REGULAR MEETING OF THE LADY LAKE TOWN COMMISSION

DATE: **Monday, December 7, 2015**
TIME: **6:00 p.m.**
PLACE: **Town Hall Commission Chambers**
409 Fennell Blvd., Lady Lake, Florida

ALL INTERESTED PERSONS ARE CORDIALLY INVITED TO ATTEND THIS PUBLIC MEETING

AGENDA*

A. CALL TO ORDER: Mayor Ruth Kussard

B. PROCEDURAL: *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*

C. PLEDGE OF ALLEGIANCE: Mayor Ruth Kussard

D. INVOCATION[1]: Rev. David Collette – First Baptist Church of Lady Lake

E. ROLL CALL

F. PUBLIC COMMENTS[2]

G. PRESENTATION:

1. Presentation of Bright Idea Awards for 2015 (Kris Kollgaard/Department Heads)

H. CONSENT[3]:

2. Minutes – November 16, 2015 – Regular Commission Meeting

3. Consideration for New Song Community Church to Hold an Easter Sunrise Service at the Log Cabin/Veterans Park on Easter Sunday (Mike Burske)

4. Consideration of Approval to Host the Spring Art-in-the-Park Event on January 30th and 31st, 2015 (Mike Burske)

5. Consideration of the Renewal of the Lease Agreement between the Town of Lady Lake and the Lady Lake Historical Society (Mike Burske)

I. OLD BUSINESS:

J. NEW BUSINESS:

6. Water Oak Country Club Estates – Minor Modifications to Site Plan – MNM 11/15-002 – Providing for Stormwater Improvements, Grading Changes, and Installation of Retaining Walls in Various Areas of the Community – Located at 106 Evergreen Lane (Thad Carroll)\

7. Lumen Park–Final Commercial Plat – A Commercial Subdivision Consisting of 23 Lots on a 30-Acre Parcel – Located North of County Road 466, Approximately 1000± Ft. East of the Sumter County Line on Highway 466 within the Town of Lady Lake (Thad Carroll)

K. TOWN ATTORNEY'S REPORT:

8. Ordinance No. 2015-15 – Second/Final Reading – Annexation – The Villages of Lake-Sumter, Inc. – Annexing Three Lots of Approximately 0.43 +/- Acres – Located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida (Thad Carroll)

9. Ordinance No. 2015-16 – Second/Final Reading – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for Three Lots of Approximately 0.43 +/- Acres – Located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida (Thad Carroll)

10. Ordinance No. 2015-17 – Second/Final Reading – Rezoning – The Villages of Lake-Sumter, Inc. – Rezoning from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) for Three Lots of Approximately 0.43 +/- Acres – Located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida (Thad Carroll)

11. Ordinance No. 2015-18 – Second/Final Reading – Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan (Thad Carroll)

12. Ordinance No. 2015-19 – Second/Final Reading – Amending the Town of Lady Lake Land Development Regulations, Chapter 10, Section 5, Entitled "Tree Protection" (Thad Carroll)

L. TOWN MANAGER'S REPORT:

13. Consideration of Cancelling the December 21, 2015 Commission Meeting (Kris Kollgaard)

14. Consideration of Request from Buffalo Construction to Remove an Oak Tree on Town Hall Property (Kris Kollgaard)

M. MAYOR/COMMISSIONER'S REPORT:

N. PUBLIC COMMENTS[4]

O. ADJOURN

***Back up for agenda items is available on the Town's website at www.ladylake.org or contact the Town Clerk at (352) 751-1571.**

This public hearing is being conducted in a handicapped accessible location. Any handicapped person requiring an interpreter for the hearing impaired or the visually impaired should contact the Clerk's Office at least two (2) days prior to the meeting and an interpreter will be provided. To access a Telecommunication Device for Deaf Persons (TDD), please call (352) 751-1565. Any handicapped person requiring special accommodations at this meeting should contact the Clerk's Office at least two (2) days prior to the meeting.

Advice to the Public: If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he may need a verbatim record of the proceedings including the testimony and evidence, a record of which is not provided by the Town of Lady Lake. (F.S. 286-0105)

Please be advised that one or more members of any other Town Board or Committee may be in attendance of this meeting.

NS/Word/Town Clerk/Agendas - Commission Meeting – 12-07-2015

---

[1] *Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.*

[2] *This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*

[3] *All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.*

[4] *This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*

G-1

LADY LAKE POLICE DEPARTMENT

Office of the Chief of Police

Date: October 21, 2015 CM 15-021

To: Kris Kollgaard
Town Manager

From: Chris McKinstry
Chief of Police

SUBJECT: BRIGHT IDEAS NOMINATION

I am nominating Captain Jason Brough for his initiative in locating grant funding to provide a cost effective solution to replace outdated and/or inefficient records software programs.

The Lady Lake Police Department had operated with VisionMobile software for the last fifteen (15) years as the core of our records management system. When first deployed and when the Police Department still had a dispatch center, additional components, including CAD, were purchased and added to fully accomplish our mission. Mobile was also purchased for field units to enable our officers on the street to communicate with dispatch and to access NCIC/FCIC. Since the transfer of dispatch service to the Lake County Sheriff's Office, the CAD function is provided within our existing contract with LCSO and is no longer being used by the police department. In fact, the only component, other than the core RMS, that the police department had been using was the mobile NCIC/FCIC query function. We were paying a service/support fee of $10,000 per year to maintain the functionality of that one feature.

As technology advanced and existing equipment became obsolete or inefficient, the need to obtain new programs and software are created.

Captain Brough was able to locate available grant funding from the Florida Department of Transportation in partnership with the FAMU-FSU College of Engineering to provide both ELVIS and TraCS free of charge to law enforcement agencies.

ELVIS – (Electronic License and Vehicle Information System) is a tool for running FCIC/NCIC queries from any device connected to the internet. ELVIS provides free access to FCIC/NCIC for our entire agency without any software to install. We can run queries, view results, access audit logs, and manage users from any agency computer that has access to the internet.

As part of Accreditation and CJIS (Criminal Justice Information Systems) requirements, we must demonstrate that we are in compliance with all applicable standards and regulations. The built in reports contained within ELVIS assist us through our CJIS audits by providing easy access to the reports that the FDLE and FBI auditors want to see-- authentication logs, query logs, and user account audit trails.

TraCS – (Traffic and Criminal Software) - is a data collection and reporting tool.

Prior to the TraCS implementation, the police department used a third party vendor, iyeTek, for our traffic crash reporting. iyeTek was not was able to generate electronic citations acceptable for Florida courts, therefore at crash incidents our officers had to handwrite each and every traffic citation. Once those citations were written, they were submitted to our Records Division, who then had to manually enter each and every citation into RMS. That became a time consuming process especially if the handwriting was not completely legible.

With iyeTec, we had some difficultly with the vendor providing a timely response to technical issues causing additional man hours to be expended. The resolution of those issues were only temporary in nature, and our Town IT Director John Pearl, had become frustrated over the lack of urgency on the part of iyeTec.

With TraCS , there is no need to handwrite traffic citations at crash scenes or during enforcement activity. Records no longer need to manually enter every traffic citation from handwritten copies. All data is electronically reported directly into our existing Records Management System. Additionally all data that is queried through the ELVIS system on traffic stops or traffic crashes is electronically populated into both the crash report and citation eliminating the need to handwrite anything.

As an added benefit, TraCS allows a driver exchange of information form containing all the essential data needed for an insurance claim, to be electronically printed at the scene of a crash and be immediately provided to the crash victims.

By utilizing TraCS and ELVIS we have discontinued the use of VisionMobile and canceled the support service agreement previously funded at a recurring $9,483.00/year.

In addition to the countless man hours saved by automation, the savings from the discontinued support service was utilized to purchase printers for all patrol cars to enable printed crash reports and traffic citations at a one-time cost of $4600. Resulting in a first year savings of $4883, and a second and subsequent year savings of $9483 per year thereafter.

Bright Ideas Nomination/2015

Name/Position:

Darryl Flanders/Lead WW Operator; Steve Phouts/WW Operator; Peggy Smith/P.W. Administrative Assistant; Brenda Brock/Utilities Staff Assistant; Robert Barnes/Lead Distribution & Collection Operator; Kevin Yaokum/Utility Locator; Pete Sullivan/Utility Tech 1; Johnathon Wimes/Utility Tech I; Joe Grubb/Lead Mechanic; Butch Goodman/Utility Supv.

Supervisor/Dept.: Thomas Butch Goodman

Bright Idea: Reduce the cost of the clarifier wheel replacement at the wastewater plant by utilizing Town staff and equipment instead of a contractor. The clarifier wheels allow the wastewater plant to return the activated sludge bugs back to the aeriation basin by traveling back and forth 24/7. The polyurethane wears out and the wheels have to be replaced.

Ideas Generated

1. To have the wheels recovered, rebuilt by a wheel manufacturer. The Town's staff removes the clarifier wheels, replaces them with resurfaced/rebuilt wheels. Then the staff prepares and coordinates the old wheels for shipping and replacement.

2. The cost to have a contractor replace each wheel equals $10,200.00 approximately. Utilizing Town staff to replace each wheel equals $325.00 approximately. Total savings per wheel equals $9,875.00, see attached documentation.

3. The total savings was approximately $39,500 for 2015, staff replaced 4 wheels.

Tom Goodman — 10-22-15

Supervisor Signature — Date

10/26/15

Department Head Signature — Date

Verbal Quote:
T.G
Per Fergus 5-19-2015
Verbal Quote $6,400.00 Each Tires x 2 Wheels
Labor $14,516.00 Total
$27,316.00
$13,658 Each Wheel

EVOQUA WATER TECHNOLOGIES

Evoqua Water Technologies LLC
1828 Metcalf Avenue
Thomasville, GA 31792

Sales Quote

Quote # 12864-R2
Date: 6/25/2015
To: Darryl Flanders/ Town of Lady Lake
Phone: 352-399-1659
Fax:
From: Fergus Robinson
email: Written Quote.

Validity: 30 days
Freight PPD & Add
Returns: There is a 25% restocking fee on all returned parts.

Replacement parts for Evoqua

Evoqua Water Technologies LLC is pleased to offer the following quotation for your consideration

Item #	Quantity	Part #	Part Description	Unit Price	UM	Total Price	Lead Time
1	2	W2T85197	Wheel Polyurethane 12" OD 6.5" W	$4,700.00	EA	$9,400.00	8-10 Weeks
2			Installation of wheels for Clarifier (2) days on site work performed by (2) men. Job #D11181DP			$11,000.00	
				Total Sale Price		$20,400.00	= 2 wheels

Approx $10,200 Per Wheel
$40,800.00 4 wheels

Please Direct Questions or Comments to:

Evoqua Water Tech LLC. Aftermarket Sales: Fergus Robinson
Phone: (229) 227-8705
Fax: (229) 228-0312
Email Fergus.Robinson@evoqua.com

We now accept Visa, Mastercard, & American Express for your convenience

THIS TRANSMISSION CONTAINS CONFIDENTIAL INFORMATION INTENDED FOR USE ONLY BY THE ABOVE NAMED RECIPIENT. READING, DISCUSSING, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED BY ANYONE OTHER THAN THE NAMED RECIPIENT OR HIS OR HER EMPLOYEES OR AGENTS. IF YOU HAVE RECEIVED THIS FAX IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE (COLLECT) AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE US POSTAL SERVICE.

SUNRAY, INC.
POLYURETHANE PRODUCTS
4761 US HWY 64-74A
RUTHERFORDTON NC 28139
1 (800) 833-9960 ~ 1 (828) 287-7030 TEL.
1 (828) 286-3003 FAX

www.sunray-inc.com
info@sunray-inc.com

INVOICE
101635

Customer No.: TOWN OF LADY
Invoice No.: 101635

Bill To: **TOWN OF LADY LAKE TOWN HALL COMPL**
ATTN: ACCT PAYABLE
409 FENNELL BLVD
LADY LAKE, FL 32159

Ship To: **TOWN OF LADY LAKE TOWN HALL CC**
ATTN: PUBLIC WORKS COMPLEX WWTP
138 SKYLINE DR
LADY LAKE, FL 32159

Date	Ship Via	F.O.B.	Terms
08/14/15	UPS	Origin	Net 30

Purchase Order Number	Order Date	Sales Person	Our Order Number
150434	07/24/15	FL-FLORIDA-KEITH	74959

Quantity Required	Quantity Shipped	Quantity B.O.	Item Number	Description	Unit Price	Amount
2	2		N9-RCX6XS	12.00" X 6.5" WHEEL RECOVERED, 95A GREEN POLY 10.5 STEEL CORE	235.87	471.74

Invoice subtotal		471.74
Freight charges	Return	101.10
Invoice total		572.84
	Shipte	74.00

YOUR BUSINESS IS APPRECIATED! THANK YOU!

2 Wheels $646.84
÷ 2
$323.42

Cost Per Wheel = Approx. $325.00

Sunray Gladly Accepts: VISA MasterCard AMERICAN EXPRESS

SUNRAY, INC.
POLYURETHANE PRODUCTS
4761 US HWY 64-74A
RUTHERFORDTON NC 28139
1 (800) 833-9960 ~ 1 (828) 287-7030 TEL.
1 (828) 286-3003 FAX

www.sunray-inc.com
info@sunray-inc.com

INVOICE
100717

Customer No.: TOWN OF LADY
Invoice No.: 100717

Bill To: **TOWN OF LADY LAKE TOWN HALL COMPL**
ATTN: ACCT PAYABLE
409 FENNELL BLVD
LADY LAKE, FL 32159

Ship To: **TOWN OF LADY LAKE TOWN HALL CC**
ATTN: PUBLIC WORKS COMPLEX WWTP
138 SKYLINE DR
LADY LAKE, FL 32159

Date	Ship Via	F.O.B.	Terms
05/29/15	UPS FREIGHT	Origin	Net 30

Purchase Order Number	Order Date	Sales Person	Our Order Number
150386	05/15/15	FL-FLORIDA-KEITH	74132

Quantity Required	Quantity Shipped	Quantity B.O.	Item Number	Description	Unit Price	Amount
2	2		N9-RCX6XS	12.00" X 6.5" WHEEL RECOVERED, 95A GREEN POLY 10.5 STEEL CORE	235.87	471.74

Invoice subtotal	471.74
Freight charges	140.82
Invoice total	612.56

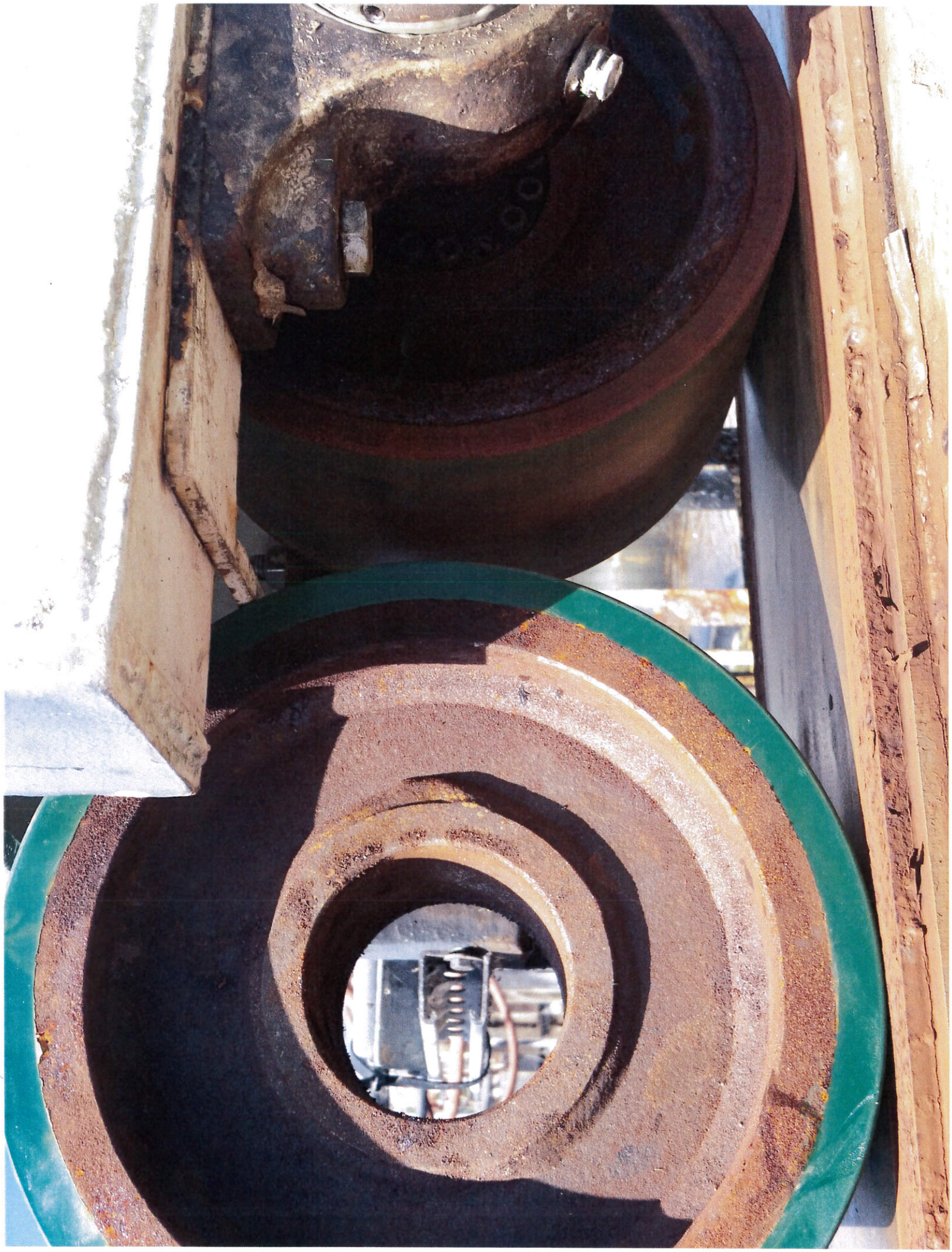
ship to 74.00

YOUR BUSINESS IS APPRECIATED! THANK YOU!

2 Wheels $686.56

Cost Per wheel $343.28

Sunray Gladly Accepts: VISA MasterCard AMERICAN EXPRESS



10/27/15

I would like to nominate the Lady Lake Library Staff, Mary Petrucelli, Beth Gobeil, Lori Sadler, Nancy Brock, Nicole LeFrancois, Alyssa Herman and Victoria Baker for the Bright Ideas Award for 2015.

Due to their hard work, dedication, creativity and team work they have increased circulation, programming and programming attendance, and library visits during the last year. Because of their innovative ideas they have brought many new people to the library for programs, classes and to view displays. When people attend the many classes and programs they check out more materials and see everything the library has to offer. The library is not only just a place to check out materials but has become a meeting place and destination for the community.

The Lady Lake Library has expanded services which has increased library card registrations as well as out of county fee bearing registrations. The library creates a better quality of life and brings new people to the area that will use the shopping and restaurants as well as town services. Once they visit the area they also take part in other events, building community spirit and bringing business to the area.

Please see below some of the incredible increases in programming, programming attendance and library visits that have been accomplished in the last year.

390% increase in total (adult and youth) programming

108% increase in total (adult and youth) attendance

51% increase in library visits

16% increase in registered card holders

Respectfully submitted,

Marsha Brinson, Director

Lady Lake Library

H-2

MINUTES OF THE REGULAR MEETING OF THE LADY LAKE TOWN COMMISSION LADY LAKE, FLORIDA

November 16, 2015

The Regular Meeting of the Lady Lake Town Commission was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Mayor Ruth Kussard presiding. The meeting convened at 6:00 p.m.

A. CALL TO ORDER: Mayor Ruth Kussard

B. PROCEDURAL: *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*

C. PLEDGE OF ALLEGIANCE

D. INVOCATION[i]**:** Chaplain Donna McGlone – American Legion Auxiliary

E. ROLL CALL: Tony Holden, Commissioner Ward 2
Dan Vincent, Commissioner Ward 3
Paul Hannan, Commissioner Ward 4
Jim Richards, Commissioner Ward 5
Ruth Kussard, Mayor/Commissioner Ward 1

STAFF MEMBERS PRESENT: Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; John Pearl, I.T. Director; Marsha Brinson, Library Director; Captain Jason Brough, Police Department; Pam Winegardner, Finance Director; Julia Wolfe, Administrative Assistant to Town Manager; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTS[ii]

Mayor Kussard asked if there were any comments at this time.

- Command Sgt. Major Robert Sullivan, Veteran of the U.S. Army, stated he was somewhat responsible for bringing the Traveling Vietnam Wall to this area. He stated it was a great success and he wanted to thank the Town of Lady Lake Town Manager and Commissioners, Police Department, and Mr. Burske and his Parks and Recreation staff for all their support and assistance in bringing the wall to Lady Lake.

G. COMMISSION SWEARING-IN CEREMONY: Ruth Kussard, Ward 1
Daniel Vincent, Ward 3
Jim Richards, Ward 5

Kris Kollgaard, Town Manager/Town Clerk, conducted the Swearing-In Ceremony by administering the Oath of Office to Commissioner Ruth Kussard, Ward 1; Commissioner Dan Vincent, Ward 3; and Commissioner Jim Richards, Ward 5.

H. CONSIDERATION OF SELECTION OF MAYOR AND MAYOR PRO-TEM FOR 2015-2016

Mayor Kussard thanked the Commissioners for a very good year for the Town's residents. She stated a lot was accomplished and although they did not always agree, it was done in a professional manner. She also thanked Commissioner Vincent for acting as Mayor Pro Tem when she was unavailable. Mayor Kussard asked if there was any discussion prior to the nominations for Mayor.

Commissioner Hannan commended Mayor Kussard for the exceptional job she did this past year as Mayor, and the other Commissioners agreed with him.

Commissioner Richards nominated Mayor Kussard to remain as Mayor for the next one year period; Commissioner Hannan seconded the motion, and the motion passed by a vote of 5-0.

Mayor Kussard thanked the Commissioners for their confidence in her.

Commissioner Hannan nominated Commissioner Richards to act as Mayor Pro-Tem for next one year period; Commissioner Holden seconded the motion, and the motion passed by a vote of 5-0.

Commissioner Richards accepted the nomination of Mayor Pro Tem.

I. CONSIDERATION OF SELECTION OF COMMISSION LIAISONS FOR 2015-2016

Mayor Kussard reviewed the liaison list for each board or committee.

Commissioner Vincent asked Commissioner Richards to be the liaison for the Lake-Sumter Metropolitan Organization, and he stated he would remain as the alternate.

Town Manager Kris Kollgaard reported that Mike Burske has agreed to stay on the MPO Bicycle and Pedestrian Committee, and Regis LeClerc has agreed to stay on as liaison for the MPO Citizens Advisory Committee with Commission approval. She noted that the Lake County Library Board liaison is Frank Kirschenheiter, not William Stokes.

Commissioner Richards commented that he will not be able to attend the Lake County School Concurrency Representatives meeting as liaison this year on December 7th.

Ms. Kollgaard stated that she contacted them and they do not have anything on the agenda other than the minutes to be approved, and there is nothing else for them to vote on at this point.

Mayor Kussard commented that Commissioner Richards was appointed last year as liaison to the Chamber of Commerce also.

It was the consensus of the Commission to keep the remainder of the liaison assignments the same for 2015-2016 as the previous year, other than the switch between Commissioner Richards and Commissioner Vincent for the MPO as noted above.

DRAFT

J. PRESENTATION:

1. Lake-Sumter Metropolitan Planning Organization's Long Range Transportation Plan – *Transportation 2040* (T.J. Fish)

T. J. Fish, Executive Director of the Lake-Sumter MPO, thanked Commissioner Richards for his service as Chairman of the MPO meetings in the past, Commissioner Vincent for his services currently, and Commissioner Hannan for his service in the past. He stated he appreciated their contributions as primary or alternate liaison.

Mr. Fish stated the Lake-Sumter MPO 2040 Long Range Transportation Plan Update (presentation on file in the Clerk's Office) is something that is required at least every five years and he has been presenting it to various municipalities, both counties, Chambers of Commerce, civic groups, etc., in the area. He stated it represents the urbanized areas, which include the Lady Lake/The Villages portions in Sumter and Lake Counties. He stated the MPO works with both counties and the Florida Department of Transportation (FDOT), as well as at the municipal level on certain localized projects.

Mr. Fish reviewed the plan, stating that the list of priority projects is submitted annually for use by the FDOT to make their funding decisions. He stated the one of the priorities effecting Lady Lake is the six-lane widening project of US 27/441/SR 500 from Lake Ella Road to Avenida Central (currently estimated at $37 million). He stated that FDOT has recently informed them that they may have to move that project from FY 2018-19 to FY 2019-20, and this is a concern for the MPO as it is a shovel ready project which has been in the works for years. Mr. Fish stated the MPO is requesting that the FDOT find funding to keep this project in FY 2018-19, or to consider breaking the project into two phases by completing the widening from CR 466 to Avenida Central, and then completing the portion from Fruitland Park the next year, as it is a critical need.

Mr. Fish continued reviewing policy aspects of the plan, stating they sometimes receive funding from state resources, local sources such as impact fees and taxes, and federal/state sources (other arterial funds, transportation alternatives such as sidewalks/trails, and federal transit funds), which is the only source available for the MPO to prioritize. He mentioned that the widening of CR 466 resulted from a combination of funding from county impact fees, a state grant and monies from The Villages. Mr. Fish stated that the planning for the projects must take into account the escalation of costs over the period of years, and a 70% increase is anticipated over the life of this plan based on trends.

Mr. Fish stated that the one cent sales tax that was just renewed in Lake County is typically used for all types of infrastructure such as buildings, public safety vehicles, sidewalks, and can be used for roads, although not much of this is used for them. He stated the MPO does not heavily depend on the sales tax or the fuel tax for revenue, although all of Lake County's fuel tax is being used for maintaining county roads. He stated the impact fees are low at $500 per home, and the little amount that is put toward roads will not accomplish much, although the Town has been creative in the past with Rolling Acres Road.

Mr. Fish stated that revenues of $75 to $80 million are projected in every five year period through the life of the plan for road construction, with $42.5 to $181 million for transit, and $4.2 to $16.8 million for transportation alternative (TA) funds for sidewalks/trails, etc. He reviewed the policy direction for the MPO's Cost Feasible Plan which included the list of future needs for the State Strategic Intermodal System (SIS), Florida's Turnpike Enterprise, Lake and Sumter County's roads, bicycle and pedestrian needs/projects, complete streets projects, transit needs, state roads, and long

DRAFT

range improvement projects. Mr. Fish noted that Rolling Acres Road is #5 on the list of County Road Future Needs Projects waiting on funding. He stated that the MPO has drawn up a resolution for FDOT to keep the widening of US 27//441/SR 500 from CR 466 to Avenida Central in the 2018-19 plan.

Mr. Fish stated he appreciated the opportunity to present this plan and asked if there are any questions.

Commissioner Hannan asked when the bridge will be coming down.

Mr. Fish replied that the maintenance of traffic of where the cars will be put when the bridge comes down will have to occur first, but he anticipates it will happen in 2019 to 2020.

Commissioner Richards asked if there is any plan to connect CR 466 to an interchange in Sumter County at I-75.

Mr. Fish replied that Sumter County no longer has an interest in seeing that in the plan, although it went through a Federal interchange justification report phase and had a project development environment study, but it was put on hold indefinitely. He stated The Villages shifted their interest to connecting Morse Blvd. to SR 44, and Sumter County is about to open 468 as a four lane to the turnpike, and there is now a commitment to have an interchange for that instead.

Commissioner Holden asked if there was any plan in the works for widening Griffinview Road.

Mr. Fish replied that Lake County Public Works is well aware of the needs of that road, although he stated he is not aware of an actual project in the County's five year program. He stated they may have funds available for maintenance and resurfacing.

The Commissioners thanked Mr. Fish for his presentation.

K. CONSENT[iii]:

Mayor Kussard asked if there were any questions or comments on the Consent items.

2. <u>Minutes</u> – November 2, 2015 – Special Commission Meeting
– November 2, 2015 – Regular Commission Meeting

3. <u>Consideration of Approval of the Updated Interlocal Agreement for the Lake-Sumter Metropolitan Planning Organization (Kris Kollgaard)</u>

The background summary for this agenda item is on file in the Clerk's Office. It states that the Interlocal Agreement with Lake-Sumter Metropolitan Planning Organization (MPO) was first approved in 2004, and reviewed in 2009. Since that time they have added Sumter County in its entirety, and have included the ex-officio members. This includes the Central Florida Expressway Authority, Florida Central Railroad, the Lake County School Board, and the Sumter County School Board. These changes are reflected in the agreement and the MPO is respectfully requesting that the Town of Lady Lake approve the updated interlocal agreement.

Upon a motion by Commissioner Richards and a second by Commissioner Holden, the Commission approved Consent Items #K-2 and #K-3 by a vote of 5 to 0.

DRAFT

L. OLD BUSINESS: No old business.

M. NEW BUSINESS:

4. Consideration of Approval for a "Food for Fines" Program at the Lady Lake Library for the Month of December 2015 (Marsha Brinson)

Library Director Marsha Brinson gave the background summary for this agenda item (on file in the Clerk's office). She stated that an outstanding balance of overdue fees can be a barrier to library use, especially for those who most need it. She stated that during the month of December, the library would like to accept all overdue materials, no matter how long they have been checked out, with no fees other than the donation of non-perishable food items which will be given to a local food pantry. Patrons with existing fines will also be able to donate items to "pay" their balance.

Ms. Brinson stated that a program such as this helps patrons get back on track and enable them to use the library, and also helps the library recover materials. The donations will also help the local food pantry at holiday time for food to be distributed to families in the area who are in need.

Commissioner Hannan asked if the library could just forgive the fines as a Christmas present without the food donation requirement.

Ms. Brinson stated that most people have a little extra in their pantry, and as some of the fines are hefty, this would give them a chance to get back on track.

Commissioner Richards commented that it was a good idea to have food donations to help the food pantries at this time of year, and Commissioner Holden, Commissioner Vincent and Mayor Kussard agreed.

Upon a motion by Commissioner Holden and a second by Commissioner Richards, the Commission approved the consideration of a "Food for Fines" Program at the Lady Lake Library for the Month of December 2015 by a vote of 5 to 0.

N. TOWN ATTORNEY'S REPORT:

5. Ordinance No. 2015-15 – First Reading – Annexation – The Villages of Lake-Sumter, Inc. – Annexing Three Lots of Approximately 0.43 +/- Acres – Located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that the applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed applications to annex properties consisting of three lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. Mr. Carroll stated the annexation application involves annexing 0.43 +/- acres of property from unincorporated Lake County into the Town of Lady Lake, and the three lots are spread out along different roads and include the following addresses:

- 1410 Lester Dr. Lady Lake, FL 32159
- 912 Cindy Dr. Lady Lake, FL 32159

- 842 Silver Oak Ave. Lady Lake, FL 32159

Mr. Carroll stated that staff recommends approval of this ordinance. He further explained that this is an on-going effort by The Villages to purchase manufactured homes and replace them with conventional homes, and these homes are in the enclave area of The Villages. A map and an aerial view of the area and subject parcels was shown, as were photos of the posting of the properties.

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application. All lots will be served by the Village Center Community Development District Central Water and Sewer System, as well as the District's Fire Department.

In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town may annex property into the Town which are non-contiguous to the existing municipal boundary. The proposed properties under this application exist as both contiguous and non-contiguous lots.

The annexation application was received on Tuesday, September 15, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners (52) within 150 feet of the properties proposed by annexation request were on Thursday, October 22, 2015 and the properties were also posted this same date. He stated there have been three general phone inquiries, although none in opposition or support.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2015-15, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the November 9, 2015 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2015-15 to the Town Commission with the recommendation of approval. He stated that the Town Commission is scheduled to consider Ordinance No. 2015-15 for second/final reading on Monday, December 7, 2015 at 6:00 p.m.

Mr. Carroll stated Martin Dzuro is present if there are any questions.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission approved the first reading of Ordinance No. 2015-15 by the following roll call vote:

HOLDEN	***YES***
VINCENT	***YES***
HANNAN	***YES***
RICHARDS	***YES***
KUSSARD	***YES***

DRAFT

6. Ordinance No. 2015-16 – First Reading – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for Three Lots of Approximately 0.43 +/- Acres – Located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that the applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed applications to amend the future land use comprehensive plan for properties consisting of three lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. The application involves 0.43 +/- acres of property and the three lots are spread out along different roads and include the following addresses:

- 1410 Lester Dr. Lady Lake, FL 32159
- 912 Cindy Dr. Lady Lake, FL 32159
- 842 Silver Oak Ave. Lady Lake, FL 32159

Mr. Carroll stated that staff recommends approval of this ordinance. He explained that this application goes concurrently with the annexation and assigns the land use classification in accordance with the Town's Comprehensive Plan. The subject properties involve approximately 0.43 ± acres lies in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. He reviewed the Future Land Use of the adjacent properties is as follows:

Future Land Use

Subject Properties	Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
East	Lake County – Medium Urban Density Lady Lake- Manufactured Home High Density (MH-HD)
North	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
South	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)

Mr. Carroll stated the Small Scale Future Land Use Map Amendment application was received on Tuesday, September 15, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Mr. Carroll reported that the applicant's justification stated that 80% of the homes in historic section of The Villages east of US Hwy 27/441, known as Orange Blossom Gardens, are in the Town of Lady Lake. It further states the following: The remainder of the homes lie within a small county enclave. As a revitalization of Orange Blossom Gardens, The Villages has or intends to

purchase lots in this historic section and has or intends to enter in agreements with existing homeowners to replace the existing mobile homes with conventionally constructed homes. In order to insure that the new homes in the county enclave: 1) are complimentary to the new homes in Lady Lake; 2) the local governments are able to make the most efficient use of their powers and services; 3) there are more favorable economic conditions; and 4) the best interests of the citizens in Lady Lake and Lake County are protected. These properties in the county enclave should be annexed into Lady Lake. Annexing these properties is compliant with the goals, policies and objectives of the Comprehensive Plan of Lady Lake and Lake County, and the interlocal agreement between Lake County and Lady Lake effective June 24, 2015.

Mr. Carroll reported on the Concurrency Determination Statement as follows: The Villages has removed existing manufactured homes on two of the lots (912 Cindy Drive and 842 Silver Oak Avenue) in a historic section of The Villages known as Orange Blossom Gardens to construct a similar size conventional built home on each lot (the home at 1410 Lester has yet to be removed). He reported that there will be no increase in utility services, traffic, population, or recreation use, as follows:

Potable Water-

- No impact, lots are served by the Village Center Community Development District Central Water System.

Sewer -

- No impact, lots are served by the Village Center Community Development District Central Sewer System.

Schools –

- Not factored for project – no foreseen impact of students as the project is located within an active adult retirement community.

Transportation –

- No impact, the existing home will be replaced with a new home. There will be no change in average daily trip generation.

Parks & Recreation –

- The annexation, small scale future land use amendment, and the rezoning applications will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, the Villages provides its residents with all Park and Recreation Amenities.

Stormwater –

- Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Notices to inform the surrounding property owners (52) within 150' of the property of the proposed annexation were mailed on Thursday, October 22, 2015 and the property were also posted this date.

Applications have been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Town Commission. Additionally, the applications were reviewed and determined to be in compliance with the directives of the adopted Comprehensive Plan in accordance with the sought designation. A Concurrency Determination Statement has also

DRAFT

been included as part of the Small Scale Comprehensive Plan Amendment Application, which the applicant submitted to explain expected impacts on Town Services.

Comments:

1) Annexation and Rezoning Applications have been submitted concurrently with this Small Scale Future Land Use Amendment Application.

2) In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A)., executed on June 23, 2015, if the Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area.

3) Project will be required to adhere to St. John's River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

The Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2015-16, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the November 9, 2015 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2015-16 to the Town Commission with the recommendation of approval. The Local Planning Agency considered Ordinance No. 2015-16 on Monday, November 16, 2015, at 5:30 p.m. and recommended approval by a 5-0 vote. The Town Commission is scheduled to consider Ordinance No. 2015-16 for second/final reading on Monday, December 7, 2015 at 6:00 p.m.

Mr. Carroll stated the applicant is present if there are any questions.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

Upon a motion by Commissioner Vincent and seconded by Commissioner Holden, the Commission approved the first reading of Ordinance No. 2015-16 by the following roll call vote:

HOLDEN	***YES***
VINCENT	***YES***
HANNAN	***YES***
RICHARDS	***YES***
KUSSARD	***YES***

7. Ordinance No. 2015-17 – First Reading – Rezoning – The Villages of Lake-Sumter, Inc. – Rezoning from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) for Three Lots of Approximately 0.43 +/- Acres – Located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that the applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed an application to rezone properties consisting of three lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom

DRAFT

Garden Subdivisions Units 2 and 3.1B; and the three lots are spread out along different roads and include the following addresses:

- 1410 Lester Dr. Lady Lake, FL 32159
- 912 Cindy Dr. Lady Lake, FL 32159
- 842 Silver Oak Ave. Lady Lake, FL 32159

Mr. Carroll stated that staff recommends approval of this ordinance. He stated the application involves rezoning 0.43 +/- acres of property from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) and is the last step in the process for these three lots. The MX-8 designation is consistent with the other lots in the Villages which are presently in the Town of Lady Lake's jurisdiction.

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions and survey information have been included with the submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

Zoning

Subject Property	Lake County Residential Medium (RM)
Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
East	Lake County Residential Medium (RM) Mixed Residential Medium Density (MX-8)
North	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
South	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)

A map showing the zoning of the subject and adjacent properties was shown.

The Rezoning application was received on Tuesday, September 22, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners (52) within 150' of the property of the proposed rezoning were mailed on Thursday, October 22, 2015 and the property was also posted this same date. He stated there have been three general inquiries on these properties, although none were in opposition.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2015-17, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the November 9, 2015 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2015-17 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider Ordinance No. 2015-17 for second/final reading on Monday, December 7, 2015 at 6:00 p.m.

Mr. Carroll stated the applicant is present if there are any questions.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

Upon a motion by Commissioner Holden and seconded by Commissioner Richards, the Commission approved the first reading of Ordinance No. 2015-17 by the following roll call vote:

HOLDEN	***YES***
VINCENT	***YES***
HANNAN	***YES***
RICHARDS	***YES***
KUSSARD	***YES***

8. Ordinance No. 2015-18 – First Reading – Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that this is a request to adopt the Town's annual update of the Capital Improvements Schedule which is part of the Town's Comprehensive Plan. He stated the Capital Improvement Plan update process and the corresponding requirements are no longer required to be processed by a Comprehensive Plan Amendment, but may be adopted by local Ordinance.

Mr. Carroll stated that the Town must annually update the Five-Year Schedule of Capital Improvements pursuant to *Florida Statutes.* The purpose of the Capital Improvements Element and the Improvement Schedules is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that adopted Level of Service (LOS) standards are achieved and maintained for concurrency related facilities.

Mr. Carroll reviewed the improvement schedules and budget year/costs for the following facilities which include: water, water supply, sewer, solid waste, drainage, parks and recreation, public schools, transportation and mass transit. While the Town does not have financial responsibility or accountability regarding some of these public facilities, there is still the requirement to incorporate the five year capital improvement schedules from other entities.

Commissioner Hannan commented that the Commission had discussed and approved adding fiber optic cable from the library to the Community Building at a cost of $7,000. He stated he does not see it in the improvements schedule.

Town Manager Kris Kollgaard stated that she believes this was turned down at one time.

I.T. Director John Pearl stated that this was turned down the first time it went before the Commission, but it was approved in this fiscal year's budget and is slated to be completed, but is not part of the Capital Improvements Schedule.

DRAFT

Corrections, updates, and modifications concerning costs, revenues, or the dates of construction of any facility or project identified in the Comprehensive Plan/Capital Improvement Program are not considered amendments and may be accomplished by local ordinance.

Category descriptions of capital improvements are as follows:

A) Category A (Concurrency, Mandatory) -- Public facilities and services for which a level of service must be adopted for concurrency determination as mandated by Chapter 163 of the Florida Statutes. These facilities include water, sanitary sewer, solid waste, drainage, under ownership and operation authority of Lady Lake, or a private utility. Map references and public requests are required within the Public Facilities Element thereof pursuant to policy 8-1.1.2. All Category A facilities must be supported by data and analysis accomplished within an element of the Comprehensive Plan as mandated by Chapter 163, F.S.

B) Category B (Non-Concurrency, Mandatory) -- Public facilities and services exempt from concurrency determination but which are inventoried and analyzed within a mandatory element of the Comprehensive Plan required by Chapter 163, F.S. These facilities include parks and recreation, roads, housing and conservation improvements, including governmental services and facilities necessary to administer and implement the Comprehensive Plan.

C) Category C (Non-Concurrency, Non-Mandatory) -- Public facilities that are exempt from concurrency requirements (i.e., level of service standards) and which are not analyzed and identified within a mandatory element of the Comprehensive Plan are classified as Category C. Such municipal services include, but are not limited to law enforcement, fire protection, library services, and public buildings.

D) Category D (Non-Mandatory, Concurrency): Per the Community Planning Act of 2011, the Public School Facilities Element is no longer mandatory. The Town of Lady Lake has opted to retain and update this optional element and require concurrency per its existing interlocal agreement with the Lake County School District.

This ordinance serves to update to the Capital Improvements Schedule as required under F.S. 163.3177(3)(b). The attached "Exhibit A" reflects the proposed improvements for the Five Year Planning Period 2015/16 - 2019/20. Also attached is Ordinance No. 2014-10 to document the prior 5-year Capital Improvement Schedule 2014/15 - 2018/19, which is being replaced by this ordinance.

Mr. Carroll reported the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2015-18, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the November 9, 2015 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2015-18 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider Ordinance No. 2015-18, at second/final reading on Monday, December 7, 2015.

Commissioner Richards asked if the $125,000 for the parking lot paving for the Rolling Acres Sports Complex is for the parking lot by the driving range.

Ms. Kollgaard replied that it is not for the driving range parking lot, but believes it is for the area as you first turn into the driveway to the sports complex and go toward the concession stand.

DRAFT

Mayor Kussard asked if anyone from the audience had any questions, and hearing none, asked for a motion.

Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission approved the first reading of Ordinance No. 2015-18 by the following roll call vote:

HOLDEN	***YES***
VINCENT	***YES***
HANNAN	***YES***
RICHARDS	***YES***
KUSSARD	***YES***

9. Ordinance No. 2015-19 – First Reading – Amending the Town of Lady Lake Land Development Regulations, Chapter 10, Section 5, Entitled "Tree Protection" (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that on September 24, 2015, the Town Commission of the Town of Lady Lake held a special workshop to discuss potential changes to Section 5 of Chapter 10 of the Land Development Regulations entitled "Tree Protection". He stated staff recommends approval of this ordinance.

Mr. Carroll stated that as a result of the field tour that was held in the community of Water Oak Country Club Estates on that morning, and the discussion that followed, the following changes have been proposed:

- Trees that have been determined to be substantially damaged through improper trimming as per a report provided by the Town Arborist shall be required to be removed within 30 days of the finding of violation. This replaces the current policy of allowing a year to elapse before the tree is re-inspected for a determination of recovery; an appeal process before the Special Magistrate is still afforded to the violator if they wish to contest the violation.

- The removal of any tree historic or non-historic, in which the trunk of the tree measured at ground level is within ten (10) feet to the nearest adjacent wall of a permitted structure on the property. A root barrier shall be installed in lieu of the removal of trees near to sidewalks, driveways, and unscreened/non-enclosed patios. Where substantial damage has already occurred to such areas, a report from a Certified Arborist may be provided as justification for the removal of the tree if it is the recommendation of the arborist to remove the tree to avoid further damage.

- Trees accommodated by an arborist report documenting that the tree is diseased or dying shall incur a $25 fee (per tree) for removal, regardless of the DBH measurement of the tree. A report shall be provided to Town staff prior to removal. If the tree has been removed before Town staff has received the report, fees and replacement of trees shall be done in accordance with the after the fact permit policy (for application on residential lots).

- Commercial removal of historic trees granted through the variance process shall be required to pay at time of application of tree removal, not within 30 days of the variance approval. Should the property not be developed immediately following the variance approval; this allows a potential subsequent purchaser of the property to revisit if removal of tree is necessary for their particular use of the property.

DRAFT

- Revised requirement that requires trees to be more conspicuously marked for removal from the public right-of-way.
- Revised tree permit fees.
- Additional planting requirements for "after the fact" tree removal permits.
- Establishment of a voluntary contractor registry for landscaping and tree trimming/tree removal contractors.

Mr. Carroll further explained the voluntary contractor registry is a system where the contractor can register with the town, get a decal for their vehicle, and can be identified in the community as someone who is registered with the Town and is familiar with the Town's tree trimming policies and ordinance. He stated this can be an assurance for residents who choose to hire contractors for tree work.

Mr. Carroll reported that the Parks, Recreation, and Tree Advisory Committee reviewed the proposed changes to Chapter 10, Section 5 (Ordinance No. 2015-19), at their Special Meeting on Tuesday, November 10, 2015 and recommended forwarding this to the Town Commission by a 4-1 vote. At the November 9, 2015 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2015-19 to the Town Commission with the recommendation of approval. The Town Commission is scheduled to consider Ordinance No. 2015-19 for second/final reading on Monday, December 7, 2015 at 6:00 p.m.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions.

Town Manager Kris Kollgaard commented that Commissioner Holden had previously suggested the Town include a tree giveaway in the ordinance. She stated that instead the tree giveaway will be done by resolution.

Commissioner Richards commented that he liked the idea of the contractor registry being voluntary.

Commissioner Holden asked if there is a cost involved for the contractor registry.

Mr. Carroll replied that there is a $30.00 fee per year for the contractor to register and a $5.00 cost per each additional decal for vehicles.

Commissioner Hannan commented that the registry and decal will be a good marketing tool for the contractor.

Commissioner Vincent suggested that the word "resident" on page 5, line 40 in Exhibit A of the ordinance be changed to "land owner". He stated the definition of resident is one who resides at a particular place permanently or for an extended period. He stated that it should also state that the land owner is responsible to install a root barrier if one is required, as he believes the land owner should be responsible for the trees on the property.

Commissioner Holden stated some of this came about because the owner of the property was telling the residents renting the property that if they want a tree trimmed or removed, they would need to pay for the tree trimming or damage caused by the tree.

The Commissioners and Ms. Kollgaard agreed this was a good point.

DRAFT

Ms. Kollgaard asked the Town Attorney his opinion on this matter, and if it could be in conflict in regard to Water Oak and any agreement they may have with their residents.

Mr. Schroth stated he discussed this earlier with Mr. Carroll and that this can be clarified by inserting "residential single family lot owner" in lieu of resident in these instances in the ordinance. He stated it can be compared to code enforcement proceedings that regardless of whether there is a tenant, the land owner is responsible. He stated that any matter between the tenant and the land owner would be a civil matter and would not involve the Town.

Upon a motion by Commissioner Vincent and seconded by Commissioner Holden, the Commission approved the first reading of Ordinance No. 2015-19, contingent upon the revision of the language change as discussed, by the following roll call vote:

HOLDEN	***YES***
VINCENT	***YES***
HANNAN	***YES***
RICHARDS	***YES***
KUSSARD	***YES***

O. TOWN MANAGER'S REPORT:

10. Consideration of Staff Working with The Villages Middle School Civics Classes to Participate in a Mock Commission Meeting (Kris Kollgaard)

Town Manager Kris Kollgaard read the background summary for this item (on file in the Clerk's Office). She stated that she was contacted by Marie Ray from the American Legion Axillary (Post #347) about the possibility of working with her and The Villages Middle School to allow their 8th grade Civics Class to come to Town Hall for the chance to experience local government. She stated they met with the Civics teachers at the school a few times and came up with this plan: The students (approx. 40) would come to Town Hall and we would have each of the department heads give a short presentation at 9:00 a.m. in the Chambers regarding their department's function.

Ms. Kollgaard stated that after the department heads' presentations, the students would break out into their groups and the appropriate department head would assist them in getting prepared for the presentation to the Commission at a mock Commission meeting scheduled for around 12:30 p.m. The students will have decided on a topic they would like to present to the Commission before they arrive, and they would also have their five Commissioners, Town Attorney, Town Manager, staff, and residents selected. She stated that at the mock Commission meeting, we would have the student Commissioners and Mayor sitting alongside the actual Commission/Mayor and staff. Then after the mock meeting, the students would have an opportunity to ask questions of the Commissioners.

Ms. Kollgaard stated they would like to do this on Thursday, January 28th if the Commission is available.

Commissioner Hannan asked if refreshments will be served. He also asked if the Town Attorney will be present.

Ms. Kollgaard replied that she was planning on using petty cash to order pizza for a lunch break. She stated everyone will be in the Chambers and it will be noticed and open to the public as well. She stated the students will have a mock Town Attorney, and that Mr. Schroth is welcome to attend if his schedule permits.

DRAFT

The Commissioners all agreed this was a good idea and they will put it on their calendars.

Ms. Kollgaard reminded the Commissioners that this year's budget included the purchase of four new police vehicles if the penny sales tax was renewed, and since it was, staff will proceed with the purchase orders for the vehicles.

P. MAYOR/COMMISSIONER'S REPORT:

Commissioner Richards commented that the Traveling Vietnam Wall was a great event and he was pleased at the large turn-out. He also mentioned that he will not be able to attend the December 7th meeting, and asked if a special meeting should be called earlier, although it appears that there is nothing controversial coming up.

Ms. Kollgaard stated that many of these ordinances have already been advertised and staff would need to re-advertise if the meeting date was changed. She stated she did not believe the meeting date needs to be changed, and Commissioner Richards agreed.

Mayor Kussard stated she would like to re-address the subject of a half day off for Christmas Eve and New Year's Eve for staff. She passed out a copy of an excerpt of minutes from the October 15, 2012 Commission meeting where the Commissioners had voted to allow staff a full day off for Christmas Eve and New Year's Eve in 2012 as they fell on a Monday, and then staff was off for the holiday on Tuesday; allowing for unbroken time off. Mayor Kussard stated that since the surrounding communities are all giving their employees a full day off for both Christmas Eve and New Year's Eve, and since this is a slow time and a precedent has already been established, she would like the Commissioners to reconsider giving the employees a full day off for both. She stated those days would not count as a holiday and there would be no overtime pay involved.

After discussion, it was the consensus of the Commissioners to allow the employees a full day off for both Christmas Eve and New Year's Eve.

Mayor Kussard commented that the Traveling Vietnam Wall was very well received as she heard numerous comments and praise for bringing the wall here and on the assistance by Town staff on setting it up, etc. She stated it was an honor and a privilege to have the wall here. She stated she attended the Taste of Lady Lake on Saturday and it was well attended. Mayor Kussard stated the community Safety Day festival at Home Depot had a large crowd and it looked like everyone was having a fantastic time. She thanked everyone who was involved in these events.

Q. PUBLIC COMMENTS[iv]

Mayor Kussard asked if anyone in the audience would like to speak on any item.

- Dan Bard of Mira Mesa asked if the names and telephone numbers of those who sign up for the contractor registry will be available for anyone who requests them. He stated he would like to publish them.

Town Manager Kris Kollgaard replied the ordinance that includes this registry must go before the Town Commission for second reading on December 7th. She stated he may want to give it a little time for the word to get out and for contractors to register before requesting the information; it will be public record.

R. ADJOURN: The meeting was adjourned at 7:19 p.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

[i] *Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.*

[ii] *This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*

[iii] *All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.*

[iv] *This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.*

DRAFT

H-3

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: December 7, 2015

SUBJECT: Consideration for New Song Community Church to Hold Easter Sunrise Service at the Log Cabin/Veterans Park on Easter Sunday

DEPARTMENT: Parks and Recreation

STAFF RECOMMENDED MOTION: Approval for New Song Community Church to Hold Easter Sunrise Service at the Log Cabin/Veterans Park on Easter Sunday

SUMMARY: The New Song Community Church is asking for the use of the lawn at the Log Cabin/Veterans Park for a sunrise service on Sunday, March 27, 2016 between the hours of 6:00 a.m. to 8:00 a.m., which is before the park opens. Parking will be utilized at the Cabin and at their facility across the street. They are expecting 50 people to attend this event. No Town services are requested except the use of the power. As this is Easter Sunday, the Parks and Recreation Director will work if there is a call for assistance. There is no fee for this facility or the use of the lawn listed in the Town's Code of Ordinances. The Chamber of Commerce was notified and has no problem with the activity. New Song Community Church has hosted this event at Veterans Park four times before and has been a great steward of the park.

FISCAL IMPACT: No fiscal impact

[ ] Capital Budget
[ ] Operating
[ ] Other

AD

ATTACHMENTS: [ ] Ordinance [ ] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents

DEPARTMENT HEAD MDB	Submitted 12/01/15	Date 12/07/15
HR	Approved as to Form	Date
FINANCE DEPARTMENT psw	Approved as to Budget Requirements	Date 12/1/15
TOWN MANAGER	Approved Agenda Item for: 12-7-15	Date 12/2/15

COMMISSION ACTION:

[ ] Approved as Recommended [ ] Disapproved [ ] Tabled Indefinitely

[ ] Continued to Date Certain [ ] Approved with Modification

Sun rise service

DELETE REPLY REPLY ALL FORWARD ...

Mark as unread

Everett Ash <everettash@aol.com>
Sat 11/14/2015 11:04 AM

To: Mike Burske;

You forwarded this message on 11/16/2015 8:13 AM.

We would like use the LOG CABIN PARK on March 27 2016 for sun rise service. Also have permission to place signs on existing display. Service will be at 6:45 am, ALL WELCOME. PASTOR TOM ASH, New Song Church

Sent from my iPhone

H-4

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: December 7, 2015

SUBJECT: Consideration of Approval to Host the Spring Art-in-the-Park Event on January 30 and 31st, 2015

DEPARTMENT: Parks & Recreation

STAFF RECOMMENDED MOTION: Consideration of Approval to Host the Spring Art-in-the-Park Event on January 30 and 31st, 2015

SUMMARY: The Lady Lake Chamber of Commerce and the Parks and Recreation Department are once again seeking permission to host an arts and crafts show at the Log Cabin/Veterans Park. This year, the Chamber of Commerce is working with Stetler Media and Expos to coordinate the event. This is a change from T-N-T Events who has programmed the event in the past. As usual, the company will provide security during the evening hours. Parks and Recreation and the Police Department will be assisting with this event.

FISCAL IMPACT: Estimated cost of salaries for employees and police estimated at $1,500.00.

[ ] **Capital Budget**
[X] **Operating**
[ ] **Other**

ATTACHMENTS: [ ] **Ordinance** [ ] **Resolution** [ ] **Budget Resolution**
[ ] **Other** [ ] **Support Documents**

DEPARTMENT HEAD MDB	**Submitted** 12/01/15	**Date** 12/01/15
HR	**Approved as to form**	**Date**
FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date** 12/1/15
TOWN MANAGER	**Approved Agenda Item for:** 12-7-15	**Date** 12-1-15

COMMISSION ACTION:

[ ] **Approved as Recommended** [ ] **Disapproved** [ ] **Tabled Indefinitely**

[ ] **Continued to Date Certain** [ ] **Approved with Modification**

STETMED-01 MTHOMPSTONE

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/23/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # L087115
Hub International Southeast
600 Cleveland Street
Suite 600
Clearwater, FL 33755

CONTACT NAME:
PHONE (A/C, No, Ext): (727) 797-0441 FAX (A/C, No): (727) 669-0673
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Western World Insurance	13196
INSURER B : National Indemnity Company of the South	42137
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Stetler Media and Expos
d/b/a/ JP Tours
1956 Dalecroft Trail
The Villages, FL 32162

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR			NPP8193454	05/10/2015	05/10/2016	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 10,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$
	OTHER:							$
B	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	ANY AUTO			74APS04861502	05/13/2015	05/13/2016	BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / X SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS / X NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N	N / A					E.L. EACH ACCIDENT	$
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: Arts, Crafts, Food and Music Festival, January 29-January 31
To be held at Log Cabin Park, 106 S US Highway 441, Lady Lake, FL 32159

CERTIFICATE HOLDER

The Town of Lady Lake
409 Fennell Blvd
Lady Lake, FL 32150

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2014 ACORD CORPORATION. All rights reserved.

The ACORD name and logo are registered marks of ACORD

H-5

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: December 7, 2015

SUBJECT: Consideration for the Renewal of the Lease Agreement between the Town of Lady Lake and the Lady Lake Historical Society

DEPARTMENT: Parks and Recreation

STAFF RECOMMENDED MOTION: Approval for the Renewal of the Lease Agreement between the Town of Lady Lake and the Lady Lake Historical Society

SUMMARY: The Lady Lake Historical Society once again desires to renew its lease agreement with the Town for the Train Depot at Veterans Park. The new lease will have a one year term. The dates on the contract and the inclusion of a statement that the Lady Lake Historical Society is responsible for insuring their items are the only changes to the proposed document. The insurance requirements for the indemnity clause have been removed due to the fact we provide liability insurance at this location.

FISCAL IMPACT: $1,800.00 per year for power

[ ] Capital Budget
[X] Operating
[ ] Other

ATTACHMENTS: [ ] Ordinance [ ] Resolution [ ] Budget Resolution

[X] Other-Lease Agreement [ ] Support Documents

AS

DEPARTMENT HEAD MDB **Submitted** 12/01/15 **Date** 12/01/15

HR **Approved as to Form** 12-1-15 **Date**

FINANCE DEPARTMENT **Approved as to Budget Requirements** **Date** 12/1/15

TOWN MANAGER **Approved Agenda Item for:** 12-7-15 **Date** 12-1-15

COMMISSION ACTION:

[ ] Approved as Recommended [ ] Disapproved [ ] Tabled Indefinitely

[ ] Continued to Date Certain [ ] Approved with Modification

LADY LAKE HISTORICAL SOCIETY
LEASE AGREEMENT

THIS AGREEMENT is made by and between the TOWN OF LADY LAKE, Lady Lake, Florida, a municipality in the State of Florida, hereinafter referred to as 'LESSOR,' and the LADY LAKE HISTORICAL SOCIETY INC., of Lady Lake, Florida, hereinafter referred to as "LESSEE."

RECITALS

WHEREAS, LESSOR is the owner of the LADY LAKE HISTORICAL SOCIETY at the Lady Lake Train Depot,

WHEREAS, the LADY LAKE HISTORICAL SOCIETY desires to lease the LADY LAKE TRAIN DEPOT from LESSOR with the LADY LAKE HISTORICAL SOCIETY occupying the LADY LAKE TRAIN DEPOT for a headquarters and display of items. The LADY LAKE HISTORICAL SOCIETY desires to lease the LADY LAKE TRAIN DEPOT from LESSOR for a one (1) year period.

WHEREAS, LESSOR agrees to lease the LADY LAKE TRAIN DEPOT to the LADY LAKE HISTORICAL SOCIETY under the terms and conditions set forth herein, for a one (1) year period.

THEREFORE, IN CONSIDERATION of the foregoing recitals which are incorporated_herein, and in further consideration of the mutual covenants contained herein and other valuable consideration receipt of which is hereby acknowledged, the parties hereby covenant and agree as follows:

1. **Demised Premises.** LESSOR hereby grants the LADY LAKE HISTORICAL SOCIETY, and the LADY LAKE HISTORICAL SOCIETY hereby leases from LESSOR, the LADY LAKE TRAIN DEPOT.

2. **Term.** This lease shall be for a one (1) year term beginning October 1, 2015 and ending on September 30, 2016 unless otherwise terminated pursuant to the terms stated herein.

3. **Rent.** The total rent due from the LADY LAKE HISTORICAL SOCIETY to LESSOR during the term of this lease shall be ten dollars ($10.00).

4. **Allotment for Electric Bill Provision for Payment by the LESSOR**. LESSOR hereby agrees to pay the cost of the monthly electric bill for the LADY LAKE HISTORICAL SOCIETY, provided however, the bill does not exceed $1800.00 annually. If the annual bill exceeds $1800.00, LESSOR may require that the LADY LAKE HISTORICAL SOCIETY pay the amount, which exceeds the annual allotment at LESSOR'S discretion. In the event that LESSOR requests the LADY LAKE HISTORICAL SOCIETY to pay the additional amount, the LADY LAKE HISTORICAL SOCIETY shall be responsible for said amount. Electrical utility usage will be monitored by the Town of Lady Lake with overages made payable to the Town of Lady Lake by LESSEE within 15 days of receiving the invoice from LESSOR.

5. **Installation of Telephone and Payment of Telephone Bill.** The Town agrees to pay for the installation of one telephone line on the lease premises, and to pay the monthly service charges and taxes generated from local calls under the provider's most basic plan. If LESSEE elects to add additional services to the basic telephone

plan, LESSEE shall be responsible for all additional charges associated therewith, including specifically long distance charges. LESSEE'S failure to pay charges within 15 days of receiving the invoice from LESSOR shall be deemed a default of this agreement.

6. **Maintenance**. The LADY LAKE HISTORICAL SOCIETY agree to maintain the appearance of the interior of the LADY LAKE TRAIN DEPOT, including vacuuming, dusting, emptying trash, and other housekeeping duties. LESSOR agrees to conduct heavy cleaning periodically at such time as staff is available. LESSOR shall be responsible for maintaining the exterior and grounds of the LADY LAKE HISTORICAL SOCIETY.

7. **Damage Repair**. The LADY LAKE HISTORICAL SOCIETY agrees to repair immediately any and all damage done to the LADY LAKE TRAIN DEPOT by the LADY LAKE HISTORICAL SOCIETY or its agents, employees, patrons, or invitees. In the event the LADY LAKE HISTORICAL SOCIETY, after written demand by LESSOR, fails to repair any damages due to its use as set forth, LESSOR may terminate this Lease as provided herein. In the event of termination due to the failure of the LADY LAKE HISTORICAL SOCIETY to repair damages, LESSOR may repair said damage and the LADY LAKE HISTORICAL SOCIETY hereby agrees to pay the costs of said repairs, upon demand.

8. **Alterations.** The LADY LAKE HISTORICAL SOCIETY shall make no changes or alterations of the lease property except upon the written approval of LESSOR, and in the event of any such improvements or changes, the same shall become property of LESSOR upon the termination of this Lease Agreement or should LESSOR elect in its sole discretion, the lease property shall be restored to its original condition at LESSEE's expense.

9. **Insurance.** The LESSEE is not obligated to provide additional liability insurance. The property will be covered under the Town of Lady Lake's general liability policy. The Lady Lake Historical Society will be responsible for providing insurance to cover the contents of the building owned or borrowed by the Museum

10. **Hold Harmless**. The Lady Lake Historical Society, its officers and members, shall, through the signing of this Lease Agreement by an authorized party or agent, hold harmless LESSOR and its agents and employees from all suits and actions, brought against LESSOR as a result of any act or failure to act by the LESSOR, its agents, servants, or employees.

11. **Use of Demised Premises**. The LADY LAKE HISTORICAL SOCIETY hereby agrees to conduct its operations and maintain the premises in a manner, which reflects well upon the Town of Lady Lake. The LADY LAKE HISTORICAL SOCIETY shall use the LADY LAKE TRAIN DEPOT for the purpose of operating the Lady Lake Historical Society of Lady Lake. No other use of the premises shall be permitted without the written consent of the LESSOR.

12. **Installation of Sign**. LESSOR agrees that a sign may be installed designating the location of the LADY LAKE HISTORICAL SOCIETY, in accordance with the Town's Land Development Regulations.

13. **Ownership of LADY LAKE HISTORICAL SOCIETY**. The LADY LAKE HISTORICAL SOCIETY agrees that this Lease Agreement in no way relinquishes

the right of ownership of the LADY LAKE TRAIN DEPOT. It is and remains property of the Town of Lady Lake.

14. **Termination.** During the terms of this Lease Agreement, either party may terminate this Lease Agreement without cause by delivering written notice of its intentions to terminate the same not less than sixty (60) days before the date of termination. In the event the LADY LAKE HISTORICAL SOCIETY violates any of the terms and conditions stated herein, LESSOR shall have the right to immediately cancel this Lease Agreement by delivering written notice of the violations and its intentions to said party. Said party shall vacate the premises within five (5) days of said notice unless the violations are corrected during that time to the satisfaction of LESSOR, in which event, the Lease Agreement shall continue as provided herein.

15. **Entry for Inspection and Repairs**. LESSOR shall have the right to enter the leased premises during all hours to (i) make inspections, and (ii) if deemed necessary by LESSOR, to make repairs and alterations to the leased premises. This provision shall not create an obligation to make such repairs.

16. **Attorney's Fees**. In the event of a dispute between the parties arising out of their relationship or this Agreement, the prevailing party shall be entitled to payment of all attorney's fees and costs (including pre-litigation fees, litigation fees, appellate fees, and bankruptcy fees, if any).

LESSOR, and the LADY LAKE HISTORICAL SOCIETY have executed this instrument by their respective officers duly authorized to execute the same, all as of the _____ day of December, 2015.

TOWN OF LADY LAKE

_____
Ruth Kussard, Mayor

Attest:

_____
Kris Kollgaard, Town Manager

Approved as to form:

_____
Derek Schroth, Town Attorney

THE LADY LAKE HISTORICAL SOCIETY OF LADY LAKE

_____
President

Indemnity. The TOWN shall defend, indemnify and hold harmless the TOWN of Lady Lake hereinafter "the TOWN" and all of the TOWN's officers, agents, and employees from and against all claims, liability, loss and expense, including reasonable costs, collection expenses, attorneys' fees, and court costs which may arise because of the negligence (whether active or passive), misconduct, or other fault, in whole or in part (whether joint, concurrent, or contributing), of the LADY LAKE HISTORICAL SOCIETY, its officers, agents or employees in performance or non-performance of its obligations under the Agreement. The LADY LAKE HISTORICAL SOCIETY OF LADY LAKE recognizes the broad nature of this indemnification and hold harmless clause, as well as the provision of a legal defense to the TOWN when necessary, and voluntarily makes this covenant and expressly acknowledges the receipt of such good and valuable consideration provided by the TOWN in support of these indemnification, legal defense and hold harmless contractual obligations in accordance with the laws of the State of Florida. This clause shall survive the termination of this Agreement. Compliance with any insurance requirements required elsewhere within this Agreement shall not relieve the LADY LAKE HISTORICAL SOCIETY OF LADY LAKE of its liability and obligation to defend, hold harmless and indemnify the TOWN as set forth in this article of the Agreement.

Nothing herein shall be construed to extend the TOWN's liability beyond that provided in section 768.28, Florida Statutes.

Signed in the presence of the following witnesses:

_____

(Participant Name and Signature)

_____

(Witness name and signature)

J-6

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: December 7, 2015

SUBJECT: **Consideration of the Water Oak- Storm Water Drainage and Utility Improvements- Minor Modification to Site Plan 11/15-001- Proposing a Retaining Wall, Grading, Storm Sewer Installation, Utility Relocation and Drainage Improvements along Norman Street, Bishop Drive, Trevino Drive, Bradley Lane, Stadler Street and Cottonwood Circle, within the Water Oak Estates Country Club (AK 1584825).**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDED MOTION:

Staff recommends approval of the Minor Modification – 11/15-001, to the Water Oak Storm Water Drainage and Utility Improvements as presented.

SUMMARY:

Daniel R. Gibbs with Atwell, LLC, in representation of property owner, Sun Communities Finance LP, has submitted a minor modification to site plan for the Water Oak Country Club Estates Site as per Town of Lady Lake Land Development Regulations, Chapter 7, Section 11.a.

Construction of a retaining wall on Norman Street along the rear of the home sites is proposed in order to provide the required depth needed to build homes. The original site plan showed 20 home sites, but the new layout will be +/- 17 home sites. The proposed design will add 0.70 acres to Basin IV which drains to Kidney Lake. Additionally, construction of 4 retaining walls, site grading, storm sewer installation and utility relocation will be completed along Bishop Drive, Trevino Drive, and Bradley Lane in order to provide the required grades and depths needed to build homes in area with steep grades and drainage problems. The original site plan showed 17 home sites, but the new layout will result in +/-14 home sites.

At Stadler Street, there will be a relocation of an existing storm sewer in order to provide a buildable area for a home site. The original site plan showed two (2) home sites, but the new layout will be for one (1) home site. Lastly, at Cottonwood Circle the applicant is proposing grading of the site in order to provide buildable areas for homes. The original site plan showed 6 home sites, but new layout will be for 5 home sites. With the proposed improvements, there will be a total reduction of eight (8) home sites.

The site has been developed as gated adult Mobile Home Park community located at the intersection of County Road 25 and North Highway 27/441 and exhibits multiple active retirement lifestyle amenities including club houses, a restaurant, golf courses, tennis courts, and Ball Park.

The property is zoned "MH-9", which is Manufactured Home High Density, and permits the drainage and site improvements proposed for recreational facilities within residential developments. The Future Land Use Map designation for the property is Manufactured Home High Density (MH-HD). Site plans have been submitted by Daniel Robert Gibbs, with ATWELL. Reviews were completed for the Town by Town staff, Neel-Schaffer Engineering, Kerry Barnett for fire, and Building Official Dallas Foss. Attached are following items in the packet:

1. Site Plan Review completed by Growth Management on 11/30/2015.
2. Review No. 1 for the general site development completed by Neel-Schaffer Engineering, dated 11/30/2015.
3. St. Johns Water Management District Modification Letter No. 19000-6 (Pending).

Past Actions:

The **Technical Review Committee** members individually reviewed the application and provided comments regarding the Site Plan application on Monday, November 30, 2015.

The **Planning and Zoning Board** does not review Site Plan Modifications.

FISCAL IMPACT: $ 0

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: [ ] Ordinance [ ] Resolution [ ] Budget Resolution

[X] Other – Site Plan Modification

WP 12-1-15

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

DEPARTMENT HEAD	**Submitted** 12/1/15	**Date**
FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
TOWN ATTORNEY	**Approved as to Form and Legality**	**Date**
TOWN MANAGER	**Approved Agenda Item for:** 12/7/15	**Date** 12/1/15

BOARD ACTION: [ ] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain
[ ] Approved with Modification

RECEIVED
NOV 23 2015
GROWTH MANAGEMENT DEPT.
LADY LAKE

TOWN OF LADY LAKE
APPLICATION FOR SITE PLAN REVIEW

1. Applicant's Name: Atwell, LLC - Daniel R. Gibbs

   Telephone/Email: 770-423-0807 x 1805

   Applicant is: Owner ___ Developer ___ Lessee ___ Agent ✓ Optionee ___

2. Owner's Name: Sun Communities, Inc - Larry Parker

   Address: 106 Evergreen Lane, Lady Lake, FL 32159

   Telephone/Email: 352-753-3000 lparker@suncommunities.com

3. Engineer's Name: Atwell, LLC - Daniel R. Gibbs

   Address: 1800 Parkway Place, Suite 700, Marietta, GA 30067

   Telephone/Email: 770-423-0807 x1805 dgibbs@atwell-group.com

   Reg. Number: 60088

4. Architect's Name: N/A

   Address:

   Telephone/Email:

   Registration Number:

5. Landscape Architect: N/A

   Address:

   Telephone/Email:

   Registration Number:

6. Project Name: Water Oak Estates

   Physical Location/Address: 106 Evergreen Lane, Lady Lake, FL 32159

11. The property is located in the vicinity of the following streets:

    Norman Drive, Trevino Drive, Stadler Street, Cottonwood Circle

TOWN OF LADY LAKE
APPLICATION FOR SITE PLAN REVIEW
Page 2

8. Area of property 152,36,849.2 Square Feet 349.79 Acres

9. The exact legal description of the property as shown on the Tax Receipt or the Warranty Deed, or attach a separate sheet to the application form:

   See Attached.

10. The property is currently zoned: MH-9

11. Briefly describe the proposed project: Engineered Fixes for Problem Lot Areas

    If for storage, what type of material will be stored? _____

12. Have any development reviews and/or approvals been granted to this property?
    Yes ✓ No ____ If yes, list the type, date and result:

    Phase I, Phase II, Storm Sewer, Clubhouse
    1984 1987 2006 2014

13. Has any Variance been granted concerning this property? Yes ____ No ____
    If yes, list the Case Number and briefly describe the nature of the Variance.

14. The plans shall be drawn on 24" x 36" sheets as a minimum, at the largest scale feasible. The plans or any portion thereof involving engineering, shall be certified by a professional engineer or landscape architect as required by SJRWMD. The following information must be included on the site plan:

    General Information

    C000 a. Name of project.

    C000 b. General statement of intended use of site.

    Attached c. Legal description of the property and size of parcel in acres or square feet.

    C000 d. Name and address of owner.

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority, personally appeared Lara Parker who being by me first duly sworn on oath, deposes and says:

(1) That he/she is the fee-simple owner of the property legally described on page one of this application.

(2) That he/she desires approval for:

_____

(3) That he/she has appointed Atwell, LLC (Dan Gibbs) to act as agent in his/her behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his/her stead.

_____
Affiant (Owner's Signature)

The foregoing instrument was acknowledged before me this 19 day of November, 2015, by Lara Parker, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Dana B. Hall
Notary Public

Dana B. Hall
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF116951
Expires 4/26/2018

NOTE

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. This authority authorizing a person other than the owner to sign must be attached.

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority, personally appeared Daniel R. Gibbs, who being by me first duly sworn on oath, deposes and says:

(1) That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations, and provisions of the Town of Lady Lake, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Lady Lake, Florida, and are not returnable.

(2) That he desires approval for:

Water Oak Estates

(3) That the submittal requirements for the application have been completed and attached hereto as part of this application.

DRM

Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 16th day of November, 2015, by Daniel R. Gibbs, who is personally known to me or who has produced Driver's Liscense as identification and who did (did not) take an oath.

Kristy Stice

Notary Public

BARTOW COUNTY, GEORGIA
MY COMMISSION EXPIRES
NOTARY PUBLIC

ATWELL

November 19, 2015

Mr. Thad Carroll, AICP
Growth Management Director
The town of Lady Lake
Municipal Complex
409 Fennell Boulevard
Lady Lake, FL 32159

RE: Request for Minor Modification
Project Name: Water Oak Estates
Atwell, LLC Project No. 15001161

Dear Mr. Carroll:

We are requesting a Minor Modification from the Town of Lady Lake for Water Oak Estates. The purpose for this modification is to make engineering improvements to several areas of Water Oak Estates that have home sites that are currently not buildable. Below is a list of the areas and a brief description of the proposed engineering to be done:

Norman Street
Construction of a +/- 1,200 L.F. retaining wall along the rear of the home sites in order to provide the required depth needed to build homes. Original site plan showed 20 home sites, the new layout will be +/- 17 home sites.

Bishop Trevino Bradley
Construction of 4 retaining walls totalling +/- 1,400 L.F , site grading, +/- 1,050 L.F. of storm sewer installation and utility relocation in order to provide the required grades and depths needed to build homes in area with steep grades and drainage problems. Original site plan showed 17 home sites, the new layout will be +/-14 home sites.

Stadler
Relocation of an existing storm sewer in order to provide a buildable area for a home site. Original site plan showed 2 home sites, the new layout will be for 1 home site.

Cottonwood
Grading of the site in order to provide buildable areas for homes. Original site plan showed 6 home sites, the new layout will be for 5 home sites.

Please let me know if you have any questions or need anything further.

Respectfully,

ATWELL, LLC

Daniel R. Gibbs, P.E., CPESC, LEED AP
Project Manager

PROPERTY RECORD CARD

General Information

Owner Name:	SUN COMMUNITIES FINANCE LP	**Alternate Key:**	1584825
Mailing Address:	27777 FRANKLIN RD STE 200 SOUTHFIELD, MI 48034-8205 *Update Mailing Address*	**Parcel Number:**	09-18-24-000300001600
		Millage Group and City:	00LL (Lady Lake)
		Total Millage Rate:	18.70410
		Trash/Recycling /Water/Info:	*My Public Services Map*
Property Location:	817 SUTTON ST LADY LAKE FL 32159 *Update Property Location*	**Property Name:**	WATER OAK COUNTRY CLUB ESTATES *Submit Property Name*
		School Locator:	*School and Bus Map*
Property Description:	BEG AT NE COR OF SW 1/4, RUN W TO NE COR OF NW 1/4 OF NW 1/4| OF SW 1/4, S TO SE COR OF NW 1/4 OF NW 1/4 OF SW 1/4, S | 68DEG 03MIN 27SEC E 111.41 FT, S 88DEG 43MIN 52SEC E 339.19 | FT, S 00DEG 26MIN 01SEC E 491.31 FT, S 50DEG 28MIN 04SEC E | 167.65 FT, S 10DEG 09MIN 06SEC E 195.35 FT, S 08DEG 47MIN | 14SEC W 402.48 FT, S 39DEG 34MIN 03SEC W 279.41 FT, N 74DEG | 45MIN 59SEC W 52.72 FT, S 11DEG 56MIN 00SEC W 107.35 FT, S | 17DEG 04MIN 28SEC W 240.25 FT, S 61DEG 57MIN 42SEC W 117.67 | FT, S 48DEG 46MIN 20SEC E 137.71 FT, S 10DEG 01MIN 35SEC W | TO S LINE OF SEC & PT A, RETURN TO POB, RUN S ALONG SAID E | LINE OF SW 1/4 TO A PT 317.80 FT N OF SE COR OF SW 1/4, S | 89DEG 34MIN 42SEC W 372.71 FT, S 0DEG 55MIN 26SEC E TO S | LINE OF SEC, W ALONG SAID S LINE OF SEC TO PT A | ORB 1265 PG 1069 |		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	(2810)	0	0		594	LT	$0.00	$8,731,800.00
2	WASTELANDS (9600)	0	0		9	AC	$0.00	$405.00
3	CLUBS, LODGES, UNION HALLS (7700)	0	0		5	AC	$0.00	$64,700.00

Commercial Building(s)

Building 1

Commercial	Building Value: $173,527.00
Summary	**Section(s)**
Year Built: 1989	

Section No.	Section Type	Wall Height	No. Stories	Ground Floor	Basement	Basement Finished	Map Color

Total Square Footage:	5000
Full Bathrooms:	3
Half Bathrooms:	0
Elevators:	0
Elevator Landings:	0
Escalators:	0
Residential Units:	0
Kitchens:	0
Fireplaces:	0
Structure Type: Concrete Block or Masonry Walls	
Exterior Walls: 06 : 100.00 %	

Area

1	FINISHED LIVING AREA (FLA)	8	1	5000	0%	0%	

Interior Finish	Percent	Sprinkler	A/C
(77B)	100.00 %	No	Yes

Building 2

Commercial	Building Value: $12,322.00

Summary

Year Built:	1989
Total Square Footage:	312
Full Bathrooms:	0
Half Bathrooms:	0
Elevators:	0
Elevator Landings:	0
Escalators:	0
Residential Units:	0
Kitchens:	0
Fireplaces:	0
Structure Type: Concrete Block or Masonry Walls	

Section(s)

Section No.	Section Type	Wall Height	No. Stories	Ground Floor Area	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	8	1	312	0%	0%	

Interior Finish	Percent	Sprinkler	A/C
(17C)	100.00 %	No	No

Exterior Walls:
02 : 75.00 %
06 : 25.00 %

Miscellaneous Improvements

No.	Type	No. Units	Unit Type	Year	Depreciated Value
0001	PAVING (PAV)	185504	SF	1988	$259,706.00
0002	PAVING (PAV)	200	SF	1989	$280.00
0003	PAVING (PAV)	4500	SF	1989	$3,645.00
0004	SHUFFLE BOARD COURT (SBC)	1674	SF	1989	$1,205.00
0005	PARKING LOT LIGHT FIXTURE (PFL)	2	UT	1989	$1,030.00
0006	COMMERCIAL SWIMMING POOL (CPL)	560	SF	1989	$14,161.00
0007	POOL DECKING (PLD)	804	SF	1989	$3,028.00

Sales History

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
1265 / 1069	12/1/1993	Warranty Deed	Multi-Parcel	Improved	$1.00

Values and Estimated Ad Valorem Taxes

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL FUND	$9,265,809	$9,265,809	$9,265,809	5.30510	$49,156.04
LAKE COUNTY MSTU AMBULANCE	$9,265,809	$9,265,809	$9,265,809	0.46290	$4,289.14
LAKE COUNTY MSTU FIRE	$9,265,809	$9,265,809	$9,265,809	0.47040	$4,358.64
SCHOOL BOARD STATE	$9,265,809	$9,265,809	$9,265,809	5.69700	$52,787.31
SCHOOL BOARD LOCAL	$9,265,809	$9,265,809	$9,265,809	1.50000	$13,898.71
TOWN OF LADY LAKE	$9,265,809	$9,265,809	$9,265,809	3.55100	$32,902.89
ST JOHNS RIVER FL WATER MGMT DIST	$9,265,809	$9,265,809	$9,265,809	0.30230	$2,801.05
LAKE COUNTY VOTED DEBT SERVICE	$9,265,809	$9,265,809	$9,265,809	0.16000	$1,482.53

LAKE COUNTY WATER AUTHORITY	$9,265,809	$9,265,809	$9,265,809	0.25540	$2,366.49
NORTH LAKE HOSPITAL DIST	$9,265,809	$9,265,809	$9,265,809	1.00000	$9,265.81
				Total: 18.7041	**Total:** $173,308.61

Exemptions Information

This property is benefitting from the following exemptions with a checkmark √

First Homestead Exemption (up to $25,000)	Learn More View the Law
Additional Homestead Exemption (up to an additional $25,000)	Learn More View the Law
Limited Income Senior Exemption (applied to county millage - up to $50,000)	Learn More View the Law
Limited Income Senior Exemption (applied to city millage - up to $25,000)	Learn More View the Law
Limited Income Senior 25 Year Residency (county millage only-exemption amount varies)	Learn More View the Law
Widow / Widower Exemption (up to $500)	Learn More View the Law
Blind Exemption (up to $500)	Learn More View the Law
Disability Exemption (up to $500)	Learn More View the Law
Total Disability Exemption (amount varies)	Learn More View the Law
Veteran's Disability Exemption ($5000)	Learn More View the Law
Veteran's Total Disability Exemption (amount varies)	Learn More View the Law
Veteran's Combat Related Disability Exemption (amount varies)	Learn More View the Law
Deployed Servicemember Exemption (amount varies)	Learn More View the Law
Surviving Spouse of First Responder Exemption (amount varies)	Learn More View the Law
Conservation Exemption (amount varies)	Learn More View the Law
Tangible Personal Property Exemption (up to $25,000)	Learn More View the Law
Religious, Charitable, Institutional, and Organizational Exemptions (amount varies)	Learn More View the Law
Government Exemption (amount varies)	Learn More View the Law

Exemption Savings

The exemptions marked with a √ above are providing a tax dollar savings of:
$0.00

Assessment Reduction Information (3% cap, 10% cap, Agricultural, Portability, etc.)

This property is benefitting from the following assessment reductions with a checkmark √

Save Our Homes Assessment Limitation (3% assessed value cap)	Learn More View the Law
Save Our Homes Assessment Transfer (Portability)	Learn More View the Law
Non-Homestead Assessment Limitation (10% assessed value cap)	Learn More View the Law
Conservation Classification Assessment Limitation	Learn More View the Law
Agricultural Classification	Learn More View the Law

Assessment Reduction Savings

The assessment reductions marked with a ✓ above are providing a tax dollar savings of: $0.00

Copyright © 2014 Lake County Property Appraiser. All rights reserved.
Property data last updated on 1 November 2015.

9

BOOK 1265 PAGE 1069

93 69477

REC 17.00
TF 4.00 EXCISE TAXES
DOC 165900.00 JAMES C. WATKINS
INT. CLERK LAKE CO FL
BY D.C.

Dec 16 11 25 AM '93

Return to:
THIS INSTRUMENT PREPARED BY:
Randolph J. Rush, Esq.
Winderweedle, Haines, Ward
& Woodman, P.A.
Post Office Box 880
Winter Park, FL 32790-0880

WARRANTY DEED

THIS INDENTURE, made this 30th day of ~~November~~ December, 1993, between WATER OAK, LTD., a Florida limited partnership, whose address is 106 Evergreen Lane, Lady Lake, FL 32159, Grantor, and SUN COMMUNITIES FINANCE LIMITED PARTNERSHIP, a Michigan limited partnership, whose address is 31700 Middlebelt, Suite 145, Farmington Hill, MI 48334, Grantee:

W I T N E S S E T H :

That the Grantor, for and in consideration of the sum of $10.00 and other valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Lake County, Florida, to-wit:

See Legal Description attached hereto as Exhibit "A"
and made a part hereof

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except for real estate taxes for 1994 and the matters set forth on Exhibit "B" attached hereto and made a part hereof.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

WATER OAK, LTD., a Florida
limited partnership

BY: WATER OAK MANAGEMENT
CORP., a Florida
corporation, as its
general partner

Anne Ward
Print Name ANNE WARD

Randy Rush
Print Name Randolph J. Rush

BY: Samuel Langberg
Samuel Langberg,
President
106 Evergreen Lane
Lady Lake, FL 32159

STATE OF FLORIDA
COUNTY OF ORANGE

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared Samuel Langberg, President of Water Oak Management Corp., a Florida corporation, as the general partner of Water Oak, Ltd., a Florida limited partnership, to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same on behalf of said corporation, in its capacity as general partners of Water Oak, Ltd. He is personally known to me ~~or produced as identification~~.

WITNESS my hand and official seal in the County and State last aforesaid this 1st day of ~~November~~ December, 1993.

Print Name: Randolph J. Rush
Notary Public
My Commission Expires: 9-13-97

RANDOLPH J. RUSH
MY COMMISSION # CC 309747
EXPIRES: September 13, 1997
Bonded Thru Notary Public Underwriters

f\aw\waterok.ded\11.22.93

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL A:

That part of Sections 9 and 16, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows: From the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 16, Township 18 South, Range 24 East, run South 89°44'25" West along the boundary between said Sections 9 and 16 a distance of 21.97 feet to the Point of Beginning of the following described parcel of land. From said Point of Beginning, run North 54°16'49" East 34.30 feet, thence North 12°03'59" East 175.76 feet, thence South 48°46'20" East 207.84 feet, thence South 10°01'35" West 80.26 feet, thence South 87°12'30" West 258.25 feet, thence North 54°16'49" East 62.84 feet to the Point of Beginning and end of this description.

PARCEL B:

That part of Sections 9 and 16, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows: From the North 1/4 corner of said Section 16, Township 18 South, Range 24 East, run South 0°37'08" East 652.20 feet, thence South 88°50'55" West 368.22 feet, thence North 0°55'26" West 974.71 feet, thence North 89°34'42" East 372.71 feet to the North-South Mid-Section line of said Section 9, Township 18 South, Range 24 East, thence South 0°44'36" East along said North-South Mid-Section line 317.80 feet to the Point of Beginning and end of this description.

PARCEL C:

The South 3/4 of the Southwest 1/4 of the Southeast 1/4, in Section 9, Township 18 South, Range 24 East, Lake County, Florida.

PARCEL D:

Lots 29 and 30, less the South 330 feet thereof, and that part of the South one-half of Lot 35 bounded and described as follows: Begin at the Northeast corner of said Lot 29, run thence North 0°32'19" West to the Northerly line of the South one-half of said Lot 35; thence South 88°13'31" West along the Northerly line of the South one-half of said Lot 35 to the Northwest corner of the South one-half of said Lot 35; thence South 1°22'56" East along the Westerly line of said Lot 35 to the Northwest corner of said Lot 30; thence Easterly along the Northerly line of Lot 30 to the Point of Beginning; together with that part of the East one-half of Malaca Avenue (now vacated) lying North of the Westerly extension of the Northerly line of the South 330 feet of said Lot 30, and South of the Westerly extension of the North line of the South one-half of said Lot 35, all lying and being in Sligh and Teague Addition to the Town of Lady Lake, Florida, according to the official plat thereof, recorded in Plat Book 8, pages 9 through 11, inclusive, Public Records of Lake County, Florida.

PARCEL E:

That part of Sections 8, 9, 16 and 17, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows: From the Southwest corner of Section 9, Township 18 South, Range 24 East, run North 0°49'12" West along the West boundary of said Section 9, a distance of 1966.92 feet to the Point of Beginning of the following described parcel of land: From said Point of Beginning, run North 89°05'05" East 663.81 feet, thence North 0°48'03" West 658.14 feet, thence North 88°52'06" East 1992.09 feet, thence South 0°44'36" East 2662.63 feet, thence South 0°37'08" East 652.20 feet, thence South 88°50'55" West 693.57 feet, thence South 0°58'16" East 648.51 feet, thence South 89°10'10" West 210.50 feet, thence South 01°05'42" East 331.21 feet, thence South 89°14'10" West 420.39 feet, thence South 0°51'00" East 645.84 feet,

thence South 88°12'58" West 219.34 feet, to a point that is a northerly extension of the East line of the above described Parcel D, thence South 00°26'09" East, along said northerly extension, 16.72 feet to the Northeast corner of the above described Parcel D, said point being on the North line of the South 1/2 of Lot 35, Sligh and Teague Addition to the Town of Lady Lake, recorded in Plat Book 8, Page 9, Public Records of Lake County, Florida, thence South 89°08'55" West along the North line of said Parcel D and the North line of said South 1/2 a distance of 452.24 feet to the Northwest corner of said Parcel D and a point on the centerline of Malaca Avenue as shown on said Sligh and Teague Addition to the Town of Lady Lake, thence South 01°02'07" East along the West line of said Parcel D and along said centerline of Malaca Avenue 617.17 feet to the Southwest corner of said Parcel D and a point on a westerly extension of the North line of the South 330 feet of Lots 29 and 30 of the aforesaid Sligh and Teague Addition to the Town of Lady Lake, thence South 89°14'59" West along said westerly extension 15.00 feet to the West side of Malaca Avenue according to said plat of Sligh and Teague Addition to the Town of Lady Lake and a point on the East line of Lot 31 of the aforesaid Sligh and Teague Subdivision, thence South 01°02'07" East along the East line of said Lot 31 and the West line of Malaca Avenue 322.60 feet, thence South 89°14'12" West 667.46 feet, thence South 0°11'48" East 104.66 feet, thence South 89°41'02" West 1169.33 feet, thence North 03°01'45" West 1404.74 feet to the point of curvature of a curve concave Southwesterly and having a radius of 2010.08 feet, thence Northwesterly along said curve through a central angle of 14°11'17" an arc length of 497.75 feet to the end of said curve, thence North 72°46'58" East 10.0 feet to a point on a curve concave Southwesterly and having a radius of 2020.08 feet, thence Northwesterly along said curve through a central angle of 26°16'46" an arc length of 926.54 feet to the end of said curve, thence North 02°03'58" West 16.21 feet, thence North 89°41'20" East 779.89 feet, thence North 0°57'45" West 663.88 feet, thence North 89°36'12" East 10.31 feet, thence North 0°44'46" West 1932.18 feet, thence North 89°45'28" East 978.53 feet, thence North 0°49'12" West 37.36 feet to the Point of Beginning and end of this description.

LESS: A parcel of land in Section 16 and 17, Township 18 South, Range 24 East, Lake County, Florida, described as follows: Commencing at the West 1/4 corner of Section 16, Township 18 South, Range 24 East, run South 0°15'20" East along the West line of said Section 91.09 feet to the Point of Beginning, thence South 89°43'16" East 321.31 feet, thence North 28°53'58" West 349.39 feet, thence South 87°48'04" West 299.33 feet, thence South 0°25'57" East 292.05 feet, thence South 89°43'16" East 144.46 feet to the Point of Beginning.

ALSO LESS: Road Right-of-Way over and across the North side thereof.

ALSO LESS: That part of Sections 9 and 16, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows: From the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 16, Township 18 South, Range 24 East, run South 89°44'25" West along the boundary between said Sections 9 and 16 a distance of 21.97 feet to the Point of Beginning of the following described parcel of land. From said Point of Beginning, run North 54°16'49" East 34.30 feet, thence North 12°03'59" East 175.76 feet, thence South 48°46'20" East 207.84 feet, thence South 10°01'35" West 80.26 feet, thence South 87°12'30" West 258.25 feet, thence North 54°16'49" East 62.84 feet to the Point of Beginning and end of this description.

ALSO LESS: That part of Sections 9 and 16, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows: From the North 1/4 corner of said Section 16, Township 18 South, Range 24 East, run South 0°37'08" East 652.20 feet,

thence South 88°50'55" West 368.22 feet, thence North 0°55'26" West 974.71 feet, thence North 89°34'42" East 372.71 feet to the North-South Mid-Section line of said Section 9, Township 18 South, Range 24 East, thence South 0°44'36" East along said North-South Mid-Section line 317.80 feet to the Point of Beginning and end of this description.

ALSO LESS: That part of Sections 8 and 9, Township 18 South, Range 24 East, Lake County, Florida, described as follows: From the Southeast corner of Section 8, same being the Southwest corner of Section 9, run South 89°36'12" West, along the South line of said Section 8, a distance of 981.00 feet; thence North 00°44'46" West, 1932.18 feet to the Northwest corner of Lot 3, Block 23, CONANT, as recorded in Plat Book 1, Page 8, Public Records of Sumter County, Florida; thence North 89°45'28" East, 978.53 feet to the East line of the aforesaid Section 8, same being the West line of the aforesaid Section 9; thence North 00°49'12" West along the line between said Section 8 and Section 9, a distance of 37.36 feet to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of said Section 9; thence North 89°05'05" East, 663.81 feet to the Northeast corner of the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 9; thence South 68°03'27" East, 111.41 feet; thence South 88°43'52" East, 339.19 feet; thence South 00°26'01" East, 491.31 feet; thence South 50°28'04" East, 167.65 feet; thence South 10°09'06" East, 195.35 feet; thence South 08°47'14" West, 402.48 feet; thence South 39°34'03" West, 279.41 feet; thence North 74°45'59" West, 52.72 feet; thence South 11°56'00" West, 107.35 feet; thence South 17°04'28" West, 240.25 feet; thence South 61°57'42" West, 117.67 feet, thence North 48°46'20" West, 70.13 feet; thence South 12°03'59" West, 175.76 feet; thence South 54°16'49" West, 34.30 feet more or less to the South line of the Southwest 1/4 of the aforesaid Section 9, Township 18 South, Range 24 East; thence South 89°44'25" West, along said South line, 641.21 feet to the Point of Beginning and end of this description.

hw\rjr\water-1.des
12/14/93 (11:00 am)

EXHIBIT "B"

LIST OF TITLE EXCEPTIONS

1. Drainage Easement to the State of Florida, for the use and benefit of the State Road Department, recorded in Official Records Book 87, Page 234, Public Records of Lake County, Florida.

2. Easements to Florida Power Corporation recorded in Official Records Book 93, Page 512 and Official Records Book 409, Page 25, Public Records of Lake County, Florida.

3. Right-of-Way Easement to Sumter Electric Cooperative, Inc. recorded in Official Records Book 703, Page 1035, Public Records of Lake County, Florida.

4. Easement to Florida Telephone Corporation recorded in Official Records Book 717, Page 776, Public Records of Lake County, Florida.

5. Utility Easement to Water Oak Utility Co., Inc., a Florida corporation recorded in Official Records Book 876, Page 400, Public Records of Lake County, Florida.

6. An Agreement to Grant and Convey an Easement for Utility/Ingress/Egress between Water Oak Ltd., a Florida limited partnership and Edward J. Reposa and Dorothy J. Reposa, his wife recorded in Official Records Book 1150, Page 709, Public Records of Lake County, Florida.

7. Easement reserved in that certain Certified Copy of Final Judgment, Case No. 81-190-CA-01, recorded in Official Records Book 758, Page 1413, Public Records of Lake County, Florida.

8. Rights of tenants occupying all or part of the property being conveyed to Grantee under Leases assigned to Grantee.

9. Subject to rights of way for State Road No. 25 and U. S. Highway Nos. 441 and 27 and County Road No. 1-7807.

10. Mortgage and Security Agreement executed by Water Oak, Ltd., a Florida limited partnership, and Water Oak Utility Co., Inc., in favor of Hill Financial Savings Association, dated May 12, 1986, recorded May 13, 1986 in Official Records Book 876, Page 367, securing the original sum of $8,000,000.00 and modified by Modification of Mortgage and Security Agreement and Ancillary Security Documents and Spreader Agreement, dated June 1, 1992, recorded June 11, 1992 in Official Records Book 1170, page 1022 and further modified by Future Advance Modification Agreement dated January 11, 1988, recorded March 28, 1988 in Official Records Book 958, Page 1061, and further modified by Second Modification of Mortgage and Security Agreement and Ancillary Security Documents and Spreader Agreement, dated December 13, 1993, recorded contemporaneously herewith, all of the Public Records of Lake County, Florida.

11. Assignment of Leases and Rentals in favor of Hill Financial Savings Association, dated May 12, 1986, recorded May 13, 1986 in Official Records Book 876, Page 382, Public Records of Lake County, Florida.

12. Uniform Commercial Code - Financing Statement in favor of Hill Financial Savings Association, recorded May 13, 1986 in Official Records Book 876, Page 391 and Amendment recorded March 28, 1988 in Official Records Book 958, Page 1072, Public Records of Lake County, Florida.

13. Uniform Commercial Code - Financing Statement in favor of Hill Financial Savings Association, recorded June 11, 1992 in Official Records Book 1170, Page 1051, Public Records of Lake County, Florida.

14. Uniform Commercial Code - Financing Statement in favor of Hill Financial Savings Association, recorded June 11, 1992 in Official Records Book 1170, Page 1059, Public Records of Lake County, Florida.

hw\rjr\waterltd.exb

Thad Carroll

From: Steve Cockerham <steven.cockerham@neel-schaffer.com>
Sent: Monday, November 30, 2015 5:24 PM
To: Thad Carroll
Cc: Wendy Then; dgibbs@atwell-group.com
Subject: RE: Plan Review

See comments in red.

.....

Steven R. Cockerham, P.E.
Senior Project Manager

Neel-Schaffer, Inc.
2301 Lucien Way, Suite 300
Maitland, FL 32751
Direct: 321.558.6420
Phone: 407.647.6623 EXT 3842
Mobile: 662.404.4012
FAX: 601.898.8485
Website: www.neel-schaffer.com

From: Thad Carroll [mailto:tcarroll@ladylake.org]
Sent: Monday, November 30, 2015 5:12 PM
To: Steve Cockerham <steven.cockerham@neel-schaffer.com>
Cc: Wendy Then <wthen@ladylake.org>
Subject: FW: Plan Review

Reply to comments, see below.

From: Dan Gibbs [mailto:dgibbs@atwell-group.com]
Sent: Monday, November 30, 2015 5:05 PM
To: Thad Carroll <tcarroll@ladylake.org>
Cc: Wendy Then <wthen@ladylake.org>
Subject: RE: Plan Review

Thad,

I will have this to you in the morning. A couple of notes on the comments.

1. Because the legal is so long for this large of a property, I am going to attach at the end or the set the ALTA survey and the legal info prepared for Sun by a separate surveyor. I originally provided the Warranty Deed which also had the legal as part of it. Ok, that is sufficient.
2. We were not planning on removing the 30" pipe but grouting it with concrete and leaving it in place. I will add a not to that affect. Ok, that is sufficient.
3. We will provide the retaining wall design calcs prior to wall approval, but those are not done yet. We need to make sure this modification will be approved prior to releasing a contractor and they are the ones that will have the wall designed. I will provide this ASAP. Thad, does the contractor pull a building permit to construct a wall? If so, providing the signed and sealed plans for the wall at that time should be acceptable.
4. I will provide the SJRWMD approval as soon as I have it. From our discussions, we can get this approved conditionally until I have it for you. Ok, that is sufficient.

Let me know if these are acceptable. I am working on them as we speak.

Dan

Daniel R. Gibbs, PE
Project Manager
ATWELL, LLC
770.423.0807 ext 1805 Tel
404.895.9446 Mobile
770.423.1262 Fax
1800 Parkway Place | Suite 700 | Marietta, GA 30067
www.atwell-group.com

From: Thad Carroll [mailto:tcarroll@ladylake.org]
Sent: Monday, November 30, 2015 4:44 PM
To: Dan Gibbs
Cc: Wendy Then
Subject: Plan Review
Importance: High

Dan,

Good afternoon. Attached are the engineers comments on the modifications proposed. Can you make these changes and submit something digitally to us in the early morning tomorrow. The changes seem minor; however, they do need to be addressed (incorporation of the legal description, noting the removal of the 30" pipe, etc.) The comment about the modular retaining wall I don't know if you can address – I am not sure if this is what you said the contractor would be engineering with the construction plans for the permit.

Thad Carroll, AICP, LEED Green Associate
Growth Management Director
Town of Lady Lake
(352) 751-1521
tcarroll@ladylake.org

Note: The Growth Management Department's office hours are Monday - Thursday 7:30 am - 6:00 pm

Fla. Stat. 668.6076 "Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

Confidential Notice: This is a confidential communication. If you received in error, please notify the sender of the delivery error by replying to this message and then delete it from your system. Electronic Data: Since data stored on electronic media can deteriorate, be translated or modified, Atwell, LLC will not be liable for the completeness, correctness or readability of the electronic data. The electronic data should be checked against the hard copy (paper, mylar, etc.). Hard copies are on file with Atwell and can be provided upon request.

Neel-Schaffer, Inc. Confidentiality Note:
Information contained in this message along with any attachment(s) may be confidential and protected by legal privilege. This message is meant solely for the use of the individual(s) to whom it is addressed. Viewing or the use of information and attachment(s) within this message without the expressed permission of Neel-Schaffer, Inc. is prohibited. If you are not the intended recipient of this

Wendy Then

From: Dallas Foss <dfoss@usanova.com>
Sent: Monday, November 30, 2015 5:35 PM
To: Wendy Then
Subject: RE: TRC Review Item

Wendy,

The site plans need to have specific plans included that show proper drainage is provided to direct runoff to the street or a drainage device. All runoff is to be directed to a proper location and not onto adjacent lots or properties.

Dallas Foss
Building Official
Town of Lady Lake
Nova Engineering & Environmental

Sent from my Verizon Wireless 4G LTE smartphone

-------- Original message --------
From: Wendy Then <wthen@ladylake.org>
Date: 11/24/2015 12:26 PM (GMT-05:00)
To: Butch Goodman <bgoodman@ladylake.org>, Chris McKinstry <cmckinstry@ladylake.org>, Dallas Foss <dfoss@usanova.com>, Thad Carroll <tcarroll@ladylake.org>
Subject: TRC Review Item

Good Morning,

Project: Water Oak Country Club Estates Drainage Improvements

Proposal: Retaining Wall, Grading, Storm Sewer Installation, Utility Relocation and Drainage Improvements

Description:

On 11/23/2015, Town Staff received a Minor Modification Application from applicant Daniel R. Gibbs, with Atwell, LLC on behalf of Sun Communities Finance LP for storm water drainage and utilities

improvements to multiple areas within Water Oak Estates that have home sites that are currently not buildable. The project encompasses the following:

Norman Street
Construction of a +/- 1,200 L.F. retaining wall along the rear of the home sites in order to provic depth needed to build homes. Original site plan showed 20 home sites, the new layout will be +/-

Bishop Trevino Bradley
Construction of 4 retaining walls totalling +/- 1,400 L.F , site grading, +/- 1,050 L.F. of storm sev and utility relocation in order to provide the required grades and depths needed to build hom steep grades and drainage problems. Original site plan showed 17 home sites, the new layou home sites.

Stadler
Relocation of an existing storm sewer in order to provide a buildable area for a home site. Or showed 2 home sites, the new layout will be for 1 home site.

Cottonwood
Grading of the site in order to provide buildable areas for homes. Original site plan showed 6 h new layout will be for 5 home sites.

Please provide comments on or before Monday, November 30, 2015. Thanks.

Wendy Then, CFM

Town Planner

Town of Lady Lake

409 Fennell Blvd.

Lady Lake, FL 32159

352-751-1582

352-751-1514- Fax

Fla. Stat. 668.6076 "Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit http://www.symanteccloud.com

St. Johns River
Water Management District
Ann B. Shortelle, Ph.D., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at floridaswater.com.

November 20, 2015

E-Notice Subscriber
PO Box 1429
Palatka, FL 32178-1429

Subject: Notice of Receipt of Permit Application(s)
In Lake County

Dear Sir/Madam:

This is your notification that the St. Johns River Water Management District (District) has received the permit application(s) listed below. The District is providing you this Notice of Receipt of Application because you are listed as a County Interested Person.

ERP Permit Applications

19000-6

In compliance with your request for notice of applications received in the above referenced county, enclosed is a copy of Section A (Parts I-III) - Environmental Resource Permit Application and a location map for each permit application applied for within the above referenced county.

The file(s) containing the permit application(s) are available for inspection Monday through Friday, except for District holidays, 8 a.m. to 5 p.m. at the District's Headquarters, 4049 Reid St., Palatka, FL 32177-2529. You may also view files at one of the District's Service Centers, but you should call Service Center staff in advance to make sure that the files are at a specific Service Center. Service Center contact information is available online at *floridaswater.com/contactus/offices.html*. Additionally, most permit application file documents can be viewed online at *floridaswater.com/permitting/index.html*. To obtain information on how to find and view permit application file documents, go to the HELP tab in E-Permitting and click on Support and FAQs and then follow the directions provided under "How to find a Technical Staff Report (TSR) or other application file documents."

The decision on the environmental resources permit application(s) will be made at the District's Service Center where the application is processed (if the application is approved) or by the Governing Board (if the application is recommended for denial).

You are advised to notify the District within 14 days of receipt of this letter if you have questions, objections, comments or information regarding the activity proposed in the permit application. Please direct your correspondence to Office Director, Office of Business and Administrative Services, P.O. Box 1429, Palatka, FL 32178-1429, or by e-mail at

GOVERNING BOARD

John A. Miklos, CHAIRMAN ORLANDO
Fred N. Roberts Jr., VICE CHAIRMAN OCALA
Chuck Drake, SECRETARY ORLANDO
Carla Yetter, TREASURER FERNANDINA BEACH
Douglas C. Bournique VERO BEACH
Douglas Burnett ST. AUGUSTINE
Maryam H. Ghyabi ORMOND BEACH
Ron Howse COCOA
George W. Robbins JACKSONVILLE

applicationsupport@sjrwmd.com , and include either the Permit Application number or the Project Name. If you make a written request to the District for additional information regarding a specific permit application, you will be furnished with the information available at that time. Please note that filing a written objection does not entitle you to a Chapter 120, Florida Statutes, administrative hearing.

Notice of District Decision or Intended District Decision will be provided to persons who have requested individual notice. A request for individual Notice of District Decision or Intended District Decision on the application must be received by the District's Office Director of the Office of Business and Administrative Services prior to the date such Notice is generated.

CERTIFICATE OF SERVICE

I hereby certify that this Notice of Receipt of Application was sent by U.S. Mail on November 20, 2015.

Sincerely,

M. Daniels

Margaret Daniels, Office Director
Office of Business and Administrative Services
St. Johns River Water Management District
4049 Reid Street
Palatka, FL 32177-2529
(386) 329-4570

NEEL-SCHAFFER
Solutions you can build upon

engineers
planners
surveyors
environmental scientists
landscape architects

November 30, 2015

Mrs. Wendy Then
Town of Lady Lake
409 Fennell Blvd.
Lady Lake, FL 32159

REFERENCE: WATER OAK ESTATES – MINOR MODIFICATION ENGINEER REVIEW NO. 1

Dear Wendy;

Pursuant to your request, Neel-Schaffer, Inc. (NSI) has reviewed the development plans submitted by Atwell received by the Town, for the above referenced project. Our efforts in reviewing the development documents focused on General plan details, Environmental Protection, Utilities, Grading, Retaining Wall and Drainage and Stormwater based on the standards provided in the Land Development Code Regulations (LDCR) of the Town of Lady Lake.

We have reviewed the plans and permitting provided. Based on our engineering review of the subject development plans and permitting documentation, the following comments are submitted for the Town's review and consideration:

General

1. Please include the legal description of the property
2. Please add the name and address of owner
3. Please provide the engineering drawings of the modular retaining wall for review

Drainage and Stormwater

4. Sheet No. C300, Proposed Conditions Plan should be revised to show removal of the existing 30" HDPE pipe between inlets A1 and A4.
5. Please submit a copy of the SJRWMD permit upon completion

Should updates be provided additional comments may follow after this review. If you have questions or comments, please do not hesitate to contact me at 407-647-6623.

Sincerely,

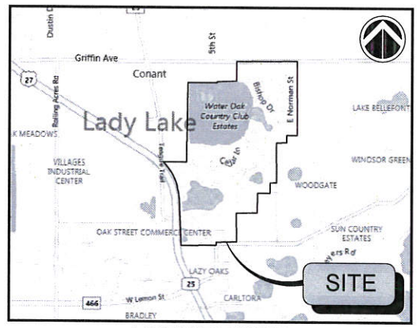
Steven R. Cockerham, P.E.
Senior Project Manager

2301 Lucien Way, Suite 300 • Maitland, FL 32751 • 407-647-6623 fax: 407-539-0575

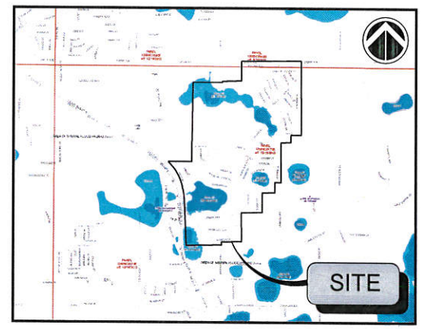
WATER OAK ESTATES

106 EVERGREEN LANE
LADY LAKE, LAKE COUNTY, FLORIDA
TAX PARCELS: 091824000300001600,161824000200002100,161824000200002200,161824000300002600,171824000100000100

CONSTRUCTION PLANS

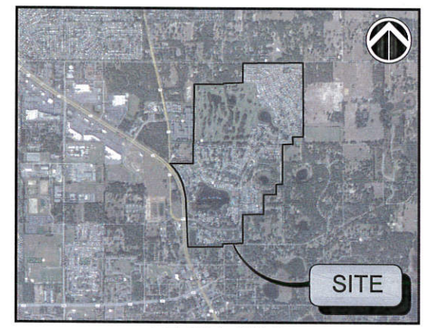


VICINITY MAP
N.T.S.



FEMA MAP
N.T.S.

NOTE: BASED ON GRAPHIC DETERMINATION, THIS PROPERTY DOES LIE IN A F.E.M.A./F.I.R.M.SPECIAL FLOOD HAZARD AREA (ZONE "X") PER COMMUNITY PANEL NO. 0170E, 0160E, AND 0910D DATED DEC 18, 2012.



AERIAL MAP
N.T.S.

WATER OAK ESTATES
TOTAL SITE AREA: 349.79 AC.
ZONING: MH-9

DEVELOPMENT TEAM

OWNER / APPLICANT
SUN COMMUNITIES
106 EVERGREEN LANE
LADY LAKE, FLORIDA 32159
PHONE: (352) 753-3000
FAX: (352) 750-3859
CONTACT: LARA PARKER

CIVIL ENGINEER
ATWELL, LLC
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA 30067
PHONE: (770) 423-0807
FAX: (770) 423-1262
CONTACT: DAN GIBBS

SURVEYOR
WADE SURVEYING, INC.
CONTACT: DOUGLAS C. WADE PSM/PRES.
1608 TRACY AVENUE
LADY LAKE, FL 32159

GOVERNING AGENCIES AND UTILITY CONTACTS

LADY LAKE
409 FENNELL BOULEVARD
LADY LAKE, FLORIDA 32159
GROWTH MANAGEMENT DEPARTMENT
PHONE: (352) 751-1562
CONTACT: THAD CARROLL, AICP

CODE ENFORCEMENT
PHONE: (352) 751-1521
CONTACT: AARON GRAULAU

St. Johns River Water Management District (SJRWMD)
LINDSEY PORTER ENGINEER II
DIVISION OF REGULATORY, ENGINEERING AND ENVIRONMENTAL SERVICES
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
MAITLAND SERVICE CENTER
601 SOUTH LAKE DESTINY ROAD, SUITE 200
MAITLAND, FL 32751

SUBMITTAL DATE
SUBMITTED TO - DATE:
LADY LAKE & SJRWMD - 11-19-2015

SHEET INDEX

SHEET NUMBER	SHEET TITLE
C000	COVER
C100	OVERALL PLAN & NOTES
C200	NORMAN STREET EXISTING CONDITIONS PLAN
C210	NORMAN STREET GRADING PLAN
C220	NORMAN STREET WALL PROFILES
C230	NORMAN STREET WALL SECTIONS
C240	NORMAN STREET EROSION CONTROL PLAN
C300	STADLER STREET GRADING PLAN
C400	BISHOP TREVINO BRADLY EXISTING CONDITIONS PLAN
C410	BISHOP TREVINO BRADLY GRADING PLAN
C420	BISHOP TREVINO BRADLY PIPE PROFILES & SECTIONS
C430	BISHOP TREVINO BRADLY WALL PROFILES
C440	BISHOP TREVINO BRADLY EROSION CONTROL PLAN
C500	COTTONWOOD CIRCLE EXISTING CONDITIONS
C510	COTTONWOOD CIRCLE GRADING PLAN
C540	COTTONWOOD CIRCLE EROSION CONTROL PLAN
C600	DETAILS
1 OF 2	ALTA / ACSM LAND TITLE SURVEY (BY OTHERS)
2 OF 2	BOUNDARY SHEET (BY OTHERS)

PROJECT NARRATIVE

NORMAN
CONSTRUCTION OF A RETAINING WALL ALONG THE REAR OF THE HOME SITES IN ORDER TO PROVIDE THE REQUIRED DEPTH NEEDED TO BUILD HOMES. ORIGINAL SITE PLAN SHOWED 20 HOME SITES, NEW LAYOUT WILL BE +/- 17 HOME SITES.

BISHOP TREVINO BRADLEY
CONSTRUCTION OF 4 RETAINING WALLS, SITE GRADING, STORM SEWER INSTALLATION AND UTILITY RELOCATION IN ORDER TO PROVIDE THE REQUIRED GRADES AND DEPTHS NEEDED TO BUILD HOMES IN AREA WITH STEEP GRADES AND DRAINAGE PROBLEMS. ORIGINAL SITE PLAN SHOWED 17 HOME SITES, NEW LAYOUT WILL BE +/-14 HOME SITES.

STADLER
RELOCATION OF AN EXISTING STORM SEWER IN ORDER TO PROVIDE A BUILDABLE AREA FOR A HOME SITE. ORIGINAL SITE PLAN SHOWED 2 HOME SITES, NEW LAYOUT WILL BE FOR 1 HOME SITE.

COTTONWOOD
GRADING OF THE SITE IN ORDER TO PROVIDE BUILDABLE AREAS FOR HOMES. ORIGINAL SITE PLAN SHOWED 6 HOME SITES, NEW LAYOUT WILL BE FOR 5 HOME SITES.

811 Know what's below. Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
COVER

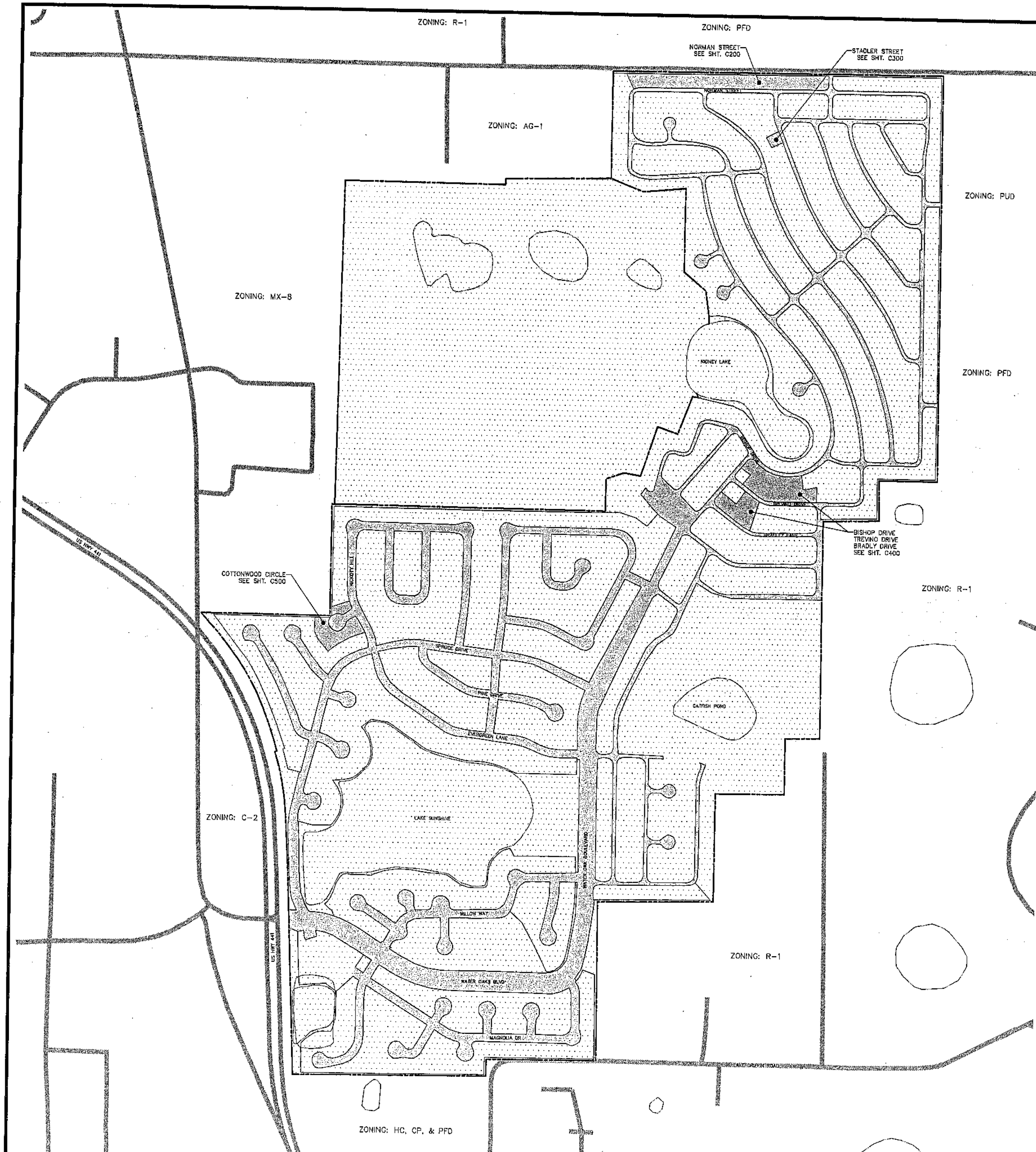
DATE 11-19-2015

REVISIONS

DANIEL ROBERT GIBBS
LICENSE No 60088
STATE OF FLORIDA
PROFESSIONAL ENGINEER

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C000

NOT ISSUED FOR CONSTRUCTION
CAD FILE: 15001161-COVER



GENERAL NOTES

1. NO HOMES ARE TO BE BUILT AS A PART OF THESE CONSTRUCTION PLANS. ALL HOMES SHOWN ARE FOR LOCATION PURPOSES ONLY IN ORDER FOR REFERENCE OR GUIDANCE.

GRADING NOTES

1. INFORMATION CONCERNING SITE SOIL CONDITIONS WILL BE PROVIDED BY THE OWNER.
2. CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ALL DEBRIS NOT ACCEPTABLE TO THE OWNER AND ENGINEER.
3. IF CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON THE PLANS, WITHOUT EXCEPTION, THE CONTRACTOR SHALL MAKE A TOPOGRAPHIC SURVEY AT THEIR OWN EXPENSE AND SUBMIT IT TO THE OWNER FOR REVIEW.
4. CONTRACTOR IS RESPONSIBLE FOR NOTIFYING ALL UTILITIES BEFORE CONSTRUCTION AND VERIFYING LOCATION OF ALL UTILITIES SHOWN OR NOT SHOWN.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION AND COST OF THE RELOCATION OF ALL UTILITIES ALONG THE RIGHT OF WAY AND ON THE SITE ASSOCIATED WITH THE CONSTRUCTION OF THIS PROJECT, SUCH AS, BUT NOT LIMITED TO SIGNAL POLES, SIGNAL CONTROLS, DRAINAGE STRUCTURES, TRAFFIC SIGNS, UTILITY POLES, GUY WIRES, ETC.
6. CONTRACTOR IS RESPONSIBLE FOR REPAIRS OR DAMAGE TO ANY EXISTING IMPROVEMENTS DURING CONSTRUCTION, SUCH AS, BUT NOT LIMITED TO, DRAINAGE, UTILITIES, PAVEMENT, STRIPING, CURBS, ETC. REPAIRS SHALL BE EQUAL TO OR BETTER THAN EXISTING CONDITIONS.
7. ALL SLOPES AND DISTURBED AREAS NOT COVERED BY BUILDING OR PAVEMENT SHALL BE GRADED SMOOTH AND RECEIVE 4 INCHES OF TOPSOIL. CONTRACTOR TO PROVIDE TOPSOIL IF NOT AVAILABLE ON SITE. THE AREAS SHALL BE SEEDED, MULCHED, FERTILIZED AND WATERED TO PROVIDE A HEARTY MOWABLE STAND OF GRASS. SMALL ROCKS MUST BE REMOVED. ANY AREAS DISTURBED FOR ANY REASON PRIOR TO FINAL ACCEPTANCE OF THE PROJECT SHALL BE CORRECTED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
8. SPOIL FROM FOOTINGS IS THE SITE CONTRACTOR'S RESPONSIBILITY. CONTRACTOR IS TO USE THE SOIL ON SITE OR REMOVE IT FROM THE SITE.
9. EARTHWORK SHALL BE ON AN UNCLASSIFIED BASIS.
10. ANY FILL USED TO INCREASE THE ELEVATION OF THE FLOOR SLAB OR ANY FILL TO BE USED AS BACKFILL, SHALL BE CLEAN, GRANULAR MATERIAL. PRIOR TO THE USE OF ANY GRANULAR FILL, GRADATION ANALYSIS SHALL BE PERFORMED ON REPRESENTATIVE SAMPLES OF THE FILL MATERIAL TO DETERMINE WHETHER THE MATERIAL IS SUITABLE AS FILL. COMPACTED FILL SHALL BE PLACED IN LAYERS OF NOT MORE THAN EIGHT INCHES IN THICKNESS, AT MOISTURE CONTENTS WITHIN THREE PERCENT OPTIMUM, AND COMPACTED TO MINIMUM DENSITY OF 95 PERCENT OF THE MAXIMUM DRY DENSITY AS DETERMINED BY THE STANDARD PROCTOR METHOD, ASTM D-698.
11. ALL SPOT ELEVATIONS ARE TOP OF PAVEMENT UNLESS OTHERWISE NOTED.
12. ALL SYSTEM MANHOLES AND PIPES TO BE FLUSHED CLEAN PRIOR TO TURNING OVER TO THE OWNER.
13. ALL PIPE LENGTHS LISTED ARE BASED ON THE HORIZONTAL DISTANCE FROM CENTER OF STRUCTURE AND USED FOR DESIGN.
14. THE CONTRACTOR IS RESPONSIBLE FOR COMPARING THE STORM SEWER AND SANITARY SEWER CHARTS WITH THE PROFILES FOR THE STORM SEWER AND SANITARY SEWER LINES AND INFORMING THE ENGINEER OF ANY CONFLICTS OR DISCREPANCIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.
15. SITE SHALL BE GRADED TO THE SLOPES AND GRADES SHOWN IN THE PLANS.
16. FILLING OF THE SITE SHALL BE ACCOMPLISHED WITH CLEAN NATURAL SANDS WHICH SHALL BE COMPOSED OF HARD, DURABLE PARTICLES. THE SANDS SHALL NOT CONTAIN ANY ROOTS, CANS, DEBRIS, ETC., SHALL NOT CONTAIN MORE THAN 5% ORGANICS AND SHALL CONTAIN A MAXIMUM AMOUNT OF FINES PASSING THE 200 SIEVE OF 5%. THE FILL MATERIAL SHALL NOT CONTAIN ANY PLASTIC SOIL. THE MATERIAL SHALL COMPLY WITH THE GRADATION REQUIREMENTS OF FDOT 902-6.
17. THE FILL MATERIAL SHALL BE COMPACTED TO 95% OF ITS MAXIMUM DENSITY UNDER PAVED AREAS AND TO 90% OF ITS MAXIMUM DENSITY UNDER LANDSCAPED AREAS (AASHTO T-180). FILL MATERIAL SHALL BE COMPACTED IN MAXIMUM LIFTS OF 12 INCHES.
18. DRAINAGE PIPE WITHIN THE PROJECT SITE AND RIGHT-OF-WAY SHALL BE REINFORCED CONCRETE PIPE, A-2000 PVC DRAINAGE PIPE AS MANUFACTURED BY CONTECH, OR HDPE PIPE AND MEET ALL REQUIREMENTS OF THE CITY OF LADY LAKE, LAKE COUNTY AND/OR STATE, UNLESS NOTED OTHERWISE.
19. MANHOLES AND CATCH BASINS SHALL MEET THE MINIMUM REQUIREMENTS OF THE FLORIDA DEPARTMENT OF TRANSPORTATION. THE DRAINAGE STRUCTURES SHALL BE OF THE TYPES SPECIFIED IN THE PLANS.
20. CATCH BASIN INLETS TO BE DEPRESSED AND SURROUNDING AREA GRADED TO RIM FOR POSITIVE DRAINAGE TO INLET.

UTILITY NOTES

1. STANDARD SPECIFICATIONS AND DETAILS SHALL GOVERN ALL WATER AND SANITARY SEWER MAIN CONSTRUCTION.
2. CONTRACTOR SHALL COORDINATE ANY DISRUPTIONS TO EXISTING UTILITY SERVICES WITH ADJACENT PROPERTY OWNERS AND IS RESPONSIBLE FOR REPAIRS OF DAMAGE TO ANY EXISTING UTILITIES DURING CONSTRUCTION AT NO EXTRA COST TO THE OWNER.
3. CONTRACTOR SHALL COMPLY TO THE FULLEST EXTENT WITH THE LATEST STANDARDS OR OSHA DIRECTIVES OR ANY OTHER AGENCY HAVING JURISDICTION FOR EXCAVATION AND TRENCHING PROCEDURES. THE CONTRACTOR SHALL SUPPORT SYSTEMS, SLOPING, BENCHING AND OTHER MEANS OF PROTECTION. THIS TO INCLUDE BUT NOT LIMITED TO ACCESS AND EGRESS FROM ALL EXCAVATION AND TRENCHING. CONTRACTOR IS RESPONSIBLE TO COMPLY WITH PERFORMANCE CRITERIA FOR OSHA.
4. SEWER SERVICE LATERALS SHALL BE COORDINATED WITH BUILDING PLANS, ANY DISCREPANCIES SHOULD BE CLARIFIED BEFORE INSTALLATION. SEWER SERVICE LATERALS ARE TO BE PERMANENTLY MARKED ON THE CURB.
5. THE TOP ELEVATION OF MANHOLES CONSTRUCTED IN PAVED AREAS SHALL MATCH FINISH GRADE, AND SHALL HAVE TRAFFIC BEARING LIDS. THE TOP ELEVATION OF MANHOLES CONSTRUCTED IN GRASSED AREAS MUST MATCH FINISHED GRADE (UNLESS OTHERWISE NOTED). ALL EXISTING MANHOLES & UTILITY BOXES SHALL BE ADJUSTED AS NECESSARY TO MATCH PROPOSED GRADING.
6. ALL WATER PIPE 4" DIAMETER AND LARGER SHALL BE C900 RATED DR 14 (CLASS 200) PVC WATER PIPE WITH 150 PSI PRESSURE RATING CONFORMING TO AWWA, AND UNIBELL PLASTIC PIPE STANDARD SPECIFICATIONS. FITTINGS 4" AND LARGER SHALL BE CAST IRON OR DUCTILE IRON CONFORM WITH WWA STANDARD SPECIFICATIONS.
7. ALL WATER PIPE 3" AND SMALLER SHALL BE TYPE K COPPER OR PVC (SCH 80) PER ANSI 16.22.
8. CONTRACTOR SHALL MAINTAIN A MINIMUM OF 4' OVER ALL WATER LINES.
9. CONTRACTOR SHALL COORDINATE INSTALLATION OF WATER SERVICE WITH WATER DEPARTMENT. CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLATION, PURCHASE AND/OR FEES ASSOCIATED WITH ALL APPARATUS INCLUDING: WATER METERS, BACK FLOW PREVENTERS, POST INDICATOR VALVES, AND ENCLOSURES.
10. ALL FIRE HYDRANTS SHALL CONFORM TO LOCAL REQUIREMENTS.
11. ALL DOMESTIC WATER LEADS SHALL HAVE REDUCED PRESSURE VALVES AS DIRECTED BY THE OWNER'S ARCHITECT.
12. EXISTING UTILITIES LOCATIONS ARE APPROXIMATE AND SHOULD BE VERIFIED FOR LOCATION AND NUMBER BY THE CONTRACTOR.
13. ALL ELECTRIC, TELEPHONE AND GAS LINES, INCLUDING SERVICE LINES, ARE TO BE CONSTRUCTED IN ACCORDANCE WITH THE APPROPRIATE UTILITY COMPANIES SPECIFICATIONS.
14. CONTRACTOR TO COORDINATE INSTALLATION OF ALL UTILITIES BY OTHERS WITH HIS WORK.
15. PRIMARY ELECTRIC SERVICE IS PROVIDED BY THE POWER COMPANY. THIS INCLUDES THE TRANSFORMER AND PAD, TRENCHING, BACKFILL AND COMPACTION. CONTRACTOR IS RESPONSIBLE FOR COORDINATION AND FEES ASSOCIATED WITH POWER SERVICE AS WELL AS SECONDARY SERVICE.
16. GAS LINES ARE INDICATED FOR COORDINATION ONLY. CONTRACTOR IS RESPONSIBLE FOR COORDINATION AND FEES ASSOCIATED WITH GAS SERVICE.
17. GAS AND UNDERGROUND ELECTRIC LINES ARE SHOWN FOR COORDINATION ONLY. EXACT LOCATION WILL BE FIELD DETERMINED DURING CONSTRUCTION.
18. ANY UTILITIES NOT SHOWN THAT REQUIRE RELOCATION OR REMOVAL IS THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR IS TO REPORT ALL DISCREPANCIES TO THE ENGINEER IMMEDIATELY UPON DISCOVERY.
19. UTILITY SEPARATION REQUIREMENTS:
    THE MINIMUM HORIZONTAL AND VERTICAL SEPARATION BETWEEN POTABLE WATER AND SANITARY SEWER MAINS SHALL COMPLY WITH RULES 62-604.400 (2) (g)-(i). F.A.C. AND 62-604.400 (3). F.A.C.

    NEW OR RELOCATED, UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST SIX FEET, AND PREFERABLY TEN FEET, BETWEEN THE OUTSIDE OF THE WATER MAIN AND THE OUTSIDE OF ANY EXISTING OR PROPOSED GRAVITY- OR PRESSURE-TYPE SANITARY SEWER, WASTEWASTER FORCE MAIN, OR PIPELINE CONVEYING RECLAIMED WATER NOT REGULATED UNDER PART III OF CHAPTER 62-610, F.A.C. THE MINIMUM HORIZONTAL SEPARATION BETWEEN WATER MAINS AND GRAVITY-TYPE SANITARY SEWERS SHALL BE REDUCED TO THREE FEET WHERE THE BOTTOM OF THE WATER MAIN IS LAID AT LEAST SIX INCHES ABOVE THE TOP OF THE SEWER. NEW OR RELOCATED, UNDERGROUND WATER MAINS SHALL BE LAID TO PROVIDE A HORIZONTAL DISTANCE OF AT LEAST THREE FEET BETWEEN THE OUTSIDE OF THE WATER MAIN AND ANY EXISTING OR PROPOSED STORM SEWER, STORMWATER FORCE MAIN, OR PIPELINE CONVEYING RECLAIMED WATER REGULATED UNDER PART III OF CHAPTER 62-610, F.A.C.

    NEW OR RELOCATED, UNDERGROUND WATER MAINS CROSSING ANY EXISTING OR PROPOSED GRAVITY- OR VACUUM-TYPE SANITARY SEWER OR STORM SEWER SHALL BE LAID SO THE OUTSIDE OF THE WATER MAIN IS AT LEAST SIX INCHES, AND PREFERABLY 12 INCHES, ABOVE OR AT LEAST 12 INCHES BELOW THE OUTSIDE OF THE OTHER PIPELINE. HOWEVER, IT IS PREFERABLE TO LAY THE WATER MAIN ABOVE THE OTHER PIPELINE. NEW OR RELOCATED UNDERGROUND WATER MAINS CROSSING ANY EXISTING OR PROPOSED PRESSURE-TYPE SANITARY SEWER, WASTEWATER OR STORMWATER FORCE MAIN, OR PIPELINE CONVEYING ANY RECLAIMED WATER SHALL BE LAID SO THE OUTSIDE OF THE WATER MAIN IS AT LEAST 12 INCHES ABOVE OR BELOW THE OUTSIDE OF THE OTHER PIPELINE. HOWEVER, IT IS PREFERABLE TO LAY THE WATER MAIN ABOVE THE OTHER PIPELINE.

    AT THE UTILITY CROSSINGS DESCRIBED ABOVE, ONE FULL LENGTH OF WATER MAIN PIPE SHALL BE CENTER ABOVE OR BELOW THE OTHER PIPELINE SO THE WATER MAIN JOINTS WILL BE AS FAR AS POSSIBLE FROM THE OTHER PIPELINE. ALTERNATIVELY, AT SUCH CROSSINGS, THE PIPES SHALL BE ARRANGED SO THAT ALL WATER MAIN JOINTS ARE AT LEAST THREE FEET FROM ALL JOINTS IN VACUUM-TYPE SANITARY SEWERS, OR PIPELINES CONVEYING RECLAIMED WATER REGULATED UNDER PART III OF CHAPTER 62-610, F.A.C., AND AT LEAST SIX FEET FROM ALL JOINTS IN GRAVITY- OR PRESSURE-TYPE SANITARY SEWERS, WASTEWATER FORCE MAINS, OR PIPELINES CONVEYING RECLAIMED WATER NOT REGULATED UNDER PART III OF CHAPTER 62-610, F.A.C.
20. MINIMUM HORIZONTAL SEPARATION BETWEEN THE WATER AND SANITARY AND STORMWATER SEWER SHALL BE TEN FEET. THE MINIMUM VERTICAL SEPARATION BETWEEN THE WATER AND SEWERS SHALL BE 12 INCHES.
21. THESE PLANS AND SPECIFICATIONS ARE SCHEMATIC IN NATURE AND DO NOT SHOW ALL OF THE FITTINGS, APPURTENANCES AND INCIDENTALS NECESSARY FOR A COMPLETE AND FUNCTIONAL SYSTEM IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND THE INTENT OF THE CONTRACT DOCUMENTS. CONTRACTOR SHALL PROVIDE ALL FITTINGS, APPURTENANCES AND INCIDENTALS FOR A COMPLETE AND FUNCTIONAL SYSTEM IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND LOCAL, STATE, AND FEDERAL AGENCIES.

811
Know what's below.
Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR; NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
OVERALL PLAN & NOTES

DATE 11-19-2015

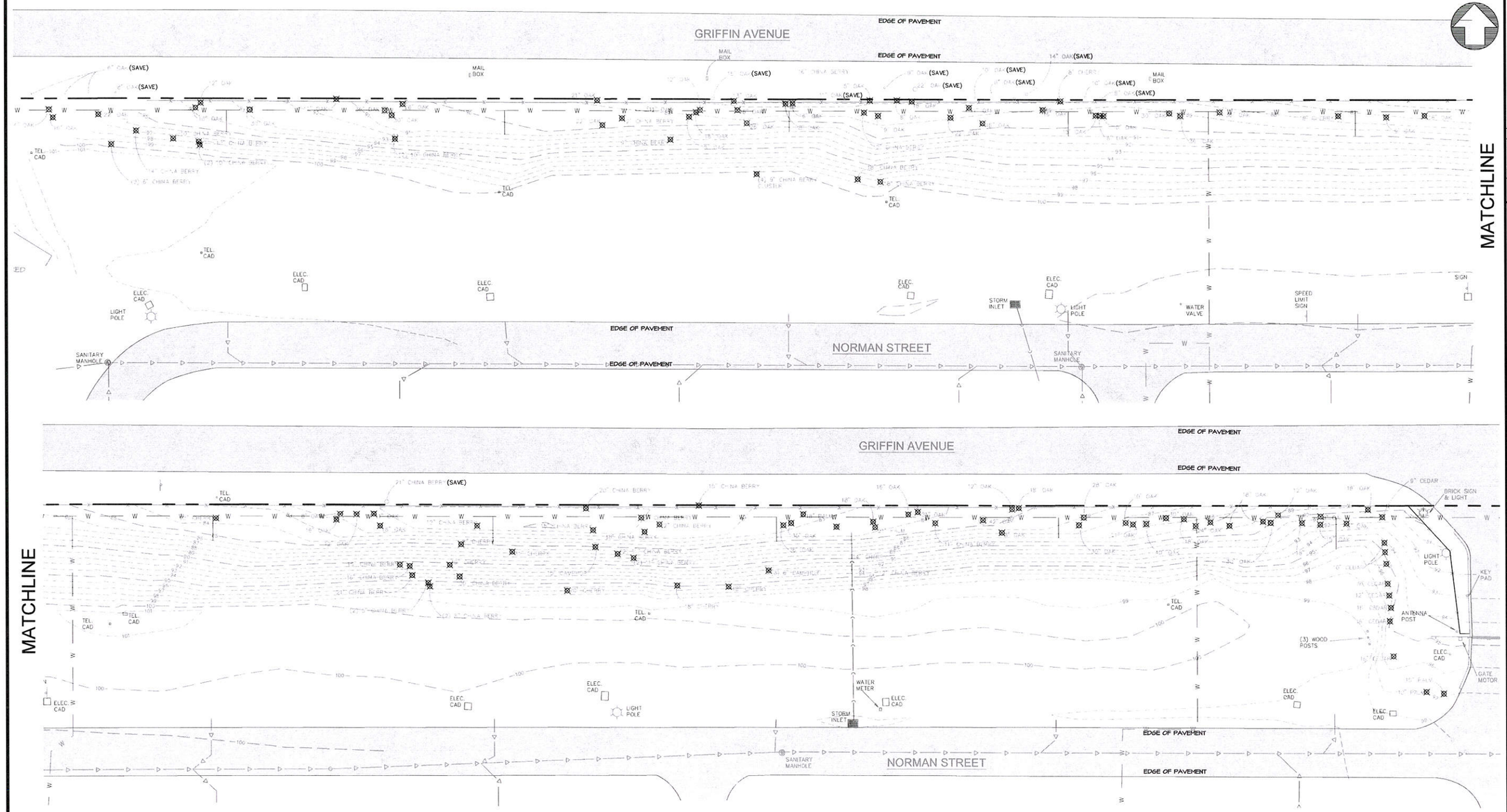
REVISIONS

DANIEL ROBERT GIBBS
LICENSE No 60088
STATE OF FLORIDA
PROFESSIONAL ENGINEER

0 150' 300'
SCALE: 1"=300'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C100

NOT ISSUED FOR CONSTRUCTION CAD FILE: 15001161-OVERALL



LEGEND

- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- TREES TO BE REMOVED

NOTES

1. WATER LINE, WATER SERVICES, AND SANITARY SERVICES ARE SHOWN FROM THE ORIGINAL DESIGN PLANS AND ARE NOT FIELD LOCATED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD LOCATE THESE LINES DURING CONSTRUCTION AND DETERMINE IF LINES/SERVICES CAN BE USED FOR THIS DESIGN OR IF NEW LINES/SERVICES NEED TO BE INSTALLED.

811 Know what's below. Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR; NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
NORMAN STREET
EXISTING CONDITIONS
PLAN

DATE 11-19-2015

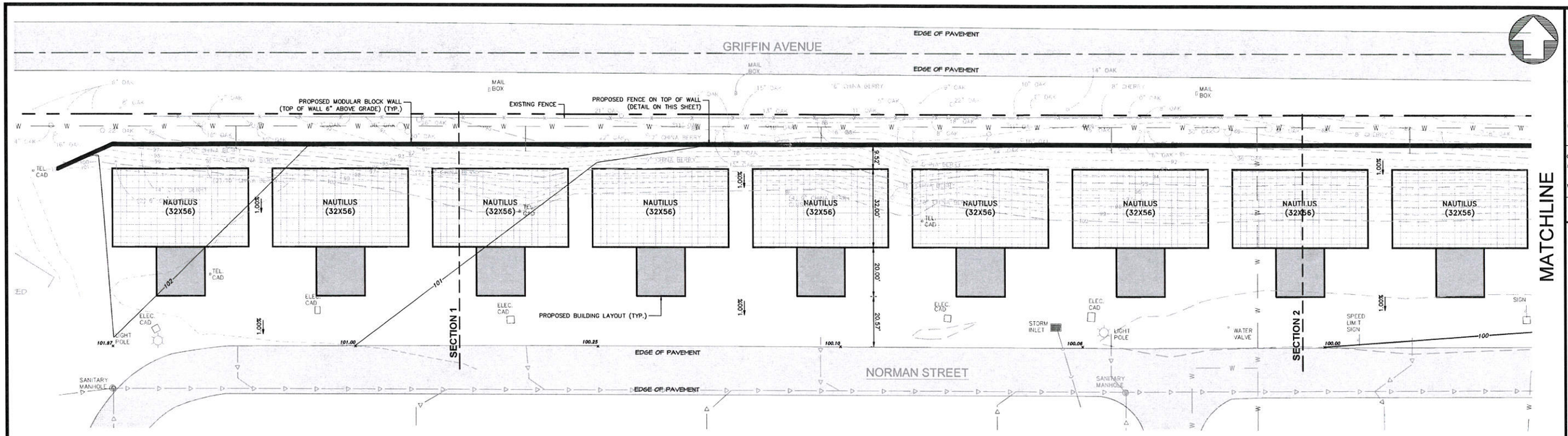
REVISIONS

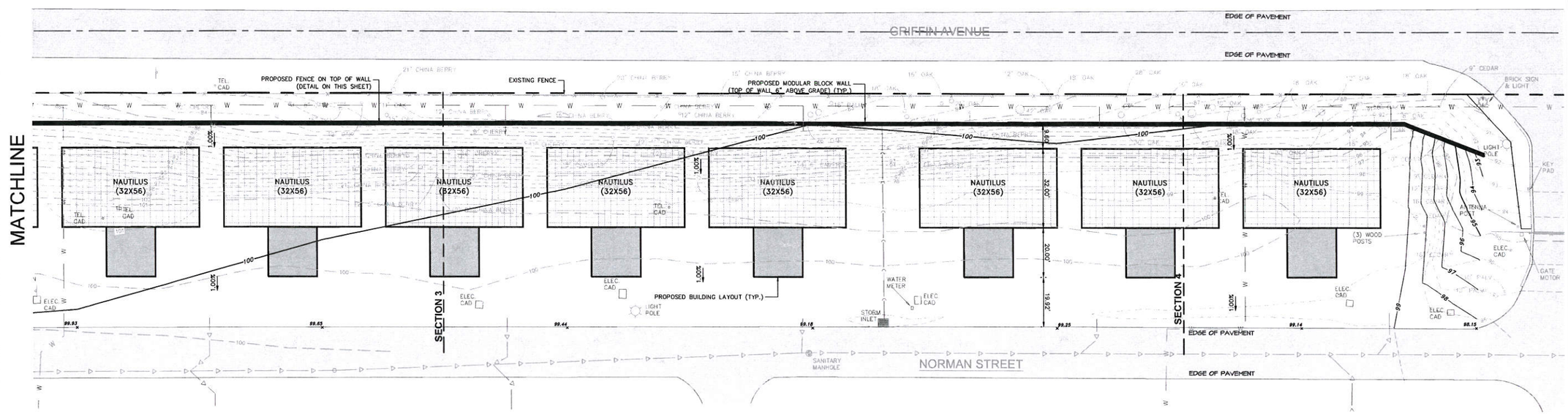
DANIEL ROBERT GIBBS
LICENSE
No 60090
STATE OF FLORIDA
PROFESSIONAL ENGINEER

0 10' 20'
SCALE: 1"=20'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C200

NOT ISSUED FOR CONSTRUCTION CAD FILE: 15001161 C10-G





Cut/Fill Summary

Name	Cut Factor	Fill Factor	2d Area	Cut	Fill	Net
EARTHWORKS 15001161	1.000	1.000	100435.2 Sq. Ft.	186.53 Cu. Yd.	8640.27 Cu. Yd.	8453.74 Cu. Yd.<Fill>
Totals			100435.2 Sq. Ft.	186.53 Cu. Yd.	8640.27 Cu. Yd.	8453.74 Cu. Yd.<Fill>

NOTES

1. TOTAL EXPOSED RETAINING WALL FACE ESTIMATED AT 15,000 SQUARE FEET AS GRAPHICALLY SHOWN. ACTUAL DESIGN MAY REQUIRE ADDITIONAL BLOCKS BELOW GRADE WHICH WILL INCREASE WALL ACTUAL TOTAL SURFACE AREA.
2. HOUSE LOCATIONS ARE SHOWN FOR GRAPHICAL PURPOSES ONLY. OWNER CAN SUBSTITUTE HOUSE SIZE, TYPE, & LOCATION AS NEEDED.

PLAN LEGEND

900	EXISTING CONTOUR
900	PROPOSED CONTOUR
×900.00M	MATCH EXISTING GRADE
→	DRAINAGE ARROW

811 Know what's below. Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR; NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
NORMAN STREET
GRADING PLAN

DATE 11-19-2015

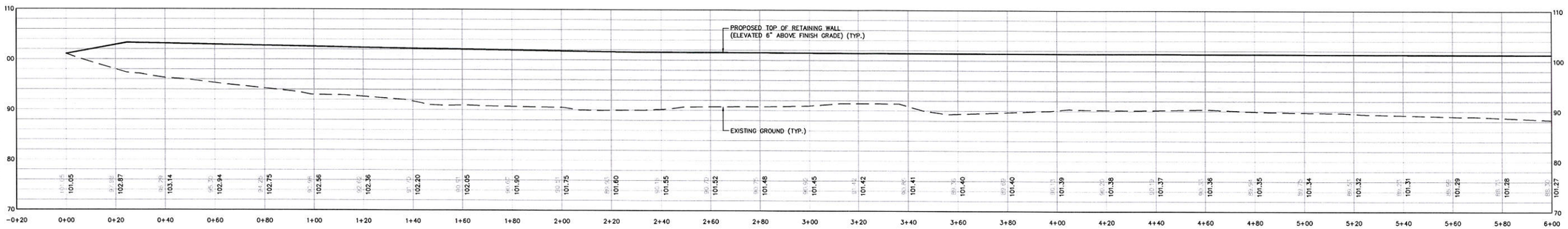
REVISIONS

DANIEL ROBERT GIBBS
LICENSE
No 60[illegible]
STATE OF FLORIDA
PROFESSIONAL ENGINEER

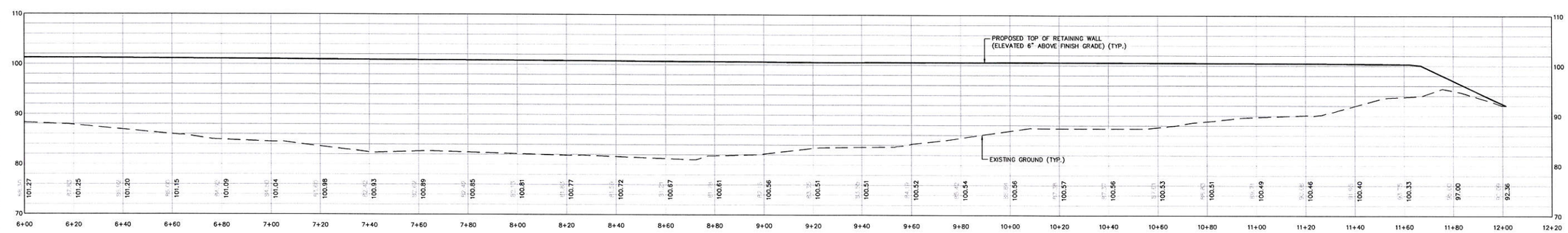
SCALE: 1"=##'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C210

NOT ISSUED FOR CONSTRUCTION CAD FILE: 15001161 CP-G



RETAINING WALL PROFILE
HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'



RETAINING WALL PROFILE
HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'

NOTES

1. WALL PROFILE SHOWN BY ATWELL IS FOR GRAPHICAL PURPOSES ONLY. ATWELL IS NOT RESPONSIBLE FOR STRUCTURAL DESIGN OF PROPOSED MODULAR BLOCK WALL. CONTRACTOR SHALL BE RESPONSIBLE FOR STRUCTURAL RETAINING WALL DESIGN AND PERMITTING.

PROFILE LEGEND

EXISTING GRADE
PROPOSED GRADE
RETAINING WALL
EXISTING GROUND ELEVATION
PROPOSED GROUND ELEVATION

811
Know what's **below.**
Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
NORMAN STREET
WALL PROFILES

DATE 11-19-2015

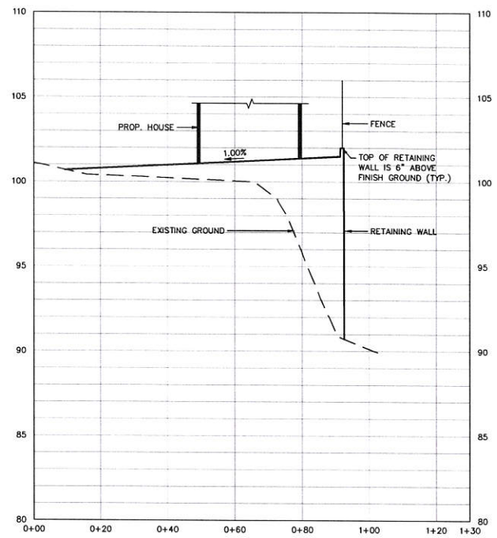
REVISIONS

DANIEL ROBERT GIBBS
LICENSE
No 60881
STATE OF FLORIDA
PROFESSIONAL ENGINEER

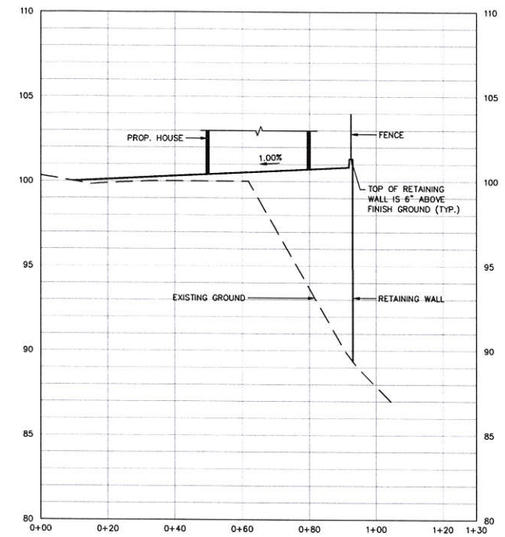
0 10' 20'
SCALE: 1"=20'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C220

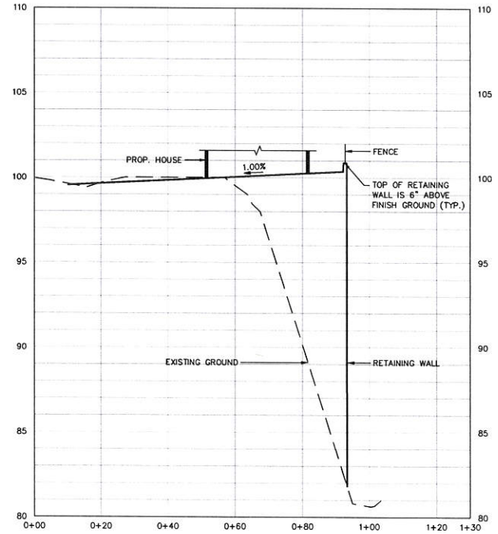
NOT ISSUED FOR CONSTRUCTION CAD FILE: 15001161 C1.0-G



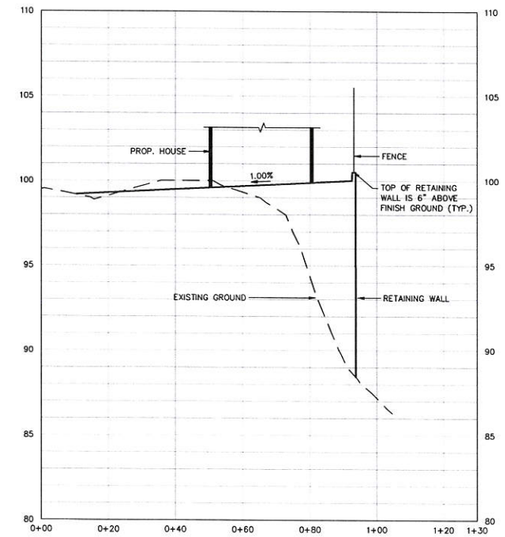
SECTION 1
1"=4' VERT.
1"=20' HORZ.



SECTION 2
1"=4' VERT.
1"=20' HORZ.



SECTION 3
1"=4' VERT.
1"=20' HORZ.



SECTION 4
1"=4' VERT.
1"=20' HORZ.

811
Know what's **below.**
Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR; NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
NORMAN STREET
WALL SECTIONS

DATE 11-19-2015

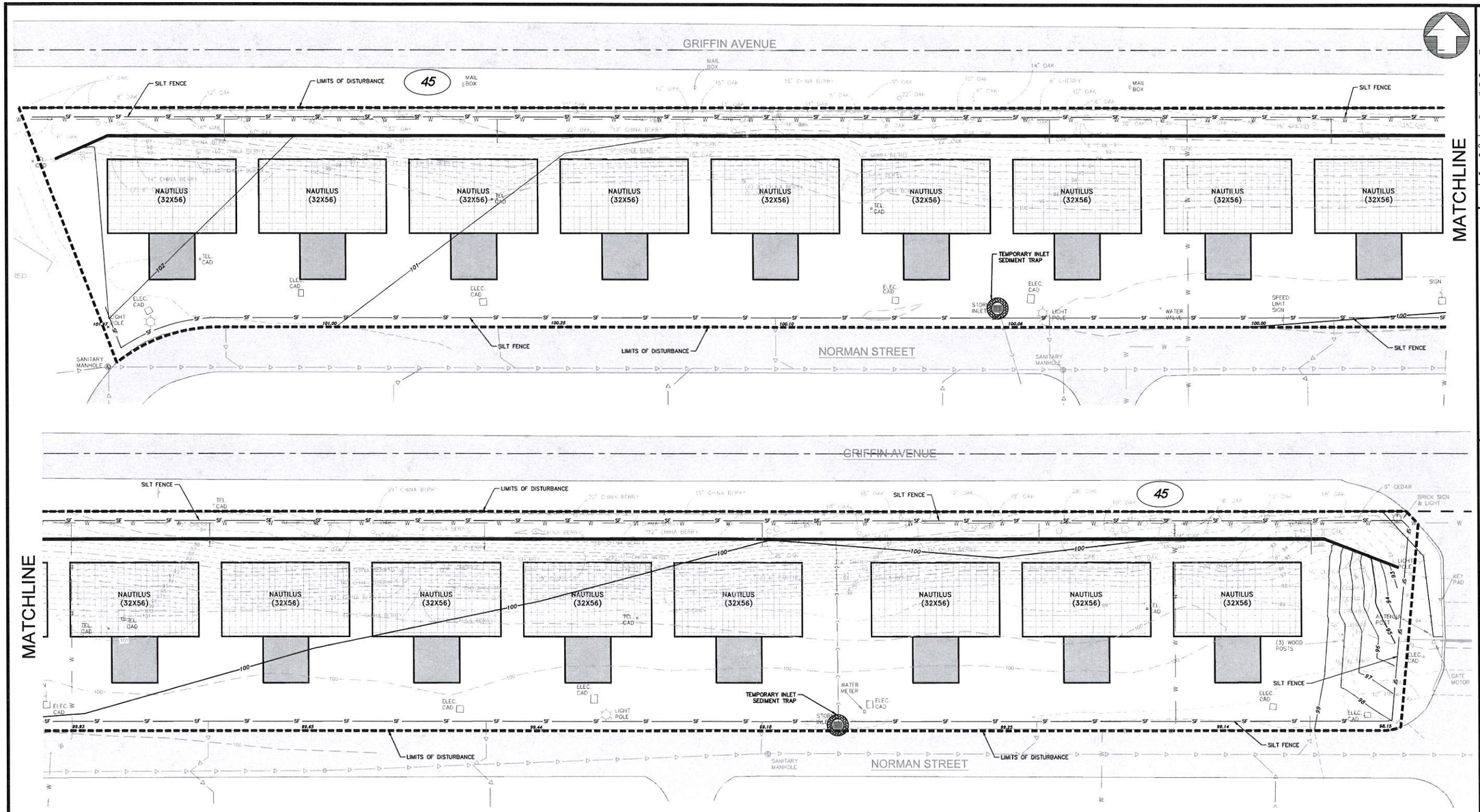
REVISIONS

DANIEL ROBERT GIBBS
LICENSE
No 60089
STATE OF FLORIDA
PROFESSIONAL ENGINEER

0 10' 20'
SCALE: 1"=20'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C230

NOT ISSUED FOR CONSTRUCTION CAD FILE: 15001161 CP-G



NOTES

1. ALL AREAS WHERE CONSTRUCTION IS TO OCCUR SHALL BE PROPERLY PROTECTED WITH EROSION CONTROL MEASURES TO PREVENT THE MIGRATION OF SOILS AND FINES OFF-SITE, OR INTO DRAINAGE DITCHES.
2. PROVIDE EROSION CONTROL MEASURES IN ACCORDANCE WITH WATER MANAGEMENT DISTRICT REQUIREMENTS. AT A MINIMUM, PROVIDE SILT CURTAINS TO PRECLUDE THE MIGRATION OF SOILS AND FINES INTO THE RIGHT OF WAY OR SURFACE WATERS.
3. ALL AREAS UNDER STRUCTURES AND PAVEMENTS SHALL BE PROOF ROLLED. ALL ORGANIC MATERIALS SHALL BE REMOVED FROM SOFT SPOTS AND BACKFILLED WITH SUITABLE MATERIALS AND COMPACTED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS.
4. RESTORE LANDSCAPING TO ORIGINAL. AT A MINIMUM ALL DISTURBED AREAS SHALL BE GRASSED WITH BAHIA SOD.
5. ALL PAVEMENT THAT NEEDS TO BE DISTURBED SHALL BE SAW CUT TO ITS FULL DEPTH PRIOR TO CONSTRUCTION. SUBSEQUENTLY, PAVEMENT SHALL BE RESTORED IN ACCORDANCE WITH THE PAVEMENT RESTORATION DETAILS, EXCEPT THAT CONCRETE DRIVEWAYS SHALL BE RESTORED TO ORIGINAL CONDITION. CONCRETE SHALL HAVE A MINIMUM THICKNESS OF 6 INCHES, A 28 DAY COMPRESSIVE STRENGTH OF 3,000 p.s.i. AND A MAXIMUM SLUMP OF 5 INCHES.
6. RESTORATION OF GRASSED AREAS WITHIN RIGHTS OF WAY SHALL BE ACCOMPLISHED BY SOLID SODDING WITH BAHIA SOD.
7. CONTRACTOR SHALL WATER ALL GRASSED AREAS AND APPLY FERTILIZERS, ETC. AS NECESSARY TO MAINTAIN THE VIABILITYOF THE GRASS UNTIL IT BECOMES ESTABLISHED.
8. THE PLANS SHOW EXISTING FEATURES TO THE GREATEST EXTENT POSSIBLE. ALL DISTURBED FEATURES ALONG THE RIGHTS OF WAY SHALL BE RESTORED WHETHER SPECIFICALLY CALLED OUT ON THE PLANS OR NOT. CONTRACTOR SHALL WALK THE SITE TO FIELD VERIFY ALL SURFACE FEATURES AND INCLUDE ALL THOSE THAT WILL BE DISTURBED BY THE CONSTRUCTION IN ITS BID.
9. PROTECT ALL INLETS, MITERED END SECTION, AND ENDWALLS (EXISTING & PROPOSED) PER FDOT INDEX 102.
10. SOIL TRACKING PREVENTION DEVICE SHOULD BE CONSTRUCTED AS PER FDOT INDEX 106 AT POINT OF EGRESS FROM UNSTABILIZED AREAS OF THE PROJECT TO ROADS WHERE OFF SITE TRACKING OF MUD COULD OCCUR.
11. CONTRACTOR SHALL DESILT ALL DRAINS, DITCHES, SWALES, AND PONDS AT COMPLETION OF CONSTRUCTION.
12. ALL DISTURBED AREAS WILL BE BROUGHT TO FINAL GRADE AND SEEDED & MULCHED OR SODDED AS SOON AS POSSIBLE.
13. EROSION, SEDIMENT, AND TURBIDITY CONTROL SHALL BE MAINTAINED AT ALL TIMES DURING AND AFTER CONSTRUCTION OF THE PROJECT. THESE CONTROLS ARE ONLY THE MINIMUM REQUIRED AND ADDITIONAL CONTROLS SHALL BE UTILIZED AS NEEDED DEPENDENT UPON ACTUAL SITE CONDITIONS AND CONSTRUCTION OPERATIONS.

SOILS LEGEND

45	TAVARES SAND

EROSION LEGEND

SEDIMENT BARRIER SILT FENCE (TYPE C)	SF
TEMPORARY INLET SEDIMENT TRAP (FILTER FABRIC)	
LIMITS OF DISTURBANCE LINE	

811 Know what's below. Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770-422-9907

SECTION 16,17,18,24
106 EVERGREEN
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
NORMAN STREET
EROSION CONTROL
PLAN

DATE 11-19-2015

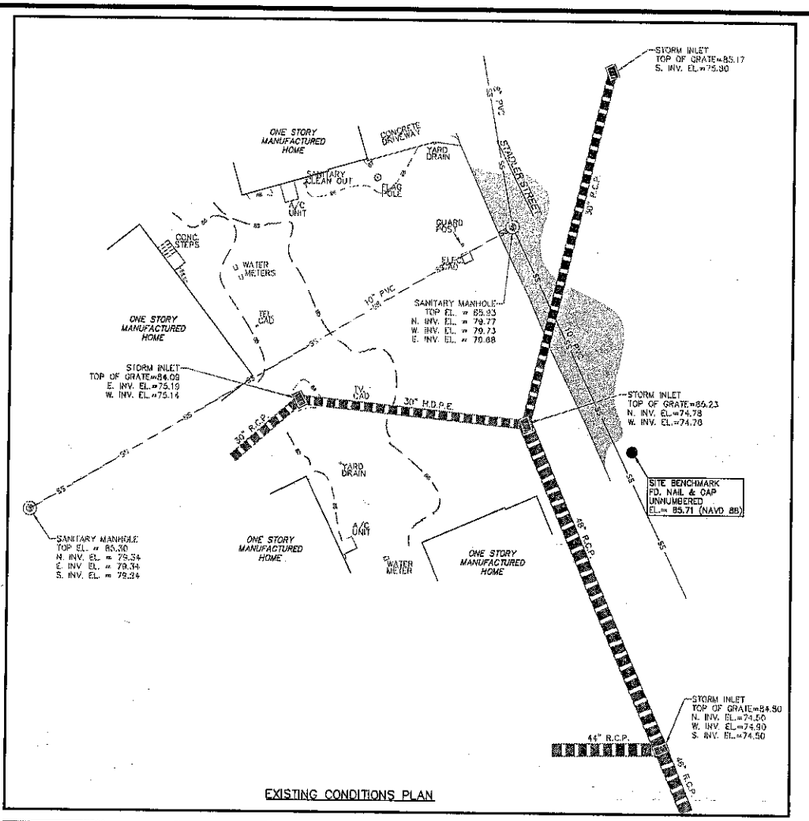
REVISIONS

DANIEL ROBERT GIBBS LICENSE No 66388 STATE OF FLORIDA PROFESSIONAL ENGINEER

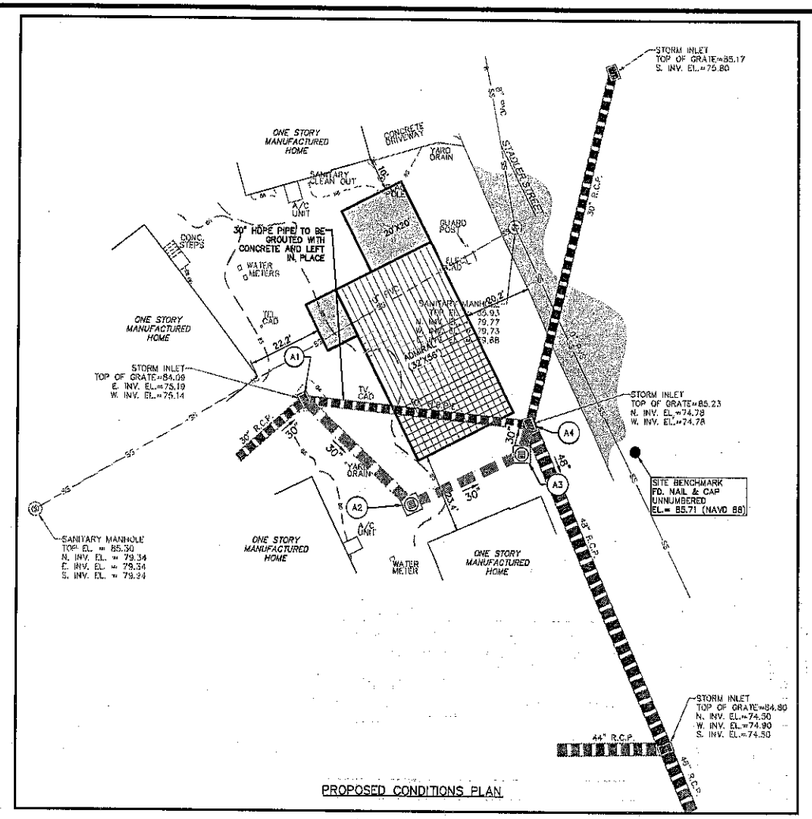
0 10' 20'
SCALE: 1"=20'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C240

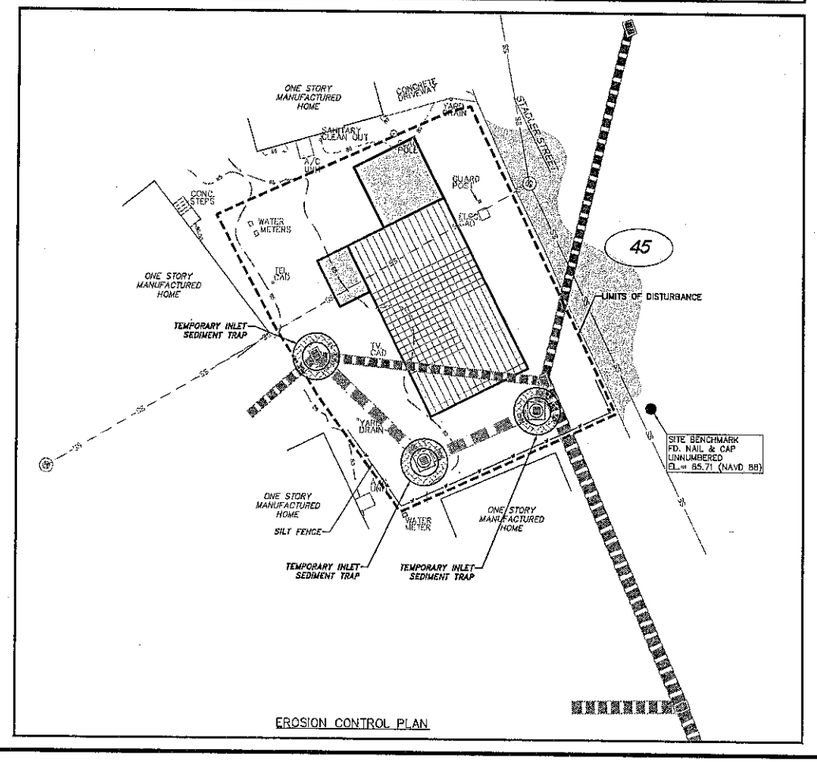
NOT ISSUED FOR CONSTRUCTION
CAD FILE: 15001161 C-5



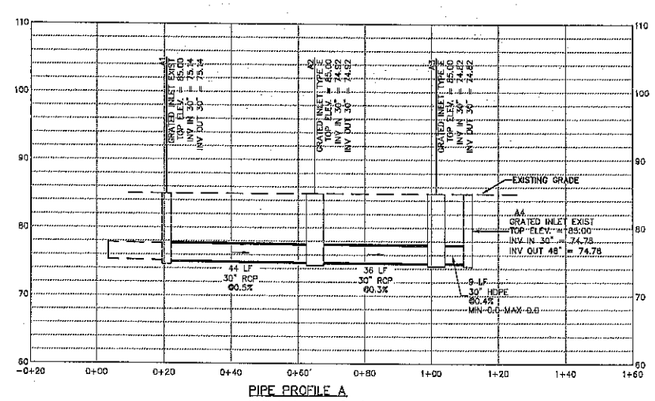
EXISTING CONDITIONS PLAN



PROPOSED CONDITIONS PLAN



EROSION CONTROL PLAN



PIPE PROFILE A

HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'

GRADING LEGEND

- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- FUTURE 1' CONTOUR
- FUTURE 5' CONTOUR
- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- FUTURE RIGHT-OF-WAY
- FUTURE SETBACK LINE
- FUTURE PROPERTY LINE
- STORM SEWER LINE
- RETAINING WALL
- GRADE BREAK LINE
- X 100.0 GRADE ELEVATION
- WINGED CONCRETE ENDWALL
- JUNCTION BOX
- PRECAST CATCH BASIN
- AREA INLET
- GRATE INLET
- DETENTION BASIN OUTFALL STRUCTURE
- NYLOPLAST DRAIN
- 1.0% SLOPE ARROW

NOTES

1. WATER LINE, WATER SERVICES, AND SANITARY SERVICES ARE SHOWN FROM THE ORIGINAL DESIGN PLANS AND ARE NOT FIELD LOCATED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD LOCATE THESE LINES DURING CONSTRUCTION AND DETERMINE IF LINES/SERVICES CAN BE USED FOR THIS DESIGN OR IF NEW LINES/SERVICES NEED TO BE INSTALLED.
2. HOUSE LOCATIONS ARE SHOWN FOR GRAPHICAL PURPOSES ONLY. OWNER CAN SUBSTITUTE HOUSE SIZE, TYPE, & LOCATION AS NEEDED.

EROSION CONTROL NOTES

1. ALL AREAS WHERE CONSTRUCTION IS TO OCCUR SHALL BE PROPERLY PROTECTED WITH EROSION CONTROL MEASURES TO PREVENT THE MIGRATION OF SOILS AND FINES OFF-SITE, OR INTO DRAINAGE DITCHES.
2. PROVIDE EROSION CONTROL MEASURES IN ACCORDANCE WITH WATER MANAGEMENT DISTRICT REQUIREMENTS. AT A MINIMUM, PROVIDE SILT CURTAINS TO PRECLUDE THE MIGRATION OF SOILS AND FINES INTO THE RIGHT OF WAY OR SURFACE WATERS.
3. ALL AREAS UNDER STRUCTURES AND PAVEMENTS SHALL BE PROOF ROLLED. ALL ORGANIC MATERIALS SHALL BE REMOVED FROM SOFT SPOTS AND BACKFILLED WITH SUITABLE MATERIALS AND COMPACTED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS.
4. RESTORE LANDSCAPING TO ORIGINAL AT A MINIMUM ALL DISTURBED AREAS SHALL BE GRASSED WITH BAHIA SOD.
5. ALL PAVEMENT THAT NEEDS TO BE DISTURBED SHALL BE SAW CUT TO ITS FULL DEPTH PRIOR TO CONSTRUCTION. SUBSEQUENTLY, PAVEMENT SHALL BE RESTORED IN ACCORDANCE WITH THE PAVEMENT RESTORATION DETAILS, EXCEPT THAT CONCRETE DRIVEWAYS SHALL BE RESTORED TO ORIGINAL CONDITION. CONCRETE SHALL HAVE A MINIMUM THICKNESS OF 6 INCHES, A 28 DAY COMPRESSIVE STRENGTH OF 3,000 p.s.i. AND A MAXIMUM SLUMP OF 5 INCHES.
6. RESTORATION OF GRASSED AREAS WITHIN RIGHTS OF WAY SHALL BE ACCOMPLISHED BY SOLID SODDING WITH BAHIA SOD.
7. CONTRACTOR SHALL WATER ALL GRASSED AREAS AND APPLY FERTILIZERS, ETC. AS NECESSARY TO MAINTAIN THE VABILITYOF THE GRASS UNTIL IT BECOMES ESTABLISHED.
8. THE PLANS SHOW EXISTING FEATURES TO THE GREATEST EXTENT POSSIBLE. ALL DISTURBED FEATURES ALONG THE RIGHTS OF WAY SHALL BE RESTORED WHETHER SPECIFICALLY CALLED OUT ON THE PLANS OR NOT. CONTRACTOR SHALL WALK THE SITE TO FIELD VERIFY ALL SURFACE FEATURES AND INCLUDE ALL THOSE THAT WILL BE DISTURBED BY THE CONSTRUCTION IN ITS BID.
9. PROTECT ALL INLETS, MITERED END SECTION, AND ENDWALLS (EXISTING & PROPOSED) PER FDOT INDEX 102.
10. SOIL TRACKING PREVENTION DEVICE SHOULD BE CONSTRUCTED AS PER FDOT INDEX 106 AT POINT OF EGRESS FROM UNSTABILIZED AREAS OF THE PROJECT TO ROADS WHERE OFF SITE TRACKING OF MUD COULD OCCUR.
11. CONTRACTOR SHALL DESILT ALL DRAINS, DITCHES, SWALES, AND PONDS AT COMPLETION OF CONSTRUCTION.
12. ALL DISTURBED AREAS WILL BE BROUGHT TO FINAL GRADE AND SEEDED & MULCHED OR SODDED AS SOON AS POSSIBLE.
13. EROSION, SEDIMENT, AND TURBIDITY CONTROL SHALL BE MAINTAINED AT ALL TIMES DURING AND AFTER CONSTRUCTION OF THE PROJECT. THESE CONTROLS ARE ONLY THE MINIMUM REQUIRED AND ADDITIONAL CONTROLS SHALL BE UTILIZED AS NEEDED DEPENDENT UPON ACTUAL SITE CONDITIONS AND CONSTRUCTION OPERATIONS.

EROSION LEGEND

SEDIMENT BARRIER SILT FENCE (TYPE C)	SF
TEMPORARY INLET SEDIMENT TRAP (FILTER FABRIC)	
LIMITS OF DISTURBANCE LINE	

SOILS LEGEND

45	TAVARES SAND

811 Know what's below. Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE CONSIDERED TO HAVE ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY BUSINESS AREA, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1600 PARKWAY PLACE, SUITE 700
ORLANDO, FL 32803
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
STADLER STREET
GRADING PLAN

DATE 11-19-2015

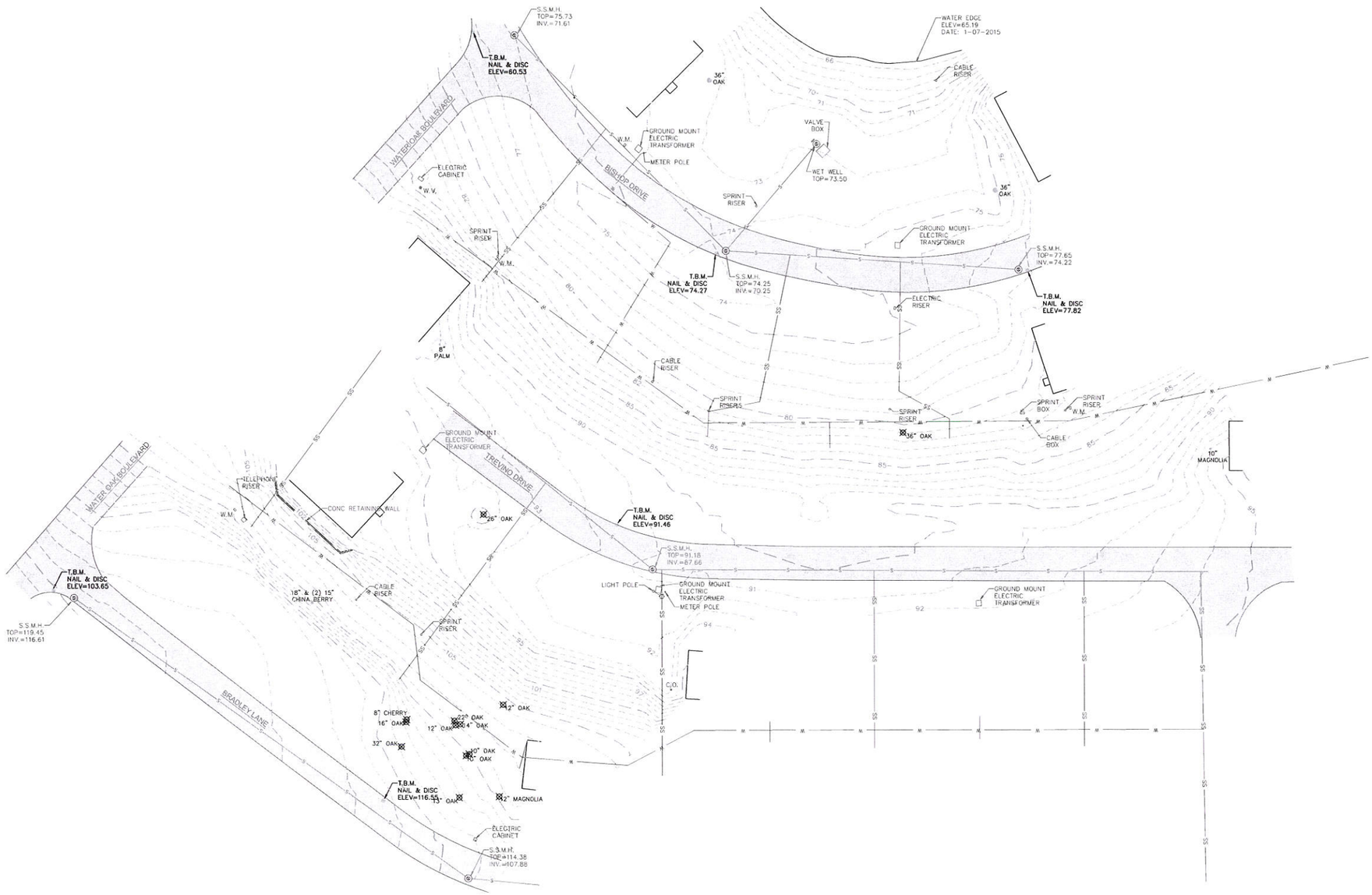
REVISIONS

DANIEL ROBERT GIBBS
LICENSE No 60088
STATE OF FLORIDA
PROFESSIONAL ENGINEER

0 10' 20'
SCALE: 1"=20'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C300

NOT ISSUED FOR CONSTRUCTION
CAD FILE: STADLER-PROJ



LEGEND

000	EXISTING 2' CONTOUR
000	EXISTING 10' CONTOUR
	EXISTING PROPERTY LINE
	EXISTING RIGHT-OF-WAY
	EXISTING SETBACK LINE
⊠	TREES TO BE REMOVED

NOTES

1. WATER LINE, WATER SERVICES, AND SANITARY SERVICES ARE SHOWN FROM THE ORIGINAL DESIGN PLANS AND ARE NOT FIELD LOCATED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD LOCATE THESE LINES DURING CONSTRUCTION AND DETERMINE IF LINES/SERVICES CAN BE USED FOR THIS DESIGN OR IF NEW LINES/SERVICES NEED TO BE INSTALLED.

811 Know what's **below.** **Call** before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR; NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
BISHOP TREVINO BRADLY
EXISTING CONDITIONS PLAN

DATE 11-19-2015

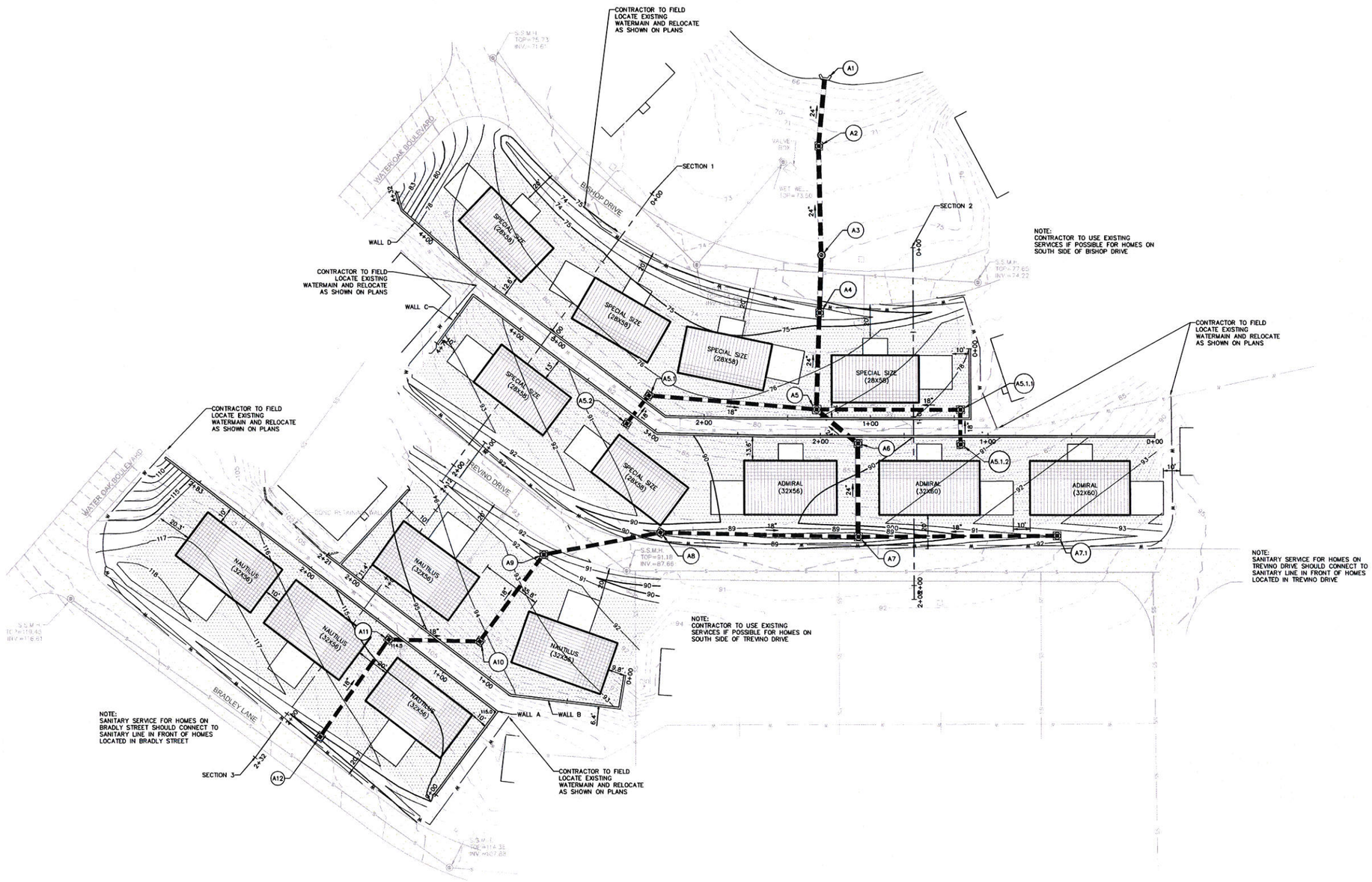
REVISIONS

DANIEL ROBERT GIBBS
LICENSE
No 60018
STATE OF FLORIDA
PROFESSIONAL ENGINEER

0 15' 30'
SCALE: 1"=30'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C400

NOT ISSUED FOR CONSTRUCTION CAD FILE: 15001161 BTB 2.0



GRADING LEGEND

- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- FUTURE 1' CONTOUR
- FUTURE 5' CONTOUR
- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- FUTURE RIGHT-OF-WAY
- FUTURE SETBACK LINE
- FUTURE PROPERTY LINE
- STORM SEWER LINE
- RETAINING WALL
- GRADE BREAK LINE
- PROPOSED WATER LINE
- X 100.0 GRADE ELEVATION
- WINGED CONCRETE ENDWALL
- JUNCTION BOX
- PRECAST CATCH BASIN
- AREA INLET
- GRATE INLET
- DETENTION BASIN OUTFALL STRUCTURE
- NYLOPLAST DRAIN
- 1.0% SLOPE ARROW
- TREES TO BE REMOVED

811 Know what's below. Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.9007

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES

WATER OAK ESTATES
CONSTRUCTION PLANS
BISHOP TREVINO BRADLY
GRADING PLAN

DATE 11-19-2015

REVISIONS

ROBERT DANIEL BASS LICENSE No. 60088 STATE OF FLORIDA PROFESSIONAL ENGINEER

0 15' 30'
SCALE: 1"=30'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB # 15001161
FILE CODE: CP
SHEET NO. C410

NOT ISSUED FOR CONSTRUCTION

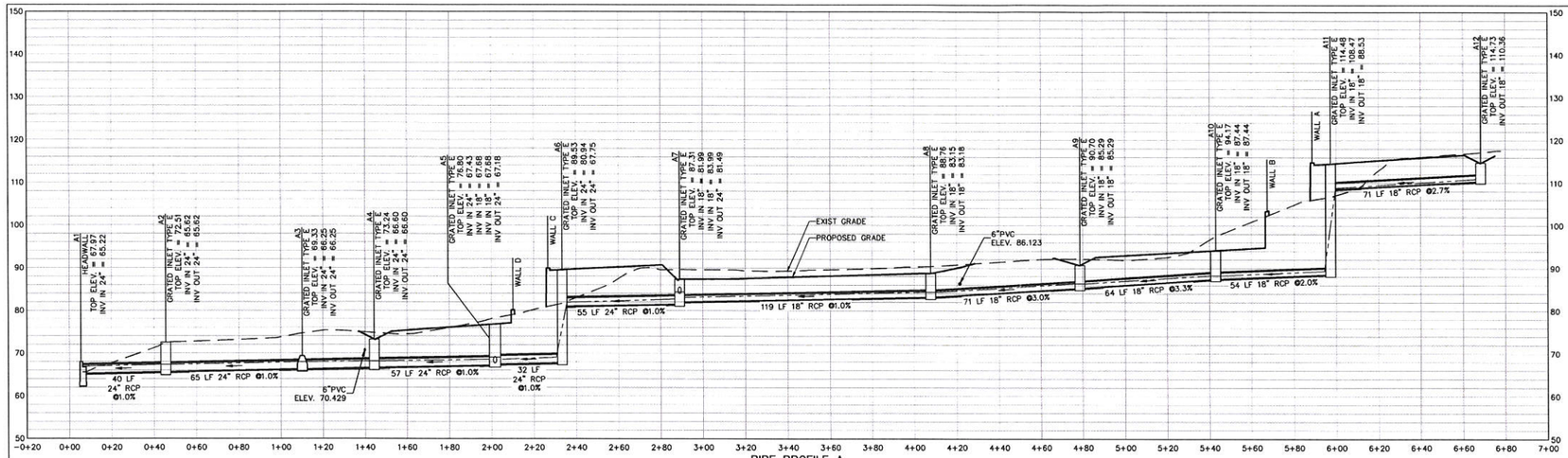
CAD FILE: 15001161 EB 2.0

Cut/Fill Summary

Name	Cut Factor	Fill Factor	2d Area	Cut	Fill	Net
CUT-FILL	1.000	1.000	94626.60 Sq. Ft.	2582.83 Cu. Yd.	5319.18 Cu. Yd.	2736.35 Cu. Yd.<Fill>
Totals			94626.60 Sq. Ft.	2582.83 Cu. Yd.	5319.18 Cu. Yd.	2736.35 Cu. Yd.<Fill>

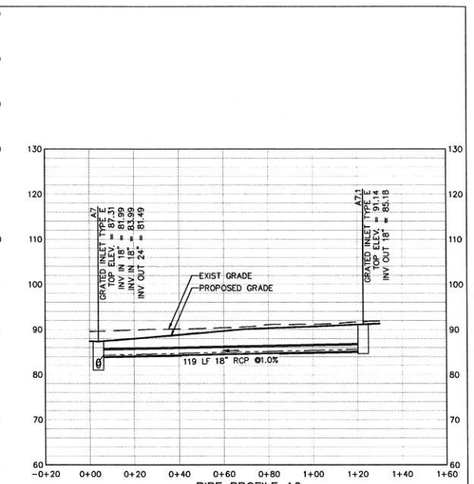
NOTES

1. TOTAL EXPOSED RETAINING WALL FACE ESTIMATED AT 9,616 SQUARE FEET AS GRAPHICALLY SHOWN. ACTUAL DESIGN MAY REQUIRE ADDITIONAL BLOCKS BELOW GRADE WHICH WILL INCREASE WALL ACTUAL TOTAL SURFACE AREA.
2. HOUSE LOCATIONS ARE SHOWN FOR GRAPHICAL PURPOSES ONLY. OWNER CAN SUBSTITUTE HOUSE SIZE, TYPE, & LOCATION AS NEEDED.
3. FOR STORM STRUCTURES AND HEADWALL DETAILS REFER TO FDOT SPECIFICATIONS. 201, 232 TYPE E & 261



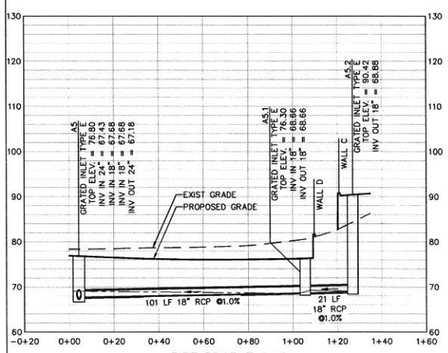
PIPE PROFILE A

HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'



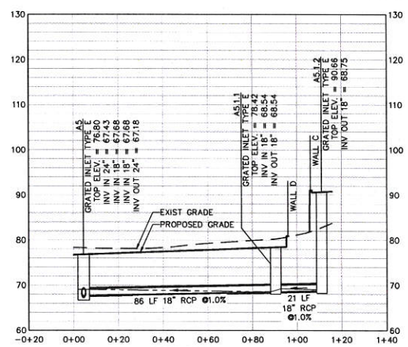
PIPE PROFILE A6

HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'



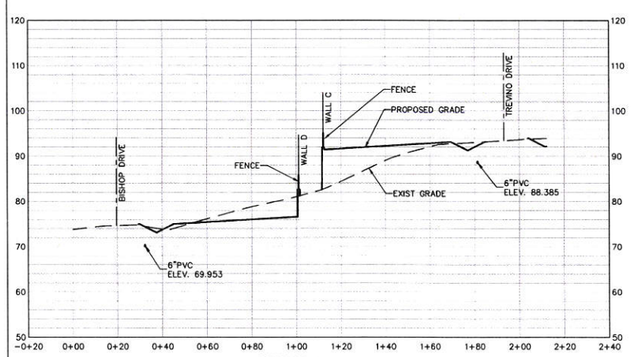
PIPE PROFILE A4.1

HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'



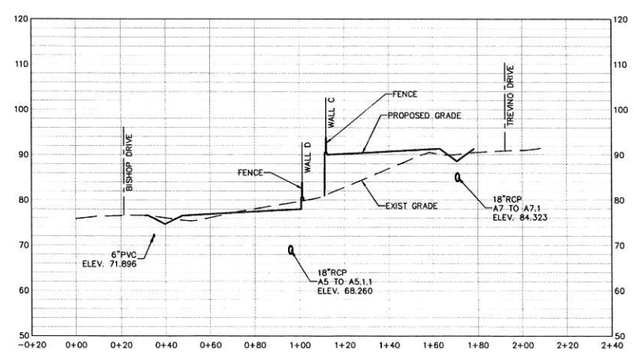
PIPE PROFILE A4.1.1

HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'



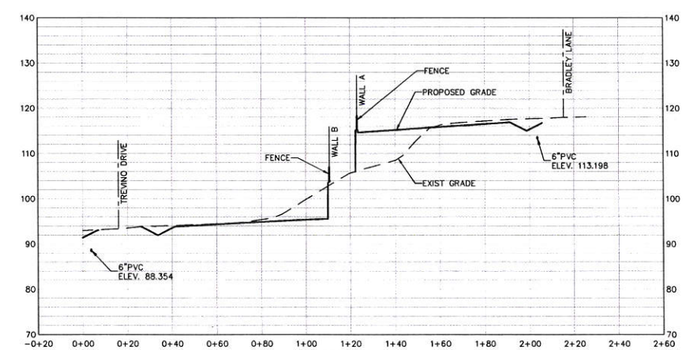
SECTION 1

HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'



SECTION 2

HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'



SECTION 3

HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'

811 Know what's below. Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770-423-0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
BISHOP TREVINO BRADLY
PIPE PROFILES & SECTIONS

DATE 11-19-2015

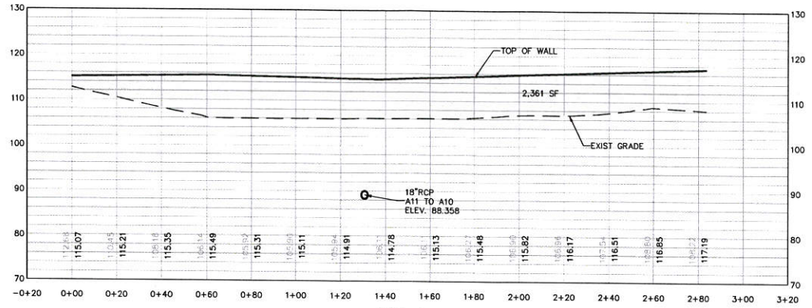
REVISIONS

DANIEL ROBERT GIBBS
LICENSE No 67588
STATE OF FLORIDA
PROFESSIONAL ENGINEER

SCALE: 1"=30'

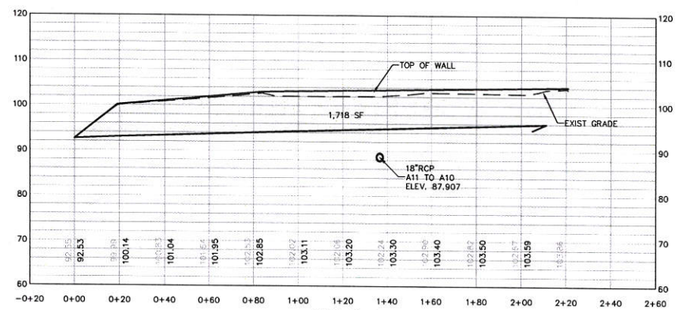
DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C420

NOT ISSUED FOR CONSTRUCTION
CAD FILE: 15001161 Rev 2.0



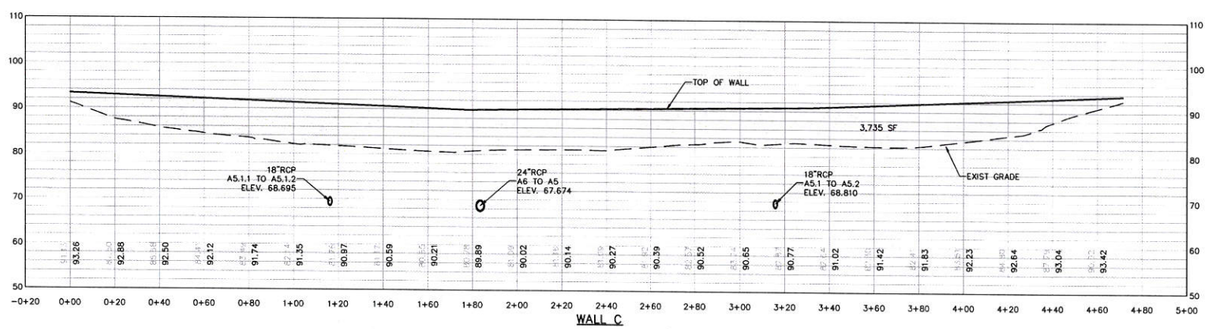
WALL A

HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'



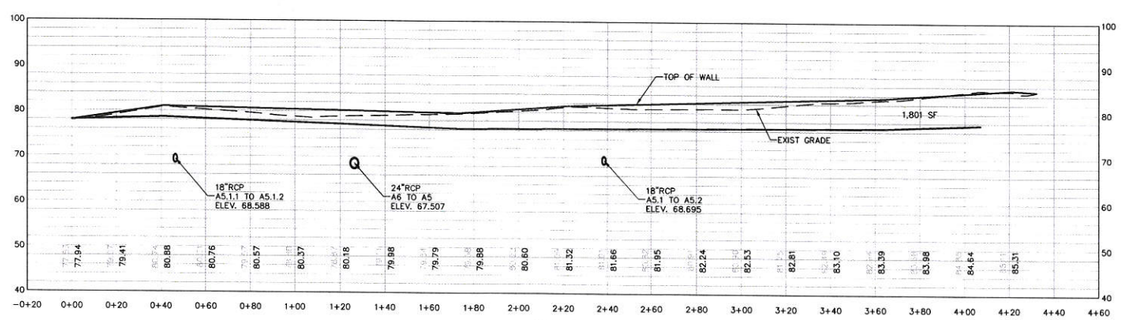
WALL B

HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'



WALL C

HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'



WALL D

HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=10'

811 Know what's **below.** **Call** before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR; NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES

WATER OAK ESTATES
CONSTRUCTION PLANS
BISHOP TREVINO BRADLY
WALL PROFILES

DATE 11-19-2015

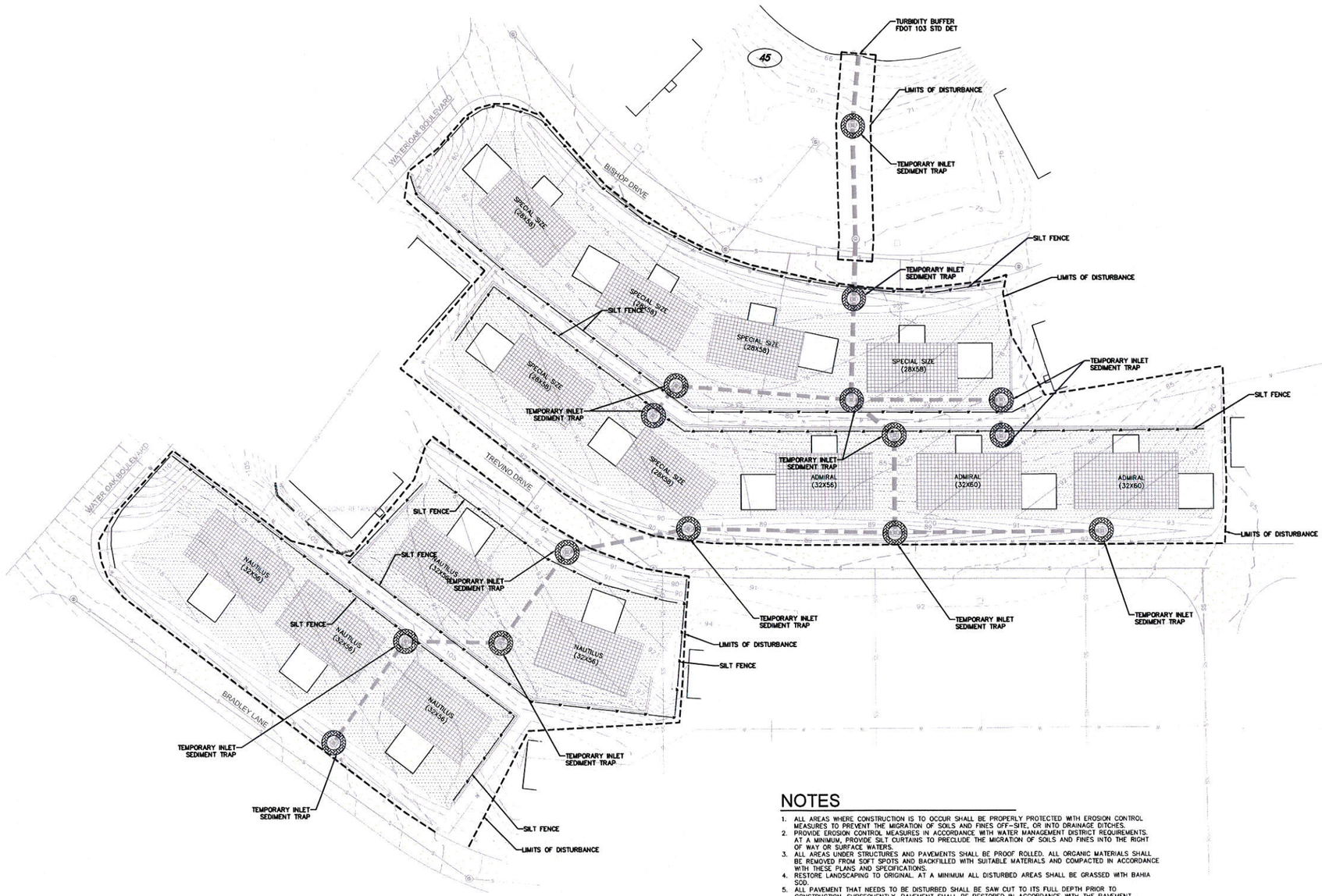
REVISIONS

DANIEL ROBERT GIBBS
LICENSE No 66088
STATE OF FLORIDA
PROFESSIONAL ENGINEER

0 15' 30'
SCALE: 1"=30'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C430

NOT ISSUED FOR CONSTRUCTION
CAD FILE: 15001161 SHEET 2.0



NOTES

1. ALL AREAS WHERE CONSTRUCTION IS TO OCCUR SHALL BE PROPERLY PROTECTED WITH EROSION CONTROL MEASURES TO PREVENT THE MIGRATION OF SOILS AND FINES OFF-SITE, OR INTO DRAINAGE DITCHES.
2. PROVIDE EROSION CONTROL MEASURES IN ACCORDANCE WITH WATER MANAGEMENT DISTRICT REQUIREMENTS. AT A MINIMUM, PROVIDE SILT CURTAINS TO PRECLUDE THE MIGRATION OF SOILS AND FINES INTO THE RIGHT OF WAY OR SURFACE WATERS.
3. ALL AREAS UNDER STRUCTURES AND PAVEMENTS SHALL BE PROOF ROLLED. ALL ORGANIC MATERIALS SHALL BE REMOVED FROM SOFT SPOTS AND BACKFILLED WITH SUITABLE MATERIALS AND COMPACTED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS.
4. RESTORE LANDSCAPING TO ORIGINAL. AT A MINIMUM ALL DISTURBED AREAS SHALL BE GRASSED WITH BAHIA SOD.
5. ALL PAVEMENT THAT NEEDS TO BE DISTURBED SHALL BE SAW CUT TO ITS FULL DEPTH PRIOR TO CONSTRUCTION. SUBSEQUENTLY, PAVEMENT SHALL BE RESTORED IN ACCORDANCE WITH THE PAVEMENT RESTORATION DETAILS, EXCEPT THAT CONCRETE DRIVEWAYS SHALL BE RESTORED TO ORIGINAL CONDITION. CONCRETE SHALL HAVE A MINIMUM THICKNESS OF 6 INCHES, A 28 DAY COMPRESSIVE STRENGTH OF 3,000 p.s.i. AND A MAXIMUM SLUMP OF 5 INCHES.
6. RESTORATION OF GRASSED AREAS WITHIN RIGHTS OF WAY SHALL BE ACCOMPLISHED BY SOLID SODDING WITH BAHIA SOD.
7. CONTRACTOR SHALL WATER ALL GRASSED AREAS AND APPLY FERTILIZERS, ETC. AS NECESSARY TO MAINTAIN THE VIABILITYOF THE GRASS UNTIL IT BECOMES ESTABLISHED.
8. THE PLANS SHOW EXISTING FEATURES TO THE GREATEST EXTENT POSSIBLE. ALL DISTURBED FEATURES ALONG THE RIGHTS OF WAY SHALL BE RESTORED WHETHER SPECIFICALLY CALLED OUT ON THE PLANS OR NOT. CONTRACTOR SHALL WALK THE SITE TO FIELD VERIFY ALL SURFACE FEATURES AND INCLUDE ALL THOSE THAT WILL BE DISTURBED BY THE CONSTRUCTION IN ITS BID.
9. PROTECT ALL INLETS, MITERED END SECTION, AND ENDWALLS (EXISTING & PROPOSED) PER FDOT INDEX 102.
10. SOIL TRACKING PREVENTION DEVICE SHOULD BE CONSTRUCTED AS PER FDOT INDEX 106 AT POINT OF EGRESS FROM UNSTABILIZED AREAS OF THE PROJECT TO ROADS WHERE OFF SITE TRACKING OF MUD COULD OCCUR.
11. CONTRACTOR SHALL DESILT ALL DRAINS, DITCHES, SWALES, AND PONDS AT COMPLETION OF CONSTRUCTION.
12. ALL DISTURBED AREAS WILL BE BROUGHT TO FINAL GRADE AND SEEDED & MULCHED OR SODDED AS SOON AS POSSIBLE.
13. EROSION, SEDIMENT, AND TURBIDITY CONTROL SHALL BE MAINTAINED AT ALL TIMES DURING AND AFTER CONSTRUCTION OF THE PROJECT. THESE CONTROLS ARE ONLY THE MINIMUM REQUIRED AND ADDITIONAL CONTROLS SHALL BE UTILIZED AS NEEDED DEPENDENT UPON ACTUAL SITE CONDITIONS AND CONSTRUCTION OPERATIONS.

SOILS LEGEND

45	TAVARES SAND

EROSION LEGEND

SEDIMENT BARRIER SILT FENCE (TYPE C)	SF
TEMPORARY INLET SEDIMENT TRAP (FILTER FABRIC)	
LIMITS OF DISTURBANCE LINE	

811 Know what's below. Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770-421-0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
BISHOP, TREVINO, BRADLY
EROSION CONTROL PLAN

DATE 11-19-2015

REVISIONS

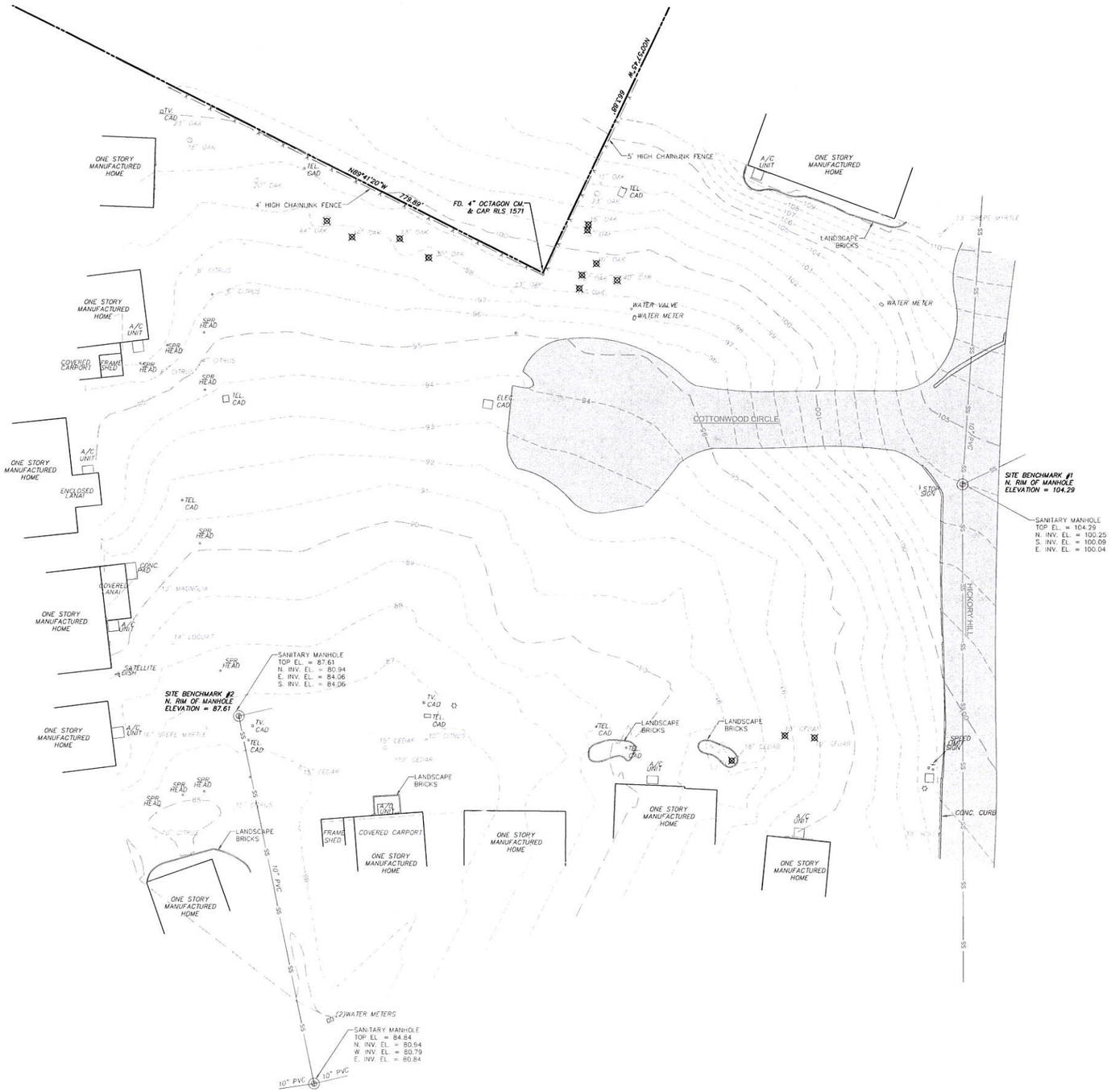
DANIEL ROBERT BOLL LICENSE No 60088 STATE OF FLORIDA PROFESSIONAL ENGINEER

0 15' 30'
SCALE: 1"=30'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C440

NOT ISSUED FOR CONSTRUCTION

CAD FILE: 1500161 CB 2.0



LEGEND

- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- TREES TO BE REMOVED

NOTES

1. WATER LINE, WATER SERVICES, AND SANITARY SERVICES ARE SHOWN FROM THE ORIGINAL DESIGN PLANS AND ARE NOT FIELD LOCATED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FIELD LOCATE THESE LINES DURING CONSTRUCTION AND DETERMINE IF LINES/SERVICES CAN BE USED FOR THIS DESIGN OR IF NEW LINES/SERVICES NEED TO BE INSTALLED.

811 Know what's below. Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
COTTONWOOD CIRCLE
EXISTING CONDITIONS

DATE 11-19-2015

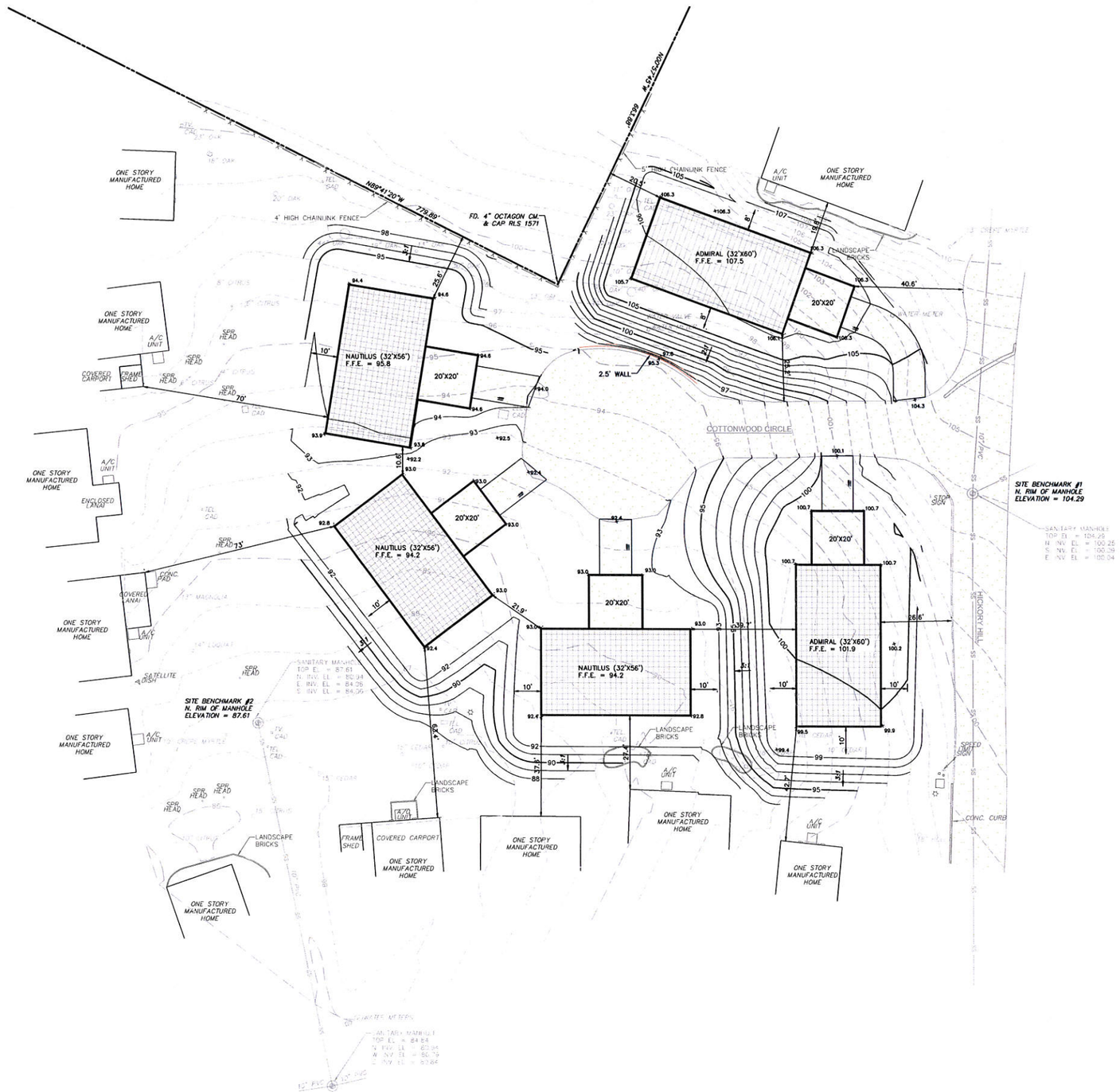
REVISIONS

DANIEL ROBERT GIBBS LICENSE No 60018 STATE OF FLORIDA PROFESSIONAL ENGINEER

0 10' 20'
SCALE: 1"=20'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C500

NOT ISSUED FOR CONSTRUCTION
CAD FILE: COTTONWOOD-PRIM



GRADING LEGEND

- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- FUTURE 1' CONTOUR
- FUTURE 5' CONTOUR
- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- FUTURE RIGHT-OF-WAY
- FUTURE SETBACK LINE
- FUTURE PROPERTY LINE
- STORM SEWER LINE
- RETAINING WALL
- HP/LP GRADE BREAK LINE
- X 100.0 GRADE ELEVATION
- WINGED CONCRETE ENDWALL
- JUNCTION BOX
- PRECAST CATCH BASIN
- AREA INLET
- GRATE INLET
- DETENTION BASIN OUTFALL STRUCTURE
- NYLOPLAST DRAIN
- 1.0% SLOPE ARROW

811 Know what's **below.** **Call** before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

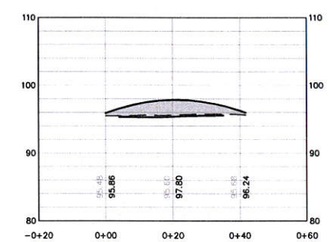
ATWELL
856.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
COTTONWOOD CIRCLE
GRADING PLAN

DATE 11-19-2015

REVISIONS



RETAINING WALL PROFILE
1"=10' VERT.
1"=20' HORZ.

Cut/Fill Summary

Name	Cut Factor	Fill Factor	2d Area	Cut	Fill	Net
Surface01	1.000	1.000	39487.13 Sq. Ft.	207.93 Cu. Yd.	3794.63 Cu. Yd.	3586.71 Cu. Yd.<Fill>
Totals			39487.13 Sq. Ft.	207.93 Cu. Yd.	3794.63 Cu. Yd.	3586.71 Cu. Yd.<Fill>

NOTES

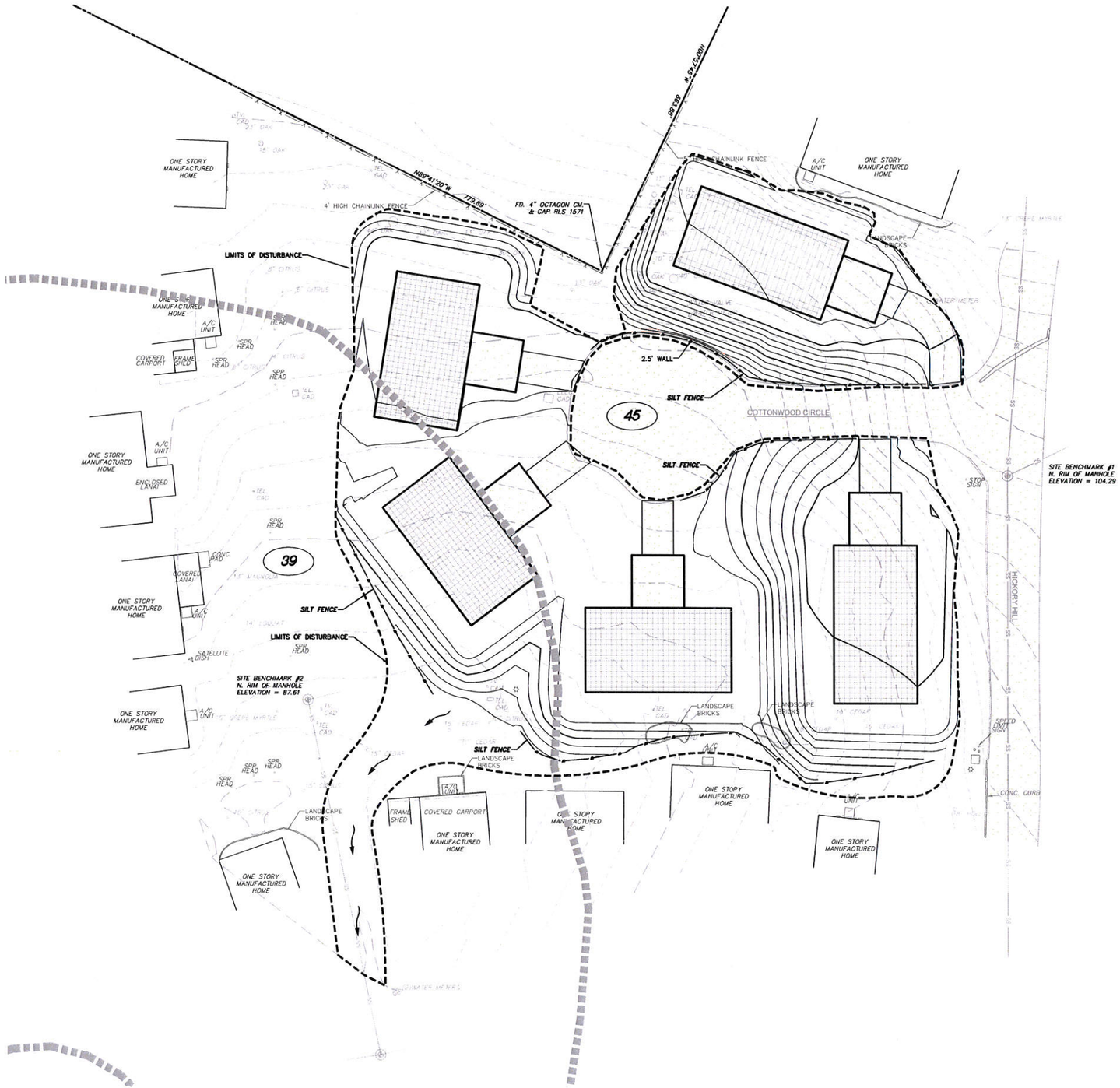
1. HOUSE LOCATIONS ARE SHOWN FOR GRAPHICAL PURPOSES ONLY. OWNER CAN SUBSTITUTE HOUSE SIZE, TYPE, & LOCATION AS NEEDED.
2. TOTAL EXPOSED RETAINING WALL FACE ESTIMATED AT 150 SQUARE FEET AS GRAPHICALLY SHOWN. ACTUAL DESIGN MAY REQUIRE ADDITIONAL BLOCKS BELOW GRADE WHICH WILL INCREASE WALL ACTUAL TOTAL SURFACE AREA.
3. GRADING IS SUBJECT TO CHANGE TO ACCOMMODATE FOR HOUSE TYPE, SIZE, AND LOCATION.

REGISTERED PROFESSIONAL ENGINEER DANIEL ROBERT GIBBS LICENSE No 64980 STATE OF FLORIDA

0 10' 20'
SCALE: 1"=20'

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C510

NOT ISSUED FOR CONSTRUCTION
CAD FILE: COTTONWOOD-PROJ



GRADING LEGEND

- 000 — EXISTING 2' CONTOUR
- 000 — EXISTING 10' CONTOUR
- 000 — FUTURE 1' CONTOUR
- 000 — FUTURE 5' CONTOUR
- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- EXISTING SETBACK LINE
- FUTURE RIGHT-OF-WAY
- FUTURE SETBACK LINE
- FUTURE PROPERTY LINE
- STORM SEWER LINE
- RETAINING WALL
- HP/LP — GRADE BREAK LINE
- X 100.0 — GRADE ELEVATION
- WINGED CONCRETE ENDWALL
- JUNCTION BOX
- PRECAST CATCH BASIN
- AREA INLET
- GRATE INLET
- DETENTION BASIN OUTFALL STRUCTURE
- NYLOPLAST DRAIN
- 1.0% — SLOPE ARROW

NOTES

1. DRAINAGE IS CRITICAL IN THIS AREA. CONTRACTOR TO TAKE CAUTION TO PROTECT ADJACENT HOMES FROM CONSTRUCTION RUNOFF. ANY PROBLEMS OR QUESTIONS SHOULD BE DIRECTED TO THE OWNER OR ENGINEER IMMEDIATELY TO DETERMINE A SOLUTION.

EROSION CONTROL NOTES

1. ALL AREAS WHERE CONSTRUCTION IS TO OCCUR SHALL BE PROPERLY PROTECTED WITH EROSION CONTROL MEASURES TO PREVENT THE MIGRATION OF SOILS AND FINES OFF-SITE, OR INTO DRAINAGE DITCHES.
2. PROVIDE EROSION CONTROL MEASURES IN ACCORDANCE WITH WATER MANAGEMENT DISTRICT REQUIREMENTS. AT A MINIMUM, PROVIDE SILT CURTAINS TO PRECLUDE THE MIGRATION OF SOILS AND FINES INTO THE RIGHT OF WAY OR SURFACE WATERS.
3. ALL AREAS UNDER STRUCTURES AND PAVEMENTS SHALL BE PROOF ROLLED. ALL ORGANIC MATERIALS SHALL BE REMOVED FROM SOFT SPOTS AND BACKFILLED WITH SUITABLE MATERIALS AND COMPACTED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS.
4. RESTORE LANDSCAPING TO ORIGINAL. AT A MINIMUM ALL DISTURBED AREAS SHALL BE GRASSED WITH BAHIA SOD.
5. ALL PAVEMENT THAT NEEDS TO BE DISTURBED SHALL BE SAW CUT TO ITS FULL DEPTH PRIOR TO CONSTRUCTION. SUBSEQUENTLY, PAVEMENT SHALL BE RESTORED IN ACCORDANCE WITH THE PAVEMENT RESTORATION DETAILS, EXCEPT THAT CONCRETE DRIVEWAYS SHALL BE RESTORED TO ORIGINAL CONDITION. CONCRETE SHALL HAVE A MINIMUM THICKNESS OF 6 INCHES, A 28 DAY COMPRESSIVE STRENGTH OF 3,000 p.s.i. AND A MAXIMUM SLUMP OF 5 INCHES.
6. RESTORATION OF GRASSED AREAS WITHIN RIGHTS OF WAY SHALL BE ACCOMPLISHED BY SOLID SODDING WITH BAHIA SOD.
7. CONTRACTOR SHALL WATER ALL GRASSED AREAS AND APPLY FERTILIZERS, ETC. AS NECESSARY TO MAINTAIN THE VIABILITYOF THE GRASS UNTIL IT BECOMES ESTABLISHED.
8. THE PLANS SHOW EXISTING FEATURES TO THE GREATEST EXTENT POSSIBLE. ALL DISTURBED FEATURES ALONG THE RIGHTS OF WAY SHALL BE RESTORED WHETHER SPECIFICALLY CALLED OUT ON THE PLANS OR NOT. CONTRACTOR SHALL WALK THE SITE TO FIELD VERIFY ALL SURFACE FEATURES AND INCLUDE ALL THOSE THAT WILL BE DISTURBED BY THE CONSTRUCTION IN ITS BID.
9. PROTECT ALL INLETS, MITERED END SECTION, AND ENDWALLS (EXISTING & PROPOSED) PER FDOT INDEX 102.
10. SOIL TRACKING PREVENTION DEVICE SHOULD BE CONSTRUCTED AS PER FDOT INDEX 106 AT POINT OF EGRESS FROM UNSTABILIZED AREAS OF THE PROJECT TO ROADS WHERE OFF SITE TRACKING OF MUD COULD OCCUR.
11. CONTRACTOR SHALL DESILT ALL DRAINS, DITCHES, SWALES, AND PONDS AT COMPLETION OF CONSTRUCTION.
12. ALL DISTURBED AREAS WILL BE BROUGHT TO FINAL GRADE AND SEEDED & MULCHED OR SODDED AS SOON AS POSSIBLE.
13. EROSION, SEDIMENT, AND TURBIDITY CONTROL SHALL BE MAINTAINED AT ALL TIMES DURING AND AFTER CONSTRUCTION OF THE PROJECT. THESE CONTROLS ARE ONLY THE MINIMUM REQUIRED AND ADDITIONAL CONTROLS SHALL BE UTILIZED AS NEEDED DEPENDENT UPON ACTUAL SITE CONDITIONS AND CONSTRUCTION OPERATIONS.

EROSION LEGEND

SEDIMENT BARRIER SILT FENCE (TYPE C)	SF
TEMPORARY INLET SEDIMENT TRAP (FILTER FABRIC)	
LIMITS OF DISTURBANCE LINE	

SOILS LEGEND

39	SEFFNER SAND
45	TAVARES SAND

811 Know what's **below.** **Call** before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
856.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
COTTONWOOD CIRCLE
EROSION CONTROL PLAN

DATE 11-19-2015

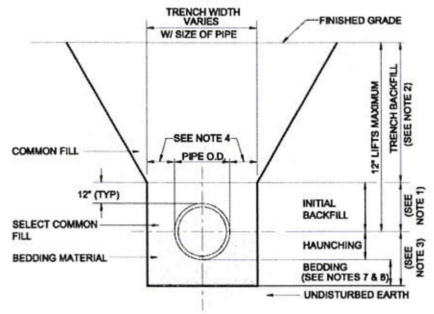
REVISIONS

DANIEL ROBERT GIBBS
LICENSE
No 68088
STATE OF FLORIDA
PROFESSIONAL ENGINEER

0 10' 20'
SCALE: 1"=20'

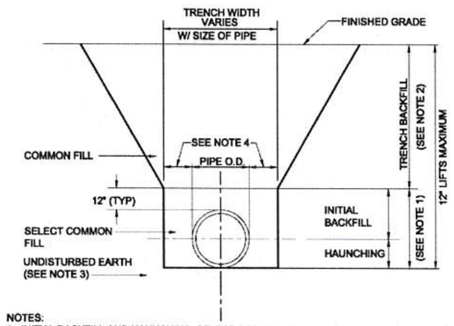
DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C540

NOT ISSUED FOR CONSTRUCTION CAD FILE: COTTONWOOD-PROJ



NOTES:
1. INITIAL BACKFILL: SELECT COMMON FILL COMPACTED TO 95% OF THE MAXIMUM DENSITY AS PER AASHTO T-180.
2. TRENCH BACKFILL: COMMON FILL COMPACTED TO 95% OF THE MAXIMUM DENSITY AS PER AASHTO T-180.
3. TYPE A BEDDING MATERIAL SHALL CONFORM TO FDOT NO. 57 AGGREGATE.
4. 15" MAX. (12" MIN.) FOR PIPE DIAMETER LESS THAN 24" AND 24" MAX (12" MIN) FOR PIPE DIAMETER 24" AND LARGER.
5. WATER SHALL NOT BE PERMITTED IN THE TRENCH DURING CONSTRUCTION.
6. ALL PIPE TO BE INSTALLED WITH BELL FACING UPSTREAM TO THE DIRECTION OF THE FLOW.
7. BEDDING DEPTH SHALL BE 4" MINIMUM FOR PIPE DIAMETER UP TO 12" AND 6" MINIMUM FOR PIPE DIAMETER 16" AND LARGER.
8. DEPTH FOR REMOVAL OF UNSUITABLE MATERIAL SHALL GOVERN DEPTH OF BEDDING ROCK BELOW THE PIPE. UTILITIES SHALL DETERMINE IN THE FIELD REQUIRED REMOVAL OF UNSUITABLE MATERIAL TO REACH SUITABLE FOUNDATION.
9. FINAL RESTORATION IN IMPROVED AREAS SHALL BE IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS OF GOVERNING AGENCIES. SURFACE RESTORATION WITHIN TOWN OF LADY LAKE RIGHT-OF-WAY SHALL COMPLY WITH REQUIREMENTS OF R/W UTILIZATION REGULATIONS AND ROAD CONSTRUCTION SPECIFICATIONS.

TOWN OF LADY LAKE
CONSTRUCTION STANDARD DETAILS
BEDDING AND TRENCHING - TYPE A
DATE: FEB 2009 FIGURE E101



NOTES:
1. INITIAL BACKFILL AND HAUNCHING: SELECT COMMON FILL COMPACTED TO 95% OF THE MAXIMUM DENSITY AS PER AASHTO T-180.
2. TRENCH BACKFILL: COMMON FILL COMPACTED TO 95% OF THE MAXIMUM DENSITY AS PER AASHTO T-180.
3. PIPE BEDDING UTILIZING SELECT COMMON FILL OR BEDDING ROCK IN ACCORDANCE WITH TYPE A BEDDING AND TRENCHING DETAIL MAY BE REQUIRED AS DIRECTED BY UTILITIES.
4. 15" MAX. (12" MIN.) FOR PIPE DIAMETER LESS THAN 24" AND 24" MAX (12" MIN) FOR PIPE DIAMETER 24" AND LARGER.
5. WATER SHALL NOT BE PERMITTED IN THE TRENCH DURING CONSTRUCTION.
6. ALL PIPE TO BE INSTALLED WITH BELL FACING UPSTREAM TO THE DIRECTION OF THE FLOW.
7. FINAL RESTORATION IN IMPROVED AREAS SHALL BE IN COMPLIANCE WITH ALL APPLICABLE REGULATIONS OF GOVERNING AGENCIES. SURFACE RESTORATION WITHIN TOWN OF LADY LAKE RIGHT-OF-WAY SHALL COMPLY WITH REQUIREMENTS OF RIGHT-OF-WAY UTILIZATION REGULATIONS AND ROAD CONSTRUCTION SPECIFICATIONS.

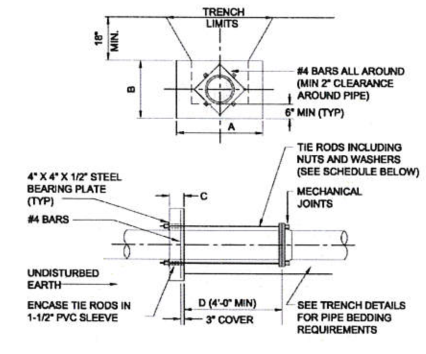
TOWN OF LADY LAKE
CONSTRUCTION STANDARD DETAILS
BEDDING AND TRENCHING - TYPE B
DATE: FEB 2009 FIGURE E102

MINIMUM LENGTH (FT) TO BE RESTRAINED ON EACH SIDE OF FITTING(S)

TYPE	PIPE SIZE									
	4"	6"	8"	10"	12"	16"	20"	24"	30"	36"
90° BEND	20	29	37	44	51	65	77	89	105	120
45° BEND	8	12	15	18	21	27	32	37	44	50
22-1/2° BEND	4	6	7	9	10	13	15	18	21	24
11-1/4° BEND	2	3	4	5	6	7	8	9	10	12
PLUG OR BRANCH OF TEE	42	59	77	93	106	138	166	194	231	265
VALVE	21	30	39	47	54	69	83	97	116	133

NOTES:
1. FITTINGS SHALL BE RESTRAINED JOINTS UNLESS OTHERWISE INDICATED.
2. INSTALL FULL LENGTH JOINTS WITH TOTAL LENGTH EQUAL TO OR GREATER THAN SHOWN IN THE TABLE.
3. WHERE TWO OR MORE FITTINGS ARE TOGETHER, USE FITTING WHICH YIELDS GREATEST LENGTH OF RESTRAINED PIPE.
4. ALL LINE VALVES AND THROUGH RUN OF TEES SHALL BE RESTRAINED.
5. LENGTHS SHOWN IN THE TABLE HAVE BEEN CALCULATED IN ACCORDANCE WITH THE PROCEDURE OUTLINED IN "THRUST RESTRAINT DESIGN FOR DUCTILE IRON PIPE" AS PUBLISHED BY DIPRA, WITH THE FOLLOWING ASSUMPTIONS:
WORKING PRESSURE: 150 PSI
SOIL DESIGNATION: SM (SAND SILT)
6. FOR HDPE, PVC OR PIPE ENCASED IN POLYETHYLENE, INCREASE THE GIVEN VALUE BY A FACTOR OF 1.5.

TOWN OF LADY LAKE
CONSTRUCTION STANDARD DETAILS
RESTRAINED PIPE TABLE WATER AND RECLAIMED WATER MAINS
DATE: FEB 2009 FIGURE E104-1



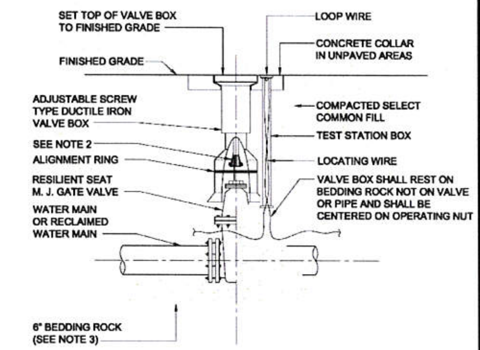
NOTES:
1. ADDITIONAL REINFORCEMENTS SHALL BE AS SPECIFIED BY THE ENGINEER.
2. MINIMUM COMPRESSIVE STRENGTH FOR CONCRETE SHALL BE 2500 PSI.
3. BEDDING, BACKFILL AND COMPACTION SHALL BE AS SPECIFIED ELSEWHERE IN THE STANDARD DRAWINGS.
4. ALL FORM BOARDS SHALL BE REMOVED PRIOR TO BACKFILL.
5. NO ALLOWANCE SHALL BE MADE FOR FRICTION BETWEEN THE PIPE WALL AND THE THRUST COLLAR.
6. DESIGN PRESSURE: 150 PSI.

SCHEDULE OF DIMENSIONS AND MATERIALS

PIPE SIZE (INCHES)	DIMENSIONS (FT.)				TIE RODS REQ'D	
	A	B	C	D	DIA.	NO.
6	2.0	2.0	1.0		3/4	2
8	2.5	2.5	1.0		3/4	2
10	3.5	3.0	1.0		3/4	2
12	5.0	3.0	1.0		3/4	2
16	6.0	4.0	1.5		3/4	4
20	8.0	5.0	1.5		3/4	6
24	9.0	6.0	1.5		3/4	8

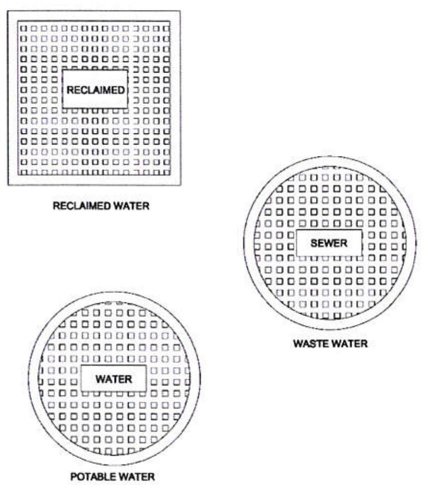
NOTE: THRUST COLLAR AREAS TO BE COMPUTED ON BASIS OF 2,000 LBS/SF SOIL RESTRAINT BEARING.

TOWN OF LADY LAKE
CONSTRUCTION STANDARD DETAILS
THRUST COLLAR (150 psi) WATER AND RECLAIMED WATER MAINS
DATE: FEB 2009 FIGURE E106-1

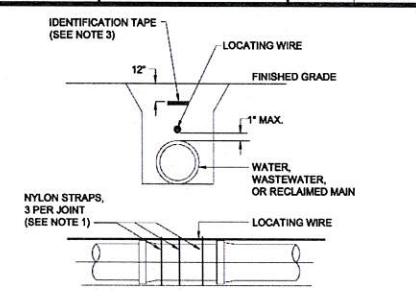


NOTES:
1. PVC PIPE OR DUCTILE IRON PIPE EXTENSIONS SHALL NOT BE USED ON VALVE BOX INSTALLATION.
2. THE VALVE ACTUATING NUT SHALL BE EXTENDED TO BE WITHIN 3' OF FINISHED GRADE.
3. BEDDING MATERIAL SHALL CONFORM TO FDOT NO. 57 AGGREGATE.
4. WIRE SHALL TERMINATE IN TEST STATION BOX.
5. REFER TO FIGURE A111 FOR INSTALLATIONS AT A DEPTH OF 6' OR GREATER.
6. VALVES SHALL BE AMERICAN AVK SERIES 25.

TOWN OF LADY LAKE
CONSTRUCTION STANDARD DETAILS
GATE VALVE AND BOX WATER AND RECLAIMED WATER MAINS
DATE: FEB 2009 FIGURE E107



TOWN OF LADY LAKE
CONSTRUCTION STANDARD DETAILS
TYPICAL VALVE BOX COVER
DATE: FEB 2009 FIGURE E110



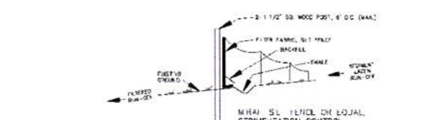
NOTES:
1. ALL PIPE SHALL REQUIRE INSULATED LOCATING WIRE (14 GAUGE SOLID COPPER) CAPABLE OF DETECTION BY A CABLE LOCATOR AND SHALL BE WRAPPED WITH NYLON STRAPS TO TOP CENTERLINE OF THE PIPE.
2. LOCATING WIRE SHALL TERMINATE INSIDE THE TEST STATION BOX AND SHALL EXTEND 12" ABOVE TOP OF COLLAR.
3. IDENTIFICATION TAPE SHALL BE MANUFACTURED OF POLYETHYLENE WITH A MINIMUM THICKNESS OF 4 MILS. TAPE WIDTH SHALL BE 3 INCHES AND SHALL HAVE BACKGROUND COLOR SPECIFIED BELOW, IMPRINTED WITH BLACK LETTERS. IMPRINT SHALL BE AS SPECIFIED BELOW AND SHALL REPEAT ITSELF A MINIMUM OF ONCE EVERY 2 FEET FOR ENTIRE LENGTH OF PIPE.
4. EARLY WARNING TAPE SHALL BE INSTALLED DIRECTLY ABOVE THE PIPE AT APPROXIMATELY 12-INCHES BELOW FINISHED GRADE AND SHALL HAVE THE FOLLOWING COLOR AND WARNING:

SERVICE TYPE	IMPRINT	BACKGROUND COLOR
WASTEWATER	"CAUTION-WASTEWATER LINE BURIED BELOW"	GREEN
POTABLE WATER	"CAUTION-POTABLE WATER LINE BURIED BELOW"	BLUE
RECLAIMED WATER	"CAUTION-RECLAIMED WATER LINE BURIED BELOW"	PURPLE

TOWN OF LADY LAKE
CONSTRUCTION STANDARD DETAILS
PIPE LOCATING WIRE
DATE: FEB 2009 FIGURE E114

GENERAL NOTES:
1. THE CONTRACTOR SHALL EXERCISE EXTREME CAUTION WHEN EXCAVATING IN PROXIMITY OF WATER MAINS, WASTEWATER FORCE MAINS, GRAVITY MAINS AND RECLAIMED WATER MAINS. MAIN LOCATIONS SHOWN ON PLANS ARE NOT EXACT OR GUARANTEED. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING EXISTING UTILITY LOCATIONS.
2. THE PUBLIC WORKS DEPARTMENT (352) 751-1526 SHALL BE NOTIFIED BY THE CONTRACTOR FOR PIPE EMERGENCIES.
3. ALL EXISTING WATER, FORCE, GRAVITY AND RECLAIMED WATER MAINS AND OTHER FACILITIES WITHIN THE LIMITS OF THE PROJECT SHALL BE SUPPORTED AND PROTECTED AGAINST DAMAGE DURING CONSTRUCTION.
4. CONTRACTOR SHALL ADJUST VALVE BOXES, AIR RELEASE VALVES, FIRE HYDRANTS, MANHOLE COVERS, ETC IN CONFLICT WITH ROADWAY.
5. THE CONTRACTOR, AT THE CONTRACTOR'S EXPENSE, SHALL IMMEDIATELY REPAIR ALL DAMAGES TO UTILITIES' MAINS AND FACILITIES. IF THE REPAIR IS NOT MADE IN A TIMELY MANNER, AS DETERMINED BY UTILITIES, UTILITIES MAY PERFORM REQUIRED REPAIRS AND CLEANUP. THE CONTRACTOR WILL BE CHARGED FOR ALL EXPENSES ASSOCIATED WITH THE REPAIR.
6. THE PUBLIC WORKS DEPARTMENT SHALL BE NOTIFIED AT LEAST SEVEN (7) DAYS PRIOR TO ANY CONSTRUCTION ACTIVITY WITHIN PROXIMITY OF ANY UTILITIES.
7. ONLY UTILITIES SHALL OPERATE WATER, WASTEWATER, AND RECLAIMED WATER VALVES. COORDINATE VALVE OPERATION WITH APPROPRIATE UTILITIES INSPECTOR.
8. THE CONTRACTOR SHALL COORDINATE ALL PUMP STATION OPERATION AND SHUT DOWN CONTROL WITH A PUBLIC WORKS PERSONNEL. THE CONTRACTOR SHALL PROVIDE FOR BYPASSING AND/OR HAULING OF WASTEWATER DURING THE INTERRUPTION OF FLOWS AND CONNECTIONS WITH EXISTING WASTEWATER SYSTEMS.
9. ALL NEW VALVES BEING INSTALLED SHALL REMAIN CLOSED DURING CONSTRUCTION. KEEP VALVES ON ALL WET TAPS CLOSED UNTIL CLEARED BY FDEP. DO NOT CONNECT ANY PROPOSED WATER MAIN TO ANY EXISTING WATER MAIN UNLESS CLEARED BY FDEP AND THE TOWN.
10. ALL EXISTING AND NEW TOWN OF LADY LAKE UTILITIES VALVES, VALVE BOXES, AND MANHOLES SHALL BE PROTECTED AND ADJUSTED TO FINISHED GRADE AS SHOWN ON THE DRAWINGS. ALL EXISTING ABOVE GROUND VALVES TO BE RELOCATED, AS REQUIRED.
11. MAKE TEMPORARY CONNECTIONS TO AN EXISTING POTABLE WATER SOURCE WITH TOWN APPROVED METER; FLUSH OUT NEW WATER MAIN WITH POTABLE WATER (USE "JUMPER" ASSEMBLY WITH REDUCED PRESSURE ASSEMBLY BACKFLOW PREVENTER TO MAKE TEMPORARY CONNECTIONS TO AN EXISTING WATER SOURCE).

TOWN OF LADY LAKE
CONSTRUCTION STANDARD DETAILS
GENERAL NOTES
DATE: FEB 2009 FIGURE E122



NOTES:
1. TEMPORARY EROSION CONTROL STRUCTURE TO BE UTILIZED DURING CONSTRUCTION AT AREAS DESIGNATED BY ENGINEER OR AREAS ON SITE WHERE UNSTABILIZED GRADES MAY CAUSE EROSION PROBLEMS. EROSION CONTROL STRUCTURE MAY BE REMOVED AFTER UPSLOPE AREA HAS BEEN STABILIZED BY SOD, OR COMPACTED AS DETERMINED BY CONTRACTOR.
2. CONSTRUCT STORMWATER SYSTEMS BEFORE ANY BUILDING OR ROAD CONSTRUCTION IS STARTED.
a.)PROTECT SYSTEM FROM SILTING AND DEBRIS BY MET-OD'S PROVIDED IN DETAILS.
b.)PROTECT SWALE BOTTOM FROM SEALING BY EXCAVATING ALL SILT DEPOSITS DURING CONSTRUCTION. THIS SHALL BE DONE BEFORE SOD & SEEDING & MULCHING IS FINISHED.

EROSION CONTROL STRUCTURE

NOT TO SCALE

THE FOLLOWING LIST REPRESENTS A BASIC EROSION AND SEDIMENT CONTROL PROGRAM WHICH IS TO BE IMPLEMENTED TO HELP PREVENT OFF SITE SEDIMENTATION DURING AND AFTER CONSTRUCTION OF THE PROJECT.

PERMANENT EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AT THE EARLIEST PRACTICAL TIME CONSISTENT WITH GOOD CONSTRUCTION PRACTICES. ONE OF THE FIRST CONSTRUCTION ACTIVITIES SHOULD BE THE PLACEMENT OF PERMANENT AND TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES AROUND THE PERIMETER OF THE PROJECT OR THE INITIAL WORK AREA TO PROTECT THE PROJECT, ADJACENT PROPERTIES AND WATER RESOURCES.

TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE COORDINATED WITH PERMANENT MEASURES TO ASSURE ECONOMICAL EFFECTIVE AND CONTINUOUS CONTROL THROUGHOUT THE CONSTRUCTION PHASE. TEMPORARY MEASURES SHALL NOT BE CONSTRUCTED FOR EXPEDIENCY IN LIEU OF PERMANENT MEASURES.

EROSION AND SEDIMENT CONTROL MEASURES SHALL BE ADEQUATELY MAINTAINED TO PERFORM THEIR INTENDED FUNCTION DURING CONSTRUCTION OF THE PROJECT.

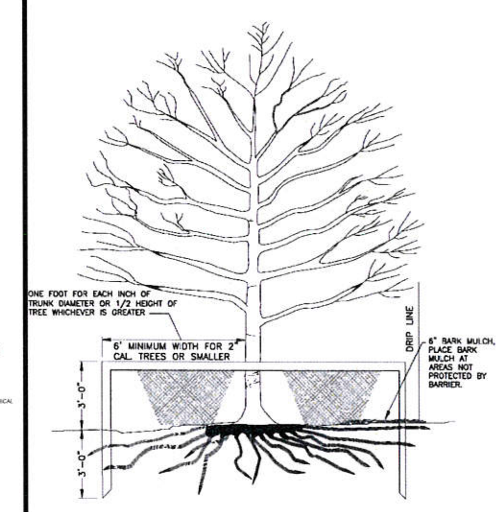
NECESSARY REPAIRS TO BARRIERS OR REPLACEMENT OF BARRIERS SHALL BE ACCOMPLISHED PROMPTLY.

SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH RAINFALL. THEY MUST BE REMOVED WHEN THE LEVEL OF DEPOSITION REACHES APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.

MATERIAL FROM SEDIMENT TRAPS SHALL NOT BE STOCKPILED OR DISPOSED OF IN A MANNER WHICH MAKES THEM READILY SUSCEPTIBLE TO BEING WASHED INTO ANY WATERCOURSE BY RUNOFF OR HIGH WATER.

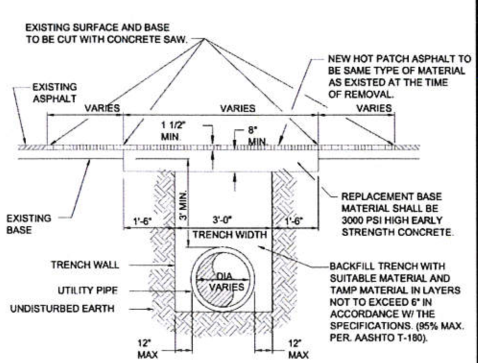
ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE BARRIERS ARE NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDED.

TOWN OF LADY LAKE
CONSTRUCTION STANDARD DETAILS
SILT FENCE DETAIL
DATE: FEB 2009 FIGURE E126



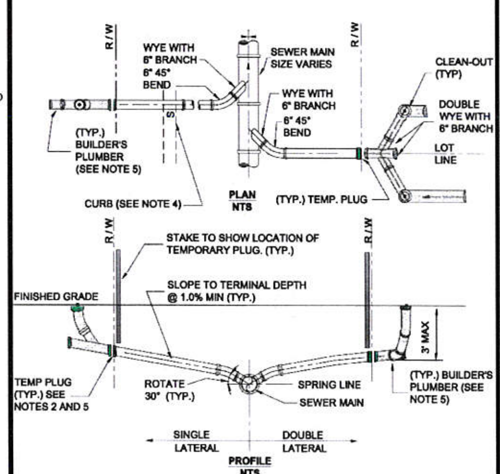
NOTE:
2"x4" STANDARDS + 1"x4" RAILS OR ORANGE SAFETY FENCING MAY BE USED.

TOWN OF LADY LAKE
CONSTRUCTION STANDARD DETAILS
TREE PROTECTION BARRIER DETAIL
DATE: FEB 2009 FIGURE E129



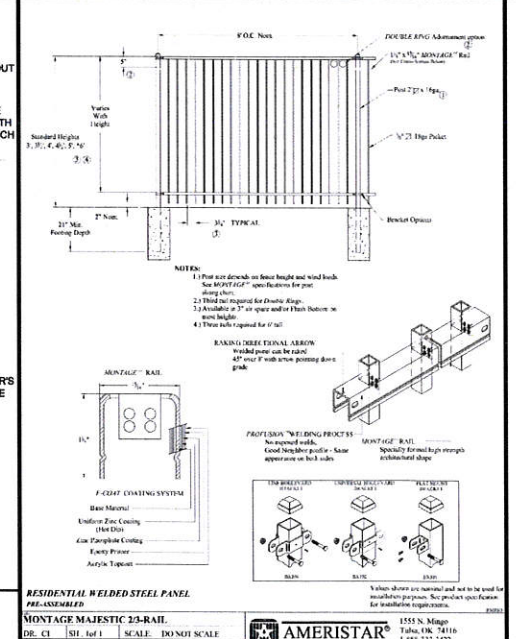
NOTE:
THE CONTRACTOR SHALL PROMPTLY FILL OPEN-CUT TO ALLOW TRAFFIC TO PASS FREELY AND SAFELY. IF PERMANENT RESTORATION IS TO BE DEFERRED. THE CONTRACTOR SHALL MAINTAIN THE TEMPORARY CONDITION TO THE TOWN OF LADY LAKE PUBLIC WORKS DEPARTMENT SATISFACTION.

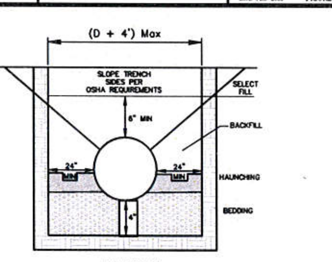
TOWN OF LADY LAKE
CONSTRUCTION STANDARD DETAILS
ASPHALT ROADWAY OPEN CUT DETAIL
DATE: FEB 2009 FIGURE E131



NOTES:
1. INVERT OF SERVICE LATERAL SHALL NOT ENTER SEWER MAIN BELOW SPRING LINE.
2. SERVICE LATERAL SHALL BE CAPPED BY DEVELOPER'S CONTRACTOR.
3. ALL FITTINGS SHOWN ARE TO BE INSTALLED.
4. SERVICE CONNECTIONS SHALL BE PERMANENTLY MARKED BY CUTTING AN "S" IN THE CURB DIRECTLY OVER THE LATERAL.
5. BUILDER'S PLUMBER WILL REMOVE PLUG INSTALL CLEANOUT AND CONNECT SERVICE LATERAL TO HOUSE.

TOWN OF LADY LAKE
CONSTRUCTION STANDARD DETAILS
STANDARD DRAWINGS SERVICE LATERAL
DATE: FEB 2009 FIGURE E305





ELEVATION

STORM SEWER INSTALLATION DETAIL FOR RCP & SPIRAL RIB CMP

1. THE PIPE BEDDING IS A RELATIVELY THIN LAYER OF LOOSLEY PLACED MATERIAL TO CUSHION THE PIPE INVERT AND ALLOW THE PIPE TO REST OR SEAT INTO IT, THUS SUPPORTING THE PIPE. WHEN, IN THE OPINION OF THE ENGINEER, THE NATURAL SOIL DOES NOT PROVIDE A SUITABLE BED, A BEDDING BLANKET WITH A MINIMUM THICKNESS OF 4" DEPTH SHALL BE PROVIDED.
2. HAUNCHING AND PIPE BACKFILL SHALL BE GRANULAR MATERIAL AS SPECIFIED BY AASHTO M-145 FOR A-1,A-2, OR A-3 (SILTY, CLAYEY MATERIALS, SANDY MATERIAL OR GRAVEL MATERIALS). PLACE MATERIAL IN 8 INCH LOOSE LIFTS AND COMPACT TO 90% STANDARD PROCTOR (AASHTO T99).
3. MINIMUM COVER IS MEASURED FROM OUTSIDE OF THE PIPE WALL TO THE BOTTOM OF ASPHALT LAYER OR THE TOP OF CONCRETE PAVEMENT. CHECK EACH SIZE FOR ACTUAL MINIMUM COVER FOR H20 LOADING.

TABLE 2. CLASSIFICATIONS OF SOILS AND SOIL-AGGREGATE MIXTURES

GENERAL CLASSIFICATION	GRANULAR MATERIALS (35 PERCENT OR LESS PASSING 0.075 MM)						
GROUP CLASSIFICATION	A-1		A-3	A-2			
	A-1-a	A-1-b		A-2-4	A-2-5	A-2-6	A-2-7
SIEVE ANALYSIS, PERCENT PASSING: 2.00 MM (NO. 10)	50 MAX	—	—	—	—	—	—
0.425 MM (NO.40)	30 MAX	50 MAX	51 MAX	—	—	—	—
0.075 MM (NO. 200)	15 MAX	25 MAX	10 MAX	35 MAX	35 MAX	35 MAX	35 MAX
CHARACTERISTICS OF FRACTION PASSING 0.425 MM(NO. 40)							
LIQUID LIMIT			—	40 MAX	41 MAX	40 MAX	41 MAX
PLASTICITY INDEX	6 MAX		N.P.	10 MAX	10 MAX	11 MAX	11 MAX
USUAL TYPES OF SIGNIFICANT CONSTITUENT MATERIALS	STONE FRAGMENTS, GRAVEL AND SAND		FINE SAND	SILTY OR CLAYEY GRAVEL AND SAND			
GENERAL RATINGS AS SUBGRADE	EXCELLENT TO GOOD						

G7H

RCP AND SPIRAL RIB CMP

N.T.S.

NOTE:
SEE FDOT STANDARD DETAILS
103, 201, 232, & 261

811
Know what's **below.** **Call** before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE:
CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR; NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2015 ATWELL LLC NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC

ATWELL
866.850.4200 www.atwell-group.com
1800 PARKWAY PLACE, SUITE 700
MARIETTA, GA
770.423.0807

SECTION 16,17,18,24
106 EVERGREEN LANE
LADY LAKE
LAKE COUNTY, FLORIDA

SUN COMMUNITIES
WATER OAK ESTATES
CONSTRUCTION PLANS
DETAILS

DATE 11-19-2015

REVISIONS

DANIEL ROBERT GIBBS
LICENSE No 60086
STATE OF FLORIDA
PROFESSIONAL ENGINEER

DRAWN BY: EC/BB
CHECKED BY: DG
PROJECT MANAGER: DG
JOB #: 15001161
FILE CODE: CP
SHEET NO. C600

NOT ISSUED FOR CONSTRUCTION CAD FILE: 15001161-DETAILS

FILE NAME: K:\2015 Projects\15001161 - Water Oak Estates\DWG\Engineering\15001161-DETAILS.dwg LAST SAVED BY: ecrum 11/19/2015 1:50 PM PLOTTED BY: Brandon Banks 11/19/2015 PAPER: ARCH FULL BLEED D (24.00 X 36.00 INCHES) DEVICE: DWG TO PDF.PC3 PLOT STYLE: LAI-GRAY-C3D-2.CTB

ALTA/ACSM
LAND TITLE SURVEY
FOR
SUN COMMUNITIES ON THE WATER OAK
COUNTRY CLUB
LADY LAKE, LAKE COUNTY, FLORIDA

[illegible]

per Title Commitment Order No. O-040145-L issued by Lawyers Title Insurance Corporation, bearing an effective date of March 24, 2004.

(6) Drainage Easement recorded in Official Records Book 87, Page 234 (as to Parcel E). Affects subject property as depicted hereon.

(7) Easement in favor of Florida Power recorded in Official Records Book 93, Page 512 (as to Parcel E). Document is not plottable without the the Plat of Crestview Subdivision. However document states that the centerline of the power poles falls within the Right-of-way of State Road 25-500.

(8) Easement in favor of Florida Power recorded in Official Records Book 409, Page 25 (as to Parcel E). Document illegible, not plotted.

(9) Right of Way Easement recorded in Official Records Book 703, Page 1035 (as to Parcels A, B and E). Affect subject property as depicted hereon.

(10) Easement recorded in Official Records Book 717, Page 776 (as to Parcels A, B, C, D and E). Affect subject property as depicted hereon.

(11) Utility Easement recorded in Official Records Book 876, Page 400 (as to all Parcels). Easement can not be plotted without locating all underground water and sewer facilities. Surveyor was not contracted to perform these tasks.

(12) Final Judgment Awarding Easement of Necessity recorded in Official Records Book 758, Page 1413 (as to Parcel E). Affect subject property as depicted hereon.

(13) An Agreement to Grant and Convey an Easement for Utility/Ingress/Egress recorded in Official Records Book 1150, Page 709 (as to Parcel E). Easement can not be plotted without document referred to in legal as, "Street A as shown on Sheet 2 of 36, said page title Street Centerline Layout, Water Oak Estates. Without said document it is impossible to plot the exact location of easement. However, GeoMap has plotted easement by scaling the commencement point from survey performed by Owens Land Surveying, dated November 22, 1993, Project No. 4742.

(14) Grant of Easements recorded in Official Records Book 1285, Page 1080 (as to all Parcels). Easement blanket in nature, not plottable.

(15) Notice of Mobile Homeowner's Association Right to Purchase the Park recorded in Official Records Book 1346, Page 422 (as to Parcels D and E). Easement is blanket in nature and can not be plotted. Not a matter of survey, not plotted.

(16) Declaration of Restrictions recorded in Official Records Book 2134, Page 1510 (as to all Parcels). Document not a matter of survey, not plotted.

(17) The nature, extent or existence of riparian rights are not insured, (as to all Parcels). Not plottable.

(18) The improvements located on said land consist of mobile homes. So long as said mobile homes retain their characteristics as personal property, the coverage under this policy does not include the mobile homes located on the property described in Schedule "A", but explicitly excludes such personal property from the coverage hereof. In the event, as of the date hereof, said mobile homes are so affixed to said land as to be a part of the realty under the terms and provisions of this policy and under the laws of the State of Florida, the coverage of this policy does include the mobile home as part of the land and improvements. The burden of proof to establish that such mobile homes are fixtures shall be on the names insured. Not a matter of survey, not plotted.

(19) Matters as shown on survey prepared by Billy Earl Owens, Professional Land Surveyor, dated November 22, 1993 and signed by Billy Earl Owens, P.L.S. #3522. Not plottable.

(20) Subject to rights of way for State Road No. 25, U.S. Highways 441 and 27 and County Road No. 1-7507 as shown on survey prepared by Owens Land Surveying, dated November 22, 1993, Project No. 4742. (as to all Parcels). Not plottable.

[illegible]

(A) Fence encroaches 29.6 feet onto adjoiner to the East.

[illegible]

ELECTRIC
Sumter Electric Cooperative, Inc.
330 South Highway 301
Sumterville, Florida 33585-0301
Phone: (352) 793-3801

WATER-SEWER
Water Oak Utilities

TELEPHONE-
Sprint
Phone: (800) 244-4444

The location of underground utilities has been determined from observed visible evidence only. The surveyor was not provided with underground plans or construction drawings. The surveyor did not contact a utility markout company, or "Call Sunshine", for this site.

PARKING SPACE TABLE	
TYPE OF SPACE	TOTAL EXISTING
REGULAR	20
HANDICAP	5
TOTAL	25

Parking Spaces are 9'x18' Typical.

FLOOD NOTE: By graphic plotting only, this property is in Zone "C & AE" of the Flood Insurance Rate Map, Community Panel No. 120613 0170 D which bears an effective date of 01/03/2002 and is in a Special Flood Hazard Area. By telephone call dated 4/12/04 to the National Flood Insurance Program (800-638-6620) we have learned this community does currently participate in the program. No field surveying was performed to determine this zone and an elevation certificate may be needed to verify this determination or apply for a variance from the Federal Emergency Management Agency.

[illegible]

Parcel A:
That part of Sections 9 and 16, Township 18 South, Ranges 24 East, Lake County, Florida, more particularly described as follows: From the Northeast corner of the Northwest ¼ of the Northwest ¼ of the Northwest ¼ of said Section 16, Township 18 South, Range 24 East, run South 89°44'25" West along the boundary between said Sections 9 and 16 a distance of 21.97 feet to the Point of Beginning of the following described parcel of land. From said Point of Beginning, run North 54°16'49" East 34.30 feet, thence North 12°03'59" East 175.76 feet, thence South 48°46'20" East 207.84 feet, thence South 10°01'35"West 80.26 feet, thence South 87°12'30" West 258.25 feet, thence North 54°16'49" East 62.84 feet to the Point of Beginning and end of this description.

Parcel B:
That part of Sections 9 and 16, Township 18 South, Ranges 24 East, Lake County, Florida, more particularly described as follows: From the North ¼ corner of said Section 16, Township 18 South, Range 24 East, run South 0°37'08" East 652.20 feet, thence South 88°50'55" West 368.22 feet, thence North 0°55'26" West 974.71 feet, thence North 89°34'42" East 372.71 feet to the North-South Mid-Section line of said Section 9, Township 18 South, Range 24 East, thence South 0°44'36" East along said North-South Mid-Section line 317.80 feet to the Point of Beginning and end of this description.

Parcel C:
The South 3/4 of the Southwest ¼ of the Southeast ¼, im Section 9, Township 18 South, Range 24 East, Lake County, Florida.

Parcel D:
Lots 29 and 30, less the South 330 feet thereof, and that part of the South one-half of Lot 35 bounded and described as follows: Begin at the Northeast corner of said Lot 29, run thence North 0°32'19 " West to the Northerly line of the South one-half of said Lot 35; thence South 88°13'31" West along the Northerly line of the South one-half of said Lot 35 to the Northwest corner of the South one-half of said Lot 35; thence South 1°22'56" East along the Westerly line of said Lot 35 to the Northwest corner of said Lot 30; thence Easterly along the Northerly line of Lot 30 to the Point of Beginning; together with that part of the East one-half of Malaca Avenue (now vacated) lying North of the Westerly extension of the Northerly line of the South 330 feet of said Lot 30, and South of the Westerly extension of the North line of the South one-half of said Lot 35, all lying and being in Sligh and Teague Addition to the Town of Lady Lake, Florida, according to the official plat thereof, recorded in Plat Book 8, pages 9 through 11, inclusive, Public Record of Lake County, Florida.

Parcel E:
That part of Sections 8, 9, 16 and 17, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows: From the Southwest corner of Section 9, Township 18 South, Range 24 East, run North 0°49'12" West along the West boundary of said Section 9, a distance of 1966.92 feet to the Point of Beginning of the following described parcel of land: From said Point of Beginning, run North 89°05'05" East 663.81 feet, thence North 0°48'03" West 658.14 feet, thence North 88°52'06" East 1992.09 feet, thence South 0°44'36" East 2662.63 feet, thence South 0°37'08" East 652.20 feet, thence South 88°50'55" West 693.57 feet, thence South 0°58'16" East 648.51 feet, thence South 89°10'10" West 210.50 feet, thence South 01°05'42" East 331.21 feet, thence South 89°14'10" West 420.39 feet, thence South 0°51'00" East 645.84 feet, thence South 88°12'58" West 219.34 feet, to a point that is a Northerly extension of the East line of the above described Parcel D, thence South 00°26'09" East, along said Northerly extension, 16.72 feet to the Northeast corner of the above described Parcel D, said point being on the North line of the South ½ of Lot 35, Sligh and Teague Addition to the Town of Lady Lake, recorded in Plat Book 8, Page 9, Public Records of Lake County, Florida, thence South 89°08'55" West along the North line of said Parcel D and the North line of said South ½ a distance of 452.24 feet to the Northwest corner of said Parcel D and a point on the centerline of Malaca Avenue as shown on said Sligh and Teague Addition to the Town of Lady Lake, thence South 01°02'07" East along the West line of said Parcel D and along said centerline of Malaca Avenue 617.17 feet to the Southwest corner of said Parcel D and a point in a Westerly extension of the North line of the South 330 feet of Lots 29 and 30 of the aforesaid Sligh and Teague Addition to the Town of Lady Lake, thence South 89°14'59" West along said Westerly extension 15.00 feet to the West side of Malaca Avenue according to said plat of Sligh and Teague Addition to the Town of Lady Lake and a point in the East line of Lot 31 of the aforesaid Sligh and Teague Subdivision, thence South 01°02'07" East along the East line of said Lot 31 and the West line of Malaca Avenue 322.60 feet, thence South 89°14'12" West 667.48 feet, thence South 0°11'48" East 104.66 feet, thence South 89°41'02" West 1169.33 feet, thence North 03°01'45" West 1404.74 feet to the point of curvature of a curve concave Southwesterly and having a radius of 2010.08 feet, thence Northwesterly along said curve through a central angle of 14°11'17" an arc length of 497.75 feet to the end of said curve, thence North 72°46'58" East 10.0 feet to a point on a curve concave Southwesterly and having a radius of 2020.08 feet, thence Northwesterly along said curve through a central angle of 26°16'46" an arc length of 926.54 feet to the end of said curve, thence North 02°03'58" West 16.21 feet, thence North 89°41'20" East 779.89 feet, thence North 0°57'45" West 663.88 feet, thence North 89°36'12" East 10.31 feet, thence North 0°44'46" West 1932.18 feet, thence North 89°45'28" East 978.53 feet, thence North 0°49'12" West 37.36 feet to the Point of Beginning and end of this description.

LESS: A parcel of land in Section 16 and 17, Township 18 South, Range 24 East, Lake County, Florida, described as follows: Commencing at the West ¼ corner of Section 16, Township 18 South, Range 24 East, run South 0°15'20" East along the West line of said Section 91.09 feet to the Point of Beginning, thence South 89°43'16" East 321.31 feet, thence North 28°53'58" West 349.39 feet, thence South 87°48'04" West **(South 67°48'04" West per vesting deed)** 299.33 feet, thence South 0°25'57" East 292.05 feet, thence South 89°43'16" East 144.46 feet to the Point of Beginning.

ALSO LESS: Road Right-of-Way over and across the North side thereof.

ALSO LESS: That part of Sections 9 and 16, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows: From the Northeast corner of the Northwest ¼ of the Northwest ¼ of the Northwest ¼ of said Section 16, Township 18 South, Range 24 East, run South 89°44'25" West along the boundary between said Sections 9 and 16 a distance of 21.97 feet to the Point of Beginning of the following described parcel of land. From said Point of Beginning, run North 54°16'49" East 34.30 feet, thence North 12°03'59" East 175.76 feet, thence South 48°46'20" East 207.84 feet, thence South 10°01'35" West 80.26 feet, thence South 87°12'30" West 258.25 feet, thence North 54°16'49" East 62.84 feet to the Point of Beginning and end of this description.

ALSO LESS: That part of Sections 9 and 16, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows: From the North ¼ corner of said Section 16, Township 18 South, Range 24 East, run South 0°37'08" East 652.20 feet, thence South 88°50'55" West 368.22 feet, thence North 00°55'26" West 974.71 feet, thence North 89°34'42" East 372.71 feet to the North-South Mid-Section line of said Section 9, Township 18 South, Range 24 East, thence South 0°44'36" East along said North-South Mid-Section line 317.80 feet to the Point of Beginning and end of this description.

ALSO LESS: That part of Sections 8 and 9, Township 18 South, Range 24 East, Lake County, Florida, described as follows: From the Southeast corner of Section 8, same being the Southwest corner of Section 9, run South 89°36'12" West, along the South line of said Section 8, a distance of 981.00 feet; thence North 00°44'46" West, 1932.18 feet to the Northwest corner of Lot 3, Block 23, CONANT, as recorded in Plat Book 1, Page 8, Public Records of Sumter County, Florida; thence North 89°45'28" East, 978.53 feet to the East line of the aforesaid Section 8, same being the West line of the aforesaid Section 9; thence North 00°49'12" West along the line between said Section 8 and Section 9, a distance of 37.36 feet to the Northwest corner of the Southwest ¼ of the Northwest ¼ of the Southwest ¼ of said Section 9; thence North 89°05'05" East, 663.81 feet to the Northeast corner of the Southwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 9; thence South 88°03'27" East, 111.41 feet; thence South 88°43'52" East, 339.19 feet; thence South 00°26'01" East, 491.31 feet; thence South 50°28'04" East, 167.65 feet; thence South 10°09'06" East, 195.35 feet; thence South 08°47'14" West, 402.48 feet; thence South 39°34'03" West, 279.41 feet; thence North 74°45'59" West, 52.72 feet; thence South 11°56'00" West, 107.35 feet; thence South 17°04'28" West, 240.25 feet; thence South 61°57'42" West, 117.67 feet, thence North 46°46'20" West 70.13 feet; thence South 12°03'59" West, 175.76 feet; thence South 54°16'49" West, 34.30 feet more or less to the South line of the Southwest ¼ of the aforesaid Section 9, Township 18 South, Range 24 East; thence South 89°44'25" West, along said South line, 641.21 feet to the Point of Beginning and end of this description.

Being more particularly described as follows: (Survey Description)

BEGINNING at the Southwest corner of Section 9, Township 18 South, 24 East, thence coincident with the South Boundary of said Section 9, S 89°54'56" E a distance of 641.37 feet; thence departing said South Boundary, N 55°20'21" E a distance of 34.62 feet; thence N 12°27'19" E a distance of 174.82 feet; thence S 48°52'33" E a distance of 69.04 feet; thence N 62°17'53" E a distance of 117.67 feet; thence N 17°24'39" E a distance of 240.25 feet; thence N 12°16'11" E a distance of 107.35 feet; thence S 74°25'48" E a distance of 52.72 feet; thence N 39°54'14" E a distance of 279.41 feet; thence N 09°07'25" E a distance of 402.48 feet; thence N 09°48'55" W a distance of 185.35 feet; thence N 50°07'53" W a distance of 187.65 feet; thence N 00°05'50" W a distance of 491.31 feet; thence N 88°23'41" W a distance of 339.19 feet; thence N 88°11'13" W a distance of 111.28 feet; thence N 00°27'03" W a distance of 633.12 feet to a point that is on a line that is 25.00 feet South of, and parallel with the North Boundary of the Southwest 1/4, of said Section 9, (said line is also the apparent South Right-of-way Boundary of Griffin Avenue per field evidence); thence coincident with said parallel line, N 89°11'55" E a distance of 1991.98 feet to a point that is on the East Boundary of the Southwest 1/4, of said Section 9; thence departing said parallel line coincident with said East Boundary, S 00°24'45" E a distance of 1638.46 feet to point that is on the North Boundary of the South 3/4, of the Southwest 1/4, of the Southeast 1/4, of said Section 9; thence departing said East Boundary coincident with said North Boundary, N 88°58'35" E a distance of 1321.41 feet to a point on the East Boundary of said Southwest 1/4, of the Southeast 1/4; thence departing said North Boundary coincident with said East Boundary, S 00°18'27" E a distance of 994.87 feet to a point on the South Boundary of said Southwest 1/4; thence departing said East Boundary coincident with said South Boundary, S 88°47'07" W a distance of 1319.65 feet to a point on the East Boundary of the Northwest 1/4 of Section 16, Township 18 South, Range 24 East; thence departing said South Boundary coincident with the East Boundary of said Northwest 1/4, S 00°18'18" E a distance of 652.20 feet; thence S 89°11'08" W a distance of 693.83 feet; thence S 00°38'05" E a distance of 648.51 feet; thence S 89°30'21" W a distance of 210.50 feet; thence S 00°51'00" E a distance of 331.10 feet; thence S 89°39'18" W a distance of 420.20 feet; thence S 00°28'53" E a distance of 646.45 feet; thence S 88°35'51" W a distance of 219.29 feet; thence S 00°08'26" E a distance of 634.90 feet to a point on a line that is parallel with and 330.00 feet North of the South Boundary of Lots 29 and 30 of SLIGH AND TEAUGE ADDITION TO THE CITY OF LADY LAKE, as recorded in Plat Book 8, Page 9 of the Public Records of Lake County, Florida; thence coincident with said parallel line, S 89°34'40" W a distance of 461.64 feet to a point on the West Right-of-way Boundary of Malaca Avenue; thence departing said parallel line coincident with said West Right-of-way Boundary, S 00°41'56" E a distance of 322.60 feet to the North Right-of-way Boundary of Lake Griffin Road; thence departing said West Right-of-way Boundary, S 89°36'32" W a distance of 666.31 feet; thence S 00°19'55" W a distance of 104.95 feet; thence S 89°59'50" W a distance of 1169.37 feet to the Easterly Right-of-way Boundary of U.S. Highway 27/441; thence coincident with said Easterly Right-of-way Boundary the following four () calls: 1.) N 02°44'13" W a distance of 1405.68 feet to a curve concave to the West; having a radius of 2010.08 feet, a delta angle of 14°08'05", and subtended by a chord bearing N 09°48'00" W, with a chord length of 494.63 feet, 2.) thence coincident with said curve for a distance of 495.88 feet; 3.) thence N 75°09'40" E a distance of 9.98 feet to a curve concave to the West; having a radius of 2020.08 feet, a delta angle of 26°18'48", subtended by a chord bearing N 29°58'27" W, with a chord length of 919.60 feet, 4.) thence coincident with said curve for a distance of 927.73 feet; thence departing said Easterly Right-of-way Boundary, N 01°36'56" W a distance of 16.39 feet; thence S 89°59'26" E a distance of 760.18 feet; thence N 00°39'14" W a distance of 663.49 feet to a point on the South Boundary of Section 8, Township 18 South, Range 24 East; thence coincident with said South Boundary, N 89°56'05" E a distance of 991.15 feet to the POINT OF BEGINNING;

LESS: A parcel of land in Section 16 and 17, Township 18 South, Range 24 East, Lake County, Florida, described as follows: Commencing at the West ¼ corner of Section 16, Township 18 South, Range 24 East, run South 0°15'20" East along the West line of said Section 91.09 feet to the Point of Beginning, thence South 89°43'16" East 321.31 feet, thence North 28°53'58" West 349.39 feet, thence South 87°48'04" West **(South 67°48'04" West per vesting deed)** 299.33 feet, thence South 0°25'57" East 292.05 feet, thence South 89°43'18" East 144.46 feet to the Point of Beginning.

Containing 15236819.2 square feet, 349.79 acres more or less.

[illegible]

1. ZONING: Residential
Land Use: Mobile & Manufactured Homes
Waiting on response as of 4/12/04.

Zoning Contact: Donna Bohrer, Planning & Development / Comprehensive Planning , 315 W. Main Street PO Box 7800 Tavares, Florida 32778, (352) 343-9739 , ext. 5885

Note: To the best of our knowledge Items 14, 15, & 16 per Table A of the ALTA/ACSM standards to not apply to this site and there was no visible evidence of cemetaries or burial grounds on subject property.

[illegible]

Parcel A:
That part of Sections 9 and 16, Township 18 South, Ranges 24 East, Lake County, Florida, more particularly described as follows:
From the Northeast corner of the Northwest ¼ of the Northwest ¼ of the Northwest ¼ of said Section 16, Township 18 South, Range 24 East, run South 89°44'25" West along the boundary between said Sections 9 and 16 a distance of 21.97 feet to the Point of Beginning of the following described parcel of land. From said Point of Beginning, run North 54°16'49" East 34.30 feet, thence North 12°03'59" East 175.76 feet, thence South 48°46'20" East 207.84 feet, thence South 10°01'35" West 80.26 feet, thence South 87°12'30" West 258.25 feet, thence North 54°16'49" East 82.84 feet to the Point of Beginning and end of this description.

Parcel B:
That part of Sections 9 and 16, Township 18 South, Ranges 24 East, Lake County, Florida, more particularly described as follows:
From the North ¼ corner of said Section 16, Township 18 South, Range 24 East, run South 0°37'08" East 652.20 feet, thence South 88°50'55" West 368.22 feet, thence North 0°55'28" West 974.71 feet, thence North 89°34'42" East 372.71 feet to the North-South Mid-Section line of said Section 9, Township 18 South, Range 24 East, thence South 0°44'36" East along said North-South Mid-Section line 317.80 feet to the Point of Beginning and end of this description.

Parcel C:
The South 3/4 of the Southwest ¼ of the Southeast ¼, im Section 9, Township 18 South, Range 24 East, Lake County, Florida.

Parcel D:
Lots 29 and 30, less the South 330 feet thereof, and that part of the South one-half of Lot 35 bounded and described as follows: Begin at the Northeast corner of said Lot 29, run thence North 0°32'19 " West to the Northerly line of the South one-half of said Lot 35; thence South 88°13'31" West along the Northerly line of the South one-half of said Lot 35 to the Northwest corner of the South one-half of said Lot 35; thence South 1°22'56" East along the Westerly line of said Lot 35 to the Northwest corner of said Lot 30; thence Easterly along the Northerly line of Lot 30 to the Point of Beginning; together with that part of the East one-half of Malaca Avenue (now vacated) lying North of the Westerly extension of the Northerly line of the South 3330 feet of said Lot 30, and South of the Westerly extension of the North line of the South one-half of said Lot 35, all lying and being in Sligh and Teague Addition to the Town of Lady Lake, Florida, according to the official plat thereof, recorded in Plat Book 8, pages 9 through 11, inclusive, Public Records of Lake County, Florida.

Parcel E:
That part of Sections 8, 9, 16 and 17, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows: From the Southwest corner of Section 9, Township 18 South, Range 24 East, run North 0°49'12" West along the West boundary of said Section 9, a distance of 1966.92 feet to the Point of Beginning of the following described parcel of land: From said Point of Beginning, run North 89°05'05" East 663.81 feet, thence North 0°48'03" West 658.14 feet, thence North 88°52'06" East 1992.09 feet, thence South 0°44'36" East 2662.63 feet, thence South 0°37'08" East 652.20 feet, thence South 88°50'55" West 693.57 feet, thence South 0°58'16" East 648.51 feet, thence South 89°10'10" West 210.50 feet, thence South 01°05'42" East 331.21 feet, thence South 89°14'10" West 420.39 feet, thence South 0°51'00" East 645.84 feet, thence South 88°12'58" West 219.34 feet, to a point that is a Northerly extension of the East line of the above described Parcel D, thence South 00°26'09" East, along said Northerly extension, 16.72 feet to the Northeast corner of the above described Parcel D, said point being on the North line of the South ½ of Lot 35, Sligh and Teague Addition to the Town of Lady Lake, recorded in Plat Book 8, Page 9, Public Records of Lake County, Florida, thence South 89°08'55" West along the North line of said Parcel D and the North line of said South ½ a distance of 452.24 feet to the Northwest corner of said Parcel D and a point on the centerline of Malaca Avenue as shown on said Sligh and Teague Addition to the Town of Lady Lake, thence South 01°02'07" East along the West line of said Parcel D and along said centerline of Malaca Avenue 617.17 feet to the Southwest corner of said Parcel D and a point on a Westerly extension of the North line of the South 330 feet of Lots 29 and 30 of the aforesaid Sligh and Teague Addition to the Town of Lady Lake, thence South 89°14'59" West along said Westerly extension 15.00 feet to the West side of Malaca Avenue according to said plat of Sligh and Teague Addition to the Town of Lady Lake and a point on the East line of Lot 31 of the aforesaid Sligh and Teague Subdivision, thence South 01°02'07" East along the East line of said Lot 31 and the West line of Malaca Avenue 322.60 feet, thence South 89°14'12" West 657.48 feet, thence South 0°11'48" East 104.66 feet, thence South 89°41'02" West 1169.33 feet, thence North 03°01'45" West 1404.74 feet to the point of curvature of a curve concave Southwesterly and having a radius of 2010.08 feet, thence Northwesterly along said curve through a central angle of 14°11'17" on arc length of 497.75 feet to the end of said curve, thence North 72°46'58" East 10.0 feet to a point on a curve concave Southwesterly and having a radius of 2020.08 feet, thence Northwesterly along said curve through a central angle of 26°16'46" on arc length of 926.54 feet to the end of said curve, thence North 02°03'58" West 16.21 feet, thence North 89°41'20" East 779.89 feet, thence North 0°57'45" West 663.88 feet, thence North 89°36'12" East 10.31 feet, thence North 0°44'46" West 1932.18 feet, thence North 89°45'28" East 978.53 feet, thence North 0°49'12" West 37.36 feet to the Point of Beginning and end of this description.

LESS: A parcel of land in Section 16 and 17, Township 18 South, Range 24 East, Lake County, Florida, described as follows: Commencing at the West ¼ corner of Section 16, Township 18 South, Range 24 East, run South 0°15'20" East along the West line of said Section 91.09 feet to the Point of Beginning, thence South 89°43'16" East 321.31 feet, thence North 28°53'58" West 349.39 feet, thence South 87°48'04" West **(South 67°48'04" West per vesting deed)** 299.33 feet, thence South 0°25'57" East 292.05 feet, thence South 89°43'16" East 144.46 feet to the Point of Beginning.

ALSO LESS: Road Right-of-Way over and across the North side thereof.

ALSO LESS: That part of Sections 9 and 16, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows: From the Northeast corner of the Northwest ¼ of the Northwest ¼ of the Northwest ¼ of said Section 16, Township 18 South, Range 24 East, run South 89°44'25" West along the boundary between said Sections 9 and 16 a distance of 21.97 feet to the Point of Beginning of the following described parcel of land. From said Point of Beginning, run North 54°16'49" East 34.30 feet, thence North 12°03'59" East 175.76 feet, thence South 48°46'20" East 207.84 feet, thence South 10°01'35" West 80.26 feet, thence South 87°12'30" West 258.25 feet, thence North 54°16'49" East 62.84 feet to the Point of Beginning and end of this description.

ALSO LESS: That part of Sections 9 and 16, Township 18 South, Range 24 East, Lake County, Florida, more particularly described as follows: From the North ¼ corner of said Section 16, Township 18 South, Range 24 East, run South 0°37'08" East 652.20 feet, thence South 88°50'55" West 368.22 feet, thence North 00°55'26" West 974.71 feet, thence North 89°34'42" East 372.71 feet to the North-South Mid-Section line of said Section 9, Township 18 South, Range 24 East, thence South 0°44'36" East along said North-South Mid-Section line 317.80 feet to the Point of Beginning and end of this description.

ALSO LESS: That part of Sections 8 and 9, Township 18 South, Range 24 East, Lake County, Florida, described as follows: From the Southeast corner of Section 8, same being the Southwest corner of Section 9, run South 89°36'12" West, along the South line of said Section 8, a distance of 981.00 feet; thence North 00°44'46" West, 1932.18 feet to the Northwest corner of Lot 3, Block 23, CONANT, as recorded in Plat Book 1, Page 8, Public Records of Sumter County, Florida; thence North 89°45'28" East, 978.53 feet to the East line of the aforesaid Section 8, same being the West line of the aforesaid Section 9; thence North 00°49'12" West along the line between said Section 8 and Section 9, a distance of 37.36 feet to the Northwest corner of the Southwest ¼ of the Northwest ¼ of the Southwest ¼ of said Section 9; thence North 89°05'05" East, 663.81 feet to the Northeast corner of the Southwest ¼ of the Northwest ¼ of the Southwest ¼ of Section 9; thence South 88°03'27" East, 111.41 feet; thence South 88°43'52" East, 339.19 feet; thence South 00°26'01" East, 491.31 feet; thence South 50°28'04" East, 167.65 feet; thence South 10°09'06" East, 195.35 feet; thence South 08°47'14" West, 402.48 feet; thence South 39°34'03" West, 279.41 feet; thence North 74°45'59" West, 52.72 feet; thence South 11°56'00" West, 107.35 feet; thence South 17°04'28" West, 240.25 feet; thence South 61°57'42" West, 117.67 feet, thence North 46°46'20" West 70.13 feet; thence South 12°03'59" West, 175.76 feet; thence South 54°16'49" West, 34.30 feet more or less to the South line of the Southwest ¼ of the aforesaid Section 9, Township 18 South, Range 24 East; thence South 89°44'25" West, along said South line, 641.21 feet to the Point of Beginning and end of this description.

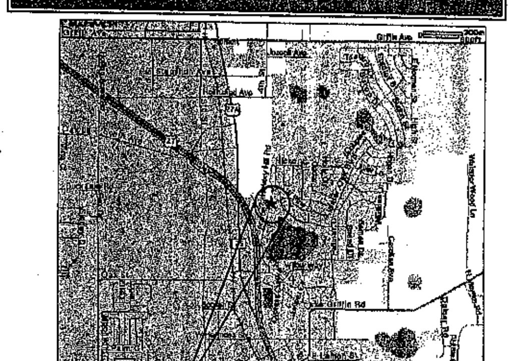
The above description describes that property set forth in the title commitment dated March 24, 2004 of Lawyers Title Insurance Corporation evidenced by Order Number O-040145-L. Which is also based on vesting deed recorded in O.R. Book 1265, page 1069 of the Public Records of Lake County, Florida.

TYPE OF REVISION	DATE	INITIALS

DRAWN BY: D. O'Brien
DATE DRAWN: 4/13/04
FIELD DATE: 4/12/04
FIELD BOOK/PAGE: 24-03/74-77
CHECKED BY: D. O'Brien

PROJECT NO.: 20040114
PHASE: 1
REVISION DATE: 4/20/04
FILE: 20040114A1
SCALE: N/A

[illegible]



Project Site

[illegible]

● FOUND IRON PIPE OR ROD	TYP. TYPICAL
○ SET 5/8" CAPPED IRON ROD	UNKNOWN MANHOLE
FOUND P.K. NAIL & DISK	UNKNOWN VALVE
(F) FIELD MEASUREMENT	POWER POLE
(P) PLAT REFERENCE	FENCE
(D) DEED REFERENCE	WATER MANHOLE
SIGN	GUY WIRE
LIGHT POLE	OVERHEAD ELECTRIC
ELECTRICAL SERVICE BOX	CLEANOUT
SPOT LIGHT	WATER VALVE
FIRE HYDRANT	WATER METER
STORM MANHOLE	GRATE INLET
WATER SPICKET	ELECTRIC PULL BOX
CONC. CONCRETE	CONTROL VALVE
SPRINKLER HEAD	BACKFLOW PREVENTER
● STEEL POST (BOLLARD)	HANDICAPPED PARKING
TRANSFORMER	

[illegible]

for

Sun Communities on the Water Oak Country Club
106 Evergreen Land
Lady Lake, Fl. 32159
(Containing 15236819.2 Square Feet or 349.79 Acres)

Surveyor's Certification:
The undersigned, being a surveyor in the State of Florida certifies to: Fannie Mae and/or ARCS Commercial Mortgage Company L.P., their successors and/or assigns as their interests may appear; Lawyers Title Insurance Corporation; Sun Communities, Inc.; Sun Communities Operating Limited Partnership; Aspen-Ft. Collins Limited Partnership; Sun Communities Finance, LLC; Sun Secured Financing LLC; Sun Secured Financing Houston Limited Partnership; Sun Saddle Oak LLC; Sun Holly Forest LLC as follows:

1. This map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by the American Land Title Association and the American Congress on Surveying and Mapping in 1999 and this survey meets the requirements for an Urban Survey as defined therein.
2. The survey was made on the ground on April 13, 2004 and correctly shows the area of the subject property, the location and type of all buildings, structures and other improvements situated on the subject property, and any other matters situated on the subject property; except Interior Mobile Homes, Pads, Parking, Drives and Utilities as excluded by contract.
3. Except as shown on the survey, there are no visible easement or rights of way of which the undersigned has been advised.
4. Except as shown on the survey, there are no observable, above ground encroachments (a) by the improvements on the subject property upon adjoining properties, streets or alleys, or (b) by the improvements on adjoining properties, streets or alley upon the subject property.
5. The location of each easement, right of way, servitude, and other matter affecting the subject property as listed in the title insurance commitment dated March 24, 2004, issued by Lawyers Title Insurance Corporation with respect to the subject property, has been shown on the survey, together with appropriate recording references, to the extent that such matters can be located. The property shown on the survey is the property described in the title commitment. The location of all improvements on the subject property is in accord with minimum setback provisions and restrictions of record as it appears in such title commitment.
6. The subject property has access to and from a duly dedicated and accepted public street or highway
7. Except as shown on the survey, the subject property does not serve any adjoining property for drainage, utilities, or ingress or egress.
8. The record description of the subject property form a mathematically closed figure.
9. Except as shown on the survey, no portion of the property shown on the survey lies within a Special Hazard Area, as described on the Flood Insurance Rate Map for the community in which the subject property is located. The survey correctly indicates the zone designation of any area shown as being within a Special Hazard Area.
10. The parties listed above are entitled to rely on the survey and this certificate as being true and accurate.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Jeffery Pereira Hollingsworth
Registration No. 4156
In the State of Florida
Date of Survey: 4/20/04
Date of Last Revision: 4/27/04
GeoMap Project No. 20040114

Survey Performed By:
GeoMap Technologies, Inc.
3910 US Hwy 301 N
Tampa, FL 33619
Phone: 813-621-2732
Fax: 813-612-9538
Email: dobrien@geomapsurv.com
Licensed Business No.: 6761

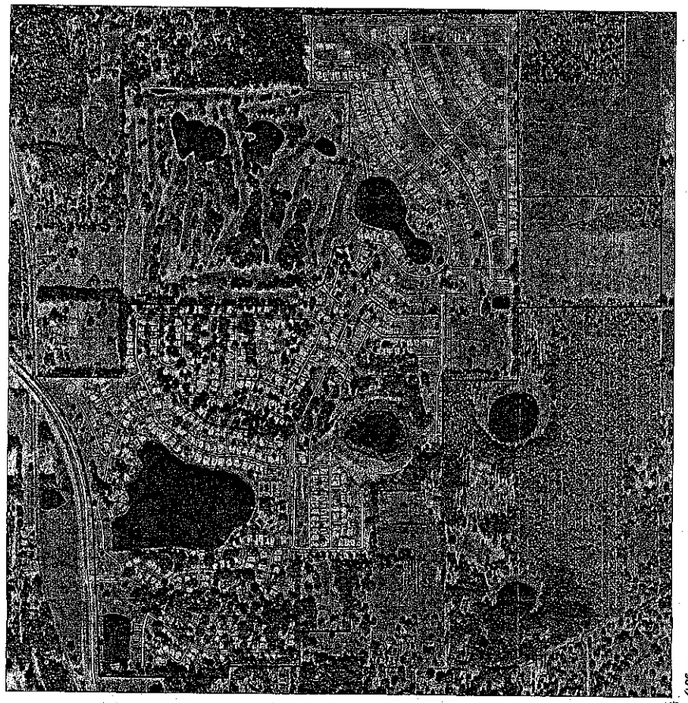
GeoMap Technologies, Inc. Surveyors and Mappers
phone: (813)-621-2732, fax: (813)-612-9538, email: webmaster@geomapsurv.com
3910 U.S. Highway 301 N. Suite 240 http://www.geomapsurv.com Licensed Business No. 6761

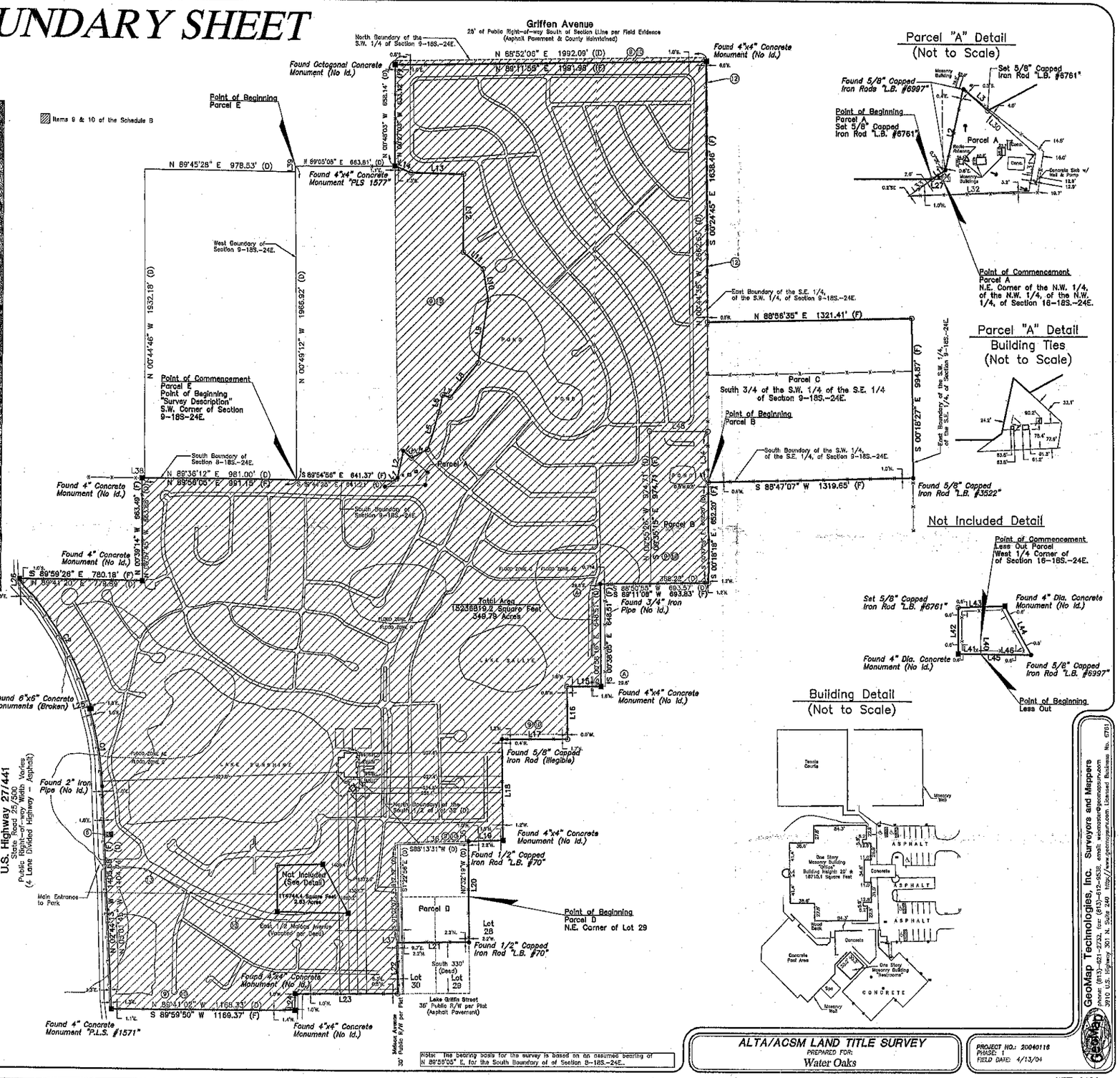
SHEET: 1 OF 2

BOUNDARY SHEET

Aerial Detail

NOT TO SCALE





Line Information: (Field)

LINE	BEARING	DISTANCE
L1	N 56°20'21" E	34.82'
L2	N 12°27'19" E	174.82'
L3	S 49°52'33" E	69.04'
L4	N 62°17'53" E	117.87'
L5	N 17°24'39" E	246.25'
L6	N 12°18'11" E	107.35'
L7	S 74°25'48" E	52.72'
L8	N 39°54'14" E	279.41'
L9	N 09°07'23" E	402.48'
L10	N 00°48'53" W	195.35'
L11	N 50°07'53" W	167.65'
L12	N 00°05'50" W	491.31'
L13	N 88°23'41" W	339.19'
L14	N 68°11'13" W	111.28'
L15	S 89°30'21" W	210.50'
L16	S 00°51'00" E	331.10'
L17	S 89°39'18" W	420.20'
L18	S 00°28'53" E	846.45
L19	S 88°35'51" W	219.29'
L20	S 00°08'28" E	834.90'
L21	S 86°34'40" W	461.64'
L22	S 00°41'58" E	322.50'
L23	S 89°36'32" W	666.31'
L24	S 00°19'35" W	104.95'
L25	N 75°09'40" E	9.96'
L26	N 01°36'08" W	16.39'
L28	N 55°20'21" E	34.82'
L29	N 12°13'41" E	175.82'
L41	N 88°22'21" W	144.48'
L42	N 00°04'58" W	292.14'
L43	N 88°08'59" E	299.33'
L44	S 28°33'03" E	349.39'
L45	N 89°22'21" W	465.77'
L46	N 89°22'21" W	321.31'

Line Information: (Deed)

LINE	BEARING	DISTANCE
L1	N 54°18'49" E	34.30'
L2	N 12°03'55" E	175.76'
L3	S 49°46'20" E	70.13'
L4	N 61°57'46" E	117.87'
L5	N 17°04'39" E	240.26'
L6	N 11°56'00" E	107.35'
L7	S 74°45'55" E	52.72'
L8	N 39°53'03" E	279.41'
L9	N 08°47'14" E	402.48'
L10	N 10°09'06" W	195.35'
L11	N 50°28'04" W	167.65'
L12	N 00°28'01" W	491.31'
L13	N 88°43'52" W	339.19'
L14	N 68°03'27" W	111.41'
L15	S 89°19'10" W	210.50'
L16	S 01°05'42" E	331.21'
L17	S 89°14'10" W	420.39'
L18	S 00°51'00" E	845.84'
L19	S 88°12'58" W	219.34'
L22	S 01°02'07" E	322.60'
L23	S 89°14'12" W	867.46'
L24	S 00°11'48" E	104.58'
L25	N 72°46'58" E	10.00'
L26	N 02°03'58" W	16.21'
L27	N 89°44'25" W	21.67'
L28	N 54°14'49" E	34.30'
L29	N 12°03'59" E	175.76'
L30	S 48°46'20" E	207.84'
L31	S 17°01'35" W	20.25'
L32	S 87°12'30" W	258.32'
L33	N 54°18'49" E	62.84'
L34	S 00°44'36" E	317.80'
L35	S 00°28'06" E	16.72'
L36	S 89°08'55" W	452.22'
L37	S 89°14'59" W	15.00'
L38	N 89°36'12" E	10.31'
L39	N 00°49'12" W	37.38'
L40	S 00°15'20" E	91.09'
L41	N 89°43'16" W	144.45'
L42	N 00°25'57" W	292.05'
L43	N 87°49'04" E	299.33'
L44	S 28°53'58" E	349.39'
L46	N 89°43'16" W	349.39'
L48	S 89°34'42" W	372.71'

Curve Information: (Field)

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2010.08'	495.86'	494.63'	N 09°45'00" W	14°08'00"
C2	2020.08'	927.73'	919.60'	N 29°58'27" W	26°18'48"

Curve Information: (Deed)

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2010.08'	457.75'			14°11'12"
C2	2020.08'	926.54'			26°18'48"

Surveyor's Notes:

1.) No interior improvements were located except buildings. Roads were traced from rectified orthophotos per project requirements.
2.) There was no above ground observable evidence of cemeteries.
3.) Note any deflection in the boundary that has a ○ symbol, and does not have a corner designation, GeoMap set a 5/8" capped iron rod labeled "L.B. #6791"
4.) All fences 6' chain link fence with barb wire, unless otherwise noted.

GeoMap Technologies, Inc. Surveyors and Mappers
phone: (813)-621-2732, fax: (813)-417-6532, email: wesmasser@gmail.com
3910 U.S. Highway 301 N. Suite 240 Ellenton, Florida 34222 http://www.geomapcorp.com (Licensed Business No. 6791)

ALTA/ACSM LAND TITLE SURVEY
PREPARED FOR:
Water Oaks

PROJECT NO.: 20040118
PHASE: 1
FIELD DATE: 4/13/04

J-7

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: December 7, 2015

SUBJECT: **Lumen Park–Final Commercial Plat - A commercial subdivision consisting of 23 lots on a 30-acre parcel located north of County Road 466, approximately 1000± feet east of the Sumter County Line, on Highway 466 within the Town of Lady Lake (AKs. 2543370, 2563842, 1739861).**

DEPARTMENT: **GROWTH MANAGEMENT**

RECOMMENDED MOTIONS:

Staff recommends approval of the Final Plat for Lumen Park - A commercial subdivision consisting of 23 lots on a 30-acre parcel located north of County Road 466.

SUMMARY:

Applicant, Darren Azdell with Outsidein Architecture LLC, has submitted plans for Final Plat Approval of a subdivision consisting of 23 Lots on a 30-acre parcel located north of County Road 466, approximately 1000± feet east of the Sumter County Line, on Highway 466 within the Town of Lady Lake (AKs. 2543370, 2563842, 1739861).The Final Plat was reviewed to determine if it is in compliance with the Land Development Regulations (LDRs). The Final Plat was reviewed to determine if it is in compliance with the Land Development Regulations (LDRs) and Florida Statutes Chapter 177. Attached are the following items in the packet:

1. Final Plat Review completed by Town Attorney, dated 12/1/15.
2. Final Plat Review completed by Town Surveyor, dated 11/30/2015.
3. Declaration of Covenants, Restrictions and Easement for Lumen Park
4. Certificate of Title
5. Final Subdivision Plat Plans
6. Application and Warranty Deeds

Additional Information:

1) The Lumen Park at Lady Lake MJSP 06/15-001 received approval by Town Commission on July 20, 2015 for a 3-story 151,790-square-foot building

providing 154 beds in 129 units and Pool Amenities. The developer has not initiated construction of the approved improvements to date.

2) A Sewer & Water Agreement will be executed between Town of Lady Lake and the Property Owner/Developer for Lumen Park Major Site Plan MJSP 06/15-001 project.

3) The Developer/owner is proposing to covey certain utilities off-site improvements to the Town.

4) As per the Declaration of Covenants, Restrictions, and Easement, Section 3). 3.1)., the lot owner shall have the obligation to construct all of the common element improvements and access easement areas referred to as Infrastructure Improvements.

Comments:

Satisfied/Revised Items:

- The final plat and declaration of covenants, conditions, and restrictions have been updated to include all exhibits. Additionally, section 6.4 which is drafted in accordance with Ordinance 2011-28, has been added to the declaration of covenants.

- The comments regarding the location and width of all existing or recorded rights of way has been added.

- The comment regarding Certificate of Title has been addressed and a copy has been provided as of 11/20/2015.

- The comment regarding including the legal description and a reference for the Villages of Lady Lake Unit 23 on Sheet 1 and Sheet 2 respectively have been addressed.

- Applicant has addressed all outstanding surveyor comments as of 11/30/2015.

- A determination has been made by the Town Attorney that a Construction Bond is not required for this project based on the fact there are no public improvements to be conveyed to the Town. Any off-site improvements for utilities will be conveyed after the site plan improvements are completed.

Public Meeting(s):

The **Technical Review Committee (TRC)** members individually reviewed the application on Thursday, October 29, 2015, and determined the application ready to recommending approval to forward to the Planning & Zoning Board.

On November 9, 2015, the **Planning & Zoning Board** reviewed the final plat application at their regular meeting, recommending approval to forward to the Town Commission by a vote of 4-0.

FISCAL IMPACT: $ 0

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: **[ ] Ordinance(s)** **[ ] Resolution** **[ ] Budget Resolution**

[X] Other - Plat

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

12-1-15

DEPARTMENT HEAD		**Submitted** 12/1/15	**Date**
FINANCE DEPARTMENT		**Approved as to Budget Requirements**	**Date**
TOWN ATTORNEY		**Approved as to Form and Legality**	**Date**
TOWN MANAGER		**Approved Agenda Item for:** 12/7/15	**Date** 12/1/15

BOARD ACTION: **[ ] Approved as Recommended** **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modification

RECEIVED
SEP 15 2015
GROWTH MANAGEMENT DEPT.
TOWN LADY LAKE

TOWN OF LADY LAKE
FINAL PLAT APPLICATION

3895483
2563842

Tax Identification # 3895482

1. Owner's Name: LL Lumen Park LLC

   Mailing Address: 1717 Main St, Suite 3900 Dallas, TX 75201

   Telephone #: (214) 389-0833

2. Applicant's Name: Darren Azdell

   Mailing Address: 1345 Virginia Lee Cir, Brooksville, FL 34602

   Telephone #: (813) 400-2399

3. Applicant is: Owner ___ Agent X Purchaser ___ Lessee ___ Optionee ___

4. Property Address/Location: 315 CR466 Lady Lake, FL 32159

5. Name of Subdivision for Final Platting Lumen Park

6. Area of Property: 1,308,325 Square feet 30.035 Acres

7. Utilities: Central Water X Central Sewer X Well ___ Septic Tank ___

8. Zoning of property: Commercial

9. Proposed number of lots/parcels: 23

10. Proposed use of the property: ALF, Office, Retail, Conservation

11. Have any land use applications been filed within the last year in connection with this property? ___ Yes X No. If yes, briefly describe the nature of the request: Site Plan and Building Permits

Applications shall include a legal description of the property, proof of ownership and authorization from the owner if represented by an agent or contract purchaser.

Application fee for Final Plat $3,000.00

I certify that the statements in this application are true to the best of my knowledge.

Signature of Applicant

FOR THE INITIAL SUBMITTAL FOR THE REVIEW PHASE, PLEASE SUBMIT THE APPLICATION AND ALL APPLICABLE DOCUMENTATION, ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND FOUR (4) COMPLETE SETS OF 24"X36" AND FOUR COMPLETE SETS OF 11"X17" (ALL SIGNED AND SEALED PLANS) TO THE GROWTH MANAGEMENT DEPARTMENT. ADDITIONAL COPIES OF APPLICATION AND PLANS WILL BE REQUIRED PRIOR TO CONSIDERATION AT THE PLANNING AND ZONING BOARD AND TOWN COMMISSION MEETINGS.

Office Use:

Date Application Received: 09-15-15 Received By: Wthen

Fees Paid: $3,000.00

OWNER'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared Cliff Weiner - Director Lumen Park who being by me first duly sworn on oath, deposes and says:

(1) That he is the fee-simple owner of the property legally described on page one of this application.

(2) That he desires approval for:
Final Plat - Lumen Park

(3) That he has appointed Darren Azdell to act as agent in his behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his stead.

Affiant (Owner's Signature)

The foregoing instrument was acknowledged before me this 23 day of September, 2015, by Cliff Weiner, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Mary Flannery
Notary Public

MARY FLANNERY
Notary Public, State of Texas
My Commission Expires
September 23, 2018

NOTE

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. This authority authorizing a person other than the owner to sign must be attached.

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared CLIFF WEINER, who being by me first duly sworn on oath, deposes and says:

(1) That he affirms and certifies that he understands and will comply with all ordinances, regulations, and provisions of the Town of Lady Lake, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Lady Lake, Florida, and are not returnable.

(2) That he desires approval for: Final Plat - Lumen Park

(3) That the submittal requirements for the application have been completed and attached hereto as part of this application.

Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 23 day of September 2015, by Cliff Weiner who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Mary Flannery
Notary Public

MARY FLANNERY
Notary Public, State of Texas
My Commission Expires
June 08, 2019

PROPERTY RECORD CARD

General Information

Owner Name:	LL-LUMEN PARK LLC	**Alternate Key:**	3895482
Mailing Address:	1717 MAIN ST STE 3900 DALLAS, TX 75201 *Update Mailing Address*	**Parcel Number:**	18-18-24-000300005300
		Millage Group and City:	00LL (Lady Lake)
		Total Millage Rate:	18.70410
		Trash/Recycling /Water/Info:	*My Public Services Map*
Property Location:	315 COUNTY ROAD 466 LADY LAKE FL 32159 *Update Property Location*	**Property Name:**	-- *Submit Property Name*
		School Locator:	*School and Bus Map*
Property Description:	FROM S 1/4 COR OF SEC RUN W'LY ALONG S LINE OF SW 1/4 A DIST| OF 726.20 FT, N 0-23-52 W 40 FT TO N R/W LINE OF SR 466 FOR | POB, RUN W'LY ALONG SAID N R/W LINE 338.50 FT, N 0-23-52 W | 1288.28 FT TO S LINE OF BLK 15 ORANGE BLOSSOM HILLS SOUTH | UNIT 2 PB 15 PG 37D, THENCE E'LY ALONG SAID S LINE 338.50 FT| TO A POINT LYING N 0-23-52 W OF POB, RUN S 0-23-52 E 1288.10| FT TO POB--LESS FROM SW COR OF SW 1/4 RUN S 89-51-17 E ALONG| CENTERLINE OF CR 466 A DIST OF 1989.55 FT, N 0-08-43 E 40 FT| TO A POINT ON N R/W LINE OF CR 466 FOR POB, CONT N 0-08-43 E| 2.75 FT, S 89-51-17 E 32.69 FT, S 0-04-09 W 2.75 FT TO A | POINT ON SAID N R/W LINE OF CR 466, N 89-51-17 W ALONG SAID | N R/W LINE 32.69 FT TO POB-- | ORB 4604 PG 1764 |		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	STORES / RES. COMBO (1200)	0	0		10	AC	$0.00	$630,000.00

Residential Building(s)

Building 001

Residential	Single Family	Building Value: $43,411.00
Summary		

PROPERTY RECORD CARD

General Information

Owner Name:	LL-LUMEN PARK LLC	**Alternate Key:**	3895483
Mailing Address:	1717 MAIN ST STE 3900 DALLAS, TX 75201 *Update Mailing Address*	**Parcel Number:**	18-18-24-000300005200
		Millage Group and City:	00LL (Lady Lake)
		Total Millage Rate:	18.70410
		Trash/Recycling /Water/Info:	*My Public Services Map*
Property Location:	LADY LAKE FL 32159 *Update Property Location*	**Property Name:**	-- *Submit Property Name*
		School Locator:	*School and Bus Map*
Property Description:	FROM SW COR OF SW 1/4 RUN E'LY ALONG S LINE OF SEC A DIST OF| 1007.15 FT, N 0-23-52 W 40 FT TO N R/W LINE OF SR 466 FOR | POB, CONT N 0-23-52 W 1288 FT TO S LINE OF ORANGE BLOSSOM | HILLS SOUTH UNIT 1 PB 15 PG 37C & PT A, RETURN TO POB, RUN | E'LY ALONG SAID N R/W LINE 338.50 FT, N 0-23-52 W 1288 FT TO| S LINE OF ORANGE BLOSSOM HILLS SOUTH UNIT 1, W'LY ALONG SAID| S LINE TO PT A--LESS FROM SW COR OF SW 1/4 RUN S 89-51-17 E | ALONG CENTERLINE OF CR 466 A DIST OF 1155.85 FT, N 0-08-43 E| 40 FT TO A POINT ON SAID N R/W LINE OF CR 466 & POB, CONT N | 0-08-43 E 2.75 FT, S 89-51-17 E 40.76 FT, S 0-08-43 W 2.75 | FT TO A POINT ON SAID N R/W LINE OF CR 466, N 89-51-17 W | ALONG SAID N R/W LINE 40.76 FT TO POB-- | ORB 4604 PGS 1764 1767 |		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT COMMERCIAL (1000)	0	0		10	AC	$0.00	$700,000.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
4604 / 1764	3/25/2015	Warranty Deed	Multi-Parcel	Vacant	$2,266,800.00

INSTRUMENT#: 2015033843 OR BK 4604 PG 1767 PAGES: 2 4/1/2015 8:00:35 AM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $18.50 DEED DOC:$0.70

RETURN

Prepared by and return to:
Richard P. Newman/klo
Attorney at Law
McLinBurnsed
26736 U.S. Highway 27, Suite 103
Leesburg, FL 34748
352-787-1241
File Number: 131001

[Space Above This Line For Recording Data]

Quit Claim Deed

This Quit Claim Deed made this 25th day of March, 2015 between RHYS ALLAN COBB, whose post office address is 532 Kenal Road, Ridgeway South Carolina 29130, grantor, and **LL-LUMEN PARK, LLC, a Delaware limited liability company** whose post office address is **1717 Main Sreet, Suite 3900, Dallas, TX 75201**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantee, and grantee's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in **Lake County, Florida** to-wit:

PARCEL A:
THAT PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF SAID SOUTHWEST 1/4 RUN EASTERLY ALONG THE SOUTH SECTION LINE 1,007.15 FEET, THENCE NORTH 0°23'52" WEST 40 FEET TO THE NORTH RIGHT OF WAY LINE OF S.R. 466 AND THE POINT OF BEGINNING, THENCE CONTINUE NORTH 0°23'52" WEST 1288 FEET, MORE OR LESS, TO THE SOUTH LINE OF ORANGE BLOSSOM HILLS SOUTH, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 37C, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AND A POINT HEREBY DESIGNATED AS POINT "A", RETURN TO THE POINT OF BEGINNING AND RUN EASTERLY ALONG SAID NORTH RIGHT OF WAY LINE 338.50 FEET; THENCE RUN NORTH 0°23'52" WEST 1288 FEET, MORE OR LESS, TO SAID SOUTH LINE OF ORANGE BLOSSOM HILLS SOUTH, UNIT 1, THENCE RUN WESTERLY ALONG SAID SOUTH LINE TO THE ABOVE DESIGNATED POINT "A".

LESS AND EXCEPT A 2.75-FOOT-WIDE STRIP OF LAND BEING A PORTION OF THAT CERTAIN DESCRIBED PROPERTY PER OFFICIAL RECORDS BOOK 2501, PAGE 1199, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE RUN SOUTH 89°51'17" EAST, ALONG THE CENTERLINE OF COUNTY ROAD 466 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 11560-2601, DATED 12-20-63, RECORDED IN ROAD PLAT BOOK 6, PAGE 55, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, FOR A DISTANCE OF 1155.85 FEET TO A POINT; THENCE RUN NORTH 00°08'43" EAST FOR A DISTANCE OF 40.00 FEET TO A POINT ON THE SAID NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 466; SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE, CONTINUE NORTH 00°08'43" EAST FOR A DISTANCE OF 2.75 FEET; THENCE RUN SOUTH 89°51'17" EAST ALONG A LINE BEING 42.75 FEET NORTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES, THE CENTERLINE OF SAID COUNTY ROAD 466, FOR A DISTANCE OF 40.76 FEET; THENCE SOUTH 00°08'43" WEST FOR A DISTANCE OF 2.75 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 466; THENCE RUN NORTH 89°51'17" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 466 AND ALONG A LINE BEING 40.00 FEET NORTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES, THE CENTERLINE OF SAID COUNTY ROAD 466, FOR A DISTANCE OF 40.76 FEET TO THE POINT OF BEGINNING.

PARCEL C:
THAT PART OF GOVENMENT LOT 6 IN SECTION 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 18 AND RUN THENCE WESTERLY ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 18 A

DISTANCE OF 726.20 FEET; THENCE N.0°23'52"W. 40.00 FEET TO THE NORTH RIGHT OF WAY LINE OF S.R. 466 AND THE POINT OF BEGINNING. THENCE WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE 338.50 FEET. THENCE N.0°23'52"W. 1288.28 FEET, MORE OR LESS, TO THE SOUTH LINE OF BLOCK 15, ORANGE BLOSSOM HILLS SOUTH, UNIT NO. 2, PLAT BOOK 15, PAGE 37D, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. THENCE EASTERLY ALONG SAID SOUTH LINE 338.50 FEET, MORE OR LESS, TO A POINT LYING N.0°23'52"W. OF THE POINT OF BEGINNING. THENCE S.0°23'52"E. 1288.10 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

LESS AND EXCEPT A 2.75-FOOT-WIDE STRIP OF LAND BEING A PORTION OF THAT CERTAIN DESCRIBED PROPERTY PER OFFICIAL RECORDS BOOK 2388, PAGE 243, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEING IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE RUN SOUTH 89°51'17" EAST, ALONG THE CENTERLINE OF COUNTY ROAD 466 PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 11560-2601, DATED 12-20-63, RECORDED IN ROAD PLAT BOOK 6, PAGE 55, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, FOR A DISTANCE OF 1989.55 FEET TO A POINT; THENCE RUN NORTH 00°08'43" EAST FOR A DISTANCE OF 40.00 FEET TO A POINT ON THE SAID NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 466; SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE, CONTINUE NORTH 00°08'43" EAST FOR A DISTANCE OF 2.75 FEET; THENCE RUN SOUTH 89°51'17" EAST ALONG A LINE BEING 42.75 FEET NORTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES, THE CENTERLINE OF SAID COUNTY ROAD 466, FOR A DISTANCE OF 32.69 FEET; THENCE SOUTH 00°04'09" WEST FOR A DISTANCE OF 2.75 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 466; THENCE RUN NORTH 89°51'17" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE OF COUNTY ROAD 466 AND ALONG A LINE BEING 40.00 FEET NORTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES, THE CENTERLINE OF SAID COUNTY ROAD 466, FOR A DISTANCE OF 32.69 FEET TO THE POINT OF BEGINNING.

Parcel Identification Number: 1818240003-000-01500 & 181824003-000-02100

NEITHER THE GRANTOR NOR GRANTOR'S SPOUSE, NOR ANYONE DEPENDENT UPON SAID GRANTOR, RESIDES ON THE ABOVE DESCRIBED PROPERTY, AND THE SAME DOES NOT CONSTITUTE THE HOMESTEAD OF SAID GRANTOR AS THE SAME IS DEFINED BY THE LAWS AND THE CONSTITUTION OF THE STATE OF FLORIDA.

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantee forever.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Shelby Jo Fordham

Witness Name: Shelby Jo Fordham

Witness Name: Richard P. Newman

Rhys Allan Cobb (Seal)
Rhys Allan Cobb

STATE OF ~~SOUTH CAROLINA~~ Florida
COUNTY OF ~~FAIRFIELD~~ Lake

The foregoing instrument was acknowledged before me this 25th day of March, 2015, by Rhys Allan Cobb, who is personally known to me or has produced a Driver's License as identification.

[Notary Seal]

RICHARD P. NEWMAN
MY COMMISSION # FF 084374
EXPIRES: March 11, 2018
Bonded Thru Budget Notary Services

Notary Public

Printed Name: Richard P. Newman

My Commission Expires: _____

DoubleTimes

PROPERTY RECORD CARD

General Information

Owner Name:	LL-LUMEN PARK LLC	**Alternate Key:**	2563842
Mailing Address:	1717 MAIN ST STE 3900 DALLAS, TX 75201 *Update Mailing Address*	**Parcel Number:**	18-18-24-000300002100
		Millage Group and City:	00LL (Lady Lake)
		Total Millage Rate:	18.70410
		Trash/Recycling /Water/Info:	*My Public Services Map*
Property Location:	LADY LAKE FL 32159 *Update Property Location*	**Property Name:**	-- *Submit Property Name*
		School Locator:	*School and Bus Map*
Property Description:	FROM SW COR OF SEC RUN E'LY ALONG SEC LINE 1345.65 FT, N | 0-23-52 W 40 FT TO N R/W OF SR 466 & POB, CONT N 0-23-52 W | 1288 FT TO S LINE OF ORANGE BLOSSOM HILLS SOUTH UNIT NO 1 & | NO 2, E'LY ALONG SAID S LINE 338.5 FT, S 0-23-52 E 1288.28 | FT TO N R/W OF SR 466, W'LY ALONG N R/W 338.5 FT TO POB | ORB 4604 PG 1769 |		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Land Value
1	VACANT COMMERCIAL (1000)	0	0		10	AC	$0.00	$700,000.00

Miscellaneous Improvements

There is no improvement information to display.

Sales History

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
741 / 398	12/1/1981	Warranty Deed	Qualified	Vacant	$30,000.00
808 / 1415	5/1/1984	Warranty Deed	Qualified	Vacant	$32,900.00
816 / 1098	8/1/1984	Quit Claim Deed	Unqualified	Vacant	$1.00
859 / 198	11/1/1985	Warranty Deed	Qualified	Vacant	$12,900.00
4604 / 1762	3/25/2015	Quit Claim Deed	Unqualified	Vacant	$100.00
4604 / 1769	3/25/2015	Warranty Deed	Qualified	Vacant	$1,133,300.00

Values and Estimated Ad Valorem Taxes

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes

INSTRUMENT#: 2015033844 OR BK 4604 PG 1769 PAGES: 3 4/1/2015 8:00:35 AM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $27.00 DEED DOC:$7933.10

RETURN

Prepared by and return to:
Richard P. Newman/klo
Attorney at Law
McLinBurnsed
26736 U.S. Highway 27 Suite 103
Leesburg, FL 34748
352-787-1241
File Number: **131001A**

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 25th day of March, 2015 between **Rhys Allan Cobb** whose post office address is **532 Kenal Road, Ridgeway, SC 29130**, grantor, and **LL-LUMEN PARK, LLC, a Delaware limited liability company** whose post office address is **1717 Main Street, Suite 3900, Dallas, TX 75201**, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, conveyed and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lake County, Florida**, to-wit:

PARCEL B: THAT PART OF GOVERNMENT LOTS 5 & 6 IN SECTION 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF SAID SECTION 18 RUN EASTERLY ALONG THE SOUTH LINE THEREOF A DISTANCE OF 1345.65 FEET, THENCE NORTH 0°23'52" WEST 40 FEET TO THE NORTH RIGHT OF WAY LINE OF S.R. 466 AND THE POINT OF BEGINNING, THENCE CONTINUE NORTH 0°23'52" WEST 1288 FEET, MORE OR LESS, TO THE SOUTH LINE OF ORANGE BLOSSOM HILLS SOUTH, UNITS NO. 1 & 2, AS RECORDED IN PLAT BOOK 15, PAGE 37 D & C, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE EASTERLY ALONG SAID SOUTH LINE 338.50 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 707, PAGE 359, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE SOUTH 0°23'52" EAST 1288 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF S.R. 466 AND THE SOUTHWEST CORNER OF SAID TRACT OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 707, PAGE 359, THENCE WESTERLY ALONG SAID NORTH RIGHT OF WAY LINE 338.50 FEET TO THE POINT OF BEGINNING.

Parcel Identification Number: 1818240003-000-02100

NEITHER THE GRANTOR NOR GRANTOR'S SPOUSE, NOR ANYONE DEPENDENT UPON SAID GRANTOR, RESIDES ON THE ABOVE DESCRIBED PROPERTY, AND THE SAME DOES NOT CONSTITUTE THE HOMESTEAD OF SAID GRANTOR AS THE SAME IS DEFINED BY THE LAWS AND THE CONSTITUTION OF THE STATE OF FLORIDA.

Subject only to the Permitted Exceptions attached as Exhibit "A".

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantor.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Shelby Jo Fordham

Witness Name: Richard P. Newman

(Seal)
Rhys Allan Cobb

DoubleTime®

State of ~~South Carolina~~ Florida
County of ~~Fairfield~~ Lake

The foregoing instrument was acknowledged before me this 25th day of March, 2015 by Rhys Allan Cobb, who [ ] is personally known or [✓] has produced Driver's License as identification.

[Notary Seal]

Notary Public

Printed Name: Richard P. Newman

My Commission Expires:

RICHARD P. NEWMAN
MY COMMISSION # FF 084374
EXPIRES: March 11, 2018
Bonded Thru Budget Notary Services

DoubleTime®

EXHIBIT "A"
PERMITTED EXCEPTIONS

1. Temporary Non-Exclusive Construction Easement Deed and Perpetual Grading Easement in favor of Lake County recorded in O.R. Book 3657, Page 2296, Public Records of Lake County, Florida.

2. Ordinance No. 2006-41 dated April 19, 2007, and recorded June 25, 2007, in O.R. Book 3458, Page 1024, Public Records of Lake County, Florida ("Ordinance 2006-41"), which Ordinance 2006-41 attaches the Developer's Agreement Between the Town of Lady Lake and Crisbo Holdings, LLC and Rhys Allan Cobb dated April 15, 2007, as modified by Ordinance No. 2008-21 dated September 24, 2008, and recorded December 22, 2008, in O.R. Book 3713, Page 30, Public Records of Lake County, Florida ("Ordinance 2008-21"), which Ordinance 2008-21 attaches the Memorandum of Agreement between the Town of Lady Lake, Crisbo Holdings, LLC, and Rhys Allan Cobb dated September 25, 2008, and as further modified by Ordinance No. 2011-28 dated December 19, 2011, and recorded December 2, 2011, in O.R. Book 4109, Page 746, Public Records of Lake County, Florida ("Ordinance 2011-28"), which Ordinance 2011-28 attaches the Memorandum of Agreement between the Town of Lady Lake, Crisbo Holdings, LLC, and Rhys Allan Cobb dated December 19, 2011.

G:\User\KrisO\131001A.Permitted Except

First American Title Insurance Company
7360 Bryan Dairy Road, Suite 225
Largo, FL 33777
Phone: (727)549-3200
Fax: (866)265-4386

CERTIFICATE OF TITLE INFORMATION FOR THE FILING OF A SUBDIVISION PLAT IN Lake County, Florida

FATIC File No.: 2061-3459676

A search of the Public Records of Lake County, Florida, through October 27, 2015 at 8:00 a.m. reveals the following with respect to the legal description of the property set out on the subdivision plat of Lumen Park (not yet recorded), said legal description attached hereto as Exhibit "A", and made a part hereof:

A. The last deeds of record were dated March 25, 2015 and recorded April 1, 2015 in Official Records Book 4604, Page 1764, Official Records Book 4604, Page 1767, Official Records Book 4604, Page 1762 and Official Records Book 4604, Page 1769, Public Records of Lake County, Florida.

B. The record title holder is LL-Lumen Park, LLC, a Delaware limited liability company .

C. The name(s) of the record title holder coincides with the name(s) shown as owner(s) on the unrecorded plat of Lumen Park .

D. Unsatisfied mortgages or liens encumbering said property are as follows:

None

E. Underlying rights of way, easements or plats affecting said property are as follows:

Temporary Non-Exclusive Construction Easement Deed and Perpetual Grading Easement recorded in Book 3657, Page 2296.

Easement contained in Order of Taking recorded in Book 3665, Page 934.

F. Other information regarding said property includes:

Ordinance No. 2006-39 recorded in Book 3420, Page 53.

Ordinance No. 2006-40 recorded in Book 3420, Page 57.

Ordinance No. 2006-41 recorded in Book 3458, Page 1024.

Ordinance No. 2008-21 recorded in Book 3713, Page 30.

Ordinance No. 2011-28 recorded in Book 4109, Page 746.

G. 2014 Ad valorem taxes on said property are paid for Tax Parcel I. D. Number 1818240003-000-02100; 1818240003-000-01500; 1818240003-000-02000.

CERTIFICATE OF TITLE INFORMATION FOR THE FILING
OF A SUBDIVISION PLAT IN
Lake County, Florida

This certificate is made for the purpose of furnishing the information required for the filing of the above referenced subdivision plat in accordance with the provisions of Chapter 177.041 of the Florida Statutes and the requirements of the Land Development Code. This search of a minimum of 30 years has been prepared expressly for the appropriate governing body as defined by Chapter 177.071 FS and it is not to be relied upon by any other group or person for any other purpose.

First American Title Insurance Company

By:_____

Ed Pagliuso
Commercial Title Officer
Authorized Signatory

Exhibit "A"

That part of Government Lot 6 in Section 18, Township 18 South, Range 24 East, Lake County, Florida, as described as follows:

Commence at the Southeast corner of the Southwest 1/4 of said Section 18; thence run N 89° 57'00" W along the South line of said Southwest 1/4 of Section 18, a distance of 725.84 feet; thence run N 00° 04'01" W. a distance of 42.75 feet to a point on the North right of way line of County Road No. 466; thence the next 7 courses run along said North right of way line; run N 89° 57'00" W, a distance of 32.69 feet; thence run S 00° 03'00" W, a distance 2.75 feet; thence run N 89° 57'00" W, a distance of 793.37 feet; thence run N 00° 03'00" E, a distance of 2.75 feet; thence run N 89° 57'00" W, a distance of 40.76 feet; thence run S 00° 03'00" W, a distance of 2.75 feet; thence run N 89° 57'00" W, a distance of 149.19 feet; thence departing said North right of way line of County Road No. 466, run N 00° 01'54" W along the East line of the Plat of Spring Arbor Village, as recorded in Plat Book 40, Page 92, a distance of 1,288.59 feet; thence run S 89° 55'51" E along the South line and its Westerly extension of the Plat of Orange Blossom Gardens Unit No. 19, as recorded in Plat Book 33, Page 5, a distance of 1,015.22 feet; thence run S 00° 04'01" E along the West line of the Plat of the Villages of Lady Lake Unit No. 23, as recorded in Plat Book 39, Page 60, a distance of 1,285.50 feet to the Point of Beginning.

This instrument prepared by
(and return to):
Alberto S. Bustamante, III, Esq.
Baker Hostetler LLP
200 S. Orange Ave.
Suite 2300
Orlando, FL 32801

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "**Declaration**") is made and entered into as of the 29th day of October, 2015 (the "**Effective Date**"), by LL Lumen Park, LLC, a Delaware limited liability company ("**Declarant**").

1. PRELIMINARY.

1.1 **Lumen Park Property.** Declarant is the owner of those certain tracts of land located and situated in the town of Lady Lake, Lake County, Florida containing approximately thirty (30) gross acres of land as identified by the legal description and on the composite sketch contained in Exhibit A attached hereto and incorporated herein by reference (the "**Lumen Park Property**").

1.2 **Lot 1.** Declarant is the owner of that certain tract of land located and situated in the town of Lady Lake, Lake County, Florida containing approximately seven and a half (7.5) gross acres of land as identified on composite sketch Exhibit A (the "**Lot 1**").

1.3 **Lot 2.** Declarant is the owner of that certain tract of land located and situated in the town of Lady Lake, Lake County, Florida containing approximately thirteen and eighty-five hundredths (13.85) gross acres of land as identified on composite sketch Exhibit A (the "**Lot 2**").

1.4 **Lot 3.** Declarant is the owner of that certain tract of land located and situated in the town of Lady Lake, Lake County, Florida containing approximately three and seven tenths (3.7) gross acres of land as identified on composite sketch Exhibit A (the "**Lot 3**").

1.5 **Lot 4.** Declarant is the owner of that certain tract of land located and situated in the town of Lady Lake, Lake County, Florida containing approximately two and eighty-five hundredths (2.85) gross acres of land as identified on composite sketch Exhibit A (the "**Lot 4**").

1.6 **Lots 5.** Declarant is the owner of that certain tract of land located and situated in the town of Lady Lake, Lake County, Florida containing approximately two and one tenth (2.1) gross acres of land as identified on composite sketch Exhibit A (the "**Lot 5**"), which has been divided into 19 lots identified as "5A", "5B", "5C", "5D", "5E", "5F", "5G", "5H", "5I", "5J", "5K", "5L", "5M", "5N", "5O", "5P", "5Q", "5R", and "5S".

1.7 **Purpose.** The Lumen Park Property consists of contiguous lots of land. The purpose of this Declaration is to establish certain covenants, conditions, easements, and restrictions that shall be applicable to the Lumen Park Property, all of which covenants, conditions and restrictions are for the purpose of enhancing and protecting the value, desirability and attractiveness of the Lumen Park Property.

1.8 **Definitions.** In addition to capitalized terms which are defined as such capitalized terms are introduced in this Declaration, the following terms shall have the definitions ascribed to them below.

(a) "**Declarant**": LL Lumen Park, LLC and its successor as identified in Section 10 below.

(b) "**Environmental Laws**": The Comprehensive Environmental Response, Compensation and Liability Act of 1980, the Toxic Substances Control Act, the Clean Water Act, the Resource Conservation and Recovery Act and any other similar federal, state or local law, rule or regulation respecting Hazardous Materials, together with all rules and regulations promulgated thereunder and all present or future amendments thereto.

(c) "**Hazardous Materials**": Underground storage tanks, petroleum and petroleum products, asbestos, PCB's, urea-formaldehyde and any hazardous or toxic substances, pollutants, contaminants, wastes or materials as defined under any Environmental Laws.

(d) "**Lienholder**": Any mortgagee under a mortgage, or any trustee or beneficiary under a deed of trust, owning and holding a lien on any Parcel as provided in and granted by such mortgage or deed of trust. A Lienholder shall not be deemed to be an Owner for purposes of this Declaration until such time as said Lienholder acquires fee simple title to its Parcel by foreclosure, trustee's sale or otherwise.

(e) "**Owner**" or "**Owners**": At any time and with respect to a Parcel, the record holder of fee simple title to such Parcel (including his, her or its heirs, personal representatives, successors and assigns).

(f) "**Parcel**": One of the lots designated on the composite sketch Exhibit A.

(g) "**Parcels**": Collectively, Lot 1, Lot 2, Lot 3, Lot 4 and Lot 5 (including 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R and 5S).

(h) "**Person**": Any individual, partnership, firm, association, corporation, trust, governmental agency, administrative tribunal or any other form of business or legal entity.

(i) "**Property**": The Lumen Park Property.

(j) "**Restrictions**": The covenants, conditions and restrictions contained in this Declaration.

2. COVENANTS APPLICABLE TO THE LUMEN PARK PROPERTY.

2.1 **Development of Lumen Park Property.** Owners shall not, without Declarant's prior written consent (which consent may be granted or withheld by Declarant in its reasonable discretion), develop, or permit the development of, the Lumen Park Property in any manner that is not the same as, or substantially similar to and consistent with, the development plan (the "**Lumen Park Property Development Plan**") for the Lumen Park Property as set forth in Exhibit B. In the event that the Owner of Lot 1 desires to revise or amend the Lumen Park Property Development Plan, such Owner shall provide to Declarant a written description of the proposed revision or amendment of the Lumen Park Property Development Plan (together with such drawings and/or any other information or documentation as Declarant shall reasonably require). Declarant shall have a period of thirty (30) Business Days to approve or disapprove the proposed revision or amendment, which approval or disapproval shall be in writing and delivered to Owner of Lot 1. In the event that Declarant does not approve or disapprove in writing the proposed revision or amendment to the Lumen Park Property Development Plan prior to the expiration of such thirty (30) day period, such proposed revision or amendment shall automatically be deemed to have been disapproved.

3. CONSTRUCTION OF INFRASTRUCTURE.

3.1 The Lot 1 owner shall have the obligation to construct all of the common element improvements and access easement areas as referenced herein and as set forth in the Lumen Park Property Development Plan. The Lot 1 Owner shall, within eighteen (18) months of acquiring title from Declarant, complete the following infrastructure improvements ("**Infrastructure Improvements**"):

(a) Complete the full access road construction within the cross access easement area;
(b) Complete all site grading and site work for the Lumen Park Property;
(c) Clear and remove trees on the Lumen Park Property;
(d) Construct the complete stormwater retention system for the Lumen Park Property pursuant to applicable permits;
(e) Construct and install all utility infrastructure to include electrical service, water supply, lift station, and sewer service to each Parcel within Lumen Park Property, as applicable;
(f) Construct the perimeter fence.

3.2 The obligation to construct the Infrastructure Improvements shall be a covenant and obligation running with title to Lot 1. In the event that the Lot 1 Owner shall not have completed the Infrastructure Improvements within eighteen (18) months of obtaining title thereto, then the Declarant (if other than the then Owner of Lot 1), and/or

any other Owner of Lots 2, 3, or 4, may elect to construct the Infrastructural Improvements ("**Constructing Owner**") and upon completion thereof, such Constructing Owner shall have the right to impose a lien against Lot 1.

In the event that Lot 1 Owner fails to complete the Infrastructure Improvements in a timely manner as required by this Section 3.2, then, Constructing Owner may perform the work necessary to complete the Infrastructure Improvements and Parcel Owner 1 shall reimburse Constructing Owner for all costs incurred with respect to the work done on the Infrastructure Improvements, together with interest per annum which shall accrue at the maximum rate permitted by law from the date payment for the work was made by Constructing Owner, until reimbursement is received from Lot 1 Owner. If Lot 1 Owner shall fail to reimburse Constructing Owner, as provided above, within fifteen (15) days after receipt of a bill therefor, Constructing Owner shall have a lien on Lot 1 for the amount of the bill, which amount shall continue to bear interest at the maximum rate permitted by law until paid. The foregoing lien shall be effective when filed of record by Constructing Owner, as a claim of lien against Lot 1 in the office of the recorder of Lake County, signed and verified. The lien, when so established against Lot 1, shall be prior and superior to any right, title, interest, lien or claim which may be or has been acquired or attached to such real property after the time of filing of the lien. The lien shall be for the use and benefit of Constructing Owner and may be enforced and foreclosed in a suit or action brought in any court of competent jurisdiction.

4. COVENANTS APPLICABLE TO LOT 1.

4.1 **Development of Lot 1.** Lot 1 Owner shall have the right to develop Lot 1 as an independent senior living, assisted living and/or memory care facility (the "**Facility**"). Lot 1 Owner shall not, without Declarant's prior written consent (which consent may be granted or withheld in its reasonable discretion), develop, or permit the development of, Lot 1 for any other use (the "**Lot 1 Permitted Use**"). In the event that Lot 1 Owner desires to develop Lot 1 for any use other than the Lot 1 Permitted Use (an "**Alternate Use**"), Lot 1 Owner shall provide to Declarant a written description of the Alternate Use (together with such drawings and/or any other information or documentation as Declarant shall reasonably require). Declarant shall have a period of thirty (30) Business Days to approve or disapprove the proposed Alternate Use, which approval or disapproval shall be in writing and delivered to Lot 1 Owner. In the event Declarant does not approve or disapprove in writing the proposed Alternate Use prior to the expiration of such thirty (30) day period, such proposed Alternate Use shall automatically be deemed to have been disapproved. Lot 1 Owner shall have initiated construction of the improvement (building structures) for the Lot 1 Permitted Use within twenty-four (24) months of receiving title to Lot 1 from Declarant ("**Lot 1 Construction Date**"). In the event Lot 1 Owner shall fail to initiate construction of the building structures by the Lot 1 Construction Date, then Declarant shall have the right to re-purchase Lot 1 from the then Owner. If Declarant elects to re-purchase Lot 1, it shall provide fifteen (15) days written notice to Lot 1 Owner; such notice shall indicate the closing date and closing agent, as determined by Declarant. The re-purchase price shall be calculated by subtracting the infrastructure cost plus ten percent (10%) from the original purchase price paid by Lot 1 Owner to Declarant ("**Re-Purchase**

Price").

5. COVENANTS APPLICABLE TO LOTS 1 – 4.

5.1 **Compliance with Building and Architectural Standards.** All buildings and improvements constructed or placed on Lots 1 – 4 shall comply in all respects with the building and architectural standards set forth in Exhibit C attached hereto and incorporated herein by reference (the "**Building and Architectural Standards**"). Prior to an Owner's commencing construction of any improvements on its Parcel, such Owner (the "**Constructing Owner**") shall submit the plans and specifications for such improvements, including but not limited to the construction plans, site plan, elevations and other drawings, and descriptions of materials to be used in constructing the improvements (the "**Plans and Specifications**") to the Declarant (the "**Reviewing Owner**") for such Reviewing Owner's review and confirmation that the Plans and Specifications comply in all respects with the Building and Architectural Standards. Within fifteen (15) Business Days after the Plans and Specifications are delivered to the Reviewing Owner, the Reviewing Owner shall provide a written response to the Constructing Owner (the "**Response Notice**") which (a) confirms in writing (which confirmation shall not be unreasonably withheld) that the Plans and Specifications comply in all respects with the Building and Architectural Standards, or (b) identifies with specificity and in reasonable detail that portion or portions of the Plans and Specifications which do not comply with the Building and Architectural Standards. The foregoing submission, review and Response Notice process shall continue until the Plans and Specifications are approved by the Reviewing Owner. If a Reviewing Owner does not provide a Response Notice within fifteen (15) Business Days after the Plans and Specifications are delivered to the Reviewing Owner, the Plans and Specifications shall automatically be deemed to have been confirmed and approved by the Reviewing Owner. Declarant and all Parcel Owners acknowledge and agree that (i) the improvements to be constructed by each Owner of Lots 1 – 4 on their respective Parcel (the "**Parcel Improvements**") will be substantially as shown in the renderings set forth in Schedule 1 attached hereto and incorporated herein by reference, and (ii) the improvements to be constructed by such Owner on the corresponding Parcel of the Lumen Park Property shall be substantially as set forth in the Lumen Park Development Plan and Building and Architectural Standards.

5.2 **Prohibited Uses.**

(a) In addition to any other uses prohibited by law, ordinance or development order(s), no portion of the Lumen Park Property shall under any circumstances be used for:

(i) "head shop";

(ii) X-rated theater;

(iii) establishment for the sale of pornographic materials;

(iv) massage parlor and/or steam bath (provided that this provision shall not be deemed to prohibit any therapeutic massages or any form of hydrotherapy made available to

residents of the Facility);

(v) nude modeling studio or establishment with nude or semi-nude waiters, waitresses or entertainers;

(vi) adult bookstore and/or adult video sales and rentals;

(vii) billiard room;

(viii) convenience store;

(ix) restaurant, including drive-in restaurant or drive-through restaurant (provided that this provision shall not be deemed to prohibit any dining room service or similar food service in the Facility);

(x) bowling alley;

(xi) skating rink;

(xii) secondhand store;

(xiii) army/navy type store and/or governmental "surplus" store;

(xiv) wholesale or factory outlet store;

(xv) cooperative store;

(xvi) sexually-oriented or adult-oriented business;

(xvii) gambling establishment;

(xviii) used car lot;

(xix) scrap or waste yard;

(xx) wrecking or junk yard;

(xxi) pawn shop;

(xxii) kennel or other animal boarding facility;

(xxiii) stockyard;

(xxiv) food or meat processing or packing facility;

(xxv) warehouse;

(xxvi) self-storage facility;

(xxvii) mobile home or trailer park;

(xxviii) casino or gambling establishment;

(xxix) liquor store, package store or any other wholesale or retail establishment selling liquor, beer, wine or any other alcohol for consumption; or

(xxx) site for drilling for and/or removal of subsurface substances (other than in connection with environmental investigation and/or remediation conducted in accordance with applicable

laws).

(b) Without in any way limiting or affecting the prohibited uses set forth in Section 5.2(a), the following shall not be permitted with respect to the Lumen Park Property:

(i) No temporary dwelling, tent, shop, trailer or mobile home of any kind or any temporary improvement shall be permitted on any Parcel; provided, however, that a builder or contractor may have temporary improvements (such as a temporary office or construction trailer) on a Parcel during the construction of any improvements on a Parcel.

(ii) No boat, marine craft, hovercraft, aircraft, recreational vehicle, camper, travel trailer, motor home or camper body may be parked for storage on any Parcel; provided that this restriction shall not apply to any vehicle, machinery or equipment temporarily parked and in use during the construction of any improvements on a Parcel.

(iii) Trucks with tonnage in excess of one (1) ton and any vehicle with painted advertisement (other than, in the case of Lot 1, vehicles with the name of the Facility thereon, or vehicles of a builder during the construction of any improvements on a Parcel) shall not be permitted to park on any Parcel overnight.

(iv) No vehicle of any size which transports flammable or explosive material may be kept on any Parcel at any time; provided, however, that the prohibition set forth in this Section 5.2(b)(iv) shall not apply to any vehicle temporarily on a Parcel for the purpose of making deliveries to such Parcel if such vehicle complies with all applicable laws and regulations.

(v) No individual water supply system shall be permitted on any Parcel.

(vi) No individual sewage disposal or septic system shall be permitted on any Parcel.

(vii) No building previously constructed elsewhere may be moved onto any Parcel, it being the intent and purpose of this Section 5.2(b)(vii) that only new construction shall be built and placed on any Parcel.

(viii) No building or other permanent improvements shall be placed or permitted to remain on a Parcel which may damage or interfere with the installation and maintenance of utilities, which may change the direction of flow within drainage channels or which may obstruct or materially retard the flow of water through drainage channels.

5.3 **Construction and Maintenance**. Each Owner, at its sole and exclusive cost, shall keep and maintain its respective Parcel (together with any and all improvements located thereon) in good condition and repair, clean and free of rubbish and other hazards.

Such maintenance shall include, but not be limited to, the following: regular and timely removal of all litter, garbage, trash and waste; regular lawn mowing; tree, shrub and plant pruning and trimming; watering of landscaped areas; weed control; pest control; maintaining exterior lighting and mechanical facilities in good working order; keeping parking areas, walks, driveways and roads clean and in good repair; striping of all parking and driveway areas; and the repairing and repainting of the exterior improvements visible to neighboring properties and/or public view. The standard for such maintenance shall be that which would maintain the Parcel or Parcels of an Owner in a manner and quality equal to at least that maintained by the owners of first class facilities of the same type in Lady Lake, Florida.

In the event that the Owner(s) of Lots 2, 3, 4 and/or 5 at any time fails to keep and maintain its Parcel in the condition required by this Section 5.3, then, upon thirty (30) days prior written notice, the Declarant may perform any work necessary to cause Lots 2, 3, 4 and/or 5, as the case may be (the "Defaulting Parcel"), to be placed in the condition required by this Section 5.3, and the Owner of the Defaulting Parcel shall reimburse the Declarant for all costs incurred with respect to the work done on the Defaulting Parcel, together with interest per annum which shall accrue at the maximum rate permitted by law from the date payment for the work was made by Declarant, until reimbursement is received from the Owner of the Defaulting Parcel. If the Owner of the Defaulting Parcel shall fail to reimburse Declarant as provided above within fifteen (15) days after receipt of a bill therefor, Declarant shall have a lien on the Defaulting Parcel for the amount of the bill, which amount shall continue to bear interest at the maximum rate permitted by law until paid. The foregoing lien shall only be effective when filed of record by Declarant, as a claim of lien against the Defaulting Parcel in the office of the recorder of Lake County, signed and verified, and containing at least the following:

(i) An itemized statement of all amounts due and payable pursuant hereto;
(ii) A description of the Defaulting Parcel;
(iii) The name of the current Owner or reputed owner of the Defaulting Parcel.

The lien, when so established against the Defaulting Parcel, shall be prior and superior to any right, title, interest, lien or claim which may be or has been acquired or attached to such real property after the time of filing of the lien. The lien shall be for the use and benefit of Declarant and may be enforced and foreclosed in a suit or action brought in any court of competent jurisdiction.

5.4 **Grant of Access Easement.** Declarant has, on even date herewith, granted an easement for vehicular and pedestrian ingress, egress and access to all Lots within the Lumen Park Property, the easement shall be recorded in the Lake County Public Records in the form attached hereto as Exhibit D ("**Access Easement**"). Lots 1 – 4 shall be deemed parties to the Access Easement and be subject to the Access Easement in perpetuity. The Access Easement shall provide for cross-parking as between the Lots 1 – 4; such cross-parking being made available to those spaces which are beyond that required by applicable governing authority for the use and facilities within any such Parcel.

5.5 **Grant of Lot 2 Signage Easement.** Declarant has, on even date herewith, granted an easement for Lot 2 signage at the east side of the west access drive entrance of Lot 1, the easement shall be recorded in the Lake County Public Records in the form attached hereto as Exhibit E ("**Signage Easement**"). Signage shall comply with town ordinances, codes and this Declaration, and shall be approved by Declarant prior to the submission of any permit.

5.6 **Control of Certain Access.** Lot 1 Owner shall, at its expense, construct on Lot 1 a roadway (the "**Lumen Park Access Road**") in substantially the location shown in Exhibit F attached hereto and incorporated herein by reference, which Lumen Park Access Road shall provide Lots 1 – 4 with access to and from CR 466, a publicly dedicated street. It being the express intention of Lot 1 Owner that at any and all times, Lot 1 – 4 Owners or any of its affiliates or their agents, representatives, vendors, customers, guests and invitees, and the residents of the Facility or their family members or other guests, shall have free and unencumbered access from Lot 1 to the Lumen Park Property and from the Lumen Park Property to Lot 1.

5.7 **Hazardous Materials.** No Owner of a Parcel or any tenant, licensee or other occupant of such Parcel shall use or permit the use, handling, generation, storage, release, disposal or transportation of Hazardous Materials on, about or under its Parcel except in the ordinary course of its business and in compliance with all Environmental Laws.

6. COVENANTS APPLICABLE TO LOT 5.

6.1 **Applicable Covenants.** In addition to the Restrictions contained in this Section 6, Lot 5, including 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, and 5S, shall be bound to the foregoing Restrictions stated in Sections 2 – 5 hereinabove.

6.2 **Prohibition on Development and Open Space Requirement.** Consistent with Ordinance No. 2011-28, as recorded in the Official Records Book 4109, Page 746, of the Public Records of Lake County, Florida, all of the property within Lot 5 shall be deemed open space. Lot 5 Owner(s) shall not develop, or permit the development of any portion of Lot 5. The Lot 1 Owner, as part of the Infrastructure Improvements, shall erect, at its sole cost and expense, a fence along the boundary identified on Exhibit A ("**Permitted Fence Area**") for each of Lots 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, and 5S. No other permanent structures or fixtures, including swimming pools, may be erected or constructed on any portion of Lot 5 ("**Open Space Requirement**") with the exception of the following: a) non-permanent lawn furniture, b) irrigation piping, c) raised planters for vegetation or gardening or pervious pedestrian paths.

6.3 **Maintenance.** Each Owner of Lots 5A – 5S shall be responsible for the maintenance and repair of the portion of the fence within its respective Parcel, which shall conform to the design specifications as specified by Declarant. Lot 5 Owner(s) shall be

required to maintain their respective Parcel to the minimum standards specified on Exhibit G. Declarant reserves the right to replace the fence along the east and north boundaries of Lot 2 and Lot 4, to a design and structure at Declarant's sole and absolute discretion.

6.4 **Access.** It is the intent of the Declarant to convey each of Lots 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, and 5S to the adjacent contiguous property owners to the north and east of such lots. Upon conveyance to such adjacent property owners, access shall be by and through such adjacent parcel and title to each such parcel shall thereafter run with title to the adjacent parcel in perpetuity. Subsequent to such conveyance, there shall be no right of access from Lots 1 – 4 to Lots conveyed and there shall be no access from the conveyed Lots 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, and 5S to Lots 1 – 4. In the event that any of Lots 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, or 5S shall not be conveyed and incorporated to the adjacent property as contemplated herein, the access to such property and ownership of such Parcel shall run by, through and to the individually contiguous Parcel within the Lumen Park Property (Lot 2 and Lot 4, respectively).

6.5 **Continuing Covenant/Restriction.** Subsequent to the conveyance of each of Lots 5A – 5S to the adjacent lots, not within the Lumen Park Property, such Lots shall no longer be deemed subject to this Declaration, with the exception of the Parcel designation by virtue of the Plat, the Open Space Requirement, and all other terms, conditions and requirements of this Section 6.

7. STORMWATER MANAGEMENT SYSTEM AND LIFT STATION.

7.1 Declarant has, on even date herewith, granted to Owners of Lots 1 – 4, a Stormwater, Retention and Utility Easement which shall be recorded in the Lake County Public Records, which shall be in the form attached hereto as Exhibit H ("**Stormwater, Retention and Utility Easement**"). All improvements to be constructed in association with the stormwater system within the Lumen Park Property, shall be constructed by the Lot 1 Owner, as Infrastructure Improvements. The Stormwater, Retention and Utility Easement shall provide for the location, structures, access, use and maintenance of the common stormwater management and retention system and the location and use of the lift station which shall serve the sewer utility function and operating system for Lots 1 – 4 within the Lumen Park Property.

8. CASUALTY AND CONDEMNATION.

8.1 **Casualty.** In the event of any damage to or destruction of any building and/or any other improvements on any Parcel from any cause whatsoever, the Owner upon whose Parcel the casualty occurred shall, at the sole option of such Owner and within nine (9) months from the date of the casualty, (i) commence the repair, restoration, or rebuilding of the building and/or other improvements and complete such building and/or other improvements with reasonable diligence, (ii) raze and demolish such building and/or improvements (or such part thereof that has been damaged or destroyed), clear the affected

area of all debris, either pave and/or landscape such affected area in such a manner as not to adversely affect the drainage of the Property or any portion thereof, and keep the same weed-free and clean, or (iii) effect any combination of subsections (i) and (ii) of this Section 8.1 as such Owner may deem appropriate.

8.2 **Condemnation.**

(a) Building and Improvements Restoration. If all or any portion of any building and/or any other improvements on any Parcel is taken or damaged as a result of the exercise of the power of eminent domain by any condemning authority, or any transfer in lieu thereof (a "**Condemnation**"), the Owner upon whose Parcel such building and/or improvements are located shall have (i) the same obligations with respect to restoration or removal of the building and/or the improvements as are set forth in Section 8.1, and (ii) the same rights with respect to such Parcel of such Owner as are set forth in Section 8.1.

(b) Allocation of Award. If all or any portion of a Parcel is taken or damaged as a result of a Condemnation (a "**Condemned Parcel**"), the Owner of the Condemned Parcel shall be entitled to the entire award, the entire purchase price paid for, and/or the entire amount of any other compensation payable by the condemning party with respect to the Condemned Parcel; provided, however, that nothing contained herein shall affect any other Person's right to seek severance damages for its Parcel; provided, however, that the award of such severance damages does not reduce or diminish the amount which would otherwise be paid to the Owner of the Condemned Parcel. If the Owner of the Condemned Parcel shall elect to restore or cause to be restored the remaining portion of the Condemned Parcel as provided in Section 8.2(a), the Owner of the Condemned Parcel shall restore or cause to be restored the remaining portion of the Condemned Parcel as near as practicable to the same condition such Condemned Parcel was in immediately prior to such Condemnation to the extent, but only to the extent, of any condemnation proceeds allocated by the court or condemning party, as the case may be, to such restoration and actually received by the Owner of the Condemned Parcel. Notwithstanding the foregoing, this Section 8.2 is not intended to and shall not alter the allocation of any award (i) between the Owner of a Condemned Parcel and any tenant of such Condemned Parcel pursuant to the terms of any lease, or (ii) between the Owner of a Condemned Parcel and any other Person pursuant to an agreement between the Owner and such other Person.

9. INDEMNIFICATION.

9.1 **Indemnification by Owner.** Each Owner (in such case, the "**Indemnifying Owner**") hereby indemnifies and shall defend and hold harmless the other Owner and the occupants of the Property from any and all liabilities, claims, damages, expenses (including, without limitation, reasonable attorney's fees and reasonable attorney's fees on

any appeal), judgments, proceedings, and causes of action of any kind whatsoever for injury to or death of any individual or damage to any property resulting from the willful misconduct or grossly negligent act or omission of the Indemnifying Owner that occurs within the easement areas Access Easement and/or Stormwater, Retention and Utility Easement.

10. SUCCESSION TO DECLARANT.

10.1 **Succession.** Upon the sale or transfer of the last Parcel owned by Declarant LL Lumen Park, LLC, the successor Declarant, as referenced in Section 1.8(a), shall become the owner of Lot 1 and its successors in title thereafter.

10.2 **Voting.** Prior to the divesting and conveyance of the last Parcel owned by LL Lumen Park, LLC, all decisions and the right to amend, modify and/or change the Declaration, Access Easement and/or the Stormwater, Retention and Utility Easement shall be solely within the right and discretion of LL Lumen Park, LLC. Subsequent to the sale or transfer of the last Parcel owned by LL Lumen Park, LLC, this Declaration may be generally amended by a vote of each Owner of Lots 1 – 4, wherein the majority shall control. In the case of a split vote, the Declarant shall have the right to cast the deciding vote. The consent of Owners of Lots 1 and 2 shall be necessary in any amendment affecting the Access Easement and/or the Stormwater, Retention and Utility Easement or use upon Lots 1 – 4.

11. COMMON AREAS/EASEMENTS.

11.1 **Access and Use of Common Areas.** The Access Easement and Stormwater, Retention and Utility Easement shall be for the benefit of the Owners and occupants of Lots 1 – 4 in accordance with the terms of such easements. The Access Easement and the Stormwater, Retention and Utility Easement areas, together with any and all improvements thereon shall be deemed common areas ("**Common Areas**"). Owners shall be responsible for the perpetual care, maintenance and operations of such Common Areas, as herein set forth.

11.2 **Maintenance of Common Areas.** At its expense, each Owner of a Parcel shall perform aesthetic landscaping and weed control on the common storm water retention pond located within the respective Parcel. The Owner of Lot 1 shall perform the functional maintenance of the improvements, structures, conveyance components and systems of the Access Easement and the Stormwater, Retention and Utility Easement. On an annual basis, Lot 1 Owner shall deliver to the Owners of Lots 2 – 4 a budget with anticipated costs necessary for the upkeep and repair of the Common Areas ("**Budget**"). Together with the Budget, an assessment shall be delivered that allocates cost to each Parcel based on the ratio of actual square footage of buildings constructed on such Parcel as the numerator and the overall actual square footage of buildings constructed on Lumen Park Property as the denominator ("**Assessment Allocation**"). Owners shall remit payment to Lot 1 Owner within thirty (30) days of receipt of the Budget and Assessment Allocation. At the end of the year, if the Assessment Allocation owed by an Owner exceeds such Owner's prior

payments, the Owner shall pay the Lot 1 Owner the deficiency within sixty (60) days after receipt of such annual statement. If the payments made by an Owner for the year exceed the Owner's actual Assessment Allocation, such Owner may either offset the excess against future Assessment Allocation expenses later to come due to the Lot 1 Owner or request reimbursement from the Lot 1 Owner, which reimbursement shall be provided without delay.

If the Owners of Lots 2, 3, 4 and/or 5 shall at any time fail to pay the foregoing Assessment Allocation as provided herein, all amounts due shall bear interest at the maximum rate permitted by law commencing upon the date that the pertinent Assessment Allocation is due and continuing until paid, and the Declarant shall have a lien against the Parcel of the Owner failing to pay the Assessment Allocation in the amount of all fees due and owing upon compliance with the procedure set forth in Section 5.3 above.

12. GENERAL PROVISIONS.

12.1 **Restrictions Run With the Land.** Each and every one of the Restrictions on each Parcel shall be a burden on that Parcel, shall be appurtenant to and for the benefit of the other Parcel and each part thereof, and shall run with the land.

12.2 **Successors and Assigns.** This Declaration and the Restrictions created hereby shall inure to the benefit of and be binding upon each Owner, his, her or its heirs, successors, assigns and personal representatives, and upon any Person acquiring a Parcel, or any portion thereof, or any interest therein, whether by operation of law or otherwise. Notwithstanding the foregoing, if an Owner sells or transfers all or any portion of its interest in any Parcel, such Owner shall, upon the sale and conveyance of title to such Parcel or such portion thereof, be released and discharged from all of its obligations as Owner in connection with the Parcel or the portion thereof sold by such Owner arising under this Declaration after the sale and conveyance of title but shall remain liable for all obligations arising under this Declaration prior to the sale and conveyance of title. The new Owner of any such Parcel or any portion thereof (including, without limitation, any Owner or Lienholder who acquires its interest by foreclosure, trustee's sale, deed in lieu of foreclosure or otherwise) shall be liable for all obligations arising under this Declaration with respect to such Parcel or portion thereof after the date of sale and conveyance of title or, in the case or such Owner or Lienholder acquiring its interest by foreclosure, trustee's sale, deed in lieu of foreclosure or otherwise, after the date of the acquisition of such interest.

12.3 **Duration.** Except as otherwise provided herein, the term of this Declaration shall be for a period of fifty (50) years (the "**Primary Period**") from the Effective Date. Notwithstanding the foregoing, upon the expiration of the Primary Period, the term of this Declaration shall automatically renew for successive periods of five (5) years each (each such period being referred to as an "**Extension Period**") unless, at least ninety (90) days prior to the date of expiration of the Primary Period or the Extension Period then in effect, the Owners duly execute, acknowledge and record in the Official Public Records of Lake County, Florida a written termination notice, in which event, this Declaration shall

automatically expire at the end of the Primary Period or the Extension Period then in effect. At any time, the Owners may terminate this Declaration by duly executing, acknowledging and recording in the Official Public Records of Lake County, Florida a written termination notice, in which event, this Declaration shall terminate as of the date specified in such written termination notice. At any time, the Owners may terminate this Declaration in part by duly executing, acknowledging and recording in the Official Public Records of Lake County, Florida a written termination notice specifying which portion of this Declaration is terminated, in which event, such portion of this Declaration shall terminate as of the date specified in such written termination notice. In no event shall only one Owner have any right to unilaterally terminate this Declaration in whole or in part. No termination of this Declaration by the Owners shall affect the rights of any Lienholder unless the Lienholder consents in writing to the termination.

12.4 **Injunctive Relief.** In the event of any violation or threatened violation by any Person (including an Owner) of any of the Restrictions (including but not limited to the Building and Architectural Standards), any Owner shall have the right to enjoin such violation or threatened violation in a court of competent jurisdiction. The right of injunction shall be in addition to all other remedies set forth in this Declaration or provided by law or in equity.

12.5 **Modification.** This Declaration may not be modified in any respect whatsoever or terminated, in whole or in part, except with the consent of Owners as set forth in Section 10 hereof and then only by written instrument duly executed and acknowledged by the Declarant and recorded in the Official Public Records of Lake County, Florida. No modification of this Declaration shall affect the rights of any Lienholder unless the Lienholder consents in writing to the modification.

12.6 **Not a Public Dedication.** Nothing herein contained shall be deemed to be a gift or dedication of any portion of the Property to the general public or for the general public or for any public purpose whatsoever, it being the intention of the Parties that this Declaration shall be strictly limited to and for the purposes herein expressed.

12.7 **Breach Shall Not Permit Termination.** It is expressly agreed that no breach of this Declaration by any Person shall entitle an Owner to terminate this Declaration, but such limitation on termination shall not affect in any manner whatsoever any other rights or remedies which such Owner may have hereunder by reason of any breach of this Declaration by any Person. Any breach of this Declaration shall not defeat or render invalid the lien of any mortgage or deed of trust made in good faith for value, but this Declaration shall be binding upon and be effective against any Owner whose title is acquired by foreclosure, trustee's sale, deed in lieu of foreclosure or otherwise.

12.8 **Default and Right to Cure.**

(a) Default. Notwithstanding any provision to the contrary contained herein, an Owner (the "**Notified Owner**") shall be deemed to be in default under this Declaration only upon the expiration of thirty (30) days from receipt of written notice of default from another Owner (the "**Notifying Owner**") specifying the

particulars in which such Notified Owner has failed to perform the obligations of this Declaration unless such Notified Owner, prior to the expiration of said thirty (30) day period, has rectified the particulars specified in said written notice of default. However, the Notified Owner shall not be deemed to be in default if such failure cannot be rectified within said thirty (30) day period and such Notified Owner is using good faith and such Notified Owner's best efforts to rectify the particulars specified in the written notice of default from the Notifying Owner; provided, however, that in any event, the default set forth in the written notice of default must be cured by such Notified Owner within one hundred eighty (180) days following the date on which such Notified Owner received the written notice of default from the Notifying Owner.

(b) Right to Cure. In the event that an Owner (the "**Defaulting Party**") fails to cure any default under this Declaration following the notice and cure period set forth in Section 12.8(a), then another Owner (the "**Non-Defaulting Party**") shall, after five (5) Business Days' written notice to the Defaulting Party, have the right (but not the obligation) to take, or cause another individual or entity to take, any and all actions necessary to cure the default, and all costs and expenses incurred by the Non-Defaulting Party to cure the default plus interest at the lesser of ten percent (10%) per annum or the maximum rate permitted by law shall immediately become, and shall be, due and payable by the Defaulting Party to the Non-Defaulting Party upon written demand by the Non-Defaulting Party. To the extent the Non-Defaulting Party's cure of any default by the Defaulting Party requires access to any real property owned by the Defaulting Party, the Parties hereby agree that the Non-Defaulting Party and its representatives, agents and contractors shall have a license to access the Defaulting Party's real property for the purpose of curing such default, and such access by the Non-Defaulting Party and its representatives, agents and contractors shall not in any event be, or be deemed or alleged by the Defaulting Party to constitute, any trespass, unlawful entry or any other similar tort or action. In curing any default by a the Defaulting Party, the Non-Defaulting Party and its representatives, agents and contractors shall have no liability to the Defaulting Party except for any liability arising out of the gross negligence or willful misconduct of the Non-Defaulting Party and its representatives, agents and contractors.

12.9 **Notices.**

(a) All notices given pursuant to this Declaration shall be in writing and shall be given by personal service, by United States mail or by United States express mail or other established express delivery service (such as Federal Express), postage or delivery charge prepaid, return receipt requested, addressed to the appropriate Owner at the address set forth below.

Declarant: LL Lumen Park, LLC
c/o Preston Hollow Capital, LLC
1717 Main St.
Suite 3900

Dallas, TX 75201
Phone 214-389-0800
jdinan@phcllc.com

With copies to:

Darren Azdell
1345 Virginia Lee Circle
Brooksville, FL 34602
Telephone: 813-400-2399
Darren.Azdell@OIArchitecture.com

Baker Hostetler
Attn: Albert Bustamante, Esq.
200 S. Orange Ave., Suite 2300
Orlando, FL 32801
Phone: 407-540-7900
Email: abustamante@bakerlaw.com

Lot 1 Owner:

LL Lumen Park, LLC
c/o Preston Hollow Capital, LLC
1717 Main St.
Suite 3900
Dallas, TX 75201
Phone 214-389-0800
jdinan@phcllc.com

Lot 2 Owner:

LL Lumen Park, LLC
c/o Preston Hollow Capital, LLC
1717 Main St.
Suite 3900
Dallas, TX 75201
Phone 214-389-0800
jdinan@phcllc.com

Lot 3 Owner:

LL Lumen Park, LLC
c/o Preston Hollow Capital, LLC
1717 Main St.
Suite 3900
Dallas, TX 75201
Phone 214-389-0800
jdinan@phcllc.com

Lot 4 Owner:

LL Lumen Park, LLC
c/o Preston Hollow Capital, LLC
1717 Main St.
Suite 3900
Dallas, TX 75201

Phone 214-389-0800
jdinan@phcllc.com

Lot 5 Owner: LL Lumen Park, LLC
c/o Preston Hollow Capital, LLC
1717 Main St.
Suite 3900
Dallas, TX 75201
Phone 214-389-0800
jdinan@phcllc.com

All notices given pursuant to this Declaration shall be deemed given upon receipt.

(b) For the purpose of this Declaration, the term "**receipt**" shall mean the earlier of any of the following: (i) the date of delivery of the notice or other document to the address specified pursuant to Section 12.9(a) above as shown on the return receipt, (ii) the date of actual receipt of the notice or other document by the Person specified pursuant to Section 12.9(a) above, or (iii) in the case of refusal to accept delivery or inability to deliver the notice or other document, the earlier of (A) the date of the attempted delivery or refusal to accept delivery, (B) the date of the postmark on the return receipt, or (C) the date of receipt of notice of refusal or notice of non-delivery by the sending Party.

12.10 **Waiver.** The failure of an Owner to insist upon strict performance of any of the Restrictions contained herein shall not be deemed a waiver of any rights or remedies that such Owner may have, and shall not be deemed a waiver of any subsequent breach or default in the performance of any of the Restrictions contained herein by such Owner.

12.11 **Attorney's Fees.** In the event an Owner initiates or defends any legal action or proceeding in any way connected with this Declaration and such Owner is the prevailing party in such legal action or proceeding, then such Owner (in addition to any other relief which may be granted, whether legal or equitable) shall be entitled to recover from the losing party (whether the other Owner or any other Person) in any such action or proceeding its reasonable costs and attorney's fees (including, without limitation, its reasonable costs and attorney's fees on any appeal). All such costs and attorney's fees shall be deemed to have accrued on commencement of any legal action or proceeding and shall be enforceable whether or not such legal action or proceeding is prosecuted to judgment. In the event an Owner initiates or defends any legal action or proceeding in any way connected with this Declaration and such Owner is not the prevailing party in such legal action or proceeding, then nothing contained in this Section 12.11 shall entitle or be construed to entitle the prevailing party to recover from such Owner any costs or attorney's fees whatsoever (including, without limitation, its reasonable costs and attorney's fees on any appeal).

12.12 **Severability.** If any term or provision of this Declaration or the application

of such term or provision to an Owner or to any other Person or circumstance shall to any extent be invalid or unenforceable, the remainder of this Declaration or the application of such term or provision to an Owner or to any other Person or circumstance, other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term and provision of this Declaration shall be valid and shall be enforced to the fullest extent permitted by law.

12.13 **No Third Party Beneficiary Rights.** This Declaration is not intended to create, nor shall it be in any way interpreted or construed to create, any third party beneficiary rights in any Person not a party hereto.

12.14 **Captions and Headings.** The captions and headings in this Declaration are for reference only and shall not be deemed to define or limit the scope or intent of any of the terms, covenants, conditions or agreements contained herein.

12.15 **Entire Agreement.** This Declaration contains the entire agreement between the Owners hereto with respect to the subject matter hereof, and supersedes all prior agreements, oral or written, with respect to the subject matter hereof. The provisions of this Declaration shall be construed as a whole and not strictly for or against any Owner.

12.16 **Business Day.** As used in this Declaration, "**Business Day**" shall mean any day other than a Saturday or Sunday, or other day on which national banks in Lady Lake, Florida are permitted or are required to close.

12.17 **Extension of Time for Performance.** If the day on which any notice is required to be given by an Owner or on which any action is to be taken by an Owner is not a Business Day, then such Owner may give the notice or take the action on the next day that is a Business Day, and if such Owner gives the notice or takes the action on the next day that is a Business Day, such Owner shall be deemed to have complied with its obligations under this Declaration with respect to the giving of such notice or the taking of such action, and such Owner shall not be deemed to have failed to give notice or to be in default hereunder.

12.18 **Construction.** In construing the provisions of this Declaration and whenever the context so requires, the use of a gender shall include all other genders, the use of the singular shall include the plural, and the use of the plural shall include the singular.

12.19 **Recordation; Governing Law.** This Declaration shall be recorded in the Official Public Records of Lake County, Florida. This Declaration shall be governed by and construed in accordance with the laws of the State of Florida and shall be performable in Lake County, Florida.

12.20 **Binding.** The provisions of this Declaration shall be binding upon and inure to the benefit of the parties hereto and their respective successors and permitted assigns.

12.21 **Exhibits.** The following exhibits are attached to and form a part of this Declaration:

Exhibit A - Lumen Park Property
Exhibit B - Lumen Park Property Development Plan
Exhibit C - Building and Architectural Standards
Exhibit D - Access Easement
Exhibit E - Signage Easement
Exhibit F - Lumen Park Access Road
Exhibit G - Lot 5 Maintenance Standards
Exhibit H - Stormwater, Retention and Utility Easement

Schedule 1 - Renderings of Parcel Improvements

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

EXECUTED to be effective as of the Effective Date.

DECLARANT:

LL Lumen Park, LLC
a Delaware limited liability company

Signed, sealed and delivered
in the presence of:

Signature: Kandice Stephens
Print Name: Kandice Stephens

Signature: John Dinan
Print Name: John Dinan

By: [signature]
Name: James R. Thompson
Its: Managing Member

Date of Execution: 10/30, 2015

STATE OF Texas
COUNTY OF Dallas

The foregoing instrument was acknowledged before me this 30th day of October, 2015, by James R Thompson as CEO of Preston Hollow Capital LLC, a Delaware LLC, on behalf of such Declarant LL Lumen Park LLC who [✓] is personally known to me or [ ] has produced _____ as identification.

(Notary Stamp)

Mary Flannery
Signature of Notary Public
Print Name: Mary Flannery
Notary Public, State of Texas
Commission Expires: 6/8/19

MARY FLANNERY
Notary Public, State of Texas
My Commission Expires
June 08, 2019

[ADDITIONAL SIGNATURES TO APPEAR ON FOLLOWING PAGE]

607319057.6

EXECUTED to be effective as of the Effective Date.

LOT 1 OWNER:

LL Lumen Park, LLC
a Delaware limited liability company

Signed, sealed and delivered
in the presence of:

Signature: Kandie Stephens
Print Name: Kandie Stephens

Signature: John Dinan
Print Name: John Dinan

By: [signature]
Name: James R. Thompson
Its: Managing Member

Date of Execution: 10/30, 2015

STATE OF Texas
COUNTY OF Dallas

The foregoing instrument was acknowledged before me this 30th day of October, 2015, by James R Thompson, as CEO of Preston Hollow Capital LLC a Delaware LLC, on behalf of such Delaware LL Lumen Park LLC who [✓] is personally known to me or [ ] has produced _____ as identification.

(Notary Stamp)

Mary Flannery
Signature of Notary Public
Print Name: Mary Flannery
Notary Public, State of Texas
Commission Expires: 6/10/19

MARY FLANNERY
Notary Public, State of Texas
My Commission Expires
June 08, 2019

607319057.6

EXECUTED to be effective as of the Effective Date.

LOT 2 OWNER:

LL Lumen Park, LLC
a Delaware limited liability company

Signed, sealed and delivered
in the presence of:

Signature: _____
Print Name: Kandice Stephens

Signature: _____
Print Name: John Dinan

By: _____
Name: James R. Thompson
Its: Managing Member

Date of Execution: 10/30, 2015

STATE OF Texas
COUNTY OF Dallas

The foregoing instrument was acknowledged before me this 30th day of October, 2015, by James R Thompson as CEO of Preston Hollow Capital, LLC a Delaware LLC, on behalf of such Declarant LL Lumen Park LLC who [✓] is personally known to me or [ ] has produced _____ as identification.

(Notary Stamp)

_____
Signature of Notary Public
Print Name: Mary Flannery
Notary Public, State of Texas
Commission Expires: 6/8/19

MARY FLANNERY
Notary Public, State of Texas
My Commission Expires
June 08, 2019

607319057.6

EXECUTED to be effective as of the Effective Date.

LOT 3 OWNER:

LL Lumen Park, LLC
a Delaware limited liability company

Signed, sealed and delivered
in the presence of:

Signature: _____
Print Name: Kandice Stephens

Signature: _____
Print Name: John Dinan

By: _____
Name: James R. Thompson
Its: Managing Member

Date of Execution: 10/30, 2015

STATE OF Texas
COUNTY OF Dallas

The foregoing instrument was acknowledged before me this 30th day of October, 2015, by James R Thompson as CEO of Preston Hollow Capital LLC a Delaware LLC, on behalf of such Declarant LL Lumen Park LLC who [✓] is personally known to me or [ ] has produced _____ as identification.

(Notary Stamp)

Mary Flannery
Signature of Notary Public
Print Name: Mary Flannery
Notary Public, State of Texas
Commission Expires: 6/8/19

MARY FLANNERY
Notary Public, State of Texas
My Commission Expires
June 08, 2019

607319057.6

EXECUTED to be effective as of the Effective Date.

LOT 4 OWNER:

LL Lumen Park, LLC
a Delaware limited liability company

Signed, sealed and delivered
in the presence of:

Signature: _____
Print Name: Kandice Stapleas

Signature: _____
Print Name: John Dinan

By: _____
Name: James R. Thompson
Its: managing member

Date of Execution: 10/30, 2015

STATE OF Texas
COUNTY OF Dallas

The foregoing instrument was acknowledged before me this 30th day of October, 2015, by James R Thompson, as CEO of Preston Hollow Capital, LLC a Delaware LLC, on behalf of such Declarant LL Lumen Park LLC who [ ] is personally known to me or [ ] has produced _____ as identification.

(Notary Stamp)

Mary Flannery
Signature of Notary Public
Print Name: Mary Flannery
Notary Public, State of Texas
Commission Expires: 6/8/19

MARY FLANNERY
Notary Public, State of Texas
My Commission Expires
June 08, 2019

607319057.6

EXECUTED to be effective as of the Effective Date.

LOT 5 OWNER:

LL Lumen Park, LLC
a Delaware limited liability company

Signed, sealed and delivered
in the presence of:

Signature: _____
Print Name: Kandice Stephens

Signature: _____
Print Name: John Dinan

By: _____
Name: James R. Thompson
Its: Managing Member

Date of Execution: 10/30, 2015

STATE OF Texas
COUNTY OF Dallas

The foregoing instrument was acknowledged before me this 30th day of October, 2015, by James R Thompson, as CEO of Preston Hollow Capital, LLC a Delaware LLC, on behalf of such Declarant LL Lumen Park LLC who [✓] is personally known to me or [ ] has produced _____ as identification.

(Notary Stamp)

Mary Flannery
Signature of Notary Public
Print Name: Mary Flannery
Notary Public, State of Texas
Commission Expires: 6/8/19

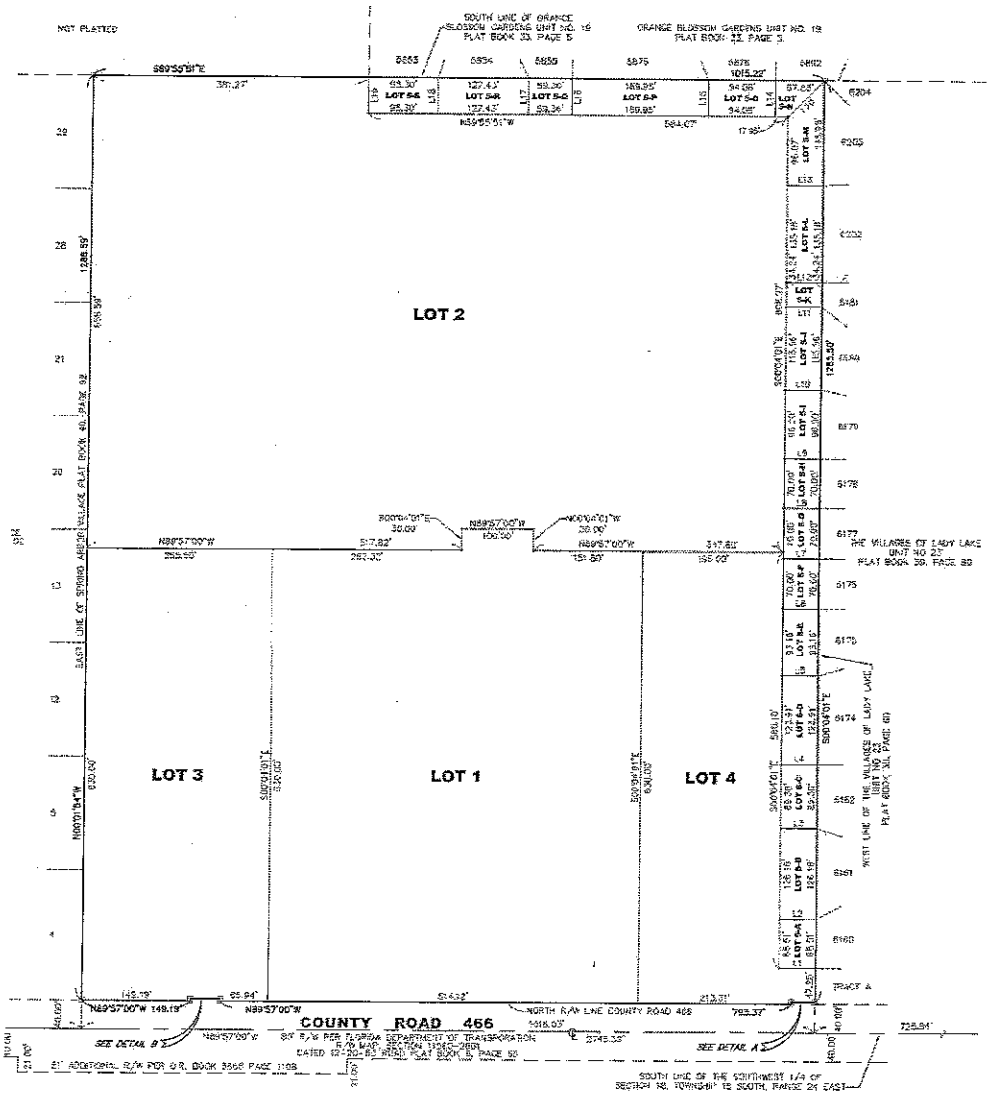
MARY FLANNERY
Notary Public, State of Texas
My Commission Expires
June 08, 2019

607319057.6

Exhibit A
Lumen Park Property

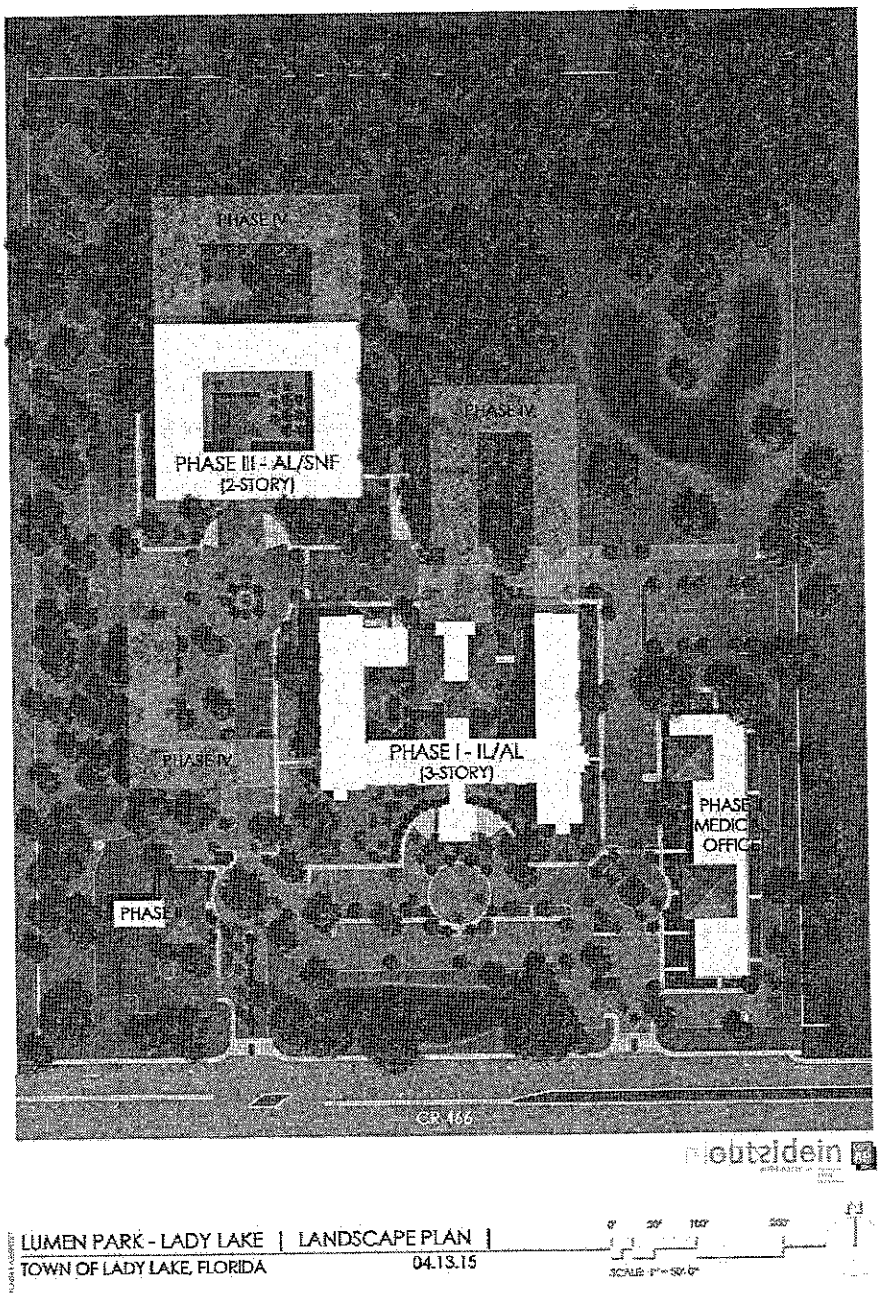
Legal description of Lumen Park Property and sketch depicting:

Lumen Park Property
Lot 1
Lot 2
Lot 3
Lot 4
Lot 5, including 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R and 5S
Permitted Fence Area



607319057.6

Exhibit B
Lumen Park Property Development Plan



607319057.6

Exhibit C
Building and Architectural Standards

Guidelines. Unless otherwise agreed in writing by the Owners, all buildings or improvements constructed or placed on the Lumen Park Property shall, in addition to complying with all applicable governmental requirements and standards, comply with the following standards:

(1) Landscaping. Plant and paving materials must be appropriate in type and amount to local climatic conditions utilizing drought tolerant native and or "Florida Friendly" landscaping or xeriscaping and to the design of the buildings or improvements to which the landscaping and/or paving materials relate. Landscaping must be installed within forty five (45) days after occupancy or substantial completion of the improvements, whichever occurs first, subject to reasonable extensions of time for weather conditions or other circumstances beyond the reasonable control of the Owner.

(2) Parking. No on-street parking will be permitted on any street or drive, and no parking shall be allowed in any area other than a paved area that is designated as a parking area; provided, however, that if in connection with any special, non-recurring event to be held on a Parcel, temporary parking is required, vehicles may, during such event (and only during such event), be parked in an area that is not designated as a parking area. Each Owner is responsible for the enforcement of compliance with this provision by its employees, agents, and visitors.

(3) Service and Storage Areas. Garbage and refuse containers must be concealed and contained within the improvements or concealed by means of a screen wall or other structure of material similar to or compatible with that of the improvements. Such containers will be designed so as not to attract attention and will be located in the most inconspicuous manner possible. Except during the construction of improvements on a Parcel, no materials, supplies, or equipment may be stored in any area on such Parcel except inside a closed building, or behind a visual barrier screening the area so that such materials, supplies, or equipment are not visible from the adjacent Parcel or from a public street.

(4) Exterior Materials, Colors. Finished building materials must be harmonious and compatible with colors of the natural surroundings and other adjacent buildings. In this regard, hard-surface materials such as brick, stone, masonry, marble, granite, limestone, finished concrete, glass and metal curtain walls are encouraged.

(5) Mechanical Equipment. All mechanical equipment, utility meters, and storage tanks on a Parcel must be located in such a manner as not to be visible from the adjacent Parcel or from a public street. If concealment within the improvements is not possible, then such utility elements must be concealed by screening or by shrubbery or other landscaping. If practicable, all antennae, satellite

dishes, and other communications devices, if any, on the tops of roofs or other portions of any improvements located on a Parcel shall be screened or otherwise located so that such antennae, satellite dishes, and other communications devices are not visible from the adjacent Parcel or from a public street.

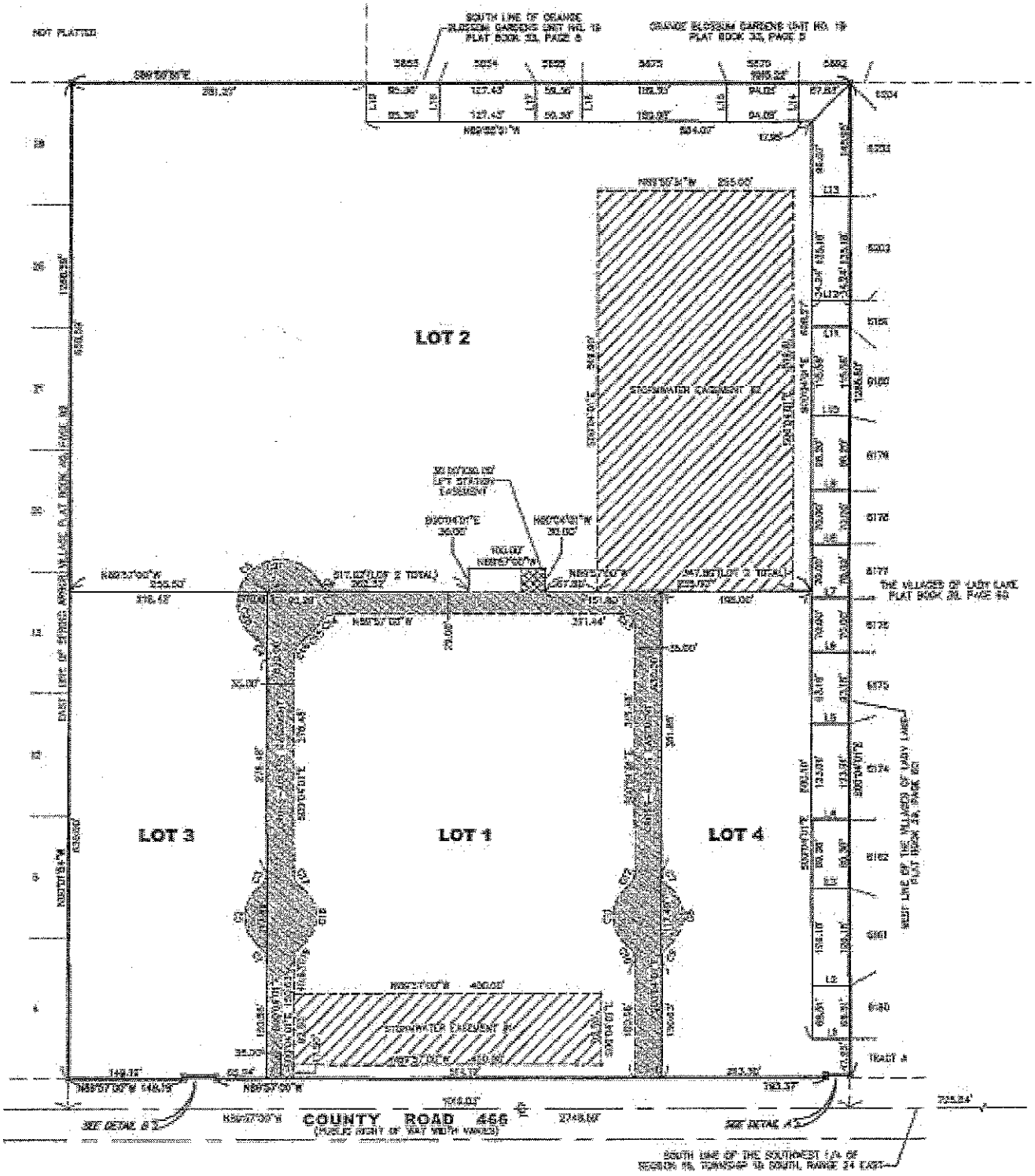
(6) Underground Utility Lines. Utility lines on each Parcel must be placed underground.

(7) Applicable Governmental Requirements. If any of the standards set forth in this Exhibit C conflict with applicable governmental requirements or standards, or if such applicable governmental requirements or standards are stricter than the standards set forth in this Exhibit C, such governmental requirements or standards shall control.

(8) Exterior Lighting. All exterior lighting shall be full cut-off fixtures casting light downward. Exception: Ornamental pole lighting consistent with existing lighting and approved by the Declarant's architect.

A representative color rendering or elevation of all proposed structures, scaled site plan and landscape plan, trash collection locations is required for approval by the Declarant's architect prior to any submission to building officials.

Exhibit D
Access Easement

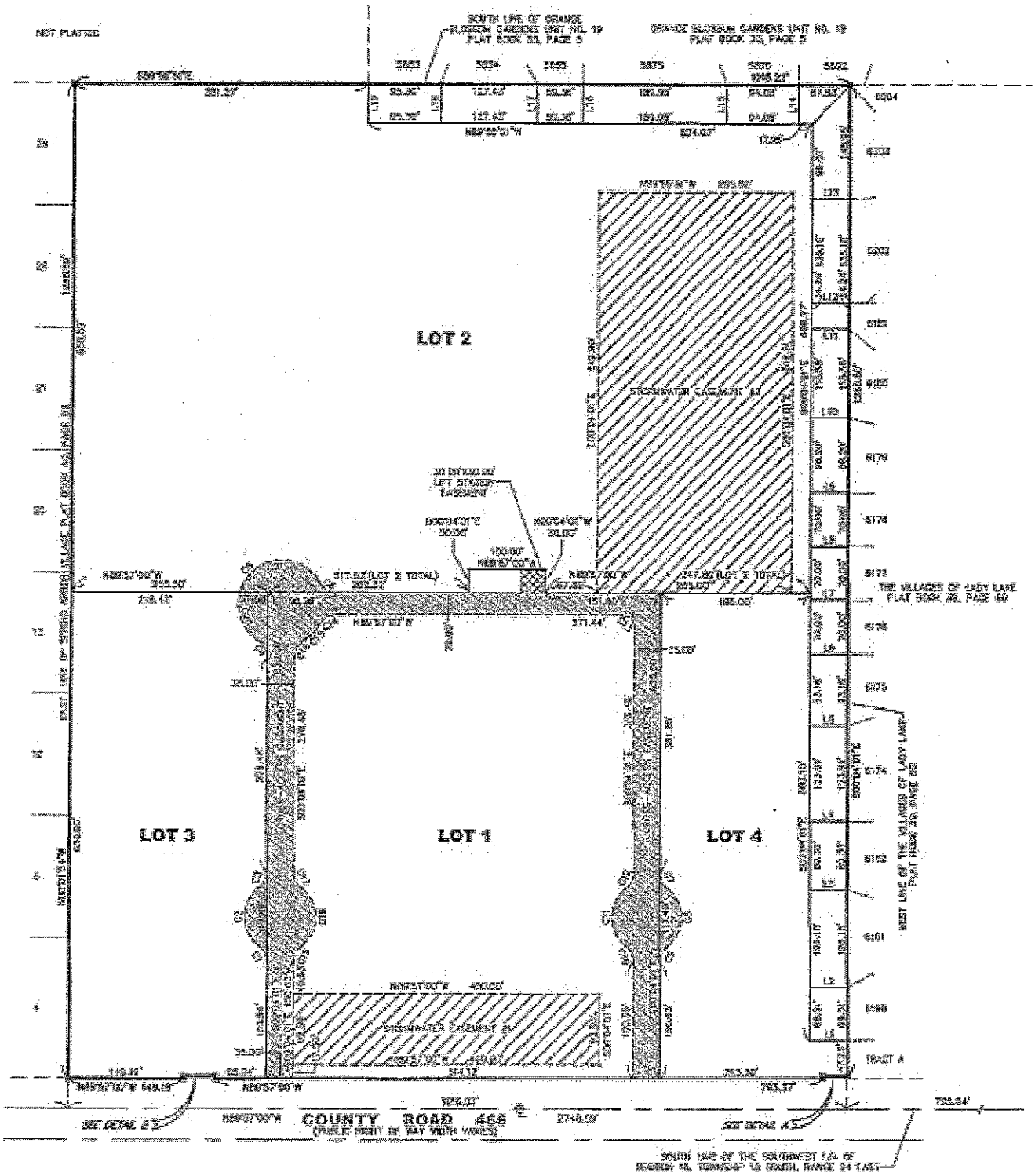


607319057.6

Exhibit E
Signage Easement

(To be Provided after DOT Permit Approval)

Exhibit F
Lumen Park Access Road



607319057.6

Exhibit G
Lot 5 Maintenance Standards
(In accordance with Town of Lady Lake Ordinance #2011-28)

(1) Lots within Lot 5, including 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R and 5S, are designated conservation lots ("**Conservation Lot**") and are to be used as buffer zones between commercially developed lots and adjacent residential lots. No building construction or use of the Buffer Zone for any reason other than lawn, landscape, utilities drainage and/or retention of stormwater or PVC fence maintenance shall be permitted other than those permitted uses listed below.

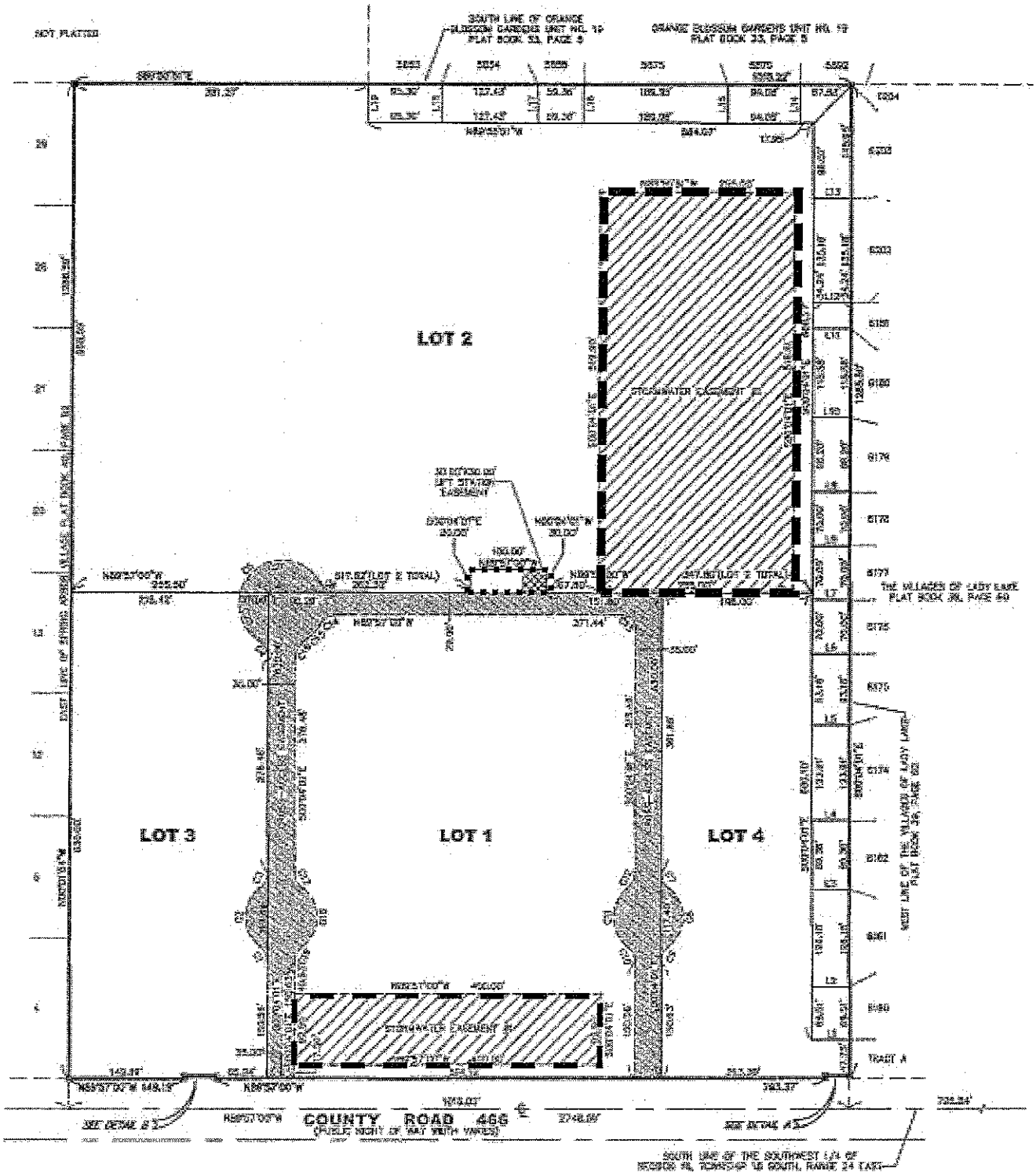
(2) Notwithstanding any local town or county ordinances, non-permanent structures, including without limitation, gazebos, children's swing sets, and the like, or landscaping features or installed necessary utilities on any Conservation Lot are permitted. Additionally, as to those Adjacent Lot Owners who accept their Conservation Lot, the Conservation Lot shall become an appurtenance to the property and thereafter the Conservation Lot shall not be conveyed separately from the respective Adjacent Lot Owner's property. Any such later conveyance in violation of this restriction is void ab initio. Finally, Conservation Lots shall be deemed a conservation area for zoning and real property tax purposes from the date of the recording of the Deed for each such conveyance.

(3) Developer installed PVC fencing shall not be painted, moved, modified or otherwise altered without the written permission of the Declarant.

(4) No native tree with a height of twenty feet (20') or greater shall be removed from any Conservation Sot unless declared hazardous by a certified arborist.

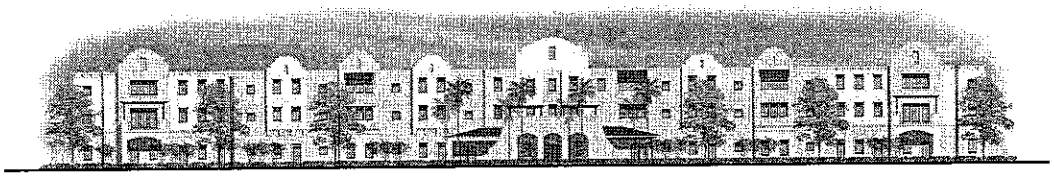
(5) All Conservation Lots shall be maintained consistent with this Declaration.

Exhibit H
Stormwater, Retention and Utility Easement



607319057.6

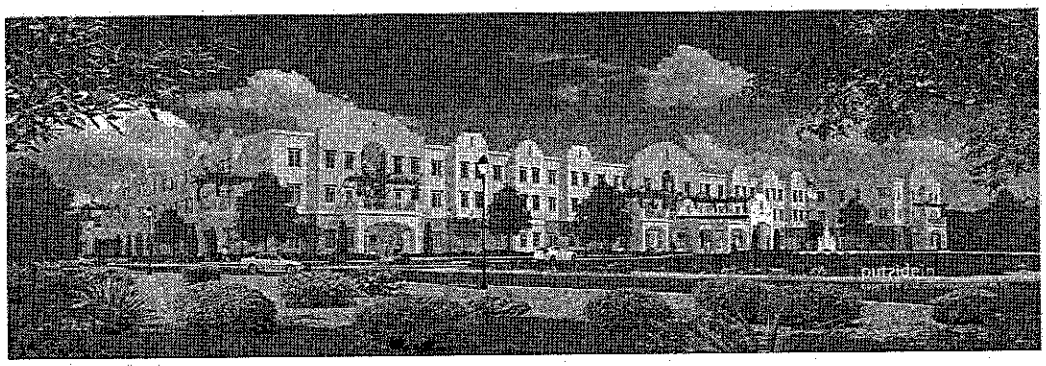
Schedule 1
Renderings of Parcel Improvements



conceptual rendered south elevation - Option B (Spanish Mission)

IL/ALF - TOWN OF LADY LAKE - FLORIDA
06.21.31

outsidein



CONCEPT RENDERING
PROPOSED:
4-5 COLOR EXTERIOR (OR SIMILAR)

LUMEN PARK - LADY LAKE
TOWN OF LADY LAKE, FL

04.13.15

outsidein

Outsidein Architecture, LLC
info@oi-arch.com (813) 400-2399

Wendy Then

From: Derek Schroth <dschroth@bowenschroth.com>
Sent: Tuesday, November 03, 2015 8:24 AM
To: Thad Carroll
Cc: Wendy Then; C.T. Eagle
Subject: Re: Security Bond Requirement

As we discussed, no bond is required under these circumstances.

Derek Schroth
Florida Bar Certified Expert in Business Litigation and Local Government Law
www.bowenschroth.com

On Oct 28, 2015, at 11:53 AM, Thad Carroll <tcarroll@ladylake.org> wrote:

Derek,

Good morning. In the near future we will be considering a Final Plat approval for a commercial project in the Town of Lady Lake. At this point, no construction has commenced on the property; and, all improvements within the plat boundary (water, sewer, lift station, paving, etc.) will remain private. According to Chapter 3, Section 11 of our LDRs, the developer is required to obtain a security in the amount of 115% of the uncompleted improvements. **We need a determination if the security bond (or other means) is required in this instance.**

Below, following g), there is reference to "Acceptance of site improvements" which is causing a little confusion in that we are unsure if this implies acceptance in the manner that it meets the specifications as per the site plan requirements, or whether it implies the same with the understanding that the Town will inherent the infrastructure by way of dedication on the plat?

Given that construction has commenced on a project (hypothetically) in which the plat indicates that the water, sewer, and/or roads will be maintained by the Town, and such infrastructure will be also dedicated to the Town, if the developer wishes to record a final plat prior to completion of those improvements I certainly see the need for the security in the amount of 115% to realize those improvements because we are obligated by the plat to provide and maintain them. However, in such instances where the improvements will remain private and the associated Covenants Conditions and Restrictions place the responsibility on a party within the document to see that these improvements are constructed, is the security bond required? This is our present scenario (see attached CCRs page 3-4, the onus is placed on the Purchaser of Lot 1).

Our reviewing engineer has stated in his experience he has seen where such a bond has been required in both cases, applying it to development improvements that will be dedicated to the municipality as well as those that will remain wholly private, thus making a requirement for the bond in his review comments of the final plat (although, he too was a bit puzzled by what acceptance meant in our code, in that it could imply that the bond would only be required for infrastructure the Town would inherit). Again in our case, no improvements have commenced, and the infrastructure is the responsibility of the owner of Parcel 1 as per the CCRs.

Please review the CCRs page 3 and 4 "Construction of Infrastructure" and determine if the bond is still needed for our current applicant; I just don't want the Town to incur any responsibility if we record the plat, and Lot 2 is sold, yet the Owner of Lot 1 fails to perform their obligations.

Lastly, our code pertaining to final platting of subdivisions is below and highlighted; however, staff is of the opinion that this was to be applied in which construction of infrastructure has commenced, and the developer wants to record the final plat prior to inspection and acceptance of that infrastructure by the Town. The security bond in that case would give us the means to complete the project for which we would be required to maintain on the plat. The developer is waiting on a determination on the matter to secure the bond (or other means) if needed. Let me know if you need any more details or information.

g) Acceptance of site improvements. Upon completion of any corrective actions which were required upon inspection, site improvements shall be accepted by the Town upon receipt of the following:

1) All required certifications of completion under federal, state, regional and county agency permits.

2) Recording of any additional on or off-site easements, rights-of-way, or property dedication required by the development order or the Code, unless they will be dedicated on the plat.

3) Construction security.

A) Site development. Construction security in the amount of one hundred fifteen (115) percent of the estimated construction cost of any uncompleted improvement.

B) Subdivision.

1) When construction of required improvements is to be completed following final plat approval, the developer shall, at or prior to final plat approval, execute a contract for construction of the required improvements and post security in the amount equal to one hundred fifteen (115) percent of the estimated total cost if improvements remaining to be constructed.

2) The contract shall be on a form provided by the Town and shall obligate the developer to complete all required improvements in accordance with the development order, the approved plans and specifications, and Town development regulations and standards, within a period of one (1) year from the date of final plat approval.

3) The surety posted to guarantee performance of the contract shall expire, if at all, no less than ninety (90) days beyond the last date for performance established by the contract, or any extension thereof. The surety shall run in favor of the Town Commission, must be in a form acceptable to the Town Attorney, and may be either:

a) A performance bond underwritten by a surety insurer authorized to transact such business in this state;

b) A cash deposit and escrow agreement governing control and use thereof;

c) An irrevocable letter of credit (issued by a financial institution authorized to conduct business within this state).

d) Other means of security acceptable to the Town Attorney's office and the public works and/or utilities departments.

4) For good cause shown, the Town Commission may at its discretion grant one (1) or more extensions of time for performance of any contract for required improvements, provided the surety supporting such contract remains valid for the required ninety (90) day period following the newly extended time for performance.

5) No construction security shall be released until a certificate of completion has been received, reviewed, and approved by the Town Manager or designee and security for maintenance has been established as required below.

6) Reduction in the amount of surety required, other than a final draw or reduction, may be authorized by the Town Commission after completion of any distinct and separable phase or portion of the required improvements. The amount of any given reduction shall not exceed eighty (80) percent of the cost of completed work, as determined by the Town Commission following review of a cost estimate for said work prepared and certified by the developer's engineer. A reduction in construction security shall not be construed as acceptance of the improvements unless expressly stated otherwise by the Town Commission at the time of the reduction. Formal acceptance shall occur as provided elsewhere in this Code, and only upon establishment of proper maintenance security, where required.

Sincerely,

Thad Carroll, AICP, LEED Green Associate
Growth Management Director
Town of Lady Lake
(352) 751-1521
tcarroll@ladylake.org

Note: The Growth Management Department's office hours are Monday - Thursday 7:30 am - 6:00 pm

Fla. Stat. 668.6076 "Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

<LL Lumen Park LLC _ Declaration of Covenants Conditions and Restrictions....pdf>

outsidein
architecture LLC interior design
planning
leed consulting

Thursday, October 29, 2015

Wendy Then, CFM
Town Planner
Town of Lady Lake
409 Fennell Blvd.
Lady Lake, FL 32159
352-751-1582
352-751-1514- Fax

Re: Final Plat Review Comments – Kimley Horn Dated October 20, 2015

Dear Mrs. Then

Thank you for your review of the above submitted final plat. Below are responses to questions generated by Kimley Horn. Attached are the requested changes to the plat and CCR's as requested.

Final Plat Review Comments 10/20/2015

1. An executed Mylar is needed prior to final approval.

   Response: Please see final Mylar hand delivered by Shannon Surveying 10.29.15.

2. Need to provide language in regards to Lot 5-23 in regards to access. Is there going to be separate conveyance to adjacent property owner?

   Response: Please see final plat and declaration of covenants, conditions and restrictions, specifically section 6.4 which is drafted in accordance with Ordinance 2011-28.

3. Declaration of Covenants, Conditions and Restrictions is preliminary and not executed. Exhibit "A" has references for composite sketch that is not included, and Tract Names inconsistent with final plat.

   Response: Please see attached executed CCR with updated Exhibits.

4. If there is infrastructure associated with this plat a Bond and Certified Cost Estimate needs to be submitted.

   Response: There is no infrastructure associated with the plat, neither conveyed to public use or privately owned. When construction commences, any infrastructure being conveyed either temporarily or permanently will be bonded in accordance with any town requirements. Items required under Ordinance 2011-28 such as the perimeter fence are being installed in conjunction with construction and shall be bonded as required prior to the issuance of permits. This requirement is understood by the applicant.

5. Add the date of preparation of final plat.

12906 Tampa Oaks Blvd. | Temple Terrace, FL 33637 | Ph. 813.400.2399
1345 Virginia Lee Circle | Brooksville, FL 34602 | Ph. 352.587.2770
OIArchitecture.com | FL Auth #AA26001977 #IB26001204

Response: Revised. Please see final plat.

6. The Location and width of all existing or recorded rights of way needs to be added. Need to reference and add dimension to South right of way line of CR 466.

   Response: Revised. Please see final plat.

7. Notice on sheet 1 needs to remove "THIS COUNTY" and replace with "LAKE COUNTY".

   Response: Revised. Please see final plat.

8. Certificate of Title needs to be submitted.

   Response: Please see attached Deed/Certificate of Title for ownership of the existing parcels.

9. Add statement "This instrument was prepared by (name, address).

   Response: Revised. Please see final plat.

10. Sheet 1:

    a. Add Unit No. 23 to legal description reference for the Plat of The Villages of Lady Lake.
    b. Add entity name in Certificate of Dedication.
    c. Add north arrow for location map

    Response: Revised. Please see final plat.

11. Sheet 2:

    a. Add Unit No. 23 to reference for the Plat of The Villages of Lady Lake.
    b. Add call for North right of way of CR 466
    c. Calls for monumentation don't match field calls. Correct field monumentation and call for re-inspection.
    d. Calls for set monumention not found in field. Correct field monumentation and call for re-inspection.
    e. Missing bearing & distance for Southeasterly lot line for Lot 18.
    f. Details "A" & "B" need to specify scale & north arrow.

    Response: Revised. Please see final plat.

Thanks to you and Kimley Horn again for taking the time to review the plat and associated documents for this project. Please feel free to contact me if you have any further questions or feel we did not fully respond positively to your questions or comments. I can be reached at (813) 400-2399.

Respectfully,

Darren M. Azdell, AIA, NCARB
Principal | Outsidein Architecture, LLC

PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: November 9, 2015

SUBJECT: **Lumen Park–Final Commercial Plat - A commercial subdivision consisting of 23 lots on a 30-acre parcel located north of County Road 466, approximately 1000± feet east of the Sumter County Line, on Highway 466 within the Town of Lady Lake (AKs. 2543370, 2563842, 1739861).**

DEPARTMENT: **GROWTH MANAGEMENT**

RECOMMENDED MOTIONS:

1. **Motion to forward the Lumen Park Subdivision- Final Plat Application to the Town Commission with the recommendation of Approval.**

2. **Motion to forward the Lumen Park Subdivision- Final Plat Application to the Town Commission with the recommendation of Denial.**

Growth Management Staff is in support of recommendation #1

SUMMARY:

Applicant, Darren Azdell with Outsidein Architecture LLC, has submitted plans for Final Plat Approval of a subdivision consisting of 23 Lots on a 30-acre parcel located north of County Road 466, approximately 1000± feet east of the Sumter County Line, on Highway 466 within the Town of Lady Lake (AKs. 2543370, 2563842, 1739861).The Final Plat was reviewed to determine if it is in compliance with the Land Development Regulations (LDRs). The Final Plat was reviewed to determine if it is in compliance with the Land Development Regulations (LDRs) and Florida Statutes Chapter 177. Attached are the following items in the packet:

1. Declaration of Covenants, Restrictions and Easement for Lumen Park
2. Certificate of Title
3. Final Subdivision Plat Plans
4. Application and Warranty Deeds

Additional Information:

1) The Lumen Park at Lady Lake MJSP 06/15-001 received approval by Town Commission on July 20, 2015 for a 3-story 151,790-square-foot building providing 154 beds in 129 units and Pool Amenities. The developer has not initiated construction of the approved improvements to date.

2) A Sewer & Water Agreement will be executed between Town of Lady Lake and the Property Owner/Developer for Lumen Park Major Site Plan MJSP 06/15-001 project.

3) The Developer/owner is proposing to covey certain utilities off-site improvements to the Town.

4) As per the Declaration of Covenants, Restrictions, and Easement, Section 3). 3.1)., the lot owner shall have the obligation to construct all of the common element improvements and access easement areas referred to as Infrastructure Improvements.

Comments:

Satisfied/Revised Items:

- The final plat and declaration of covenants, conditions, and restrictions have been updated to include all exhibits. Additionally, section 6.4 which is drafted in accordance with Ordinance 2011-28, has been added to the declaration of covenants.

- The comments regarding the location and width of all existing or recorded rights of way has been added.

- The comment regarding Certificate of Title has been addressed and a copy has been provided as of 11/2/2015.

- The comment regarding including the legal description and a reference for the Villages of Lady Lake Unit 23 on Sheet 1 and Sheet 2 respectively have been addressed.

- Applicant has addressed all outstanding surveyor comments.

- A determination has been made by the Town Attorney that a Construction Bond is not required for this project based on the fact there are no public improvements to be conveyed to the Town. Any off-site improvements for utilities will be conveyed after the site plan improvements are completed.

Public Meeting(s):

The **Technical Review Committee (TRC)** members individually reviewed the application on Thursday, October 29, 2015, and determined the application ready to recommending approval to forward to the Planning & Zoning Board.

The **Town Commission** is scheduled to consider the Final Plat at their regular meeting on Monday, December 7, 2015 for final approval.

FISCAL IMPACT: $ 0

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: **[ ] Ordinance(s)** **[ ] Resolution** **[ ] Budget Resolution**

[X] Other - Plat

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

11-12-15	**DEPARTMENT HEAD**	**Submitted** 11/2/15	**Date**
	FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
	TOWN ATTORNEY	**Approved as to Form and Legality**	**Date**
	TOWN MANAGER	**Approved Agenda Item for:** 11/9/15	**Date** 11/2/15

BOARD ACTION: **[ ] Approved as Recommended** **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modification

LUMEN PARK

BEING A PORTION OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST, TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA

RESERVED FOR CLERK OF CIRCUIT COURT
PLAT BOOK _____
PAGE _____

LEGAL DESCRIPTION:

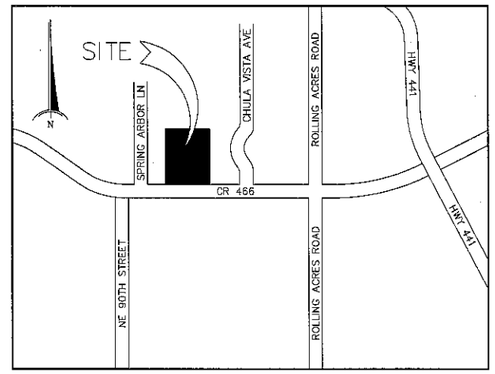
THAT PART OF GOVERNMENT LOT 6 IN SECTION 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE RUN N89°57'00"W ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF SECTION 18, A DISTANCE OF 725.84 FEET; THENCE RUN N00°04'01"W, A DISTANCE OF 42.75 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD No. 466 FOR A POINT OF BEGINNING; THENCE THE NEXT 7 COURSES RUN ALONG SAID NORTH RIGHT OF WAY LINE: RUN N89°57'00"W, A DISTANCE OF 32.69 FEET; THENCE RUN S00°03'00"W, A DISTANCE OF 2.75 FEET; THENCE RUN N89°57'00"W, A DISTANCE OF 793.37 FEET; THENCE RUN N00°03'00"E, A DISTANCE OF 2.75 FEET; THENCE RUN N89°57'00"W, A DISTANCE OF 40.76 FEET; THENCE RUN S00°03'00"W, A DISTANCE OF 2.75 FEET; THENCE RUN N89°57'00"W, A DISTANCE OF 149.19 FEET; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE OF COUNTY ROAD No. 466, RUN N00°01'54"W ALONG THE EAST LINE OF THE PLAT OF SPRING ARBOR VILLAGE, AS RECORDED IN PLAT BOOK 40, PAGE 92, A DISTANCE OF 1288.59 FEET; THENCE RUN S89°55'51"E ALONG THE SOUTH LINE AND ITS WESTERLY EXTENSION OF THE PLAT OF ORANGE BLOSSOM GARDENS UNIT No. 19, AS RECORDED IN PLAT BOOK 33, PAGE 5, A DISTANCE OF 1015.22 FEET; THENCE RUN S00°04'01"E ALONG THE WEST LINE OF THE PLAT OF THE VILLAGES OF LADY LAKE UNIT NO. 23, AS RECORDED IN PLAT BOOK 39, PAGE 60, A DISTANCE OF 1285.50 FEET TO THE POINT OF BEGINNING.

CONTAINS 1,308,332 SQUARE FEET OR 30.035 ACRES, MORE OR LESS.

LOCATION MAP

NOT TO SCALE



NOTES:

1. BEARINGS BASED ON THE EAST LINE OF THE PLAT OF SPRING ARBOR VILLAGE, PLAT BOOK 40, PAGE 92, AS BEING N00°01'54"W.
2. ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
3. LIFT STATION EASEMENT IS PRIVATE AND TO BE OWNED AND MAINTAINED BY THE OWNER OF LOT 1.
4. STORM WATER EASEMENT #1 IS PRIVATE AND TO BE OWNED AND MAINTAINED BY THE OWNER OF LOT 1.
5. STORM WATER EASEMENT #2 IS PRIVATE AND TO BE OWNED AND MAINTAINED BY THE OWNER OF LOT 2.
6. CROSS-ACCESS EASEMENT IS PRIVATE AND TO BE OWNED AND MAINTAINED BY THE OWNER OF LOT 1.

LEGEND

- ⊠ – SET 4"X4" CONCRETE MONUMENT STAMPED "SHANNON PRM 4671", UNLESS OTHERWISE NOTED
- CM – CONCRETE MONUMENT
- ℄ – INDICATES CENTERLINE
- – INDICATES GPS CORNER
- LB – LICENSED BUSINESS CERTIFICATION
- ORB – OFFICIAL RECORDS BOOK
- PRM – PERMANENT REFERENCE MONUMENT
- R/W – RIGHT-OF-WAY
- PB – PLAT BOOK
- PG – PAGE
- # – NUMBER
- CCR – CERTIFIED CORNER RECORD

THIS INSTRUMENT WAS PREPARED BY:
SHANNON SURVEYING, INC.
499 NORTH S.R. 434 – SUITE 2155
ALTAMONTE SPRINGS, FLORIDA, 32714
(407) 774-8372 LB # 6898
PREPARED: OCTOBER 27, 2015

NOTE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

CERTIFICATE OF DEDICATION

IN WITNESS THEREOF, the undersigned has has caused these presents to be signed this _____ day of _____, 2015.

LL–LUMEN PARK, LLC, a Delaware limited liability company

By: _____

By: _____ WITNESS _____ PRINTED NAME

By: _____ WITNESS _____ PRINTED NAME

State of _____ County of _____

The foregoing instrument was sworn to, signed and acknowledged before me this _____ day of _____, 2015 by _____ of _____, who are personally known to me or have produced _____ as identification and did (did not) take an oath.

NOTARY PUBLIC _____ My Commission Expires _____

PRINTED NAME _____ CC# _____

CERTIFICATE OF APPROVAL BY THE TOWN COMMISSION

THIS IS TO CERTIFY that on _____ the foregoing plat was approved by the Town commission of Lady Lake, Florida.

MAYOR _____ ATTEST: _____ TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

TOWN ATTORNEY _____

CERTIFICATE OF CLERK

I, CLERK OF CIRCUIT COURT OF LAKE COUNTY, FLORIDA, DO HEREBY CERTIFY THAT I have examined the foregoing plat LUMEN PARK and that it complies with all the requirements of LAWS FLA Chapter 177. THIS PLAT FILED FOR RECORD THIS _____ DAY OF _____, 2015 AND RECORDED PAGE OF PLAT BOOK _____ IN THE OFFICE OF THE CLERK OF CIRCUIT COURT OF LAKE COUNTY, FLORIDA.

BY: _____

CLERK OF THE CIRCUIT COURT, LAKE COUNTY, FLORIDA

REVIEWER STATEMENT

"Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Chapter 177, Part 1, Florida Statutes, and find that said plat complies with the technical requirements of that chapter; provided however, that my review does not include field verification of any coordinates, points or measurements shown on this plat."

Signature _____ Date _____ Registration No. _____

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed and registered land surveyor, does hereby certify that this plat was prepared under my direction and supervision and that the plat complies with all of the survey requirements and on 03-19-2015 the survey of the lands were completed as shown in the foregoing plat; that said plat is a correct presentation of the lands therein described and platted or subdivided; that permanent reference monuments have been placed and each P.C.P. has been set as shown thereon as required by Chapter 177, Florida Statutes and that said land is located in Town of Lady Lake, Lake County, Florida.

_____ DATE _____

JAMES R. SHANNON JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION No. 4671

CERTIFICATE OF APPROVAL BY THE PLANNING AND ZONING BOARD

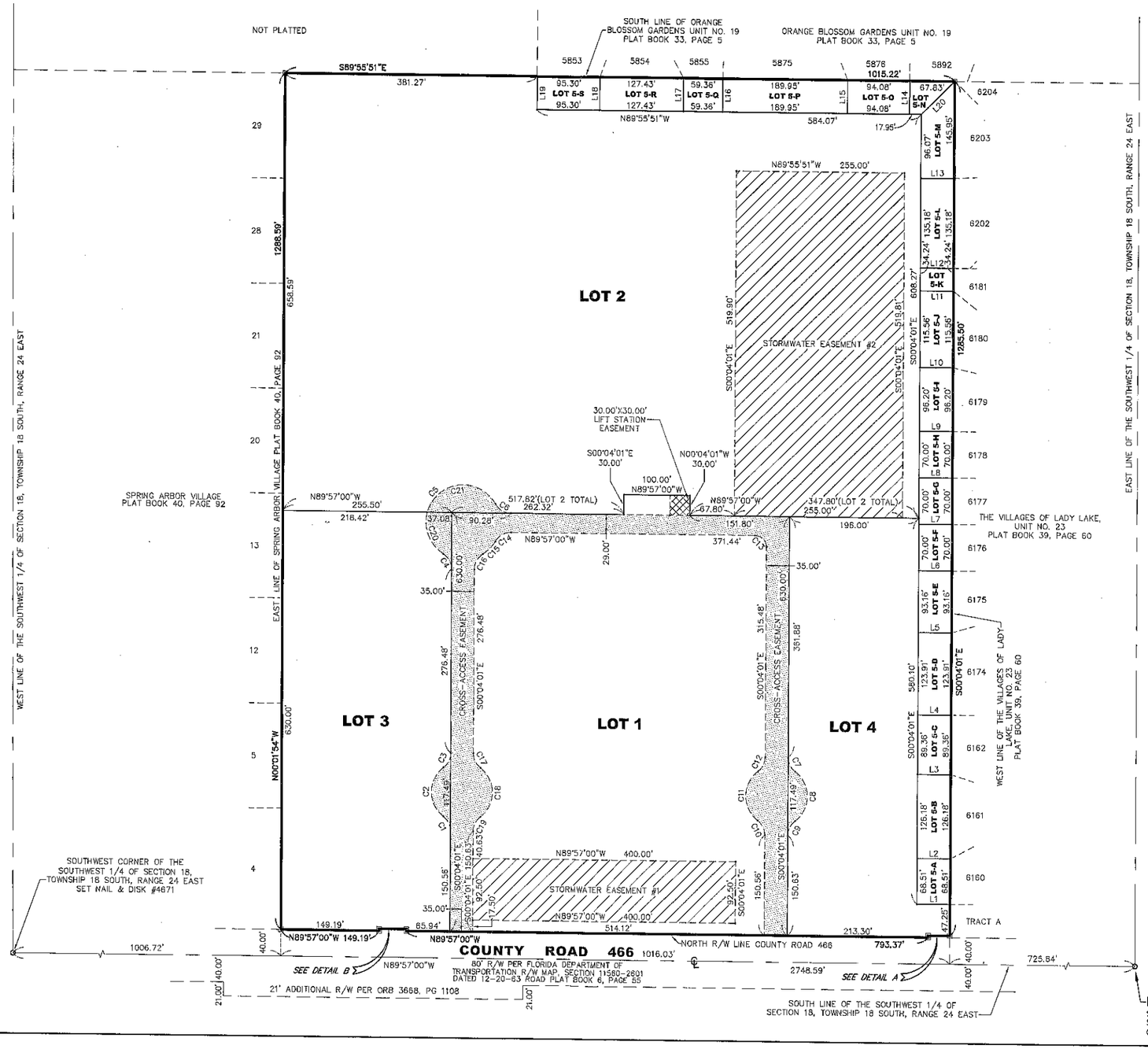
Examined and Approved _____

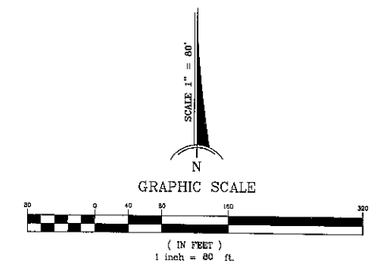
Date _____

LUMEN PARK

BEING A PORTION OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 24 EAST,
TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA

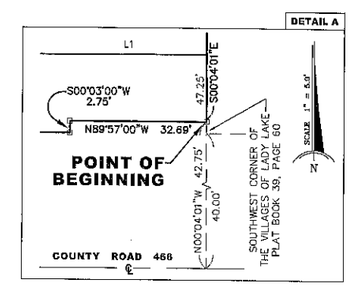
RESERVED FOR CLERK OF CIRCUIT COURT
PLAT BOOK _____
PAGE _____

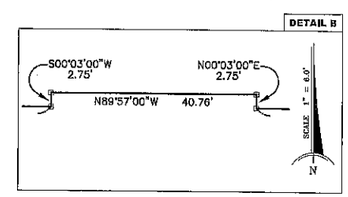




LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°55'59"W	50.00'
L2	S89°55'59"W	50.00'
L3	S89°55'59"W	50.00'
L4	S89°55'59"W	50.00'
L5	S89°55'59"W	50.00'
L6	S89°55'59"W	50.00'
L7	S89°55'59"W	50.00'
L8	S89°55'59"W	50.00'
L9	S89°55'59"W	50.00'
L10	S89°55'59"W	50.00'
L11	S89°55'59"W	50.00'
L12	S89°55'59"W	50.00'
L13	S89°55'59"W	50.00'
L14	S00°04'09"W	50.00'
L15	S00°04'09"W	50.00'
L16	S00°04'09"W	50.00'
L17	S00°04'09"W	50.00'
L18	S00°04'09"W	50.00'
L19	S00°04'09"W	50.00'
L20	N45°00'04"E	70.63'

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CH. BEARING	CHORD
C1	27.50'	52°32'50"	25.22'	N26°20'26"W	24.35'
C2	46.50'	105°05'40"	85.29'	S00°04'01"E	73.83'
C3	27.50'	52°32'50"	25.22'	N26°12'24"E	24.35'
C4	27.50'	57°38'27"	27.65'	N28°52'15"W	26.50'
C5	56.50'	207°43'28"	204.84'	S46°11'16"W	109.71'
C6	27.50'	60°00'00"	28.80'	S59°57'00"E	27.50'
C7	27.50'	52°32'50"	25.22'	S26°20'26"E	24.35'
C8	46.50'	105°05'40"	85.29'	N00°04'01"W	73.83'
C9	27.50'	52°32'50"	25.22'	S26°12'24"W	24.35'
C10	27.50'	52°32'50"	25.22'	N26°20'26"W	24.35'
C11	46.50'	105°05'40"	85.29'	S00°04'01"E	73.83'
C12	27.50'	52°32'50"	25.22'	N26°12'24"E	24.35'
C13	17.50'	89°52'59"	27.45'	N45°00'31"W	24.72'
C14	27.50'	60°00'00"	28.80'	S60°03'00"W	27.50'
C15	56.50'	27°29'27"	27.11'	N43°47'43"E	26.85'
C16	27.50'	57°38'27"	27.65'	S28°44'13"W	26.50'
C17	27.50'	52°32'50"	25.22'	S26°20'26"E	24.35'
C18	46.50'	105°05'40"	85.29'	N00°04'01"W	73.83'
C19	27.50'	52°32'50"	25.22'	S26°12'24"W	24.35'
C20	56.50'	72°35'42"	71.59'	S21°22'37"E	66.89'
C21	56.50'	135°07'46"	133.25'	S82°29'07"W	104.45'





LEGEND

- ⊡ – SET 4"X4" CONCRETE MONUMENT STAMPED "SHANNON PRM 4671", UNLESS OTHERWISE NOTED
- CM – CONCRETE MONUMENT
- ℄ – INDICATES CENTERLINE
- – INDICATES GPS CORNER
- LB – LICENSED BUSINESS CERTIFICATION
- ORB – OFFICIAL RECORDS BOOK
- PRM – PERMANENT REFERENCE MONUMENT
- R/W – RIGHT-OF-WAY
- PB – PLAT BOOK
- PG – PAGE
- # – NUMBER
- CCR – CERTIFIED CORNER RECORD

THIS INSTRUMENT WAS PREPARED BY:
SHANNON SURVEYING, INC.
499 NORTH S.R. 434 – SUITE 2155
ALTAMONTE SPRINGS, FLORIDA, 32714
(407) 774-8372 LB # 6898
PREPARED: OCTOBER 27, 2015

K-8

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: December 7, 2015 SECOND READING

SUBJECT: **Ordinance 2015-15 - The Villages of Lake-Sumter, Inc. – Annexing 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance 2015-15- The Villages of Lake-Sumter, Inc. –Requesting Annexation of 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida.

Applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed applications to annex properties consisting of 3 Lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. The annexation application involves 0.43 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The 3 lots are spread out along different roads and include the following addresses:

- 1410 LESTER DR LADY LAKE FL 32159
- 912 CINDY DR LADY LAKE FL 32159
- 842 SILVER OAK AVE LADY LAKE FL 32159

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application. All lots will be served by the Village Center Community Development District Central Water and Sewer System, as well as the District's Fire Department.

In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town may annex property into the Town which are non-contiguous to the existing municipal boundary. The proposed properties under this application exist as both contiguous and non-contiguous lots.

The annexation application was received on Tuesday, September 15, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as

required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (52) within 150 feet of the properties proposed by annexation request were on Thursday, October 22, 2015. The properties were also posted Thursday, October 22, 2015.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-15, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the November 9, 2015 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2015-15 to the Town Commission with the recommendation of approval.

At the November 16, 2015 meeting, the **Town Commission** voted 5-0 for approval of Ordinance 2015-15 at First Reading.

FISCAL IMPACT: $ TBD – pending value of future homes

[ ] Capital Budget **[ ] Operating** **[ ] Other**

ATTACHMENTS: **[X] Ordinance(s)** **[ ] Resolution** **[ ] Budget Resolution**

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

11-30-15 **DEPARTMENT HEAD**		**Submitted** 11/30/15	**Date**
FINANCE DEPARTMENT		**Approved as to Budget Requirements**	**Date**
TOWN ATTORNEY		**Approved as to Form and Legality**	**Date**
TOWN MANAGER		**Approved Agenda Item for:** 12/7/15	**Date** 12/1/15

BOARD ACTION: **[ ] Approved as Recommended** **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modifications

ORDINANCE NO. 2015-15

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA; VOLUNTARILY ANNEXING PROPERTY BEING 0.43 +/- ACRES OF LAND OWNED BY THE VILLAGES OF LAKE-SUMTER, INC., REFERENCED BY ALTERNATE KEYS 2573597, 1483018 & 2594195, 3 LOTS, WHICH ARE LOCATED WITHIN ORANGE BLOSSOM GARDENS UNIT 2 AND 3.1B WITHIN LAKE COUNTY, FLORIDA; PROVIDING FOR REDEFINITION OF THE LAND BOUNDARIES OF THE TOWN OF LADY LAKE; PROVIDING FOR FILING OF THIS ORDINANCE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION IN ACCORDANCE WITH LAW.

Be it ordained and enacted by the Town Commission of the Town of Lady Lake, in Lake County, Florida, as follows:

Section 1. Pursuant to and under the authority of the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town of Lady Lake does hereby annex property being 0.43 +/- acres in the unincorporated area of Lake County, Florida; existing as both contiguous and non-contiguous to the Town, more particularly described in Exhibit "A".

Section 2. Upon final passage and adoption of this Ordinance, a copy hereof shall be filed with the Clerk of the Circuit Court of the Fifth Judicial Circuit, in and for Lake County, Florida, and also a copy shall be filed with the Department of State of the State of Florida.

Section 3. Should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4. That all property, real and personal, within said annexed property described herein, as provided by this Ordinance, and the inhabitants thereof, shall be subject to the government, jurisdiction, powers, franchises, duties, and privileges of the said Town of Lady Lake, Florida, and the said rezoned property shall be liable proportionately, for all of the present outstanding and existing, as well as future indebtedness to the Town of Lady Lake, Florida, and all laws heretofore passed by the Legislature of the State of Florida, relating to and which now and hereafter constitute its Charter, shall apply to and have the same force and effect on such annexed territory as if all such annexed territory had been a part of the Town of Lady Lake, Florida at the time of the passage and approval of said laws and ordinances.

Section 5. This Ordinance shall become effective upon its adoption.

Section 6. In accordance with the provisions of Section 171.062, Florida Statutes, the property annexed in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and County zoning regulations until the Town adopts a Comprehensive Plan Amendment to include this annexed parcel on the Future Land Use Map Series of the Town's Comprehensive Plan.

PASSED AND ORDAINED in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, this **7th** day of **December**, **2015**.

TOWN OF LADY LAKE, FLORIDA

_____
Ruth Kussard, Mayor

ATTEST:

_____
Kris Kollgaard, Town Clerk

APPROVED AS TO FORM:

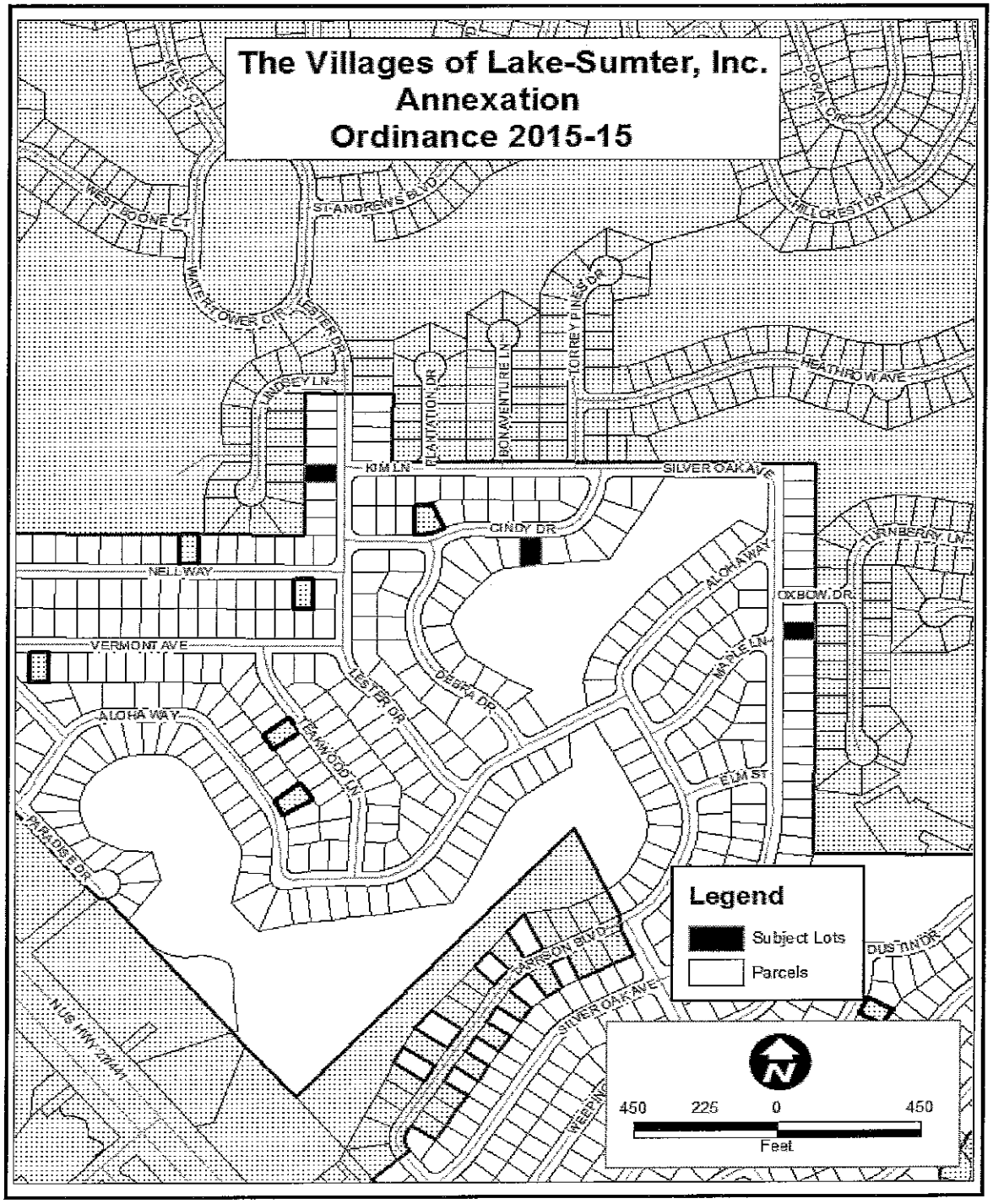
_____
Derek Schroth, Town Attorney

Passed on First Reading: _____

Passed on Second/Final Reading: _____

EXHIBIT "A" - Legal Descriptions & Map

Parcel ID No. 06-18-24-0200-000-13900
ORANGE BLOSSOM GARDENS UNIT 2 LOT 139 PB 20 PGS 58-59 ORB 4659 PG 1758
-AND-
Parcel ID No. 06-18-24-0200-000-06700
ORANGE BLOSSOM GARDENS UNIT 2 LOT 67 PB 20 PGS 58-59 |ORB 794 PG 1962
-AND-
Parcel ID No. 06-18-24-0350-000-23300
ORANGE BLOSSOM GARDENS UNIT 3-1B LOT 233 PB 25 PG 33 |ORB 4654 PG 1867



The Villages of Lake-Sumter, Inc.
Annexation
Ordinance 2015-15
KILEY CT
DORAL CIR
WEST BOONE CT
ST ANDREWS BLVD
HILLCREST DR
WATER TOWER CIR
LESTER DR
TORREY PINES DR
HEATHROW AVE
LINDSEY LN
PLANTATION DR
BONAVENTURE LN
KIM LN
SILVER OAK AVE
CINDY DR
TURNBERRY LN
NELL WAY
ALOHA WAY
OXBOW DR
VERMONT AVE
MAPLE LN
DEBRA DR
LESTER DR
ALOHA WAY
TEAKWOOD LN
ELM ST
PARADISE DR
TARRSON BLVD
SILVER OAK AVE
N US HWY 27/441
Legend
Subject Lots
Parcels
450 225 0 450
Feet

TOWN OF LADY LAKE
ANNEXATION APPLICATION

Alternate Key Number See attached list.

1. Owner's Name: The Villages of Lake-Sumter, Inc.

   Mailing Address: 1020 Lake Sumter Landing, The Villages, FL 32162

   Email Address: See below.

   Telephone #: See below.

2. Applicant's Name: The Villages of Lake-Sumter, Inc. - Martin L. Dzuro, V.P.

   Mailing Address: 1045 Lake Sumter Landing, The Villages, FL 32162

   Email Address: marty.dzuro@thevillages.com

   Telephone #: (352) 753-6262

3. Applicant is: Owner X Agent ___ Purchaser ___ Lessee ___ Optionee ___

4. Property Address/Location: See attached list.

5. Legal Description of Property to be annexed: See attached list.

6. The property is located in the vicinity of the following streets: Northeast of US 441, North of Griffin Ave.

7. Area of the property: 18,730.75 Square feet 0.43 Acres

8. Utilities: Central Water [✓] Central Sewer [✓] Well [ ] Septic Tank [ ]

9. Existing County zoning of property: RM - Residential Medium

10. Requested zoning of property: MX-8 - Mixed Single Family

11. Number, square footage and present use of the existing structures on the property: See attached list. If any structures, they are Residential.

12. Proposed use of the property: Residential

13. Has any land use application been filed within the last year in connection with this property? [ ] Yes [✓] No. If yes, briefly describe the nature of the request and the date this was done:

14. Attach a list of the owner's names and mailing addresses for all property lying within a one hundred fifty (150) foot radius surrounding the property legally described in this application.

Applications shall include a legal description of the property, proof of ownership and authorization from the owner if represented by an agent or contract purchaser.

I certify that the statements in this application are true to the best of my knowledge.

Signature of Applicant

PLEASE SUBMIT THE APPLICATION, ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND **FIFTY (50)** COPIES OF ALL APPLICABLE INFORMATION DOCUMENTATION AS REQUIRED BY THE LADY LAKE LAND DEVELOPMENT REGULATION, ADOPTED AUGUST 15, 1994 TO THE GROWTH MANAGEMENT DEPARTMENT. ADDITIONAL COPIES OF APPLICATION AND PLANS WILL BE REQUIRED PRIOR TO CONSIDERATION AT THE PLANNING AND ZONING BOARD AND TOWN COMMISSION MEETINGS.

Office Use:

Date Application Received: _____ Received by: _____

Annexation and Rezoning Fees Paid: _____

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared Martin L. Dzuro, V.P The Villages of Lake-Sumter Inc. , who being by me first duly sworn on oath, deposes and says:

(1) That he affirms and certifies that he understands and will comply with all ordinances, regulations, and provisions of the Town of Lady Lake, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Lady Lake, Florida, and are not returnable.

(2) That the submittal requirements for the application have been completed and attached hereto as part of this application.

(3) That the applicant desires Annexation with a MX-8 zoning classification to allow: Mixed Single Family

(4) That the sign cards will be posted two (2) weeks prior to the Planning and Zoning Board hearing and will remain posted until final determination by the Town Commission after which time the sign cards are to be removed.

(5) That the applicant acknowledges the obligation to enter into an agreement acceptable to the Town for the extension of municipal water and sewer services as a condition of the annexation.

Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 15th day of Sept., 2015, by Martin L. Dzuro who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Notary Public

Vicki C. Varnon

VICKI C. VARNON
Notary Public
State of Florida
My Commission Expires 9/22/2015
Commission No. EE 125038

Parcel ID #: 0618240200-000-13900
Lot 139, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

Parcel ID #: 0618240200-000-06700
Lot 67, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

-AND-

Parcel ID #: 0618240350-000-23300
Lot 233, Unit 3.1B, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 25, Page 33 through 35, Public Records of Lake County, Florida.

INSTRUMENT#: 2015084076 OR BK 4659 PG 1758 PAGES: 1 8/3/2015 3:53:28 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$630.00

90,000 RETURN

Ex N
Rec 10
Doc
Int
Total

Prepared by and return to:
Gary Fuchs/sss
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: **P06843**

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **31st** day of **July, 2015** between **Frank Harry Hansen, a single man, individually and as Trustee of the Frank Harry Hansen Revocable Living Trust under Agreement dated October 19,1995**, whose post office address is **907 Ramos Drive, The Villages, FL 32159**, grantor, and **The Villages of Lake-Sumter, Inc., a Florida corporation**, whose post office address is **1020 Lake Sumter Landing, The Villages, FL 32162** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lake County, Florida** to-wit:

PARCEL ID #: 0618240200-000-13900

Lot 139, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

Together with a 1980 HILLMAN Manufactured Home, ID# 02630695AN & # 02630695BN, Florida Title 17713674 & 17713675 bearing Real Property Decals # R078263 & # R078265 which is an improvement to the land and an immovable fixture, and by intention of the parties and upon retirement of the Certificate of Title as provided in Florida Statutes 319.261, shall constitute a part of the realty and shall pass with it.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Stacy Spears
Witness Name: Stacy Spears

Jennifer Grouster
Witness Name: Jennifer Grouster

Frank Harry Hansen
Frank Harry Hansen, individually and as Trustee of the Frank Harry Hansen Revocable Living Trust under Agreement dated October 19,1995

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 31st day of July, 2015 by Frank Harry Hansen, a single man, Individually and as Trustee of the Frank Harry Hansen Revocable Living Trust under Agreement dated October 19,1995, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

Stacy Spears
Notary Public

Printed Name: STACY S. SPEARS MY COMMISSION # FF 072774 EXPIRES: December 20, 2017 Bonded Thru Budget Notary Services

My Commission Expires:

INSTRUMENT#: 2015098230 OR BK 4676 PG 1056 PAGES: 1 9/8/2015 3:48:44 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$420.00

60,000 RETURN

Prepared by and return to:
Gary Fuchs/jag
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: **P07248**

Exh 10
Rec
Doc
In:

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **31st** day of **August, 2015** between **Alice P. Astling, a single woman**, whose post office address is **1410 Lester Drive, Lady Lake, FL 32159**, grantor, and **The Villages of Lake-Sumter, Inc., a Florida corporation**, whose post office address is **1020 Lake Sumter Landing, The Villages, FL 32162** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lake County, Florida** to-wit:

PARCEL ID #: 0618240200-000-06700

Lot 67, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Jennifer Grovesteen
Witness Name: Jennifer Grovesteen

Alice P. Astling
Alice P. Astling

Jeanmarie Nichols
Witness Name: Jeanmarie Nichols

State of Florida
County of Sumter

The foregoing instrument was acknowledged before me this 31st day of August, 2015 by Alice P. Astling, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

Jennifer Grovesteen
Notary Public

Printed Name: Jennifer Grovesteen

My Commission Expires: 12/5/15

JENNIFER GROVESTEEN
MY COMMISSION # EE 150654
EXPIRES: December 5, 2015
Bonded Thru Budget Notary Services

INSTRUMENT#: 2015079287 OR BK 4654 PG 1867 PAGES: 1 7/21/2015 3:48:20 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$455.00

65000

RETURN

Ex/N
Rec
Doc
Int
Total:

Prepared by and return to:
Gary Fuchs/jg
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: **P07185**

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **16th** day of **July, 2015** between **Audrey Lorelei Smith, a single woman**, whose post office address is **620 Griffin Avenue, Room 232, Lady Lake, FL 32159**, grantor, and **The Villages of Lake-Sumter, Inc., a Florida corporation**, whose post office address is **1020 Lake Sumter Landing, The Villages, FL 32162** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lake County, Florida** to-wit:

PARCEL ID #: 0618240350-000-23300

Lot 233, Unit 3.IB, Orange Blossom Gardens, according to the Plat thereof recorded in Plat Book 25, Pages 33, 34, and 35, Public Records of Lake County, Florida.

Together with a 1983 HILLMAN Manufactured Home, ID# 02610120S, Florida Title 20125096 bearing Real Property Decal # R078942 which is an improvement to the land and an immovable fixture, and by intention of the parties and upon retirement of the Certificate of Title as provided in Florida Statutes 319.261, shall constitute a part of the realty and shall pass with it.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Jennifer Grovesteen

Witness Name: Deanna Stifler

Audrey Lorelei Smith

Audrey Lorelei Smith

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 16th day of July, 2015 by Audrey Lorelei Smith, a single woman, who [_] is personally known or [X] has produced a driver's license as identification.

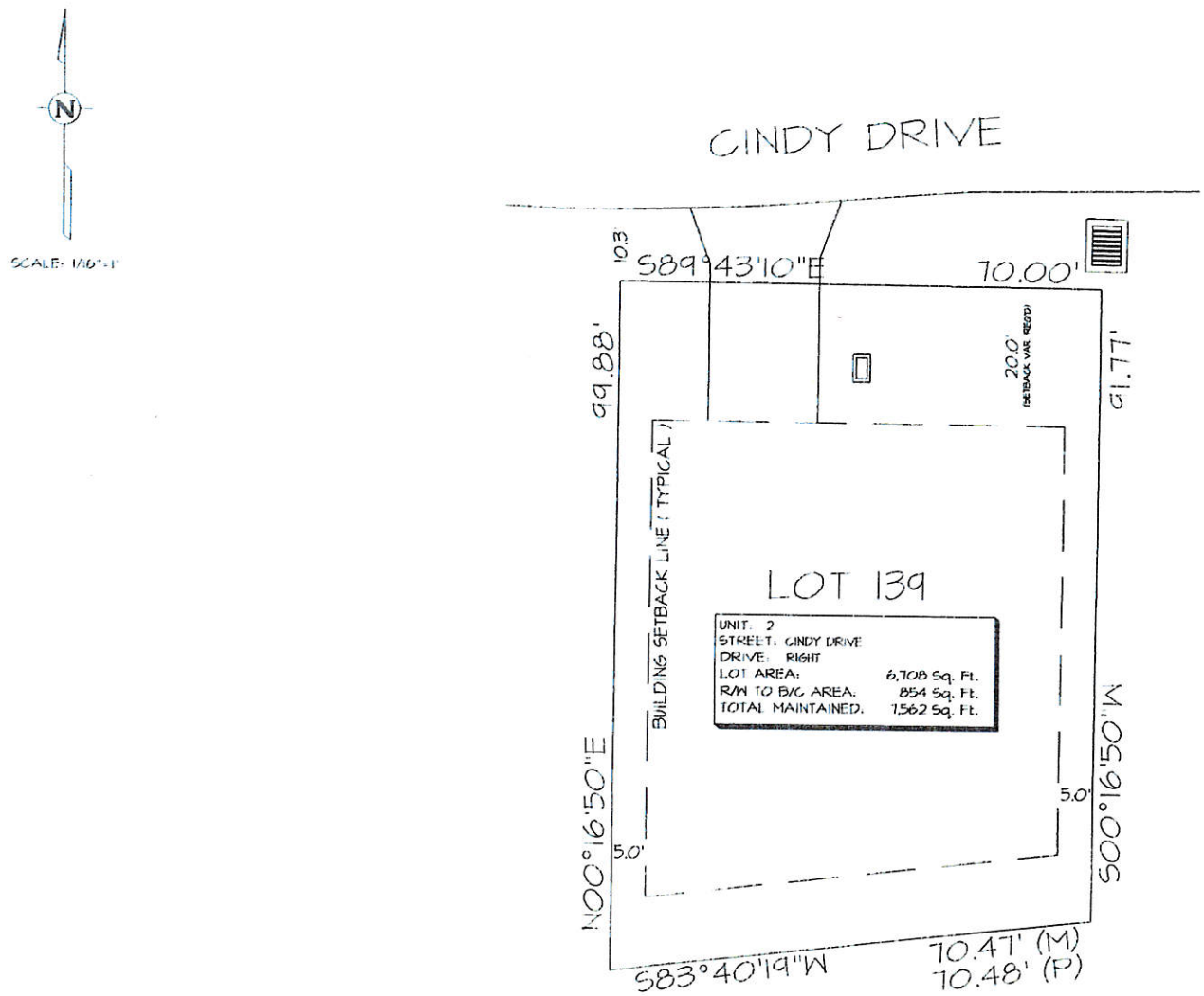
[Notary Seal]

JENNIFER GROVESTEEN
MY COMMISSION # EE 150664
EXPIRES: December 5, 2015
Bonded Thru Budget Notary Services

Notary Public

Printed Name: Jennifer Grovesteen

My Commission Expires: 12/5/15



LEGEND :

- WATER METER
- IRRIGATION METER
- STREET LIGHT
- (P) INDICATES PLAT
- (M) INDICATES MEASURED
- CABLE T.V. PEDESTAL / 7" OR 9" ROUND
- TELEPHONE PEDESTAL / 4" OR 12" ROUND
- ELECTRIC PEDESTAL / 20"X20" PAD
- ELECTRIC TRANSFORMER / 3'X3' PAD
- ELECTRIC FEED THROUGH CABINET
- UTILITY VAULT
- WATER VALVE
- FIRE HYDRANT
- STORM INLET
- VALLEY GUTTER INLET
- CATCH BASIN
- MANHOLE
- LINE EXTENDER PEDESTAL / 12"X30"X14"
- TRUNK-AMP PEDESTAL / 17"X30"X14"
- SWITCH GEAR / 7' X 7'
- POWER SUPPLY / 20"x28"x58"
- BOARD / STOCKADE / PVC FENCE

NOTE: EASEMENTS AND RIGHT OF WAYS IN FAVOR OF THE DEVELOPER ARE HEREBY RESERVED FOR THE CONSTRUCTION INSTALLATION AND MAINTENANCE OF UTILITIES SUCH AS ELECTRIC LIGHT LINES, SANITARY SEWER, STORM DRAINAGE, WATER LINES, CABLEVISION TELEPHONE, RECREATION FACILITIES AND TELEGRAPH LINES OR THE LIKE. THESE THIRD PARTY UTILITY PROVIDERS UTILIZING SUCH EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA. ALL UTILITY PROVIDERS ARE RESPONSIBLE FOR REPAIRING THE GRADING AND LANDSCAPE BEING DISTURBED PURSUANT TO ANY UTILIZATION OF SUCH EASEMENTS. HOWEVER, THESE UTILITY PROVIDERS MAY USE ABOVE GROUND JUNCTION BOXES, PEDESTALS, SPLICE BOXES AND ETC. FOR THEIR UTILITIES AND THE DEVELOPER IS WITHOUT KNOWLEDGE AS TO THE SPECIFIC LOCATION WITHIN THE EASEMENTS AND RIGHT OF WAYS THAT THESE UTILITY PROVIDERS MAY PLACE THESE ABOVE GROUND ITEMS IN THE FUTURE.

THIS IS NOT A SURVEY

THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES (UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES OF LAKE-SUMTER, INC. ORANGE BLOSSOM GARDENS, ARNETT ENVIRONMENTAL AND/OR ANY AFFILIATES THEREOF ARE NOT RESPONSIBLE OR LIABLE FOR ACCURACY OR CORRECTNESS OF THE INFORMATION AS SHOWN ON THIS SKETCH.

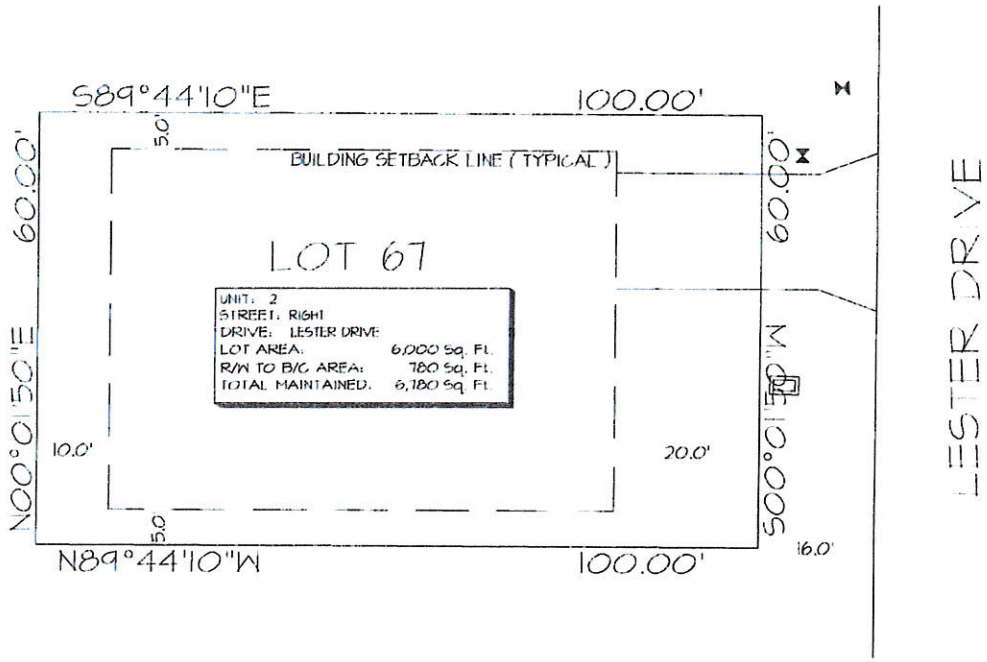
CUSTOMER SIGNATURE: _____ DATE: _____

CUSTOMER SIGNATURE: _____ DATE: _____

The Villages

Arnett Environmental, LLC

SCALE: 1/16"=1'



LEGEND :

- WATER METER
- IRRIGATION METER
- STREET LIGHT
- (P) INDICATES PLAT
- (M) INDICATES MEASURED
- CABLE T.V. PEDESTAL / 7" OR 4" ROUND
- TELEPHONE PEDESTAL / 4" OR 12" ROUND
- ELECTRIC PEDESTAL / 20"X20" PAD
- ELECTRIC TRANSFORMER / 3'X3' PAD
- ELECTRIC FEED THROUGH CABINET
- UTILITY VAULT
- WATER VALVE
- FIRE HYDRANT
- STORM INLET
- VALLEY GUTTER INLET
- CATCH BASIN
- MANHOLE
- LINE EXTENDER PEDESTAL / 12"X30"X14"
- TRUNK AMP PEDESTAL / 17"X30"X14"
- SWITCH GEAR / 7' X 7'
- POWER SUPPLY / 20"X28"X58"
- BOARD / STOCKADE / PVC FENCE

NOTE: EASEMENTS AND RIGHT OF WAYS IN FAVOR OF THE DEVELOPER ARE HEREBY RESERVED FOR THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF UTILITIES SUCH AS ELECTRIC LIGHT LINES, SANITARY, SEWER, STORM DRAINAGE, WATER LINES, CABLEVISION, TELEPHONE, RECREATION FACILITIES AND TELEGRAPH LINES OR THE LIKE. THESE THIRD PARTY UTILITY PROVIDERS UTILIZING SUCH EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA. ALL UTILITY PROVIDERS ARE RESPONSIBLE FOR REPAIRING THE GRADING AND LANDSCAPE BEING DISTURBED PURSUANT TO ANY UTILIZATION OF SUCH EASEMENTS HOWEVER, THESE UTILITY PROVIDERS MAY USE ABOVE GROUND JUNCTION BOXES, PEDESTALS SPLICE BOXES AND ETC. FOR THEIR UTILITIES AND THE DEVELOPER IS WITHOUT KNOWLEDGE AS TO THE SPECIFIC LOCATION WITHIN THE EASEMENTS AND RIGHT OF WAYS THAT THESE UTILITY PROVIDERS MAY PLACE THESE ABOVE GROUND ITEMS IN THE FUTURE.

THIS IS NOT A SURVEY

THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES (UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES OF LAKE-SUMTER INC. ORANGE BLOSSOM GARDENS, ARNETT ENVIRONMENTAL AND/OR ANY AFFILIATES THEREOF ARE NOT RESPONSIBLE OR LIABLE FOR ACCURACY OR CORRECTNESS OF THE INFORMATION AS SHOWN ON THIS SKETCH

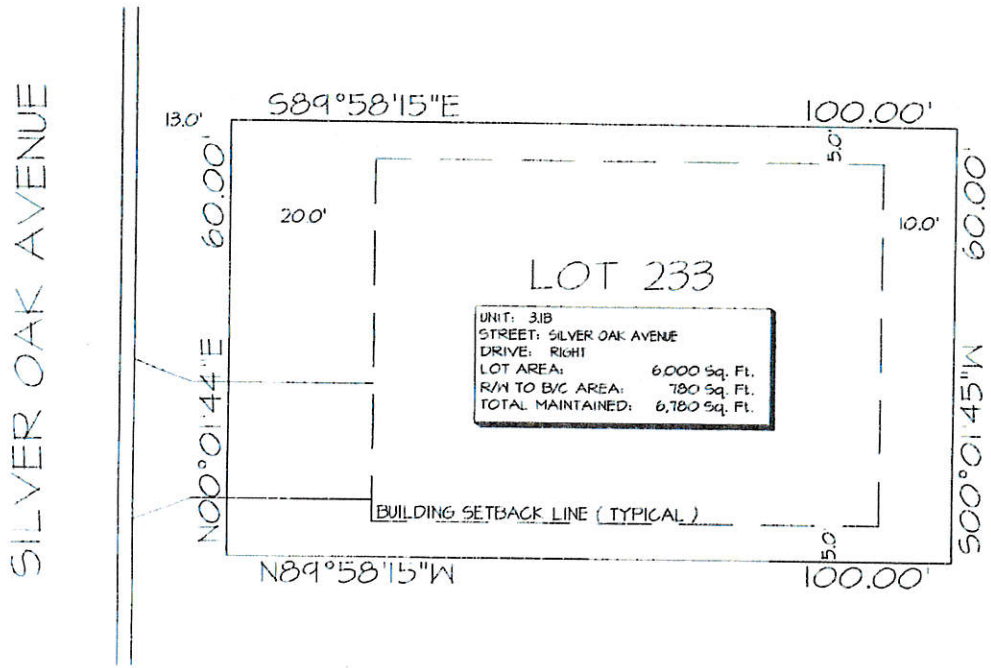
CUSTOMER SIGNATURE: _____ DATE: _____

CUSTOMER SIGNATURE: _____ DATE: _____

The Villages of Lake-Sumter

Arnett Environmental, LLC

SCALE: 1/16"=1'



LEGEND :

- WATER METER
- IRRIGATION METER
- STREET LIGHT
- (P) INDICATES PLAT
- (M) INDICATES MEASURED
- CABLE T.V PEDESTAL / 1" OR 4" ROUND
- TELEPHONE PEDESTAL / 4" OR 12" ROUND
- ELECTRIC PEDESTAL / 20"X20" PAD
- ELECTRIC TRANSFORMER / 3'X3' PAD
- ELECTRIC FEED THROUGH CABINET
- UTILITY VAULT
- WATER VALVE
- FIRE HYDRANT
- STORM INLET
- VALLEY GUTTER INLET
- CATCH BASIN
- MANHOLE
- LINE EXTENDER PEDESTAL / 12"X30"X14"
- TRUNK-AMP PEDESTAL / 11"X30"X14"
- SWITCH GEAR / 7' X 7'
- POWER SUPPLY / 30"x26"x58"
- BOARD / STOCKADE / PVC FENCE

NOTE: EASEMENTS AND RIGHT OF WAYS IN FAVOR OF THE DEVELOPER ARE HEREBY RESERVED FOR THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF UTILITIES SUCH AS ELECTRIC LIGHT LINES, SANITARY, SEWER, STORM DRAINAGE, WATER LINES, CABLEVISION, TELEPHONE, RECREATION FACILITIES AND TELEGRAPH LINES OR THE LIKE. THESE THIRD PARTY UTILITY PROVIDERS UTILIZING SUCH EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA. ALL UTILITY PROVIDERS ARE RESPONSIBLE FOR REPAIRING THE GROUNDS AND LANDSCAPE BEING DISTURBED PURSUANT TO ANY UTILIZATION OF SUCH EASEMENTS. HOWEVER, THESE UTILITY PROVIDERS MAY USE ABOVE GROUND JUNCTION BOXES, PEDESTALS, SPLICE BOXES AND ETC. FOR THEIR UTILITIES AND THE DEVELOPER IS WITHOUT KNOWLEDGE AS TO THE SPECIFIC LOCATION WITHIN THE EASEMENTS AND RIGHT OF WAYS THAT THESE UTILITY PROVIDERS MAY PLACE THESE ABOVE GROUND ITEMS IN THE FUTURE.

THIS IS NOT A SURVEY

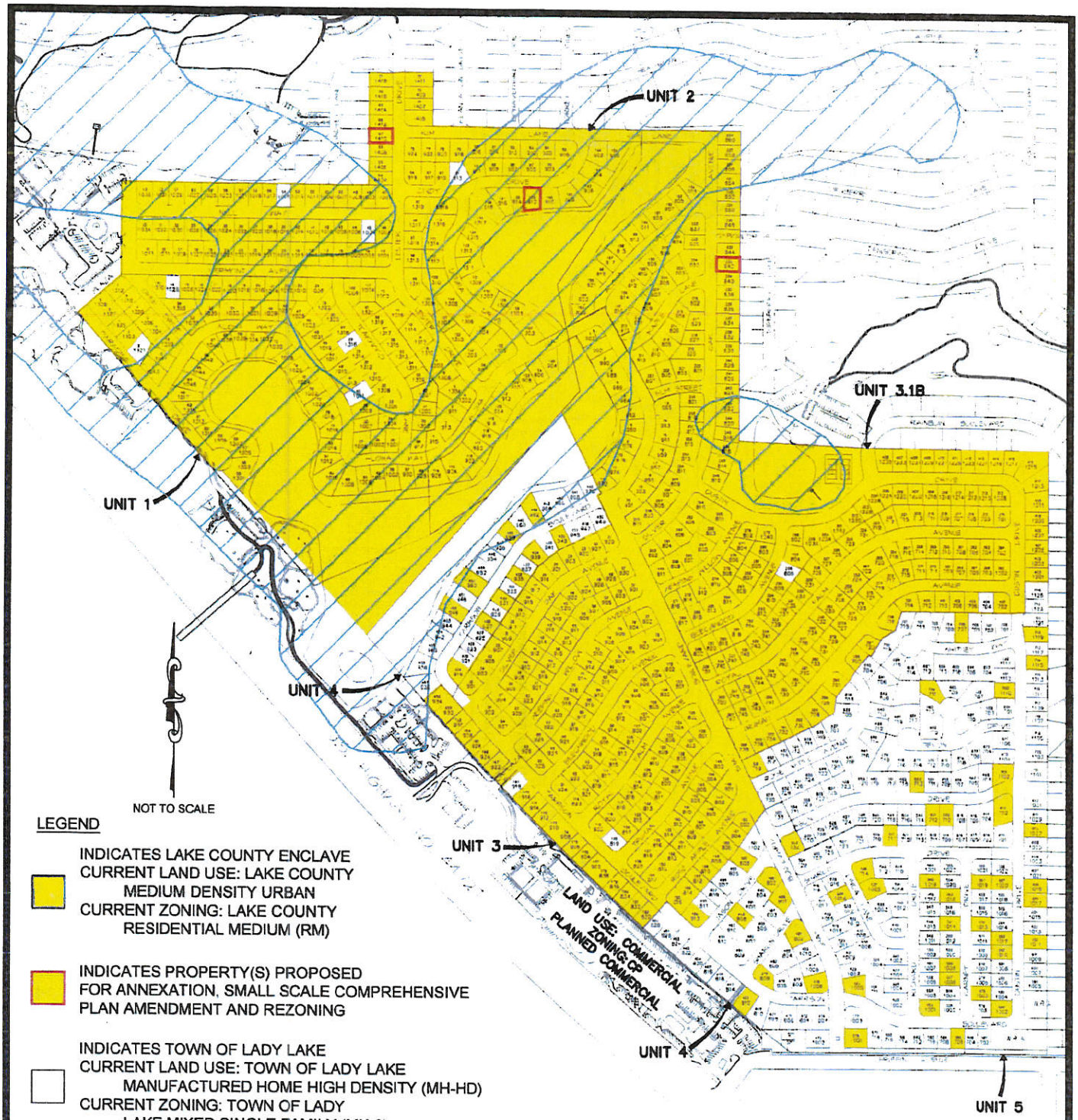
THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES (UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES OF LAKE-SUMTER, INC. ORANGE BLOSSOM GARDENS, ARNETT ENVIRONMENTAL AND/OR ANY AFFILIATES THEREOF ARE NOT RESPONSIBLE OR LIABLE FOR ACCURACY OR CORRECTNESS OF THE INFORMATION AS SHOWN ON THIS SKETCH.

CUSTOMER SIGNATURE: _____ DATE: _____

CUSTOMER SIGNATURE: _____ DATE: _____

The Villages

Arnett Environmental, LLC



LEGEND

INDICATES LAKE COUNTY ENCLAVE
CURRENT LAND USE: LAKE COUNTY
MEDIUM DENSITY URBAN
CURRENT ZONING: LAKE COUNTY
RESIDENTIAL MEDIUM (RM)

INDICATES PROPERTY(S) PROPOSED
FOR ANNEXATION, SMALL SCALE COMPREHENSIVE
PLAN AMENDMENT AND REZONING

INDICATES TOWN OF LADY LAKE
CURRENT LAND USE: TOWN OF LADY LAKE
MANUFACTURED HOME HIGH DENSITY (MH-HD)
CURRENT ZONING: TOWN OF LADY
LAKE MIXED SINGLE FAMILY (MX-8)

FLOOD ZONE
MAP# 12069C0154E
PANEL 154 OF 750 (REVISED 12-18-12)

10 —— LOT NUMBER
100 —— 911 NUMBER

PROPOSED
ORANGE BLOSSOM GARDENS PROPERTIES
FOR
ANNEXATION, SMALL SCALE COMPREHENSIVE PLAN AMENDMENT
AND REZONING
AUGUST 28, 2015

Arnett
Environmental, LLC
1038 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1394
Certificate of Authorization Number 27480

List No.	UNIT	LOT	HOUSE NO.	ADDRESS	ALT KEY NO.	Plat Book/Page
1	OBG2	139		912 Cindy Drive	2573597	20/58-59
2	OBG2	67		1410 Lester Drive	1483018	20/58-59
3	OBG3-1B	233		842 Silver Oak Avenue	2594195	25/33-35

The Villages

September 15, 2015

Thad Carroll
Growth Management Director
Town of Lady Lake
409 Fennell Blvd.
Lady Lake, Florida 32159

Re: Orange Blossom Gardens
Annexation, Small Scale Comprehensive Plan Amendment and Rezoning

Dear Mr. Carroll:

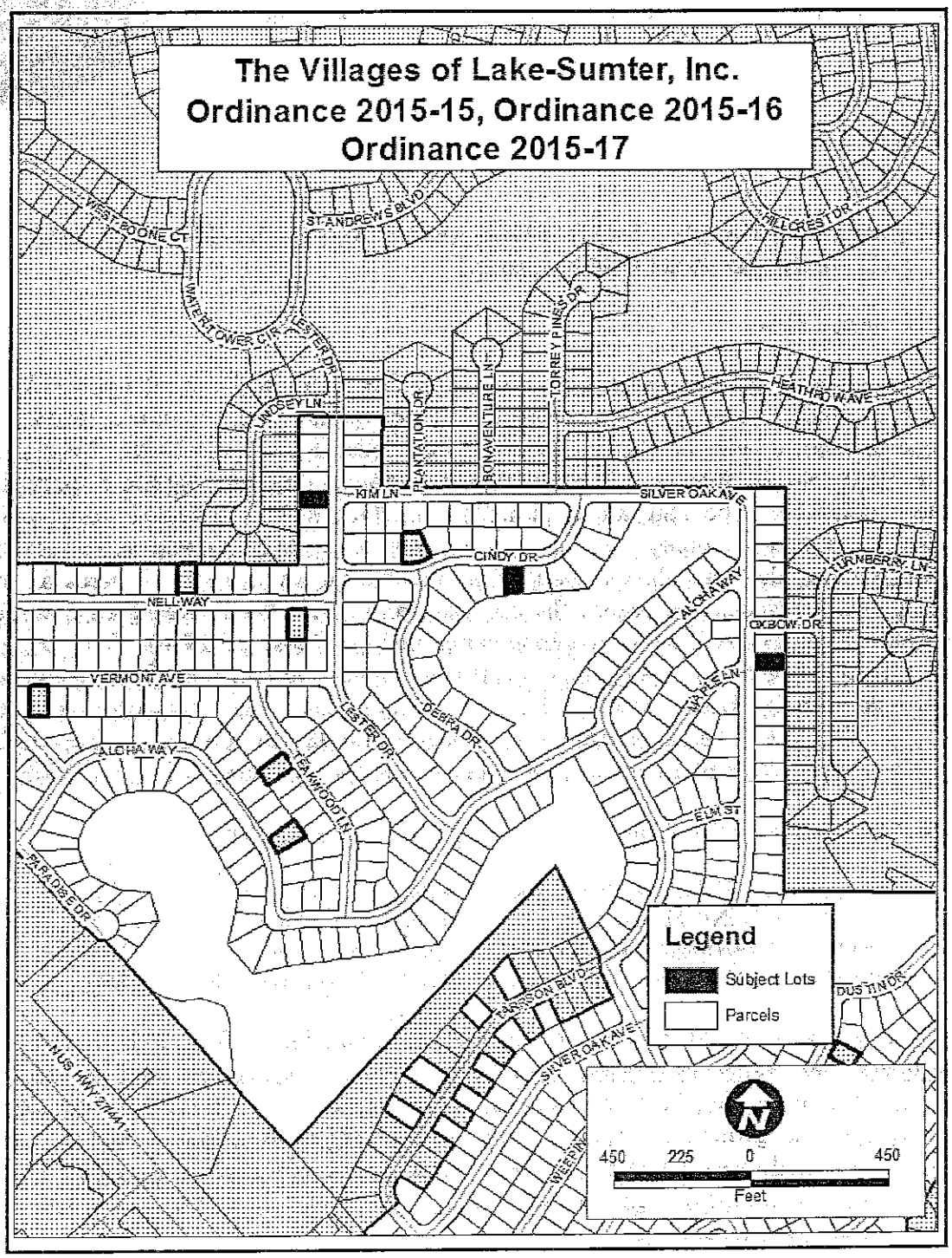
Pursuant to the Interlocal Agreement between Lake County and the Town of Lady Lake effective June 24, 2015 (attached hereto), please accept this letter, check, applications, documents and maps as The Villages of Lake-Sumter, Inc.'s request for Annexation, Small Scale Comprehensive Plan Amendment and Rezoning of certain lots in the County Enclave of Orange Blossom Gardens.

Please place this request on the November 9, 2015 Planning and Zoning Board Agenda. We also request that the Land Planning Agency and Town Commission act on the recommendation of the Planning & Zoning Board at their December 7, 2015 Meetings and Commission for Final Reading on December 21, 2015.

Thank you for your cooperation and assistance. Should you require any additional information or have any questions, please feel free to contact me.

Sincerely,

Martin L. Dzuro, V.P.
The Villages of Lake-Sumter, Inc.
Dzuro & Associates
1045 Lake Sumter Landing
The Villages, Florida 32162
352-753-6262
Marty.dzuro@thevillages.com



1410 LESTER DR LADY LAKE FL 32159
912 CINDY DR LADY LAKE FL 32159
842 SILVER OAK AVE LADY LAKE FL 32159

Municipal Complex, 409 Fennell Boulevard, Lady Lake, Florida 32159
(352) 751-1500 FAX (352) 751-1510 www.ladylake.org

October 22, 2015

RE: Annexation Ordinance 2015-15, Small Scale Comprehensive Plan Amendment 2015-16, and Rezoning Ordinance 2015-17

Dear Property Owner:

This is to notify you that applications have been filed with the Town of Lady Lake, by Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., to annex, rezone, and amend the future land use designation of 3 Lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. The annexation application involves 0.43 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. The rezoning and small-scale comprehensive plan amendment applications involve the entire 0.43 +/- acres as well. The applicant is seeking to rezone the property from Lake County Residential Medium (RM) to Town of Lady Lake Mixed Residential Medium Density (MX-8). The proposed small-scale comprehensive plan amendment is to change the future land use designation from Lake County Urban Medium Density to Lady Lake Manufactured Home High Density (MH-HD). The applications have been submitted to continue a revitalization project within Orange Blossom Gardens to place new homes on each of the three lots.

Public hearing dates on the petitions are scheduled for the following dates:

PLANNING AND ZONING BOARD -	Monday, November 9, 2015 at 5:30 p.m.
LOCAL PLANNING AGENCY –	Monday, November 16, 2015 at 5:30 p.m.
TOWN COMMISSION MEETING -	Monday, November 16, 2015 at 6:00 p.m.
TOWN COMMISSION MEETING-	Monday, December 7, 2015 at 6:00 p.m.

You are invited to attend these public hearings to be held in the Town Hall Commission Chambers, 409 Fennell Boulevard, Lady Lake, Florida. The petitions may be inspected at Town Hall during regular business hours (7:30 a.m. to 6 p.m., Monday - Thursday) in the Growth Management Department. Any person wishing to appeal a decision of this public body should ensure themselves that a verbatim record of the proceedings is made. If you have any questions regarding this matter, please call me at (352) 751-1521 or via email at tcarroll@ladylake.org.

Sincerely,

Thad Carroll, AICP
Growth Management Director

INTERLOCAL AGREEMENT BETWEEN
LAKE COUNTY, FLORIDA AND
THE TOWN OF TOWN OF LADY LAKE REGARDING
BUILDING PERMITS AND INSPECTIONS
FOR THE VILLAGES

THIS IS AN INTERLOCAL AGREEMENT by and between Lake County, Florida, a political subdivision of the State of Florida, hereinafter referred to as the "County," and the Town of Lady Lake, a municipal corporation organized under the laws of the State of Florida, hereinafter referred to as the "Town," regarding the issuance of building permits and inspections for privately owned property.

WHEREAS, the Town and County desire to provide for the most efficient planning and building inspection processes for both entities; and

WHEREAS, The Villages either has, or intends to, purchase lots located in an older section of The Villages East of US 27, or either has, or intends to, enter into agreements with existing property owners, to replace existing mobile homes with new, conventionally built homes; and

WHEREAS, the properties subject to this Agreement shall be located within the boundaries of the Interlocal Service Boundary Agreement (ISBA) between Lake County and the Town of Lady Lake, executed on August 27, 2013; and

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with each other and to provide services in a manner that will accord best with economic and other factors; and

WHEREAS, the Town desires to issue the building permits on the lots either owned by, or under contract with, The Villages as it would be the in the best interests of the citizens of Lake County, Florida.

NOW, THEREFORE, in consideration of the mutual terms and conditions understandings, conditions, premises, and covenants hereinafter set forth, and intending to be legally bound, the parties hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.

2. **Town Responsibilities.** The Town agrees as follows:

A. To ensure that The Villages, or the owner under contract with The Villages, has applied for annexation of such property into the Town of Lady Lake. This is a condition precedent and must be satisfied before the Town has authority to issue any building permits for any property located within the unincorporated area.

B. To ensure that the improvements constructed on each property is designed in a way that complies with the Town's Code and Land Development Regulations, and Comprehensive Plan Policies, including any architectural design criteria.

C. To ensure that The Villages obtains any necessary Town zoning and planning approvals or development orders, other than building permits, if necessary. The Villages, or property owner, shall pay the Town any required annexation application and permitting fees, and pay to the County impact fees at the current County rates.

D. The Town Building Department is hereby designated by the parties as the appropriate agency to review building construction plans, to issue building permits, and to conduct necessary building and fire inspections for the properties identified herein located within the unincorporated County. The Town shall provide to the County, upon request of County, any necessary information regarding the project, including inspection and permit status, and shall make all sites available to the County for inspection as needed.

E. The Town will diligently process the annexation application and any other applications for comprehensive plan amendments and zoning requests as required by Florida law and the Town's Ordinances and Land Development Regulations.

3. **County Responsibilities.** Pursuant to Section 4.a. of the ISBA, the County hereby acknowledges and agrees that the Town's Code and Land Development Regulations will be applicable to properties subject to this Agreement. The County agrees to allow the Town to issue any necessary building permits, and perform any necessary building inspections on properties either owned by The Villages, or under contract with the Villages, that is located in the unincorporated area of Lake County. Such properties must be located within the area defined in the Lady Lake ISBA, and the property owner shall have applied for annexation into the Town of Lady Lake prior to the issuance of any building permits.

4. **Term of Agreement.** This Agreement shall become effective on the date upon which the agreement is executed by the last party hereto. This Agreement shall remain in force

until terminated by either of the parties. Either party to this Agreement may terminate the Agreement by providing ninety (90) days written notice to the other.

IN WITNESS WHEREOF, the parties hereto have made and executed this Interlocal Agreement on the respective dates under each signature: Lake County, through its Board of County Commissioners, signing through its Chairman, authorized to execute the same by Board action on the 23rd day of June, 2015, and by the Town of Lady Lake, signing by and through its authorized representative.

ATTEST:

Town Clerk

TOWN OF LADY LAKE

Print Name: RUTH KUSSARD, MAYOR

Date: MAY 18, 2015

Approved as to Form and Legality:

Town Attorney

COUNTY

LAKE COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

ATTEST:

Neil Kelly, Clerk of the Board
of County Commissioners
of Lake County, Florida

Jimmy Conner
Chairman

This 9th day of June, 2015.

Approved as to form and legality:

Sanford A. Minkoff
County Attorney

LADY LAKE
REZONING
LADY LAKE
COMPREHENSIVE PLAN
LADY LAKE
ANNEXATION

1410 Lester Dr.
Astling
PLANNING
& ZONING BOARD
ZONING
LADY
LAKE
PLANNING
& ZONING BOARD
This Property Will Be Considered For
ANNEXATION
Petition No.
Petitioner
Present Zone
Action Requested
Planning & Zoning
Commission Meeting:
Commission Meeting:
FOR INFORMATION: 751-1911
LADY
LAKE
PLANNING
& ZONING BOARD
This Property Will Be Considered For
COMPREHENSIVE
PLAN
Petition No.
Petitioner
Present Zone
Action Requested
Planning & Zoning
Local Planning Agency
Commission Meeting:
Commission Meeting:
FOR INFORMATION: 751-1911

REZONING
COMPREHENSIVE PLAN
ANNEXATION

PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: November 9, 2015

SUBJECT: **Ordinance 2015-15 - The Villages of Lake-Sumter, Inc. – Annexing 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTIONS:

1. **Motion to forward Ordinance 2015-15- The Villages of Lake-Sumter, Inc. –Requesting Annexation of 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida, with the recommendation of approval.**

2. **Motion to forward Ordinance 2015-15- The Villages of Lake-Sumter, Inc. –Requesting Annexation of 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida, with the recommendation of denial.**

Staff is in support of Motion Number 1

Applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed applications to annex properties consisting of 3 Lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. The annexation application involves 0.43 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The 3 lots are spread out along different roads and include the following addresses:

- 1410 LESTER DR LADY LAKE FL 32159
- 912 CINDY DR LADY LAKE FL 32159
- 842 SILVER OAK AVE LADY LAKE FL 32159

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application. All lots will be served by the Village Center Community Development District Central Water and Sewer System, as well as the District's Fire Department.

In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town may annex property into the Town which are non-contiguous to the existing municipal boundary. The proposed properties under this application exist as both contiguous and non-contiguous lots.

The annexation application was received on Tuesday, September 15, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (52) within 150 feet of the properties proposed by annexation request were on Thursday, October 22, 2015. The properties were also posted Thursday, October 22, 2015.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-15, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2015-15 for first reading on Monday, November 16, 2015 at 6:00 p.m. The second and final reading will be held on Monday, December 7, 2015 at 6:00 p.m.

FISCAL IMPACT: $ TBD – pending value of future homes

[ ] Capital Budget **[ ] Operating** **[ ] Other**

ATTACHMENTS: **[X] Ordinance(s)** **[ ] Resolution** **[ ] Budget Resolution**

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

DEPARTMENT HEAD		Submitted 11/2/15	Date
FINANCE DEPARTMENT		Approved as to Budget Requirements	Date
TOWN ATTORNEY		Approved as to Form and Legality	Date
TOWN MANAGER		Approved Agenda Item for: 11/9/15	Date 11/12/15

11-2-15

BOARD ACTION: [✓] Approved as Recommended [ ] Disapproved

McKenzie/Chiasson 4-0

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modifications

cc: THAB-b.M.

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: November 16, 2015 FIRST READING

SUBJECT: **Ordinance 2015-15 - The Villages of Lake-Sumter, Inc. – Annexing 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance 2015-15- The Villages of Lake-Sumter, Inc. –Requesting Annexation of 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida.

Applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed applications to annex properties consisting of 3 Lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. The annexation application involves 0.43 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The 3 lots are spread out along different roads and include the following addresses:

- 1410 LESTER DR LADY LAKE FL 32159
- 912 CINDY DR LADY LAKE FL 32159
- 842 SILVER OAK AVE LADY LAKE FL 32159

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application. All lots will be served by the Village Center Community Development District Central Water and Sewer System, as well as the District's Fire Department.

In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town may annex property into the Town which are non-contiguous to the existing municipal boundary. The proposed properties under this application exist as both contiguous and non-contiguous lots.

The annexation application was received on Tuesday, September 15, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as

required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (52) within 150 feet of the properties proposed by annexation request were on Thursday, October 22, 2015. The properties were also posted Thursday, October 22, 2015.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-15, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the November 9, 2015 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2015-15 to the Town Commission with the recommendation of approval.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2015-15 for second and final reading on Monday, December 7, 2015 at 6:00 p.m.

FISCAL IMPACT: $ TBD – pending value of future homes

[ ] Capital Budget **[ ] Operating** **[ ] Other**

ATTACHMENTS: **[X] Ordinance(s)** **[ ] Resolution** **[ ] Budget Resolution**

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

11-10-15	DEPARTMENT HEAD	Submitted 11/10/15	Date
	FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
	TOWN ATTORNEY	Approved as to Form and Legality	Date
	TOWN MANAGER	Approved Agenda Item for: 11/14/15	Date 11/10/15

BOARD ACTION: [✓] Approved as Recommended [ ] Disapproved
RIC/HOL 5-0

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modifications

cc: THAD-G.M.

K-9

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: December 7, 2015 SECOND READING

SUBJECT: **Ordinance No. 2015-16 –The Villages of Lake-Sumter, Inc. - Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance No. 2015-16, a Small Scale Comprehensive Plan Amendment – Requesting to Change approximately 0.43 +/- acres of land from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density.

Applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed applications to amend the future land use comprehensive plan for properties consisting of 3 Lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. The application involves 0.43 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The Small Scale Future Land Use Map Amendment application was received on Tuesday, September 15, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (52) within 150' of the property of the proposed annexation were mailed on Thursday, October 22, 2015. The properties were also posted Thursday, October 22, 2015.

Concurrency Determination Statement

The Villages has removed existing manufactured homes on two (2) of the lots (912 Cindy Drive and 842 Silver Oak Avenue) in a historic section of the Villages known as Orange Blossom Gardens to construct a similar size conventional built home on each lot (the home at 1410 Lester has yet to be removed). There will be no increase in utility services, traffic, population, or recreation use.

Impact on Town Services

Potable Water-

- No impact, lots are served by the Village Center Community Development District Central Water System.

Sewer -

- No impact, lots are served by the Village Center Community Development District Central Sewer System.

Schools –

- Not factored for project – no foreseen impact of students as the project is located within an active adult retirement community.

Transportation –

- No impact, the existing home will be replaced with a new home. There will be no change in average daily trip generation.

Parks & Recreation –

- The annexation, small scale future land use amendment, and the rezoning applications will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, the Villages provides its residents with all Park and Recreation Amenities.

Stormwater –

- Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Applications have been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Town Commission. Additionally, the applications were reviewed and determined to be in compliance with the directives of the adopted Comprehensive Plan in accordance with the sought designation. A Concurrency Determination Statement has also been included as part of the Small Scale Comprehensive Plan Amendment Application, which the applicant submitted to explain expected impacts on Town Services.

The subject properties involve approximately 0.43 ± acres lies in Section 06, Township 18 South, Range 24 East in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Future Land Use

Subject Properties	Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
East	Lake County – Medium Urban Density Lady Lake- Manufactured Home High Density (MH-HD)
North	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
South	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)

Comments:

1.) Annexation and Rezoning Applications have been submitted concurrently with this Small Scale Future Land Use Amendment Application.

2.) In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A)., executed on June 23, 2015, if the Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area.

3.) Project will be required to adhere to St. John's River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-16, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the November 9, 2015 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2015-16 to the Town Commission with the recommendation of approval.

At the November 16, 2015 meeting, the **Local Planning Agency** voted 5-0 for approval of Ordinance 2015-16.

At the November 16, 2015 meeting, the **Town Commission** voted 5-0 for approval of Ordinance 2015-16 at first reading.

FISCAL IMPACT: $_____

[ ] Capital Budget [ ] Operating [ ] Other

ATTACHMENTS: [X] Ordinance(s) [ ] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

11-30-15

DEPARTMENT HEAD Submitted 11/30/15 Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

TOWN ATTORNEY Approved as to Form and Legality Date

TOWN MANAGER Approved Agenda Item for: 12/7/15 Date 12/1/15

BOARD ACTION: [ ] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

ORDINANCE NO. 2015-16

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN THE TOWN OF LADY LAKE, FLORIDA; AMENDING THE TOWN OF LADY LAKE ORDINANCE NO. 81-1-(83), WHICH ESTABLISHED THE TOWN OF LADY LAKE COMPREHENSIVE PLAN; PROVIDING FOR A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN OF LADY LAKE TOWN COMMISSION:

Section 1. Legislative Findings, Purpose, and Intent.

a. On February 2, 1981, the Town Commission of the Town of Lady Lake adopted a Comprehensive Plan pursuant to Florida Statute 163.3184, known as the "Local Government Comprehensive Planning Act" ("Act"), which sets forth the procedures and requirements for a local government in the State of Florida to adopt a Comprehensive Plan and amendments (to a Comprehensive Plan).

b. The Town Commission adopted the Lady Lake Comprehensive Plan by Ordinance No. 81-1-(83), and amended said Ordinance by Ordinance No. 91-21, approved December 2, 1991, and Ordinance No. 94-16, approved on October 12, 1994.

c. The Town's Local Planning Agency reviewed a proposed amendment to the Future Land Use Map Series of the Town of Lady Lake Comprehensive Plan on November 16, 2015, and recommended to the Town Commission that said amendment be adopted by the Town Commission.

d. The Town Commission has held public hearings on the proposed amendment to the Future Land Use Map Series of the Comprehensive Plan, and received comments from the general public and the Local Planning Agency.

e. The Town of Lady Lake has complied with the requirements of the Act for amending the Comprehensive Plan.

Section 2. Authority.

This ordinance is adopted in compliance with and pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 – 163.3243, Florida Statutes, as amended.

Section 3. Small Scale Amendment to the Future Land Use Element Map Series.

The Comprehensive Plan, as amended, is hereby further amended by amending the Future Land Use Element Map Series with the small scale amendment as indicated below:

Applicant/Owner:	The Villages of Lake-Sumter, Inc.
General Location:	North of Griffin Avenue and northeast of North Hwy 27/441, three (3) lots located within the Orange Blossom Gardens Subdivision Units 2 and 3.1B, within Lake County, Florida.
Acres:	0.43 +/- Acres
Future Land Use:	Change **from** Lake County – Medium Urban Density **to** Town of Lady Lake Manufactured Home High Density (MH-HD).

Graphic representation of this Small Scale Future Land Use Element Map Amendment is shown in the attached "Exhibit A".

Section 4. Severability

The provisions of this Ordinance are declared to be separable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Effective Date.

This ordinance shall become effective as provided in Chapter 163, Florida Statutes.

PASSED AND ORDAINED in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, this **7th** day of **December**, **2015**.

TOWN OF LADY LAKE, FLORIDA

_____
Ruth Kussard, Mayor

ATTEST:

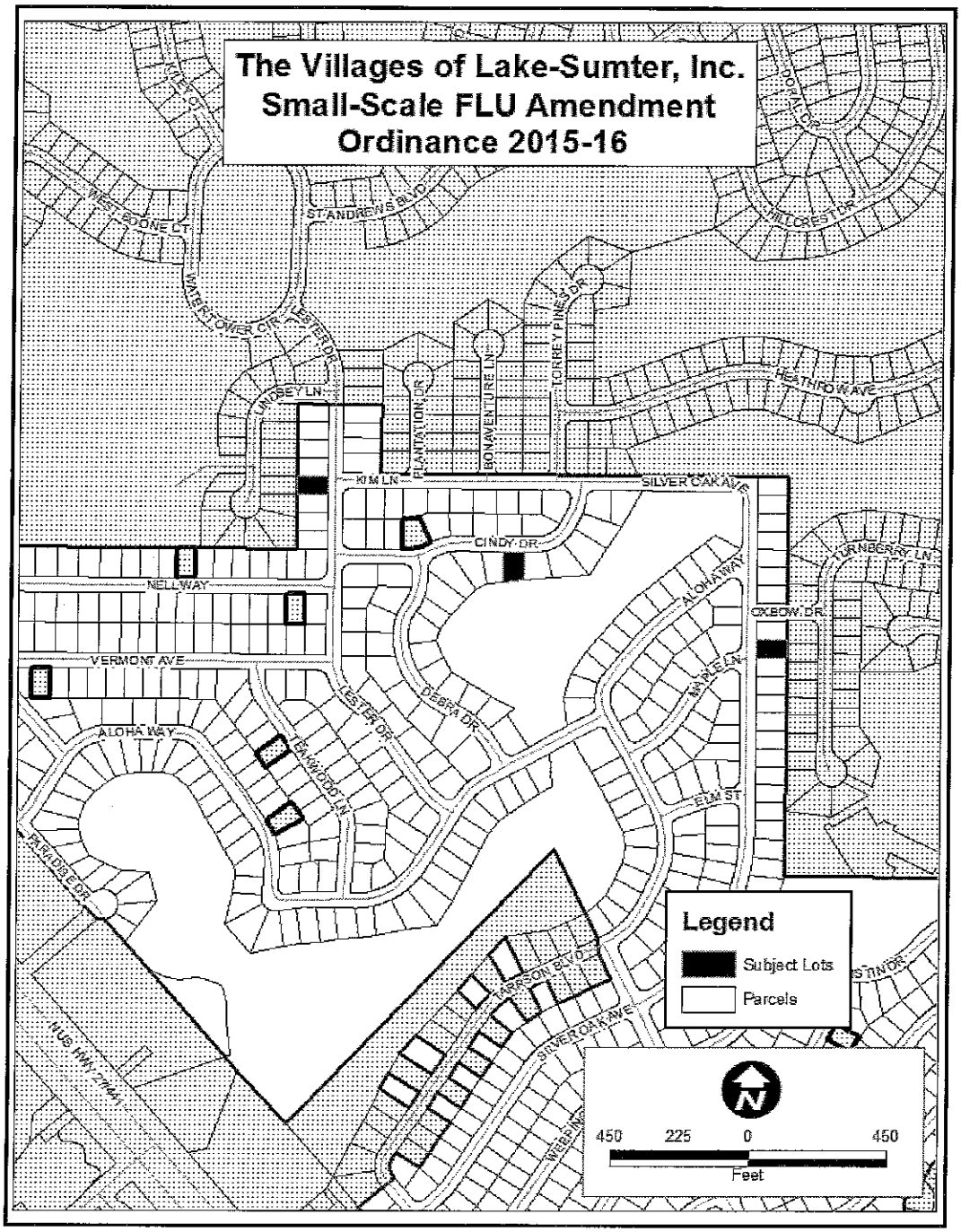
_____
Kris Kollgaard, Town Clerk

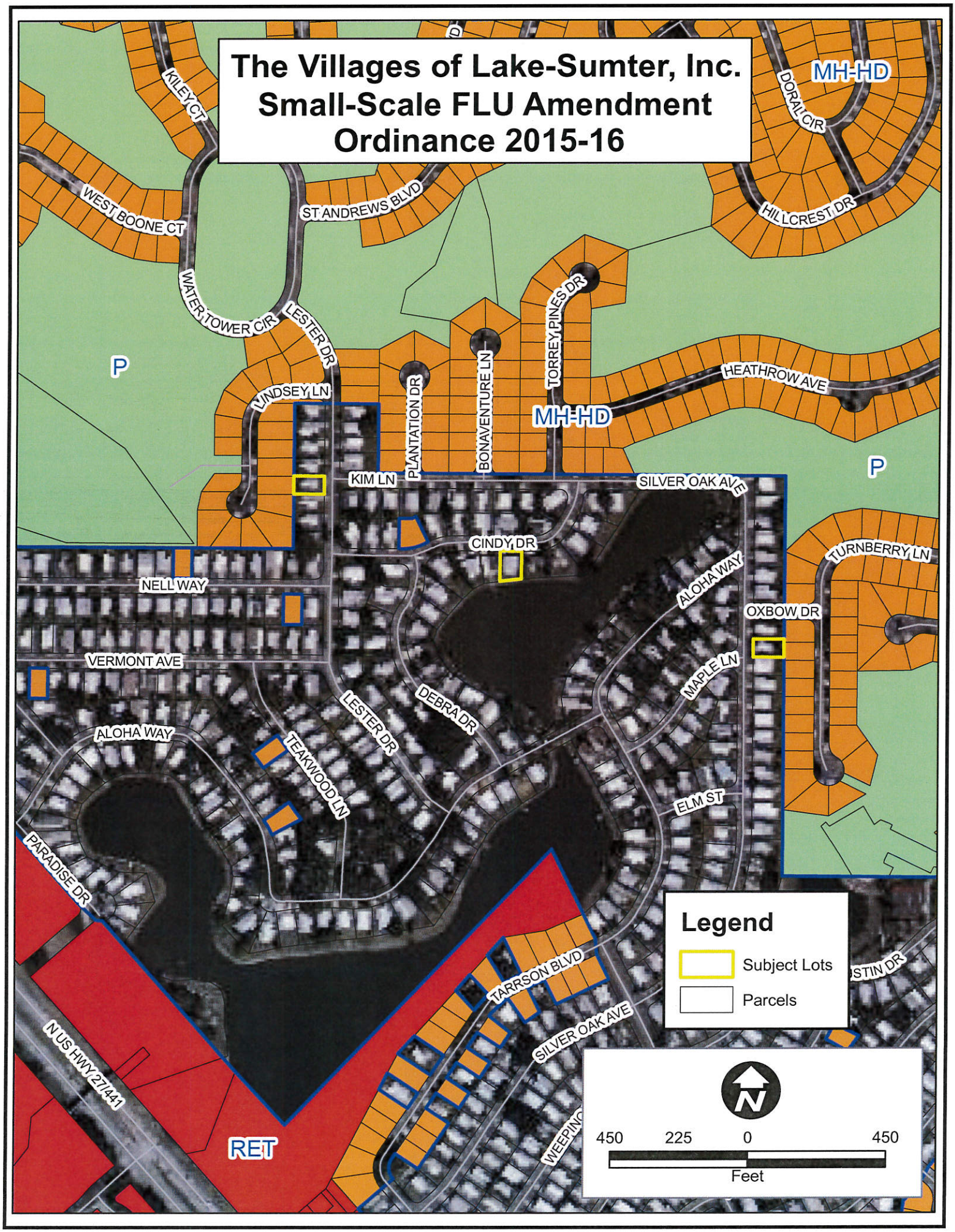
APPROVED AS TO FORM:

_____
Derek Schroth, Town Attorney

EXHIBIT "A" - Legal Descriptions & Map

Parcel ID No. 06-18-24-0200-000-13900
ORANGE BLOSSOM GARDENS UNIT 2 LOT 139 PB 20 PGS 58-59 ORB 4659 PG 1758
-AND-
Parcel ID No. 06-18-24-0200-000-06700
ORANGE BLOSSOM GARDENS UNIT 2 LOT 67 PB 20 PGS 58-59 |ORB 794 PG 1962
-AND-
Parcel ID No. 06-18-24-0350-000-23300
ORANGE BLOSSOM GARDENS UNIT 3-1B LOT 233 PB 25 PG 33 |ORB 4654 PG 1867




The Villages of Lake-Sumter, Inc.
Small-Scale FLU Amendment
Ordinance 2015-16
MH-HD
DORAL CIR
KILEY CT
WEST BOONE CT
ST ANDREWS BLVD
HILLCREST DR
WATER TOWER CIR
LESTER DR
TORREY PINES DR
P
LINDSEY LN
PLANTATION DR
BONAVENTURE LN
HEATHROW AVE
MH-HD
P
KIM LN
SILVER OAK AVE
CINDY DR
TURNBERRY LN
NELL WAY
ALOHA WAY
OXBOW DR
VERMONT AVE
MAPLE LN
DEBRA DR
LESTER DR
ALOHA WAY
TEAKWOOD LN
ELM ST
PARADISE DR
Legend
Subject Lots
Parcels
TARRSON BLVD
SILVER OAK AVE
N US HWY 27/441
RET
450
225
0
450
Feet

APPLICATION FOR THE SMALL SCALE DEVELOPMENT AMENDMENTS TO THE 2005-2025 COMPREHENSIVE PLAN (CP)
Town of Lady Lake

Small scale amendments must meet the following criteria of (Ch. 163.3187, F.S.):

- The proposed amendment must involve a property of ten (10) acres or less.
- A proposed amendment involving a residential land use may not exceed a density of the (10) units per acre.
- The proposed amendment does not require an amendment to the Urban Service Area boundary.
- The proposed amendment does not involve the same owner's property within 150 feet of property granted a change within the prior twelve (12) months.
- The proposed amendment cannot involve a change to the goals, policies, objectives or text of the Comprehensive Plan.
- Small scale amendment applications will only be accepted until the statutory sixty (60) acre cumulative total is reached.

In addition, staff may determine on a case-by-case basis, which amendments need to be processed as part of the regular amendment cycle.

Applications for small scale amendment accepted Monday through Friday from 8:00 AM to 5:00 PM. One (1) notarized and ten (10) copies of the application, ten (10) sets of any required exhibits and any attachments, together with an application fee of $2,500.00 (checks made payable to the TOWN OF LADY LAKE), must be filed with the Growth Management Department, 409 Fennell Boulevard, Lady Lake, Florida. All requests for a fee waiver must be formally approved by the Town of Lady Lake Commission.

Type or Print the following information, if applicable:

Owner(s)/Applicant* The Villages of Lake-Sumter, Inc.	Agent/Applicant Martin L. Dzuro
Address 1020 Lake Sumter Landing	Address 1045 Lake Sumter Landing
City The Villages	City The Villages
State FL Zip 32162	State FL Zip 32162
Phone (H)	Phone (H)
Phone (W)	Phone (W) (352) 753-6262
Fax	Fax (352) 753-6264

Adopted Future Land Use Designation(s) Lake County Medium Density Urban
Requested Future Land Use Designation(s) Lady Lake MH-HD - Manufactured Home High Density

*If someone other than the property owner is submitting this application, then the attached Agent Authorization Form must be completed (Page 5).

PROPERTY LOCATION:

Section 6	Township 18	Range 24
Subdivision See attached list.	Block N/A	Lot/Parcel# See attached list.
Address (if available)		
Tax Identification Number See attached list.		
Existing Zoning Lake County RM - Residential Medium	Anticipated Zoning Lady Lake MX-8 Mixed Single Family	

NOTE: **IF THE ANTICIPATED OR REQUIRED ZONING IS PLANNED DEVELOPMENT, A PRELIMINARY LAND USE PLAN MAY BE REQUIRED PRIOR TO THE LADY LAKE COMMISSION PUBLIC HEARING.**

Existing Use of Subject Property: Medium density urban

Proposed Use of the Subject Property: MH-HD - Manufactured Home High Density

Total Gross Acreage of Parcel (Including wetlands and water bodies): Approximately 0.43 acres

Developable Acreage to be Amended: Approximately 0.43 acres

If Conservation Areas (wetlands) or natural water bodies exist on-site, give estimated acreage of each: None.
(Submit any previously completed wetland determination studies).

If multiple designations are requested for the subject property, indicate the acreage of each designation and include a map showing the location of each use: Not applicable

Is this proposal a Certified Lady Lake Affordable Housing Project? Yes_____ No X
(If yes, attach certification).

Has an application for rezoning or other development permit been submitted to the Town?
Yes X No _____
(If yes, type and date submitted _____).

Has the project/property been subject to any Town action, including a comprehensive plan amendment, within the last five (5) years? Yes_____ No X
(If yes, indicate type and date _____).

REQUIRED SUBMITTALS
(Ten (10) copies of each)

1. The complete legal description of the property and portion thereof that the amendment is being requested for, **typed on a separate sheet of paper.**

2. Certified survey of the subject property or a County Property Appraiser's map illustrating the exact parcel may be accepted in lieu of a survey (County Property Appraiser's maps are available from Lake County Maps Sales, 123 N. Sinclair Ave., Tavares).

3 Vicinity map depicting the subject property and major roadways.

4. For property within flood prone areas, include Flood Insurance Rate Map, Flood Hazard Boundary Map or other information for determining suitability for development (Flood maps are available from the Lady Lake Building Department).

5. Attach justification statement and appropriate data and analysis to support the requested change including, but not limited to, adjacent land use compatibility; availability of sanitary sewer and potable water; why the amendment is consistent with and furthers various objectives and/or policies of the Comprehensive Plan; existing traffic or environmental studies; and any other information which supports this request.

6. Attach a listing of property owners within 150 feet of the subject property. The list may be obtained from the Lake County Property Appraisers Office located at 317 West Main Street, Tavares, Florida or you may get the information off of Lake County's GIS website www.lakegovernment.com.

ADDITIONAL APPLICATION INFORMATION

1. **Applicants are requested to seek a pre-application conference with the Community Development staff to discuss the content and format of the amendment proposal.** Acceptance of an application for amendment to the CP should not be construed as staff support of the amendment request. Please contact the Growth Management Department at (352) 751-1520 to schedule an appointment.

2. Small scale amendments require two (2) public hearings for adoption. The Local Planning Agency (LPA) public hearing and the Lady Lake Commission public hearing. A flow chart of the small scale process is attached to this application.

3. Applications for a comprehensive plan amendment which were previously not transmitted or adopted by the Town of Lady Lake Commissioners cannot be reconsidered for a period of two (2) years of that action.

4. Comprehensive Plan Amendment does not guarantee/entitle the applicant/owner to a development permit.

5. The current owner of the subject property must sign the application. Agents must submit the attached Agent Authorization Form .

6. Only one contiguous development per application for a Future Land Use Map amendment will be accepted. Contiguous property can be submitted on one application upon authorization of all property owners.

7. Upon review of the submitted application, the Growth Management Department may find an application incomplete and request that the applicant resubmit the application with clarification or additional information, Resubmitted applications or additional information are due within fifteen (15) working days of notice from the Growth Management Department unless special permission is granted by the Growth Management Director, or his/her designee, to accommodate special/lengthy requests.

8. Application fees shall be refunded only if an application is withdrawn upon request of either the property owner or agent prior to the first public notice of hearing.

9. The following shall be exempted from the payment of the amendment fee: Lake County, the Lake County School Board, the State of Florida, the United States of America, municipalities situated wholly within the boundaries of the County and established transportation authorities. Others may request a fee waiver from the Lady Lake Commission through a request to the Growth Management Director.

10. The applicant and those he/she represents in this amendment are hereby put on notice that approval of this application by the Lady Lake Commission, which is then challenged by an affected party, is not "effective" until a final order determining the adopted amendment to be in compliance is issued by the Department of Community Affairs or the Administration Commission. Therefore, the applicant and those he/she represent are hereby put on notice that there shall be no reliance on, and, the Town shall not be responsible for any reliance on an approval of this application until it is "effective", pursuant to law. Amendments which are not challenged are effective thirty-one (31) days after adoption. The Town does not issue any development orders (e.g., rezoning).

11. Applicants are required to place a notice of public hearing poster on property involved in this amendment request prior to the public hearings. The Growth Management Department will prepare the poster for posting. The Growth Management Department provides public hearing notices to property owners within 150 feet of property subject to an amendment.

12. Dependent upon the type of amendment request, the applicant may be required to participate in a neighborhood meeting(s) in order to provide additional information and notice to surrounding residents about the proposed development.

THE FOLLOWING SECTION MUST BE COMPLETED BY ALL APPLICANTS:

I, the undersigned, have read the application for an amendment to the Town of Lady Lake Comprehensive Plan and hereby attest that the above referenced information, including attached exhibits, is true and correct to the best of my knowledge and, during the pendency of this application, I understand my continuing obligation to notify the Growth Management Director or his designee in writing of the inaccuracy of any statement or representation which was incorrect when made or which becomes incorrect by virtue of changed circumstances.

Signature of the Applicant, Property owner or Agent

Sept. 15 2015
Date

Martin L. Dzuro, V.P. The Villages of Lake-Sumter Inc.
Printed Name

STATE OF Florida
COUNTY OF Sumter

THE FOREGOING INSTRUMENT was acknowledged before me this 15th day of Sept., 20 15, by Martin L. Dzuro, as an individual/officer/agent, on behalf of himself/herself The Villages of Lake-Sumter, Inc., a corporation/partnership. He/she is personally know to me or has produced _____ as identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 15th day of Sept., 20 15.

Vicki C Varnon
Notary Public

(SEAL)

Vicki C. Varnon
Printed Name
Commission No.: EE 125038
My Commission Expires: 9-22-15

NOTARY PUBLIC
VICKI C. VARNON
Notary Public
State of Florida
My Commission Expires 9/22/2015
Commission No. EE 125038

Parcel ID #: 0618240200-000-13900
Lot 139, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

Parcel ID #: 0618240200-000-06700
Lot 67, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

-AND-

Parcel ID #: 0618240350-000-23300
Lot 233, Unit 3.1B, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 25, Page 33 through 35, Public Records of Lake County, Florida.

INSTRUMENT#: 2015084076 OR BK 4659 PG 1758 PAGES: 1 8/3/2015 3:53:28 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$630.00

90,000 RETURN

Prepared by and return to:
Gary Fuchs/sss
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: **P06843**

ExN
Rec 10
Doc
Int
Total

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **31st** day of **July, 2015** between **Frank Harry Hansen, a single man, individually and as Trustee of the Frank Harry Hansen Revocable Living Trust under Agreement dated October 19,1995**, whose post office address is **907 Ramos Drive, The Villages, FL 32159**, grantor, and **The Villages of Lake-Sumter, Inc., a Florida corporation**, whose post office address is **1020 Lake Sumter Landing, The Villages, FL 32162** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lake County, Florida** to-wit:

PARCEL ID #: 0618240200-000-13900

Lot 139, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

Together with a 1980 HILLMAN Manufactured Home, ID# 02630695AN & # 02630695BN, Florida Title 17713674 & 17713675 bearing Real Property Decals # R078263 & # R078265 which is an improvement to the land and an immovable fixture, and by intention of the parties and upon retirement of the Certificate of Title as provided in Florida Statutes 319.261, shall constitute a part of the realty and shall pass with it.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Stacy Spears
Witness Name: Stacy Spears

Jennifer Grouster
Witness Name: Jennifer Grouster

Frank Harry Hansen
Frank Harry Hansen, Individually and as Trustee of the Frank Harry Hansen Revocable Living Trust under Agreement dated October 19,1995

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 31st day of July, 2015 by Frank Harry Hansen, a single man, Individually and as Trustee of the Frank Harry Hansen Revocable Living Trust under Agreement dated October 19,1995, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

Stacy Spears
Notary Public

Printed Name:

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
STACY S. SPEARS
MY COMMISSION # FF 072774
EXPIRES: December 26, 2017
Bonded Thru Budget Notary Services

INSTRUMENT#: 2015098230 OR BK 4676 PG 1056 PAGES: 1 9/8/2015 3:48:44 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$420.00

60,000 RETURN

Prepared by and return to:
Gary Fuchs/jag
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: **P07248**

Ex# 0
Rec
Doc
Int
Chg

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **31st** day of **August, 2015** between **Alice P. Astling, a single woman**, whose post office address is **1410 Lester Drive, Lady Lake, FL 32159**, grantor, and **The Villages of Lake-Sumter, Inc., a Florida corporation**, whose post office address is **1020 Lake Sumter Landing, The Villages, FL 32162** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lake County, Florida** to-wit:

PARCEL ID #: 0618240200-000-06700

Lot 67, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Jennifer Grovesteen

Witness Name: Jeanmarie Nichols

Alice P. Astling

State of Florida
County of Sumter

The foregoing instrument was acknowledged before me this 31st day of August, 2015 by Alice P. Astling, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

JENNIFER GROVESTEEN
MY COMMISSION # EE 150564
EXPIRES: December 5, 2015
Bonded Thru Budget Notary Services

Notary Public

Printed Name: Jennifer Grovesteen

My Commission Expires: 12/5/15

INSTRUMENT#: 2015079287 OR BK 4654 PG 1867 PAGES: 1 7/21/2015 3:48:20 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$455.00

65000

RETURN

Ex:
Rec
Doc
Int
Total:

Prepared by and return to:
Gary Fuchs/jg
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: **P07185**

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **16th** day of **July, 2015** between **Audrey Lorelei Smith, a single woman**, whose post office address is **620 Griffin Avenue, Room 232, Lady Lake, FL 32159**, grantor, and **The Villages of Lake-Sumter, Inc., a Florida corporation**, whose post office address is **1020 Lake Sumter Landing, The Villages, FL 32162** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lake County, Florida** to-wit:

PARCEL ID #: 0618240350-000-23300

Lot 233, Unit 3.IB, Orange Blossom Gardens, according to the Plat thereof recorded in Plat Book 25, Pages 33, 34, and 35, Public Records of Lake County, Florida.

Together with a 1983 HILLMAN Manufactured Home, ID# 02610120S, Florida Title 20125096 bearing Real Property Decal # R078942 which is an improvement to the land and an immovable fixture, and by intention of the parties and upon retirement of the Certificate of Title as provided in Florida Statutes 319.261, shall constitute a part of the realty and shall pass with it.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Jennifer Grovesteen

Witness Name: DEANN STEPLER

Audrey Lorelei Smith

Audrey Lorelei Smith

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 16th day of July, 2015 by Audrey Lorelei Smith,a single woman, who [_] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

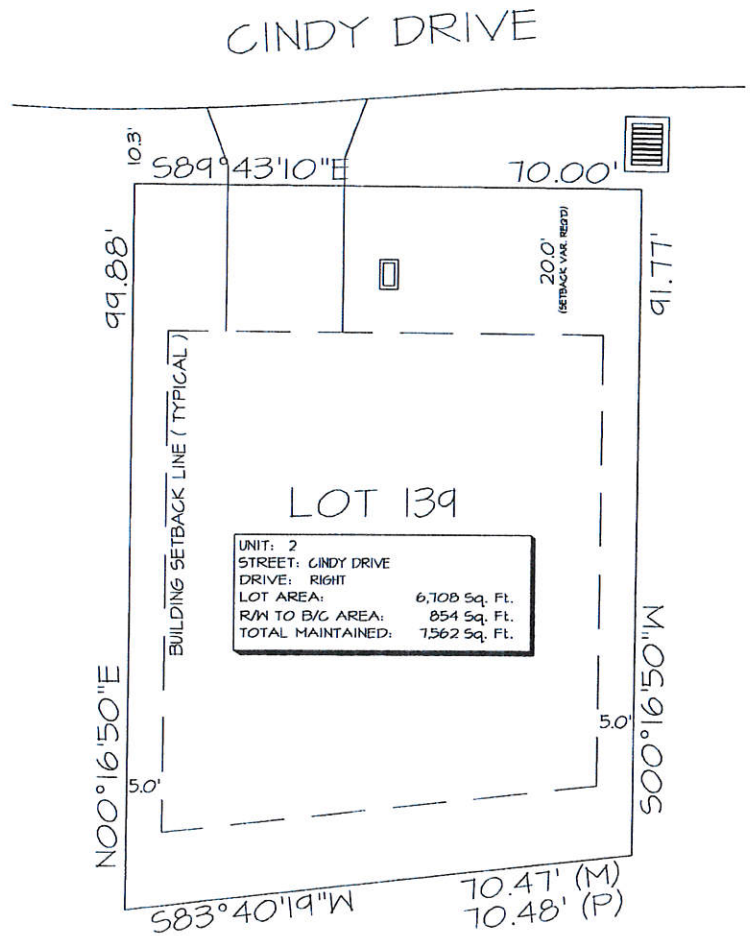
JENNIFER GROVESTEEN
MY COMMISSION # EE 150664
EXPIRES: December 5, 2015
Bonded Thru Budget Notary Services

Notary Public

Printed Name: Jennifer Grovesteen

My Commission Expires: 12/5/15

SCALE: 1/16"=1'



LEGEND :

- WATER METER
- IRRIGATION METER
- STREET LIGHT
- (P) INDICATES PLAT
- (M) INDICATES MEASURED
- GABLE T.V. PEDESTAL / 7" OR 9" ROUND
- TELEPHONE PEDESTAL / 4" OR 12" ROUND
- ELECTRIC PEDESTAL / 20"X20" PAD
- ELECTRIC TRANSFORMER / 3'X3' PAD
- ELECTRIC FEED THROUGH CABINET
- UTILITY VAULT
- WATER VALVE
- FIRE HYDRANT
- STORM INLET
- VALLEY GUTTER INLET
- CATCH BASIN
- MANHOLE
- LINE EXTENDER PEDESTAL / 12"X30"X14"
- TRUNK-AMP PEDESTAL / 17"X30"X14"
- SWITCH GEAR / 7' X 7'
- POWER SUPPLY / 20"x28"x58"
- BOARD / STOCKADE / PVC FENCE

NOTE: EASEMENTS AND RIGHT OF WAYS IN FAVOR OF THE DEVELOPER ARE HEREBY RESERVED FOR THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF UTILITIES SUCH AS ELECTRIC LIGHT LINES, SANITARY, SEWER, STORM DRAINAGE, WATER LINES, CABLEVISION TELEPHONE, RECREATION FACILITIES AND TELEGRAPH LINES OR THE LIKE. THESE THIRD PARTY UTILITY PROVIDERS UTILIZING SUCH EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA. ALL UTILITY PROVIDERS ARE RESPONSIBLE FOR REPAIRING THE GRADING AND LANDSCAPE BEING DISTURBED PURSUANT TO ANY UTILIZATION OF SUCH EASEMENTS. HOWEVER, THESE UTILITY PROVIDERS MAY USE ABOVE GROUND JUNCTION BOXES, PEDESTALS, SPLICE BOXES AND ETC. FOR THEIR UTILITIES AND THE DEVELOPER IS WITHOUT KNOWLEDGE AS TO THE SPECIFIC LOCATION WITHIN THE EASEMENTS AND RIGHT OF WAYS THAT THESE UTILITY PROVIDERS MAY PLACE THESE ABOVE GROUND ITEMS IN THE FUTURE.

THIS IS NOT A SURVEY

THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES (UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES OF LAKE-SUMTER, INC., ORANGE BLOSSOM GARDENS, ARNETT ENVIRONMENTAL AND/OR ANY AFFILIATES THEREOF ARE NOT RESPONSIBLE OR LIABLE FOR ACCURACY OR CORRECTNESS OF THE INFORMATION AS SHOWN ON THIS SKETCH.

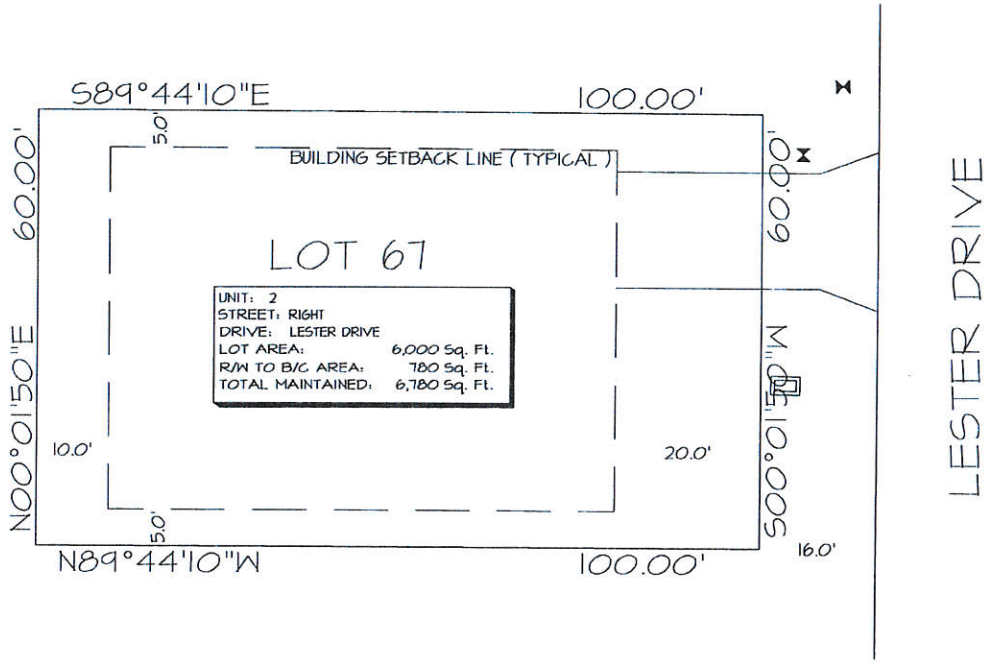
CUSTOMER SIGNATURE: _____ DATE: _____

CUSTOMER SIGNATURE: _____ DATE: _____

The Villages

Arnett Environmental, LLC
1038 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1294
Certificate of Authorization Number 27495

SCALE: 1/16"=1'



LEGEND :

- WATER METER
- IRRIGATION METER
- STREET LIGHT
- (P) INDICATES PLAT
- (M) INDICATES MEASURED
- CABLE T.V. PEDESTAL / 7" OR 9" ROUND
- TELEPHONE PEDESTAL / 4" OR 12" ROUND
- ELECTRIC PEDESTAL / 20"X20" PAD
- ELECTRIC TRANSFORMER / 5'X3' PAD
- ELECTRIC FEED THROUGH CABINET
- UTILITY VAULT
- WATER VALVE
- FIRE HYDRANT
- STORM INLET
- VALLEY GUTTER INLET
- CATCH BASIN
- MANHOLE
- LINE EXTENDER PEDESTAL / 12"X30"X14"
- TRUNK-AMP PEDESTAL / 17"X30"X14"
- SWITCH GEAR / 7' X 7'
- POWER SUPPLY / 20"x28"x58"
- BOARD / STOCKADE / PVC FENCE

NOTE: EASEMENTS AND RIGHT OF WAYS IN FAVOR OF THE DEVELOPER ARE HEREBY RESERVED FOR THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF UTILITIES SUCH AS ELECTRIC LIGHT LINES, SANITARY, SEWER, STORM DRAINAGE, WATER LINES, CABLEVISION TELEPHONE, RECREATION FACILITIES AND TELEGRAPH LINES OR THE LIKE. THESE THIRD PARTY UTILITY PROVIDERS UTILIZING SUCH EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA. ALL UTILITY PROVIDERS ARE RESPONSIBLE FOR REPAIRING THE GRADING AND LANDSCAPE BEING DISTURBED PURSUANT TO ANY UTILIZATION OF SUCH EASEMENTS. HOWEVER, THESE UTILITY PROVIDERS MAY USE ABOVE GROUND JUNCTION BOXES, PEDESTALS, SPLICE BOXES AND ETC. FOR THEIR UTILITIES AND THE DEVELOPER IS WITHOUT KNOWLEDGE AS TO THE SPECIFIC LOCATION WITHIN THE EASEMENTS AND RIGHT OF WAYS THAT THESE UTILITY PROVIDERS MAY PLACE THESE ABOVE GROUND ITEMS IN THE FUTURE.

THIS IS NOT A SURVEY

THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES / UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES OF LAKE-SUMTER, INC., ORANGE BLOSSOM GARDENS, ARNETT ENVIRONMENTAL AND/OR ANY AFFILIATES THEREOF ARE NOT RESPONSIBLE OR LIABLE FOR ACCURACY OR CORRECTNESS OF THE INFORMATION AS SHOWN ON THIS SKETCH.

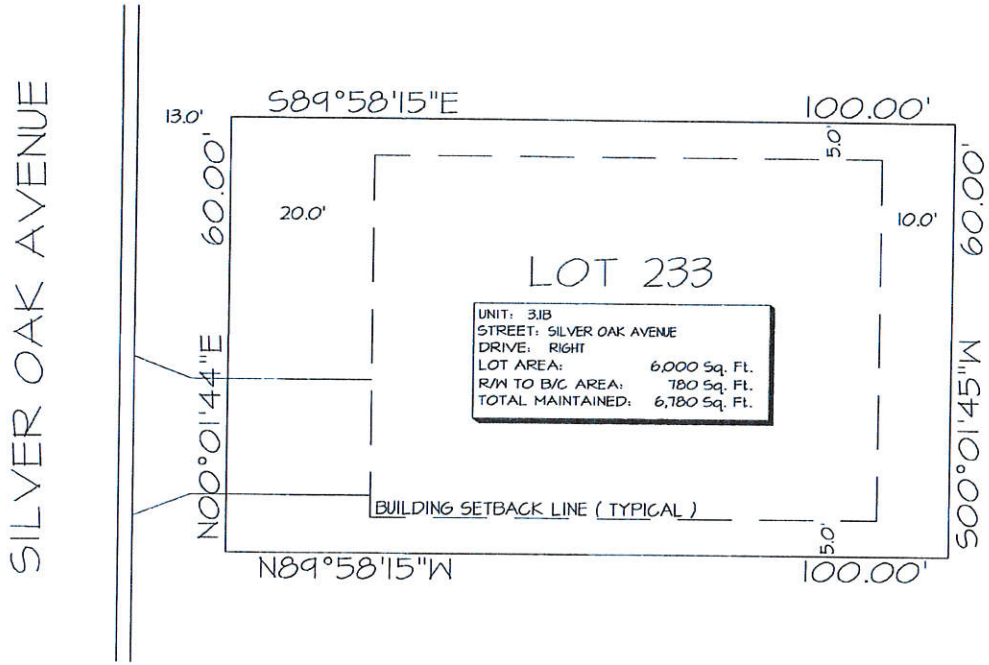
CUSTOMER SIGNATURE: _____ DATE: _____

CUSTOMER SIGNATURE: _____ DATE: _____

The Villages

Arnett Environmental, LLC

SCALE: 1/16"=1'



LEGEND :

- WATER METER
- IRRIGATION METER
- STREET LIGHT
- (P) INDICATES PLAT
- (M) INDICATES MEASURED
- CABLE T.V. PEDESTAL / 7" OR 9" ROUND
- TELEPHONE PEDESTAL / 4" OR 12" ROUND
- ELECTRIC PEDESTAL / 20"X20" PAD
- ELECTRIC TRANSFORMER / 3'X3' PAD
- ELECTRIC FEED THROUGH CABINET
- UTILITY VAULT
- WATER VALVE
- FIRE HYDRANT
- STORM INLET
- VALLEY GUTTER INLET
- CATCH BASIN
- MANHOLE
- LINE EXTENDER PEDESTAL / 12"X30"X14"
- TRUNK-AMP PEDESTAL / 17"X30"X14"
- SWITCH GEAR / 7' X 7'
- POWER SUPPLY / 20"x28"x58"
- BOARD / STOCKADE / PVC FENCE

NOTE: EASEMENTS AND RIGHT OF WAYS IN FAVOR OF THE DEVELOPER ARE HEREBY RESERVED FOR THE CONSTRUCTION INSTALLATION AND MAINTENANCE OF UTILITIES SUCH AS ELECTRIC LIGHT LINES, SANITARY, SEWER, STORM DRAINAGE, WATER LINES, CABLEVISION TELEPHONE, RECREATION FACILITIES AND TELEGRAPH LINES OR THE LIKE. THESE THIRD PARTY UTILITY PROVIDERS UTILIZING SUCH EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA. ALL UTILITY PROVIDERS ARE RESPONSIBLE FOR REPAIRING THE GRADING AND LANDSCAPE BEING DISTURBED PURSUANT TO ANY UTILIZATION OF SUCH EASEMENTS. HOWEVER, THESE UTILITY PROVIDERS MAY USE ABOVE GROUND JUNCTION BOXES, PEDESTALS, SPLICE BOXES AND ETC. FOR THEIR UTILITIES AND THE DEVELOPER IS WITHOUT KNOWLEDGE AS TO THE SPECIFIC LOCATION WITHIN THE EASEMENTS AND RIGHT OF WAYS THAT THESE UTILITY PROVIDERS MAY PLACE THESE ABOVE GROUND ITEMS IN THE FUTURE.

THIS IS NOT A SURVEY

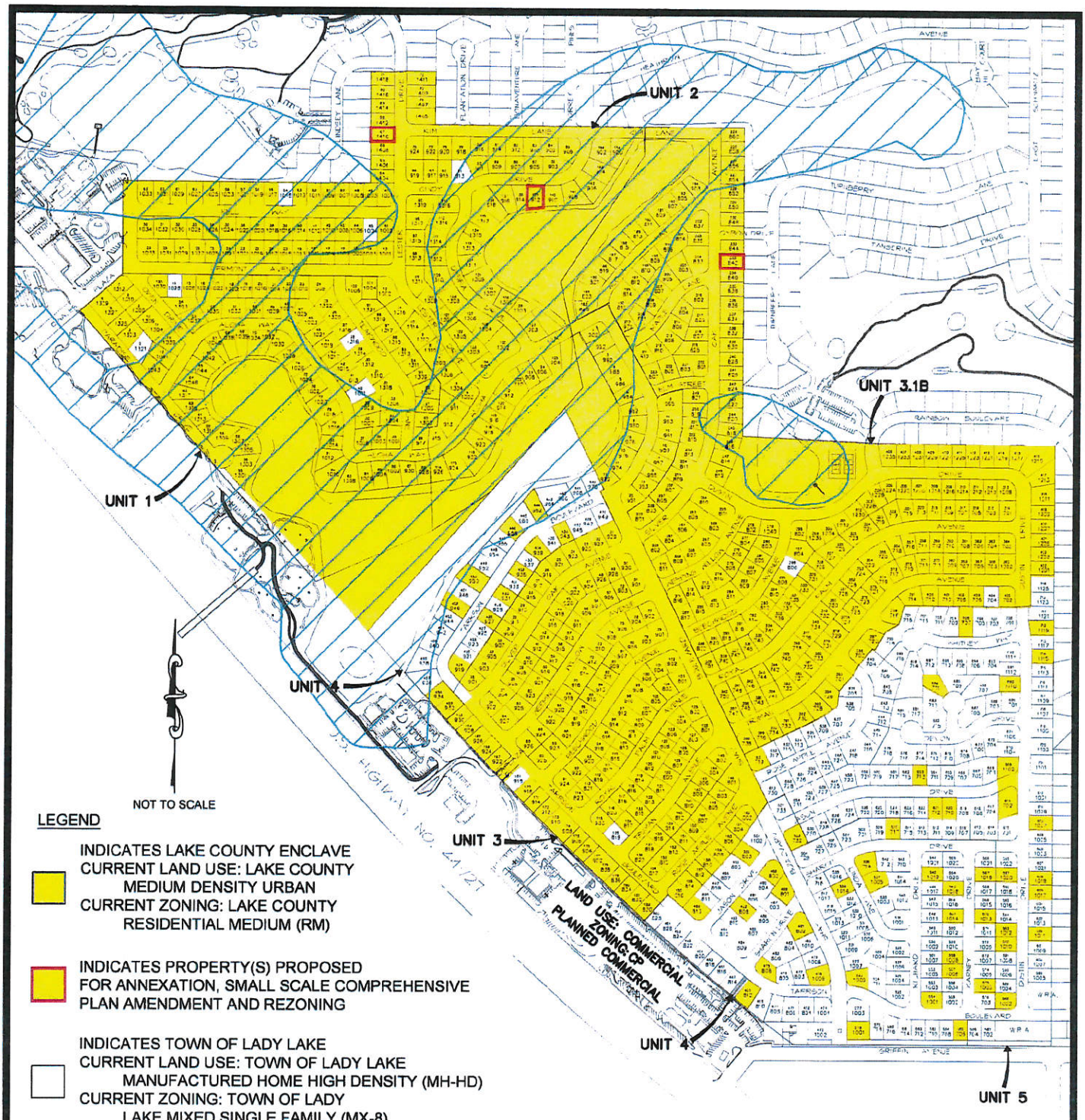
THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES (UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES OF LAKE-SUMTER, INC. ORANGE BLOSSOM GARDENS, ARNETT ENVIRONMENTAL AND/OR ANY AFFILIATES THEREOF ARE NOT RESPONSIBLE OR LIABLE FOR ACCURACY OR CORRECTNESS OF THE INFORMATION AS SHOWN ON THIS SKETCH.

CUSTOMER SIGNATURE: _____ DATE: _____

CUSTOMER SIGNATURE: _____ DATE: _____

The Villages

Arnett Environmental, LLC



LEGEND

INDICATES LAKE COUNTY ENCLAVE
CURRENT LAND USE: LAKE COUNTY MEDIUM DENSITY URBAN
CURRENT ZONING: LAKE COUNTY RESIDENTIAL MEDIUM (RM)

INDICATES PROPERTY(S) PROPOSED FOR ANNEXATION, SMALL SCALE COMPREHENSIVE PLAN AMENDMENT AND REZONING

INDICATES TOWN OF LADY LAKE
CURRENT LAND USE: TOWN OF LADY LAKE MANUFACTURED HOME HIGH DENSITY (MH-HD)
CURRENT ZONING: TOWN OF LADY LAKE MIXED SINGLE FAMILY (MX-8)

FLOOD ZONE
MAP# 12069C0154E
PANEL 154 OF 750 (REVISED 12-18-12)

10 —— LOT NUMBER
100 —— 911 NUMBER

PROPOSED ORANGE BLOSSOM GARDENS PROPERTIES FOR ANNEXATION, SMALL SCALE COMPREHENSIVE PLAN AMENDMENT AND REZONING

AUGUST 28, 2015

Arnett Environmental, LLC
1038 Lake Sumter Landing The Villages, FL 32162
Tel No (352)753-4747 Fax No (352)753-1296
Certificate of Authorization Number 27495

List No.	UNIT	LOT	HOUSE NO.	ADDRESS	ALT KEY NO.	Plat Book/Page
1	OBG2	139		912 Cindy Drive	2573597	20/58-59
2	OBG2	67		1410 Lester Drive	1483018	20/58-59
3	OBG3-1B	233		842 Silver Oak Avenue	2594195	25/33-35

Print Form

TOWN OF LADY LAKE
APPLICATION FOR CONCURRENCY DETERMINATION

1. **Purpose for Concurrency Determination: (check one)**

   X **Comprehensive Plan Land Use Amendment** X **Rezoning**
   ___ **Preliminary/Final Subdivision Approval** ___ **Site Plan Approval**
   ___ **Other**

2. **Applicant:** Martin L. Dzuro, V.P. of The Villages of Lake-Sumter Inc.
   Address: 1045 Lake Sumter Landing, The Villages, FL 32162
   Telephone: (352) 753-6262 **E-Mail:** marty.dzuro@thevillages.com

3. **Owner:** The Villages of Lake-Sumter Inc.
   Address: 1020 Lake Sumter Landing, The Villages, FL 32162
   Telephone: See above. **E-Mail:** See above.

4. **Property Address:** See attached list.

5. **Alt. Key #:** See attached list. 6. **Total Acreage:** Approx. 0.43 acres

7. **Existing Zoning:** RM - Residential Medium 8. **Proposed Zoning:** MX-8 Mixed SF

9. **Existing Land Use:** Med. Density Urban 10. **Proposed Land Use:** MH-HD

11. **Residential Lots/Units:** 3 lots 12. **Non-Resident, Gross Sq. Ft.:** ___

13. **Method of Wastewater Treatment:** N/A See attached sheet.
    a. **Septic Tank:** ___ b. **Central Sewer:** ___ c. **Other:** ___
    County Permit: ___ **County #:** ___

14. **Wastewater Flow Rates:*** N/A See attached sheet.
    ERU Determination Per Chapter 14, Appendix A-A: ___ **ERUS x 250 =** ___ **GPD**

15. **Water Usage:*** N/A See attached sheet.
    ERU Determination Per Chapter 14, Appendix A-A: ___ **ERUS x 250 =** ___ **GPD**

16. **Solid Waste: (3.39 pounds per capita, per day):** N/A See attached sheet. **Pounds**

17. **Traffic Analysis: Name and Functional Classification of roadways adjacent to the property, the Average Daily Trip Generation and Average Daily Peak Hour Generation expected from this development (please refer to the Lake-Sumter MPO Traffic Analysis Guideline):**
    N/A See attached sheet.

18. **Population (residential only) 1.86 persons per household:** N/A See attached sheet. **Persons**

19. **Recreation (residential only) 4 acres per 1,000 residents:** N/A See attached sheet. **Acres**

Signature of Engineer: ___ **Date:** ___

*** If circumstances apply where additional Water or Wastewater Capacity beyond minimum ERU based GPD is requested, please provide a justification letter with supporting calculations and documentation. At no time will the Town reduce Water or Wastewater Capacity request below the minimum ERU based GPD.**

List No.	UNIT	LOT	HOUSE NO.	ADDRESS	ALT KEY NO.	Plat Book/Page
1	OBG2	139		912 Cindy Drive	2573597	20/58-59
2	OBG2	67		1410 Lester Drive	1483018	20/58-59
3	OBG3-1B	233		842 Silver Oak Avenue	2594195	25/33-35

Concurrency Determination Statement

The proposed Small Scale Comprehensive Plan Amendment is a land use change from Lake County Medium Density Urban to Town of Lady Lake Manufactured Home High Density to accommodate the Annexation of three (3) lots in a historic section of The Villages known as Orange Blossom Gardens, an age restricted retirement community. The Villages is proposing to remove the existing manufactured home on each lot and construct a similar size conventional built home. There will be no increase in services, traffic, population, or recreation use.

Impact on Town Services

Potable Water

- No impact, lots are served by The Village Center Community Development District Central Water System.

Sewer

- No impact, lots are served by The Village Center Community Development District Central Sewer System.

Schools

- Not factored for project – no foreseen impact of students as the project is located within an active adult retirement community.

Transportation

- No impact, the existing home will be replaced with a new home. There will be no change in average daily trip generation.

Parks and Recreation

- The annexation, small scale future land use amendment, and the rezoning applications will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, The Villages provides its residents with all Park and Recreation Amenities.

Stormwater

- Project will be required to adhere to any applicable SJRWMD guidelines and Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: November 9, 2015

SUBJECT: **Ordinance No. 2015-16 –The Villages of Lake-Sumter, Inc.- Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTIONS:

1. **Motion to forward Ordinance No. 2015-16, a Small Scale Comprehensive Plan Amendment – Requesting to Change approximately 0.43 +/- acres of land from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density to the Town Commission with the recommendation of approval.**

2. **Motion to forward Ordinance No. 2015-16, a Small Scale Comprehensive Plan Amendment – Requesting to Change approximately 0.43 +/- acres of land from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density to the Town Commission with the recommendation of denial.**

Staff is in support of Motion Number 1

Applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed applications to amend the future land use comprehensive plan for properties consisting of 3 Lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. The application involves 0.43 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The Small Scale Future Land Use Map Amendment application was received on Tuesday, September 15, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (52) within 150' of the property of the proposed annexation were mailed on Thursday, October 22, 2015. The properties were also posted Thursday, October 22, 2015.

Concurrency Determination Statement

The Villages has removed existing manufactured homes on two (2) of the lots (912 Cindy Drive and 842 Silver Oak Avenue) in a historic section of the Villages known as Orange Blossom Gardens to construct a similar size conventional built home on each lot (the home at 1410 Lester has yet to be removed). There will be no increase in utility services, traffic, population, or recreation use.

Impact on Town Services

Potable Water-

- No impact, lots are served by the Village Center Community Development District Central Water System.

Sewer -

- No impact, lots are served by the Village Center Community Development District Central Sewer System.

Schools –

- Not factored for project – no foreseen impact of students as the project is located within an active adult retirement community.

Transportation –

- No impact, the existing home will be replaced with a new home. There will be no change in average daily trip generation.

Parks & Recreation –

- The annexation, small scale future land use amendment, and the rezoning applications will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, the Villages provides its residents with all Park and Recreation Amenities.

Stormwater –

- Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Applications have been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Town Commission. Additionally, the applications were reviewed and determined to be in compliance with the directives of the adopted Comprehensive Plan in accordance

with the sought designation. A Concurrency Determination Statement has also been included as part of the Small Scale Comprehensive Plan Amendment Application, which the applicant submitted to explain expected impacts on Town Services.

The subject properties involve approximately 0.43 ± acres lies in Section 06, Township 18 South, Range 24 East in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Future Land Use

Subject Properties	Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
East	Lake County – Medium Urban Density
North	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
South	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)

Comments:

1.) Annexation and Rezoning Applications have been submitted concurrently with this Small Scale Future Land Use Amendment Application.

2.) In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A)., executed on June 23, 2015, if the Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area.

3.) Project will be required to adhere to St. John's River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-16, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

Public Hearings

The **Local Planning Agency** is scheduled to consider Ordinance 2015-16 on Monday, November 16, 2015, at 5:30 p.m.

The **Town Commission** is scheduled to consider Ordinance 2015-16 for first reading on Monday, November 16, 2015 at 6:00 p.m. The second and final reading will be held on Monday, December 7, 2015 at 6:00 p.m.

FISCAL IMPACT: $_____

[ ] Capital Budget **[ ] Operating** **[ ] Other**

ATTACHMENTS: **[X] Ordinance(s)** **[ ] Resolution** **[ ] Budget Resolution**

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

11-2-15

DEPARTMENT HEAD **Submitted** 11/2/15 **Date**

FINANCE DEPARTMENT **Approved as to Budget Requirements** **Date**

TOWN ATTORNEY **Approved as to Form and Legality** **Date**

TOWN MANAGER **Approved Agenda Item for:** 11/9/15 **Date** 11/2/1

BOARD ACTION: **[✓] Approved as Recommended** CHASSON/MCKENZIE 4-0 **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modification

CC: THAD - G.M.

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: November 16, 2015 FIRST READING

SUBJECT: **Ordinance No. 2015-16 –The Villages of Lake-Sumter, Inc. - Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance No. 2015-16, a Small Scale Comprehensive Plan Amendment – Requesting to Change approximately 0.43 +/- acres of land from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density.

Applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed applications to amend the future land use comprehensive plan for properties consisting of 3 Lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. The application involves 0.43 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The Small Scale Future Land Use Map Amendment application was received on Tuesday, September 15, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (52) within 150' of the property of the proposed annexation were mailed on Thursday, October 22, 2015. The properties were also posted Thursday, October 22, 2015.

Concurrency Determination Statement

The Villages has removed existing manufactured homes on two (2) of the lots (912 Cindy Drive and 842 Silver Oak Avenue) in a historic section of the Villages known as Orange Blossom Gardens to construct a similar size conventional built home on each lot (the home at 1410 Lester has yet to be removed). There will be no increase in utility services, traffic, population, or recreation use.

Impact on Town Services

Potable Water-

- No impact, lots are served by the Village Center Community Development District Central Water System.

Sewer -

- No impact, lots are served by the Village Center Community Development District Central Sewer System.

Schools –

- Not factored for project – no foreseen impact of students as the project is located within an active adult retirement community.

Transportation –

- No impact, the existing home will be replaced with a new home. There will be no change in average daily trip generation.

Parks & Recreation –

- The annexation, small scale future land use amendment, and the rezoning applications will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, the Villages provides its residents with all Park and Recreation Amenities.

Stormwater –

- Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Applications have been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Town Commission. Additionally, the applications were reviewed and determined to be in compliance with the directives of the adopted Comprehensive Plan in accordance with the sought designation. A Concurrency Determination Statement has also been included as part of the Small Scale Comprehensive Plan Amendment Application, which the applicant submitted to explain expected impacts on Town Services.

The subject properties involve approximately 0.43 ± acres lies in Section 06, Township 18 South, Range 24 East in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Future Land Use

Subject Properties	Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
East	Lake County – Medium Urban Density Lady Lake- Manufactured Home High Density (MH-HD)
North	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
South	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)

Comments:

1.) Annexation and Rezoning Applications have been submitted concurrently with this Small Scale Future Land Use Amendment Application.

2.) In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A)., executed on June 23, 2015, if the Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area.

3.) Project will be required to adhere to St. John's River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-16, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the November 9, 2015 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2015-16 to the Town Commission with the recommendation of approval.

Public Hearings

The **Local Planning Agency** is scheduled to consider Ordinance 2015-16 on Monday, November 16, 2015, at 5:30 p.m.

The **Town Commission** is scheduled to consider Ordinance 2015-16 for second and final reading on Monday, December 7, 2015 at 6:00 p.m.

FISCAL IMPACT: $ _____

[ ] Capital Budget **[ ] Operating** **[ ] Other**

ATTACHMENTS: **[X] Ordinance(s)** **[ ] Resolution** **[ ] Budget Resolution**

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

DEPARTMENT HEAD **Submitted** 11/10/15 **Date**

11-10-15 **FINANCE DEPARTMENT** **Approved as to Budget Requirements** **Date**

TOWN ATTORNEY **Approved as to Form and Legality** **Date**

TOWN MANAGER **Approved Agenda Item for:** 11/16/15 **Date** 11/10/15

BOARD ACTION: **[✓] Approved as Recommended** **[ ] Disapproved**

VIN/HOL 5-0

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modification

cc: THAD - G.R.

LOCAL PLANNING AGENCY AGENDA ITEM

REQUESTED AGENCY MEETING DATE: November 16, 2015

PLEASE SEE COMMISSION PACKET ITEM #N-6 FOR SUPPLEMENTAL MATERIAL

SUBJECT: **Ordinance No. 2015-16 –The Villages of Lake-Sumter, Inc. - Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance No. 2015-16, a Small Scale Comprehensive Plan Amendment – Requesting to Change approximately 0.43 +/- acres of land from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density.

Applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed applications to amend the future land use comprehensive plan for properties consisting of 3 Lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. The application involves 0.43 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The Small Scale Future Land Use Map Amendment application was received on Tuesday, September 15, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (52) within 150' of the property of the proposed annexation were mailed on Thursday, October 22, 2015. The properties were also posted Thursday, October 22, 2015.

Concurrency Determination Statement

The Villages has removed existing manufactured homes on two (2) of the lots (912 Cindy Drive and 842 Silver Oak Avenue) in a historic section of the Villages known as Orange Blossom Gardens to construct a similar size conventional built home on

each lot (the home at 1410 Lester has yet to be removed). There will be no increase in utility services, traffic, population, or recreation use.

Impact on Town Services

Potable Water-

- No impact, lots are served by the Village Center Community Development District Central Water System.

Sewer -

- No impact, lots are served by the Village Center Community Development District Central Sewer System.

Schools –

- Not factored for project – no foreseen impact of students as the project is located within an active adult retirement community.

Transportation –

- No impact, the existing home will be replaced with a new home. There will be no change in average daily trip generation.

Parks & Recreation –

- The annexation, small scale future land use amendment, and the rezoning applications will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, the Villages provides its residents with all Park and Recreation Amenities.

Stormwater –

- Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Applications have been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Town Commission. Additionally, the applications were reviewed and determined to be in compliance with the directives of the adopted Comprehensive Plan in accordance with the sought designation. A Concurrency Determination Statement has also been included as part of the Small Scale Comprehensive Plan Amendment Application, which the applicant submitted to explain expected impacts on Town Services.

The subject properties involve approximately 0.43 ± acres lies in Section 06, Township 18 South, Range 24 East in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

Future Land Use

Subject Properties	Lake County Medium Urban Density
Future Land Use of Adjacent Properties	
West	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
East	Lake County – Medium Urban Density Lady Lake- Manufactured Home High Density (MH-HD)
North	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
South	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)

Comments:

1.) Annexation and Rezoning Applications have been submitted concurrently with this Small Scale Future Land Use Amendment Application.

2.) In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A)., executed on June 23, 2015, if the Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area.

3.) Project will be required to adhere to St. John's River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-16, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the November 9, 2015 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2015-16 to the Town Commission with the recommendation of approval.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2015-16 for second and final reading on Monday, December 7, 2015 at 6:00 p.m.

FISCAL IMPACT: $_____

[ ] Capital Budget **[ ] Operating** **[ ] Other**

ATTACHMENTS: **[X] Ordinance(s)** **[ ] Resolution** **[ ] Budget Resolution**

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

11-10-2015

DEPARTMENT HEAD **Submitted** 11/10/15 **Date**

FINANCE DEPARTMENT **Approved as to Budget Requirements** **Date**

TOWN ATTORNEY **Approved as to Form and Legality** **Date**

TOWN MANAGER **Approved Agenda Item for:** 11/16/15 **Date** 11/10/1

BOARD ACTION: **[✓] Approved as Recommended** HAGWIN 5-0 **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modification

cc: THAD - G.M. ✓

K-10

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: December 7, 2015 – SECOND READING

SUBJECT: **Ordinance No. 2015-17 - The Villages of Lake-Sumter, Inc.- Rezoning from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) for 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance No. 2015-17, rezoning 0.43 ± Acres of Property consisting of 3 lots – Located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida – Requesting to Change from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8).

Applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed an application to rezone properties consisting of 3 Lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. The application involves rezoning 0.43 +/- acres of property from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8). The MX-8 designation is consistent with the other lots in the Villages which are presently in the Town of Lady Lake's jurisdiction.

The Rezoning application was received on Tuesday, September 22, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (52) within 150' of the property of the proposed rezoning were mailed on Thursday, October 22, 2015. The property was also posted Thursday, October 22, 2015.

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions and survey information have been included with the submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

Zoning

Subject Property	Lake County Residential Medium (RM)
Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
East	Lake County Residential Medium (RM) Mixed Residential Medium Density (MX-8)
North	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
South	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-17, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the November 9, 2015 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2015-17 to the Town Commission with the recommendation of approval.

At the November 16, 2015 meeting, the **Town Commission** voted 5-0 for approval of Ordinance 2015-17 at First Reading.

FISCAL IMPACT: $_____

[ ] Capital Budget **[ ] Operating** **[ ] Other**

ATTACHMENTS: **[X] Ordinance(s)** **[ ] Resolution** **[ ] Budget Resolution**

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

11-30-15

DEPARTMENT HEAD		Submitted 11/30/15	Date
FINANCE DEPARTMENT		Approved as to Budget Requirements	Date
TOWN ATTORNEY		Approved as to Form and Legality	Date
TOWN MANAGER		Approved Agenda Item for: 12/7/15	Date 12/1/15

BOARD ACTION: [ ] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

ORDINANCE NO. 2015-17

AN ORDINANCE REDESIGNATING THE ZONING CLASSIFICATION FOR CERTAIN PROPERTY BEING 0.43 ± ACRES OF LAND, OWNED BY THE VILLAGES OF LAKE-SUMTER, INC., REFERENCED BY ALTERNATE KEYS 2573597, 1483018 & 2594195, 3 LOTS, WHICH ARE LOCATED WITHIN ORANGE BLOSSOM GARDENS UNIT 2 AND 3.1B WITHIN LAKE COUNTY, FLORIDA; REZONING SUBJECT PROPERTY FROM LAKE COUNTY RESIDENTIAL MEDIUM (RM) TO LADY LAKE MIXED RESIDENTIAL MEDIUM DENSITY (MX-8); PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan (Ordinance No. 91-21) pursuant to the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on January 23, 1992, the Florida Department of Community Affairs determined that the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on August 15, 1994, the Town of Lady Lake adopted the Land Development Regulations of the Town of Lady Lake, Florida, and Official Zoning Map in accordance with the Town of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Town Commission of the Town of Lady Lake held a public hearing to consider a proposed amendment to the Official Zoning Map and determined that said amendment as proposed is consistent with the Town of Lady Lake Comprehensive Plan and meets the requirements of the Town of Lady Lake Land Development Regulations.

THEREFORE, BE IT ORDAINED and enacted by the Town Commission of the Town of Lady Lake, in Lake County, Florida:

Section 1. Based upon the petition of certain landowners of property, which is located in Lake County, Florida, and described in Exhibit "A" hereto, a request has been made that the property be zoned "Lady Lake Mixed Residential Medium Density" (MX-8). Said petition has been approved by the Town Commission of the Town of Lady Lake in accordance with the Town of Lady Lake Comprehensive Plan, the Land Development Regulations of the Town of Lady Lake, the Charter of the Town of Lady Lake, and the Florida Statutes. The property described in Exhibit "A" hereto is hereby rezoned from "Lake County Residential Medium" (RM) to Lady Lake "Mixed Residential Medium Density" (MX-8).

Section 2. **Severability.** The provisions of this Ordinance are declared to be separable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 3. **Effective Date.** This Ordinance shall become effective immediately upon its passage by the Town Commission, except as limited by the provisions of Section 171.06, Florida Statutes, as said provisions pertain to newly annexed property and the final adoption of a Comprehensive Plan Amendment by the Town Commission.

PASSED AND ORDAINED this 7th day of **December,** 2015, in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the Second/Final Reading.

TOWN OF LADY LAKE, FLORIDA

_____
Ruth Kussard, Mayor

ATTEST:

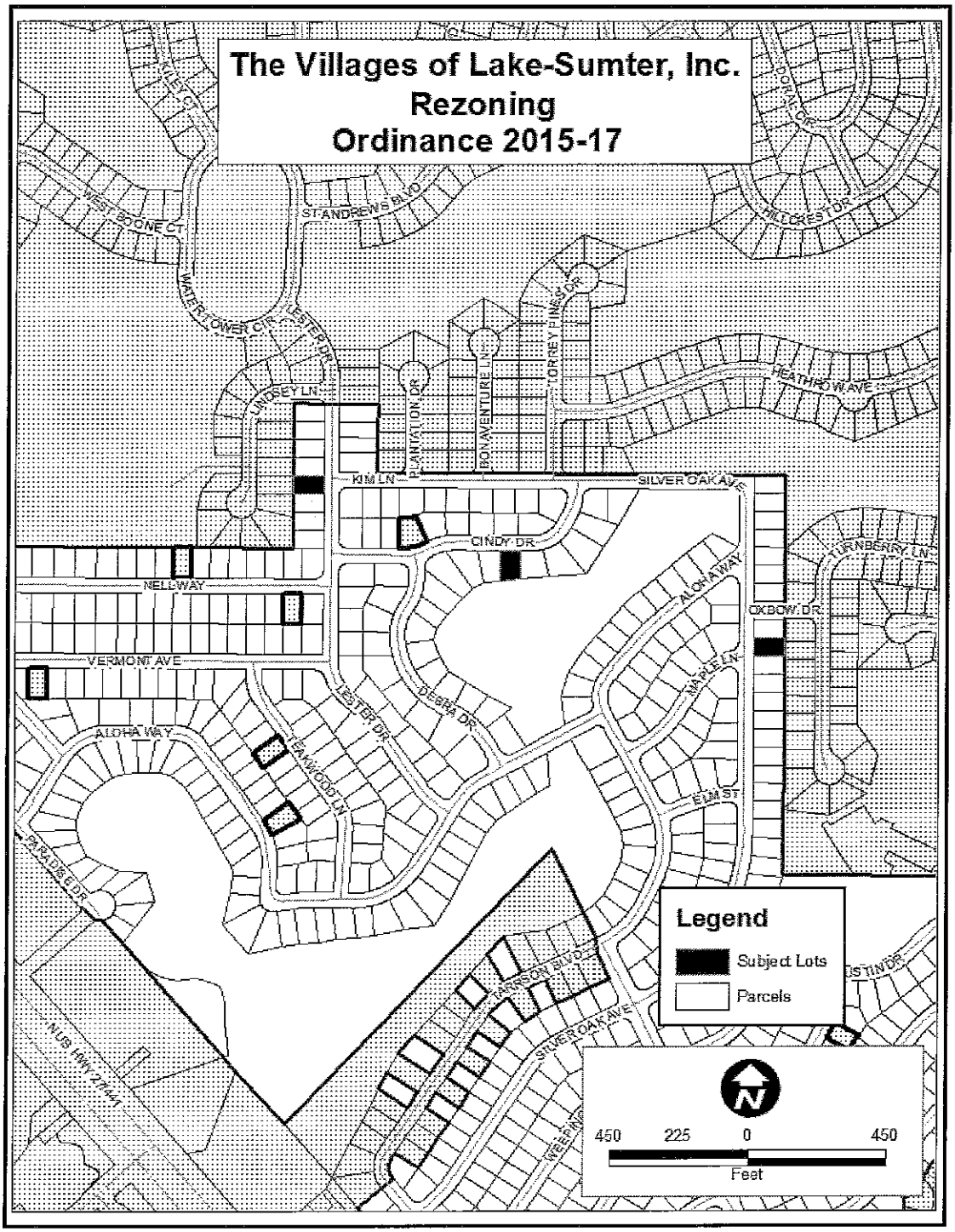
_____
Kristen Kollgaard, Town Clerk

APPROVED AS TO FORM:

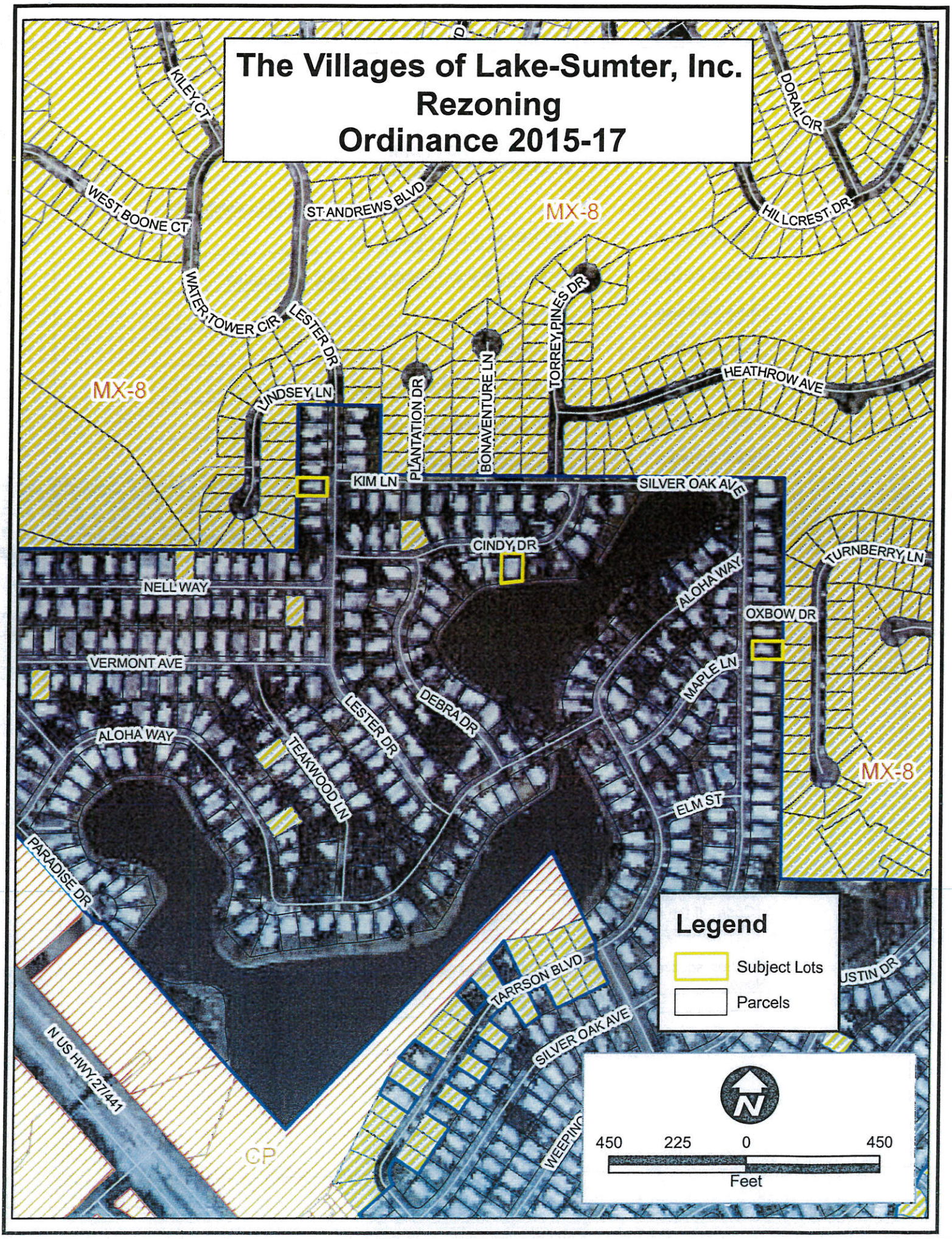
_____
Derek Schroth, Town Attorney

EXHIBIT "A" - Legal Descriptions & Map

Parcel ID No. 06-18-24-0200-000-13900
ORANGE BLOSSOM GARDENS UNIT 2 LOT 139 PB 20 PGS 58-59 ORB 4659 PG 1758
-AND-
Parcel ID No. 06-18-24-0200-000-06700
ORANGE BLOSSOM GARDENS UNIT 2 LOT 67 PB 20 PGS 58-59 |ORB 794 PG 1962
-AND-
Parcel ID No. 06-18-24-0350-000-23300
ORANGE BLOSSOM GARDENS UNIT 3-1B LOT 233 PB 25 PG 33 |ORB 4654 PG 1867



The Villages of Lake-Sumter, Inc.
Rezoning
Ordinance 2015-17



TOWN OF LADY LAKE
REZONING APPLICATION

Alternate Key Number See attached list.

1. Owner's Name: The Villages of Lake-Sumter, Inc.

   Mailing Address: 1020 Lake Sumter Landing, The Villages, FL 32162

   Email Address: See below.

   Telephone #: See below.

2. Applicant's Name: The Villages of Lake-Sumter, Inc. - Martin L. Dzuro

   Mailing Address: 1045 Lake Sumter Landing, The Villages, FL 32162

   Email Address: marty.dzuro@thevillages.com

   Telephone #: (352) 753-6262

3. Applicant is: Owner X Agent ___ Purchaser ___ Lessee ___ Optionee ___

4. Property Address/Location: See attached list.

5. Legal Description of Property to be rezoned: See attached list.

6. The property is located in the vicinity of the following streets:
   Northeast of US 441, North of Griffin Ave.

7. Area of Property: 18,730.75 Square feet 0.43 Acres ___

8. Utilities: Central Water X Central Sewer X Well ___ Septic Tank ___

9. Existing zoning of property: Lake County: RM - Residential Medium

10. Requested zoning of property: Lady Lake: MX-8 - Mixed Single Family

    Note: If the requested zoning is a Planned Unit Development (PUD), indicate type: X Residential, ___ Commercial, ___ Industrial, ___ Mixed Use, and refer to the requirements of the preliminary development plan and see Chapter ___ of the LDR Code. If the rezoning is to Manufactured Homes High Density (MH-9), a Master Park Plan shall be submitted.

11. Number, square footage and present use of the existing structures on the property;
    None.

12. Proposed use the property: Residential

13. Has any land use application been file within last year in connection with this property? ____Yes __X__No. If yes, briefly describe the nature of the request and the date when it was done:

_____

14. Attach a list of the owner's names and mailing addresses for all property lying within a one hundred fifty (150) foot radius surrounding the property legally described in this application.

Applications shall include a legal description of the property, sketch or survey of the property, Proof of ownership and authorization from if represented by an agent or contract purchaser. If the rezoning request is not consistent with the Future Land Use classification, a Comprehensive Plan Amendment must be approved prior to the rezoning.

Rezoning Fees:
Rezoning (except PUD, PFD, CP)
PUD
PFD/CP
Substantial Alterations (PUDS) Fees Paid: _____

I certify that the statements in this application are true to the best of my knowledge.

_____
Signature of Applicant

PLEASE SUBMIT THE APPLICATION. ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND FIFTY (50) COPIES OF ALL APPLICABLE INFORMATION DOCUMENTATION AS REQUIRED BY THE LADY LAKE LAND DEVELOPMENT REGULATION, ADOPTED AUGUST 15, 1994 TO THE GROWTH MANAGEMENT DEPARTMENT. ADDITIONAL COPIES OF APPLICATION AND PLANS WILL BE REQUIRED PRIOR TO CONSIDERATION AT THE PLANNING AND ZONING BOARD AND TOWN COMMISSION MEETINGS.

Office Use:

Date Application Received: _____ Received by: _____

Fees Paid: _____

APPLICANT'S AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LAKE

Before me, the undersigned authority personally appeared Martin L. Dzuro, V.P. The Villages of Lake-Sumter Inc., who being by me first duly sworn on oath, deposes and says:

(1) That he affirms and certifies that he understands and will comply with all ordinances, regulations and provisions of the Town of Lady Lake, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Lady Lake, Florida, and are not returnable.

(2) That the submittal requirements for the application have been completed and attached hereto as part of this application.

(3) That the applicant desires Rezoning to the MX-8 zoning classification to allow: Mixed Single Family

(4) That the sign cards will be posted at least seven (7) days prior to the Planning and Zoning Board hearing and will remain posted until final determination by the Town Commission after which time the sign cards are to be removed.

Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this 15th day of Sept., 2015, by Martin L. Dzuro, who is personally known to me or who has produced _____ as identification and who did (did ~~not) take an oath.~~

Notary Public

Vicki C. Varnon

VICKI C. VARNON
Notary Public
State of Florida
My Commission Expires 9/22/2015

Parcel ID #: 0618240200-000-13900
Lot 139, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

Parcel ID #: 0618240200-000-06700
Lot 67, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

-AND-

Parcel ID #: 0618240350-000-23300
Lot 233, Unit 3.1B, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 25, Page 33 through 35, Public Records of Lake County, Florida.

INSTRUMENT#: 2015084076 OR BK 4659 PG 1758 PAGES: 1 8/3/2015 3:53:28 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$630.00

90,000 RETURN

Ex-N
Rec 10
Doc
Int
Total

Prepared by and return to:
Gary Fuchs/sss
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: **P06843**

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **31st** day of **July, 2015** between **Frank Harry Hansen, a single man, individually and as Trustee of the Frank Harry Hansen Revocable Living Trust under Agreement dated October 19,1995**, whose post office address is **907 Ramos Drive, The Villages, FL 32159**, grantor, and **The Villages of Lake-Sumter, Inc., a Florida corporation**, whose post office address is **1020 Lake Sumter Landing, The Villages, FL 32162** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lake County, Florida** to-wit:

PARCEL ID #: 0618240200-000-13900

Lot 139, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

Together with a 1980 HILLMAN Manufactured Home, ID# 02630695AN & # 02630695BN, Florida Title 17713674 & 17713675 bearing Real Property Decals # R078263 & # R078265 which is an improvement to the land and an immovable fixture, and by intention of the parties and upon retirement of the Certificate of Title as provided in Florida Statutes 319.261, shall constitute a part of the realty and shall pass with it.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Stacy Spears

Witness Name: Jennifer Gonzalez

Frank Harry Hansen
Frank Harry Hansen, individually and as Trustee of the Frank Harry Hansen Revocable Living Trust under Agreement dated October 19,1995

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 31st day of July, 2015 by Frank Harry Hansen, a single man, Individually and as Trustee of the Frank Harry Hansen Revocable Living Trust under Agreement dated October 19,1995, who [_] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name:

My Commission Expires:

STACY S. SPEARS
MY COMMISSION # FF 072774
EXPIRES: December 20, 2017
Bonded Thru Budget Notary Services

INSTRUMENT#: 2015098230 OR BK 4676 PG 1056 PAGES: 1 9/8/2015 3:48:44 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$420.00

60,000 RETURN

Prepared by and return to:
Gary Fuchs/jag
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: P07248

Ex# 10
Rec
Doc
Int

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 31st day of August, 2015 between Alice P. Astling, a single woman, whose post office address is 1410 Lester Drive, Lady Lake, FL 32159, grantor, and The Villages of Lake-Sumter, Inc., a Florida corporation, whose post office address is 1020 Lake Sumter Landing, The Villages, FL 32162 grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Lake County, Florida to-wit:

PARCEL ID #: 0618240200-000-06700

Lot 67, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Jennifer Grovesteen
Witness Name: Jennifer Grovesteen

Jeanmarie Nichols
Witness Name: Jeanmarie Nichols

Alice P. Astling
Alice P. Astling

State of Florida
County of Sumter

The foregoing instrument was acknowledged before me this 31st day of August, 2015 by Alice P. Astling, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

JENNIFER GROVESTEEN
MY COMMISSION # EE 150554
EXPIRES: December 5, 2015
Bonded Thru Budget Notary Services

Jennifer Grovesteen
Notary Public

Printed Name: Jennifer Grovesteen

My Commission Expires: 12/5/15

INSTRUMENT#: 2015079287 OR BK 4654 PG 1867 PAGES: 1 7/21/2015 3:48:20 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$455.00

6500

RETURN

ExN
Rec
Doc
Int
Total

Prepared by and return to:
Gary Fuchs/jg
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: P07185

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 16th day of July, 2015 between Audrey Lorelei Smith, a single woman, whose post office address is 620 Griffin Avenue, Room 232, Lady Lake, FL 32159, grantor, and The Villages of Lake-Sumter, Inc., a Florida corporation, whose post office address is 1020 Lake Sumter Landing, The Villages, FL 32162 grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

WITNESSETH, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Lake County, Florida to-wit:

PARCEL ID #: 0618240350-000-23300

Lot 233, Unit 3.IB, Orange Blossom Gardens, according to the Plat thereof recorded in Plat Book 25, Pages 33, 34, and 35, Public Records of Lake County, Florida.

Together with a 1983 HILLMAN Manufactured Home, ID# 02610120S, Florida Title 20125096 bearing Real Property Decal # R078942 which is an improvement to the land and an immovable fixture, and by intention of the parties and upon retirement of the Certificate of Title as provided in Florida Statutes 319.261, shall constitute a part of the realty and shall pass with it.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except easements, restrictions and reservations of record, if any, and taxes accruing subsequent to December 31, 2014.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: Jennifer Grovesteen

Witness Name: DEANN SHEPLER

Audrey Lorelei Smith

Audrey Lorelei Smith

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 16th day of July, 2015 by Audrey Lorelei Smith, a single woman, who [_] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

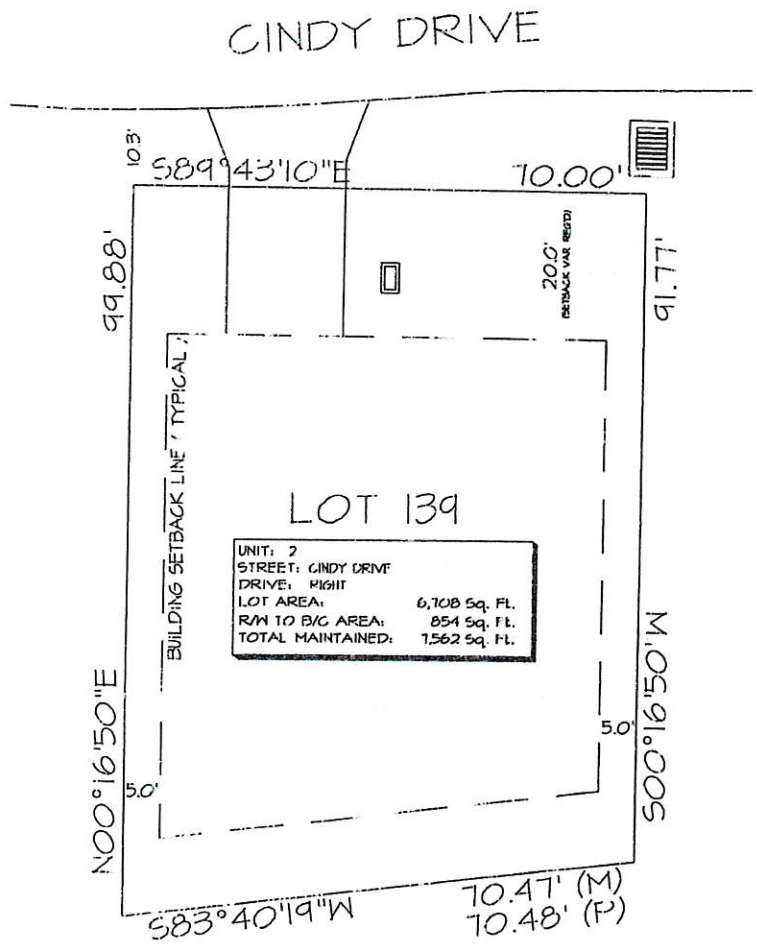
JENNIFER GROVESTEEN
MY COMMISSION # EE 150664
EXPIRES: December 5, 2015
Bonded Thru Budget Notary Services

Notary Public

Printed Name: Jennifer Grovesteen

My Commission Expires: 12/5/15

SCALE: 1/16"=1'



LEGEND :

- WATER METER
- IRRIGATION METER
- STREET LIGHT
- (P) INDICATES PLAT
- (M) INDICATES MEASURED
- CABLE T.V. PEDESTAL / 7" OR 9" ROUND
- TELEPHONE PEDESTAL / 4" OR 12" ROUND
- ELECTRIC PEDESTAL / 20"X20" PAD
- ELECTRIC TRANSFORMER / 3'X3' PAD
- ELECTRIC FEED THROUGH CABINET
- UTILITY VAULT
- WATER VALVE
- FIRE HYDRANT
- STORM INLET
- VALLEY GUTTER INLET
- CATCH BASIN
- MANHOLE
- LINE EXTENDER PEDESTAL / 2'X30"X14"
- TRUNK AMP PEDESTAL / 17"X30"X14"
- SWITCH GEAR / 7' X 7'
- POWER SUPPLY / 20"X28"X58"
- BOARD / STOCKADE / PVC FENCE

NOTE: EASEMENTS AND RIGHT OF WAYS IN FAVOR OF THE DEVELOPER ARE HEREBY RESERVED FOR THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF UTILITIES SUCH AS ELECTRIC LIGHT LINES, SANITARY, SEWER, STORM DRAINAGE, WATER LINES, CABLEVISION, TELEPHONE, RECREATION FACILITIES AND TELEGRAPH LINES OR THE USE THESE THIRD PARTY UTILITY PROVIDERS UTILIZING THIS EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA. ALL UTILITY PROVIDERS ARE RESPONSIBLE FOR REPAIRING THE GRADING AND LANDSCAPE BEING DISTURBED PURSUANT TO ANY UTILIZATION OF SUCH EASEMENTS. HOWEVER, THESE UTILITY PROVIDERS MAY USE ABOVE GROUND JUNCTION BOXES, PEDESTALS, SPLICE BOXES AND ETC. FOR THEIR UTILITIES AND THE DEVELOPER IS WITHOUT KNOWLEDGE AS TO THE SPECIFIC LOCATION WITHIN THE EASEMENTS AND RIGHT OF WAYS THAT THESE UTILITY PROVIDERS MAY PLACE THESE ABOVE GROUND ITEMS IN THE FUTURE.

THIS IS NOT A SURVEY

THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES / UTILITY LOCATIONS ARE SUBJECT TO CHANGE.)
THE VILLAGES OF LAKE-SUMTER, INC., ORANGE BLOSSOM GARDENS, ARNETT ENVIRONMENTAL AND/OR ANY AFFILIATES THEREOF ARE NOT RESPONSIBLE OR LIABLE FOR ACCURACY OR COPRECTNESS OF THE INFORMATION AS SHOWN ON THIS SKETCH.

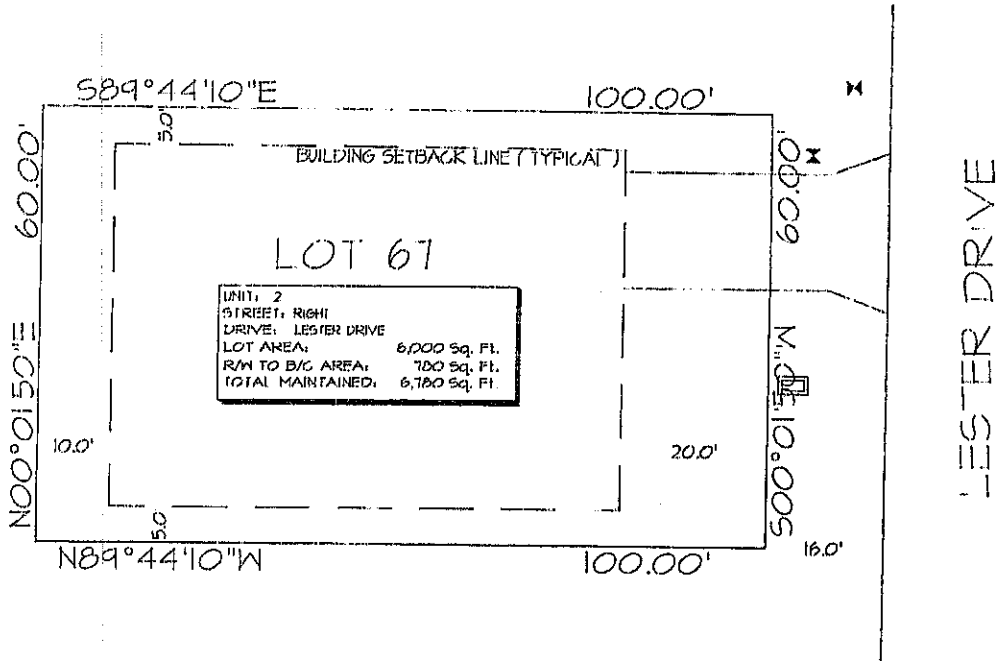
CUSTOMER SIGNATURE: DATE:

CUSTOMER SIGNATURE: DATE:

The Villages

Arnett Environmental, LLC

SCALE: 1/16"=1'



LEGEND:

- WATER METER
- IRRIGATION METER
- STREET LIGHT
- (P) INDICATES PLAT
- (M) INDICATES MEASURED
- CABLE T.V. PEDESTAL / 7" OR 9" ROUND
- TELEPHONE PEDESTAL / 4" OR 12" ROUND
- ELECTRIC PEDESTAL / 20"X20" PAD
- ELECTRIC TRANSFORMER / 3'X3' PAD
- ELECTRIC FEED THROUGH CABINET
- UTILITY VAULT
- WATER VALVE
- FIRE HYDRANT
- STORM INLET
- VALLEY GUTTER INLET
- CATCH BASIN
- MANHOLE
- LINE EXTENDER PEDESTAL / 12 X30"X14
- TRUNK AMP PEDESTAL / 17"X30"X14"
- SWITCH GEAR / 7 X 7'
- POWER SUPPLY / 20"x28"x58"
- BOARD / STOCKADE / PVC FENCE

NOTE: EASEMENTS AND RIGHT OF WAYS IN FAVOR OF THE DEVELOPER ARE HEREBY RESERVED FOR THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF UTILITIES SUCH AS ELECTRIC LIGHT LINES, SANITARY SEWER, STORM DRAINAGE, WATER LINES, CABLEVISION, TELEPHONE, RECREATION FACILITIES AND TELEGRAPH LINES OR THE LIKE. THESE THIRD PARTY UTILITY PROVIDERS UTILIZING SUCH EASEMENT AREA, COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA. ALL UTILITY PROVIDERS ARE RESPONSIBLE FOR REPAIRING THE GRADING AND LANDSCAPE DEBRIS DISTURBED PURSUANT TO ANY UTILIZATION OF SUCH EASEMENTS. HOWEVER, THESE UTILITY PROVIDERS MAY USE ABOVE GROUND JUNCTION BOXES, PEDESTALS, SPLICE BOXES AND ETC. FOR THEIR UTILITIES AND THE DEVELOPER IS WITHOUT KNOWLEDGE AS TO THE SPECIFIC LOCATION WITHIN THE EASEMENTS AND RIGHT OF WAYS THAT THESE UTILITY PROVIDERS MAY PLACE THESE ABOVE GROUND ITEMS IN THE FUTURE.

THIS IS NOT A SURVEY

THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES (UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES OF LAKE-SUMTER, INC., ORANGE BLOSSOM GARDENS, ARNETT ENVIRONMENTAL AND/OR ANY AFFILIATES THEREOF ARE NOT RESPONSIBLE OR LIABLE FOR ACCURACY OR CORRECTNESS OF THE INFORMATION AS SHOWN ON THIS SKETCH.

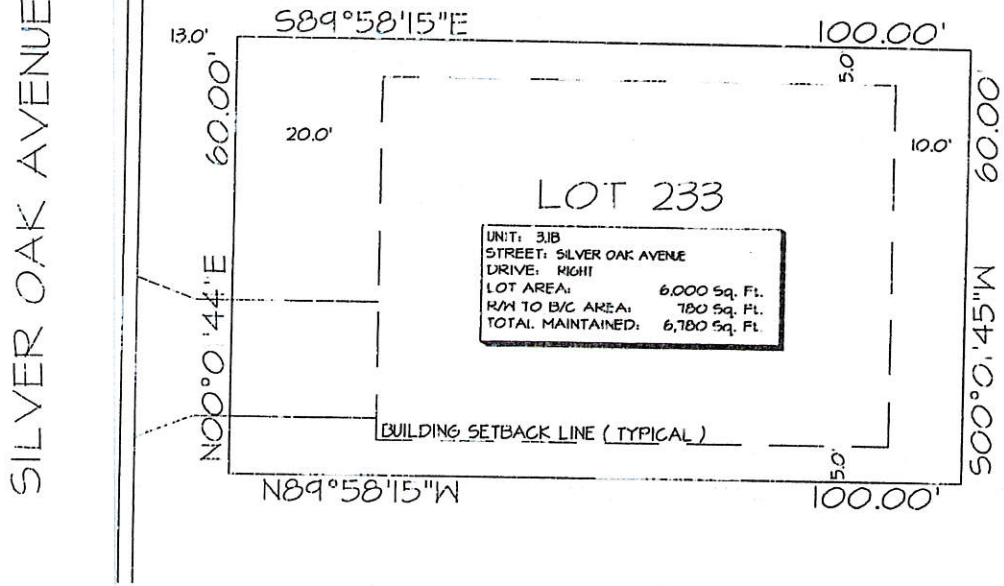
CUSTOMER SIGNATURE: DATE:

CUSTOMER SIGNATURE: DATE:

The Villages

Arnett Environmental, LLC

SCALE: 1/16"=1'



LEGEND

- WATER METER
- IRRIGATION METER
- STREET LIGHT
- (P) INDICATES PLAT
- (M) INDICATES MEASURED
- CABLE T.V. PEDESTAL / 7" OR 9" ROUND
- TELEPHONE PEDESTAL / 4" OR 12" ROUND
- ELECTRIC PEDESTAL / 20"X20" PAD
- ELECTRIC TRANSFORMER / 3X3' PAD
- ELECTRIC FEED THROUGH CABINET
- UTILITY VAULT
- WATER VALVE
- FIRE HYDRANT
- STORM INLET
- VALLEY GUTTER INLET
- CATCH BASIN
- MANHOLE
- LINE EXTENDER PEDESTAL / 12"X30"X14"
- TRUNK-AMP PEDESTAL / 11"X30"X14"
- SWITCH GEAR / [illegible]
- POWER SUPPLY / 20"X28"X58"
- BOARD / STOCKADE / PVC FENCE

NOTE: EASEMENTS AND RIGHT OF WAYS IN FAVOR OF THE DEVELOPER ARE HEREBY RESERVED FOR THE CONSTRUCTION, INSTALLATION AND MAINTENANCE OF UTILITIES SUCH AS ELECTRIC LIGHT LINES, SANITARY, SEWER, STORM DRAINAGE, WATER LINES, CABLEVISION, TELEPHONE, RECREATION FACILITIES AND TELEGRAPH LINES OR THE LIKE. THESE THIRD PARTY UTILITY PROVIDERS UTILIZING SUCH EASEMENT AREA COVENANT, AS A CONDITION OF THE RIGHT TO USE SUCH EASEMENT, NOT TO INTERFERE OR DISTURB SUCH EQUIPMENT INSTALLED WITHIN THE EASEMENT AREA. ALL UTILITY PROVIDERS ARE RESPONSIBLE FOR REPAIRING THE GRADING AND LANDSCAPE DEEMED DISTURBED PURSUANT TO ANY UTILIZATION OF SUCH EASEMENTS. HOWEVER, THESE UTILITY PROVIDERS MAY USE ABOVE GROUND JUNCTION BOXES, PEDESTALS, SPLICE BOXES AND ETC. FOR THEIR UTILITIES AND THE DEVELOPER IS WITHOUT KNOWLEDGE AS TO THE SPECIFIC LOCATION WITHIN THE EASEMENTS AND RIGHT OF WAYS THAT THESE UTILITY PROVIDERS MAY PLACE THESE ABOVE GROUND ITEMS IN THE FUTURE.

THIS IS NOT A SURVEY

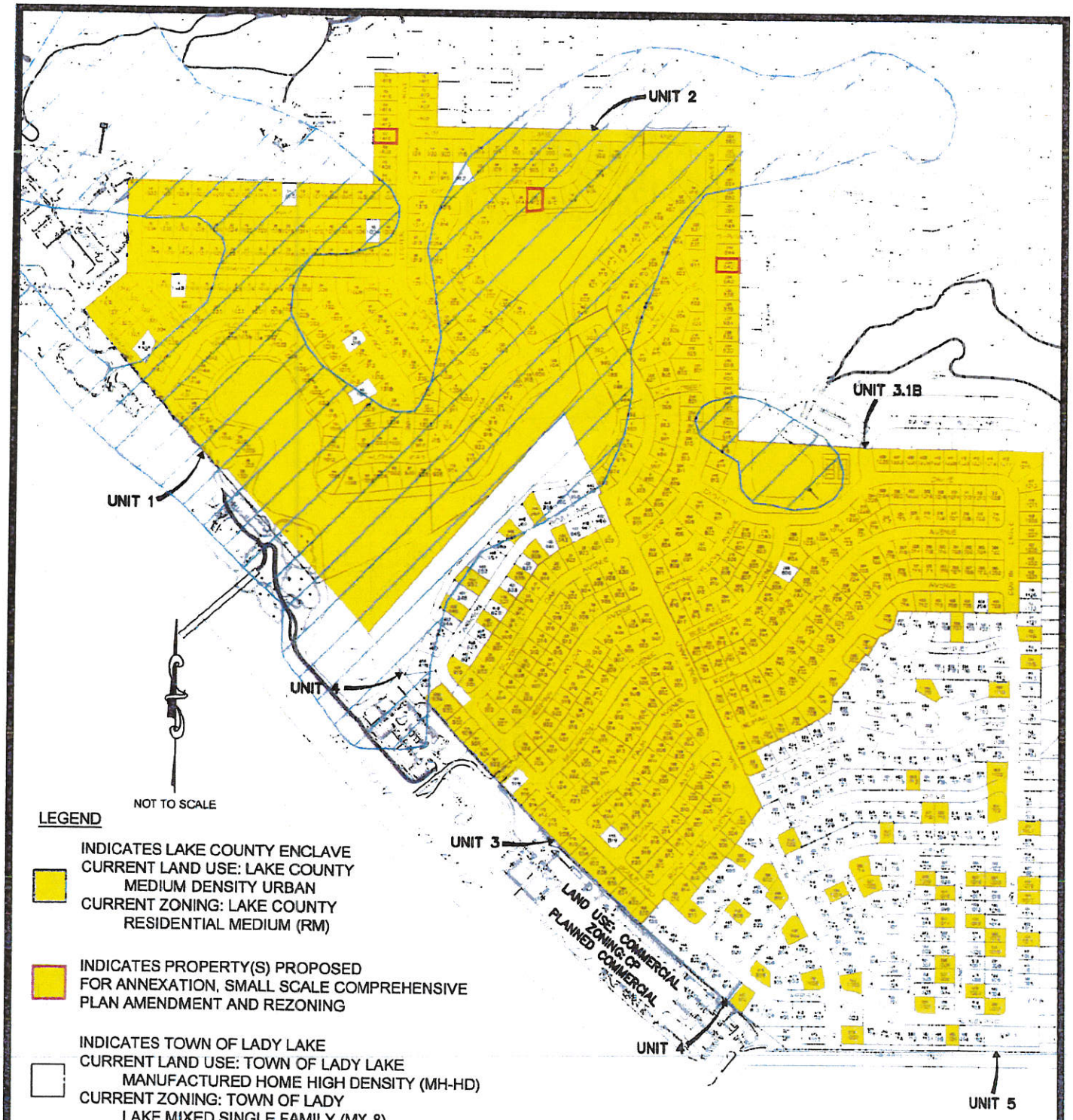
THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES (UTILITY LOCATIONS ARE SUBJECT TO CHANGE.)
THE VILLAGES OF LAKE SUMTER, INC., ORANGE BLOSSOM GARDENS, ARNETT ENVIRONMENTAL AND/OR ANY AFFILIATES THEREOF ARE NOT RESPONSIBLE OR LIABLE FOR ACCURACY OR CORRECTNESS OF THE INFORMATION AS SHOWN ON THIS SKETCH.

CUSTOMER SIGNATURE: _____ DATE: _____

CUSTOMER SIGNATURE: _____ DATE: _____

The Villages

Arnett Environmental, LLC



LEGEND

INDICATES LAKE COUNTY ENCLAVE
CURRENT LAND USE: LAKE COUNTY
MEDIUM DENSITY URBAN
CURRENT ZONING: LAKE COUNTY
RESIDENTIAL MEDIUM (RM)

INDICATES PROPERTY(S) PROPOSED
FOR ANNEXATION, SMALL SCALE COMPREHENSIVE
PLAN AMENDMENT AND REZONING

INDICATES TOWN OF LADY LAKE
CURRENT LAND USE: TOWN OF LADY LAKE
MANUFACTURED HOME HIGH DENSITY (MH-HD)
CURRENT ZONING: TOWN OF LADY
LAKE MIXED SINGLE FAMILY (MX-8)

FLOOD ZONE
MAP# 12069C0154E
PANEL 154 OF 750 (REVISED 12-18-12)

10 —— LOT NUMBER
100 —— 911 NUMBER

PROPOSED
ORANGE BLOSSOM GARDENS PROPERTIES
FOR
ANNEXATION, SMALL SCALE COMPREHENSIVE PLAN AMENDMENT
AND REZONING
AUGUST 28, 2015

Arnett
Environmental, LLC
1038 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1296
Certificate of Authorization Number 27495

List No.	UNIT	LOT	HOUSE NO.	ADDRESS	ALT KEY NO.	Plat Book/Page
1	OBG2	139		912 Cindy Drive	2573597	20/58-59
2	OBG2	67		1410 Lester Drive	1483018	20/58-59
3	OBG3-1B	233		842 Silver Oak Avenue	2594195	25/33-35

APPLICANT'S JUSTIFICATION:

80% of the Homes in the Historic section of The Villages east of U.S. Hwy 441/27 known as Orange Blossom Gardens are in the Town of Lady Lake. The remainder of the Homes lie within a small County Enclave.

As a revitalization of Orange Blossom Gardens, The Villages has or intends to purchase lots in this Historic section has, or intends to enter into Agreements with existing Homeowners, to replace the existing mobile homes with conventionally constructed homes.

In order to insure that the new homes in the County Enclave (1) are complimentary to the new homes in Lady Lake; (2) the local governments are able to make the most efficient use of their powers and services; (3) there are more favorable economic conditions; and (4) the best interests of the citizens in Lady Lake and Lake County are protected. These properties in the County Enclave should be annexed into Lady Lake. Annexing these properties is compliant with the Goals, Policies and Objectives of the Comprehensive Plans of Lady Lake and Lake County, and the Interlocal Agreement between Lake County and Lady Lake effective June 24, 2015.

CONCURRENCY DETERMINATION STATEMENT:

The proposed Small Scale Comprehensive Plan Amendment is a land use change from Lake County Medium Density Urban Villages to Town of Lady Lake Manufactured Home High Density to accommodate the Annexation of three (3) lots in a historic section of the Villages known as Orange Blossom Gardens, an age restricted retirement community. The Villages is proposing to remove the existing manufactured home on each lot and construct a similar size conventional built home. There will be no increase in utility services, traffic, population, or recreation use.

PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: November 9, 2015

SUBJECT: **Ordinance No. 2015-17 - The Villages of Lake-Sumter, Inc.- Rezoning from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) for 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTIONS:

1. **Motion to forward Ordinance No. 2015-17, rezoning 0.43 ± Acres of Property consisting of 3 lots – Located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida – Requesting to Change from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) to the Town Commission with the recommendation of approval.**

2. **Motion to forward Ordinance No. 2015-17, rezoning 0.43 ± Acres of Property consisting of 3 lots – Located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida – Requesting to Change from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) to the Town Commission with the recommendation of denial.**

Staff is in support of Motion Number 1

Applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed an application to rezone properties consisting of 3 Lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. The application involves rezoning 0.43 +/- acres of property from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8). The MX-8 designation is consistent with the other lots in the Villages which are presently in the Town of Lady Lake's jurisdiction.

The Rezoning application was received on Tuesday, September 22, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (52) within 150' of the property of the proposed rezoning were mailed on Thursday, October 22, 2015. The property was also posted Thursday, October 22, 2015.

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions and survey information have been included with the submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

Zoning

Subject Property	Lake County Residential Medium (RM)
Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
East	Lake County Residential Medium (RM)
North	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
South	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-17, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2015-17 for first reading on Monday, November 16, 2015 at 6:00 p.m. The second and final reading will be held on Monday, December 7, 2015 at 6:00 p.m.

FISCAL IMPACT: $ _____

[ ] Capital Budget [ ] Operating [ ] Other

ATTACHMENTS: [X] Ordinance(s) [ ] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

11-2-15

DEPARTMENT HEAD	Submitted 11/2/15	Date
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN ATTORNEY	Approved as to Form and Legality	Date
TOWN MANAGER	Approved Agenda Item for: 11/9/15	Date 11/2/15

BOARD ACTION: [✓] Approved as Recommended [ ] Disapproved

SIGURDSON/CHIASSON 4-0

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

CC: THAD-G.M.

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: November 16, 2015 – FIRST READING

SUBJECT: **Ordinance No. 2015-17 - The Villages of Lake-Sumter, Inc.- Rezoning from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) for 3 lots consisting of approximately 0.43 +/- acres of land which are located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance No. 2015-17, rezoning 0.43 ± Acres of Property consisting of 3 lots – Located within Orange Blossom Gardens Units 2 and 3.1B within Lake County, Florida – Requesting to Change from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8).

Applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed an application to rezone properties consisting of 3 Lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2 and 3.1B. The application involves rezoning 0.43 +/- acres of property from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8). The MX-8 designation is consistent with the other lots in the Villages which are presently in the Town of Lady Lake's jurisdiction.

The Rezoning application was received on Tuesday, September 22, 2015, and has been reviewed and determined to be complete satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for transmittal to the Town Commission.

Notices to inform the surrounding property owners (52) within 150' of the property of the proposed rezoning were mailed on Thursday, October 22, 2015. The property was also posted Thursday, October 22, 2015.

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions and survey information have been included with the submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

Zoning

Subject Property	Lake County Residential Medium (RM)
Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
East	Lake County Residential Medium (RM) Mixed Residential Medium Density (MX-8)
North	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
South	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-17, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the November 9, 2015 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2015-17 to the Town Commission with the recommendation of approval.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2015-17 for second and final reading on Monday, December 7, 2015 at 6:00 p.m.

FISCAL IMPACT: $ _____

[ ] Capital Budget [ ] Operating [ ] Other

ATTACHMENTS: [X] Ordinance(s) [ ] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

DEPARTMENT HEAD Submitted 11/10/15 Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

11-10-15

TOWN ATTORNEY Approved as to Form and Legality Date

TOWN MANAGER Approved Agenda Item for: 11/10/15 Date 11/10/15

BOARD ACTION: [✓] Approved as Recommended [ ] Disapproved

HOL/RIC 5-0

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

CC: THAD - G.M. ✓

K-11

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: December 7, 2015 SECOND READING

SUBJECT: **Ordinance No. 2015-18 An Ordinance of the Town of Lady Lake, Lake County, Florida, Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan.**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance No. 2015-18, Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan

---

SUMMARY:

This is a request to adopt the Town's annual update of the Capital Improvements Schedule which is part of the Town's Comprehensive Plan. The Capital Improvement Plan update process and the corresponding requirements are no longer required to be processed by a Comprehensive Plan Amendment, but may be adopted by local Ordinance.

The Town must annually update the Five-Year Schedule of Capital Improvements pursuant to *Florida Statutes.* The purpose of the Capital Improvements Element and the Improvement Schedules is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that adopted Level of Service (LOS) standards are achieved and maintained for concurrency related facilities.

These facilities include: water, water supply, sewer, solid waste, drainage, parks and recreation, public schools, transportation and mass transit. While the Town does not have financial responsibility or accountability regarding some of these public facilities, there is still the requirement to incorporate the five year capital improvement schedules from other entities.

Corrections, updates, and modifications concerning costs, revenues, or the dates of construction of any facility or project identified in the Comprehensive Plan/Capital Improvement Program are not considered amendments and may be accomplished by local ordinance.

Category descriptions of capital improvements are as follows:

A) Category A (Concurrency, Mandatory) -- Public facilities and services for which a level of service must be adopted for concurrency determination as mandated by Chapter 163 of the Florida Statutes. These facilities include water, sanitary sewer, solid waste, drainage, under ownership and operation authority of Lady Lake, or a private utility. Map references and public requests are required within the Public Facilities Element thereof pursuant to policy 8-1.1.2.All Category A facilities must be supported by data and analysis accomplished within an element of the Comprehensive Plan as mandated by Chapter 163, F.S.

B) Category B (Non-Concurrency, Mandatory) -- Public facilities and services exempt from concurrency determination but which are inventoried and analyzed within a mandatory element of the Comprehensive Plan required by Chapter 163, F.S. These facilities include parks and recreation, roads, housing and conservation improvements, including governmental services and facilities necessary to administer and implement the Comprehensive Plan.

C) Category C (Non-Concurrency, Non-Mandatory) -- Public facilities that are exempt from concurrency requirements (i.e., level of service standards) and which are not analyzed and identified within a mandatory element of the Comprehensive Plan are classified as Category C. Such municipal services include, but are not limited to law enforcement, fire protection, library services, and public buildings.

D) Category D (Non-Mandatory, Concurrency): Per the Community Planning Act of 2011, the Public School Facilities Element is no longer mandatory. The Town of Lady Lake has opted to retain and update this optional element and require concurrency per its existing interlocal agreement with the Lake County School District.

Staff recommends forwarding Ordinance 2015-18 to the Planning and Zoning Board for their consideration and recommendation. This ordinance serves to update to the Capital Improvements Schedule as required under F.S. 163.3177(3)(b). The attached "Exhibit A" reflects the proposed improvements for the Five Year Planning Period 2015/16–2019/20. Also attached is Ordinance 2014-10 to document the prior 5-year Capital Improvement Schedule 2014/15 - 2018/19, which is being replaced by this ordinance.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-18, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the November 9, 2015 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2015-18 to the Town Commission with the recommendation of approval.

At the November 16, 2015 meeting, the **Town Commission** voted 5-0 for approval of Ordinance 2015-18 at First Reading.

FISCAL IMPACT: $_____

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: [X] Ordinance [ ] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

DEPARTMENT HEAD		**Submitted** 11/30/15	**Date**
FINANCE DEPARTMENT		**Approved as to Budget Requirements**	**Date**
TOWN ATTORNEY		**Approved as to Form and Legality**	**Date**
TOWN MANAGER		**Approved Agenda Item for:** 12/7/15 12/1/15	**Date**

BOARD ACTION: [ ] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

ORDINANCE NO. 2015-18

AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA, ADOPTING CORRECTIONS, UPDATES AND MODIFICATIONS TO THE CAPITAL IMPROVEMENTS SCHEDULE OF THE TOWN OF LADY LAKE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3177(3)(b), Florida Statutes, requires the Town to update the Capital Improvements Schedule of the Capital Improvements Element on an annual basis; and

WHEREAS, the Town of Lady Lake has conducted an annual review of the Capital Improvements Schedule of the Capital Improvements Element and finds that the corrections, updates, and modifications to the improvements schedule concerning costs, revenue sources, and dates of construction of facilities are required to maintain consistency with the Town's Fiscal Year 2015-2019 Capital Improvements Budget; and

WHEREAS, the Planning and Zoning Board reviewed the proposed corrections, updates and modification to the Five Year Capital Improvement Schedule on Monday, November 9, 2015, and rendered its recommendation to the Town Commission; and

WHEREAS, the subject corrections, updates, and modifications related to the Capital Improvements Schedule annual update are accomplished by Ordinance and are not deemed to be amendments to the Town's Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA:

Section 1. <u>Modification</u>

The Capital Improvements Schedule of the Town of Lady Lake's Comprehensive Plan is hereby corrected, updated, and modified to include the listed improvements and tables as set forth in Exhibit "A" as filed with the Town Clerk and attached and made a part hereof by this reference.

Section 2. <u>Conflict</u>

All ordinances made in conflict with the Ordinance are hereby repealed to the extent of such conflict.

Section 3. Severability

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by a Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

Section 4. Effective Date

This Ordinance shall become effective immediately upon adoption.

PASSED AND ORDAINED this _____ day of _____, 2015, in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the Second/Final Reading.

TOWN OF LADY LAKE, FLORIDA

_____
Ruth Kussard, Mayor

ATTEST:

_____
Kristen Kollgaard, Town Clerk

APPROVED AS TO FORM:

_____
Derek Schroth, Town Attorney

Exhibit "A"

Proposed Capital Improvements

Water System:

- Well #4 at Water Treatment Plant No.3
- High Service Pump No. 4 at Water Treatment Plant No.3
- Ground Storage Tank at Water Treatment Plant No.3
- Skyline Hills Water System Improvements
- New Utilities Operations Building at the Public Works Complex

Wastewater and Stormwater System:

- Collection System Improvements – North end of Town Limits

Transportation System:

- Lady Lake Memorandum of Agreement
- SR 500/441 upgrade and expansion to 6 lanes from Lake Ella Road to Avenida Central.
- Villages Elementary School Traffic Signal Update at U.S. 27 At 2 Locations
- Villages Elementary School Sidewalks at CR 25 - 3 Locations
- SR25/500 from Avenida Central to Sumter Co. Line - Resurfacing
- Lake Ella Road – New Alignment from April Hills Blvd. to US 27/441

Public School Facilities:

- Elementary "O" - Villages Relief School (unfunded)
- Villages ES Addition (unfunded)

Library and Parks and Recreation Facilities:

- Guava Street Concession Stand
- Rolling Acres Sports Complex Parking Lot Paving
- Teague Trail (CR 25)/Oak Street Sidewalk Project

TABLE 8-1: WATER SYSTEM CAPITAL IMPROVEMENTS

Project	Imp. Category	Estimated Cost	Phase	Budget Year					Funding Source
				2015/16	2016/17	2017/18	2018/19	2019/20	
Well #4 at Water Treatment Plant No. 3	A	$640,000	Engineering						Water Impact Fees
			Construction				$640,000		
High Service Pump No. 4 at Water Treatment Plant No. 3	A	$100,000	Engineering						Water Impact Fees
			Construction				$100,000		
Ground Storage Tank at Water Treatment Plant No.3	A	$695,000	Construction				$695,000		Water Impact Fees
Skyline Hills Water System Improvements	A	$800,000	Construction			$800,000			Utilities Funds
Utilities Operations Building	A	$200,000	Construction		$200,000				Water & Sewer Impact Fees
TOTAL		**$2,435,000**			**$200,000**	**$800,000**	**$1,435,000**		

TABLE 8-2: WASTEWATER AND STORMWATER SYSTEM CAPITAL IMPROVEMENTS

Project	Imp. Category	Estimated Cost	Phase	Budget Year					Funding Source
				2015/16	2016/17	2017/18	2018/19	2019/20	
Wastewater Treatment Plant #1 Improvements	A	$500,000	Construction	$500,000					Utility Funds
Collection System Improvements – North End of Town Limits	A	$2,000,000	Construction		$2,000,000				Utility Funds
TOTAL		$2,500,000		$500,000	$2,000,000				

TABLE 8-3: LIBRARY AND PARKS & RECREATION IMPROVEMENTS

Project	Imp. Category	Estimated Cost	Phase	Budget Year					Funding Source
				2015/16	2016/17	2017/18	2018/19	2019/20	
Guava Street Concession Stand and Parking Lot	C	$225,000	Construction	$225,000					P & R Impact Fees
Rolling Acres Sports Complex Parking Lot Paving	C	$125,000	Paving Construction					$125,000	P & R Impact Fees/Grant
CR 25(Teague Trail)/Oak Street Sidewalk Project	C	$275,000	Construction	$275,000					Safe Routes Grant
TOTAL		**$625,000**		**$500,000**				**$125,000**	

TABLE 8-4 TRANSPORTATION IMPROVEMENT SCHEDULE

Project	Imp. Category	Type of Work	Estimated Costs	Budget Year - Costs					Funding Source
				2015/16	2016/17	2017/18	2018/19	2019/20	
Lady Lake Memorandum of Agreement	A	Maintenance/Bridge Roadway/Contract	$107,525	$21,505	$21,505	$21,505	$21,505	$21,505	FDOT
Villages Elementary School Ped. Features At U.S. 27 At 2 Locations	A	Traffic Signal Update	$346,000	$1,992 Preliminary Eng.	Highways/ Construction $344,008				FDOT
Villages Elementary School at CR 25 3 Locations	A	Sidewalks	$297,085	$297,085 Highways/ Construction					FDOT
SR 500 (US 441) From Lake Ella Rd. to Avenida Central	A	Add Lanes/Reconstruct 4.157 Miles	$37,385,962	$106,357 ROW/ $5,743 PE	$750,000 Highways/ Preliminary Eng.		$36,523,862 Highways/ Construction		FDOT
Lake Ella Road C-6604 from April Hills Boulevard to US-27/441	A	New Alignment 2,640 LF	$230,000					$230,000 Construction	Impact Fees Lake County
SR 25/500 from Avenida Central to Sumter Co. Line	A	Resurfacing	$2,161,362	$189,985 Preliminary Eng.	$1,971,377 Highways/ Construction				FDOT
TOTAL			**$38,366,572**	**$622,667**	**$3,086,890**	**$21,505**	**$36,545,367**	**$251,505**	

TABLE 8-5 PUBLIC SCHOOLS IMPROVEMENT SCHEDULE

FIVE YEAR CAPITAL WORK PLAN SUMMARY FY 2016-2020 September 14, 2015

	Committed PriorYear Expenses /Carryover	FY2015-16	FY2016-17	FY2017-18	FY2018-19	FY2019-20	5 Year Total
Available for Projects		$ 9,740,457	$ 3,606,258	$ 5,940,545	$ 23,482,967	$ 25,924,205	$ 68,694,433
Future Project Fund		$ -	$ 6,219,428	$ 9,825,687	$ 15,766,232	$ 24,402,360	$ 0
Subtotal		$ 9,740,457	$ 9,825,687	$ 15,766,232	$ 39,249,199	$ 50,326,565	$ 124,908,142
Proposed Projects							
New School Construction							
Cypress Ridge ES Cafeteria		$3,521,029					$ 3,521,029
New Four Corners K-8					$2,846,839	$30,000,000	$ 32,846,839
Lake Minneola HS - Addition[1]						$500,000	$ 500,000
Lake Hills Classroom Addition[1]						$100,000	$ 100,000
Modernization/Renovation							
Beverly Shores[1]						$1,000,000	$ 1,000,000
Clermont MS[2]					$1,000,000	$7,623,867	$ 8,623,867
Clermont ES[2]					$1,000,000	$7,623,867	$ 8,623,867
Eustis ES[1]						$1,000,000	$ 1,000,000
Fruitland Park[1]						$1,000,000	$ 1,000,000
Land Acquisition							
Capital Renewal Projects					$7,000,000	$7,000,000	$ 14,000,000
Technology Infrastructure Upgrades					$3,000,000	$3,000,000	$ 6,000,000
Capital Reserve	$8,521,169					-$8,521,169	$ (8,521,169)
Project Total		$3,521,029	$0	$0	$14,846,839	$50,326,565	$68,694,433

Capital Reserve - Cumulative Balance	$8,521,169	$8,521,169	$8,521,169	$8,521,169	$8,521,169	$0	$0

[1] Planning funds only

[2] Planning funds/partially funded only

Printed 9/10/15 11:11 AM

TABLE 8-6 PUBLIC SCHOOLS IMPROVEMENT SCHEDULE REVENUE SUMMARY

FIVE YEAR CAPITAL
REVENUE SUMMARY
FY 2016-2020
September 14, 2015

	FY2015-16	FY2016-17	FY2017-18	FY2018-19	FY2019-20	5 YR TOTAL
Revenue: TAV%	5.6%	5.3%	6.8%	7.0%	8.1%	
Local Capital Outlay Levy[1]	$26,373,380	$27,771,169	$29,326,354	$31,320,546	$33,512,984	$148,304,433
Sales Tax (1/3 cent)Assumes renewal	$12,486,802	$12,773,998	$13,042,252	$13,329,182	$13,489,132	$65,121,366
Impact Fee (@83% Level)	$7,711,500	$8,040,625	$8,040,625	$8,362,250	$8,462,250	$40,617,250
PECO Maintenance (State)[2]	$715,522	$700,000	$700,000	$700,000	$700,000	$3,515,522
PECO Regular (State)[2]	$0	$0	$0	$0	$0	$0
COBI/SBE Bonds (State)	$0	$0	$0	$0	$0	$0
Capital Outlay & Debt Service (State)	$265,114	$265,114	$265,114	$265,114	$265,114	$1,325,570
Prior Year Carryover[3]	$8,486,096	$0	$0	$0	$0	$8,486,096
Other Misc	$100,000	$100,000	$100,000	$100,000	$100,000	$500,000
Total Available	**$56,138,414**	**$49,650,906**	**$51,474,345**	**$54,077,092**	**$56,529,480**	**$267,870,237**
Total Available	**$56,138,414**	**$49,650,906**	**$51,474,345**	**$54,077,092**	**$56,529,480**	**$211,340,757**

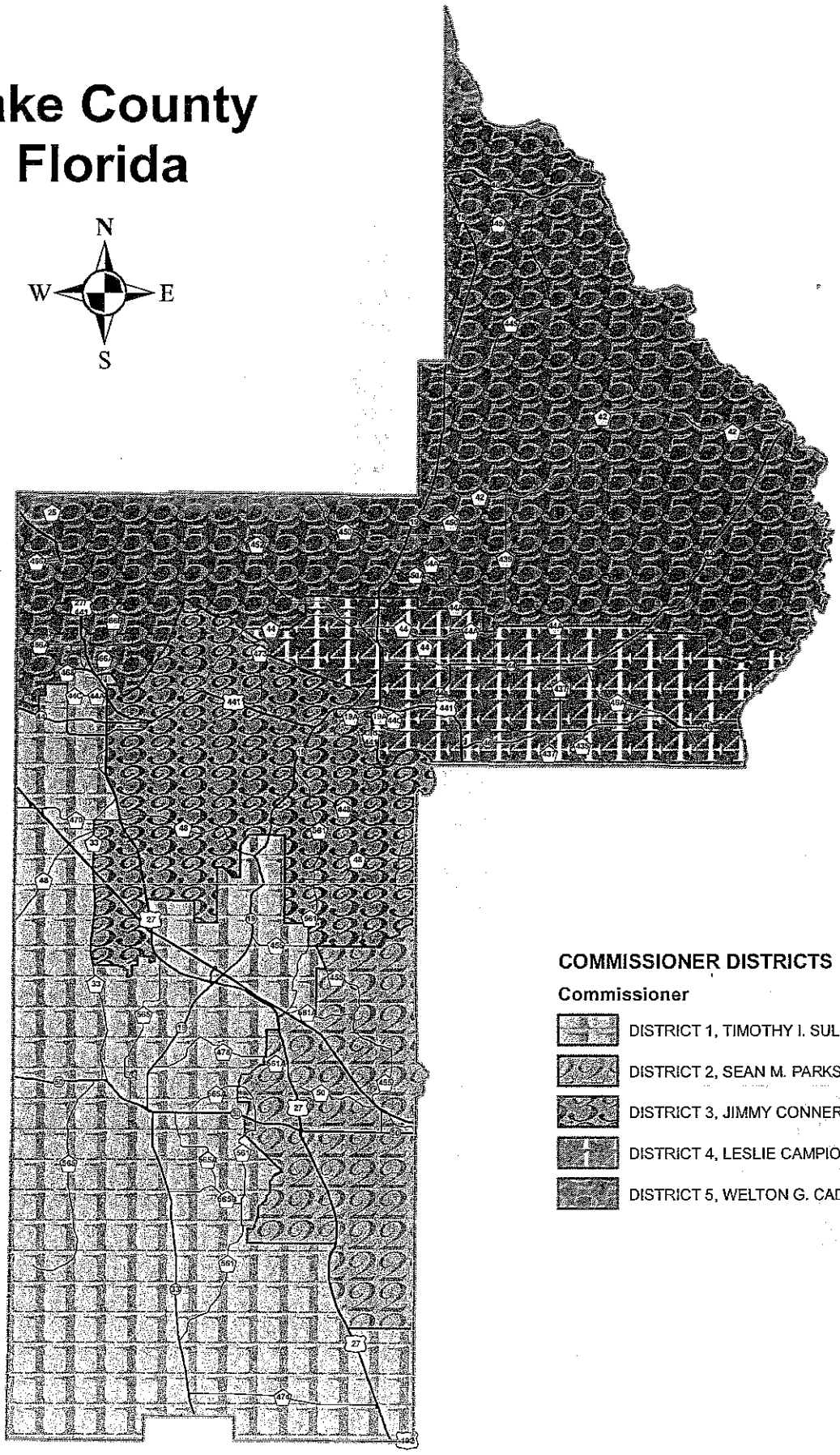
[1] 1.50 mill for Capital Outlay with 0.50 of 2.00 mill moved to Operating Budget by State Legislature
[2] as of Sept 2015 - updated PECO figures released by State
[3] Uncommitted or reallocated prior year funds

LAKE COUNTY
BOARD OF COUNTY COMMISSIONERS

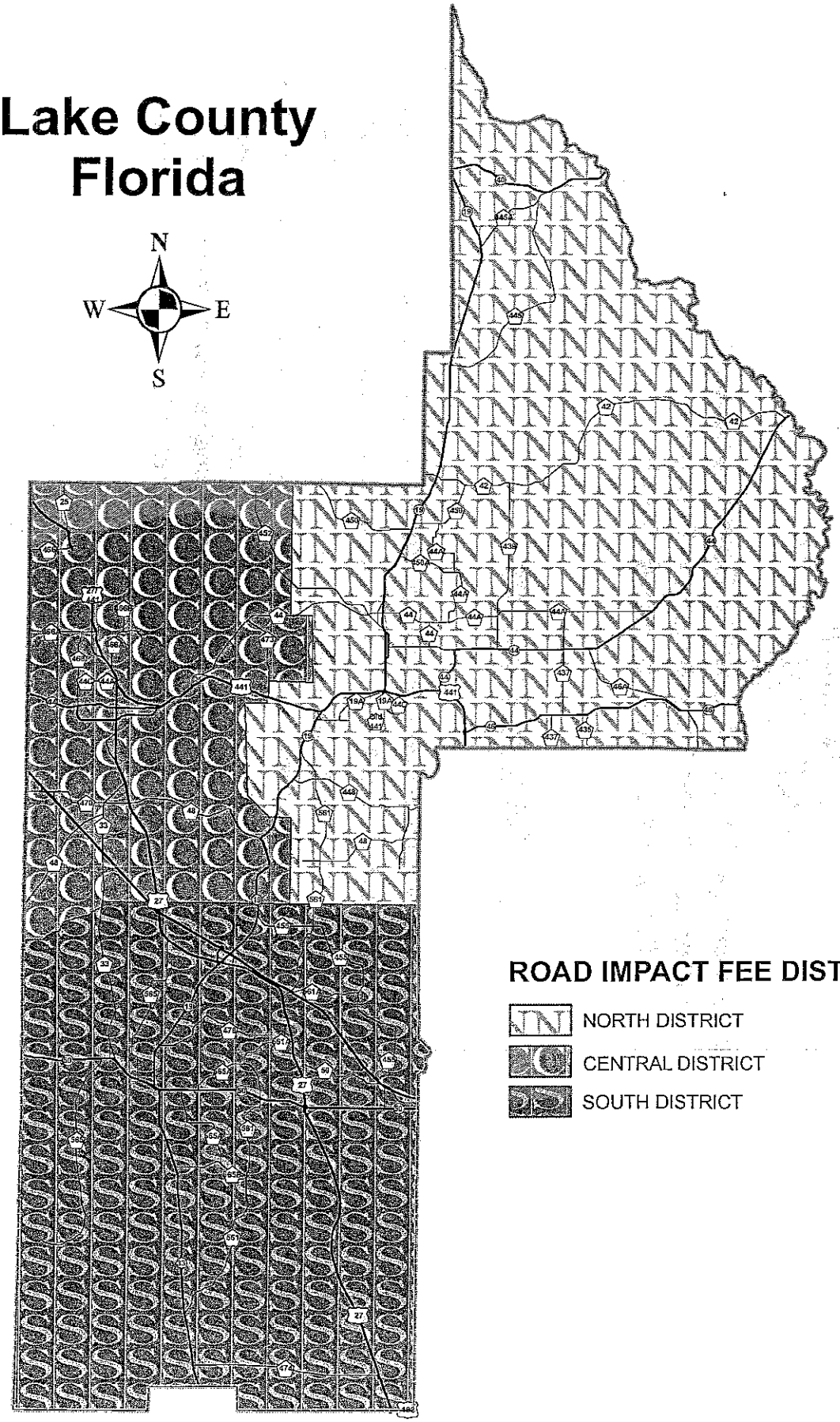
2016 - 2020 Transportation Construction Program

Prepared By The Department of Public Works
Road Operations Division

Lake County Florida



Lake County Florida



LAKE COUNTY
FLORIDA

Lake County Board of County Commissioners
Transportation Construction Program
Fiscal Year 2016 through 2020

Table of Contents

Federal/State Grants - Local Agency Program Projects (Fund 1300) ..... Page 1
Road Impact Fees Benefit District 3 (Fund 1153)..... Page 3
Road Impact Fees South District (Fund 1157)..... Page 4
Road Impact Fees Central District (Fund 1158)..... Page 5
Road Impact Fees North District (Fund 1159) ..... Page 6
Renewal Sales Tax Capital Projects - Roads – Transportation Improvements (Fund 3040) ..... Page 7
Renewal Sales Tax Capital Projects – Resurfacing & Sidewalk Retrofit (Fund 3040)..... Page 9

Legend

BD.....Benefit District
COR.....Corridor Study
CST.....Construction
DSN.....Design
FDOT.....Florida Department of Transportation
FE.....Final Engineering
IMF.....Road Impact Fee Fund
IST.....Infrastructure Sales Tax Fund
LAND.....Land
LF.....Linear Feet
PD&E.....Project Development & Environment Study
PE.....Preliminary Engineering
PER.....Permitting
PR PD&E.....Preliminary Project Development & Environment Study
ROW.....Right-of-Way
RSF.....Resurfacing
SDY.....Study
SUR.....Surveying

LAKE COUNTY DEPARTMENT OF PUBLIC WORKS
5 - YEAR TRANSPORTATION IMPROVEMENT PLAN
FISCAL YEAR 2016 THRU 2020
FUNDING SOURCE: **FEDERAL/STATE GRANTS**

Local Agency Program and County Incentive Grant Projects to be reimbursed by the Florida Department of Transportation

* in thousands

Project Name	Scope of Work	Cost Estimate	2016 *	2017 *	2018 *	2019 *	2020 *
466A Phase I from US-27/441 to Sunny Court *SDY03008-CD5*	Widen to 4-lane, seeking adv reimburse for CST in FY 2015, TRIP Agmt, FM# 430253	$ 2,500,000	2,500 CST *TRIP Agmt + $1M Legislative Appropriation*				
466A Phase III from Timbertop Lane to Sunny Court *SDY03008-CD5*	Widen to 4-lane	$ 2,500,000	2,500 ROW CST *Legislative Appropriation*				
466A (Picciola Road) from Dogwood Drive C-5913 to South of Twin Palms Road C-5814 *SPJ14010-CD5*	Construct paved shoulders, FM# 434422	$ 257,000	257 CST *$256,384*				
Abrams Road C-5371 from Joleen Drive to Brookline Avenue *S/W10002-CD4*	Construct sidewalk, FM# 432954	$ 137,000	137 CST *$136,820*				
Citrus Grove Road C-1946 Phase I from Grassy Lake Rd C-1846 to N. Hancock Rd C-1354 *REB14001-CD2*	Add lanes and reconstruct, seeking adv reimburse for PE in FY 2015, FM#435541	$ 600,000	600 ROW				
Citrus Grove Road C-1946 Phase II from US-27 to Grassy Lake Rd C-1846 *REB14001-CD2*	Add lanes and reconstruct	$ 1,000,000	1,000 ROW *Legislative Appropriation*				

Estimated cost:
Phase I from Grassy Lake Rd to N. Hancock Rd $5.5M CST
Phase II from US-27 to Grassy Lake Rd $6M CST (unfunded)

FUND 1300
Transportation Improvements (LAP)

LAKE COUNTY DEPARTMENT OF PUBLIC WORKS
5 - YEAR TRANSPORTATION IMPROVEMENT PLAN
FISCAL YEAR 2016 THRU 2020
FUNDING SOURCE: **FEDERAL/STATE GRANTS**

Local Agency Program and County Incentive Grant Projects to be reimbursed by the Florida Department of Transportation

* in thousands

Project Name	Scope of Work	Cost Estimate	2016 *	2017 *	2018 *	2019 *	2020 *
Lake-Wekiva Trail from SR-46 to Hojin Street (Segment 2) *SPJ15007-CD4*	Construct bike path/trail *13,358 LF* FM# 430975-3	$ 155,000	155 DSN				
Lake-Wekiva Trail from Tremain Street to SR-46 (Segment 1) *SPJ15006-CD4*	Construct bike path/trail *29,198 LF* FM# 430975-2	$ 505,000	505 DSN				
		$ 7,654,000					
	Projected Expenditures		7,654	0	0	0	0
	Budgeted Amount		7,654	0	0	0	0
	Balance		0	0	0	0	0

FUND 1153
Road Impact Fees

LAKE COUNTY DEPARTMENT OF PUBLIC WORKS
5 - YEAR TRANSPORTATION IMPROVEMENT PLAN
FISCAL YEAR 2016 THRU 2020
FUNDING SOURCE: **ROAD IMPACT FEES BENEFIT DISTRICT 3**

* in thousands

Project Name	Type of Work	Cost Estimate	2016 *	2017 *	2018 *	2019 *	2020 *
466A (Miller Street) from Timbertop Lane to US-27/441 (Phase I and III) *SDY03008-CD5*	Widen to 4-lane with paved shoulders and improve intersection *~ 10,824 LF*	$ 2,335,000	2,335 ROW DSN CST				
Total Cost Estimate		$ 2,335,000					
Available Balance			2,335	0	0	0	0
Projected New Revenue (No new revenue projected)			0	0	0	0	0
Projected Expenditures			2,335	0	0	0	0
Projected Available Revenue			0	0	0	0	0

FUND 1157
Road Impact Fees

LAKE COUNTY DEPARTMENT OF PUBLIC WORKS
5 - YEAR TRANSPORTATION IMPROVEMENT PLAN
FISCAL YEAR 2016 THRU 2020
FUNDING SOURCE: **ROAD IMPACT FEES SOUTH LAKE COUNTY**

* in thousands

Project Name	Type of Work	Cost Estimate	2016 *	2017 *	2018 *	2019 *	2020 *
455 Intersection with CR-50 *INT97033-CD2*	Intersection improvements	$ 325,000	75 ROW DSN			250 CST	
Citrus Grove Road C-1946 Phase I from Grassy Lake Rd C-1846 to N. Hancock Rd C-1354 *REB14001-CD2*	Add lanes and reconstruct, seeking adv reimburse for PE in FY 2015, dev agmt, FM#435541	$ 6,234,000		750 ROW		5,484 CST	
Citrus Grove Road C-1946 Phase II from US-27 to Grassy Lake Rd C-1846 *REB14001-CD2*	Add lanes and reconstruct, developer's agreement	$ 2,600,000	400 DSN				2,200 CST
Fosgate Road Extension from US-27 to Grassy Lake Road C-1846 *NRD08049-CD2*	Construct new 2-lane road with curb & gutter, signal at US-27, developer's agreement	$ 25,000	25 PE *Additional funding needed Cost estimate: $3.6M CST*				
Total Cost Estimate		$ 9,184,000					
Available Balance			1,200	2,001	2,812	4,686	1,200
Projected New Revenue			1,301	1,561	1,873	2,248	2,698
Projected Expenditures			500	750	0	5,734	2,200
Projected Available Revenue			2,001	2,812	4,686	1,200	1,698

FUND 1158
Road Impact Fees

LAKE COUNTY DEPARTMENT OF PUBLIC WORKS
5 - YEAR TRANSPORTATION IMPROVEMENT PLAN
FISCAL YEAR 2016 THRU 2020
FUNDING SOURCE: **ROAD IMPACT FEES CENTRAL LAKE COUNTY**

* in thousands

Project Name	Type of Work	Cost Estimate	2016 *	2017 *	2018 *	2019 *	2020 *
CR-468 Intersection with Lewis Road C-5105 *SPJ15008-CD1*	Construct northbound left turn lane	$ 275,000	25 PE		250 CST		
Lake Ella Road C-6604 from April Hills Boulevard to US-27/441 *NRD02006-CD5*	New alignment *~ 2,640 LF*	$ 230,000					230 CST *Additional funding needed; total cost estimate $2M*
Total Cost Estimate		$ 505,000					
Available Balance			88	119	186	17	114
Projected New Revenue			56	67	81	97	116
Projected Expenditures			25	0	250	0	230
Projected Available Revenue			119	186	17	114	0

FUND 1159
Road Impact Fees

LAKE COUNTY DEPARTMENT OF PUBLIC WORKS
5 - YEAR TRANSPORTATION IMPROVEMENT PLAN
FISCAL YEAR 2016 THRU 2020
FUNDING SOURCE: **ROAD IMPACT FEES NORTH LAKE COUNTY**

* in thousands

Project Name	Type of Work	Cost Estimate	2016 *	2017 *	2018 *	2019 *	2020 *
437 from Adair Avenue C-3987 to Wolf Branch Road C-4583 *SDY08025-CD4*	Project Development & Environmental Study	$ 200,000	200 PD&E				
Round Lake Road/C-439 from Wolf Branch Road C-4583 to SR-44 *SDY12012-CD4*	Project Development & Environmental Study	$ 227,000		227 PD&E			
Total Cost Estimate		$ 427,000					
Available Balance			241	174	107	298	528
Projected New Revenue			133	160	192	230	276
Projected Expenditures			200	227	0	0	0
Projected Available Revenue			174	107	298	528	804

LAKE COUNTY DEPARTMENT OF PUBLIC WORKS
5 - YEAR TRANSPORTATION IMPROVEMENT PLAN
FISCAL YEAR 2016 THRU 2020
FUNDING SOURCE: **RENEWAL SALES TAX CAPITAL PROJECTS - ROADS**

* in thousands

Project Name	Type of Work	Cost Estimate	2016 *	2017 *	2018 *	2019 *	2020 *
Camphor Road and Juniper Street Special Assessment (potential project) *SPA15009-CD5*	Pave non-County maintained roads in the Carlton Village subdivision	$ 90,000 *County share only. $182,441 property owner share in CTT. Total $272,300*	90 DSN CST *$89,859*				
Griffin View Drive C-7212 Intersection with Harbor Hills Boulevard *INT10033-CD5*	Intersection improvements	$ 200,000	200 CST				
Hartwood Marsh Road C-0854 Intersection with US-27 *INT15010-CD2*	Construct receiving lane for dual-left on US-27 and resurface to Hancock Road	$ 600,000	100 DSN ROW	500 CST			
Johns Lake Road C-1158 from Lost Lake Elem to Hancock Road C-1254 *W&R10028-CD2*	Widen to 24', curb & gutter, resurface, construct sidewalk *~ 3,985 LF*	$ 2,650,000	750 ROW DSN	1,900 CST			
Kurt Street from US-441 to SR-19 (Interlocal Agreement with City of Eustis) *RSF15003-CD4*	Mill and resurface *~ 8,330 LF* Three-phase project, split 50/50 with City of Eustis	$ 450,000	150 CST	150 CST	150 CST		
Log House Road C-0835 Intersection with CR-561 and CR-565B *S/W09031-CD1*	Construct turn lane and sidewalk	$ 758,000	100 DSN	658 CST			

LAKE COUNTY DEPARTMENT OF PUBLIC WORKS
5 - YEAR TRANSPORTATION IMPROVEMENT PLAN
FISCAL YEAR 2016 THRU 2020
FUNDING SOURCE: **RENEWAL SALES TAX CAPITAL PROJECTS - ROADS**

* in thousands

Project Name	Type of Work	Cost Estimate	2016 *	2017 *	2018 *	2019 *	2020 *
Old Highway 441 from 65' East of Disston Avenue to Eudora Road C-4564 *RSF13003-CD3&4*	Mill and resurface *~ 15,838 LF*	$ 965,000	965 CST				
Orange Avenue from Rose Street to CR-450 (Umatilla) *Interlocal with City of Umatilla SPJ12011-CD5*	Redesign and rehabilitate (last of 2-year commitment of $88,650 as grant match)	$ 88,650	89 DSN CST *$88,650*				
Oswalt Road C-0840 from Lakeshore Drive C-1040 to Reagan's Run Drive C-0840B *W&R08035-CD2*	Widen to 24', resurface, construct turn lanes at Reagan's Run Drive *~ 4,570 LF*	$ 975,000	975 CST				
Total Cost Estimate		$ 6,776,650					

	2016 *	2017 *	2018 *	2019 *	2020 *
Balance Carried Forward (from previous year)	1,672	768	150	0	0
Projected New Revenue (adjusts for Equipment expenditure & reserve balance)	2,515	2,590			
Projected Expenditures	3,419	3,208	150	0	0
Projected Available Revenue	768	150	0	0	0

Projected New Revenue is 50% of total estimated funds collected.
The remaining 40% collected will be for road resurfacing, and 10% will be used for sidewalk retrofitting.

LAKE COUNTY DEPARTMENT OF PUBLIC WORKS
5 - YEAR RESURFACING PLAN
FISCAL YEAR 2016 THRU 2020
FUNDING SOURCE: **RENEWAL SALES TAX CAPITAL PROJECTS - ROADS**

* in thousands

Project Name	Type of Work	Cost Estimate	2016 *	2017 *	2018 *	2019 *	2020 *
Countywide Resurfacing Program	Resurface roads throughout Lake County	$ 2,498,000	2,498 RSF	TBD RSF			
Countywide Sidewalk Retrofit Program	Retrofit sidewalk throughout Lake County for ADA compliance	$ 624,000	624 CST	TBD CST			
Total Cost Estimate		$ 3,122,000					

50% of the total estimated funds collected will be used for road construction and equipment, 40% will be used for road resurfacing, and 10% will be used for sidewalk retrofitting.

Five Year Work Program

Selection Criteria	
District 05 (Updated: 10/20/2015-00:18:36) Item Number:417199-1	2016-2020 AD Lake County

Display current records in a Report Style
Display current records in an Excel Document

Project Summary

Transportation System: INTRASTATE STATE HIGHWAYDistrict 05 - Lake County
Description: LADY LAKE MEMORANDUM OF AGREEMENT
Type of Work: ROUTINE MAINTENANCE — View Scheduled Activities
Item Number: 417199-1

Project Detail

Fiscal Year:	2016	2017	2018	2019	2020
Maintenance/Bridge/Roadway/Contract Maintenance					
Amount:	$21,505	$21,505	$21,505	$21,505	$21,505

Five Year Work Program

Selection Criteria	
District 05 (Updated: 10/20/2015-00:18:36) Item Number:238395-5	2016-2020 AD Lake County

Display current records in a Report Style
Display current records in an Excel Document

Project Summary

Transportation System: INTRASTATE STATE HIGHWAY — District 05 - Lake County
Description: SR 500 (US 441) FROM LAKE ELLA RD TO AVENIDA CENTRAL
Type of Work: ADD LANES & RECONSTRUCT — View Scheduled Activities
Item Number: 238395-5
Length: 4.157 — View Map of Item

Project Detail

Fiscal Year:	2016	2017	2018	2019	2020
Highways/Preliminary Engineering					
Amount:	$5,743	$750,000			
Highways/Right of Way					
Amount:	$106,357				
Highways/Construction					
Amount:				$36,523,862	
Item Total:	$112,100	$750,000		$36,523,862	

Five Year Work Program

Selection Criteria	
District 05 (Updated: 10/20/2015-00:18:36) Item Number:432333-1	2016-2020 AD Lake County

Display current records in a Report Style
Display current records in an Excel Document

Project Summary

Transportation System: INTRASTATE STATE HIGHWAY — District 05 - Lake County
Description: SR25/500 FROM AVIENDA CENTRAL/GRIFFIN AVE TO SUMTER CO LINE
Type of Work: RESURFACING — View Scheduled Activities
Item Number: 432333-1
Length: 1.107 — View Map of Item

Project Detail

Fiscal Year:	2016	2017	2018	2019	2020
Highways/Preliminary Engineering					
Amount:	$189,985				
Highways/Construction					
Amount:		$1,971,377			
Item Total:	$189,985	$1,971,377			

Five Year Work Program

Selection Criteria	
District 05 (Updated: 10/20/2015-00:18:36) Item Number:433200-1	2016-2020 AD Lake County

Display current records in a Report Style
Display current records in an Excel Document

Project Summary

Transportation System: NON-INTRASTATE OFF STATE HIGHWDistrict 05 - Lake County
Description: VILLAGES ELEMENTARY SCHOOL AT CR 25 3 LOCATIONS
Type of Work: SIDEWALK — View Scheduled Activities
Item Number: 433200-1
Length: 0.650 — View Map of Item

Project Detail

Fiscal Year:	2016	2017	2018	2019	2020
Highways/Construction					
Amount:	$297,085				

Five Year Work Program

Selection Criteria	
District 05 (Updated: 10/20/2015-00:18:36) Item Number:433214-1	2016-2020 AD Lake County

Display current records in a Report Style
Display current records in an Excel Document

Project Summary

Transportation System: INTRASTATE STATE HIGHWAY — District 05 - Lake County
Description: VILLAGES ELEMENTARY SCHOOL PED FEATURES AT US 27 2 LOCATIONS
Type of Work: TRAFFIC SIGNAL UPDATE — View Scheduled Activities
Item Number: 433214-1
Length: 0.539 — View Map of Item

Project Detail

Fiscal Year:	2016	2017	2018	2019	2020
Highways/Preliminary Engineering					
Amount:	$1,992				
Highways/Construction					
Amount:	$344,008				
Item Total:	$346,000				

Review of Budget 2015-2016 District Facilities Work Program

FY 2016-2020

September 14, 2015
School Board Meeting

FIVE YEAR CAPITAL SUMMARY OF PROPOSED CHANGES FROM FY 2015-2019 TO FY 2016-2020

September 14, 2015

Summary of Proposed Changes Capital Projects From FY 2015-2019 to FY 2016-2020	
Approved in FY 2015	**Proposed Changes FY 2016**
	Assumes sales tax extension
	Assumes impact fee collection[1]
Buses/Transportation	Funding increased in first four years
	White Fleet Replacement added
Portable Transfer/Lease	Funding increased
Cypress Ridge ES Cafeteria	Funding carried over and increased
Classroom Additions	Project deleted
Vocational Equipment	Deleted - funded through CAPE revenue[2]
Technology Refresh	Funding increased
Safety & Security	Funding increased in first four years
New Four Corners K-8	Funded in FY 2019-20
	LMHS planning funds added in last year
	Lake Hills partial planning funds added last year
	Modernization/Renovation partially funded
	Capital Renewal Projects added
	Tech Infrastructure Upgrades added
Capital Reserve	Funds used in FY 2019-20

[1] Reflects current rate as set by the Lake BCC

[2] CAPE revenue w/in General Fund

FIVE YEAR CAPITAL
REVENUE SUMMARY
FY 2016-2020
September 14, 2015

	FY2015-16	FY2016-17	FY2017-18	FY2018-19	FY2019-20	5 YR TOTAL
Revenue: TAV%	5.6%	5.3%	6.8%	7.0%	8.1%	
Local Capital Outlay Levy[1]	$26,373,380	$27,771,169	$29,326,354	$31,320,546	$33,512,984	$148,304,433
Sales Tax (1/3 cent)Assumes renewal	$12,486,802	$12,773,998	$13,042,252	$13,329,182	$13,489,132	$65,121,366
Impact Fee (@83% Level)	$7,711,500	$8,040,625	$8,040,625	$8,362,250	$8,462,250	$40,617,250
PECO Maintenance (State)[2]	$715,522	$700,000	$700,000	$700,000	$700,000	$3,515,522
PECO Regular (State)[2]	$0	$0	$0	$0	$0	$0
COBI/SBE Bonds (State)	$0	$0	$0	$0	$0	$0
Capital Outlay & Debt Service (State)	$265,114	$265,114	$265,114	$265,114	$265,114	$1,325,570
Prior Year Carryover[3]	$8,486,096	$0	$0	$0	$0	$8,486,096
Other Misc	$100,000	$100,000	$100,000	$100,000	$100,000	$500,000
Total Available	**$56,138,414**	**$49,650,906**	**$51,474,345**	**$54,077,092**	**$56,529,480**	**$267,870,237**
Total Available	**$56,138,414**	**$49,650,906**	**$51,474,345**	**$54,077,092**	**$56,529,480**	**$211,340,757**

[1] 1.50 mill for Capital Outlay with 0.50 of 2.00 mill moved to Operating Budget by State Legislature
[2] as of Sept 2015 - updated PECO figures released by State
[3] Uncommitted or reallocated prior year funds

FIVE YEAR CAPITAL
ON-GOING EXPENDITURES SUMMARY
FY 2016-2020
September 14, 2015

	FY2015-16	FY2016-17	FY2017-18	FY2018-19	FY2019-20	5 YR TOTAL
Total Revenue Available	**$56,138,414**	**$49,650,906**	**$51,474,345**	**$54,077,092**	**$56,529,480**	**$267,870,237**
On-going Expenditures:						
Total Debt Service	$30,172,435	$30,444,648	$30,933,800	$18,494,125	$18,505,275	$128,550,282
Buses/Transportation	$4,000,000	$4,000,000	$3,000,000	$2,000,000	$2,000,000	$15,000,000
White Fleet Replacement	$960,000	$350,000	$350,000	$0	$0	$1,660,000
Maintenance Projects - PECO	$715,522	$700,000	$700,000	$700,000	$700,000	$3,515,522
Maintenance Projects - Local Funded	$4,000,000	$4,000,000	$4,000,000	$3,500,000	$3,500,000	$19,000,000
Maintenance Transfer to General Fund	$2,000,000	$2,000,000	$2,000,000	$2,000,000	$2,000,000	$10,000,000
Portable Transfer/Lease	$700,000	$700,000	$700,000	$700,000	$700,000	$3,500,000
Capital School Equipment	$100,000	$100,000	$100,000	$50,000	$50,000	$400,000
Technology Refresh	$3,500,000	$3,500,000	$3,500,000	$3,000,000	$3,000,000	$16,500,000
Environmental Projects	$50,000	$50,000	$50,000	$50,000	$50,000	$250,000
Safety & Security	$200,000	$200,000	$200,000	$100,000	$100,000	$800,000
On-going Expenditures Total	**$46,397,957**	**$46,044,648**	**$45,533,800**	**$30,594,125**	**$30,605,275**	**$199,175,804**
Available for Projects	**$9,740,457**	**$3,606,258**	**$5,940,545**	**$23,482,967**	**$25,924,205**	**$68,694,433**
Estimated Available for Projects	**$9,740,457**	**$3,606,258**	**$5,940,545**	**$23,482,967**	**$25,924,205**	**$42,770,228**

FIVE YEAR CAPITAL WORK PLAN SUMMARY FY 2016-2020 September 14, 2015

	Committed PriorYear Expenses /Carryover	FY2015-16	FY2016-17	FY2017-18	FY2018-19	FY2019-20	5 Year Total
Available for Projects		$ 9,740,457	$ 3,606,258	$ 5,940,545	$ 23,482,967	$ 25,924,205	$ 68,694,433
Future Project Fund		$ -	$ 6,219,428	$ 9,825,687	$ 15,766,232	$ 24,402,360	$ 0
Subtotal		$ 9,740,457	$ 9,825,687	$ 15,766,232	$ 39,249,199	$ 50,326,565	$ 124,908,142
Proposed Projects							
New School Construction							
Cypress Ridge ES Cafeteria		$3,521,029					$ 3,521,029
New Four Corners K-8					$2,846,839	$30,000,000	$ 32,846,839
Lake Minneola HS - Addition[1]						$500,000	$ 500,000
Lake Hills Classroom Addition[1]						$100,000	$ 100,000
Modernization/Renovation							
Beverly Shores[1]						$1,000,000	$ 1,000,000
Clermont MS[2]					$1,000,000	$7,623,867	$ 8,623,867
Clermont ES[2]					$1,000,000	$7,623,867	$ 8,623,867
Eustis ES[1]						$1,000,000	$ 1,000,000
Fruitland Park[1]						$1,000,000	$ 1,000,000
Land Acquisition							
Capital Renewal Projects					$7,000,000	$7,000,000	$ 14,000,000
Technology Infrastructure Upgrades					$3,000,000	$3,000,000	$ 6,000,000
Capital Reserve	$8,521,169					-$8,521,169	$ (8,521,169)
Project Total		$3,521,029	$0	$0	$14,846,839	$50,326,565	$68,694,433

Capital Reserve - Cumulative Balance	$8,521,169	$8,521,169	$8,521,169	$8,521,169	$8,521,169	$0	$0

[1] Planning funds only

[2] Planning funds/partially funded only

Printed 9/10/15 11:11 AM

TOWN OF LADY LAKE
409 FENNELL BOULEVARD
LADY LAKE FL 32159

RETURN

INSTRUMENT #2014136006
OR BK 4564 PG 2196 - 2204 (9 PGS)
DATE: 12/18/2014 3:50:54 PM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES $78.00

ORDINANCE NO. 2014-10

AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA, ADOPTING CORRECTIONS, UPDATES AND MODIFICATIONS TO THE CAPITAL IMPROVEMENTS SCHEDULE OF THE TOWN OF LADY LAKE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3177(3)(b), Florida Statutes, requires the Town to update the Capital Improvements Schedule of the Capital Improvements Element on an annual basis; and

WHEREAS, the Town of Lady Lake has conducted an annual review of the Capital Improvements Schedule of the Capital Improvements Element and finds that the corrections, updates, and modifications to the improvements schedule concerning costs, revenue sources, and dates of construction of facilities are required to maintain consistency with the Town's Fiscal Year 2014-2018 Capital Improvements Budget; and

WHEREAS, the Planning and Zoning Board reviewed the proposed corrections, updates and modification to the Five Year Capital Improvement Schedule on Wednesday, November 10, 2014, and rendered its recommendation to the Town Commission; and

WHEREAS, the subject corrections, updates, and modifications related to the Capital Improvements Schedule annual update are accomplished by Ordinance and are not deemed to be amendments to the Town's Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA:

Section 1. Modification

The Capital Improvements Schedule of the Town of Lady Lake's Comprehensive Plan is hereby corrected, updated, and modified to include the listed improvements and tables as set forth in Exhibit "A" as filed with the Town Clerk and attached and made a part hereof by this reference.

Section 2. Conflict

All ordinances made in conflict with the Ordinance are hereby repealed to the extent of such conflict.

Section 3. Severability

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by a Court, such portion or application

shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

Section 4. Effective Date

This Ordinance shall become effective immediately upon adoption.

PASSED AND ORDAINED this 15TH day of DECEMBER, 2014, in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the Second/Final Reading.

TOWN OF LADY LAKE, FLORIDA

Ruth Kussard

Ruth Kussard, Mayor

ATTEST:

Kristen Kollgaard, Town Clerk

APPROVED AS TO FORM:

Derek Schroth, Town Attorney

Exhibit "A"

Proposed Capital Improvements

Water System:

- Well #4 at Water Treatment Plant No.3
- High Service Pump No. 4 at Water Treatment Plant No.3
- Ground Storage Tank at Water Treatment Plant No.3

Wastewater and Stormwater System:

- Wastewater Treatment Plant #1 Improvements
- Collection System Improvements – North end of Town Limits

Transportation System:

- Lady Lake Memorandum of Agreement
- SR 500/441 upgrade and expansion to 6 lanes from Lake Ella Road to Avenida Central.
- Villages Elementary School Traffic Signal Update at U.S. 27 At 2 Locations
- Villages Elementary School Sidewalks at CR 25 - 3 Locations
- SR25/500 from Teague Trail/CR25 to Sumter Co. Line - Resurfacing
- Lake Ella Road – New Alignment

Public School Facilities:

- Elementary "O" - Villages Relief School (unfunded)
- Villages ES Addition (unfunded)

Library and Parks and Recreation Facilities:

- Guava Street Concession Stand
- Rolling Acres Sports Complex Parking Lot Paving

TABLE 8-1: WATER SYSTEM CAPITAL IMPROVEMENTS

Project	Imp. Category	Estimated Cost	Phase	Budget Year					Funding Source
				2014/15	2015/16	2016/17	2017/18	2018/19	
Well #4 at Water Treatment Plant No. 3	A	$640,000	Engineering						Water Impact Fees
			Construction				$640,000		
High Service Pump No. 4 at Water Treatment Plant No. 3	A	$100,000	Engineering						Water Impact Fees
			Construction				$100,000		
Ground Storage Tank at Water Treatment Plant No.3	A	$695,000	Construction				$695,000		Water Impact Fees
TOTAL		$1,435,000					$1, 435,000		

TABLE 8-2: WASTEWATER AND STORMWATER SYSTEM CAPITAL IMPROVEMENTS

Project	Imp. Category	Estimated Cost	Phase	Budget Year					Funding Source
				2014/15	2015/16	2016/17	2017/18	2018/19	
Wastewater Treatment Plant #1 Improvements	A	$500,000	Construction		$500,000				Utility Funds
Collection System Improvements – North End of Town Limits	A	$2,000,000	Construction			$2,000,000			Utility Funds
TOTAL		$2,500,000			$500,000	$2,000,000			

TABLE 8-3: LIBRARY AND PARKS & RECREATION IMPROVEMENTS

Project	Imp. Category	Estimated Cost	Phase	Budget Year					Funding Source
				2014/15	2015/16	2016/17	2017/18	2018/19	
Guava Street Concession Stand	C	$225,000	Construction		$225,000				Private Funds
Rolling Acres Sports Complex Parking Lot Paving	C	$125,000	Paving Construction				$125,000		P & R Impact Fees/Grant
TOTAL		**$345,000**			**$225,000**		**$125,000**		

TABLE 8-4 TRANSPORTATION IMPROVEMENT SCHEDULE

Project	Imp. Category	Type of Work	Estimated Costs	Budget Year - Costs					Funding Source
				2014/15	2015/16	2016/17	2017/18	2018/19	
Lady Lake Memorandum of Agreement	A	Maintenance/Bridge Roadway/Contract	$105,515	$21,505	$21,505	$21,505	$20,500	$20,500	FDOT
Villages Elementary School Ped. Features At U.S. 27 At 2 Locations	A	Traffic Signal Update	$218,722	$5,000 Preliminary Eng.	Highways/ Construction $213,722				FDOT
Villages Elementary School at CR 25 3 Locations	A	Sidewalks	$420,650	$123,565 Preliminary Eng.	$297,085 Highways/ Construction				FDOT
SR 500 (US 441) From Lake Ella Rd. to Avenida Central	A	Add Lanes/Reconstruct 4.157 Miles	$34,120,377	$137,317 ROW		$750,000 Highways/Preliminary Eng.		$33,233,060 Highways/Construction	FDOT
Lake Ella Road C-6604 from April Hills Boulevard to US-27/441	A	New Alignment 2,640 LF	$582,000				$582,000 Const.		Renewal Sales Tax
Lake Ella Road C-6604 from April Hills Boulevard to US-27/441	A	New Alignment 2,640 LF	$104,000			$104,000 Const.			County Road Impact Fees (Central)
SR 25/500 from Teague Trail/CR25 to Sumter Co. Line	A	Resurfacing	$4,392,907	$200,000 Preliminary Eng.		$4,192,907 Highways/ Construction			FDOT
TOTAL			**$39,944,171**	**$487, 387**	**$532, 312**	**$5,068,412**	**$602,500**	**$33,253,560**	

TABLE 8-5 PUBLIC SCHOOLS IMPROVEMENT SCHEDULE

FIVE YEAR CAPITAL WORK PLAN SUMMARY FY 2015-2019 September 29, 2014

			FY2014-15	FY2015-16	FY2016-17	FY2017-18	FY2018-19	5-Year Total
Available for Projects		Committed Prior-Year Expenses /Carryover	$ 14,148,636	$ 1,161,077	$ 2,239,677	$ 245,063	$ 5,344,482	$ 23,138,935
Future Project Fund				$ 1,716,540	$ 227,617	$ 57,294	$ 2,357	$ -
Subtotal			$ 14,148,636	$ 2,877,617	$ 2,467,294	$ 302,357	$ 5,346,839	$ 23,138,935
Proposed Projects								
Elementary Schools								
Eustis ES		$100,000						$0
Eustis Heights ES Renovation/Addition	C	$14,581,981						$0
Cypress Ridge ES Cafeteria			$2,482,096					$2,482,096
Classroom Additions			$6,000,000					$6,000,000
New Four Corners K-8							$2,846,839	$2,846,839
Land Acquisition								
Land Acquisition		$0	$3,000,000	$0	$0	$0		$3,000,000
Capital Renewal								
District Wide Projects		$3,400,264	$1,650,000	$1,650,000	$910,000			$4,210,000
Ancillary/Other Project								
Computer ERP Program (Software)		$0						$0
Safari Montage/Printing/Lan School			$300,000					$300,000
Computer Refresh/AV Upgrades		$245,000	$2,000,000	$1,000,000	$1,500,000	$300,000	$2,500,000	$7,300,000
Capital Reserve		$11,521,169	-$3,000,000	$0	$0	$0	$0	-$3,000,000
Project Total			$12,432,096	$2,650,000	$2,410,000	$300,000	$5,346,839	$23,138,935
Capital Reserve - Cumulative Balance			$8,521,169	$8,521,169	$8,521,169	$8,521,169	$8,521,169	$8,521,169

* Status in FY2015 C = Construction; P = Planning; P/C = Planning/Construction

Printed 9/16/14 8:46 AM

TABLE 8-6 PUBLIC SCHOOLS IMPROVEMENT SCHEDULE REVENUE SUMMARY

FIVE YEAR CAPITAL
REVENUE SUMMARY
FY 2015-2019
September 29, 2014

	FY2014-15	FY2015-16	FY2016-17	FY2017-18	FY2018-19	5 YR TOTAL
Revenue	4.6%	4.8%	5.2%	6.8%	7.0%	
Local Capital Outlay Levy *	$24,857,134	$26,050,277	$27,430,942	$29,241,384	$31,288,281	$138,868,018
Sales Tax (1/3 cent)(Expires 12/31/17)	$10,000,000	$10,500,000	$11,000,000	**$5,500,000**	**$0**	$37,000,000
Impact Fee (@25% Level)	$3,087,600	$3,087,600	$3,216,250	$3,216,250	$3,344,900	$15,952,600
PECO Maintenance (State) ***	$789,503	$46,547	$145,871	$349,669	$0	$1,331,590
PECO Regular (State) ***	$0	$0	$0	$0	$0	$0
COBI/SBE Bonds (State)	$0	$0	$0	$0	$0	$0
Capital Outlay & Debt Service (State)	$164,318	$164,318	$164,318	$164,318	$164,318	$821,590
Prior Year Carryover **	$5,031,715					$5,031,715
Other Misc	$100,000	$100,000	$100,000	$100,000	$100,000	$500,000
Reserve for Debt Service	$6,753,531					$6,753,531
Project Roll-forward	$8,482,096					$8,482,096
Total Available	**$59,265,897**	**$39,948,742**	**$42,057,381**	**$38,571,621**	**$34,897,499**	**$214,741,140**
Total Available Including New Loans	**$59,265,897**	**$39,948,742**	**$42,057,381**	**$38,571,621**	**$34,897,499**	**$214,741,140**

* 1.50 mill for Capital Outlay with 0.50 of 2.00 mill moved to Operating Budget by State Legislature
** Uncommitted or reallocated prior year funds
*** as of Sept 2014 - updated PECO figures released by State

Printed 9/18/14 8:46 AM

PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: November 9, 2015

SUBJECT: **Ordinance No. 2015-18 An Ordinance of the Town of Lady Lake, Lake County, Florida, Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan.**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance No. 2015-18, Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan

---

SUMMARY:

This is a request to adopt the Town's annual update of the Capital Improvements Schedule which is part of the Town's Comprehensive Plan. The Capital Improvement Plan update process and the corresponding requirements are no longer required to be processed by a Comprehensive Plan Amendment, but may be adopted by local Ordinance.

The Town must annually update the Five-Year Schedule of Capital Improvements pursuant to *Florida Statutes.* The purpose of the Capital Improvements Element and the Improvement Schedules is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that adopted Level of Service (LOS) standards are achieved and maintained for concurrency related facilities.

These facilities include: water, water supply, sewer, solid waste, drainage, parks and recreation, public schools, transportation and mass transit. While the Town does not have financial responsibility or accountability regarding some of these public facilities, there is still the requirement to incorporate the five year capital improvement schedules from other entities.

Corrections, updates, and modifications concerning costs, revenues, or the dates of construction of any facility or project identified in the Comprehensive Plan/Capital Improvement Program are not considered amendments and may be accomplished by local ordinance.

Staff recommends forwarding Ordinance 2015-18 to the Planning and Zoning Board for their consideration and recommendation. This ordinance serves to update to the Capital Improvements Schedule as required under F.S. 163.3177(3)(b). The attached "Exhibit A" reflects the proposed improvements for the Five Year Planning Period 2015/16–2019/20. Also attached is Ordinance 2014-10 to document the prior 5-year Capital Improvement Schedule 2014/15 - 2018/19, which is being replaced by this ordinance.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-18, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

Public Hearings:

The **Town Commission** is scheduled to consider Ordinance 2015-18, at first reading on Monday, November 16, 2015. Second and final reading is scheduled for Monday, December 7, 2015.

FISCAL IMPACT: $ _____

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: [X] Ordinance [ ] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

(38)
11-2-15

DEPARTMENT HEAD	Submitted 11/2/15	Date
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN ATTORNEY	Approved as to Form and Legality	Date
TOWN MANAGER	Approved Agenda Item for: 11/9/15	Date 11/2/15

BOARD ACTION: [✓] Approved as Recommended [ ] Disapproved
SIGURDSON/MCKENZIE 4-0

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

CC: THAD-G.M.

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: November 16, 2015 FIRST READING

SUBJECT: **Ordinance No. 2015-18 An Ordinance of the Town of Lady Lake, Lake County, Florida, Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan.**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance No. 2015-18, Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan

---

SUMMARY:

This is a request to adopt the Town's annual update of the Capital Improvements Schedule which is part of the Town's Comprehensive Plan. The Capital Improvement Plan update process and the corresponding requirements are no longer required to be processed by a Comprehensive Plan Amendment, but may be adopted by local Ordinance.

The Town must annually update the Five-Year Schedule of Capital Improvements pursuant to *Florida Statutes.* The purpose of the Capital Improvements Element and the Improvement Schedules is to identify the capital improvements that are needed to implement the Comprehensive Plan and ensure that adopted Level of Service (LOS) standards are achieved and maintained for concurrency related facilities.

These facilities include: water, water supply, sewer, solid waste, drainage, parks and recreation, public schools, transportation and mass transit. While the Town does not have financial responsibility or accountability regarding some of these public facilities, there is still the requirement to incorporate the five year capital improvement schedules from other entities.

Corrections, updates, and modifications concerning costs, revenues, or the dates of construction of any facility or project identified in the Comprehensive Plan/Capital Improvement Program are not considered amendments and may be accomplished by local ordinance.

Category descriptions of capital improvements are as follows:

A) Category A (Concurrency, Mandatory) -- Public facilities and services for which a level of service must be adopted for concurrency determination as mandated by Chapter 163 of the Florida Statutes. These facilities include water, sanitary sewer, solid waste, drainage, under ownership and operation authority of Lady Lake, or a private utility. Map references and public requests are required within the Public Facilities Element thereof pursuant to policy 8-1.1.2.All Category A facilities must be supported by data and analysis accomplished within an element of the Comprehensive Plan as mandated by Chapter 163, F.S.

B) Category B (Non-Concurrency, Mandatory) -- Public facilities and services exempt from concurrency determination but which are inventoried and analyzed within a mandatory element of the Comprehensive Plan required by Chapter 163, F.S. These facilities include parks and recreation, roads, housing and conservation improvements, including governmental services and facilities necessary to administer and implement the Comprehensive Plan.

C) Category C (Non-Concurrency, Non-Mandatory) -- Public facilities that are exempt from concurrency requirements (i.e., level of service standards) and which are not analyzed and identified within a mandatory element of the Comprehensive Plan are classified as Category C. Such municipal services include, but are not limited to law enforcement, fire protection, library services, and public buildings.

D) Category D (Non-Mandatory, Concurrency): Per the Community Planning Act of 2011, the Public School Facilities Element is no longer mandatory. The Town of Lady Lake has opted to retain and update this optional element and require concurrency per its existing interlocal agreement with the Lake County School District.

Staff recommends forwarding Ordinance 2015-18 to the Planning and Zoning Board for their consideration and recommendation. This ordinance serves to update to the Capital Improvements Schedule as required under F.S. 163.3177(3)(b). The attached "Exhibit A" reflects the proposed improvements for the Five Year Planning Period 2015/16–2019/20. Also attached is Ordinance 2014-10 to document the prior 5-year Capital Improvement Schedule 2014/15 - 2018/19, which is being replaced by this ordinance.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2015-18, provided comments on October 27, 2015, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the November 9, 2015 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2015-18 to the Town Commission with the recommendation of approval.

Public Hearings:

The **Town Commission** is scheduled to consider Ordinance 2015-18, at Second/Final reading on Monday, December 7, 2015.

FISCAL IMPACT: $_____

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: [X] Ordinance [ ] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

11-10-15

DEPARTMENT HEAD Submitted 11/10/15 Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

TOWN ATTORNEY Approved as to Form and Legality Date

TOWN MANAGER Approved Agenda Item for 11/10/15 Date 11/10/15

BOARD ACTION: [✓] Approved as Recommended [ ] Disapproved
RIC/HOL 5-0

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

cc: THAD - L.M.

K-12

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: **December 7, 2015 – Second Reading**

SUBJECT: **Ordinance 2015-19 –An Ordinance of the Town of Lady Lake, Lake County, Florida; Amending the Town of Lady Lake Land Development Regulations Chapter 10, Section 5, Entitled "Tree Protection"**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDED MOTION:

Staff Recommends approval of Ordinance 2015-19, Amending the Town of Lady Lake Land Development Regulations Chapter 10, Section 5, Entitled "Tree Protection".

SUMMARY:

On September 24, 2015, the Town Commission of the Town of Lady Lake held a special workshop to discuss potential changes to Section 5 of Chapter 10 of the Land Development Regulations entitled "Tree Protection". As a result of the field tour that was held in the community of Water Oak Country Club Estates on that morning, and the discussion that followed, the proposed changes have been proposed:

- Trees have been determined to be substantially damaged through improper trimming as per a report provided by the Town Arborist, shall be required to be removed within 30 days of the finding of violation; this replaces the current policy of allowing a year to elapse before the tree is re-inspected for a determination of recovery; an appeal process before the Special Magistrate is still afforded to the violator if they wish to contest the violation.

- The removal of any tree historic or non-historic, in which the trunk of the tree measured at ground level is within ten (10) feet to the nearest adjacent wall of a permitted structure on the property. A root barrier shall be installed in lieu of the removal of trees near to sidewalks, driveways, and unscreened/non-enclosed patios. Where substantial damage has already occurred to such areas, a report from a Certified Arborist may be provided as justification for the removal of the tree if it is the recommendation of the arborist to remove the tree to avoid further damage.

- Trees accommodated by an arborist report documenting that the Tree is diseased or dying shall incur a $25 fee (per tree) for removal, regardless of the DBH measurement of the tree. Report shall be provided to Town Staff prior to

removal. If the tree has been removed before Town Staff has received the report, fees and replacement of trees shall be done in accordance with the after the fact permit policy. (For application on Residential Lots)

- Commercial Removal of Historic Trees granted through the Variance process shall be required to pay at time of application of tree removal, not within 30 days of the Variance approval. Should the property not be developed immediately following the variance approval; this allows a potential subsequent purchaser of the property to revisit if removal of tree is necessary for their particular use of the property.
- Revised requirement that requires trees to be more conspicuously marked for removal from the public right-of-way.
- Revised Tree Permit Fees.
- Additional planting requirements for "after the fact" tree removal permits.
- Establishment of a voluntary contractor registry for Landscaping and Tree Trimming/Tree Removal Contractors.

Changes since First Reading:

- The word "lot" was inserted prior to the word "owner" on line 2 page 5 of 14.
- A change was made to line 20 on page 5 of 14 to clarify that even though a tree within 10 feet of the permitted structure can be removed, it does require a permit in the amount of $25.00 to be obtained by the lot owner.
- A change was made to Line 32 on page 5 of 14 to specify the removal procedure of residentially zoned lots.
- A change was made to Line 33 on page 5 of 14 to clarify that the lot owner is the responsible party for the tree removal fee.

Past Actions

The **Parks, Recreation, and Tree Advisory Committee** will review the proposed changes to Chapter 10, Section 5 (Ordinance 2015-19), at their Special Meeting on Tuesday, November 10, 2015.

At the November 9, 2015 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2015-19 to the Town Commission with the recommendation of approval.

At the November 16, 2015 meeting, the **Town Commission** voted 5-0 for approval of Ordinance 2015-19 upon a motion with text amendments.

FISCAL IMPACT: $ -0- [ ] Capital Budget

[ ] Operating [ ] Other

ATTACHMENTS: [x] Ordinance(s) [ ] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

---

DEPARTMENT HEAD		Submitted 11/30/15	Date
FINANCE DEPARTMENT		Approved as to Budget Requirements	Date
TOWN ATTORNEY		Approved as to Form and Legality	Date
TOWN MANAGER		Approved Agenda Item for: 12/7/15	Date 12/1/15

11-30-15

COMMISSION ACTION: [ ] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

ORDINANCE 2015-19

AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA; AMENDING THE TOWN OF LADY LAKE LAND DEVELOPMENT REGULATIONS CHAPTER 10, SECTION 5 ENTITLED "TREE PROTECTION"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan (Ordinance No. 91-21) pursuant to the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on January 23, 1992, the Florida Department of Community Affairs determined that the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on August 15, 1994, the Town of Lady Lake adopted the Land Development Regulations of the Town of Lady Lake, Florida in accordance with the Town of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part II, Florida Statutes; and

WHEREAS, pursuant to the provisions of the Town of Lady Lake Land Development Regulations, the proposed amendments to the Land Development Code which is attached hereto as Exhibits "A" is recommended to the Town Commission of the Town of Lady Lake that said amendment be adopted; and

WHEREAS, the Town of Lady Lake has elected to amend Chapter 10 Section 5 of the Land Development Regulations finding it is in the best interests of the Town of Lady Lake and promotes the general welfare of its citizens.

BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA:

Section 1. <u>Amendment</u>.

"The Land Development Code of the Town of Lady Lake, Florida," dated August 15, 1994 (the "Land Development Code") is hereby amended as provided below:

Chapter 10 Section 5 of the Land Development Regulations entitled "Landscaping and Tree Protection" is deleted and replaced in its entirety as set forth in Exhibit "A", attached hereto and incorporated herein.

Section 2. <u>Severability</u>.

If any section, sentence, clause, phrase or word of this Ordinance is for any reason held, or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not effect the remaining portions of this ordinance; and it shall be construed to have been the Town Commission's intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the

remainder of this Ordinance, after the exclusion of such part or parts, shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to
any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not effect the applicability thereof to any other person, property or circumstances.

Section 3. Conflicts.

All ordinances or part of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 4. Codification.

The provisions of this Ordinance shall be codified as and become part of the Codes of Ordinances, Town of Lady Lake. The sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section", "Article", or other appropriate word.

Section 5. Applicability.

This Ordinance does not have retroactive applicability and does not apply to applications filed prior to the effective date of this Ordinance.

Section 6. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND ORDAINED this ___ day of _____, 2015, in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the second and final reading.

_____
Ruth Kussard, Mayor

ATTEST:

_____
Kristen Kollgaard, Town Clerk

Approved as to Form:

_____
Derek Schroth, Town Attorney

EXHIBIT "A"

Sec. 10-5. - Tree protection.

a) Prohibitions. Unless exempted herein, it shall be unlawful and subject to the penalties provided herein for any person, directly or indirectly by another on his behalf, to:

1) Remove, relocate, destroy or damage any protected tree as defined herein on any site or tract (including single-family, residential lots) without first obtaining a clearing and tree permit or development order;

2) Perform any land clearing or grubbing unless a clearing and tree permit, if required, has been issued and is posted onsite; or

3) Perform tree removal, land clearing, grubbing, grading, excavation, construction, or to make or install any improvement upon any site or tract, regardless of the existence of valid permits or approvals for the given activity, unless each protected tree to be preserved pursuant to this chapter has been marked by a highly visible band, and unless all protected areas established pursuant to this chapter have been surrounded by a protective barrier,

4) Attach anything to a protected, historic, or specimen tree other than supportive wires, braces or other similar non-injurious materials,

5) Cause or allow the disposal of waste material such as paint, oil, solvents, asphalt, concrete, mortar or any other material harmful to the life of a protected, specimen or historic tree within the dripline of such tree or groups of trees.

6) Use climbing spurs or other similar device to aid in the climbing of a live protected tree, where such device causes the puncture or tearing of tree bark.

7) Introduce any type of poison or reactive material to a protected tree for the purpose of causing it to die or become weakened.

8) Prune a protected canopy tree in a manner which will not allow the tree to reach a mature canopy spread. Excessive shearing, pruning or shaping includes but is not limited to hat racking, topping, poodle trimming, lion's tailing and pollarding. Code enforcement shall cite property owners who are found to have improperly trimmed or pruned protected canopy species upon a determination and report by the Town Arborist, or other designated arborist, the tree has indeed been improperly trimmed and sustained substantial injury and is not likely to recover. A Citation shall require that the tree be removed within 30 days of the determination of the violation and replaced in accordance with the after the fact tree permitting criteria based upon the specie and size of the tree which was removed. If the property owner wishes to appear before the Special Magistrate to contest the violation, an administrative fee of eighty-seven dollars ($87.00) shall be assessed and the violation will be heard by the Special Magistrate. Upon a finding that the violation stands, the administrative fee shall be paid in addition to satisfying the tree replacement criteria, and additional liens may also begin to accrue for non-compliance with the order of the Special Magistrate's order. If the violation is dismissed, no administrative fees shall be paid to the Town. .

These regulations apply to newly installed trees as well as established trees.

b) Exemptions. None of the following exemptions shall apply to any upland native plant community conservation area or wetland conservation area. The burden of proving entitlement to any particular exemption shall lie with the person claiming use of the exemption, in the event the exempted activity ever becomes subject to an enforcement action. Notwithstanding anything to the contrary within this Code, the following activities shall be lawful without application or issuance of a clearing and tree permit:

1) The removal, trimming, pruning or alteration of any unprotected tree as defined herein or other vegetation as necessary for:

   A) The clearing of a path, not to exceed four (4) feet in width, to provide access or view necessary to conduct a survey or site examination for the preparation of subdivision plats, site plans, or tree surveys; or

   B) The clearing of a path, not to exceed ten (10) feet in width, to provide vehicular access necessary to conduct soil testing, provided that the clearing or removal is conducted under the direction of a Florida registered surveyor or engineer.

2) Routine landscape maintenance, such as trimming or pruning of vegetation, which is not intended to result in the eventual death of the plants, mowing of yards or lawns, or any other landscaping or gardening activity which is commonly recognized as routine maintenance or replacement.

3) The removal, trimming, pruning or alteration of any tree or vegetation in an existing utility easement or right-of-way, provided such work is done by or under the control of the operating utility company and said company has received all necessary licenses or permits to provide utility service within the easement.

4) The removal, pruning, trimming or alteration of any tree or vegetation for the purpose of maintaining existing access to a property.

5) Any activity conducted by a lawfully operating and bona fide commercial nursery, tree farm, agricultural operation, silvicultural operation, ranch, or similar operation pursuant to State and Town requirements, when the activity occurs on property owned or lawfully occupied by the person conducting said activity and is done in pursuit of said activity. This exemption shall include the purposeful removal of a tree or trees for their permanent relocation at another site undergoing development. When land clearing or tree removal has been performed under this exemption based upon the use of property for an agricultural or silvicultural operation, the following shall apply:

   A) No land development order shall be approved for any non-agricultural or non-silvicultural use or improvement on the same site within two (2) years of the completion of such land clearing or tree removal.

   B) Pertaining to silviculture, operations are encouraged to implement a State Division of Forestry approved management plan, including a reforestation plan for harvested lands.

   C) Pertaining to silviculture and agriculture, operations within wetlands will need to secure a Notice of Intent from the St. Johns River Water Management District before any clearing or harvesting is initiated.

   D) Pertaining to agriculture, operations are encouraged to implement a Soil and Water Conservation District approved conservation plan, including the use of Best Management Practices, as applicable to the specific area being cleared.

   E) Trees proposed to be removed in order to construct improvements not reasonably related to bona fide agricultural and silvicultural purposes regardless of when or by whom construction is planned, are not exempt from these provisions.

6) Hazardous trees: If any tree is determined to be in a hazardous or dangerous condition so as to endanger the public health, safety or welfare and requires immediate removal authorization may be given by the Town Manager or his/her designee pursuant to the following procedures:

   A) A report by a certified arborist or registered landscape architect stating the tree is in a hazardous or dangerous condition through disease or damage is required prior to removal and shall be submitted to the Town Manager or designee.

   B) Replacement requirements herein required apply to any tree or group of trees removed.

C) Upon approval of the Town Manager or designee that the tree is in a hazardous or dangerous condition, the tree may be removed, however, the lot owner must continue to fulfill permit requirements.

7) Any tree listed within the Undesirable (Prohibited) Tree list, regardless of size.

8) Trees six (6) inches DBH or less, including those listed as Acceptable Plants in this chapter.

9) Trees may be removed without a permit in an emergency situation, as determined by the Town Manager or his/her designee, when a tree is damaged by a hurricane, tornado, tropical storm or other weather event and the tree presents a danger to the public. Trees damaged in a hurricane, tornado, tropical storm or other weather event must be removed immediately after the event. Any tree damaged under this item that has not been removed within 60 days of the event will be required to obtain a permit under item No. 6) above.

10) Stands of pine (Pinus spp.) planted or occurring naturally which would be used in a silvicultural activity are subject to compliance with the most current edition of the Florida Department of Agriculture and Consumer Services silvicultural best management practices (BMP's) described in Silviculture Best Management Practices published by the Florida Department of Agriculture and Consumer Services. This publication is hereby adopted and included by reference herein.

11) The removal of any tree, historic or non-historic, in which the trunk of the tree measured at ground level is within ten (10) feet to the nearest adjacent wall of a permitted structure on the property, however, the lot owner still must obtain a permit in the amount of $25.00. A root barrier shall be installed in lieu of the removal of trees near to sidewalks, driveways, and unscreened/non-enclosed patios. Where substantial damage has already occurred to such areas, a report from a Certified Arborist may be provided as justification for the removal of the tree if it is the recommendation of the arborist to remove the tree to avoid further damage.

c) Clearing and tree permit.

1) Purpose. The purpose of these permits are to prohibit the destruction of natural vegetation and the changing of natural grades and drainage problems until a development order or development permit has been approved. Additionally, this section provides for protective measures for both vegetation and soils to be implemented prior to construction. All permits issued for tree removal shall require grinding of the stump to a level at or below grade.

2) Removal of Historic Trees on Residentially Zoned Lots:

A) Residential Single Family Lot and Manufactured Home Lot Owners shall be required to pay a fee of five hundred dollars ($500.00), or as amended, to remove any historic tree on their property that will result in a total of the historic trees numbering less than the required amount of canopy trees for the lot size. Historic trees shall be given priority as the first to satisfy the minimum canopy tree requirements on all residential lots. If the property owner retains a number of historic trees equivalent to the minimum canopy tree requirements, historic trees in excess of the minimum requirements may be removed through a general tree removal permit in accordance with the fee schedule for the size of the tree, or as amended. Trees accommodated by an arborist report documenting that the Tree is diseased or dying shall incur a $25 fee (per tree), or as amended, for removal, <u>regardless of the DBH measurement of the tree</u>. Report shall be provided to Town Staff prior to removal. If the tree has been removed before Town Staff has received the report, fees and replacement of trees shall be done in accordance with the after the fact permit policy.

3) Commercial/Non-Residential Removal of Historic Trees:

A) Commercial/non-residential property owners who desire to remove a historic tree shall file an application for a variance. If the applicant seeks a variance to remove more than one tree, the applicant may include as many trees as the applicant desires in one application. Should the applicant include more than one tree in the variance application, the variance fee is sufficient to cover all trees the applicant requests be approved for removal in the one application. Applications shall be brought before the Planning and Zoning Board for recommendation and then to the Town Commission for a final decision. An application for a variance shall not be required if the Town Manager or designee determines that based on an ISA (International Society of Arboriculture) certified or FAA (Florida Arborist Association) certified arborist's report that the tree is dead or so diseased that there is no likelihood of recovery.

B) Should the Town Commission approve the applicant's request for tree removal, the applicant, shall at time of application for tree removal pay to the Town Tree Bank, three thousand six hundred dollars ($3,600.00) for each thirty-six (36) inch DBH tree plus one hundred dollars ($100.00) per additional inch over the thirty-six (36) DBH tree. This mitigation fee is to offset the loss of each historic tree.

C) Developers of any non-residential or multi-family developments, requiring site plan approval are not required to submit an application for a clearing and tree permit but are required to submit a tree survey and landscape plans at the time of site plan submittal so that consideration may be given to the protection of native trees, historic trees, and vegetation.

D) Developers of all new subdivisions shall be required to submit an application for a clearing and tree permit along with a tree inventory at the time of initial submittal of the preliminary subdivision plan so that consideration may be given to the protection of native trees, historic trees and vegetation.

E) The tree removal permit, if issued, shall specifically identify which trees shall be permitted to be removed. Each tree permitted for removal shall be physically marked with an "X" on the bark being clearly visible from the public right-of-way, using brightly colored paint; or if a group of trees are permitted for removal, the outside perimeter trees of the group may be designated with red tape in lieu of each tree marking.

F) Such permit shall automatically expire six (6) months after issuance. Trees not removed during the life of the permit may not be removed without the issuance of a new permit based upon a new application.

<u>4) Tree Permit Fees:</u>

6"-20" DBH $25.00 per tree (or group of trees on same property totaling 20"), or as amended

>20"-36" DBH $50.00 per tree, or as amended

>36" DBH $100.00 per tree, or as amended

* For lots <u>which meet or exceed</u> replacement requirement, replacement is not <u>necessary if permits have been issued prior to removal.</u>

5) After the Fact Permits:

a) If a specimen tree (> 20") is removed each tree shall be replaced at a ratio of 2:1, in addition to the fee per tree removed.

b) If a historic tree (> 36") is removed each tree shall be replaced at a ratio of 3:1, in addition to the fee per tree removed.

c) Where replacement cannot be accommodated on-site, or desired, the property owner may contribute $150 per tree to be replaced to the tree bank in lieu of onsite planting, provided the minimum lot requirement is satisfied.

6) Submittal requirements:

A) An application for a clearing and tree permit shall be filed on the application provided by the Building Department. Completed applications shall be returned to the Building Department along with the appropriate permit fee, reasons for removal of trees and a scaled site plan.

B) Provisions for replacement trees, as required in section 10-3, shall also be specified, including landscaping plans where required for site plans.

7) Criteria for issuance. No clearing and tree permit shall be issued unless the reviewer finds that at least one of the following criteria has been satisfied with respect to each existing tree over six (6) inch DBH that is to be designated for removal under the permit:

A) The tree is located within an existing or proposed right-of-way. Note- streets and rights-of-way shall be located to avoid and minimize the loss of trees. See Site Development guidelines in section 10-4.

B) The tree is located within an existing easement or stormwater maintenance shelf.

C) The tree is located where its continued existence would unreasonably interfere with the physical construction of the improvements on-site or interfere with access to the site by construction equipment. See Site Development guidelines in section 10-4.

D) The tree is located where it creates or will create a safety or health hazard, or a nuisance with respect to existing or proposed structures or vehicle or pedestrian routes, and relocation of the tree on the site is not a feasible alternative.

E) The tree is located where it interferes with the repair, or maintenance of existing utility services to the site.

F) Applicant has proved through multiple site plan alternatives that there is no alternate route or way of developing the site without the removal of the tree(s).

G) The tree is dying or dead so that its restoration to sound condition is not practical, or it has a disease which can be expected to be transmitted to other trees and to endanger their health.

H) The tree is located on a portion of the site to be used for construction of required parking areas or vehicular and pedestrian ingress and egress areas, provided reasonable effort has been made to preserve existing trees over six (6) inches DBH to the extent feasible under this criteria.

I) The tree is located on a portion of the site where structural development is proposed, provided reasonable effort has been made to preserve existing trees over six (6) inches DBH to the extent feasible under this criteria.

J) For all proposed improvements above, the owner shall demonstrate that no reasonable alternative route or development pattern exists through multiple site plan alternatives.

8) Permit Expiration. The clearing and tree permit, when issued, shall specifically identify which trees shall be permitted to be removed. Such permit shall expire either at the time of the issuance of the last certificate of occupancy for the subdivision or at the time of issuance of the certificate of occupancy for any commercial, industrial, multifamily or other structure. Trees not removed during the life of the permit may not be removed without the issuance of a new permit based upon a new application.

9) Tree removal requirements. A clearing and tree permit authorizes the removal of trees specified within the permit; however, it is not required that all trees specified within the clearing and tree permit be removed by the applicant.

10) It shall also be stated within the clearing and tree permit that all replacement trees shall be planted prior to issuance of the certificate of occupancy.

11) Replacement trees shall be located onsite. However, if not feasible, the Town Manager or his/her designee may allow planting off-site as a condition of the clearing and tree permit.

12) If a property has not begun development within nine (9) months of receiving development approval, re-vegetation shall be required to achieve the Landscaping Requirements of section 10-3.

d) Replacement size criteria.

1) A replacement tree shall be an acceptable canopy tree as defined herein.

2) All trees transplanted or planted pursuant to this ordinance and noted on a tree replacement plan shall be maintained in a healthy, living condition. Any such trees which die shall be replaced by the applicant within three (3) months of Town notification. The Town shall retain perpetual jurisdiction to ensure compliance with this section, and failure to maintain the landscaping shall constitute a violation of the code.

3) Palm trees shall not account for more than twenty-five (25) percent of the required replacement trees.

e) Offsite tree replacement option. If replacement cannot be made on the subject property, the owner or applicant may be allowed to mitigate with replacement of the required trees on a designated recipient conservation or park property within the Town limits. The recipient property shall be acceptable to the Town and shall be suitable for the replacement trees. Mitigated replacement trees shall not count toward meeting minimum requirement of the recipient site for development purposes. The request to utilize this option shall be submitted to the Town Manager or his/her designee in writing and shall include the following justifications and information:

1) Explanation why the trees cannot be replaced on site;

2) A legal description and a copy of the property record information from the Lake County Property Appraiser for the proposed recipient site; and

3) An Affidavit from the owner of the recipient site agreeing to the terms of accepting the mitigated trees as listed above. A conservation easement or similar legally-binding instrument approved by the Town shall be required to ensure that mitigation trees planted at the recipient site will be protected and maintained in perpetuity.

f) Tree bank option. In cases where any or all replacement trees cannot be adequately accommodated on a site, or off-site where applicable, and demonstration of this fact has been confirmed, the developer/owner shall, in lieu of planting the trees, pay a fee to the Town to be placed in a tree replacement fund. Tree replacement and mitigation fees shall be established by Town Commission and shall be updated as necessary to cover the cost of replacing trees, including materials and labor. The payment to the Tree Bank is only for the portion of the required replacement trees that cannot be planted onsite. At a minimum, the replacement fee per tree shall

be the average retail, installed cost as quoted by three local landscape contractors or plant nurseries plus an allowance for maintenance for one (1) year.

1) Establishment. A Town of Lady Lake Tree Replacement Trust fund is hereby established as a depository for tree replacement and mitigation fees and monies. All monies deposited in the Tree Replacement Trust shall be deposited in a separate account established and maintained apart from the Town's general revenue funds and accounts.

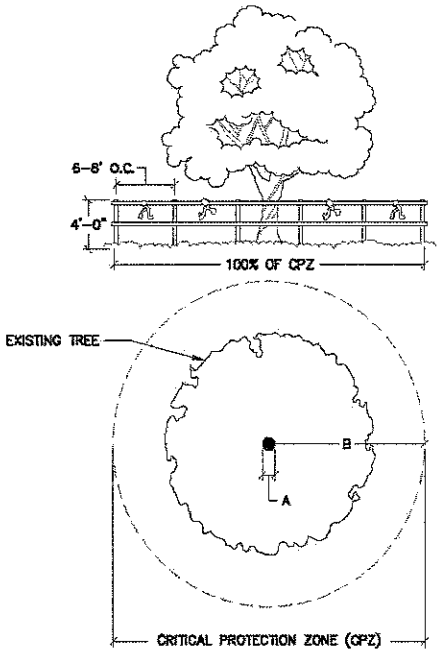
2) Dispersal of assets. The funds in said account shall be expended, utilized and disbursed for the planting of public trees, and to cover any other ancillary costs including but not limited to, landscaping, sprinkler systems and other items or materials necessary and proper for the preservation, maintenance, relocation or restoration of trees on any public or private conservation areas in Town of Lady Lake or its immediate environs. These monies may also be used to engage support staff such as landscape architects and additional personnel, if deemed necessary by the Town Commission, following established Town procedures.

g) Tree protection during construction. The protection measures described in this subsection are based on those in the Tree City USA Bulletins published by The National Arbor Day Foundation: "How to Save Trees During Construction" (No. 8, 1998), "A Systematic Approach to Building with Trees" (No. 20, 1998), and "How to Protect Trees During Underground Work" (No. 35, 1998). These publications are hereby adopted and included by reference herein. These publications shall be used to supplement the required protection measures. They also provide information on the economic value of trees to developments and their incorporation into designs as well as guidelines on professional tree care, tree planting and tree transplanting.

1) Within the Town, it shall be unlawful for any person, during the construction of any structures or other improvements to place solvents, material, construction machinery or temporary soil deposits within the drip line of any tree not permitted to be removed and/or all trees that are retained or replaced pursuant to the clearing and tree permit. This provision includes soil that is placed in the drip-line permanently for the purpose of a grade change, unless the grade is changed according to the guidelines described in the publication Tree Protection Manual for Builders and Developers, Florida Division of Forestry, Department of Agriculture and Consumer Services Publications.

2) Protective barricades shall be constructed (prior to any clearing, grading or filling) around all trees and vegetation designated to remain. These barricades shall be located at the Critical Protection Zone (CPZ) of the trees or vegetation and shall meet the requirement of the Tree Protection Detail provided in this chapter. Where this cannot reasonably be accomplished, the applicant will locate the barricade as close to one (1) foot away from the tree trunk for every inch DBH as is practical or reasonable, when approved by the Town Manager or his/her designee, (e.g. twelve inches (12") DBH tree = twelve feet (12') radius tree protection circle, or 24' diameter). The barricade should be rigid and sturdy enough to survive the construction period.

3) In lieu of constructing the barriers, large areas containing protected trees where no land preparation or other development activities of any kind will occur, may be designated on a tree removal application. The designated area shall be protected by placing stakes a maximum of twenty-five (25) feet apart along the outside perimeter of the area and tying clearly visible plastic tape, ribbon or rope, from stake to stake. The perimeter line shall be outside of the drip line of any protected tree within the designated area.



TREE BARRICADE:

2" X 4" WOOD FENCING WITH FLAGGING. THE BARRICADE SHALL BE PLACED SO AS TO PROTECT THE CRITICAL PROTECTION ZONE (CPZ).

A = DIAMETER OF PROTECTED TREE IN INCHES MEASURED 4–1/2 FEET ABOVE GRADE.

B = CRITICAL PROTECTION ZONE (CPZ) RADIUS. THAT AREA SURROUNDING A TREE WITHIN A CIRCLE DESCRIBED BY A RADIUS OF ONE FOOT FOR EACH INCH OF THE TREE'S DIAMETER (A) AS DESCRIBED ABOVE.

TREE PROTECTION DETAIL

4) Absolutely no fill, building materials, trash or other objects shall be placed inside these barriers. If fill is deposited adjacent to these areas, a suitable silt fence shall be constructed to prevent siltation of the barricaded area.

5) Barricades are to be adequately maintained and shall remain in place until their removal or modification is approved in writing. Failure of the applicant to properly locate and/or maintain the barricade may result in the issuance of a class I or class II citation (depending on the magnitude of the violation). Issuance of a stop work notice ("red tag") and the requirement that the applicant provide a restoration plan to the Town Commission (or some combination of these, as determined appropriate by the Town Manager or his/her designee).

6) No equipment, construction materials or debris shall be placed within the protective barrier.

7) No equipment shall be cleaned within a protective barrier or perimeter line.

8) Protective barriers shall remain in place until all construction activity is terminated.

9) No fuel, paint, solvent, oil, thinner, asphalt, cement, grout or any other construction chemicals of any kind shall be stored or be placed within the protective barrier.

10) No attachments or wires other than those of a non-damaging nature shall be attached to any tree.

11) To assure the protection of trees during construction activities, the developer shall avoid the following kinds of activities:

    A) Mechanical injury to tree roots, trunks, and branches;

    B) Injuries by chemical poisoning;

    C) Injuries due to grade changes; or

    D) Injuries due to paving.

12) Swaling and minor negative grade changes should always be designed around the dripline area as much as possible. Any exposed roots shall be trimmed and painted. Piping should be used where deep swales or ditches would require significant grade adjacent to trees.

13) Trenching of any type should be avoided in the dripline area. Where underground installations are required adjacent to the trunks of specimen trees, tunneling should be used. When trenching or tunneling near trees to remain, protective measures should be taken as specified in Tree Protection Manual for Builders and Developers.

14) Tree wells of an approved design shall be constructed around all trees where over four (4) inches of fill is proposed within the dripline area. Design shall generally be as specified in Tree Protection Manual for Builders and Developers; published by the Florida Department of Agriculture and Consumer Services, Division of Forestry, latest edition. Specific details shall be approved by the Town Manager or their designee and where the Town deems appropriate.

15) For palm trees, the posts shall be placed at points not closer than six (6) feet from the trunk.

h) Remedial procedures.

1) Remedial site reclamation and tree care procedures shall be implemented by a certified arborist, when development activities have caused damage to either the tree or the tree's growing site, and that damage is repairable.

2) Remedial site reclamation and tree care procedures shall be implemented by a certified arborist, when an existing tree is relocated and used to meet requirements of this chapter.

3) If encroachment is anticipated or has happened, the following practices shall be employed to improve survivability.

A) Pruning.

1. The pruning of a tree in anticipation of construction damage may provide compensation for potential root loss and produce an invigorating response.

2. A tree that has suffered root damage becomes stressed because the root system no longer provides sufficient water and nutrients for the existing crown. This stress becomes evident with the appearance of "staghorns" or deadwood within the tree's crown. Once a tree has had construction damage, it is advisable to delay pruning one to three years until the deadwood becomes evident. Pruning for deadwood removal is then recommended.

3. The removal of live plant tissue from a construction-damaged tree can accelerate the tree's decline.

4. Pruning of root-severed trees may reduce the possibility of wind throw.

5. Trees that have not been affected by construction activities can be pruned for maintenance of the tree's health, appearance, and safety, utilizing acceptable arboricultural practices.

6. Pruning specifications as provided in the latest version of ANSI A300 shall be used in all pruning cases.

7. The pruning of specimen trees may be subject to Planning and Development approval.

8. All cabling work and other structural support supplemental systems shall be installed in accordance with the latest edition of ANSIA 300 American National Standard for Tree Care Operations - Trees, Brush, and Other Woody Plant Maintenance - Standard Practices on Support Systems and Cabling.

9. Any lightning rod protection shall be installed in accordance with American National Standard for Tree Care Operations - Trees, Brush and Other Woody Plant Maintenance Standard Practices on Lightning Protection.

B) Roots outside barricade. All roots outside of the protective barricade to be removed during the development shall be severed clean, and a two-inch layer of mulch shall be applied over the surface of exposed roots during development.

C) Fertilizer.

1. Fertilizer applications will enhance the vigor of trees stressed by site disturbances, thereby promoting root development.

2. Information regarding appropriate fertilizers and application rates may be obtained in the latest edition of ANSI A 300 - American National Standard for Tree Care Operations - Trees, Brush and Other Woody Plant Maintenance - Standard Practices on Fertilization.

D) Soil.

1. A tree's ability for adequate root development, and ultimately its chances for survival, is improved with reclamation of the growing site.

2. Wherever possible, the soil should be brought back to its natural grade.

3. Unnecessary fill, compaction, erosion sedimentation, concrete washout, and construction debris should be removed.

4. When machinery is required for site improvement, it is recommended that a "Bobcat" or similar lightweight, rubber-tired vehicle be used so as to minimize soil compaction.

5. Compacted soil within the tree protection zone of trees should be aerated.

a. This is best accomplished with a two-inch-diameter auger.

b. Holes should be drilled to a depth of six (6) to twelve (12) inches, approximately two (2) to three (3) feet apart and radiating outward from the tree's trunk in a bicycle-spoke configuration.

c. This aeration technique is also recommended for areas affected by minor fill or the sedimentation of erosion materials.

6. The air exchange, nutrient, and water-holding capacities of soils can be improved with soil amendments. This is best accomplished by backfilling holes from aeration, with mineral amendments such as perlite, vermiculite, isolite, and the like.

E) A four (4) to six (6) inch layer of mulch material, such as pine straw, pine bark, or wood chips, spread within the tree protection zone of trees on construction sites is extremely beneficial. Benefits include:

1. Conservation of soil moisture;

2. Reduced rainfall runoff and erosion;

3. Reduced soil compaction from construction activities;

4. Reduced competition from grasses and weeds;

5. Increased soil fertility;

6. Improved soil structure;

7. Moderation of soil temperature, with a subsequent increase in root development activity.

i) Tree preservation credit eligibility. To receive credit for the preservation of an existing protected tree, the following requirements must be met:

1) Fifty (50) percent of the land surface area within the dripline of the tree shall be naturally preserved or provided with pervious landscape material and shall be maintained at its original grade with no trenching or cutting of roots in this area.

2) The tree shall not be damaged from skinning, barking or bumping which is potentially lethal to the tree.

3) There shall be no evidence of active insect infestation potentially lethal to the trees.

4) Impervious surfaces shall maintain minimum clearance from the bases of all trees to be protected. Trees fifteen (15) inches DBH or less shall have a minimum clearance of six (6) feet. Trees over fifteen (15) inches DBH up to twenty (20) inches DBH shall have a minimum clearance of nine (9) feet. Historic and trees over twenty (20) inches DBH shall have a minimum clearance of twelve (12) feet.

j) Credit for preservation of existing trees. Credit shall be given for the preservation of existing trees which are properly protected and which meet the following criteria:

1) Such trees must meet the requirements of this chapter for location, spacing and type of tree.

2) Any existing canopy trees which have a minimum six (6) inch DBH shall provide credit on a one tree inch-for-one tree inch basis for any tree requirements found herein. Groups of trees smaller than six (6) inch DBH are encouraged to be preserved as well. The total of all tree inches in the group shall be shown on the tree survey to receive the preservation credit.

3) Each one (1) inch DBH of specimen canopy tree preserved shall correspond to a one (1) inch caliper per tree credit toward replacement tree stock. Regardless of caliper inch credit, the requirements of this chapter must be met.

4) Each one (1) inch DBH of specimen canopy tree relocated shall correspond to a one (1) inch caliper per tree credit toward replacement tree stock. The tree(s) must receive remedial procedures as specified in this chapter (Remedial Procedures). The tree(s) are also subject to inspections by the Town and replacement if necessary as specified in this chapter (Maintenance).

k) Violations and enforcement.

1) If the Town Manager or their designee finds that any of the provisions of this chapter are being violated, he or she may issue a stop work order and shall, in writing, notify the owner of the property and/or the general building contractor.

2) Written notification shall indicate the nature of the violation and/or the action necessary to correct the violation.

3) Such remedial action shall be in accordance with this section.

4) The issuance of a clearing and tree permit, and the failure to substantially erect building improvements within twelve (12) months, combined with removal of trees in the buildable area and the building site, shall be deemed as violations of this chapter.

5) Removal of a protected tree without approval is unlawful and is a second degree misdemeanor. In addition to code enforcement proceedings and criminal prosecution for a violation of this ordinance the Town may sue the violator for damages and injunctive relief. Any and all attorney's fees and costs incurred improving a violation in a civil proceeding shall be recoverable by the Town of Lady Lake.

6) However, no penalty shall exceed the penalty provided by state law for similar offenses.

7) Each tree removed or destroyed in violation of this chapter represents a separate offense.

8) Each day of violation also represents a separate offense.

9) Any person, firm, organization, society, association or corporation, or any agent or representative thereof, who commits, participates, or assists in such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

10) Notwithstanding the requirements of this section, tree replacement is a separate matter governed by Section 5 (Tree Protection).

l) Waivers and appeals.

1) Waivers. Town Commission may grant a waiver to provisions of this chapter where the applicant demonstrates that the literal interpretation of the ordinance will deny the applicant reasonable use of property or where such waiver can be demonstrated to be consistent with purpose and intent of the ordinance.

2) Waivers. Town Commission may grant a waiver to provisions of this chapter where the applicant demonstrates that existing trees will be protected and preserved to become a public benefit.

3) Appeals. Any person adversely affected by the enforcement or interpretation of this article may appeal to the Town Commission within thirty (30) days, and all procedures specified in the zoning provisions of the Code shall be used for such appeal.

m) <u>Contractor Registry</u>

Landscapers and Tree Trimming/Removal Contractors may register with the Town of Lady Lake on an annual basis. The fee shall be $30.00 per year, or as amended, to maintain registry. Decals shall be issued and affixed to each vehicle performing work in association with the company. There shall be a charge of $5.00 per decal in excess of one (1) for the company's fleet. Decals shall be conspicuously displayed on the driver's side windshield for identification.

MINUTES OF THE SPECIAL WORKSHOP MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA
September 24, 2015

The Special Workshop meeting of the Lady Lake Town Commission began at the parking lot to the right of the entrance gate of Water Oak at 22 Water Oak Blvd., Lady Lake, Florida. The meeting convened at 8:00 a.m.

PRESENT: Mayor Ruth Kussard; Commissioner Paul Hannan, Commissioner Tony Holden; Commissioner Jim Richards; Commissioner Dan Vincent; Town Manager Kris Kollgaard; Growth Management Director Thad Carroll; Deputy Town Clerk Nancy Slaton; Water Oak/Sun Communities Representatives - Michael Machikas, Lara Parker & Jim Franklin; Phil Bohland-Water Oak; Rachel Whetstone of the Daily Sun; Angela Love of the Villages-News.com.

Sun Communities provided golf carts to tour the community which commenced a few minutes after 8 a.m. The purpose of the tour was to view trees of concern mentioned by Commissioner Dan Vincent, and served to clarify some misunderstandings regarding why some trees are being removed and how to measure the trees.

Following the tour of the Water Oak Community, the Town Commission convened at the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida at 9:00 a.m. with Mayor Ruth Kussard presiding.

1. CALL TO ORDER

2. ROLL CALL: Tony Holden, Commissioner Ward 2
Dan Vincent, Commissioner Ward 3
Paul Hannan, Commissioner Ward 4
Jim Richards, Commissioner Ward 5
Ruth Kussard, Mayor/Commissioner Ward 1

STAFF MEMBERS PRESENT: Kris Kollgaard, Town Manager/Town Clerk; Thad Carroll, Growth Management Director; and Nancy Slaton, Deputy Town Clerk

3. Public Comment

Mayor Kussard asked if there were any comments or questions. There were no comments or questions.

4. Discussion/Direction Regarding Changes to Land Development Regulations (LDRs) Regarding Tree Requirements and Sign Regulations

Town Manager Kris Kollgaard reported that one of the first things she noticed after this morning's tour was that the Town needs to clarify how the trees are measured to determine if they are historic. She stated another problem staff encounters is that as soon as someone sees that a tree is marked with a ribbon, they assume that it is a historic tree. Ms. Kollgaard stated that she and Mr. Carroll have discussed having different color ribbons to mark historic trees to be saved and those that are not coming down.

Commissioner Richards suggested just putting an X on those to come down and only put a ribbon on those that are being saved.

Commissioner Hannan stated there should be a time limit on how long the trees should be marked for trees that are to be saved.

Growth Management Director Thad Carroll stated that after the tree clearing occurs, staff would tell them to remove all ribbons once the inspection has taken place.

Ms. Kollgaard asked if historic trees should be marked differently.

Commissioner Richards stated that residents will be calling if they have any questions, regardless of whether it is marked with an "X" or a ribbon.

After discussion, it was agreed that an "X" would be spray painted on trees to be cut down, and a ribbon would tied on trees to be saved.

Commissioner Hannan asked if there is a particular time period for a tree to be cut down once it has been X'd.

Mr. Carroll replied that six months is given to take out the tree once the permit is pulled.

Commissioner Holden asked if the measurement designating a historic tree should be changed.

Commissioner Richards replied that he thinks the current 36" diameter/113" circumference is a fair measurement as it takes a lot to grow that size tree.

Ms. Kollgaard stated that she has checked with other cities and they also use the 36" diameter measurement for a historic tree.

After discussion, the Commissioners agreed to keep the 36" measurement designating a historic tree.

Commissioner Vincent commented that he better understands how to measure for a historic tree after this morning's tour and that he also learned how a tree with two trunks is measured.

Mr. Carroll explained that a bifurcated tree is measured at 4 1/2 ft. height, and if the trunk is split at that height, each trunk is measured and the two measurements are added together for a total diameter measurement.

Ms. Kollgaard stated that contractor registration was discussed at the last meeting. She stated that the current process for hat-racked trees is that they go to code enforcement, then an arborist's report must be provided by the owner after a year to see if the tree will survive. She stated some residents complain about the look of the tree in the interim, and asked if the Commission wanted to consider encouraging residents to remove hat-racked trees now and replace them using the tree bank.

Mayor Kussard stated residents like the trees until they make a mess and then they are cut down. She stated she would like to discourage residents from hat-racking.

After discussion, the Commission agreed to leave the ordinance as is regarding hat-racked trees.

Ms. Kollgaard stated a lot of public outreach is planned to make residents aware of the new contractor registration and regulations regarding tree trimming and removal. She stated the police department's new electronic radar display sign can be utilized, and she has spoken with Janet Tutt about distributing door hangers. Ms. Kollgaard stated information can also be put on the water bills. She stated that the ultimate responsibility falls on the homeowner and this will help educate them.

Commissioner Vincent stated he could distribute information to Water Oak residents by including it in their monthly newsletter, and he asked Commissioner Holden if he could distribute information through his HOA.

Commissioner Holden stated there are 53 homes in his area and he could go door to door. He asked if the fines need to be tightened up for destroying a historic tree.

Mr. Carroll stated the proposal is to charge $100 for a permit to remove a tree greater than 36", and then the owner has to replace it with three trees of at least four caliper inches, or a contribution of $150.00 per tree ($450 for three trees) must be paid to the tree bank.

Commissioner Vincent stated that Water Oak has removed at least seven historic trees with permits and asked if the trees will be replaced.

Mr. Carroll stated the proposed ordinance for replacement trees is not yet in place, but Water Oak is required to pay $500 per historic tree removal to the tree bank under the current ordinance.

Ms. Kollgaard commented that there is currently $3,000 in the tree bank. She clarified that the current ordinance requires that if a tree is removed, the stump must also be removed.

Commissioner Hannan asked if there is any recourse if the stump is not removed.

Mr. Carroll replied that code enforcement will follow up as long as it is visible from the public right of way.

Ms. Kollgaard stated that code enforcement officers do not have the authority to go on a property without permission.

Ms. Kollgaard asked the Commissioners if they were in agreement with increasing the fines for multiple violations as suggested by Commission Holden.

After discussion, the Commissioners agreed that the fines for more than one violation should be tripled.

Ms. Kollgaard stated that the proposed ordinance contained the language *propose to qualify trees within ten feet of the exterior wall of the principal structure as a hazardous tree*. She stated that it was discussed at the last meeting to strike *principal structure* and use *any structure*.

Commissioner Richards suggesting using "permitted structure" instead of "principal structure" to make it legal, and the Commissioners agreed on this.

Mr. Carroll stated they could also put that the ten feet shall be measured from the trunk of the tree to the base nearest adjacent structure.

Commissioner Vincent mentioned that he has heard very nice comments about the Town's code enforcement officer.

Commissioner Hannan stated that The Villages Deed Compliance has also had nice comments about him and that they enjoy working with him.

Ms. Kollgaard asked if anyone had any suggestions regarding trees effecting sidewalks and driveways.

Commissioner Hannan stated it is better to cut the roots and put down a root barrier rather than cut down the tree. He stated The Villages will send out an arborist to evaluate the situation if a resident applies to cut down a tree due to the roots lifting up a driveway.

Commissioner Vincent stated he received a letter from a resident in Water Oak regarding this subject, and it was agreed this may be a legal issue between the resident and the Water Oak developers.

Mr. Carroll stated that when residents reach out to the Town regarding a driveway issue where tree roots are lifting it, staff's first course of action is to have them contact an arborist to see if a root barrier would correct the situation, and if it cannot be corrected, then the Town would accept the arborist's recommendation.

Commissioner Holden asked what a root barrier consists of.

Commissioner Richards stated it is some type of fabric which does not allow roots to spread through it, and may contain a chemical as well.

Ms. Kollgaard confirmed that there will be no change in the ordinance regarding sidewalks and driveways.

Commissioner Vincent stated he will suggest to Sun Communities that they contact an arborist if there is any dispute in that regard.

Commissioner Hannan asked if arborists register with the Town.

Mr. Carroll replied that it is not required, but staff verifies their ISA number (like a professional engineer number) on a database when they come in.

Ms. Kollgaard stated that staff has discussed having the code enforcement officer pop in on an occasional weekend, taking another day off during the week to make up for it, as it was discussed that a lot of tree trimming goes on during the weekend, and the Commissioners agreed this would be a good idea. It was also discussed that the police non-emergency line at (352) 751-1560 can be called to turn in a complaint of this nature on the weekend and a police officer will respond.

Ms. Kollgaard stated that staff will work on the changes to the tree ordinance as discussed today and previously and will bring it back to the Commission in draft form at a later date along with information regarding contractor registration, although not at the next Commission meeting.

Commissioner Holden suggested that the Town consider setting aside a certain amount out of the tree bank to give away free live or water oak trees of 3-4" diameter to residents. He stated residents could apply for the free tree give-away.

Commissioner Vincent suggested this could be done in conjunction with the Arbor Day ceremony.

After discussion, the Commissioners agreed the Town could arrange to give away approximately 50 trees costing just under $5,000 so that three quotes can be obtained rather than putting the purchase through the bid process. They also agreed residents could apply and a drawing could be held during the Arbor Day ceremony.

5. ADJOURN: There being no further discussion; the meeting was adjourned at 9:57 a.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: Monday, November 9, 2015

SUBJECT: **Ordinance 2015-19 - An Ordinance of the Town of Lady Lake, Lake County, Florida; Amending the Town of Lady Lake Land Development Regulations Chapter 10, Section 5, Entitled "Tree Protection"**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDED MOTIONS:

1. **Motion to forward Ordinance 2015-19- Amending the Town of Lady Lake Land Development Regulations Chapter 10, Section 5, Entitled "Tree Protection", to the Town Commission with the recommendation of approval.**

2. **Motion to forward Ordinance 2015-19- Amending the Town of Lady Lake Land Development Regulations Chapter 10, Section 5, Entitled "Tree Protection", to the Town Commission with the recommendation of denial.**

Staff is in support of Motion Number 1

SUMMARY:

On September 24, 2015, the Town Commission of the Town of Lady Lake held a special workshop to discuss potential changes to Section 5 of Chapter 10 of the Land Development Regulations entitled "Tree Protection". As a result of the field tour that was held in the community of Water Oak Country Club Estates on that morning, and the discussion that followed, the proposed changes have been proposed:

- Trees have been determined to be substantially damaged through improper trimming as per a report provided by the Town Arborist, shall be required to be removed within 30 days of the finding of violation; this replaces the current policy of allowing a year to elapse before the tree is re-inspected for a determination of recovery; an appeal process before the Special Magistrate is still afforded to the violator if they wish to contest the violation.

- The removal of any tree historic or non-historic, in which the trunk of the tree measured at ground level is within ten (10) feet to the nearest adjacent wall of a permitted structure on the property. A root barrier shall be installed in lieu of the removal of trees near to sidewalks, driveways, and unscreened/non-enclosed patios. Where substantial damage has already occurred to such areas, a report

from a Certified Arborist may be provided as justification for the removal of the tree if it is the recommendation of the arborist to remove the tree to avoid further damage.

- Trees accommodated by an arborist report documenting that the Tree is diseased or dying shall incur a $25 fee (per tree) for removal, regardless of the DBH measurement of the tree. Report shall be provided to Town Staff prior to removal. If the tree has been removed before Town Staff has received the report, fees and replacement of trees shall be done in accordance with the after the fact permit policy. (For application on Residential Lots)
- Commercial Removal of Historic Trees granted through the Variance process shall be required to pay at time of application of tree removal, not within 30 days of the Variance approval. Should the property not be developed immediately following the variance approval; this allows a potential subsequent purchaser of the property to revisit if removal of tree is necessary for their particular use of the property.
- Revised requirement that requires trees to be more conspicuously marked for removal from the public right-of-way.
- Revised Tree Permit Fees.
- Additional planting requirements for "after the fact" tree removal permits.
- Establishment of a voluntary contractor registry for Landscaping and Tree Trimming/Tree Removal Contractors.

Public Hearings

The Parks, Recreation, and Tree Advisory Committee will review the proposed changes to Chapter 10, Section 5 (Ordinance 2015-19), at their Special Meeting on Tuesday, November 10, 2015.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2015-19 for first reading on Monday, November 16, 2015 at 6:00 p.m. The second and final reading will be held on Monday, December 7, 2015 at 6:00 p.m.

FISCAL IMPACT: $ -0- [ ] Capital Budget

[ ] Operating [ ] Other

ATTACHMENTS: [x] Ordinance(s) [ ] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD		Submitted 11/2/15	Date
FINANCE DEPARTMENT		Approved as to Budget Requirements	Date
TOWN ATTORNEY		Approved as to Form and Legality	Date
TOWN MANAGER		Approved Agenda Item for: 11/9/15	Date 11/24

06
11-2-15

COMMISSION ACTION: [✓] Approved as Recommended [ ] Disapproved
CHASSON/MCKENZIE 4-0

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

cc: THAD - G. M.

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: Monday, November 16, 2015 – First Reading

---

SUBJECT: **Ordinance 2015-19 –An Ordinance of the Town of Lady Lake, Lake County, Florida; Amending the Town of Lady Lake Land Development Regulations Chapter 10, Section 5, Entitled "Tree Protection".**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDED MOTION:

Staff Recommends approval of Ordinance 2015-19- Amending the Town of Lady Lake Land Development Regulations Chapter 10, Section 5, Entitled "Tree Protection".

SUMMARY:

On September 24, 2015, the Town Commission of the Town of Lady Lake held a special workshop to discuss potential changes to Section 5 of Chapter 10 of the Land Development Regulations entitled "Tree Protection". As a result of the field tour that was held in the community of Water Oak Country Club Estates on that morning, and the discussion that followed, the proposed changes have been proposed:

- Trees have been determined to be substantially damaged through improper trimming as per a report provided by the Town Arborist, shall be required to be removed within 30 days of the finding of violation; this replaces the current policy of allowing a year to elapse before the tree is re-inspected for a determination of recovery; an appeal process before the Special Magistrate is still afforded to the violator if they wish to contest the violation.

- The removal of any tree historic or non-historic, in which the trunk of the tree measured at ground level is within ten (10) feet to the nearest adjacent wall of a permitted structure on the property. A root barrier shall be installed in lieu of the removal of trees near to sidewalks, driveways, and unscreened/non-enclosed patios. Where substantial damage has already occurred to such areas, a report from a Certified Arborist may be provided as justification for the removal of the tree if it is the recommendation of the arborist to remove the tree to avoid further damage.

- Trees accommodated by an arborist report documenting that the Tree is diseased or dying shall incur a $25 fee (per tree) for removal, regardless of the DBH measurement of the tree. Report shall be provided to Town Staff prior to

removal. If the tree has been removed before Town Staff has received the report, fees and replacement of trees shall be done in accordance with the after the fact permit policy. (For application on Residential Lots)

- Commercial Removal of Historic Trees granted through the Variance process shall be required to pay at time of application of tree removal, not within 30 days of the Variance approval. Should the property not be developed immediately following the variance approval; this allows a potential subsequent purchaser of the property to revisit if removal of tree is necessary for their particular use of the property.
- Revised requirement that requires trees to be more conspicuously marked for removal from the public right-of-way.
- Revised Tree Permit Fees.
- Additional planting requirements for "after the fact" tree removal permits.
- Establishment of a voluntary contractor registry for Landscaping and Tree Trimming/Tree Removal Contractors.

Past Actions

The **Parks, Recreation, and Tree Advisory Committee** will review the proposed changes to Chapter 10, Section 5 (Ordinance 2015-19), at their Special Meeting on Tuesday, November 10, 2015.

At the November 9, 2015 meeting, the **Planning and Zoning Board** voted 4-0 to forward Ordinance 2015-19 to the Town Commission with the recommendation of approval.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2015-19 for second/final reading on Monday, December 7, 2015 at 6:00 p.m.

FISCAL IMPACT: $ -0- [ ] Capital Budget

[ ] Operating [ ] Other

ATTACHMENTS: [x] Ordinance(s) [ ] Resolution [ ] Budget Resolution

[ ] Other

[ ] Support Documents/Contracts Available for Review in Manager's Office

11-10-15

DEPARTMENT HEAD **Submitted** 11/10/15 **Date**

FINANCE DEPARTMENT **Approved as to Budget Requirements** **Date**

TOWN ATTORNEY Approved as to Form and Legality Date

TOWN MANAGER K Approved Agenda Item for: 11/14/15 Date 11/10/15

COMMISSION ACTION: [ ] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[✓] Approved with Modification - CHG "RESIDENT" TO LOT OWNER
YIN/HOL 5-0

CC: THAD-G.M.

ORDINANCE 2015-19

AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA; AMENDING THE TOWN OF LADY LAKE LAND DEVELOPMENT REGULATIONS CHAPTER 10, SECTION 5 ENTITLED "TREE PROTECTION"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan (Ordinance No. 91-21) pursuant to the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on January 23, 1992, the Florida Department of Community Affairs determined that the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

WHEREAS, on August 15, 1994, the Town of Lady Lake adopted the Land Development Regulations of the Town of Lady Lake, Florida in accordance with the Town of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part II, Florida Statutes; and

WHEREAS, pursuant to the provisions of the Town of Lady Lake Land Development Regulations, the proposed amendments to the Land Development Code which is attached hereto as Exhibits "A" is recommended to the Town Commission of the Town of Lady Lake that said amendment be adopted; and

WHEREAS, the Town of Lady Lake has elected to amend Chapter 10 Section 5 of the Land Development Regulations finding it is in the best interests of the Town of Lady Lake and promotes the general welfare of its citizens.

BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA:

Section 1. <u>Amendment</u>.

"The Land Development Code of the Town of Lady Lake, Florida," dated August 15, 1994 (the "Land Development Code") is hereby amended as provided below:

Chapter 10 Section 5 of the Land Development Regulations entitled "Landscaping and Tree Protection" is deleted and replaced in its entirety as set forth in Exhibit "A", attached hereto and incorporated herein.

Section 2. <u>Severability</u>.

If any section, sentence, clause, phrase or word of this Ordinance is for any reason held, or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not effect the remaining portions of this ordinance; and it shall be construed to have been the Town Commission's intent to

pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts, shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to
any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not effect the applicability thereof to any other person, property or circumstances.

Section 3. **Conflicts.**

All ordinances or part of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 4. **Codification.**

The provisions of this Ordinance shall be codified as and become part of the Codes of Ordinances, Town of Lady Lake. The sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section", "Article", or other appropriate word.

Section 5. **Applicability.**

This Ordinance does not have retroactive applicability and does not apply to applications filed prior to the effective date of this Ordinance.

Section 6. **Effective Date.** This ordinance shall become effective upon adoption.

PASSED AND ORDAINED this ____ day of _____, 2015, in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the second and final reading.

_____
Ruth Kussard, Mayor

ATTEST:

_____
Kristen Kollgaard, Town Clerk

Approved as to Form:

_____
Derek Schroth, Town Attorney

EXHIBIT "A"

Sec. 10-5. - Tree protection.

a) Prohibitions. Unless exempted herein, it shall be unlawful and subject to the penalties provided herein for any person, directly or indirectly by another on his behalf, to:

1) Remove, relocate, destroy or damage any protected tree as defined herein on any site or tract (including single-family, residential lots) without first obtaining a clearing and tree permit or development order;

2) Perform any land clearing or grubbing unless a clearing and tree permit, if required, has been issued and is posted onsite; or

3) Perform tree removal, land clearing, grubbing, grading, excavation, construction, or to make or install any improvement upon any site or tract, regardless of the existence of valid permits or approvals for the given activity, unless each protected tree to be preserved pursuant to this chapter has been marked by a highly visible band, and unless all protected areas established pursuant to this chapter have been surrounded by a protective barrier,

4) Attach anything to a protected, historic, or specimen tree other than supportive wires, braces or other similar non-injurious materials,

5) Cause or allow the disposal of waste material such as paint, oil, solvents, asphalt, concrete, mortar or any other material harmful to the life of a protected, specimen or historic tree within the dripline of such tree or groups of trees.

6) Use climbing spurs or other similar device to aid in the climbing of a live protected tree, where such device causes the puncture or tearing of tree bark.

7) Introduce any type of poison or reactive material to a protected tree for the purpose of causing it to die or become weakened.

8) Prune a protected canopy tree in a manner which will not allow the tree to reach a mature canopy spread. Excessive shearing, pruning or shaping includes but is not limited to hat racking, topping, poodle trimming, lion's tailing and pollarding. Code enforcement shall cite property owners who are found to have improperly trimmed or pruned protected canopy species upon a determination and report by the Town Arborist, or other designated arborist, the tree has indeed been improperly trimmed and sustained substantial injury and is not likely to recover. A Citation shall require that the tree be removed within 30 days of the determination of the violation and replaced in accordance with the after the fact tree permitting criteria based upon the specie and size of the tree which was removed. If the property owner wishes to appear~~ance~~ before the Special Magistrate to contest the violation, ~~at which time~~ an administrative fee of eighty-seven dollars ($87.00) ~~administrative fee~~ shall be assessed and the violation will be heard by the Special Magistrate. Upon a finding that the violation stands, the administrative fee shall be paid in addition to satisfying the tree replacement criteria, and additional liens may also begin to accrue for non-compliance with the order of the Special Magistrate's order. If the violation is dismissed, no administrative fees shall be paid to the Town. ~~documented for a one (1) year follow-up to revisit the tree and assess the tree's condition~~. ~~At time of the one (1) year follow-up inspection, should the tree be found not to have recovered to a satisfactory state of health as evidenced by field inspection and by documentation from a certified arborist or registered landscape architect at the owner's expense, the owner shall file a tree removal permit and the tree shall be removed immediately. Should the tree be found to be "historic" (in excess of 36" DBH) a five hundred dollars ($500.00) fee shall be assessed if by removing the tree causes the minimum canopy tree per lot requirements not to be met.~~

These regulations apply to newly installed trees as well as established trees.

b) Exemptions. None of the following exemptions shall apply to any upland native plant community conservation area or wetland conservation area. The burden of proving entitlement to any particular exemption shall lie with the person claiming use of the exemption, in the event the exempted activity ever becomes subject to an enforcement action. Notwithstanding anything to the contrary within this Code, the following activities shall be lawful without application or issuance of a clearing and tree permit:

1) The removal, trimming, pruning or alteration of any unprotected tree as defined herein or other vegetation as necessary for:

A) The clearing of a path, not to exceed four (4) feet in width, to provide access or view necessary to conduct a survey or site examination for the preparation of subdivision plats, site plans, or tree surveys; or

B) The clearing of a path, not to exceed ten (10) feet in width, to provide vehicular access necessary to conduct soil testing, provided that the clearing or removal is conducted under the direction of a Florida registered surveyor or engineer.

2) Routine landscape maintenance, such as trimming or pruning of vegetation, which is not intended to result in the eventual death of the plants, mowing of yards or lawns, or any other landscaping or gardening activity which is commonly recognized as routine maintenance or replacement.

3) The removal, trimming, pruning or alteration of any tree or vegetation in an existing utility easement or right-of-way, provided such work is done by or under the control of the operating utility company and said company has received all necessary licenses or permits to provide utility service within the easement.

4) The removal, pruning, trimming or alteration of any tree or vegetation for the purpose of maintaining existing access to a property.

5) Any activity conducted by a lawfully operating and bona fide commercial nursery, tree farm, agricultural operation, silvicultural operation, ranch, or similar operation pursuant to State and Town requirements, when the activity occurs on property owned or lawfully occupied by the person conducting said activity and is done in pursuit of said activity. This exemption shall include the purposeful removal of a tree or trees for their permanent relocation at another site undergoing development. When land clearing or tree removal has been performed under this exemption based upon the use of property for an agricultural or silvicultural operation, the following shall apply:

A) No land development order shall be approved for any non-agricultural or non-silvicultural use or improvement on the same site within two (2) years of the completion of such land clearing or tree removal.

B) Pertaining to silviculture, operations are encouraged to implement a State Division of Forestry approved management plan, including a reforestation plan for harvested lands.

C) Pertaining to silviculture and agriculture, operations within wetlands will need to secure a Notice of Intent from the St. Johns River Water Management District before any clearing or harvesting is initiated.

D) Pertaining to agriculture, operations are encouraged to implement a Soil and Water Conservation District approved conservation plan, including the use of Best Management Practices, as applicable to the specific area being cleared.

E) Trees proposed to be removed in order to construct improvements not reasonably related to bona fide agricultural and silvicultural purposes regardless of when or by whom construction is planned, are not exempt from these provisions.

6) Hazardous trees: If any tree is determined to be in a hazardous or dangerous condition so as to endanger the public health, safety or welfare and requires immediate removal authorization may be given by the Town Manager or his/her designee pursuant to the following procedures:

A) A report by a certified arborist or registered landscape architect stating the tree is in a hazardous or dangerous condition through disease or damage is required prior to removal and shall be submitted to the Town Manager or designee.

B) Replacement requirements herein required apply to any tree or group of trees removed.

C) Upon approval of the Town Manager or designee that the tree is in a hazardous or dangerous condition, the tree may be removed, however, the owner must continue to fulfill permit requirements.

7) Any tree listed within the Undesirable (Prohibited) Tree list, regardless of size.

8) Trees six (6) inches DBH or less, including those listed as Acceptable Plants in this chapter.

9) Trees may be removed without a permit in an emergency situation, as determined by the Town Manager or his/her designee, when a tree is damaged by a hurricane, tornado, tropical storm or other weather event and the tree presents a danger to the public. Trees damaged in a hurricane, tornado, tropical storm or other weather event must be removed immediately after the event. Any tree damaged under this item that has not been removed within 60 days of the event will be required to obtain a permit under item No. 6) above.

10) Stands of pine (Pinus spp.) planted or occurring naturally which would be used in a silvicultural activity are subject to compliance with the most current edition of the Florida Department of Agriculture and Consumer Services silvicultural best management practices (BMP's) described in Silviculture Best Management Practices published by the Florida Department of Agriculture and Consumer Services. This publication is hereby adopted and included by reference herein.

11) The removal of any tree, historic or non-historic, in which the trunk of the tree measured at ground level is within ten (10) feet to the nearest adjacent wall of a permitted structure on the property. A root barrier shall be installed in lieu of the removal of trees near to sidewalks, driveways, and unscreened/non-enclosed patios. Where substantial damage has already occurred to such areas, a report from a Certified Arborist may be provided as justification for the removal of the tree if it is the recommendation of the arborist to remove the tree to avoid further damage.

c) Clearing and tree permit.

1) Purpose. The purpose of these permits are to prohibit the destruction of natural vegetation and the changing of natural grades and drainage problems until a development order or development permit has been approved. Additionally, this section provides for protective measures for both vegetation and soils to be implemented prior to construction. All permits issued for tree removal shall require grinding of the stump to a level at or below grade.

2) Residential Removal of Historic Trees~~/Requirements for variance~~:

A) Residential Single Family Lots and Manufactured Home Lots shall be required to pay a fee of five hundred dollars ($500.00), or as amended, to remove any historic tree on their property that will result in a total of the historic trees numbering less than the required amount of canopy trees for the lot size. Historic trees shall be given priority as the first to satisfy the minimum canopy tree requirements on all residential lots. If the property owner retains a number of historic trees equivalent to the minimum canopy tree requirements, historic trees in excess of the minimum requirements may be removed through a general tree removal permit ~~at a fee of twenty-five dollars ($25.00).~~in accordance with the fee schedule for the size of the tree, or as amended. ~~Removal of~~

~~Historic Trees on residential lots do not require a variance; however, permits to remove any historic tree that will result in a number less than the minimum canopy requirements shall be accompanied by a letter from a certified arborist or registered landscape architect as to why the removal of the tree is necessary.~~ Trees accommodated by an arborist report documenting that the Tree is diseased or dying shall incur a $25 fee (per tree), or as amended, for removal, regardless of the DBH measurement of the tree. Report shall be provided to Town Staff prior to removal. If the tree has been removed before Town Staff has received the report, fees and replacement of trees shall be done in accordance with the after the fact permit policy.

3) Commercial/Non-Residential Removal of Historic Trees:

~~B)~~ A) ~~Any owner of~~ C~~c~~ommercial/non-residential property owners who desire~~s~~ to remove a historic tree shall file an application for a variance. If the applicant seeks a variance to remove more than one tree, the applicant may include as many trees as the applicant desires in one application. Should the applicant include more than one tree in the variance application, the variance fee is sufficient to cover all trees the applicant requests be approved for removal in the one application. Applications shall be brought before the Planning and Zoning Board for recommendation and then to the Town Commission for a final decision. An application for a variance shall not be required if the Town Manager or designee determines that based on an ISA (International Society of Arboriculture) certified or FAA (Florida Arborist Association) certified arborist's report that the tree is dead or so diseased that there is no likelihood of recovery.

B~~C~~) Should the Town Commission approve the applicant's request for tree removal, the applicant, shall ~~within thirty (30) days after the approval~~at time of application for tree removal pay to the Town Tree Bank, three thousand six hundred dollars ($3,600.00) for each thirty-six (36) inch DBH tree plus one hundred dollars ($100.00) per additional inch over the thirty-six (36) DBH tree. This mitigation fee is to offset the loss of each historic tree.

C~~D~~) Developers of any non-residential or multi-family developments, requiring site plan approval are not required to submit an application for a clearing and tree permit but are required to submit a tree survey and landscape plans at the time of site plan submittal so that consideration may be given to the protection of native trees, historic trees, and vegetation.

D~~E~~) Developers of all new subdivisions shall be required to submit an application for a clearing and tree permit along with a tree inventory at the time of initial submittal of the preliminary subdivision plan so that consideration may be given to the protection of native trees, historic trees and vegetation.

E~~F~~) The tree removal permit, if issued, shall specifically identify which trees shall be permitted to be removed. Each tree permitted for removal shall be physically marked with an "X" on the bark being clearly visible from the public right-of-way, using brightly colored paint; or if a group of trees are permitted for removal, the outside perimeter trees of the group may be designated with ~~brightly-colored rope or~~ red tape in lieu of each tree marking.

F~~G~~) Such permit shall automatically expire ~~twelve~~ six (~~12~~6) months after issuance. Trees not removed during the life of the permit may not be removed without the issuance of a new permit based upon a new application.

4) Tree Permit Fees:

6"-20" DBH $25.00 per tree (or group of trees on same property totaling 20"), or as amended

>20"-36" DBH $50.00 per tree, or as amended

>36" DBH $100.00 per tree, or as amended

* For lots which meet or exceed replacement requirement, replacement is not necessary if permits have been issued prior to removal.

5) After the Fact Permits:

a) If a specimen tree (> 20") is removed each tree shall be replaced at a ratio of 2:1, in addition to the fee per tree removed.

b) If a historic tree (> 36") is removed each tree shall be replaced at a ratio of 3:1, in addition to the fee per tree removed.

c) Where replacement cannot be accommodated on-site, or desired, the property owner may contribute $150 per tree to be replaced to the tree bank in lieu of onsite planting, provided the minimum lot requirement is satisfied.

~~3~~6) Submittal requirements:

A) An application for a clearing and tree permit shall be filed on the application provided by the Building Department. Completed applications shall be returned to the Building Department along with the appropriate permit fee, reasons for removal of trees and a scaled site plan.

B) Provisions for replacement trees, as required in section 10-3, shall also be specified, including landscaping plans where required for site plans.

~~4~~7) Criteria for issuance. No clearing and tree permit shall be issued unless the reviewer finds that at least one of the following criteria has been satisfied with respect to each existing tree over six (6) inch DBH that is to be designated for removal under the permit:

A) The tree is located within an existing or proposed right-of-way. Note- streets and rights-of-way shall be located to avoid and minimize the loss of trees. See Site Development guidelines in section 10-4.

B) The tree is located within an existing easement or stormwater maintenance shelf.

C) The tree is located where its continued existence would unreasonably interfere with the physical construction of the improvements on-site or interfere with access to the site by construction equipment. See Site Development guidelines in section 10-4.

D) The tree is located where it creates or will create a safety or health hazard, or a nuisance with respect to existing or proposed structures or vehicle or pedestrian routes, and relocation of the tree on the site is not a feasible alternative.

E) The tree is located where it interferes with the repair, or maintenance of existing utility services to the site.

F) Applicant has proved through multiple site plan alternatives that there is no alternate route or way of developing the site without the removal of the tree(s).

G) The tree is dying or dead so that its restoration to sound condition is not practical, or it has a disease which can be expected to be transmitted to other trees and to endanger their health.

H) The tree is located on a portion of the site to be used for construction of required parking areas or vehicular and pedestrian ingress and egress areas, provided reasonable effort has been made to preserve existing trees over six (6) inches DBH to the extent feasible under this criteria.

I) The tree is located on a portion of the site where structural development is proposed, provided reasonable effort has been made to preserve existing trees over six (6) inches DBH to the extent feasible under this criteria.

J) For all proposed improvements above, the owner shall demonstrate that no reasonable alternative route or development pattern exists through multiple site plan alternatives.

~~5~~8) Permit Expiration. The clearing and tree permit, when issued, shall specifically identify which trees shall be permitted to be removed. Such permit shall expire either at the time of the issuance of the last certificate of occupancy for the subdivision or at the time of issuance of the certificate of occupancy for any commercial, industrial, multifamily or other structure. Trees not removed during the life of the permit may not be removed without the issuance of a new permit based upon a new application.

~~6~~9) Tree removal requirements. A clearing and tree permit authorizes the removal of trees specified within the permit; however, it is not required that all trees specified within the clearing and tree permit be removed by the applicant.

~~7~~10) It shall also be stated within the clearing and tree permit that all replacement trees shall be planted prior to issuance of the certificate of occupancy.

~~8~~11) Replacement trees shall be located onsite. However, if not feasible, the Town Manager or his/her designee may allow planting off-site as a condition of the clearing and tree permit.

~~9~~12) If a property has not begun development within nine (9) months of receiving development approval, re-vegetation shall be required to achieve the Landscaping Requirements of section 10-3.

d) Replacement size criteria.

1) A replacement tree shall be an acceptable canopy tree as defined herein.

2) All trees transplanted or planted pursuant to this ordinance and noted on a tree replacement plan shall be maintained in a healthy, living condition. Any such trees which die shall be replaced by the applicant within three (3) months of Town notification. The Town shall retain perpetual jurisdiction to ensure compliance with this section, and failure to maintain the landscaping shall constitute a violation of the code.

3) Palm trees shall not account for more than twenty-five (25) percent of the required replacement trees.

e) Offsite tree replacement option. If replacement cannot be made on the subject property, the owner or applicant may be allowed to mitigate with replacement of the required trees on a designated recipient conservation or park property within the Town limits. The recipient property shall be acceptable to the Town and shall be suitable for the replacement trees. Mitigated replacement trees shall not count toward meeting minimum requirement of the recipient site for development purposes. The request to utilize this option shall be submitted to the Town Manager or his/her designee in writing and shall include the following justifications and information:

1) Explanation why the trees cannot be replaced on site;

2) A legal description and a copy of the property record information from the Lake County Property Appraiser for the proposed recipient site; and

3) An Affidavit from the owner of the recipient site agreeing to the terms of accepting the mitigated trees as listed above. A conservation easement or similar legally-binding instrument approved by the Town shall be required to ensure that mitigation trees planted at the recipient site will be protected and maintained in perpetuity.

f) Tree bank option. In cases where any or all replacement trees cannot be adequately accommodated on a site, or off-site where applicable, and demonstration of this fact has been confirmed, the developer/owner shall, in lieu of planting the trees, pay a fee to the Town to be placed in a tree replacement fund. Tree replacement and mitigation fees shall be established by Town Commission and shall be updated as necessary to cover the cost of replacing trees, including materials and labor. The payment to the Tree Bank is only for the portion of the required replacement trees that cannot be planted onsite. At a minimum, the replacement fee per tree shall be the average retail, installed cost as quoted by three local landscape contractors or plant nurseries plus an allowance for maintenance for one (1) year.

1) Establishment. A Town of Lady Lake Tree Replacement Trust fund is hereby established as a depository for tree replacement and mitigation fees and monies. All monies deposited in the Tree Replacement Trust shall be deposited in a separate account established and maintained apart from the Town's general revenue funds and accounts.

[2)] Dispersal of assets. The funds in said account shall be expended, utilized and disbursed for the planting of public trees, and to cover any other ancillary costs including but not limited to, landscaping, sprinkler systems and other items or materials necessary and proper for the preservation, maintenance, relocation or restoration of trees on any public or private conservation areas in Town of Lady Lake or its immediate environs. These monies may also be used to engage support staff such as landscape architects and additional personnel, if deemed necessary by the Town Commission, following established Town procedures.

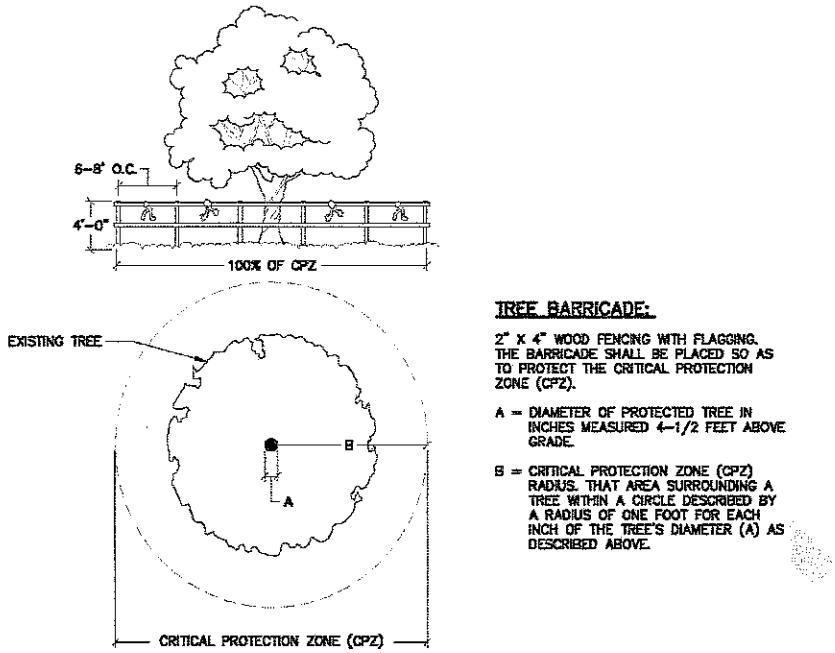
g) Tree protection during construction. The protection measures described in this subsection are based on those in the Tree City USA Bulletins published by The National Arbor Day Foundation: "How to Save Trees During Construction" (No. 8, 1998), "A Systematic Approach to Building with Trees" (No. 20, 1998), and "How to Protect Trees During Underground Work" (No. 35, 1998). These publications are hereby adopted and included by reference herein. These publications shall be used to supplement the required protection measures. They also provide information on the economic value of trees to developments and their incorporation into designs as well as guidelines on professional tree care, tree planting and tree transplanting.

1) Within the Town, it shall be unlawful for any person, during the construction of any structures or other improvements to place solvents, material, construction machinery or temporary soil deposits within the drip line of any tree not permitted to be removed and/or all trees that are retained or replaced pursuant to the clearing and tree permit. This provision includes soil that is placed in the drip-line permanently for the purpose of a grade change, unless the grade is changed according to the guidelines described in the publication Tree Protection Manual for Builders and Developers, Florida Division of Forestry, Department of Agriculture and Consumer Services Publications.

2) Protective barricades shall be constructed (prior to any clearing, grading or filling) around all trees and vegetation designated to remain. These barricades shall be located at the Critical Protection Zone (CPZ) of the trees or vegetation and shall meet the requirement of the Tree Protection Detail provided in this chapter. Where this cannot reasonably be accomplished, the applicant will locate the barricade as close to one (1) foot away from the tree trunk for every inch DBH as is practical or reasonable, when approved by the Town Manager or his/her designee, (e.g. twelve inches (12") DBH tree = twelve feet (12') radius tree protection circle, or 24' diameter). The barricade should be rigid and sturdy enough to survive the construction period.

3) In lieu of constructing the barriers, large areas containing protected trees where no land preparation or other development activities of any kind will occur, may be designated on a tree removal application. The designated area shall be protected by placing stakes a

maximum of twenty-five (25) feet apart along the outside perimeter of the area and tying clearly visible plastic tape, ribbon or rope, from stake to stake. The perimeter line shall be outside of the drip line of any protected tree within the designated area.



TREE PROTECTION DETAIL

4) Absolutely no fill, building materials, trash or other objects shall be placed inside these barriers. If fill is deposited adjacent to these areas, a suitable silt fence shall be constructed to prevent siltation of the barricaded area.

5) Barricades are to be adequately maintained and shall remain in place until their removal or modification is approved in writing. Failure of the applicant to properly locate and/or maintain the barricade may result in the issuance of a class I or class II citation (depending on the magnitude of the violation). Issuance of a stop work notice ("red tag") and the requirement that the applicant provide a restoration plan to the Town Commission (or some combination of these, as determined appropriate by the Town Manager or his/her designee).

6) No equipment, construction materials or debris shall be placed within the protective barrier.

7) No equipment shall be cleaned within a protective barrier or perimeter line.

8) Protective barriers shall remain in place until all construction activity is terminated.

9) No fuel, paint, solvent, oil, thinner, asphalt, cement, grout or any other construction chemicals of any kind shall be stored or be placed within the protective barrier.

10) No attachments or wires other than those of a non-damaging nature shall be attached to any tree.

11) To assure the protection of trees during construction activities, the developer shall avoid the following kinds of activities:

    A) Mechanical injury to tree roots, trunks, and branches;

    B) Injuries by chemical poisoning;

    C) Injuries due to grade changes; or

D) Injuries due to paving.

12) Swaling and minor negative grade changes should always be designed around the dripline area as much as possible. Any exposed roots shall be trimmed and painted. Piping should be used where deep swales or ditches would require significant grade adjacent to trees.

13) Trenching of any type should be avoided in the dripline area. Where underground installations are required adjacent to the trunks of specimen trees, tunneling should be used. When trenching or tunneling near trees to remain, protective measures should be taken as specified in Tree Protection Manual for Builders and Developers.

14) Tree wells of an approved design shall be constructed around all trees where over four (4) inches of fill is proposed within the dripline area. Design shall generally be as specified in Tree Protection Manual for Builders and Developers, published by the Florida Department of Agriculture and Consumer Services, Division of Forestry, latest edition. Specific details shall be approved by the Town Manager or their designee and where the Town deems appropriate.

15) For palm trees, the posts shall be placed at points not closer than six (6) feet from the trunk.

h) Remedial procedures.

1) Remedial site reclamation and tree care procedures shall be implemented by a certified arborist, when development activities have caused damage to either the tree or the tree's growing site, and that damage is repairable.

2) Remedial site reclamation and tree care procedures shall be implemented by a certified arborist, when an existing tree is relocated and used to meet requirements of this chapter.

3) If encroachment is anticipated or has happened, the following practices shall be employed to improve survivability.

A) Pruning.

1. The pruning of a tree in anticipation of construction damage may provide compensation for potential root loss and produce an invigorating response.

2. A tree that has suffered root damage becomes stressed because the root system no longer provides sufficient water and nutrients for the existing crown. This stress becomes evident with the appearance of "staghorns" or deadwood within the tree's crown. Once a tree has had construction damage, it is advisable to delay pruning one to three years until the deadwood becomes evident. Pruning for deadwood removal is then recommended.

3. The removal of live plant tissue from a construction-damaged tree can accelerate the tree's decline.

4. Pruning of root-severed trees may reduce the possibility of wind throw.

5. Trees that have not been affected by construction activities can be pruned for maintenance of the tree's health, appearance, and safety, utilizing acceptable arboricultural practices.

6. Pruning specifications as provided in the latest version of ANSI A300 shall be used in all pruning cases.

7. The pruning of specimen trees may be subject to Planning and Development approval.

8. All cabling work and other structural support supplemental systems shall be installed in accordance with the latest edition of ANSIA 300 American National Standard for Tree Care Operations - Trees, Brush, and Other Woody Plant Maintenance - Standard Practices on Support Systems and Cabling.

9. Any lightning rod protection shall be installed in accordance with American National Standard for Tree Care Operations - Trees, Brush and Other Woody Plant Maintenance Standard Practices on Lightning Protection.

B) Roots outside barricade. All roots outside of the protective barricade to be removed during the development shall be severed clean, and a two-inch layer of mulch shall be applied over the surface of exposed roots during development.

C) Fertilizer.

1. Fertilizer applications will enhance the vigor of trees stressed by site disturbances, thereby promoting root development.

2. Information regarding appropriate fertilizers and application rates may be obtained in the latest edition of ANSI A 300 - American National Standard for Tree Care Operations - Trees, Brush and Other Woody Plant Maintenance - Standard Practices on Fertilization.

D) Soil.

1. A tree's ability for adequate root development, and ultimately its chances for survival, is improved with reclamation of the growing site.

2. Wherever possible, the soil should be brought back to its natural grade.

3. Unnecessary fill, compaction, erosion sedimentation, concrete washout, and construction debris should be removed.

4. When machinery is required for site improvement, it is recommended that a "Bobcat" or similar lightweight, rubber-tired vehicle be used so as to minimize soil compaction.

5. Compacted soil within the tree protection zone of trees should be aerated.

a. This is best accomplished with a two-inch-diameter auger.

b. Holes should be drilled to a depth of six (6) to twelve (12) inches, approximately two (2) to three (3) feet apart and radiating outward from the tree's trunk in a bicycle-spoke configuration.

c. This aeration technique is also recommended for areas affected by minor fill or the sedimentation of erosion materials.

6. The air exchange, nutrient, and water-holding capacities of soils can be improved with soil amendments. This is best accomplished by backfilling holes from aeration, with mineral amendments such as perlite, vermiculite, isolite, and the like.

E) A four (4) to six (6) inch layer of mulch material, such as pine straw, pine bark, or wood chips, spread within the tree protection zone of trees on construction sites is extremely beneficial. Benefits include:

1. Conservation of soil moisture;

2. Reduced rainfall runoff and erosion;

3. Reduced soil compaction from construction activities;

4. Reduced competition from grasses and weeds;

5. Increased soil fertility;

6. Improved soil structure;

7. Moderation of soil temperature, with a subsequent increase in root development activity.

i) Tree preservation credit eligibility. To receive credit for the preservation of an existing protected tree, the following requirements must be met:

1) Fifty (50) percent of the land surface area within the dripline of the tree shall be naturally preserved or provided with pervious landscape material and shall be maintained at its original grade with no trenching or cutting of roots in this area.

2) The tree shall not be damaged from skinning, barking or bumping which is potentially lethal to the tree.

3) There shall be no evidence of active insect infestation potentially lethal to the trees.

4) Impervious surfaces shall maintain minimum clearance from the bases of all trees to be protected. Trees fifteen (15) inches DBH or less shall have a minimum clearance of six (6) feet. Trees over fifteen (15) inches DBH up to twenty (20) inches DBH shall have a minimum clearance of nine (9) feet. Historic and trees over twenty (20) inches DBH shall have a minimum clearance of twelve (12) feet.

j) Credit for preservation of existing trees. Credit shall be given for the preservation of existing trees which are properly protected and which meet the following criteria:

1) Such trees must meet the requirements of this chapter for location, spacing and type of tree.

2) Any existing canopy trees which have a minimum six (6) inch DBH shall provide credit on a one tree inch-for-one tree inch basis for any tree requirements found herein. Groups of trees smaller than six (6) inch DBH are encouraged to be preserved as well. The total of all tree inches in the group shall be shown on the tree survey to receive the preservation credit.

3) Each one (1) inch DBH of specimen canopy tree preserved shall correspond to a one (1) inch caliper per tree credit toward replacement tree stock. Regardless of caliper inch credit, the requirements of this chapter must be met.

4) Each one (1) inch DBH of specimen canopy tree relocated shall correspond to a one (1) inch caliper per tree credit toward replacement tree stock. The tree(s) must receive remedial procedures as specified in this chapter (Remedial Procedures). The tree(s) are also subject to inspections by the Town and replacement if necessary as specified in this chapter (Maintenance).

k) Violations and enforcement.

1) If the Town Manager or their designee finds that any of the provisions of this chapter are being violated, he or she may issue a stop work order and shall, in writing, notify the owner of the property and/or the general building contractor.

2) Written notification shall indicate the nature of the violation and/or the action necessary to correct the violation.

3) Such remedial action shall be in accordance with this section.

4) The issuance of a clearing and tree permit, and the failure to substantially erect building improvements within twelve (12) months, combined with removal of trees in the buildable area and the building site, shall be deemed as violations of this chapter.

5) Removal of a protected tree without approval is unlawful and is a second degree misdemeanor. In addition to code enforcement proceedings and criminal prosecution for a violation of this ordinance the Town may sue the violator for damages and injunctive relief. Any and all attorney's fees and costs incurred improving a violation in a civil proceeding shall be recoverable by the Town of Lady Lake.

6) However, no penalty shall exceed the penalty provided by state law for similar offenses.

7) Each tree removed or destroyed in violation of this chapter represents a separate offense.

8) Each day of violation also represents a separate offense.

9) Any person, firm, organization, society, association or corporation, or any agent or representative thereof, who commits, participates, or assists in such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

10) Notwithstanding the requirements of this section, tree replacement is a separate matter governed by Section 5 (Tree Protection).

l) Waivers and appeals.

1) Waivers. Town Commission may grant a waiver to provisions of this chapter where the applicant demonstrates that the literal interpretation of the ordinance will deny the applicant reasonable use of property or where such waiver can be demonstrated to be consistent with purpose and intent of the ordinance.

2) Waivers. Town Commission may grant a waiver to provisions of this chapter where the applicant demonstrates that existing trees will be protected and preserved to become a public benefit.

3) Appeals. Any person adversely affected by the enforcement or interpretation of this article may appeal to the Town Commission within thirty (30) days, and all procedures specified in the zoning provisions of the Code shall be used for such appeal.

m) Contractor Registry

Landscapers and Tree Trimming/Removal Contractors may register with the Town of Lady Lake on an annual basis. The fee shall be $30.00 per year, or as amended, to maintain registry. Decals shall be issued and affixed to each vehicle performing work in association with the company. There shall be a charge of $5.00 per decal in excess of one (1) for the company's fleet. Decals shall be conspicuously displayed on the driver's side windshield for identification.

~~(Ord. No. 2012-10, § 1(Exh. A), 5-21-2012)~~

L-13

There Is No

Packet Item

For Item L-13.

L-14

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: December 7, 2015

SUBJECT: Consideration of Request from Buffalo Construction to Remove an Oak Tree on Town Hall Property

DEPARTMENT: Town Manager

STAFF RECOMMENDED MOTION: Approval for Buffalo Construction to Remove the Oak Tree in the Front Corner of the Town Hall Property and Accept a Donation to the Tree Bank in the Amount of $350.00

SUMMARY: Buffalo Construction Company is in the process of building the Texas Road House, and they have a concern regarding the 13.12 inch diameter oak tree in the front corner of the Town Hall property. They are concerned that, in time, the roots from this oak tree are going to compromise the integrity of the retaining wall system, and may cause future issues with the power lines as the tree grows. Buffalo Construction has offered to replace the tree with something smaller or make a contribution to the tree bank. Staff recommends allowing them to remove the tree to prevent future issues and having them make a contribution to the tree bank in the amount of $350.00. The amount of the tree bank donation was based on the cost of replacing one oak tree with two trees at a different location.

FISCAL IMPACT:

[ ] **Capital Budget**
[ ] **Operating**
[ ] **Other**

ATTACHMENTS: [ ] **Ordinance** [ ] **Resolution** [ ] **Budget Resolution**

[ ] **Other**

[ ] **Support Documents**

DEPARTMENT HEAD	**Submitted** 12/2/15	**Date**
HR	**Approved as to form**	**Date**
FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
TOWN MANAGER	**Approved Agenda Item for:** 12-7-15	**Date** 12-2-15

COMMISSION ACTION:

[ ] **Approved as Recommended** [ ] **Disapproved** [ ] **Tabled Indefinitely**

[ ] **Continued to Date Certain** [ ] **Approved with Modification**

Kris Kollgaard

To: Thomas Naylor
Subject: RE: Texas Road house tree review

From: Thomas Naylor [mailto:Thomas.Naylor@buffaloconstruction.com]
Sent: Monday, November 30, 2015 1:00 PM
To: Kris Kollgaard <kkollgaard@ladylake.org>
Subject: Texas Road house tree review

Hi Kristen

In regards to the oak tree thats near the new retaining wall in the front corner of the property. I wanted to find out if this tree could be removed due to future maintenance and due to the root system being able to affect the integrity of this retaining wall system. It was also mentioned that it could have future issues as it grows closer to the power lines. I have a few more weeks here on site and was hoping we could come up with a solution while im on site. If donating to the tree bank, and or replacing the tree with a smaller tree would help resolve this matter in a timely manner, then im willing to do whatever it takes on my end to facilitate these improvements/ preventive maintenance.

And if at all possible, could you present this concern to the committee on Dec 7th?

Thanks again for your assistance with this matter.

45