

GOODING & BATSEL, PLLC**ATTORNEYS AT LAW****1531 SE 36TH AVENUE
OCALA, FLORIDA 34471****W. JAMES GOODING III
ROBERT W. BATSEL, JR.
ROBERT W. BATSEL****TELEPHONE (352) 579-1290
FACSIMILE (352) 579-1289
email: jgooding@lawyersocala.com**

October 5, 2022

By Hand Delivery

Marion County Growth Services Dept.
2710 E. Silver Springs Boulevard
Ocala, FL 34470

RE: TDC Deltona Land, L.L.C. – Rezoning Application

Dear Sir/Madam:

I represent TDC Deltona Land, L.L.C., a Delaware limited liability company (“TDC”) in connection with this matter.

We are attaching the following:

1. Application for Zoning Change, as executed by my client. As you can see, this application seeks to change the zoning on real property owned, not only by my client, but also by Marion County pursuant to a dedication on a plat; we are simultaneously submitting an application to vacate the portions of the plat for the parcels owned by Marion County.
2. Deeds for the portions of the property owned by my client.
3. Location map.
4. PUD Master Plan.
5. Karst analysis.
6. Preliminary drainage assessment.
7. PUD standards document.
8. Water and Wastewater Service Availability Letter.
9. Karst Feature Geologic Assessment.
10. Florida Scrub Jay Survey Technical Report.
11. Natural Resource Assessment.
12. Check payable to “Marion County Board of County Commissioners” in the amount of \$1,000.00.

October 5, 2022
Page 2

I am providing additional information concerning this application in a separate letter addressed to Growth Services Director Earl Hahn and County Engineer Elton Holland.

We look forward to working with you and your staff concerning this application.

Sincerely,

GOODING & BATSEL, PLLC

/s/ Jimmy Gooding /s/

W. James Gooding III

WJG/ban
Attachments: as stated

P:\JG\Transwestern\Entitlements\PUD\Application\Cover Letter for Rezoning Application.docx





**Marion County
Board of County Commissioners**

Growth Services ♦ Planning & Zoning

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2600
Fax: 352-438-2601

www.marioncountyfl.org

RECEIVED

OCT - 5 2022

**Marion County
Growth Service**

APPLICATION FOR REZONING

Application No.: _____

The undersigned hereby requests a zoning change of the Marion County Land Development Code, Article 4, Zoning, on the below described property and area, from A-1, B-2, B-4, and M-1 to Planned Unit Development ("PUD"), for the intended use of: construction of industrial warehouses.

Legal description: See attached Exhibit A (please attach a copy of the deed and location map)

Parcel account number(s): See attached Exhibit B.

Property dimensions: See attached Concept Plan. **Total acreage:** 228.10

Directions: Go south on Interstate 75. Turn right (west) on CR484. Turn right (north) on SW 29th Avenue Road in approximately 8/10ths of a mile. Property starts approximately 6/10ths of a mile on the right (east) and continues until the northern terminus of SW 29th Avenue Road.

The property owner must sign this application unless he has attached written authorization naming an agent to act on his/her behalf.

TDC Deltona Land, L.L.C.

Property owner name (please print)

3343 Peachtree Road, Suite 1850

Mailing address

Atlanta, Georgia 30326

City, state, zip code

404-842-6528

Phone number (please include area code)

Steve Kros
Signature (Steve Kros, Authorized Signatory)

Richard V. Busche

Applicant or agent name (please print)¹

101 E. Silver Springs Blvd., #400

Mailing address

Ocala, FL 34470

City, state, zip code

352-438-3000

Phone number (please include area code)

Signature

Please note: the zoning change will not become effective until 14 days after a final decision is made by the Marion County Board of County Commissioners. The owner, applicant or agent is encouraged to attend the public hearing where this application will be discussed. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the applicant or agent must be correct and legible to be processed. The filing fee is \$1,000.00, and is non-refundable. For more information, please contact the Zoning Division at 352-438-2675.

FOR OFFICE USE ONLY

RECEIVED BY: *QDW*
LAND USE: *EC*

DATE: *10/05/22*
ZONING: *A-1, B-2, B-4, M-1*

ZONING MAP NO.: *167*
SEC/TWP/RGE: *2 / 17 / 21*

Rev. 07/02/2019

MARION OAKS UNIT 7
PROJECT-2022100043
AR -

¹ See additional agent on next page.

"Meeting Needs by Exceeding Expectations"



**Marion County
Board of County Commissioners**

Growth Services ♦ Planning & Zoning

2710 E. Silver Springs Blvd.

Ocala, FL 34470

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TDC Deltona Land, L.L.C.

Property owner name (please print)

Richard V. Busche

Applicant or agent name (please print)¹

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Mailing address

101 E. Silver Springs Blvd., #400

Mailing address

Atlanta, Georgia 30326

City, state, zip code

Ocala, FL 34470

City, state, zip code

404-842-6528

Phone number (please include area code)

352-438-3000

Phone number (please include area code)

[Signature]
Signature (Steve Kros. Authorized Signatory)

[Signature]
Signature

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FOR OFFICE USE ONLY

RECEIVED BY: _____ DATE: _____ ZONING MAP NO.: _____
LAND USE: _____ ZONING: _____ SEC/TWP/RGE: ____/____/____

Rev 07 02 2019

¹ See additional agent on next page.

"Meeting Needs by Exceeding Expectations"

W. James Gooding III, Esq.

Applicant or agent name (please print)

1531 SE 36th Avenue

Mailing address

Ocala, FL 34471

City, state, zip code

352-579-1290

Phone number (please include area code)


Signature

EXHIBIT A

A PORTION OF MARION OAKS UNIT SEVEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK O, PAGES 140 THROUGH 153, OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA LYING IN SECTIONS 1, 2 AND 11, TOWNSHIP 17 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, AND UNPLATTED PROPERTY LYING IN SECTIONS 1 AND 2, TOWNSHIP 17 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 4, BLOCK 1094 OF SAID PLAT OF MARION OAKS UNIT SEVEN; THENCE ALONG NORTHERLY BOUNDARY OF SAID PLAT THE FOLLOWING THREE (3) COURSES, (1) N.00°33'05"E., 685.08 FEET; (2) THENCE S.88°46'17"E., 637.64 FEET; (3) THENCE S.00°30'36"W., 684.50 FEET TO THE NORTH BOUNDARY OF THE SOUTH 1/2 OF THE N.W. 1/4 OF THE S.W. 1/4 OF SECTION 1, TOWNSHIP 17 SOUTH, RANGE 21 EAST; THENCE DEPARTING SAID BOUNDARY OF MARION OAKS UNIT SEVEN, ALONG SAID NORTH BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) S.88°24'47"E., 50.38 FEET; (2) THENCE S.88°37'25"E., 635.41 FEET; (3) THENCE S.88°39'25"E., 661.31 FEET TO THE WEST BOUNDARY OF THE NORTH 1/2 OF THE N.E. 1/4 OF THE S.W. 1/4 OF SAID SECTION 1; THENCE DEPARTING SAID NORTH BOUNDARY, ALONG SAID WEST BOUNDARY, N.00°19'28"E., 683.10 FEET TO THE NORTH BOUNDARY OF THE NORTH 1/2 OF THE N.E. 1/4 OF THE S.W. 1/4 OF SAID SECTION 1; THENCE DEPARTING SAID WEST BOUNDARY, ALONG SAID NORTH BOUNDARY, S.88°34'01"E., 828.42 FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75 (RIGHT-OF-WAY VARIES) PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP - SECTION 36210-2406; SAID POINT BEING A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 7,489.49 FEET, A CENTRAL ANGLE OF 05°12'06", AND A CHORD BEARING AND DISTANCE OF S.17°21'33"E., 679.71 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES, (1) A DISTANCE OF 679.95 FEET TO THE END OF SAID CURVE; (2) THENCE S.14°19'13"E., 39.62 FEET; (3) THENCE S.14°45'09"E., 708.43 FEET; (4) THENCE S.14°44'31"E., 705.69 FEET TO THE SOUTHERLY BOUNDARY OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 7875, PAGE 257 OF THE PUBLIC RECORDS OF MARION COUNTY FLORIDA; THENCE DEPARTING SAID WESTERLY RIGHT OF WAY LINE, ALONG SAID SOUTHERLY AND EASTERLY BOUNDARY THE FOLLOWING FOUR (4) COURSES: (1) N.89°41'40"W., 88.11 FEET; (2) THENCE S.00°09'23"W., 680.78 FEET; (3) THENCE N.88°54'58"W., 1,327.84 FEET; (4) THENCE N.88°55'52"W., 1,302.62 FEET; THENCE ALONG THE SOUTH BOUNDARY OF SAID SECTION 1, N.88°41'39"W., 24.88 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 1; THENCE DEPARTING THE SOUTH BOUNDARY OF SAID SECTION 1, ALONG THE SOUTH BOUNDARY OF SECTION 2, TOWNSHIP 17 SOUTH, RANGE 21 EAST, N.88°59'36"W., 24.77 FEET TO THE EAST BOUNDARY OF AFORESAID PLAT OF MARION OAKS UNIT SEVEN; THENCE ALONG SAID EAST BOUNDARY, S.00°20'08"E., 223.37 FEET TO THE PROLONGATION OF THE SOUTHERLY BOUNDARY OF LOT 3, BLOCK 1493 OF SAID PLAT; THENCE ALONG SOUTHERLY BOUNDARY OF LOT 3, BLOCK 1493 AND SAID PROLONGATION, S.89°39'52"W., 264.89 FEET TO THE WESTERLY BOUNDARY OF BLOCK 1493 OF SAID PLAT; THENCE DEPARTING SAID SOUTHERLY BOUNDARY, ALONG THE WESTERLY BOUNDARY OF BLOCK 1493 OF SAID PLAT, S.00°20'08"E., 6.67 FEET; THENCE ALONG THE NORTH RIGHT OF WAY LINE OF ELVIN STREET PER SAID PLAT AND THE PROJECT THEREOF THE FOLLOWING FOUR (4) COURSES: (1) S.89°39'52"W., 231.77 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 635.00 FEET, A CENTRAL ANGLE OF 19°14'21", AND A CHORD BEARING AND DISTANCE OF S.80°02'41"W., 212.22 FEET; (2) THENCE WESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 213.22 FEET TO A POINT OF TANGENCY; (3) THENCE S.70°25'31"W., 436.39 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 89°01'30",

AND A CHORD BEARING AND DISTANCE OF N.65°03'44"W., 70.11 FEET; (4) THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 77.69 FEET TO A POINT OF TANGENCY AND THE EASTERLY RIGHT OF WAY LINE OF S.W. 29TH AVENUE ROAD (BEING A 100 FOOT RIGHT OF WAY); THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, ALONG SAID EASTERLY RIGHT OF WAY LINE, N.20°32'59"W., 431.98 FEET TO THE SOUTHERLY MOST CORNER OF LOT 3, BLOCK 1099 OF SAID PLAT; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, ALONG THE SOUTHERLY BOUNDARY OF LOT 3, BLOCK 1099 OF SAID PLAT, N.69°27'01"E., 299.99 FEET TO THE EASTERLY MOST CORNER OF LOT 3, BLOCK 1099 OF SAID PLAT; THENCE DEPARTING SAID SOUTHERLY BOUNDARY, ALONG THE EASTERLY BOUNDARY OF LOT 3, BLOCK 1099 OF SAID PLAT, N.20°32'59"W., 100.00 FEET TO THE NORTHERLY MOST CORNER OF LOT 3, BLOCK 1099 OF SAID PLAT; THENCE DEPARTING SAID EASTERLY BOUNDARY, ALONG THE NORTHERLY BOUNDARY OF LOT 3, BLOCK 1099 OF SAID PLAT, S.69°27'01"W., 299.99 FEET TO THE AFORESAID EASTERLY RIGHT OF WAY LINE OF S.W. 29TH AVENUE ROAD; THENCE DEPARTING SAID NORTHERLY BOUNDARY, ALONG SAID EASTERLY RIGHT OF WAY LINE, N.20°32'59"W., 100.00 FEET TO THE SOUTHERLY MOST CORNER OF LOT 1, BLOCK 1099 OF SAID PLAT; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, ALONG THE SOUTHERLY BOUNDARY OF LOT 1, BLOCK 1099 OF SAID PLAT, N.69°27'01"E., 299.99 FEET TO THE EASTERLY MOST CORNER OF LOT 1, BLOCK 1099 OF SAID PLAT; THENCE DEPARTING SAID SOUTHERLY BOUNDARY, ALONG THE EASTERLY BOUNDARY OF LOT 1, BLOCK 1099 OF SAID PLAT THE FOLLOWING THREE (3) COURSES: (1) N.20°33'05"W., 63.69 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 3,650.00 FEET, A CENTRAL ANGLE OF 01°40'51", AND A CHORD BEARING AND DISTANCE OF N.19°42'32"W., 107.06 FEET; (2) THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 107.07 FEET TO THE END OF SAID CURVE AND TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°03'53", AND A CHORD BEARING AND DISTANCE OF N.63°24'03"W., 35.07 FEET; (3) THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 38.86 FEET TO THE END OF SAID CURVE; THENCE DEPARTING SAID EASTERLY BOUNDARY, ALONG THE NORTHERLY BOUNDARY OF LOT 1, BLOCK 1099 OF SAID PLAT THE FOLLOWING TWO (2) COURSES: (1) S.72°04'01"W., 224.56 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 91°14'19", AND A CHORD BEARING AND DISTANCE OF S.26°26'14"W., 71.47 FEET; (2) THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 79.62 FEET TO THE END OF SAID CURVE AND TO A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 3,950.00 FEET, A CENTRAL ANGLE OF 11°25'30", AND A CHORD BEARING AND DISTANCE OF N.13°28'11"W., 786.34 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, AND ALONG THE AFORESAID EASTERLY RIGHT OF WAY LINE OF S.W. 29TH AVENUE ROAD, A DISTANCE OF 787.64 FEET TO THE END OF SAID CURVE, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°56'56", AND A CHORD BEARING AND DISTANCE OF S.53°13'54"E., 35.65 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG THE SOUTHERLY BOUNDARY OF TRACT V OF SAID PLAT, A DISTANCE OF 39.68 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID SOUTHERLY BOUNDARY, N.81°17'38"E., 24.67 FEET TO THE EASTERLY BOUNDARY OF TRACT V OF SAID PLAT, SAID POINT ALSO BEING A POINT ON A NON-TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 3,900.00 FEET, A CENTRAL ANGLE OF 08°49'52", AND A CHORD BEARING AND DISTANCE OF N.03°42'11"W., 600.51 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, AND SAID EASTERLY BOUNDARY, A DISTANCE OF 601.11 FEET TO THE END OF SAID CURVE; THENCE CONTINUE ALONG SAID EASTERLY BOUNDARY, N.00°42'46"E., 379.57 FEET TO THE NORTH BOUNDARY OF SAID PLAT; THENCE DEPARTING SAID EASTERLY

BOUNDARY, ALONG SAID NORTH BOUNDARY, S.89°17'57"E., 999.95 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAINING 228.10 ACRES, MORE OR LESS.

**EXHIBIT B
PARCEL ID NUMBERS**

PARCEL	OWNER	ACRES²
41200-004-00	TDC DELTONA LAND, L.L.C.	57.5
41200-011-01	TDC DELTONA LAND, L.L.C.	0.2
8007-1094-01	TDC DELTONA LAND, L.L.C.	1.09
8007-1094-02	TDC DELTONA LAND, L.L.C.	1.15
8007-1094-03	TDC DELTONA LAND, L.L.C.	1.15
8007-1094-04	TDC DELTONA LAND, L.L.C.	1.14
8007-1094-05	TDC DELTONA LAND, L.L.C.	1.24
8007-1094-06	TDC DELTONA LAND, L.L.C.	1.12
8007-1094-07	TDC DELTONA LAND, L.L.C.	2.15
8007-1094-08	TDC DELTONA LAND, L.L.C.	3.31
8007-1094-09	TDC DELTONA LAND, L.L.C.	2.36
8007-1094-10	TDC DELTONA LAND, L.L.C.	2.38
8007-1094-11	TDC DELTONA LAND, L.L.C.	0.81
8007-1094-12	TDC DELTONA LAND, L.L.C.	0.81
8007-1094-13	TDC DELTONA LAND, L.L.C.	0.81
8007-1095-01	TDC DELTONA LAND, L.L.C.	0.69
8007-1095-02	TDC DELTONA LAND, L.L.C.	0.69
8007-1095-03	TDC DELTONA LAND, L.L.C.	0.69
8007-1095-04	TDC DELTONA LAND, L.L.C.	0.69
8007-1095-05	TDC DELTONA LAND, L.L.C.	1.27
8007-1096-01	TDC DELTONA LAND, L.L.C.	2.08
8007-1096-02	TDC DELTONA LAND, L.L.C.	2.19
8007-1096-03	TDC DELTONA LAND, L.L.C.	1.43
8007-1096-04	TDC DELTONA LAND, L.L.C.	1.32
8007-1096-05	TDC DELTONA LAND, L.L.C.	1.19
8007-1096-06	TDC DELTONA LAND, L.L.C.	1.22
8007-1097-01	TDC DELTONA LAND, L.L.C.	1.21
8007-1097-02	TDC DELTONA LAND, L.L.C.	1.21
8007-1097-03	TDC DELTONA LAND, L.L.C.	1.21
8007-1097-04	TDC DELTONA LAND, L.L.C.	1.21
8007-1097-05	TDC DELTONA LAND, L.L.C.	1.21
8007-1097-06	TDC DELTONA LAND, L.L.C.	1.19
8007-1098-01	TDC DELTONA LAND, L.L.C.	0.55
8007-1098-02	TDC DELTONA LAND, L.L.C.	0.6
8007-1098-03	TDC DELTONA LAND, L.L.C.	0.47
8007-1098-04	TDC DELTONA LAND, L.L.C.	0.44
8007-1098-05	TDC DELTONA LAND, L.L.C.	0.4
8007-1098-06	TDC DELTONA LAND, L.L.C.	0.29
8007-1098-07	TDC DELTONA LAND, L.L.C.	0.73
8007-1098-08	TDC DELTONA LAND, L.L.C.	0.72
8007-1098-09	TDC DELTONA LAND, L.L.C.	0.29

² The number of acres comes from the Marion County Property Appraiser Webpage and thus, may not be accurate.

PARCEL	OWNER	ACRES ²
8007-1098-10	TDC DELTONA LAND, L.L.C.	0.4
8007-1098-11	TDC DELTONA LAND, L.L.C.	0.44
8007-1098-12	TDC DELTONA LAND, L.L.C.	0.48
8007-1099-02	TDC DELTONA LAND, L.L.C.	0.69
8007-1099-04	TDC DELTONA LAND, L.L.C.	0.69
8007-1099-05	TDC DELTONA LAND, L.L.C.	0.69
8007-1100-01	TDC DELTONA LAND, L.L.C.	0.45
8007-1100-02	TDC DELTONA LAND, L.L.C.	0.44
8007-1100-03	TDC DELTONA LAND, L.L.C.	0.46
8007-1100-04	TDC DELTONA LAND, L.L.C.	0.46
8007-1100-05	TDC DELTONA LAND, L.L.C.	0.46
8007-1100-06	TDC DELTONA LAND, L.L.C.	0.46
8007-1100-07	TDC DELTONA LAND, L.L.C.	0.44
8007-1100-08	TDC DELTONA LAND, L.L.C.	0.64
8007-1100-09	TDC DELTONA LAND, L.L.C.	0.79
8007-1124-00	TDC DELTONA LAND, L.L.C.	40.94
8007-1130-01	TDC DELTONA LAND, L.L.C.	0.99
8007-1130-02	TDC DELTONA LAND, L.L.C.	0.99
8007-1130-03	TDC DELTONA LAND, L.L.C.	0.99
8007-1130-04	TDC DELTONA LAND, L.L.C.	1.01
8007-1131-01	TDC DELTONA LAND, L.L.C.	0.88
8007-1131-02	TDC DELTONA LAND, L.L.C.	0.88
8007-1131-03	TDC DELTONA LAND, L.L.C.	0.88
8007-1131-04	TDC DELTONA LAND, L.L.C.	0.88
8007-1131-05	TDC DELTONA LAND, L.L.C.	0.88
8007-1131-06	TDC DELTONA LAND, L.L.C.	0.88
8007-1131-07	TDC DELTONA LAND, L.L.C.	0.88
8007-1131-08	TDC DELTONA LAND, L.L.C.	0.88
8007-1131-09	TDC DELTONA LAND, L.L.C.	0.93
8007-1131-10	TDC DELTONA LAND, L.L.C.	0.94
8007-1493-01	TDC DELTONA LAND, L.L.C.	1.27
8007-1493-02	TDC DELTONA LAND, L.L.C.	0.86
8007-1493-03	TDC DELTONA LAND, L.L.C.	0.86
41200-034-00	TDC DELTONA LAND LLC	5
41200-035-00	TDC DELTONA LAND LLC	5
41200-036-00	TDC DELTONA LAND LLC	5
41200-037-00	TDC DELTONA LAND LLC	5
8007-0000101	TDC DELTONA LAND LLC	0.47
8007-1094+05	MARION COUNTY (DRA)	1.02
8007-1098+01	MARION COUNTY (DRA)	1.14
8007-1100+09	MARION COUNTY (DRA)	1.12

PARCEL	OWNER	ACRES ²
8007-1131+04	MARION COUNTY (DRA)	0.88
NONE	PLATTED AREAS (ROADS, DRAs (WITHOUT PARCEL ID NUMBERS), AND DRAINAGE EASEMENTS) BEING VACATED - OWNED BY MARION COUNTY	37.86 ³
	TOTAL	228.10

P:\JG\Transwestern\Entitlements\PUD\Application\Rezoning Application JG 9-20-22.docx

³ Applicant's surveyor has determined that the total area subject to this Application is 228.10 acres. The size of this portion of the property was derived by subtracting, from the 228.10 acres, the subtotal of the parcels above this row.



Marion County Board of County Commissioners

Growth Services • Planning & Zoning

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2600
Fax: 352-438-2601

OFFICE USE ONLY	
Project No.:	2022100043
App Req. No.:	29234
Case Number:	221208ZC
Received Date:	
Received By:	
App. Complete Date:	

PARCEL ACCOUNT NUMBERS: See Attached Schedule A

APPLICATION FOR PUD REZONING or PUD AMENDMENT

The undersigned hereby requests a zoning change per Marion County Land Development Code (LDC), Article Four, *Zoning*, on the below described property and area, to **PUD (PLANNED UNIT DEVELOPMENT)** from:

Legal description: See attached Schedule A and survey.

Required documents: Attach a copy of the required PUD Documents listed in the checklist on the reverse side of this application as required by LDC Section 4.2.31.F(2) and LDC Division 2.13.

Total PUD Acreage: part of 228.10 acres **Maximum Proposed Residential Units:** N/A

Maximum Non-Residential (Commercial, Industrial, etc.) Acreage: part of 228.10 acres

Directions to property (from MC Growth Services): South on Interstate 75. Turn right (west) on CR 484. Turn right (north) on SW 29th Avenue Road in 8/10ths of a mile. Property starts approximately 6/10ths of a mile on the right (east) and continues until the northern terminus of SW 29th Avenue Road.

The property owner must sign this application **unless** written authorization naming the listed applicant/agent to act on his/her behalf is attached.

Mounir Bouyounes, County Administrator

Property owner name (please print)

601 SE 25th Avenue

MAILING ADDRESS

Ocala, FL, 34471

City, state, zip code

352-438-2300

Phone number (include area code)

Mounir.Bouyounes@marionfl.org

e-Mail Address (include complete address)

Richard V. Busche, Kimley-Horn

Applicant/agent name (please print)

101 E. Silver Springs Blvd., #400

MAILING ADDRESS

Ocala, FL 34470

City, state, zip code

352-438-3000

Phone number (include area code)

Richard.Busche@kimley-horn.com

e-Mail Address (include complete address)

[Signature]
Signature

See Primary Application

Signature

NOTE: A zoning change will not become effective until after a final decision is made by the Marion County Board of County Commissioners and any applicable appeal period concludes. The owner, applicant or agent is encouraged to attend the public hearing where this application will be discussed. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the owner and/or applicant/agent must be correct and legible in order to be processed.

PROPERTY OWNER AFFIDAVIT

STATE OF Florida
COUNTY OF Marion

BEFORE ME THIS DAY PERSONALLY APPEARED Mounir Bouyounes, County Administrator
Property owner's name, printed
WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:

1. He/she is the owner of the real property legally identified by Marion County Parcel numbers:
Parcels and rights-of-way as listed on attached Schedule A, _____
W. James Gooding, III, Esq. &
2. He/she duly authorizes and designates Richard V. Busche, Kimley-Horn to act in his/her behalf for the purposes of seeking a change to the future land use map designation of the real property legally described by the certified legal description that is attached with this amendment request;
3. He/she understands that submittal of a Comprehensive Plan map and/or text amendment application in no way guarantees approval of the proposed amendment;
4. The statements within the Comprehensive Plan map and/or text amendment application are true, complete and accurate;
5. He/she understands that all information within the Comprehensive Plan map and/or text amendment application is subject to verification by county staff;
6. He/she understands that false statements may result in denial of the application; and
7. He/she understands that he/she may be required to provide additional information within a prescribed time period and that failure to provide the information within the prescribed time period may result in the denial of the application.
8. He/she understands that if he/she is one of multiple owners included in this amendment request, and if one parcel is withdrawn from this request, it will constitute withdrawal of the entire amendment application from the current amendment cycle.

[Signature]
Property owner's signature

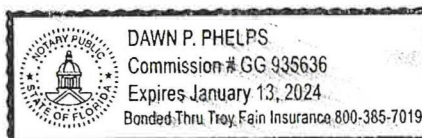
11-4-22
Date

Signed and sworn to (or affirmed) before me on November 4, 2022 by
(Date)
Mounir Bouyounes, County Administrator. He/she is personally known to me or has produced
(Property owner's name)

_____ as identification.

(Driver's license, etc.)

[Signature]
Notary public signature



State of Florida County of Marion
My commission expires: January 13, 2024

GOODING & BATSEL, PLLC

**ATTORNEYS AT LAW
1531 SE 36TH AVENUE
OCALA, FLORIDA 34471**

**W. JAMES GOODING III
ROBERT W. BATSEL, JR.
ROBERT W. BATSEL**

**TELEPHONE (352) 579-1290
FACSIMILE (352) 579-1289
email: jgooding@lawyersocala.com**

October 5, 2022

By Email Only

Earl R. Hahn, Esq.
Director of Marion County Growth Services Dept.
2710 E. Silver Springs Boulevard
Ocala, FL 34470

H. Elton Holland, P.E.
Marion County Engineer
412 SE 25th Avenue
Ocala, FL 34471

RE: Applications filed by TDC Deltona Land, L.L.C.

Dear Earl and Elton:

I represent TDC Deltona Land, L.L.C., a Delaware limited liability company ("TDC") in connection with this matter.

This letter concerns the following four applications that we are simultaneously filing with Marion County; and that I am, because of concern about emailed file sizes, uploading to the Cloud (together will all documents attached thereto) at the following link:¹

<https://www.dropbox.com/sh/4g1zrx55rm573r2/AADFncfLX9YFo8PKJoCLJDpsa?dl=0>.

1. Marion County Application Form for Large-And Small-Scale Comprehensive Plan Amendments (the "Comp Plan Application").
2. Application for Rezoning (the "Rezoning Application").
3. Application for Plat Vacation (the "Plat Vacation Application").
4. Application for Road(s)/Alley(s) Closing, with attached Petition (the "Road Closing Application").

We have previously had numerous meetings with you or your staff concerning these applications. Nonetheless, I thought it would be a good idea if I wrote a letter summarizing these applications and explaining the relationship between them.

Generally

This project consists of approximately 228 acres of land located north of CR 484 and immediately to the west of I-75. Approximately 132 acres of the property are located within a portion of Marion Oaks Unit Seven, as recorded in Plat Book O, Page 140.²

¹ Further, by uploading these documents to the Cloud, we are not only avoiding problems associated with emailing this letter but also permitting you or your staff to print out full size copies of the surveys and sketches that are included in the Applications.

² All recording references refer to the Public Records of Marion County, Florida.

October 5, 2022

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My client currently plans to construct up to 3.6 million square feet of industrial warehouse space on the property. This project is immediately to the north of an additional project upon which my client is already constructing industrial warehouses.

Comp Plan Application

All of the property currently has the required Employment Center ("EC") land use except as follows:

1. Approximately ten acres of the property has a Rural ("R") land use.
2. Various platted drainage retention areas have a Public ("P") land use.
3. Two small parcels have Preserve ("PR") land use.
4. And finally, portions of the property – consisting of platted roads or deeded right of way – have no assigned land use.

As you can see from the marked-up survey attached to the Application, these areas total 40.21 acres. Because the acreage is less than 50, this is a small scale amendment.

The Comp Plan Application seeks to assign an EC land use to these parcels; therefore, our entire property will have an EC land use.

Rezoning Application

This application seeks to rezone the property as a Planned Unit Development. It includes, not only the property that my client owns – some of which is within and some of which is outside of Marion Oaks Unit Seven – but all of the property within this portion of Marion Oaks Unit Seven except for portions owned by persons or entities other than Marion County; that is, the Application includes the platted portions of Marion Oaks Unit Seven owned by Marion County and deeded right of way discussed in connection with the Road Closing Application. The property subject to the rezoning is 228.10 acres.

The PUD includes, not only the areas for the warehouses and for drainage retention areas, but also new roads, including a road that extends from the southerly boundary of our project to connect to a road being constructed as part of the ongoing project to the south. This road will connect to Byrd Boulevard, n/k/a Marion Oaks Trail, thus providing a direct connection between CR 484 and the County's SW 49th Avenue project.

Plat Vacation Application

This application seeks to partially vacate the portion of Marion Oaks Unit Seven located east of Lawrence Boulevard (the platted name) know known as SW 29th Avenue Road, and north of the platted Elvin Street.

This area consists of platted lots, streets, alleys, drainage retention areas, drainage rights of way and drainage easements.

By virtue of the plat dedication, the streets and DRAs are owned by Marion County. Pursuant to applicable law, we believe that title to these areas will revert to my client upon the plat vacation but, in the

October 5, 2022

Page 3

abundance of caution, we are requesting that Marion County deliver quit claim deeds to my client for the property being vacated. The vacated streets are being replaced with an internal transportation network (as noted above) and the platted DRAs and similar drainage facilities are being replaced with a stormwater management system that will accommodate all stormwater from the roads. While we anticipate that we will establish another plat for this property, in the meantime, we will: (1) convey the streets to Marion County; or (2) encumber the streets with public access easements and establish drainage easements for the DRAs. (Because the DRAs will accommodate stormwater from our property as well as the roads, we anticipate using drainage easements for them, as opposed to a conveyance, unless the County would like to own and maintain them.)

Road Closing Application

This portion of Marion Oaks Unit Seven is divided by right of way conveyed to Marion County in deeds that were recorded before the plat was established.

This right of way, like the plat, interferes with our proposed development of the property and thus we will seek to close the streets established by the right of way. As with the situation concerning the vacated streets, we will request Marion County to convey title to the closed streets to my client.

Because the rights of way established pursuant to the deeds presumably was, in part, to provide access to parcels located to the north of our property, we will be replacing the vacated streets with a dedicated and improved street system that will provide effective and improved access to the parcels to the north. Until we record a plat, we will either convey this road system to Marion County or establish a public ingress/egress easement upon it.

Additional Applications / Processes

Although these are initial applications, I do want to alert you to the following:

1. Our engineers, Kimley-Horn, have submitted to Marion County a methodology for a comprehensive traffic study. In the meantime, we are submitting the traditional transportation analysis in connection with our Comp Plan Amendment.
2. Our predecessor in title – Deltona – entered into a series of agreements with Marion County concerning roads. We anticipate entering into a new agreement with Marion County acknowledging that my client has no further obligations under those agreements except for the four-laning of that portion of SW 29th Avenue that is not currently four-laned (essentially, from the western boundary of our property down to CR 484).
3. As noted above, we intend to plat this property into a new subdivision, probably consisting of separate lots for each building, and separate tracts for the roads and drainage retention areas.

Conclusion

While the above seems fairly complicated, as I think you will now understand, all of the foregoing are related and necessary in order for this project to develop. The result will be one of the largest single industrial warehouse projects in Marion County and a significant benefit to, not only Marion Oaks, but the County as a whole.

October 5, 2022

Page 4

Of course, throughout this process, we will be happy to consult with you and your staff and answer any questions that you may have.

We look forward to working with you.

Sincerely,

GOODING & BATSEL, PLLC

/s/ Jimmy Gooding /s/

W. James Gooding III

WJG/ban

Attachments: as stated

cc: Mr. Steve Kros
Mr. Jack Chapman
Mr. Rick Busche
Ms. Wendy Freyer

(All by email only with attachments uploaded to Cloud)

P:\JG\Transwestern\Entitlements\Corr\Letter to Earl and Elton re Applications.docx

Prepared by:

Klein & Klein, LLC
40 SE 11th Avenue
Ocala, FL 34471

Upon recording, return to:

Drane & Freyer Limited
200 West Madison Street
Suite 2800
Chicago, IL 60606

SPECIAL WARRANTY DEED

David Lambert, as to an undivided one-half interest, and with an address at 7926 Midway Drive, S201, Ocala, FL 34472 and **Jeffrey A. Boucher and Patricia M. Boucher, husband and wife, individually and as Trustees of the Jeffrey A. Boucher and Patricia M. Boucher Revocable Trust Agreement dated October 25, 2021**, as to an undivided one-half interest, and with an address at 10360 SW 50th Court, Ocala, FL 34476 (individually and collectively, "**Grantor**"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash and other good and valuable consideration to Grantor paid by **TDC Deltona Land, L.L.C.**, a Delaware limited liability company, with an address c/o Transwestern, 3343 Peachtree Rd NE #1850, Atlanta, GA 30326 ("**Grantee**"), the receipt of which is hereby acknowledged and confessed, has GRANTED, BARGAINED, SOLD and CONVEYED and by these presents does GRANT, BARGAIN, SELL AND CONVEY unto Grantee (i) all of that certain tract or parcel of land commonly known Parcel No. 41200-034-00, 5+/- acres, Marion County, Florida and legally described on **Exhibit A** attached hereto, together with all improvements thereon and rights and appurtenances with respect thereto, including but not limited to all rights of way, tenements, hereditaments, easements, minerals and mineral rights, water and water rights, utility capacity and appurtenances, if any, in any way belonging or appertaining to the land and the improvements and (ii) all of Grantor's right, title and interest in and to all adjoining streets, alleys, roads, parking areas, curbs, curb cuts, sidewalks, landscaping, signage, sewers and public ways and rights and interests relating thereto (the "**Property**").

This conveyance is made subject to those matters described on **Exhibit B** attached hereto. The land described herein is not the homestead of Grantor, and neither Grantor nor Grantor's spouse, nor anyone for whose support Grantor is responsible resides on the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's successors and assigns forever; and it is agreed that Grantor and Grantor's successors and assigns are hereby bound to warrant and forever defend, all and singular, the Property, unto Grantee and Grantee's successors and assigns against every person whomsoever claiming or to claim the same, or any part thereof by, through or under Grantor, but not otherwise.

\\KLEIN-ES\Shared Folders\Company\Data\CLOSING ONLY FILES\LAMBERT, DAVID and JEFFREY & PATRICIA BOUCHER REV TRUST st TDC ACQUISITIONS, LLC\BUYER COUNSEL DOCS\closing docs ver 2 REVISED.docx

Executed as of the 2nd day of September, 2022.

Signed, sealed and delivered
in presence of:

David Lambert
David Lambert

RENEE L WOLCOTT
Print Name: RENEE L WOLCOTT

LAURA VAZQUEZ-PAGAN
Print Name: LAURA VAZQUEZ-PAGAN

STATE OF FLORIDA
COUNTY OF MARION

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, on 9/2, 2022 by **David Lambert**. He is personally known to me or has produced FLDL as identification.



Notary Public in and for The State of Florida
Name:

My Commission Expires:

(Seal of Notary)

Signed, sealed and delivered

Print Name: RENEE L. WOLCOTTPrint Name: LAURA VAZQUEZ-PAGAN

Jeffrey A. Boucher
 Jeffrey A. Boucher individually and
 as Trustee of the Jeffrey A. Boucher and
 Patricia M. Boucher Revocable Trust
 Agreement dated October 25, 2021

Patricia M. Boucher
 Patricia M. Boucher, individually and as
 Trustee of the Jeffrey A. Boucher and
 Patricia M. Boucher Revocable Trust
 Agreement dated October 25, 2021

STATE OF FLORIDA
 COUNTY OF MARION

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, on September 2nd, 2022 by Jeffrey A. Boucher and Patricia M. Boucher, husband and wife, individually and as Trustees of the Jeffrey A. Boucher and Patricia M. Boucher Revocable Trust Agreement dated October 25, 2021. They are personally known to me or has produced FLDL as identification.



Notary Public in and for the State of Florida
 Name: [Signature]

My Commission Expires:

(Seal of Notary)

EXHIBIT A**SPECIAL WARRANTY DEED**

Legal Description

Address: Parcel No. 41200-034-00, 5+/- acres, Marion County, Florida

The North $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 17 South, Range 21 East, all lying in Marion County, Florida

EXHIBIT B**SPECIAL WARRANTY DEED****Permitted Exceptions**

- taxes for the current year
- easements, limitations, covenants, restrictions and other matters of record, if any, but provided, however, that such reference shall not serve to reimpose same

Prepared by:

Klein & Klein LLC
40 SE 11th Avenue
Ocala, Florida 34471

Upon recording, return to:

Drane & Freyer Limited
200 West Madison Street
Suite 2800
Chicago, IL 60606
Attn: Wendy Freyer

SPECIAL WARRANTY DEED

The Deltona Corporation, a Delaware corporation, as Successor by Merger to Swan Development Corp., a Florida corporation, as to Parcel 3, and The Deltona Corporation, a Delaware corporation a/k/a Deltona Corporation, as to Parcels 1, 2, 4, 5, 6, 7, 8, 9 and 10, with an address at 8014 SW 135th St. Rd., Ocala, FL 34473 ("**Grantor**"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) cash and other good and valuable consideration to Grantor paid by **TDC Deltona Land, L.L.C.**, a Delaware limited liability company, with an address c/o Transwestern, 3343 Peachtree Rd NE #1850, Atlanta, GA 30326 ("**Grantee**"), the receipt of which is hereby acknowledged and confessed, has GRANTED, BARGAINED, SOLD and CONVEYED and by these presents does GRANT, BARGAIN, SELL AND CONVEY unto Grantee (i) all of that certain tract or parcel of land commonly known as approximately 213.77 acres of vacant land in Ocala, Marion County, Florida and legally described on **Exhibit A** attached hereto, together with all improvements thereon and rights and appurtenances with respect thereto, including but not limited to all rights of way, tenements, hereditaments, easements, minerals and mineral rights, water and water rights, utility capacity and appurtenances, if any, in any way belonging or appertaining to the land and the improvements and (ii) all of Grantor's right, title and interest in and to all adjoining streets, alleys, roads, parking areas, curbs, curb cuts, sidewalks, landscaping, signage, sewers and public ways and rights and interests relating thereto (the "**Property**").

This conveyance is made subject to those matters described on **Exhibit B** attached hereto.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee and Grantee's successors and assigns forever; and it is agreed that Grantor and Grantor's successors and assigns are hereby bound to warrant and forever defend, all and singular, the Property, unto Grantee and Grantee's successors and assigns against every person whomsoever claiming or to claim the same, or any part thereof by, through or under Grantor, but not otherwise.

\\KLEIN-ES\Shared Folders\Company\Data\CLIENT FOLDERS\THE DELTONA CORPORATION st TDC ACQUISITIONS, LLC\BUYER
COUNSEL DOCS\closing docs ver 2 REVISED 9-1.doc

GREGORY C HARRELL CLERK & COMPTROLLER MARION CO
CFN# 2022131653 BK 7875 Pgs 0257-0263 09/08/2022 04:41:36 PM
REC FEE 61.00 INDEX DEED DOC 96,600.00

Executed as of the 6th day of September, 2022.

Signed, sealed and delivered
in presence of:

**THE DELTONA CORPORATION, a Delaware
corporation, Successor by Merger to SWAN
DEVELOPMENT CORP., a Florida corporation**

Ethel Lara
Print Name: Ethel Lara

Anita Gonzalez
Print Name: Anita Gonzalez

By: [Signature]
Sharon Hummerhielm,
Vice President

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

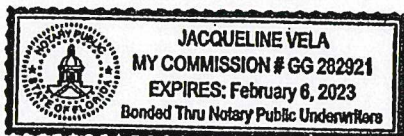
The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization, on September 6, 2022 by SHARON HUMMERHIELM, Vice
President of The Deltona Corporation, a Delaware corporation, Successor by Merger to SWAN
DEVELOPMENT CORP., a Florida corporation, on behalf of the corporation. She is personally
known to me or has produced _____ as identification.

(seal)

[Signature]
Notary Public

Print Name: Jacqueline Vela

My Commission Expires:



Signed, sealed and delivered
in presence of:

Ethel Lara
Print Name: Ethel Lara

Anita Gonzalez
Print Name: Anita Gonzalez

THE DELTONA CORPORATION, a Delaware
corporation, a/k/a DELTONA CORPORATION

By: [Signature]
Sharon Hummerhielm,
Vice President

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization, on September 6, 2022 by SHARON HUMMERHIELM, Vice
President of The Deltona Corporation, a Delaware corporation, a/k/a DELTONA
CORPORATION, on behalf of the corporation. She is personally known to me or has
produced _____ as identification.

(seal)

[Signature]
Notary Public
Print Name: Jacqueline Vela

My Commission Expires:

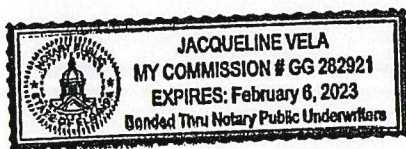


EXHIBIT A**SPECIAL WARRANTY DEED**

Approximately 213.77 acres of vacant land in Ocala, Marion County, Florida

Parcel 1

The South 1/2 of SE 1/4 of NW 1/4 of SW 1/4 of Section 1, Township 17 South, Range 21 East, MARION County, Florida.

Parcel 2

The South 1/2 of SW 1/4 of NW 1/4 of SW 1/4 of Section 1, Township 17 South, Range 21 East, MARION County, Florida.

Parcel 3

The South 1/2 of the SE 1/4 of the SW 1/4 of Section 1, Township 17 South, Range 21 East, Marion County, Florida.

Parcel 4

The North 1/2 of the SW 1/4 of SE 1/4, West of I-75 of Section 1, Township 17 South, Range 21 East, Marion County, Florida.

Parcel 5

The North 1/2 of the NE 1/4 of the SW 1/4 lying West of I-75 Right of Way, of Section 1, Township 17 South, Range 21 East, Marion County, Florida.

Parcel 6

The North 1/2 of SW 1/4 of NW 1/4 of SW 1/4 of Section 1, Township 17 South, Range 21 East, Marion County, Florida.

Parcel 7

The South 1/2 of the NE 1/4 of the SW 1/4 of Section 1, Township 17 South, Range 21 East, Marion County, Florida.

Parcel 8

The North 1/2 of the SE 1/4 of the SW 1/4, Except SR 93 Right of Way, all lying and being in Section 1, Township 17 South, Range 21 East, Marion County, Florida.

Parcel 9

Tract AA of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Tract Z of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Less and Except that portion lying South of an Easterly prolongation of the Southerly boundary line of aforesaid Lot 3 of Block 1493 of Marion Oaks Unit Seven.

Parcel 10:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, Block 1094 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Lots 1, 2, 3, 4, and 5, Block 1095 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Lots 1, 2, 3, 4, 5 and 6, Block 1096 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Lots 1, 2, 3, 4, 5 and 6, Block 1097 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 1098 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Lots 2, 4 and 5, Block 1099 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 1100 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 1124 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Lots 1, 2, 3, 4, and 5, Block 1128 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Lots 1, 2, 3, 4 and 5, Block 1129 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Lots 1, 2, 3 and 4, Block 1130 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block 1131 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida.

Lots 1, 2 and 3, Block 1493 of MARION OAKS UNIT SEVEN, according to the Plat thereof as recorded in Plat Book O, Page(s) 140, of the Public Records of MARION County, Florida

EXHIBIT B**SPECIAL WARRANTY DEED****Permitted Exceptions**

1. Taxes and assessments for the year 2022 and subsequent years, not yet due and payable.
2. Easements, limitations, covenants, restrictions and other matters of record, if any, but provided, however, that such reference shall not serve to reimpose same.