on the attached Exhibit "A"; and

WHEREAS, the Developers consider themselves responsible members of the corporate business community of Marion County and recognize their responsibilities to the region and further realize the desirability of providing the general public with adequate transportation beyond that which would be required to satisfy their own needs with respect to their property, and

WHEREAS, Developers have indicated their intention to provide additional wildlife reserves and transportation facilities beyond that which they might otherwise be obligated to provide, and

WHEREAS the Board of County Commissioners of Marion County in adopting this Development Order has taken into consideration and accepted the proposed transfers, and

WHEREAS, the Board of County Commissioners, as governing body of the local government having jurisdiction, is authorized and empowered to consider Applications for Development Approval for Developments of Regional Impact; and

WHEREAS, the public notice requirements of Marion County and Section 380.06(10), Florida Statutes (1986), have been satisfied and notice has been given to the Department of Community Affairs, hereinafter referred to as "DCA", and the Withlacoochee Regional Planning Council, hereinafter referred to as "WRPC", initially on June 27, 1986; and

WHEREAS, Marion County has held duly noticed public hearings on the Development of Regional Impact Application for Development Approval, and has heard and considered the testimony and documents received therein; and

WHEREAS, Marion County has received and considered the report and recommendations of the WRPC.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, THAT THE DEVELOPMENT OF REGIONAL IMPACT APPLICATION FOR DEVELOPMENT APPROVAL SUBMITTED BY THE DEVELOPERS IS HEREBY APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS, RESTRICTIONS AND AGREEMENTS:

I. FINDINGS OF FACT

- A. That the real property which is the subject of the Oak Run Application for Development Approval is legally described as set forth in Exhibit "A", attached hereto and by reference made a part hereof.
- B. That the Developers submitted to Marion County an Application for Development Approval, and Sufficiency Responses, together referred to as the Composite ADA, which is attached hereto as Exhibit "B", and by reference made a part hereof, to the extent that it is not inconsistent with the terms and conditions of this Development Order.

- C. That the proposed development is not located in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes (1986).
- D. That a comprehensive review of the impact generated by the development has been conducted by the County's departments and the WRPC.
- E. The development proposal comprises a total 4,926 dwelling units on 1,081.1 acres of residential use, 10 acres for institutional use, 30 acres of commercial use, 10 acres of office use, 51 acres of recreation area, 30 acres for a wastewater treatment site, 77 acres of water retention area, 9.5 acres for an interim construction site (to be converted to commercial use after the build-out of the Oak Run Development), and further comprises the proposed set aside of 40 acres of wildlife reserve and dedication of approximately 16.4 acres of dedicated road right-of-way on an approximately 1,355 acre site to be developed in accordance with the Composite ADA.

II. CONCLUSIONS OF LAW

- A. Based on the above Findings of Fact and subject to the provisions of Paragraph B below, it is the opinion of the County that the project is consistent with all local land development regulations and the adopted Local Comprehensive Plan, that this Development Order is consistent with the

report and recommendations of the WRPC, and that the development will not unreasonably interfere with the achievement or objectives of the adopted State Land Development Plan applicable to the area.

- B. The provisions of this Development Order shall not be construed as a waiver or exception of any rule, regulation or ordinance of Marion County or its departments, agencies or commissions.
- C. This Development Order constitutes final DRI approval of the Oak Run development as described above.
- D. These proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in this proceeding, the Developers and the various departments of the County are authorized to conduct development as described herein, subject to the conditions, restrictions and agreements set forth herein.
- E. The impacts of the Oak Run development are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes (1986), within the terms and conditions of this Development Order and the Composite ADA.
- F. The development shall be developed in accordance with all applicable County ordinances, rules, and regulations pertaining to land Development within Marion County, specifically including, but without limitation, subdivision

regulations, land use and zoning regulations, utility ordinances, and any other ordinance regulating developments within Marion County; provided, however, that the development shall be developed to be consistent with and in accordance with this Development Order; and further provided any rights vested prior to or by this development order shall not be affected.

III. CONDITIONS AND AGREEMENTS

The development of Oak Run shall be in conformity with the Provisions of the Composite ADA, except as same may be modified by this Development Order. Unless specifically stated herein, the conditions and agreements set forth in the Development Order shall be in addition to, and not in lieu of, the provisions of the Composite ADA.

A. VEGETATION AND WILDLIFE

In recognition of the magnitude of the impact this development will have on habitat for nongame wildlife species listed as endangered, threatened and species of special concern, the Developers have individually and jointly offered and agreed to the following:

1. DECCA has proposed and hereby agrees to acquire from Chanrai a total of 40 acres to be reserved in perpetuity through recorded restrictive covenants as a wildlife preservation area. This area will include the 25-acre preserve depicted on

Exhibit "F" to the Preliminary Development Agreement entered into between the Developers and DCA on July 23, 1985, referred to hereafter as Tract A, and an additional 15-acre parcel immediately adjacent to the western boundary of Tract A. The northernmost boundary of the additional 15 acre parcel will be the road running along the northernmost boundary of Tract A. The westernmost boundary shall be defined by a line running parallel to the easternmost boundary of Tract A. Together these two parcels will total 40 acres and shall be referred to as the Preserve Area. The 40-acre Preserve Area is in lieu of, not in addition to, the 50 acres of preservation area required in the Preliminary Development Agreement entered into between the Florida Department of Community Affairs and the Developers on July 23, 1985.

2. The Preserve Area may be used for passive recreational purposes provided such use does not impair the Preserve Area's function as a wildlife preserve. DECCA, within 90 days of the effective date of this Development Order, shall submit to the Florida Game & Fresh Water Fish Commission (GFWFC) a management plan detailing the intended use of the Preserve Area which plan shall include provision for a fence around the Preserve Area. DECCA shall comply with all requirements of the GFWFC and shall modify the management plan accordingly.
3. In addition to the foregoing, DECCA has offered, within six months of the effective date of this Development Order, to provide or donate to the GFWFC pursuant to Section 372.12,

Florida Statutes (1986), a warranty deed to 150 acres of property as follows:

- (a) The warranty deed shall convey unencumbered title to 150 acres of property with the recording instrument deeding the property to the GFWFC for nongame wildlife management purposes;
- (b) The vegetative characteristics shall be representative of a mature longleaf pine-turkey oak-wiregrass association;
- (c) The property shall be contiguous with state and/or federal conservation land;
- (d) DECCA will give highest priority to sites with a known history of red-cockaded woodpecker utilization;
- (e) DECCA will give highest priority to property within Marion County and second priority to property within the WRPC planning area.

Additionally, the six-month time period within which the property shall be conveyed may be extended by Marion County and DCA for good cause shown. Good cause shall be interpreted to include situations beyond the good faith control of DECCA and shall include, but not be limited to delays due to statutory or administrative procedures in accepting the property. The determination of whether the 150 acres meets the above criteria shall be made by the GFWFC.

4. Paragraph 3 above is a condition which DECCA has voluntarily proffered to the County for inclusion in this Development Order and is not to be considered for credit or offset against any impact fees the County may by future ordinance impose against the Oak Run development.

B. WASTEWATER TREATMENT

The Developers shall supply a map to Marion County Engineering Department which indicates the boundaries of each neighborhood within each development phase of the Oak Run development. Documentation shall also be provided by the Developers which indicates the status of all permits applied for and issued by the Florida Department of Environmental Regulation (DER) in accordance with the established neighborhood boundaries within each development phase. As each phase of the development progresses, the Developers shall advise the County of all permit applications and proceedings related thereto and shall not object to the County providing comments to the DER or participating in any proceedings.

C. DRAINAGE

The drainage system of the Oak Run development shall comply with the Marion County Public Works Manual.

D. WATER SUPPLY

1. Water conservation measures for the Oak Run development shall include use of water conservation devices as described within

the Water Conservation Act, restrictions of landscape irrigation to the hours between 5:00 p.m. and 9:00 a.m. after the establishment of landscaping, and use of non-potable water sources and/or reuse for irrigation where possible.

2. All water transmission lines for the Oak Run development shall be sized in accordance with the Marion County Master Water Plan as it exists at the time of installation of each particular line.
3. In addition to the permitting requirements of the Southwest Florida Water Management District, the water system for the Oak Run development shall also be designed in accordance with applicable local ordinances of Marion County.

E. FIRE

1. Within 90 days of the effective date of this Development Order, the Developers and the Marion County Public Safety Director shall enter into a plan to address the impacts of the Oak Run development on the fire and rescue resources of the County. This 90-day time period may be extended by mutual written agreement of both parties.
2. The fire and rescue resource plan shall have as its eventual goal over the life of the plan the provision of County fire services within a reasonable, average response time and the

provision of County rescue services within a three-minute average response time.

3. Any contributions by the Developers of funds, equipment, or real property required pursuant to the fire and rescue resource plan may be credited or offset against any fire and/or rescue impact fees the County may impose by future ordinance against the Oak Run development in accordance with Subsection 380.06(16), Florida Statutes (1986) or any other applicable statutes, ordinances or regulations.
4. Failure of the Developers and Marion County Public Safety Director to timely enter into the above plan shall trigger substantial deviation review pursuant to Paragraph I(7)(a) herein.

F. TRANSPORTATION

Exhibit "C", attached hereto, contains a schedule through completion of the Oak Run development which addresses the construction of those public transportation facilities currently deemed necessary for maintenance of acceptable levels of service on substantially impacted regionally significant roadways.

1. The Developers shall pay a voluntary impact fee based on the total fair share contribution attributed to Oak Run for transportation impacts to the regionally significant roadways. This fee is based on \$455 per housing unit, \$231 per

congregate care bed and \$8.78 per square foot of commercial and office gross leasable area. The impact fee shall be paid at the time of issuance of each certificate of occupancy and shall be paid to Marion County to be used for improvements to the impacted regionally significant road network as described in Exhibit "C". Marion County shall use said monies to cooperate with the Florida Department of Transportation (FDOT) in moving improvements to SR-200 forward in FDOT's 5-year work program and to put into place the signalization referred to in Exhibit "C", Phase I. Within 10 days after the effective date of this Development Order, Developers shall pay Marion County an amount calculated using the aforementioned rate for each certificate of occupancy issued prior to and including the effective date of this Development Order.

DECCA may proceed to complete Phase I of Oak Run as described in Exhibit "B". In the event the traffic improvements described in Exhibit "C", Phase I, are not actually in place by the time the Developers receive occupancy permits for 1,890 dwelling units and 200 congregate care beds or by December 31, 1991 whichever comes later, the County shall not issue any further building permits or certificates of occupancy for any improvements located within or on the property described in Exhibit "A". In the event the required traffic improvements are in place, the Developers shall proceed pursuant to Paragraphs 3 and 4 below.

2. If Marion County implements an impact fee ordinance for transportation improvements, the voluntary impact fee in Paragraph 1 above shall cease and the Developers shall pay impact fees in accordance with the adopted impact fee ordinance. Credit will be given to the Developers in accordance with Subsection 380.06(16), Florida Statutes (1986) or any other applicable statutes, ordinances and regulations.
3. Prior to the initiation of any development activity in Phase II, the Developers shall conduct a trip generation/ distribution study. The study area shall be limited to roadway segments and intersections identified in Exhibit "C". The results of these studies shall be forwarded to Marion County, WRPC, DCA and the FDOT for approval.

The purpose of the studies shall be to determine:

- (a) If any improvements, in addition to those specified in Exhibit "C", are necessary to maintain designated acceptable levels of service in the project impact area. Designated acceptable levels of service are LOS D peak hour for SR 200 north of CR 484, LOS D peak hour for SR 200 south of CR 484, and LOS C peak hour for CR 484. If Marion County adopts levels of service for the roadways identified in Exhibit "C" in its approved comprehensive plan pursuant to Chapter 163, Florida Statutes (1986), the designated acceptable levels of service for the Oak Run development shall conform to those in the comprehensive plan.
- (b) Whether the Developers' share of cost improvements has changed from what is indicated in this Development Order.

- (c) When the level of service of roadways and key intersections in the project impact areas is estimated to exceed the designated acceptable levels of service.
4. On the basis of the trip generation/distribution studies and prior to commencement of Phase II, the Developers shall supply to Marion County, WRPC, DCA and FDOT a proposal for funding the construction of the required improvements. Such proposal shall specify the amount of funding necessary for the required construction of improvements, identify the proposed sources of funds, and identify the agreements necessary to implement the proposal. Upon agreement of the various parties, a final plan shall be prepared and approved by the respective parties.
 5. Marion County shall not issue any building permits or certificates of occupancy for any development within Phase II until such time as the County, WRPC, DCA, FDOT and the Developers have entered into the necessary agreements to implement the final approved plan described in Paragraph 4 above.
 6. The process described in Paragraphs 3, 4 and 5 above shall be repeated for Phase III and again for Phase IV.
 7. The cost of the access improvements listed in Exhibit "D" shall be born solely by the Developers.

8. DECCA shall be required to dedicate 25 feet of additional right-of-way adjacent to CR 484 along the southerly boundary of the development from the southwest corner of the development to a point where CR 484 turns southerly; and 75 feet of right-of-way shall be dedicated from this point easterly to the proposed right-of-way for S.W. 80th Avenue. The deed for right-of-way dedication shall contain a reverter clause in case Marion County does not utilize the dedicated land for improvements to CR 484. The fair market value of the right-of-way at the time of transfer may be credited or applied against the voluntary impact fee to be paid or any impact fee to be paid pursuant to ordinance. The fair market value shall be determined at the time of contribution and shall be equal to an amount either agreed to by DECCA and the County or, if the parties are unable to agree, each party shall select an appraiser to value the property transferred and if there is less than a 10% difference in the appraisals, the fair market value shall be the average of the two appraisals. If there is a greater difference, the two appraisers shall select a third appraiser to value the property to be transferred, whose determination shall be binding on the parties, provided that the third appraiser's determination is not more or less than the other two appraisals. In that event, the fair market value shall be the average of all three appraisals. Each appraiser selected

shall be a member in good standing of a nationally recognized appraisal organization such as SREA or MAI.

9. DECCA has offered and agreed to dedicate the necessary right-of-way for S.W. 80th Avenue as determined through the PUD approval process. DECCA shall be responsible for dedicating the right-of-way for S.W. 80th Avenue which lies adjacent to and through this development. A portion of this right-of-way is 75 feet wide and represents one half of a 150-foot right-of-way and the other portion of this right-of-way is the full 150-foot width.

G. ANNUAL REPORT

By January 31st of each year following the issuance of this Development Order and until such time as completion of all development, the Developers shall provide an Annual Report as required in Subsection 380.06(18), Florida Statutes (1986). Requirements for the content and dissemination of this report shall be as follows:

1. Dissemination:

- (a) The Annual Report shall be sent to the following agencies: Marion County Department of Planning and Development, or any successor thereto; WRPC; DCA or any successor thereto; and other agencies as may be appropriate.

- (b) By January 31st of each year, the Developers shall provide Marion County with a list of all persons and agencies receiving a copy of the Annual Report.

2. Content:

The Developers shall include the following information in the Annual Report:

- (a) Changes in the plan of development or phasing for the reporting year and for the next year;
- (b) A summary comparison of development activity proposed and actually conducted for the year;
- (c) Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or developers;
- (d) Identification and intended use of lands purchased, leased or optioned by the Developers adjacent to the original DRI site since the development order was issued;
- (e) An assessment of the development's and local government's compliance with conditions of approval contained in the DRI development order;
- (f) Any known incremental DRI applications for development approval or requests for a substantial deviation

determination that were filed in the reporting year and to be filed during the next year;

- (g) An indication of a change, if any, in local government jurisdiction for any portion of the development since the development order was issued;
- (h) A list of significant local, state and federal permits which have been obtained or which are pending by agency, type of permit, permit number and purpose of each;
- (i) A statement that all persons have been sent copies of the Annual Report in conformance with Subsection 380.06(18), Florida Statutes (1986); and
- (j) A copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the development pursuant to Subsection 380.06(15)(f), Florida Statutes (1986).

H. MONITORING

1. The County Administrator or authorized designees shall be responsible for insuring compliance with this Development Order.
2. Data necessary for monitoring shall be generated by building permits, certificates of occupancy, approval of plats and

offering statements, the annual report and on-site observations.

3. Enforcement of the terms of this Development Order shall be through such means as are authorized and envisioned by Chapter 380, Florida Statutes (1986), and through Marion County Development Regulations, including but not limited to plat approval, building permits, utility hookups and certificates of occupancy. The County may also cease inspection of ongoing construction until the Developers comply with the terms of this Development Order. Provided however, that, except as to matters involving immediate threats to the public health, safety or welfare, prior to proceeding under the above enforcement authority, the County shall first notify the Developers in writing with respect to any alleged violation of the terms of this Development Order and the Developers shall have 5 days from receipt of said notice to either cure said alleged violation or explain in writing why they believe they are not in violation of this Development Order. In the event that the alleged violation cannot be settled between Developers and the County Administrator or authorized designees responsible for insuring compliance with this Development Order, the issue shall be placed before the Marion County Board of County Commissioners at its next regularly scheduled meeting and the necessity for enforcement shall be determined at that time. Provided further that nothing contained herein shall preclude the County from taking

whatever legal action it may deem appropriate including, but not limited to, seeking injunctive relief.

I. GENERAL TERMS AND CONDITIONS

1. This Order shall constitute the Development Order of Marion County in response to the Development of Regional Impact Application for Development Approval filed by the Developers.
2. The definitions found in Chapter 380, Florida Statutes (1986), shall apply to this Development Order.
3. This Development Order shall be binding upon the Developers and their heirs, assignees, or successors in interest and inure to the benefit of the Developers' assigns, successors in interest or transferees of the property described in Exhibit "A".
4. In the event 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.
5. A certified true copy of this Development Order shall be filed and recorded in the Public Records of Marion County, Florida, in accordance with Subsection 380.06(15), Florida Statutes

(1986), and this Development Order shall govern the development of Oak Run.

6. Marion County agrees that the approved development of regional impact shall not be subject to down zoning, density reduction, or intensity reduction after the effective date of the Development Order, unless Marion County can demonstrate that substantial changes in the conditions underlying the approval of the Development Order have occurred, or that the Development Order was based on substantially inaccurate information provided by the Developers, or that the change is clearly established by Marion County to be essential to the public health, safety or welfare.
7. Further review pursuant to Chapter 380, may be required if a substantial deviation, as defined in Subsection 380.06(19), Florida Statutes (1986), occurs. The Developers shall be given due notice of, and an opportunity to be heard at any hearing to determine whether or not a proposed change to the development is a substantial deviation. Substantial deviation may occur by failure to comply with the conditions herein or failure to follow the plans and specifications submitted in the Composite ADA.

Substantial changes to the approved plan of development shall be considered as additional regional impact and shall constitute a substantial deviation and shall cause the

development to be subject to further development-of-regional impact review. Substantial changes include, but are not limited to:

- (a) An increase in land area for office development by 5 percent or 6 acres, whichever is greater, or an increase of gross floor area of office development by 5 percent or 60,000 gross square feet, whichever is greater.
- (b) An increase in the number of dwelling units by 5 percent or 50 dwelling units, whichever is greater.
- (c) An increase in commercial development by 6 acres of land area, or by 50,000 square feet of gross floor area, or of parking space provided for customers for 300 cars or 5 percent, whichever is greater.
- (d) A decrease in the areas set aside for open space of 5 percent or 20 acres, whichever is less.
- (e) Net changes to two or more types of development which cumulatively meet or exceed 100 percent of the criteria set forth herein.
- (f) A 15 percent increase in the number of external vehicle trips generated by the development above that which was projected during the original development-of-regional impact review.

- (g) A change proposed for 15 percent or more of acreage of the approved development of regional impact to a land use not previously approved in the Development Order.
- (h) Any change which would result in development of any area which was specifically set aside in the Application for Development Approval or in the Development Order for preservation, buffers, or special protection, including habitat for plant and animal species, archaeological and historical sites, dunes and other such special areas.
- (i) An extension of the date of build-out of a development by 5 or more years shall be presumed to create a substantial deviation subject to further development-of-regional impact review.
- (j) Any change in the proposed occupancy of the development which would place children in the public schools of Marion County.

8. This Development Order shall become effective upon its adoption, provided, however, that filing of a notice of appeal pursuant to Section 380.07, Florida Statutes (1986), will stay the effectiveness of this Development Order. Developers must begin construction no later than 1 year after the date of this Order. This Development Order will expire on December 31, 2008.

9. Copies of this Development Order shall be transmitted immediately by certified mail to DCA, WRPC, and the Developers.
10. Developers have designated Planning & Engineering Resources, Inc. as its resident agent for purposes of this Development Order. Any change to this designation must be made in writing and provided by certified mail to the County in order to be effective.
11. Wherever, in this Development Order, a condition or agreement has been designated as the responsibility of one Developer, it is intended that the other Developer shall have equal responsibility, obligations and liability with respect to said condition or agreement.
12. It is further understood that all of the transfers which are specified herein and which are the basis upon which this Development Order is being executed are applicable to the development of the property owned by DECCA, irrespective of any future development of the property owned by Chanrai. Nothing in this Paragraph shall be construed to relieve either DECCA or Chanrai of any of the requirements or conditions of the Composite ADA or this Development Order.
13. The Development Order has referred to the entire development as the Oak Run development. Such reference shall not preclude either DECCA or Chanrai from separately developing each phase

under one or more names other than Oak Run as long as all other conditions of this Development Order are met.

ADOPTED, in Regular Session this 21st day of October, 1986, by the Marion County Board of County Commissioners.

MARION COUNTY
BOARD OF COUNTY COMMISSIONERS

ATTEST: Frances E. Thigpin BY: Steve H. Gilman, M.D.
Clerk Chairman
Frances E. Thigpin Steve H. Gilman, M. D.

EXHIBITS

- Exhibit "A" - Legal Description of 1,355 acres
- Exhibit "B" - ADA and Sufficiency Responses
- Exhibit "C" - Schedule of Transportation Improvements to
Regional Roadways
- Exhibit "D" - Oak Run Access Improvements

EXHIBIT "A"

APPLICANT

Development and Construction Corporation of America (DECCA)
8865 S.W. 104th Lane
Ocala, Florida 32676
(904) 854-6210

AUTHORIZED AGENT

Jackson E. Sullivan
Planning & Engineering Resources, Inc.
P. O. Box 2019
1515 E. Silver Springs Blvd., Suite N-210
Ocala, Florida 32678
(904) 629-0211

NAMES AND ADDRESSES OF ALL PERSONS HAVING A FEE SIMPLE
OR LESSER ESTATE IN THE SITE

Development and Construction Corporation of America (DECCA)
8865 S.W. 104th Lane
Ocala, Florida 32676

Chanrai Investments, Inc.
c/o Tom Allen
359 Carolina Avenue
P. O. Box 1570
Winter Park, Florida 32790

LEGAL DESCRIPTION OF THE DEVELOPMENT SITE

Parcel No. C-1:

A parcel of land situated in Sections 35 and 36,
Township 16 South, Range 20 East, Marion County, Florida,
and being more particularly described as follows:

Beginning at the Northeast corner of Section 35 and the
Northwest corner of Section 36, run thence S.89°16'55"W.
along the North line of Section 35, 1542.52 ft. to a point
in the Southeasterly r/w line of State Road 200; thence
S.41°39'25"W. along said r/w line a distance of 300 ft.;
thence S.51°36'26"E. a distance of 1727.49 ft.; thence
S.00°16'18"W. a distance of 2571.56 ft. to a point in the
Northerly r/w of County Road No. 484; thence along said r/w
line along a curve to the left, said curve having an arc
distance of 132.50 ft. a chord distance of 132.48 ft. and a
chord bearing of S.89°07'58"E.; thence continue along said
Northerly r/w line N.89°31'18"E. a distance of 4374.34 ft.;
thence along said r/w line along a curve to the right, said
curve having an arc distance of 489.87 ft., a chord distance

of 486.45 ft. and a chord bearing of S.78°44'50"E.; thence N.89°30'10"E. a distance of 679.15 ft.; thence N.00°00'09"W. a distance of 1354.47 ft. to the East 1/4 corner of Section 36; thence S.89°12'34"W. a distance of 2638.57 ft.; thence N.00°11'36"E. a distance of 2654.52 ft. to the North 1/4 corner of Section 36; thence S.89°20'36"W. along the Northerly line of Section 36 a distance of 2633.59 ft. to the Point of Beginning. Containing within its bounds 370.55 acres more or less.

Subject to all easements, right of way and restrictions of record, if any.

Parcel No.C-2:

A parcel of land situated in Sec. 36, Twp. 16S., Rge. 20E., Marion County, Florida, said parcel being the NE 1/4 of Section 36 and being more particularly described as follows:

Beginning at the N.E. corner of Section 36, run thence S.00°07'11"W. along the East line of Section 36 a distance of 2647.38 ft. to the East 1/4 corner; thence S.89°12'34"W. along the South line of the NE 1/4 a distance of 2638.57 ft.; thence N.00°11'36"E. along the West line of the NE 1/4 a distance of 2654.52 ft. to the North 1/4 corner; thence N.89°21'48"E. along the North line of Section 36 a distance of 2635.05 ft. to the P.O.B.

Containing within said bounds 160.45 acres, more or less. Subject to all easements, rights of way and restrictions of records.

PARCEL "A": A parcel of land lying in Sec. 30, 31 and 32, Twp. 16 S., Rge. 21 E., Marion County, Fla. described as follows: Begin at the N.W. corner of said Section 32 for the Point of Beginning and run N. 89°51'41"E. along the Northerly boundary line of said Section 32, a distance of 2551.57 ft. to a concrete monument; thence S.00°15'53"W., 1634.06 ft. to a point intersecting the Northerly r/w line of Aqueduct Boulevard of Kingsland County Estates, Forest Glenn Subdivision, as recorded in Plat Book "P", Pages 1 through 9 of the Public Records of Marion County, Fla. leaving said line run S.10°38'56"E., 80.00 ft. to the P.C. of a curve intersecting the Southerly r/w line of Aqueduct Blvd. and Westerly r/w line of Villamor Dr. of said subdivision, remaining with said westerly r/w line run the following 6 (six) courses; thence Southeasterly along the arc of a curve concave Southwesterly and having a radius of 25.00 ft. through a central angle of 89°59'59" an arc distance of 39.27 ft. to the end of said curve; thence S.10°38'56"E., 1108.52 ft. to the beginning of a curve concave Northeasterly and having a radius of 850.00 ft.; thence Southeasterly along the arc of said curve, through a central angle of 57°24'46" a distance of 851.74 ft. to the

end of said curve; thence S.68°03'42"E., 319.52 ft. to the beginning of a curve concave Southwesterly and having a radius of 570.00 ft.; thence Southeasterly along the arc of said curve through a central angle of 47°42'05" a distance of 474.55 ft. to the end of said curve; thence S.20°21'37"E., 83.19 ft. to a P.R.M.; thence leaving said r/w run S.89°50'05"W., 1320.83 ft. to a concrete monument; thence S.89°50'39"W., 2648.50 ft. to the West line of said Section 32; thence N.89°45'26"W., 2651.65 ft. to a concrete monument; thence N.89°44'49"W., 2786.10 ft. to the West line of said Section 31; thence N.0°00'09"W., 1354.47 ft. to the West 1/4 Corner of said Section 31; thence N.0°07'11"E. along the West line of said Section 31, a distance of 946.84 ft.; thence S.89°32'27"E., 4086.44 ft. to a concrete monument marked R.L.S.2311; thence N.0°27'26"E. 3193.99 ft. to a concrete monument marked R.L.S.2311; thence S.89°22'41"W., 233.74 ft.; thence N.0°06'07"E., 868.83 ft. to the Southerly line of the 100 ft. wide r/w of Hialeah Blvd., as described in O.R.BK. 977, Pages 446 to 453, inclusive, Public Records of Marion County, Fla.; thence Easterly along said Southerly r/w the following (5) five courses S.74°58'53"E., 146.74 ft. to the beginning of a curve concave Northerly and having a radius of 868.45 ft.; thence Easterly along the arc of said curve through a central angle of 10°44'37" a distance of 162.84 ft. to the end of said curve; thence S.85°43'30"E., 1277.36 ft. to the beginning of a curve concave Northerly and having a radius of 622.28 ft.; thence Easterly along the arc of said curve through a central angle of 0°34'00" a distance of 6.15 ft. to the end of said curve; thence S.86°17'30"E., 1.66 ft. to the East line of said Section 30; thence S.0°04'09"W. along the East line of said Section 30, a distance of 2208.65 ft. to the Point of Beginning. Containing 670.87 Ac.

PARCEL C-1: A parcel of land lying in Sec. 25, Twp. 16 S., Rge. 20 E., Marion County, Fla. described as follows: Begin at the S.W. corner of said Sec. 25, run thence N.0°04'55"W., 1711.33 feet to the Southeasterly r/w of St. Rd. 200, said r/w being 50 feet from when measured at right angles to the centerline of said road; thence N.41°39'48"E., along said r/w 298.53 ft.; thence S.48°20'12"E., 660.0 ft.; thence N.41°39'48"E., 330.00 ft.; thence S.48°20'12"E., 948.89 ft.; thence N.89°17'35"E., 3652.66 ft. to the East line of said Section 25; thence S.0°04'21"W. along said line to the Southeast corner of said Section 25; thence S.89°21'48"W., 2635.05 ft. to the South 1/4 corner of said Section 25; thence S.89°20'36"W., 2633.59 ft. to the Point of Beginning Containing 150.47 Acres.

All of the above subject to all easements, rights of way and restrictions of record, if any.

EXHIBIT C : SCHEDULE OF ROADWAY IMPROVEMENTS

Improvement Needed	Date Needed	Party Responsible	Cost of Improvement	Oak Run Fair Share	Desired LOS
PHASE I 1986-1991					
1. 4-Ln SR 200 I-75 to SW 66	1990	FDOT	\$5,200,000	\$208,000	D - Existing LOS at time of ADA C/D Peak Hour
2. Sgnlize Intr sectn of SR 200 /SW 80th Ave.	1989	FDOT/Marion County	30,000	5,700	
3. Sgnlize Intr sectn of SR 200 /CR 484	1987	FDOT/Marion County	30,000	3,300	C/D
PHASE II & III 1992 - 1997					
1. 4-Ln SR200					
a. SW66/SW80	1993	FDOT	2,600,000	312,000	C/D
b. SW80/SW105	1993	FDOT	1,950,000	175,500	C/D
c. SW105/CR484	1993	FDOT	1,950,000	214,500	C/D
2. Intrsectn Im- prvmnt SR200/ CR484 for sep- ate SB left turn	1992	FDOT/Marion County	13,000	2,340	C/D
3. Intrsectn Im- prvmnt SR200/ CR484 for WB lft trn ln and NB lft trn ln	1994	FDOT/Marion County	26,000	6,500	C/D

EXHIBIT C : SCHEDULE OF ROADWAY IMPROVEMENTS

Improvement Needed	Date Needed	Party Responsible	Cost of Im- provement	Oak Run Fair Share	Desired LOS
PHASE IV 1998-2003					
1. SR200 4 lane frm CR484 to 1 mile south	2002	FDOT	2,600,000	468,000	C/D
2. SR200 6 lane					
a. SW80/66th	1999	FDOT	2,600,000	702,000	C/D
b. SW66/I-75	1998	FDOT	5,200,000	364,000	C/D
3. CR484 4 lane frm SR200 to east proj. entr.	2000	Marion Cty	1,300,000	221,000	C
4. CR484 4 lane					
a. SR200 w. 1mi	2001	Marion Cty.	2,600,000	312,000	C
b. Mtn Ok/I-75	1999		1,300,000	39,000	C
5. Int. Imp. SR 200/CR484, EB l. & r. trn lns WB & NB r. trn lns	1998	FDOT/Marion County	52,000	13,000	C/D
6. Int. Imp. CR 484/SW80, NB lft trn ln	1998	Marion Cty.	13,000	5,590	C
7. Int. Imp. SR 200/SW80, NB r. trn. ln., EB & WB l. & r. trn lns.	1998	FDOT/Marion County	65,000	26,650	C/D
TOTAL COST			27,529,000	3,079,080	

EXHIBIT "D" SCHEDULE OF SITE ACCESS IMPROVEMENTS

Intersection	Improvement	Estimated Cost
- SR-200/North Entrance	- SB left turn storage	\$25,000
	- NB right turn deceleration lane	\$15,000
	- Separate right and left turn lanes on site	\$40,000
	- Dual lanes ingressing the site	\$30,000
	- Signalization	\$30,000
- SR-200/South Entrance	- SB left turn storage	\$25,000
	- NB right turn storage	\$15,000
	- Separate right and left turn lanes on site	\$40,000
	- Dual lanes ingressing the site	\$30,000
	- Signalization	\$30,000
- CR-484/Project Entrance	- Separate SB right turn lane	\$15,000 *
	- Separate WB right turn lane	\$15,000 *
- CR-484/Project Entrance	- Separate SB right turn lane	\$15,000 *
	- Separate WB right turn lane	\$15,000 *
- S.W.-80th/Site Entrance	- Signalization	\$30,000
TOTAL		<u>\$370,000</u>

* The need for these improvements will be studied at the end of each phase to determine if sufficient traffic is present or projected to warrant installation.

ORIGINAL EXHIBIT "B"

COMPOSITE ADA

Oak Run DRI File drawer
FILED IN ~~BOOKCASE IN FRONT HALLWAY COMING INTO~~
~~CLERK'S COMMISSION RECORDS OFFICE.~~

(LARGE BOOKLET ENTITLED: OAK RUN
A DEVELOPMENT OF REGIONAL IMPACT
MARION COUNTY, FLORIDA)