REGULAR MEETING OF THE LADY LAKE TOWN COMMISSION

DATE: **Monday, August 1, 2016**
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: Jim Richards, Mayor Pro Tem

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. INVOCATION[1]: Rev. Gary Cantrell, New Covenant United Methodist Church

D. PLEDGE OF ALLEGIANCE

E. ROLL CALL

F. PUBLIC COMMENTS[2]

G. PROCLAMATION:

1. Proclaiming the Week of August 1-7, 2016 as National Clown Week (Mayor Pro Tem Richards/Doris Turlo-Clown Alley #179) (Pg. 4)

H. CONSENT[3]:

2. Minutes – July 18, 2016 – Commission Workshop Meeting (Pg. 5)
   – July 18, 2016 – Special Commission Meeting

I. OLD BUSINESS:

J. NEW BUSINESS:

3. Discuss the Proposed Dates, Times and Places for Setting the Tentative Millage Rate and Budget Hearing, and the Second Public Hearing for Adopting the Final Millage Rate and Budget (Pam Winegardner) (Pg. 28)

4. Consideration of Approval to Advertise Bid No. 2016-0003 – Construction for Phase II of the Villages Elementary School Sidewalks Project - FPN 433200-1-68-01 - Funded Through the Safe Routes to School Grant Program (Mike Burske) (Pg. 38)

5. Renewal of the Interlocal Agreement between Lake County and the Town of Lady Lake Relating to the Provision of Library Services for the Period of October 1, 2016 through September 30, 2019 (Marsha Brinson) (Pg. 40)

6. Consideration of Animal Control Sally Port Enclosure Project (Chris McKinstry/C.T. Eagle) (Pg. 66)

7. Green Key Subdivision – Final Plat Phase II - A Partial Replat of Green Key Village Subdivision and Chetwynd Land Company, to Provide a Subdivision Recreation Center for the Green Key Village Single Family Residential Subdivision - Proposing an 1,800 Sq. Ft. Pickle Ball Court, a 7,200 Sq. Ft. Tennis Court, a 2,350 Sq. Ft. Half Basketball Court, an 8,906 Sq. Ft. Area for a Subdivision Community Pool with Concrete Deck and Two Pavilions Consisting of 480 Sq. Ft. Each - Addressed as 1257 Fiesta Key Circle (Thad Carroll) (Pg. 68)

K. TOWN ATTORNEY'S REPORT:

8. Ordinance No. 2016-21 – First Reading – Annexation – The Villages of Lake-Sumter, Inc. – Annexation of Property Being 0.31 +/- Acres of Land, referenced by Alternate Keys 1482437 & 2582774; Two Lots Located Within Orange Blossom Gardens Unit 1, Within Lake County, Florida (Thad Carroll) (Pg. 123)

9. Ordinance No. 2016-22 – First Reading – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for Property Being 0.31 +/- Acres of Land, referenced by Alternate Keys 1482437 & 2582774; Two Lots Located Within Orange Blossom Gardens Unit 1, Within Lake County, Florida (Thad Carroll) (Pg. 149)

10. Ordinance No. 2016-23 – First Reading – Rezoning – The Villages of Lake-Sumter, Inc. – from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8), for Property Being 0.31 +/- Acres of Land, referenced by Alternate Keys 1482437 & 2582774; Two Lots Located Within Orange Blossom Gardens Unit 1, Within Lake County, Florida (Thad Carroll) (Pg. 188)

11. Ordinance No. 2016-24 – First Reading - An Ordinance of the Town of Lady Lake, Lake County, Florida; Amending The Town of Lady Lake Land Development Regulations (Ordinance No. 2014-04); Chapter 1, Article III, Section 1-83; Entitled "Code Enforcement Special Magistrate"; Providing for A Procedure for Stipulation Agreements (Thad Carroll) (Pg. 212)

L. TOWN MANAGER'S REPORT:

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 – 08-01-2016

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[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

PROCLAMATION

WHEREAS, whoever has heard the laughter of a child or seen sudden delight on the face of a lonely old man has understood in those brief moments mysteries deeper than love. All are indebted to those who bring such moments of quiet splendor – who redeem sickness and pain with joy and give a part of themselves; and

WHEREAS, today, as always, clowns and the spirit they represent are as vital to the maintenance of our humanity as are the builders and the growers; and

WHEREAS, Clown Alley #179 was formed in 1985 and now has over 100 members; and

WHEREAS, it is important that all citizens know and understand the responsibilities of Clown Alley #179 to meet the challenge:

- To bring happiness and a smile to everyone they meet
- To learn to be the best clown they can and never stop learning their craft.
- Understand that laughter can be contagious
- Heighten awareness of the positive effects of laughter.
- Make positive contributions by performing at schools, hospitals and care giving facilities.
- Bring out the laughter in children of all ages.
- Show that laughter is a form of good exercise.
- Show that a smile is more healthful than a frown.

The clown follows a tradition as old as men's need to touch gently the lives of his fellowman and give part of themselves. In the folklore of the world is the persistent claim that the heart of a clown is sad because the clown leaves happiness where he goes, and takes misery away with him. I urge the people of Lady Lake to recognize the contributions made by clowns in their entertainment. Surely the laugh-makers are blessed; they heal the heart of the world.

NOW, THEREFORE, BE IT PROCLAIMED by Ruth Kussard, Mayor of the Town of Lady Lake, Florida that August 1st through August 7th, 2016 is

"NATIONAL CLOWN WEEK"

And urge all citizens of Lady Lake to give full support of the efforts towards the mission of Clown Alley #179 to lift the spirits and boost the morale of people everywhere.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Lady Lake to be affixed this 1st day of August, 2016.

Town of Lady Lake

Ruth Kussard

Ruth Kussard, Mayor

Attest:

Kristen Kollgaard, Town Clerk

H-2

MINUTES OF THE SPECIAL WORKSHOP MEETING OF THE LADY LAKE TOWN COMMISSION LADY LAKE, FLORIDA July 18, 2016

The Special Workshop 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 5:00 p.m.

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 John Pearl, I.T. Director; C.T. Eagle, Public Works Director; Pam Winegardner, Finance Director; and Nancy Slaton, Deputy Town Clerk

3. Discussion/Consideration of a Fiber Wide Area Network (FiberWAN) (John Pearl)

I.T. Director John Pearl read the following (from a prepared document):

Thank you Mayor and Commissioner's for the opportunity to meet with you again this afternoon to discuss the FiberWAN concept for Lady Lake.

I would also like to thank Jim Lemburg, Don Dennis, Hiep Nguyen and Dale Borrowman for meeting or speaking with me in preparation for this workshop. They were each generous with their time and information and patiently answered my many questions.

For this workshop, I have prepared approximately 30 minutes of talking points at the beginning. I intend to read them verbatim. In this time, I believe I can answer most of the questions raised during the previous workshop and have planned the remainder of our time together for question and answer.

The desired outcome of this meeting is to receive direction, regarding whether or not to return to this Commission at a future regular meeting, to request approval to engage Magellan Advisors to prepare a comprehensive broadband design and technical plan for your consideration.

I am aware of only three municipalities (or census-designated places) in Lake County currently building or operating fiber wide area networks. Those are Leesburg, Clermont and The Villages. Since our last workshop I have met or spoken with the leaders of each of these efforts and I would like to begin by sharing the highlights of my notes of these discussions with you. I think starting here will provide answers to your prior questions sooner and also provide a better context for discussion about Lady Lake.

Leesburg Communications Utility

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I met with Jim Lemburg on June 1st, here in Lady Lake. Jim is the Manager of the Leesburg Communications Utility (LCU). I have also communicated with him several times since. Leesburg has been building their fiber network for 28 years.

It started as a SCADA project for the Electric Utility in 1987. This effort continued slowly, eventually including connectivity for all of their City buildings. Next the network experienced two major growth periods, the first driven by Central Florida Health's desire to connect its Leesburg hospital campus to its other campus in The Villages. The second was driven by an opportunity to begin providing service to many of the public schools in Lake County.

In the mid 2000's the Communication Utility was created and they were separated from the Electric Utility.

Today, the LCU currently manages 450 miles of infrastructure, not 185 as I previously reported. LCU began a network reorganization in 2010. Previously, the network had been built in a piece-meal fashion of many isolated point-to-point segments, not built as a network and not built to efficiently serve customers. The reorganized managed network came online in 2012.

The newly reorganized network was deployed as a switched network, also known as carrier Ethernet or MetroE, with tiered services priced close to market rates.

The majority of their current fiber backbone is 96 count, with laterals typically 24 count. Only a small number of fibers are utilized in Lady Lake today, with service provided to the previously mentioned hospital, the elementary school, two fire stations and our library. The majority of their network is at 50% or less capacity.

Although the LCU doesn't have an official business plan, I will attempt to outline one here for you:

To begin, I acknowledge that we do not know the costs of the earliest investments, when the Electric Utility was beginning to upgrade their SCADA system. However, we do know that the two earliest expansions (the hospital and the school system) had a combined cost of about $1.5 million. Total revenue this year is $2.5 million. And when Jim started six years ago it was $1.2 million. So revenues have slightly more than doubled in the past six years. Today the LCU has only 24 distinct customers. Approximately 50% of current revenues are from E-Rate eligible customers. They have reached their payback point. They are profitable and have been each year of Jim's tenure. LCU currently has approximately $450,000 remaining in long-term debt, slightly over $1.3 million in cash and another $210,000 of inventory. In addition, they have contributed in excess of $500,000 to the General Fund in recent years as well as born more than $500,000 of allocated General Fund expenses. Their annual payroll is between $300 and $400 thousand dollars plus benefits. Looking to add staff.

Their current business strategy is to continue to pursue a patient, opportunistic growth model waiting for business opportunities to present themselves. They are not interested in "build-it and they will come" business cases. But they will spend money on new infrastructure for new customers if the business case is justified.

Their typical customer is served by a combination of managed service and dark fiber, although LCU's preference is to sell managed service. LCU's target customer is looking to host services locally or is interested in achieving higher reliability. They are currently most interested in

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medical services opportunities and medical campus areas near hospitals. The need is to facilitate the exchange of large amounts of data. They are also interested in providing backhaul service at cell towers.

LCU doesn't serve residential customers. They are not interested in FTTH in Leesburg because it would be an overbuild rather than a greenfield opportunity and therefore judged to be too expensive. Also, it is believed that the Leesburg population is currently tolerating the incumbent providers.

The LCU's current pricing structure is also too high for typical Mom & Pop companies. It is believed that the small companies are served fine by incumbent providers, there is not a lot of pent-up demand.

They have experienced revenue growth every year since their reorganization in 2012, but it has been very lumpy. The LCLS was a significant revenue growth opportunity last year. And they consider themselves to be a typical small business, with typical challenges and concerns.
LCU has not pursued any grant opportunities in the past six years. And few are available at this time.

Becoming a service provider (communications utility) like LCU today has additional burdensome Florida statutory requirements. Leesburg was grandfathered in before these requirements went into effect. New entries are currently required to have a certificate of authority and a business plan that is reviewed annually. They must maintain their own books and are not allowed to receive contributions from the municipalities general fund. Also service cannot be offered below cost. Lastly, it should be noted that the FCC has recently moved to challenge these State requirements, and the final outcome remains uncertain at this time.

With regard to Lady Lake building its own municipal fiber WAN infrastructure, Jim advised that if funds were available, it would be advantageous to place at least conduit, pull-boxes and/or vaults when and where the ground is open due to other construction along contemplated network routes.

Clermont
Next, I met with Don Dennis on July 16th in Clermont where he is their IT Director. Clermont has been building their fiber network for 5 years. It is presently a Municipal WAN only. Prior to beginning this project, they had implemented a 'dig-once' policy and installed more than 8 miles of conduit over an eight-year period, coordinating with other capital improvement projects. Their dig-once policy is addressed during the site review process, along with the water and sewer infrastructure. Developers are required to install conduit.

They began their fiber project by hiring a consultant who prepared a cost assessment and network design, planned the five-year build schedule and later prepared the RFP. An early goal for Clermont staff was to shift expenses from OPEX to CAPEX. Investing in this capital infrastructure project, funded by the penny sales tax and impact fees permanently reduced approximately $30k worth of recurring telecommunication operational expenses. This was accomplished primarily by reductions in the quantity of ISP service connections at various city facilities from 8 to 1. Other cost savings were achieved through the reduction of redundant equipment, software licenses, maintenance at remote sites and a reduction in overall system complexity. Their complete fiber plant is buried.

Their fiber plant is low maintenance. They have only experienced a cut line once. A service provider on contract performed the repair, with service restoration completed within 24 hours, and the offending party billed for the expense.

They currently use a Century Link provided service for Internet connectivity. It is provided from a single location for the entire Town and costs $257/month for 80Mbps of capacity.
Their SCADA system is connected to their fiber network. The majority of their fiber plant is 96 strands of which 24 strands are typically terminated throughout the network. The most any facility uses currently are 12 strands. The network is a hub & spoke topology with City Hall serving as the hub.

Don advised that we not depend on using the proposed fiber infrastructure as a revenue source, that everybody who can, is currently putting fiber in the ground, Century Link in Clermont, for example. The future business opportunities may not be there. However, with that stated, Clermont has recently begun the process of researching appropriate Master Service Agreement contracts, preparing for possible public-private-partnership opportunities. Don also advised that if cost-benefit analysis is the only factor in our decision, that we would be better served by continuing to pay a third party to provide the service.

Technologies Solutions Group (TSG)
Lastly, I spoke with Dale Borrowman on July 14th. Dale is the owner of The Villages Technologies Solutions Group (TSG). TSG have been building their fiber network in The Villages for approximately 16 years. There is currently a single location in the town in which The Villages has fiber. It is near the intersection of Griffin Ave and Highway 441. TSG currently doesn't forecast a need to build anything more here in Lady Lake at this time. With only a couple of temporary exceptions, their complete fiber plant is buried. Their SCADA system is connected to their fiber network. Dale shared, "It is fast, efficient and stable."

The Villages camera systems are connected to their fiber network, including their new ALPR cameras. They do use some radio equipment in the 900Mhz, 2.4 and 5Ghz ranges with 900Mhz being the most stable, but also having the slowest transmission speed. TSG currently uses the Level 3 POP in Wildwood (approximately 15 miles from Lady Lake Town Hall) for Internet connectivity.

Dale advised that the Lambda Rail service in East Leesburg is an alternative or redundant option for government entities, but more expensive. Dale also advised that, "If you are going to do a fiber project, put in as much as you can afford." Maintenance cost for the fiber in the ground thus far have been very little. They do perform many locate requests. They avoid overbuilds because of construction and higher maintenance costs. The typical repair cost for a 200 count fiber cable cut is between $9k and $10k. After repair, TSG pursues repayment from the offending party.

Immediate Municipal and Inter-Organizational Benefits
Now with regard to the immediate municipal and inter-organizational benefits of a fiber optic wide area network for Lady Lake, it is certain that our bandwidth needs as a municipality are going to continue to increase in the future. It is also expected that the cost charged by the incumbent providers for interconnectivity and bandwidth will also continue to increase. Under this current arrangement, the Town's existing WAN infrastructure will result in increasingly higher operating expenses year after year.

A municipal owned fiber wide area network would allow Lady Lake to reduce our overall telecommunication costs and protect the Town from future cost increases. A fiber optic network, if it were available today, would permanently remove approximately $20,000 of recurring operating costs from the Town's General Fund, and increasingly more in the future.

The Town also has the added expenses of having to manage and secure multiple ISP connections, the utilization and overhead of Virtual Private Network (VPN) technologies, which have the side effect of reducing available bandwidth, and the need to provide and manage redundant hardware and software licenses at multiple facilities to overcome bandwidth or latency challenges for employees. A municipal broadband network would have a lower operational cost to the Town. Additionally, this cost would remain relatively fixed year after year, regardless of the Town's bandwidth needs, unlike the existing WAN infrastructure that incurs more cost as bandwidth is increased.

A municipal broadband network would allow the expansion of services to Town facilities not currently served by the existing WAN for the cost of a physical connection with no new recurring annual costs.

Fiber optic is the best solution to build high capacity networks known today. The newest small cell millimeter-wave wireless solutions coming to market are now providing broadband capacity in certain situations. These may be used to compliment and/or temporarily extend broadband service. However, the physics of propagating signals with light using fiber optics versus propagating with radio waves in the atmosphere will ensure that fiber continues to be the safest core infrastructure investment.

A fiber optic municipal broadband network is an investment that will provide many decades of service to the Town. Over the past 30 years, the transmission capacity of fiber optic had increased enormously. Research firms and equipment manufactures continue to invest significant dollars to continue to develop new products and capabilities.

The Town's current WAN solution is built on a combination of asymmetrical (unequal download and upload speeds) business class IP services, VPN tunnels and 900Mhz wireless radios. In practical terms, it is an entry level or minimum viable solution. The incumbent IP solution provider's infrastructure is typically repurposed coaxial cable TV or copper telephone technology with multiple single points of failure. Service is often degraded with available bandwidth reduced to end users causing application latency or crashes and it is not as reliable as we would like. We have experienced multiple, multiple hour disruptive service outages this year, including three in the past six weeks.

The Town has several bandwidth intensive and disruption sensitive applications, such as the financial system and the GIS system used by many departments at multiple locations. Also the Police Department depends on their computer aided dispatch application and various research and reporting tools necessary to perform their duties. In many cases, access to the Internet has become as fundamental to the performance of our daily activities as access to power.

Although the existing WAN bandwidth capacity can be increased beyond the current service levels, this will increase the Town's operational costs. It will also not remove the reliability issue and therefore should be considered only a short term solution to an immediate need. Replacement of the current 900Mhz wireless solution currently used by our SCADA system, with

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an underground fiber optic network, would also protect the Town from disruption in service caused by weather based events.

A fiber optic based municipal broadband network will provide the Town a reliable and scalable network infrastructure with near limitless growth potential while maintaining a low, fixed annual operating cost by reducing or eliminating monthly recurring costs paid to existing telecommunications providers. The network will immediately provide many times greater bandwidth than the existing WAN with potentially more bandwidth becoming available as electronics are upgraded over the life of the network.

A municipal broadband network is also considerably more flexible and better positioned to meet the Town's current and future technology needs. Owned and operated by the Town, the network would be used to meet current departmental requirements while enabling new services in the community.

Public safety will be one of the main beneficiaries. The Town has streamlined its public safety operations in recent years by contracting for dispatch services with the Lake County Sheriff's office. We currently lease a 1.5Mbps point-to-point circuit between the Police Department and the Sheriff's office in Tavares for access to CAD data. This service could be improved to provide a faster, more secure and more stable connection with a fiber optic interconnect in place of the existing incumbent provider's solution.

Similar to other municipalities, the Town does experience occasional vandalism, theft and damage of public property. We have had approximately 10 such incidents this year. Accordingly, staff has expressed interest in different types of municipal camera systems. A consolidated IP camera system that manages and archives data to a single data repository would provide a scalable and manageable solution. Such a camera system would likely also improve life safety and endangered person response times and could potentially be extended in partnership with DOT to provide public awareness of local traffic conditions. However, such a system would require an integrated network for communication, programming, viewing and storage of video data. And such a system would produce a significant amount of content requiring an equally significant amount of bandwidth. Without an integrated fiber optic network, individual cameras would either need to rely on individual ISP provided circuits combined with VPN solutions or small cell wireless technologies. Both of these have limitations regarding reliability and performance. And additional ISP provided circuits will require additional recurring operational expenses.

Mobile Data Terminals in the Police Department's patrol cars could benefit from the deployment of a wireless infrastructure utilizing a municipal broadband backbone for aggregation throughout the Town. A public safety wireless network that spans certain key areas of Lady Lake would be able to provide enhancements to current law enforcement capabilities by enabling rapid downloads of police MDT updates, quicker dissemination of information, and a redundant form of connectivity in the event of mobile data modem failures or propagation issues.

Fiber optic based municipal broadband networks provide a valuable asset to communities in times of emergency. An underground fiber optic backbone owned and operated by the Town would provide stable inter-organizational communications during natural disasters as these networks are generally unaffected by environmental conditions. This would allow public safety, emergency operations, administration, utilities and other departments to maintain communications and share information during emergency events.

Furthermore, a fiber optic municipal broadband network owned and operated by the Town when combined with virtual server technology would allow for the creation of an affordable, redundant data center at an alternate location to provide business continuity in the event that our current location suffered a catastrophic failure of any kind.

The Town's current desktop voice services are distributed to different locations through various Town facilities. The current system is dated and no longer supported under contract. In addition, we currently lease a 1.5Mbps point-to-point circuit between Town Hall and Public Works in order to share a single PRI circuit for dial tone.

A fiber optic municipal broadband network would eliminate this need for a leased point-to-point circuit. Many additional individual telephone lines that are currently used throughout the Town could also be replaced. Additionally, it could provide the foundation for a new Voice over IP (VOIP) telephony system that would allow an additional reduction in used PRI capacity, further reducing our desktop telephony costs.

An underground fiber optic network would also provide the Utilities department a more reliable SCADA connectivity solution, especially, as stated before, during various weather events. It is also anticipated that an underground fiber optic network would insulate the SCADA system from the various power conditioning issues that have caused system challenges in the past. The network could also provide additional voice, data, and video services at these remote sites at no additional bandwidth cost.

A municipal broadband network would allow the Town to support an Automated Meter Reading (AMR) implementation by establishing a backbone network for AMR data transport. The combination of a fiber optic network infrastructure and the wireless technology presently available in all of our meters would provide the necessary components to transport data from customer meters back to the utility billing application, providing an end-to-end, truly automated, meter reading system.

A municipal broadband network would provide the foundation for a public wireless infrastructure at key locations throughout the Town, providing direct fiber optic connectivity for access points in the field and interconnection for access points within City facilities. This could include locations at our public parks, recreational facilities and the Log Cabin area where we have many public events. This network would be segmented from any public safety and Town communications.

Lastly, an integrated municipal broadband network would allow the Town to provide new communication channels to citizens and businesses in the community. Distribution of panel displays together with public WiFi could be used to disseminate information to the community, provide local advertising for business, and provide greater accessibility to online and mobile municipal services. A broadband network would allow broad distribution of civic content including online information, emergency response information, streaming video, stored video content, and live broadcasting across multiple locations in the Town in near real time, allowing the Town to deliver content to its citizens and businesses more efficiently through its own internal infrastructure.

Potential Future Economic and Community Development Benefits

With regard to potential future economic and community development benefits, the Internet is key to the entire information economy and to the future of both the old and the new economy. In

just a few decades we have seen its power to decentralize production, connect and empower small scale producers and consumers and facilitate the spread of ideas and innovations.

Inevitably, when giant corporations own and operate local cable or wireless systems, they control a community's access to the Internet – including costs, speeds, and availability. In the modern information driven economy, this often means that a town or county's economic prosperity and future is in the hands of these corporations. Because these large corporations have money, lobbyists and lobbying power they tend to find different ways to influence regulators and public officials to increase profits at the expense of local needs. In response to this, more than 450 communities now have full (communication utility) or partial (public-private partnership) owned broadband networks.

The emergence of these networks often forces the incumbent providers to invest in upgrading their services, creating a more capable and competitive marketplace, benefiting the local economy. A fiber optic municipal broadband network has the potential to provide transformational economic benefits to the business community in Lady Lake including:

- *Creating public-private partnerships with competitive service providers that have an interest in utilizing the Town's network to reach local businesses with new telecommunication services.*
- *Providing a foundation of broadband services in areas targeted for economic development, utilizing fiber broadband as an economic development tool to attract and retain business.*
- *Improving access to broadband services in areas that traditionally suffer from poor access by extending service providers reach using Lady Lake's fiber optic network.*
- *Generating new sustainable revenues that can be reinvested into expansion of the network to serve more areas of the Town with fiber broadband access.*
- *The marketing of Lady Lake as a broadband community with targeted messaging to businesses and service providers.*

Conclusion

In closing, I would grant that when one considers the current populations of the others in the County who are presently building or operating fiber wide area networks, each at least double our current size, one could conclude that the timing of this idea may be a little premature. However, we know that our metropolitan region is currently the fastest growing region in the country. We believe that the 441 corridor running through the middle of our Town has the highest traffic counts in this region. And this will most likely be amplified when the road widening project is completed, wider roads are built to facilitate more traffic.

And that brings me to the single most important consideration. The anticipated road widening project and any other similar projects that may occur in the near future, offer both significant timing and cost savings opportunities to build a fiber wide area network. In fact, when you consider the location of this road, that it bisects the entire length of our Town, that many of our Town facilities and SCADA sites are near to it and that it is often difficult and expensive to negotiate right of way with the State after such a project is completed, especially when you are attempting to directional bore underneath their high capacity road...multiple times...It is hard to imagine a better time to consider this. ***If we were ever going to consider building such a network, this is the time to do so.***

Commissioner Hannan voiced his support of this project by stating the Town should do what it can afford to do at this time, as The Villages Technologies Solutions Group owner suggested.

Mayor Kussard reviewed the estimated costs of this project as almost $500,000 for the conduit, and almost $2 million for conduit and fiber; in addition to cost of internet services, right-of-way acquisition, and a consultant to prepare a business plan.

Mr. Pearl stated the $2 million cost is the projected cost today if the Town were to do an overbuild all in one year; with no coinciding capital infrastructure improvements, which would go up with inflation. He stated the Town could potentially save half that cost if the Town were to put conduit and cable in the ground coinciding with capital projects such as the widening of US Hwy 27/441 and the expansion of Rolling Acres Road.

Mayor Kussard expressed concern regarding recouping the costs as Lady Lake has no hospitals, universities, large schools or corporations that may utilize this type of service, as Leesburg is using it only for commercial, and Lady Lake would only use it for Town facilities at this time.

Mr. Pearl stated his thoughts are to overbuild now to take advantage of cost savings, and use it for municipal purposes now to save operational costs, with the possibility of utilizing the FiberWAN for other commercial uses in the future, although they are not guaranteed or even apparent now. He stated it could be an incentive for larger commercial development for Lady Lake in the future.

Town Manager Kris Kollgaard clarified that there would be a $20,000 yearly savings in operational costs now for a cost of $1 million for the municipal WAN.

Commissioner Hannan stated he feels that having this fiber in the ground will attract bigger corporations to Lady Lake, such as larger medical facilities needing it for high tech equipment.

Commissioner Richards commented that Leesburg has had FiberWAN for 13 years and not used it. He stated he is not in favor of having a $1 million solution for a $20,000 problem, although he understands the security and increased efficiency, etc., and the Town will still have to hook up to someone else.

Ms. Kollgaard questioned that since Leesburg already has the fiber, what would stop someone from hooking up to Leesburg instead of Lady Lake's FiberWAN if the Town had it.

Mr. Pearl replied Leesburg is unique in that it has a full-service communication utility, while Winter Haven and Clermont are hoping to do public-private partnerships, which have less restrictions and are a shared risk model. This creates competition and keeps costs down. Leesburg cannot sell services for less than cost, and they are very expensive.

Commissioner Vincent commented that the Town will have a lot of equity just by installing conduit and fiber in the ground even without it being hooked up (dark fiber).

Mr. Pearl shared that he looked into the Town's broadband opportunities in 2011, and in an email from Leesburg, it stated that a 20-year indefeasible right of use for one dark fiber pair running from Town Hall to the library and continuing to the Public Works building, would be priced at $262,615.00. He stated these kind of prices would not attract public-private partnerships, and he believes Lady Lake could; it would be a more attractive destination.

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Commissioner Vincent stated that nobody would be able to undercut the Town if it put the conduit and fiber in while the roads are under construction, because of the cost savings of doing this. He stated that it will not get any cheaper.

Commissioner Richards commented that directional bore has gotten much more reasonable.

Ms. Kollgaard asked if the businesses in the area now, such as the ones across the street from Town Hall, would have the need for the FiberWan.

Mr. Pearl replied that the majority of the current top ten employers for Lady Lake are national chains, and he would anticipate they have national contracts and would not be interested in this type of service. He stated, though, that the new information economy is dependent upon this asset - fast, capable broadband internet availability.

After further discussion, it was the consensus of the Commission by a vote of 3-2 (Commissioners Hannan, Holden & Vincent in favor; Commissioner Richards & Mayor Kussard not in favor) for staff to move forward with contacting Magellan Associates to prepare a cost on developing a comprehensive broadband design and technical plan for the Town.

4. ADJOURN: There being no further discussion, the meeting was adjourned at 5:57 p.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

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

July 18, 2016

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 6:05 p.m.

A. CALL TO ORDER: Mayor Ruth Kussard

B. PROCEDURE: *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. INVOCATION: Pastor Keith Johnson – Chapel of Christian Faith

D. PLEDGE OF ALLEGIANCE – Led by Joe Quinn

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; Sasha Garcia for Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; C. T. Eagle, Public Works Director; Chief Chris McKinstry, Police Department; Tia O'Neal, Human Resource Director; Pam Winegardner, Finance Director; Wendy Then, Town Planner; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTS: Mayor Kussard asked if there were any comments at this time.

- Frank Frontario of the Water Oak Homeowner's Association stated he is concerned with the density of the proposed project at Water Oaks; specifically, the Catfish Pond area. He asked if the lots will be at least 5,000 sq. ft. and if there will be at least ten feet between each structure.

Mayor Kussard stated this will be discussed later in the meeting and she will allow questions at that time.

G. CONSENT[i]:

1. <u>Minutes</u> – July 6, 2016 – Special Commission Meeting

Mayor Kussard asked if there were any questions or comments on the Consent item, and hearing none, asked for a motion.

Upon a motion by Commissioner Hannan and a second by Commissioner Richards, the Commission approved Consent Item #G-1 by a vote of 5 to 0.

H. OLD BUSINESS: No old business.

I. NEW BUSINESS:

2. Consideration of Approval for FY 2016-2017 Benefits (Medical, Dental, Life, Long Term Disability, Short Term Disability, Critical Illness and Accident Coverage) (Tia O'Neal)

Human Resource Director Tia O'Neal gave the background summary for this agenda item (on file in the Clerk's office). She stated that Town staff received rates for medical coverage for the 2016-2017 fiscal year, and staff recommends staying with the current plans for all lines of coverage. There was a 6.1% increase in health insurance, an 8.1% increase in employer paid life insurance, and a 10% increase in long term disability. Although the short term disability has an increase, this does not affect the budget as this coverage is voluntary and not paid for by the Town.

Upon a motion by Commissioner Vincent and a second by Commissioner Richards, the Commission approved staying with the current plans for FY 2016-2017 Benefits (Medical, Dental, Life, Long Term Disability, Short Term Disability, Critical Illness and Accident Coverage) by a vote of 5 to 0.

3. Consideration of Approval of the Water Oak Willow Way New Homes Site - Major Modification to Site Plan 04/16-001 - Proposing +/-12 New Home Sites with a Typical Lot Sizes of 5,000 Sq. Ft, Construction of Roadways and Utility Infrastructure on a 2.7-acre Parcel in between Willow Way and Water Oak Blvd., within the Water Oak Estates Country Club (Thad Carroll)

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that Daniel R. Gibbs with Atwell, LLC, representing the property owner, Sun Communities Finance LP, has submitted a major modification to the site plan for the Water Oak Country Club Estates Site as per Town of Lady Lake Land Development Regulations, Chapter 7, Section 11.b. He stated that staff recommends approval. Views of the property and photos of the area were shown.

Mr. Carroll stated that the Tree Removal Plan is contained on Sheet L100 of the Site Plan set, and that approximately six historic trees are slated for removal. He stated these will be reviewed and permitted on a case by case basis, with mitigation as per the ordinance.

Mr. Carroll reported that Town staff received the application proposing the construction of 12+/- home sites on a 2.7-acre parcel on April 19, 2016. The parcel was rezoned last February from Lady Lake Agricultural Residential (AG-1) to Lady Lake Manufactured Home High Density (MH-9) to allow for infill development in this area. He stated that as part of the development, the applicant will be constructing a private road connecting Willow Way to Water Oak Blvd. with a length of approximately 635 lineal feet, and the homes will have driveway access from this roadway. Other improvements include site grading, storm sewer, and utility infrastructure extensions in order to provide the required grades and depths needed to build the homes in that area. The minimum lot sizes will be 5,000 sq. ft. in accordance with the MH-9 Zoning District.

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. The following items are included in the packet:

1. Site Plan Review completed by Growth Management on 7/7/2016 (Satisfied).
2. Review No. 2 for the general site development completed by Neel-Schaffer Engineering, dated 7/7/2016 (Satisfied).
3. Review by Fire Inspector Kerry Barnett dated 6/27/2016 (Satisfied).
4. Review by Building Official Dallas Foss dated 7/5/2016 (Satisfied).
5. St. Johns Water Management District Permit (Pending).

Mr. Carroll reported that the Technical Review Committee members individually reviewed the application and provided comments regarding the Site Plan application on Thursday, July 7, 2016. The Planning and Zoning Board does not review Site Plan Modifications.

Mr. Carroll stated that Lara Parker, Property Manager, and Dan Gibbs with Atwell, LLC are present if there are any questions.

Upon a motion by Commissioner Holden and a second by Commissioner Richards, the Commission approved the Water Oak Willow Way New Homes Site - Major Modification to Site Plan 04/16-001 by a vote of 5 to 0.

4. <u>Consideration of Approval of the Water Oak Catfish Pond Plans - Major Modification to Site Plan 03/16-001 - Proposing the Construction of Roadways and Utilities Infrastructure to Accommodate 109+/- Home Sites along Hogan Drive, Nicklaus Court, Spieth Court, Snead Drive, Bemen Drive, and Watson Drive, within the Water Oak Estates Country Club (Thad Carroll)</u>

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that Daniel R. Gibbs with Atwell, LLC, representing the property owner, Sun Communities Finance LP, has submitted a major 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.b. 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, also referenced as Water Oak Boulevard, and exhibits multiple active retirement lifestyle amenities including club houses, a restaurant, and golf courses. Presently, the applicant seeks to complete the last part of the build out for Water Oak Country Club Estates and proposes the construction of new home sites. He stated that staff recommends approval.

A map of the parcel, aerial views, and site plan drawings were shown. Mr. Carroll noted that Water Oak received DRI approval in 1986, and was allocated 1,484 units. He stated that even with the addition of these 109 units, they will remain under that allocation.

The Tree Removal Plan, contained on Sheet L100 of the Site Plan set, was reviewed. Mr. Carroll noted that these will be reviewed and permitted on a case by case basis, with mitigation required.

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Mr. Carroll reported that Town staff received the application proposing the construction of 109 +/- home sites, retaining walls behind the proposed homes along Sanders Drive and Palmer Drive, the construction of two private roads, and associated site grading, storm sewer, and utility infrastructure extensions in order to provide the required grades and depths needed to build homes in area on April 19, 2019. The previous design was for 157 home sites under St. John's River Water Management District Permit No. 19000-2; however, it was never constructed and the new proposed layout will facilitate +/- 109 home sites.

Mr. Carroll review the private road Improvements as follows:

Road Name	Length
Existing Private Roads	
Hogan Drive	1,063 LF
Snead Drive	923 LF
Bemen Drive	612 LF
Watson Drive	760 LF
Newly Proposed Private Roads	
Nicklaus Court	577 LF
Spieth Court	387 LF

Mr. Carroll stated that the project will exhibit a walking trail around Lake Sallie which will be constructed with coquina shell type surface and will measure approximately 2,025 lineal feet in length and six lineal feet in width to provide additional amenities to the residents. There will be ten parking spaces available for Water Oak residents to access the walking trail. Lastly, 12 gopher tortoise holes were identified on the plans; which will require a permit from the Florida Fish and Wildlife Conservation Commission for the removal/relocation of this protected species.

The Water Oak parent parcel is approximately 350+/- acres; however, the development area reviewed is approximately 20.7+/- acres. 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. The following items were included in the packet:

1) Site Plan Review completed by Growth Management on 7/7/2016 (Satisfied).
2) Review No. 2 for the general site development completed by Neel-Schaffer Engineering, dated 7/1/2016 (Satisfied).
3) Review by Fire Inspector Kerry Barnett dated 6/25/2016 (Satisfied).
4) Review by Building Official Dallas Foss dated 7/7/2016 (Satisfied).
5) St. Johns Water Management District Modification Letter No. 19000-7 (Pending).
6) Florida Fish and Wildlife Conservation Commission Permit to relocated endangered species. (Pending).

It is anticipated that the applicant will receive all applicable agency permits. In accordance with Florida Statute 166.033, Paragraph 4, those permits may not be a requirement for development approval. The applicant, however, shall provide all required state permits prior to commencing construction to Town staff to place records on master file.

Mr. Carroll reported that the Technical Review Committee members individually reviewed the application and provided comments regarding the Site Plan application on Thursday, July 7, 2016. He noted that the Planning and Zoning Board does not review Site Plan Modifications.

Mr. Carroll also addressed Mr. Frontario's earlier concern by stating that the minimum lot size will be 5,000 sq. ft., and the separation distance between the homes will be a minimum of ten feet for fire protection and setback requirements.

Commissioner Hannan asked if the St. Johns permit has been approved yet.

Mr. Carroll replied that the St. Johns permit has been received at this time.

Commissioner Holden clarified that the setback includes all add-ons.

Mr. Carroll confirmed that it includes all add-ons unless it is a flat piece of concrete; any structure over concrete would be assessed toward the setback.

Commission Vincent asked how Water Oak plans to develop the project around Catfish Pond; whether it be a one or two houses or a block at a time, etc. He asked how many homes will be moved in at a time.

Dan Gibbs of Atwell, LLC replied that all roads, retaining walls, master utility infrastructure, etc., will be installed first, and then they plan to develop one street at a time. Mr. Gibbs stated he believes it will be based on sales.

Commissioner Vincent asked if any homes will be vacant and subject to rentals. He asked how many rentals there are currently in Water Oak.

Lara Parker, General Manager, replied that rentals would be unlikely as Sun Communities is moving away from the LBB rental program in the community and this would be a last resort. She stated there are currently approximately 30 rentals out of the 1,100 homes in Water Oak.

Commissioner Vincent asked if there was any possibility that Sun Communities would consider widening the roadways from 20 ft. to 22 ft. wide to allow easier access for emergency vehicles.

Ms. Parker replied that this would not be a possibility as they are currently complying with code and that would mean a redesign of the whole project.

Mr. Carroll interjected that they are complying with code at 20 ft. width for roads, and that in the event of emergency response, they could pull off on the shoulder or the grass a little.

Mayor Kussard confirmed with Mr. Frontario that his earlier issues were addressed.

Mr. Frontario confirmed that there would be street lighting on the new parcel as well.

Upon a motion by Commissioner Hannan and a second by Commissioner Holden, the Commission approved the Water Oak Catfish Pond Plans - Major Modification to Site Plan 03/16-001, by a vote of 5 to 0.

Mayor Kussard recognized that Peter Tarvey of the Umatilla Commission is in attendance.

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5. Consideration of Approval of the Extension to the Development Order for Lumen Park at Lady Lake MJSP 06/15-001 - Provide an Additional Six Months to Allow Project to Commence Construction after Making Minor Adjustments to the Previously Approved Plans and Arranging Financing – Located at 1175 Hwy 466 (Thad Carroll)

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that on July 20, 2015, the Town Commission approved the Lumen Park at Lady Lake MJSP 06/15-001 proposing a three-story assisted living facility providing 154 beds in 129 units. On December 7, 2015, the Lumen Park Final Commercial Plat was approved creating 23 lots on the 30-acre parcel to convey, under special warranty deeds with conservation restrictions, the easterly fifty feet and the northerly fifty feet of the conservation tract to adjacent property owners, as per the terms of Memorandum of Agreement Ordinance 2011-28.

With plans to move the project forward, Lumen Park representatives requested that the Town adopt Resolution No. 2016-106 to allow the issuance of tax-exempt revenue bonds for the purpose of financing, refinancing or reimbursing the cost of the acquisition, construction, equipping and development activities in the amount of $46,000,000.00; which was approved and executed on June 9, 2016.

Mr. Carroll stated that at this time, the engineer of record for Lumen Park at Lady Lake is requesting the extension of the Development Order due to expire on July 21, 2016, for a minimum of six months to allow more time to finalize the process of making minor adjustments to the plans, to execute the Water, Sewer, and Reuse Agreement to reserve utility capacity for the project, and to secure building permits for construction of the facility. He stated that Christopher Germana, of Germana Engineering and Associates, LLC, has provided a letter dated June 23, 2016 requesting the extension, which would be valid through January 21, 2017. He stated the anticipated start date is in September.

Mr. Carroll stated Mr. Germana is present if there are any questions.

Commissioner Hannan commented that he noticed some of the permits will be expiring in November.

Upon a motion by Commissioner Richards and a second by Commissioner Hannan, the Commission approved a six-month extension to the Development Order for Lumen Park at Lady Lake MJSP 06/15-001 by a vote of 5 to 0.

J. TOWN ATTORNEY'S REPORT:

6. Ordinance No. 2016-18 – Second/Final Reading – Annexation – The Villages of Lake-Sumter, Inc. – for Six Lots Consisting of Approximately 0.88 +/- Acres Within Orange Blossom Gardens Units 2, 3.1b, and 4 Within Lake County, Florida, Referenced by Alternate Keys 1672465, 3238575, 2523271, 2534672, 2800526, and 2701188 (Thad Carroll)

Attorney Sasha Garcia 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 six lots located north of Griffin Avenue and northeast of North Highway 27/441, within the Orange Blossom Gardens

Subdivisions Units 2, 3.1B and 4. The annexation application involves 0.88 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

Mr. Carroll stated the six lots include the following addresses:

- 1015 Vermont Avenue
- 1305 Debra Drive
- 828 Silver Oak Avenue
- 816 Weeping Willow Avenue
- 1240 Dustin Drive
- 812 Tarrson Boulevard

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 each property has 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 non-contiguous lots.

Mr. Carroll stated that the present use of the properties is manufactured homes that will be replaced; five of the properties having been cleared at this point. He stated staff recommends approval of this application. A map, aerial views of the property, and photos of the posting of the properties were shown.

Mr. Carroll stated the annexation application was received on Thursday, May 5, 2016, 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 consideration by the Town Commission. He reported that notices to inform the surrounding property owners (98) within 150 feet of the properties proposed by annexation request were mailed Thursday, May 26, 2016, and the properties were posted Tuesday, June 31, 2016. No letters of objection or support have been received to date.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-18, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the June 13, 2016 meeting, the Planning and Zoning Board voted 4-0 for approval of Ordinance No. 2016-18. On July 6, 2016, the Town Commission voted 4-0 to approve Ordinance No. 2016-18 upon first reading.

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

Mayor Kussard asked if anyone else had any questions or comments.

- Joe Quinn of 633 Rainbow Blvd. noted that some of these cleared lots are being used as a parking lot or to store equipment, sod, or other building materials.

Commissioner Hannan agreed that this does occur.

Mr. Dzuro stated he will speak to the contractors, although he knows they use the vacant lots for the delivery of sod being used the next day, or equipment scheduled for use, to keep it out of the road. He stated he will speak to them to see if the impact can be lessened, but it goes quick once they get going.

Mr. Carroll stated that complaints can be called in to code enforcement, and they will check to see if there is an active permit for the property.

Upon a motion by Commissioner Holden and seconded by Commissioner Vincent, the Commission approved the second/final reading of Ordinance No. 2016-18, by the following roll call vote:

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

7. Ordinance No. 2016-19 – Second/Final Reading – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for Six Lots Consisting of Approximately 0.88 +/- Acres Within Orange Blossom Gardens Units 2, 3.1b, and 4 Within Lake County, Florida, Referenced by Alternate Keys 1672465, 3238575, 2523271, 2534672, 2800526, and 2701188 (Thad Carroll)

Attorney Sasha Garcia 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 six lots located north of Griffin Avenue and northeast of North Highway 27/441, within the Orange Blossom Garden Subdivisions Units 2, 3.1B, and 4, from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The application involves 0.88 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. The proposed properties are as follows:

- 1015 Vermont Avenue
- 1305 Debra Drive
- 828 Silver Oak Avenue
- 816 Weeping Willow Avenue
- 1240 Dustin Drive
- 812 Tarrson Boulevard

The future land use map was shown.

Mr. Carroll stated the Small Scale Future Land Use Map Amendment application was received on Thursday, May 5, 2016, 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 consideration by the Town

Commission. Staff recommends approval. He stated that notices to inform the surrounding property owners (98) within 150' of the property of the proposed annexation were mailed on Thursday, May 26, 2016, and the properties were posted Tuesday, May 31, 2016. No letters of objection or support have been received to date.

Concurrency Determination Statement: The Villages has removed existing manufactured homes on six lots in a historic section of the Villages known as Orange Blossom Gardens to construct a similar size conventional built home on each lot (the one home on Dustin Drive has yet to be removed). There will be no increase in utility services, traffic, population, or recreation use.

Mr. Carroll reviewed the impact on Town services 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 small scale future land use amendment 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.

The subject properties involve approximately 0.88 ± acres lie 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
East	Lake County – Medium Urban Density/ Lady Lake Manufactured Home High Density
North	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density
South	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density

Note: 812 Tarrson Boulevard abuts RET (Commercial General - Retail) to the west.

Comments:

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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.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-19, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the June 13, 2016 meeting, the Planning and Zoning Board voted 4-0 for approval of Ordinance No. 2016-19. The Local Planning Agency considered Ordinance No. 2016-19 previous to this meeting at 5:45 p.m. and voted 4-0 to approve. On July 6, 2016, the Town Commission voted 4-0 to approve Ordinance No. 2016-19 upon first reading.

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

Mayor Kussard asked if anyone else had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Hannan and seconded by Commissioner Richards, the Commission approved the second/final reading of Ordinance No. 2016-19, by the following roll call vote:

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

8. Ordinance No. 2016-20 – Second/Final Reading – Rezoning – The Villages of Lake-Sumter, Inc. – from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) for Six Lots Consisting of Approximately 0.88 +/- Acres Within Orange Blossom Gardens Units 2, 3.1b, and 4 Within Lake County, Florida, Referenced by Alternate Keys 1672465, 3238575, 2523271, 2534672, 2800526, and 2701188 (Thad Carroll)

Attorney Sasha Garcia 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 six lots located north of Griffin Avenue and northeast of North Highway 27/441, within the Orange Blossom Gardens Subdivisions Units 2, 3.1B, and 4. The application is the last in this series and involves rezoning 0.88 +/- 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. Staff recommends approval of this ordinance.

The proposed properties are as follows:

- 1015 Vermont Avenue
- 1305 Debra Drive
- 828 Silver Oak Avenue
- 816 Weeping Willow Avenue
- 1240 Dustin Drive
- 812 Tarrson Boulevard

A zoning map was shown.

Mr. Carroll stated that the Rezoning application was received on Thursday, May 5, 2016, 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 consideration by the Town Commission. He stated that notices to inform the surrounding property owners (98) within 150' of the property of the proposed annexation were mailed on Thursday, May 26, 2016, and the properties were posted Tuesday, May 31, 2016. No letters of objection or support have been received to date.

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) Lady Lake 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)

Note: 812 Tarrson Boulevard abuts CP (Planned Commercial) to the west.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-20, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the June 13, 2016 meeting, the Planning and Zoning Board voted 4-0 for approval of Ordinance No. 2016-20. On July 6, 2016, the Town Commission voted 4-0 to approve Ordinance No. 2016-20 upon first reading.

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

Mayor Kussard asked if anyone else had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Hannan and seconded by Commissioner Vincent, the Commission approved the second/final reading of Ordinance No. 2016-20, by the following roll call vote:

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

K. TOWN MANAGER'S REPORT:

Town Manager Kris Kollgaard stated that Traffic Engineering Data Solutions Inc. was retained by the Lake County Public Works Department to complete a traffic study of the intersection of C.R. 466 and Rolling Acres Road. The results of this study was forwarded to the Commissioners for review and comment. She stated that Lake County has also asked for staff's input and recommendations as well.

Commissioner Hannan stated he was disappointed with it.

Commissioner Richards stated they will be adding a five head traffic light, and will time the left hand turns on Rolling Acres, both north and south, to go at the same time. He stated they will also discontinue allowing U-turns at the intersection, and the cross access easement still needs to be worked on.

Ms. Kollgaard stated she believed there was already a cross access easement between the two developments there.

Commissioner Richards commented that it should also help when they stop left hand turns coming out of the Lady Lake Crossing shopping plaza on Rolling Acres Road.

Commissioner Hannan stated the study mentioned the RV park sign obstructed views of traffic. He asked if staff needs to talk to Recreation Plantation about this.

Ms. Kollgaard and Commissioner Richards both stated the sign was approved and it is within the 25' triangle, and there is a traffic light there.

Commissioner Holden commented that the Town pushed for an access road and a traffic light on C.R. 466 when the development was being done, and if this had been done, it would have eliminated some of the issues coming up at this time.

Ms. Kollgaard asked the Commissioners to take a look at the list of websites that were passed out that she has been looking at to use as a model for the Town to update their website. She stated her favorite design is the North Oaks, Minnesota website for ease of finding what is needed and for being user friendly.

Ms. Kollgaard also passed out a draft employee survey that includes backup information regarding PTO for the Commissioners' review. She stated she would like the Commissioners' feedback before sending it to the employees.

L. MAYOR/COMMISSIONER'S REPORT:

DRAFT

M. PUBLIC COMMENTS:

Mayor Kussard asked if there were any further questions or comments.

- Joe Quinn of 633 Rainbow Blvd. asked what is going on with the home on Beachwood where part of the house and carport was ripped off. He asked what will happen to what is left.

Chief Chris McKinstry stated this is a first for him, and that a criminal complaint is being processed for the property at 812 Beachwood where someone attempted to steal the home.

Mr. Carroll stated this property is actually in Lake County and their code enforcement has been informed of the issue.

Ms. Kollgaard stated that although it is in the county, the Lady Lake Police Department responded and is handling the criminal aspect of the case.

- Frank Frontario of Water Oak stated that Water Oak's policy in the past was to have 15 feet between homes. He stated he understands the site plan has been approved with a minimum of ten feet between homes, but asked what recourse residents would have if there happened to be less than ten feet between structures.

Mr. Carroll replied that once the home is set, the inspector will measure it to the adjacent structure; distance from house to house and the setback from the road. If it is not to code, they will not receive a Certificate of Occupancy and they will have to move it.

N. ADJOURN: The meeting was adjourned at 6:44 p.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

[i] *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.*

DRAFT

J-3

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE August 1, 2016

SUBJECT: Discuss the proposed dates, times and places for the setting the tentative millage rate and budget hearing and the second public hearing for adopting the final millage rate and budget.

DEPARTMENT: Finance

RECOMMENDED MOTION: That the date, time and place of setting the tentative millage and budget hearing be for Wednesday, September 7, 2016 at 6:00 PM in the Commission Chambers with the date, time and place for the second public hearing for adopting the final millage rate and budget be set for Wednesday, September 21, 2016 at 6:00 PM in the Commission Chambers.

SUMMARY: A proposed millage rate for fiscal year 2016-2017 must be submitted to the property appraiser by noon August 4th, along with the date, time and place of the tentative millage and budget hearing. The proposed millage rate can be decreased but **cannot be increased** at the tentative budget hearing or at the final public hearing. The current year's rolled back rate is 3.3962 mills. Currently we have the budget based on the millage rate of 3.5510 mills which is a 4.56% increase above the current year's rolled back rate. This rate as well as any rate up to 3.7154 mills would require three (3) affirmative votes of the Town Commission. Any rate above 3.7154 mills to 4.0869 mills would require a two-thirds vote of the Town Commission or four (4) affirmative votes. These votes are based on the total membership of the Town Commission, rather than the membership present at the meeting. Any rate above 4.0869 mills would require a unanimous vote of all five Town Commissioners. The Town's two public hearings cannot conflict with Lake County or School Board public hearings. The tentative dates for the County are September 13th and September 27th and the School Board are July 25th and September 12th. The public hearings cannot start before 5 PM.

FISCAL IMPACT: $ 3,267,211 of revenue at 3.5510 rate

[ ] Capital Budget
[ ] Operating
[ ] Other

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

[X] Other Millage rate analysis fiscal year 2016-2017
[ ] Support Documents/Contracts Available for Review in Manager's Office

DEPARTMENT HEAD	pow	**Submitted**	**Date** 7/20/16
FINANCE DEPARTMENT	pow	**Approved as to Budget Requirements**	**Date** 7/20/16
TOWN MANAGER	KW	**Approved Agenda Item for:** 8/1/16	**Date** 7/21/16

COMMISSION ACTION: [ ] **Approved as Recommended** [ ] **Disapproved**
[ ] **Tabled Indefinitely** [ ] **Continued to Date Certain** [ ] **Approved with Modification**

Reviewed _____

TOWN OF LADY LAKE
MILLAGE RATE ANALYSIS
FISCAL YEAR 2016-2017

TAXABLE VALUE THIS YEAR (DR-420)	$ 968,507,235
TAXABLE VALUE LAST YEAR (DR-422)	$ 908,771,115
Total increase in net taxable value this year resulting in a 6.57% increase which includes new construction, etc., of $18,318,912 (2.02%) and increased values of $41,417,208 (4.56%).	$ 59,736,120

	MILLAGE RATE	AD VALOREM TAXES
Current year rolled back rate (amount needed to generate the same revenues as last year based on this year's taxable value less new construction).	3.3962	$3,289,244 x 95% 3,124,782
Last year's millage rate which is 4.56% or .1548 mills higher than the current year's rolled back rate.	3.5510	$3,439,169 x 95% $3,267,211
Majority vote maximum rate which is a 9.40% or .3192 mill increase over the current year's rolled back rate and a 4.63% increase over last year's final rate.	3.7154	$3,598,392 x 95% $3,418,472
Any of the above rates would require at least three (3) affirmative votes.		
Two-thirds vote maximum rate requiring four (4) affirmative votes of the Town Commission which is a 20.27% or .6907 mill increase over the current year's rolled back rate.	4.0869	$3,958,192 x 95% $3,760,283

(Required votes are based on the total membership of the Town Commission, rather than the membership present at the meeting.)

Calculation of various millage levies for voting requirements. The current year's rolled back rate is 3.396. Since the Town did not approve the majority vote maximum millage rate of 3.744 last year, we can then adjust this year's rolled back rate based on the prior year's majority vote maximum millage rate. So we take the prior year's maximum ad valorem proceeds requiring a majority vote and divide the current year's taxable value (less new construction, etc.) times 1000 (($3,402,712/$950,188,323) x1000) which results in an adjusted current year rolled-back rate of 3.581. Using the adjusted current year's roll back rate, we make the adjustment for growth in per capita Florida personal income of 1.0375% (3.581 x 1.0375) to get the majority vote maximum millage rate of 3.715 mills. To calculate the two-thirds vote maximum millage rate allowed, we have to take the majority vote maximum millage rate of 3.7154 and increase it by 10% (3.715 x 1.10) to get the two-thirds vote (4 of the 5) maximum rate of 4.087 mills. Any rate higher than 4.087 mills would require a unanimous vote of all five (5) Town Commissioners.

The property tax is based on the value of real and personal property. Each year, the Property Appraiser determines the total value of each parcel of property. The value of residential property represents only the value of the real estate, which includes buildings and improvements; while commercial property includes these values in addition to all relevant personal property. This value is called "assessed value". After subtracting all lawful exemptions (i.e., homestead exemption: $25,000; amendment one exemption up to $25,000; TPP exemption up to $25,000; senior exemption: $25,000; portability exemption; widow: $500; widower: $500; veterans' disability: $5,000 and others), the remaining value is called "taxable value". It is this figure on which ad valorem property taxes are calculated. The property tax is calculated by multiplying the taxable value of the property by .001, and then multiplying this number by the rate of taxation, which is referred to as "mills" or "millage rate". One mill is equivalent to $1 per $1,000 of taxable value. For example, if you own your own home, and the property appraiser has set the assessed value at $75,000, the taxable value would be $25,000 after subtracting your $25,000 homestead exemption and amendment one exemption of $25,000. With a Town millage rate of 3.5510 mills, you would owe $88.77 in Lady Lake property taxes ($25,000 * .001= $25, and $25 * 3.5510 mills = $88.77). This calculation is only valid for the Town's share of the total millage rate of all the taxing authorities.

Town of Lady Lake
Budget Calendar
For FY16-17

August	
1 - Mon	Preliminary rate resolution setting maximum fire assessment fees (if there are any rate changes, if no rate changes then N/A)
1 - Mon	**Set Meeting Date for setting proposed millage Rate at Regular Commission meeting**
	(NOTE: THIS HEARING DATE CANNOT CONFLICT WITH SCHOOL BOARD OR COUNTY HEARING DATES-scheduled *tentatively/respectively on Jul 25th & Sept 12th & (CTY) Sept 13 & 27*)
4-Thu	**Notification to Property Appraiser of the Date, Time and Place of the Tentative Budget Hearing setting the Proposed Millage Rate and submit the DR-420**
5-Fri	LCPA eTrim Certification of 420's to all authorities
19 Fri	Property Appraiser mails notice of proposed property taxes (DR 474 TRIM notice)
September	
2, 3, 4, 5, or 6 Fri thru Tue	Advertise the Tentative Budget Summary and Millage Rate (2-5 days before hearing)
7-Wed	Tentative Budget and Millage Rate Hearing (6:00PM) **(IF THIS DOES NOT CONFLICT WITH SCHOOL BOARD OR COUNTY HEARING DATES)** Amends & adopts Tentative Budget and proposed Millage scheduled tentatively/respectively on Jul 25th & Sept 12th & (CTY) Sept 13 & 27.
18 - Thu	Revenue (TRIM@dor.state.fl.us or by fax 850-414-13089) NLT 3 days after hearing.
21 - Wed	2nd Public Hearing-Adopt Final Millage and Budget (6:00PM) **(IF THIS DATE DOES NOT CONFLICT WITH SCHOOL BOARD OR COUNTY HEARING DATE)** (2-5 days after advertisement) (2-5 days after advertisement) scheduled tentatively/respectively on September 12th & 13, 27)
27-Tue	Property Appraiser delivers Form DR 422 (final adjusted tax roll) after the Value Adjustment Board
Within 3 Days	Complete & Certify Form 422 and deliver to Property Appraiser within 3 days of receipt of Form FR 422 (final adjusted tax roll)
30 - Fri	Complete and Submit form DR 487 with the Trim Compliance Package within 30 days of Adoption (NLT Oct 17)

Keyword Search

go

Budget

Budget Home

Fiscal Year 2017
Fiscal Year 2016
Fiscal Year 2015
Fiscal Year 2014
Fiscal Year 2013
Fiscal Year 2012
Fiscal Year 2011
Fiscal Year 2010
Fiscal Year 2009
Fiscal Year 2008
Fiscal Year 2007
Fiscal Year 2006
Fiscal Year 2004-2005 - Budget in Brief
Fiscal Year 2002-2003: Biennial Budget & Capital Improvement Program
Capital Improvement Program Fiscal Year 2012-2016
Capital Improvement Program Fiscal Year 2011-2015
Capital Improvement Program Fiscal Year 2010-2014
Capital Improvement Program Fiscal Year 2009-2013
Policies and Definitions
Public Budget Meeting Dates
5 Year Transportation Construction Program
Other Agencies' Budgets

Contact Budget
Fiscal & Administrative Services Home

Citizen Action Request

Send a request through the Citizen Action Request Line

General Information

Lake County BCC
315 West Main St.
P.O. Box 7800
Tavares, Florida 32778

Disclaimer : Contact Us

Annual Budget for Fiscal Year 2017

Print Save Link

The Lake County Board of County Commissioners will be holding several budget workshops over the next several months regarding County departments, the Department of Health, Lifestream, an Employee Medical Center, a salary study, Non-Departmental and Sales Tax. As these workshops are scheduled, they will appear on the County Commission agenda. Click here to see the agendas for upcoming County Commission meetings..

Recommended Budget Book - Fiscal Year 2017

Fiscal Year 2017 Budget Calendar

Public Hearings
5:05 p.m. in Board Chambers, 315 W. Main St, Tavares

- September 13, 2016 - First public hearing on Fiscal Year 2016 budget
- September 27, 2016 - Second public hearing on Fiscal Year 2016 budget

FY 2017 Public Budget Workshop and TRIM Schedule
Presentations and documents will be posted here after the workshops.

- January 19, 2016
  - Budget Kickoff – 2016 Economic Forecast
- February 2, 2016
  - Budget Workshop: Millages and Revenue Outlook
- April 5, 2016
  - Budget Overview
  - Community Services Department Budget Workshop
- April 19, 2016
  - Public Works Budget Workshop
  - Community Safety and Compliance Update and Budget Presentation
- May 3, 2016
  - Economic Growth Department Budget Workshop
  - Public Resources Department Budget Workshop
  - Information Technology Department Budget Workshop
- May 17, 2016
  - Solid Waste Update and Budget Workshop
  - Budget Workshop – Communications Department
  - Budget Work Session – Self-Funded Medical Plan
- June 7, 2016
  - Budget Work Session - Fire Assessment Update
  - Facilities and Fleet Management Update and Budget Workshop
  - Public Safety Update and Budget Workshop
- June 21, 2016
  - Budget Workshop Summary
- July 1, 2016 – Property Appraiser's office certifies Taxable Value
- July 12, 2016
  - FY 2017 Maximum Millage Rates
  - Fire and Solid Waste Assessments

FINANCIAL TRANSPARENCY

Lake County School District Financial Data

Our Fiscal Year Ends on June 30

2016 Budget Hearings:

Monday July 25, 2016 at 5:50pm

Monday, September 12, 2016 at 5:50pm

On May 27, 2009, Governor Crist signed the Transparency Florida Act into law. This legislation requires the Governor's Office to develop a website to provide specific information on every appropriation found within the General Appropriation Act for each branch of state government and state agency. The data must include at a minimum: expenditures, appropriations and adjustments, the status of spending authority for each appropriation and position and rate information on state employees.

The website will be overseen by the Joint Legislative Auditing Committee which will also propose additional phases of information to be made available. The committee submitted a proposal directly to the Speaker of the House and President of the Senate which includes a schedule of additional phases of information by the type of information to be provided for specific governmental entities including all local government units, community colleges, state universities and other government entities that receive state appropriations.

For more information, visit TransparencyFlorida.gov

Local Level

In an effort to promote and support the Transparency Florida Act at the local level, Lake County Schools has chosen to provide information similar to that which will be required under the Transparency Florida Act prior to the full implementation of the act.

The information presented below refers only to Lake County Schools.

Clink link to view files

FLORIDA DEPARTMENT OF REVENUE

Reset Form | Print Form

CERTIFICATION OF TAXABLE VALUE

DR-420
R. 5/12
Rule 12D-16.002
Florida Administrative Code
Effective 11/12

Year : 2016	County : LAKE
Principal Authority : TOWN OF LADY LAKE	Taxing Authority : TOWN OF LADY LAKE

SECTION I : COMPLETED BY PROPERTY APPRAISER

1.	Current year taxable value of real property for operating purposes	$ 893,074,484			(1)
2.	Current year taxable value of personal property for operating purposes	$ 75,432,751			(2)
3.	Current year taxable value of centrally assessed property for operating purposes	$ 0			(3)
4.	Current year gross taxable value for operating purposes *(Line 1 plus Line 2 plus Line 3)*	$ 968,507,235			(4)
5.	Current year net new taxable value (Add new construction, additions, rehabilitative improvements increasing assessed value by at least 100%, annexations, and tangible personal property value over 115% of the previous year's value. Subtract deletions.)	$ 18,318,912			(5)
6.	Current year adjusted taxable value *(Line 4 minus Line 5)*	$ 950,188,323			(6)
7.	Prior year FINAL gross taxable value from prior year applicable Form DR-403 series	$ 908,771,115			(7)
8.	Does the taxing authority include tax increment financing areas? If yes, enter number of worksheets (DR-420TIF) attached. If none, enter 0	☐ YES	☑ NO	Number 0	(8)
9.	Does the taxing authority levy a voted debt service millage or a millage voted for 2 years or less under s. 9(b), Article VII, State Constitution? If yes, enter the number of DR-420DEBT, *Certification of Voted Debt Millage* forms attached. If none, enter 0	☐ YES	☑ NO	Number 0	(9)

SIGN HERE	**Property Appraiser Certification**	I certify the taxable values above are correct to the best of my knowledge.
	Signature of Property Appraiser: Electronically Certified by Property Appraiser	Date : 6/27/2016 11:37 AM

SECTION II : COMPLETED BY TAXING AUTHORITY

If this portion of the form is not completed in FULL your taxing authority will be denied TRIM certification and possibly lose its millage levy privilege for the tax year. If any line is not applicable, enter -0-.

10.	Prior year operating millage levy *(If prior year millage was adjusted then use adjusted millage from Form DR-422)*	3.5510	per $1,000	(10)
11.	Prior year ad valorem proceeds *(Line 7 multiplied by Line 10, divided by 1,000)*	$ 3,227,046		(11)
12.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value *(Sum of either Lines 6c or Line 7a for all DR-420TIF forms)*	$ 0		(12)
13.	Adjusted prior year ad valorem proceeds *(Line 11 minus Line 12)*	$ 3,227,046		(13)
14.	Dedicated increment value, if any *(Sum of either Line 6b or Line 7e for all DR-420TIF forms)*	$ 0		(14)
15.	Adjusted current year taxable value *(Line 6 minus Line 14)*	$ 950,188,323		(15)
16.	Current year rolled-back rate *(Line 13 divided by Line 15, multiplied by 1,000)*	3.3962	per $1000	(16)
17.	Current year proposed operating millage rate	3.5510	per $1000	(17)
18.	Total taxes to be levied at proposed millage rate *(Line 17 multiplied by Line 4, divided by 1,000)*	$ 3,439,169		(18)

Continued on page 2

19.	TYPE of principal authority (check one)	☐ County ☑ Municipality	☐ Independent Special District ☐ Water Management District	(19)
20.	Applicable taxing authority (check one)	☑ Principal Authority ☐ MSTU	☐ Dependent Special District ☐ Water Management District Basin	(20)
21.	Is millage levied in more than one county? (check one)	☐ Yes	☑ No	(21)

DEPENDENT SPECIAL DISTRICTS AND MSTUs STOP **STOP HERE - SIGN AND SUBMIT**

22.	Enter the total adjusted prior year ad valorem proceeds of the principal authority, all dependent special districts, and MSTUs levying a millage. *(The sum of Line 13 from all DR-420 forms)*	$ 3,227,046	(22)
23.	Current year aggregate rolled-back rate *(Line 22 divided by Line 15, multiplied by 1,000)*	3.3962 per $1,000	(23)
24.	Current year aggregate rolled-back taxes *(Line 4 multiplied by Line 23, divided by 1,000)*	$ 3,289,244	(24)
25.	Enter total of all operating ad valorem taxes proposed to be levied by the principal taxing authority, all dependent districts, and MSTUs, if any. *(The sum of Line 18 from all DR-420 forms)*	$ 3,439,169	(25)
26.	Current year proposed aggregate millage rate *(Line 25 divided by Line 4, multiplied by 1,000)*	3.5510 per $1,000	(26)
27.	Current year proposed rate as a percent change of rolled-back rate *(Line 26 divided by Line 23, **minus 1**, multiplied by 100)*	4.56 %	(27)

First public budget hearing	Date :	Time :	Place :

SIGN HERE

Taxing Authority Certification	I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.	
Signature of Chief Administrative Officer :		Date :
Title : KRISTEN KOLLGAARD, TOWN MANAGER	Contact Name and Contact Title : PAMELA WINEGARDNER, FINANCE DIRECTOR	
Mailing Address : 409 FENNELL BLVD	Physical Address : 409 FENNELL BLVD	
City, State, Zip : LADY LAKE, FL 32159	Phone Number : 3527511538	Fax Number : 3527510229

Instructions on page 3

FLORIDA DEPARTMENT OF REVENUE

Reset Form | Print Form

MAXIMUM MILLAGE LEVY CALCULATION
PRELIMINARY DISCLOSURE
For municipal governments, counties, and special districts

DR-420MM-P
R. 5/12
Rule 12D-16.002
Florida Administrative Code
Effective 11/12

Year: **2016**	County: LAKE
Principal Authority: TOWN OF LADY LAKE	Taxing Authority: TOWN OF LADY LAKE

1.	Is your taxing authority a municipality or independent special district that has levied ad valorem taxes for less than 5 years?	☐ Yes	☑ No	(1)

IF YES, STOP *STOP HERE. SIGN AND SUBMIT. You are not subject to a millage limitation.*

2.	Current year rolled-back rate from Current Year Form DR-420, Line 16	3.3962	per $1,000	(2)
3.	Prior year maximum millage rate with a majority vote from ***2015*** Form DR-420MM, Line 13	3.7443	per $1,000	(3)
4.	Prior year operating millage rate from Current Year Form DR-420, Line 10	3.5510	per $1,000	(4)

If Line 4 is equal to or greater than Line 3, skip to Line 11. If less, continue to Line 5.

Adjust rolled-back rate based on prior year majority-vote maximum millage rate

5.	Prior year final gross taxable value from Current Year Form DR-420, Line 7	$	908,771,115	(5)
6.	Prior year maximum ad valorem proceeds with majority vote ***(Line 3 multiplied by Line 5 divided by 1,000)***	$	3,402,712	(6)
7.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value from Current Year Form DR-420 Line 12	$	0	(7)
8.	Adjusted prior year ad valorem proceeds with majority vote ***(Line 6 minus Line 7)***	$	3,402,712	(8)
9.	Adjusted current year taxable value from Current Year form DR-420 Line 15	$	950,188,323	(9)
10.	Adjusted current year rolled-back rate ***(Line 8 divided by Line 9, multiplied by 1,000)***	3.5811	per $1,000	(10)

Calculate maximum millage levy

11.	Rolled-back rate to be used for maximum millage levy calculation ***(Enter Line 10 if adjusted or else enter Line 2)***	3.5811	per $1,000	(11)
12.	Adjustment for change in per capita Florida personal income ***(See Line 12 Instructions)***		**1.0375**	(12)
13.	Majority vote maximum millage rate allowed ***(Line 11 multiplied by Line 12)***	3.7154	per $1,000	(13)
14.	Two-thirds vote maximum millage rate allowed ***(Multiply Line 13 by 1.10)***	4.0869	per $1,000	(14)
15.	Current year proposed millage rate	3.5510	per $1,000	(15)
16.	**Minimum vote required to levy proposed millage:** (Check one)			(16)

☑ a. Majority vote of the governing body: Check here if Line 15 is less than or equal to Line 13. The maximum millage rate is equal to the majority vote maximum rate. ***Enter Line 13 on Line 17.***

☐ b. Two-thirds vote of governing body: Check here if Line 15 is less than or equal to Line 14, but greater than Line 13. The maximum millage rate is equal to proposed rate. ***Enter Line 15 on Line 17.***

☐ c. Unanimous vote of the governing body, or 3/4 vote if nine members or more: Check here if Line 15 is greater than Line 14. The maximum millage rate is equal to the proposed rate. ***Enter Line 15 on Line 17.***

☐ d. Referendum: The maximum millage rate is equal to the proposed rate. ***Enter Line 15 on Line 17.***

17.	The selection on Line 16 allows a maximum millage rate of ***(Enter rate indicated by choice on Line 16)***	3.7154	per $1,000	(17)
18.	Current year gross taxable value from Current Year Form DR-420, Line 4	$	968,507,235	(18)

Continued on page 2

Taxing Authority : TOWN OF LADY LAKE			DR-420MM-P R. 5/12 Page 2
19.	Current year proposed taxes ***(Line 15 multiplied by Line 18, divided by 1,000)***	$ 3,439,169	(19)
20.	Total taxes levied at the maximum millage rate ***(Line 17 multiplied by Line 18, divided by 1,000)***	$ 3,598,392	(20)
	DEPENDENT SPECIAL DISTRICTS AND MSTUs STOP	***STOP HERE. SIGN AND SUBMIT.***	
21.	Enter the current year proposed taxes of all dependent special districts & MSTUs levying a millage . ***(The sum of all Lines 19 from each district's Form DR-420MM-P)***	$ 0	(21)
22.	Total current year proposed taxes ***(Line 19 plus Line 21)***	$ 3,439,169	(22)
	Total Maximum Taxes		
23.	Enter the taxes at the maximum millage of all dependent special districts & MSTUs levying a millage ***(The sum of all Lines 20 from each district's Form DR-420MM-P)***	$ 0	(23)
24.	Total taxes at maximum millage rate ***(Line 20 plus Line 23)***	$ 3,598,392	(24)
	Total Maximum Versus Total Taxes Levied		
25.	Are total current year proposed taxes on Line 22 equal to or less than total taxes at the maximum millage rate on Line 24? (Check one)	☑ YES ☐ NO	(25)

SIGN HERE	**Taxing Authority Certification**	I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.	
	Signature of Chief Administrative Officer :	Date :	
	Title : KRISTEN KOLLGAARD, TOWN MANAGER	Contact Name and Contact Title : PAMELA WINEGARDNER, FINANCE DIRECTOR	
	Mailing Address : 409 FENNELL BLVD	Physical Address : 409 FENNELL BLVD	
	City, State, Zip : LADY LAKE, FL 32159	Phone Number : 3527511538	Fax Number : 3527510229

Complete and submit this form DR-420MM-P, Maximum Millage Levy Calculation-Preliminary Disclosure, to your property appraiser with the form DR-420, Certification of Taxable Value.

Instructions on page 3

J-4

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: August 1, 2016

SUBJECT: Consideration of Approval to Advertise Bid No. 2016-0003 – Construction for Phase II of the Villages Elementary School Sidewalks Project - FPN 433200-1-68-01, Funded Through the Safe Routes to School Grant Program

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DEPARTMENT: Parks and Recreation

STAFF RECOMMENDED MOTION: Approval to Advertise Bid No. 2016-0003 – Construction for Phase II of the Villages Elementary School Sidewalks Project - FPN 433200-1-68-01, Funded Through the Safe Routes to School Grant Program

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SUMMARY: The Parks and Recreation Director is asking for permission to work with the Town Manager to put the construction of Phase II of the Safe Routes to School Sidewalks project out to bid. The improvements under this contract consist of the construction of a 5-ft. wide sidewalk along the north and south sides of Oak St. from Clay Ave. to CR 25 (approximately 10,20 feet), and along the west side of CR 25 from Oak St. to Fennell Blvd. (approximately 3,350 feet). If the project comes in on budget, then it is a 100% no-match grant.

FISCAL IMPACT: Advertising estimated at $250.00.

[ ] **Capital Budget**
[ ] **Operating**
[X] **Other (Grant Funding)**

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

[ ] **Other** [X] **Support Document** (Ad; bid documents are in the Clerk's Office.)

DEPARTMENT HEAD MDP	**Submitted** 07/21/16	**Date** 08/01/16
HR	**Approved as to Form**	**Date**
FINANCE DEPARTMENT DSJ	**Approved as to Budget Requirements**	**Date** 7/21/16
TOWN MANAGER	**Approved Agenda Item for:** 8/1/16	**Date** 7/21/16

COMMISSION ACTION:

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

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

TOWN OF LADY LAKE
INVITATION TO BID
BID NO. 2016-0003 - CONSTRUCTION SERVICES FOR
LAP VILLAGES SIDEWALK SAFETY PROJECT PHASE II

The Town of Lady Lake is advertising this invitation to bid for interested parties to provide the following scope of work: The improvements under this contract consist of the construction of a 5-ft. wide sidewalk along the north and south sides of Oak St. from Clay Ave. to CR 25 (approximately 10,20 feet), and along the west side of CR 25 from Oak St. to Fennell Blvd. (approximately 3,350 feet). The westerly portion of the sidewalk along Oak St. is located along the south right-of-way to avoid impact to an existing regional lift station located on the north right-of-way. The easterly portion of the sidewalk along Oak St. is located along the north right-of-way to avoid impact to a mature 30-ft. oak tree located on the south right-of-way. Included is a mid-block crossing with signage and a Rectangular Rapid Flashing Beacon (RRFB) to allow for the change from one side of the right-of-way to the other. Drainage modifications are required, including minor ditch re-grading, removal of existing drainage structure, and inclusion of drainage inlets and mitered end sections. Additional improvements include the construction of driveways (both concrete and asphalt), curb and gutter, curb cut ramps, detectable warning surfaces, and minor utility adjustments. All crosswalks, sidewalks, and curb cut ramps shall adhere to current ADA standards.

A non-mandatory pre-bid meeting will be held on August 16, 2016 at 1:00 p.m. at Town Hall Commission Chambers, 409 Fennell Blvd., Lady Lake, Florida 32159. All interested bidders are encouraged to attend.

Bids may be obtained electronically at no charge by contacting Nancy Slaton, Deputy Town Clerk, by e-mail at nslaton@ladylake.org, or by calling (352) 751-1501. Additionally, bid documents may be obtained through DemandStar at https://www.demandstar.com.

The bid must be sealed in an envelope and addressed to Nancy Slaton, Deputy Town Clerk, Town of Lady Lake, 409 Fennell Blvd., Lady Lake, Florida 32159, and MUST be marked on the outside with the following information:

TOWN OF LADY LAKE BID NO. 2016-0003
LOCAL AGENCY PROGRAM (LAP) VILLAGES ELEMENTARY
SAFE ROUTES TO SCHOOL PROJECT
FPN: 433200-1-58-01
FAN: SRTS 329 A

Bids received after the specified submittal date and time, or improperly marked, will be returned unopened.

Sealed bid offers (original bid form and three (3) complete copies) for furnishing the above will be accepted up to **10:00 a.m.** on **Sept. 12, 2016** in the Clerk's Office of the Town of Lady Lake at 409 Fennell Blvd., Lady Lake, Florida 32159. Bids will be publically opened immediately thereafter and read in the Town Commission Chambers located at 409 Fennell Blvd, Lady Lake, FL. Responses to this BID upon receipt by the Town will become a public record subject to the provisions of Chapter 119 F.S. Florida Public Records Law.

Questions should be directed to Mike Burske, Parks and Recreation Director, by email at mburske@ladylake.org, or by phone at (352) 430-0451. The Town of Lady Lake reserves the right to reject any and all bids and to waive any informalities or irregularities therein.

J-5

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: August 1, 2016

SUBJECT: Renewal of the Interlocal Agreement between Lake County and the Town of Lady Lake Relating to the Provision of Library Services for the period October 1, 2016 through September 30, 2019.

DEPARTMENT: Library

STAFF RECOMMENDED MOTION: Approve the renewal of the Interlocal Agreement between Lake County and the Town of Lady Lake Relating to the Provision of Library Services for the period October 1, 2016 to September 30, 2019.

SUMMARY:
As per Paul Alford's letter of June 20, 2016 the changes made to the new Interlocal Agreement are: (A) Current centralized cataloging practice, (B) Changes in provision of IT support through the Lake County Information Technology Department, (C) Clarification of response time frames for IT support requests and (D) Discontinued reciprocal library borrowing with Osceola County.

FISCAL IMPACT: None

[ ] Capital Budget
[ ] Operating
[ ] Other

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

[ ] Other

[X] Support Documents: (A) Letter from Paul Alford dated June 20, 2016
(B) Recommended Appropriation of County Funds for Member Libraries FY 16/17
(C) Interlocal Agreement between Lake County and the Town of Lady Lake

---

DEPARTMENT HEAD	**Submitted** Marsha Brunem	**Date** 7/25/16
HR	**Approved as to Form**	**Date**
FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
TOWN MANAGER	**Approved Agenda Item for:** 8-1-16	**Date** 7-26-16

COMMISSION ACTION:

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

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

LAKE COUNTY
FLORIDA

JUN 2 5 2016
Town of Lady Lake
Town Manager's Office

June 20, 2016

Kristen Kollgaard, Town Manager
Town of Lady Lake
409 Fennell Blvd.
Lady Lake, FL 32159-3158

Dear Ms. Kollgaard:

Enclosed are two originals of the "Interlocal Agreement between Lake County and Town of Lady Lake Relating to Provision of Library Services: for the period October 1, 2016 through September 30, 2019. Please submit this to your governing body for signature and approval and return to my attention at your earliest convenience. The approved agreements from all nine member libraries will be presented to the Lake County Board of County Commissioners for approval and signature at its regular meeting on September 13, 2016.

The new agreement was approved by the member library directors on May 26, 2016, and by the Lake County Library Advisory Board on June 16, 2016. There are few changes between this agreement and the current agreement. At the recommendation of the member library directors, the funding formula will remain the same. Other changes were made to reflect:

- Current centralized cataloging practice;
- Changes in provision of IT support through the Lake County Information Technology Department;
- Clarification of response timeframes for IT support requests; and
- Discontinued reciprocal library borrowing with Osceola County.

Also enclosed is a copy of the recommended appropriation of county funds to the member libraries for Fiscal Year 2016-2017, based on the current formula and based on the total appropriation amount which remains at $959,290. Please be aware that the appropriation is subject to change until the final county budget is approved.

DEPARTMENT OF PUBLIC RESOURCES
P.O. BOX 7800 • 2401 WOODLEA RD., TAVARES, FL 32778 • P 352.253.6150 • F 352.253.6184
Board of County Commissioners • www.lakecountyfl.gov

TIMOTHY I. SULLIVAN *District 1* | SEAN M. PARKS, *AICP, QEP* *District 2* | JIMMY CONNER *District 3* | LESLIE CAMPIONE *District 4* | WELTON G. CADWELL *District 5*

Thank you for your continued support and participation in the Lake County Library System. Because of this partnership, we are providing the best library service possible to all residents of Lake County. If you have any questions, please contact me at 352-253-6180 or palford@mylakelibrary.org.

Sincerely,

Paul Alford
Library Services Division Manager

Enclosures

cc: Sean Parks, Chair, Lake County Board of County Commissioners
Leslie Campione, Commissioner, District 4, and Library Liaison
Melanie Marsh, County Attorney
Bill Veach, Deputy County Manager
Jeff Cole, Public Resources Director
Nancy Slaton, Deputy Clerk, Town of Lady Lake
Marsha Brinson, Director, Lady Lake Public Library

LAKE COUNTY
Library System

Recommended Appropriation of County Funds
For Member Libraries - FY 16/17

		Formula Per Interlocal Agreement					
Member Library	FY 15/16 Appropriation	Base Amount	Circulation	% of Circulation	Circulation Allocation	FY 16/17 Appropriation	Change from CY
Fruitland Park Library	$64,631	$15,000	70,303	6.14%	50,611	$65,611	1.5%
Lady Lake Public Library	$117,439	$15,000	152,485	13.31%	109,713	$124,713	6.2%
Leesburg Public Library	$272,557	$15,000	371,858	32.46%	267,565	$282,565	3.7%
Helen Lehmann Mem. Library	$25,264	$15,000	12,708	1.11%	9,150	$24,150	-4.4%
Tavares Public Library	$92,850	$15,000	106,122	9.26%	76,329	$91,329	-1.6%
Umatilla Public Library	$117,538	$15,000	123,757	10.80%	89,023	$104,023	-11.5%
W. T. Bland Public Library	$210,926	$15,000	264,884	23.12%	190,576	$205,576	-2.5%
Marianne Beck Mem. Library	$29,912	$15,000	24,602	2.15%	17,722	$32,722	9.4%
Minneola Schoolhouse Library	$28,173	$15,000	18,946	1.65%	13,601	$28,601	1.5%
TOTALS	*$959,290*	*$135,000*	*1,145,665*	*100.00%*	*$824,290*	*$959,290*	*0.0%*

INTERLOCAL AGREEMENT
BETWEEN
LAKE COUNTY
AND
TOWN OF LADY LAKE
RELATING TO
PROVISION OF LIBRARY SERVICES

This is an Agreement between LAKE COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY", by and through its Board of County Commissioners, and the Town of Lady Lake, a municipal corporation pursuant to the Laws of Florida, located in Lake County, Florida, hereinafter referred to as "MUNICIPALITY", by and through its Town Commission.

WITNESSETH:

WHEREAS, the COUNTY and MUNICIPALITY believe it is mutually beneficial and in the public interest to enter into an agreement which provides equal access to public library service, without charge, for all residents of Lake County; and

WHEREAS, Chapter 163, Florida Statutes, Intergovernmental Programs, Part I, Miscellaneous Programs, Section 163.01, The Florida Interlocal Cooperation Act of 1969, provides that public agencies of the State of Florida may exercise jointly with any other public agency of the State of Florida any power, privilege, or authority which such agencies share in common, and which each might exercise separately, and that a joint exercise of power by such agencies may be made by contract in the form of an interlocal agreement; and

WHEREAS, both the COUNTY and the MUNICIPALITY are public agencies within the meaning of Chapter 163, Florida Statutes, Intergovernmental Programs, Part I, Section 163.01; and

WHEREAS, Chapter 166, Florida Statutes, subsection 166.021(1), authorizes the MUNICIPALITY to render municipal services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Chapter 125, Florida Statutes, subsection 125.01(1)(f), authorizes the COUNTY to provide libraries and cultural facilities and programs; and

WHEREAS, the COUNTY is an eligible political subdivision under Chapter 257.17, Florida Statutes, that can participate in the State Aid to Libraries Program and is designated as the single library administrative unit; and

WHEREAS, the Lake County Board of County Commissioners is designated as the governing body that coordinates the library services and programs for the public library cooperative.

NOW, THEREFORE, in consideration of the mutual benefits, covenants and agreements set forth herein, the parties hereto agree as follows:

1. PURPOSE:

The COUNTY and the MUNICIPALITY enter into this Agreement for the purpose of providing unified library service without charge to residents of Lake County by participating in the cooperative operation of the Lake County Library System, a public library cooperative. In support of said purpose the COUNTY and the MUNICIPALITY endorse the *State Aid to Libraries Program* over-arching goal to assist local governments in maintaining and developing vital library services, and specifically to:

A. Provide equal access to free public library service to all residents of the service areas of the participating governments.

B. Coordinate library service throughout the service areas.

C. Provide consistent plans, programs, policies, and procedures in the operation, maintenance, and development of library service throughout the service area.

2. DEFINITIONS:

A. "Annual plan of service", according to *State Aid to Libraries Guidelines,* means a document adopted or approved by the library system's governing body and submitted as part of the application for State Aid to Libraries grants that includes the goals, objectives, and activities that will be supported for the application year.

B. "Governing body" shall mean the Lake County Board of County Commissioners.

C. "Board of County Commissioners" shall mean the Lake County Board of County Commissioners.

D. "Library Advisory Board" shall mean the Lake County Library Advisory Board.

E. "Lake County Library System" shall mean the entire program of free library services and resources provided for the residents of Lake County through the public library

cooperative established through this Agreement and Lake County Code, Chapter 12, Article III.

F. "Local funds", according to *State Aid to Libraries Guidelines*, means funds, exclusive of any state and federal funds, that are expended centrally for the operation and maintenance of the Lake County Library System. Local funds may be COUNTY funds or municipality funds and shall be expended by the appropriate local entity. Funds which would otherwise be received by and expended by the municipality except for this agreement shall constitute the municipality's local funds.

G. "Participating Library's governing body" means the municipality that operates and supports a public library and participates in the Lake County Library System through interlocal agreement.

H. "Participating Library" or "Member Library" means a library which, through its governing body, has entered into an Interlocal Agreement with Lake County to provide library service, without charge, to the residents of Lake County.

I. "Public library cooperative" shall mean the Lake County Library System and, according to *State Aid to Libraries Guidelines*, means a program of public library services and resources operated or coordinated by a governing body designated by one or more participating local governments. The governing body administers or coordinates, through a single administrative head, the common services for libraries operated by those participating local governments that have agreed through interlocal or other agreements to provide library service across their combined legal service areas. The single administrative head must be employed full-time by either the cooperative's governing body or a local participating government. Interlocal or other agreements identify the authority of the governing body and the participating local governments and the libraries each supports. Residents of the combined legal service area have equal free access to all services provided by the libraries of all the participating local governments.

J. "Reciprocal Borrowing" for purposes of the State Aid to Libraries Grant Program means that all public libraries within a county that receive Operating Grants extend borrowing privileges without charge to residents of each other's service areas. Borrowing privileges must apply to all materials that are available to be borrowed by residents of the library service area receiving an Operating Grant. The reciprocal borrowing requirement only applies to a county and the independent municipal libraries within the same county that are applying for State Aid.

K. "Resident" shall mean any individual who either owns real property or resides in Lake County on a permanent or continual basis. Required evidence of residency is outlined in Lake County Policy number LCC-8, *Lake County Library System Circulation and Registration.*

L. "Service area" shall mean Lake County. Likewise, for each participating municipality, service area means the incorporated boundaries of that municipality; and in the case of the City of Leesburg, service area means the utility district.

M. "Single administrative head", according to *State Aid to Libraries Guidelines*, means the individual who is employed full-time by the Board of County Commissioners who is responsible for managing or coordinating the Lake County Library System.

N. "Single library administrative unit" means Lake County and, according to *State Aid to Libraries Guidelines*, means an eligible political subdivision under Section 257.17, *Florida Statutes*, that is designated by a county to be responsible for managing or coordinating free library service to its residents.

O. "State Aid to Libraries Grants Program", according to *State Aid to Libraries Guidelines*, means a continuing state grant authorized by Chapter 257, *Florida Statutes*, for eligible library entities.

P. "*State Aid to Libraries Guidelines*", means the publication which specifies mandatory requirements for eligibility in the State Aid to Libraries Grants Program.

Q. "Total Circulation" for the purposes of this Interlocal Agreement shall mean the sum of all items circulated by the MUNICIPALITY to library patrons and all items circulated by the MUNICIPALITY to another Lake County Library System library in a fiscal year, based on circulation reports generated by the library automation system.

3. TERM:

This Agreement shall be in effect for a period beginning October 1, 2016, and ending on September 30, 2019, unless terminated earlier in accordance with the provisions of the Agreement.

4. TERMINATION:

Either party to this Agreement may terminate the Agreement by giving the other party sixty (60) days advance written notice.

5. ADDITION OF NEW MEMBERS:

A library may become a member of the Lake County Library System by meeting the

criteria and following the guidelines outlined in Lake County Policy number LCC-7, *Lake County Library System Guidelines and Minimum Standards for Public Libraries Entering the County Library System* and by obtaining approval of the Board of County Commissioners.

6. LAKE COUNTY LIBRARY SYSTEM GOVERNING BODY:

The Board of County Commissioners is designated as the governing body of the Lake County Library System, a public library cooperative, to administer or coordinate the library services and programs of the Lake County Library System. According to *State Aid to Libraries Guidelines,* this involves policy-making, planning, budgeting, and employing the single administrative head of the library system, and entering into contracts on behalf of the library system.

7. LIBRARY ADVISORY BOARD:

A. There shall be a Library Advisory Board, whose responsibilities shall be to:

(1) Study and make recommendations to the Board of County Commissioners regarding the coordination and development of the Lake County Library System. This shall include recommending county wide policies, long range plans and annual plans of service and shall be accomplished in cooperation with the participating library governing bodies, the participating library directors and the single administrative head.

(2) Make recommendations regarding the COUNTY's budget for the countywide library system, the proportionate shares of all COUNTY funds to be allocated to the participating libraries, and the method of distribution of those funds.

B. The members of the Lake County Library Advisory Board shall be appointed by the Board of County Commissioners. Five (5) members, one (1) from each commission district shall be appointed. Such appointments shall be based on recommendations by the Lake County Library Advisory Board. However, the Lake County Board of Commissioners shall not be bound by such recommendations. In addition, each city with a participating library within the Lake County Library System shall have one (1) member on the Lake County Library Advisory Board. Each city council shall designate the member from its city and such member shall be appointed by the Board of County Commissioners. Each member shall be appointed for a term of four (4) years. The Board of County Commissioners may also appoint an alternate member

who shall serve in the case of the appointed member's absence. The terms and manner of appointment of such alternate members shall be the same as that of the members whom they represent as alternates. Either the appointed board member or the alternate member may attend library advisory board meetings and each has voting authority. However, if the board member and the alternate are both present at a library advisory board meeting, only the appointed board member shall have voting authority; not the alternate member.

An appointment to fill any vacancy on the library advisory board shall be for the remainder of the unexpired term of office. If any member fails to attend three (3) consecutive regular meetings, the library advisory board shall recommend that the Board of County Commissioners or the appointing municipality declare that member's office vacant. The Board of County Commissioners or municipality shall fill such vacancy as set forth herein.

The subsequent addition of a participating library shall result in the addition of one seat on the Library Advisory Board and such seat shall be filled as set forth herein.

C. Terms of appointment and composition of the Library Advisory Board are further described in *Lake County Code, Chapter 12, Article III.*

8. OWNERSHIP AND DISPOSITION OF PROPERTY, MATERIALS AND EQUIPMENT:

A. MUNICIPALITY shall own:

(1) Library materials, equipment, and other goods purchased by the COUNTY for and placed in the participating library using MUNICIPALITY, COUNTY or State Aid Operating grant funds, regardless of value, except for those described in Section 8. B.

(2) Library materials, equipment and other goods purchased from federal Library Services and Construction Act (LSCA) and Library Services and Technology Act (LSTA) grant funds administered by the COUNTY, if purchased for the MUNICIPALITY, with a value less than $1,000.00 at the time of purchase, except for those described in Section 8(B).

(3) All items purchased using the MUNICIPALITY's local funds.

(4) All items purchased by the MUNICIPALITY and reimbursed by Library Impact Fee funds, unless otherwise specified in a separate

agreement.

B. COUNTY shall own:

(1) Items purchased by the COUNTY, using COUNTY, state, or federal funds, as a part of the COUNTY's networked library computer and telecommunications systems, regardless of item location or placement. Items shall include, but may not be limited to, hardware, software, and licenses. Any exceptions to this rule shall be documented in writing to the Clerk of Courts Property Records and the participating library.

(2) Equipment purchased from federal LSCA and LSTA grant funds administered by the COUNTY with a value in excess of $1,000.00 at the time of purchase.

(3) All items purchased for the single administrative unit using the COUNTY's local funds, or State Aid Operating and federal grant funds.

(4) All items purchased by the COUNTY using Library Impact Fee funds, unless otherwise specified in separate agreement.

C. The COUNTY, in consultation with the participating library director, may remove, relocate, or replace COUNTY owned equipment located at the MUNICIPALITY's participating library as deemed necessary or advantageous to the Lake County Library System.

9. LOCAL AUTHORITY:

The MUNICIPALITY and the COUNTY shall remain autonomous and each shall retain control of its facilities, operations, functions, and local funds. For example:

A. Each shall determine the level of library service for its community to be incorporated in the long range plan of service.

B. All authority with respect to MUNICIPALITY funding of library programs and services or expenditures from the MUNICIPALITY revenues and sources shall lie solely with the MUNICIPALITY. All authority with respect to COUNTY funding of library programs and services or expenditures from the COUNTY revenues and sources shall lie solely with the COUNTY.

C. Trust funds, individual gifts or donations made to a library shall remain the

property of the entity to which they were given.

D. The MUNICIPALITY's library facility shall remain the property of the MUNICIPALITY, and the COUNTY's facilities shall remain the property of the COUNTY. Operations, maintenance and repairs shall be effected through operating budgets from appropriations allocated by the owning entity. Maintenance, modification, sale or lease of the real property shall be the responsibility of the owning entity.

E. All paid staff of the MUNICIPALITY's participating library shall remain employees of the MUNICIPALITY, and all paid COUNTY library staff shall remain employees of the COUNTY. Each shall retain all rights, responsibilities and powers associated with employment of staff.

10. SINGLE ADMINISTRATIVE HEAD:

A. The single administrative head shall be hired by the Board of County Commissioners according to established COUNTY policies and procedures, shall be employed full-time, and shall be under the supervision of the County Manager or designee. The single administrative head shall be the head of the Lake County Library System, a public library cooperative, and according to *State Aid for Libraries Guidelines* shall have completed a library education program accredited by the American Library Association and shall have had at least two years of successful, full-time paid professional experience, after completing the library education program, in a public library that is open to the public at least forty (40) hours a week. The Board of County Commissioners may establish additional qualifications for the single administrative head and shall set positions, salary structure and benefits.

B. According to *State Aid for Libraries Guidelines*, the single administrative head shall be responsible for the overall management or coordination of the library system within the framework established by interlocal or other agreements, plans, policies, and budgets. Responsibility for managing or coordinating the following activities may not be delegated through interlocal or other agreements:

(1) Development of a single long range plan for all library outlets;

(2) Development of a single annual plan of service;

(3) Development of a Lake County Library System budget;

(4) Implementation of the long range plan, an annual plan of service and the budget;

(5) Preparing reports on behalf of the library system; and

(6) Expending all State Aid to Libraries grants.

11. LONG RANGE PLAN FOR LIBRARY SERVICE, ANNUAL PLAN OF SERVICE AND COMBINED BUDGET:

A. According to *State Aid to Libraries Guidelines*, in order to be eligible to receive a State Aid to Libraries Grant, the Lake County Library System shall have on file with the State Library a current copy of the following:

(1) A long range plan adopted or approved by the library system's governing body outlining the library system's operation and development over a three-to-five year period;

(2) A current annual plan of service adopted by the library system's governing body and submitted as part of the application for State Aid to Libraries grants that includes the goals, objectives, and activities that will be supported for the application year; and

(3) A combined budget for the current year adopted by the library system's governing body.

B. The single administrative head shall develop and implement a long range plan for the operation and development of county-wide library service. The long range plan shall be developed in cooperation with the Library Advisory Board, the governing bodies of the participating libraries, the directors of the participating libraries and the Board of County Commissioners. The single administrative head and the participating library directors shall serve as support staff. The Board of County Commissioners shall adopt the long range plan at a public hearing. Prior to adopting the long range plan, the Library Advisory Board shall review and make recommendations to the Board of County Commissioners. The Board of County Commissioners shall consider these recommendations, but shall not be bound thereby. The plan shall be reviewed and updated yearly through the development of an annual plan of service.

C. The annual plan of service will be based on the long range plan of service and the combined budget; and will be developed by the single administrative head in cooperation with participating library directors, the Library Advisory Board, and the governing bodies of the participating libraries. In adopting the annual plan of service, the Board of County Commissioners shall consider the recommendations of the Library Advisory Board, but shall not

be bound thereby.

D. There shall be a combined budget for library service to the residents of Lake County. The budget shall be developed along a fiscal year ending on September 30 of each year. Upon adoption by the MUNICIPALITY, the MUNICIPALITY shall present its line item budget for library services to the single administrative head for inclusion in the combined budget. The combined budget shall include and take into account funds allocated by participating governing bodies, aid received from state and federal sources, and all other revenues received to provide library services. The combined budget shall be adopted by the Board of County Commissioners. The combined budget shall not include funds to be expended for the purchase or construction of a library building or library quarters.

E. In accordance with *State Aid to Libraries Guidelines*, the COUNTY and the MUNICIPALITY agree to spend funds in accordance with the Lake County Library System's long range plan, annual plan of service, and budget for those funds that the Lake County Library System will report on a State Aid application as having been expended centrally.

12. FISCAL RESPONSIBILITY:

The COUNTY shall procure an independent audit annually of all funds administered by the single administrative head. The audit shall be prepared and presented to the MUNICIPALITY and to the State Library of Florida within thirty (30) days following acceptance of the audit by the COUNTY.

The MUNICIPALITY shall provide a copy of its audit for each fiscal year to the COUNTY and the single administrative head within thirty (30) days following acceptance of the audit by the MUNICIPALITY. By August 1 of each year, the MUNICIPALITY shall submit to the COUNTY a completed *Certification of Local Operating Expenditures* form, Attachment A, accompanied by a supporting general ledger that details line item expenditures for library operations for the preceding fiscal year, which shall be used to support the Lake County Library System's application for a State Aid Operating grant and the appropriation of COUNTY funds for the MUNICIPALITY.

13. APPROPRIATION OF COUNTY FUNDS FOR MUNICIPALITY:

A. The COUNTY shall allocate a base amount of fifteen thousand dollars ($15,000) per year to the MUNICIPALITY to assist with funding of programs and services at its participating library. In addition, the COUNTY shall distribute to the MUNICIPALITY its share

of the total amount to be appropriated to all member libraries that year, less the total of the base amounts to all of the member libraries, based on the MUNICIPALITY's total circulation for the fiscal year prior to the previous fiscal year. Therefore, the total amount to be appropriated to the MUNICIPALITY for provision of countywide library services shall be the base amount, plus the proportionate share of the net total appropriation. This distribution shall be calculated as follows:

a. Total amount appropriated to the MUNICIPALITY

b. Base amount

c. The MUNICIPALITY's percentage share of all member libraries' total circulation for fiscal year prior to previous fiscal year

d. Total Appropriation to all member libraries for current fiscal year

e. Number of member libraries

$a = b + c * [d - (b * e)]$

B. In consideration of these allocations the MUNICIPALITY:

(1) Shall provide library services to all residents of the COUNTY;

(2) Shall use COUNTY funds to enhance current library services provided by its participating library;

(3) Shall make its best effort to maintain or exceed the current level of its local operating funds for the library budget;

(4) Shall not use COUNTY funds annually allocated to the MUNICIPALITY for the purchase or construction of a library building.

(5) Shall enter and maintain accurate patron records on the participating library's patron database.

C. It is the intent of the parties that the distribution of COUNTY funds to the various participating libraries be made on a fair and equitable basis. Accordingly, the formula for disbursing COUNTY funds to participating libraries set forth in paragraph 13A may be changed only upon the approval of all of the participating libraries' governing bodies and the Board of County Commissioners.

D. The COUNTY shall make its best effort to maintain or exceed the current level of its total appropriation to all participating libraries; however, the COUNTY may propose an

increase or decrease based on current financial circumstances or changes in library services. The COUNTY shall not decrease the total appropriation to all participating libraries unless it gives four (4) months advance notice to the participating libraries and their governing bodies of its intent to reduce said funding levels.

14. CENTRALIZED SERVICES:

The COUNTY shall provide the following centralized services to the MUNICIPALITY's participating library:

A. Courier service to route materials and equipment among libraries;

B. Intralibrary loan services;

C. Centralized cataloging of library materials and maintenance of the bibliographic database;

D. Purchasing from State Aid Operating grant funds and Library Services and Technology Act grant funds for the benefit of the Lake County Library System;

E. Networked telecommunications and computer systems services as described in Section 15. Networked Systems;

F. Coordination and/or funding of other centralized services where feasible such as, but not limited to, subscriptions to online reference databases;

G. Coordination of youth and adult programming and literacy services.

15. NETWORKED SYSTEMS:

A. The COUNTY shall provide and maintain networked library automation and telecommunications systems. The COUNTY shall be responsible for providing systems hardware, software, maintenance, technical support, monitoring, installation, and services. The COUNTY shall further enhance or add networked systems in accordance with the goals and objectives of the long range plan and annual plan of service, and based on availability of funds.

B. The COUNTY shall pay maintenance costs for all equipment attached to the COUNTY's networked systems and purchased with COUNTY, state or federal funds, and Library Impact Fees awarded to COUNTY, except as outlined in Section 15.D.(1).

C. The COUNTY shall provide staff to perform networked systems administration which shall include: technology planning, training, preventative maintenance, systems monitoring, trouble-shooting, running of required backups, resolution of systems problems, monitoring of systems needs, running and creating statistical reports, insuring systems security,

procurement of equipment, development and maintenance of Lake County Library System web pages, development of participating library web pages upon request, maintenance of staff e-mail accounts, acting as a liaison with network vendors, installation of peripheral equipment and devices, and technology grants application and administration. Assigned COUNTY staff shall be available to perform the above during library operating hours in a reasonable amount of time and consistent with normal response timeframes experienced during the most recent interlocal agreement, and shall have the authority to prioritize requests for assistance.

D. Networked library systems shall be provided by the COUNTY to the MUNICIPALITY at no cost to the MUNICIPALITY except as specified below:

(1) The MUNICIPALITY reserves the right to expand, at its own expense, the COUNTY's networked systems at its participating library to levels exceeding those provided by the COUNTY in consultation with the single administrative head, and provided said expansion meets the COUNTY specifications and shall in no way be in conflict with any contracts the COUNTY may have entered into with a vendor. At the request of the participating library, such equipment may be paid for with State Aid funds, if available, at the discretion of the COUNTY. The MUNICIPALITY shall be responsible for associated costs including, but not limited to, maintenance, licenses, installation, and software of any non-COUNTY owned equipment. The COUNTY may provide technical support where feasible.

(2) The MUNICIPALITY shall, at its own expense, provide proper electrical and data wiring of its participating library facility, according to specifications provided by the COUNTY, to insure proper operation of the networked systems. At the request of the participating library, necessary wiring expenses may be paid by the COUNTY with State Aid funds, if available, at the COUNTY's discretion.

(3) The MUNICIPALITY shall, at its own expense, make available at its participating library any telecommunications lines necessary to the operation and maintenance of any networked library computer systems. The MUNICIPALITY shall cover costs of associated installation,

maintenance and monthly telecommunications charges.

(4) The MUNICIPALITY shall, at its own expense, provide supplies at its participating library that are pertinent to the operation of the networked systems such as printer paper, printer ink cartridges and drums, item barcodes, etc. Patron cards and patron registration forms shall be provided by the COUNTY to the MUNICIPALITY at no charge. The COUNTY may choose to provide other automation supply items to the MUNICIPALITY at no charge.

E. The MUNICIPALITY shall participate in the centralized cataloging program to ensure the integrity of the combined bibliographic database.

F. Neither the MUNICIPALITY nor its participating library shall attach equipment or software to any COUNTY networked system without prior written approval from the single administrative head or designee; or remove equipment or software purchased by the COUNTY and placed at the participating library as part of any COUNTY networked system without prior written approval from the single administrative head or designee. Any physical attachment to or removal from a COUNTY networked system shall be performed by the COUNTY or a vendor authorized or recommended by the COUNTY.

G. Should the COUNTY cancel this Agreement for any reason other than the MUNICIPALITY's failure to comply with the terms of this Agreement, the COUNTY, at its own expense and at the request of the MUNICIPALITY, shall make provision for the continuation of the COUNTY's library automation network as installed at the MUNICIPALITY's participating library at the operational level existing at the time of the termination of the Agreement for a period not to exceed two (2) years. Should the MUNICIPALITY not request continuation of the COUNTY's networked systems, the COUNTY shall be responsible for all costs associated with deinstallation of the COUNTY's networked systems from the MUNICIPALITY's library, including obtaining a copy of the MUNICIPALITY's library patron and bibliographic databases from the library automation vendor. Upon separate mutual agreement between the MUNICIPALITY and the COUNTY, the COUNTY may continue to operate and maintain networked systems for the MUNICIPALITY's participating library beyond the two (2) year period.

H. Should the MUNICIPALITY cancel this Agreement for any reason other than the

COUNTY's failure to comply with the terms of this Agreement, the MUNICIPALITY shall be responsible for all costs associated with deinstallation of the COUNTY's networked systems from the MUNICIPALITY's library. The MUNICIPALITY shall also be responsible for all costs associated with obtaining a copy of the MUNICIPALITY's library patron and bibliographic databases from the library automation vendor. The COUNTY shall be obligated, at the MUNICIPALITY's request, to continue operation and maintenance of the COUNTY's networked systems for a period of up to one (1) year and the MUNICIPALITY shall be obligated to pay associated operating and maintenance costs. Upon mutual agreement between the MUNICIPALITY and the COUNTY, the COUNTY may continue to operate and maintain networked systems for the MUNICIPALITY's participating library beyond the one (1) year period.

I. Should this Agreement terminate through expiration, the COUNTY, at the request of the MUNICIPALITY, shall make provision for the continuation of the COUNTY's library automation network as installed at the MUNICIPALITY's participating library at the operational level existing at the time of the expiration of the Agreement for a period not to exceed one (1) year. The party which has declined to execute a new Agreement shall be obligated to pay associated operating and maintenance costs for the one (1) year period. Should the MUNICIPALITY not request continuation of the COUNTY's networked systems, the party which has declined to execute a new Agreement shall be responsible for all costs associated with deinstallation of the COUNTY's networked systems from the MUNICIPALITY's library, including the costs of obtaining a copy of the MUNICIPALITY's library patron and bibliographic databases from the library automation vendor. Should negotiations be taking place subsequent to the expiration of the Agreement, the MUNICIPALITY shall be exempt from obligated costs during a negotiation period not to exceed one hundred twenty (120) days.

16. REPORTING:

The MUNICIPALITY and its participating library shall submit, by deadlines established through an agreement, policy or procedure, all reports, documentation, and information required for inclusion in any reports, or documents required to maintain State Aid eligibility. The COUNTY shall file, by deadlines established in *State Aid to Libraries Guidelines*, all reports and documents required to maintain State Aid eligibility.

17. SYSTEM WIDE POLICIES:

A. The single administrative head, in consultation with the directors of the participating libraries, shall develop for recommendation system wide policies that will provide consistency for library patrons and staff. The policies shall be developed in cooperation with the Library Advisory Board, the governing bodies of the participating libraries, and the Board of County Commissioners.

B. The Library Advisory Board shall recommend system wide library policies to the Board of County Commissioners upon a two thirds majority vote of its members. The MUNICIPALITY's representative shall represent the MUNICIPALITY's direction in recommendation of policies. In adopting policies, the Board of County Commissioners shall consider the recommendations of the Library Advisory Board, but shall not be bound thereby. System-wide policies shall be transmitted to all member library governing bodies at least thirty (30) days before consideration by the Board of County Commissioners.

C. The COUNTY and MUNICIPALITY shall abide by system-wide policies.

18. RECIPROCAL BORROWING:

Previously the MUNICIPALITY and COUNTY have entered into agreements authorizing reciprocal borrowing with Seminole, Volusia, and Marion counties, and with Lake-Sumter State College. Additional reciprocal borrowing agreements may be entered into by the COUNTY on behalf of the Lake County Library System upon the written approval of the Board of County Commissioners and all participating library governing bodies.

19. ADDITIONAL RESPONSIBILITIES OF COUNTY AND MEMBER LIBRARY GOVERNING BODIES:

A. The COUNTY and the MUNICIPALITY shall abide by all State and Federal laws, and specifically those relating to the provision of library services.

B. The COUNTY shall refrain from using State Aid Operating grant funds, except in the case of a severe funding shortage and only upon the consent of the COUNTY and all participating MUNICIPALITIES, as a means to replace COUNTY allocations for library services.

20. INDEMNIFICATION:

Subject to the provisions of Section 768.28, *Florida Statutes*, the MUNICIPALITY agrees to indemnify and hold the COUNTY harmless, and the COUNTY agrees to indemnify

and hold the MUNICIPALITY harmless from and against any actions at law to recover damages in tort for money damages for injury or loss of property, personal injury, or death arising out of this Agreement and caused by the negligent or wrongful act or omission of any employee under circumstances in which the MUNICIPALITY and the COUNTY, if a private person, would be liable to the claimant, in accordance with the general laws of the State of Florida.

This indemnification shall continue in full force and effect subsequent to and notwithstanding the expiration or termination of this Agreement.

The full execution of this Agreement shall obligate the COUNTY and the MUNICIPALITY to comply with this indemnification. This indemnification shall not act or be interpreted as a waiver of either party's sovereign immunity.

21. INSURANCE:

The COUNTY shall provide, pay for, and maintain in force at all times during this Agreement, insurance to cover the COUNTY's buildings, contents, vehicles, networked systems, workers compensation, general liability, and any other insurance required by law.

The MUNICIPALITY shall provide, pay for, and maintain in force at all times during this Agreement, insurance to cover the MUNICIPALITY's participating library including buildings, contents, equipment owned by the MUNICIPALITY, vehicles, workers' compensation, general liability, and any other insurance required by law.

22. MEDIATION:

In the event that any dispute arises between the MUNICIPALITY and the COUNTY with respect to the rights or responsibilities of the MUNICIPALITY or the COUNTY under the Agreement, that dispute shall be mediated by a library professional chosen by the State Librarian from the State Library consultant staff. The mediation shall not be binding, and if agreement cannot be reached, the aggrieved party(s) may pursue legal recourse through the courts system.

23. MODIFICATION:

No modification, amendment or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed by the parties hereto, with the same formality, and of equal dignity herewith.

24. NOTICES:

A. All notices, demands, or other writings required to be given or made or sent in this Agreement, or which may be given or made or sent, by either party to the other, shall be

deemed to have been fully given or made or sent when in writing and addressed as follows:

COUNTY
County Manager
Lake County Administration Building
315 West Main Street, Suite 308
P.O. Box 7800
Tavares, FL 32778-7800

MUNICIPALITY
Town Manager
409 Fennell Boulevard
Lady Lake, FL 32159

cc: Library Services Division Manager
P.O. Box 7800
Tavares, FL 32778-7800

B. All Notices required, or which may be given hereunder, shall be considered properly given if (1) personally delivered, (2) sent by certified United States Mail, return receipt requested, (3) sent by Federal Express or other equivalent overnight letter delivery company.

C. The effective date of such notices shall be the date personally delivered; or if sent by mail, the date of the postmark; or if sent by overnight letter delivery company, the date the notice was picked up by the overnight letter delivery company.

D. Parties may designate other parties or addresses to which notices shall be sent by notifying, in writing, the other party in a manner designated for the filing of notice hereunder.

25. ENTIRE AGREEMENT:

This Agreement embodies the entire agreement between the parties. It may not be modified or terminated except as provided herein. If any provision herein is invalid, it shall be considered deleted therefrom, and shall not invalidate the remaining provisions. This Agreement contains the following exhibits:

Attachment A Certification of Local Operating Expenditures

{Remainder of page intentionally left blank}

Interlocal Agreement between Lake County and Town of Lady Lake for Provision of Library Services

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: COUNTY, through its Board of County Commissioners, signing by and through its Chair, and MUNICIPALITY, by its duly authorized representative.

COUNTY

ATTEST:

LAKE COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

_____
Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida

_____
Sean M. Parks, Chairman

This _____ day of _____, 2016.

Approved as to form and legality:

_____
Melanie Marsh
County Attorney

Interlocal Agreement between Lake County and Town of Lady Lake for Provision of Library Services

ATTEST:

MUNICIPALITY

_____
Kristen Kollgaard, Town Clerk

_____
Ruth Kussard, Mayor

This _____ day of _____, 2016.

Approved as to form and legality:

_____
Derek Schroth
Town Attorney

ATTACHMENT A

CERTIFICATION OF LOCAL OPERATING EXPENDITURES
FISCAL YEAR _____

The _____,
(name of library governing body)

governing body for the_____,
(name of Lake County Library System Member Library)

hereby certifies that the following total funds from local sources were expended centrally during the fiscal year beginning October 1, _____, and ending September 30, _____ for the operation and maintenance of a library under the conditions outlined in Chapter 257, Florida Statutes, Lake County Library System's Long Range Plan and Annual Plan of Service and Budget, and the Interlocal Agreement Relating to Provision of Library Services.

We further certify that the amount listed below does not include any of the following:

- Funds received from the federal government
- Funds received from the state government
- Funds used for purchase or construction of a library building or library quarters

Such funds are not eligible to be used as local match for State Aid applications under Chapter 257, Florida Statutes, and guidelines for the State Aid to Libraries Grant program.

We further certify that the amount listed below:
(check one)
___ does include funds received from the Lake County Board of County Commissioners.
___ does not include funds received from the Lake County Board of County Commissioners.

(check one)
___ has been audited by an external auditor.
___ has been reviewed by an independent auditor.
___ has been compiled into financial statement format by an independent auditor.

Also, a copy of the report of the independent auditor:
(check one)
___ has been provided to the Lake County Board of County Commissioners.
___ is enclosed.

A copy of the supporting general ledger with detail line item expenditures for library operations is required to be submitted to the Lake County Board of County Commissioners for all libraries.

Total local funds expended centrally by the library for the operation and maintenance of a library between October 1, _____ and September 30, _____.

$_____

Signature

_____
Chief Financial Officer

_____
Date

Please type name and official title here:

_____

This certification is to be completed and mailed by August 1,_____ to: Library Services Director, Lake County Library System, P.O. Box 7800, Tavares, FL 34778-7800.

TOWN COMMISSION AGENDA ITEM

J-6

REQUESTED COMMISSION MEETING DATE: August 1, 2016

SUBJECT: Consideration of Animal Control Sally Port Enclosure Project to be accomplished by a budget transaction from PD 1200 Regular Pay to PD 6200 Building.

DEPARTMENT: POLICE & PUBLIC WORKS

STAFF RECOMMENDED MOTION: Approval of Animal Control Sally Port Enclosure Project to be accomplished by a budget transaction from PD 1200 Regular Pay to PD 6200 Building.

SUMMARY: Animal Control, located at the Public Works Complex, has an existing fenced-in sally port that is used for temporary storage of animals. This area, although covered, is still exposed to the elements of heat, rain, cold, etc. Animals in captivity, such as animals in our ACO facility, are entirely dependent upon humans to provide the conditions to ensure safety and meet their basic needs. Additionally, when some dogs are confined within the open sally port, barking can be disruptive. Our Animal Control Officer regularly finds new homes or shelters for the abandoned or surrendered animals she encounters. An enclosed area would also assist with a cleaner and dryer environment where people inquiring about a pet they have seen on our website could meet and interact with their prospective fur friend. By approving this project, the aforementioned issues are resolved and the ACO function becomes more efficient.

Attached to this agenda item is a summary of the project and estimated costs. PW staff will coordinate the project and will also be utilized for project tasks when possible to keep labor costs down for this project. PW Director recommends allocating **$20,000** to perform this project which includes some contingency funds for any unanticipated costs.

FISCAL IMPACT: **$20,000.00 (estimated)**

(Budget transaction form describing funding source)

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

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

[X] **Other - Project summary, material and labor quotes**
[ ] **Support Documents**

DEPARTMENT HEAD	**Submitted**	**Date 07/25/2016**
HR	**Approved as to Form**	**Date**
FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date** 7/25/16
TOWN MANAGER	**Approved Agenda Item for:** 8/1/16	**Date** 7/25/16

Reviewed

COMMISSION ACTION:

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

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

Purpose:

Provide a secure temperature and climate controlled environment for the transfer and storage of animals temporarily in the custody of the Town.

Proposed Scope:

1. Remove the current fencing and gates surrounding the existing sally port.
2. Install concrete block units in place of the fencing to fully enclose the structure.
3. Replace existing chain-link gates with triple insulated roll up doors.
4. Install two entry way doors to the outside with all required lighting and concrete pads.
5. Insulate the existing ceiling.
6. Install new required electrical wiring and breakers to code.
7. Install new HVAC system for new enclosed space.
8. Paint and finish the outside to match existing building.
9. Paint and seal interior and floor.

Estimated Costs:

1.	Insulated rollup doors -	$4,077.88
2.	HVAC Unit –	$6,402.00
3.	Electrical Work -	$2,250.00
4.	Concrete Block and Entry Doors -	$4,999.00
5.	Paint, Insulation, Concrete, etc…	$1,000.00
	Total	**$18,728.88**

J-7

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: AUGUST 1, 2016

SUBJECT: **Green Key Subdivision – Final Plat Phase II, a Partial Replat of Green Key Village Subdivision and Chetwynd Land Company, to provide a Subdivision Recreation Center for the Green Key Village Single Family Residential Subdivision proposing a 1,800 square-foot Pickle Ball Court, a 7,200 square-foot Tennis Court, a 2,350 square-foot Half Basketball Court, an 8,906 square-foot area for a subdivision community pool with concrete deck and two (2) pavilions consisting on 480 Sq. Ft. each addressed as 1257 Fiesta Key Circle (Alternate Key 1771463).**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTIONS:

Staff recommends approval of the Green Key Village Subdivision-Phase II- Partial Replat- Final Plat Application.

SUMMARY:

Applicant and owner, Greg Thomas of Mainsail Solutions, Inc., has submitted plans for Final Plat Approval of a subdivision which includes a Recreation Center for the Green Key Village Single Family Residence Subdivision a 1,800 square-foot Pickle Ball Court, a 7,200 square-foot Tennis Court, a 2,350 square-foot Half Basketball Court, an 8,906 square-foot area for a subdivision community pool with concrete deck and two (2) pavilions consisting of 480 square feet each. The Final Plat encompasses a partial replat for six (6) lots and a Park and Recreation Tract (Tract A). 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 05/31/2016.
2. Final Plat Review completed by Town Surveyor, dated 05/05/2016.
3. Declaration of Covenants, Restrictions and Easement for Green Key Village.
4. Subdivision Title Report dated 05/05/2016.

5. Final Subdivision Plat Plans dated 06/09/2016.
6. Survey

Summary:

1) The Green Key Village-Phase I Subdivision Final Plat originally received approval by Town Commission on April 15, 2013. The owner/developer continues to build single family homes for Phase I.

2) The Preliminary Plat for Green Key Village Phase II was approved by the Town Commission on July 6, 2015.

3) On February 1, 2016, the applicant completed the Improvement Plans/Construction process for Phase II and is ready to proceed with the Final Plat Application.

Note:

All site improvements, plant material installed, and building exterior elevation finish for the Subdivision Recreation Center were inspected on Monday, February 1, 2016, and were determined to be satisfactory and in compliance with the approved construction plans.

Public Meeting(s):

The **Technical Review Committee (TRC)** members individually reviewed the application by May, 31, 2016, forwarding to the Planning & Zoning Board for their recommendation.

At the **Planning and Zoning Board** Meeting held on Monday, July 11, 2016, the board recommended approval for the final plat application with a 4-0 vote.

FISCAL IMPACT: $ 0

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: **[ ] Ordinance(s)** **[ ] Resolution** **[ ] Budget Resolution**

[X] Other – Subdivision Plat

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

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7/25/16 **DEPARTMENT HEAD** **Submitted** 7/25/16 **Date**

FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN ATTORNEY	Approved as to Form and Legality	Date
TOWN MANAGER	Approved Agenda Item for: 8/1/14	Date 7/25/14

BOARD ACTION: [ ] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

Municipal Complex, 409 Fennell Boulevard, Lady Lake, Florida 32159 USA

352-751-1500 FAX 352-751-1510 www.ladylake.org

February 2, 2016

Charles C. Hiott, Professional Engineer
Booth Ern Straughan Hiott
902 North Sinclair Avenue
Tavares, FL 32778

Re: Certificate of Completion for the Green Key Village - Phase 2 Partial Replat Clubhouse Recreation Center Improvements - 1257 Fiesta Key Circle - AK 1771463

Dear Mr. Hiott,

By copy of this letter, the Growth Management Department of the Town of Lady Lake, Florida, hereby attests that the construction improvements required for the Green Key Village- Phase 2 Partial Replat Recreation Center approved by the Town on August 3, 2015, consisting of a 1,800-square-foot Pickle Ball Court, a 7,200-square-foot Tennis Court, a 5,956-square-foot community concrete deck with a 1,960-square-foot community pool and two pavilions consisting of 480 square feet each for a project titled "Green Key Village Recreation Center," and certified by professional engineer Charles C. Hiott with Booth Ern Straughan Hiott via as-built plans signed and sealed dated January 27, 2016, are complete and have been determined to be satisfactory and in compliance with the approved construction plans.

A final field inspection was conducted on Monday, February 1, 2016 to verify plant material installed, site improvements completed, and building exterior elevations finish. The applicant has successfully completed all improvements as proposed and corresponding certifications.

If you have any further questions, please contact me at 352-751-1582 for assistance.

Respectfully Submitted,

Wendy Then, CFM
Town Planner

Cc: Thad Carroll, Growth Management Director
Dallas Foss, Building Official
Kerry Barnett Fire Inspector
Greg Thomas, Mainsail Solutions

Wendy Then

From: Derek Schroth <dschroth@bowenschroth.com>
Sent: Tuesday, May 31, 2016 7:55 PM
To: Wendy Then; Thad Carroll
Subject: Green Key Village Phase II

I reviewed and approve the plat, mortgagee joinder and title opinion. Thank you and please do not hesitate contacting me should you have any questions or comments.

Derek Schroth
Florida Bar Certified Expert in Business Litigation and Local Government Law www.bowenschroth.com

Wendy Then

From: Richard.Busche@kimley-horn.com
Sent: Thursday, May 05, 2016 1:14 PM
To: Wendy Then
Cc: chris@jchcg.com
Subject: FW: GREEN KEY VILLAGE
Attachments: 20160505104438.pdf; Green Key Village Phase 2 Final Plat(1).pdf; Green Key Village Phase 2 Final Plat(2).pdf; Green Key Village Phase 2 Final Plat(3).pdf

Follow Up Flag: Follow up
Flag Status: Completed

Wendy:

Please see attached. These are updated documents that we received from the applicant during our review. They should be submitted into the file of record.

With these updates all prior comments have been satisfactorily addressed and we recommend approval.

Please let me know what else you may need from us on this project.

Thank you,

Richard V. Busche, P.E., CFM
Kimley-Horn | 1823 SE Fort King Street, Suite 200, Ocala, FL 34471
Direct: 352 438 3028 | Mobile: 352 427 4428

Richard.busche@kimley-horn.com

Celebrating nine years as one of FORTUNE's 100 Best Companies to Work For

INSTRUMENT#:2014074172 OR BK 4499 PG 1228 PAGES: 35 7/8/2014 3:39:40 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $299.00

RETURN TO
RICHARD P. NEWMAN
P.O. BOX 491357
LEESBURG, FL 34749-1357
Melin Burnsed

RETURN

DECLARATION OF COVENANTS,

RESTRICTIONS AND EASEMENTS FOR

GREEN KEY VILLAGE

GREEN KEY VILLAGE, LLC, a Florida limited liability company, (hereinafter called "Declarant"), is the Owner in fee simple of certain real property located in Lady Lake, Florida, known by official plat designation as **GREEN KEY VILLAGE**, pursuant to a plat recorded in Plat Book 65, beginning at page 19 of the Public Records of Lake County, Florida.

For the purpose of enhancing and protecting the value, attractiveness and desirability of the Lots constituting such Subdivision, Declarant hereby declares that all of the real property described above and each part thereof shall be held, sold, and conveyed only subject to the following easements, covenants, conditions, and restrictions, which shall constitute covenants running with the land and shall be binding on all parties having any right, title, or interest in the above described property or any part thereof, their heirs, successors, and assigns, and shall inure to the benefit of each Owner thereof.

ARTICLE I. DEFINITIONS

Section 1. "Association" shall mean the GREEN KEY VILLAGE OWNERS ASSOCIATION, INC. a nonprofit corporation, its successors and assigns, which shall be formed to assume the rights and duties described hereto. The Articles of Incorporation of the Association are attached hereto as Exhibit A. The Bylaws of the Association are attached hereto as Exhibit B.

Section 2. "Board" shall mean the board of directors of the Association.

Section 3. "Common Elements" shall mean all real property shown on the plat of the Subdivision other than the Lots shown thereon, which shall include (1) the "Tracts",

"Streets", "Roads", "Drainage Easements", " Pool and Other Amenities", "Conservation Area", "Water Retention Area" and other matters thereon dedicated to the Association, (2) the surface water management system within the Subdivision, (3) the gate at the entrance of the Subdivision, (4) the wall constructed by the Declarant which extends along the rear boundaries of any Lots and the walls and any fences along the boundaries of the Subdivision, and (5) the street lights along the roads within the Subdivision.

Section 4. "Declarant" shall mean GREEN KEY VILLAGE, LLC, its successors and assigns.

Section 5. "Lot" shall mean any unit of land designated as a Lot on the recorded Subdivision plat referred to above.

Section 6. "Maintenance" shall mean the exercise of reasonable care and repair to keep Common Elements, including the Surface Water or Stormwater Management System and other related improvements and fixtures in good repair and condition.

Section 7. "Member" shall mean every person or entity who owns a Lot within the Subdivision and holds membership in the Association, as well as every person or entity that owns a lot within the additional Phases of Green Key Village.

Section 8. "Institutional First Mortgage" shall mean a conventional first lien mortgage granted by an Owner to a bank, savings and loan association, pension fund trust, real estate investment trust, or insurance company.

Section 9. "Owner" shall mean the record Owner, whether one or more persons or entities, of a fee simple title to any Lot which is a part of the Subdivision, and shall include contract sellers, but shall not include those holding title merely as security for performance of an obligation. Every "Owner" shall be a "member".

Section 10. "Subdivision" shall mean the subdivided real property recorded in Plat Book 65, Page 19, Public Records of Lake County, FL hereinbefore described.

Section 11. "Surface Water or Stormwater Management System" shall mean a system which is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use or reuse water to prevent or reduce flooding, overdrainage, environmental degradation, and water pollution or otherwise affect the quantity and quality of discharges from the system, as permitted pursuant to chapters 40C-4, 40C-40, or 40C-42, F.A.C.

Section 12. "Tract" shall mean any unit of land designated as a Tract on the recorded Subdivision plat referred to above.

Section 13. "Architectural Review Committee" and "ARC" shall mean and refer to the Committee appointed by the Board to review plans and specifications for Lot improvements.

Section 14. "Assessments" shall mean and refer to the Annual and Special Assessments which may be imposed and collected by the Association.

Section 15. "Board" or "Board of Directors" shall mean the board of directors of the Association, elected in accordance with the Articles and Bylaws. Members of the Board shall be referred to as "Directors".

Section 16. "Green Technology" shall mean technology which is environmentally friendly, developed and used in such a way that it reduces development impact on the environment and conserves natural resources.

ARTICLE II

PROPERTY SUBJECT TO THIS DECLARATION

Section 1. The Subdivision is and shall be improved, held, transferred and occupied subject to this Declaration.

Section 2. Additional Property.

Declarant shall have the right but not the obligation to bring within the scope of this Declaration, as Additional Property, additional lands lying in the vicinity of the Property at any time and from time to time within twenty (20) years from the date on which this Declaration is recorded. Annexation may be accomplished by Declarant without the consent of the Association, the Owners, any mortgagee or other lien holder, or anyone else.

Section 3. Method of Adding Property.

Additions authorized under Article II will be made, if at all, by recording a Supplemental Declaration extending this Declaration to Additional Property. The Supplemental Declaration will describe the real property to be added and will state that it is being made pursuant to the terms of this Declaration for the purpose of adding property to this Declaration and extending the jurisdiction of the Association to the Additional Property. The Supplemental Declaration may contain additional terms consistent with this Declaration to reflect the different character, if any, of the real property being added or of the housing or development approaches being implemented. Upon the recordation of any Supplemental Declaration, the Owners shall also have a right and nonexclusive easement of use and enjoyment in and to the Common Property, if any, within the Additional Property and an obligation to contribute to the cost of operating, maintaining and insuring the additional Common Property and any additional Common Areas. Any Supplemental Declaration recorded in accordance with the terms hereof shall be conclusive in favor of all persons who rely thereon in good faith. From and after recordation of any Supplemental Declaration, the Additional Property described therein shall be subject to the provisions of this Declaration and to the jurisdiction of the Association.

ARTICLE III. THE ASSOCIATION

Section 1. Membership. Every Owner of a Lot shall be a member of the Association; membership shall be appurtenant to and may not be separate from ownership of a Lot.

Section 2. Voting. The Association shall have two classes of voting members.

Class A: Class A Owners shall be all Owners in the Subdivision except the Declarant. Each Owner shall be entitled to one vote for each Lot owned. When more than one person holds an interest in a given Lot, all such persons shall be members and the vote for such Lot shall be exercised as they may determine among themselves, however in no event shall more than one vote be cast with respect to any Lot.

Class B: The Class B member shall be the Declarant, its successors and assigns. The Class B member shall be entitled to five votes per Lot. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever shall first occur: (a) Three (3) months after ninety percent (90%) of the Lots in all Phases of Green Key Village have been conveyed to Members other than Developer; or (b) April 1, 2024, whichever shall first occur. Declarant shall be entitled to elect at least one member of the Board of Directors as long as Declarant holds for sale in the ordinary course of business at least five percent (5%) of the Lots in all Phases of Green Key Village.

Declarant may at any time convert Class B membership to Class A membership upon the execution of a writing making such election, which shall be delivered to the Association.

Section 3. Lien and Personal Obligation of Assessments. Declarant hereby covenants for each Lot within the Subdivision, and each Owner of a Lot is hereby deemed to covenant by acceptance of his deed for such Lot, whether or not it shall be so expressed in his deed, to pay to the Association (1) annual assessments and (2) special assessments for capital improvements and maintenance, including lawn maintenance. Such assessments will be established and collected as hereinafter provided.

The annual and special assessments, together with late fees, interest, costs, and reasonable attorney's fees, shall be a charge on the land and a continuing lien on each Lot against which such an assessment is made. Each such assessment, together with late fees, interest, costs, and reasonable attorney's fees shall also be the personal obligation of the person or persons who owned the Lot at the time the assessment fell due, but such personal obligation shall not pass to the successors in title of such person or persons unless expressly assumed by them.

Section 4. Services Provided by the Association. The annual assessments and special assessments levied by the Association shall be used exclusively to promote the health, safety, welfare, and recreation of the residents in the Subdivision, to provide for the mowing, edging, fertilizing, and lawn weed control for the yards of all Lots, for the repair and maintenance of Common Elements, the maintenance and repair of the Surface Water or Stormwater Management Systems, including but not limited to work within retention areas, drainage structures and drainage easements, for the maintenance and repair of the Streets, Pool and other Amenities, mowing and landscaping within the Common Elements, and for the payment of utility bills incurred as a result of the use of the facilities within the Common Elements. The Association is also authorized to obtain the appropriate insurance coverage, as the Association deems necessary, to adequately insure against loss and liability with regard to the Common Elements.

The Association shall be responsible for the maintenance, operation and repair of the Surface Water or Stormwater Management Systems. Maintenance of the Surface Water or Stormwater Management Systems shall mean the exercise of practices which allow the systems to provide drainage, water storage, conveyance or other surface water or stormwater management capabilities as permitted by the St. Johns River Water Management District. Any repair or reconstruction of the

Surface Water or Stormwater Management Systems shall be as permitted or, if modified, as approved by the St. Johns River Water Management District.

In the event the need for maintenance or upkeep is attributable to the willful or negligent act of the Owner of a Lot, his family, guests, or invitee, the cost of such maintenance or upkeep shall be added to and become part of the assessment to which such Lot is subject.

Section 5. Lawn Maintenance. It shall be the responsibility of the Association for the grass mowing, edging and landscape maintenance of all lawns in the Subdivision. The Association shall also be responsible for the fertilizing and lawn weed control for all of the yards in the Subdivision. It shall be the responsibility of the Lot Owner to adequately water the Lot Owner's lawn and other landscape.

Section 6. Lawn Maintenance Company. As long as Declarant, its successors or assigns, remains a Class B member, Declarant, its successors or assigns, shall have the exclusive authority to choose the company to provide the mowing, edging, landscape maintenance, fertilizing and weed control as described above.

Section7. Commencement and Collection of Annual Assessments. The annual assessments provided for herein shall be paid MONTHLY commencing January 1. The Association shall provide notice to every Owner subject hereto of the new assessment amount for the next year no later than December 1st of the then current year. The Association shall, on demand and for a reasonable charge, furnish a certificate signed by an officer of the Association, setting forth whether the assessments against a specific Lot have been paid, and, on or before April 1 of each year, may cause to be recorded in the Public Records of Lake County, a list of delinquent assessments as of December 31 of the prior year. The lots owned by Declarant shall be exempt from any assessments. The Declarant may elect to terminate its exclusion from the obligation to pay any assessments and begin paying annual assessments at which time the Declarant shall

have no further obligation to pay operating expenses incurred that exceed the assessments received from other members.

Section 8. Effect of Nonpayment of Assessments; Remedies of the Association. Any assessment not paid within ten (10) days after the due date shall be deemed in default and shall bear a late fee in the amount of $25.00 plus interest from the due date at the rate of fifteen percent (15%) per annum. The Association may bring an action at law against the Owner personally obligated to pay the same, or may foreclose the lien against the delinquent Owner's Lot. The delinquent Lot Owner shall also be liable for the legal fees and costs for the Association in any action to enforce the payment of the assessments, whether or not suit is brought. No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the common areas.

Section 9. Subordination of Assessment Lien to Mortgages. Unless there has been a lien filed against a Lot recorded in the Public Records, the assessments provided for herein shall be subordinate to the lien of any Institutional First Mortgage. A sale or transfer of any Lot shall not affect the assessment lien. However, the sale or transfer of any Lot pursuant to a mortgage foreclosure of a Institutional First Mortgage or any proceeding in lieu thereof, shall extinguish the assessment lien only to the extent allowed by law. No other sale or transfer shall relieve such Lot from liability for any assessments thereafter becoming due or from the lien thereto.

Section 10. The Architectural Review Committee of the Association. The Association shall establish an Architectural Review Committee ("the ARC") which shall function as follows:

10.1 The Board shall appoint members to the ARC consisting of no more than three (3) members. So long as there are Class B memberships in the Association, all appointments to the ARC shall be made by Declarant. Once Class B Membership ceases to exist, the Declarant shall be

entitled to appoint at least two members to the ARC for so long as Declarant owns any Lots in the Subdivision or any additional phases that this Declaration shall apply to.

10.2 All construction within the subdivision shall include Green Technology. No construction, modification, alteration, or other improvement of any nature whatsoever, except interior alterations which do not change or affect the exterior structure or appearance of a building, shall be undertaken on any Lot, and no landscaping, lawn decoration, driveway, parking area, or other Lot feature may be placed unless and until the plans and colors for same shall have been approved in writing by the ARC. Actions subject to ARC approval specifically include, but are not limited to, the following: exterior lighting, exterior painting (including doors, windows and roofs) placement of fountains, statues and other landscaping amenities, additions of awnings, shutters, grills, bars, gates, or other ornamentation or any alteration to the landscaping or topography of the Lot, construction of drives and walks, flagpoles, pools, service yards, mailboxes and all other exterior Lot improvements.

Section 11. **Design Review Procedure**. The Board shall adopt a design review criteria (DRC) to assure that Lot improvements shall be in harmony with the surrounding structures and topography, which said DRC may be modified or amended at the Board's discretion. Prior to commencement of construction, Owners must submit copies of plans and specifications to the ARC. The plans and specifications must include at a minimum, construction and site plans and specifications including all proposed landscaping. The ARC shall have thirty (30) days to review the plans. The ARC shall have the right to refuse to approve any plans and specifications which are not suitable or desirable. In approving or disapproving such plans and specifications, the ARC shall consider the DRC. Any party aggrieved by the decision of the ARC shall have the right to make a written request to the Board within thirty (30) days of such decision for a review thereof. The determination of the Board upon reviewing any such decision shall in all events be dispositive. The

ARC, in accepting or reviewing any plans, shall not have or undertake any responsibility or liability for the quality or safety of design or construction. The ARC shall in all cases have the right to designate building setbacks to maintain the general plan for the Property.

Owners who do not comply with these provisions shall be liable for costs and expenses incurred by the Board in enforcing the provisions hereof, including attorneys' fees and court costs. The Board may levy fines and penalties against Owners for violations of the terms of this Declaration, the DRC, and the Rules and Regulations of the Association, whether such violation is a violation by the Owner or by an Owner's agent, contractor, or subcontractor. Owners are liable for all construction activities on their Lot. The Board may also seek to enforce the provisions hereof by injunction.

Section 12. **Meeting of the Architectural Review Committee**. A meeting of the ARC occurs when a quorum of the Committee gathers to conduct Committee business. All meetings of the Committee shall be open to all Members of the Association except for meetings between the Committee and its attorney with respect to proposed or pending litigation where the contents of the discussion would otherwise be governed by the attorney-client privilege. Notice of all Committee meetings shall be posted, mailed or delivered in accordance with the provisions of Florida Statutes regarding not for profit corporations. Committee members may not vote by proxy or secret ballot.

ARTICLE IV. USE RESTRICTIONS

The Subdivision shall be occupied and used only as follows:

Section 1. All Lots included in the Subdivision shall be used for single family residential purposes only and shall be subject to the following specific residential use restrictions in addition to the general restrictions contained in the Declaration of Restrictions.

Section 2. No building or structure shall be constructed, erected, placed or altered on any Lot until the construction plans and specifications and a plan showing the location of the building or

structure have been approved by the Declarant, or its designee, as to quality of workmanship and materials, harmony of external design with existing structures and location with respect to topography and finished grade elevation. The Declarant's approval or disapproval as required in these covenants shall be in writing. In the event that the Declarant, or its designated representative fails to approve or disapprove plans and specifications submitted to it within thirty (30) days after such submission, approval will not be required.

Section 3. There shall be no more than one Home situated on any one Lot. The Home shall be a conventionally built home of a design approved by the Declarant as being harmonious with the development as to color, construction materials, design, size and other qualities and should incorporate Green Technology. Each home must have a private garage that is located in the rear with a side entrance garage door (except as otherwise approved by Declarant). The Home location shall be placed on a Lot approved by the Declarant. The minimum set back for the home shall be 6 feet from any interior side Lot lines, the rear set back shall be 20 feet, and the front set back shall be 20 feet. Each home shall be properly connected to the City of Lady Lake sewer and water system.

Section 4. Each Home and Lot must contain a concrete driveway and/or made with concrete pavers. The lawn must be sodded with the front yard and side yards being sodded with Zoysia grass.

Section 5. No outside structures including barns, detached garages or structures for storage or utility purposes are permitted within the Subdivision.

Section 6. Properties within the Subdivision are intended for residential use and no commercial, professional or similar activity may be conducted in a Home or on a Lot. However, nothing herein shall prohibit Declarant from using a Lot as its model home and sales office.

Section 7. No aerials, satellite reception dishes larger than one meter in diameter, or antennas are permitted in the Subdivision, except as permitted by law or as authorized by the Declarant, or its designee.

Section 8. No barrier, wall or structure of any kind or nature shall be placed on the property without prior written approval of the Declarant or his designee. Only approved fences by the ARC will be allowed in the subdivision.

Section 9. No vehicles incapable of operation shall be stored on any Lot nor shall any junk vehicles or equipment be kept on any Lot. In addition, no mechanical repairs may take place on any Lot unless such repairs are done out of sight within the garage. Overnight parking by Owners or their guests within street right-of-way is prohibited.

All cars and other vehicles must be parked on the driveway or in the garage. In no event shall any car or other vehicle be parked on the lawn of any lot.

Commercial vehicles of any nature or size, oversized trucks and truck trailers may only be parked on the Subdivision's Property while servicing a particular home and/or Lot or for the temporary (less than 12 hours) loading or unloading from such vehicles or unless such vehicle is fully parked within the garage. However, nothing herein shall be construed to prohibit Declarant's commercial vehicles, or any of Declarant's contractors or sub-contractor's vehicles, from being allowed to remain parked on the Subdivision's Property.

Section 10. A sign showing the Owner's name will be permitted in common specifications to be set forth by the ARC. Except as may be required by legal proceedings, or as otherwise permitted by the Association, no commercial sign, advertisements, or notice may be placed on any Lot except "Property for Sale" signs which conform to the size, shape, content and location to standards established by the ARC.

Section 11. Except as provided above, exterior lighting must be shaded so as not to create a nuisance to others. No other light poles may be erected, except as otherwise approved by the Declarant.

Section 12. The Declarant reserves the right to prohibit or control all peddling, soliciting, selling, delivery and vehicular traffic within the Subdivision.

Section 13. No swine or poultry is permitted within the Subdivision.

Section 14. All garbage will be contained in appropriate containers prescribed by the Declarant and placed curbside no earlier than the day before scheduled pick-up.

Section 15. No visible fuel or gas storage tanks may be affixed on any Lot.

Section 16. No structure of a temporary character, trailer, mobile home, tent, shack, barn, shed or other outbuilding shall be permitted on any Lot at any time other than temporary structures installed by Declarant during the initial construction period.

Section 17. No nuisance or excessive noise shall be permitted to exist or operate on any Lot or common area so as to be detrimental to any other Lot in the vicinity thereof, or to its occupants or to the Common Areas. No waste will be committed in the Common Areas.

Section 18. Pets of the customary household variety, such as cats, dogs, pet birds and fish but no more than two (2) of each may be kept by an Owner on his Lot, but only, if such pets do not cause a disturbance or annoyance to others in the Subdivision. All pets must be held or kept leashed at all times if they are outside of the respective Owner's Lot. Declarant and the Association reserve the right to demand that an Owner remove such pet from the Subdivision, if such pet is found to be a nuisance or is in violation of these restrictions. There shall be no commercial breeding of animals.

Section 19. There shall be permitted only one boat on a Lot and the boat must be stored completely within the garage with the garage door closed. However, a boat on its trailer may be allowed on the lot but only for loading and unloading thereof and in no event for more that 24 hours.

Section 20. All play structures shall be located at the rear of the residence. Basketball hoops or backboards and any other fixed games, shall be located at the rear of the home, except those permanently mounted to the home above the garage or mounted to a permanent pole, will be allowed only under the following conditions:

(a) Basketball hoops and structures must be well-maintained;

(b) Backboards must be transparent or white, NBA approved, with a limit of two colors of trim;

(c) Nets are limited to white nylon; and

(d) If pole-mounted, the pole must be metal, either black or galvanized and permanently mounted into the ground with a concrete base;

(e) No hoops/goals are to be temporarily or permanently installed within 40 feet of the front property line.

Section 21. No skateboard or bicycle ramp or similar structure shall be permanently installed or maintained overnight on any portion of any Lot.

Section 22. Clothes lines must be retractable, fastening to the rear of the residence and extending out to post set in the back yard.

Section 23. No recreational vehicles ("RVs") shall be allowed to permanently be kept on any lot. An RV may be allowed on the driveway of a lot for the purposes of loading and unloading thereof, however in no event for more than 24 hours.

Section 24. Air conditioning units shall be hidden from view by landscape buffer. In addition, garbage containers must be hidden by a hedge or an approved wall. No window air conditioning units shall be permitted.

Section 25. Mainsail Solutions, Inc. shall be the exclusive builder of any home within the Subdivision.

Section 26. The occupancy for any home shall be limited to twice the number of bedrooms located in the home. By way of example, if the home has 3 bedrooms, the maximum number of occupants living in the home shall be six (6) people.

Section 27. No above-ground swimming pools shall be allowed.

Section 28. It shall be the responsibility of each property Owner within the Subdivision at the time of construction of a building, residence, or structure, to comply with the construction plans for the Surface Water Management System pursuant to Chapter 40C-4, F.A.C., approved and on file with the St. Johns River Water Management District (SJRWMD). No Owner of property within the Subdivision may construct or maintain any building, residence, or structure, or undertake or perform any activity in the wetlands, mitigation areas, buffer areas, and upland conservation areas described in the approved permit and recorded plat of the Subdivision unless prior written approval is received from the SJRWMD pursuant to Chapter 40C-4.

The Declarant has constructed a drainage swale upon certain Lots in the Subdivision for the purpose of managing and confining the flow of excess surface water, if any, found upon such Lot from time to time. The Association shall be responsible for the maintenance, operation and repair of the swales on each Lot. Maintenance, operation and repair shall mean the exercise of practices, such as mowing and erosion repair, which allow the swales to provide drainage, water storage, conveyance or other stormwater management capabilities as permitted by the St. Johns River Water Management District.

Filling, excavation, construction of fences or otherwise obstructing the surface water flow in the swales is prohibited. No alteration of the drainage swale shall be authorized and any damage to any drainage swale, whether caused by natural or human-induced phenomena, shall be repaired and the drainage swale returned to its former condition as soon as possible by the Owner(s) of the Lot(s) upon which the drainage swale is located.

No fence or wall constructed by Declarant shall be modified, altered, painted or changed in any way except by the Declarant or the Association.

ARTICLE V. OWNER'S OBLIGATIONS OF MAINTENANCE AND REPAIR

Section 1. Each Owner shall, at his sole cost and expense, repair and maintain his residence. Each Owner shall keep his Lot neat and clean.

Section 2. If an Owner does not adhere to the above regulation, then the work may be performed on behalf of the Owner by the Declarant or the Association and the cost shall be charged to the Owner. Should the Owner fail to reimburse the Declarant or the Association for such costs within 30 days of being billed, the Declarant or the Association may file a lien against the Owner's Lot in an amount equal to such costs and if not paid within fifteen (15) days of filing said lien, the Declarant or Association may foreclose the lien.

ARTICLE VI.

Section 1. Easements.

(a) Declarant hereby grants and conveys to all Owners (and their guests, lessees and invitees) a non-exclusive easement for ingress and egress, in, over and across the road right of ways shown on the plat of the Subdivision.

(b) Declarant and its successors and assigns and the Association hereby reserves and grants easements for installation and maintenance of underground utilities, cable television, drainage facilities, as shown on the plat of the Subdivision to the appropriate utility companies and agencies serving the Subdivision. Within these easements, no structure, planting, or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may damage, interfere with, or change the direction of flow of drainage facilities in the easements. The easement area of each Lot and all improvements therein shall be continuously maintained by the Owner of such Lot, except for improvements for maintenance of which a public authority or utility company is responsible.

(c) Easements and rights-of-way in favor of the Declarant are hereby reserved for the construction, installation, maintenance and repair of utilities such as electric light lines, water lines, cablevision, telephone, recreation facilities, and telegraph lines or the like, and for the maintenance

and repair of such fences, walls or sidewalks as are originally constructed by the Declarant. Such easements and rights-of-way shall be confined to a ten (10) foot width along the rear lines, a five (5) foot width along the dividing lines of every building Lot, and ten (10) feet and along every road fronting on each Lot.

(d). The Declarant and its successors and assigns, and the Association, shall have the right and privilege and easement of doing whatever may be necessary in, on, under, and above such Lots, Tracts and Common Areas to carry out any of the duties, purposes or reservations and rights reserved herein, or on the plat of the Subdivision.

Section 2. Easement for Access and Drainage. The Association shall have a perpetual non-exclusive easement over all areas of the Surface Water or Stormwater Management System for access to operate, maintain or repair the system. By this easement, the Association shall have the right to enter upon any portion of any Lot which is a part of the Surface Water or Stormwater Management System, at a reasonable time and in a reasonable manner, to operate, maintain or repair the Surface Water or Stormwater Management System as required by the St. Johns River Water Management District permit. Additionally, the Association shall have a perpetual non-exclusive easement for drainage over the entire Surface Water or Stormwater Management System. No person shall alter the drainage flow of the Surface Water or Stormwater Management System, including buffer areas or swales, without the prior written approval of the St. Johns River Water Management District.

Section 3. Right of Entry. The Declarant, through its duly authorized employees and contractors and agents and the Association, its duly authorized contractors and agents shall have the right to enter any Lot at any reasonable hour on any day to perform such maintenance and repair as may be authorized herein.

Section 4. No Partition. There shall be no judicial partition of any lot or the common area, nor shall any Owner or any other person acquiring any interest in the Subdivision or any part thereof, seek judicial partition thereof.

ARTICLE VII. WATER AND GARBAGE SERVICER

Section 1. Upon acquiring any interest as an Owner of a Lot in the Subdivision, each Owner hereby agrees to pay for water and obtain all of the water for a particular Lot from the City of Lady Lake. The charges for such services shall be billed and paid separately on a monthly basis by each Owner. Garbage and trash service shall be provided by Waste Management, Inc., or whomever Lake County contracts with from time to time, and the charges therefor shall be paid separately by each Owner. The parties acknowledge that the services providers set forth herein are subject to change.

ARTICLE VIII. OWNER'S OBLIGATION TO REBUILD

If all or any portion of the improvements upon a Lot are damaged or destroyed by fire or other casualty, it shall be the duty of the Owner thereof, with all due diligence, to rebuild, repair or reconstruct such improvements in a manner which will substantially restore it to its appearances and condition immediately prior to the casualty. Reconstruction shall be undertaken within two (2) months after the damage occurs, and shall be completed within six (6) months after the damage occurred, unless prevented by governmental authority. Such reconstruction is subject to the approval of the Architectural Review Committee.

ARTICLE IX. GENERAL PROVISIONS

Section 1. Enforcement. Declarant, the Association, or any Owner shall have the right to enforce, by and proceeding at law or in equity, all restrictions, conditions, covenants, easements, reservations, liens, and charges now or hereafter imposed by the provisions of this Declaration. Failure by Declarant, the Association, or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. The St. Johns River Water Management District shall have the right to enforce, by a proceeding at law or in equity, the provisions contained in the Covenants and Restrictions which relate to the maintenance, operation and repair of the Surface Water or Stormwater Management System.

Section 2. Severability. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions, which shall remain in full force and effect.

Section 3. Amendments. Declarant specifically reserves the absolute and unconditional right, so long as it owns any property in the Subdivision, without the consent or joinder of any party, to amend these restrictions by duly recording an instrument executed and acknowledged by the Declarant, except that any amendment that materially affects the Surface Water Management System, including the water management portions of the Common Areas, must have the prior written consent of St. Johns River Water Management District. These restrictions may also be amended at a duly called meeting of the Association whereat a quorum is present if the amendment resolution is adopted by (i) a majority vote of Class A Owners of the Association present at such meeting and (ii) the Class Member B, if any. An amendment so adopted shall be effective upon the recordation of same in the Public Records of Lake County, Florida.

Section 4. Subordination. No breach of any of the conditions herein contained or re-entry by reason of such breach shall defeat or render invalid the lien of any mortgage made in good faith and for value as to the Subdivision or any Lot therein; provided, however, that such conditions shall be binding on any Owner whose title is acquired by foreclosure, trustee's sale, or otherwise.

Section 5. Duration. The covenants and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of and be enforceable by the Declarant, the Association or any Owner for a period of forty-five (45) years from the date hereof. Thereafter, they shall be automatically extended for additional periods of ten (10) years unless otherwise agreed to in writing by the then Owners of at least three-quarters (3/4) of the Subdivision Lots.

Executed this 2nd day of July, 2014. GREEN KEY VILLAGE, LLC.

By: _____
Gregory O. Thomas, Manager

Signed Sealed and Delivered in the presence of:

Patricia A. Maynard
(Printed Name)

Richard P. Newman
(Printed Name)

STATE OF FLORIDA
COUNTY OF LAKE

Before Me, the undersigned authority, personally appeared Gregory O. Thomas, the Manager on behalf of Green Key Village, LLC, to me known to be the person in and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State aforesaid, this 2nd day of July, 2014.

NOTARY PUBLIC

Richard P. Newman
(Printed Name)

RICHARD P. NEWMAN
MY COMMISSION # FF 084374
EXPIRES: March 11, 2018
Bonded Thru Budget Notary Services

My Commission Expires: _____

Serial/Commission Number _____

Personally Known ✓ or Produced Identification _____

Type of Identification Produced: _____

PREPARED BY:
Richard P. Newman, Esq.
McLin Burnsed P.A.
P.O. Box 491357
Leesburg, FL 34749-1357

RETURN TO:
Richard P. Newman, Esq.
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Leesburg, FL 34749-1357

H:\Green Key Village\130196.DEED RESTRICTIONS.wpd/January 15, 2014

EXHIBIT A

ARTICLES OF INCORPORATION

OF

GREEN KEY VILLAGE OWNERS ASSOCIATION, INC.

FILED
14 MAY -2 PM 3:50
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

THE UNDERSIGNED HEREBY ASSOCIATE THEMSELVES FOR THE PURPOSE OF FORMING A CORPORATION NOT-FOR-PROFIT UNDER AND PURSUANT TO CHAPTER 617, FLORIDA STATUTES, AND DO HEREBY CERTIFY AS FOLLOWS:

ARTICLE I

NAME

1.1 The name of the Corporation shall be **GREEN KEY VILLAGE OWNERS ASSOCIATION, INC.** and its initial principal place of business and mailing address shall be 4207 Bair Avenue, Fruitland Park, FL 34731. For convenience, the Corporation shall be herein referred to as the "Association."

ARTICLE II

PURPOSES AND POWERS

2.1 **Purposes.** The specific primary purposes for which the Association is organized are to provide for maintenance, preservation and architectural control of the Lots and Common Elements within a certain tract of real property described as GREEN KEY VILLAGE, to provide the lawn maintenance of the yards located within the Subdivision, and to promote the health, safety and welfare of the residents within the above-described development and such additions thereto as may hereafter be brought within the jurisdiction of the Association for such purpose.

The Association shall operate, maintain and manage the Surface Water or Stormwater Management Systems in a manner consistent with the St. Johns River Water Management District Permit No. 42-069-1279N-ERP requirements and applicable District rules, and shall assist in the

enforcement of the Declaration of Covenants and Restrictions which relate to the Surface Water or Stormwater Management Systems.

The Association shall levy and collect adequate assessments against Members of the Association for the costs of maintenance and operation of the Common Elements, the lawn maintenance of the yards and Surface Water or Stormwater Management Systems.

2.2 **Powers.** In furtherance of such purposes set forth in Section 2.1 above, the Association shall have the power to:

a. Perform all of the duties and obligations of the Association as set forth in the Declaration of Covenants, Conditions and Restrictions (the "Declaration") applicable to the Subdivision and to be recorded in the Public Records of Lake County, Florida.

b. Affix, levy, collect and enforce payment by any lawful means of all charges and assessments pursuant to the terms of the Declaration; and pay all expenses in connection therewith, and all office and other expenses incidental to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied on or imposed against the property of the Association.

c. Acquire (by gift, purchase or otherwise), own, hold and improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real and personal property in connection with the affairs of the Association.

d. Borrow money and, subject to the consent by vote or written instrument of two-thirds (2/3) of each class of members, mortgage, pledge, convey by deed of trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred.

e. Dedicate, sell or transfer all or any part of the common areas to any municipality, public agency, authority, or utility for such purposes and subject to such conditions as may be agreed upon by the Members. No such dedication, sale or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of the Members, agreeing to such dedication, sale or transfer.

f. Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes, or annex additional residential property or common areas, provided that any merger, consolidation or annexation shall have the assent by vote or written instrument of two-thirds (2/3) of the Members.

g. Have and exercise any and all powers, rights and privileges that a nonprofit corporation organized under Chapter 617 of the Florida Statutes by law may now or hereafter have or exercise.

2.3 The Association is organized and shall be operated exclusively for the purposes set forth above. The activities of the Association will be financed by assessments against Members as provided in the Declaration, and no part of any net earnings of the Association will inure to the benefit of any Member.

ARTICLE III

MEMBERS

3.1 Every person or entity who is a record Owner of a fee or undivided fee interest in any Lot which is subject by covenant of record to assessment by the Association, including contract sellers, but excluding persons or entities holding title merely as security for performance of an obligation,

shall be a Member of the Association. Membership shall be appurtenant to and not be separated from Ownership of a parcel which is subject to assessment by the Association.

ARTICLE IV

DURATION AND DISSOLUTION

4.1 **Existence and Duration**. Existence of the Association shall commence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall exist in perpetuity.

4.2 **Dissolution**. In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the Surface Water or Stormwater Management System must be transferred to and accepted by an entity which would comply with Section 40C-42.027, F.A.C., and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

ARTICLE V

OFFICERS AND DIRECTORS

5.1 The affairs of the Association will be managed by a Board of Directors, a President who shall at all times be a member of the Board of Directors, and a Secretary and Treasurer. Such officers shall be elected at the first annual meeting of the Board of Directors.

5.2 The names and addresses of the officers who shall hold office until their successors are elected and have qualified, or unless removed for cause, are as follows:

OFFICERS	TITLE	ADDRESS
Gregory O. Thomas	President	4207 Bair Avenue Fruitland Park, FL 34731
Ashton E. Thomas	Vice President	4207 Bair Avenue Fruitland Park, FL 34731
Kim M. Thomas	Secretary/Treasurer	4207 Bair Avenue Fruitland Park, FL 34731

5.3 The number of persons constituting the first Board of Directors of the Association shall be three (3) and thereafter, the membership shall consist of three (3) or five (5), and the names and addresses of the persons who are to act in the capacity of Director until appointment or election of their successors are:

DIRECTORS	ADDRESS
Gregory O. Thomas	4207 Bair Avenue Fruitland Park, FL 34731
Ashton E. Thomas	4207 Bair Avenue Fruitland Park, FL 34731
Kim M. Thomas	4207 Bair Avenue Fruitland Park, FL 34731

5.4 The method by which Directors are elected shall be as set forth in the Bylaws.

ARTICLE VI

BYLAWS

6.1 The Bylaws of the Association may be made, altered or rescinded at any annual meeting of the Association, or at special meeting duly called for such purpose, on the affirmative vote of a majority of the class of Members entitled to vote at the time, present in person or by proxy at such meeting, except that the initial Bylaws of the Association shall be made and adopted by the Board of Directors.

ARTICLE VII

AMENDMENTS

7.1 Amendments to these Articles of Incorporation may be proposed by any member of the Association. These Articles may be amended at any annual meeting of the Association, or at any

special meeting duly called and held for such purpose, on the affirmative vote of a majority of the number of total votes of the Membership entitled to vote at the time of such meeting.

ARTICLE VIII

VOTING

8.1 The Association shall have two classes of voting members.

Class A: Class A Owners shall be all Owners in the Subdivision except the Declarant. Each Owner shall be entitled to one vote for each Lot owned. When more than one person holds an interest in a given Lot, all such persons shall be members and the vote for such Lot shall be exercised as they may determine among themselves, however in no event shall more than one vote be cast with respect to any Lot.

Class B: The Class B member shall be the Declarant, its successors and assigns. The Class B member shall be entitled to five votes per Lot owned by Declarant.

ARTICLE IX

INCORPORATORS

9.1 Gregory O. Thomas, 4207 Bair Ave., Fruitland Park, FL 34731
Kim M. Thomas, 4207 Bair Ave., Fruitland Park, FL 34731

ARTICLE X

DISSOLUTION

10.1 Upon a two-thirds (2/3) vote of the Members, the corporation may be dissolved. The procedures for dissolution will be as set forth in Chapter 617 Florida Statutes.

ARTICLE XI

REGISTERED AGENT

11.1 The initial registered agent of the corporation shall be Kim M. Thomas and the initial registered address of the corporation shall be 4207 Bair Avenue, Fruitland Park, FL 34731.

ARTICLE XII

EFFECTIVE DATE

12.1 The effective date of this Corporation shall be upon filing with the Office of the Secretary of State of the State of Florida.

FILED
14 MAY -2 PM 3:50
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLE XIII

INDEMNIFICATION

13.1 Each Director and Officer of this Association shall be indemnified by the Association against all costs and expense reasonably incurred or imposed upon him or her in connection with or arising out of any action, suit or proceedings in which he or she may be involved or to which he or she may be made a party by reason of his or her having been a Director or Office of this Association, such expense to include the cost of reasonable settlements (other than amounts paid to the Association itself).

IN WITNESS WHEREOF, I have hereunto set my hand and seal at Fruitland Park, FL, this 18th day of April, 2014.

INCORPORATOR:

Gregory O. Thomas

Kim M. Thomas

DELPHINE C WILLIAMS
Notary Public - State of Florida
My Comm. Expires May 12, 2014
Commission # DD 986506
Bonded Through National Notary Assn.

ACCEPTANCE BY REGISTERED AGENT:

I AM FAMILIAR WITH AND ACCEPT THE DUTIES AND RESPONSIBILITIES AS REGISTERED AGENT FOR SAID CORPORATION.

Kim M. Thomas

FILED
14 MAY -2 PM 3:50
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

STATE OF FLORIDA

COUNTY OF LAKE

I HEREBY CERTIFY that on this 18th day of April, 2014, before me, the undersigned authority, personally appeared Gregory O. Thomas and Kim M. Thomas, personally known to me or has produced identification respectively Gregory O Thomas and Kim M Thomas to be the persons described in and who executed the foregoing Articles of Incorporation, and acknowledged before me that they made and subscribed the same for the uses and purposes therein mentioned and set forth.

WITNESS my hand and official seal at 440 Palm St, Lake FL, said County and State, the day and year first above written.

[S E A L]

NOTARY PUBLIC - STATE OF FLORIDA

Delphine C Williams
Printed Name of Notary Public
Commission Number: DD986506
My Commission Expires: 12 May 14

DELPHINE C WILLIAMS
Notary Public - State of Florida
My Comm. Expires May 12, 2014
Commission # DD 986506
Bonded Through National Notary Assn.

H:\Green Key Village\130196.DEED RESTRICTIONS.wpd/January 15, 2014

EXHIBIT B

BYLAWS OF

GREEN KEY VILLAGE OWNERS ASSOCIATION, INC.

ARTICLE I

NAME AND LOCATION

The name of the Corporation is **GREEN KEY VILLAGE OWNERS ASSOCIATION, INC.**, and shall have its initial principal place of business at 4207 Bair Avenue, Fruitland Park, FL 34731, but the meetings of Members and Directors may be held at such places within the State of Florida as may be designated by the Board of Directors. For convenience, the Corporation shall be herein referred to as the "Association".

ARTICLE II

DEFINITIONS

SECTION 1 - "Association" - shall mean and refer to the **GREEN KEY VILLAGE OWNERS ASSOCIATION, INC.**, a nonprofit corporation, its successors and assigns.

SECTION 2 - "Common Elements" - includes within its meaning the following: (1) all real property shown on the plat referenced above as "Common Area" "Pool and Other Amenities; and "Water Retention Area" dedicated to the common use and enjoyment of the Owners or residents, or subsequently conveyed to the Association, (2) the surface water management system within the Subdivision, (3) the gate at the entrance of the Subdivision, (4) streets and rights-of-ways, and (5) tangible personal property required for the maintenance and operation of the Association even though owned by the Association.

SECTION 3 - "Declarant" shall mean GREEN KEY VILLAGE, LLC, and its successors and assigns.

SECTION 4 - "Declaration" - shall mean and refer to the Declaration of Covenants, Restrictions and Easements applicable to the Subdivision and recorded in the Public Records of Lake County, Florida.

SECTION 5 - "Lot" - shall mean the unit of land designated as a Lot on the recorded Subdivision plat referred to herein.

SECTION 6 - "Member" - shall mean every person or entity who holds membership in the Association.

SECTION 7 - "Owner" - shall mean the record Owner, whether one or more persons or entities, of a fee simple title to any Lot in the Subdivision, and shall include contract sellers, but shall not include those holding title merely as security for performance of an obligation. Every "Owner" shall be a "Member".

SECTION 8 - "Subdivision" - shall mean the subdivided real property as set forth in the Plat of GREEN KEY VILLAGE and any additional phases.

SECTION 9 - Unless otherwise clearly indicated, words in the singular or plural shall include the plural and singular respectively, where they would so apply. Words in the masculine or neuter gender shall include the feminine, masculine or neuter gender where applicable.

ARTICLE III

MEETINGS OF MEMBERS

SECTION 1: Annual Meetings. The first annual meeting of the Association shall be held within one year from the date of incorporation of the Association and each year subsequent regular annual meeting of the Members shall be held on the same day of the same month of each year thereafter. If the day for annual meeting of members is a legal holiday, the meeting will be held at the same hour on the next following day which is not a legal holiday.

SECTION 2: Special Meetings. Special meetings of Members may be called at any time by the President or by two (2) Members of the Board of Directors, or after ninety percent (90%) of the parcels of all phases have been sold and conveyed upon written request of Members who are entitled to vote one-half (½) of all votes of the membership.

SECTION 3: Notice of Meetings. Written notice of each meeting of Members shall be given by, or at the direction of, the Secretary or other person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least fifteen (15) days, but not more than sixty (60) days before such meeting to each Member entitled to vote there at, addressed to the Member's address last appearing on the books of the Association, or supplied by such Member to the Association for purpose of receiving notice. Such notice shall specify the day, hour and place of the meeting, and in case of a special meeting the purpose of the meeting.

SECTION 4: Quorum. The presence at the meeting, in person or by proxy, of Members entitled to cast a majority of the votes of the membership shall constitute a quorum for authorization of any action, except as may otherwise be provided in the Declaration, the Articles of Incorporation, or these Bylaws. If a quorum is not present at any meeting, the Members entitled to vote there at shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum is present.

SECTION 5: Proxies. At all meetings of Members, each Member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary. Proxies shall be revocable, and the proxy of any Owner shall automatically terminate on conveyance by him of parcel.

ARTICLE IV

BOARD OF DIRECTORS; SELECTION; TERM OF OFFICE; REMOVAL

SECTION 1: **Number.** The affairs of the Association shall be managed by a Board of Directors consisting of three (3) or five (5) Directors, who need not be Members of the Association. Initially the Board of Directors shall consist of three (3) Directors who shall be selected by the Declarant. The Declarant shall have the sole right to appoint and remove any Director of the Board of Directors of the Association so long as Declarant shall own ten percent (10%) or more of the Lots in the Property. Within three (3) months after Declarant owns less than ten percent (10%) of the Lots in the Property, the Members of the Board shall be determined as set forth in Article V herein. Declarant shall be entitled to elect at least one Member of the Board of Directors as long as Declarant holds for sale in the ordinary course of buiness at least five percent (5%) of the Lots in all phases of the Property.

SECTION 2: **Term of Office.** Directors shall serve three (3) year terms, except the initial Directors shall serve until the first annual meeting.

SECTION 3: **Removal.** So long as Declarant shall own ten (10%) percent or more of the Lots in the Property, any Director may be removed, with or without cause, by the Declarant. Thereafter, any Director may be removed, with or without cause, by a majority of the number of total votes of the membership existing at that time. In the event of death, resignation, or removal of a Director, his successor shall be selected by the remaining Members of the Board and shall serve for the unexpired term of his predecessor.

ARTICLE V

BOARD OF DIRECTORS; NOMINATION AND ELECTION

SECTION 1: **Nomination.** At such time as the Declarant owns less than 10% of the Lots in the Property (and with the exception of the one (1) Director Declarant is entitled to elect as set forth in Article IV, Section 1 above) nomination for election to the Board of Directors shall be by the Members.

SECTION 2: **Election.** Election to the Board of Directors shall be during the annual meeting by secret written ballot unless the right to said written ballot is unanimously waived by those Members present. Members shall elect the Directors by majority vote.

ARTICLE VI
BOARD OF DIRECTORS; MEETINGS

SECTION 1: **Regular Meetings.** Regular Meetings of the Board of Directors shall be held when called by the President of the Association, or by any two Directors, after not less than three (3) days notice to each Director.

SECTION 2: **Quorum.** A majority of the Directors shall constitute a quorum for the transaction of business. Every act performed or decision made by a majority of Directors present at a duly held meeting in which a quorum is present shall constitute the act or decision of the Board.

SECTION 3: **Notice**. Notice of all meetings will be in compliance with Florida Statutes, Section 617.303(2) (1997).

ARTICLE VII

BOARD OF DIRECTORS; POWERS; AND DUTIES

SECTION 1: **Powers.** The Board of Directors shall have the power to:

a.) Adopt and publish rules and regulations governing the use of the Lots, Common Elements and facilities including the personal conduct of the Members and their guests thereon; and to establish penalties for infractions of such rules and regulations.

b.) Suspend the voting rights and right to use of the recreational facilities of any Member during any period in which such Member is in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed thirty (30) days for infraction of published rules and regulations.

c.) Exercise on behalf of the Association all powers, duties, and authority vested in or delegated to the Association and not specifically reserved to the membership by the Declaration, Articles of Incorporation, or by other provisions of these Bylaws.

d.) Employ a manager, independent contractors, and such other employees as they may deem necessary, and to prescribe their duties.

SECTION 2: **Duties.** It shall be the duty of the Board of Directors to:

a.) Supervise all officers, agents and employees of the Association and see to it that their duties are properly performed;

b.) As more fully provided in the Declaration to:

(1) Fix the amount of the annual assessment against each Lot in advance of each annual assessment period.

(2) Send written notices of each assessment to every Owner subject thereto in advance of each assessment period; and

(3) Foreclose the lien against any Lot for which assessments are not paid within sixty (60) days after the due date, or to bring an action at law against the Owner personally obligated to pay the same.

c.) Issue, or cause an appropriate officer to issue on demand by any person, a certificate setting forth whether or not any assessment has been paid. A statement in a certificate to the effect that an assessment has been paid shall constitute conclusive evidence

of such payment. The Board may impose a reasonable charge for the issuance of these certificates.

d.) Procure and maintain liability and hazard insurance on all property owned by the Association.

e.) Cause all Officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate.

f.) Cause the Common Elements to be maintained.

g.) Cause such duties as imposed upon the Association by the Declaration to be completed.

ARTICLE VIII

OFFICERS AND THEIR DUTIES

SECTION 1: **Enumeration of Offices.** The Officers of the Association shall, at a minimum be a President, who shall at all times be a member of the Board of Directors, and a Secretary/Treasurer and such other Officers as the Board may from time to time by resolution create.

SECTION 2: **Election of Officers.** The Declarant shall have the sole right to appoint and remove any Officer of the Association as long as Declarant shall own ten (10%) percent or more of the total number of Lots in the Property. Thereafter, all Officers shall hold office at the pleasure of the Board of Directors.

SECTION 3: **Term.** The Officers of the Association shall be elected annually by the Board. Each shall hold office for a term of one (1) year unless he shall sooner resign, or shall be removed or otherwise disqualified to serve.

SECTION 4: **Special Appointments.** The Board may elect such other Officers as the affairs in the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time determine.

SECTION 5: **Resignation and Removal.** Any Officer may be removed from office by the Board at any time with or without cause. Any Officer may resign at any time by giving written notice to the Board, the President or the Secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

SECTION 6: **Vacancies.** A vacancy in any office may be filled by appointment of the Board. The Officer appointed to such vacancy shall serve for the unexpired term of the officer he replaces.

SECTION 7: **Multiple Offices.** The offices of Secretary and Treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices, except in the case of special offices created pursuant to Section 4 of this Article.

SECTION 8: Duties. The duties of the Officers are as follows:

a.) **President.** The President shall preside at all meetings of the Board of Directors; shall see that orders and resolutions of the Board are carried out; and shall sign all leases, mortgages, deeds and other instruments.

b.) **Vice President.** The Vice President shall act in the place of the President in the event of his absence, inability, or refusal to act, and shall exercise and discharge such other duties as may be required of him by the Board.

c.) **Secretary.** The Secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the Members; keep the corporate seal of the Association and affix it to all papers so requiring; serve or cause to be served notice of meetings of the Board to Members; keep appropriate current records showing the members of the Association together with their addresses; and perform such other duties as may be required by law.

d.) **Treasurer.** The Treasurer shall receive and deposit in appropriate bank accounts all funds of the Association, and shall disburse such funds as directed by resolution of the Board of Directors; shall sign all checks and promissory notes of the Association; shall keep proper books of the accounts; shall cause an annual report of the Association books to be made at the completion of each fiscal year; and shall prepare an annual budget and statement of income and expenditures, a report of which shall be given at the regular annual meeting of members.

ARTICLE IX

AMENDMENTS

The Bylaws of the Association may be made, altered, or rescinded at any annual meeting of the Association, or at any special meeting duly called for such purpose, on the affirmative vote of a majority of the number of total votes of the membership existing at that time, present in person or by proxy at such meeting, except that the initial Bylaws of the Association shall be made and adopted by the Board of Directors.

ARTICLE X

FISCAL YEAR

The fiscal year of the Association shall be the calendar year, except that the first fiscal period shall begin on the date of incorporation.

ARTICLE XI

CONFLICTS

In case of any conflict between the Articles of Incorporation and these Bylaws the Articles shall control; in case of any conflict between the Declaration and these Bylaws, the Declaration shall control.

H:\Green Key Village\130196.DEED RESTRICTIONS.wpd/January 15, 2014

McLin Burnsed

Walter S. McLin, III (1935 - 2007)
R. Dewey Burnsed (1939 - 2007)

Reply to: Richard P. Newman

May 5, 2016

Town of Lady Lake
Town Commissioners
409 Fennell Blvd.
Lady Lake, FL 32159

Re: **Green Key Village, LLC**

Dear Sir or Madam:

Pursuant to your request, I have examined the title to the following real property in Lake County, Florida:

SEE EXHIBIT "A"

My examination of the title to this property was based on a title commitment issued by Old Republic National Title Insurance Company (Fund File No. 261133A1), having an effective date of April 28, 2016 at 11:00 p.m.

This is to certify that, based on my examination as set forth above and subject to matters set out hereafter as of April 28, 2016, I find fee simple title to the property to be vested in GREEN KEY VILLAGE, LLC, subject to the matters listed below:

1. Encroachments, overlaps, boundary lines disputes, and other matters which would be disclosed by an accurate survey and inspection of the premises.

2. Easements or claims of easements not shown by the Public Records.

3. Mortgage in favor of JOHN A. SWANSON dated September 6, 2012 and recorded in O.R. Book 4211, Page 910, together with Future Advance Agreement as recorded in O.R. Book 4382, Page 941; Modification and Extension Agreement as recorded in O.R. Book 4382, Page 943; Mortgage Modification Agreement as recorded in O.R. Book 4682, Page 827; Future Advance Agreement as recorded in O.R. Book 4682, Page 829 and Modification and Extension Agreement as recorded in O.R. Book 4682, Page 831, Public Records of Lake County, Florida.

Attorneys At Law
LEESBURG 26736 US Highway 27 | Suite 103 | Leesburg, FL 34748
P 352-787-1241 | F 352-326-2608 | www.mclinburnsed.com

4. Mortgage in favor of John A. Swanson dated October 31, 2013, and recorded in O.R. Book 4398, Page 2031, Public Records of Lake County, Florida.

5. Mortgage in favor of John A. Swanson dated June 23, 2014, and recorded in O.R. Book 4492, Page 2410, Public Records of Lake County, Florida.

6. Ordinance 2005-62 recorded in O. R. Book 3171, Page 2177, Public Records of Lake County, Florida.

7 Ordinance 2005-63 recorded in O.R. Book 3177, page 2180, Public Records of Lake County, Florida.

8. Ordinance 2005-61 recorded in O.R. Book 3171, page 2183 Public Records of Lake County, Florida.

9. Resolution No. 2007-123 recorded in O.R. Book 3565, page 1097, Public Records of Lake County, Florida.

10. Ordinance No. 2008-05 recorded in O.R. Book 3582, Page 59, Public Records of Lake County, Florida.

11. Ordinance No. 2008-06 recorded in O.R. Book 3582, Page 62, Public Records of Lake County, Florida.

12. Ordinance No. 2008-07 No. 2008-05 recorded in O.R. Book 3582, Page 65, Public Records of Lake County, Florida.

13. Sewer & Water Utility Agreement recorded in O.R. Book 3863, Page 349, Public Records of Lake County, Florida.

14. Easement in favor of Florida Power Corp. recorded in O.R. Book 4232, Page 671, Public Records of Lake County, Florida.

15. All matters contained on the Plat of GREEN KEY VILLAGE, as recorded in Plat Book 65, Page 19, Public Records of Lake County, Florida.

16. Covenants, conditions, and restrictions recorded in O.R. Book 4499, page 1228, Public Records of Lake County, Florida, which contain provisions creating easements and/or assessments.

17. Grant of Easement granted to Comcast Cable Communications, LLC, recorded in O.R. Book 4294, Page 1086, Public Records of Lake County, Florida.

18. Resolution No. 2013-101 recorded in O.R. Book 4275, Page 2130, Public Records of Lake County, Florida.

19. Sewer & Water Utility Agreement by and between Town of Lady Lake and Green Key Village, LLC recorded in O.R. Book 4322, Page 398, Public Records of Lake County, Florida.

20. Ordinance No. 2003-04 recorded in O.R. Book 2284, page 1713, Public Records of Lake County, Florida.

21. Covenant of Removal Document recorded in O.R. Book 4396, Page 746, Public Records of Lake County, Florida.

22. Covenant of Removal Document recorded in O.R. Book 4443, Page 832, Public Records of Lake County, Florida.

23. Notice of Environmental Resource Permit recorded in O.R. Book 4720, page 538, Public Records of Lake County, Florida.

24. Claim of Lien recorded in O.R. Book 4743, page 2304, Public Records of Lake County, Florida.

25. Real Estate Taxes have been paid through December 31, 2015.

This opinion to the above named addressee and is not to be furnished to any other person, or used for any other purpose, or referred to in any financial statement or other document, without the prior, written consent of the undersigned. The above-named addressee accepts and agrees that the total liability of the undersigned is expressly limited to the cost of this opinion.

Sincerely,

Richard P. Newman

Exhibit A

LOTS 1 THROUGH 6, INCLUSIVE, OF GREEN KEY VILLAGE, AS RECORDED IN PLAT BOOK 65, PAGES 19 AND 20, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 18 SOUTH, RANGE 24 EAST, TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 1 OF SAID GREEN KEY VILLAGE; THENCE ALONG THE BOUNDARY OF LOTS 1 THROUGH 6, INCLUSIVE, OF SAID PLAT THE FOLLOWING SIX (6) COURSES: N29°17'33" W FOR 596.72 FEET; THENCE N60°42'27" E FOR 120.00 FEET; THENCE S29°17'33" E FOR 491.84 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 225.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°41'12" FOR A DISTANCE OF 96.94 FEET; THENCE S51°11'46" W FOR 92.90 FEET; THENCE N89°38'58" W FOR 8.99 FEET TO THE POINT OF BEGINNING.

AND

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 18 SOUTH, RANGE 24 EAST, TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF TRACT F, GREEN KEY VILLAGE, AS RECORDED IN PLAT BOOK 65, PAGES 19 AND 20, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG THE EASTERLY BOUNDARY LINE OF SAID GREEN KEY VILLAGE THE FOLLOWING THIRTY ONE (31) COURSES: THENCE N44°59"54" W FOR 35.52 FEET; THENCE N00°21'02" E FOR 131.79 FEET; THENCE N89°38'58" W FOR 51.35 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 60°21'25" FOR A DISTANCE OF 26.34 FEET TO THE POINT OF TANGENCY; THENCE N29°17'33" W FOR 114.85 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO A POINT OF NON TANGENCY; THENCE N29°17'33" W FOR 50.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, FROM A RADIAL LINE WHICH BEARS S29°17'33" E, THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE N29°17'33" W FOR 190.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO A POINT OF NON TANGENCY; THENCE N29°17'33" W FOR 50.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, FROM A RADIAL LINE WHICH BEARS S29°06'26" E, THROUGH A CENTRAL ANGLE OF 91°41'34" FOR A DISTANCE OF 40.01 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 175.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 32°56'18" FOR A DISTANCE OF 100.60 FEET TO A POINT OF NON TANGENCY; THENCE N60°42'27" E FOR 246.29 FEET; THENCE N18°02'53" W FOR 322.28 FEET; THENCE N00°14'41" E FOR 33.16 FEET; THENCE S89°45'19" E FOR 268.73 FEET; THENCE N14°35'24" E FOR 240.63 FEET; THENCE N58°25'35" E FOR 393.07 FEET; THENCE N89°31'01" W FOR 323.25 FEET; THENCE N76°26'12" W FOR 226.23 FEET; THENCE N89°56'08" W FOR 61.67 FEET; THENCE N00°03'52" E FOR 120.00 FEET; THENCE S89°56'08" E FOR 92.01 FEET; THENCE N00°03'52" E FOR 50.00 FEET; THENCE N89°56'08" W FOR 95.00 FEET; THENCE N00°03'52" E FOR 596.00 FEET; THENCE S89°56'08" E FOR 50.00 FEET; THENCE N00°03'52" E FOR 50.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, FROM A RADIAL LINE WHICH BEARS S00°03'52" W, THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE N00°03'52" E FOR 83.11 FEET TO THE SOUTHERLY RIGHT OF WAY LINE FOR ABEBLE ROAD AS SHOWN ON THE MAP OF THE LAND OF CHETWYND LAND CO., AS RECORDED IN PLAT BOOK 1, PAGE 42, OF THE PUBLIC RECORDS OF LAKE

Exhibit A
(Continued)

COUNTY, FLORIDA; THENCE DEPARTING AFORESAID EASTERLY BOUNDARY OF GREEN KEY VILLAGE, S89°31'01" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 312.50 FEET TO THE WEST LINE OF THE EAST 640.00 FEET OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29; THENCE S00°03'52" W ALONG SAID EAST LINE FOR 685.02 FEET TO THE SOUTH LINE OF THE NORTH 700 FEET OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 29; THENCE S89°31'01" E ALONG SAID SOUTH LINE FOR 640.02 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 29; THENCE S00°03'52" W ALONG SAID EAST LINE FOR 1421.01 FEET TO THE NORTHWEST CORNER OF THE WEST 120.00 FEET OF THE SOUTH 530.00 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 29; THENCE N89°38'59" W FOR 85.51 FEET; THENCE S00°06'36" W FOR 199.93 FEET; THENCE N89°39'10" W FOR 89.19 FEET; THENCE S00°05'24" W FOR 290.07 FEET TO THE NORTHERLY RIGHT OF WAY LINE FOR LAKE ELLA ROAD (COUNTY DISTRICT #1-6602) AS RECORDED IN OR 3702, PAGES 2131 THROUGH 2133, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE OF FOLLOWING THREE (3) COURSES: N89°38'58" W FOR 387.02 FEET; THENCE N00°21'02" E FOR 13.25 FEET; THENCE N89°38'58" W FOR 221.73 FEET TO THE POINT OF BEGINNING.

Parcel Identification Number:

PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: July 11, 2016

SUBJECT: **Green Key Subdivision – Final Plat Phase II, a Partial Replat of Green Key Village Subdivision and Chetwynd Land Company, to provide a Subdivision Recreation Center for the Green Key Village Single Family Residential Subdivision proposing a 1,800 square-foot Pickle Ball Court, a 7,200 square-foot Tennis Court, a 2,350 square-foot Half Basketball Court, an 8,906 square-foot area for a subdivision community pool with concrete deck and two (2) pavilions consisting on 480 Sq. Ft. each addressed as 1257 Fiesta Key Circle (Alternate Key 1771463).**

DEPARTMENT: **GROWTH MANAGEMENT**

RECOMMENDED MOTIONS:

1. **Motion to forward the Green Key Village Subdivision- Phase II- Partial Replat- Final Plat Application to the Town Commission with the recommendation of Approval.**

2. **Motion to forward the Green Key Village Subdivision- Phase II- Partial Replat- Final Plat Application to the Town Commission with the recommendation of Denial.**

Growth Management Staff is in support of recommendation #1

SUMMARY:

Applicant and owner, Greg Thomas of Mainsail Solutions, Inc., has submitted plans for Final Plat Approval of a subdivision which includes a Recreation Center for the Green Key Village Single Family Residence Subdivision a 1,800 square-foot Pickle Ball Court, a 7,200 square-foot Tennis Court, a 2,350 square-foot Half Basketball Court, an 8,906 square-foot area for a subdivision community pool with concrete deck and two (2) pavilions consisting on 480 square. feet. each. The Final Plat encompasses a partial replat for six (6) lots and a Park and Recreation Tract (Tract A). 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 05/31/2016.
2. Final Plat Review completed by Town Surveyor, dated 05/05/2016.
3. Declaration of Covenants, Restrictions and Easement for Green Key Village
4. Subdivision Title Report dated 05/05/2016.
5. Final Subdivision Plat Plans dated 06/209/2016
6. Survey

Summary:

1) The Green Key Village subdivision received approval by Town Commission on April 15, 2013. The applicant has completed the Improvement Plans/Construction process for Phase II and is ready to proceed with the Final Plat Application.

2) The Preliminary Plat for Green Key Village Phase II was approved by the Town Commission on July 6, 2015.

Note:

All site improvements, plant material installed, and building exterior elevation finish for the Subdivision Recreation Center were inspected on Monday, February 1, 2016, and were determined to be satisfactory and in compliance with the approved construction plans.

Public Meeting(s):

The **Technical Review Committee (TRC)** members individually reviewed the application by May, 31, 2016, forwarding to the Planning & Zoning Board for their recommendation.

The **Town Commission** is scheduled to consider the Final Plat application at their regular meeting on Monday, August 1, 2016 for final approval.

FISCAL IMPACT: $ 0

[ ] Capital Budget
[ ] Operating
[ ] Other

ATTACHMENTS: [ ] Ordinance(s) [ ] Resolution [ ] Budget Resolution

[X] Other – Subdivision Plat

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

DEPARTMENT HEAD	Submitted 7/5/16	Date
7-5-16 FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN ATTORNEY	Approved as to Form and Legality	Date
TOWN MANAGER	Approved Agenda Item for: 7/11/16	Date 7/5/16

BOARD ACTION: [✓] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

Chasson, McKenzie

4/0

C.C.T. Carroll

~~Mr. Conlin noted the proximity of the house to the curve of the road, and questioned the possibility of vehicles coming onto the property.~~

~~Mr. O'Neill stated he does not anticipate any issues.~~

~~Member Chiasson stated the proposed structure will be setback approximately ten feet from the road, whereas the current structure is approximately five feet from the road.~~

~~Mr. O'Neill agreed with Member Chiasson.~~

~~Ms. Then stated the proposed structure will be setback approximately twenty two feet from the edge of the pavement. She stated one of the trees is located in the right-of-way, and it is a Lake County road. Therefore, Lake County will notify Mr. O'Neill of any issues regarding the right-of-way.~~

~~Vice Chair/Member Sigurdson asked for questions and comments from those in attendance, and hearing none, asked for a motion.~~

~~***Upon a motion by Member McKenzie and a second by Member Conlin, the Planning and Zoning Board recommended transmittal and approval of Resolution No. 2016-107 to the Town Commission for consideration by the following roll call vote:***~~

~~***MCKENZIE***~~	~~***YES***~~
~~***CHIASSON***~~	~~***YES***~~
~~***SIGURDSON***~~	~~***YES***~~
~~***CONLIN***~~	~~***YES***~~

6. Green Key Subdivision – Final Plat Phase II – A Partial Replat of Green Key Village Subdivision and Chetwynd Land Company to Provide a Subdivision Recreation Center for the Green Key Village Single Family Residential Subdivision – Proposing an 1,800 Sq. Ft. Pickle Ball Court, a 7,200 Sq. Ft. Tennis Court, a 2,350 Sq. Ft. Half Basketball Court, an 8,906 Sq. Ft. Area for a Subdivision Community Pool with Concrete Deck and Two Pavilions Consisting of 480 Sq. Ft. Each – Addressed as 1257 Fiesta Key Circle (Wendy Then)

Town Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk's Office). She stated that the applicant and owner, Greg Thomas of Mainsail Solutions, Inc., has submitted plans for Final Plat approval of a subdivision which includes a Recreation Center for the Green Key Village single family residence subdivision, along with an 1,800 sq. ft. pickle ball court, a 7,200 sq. ft. tennis court, a 2,350 sq. ft. half basketball court, an 8,906 sq. ft. area for a subdivision community pool with concrete deck and two pavilions consisting of 480 sq. ft. each. The Final Plat encompasses a partial replat for six lots and a Park and Recreation Tract (Tract A). 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. The following items were included in the packet:

1. Final Plat Review completed by Town Attorney, dated 05/31/2016.
2. Final Plat Review completed by Town Surveyor, dated 05/05/2016.
3. Declaration of Covenants, Restrictions and Easement for Green Key Village
4. Subdivision Title Report dated 05/05/2016.
5. Final Subdivision Plat Plans dated 06/09/2016
6. Survey

DRAFT

Summary:

1) The Green Key Village subdivision received approval by Town Commission on April 15, 2013. The applicant has completed the Improvement Plans/Construction process for Phase II and is ready to proceed with the Final Plat Application. Ms. Then stated once Town Commission approves the final plat, it will be recorded in the Lake County records.

2) The Preliminary Plat for Green Key Village Phase II was approved by the Town Commission on July 6, 2015.

Note: All site improvements, plant material installed, and building exterior elevation finish for the Subdivision Recreation Center were inspected on Monday, February 1, 2016, and were determined to be satisfactory and in compliance with the approved construction plans.

The Technical Review Committee (TRC) members individually reviewed the application by May, 31, 2016, and is forwarding it to the Planning and Zoning Board for their recommendation. The Town Commission is scheduled to consider the Final Plat application at their regular meeting on Monday, August 1, 2016 for final approval.

Member Sigurdson commented that this is not the final construction for this property.

Ms. Then agreed and pointed out an area for future development on the plat.

Greg Thomas, developer and contractor of Green Key Village, stated the area shown on the plat for future development has approximately one hundred lots slated for construction. He stated 11 houses have been sold, two houses are currently under construction, and additional houses are being prepared for construction. He stated his intention is to develop an attractive community that will enhance Lady Lake. Mr. Thomas stated all the homes in Green Key Village are solar powered. This type of utility generates as much or more power than the home would utilize. He stated solar panels are installed on the pavilions' roofs which aid in offsetting the cost of operating the pool pumps and the pool heater, providing the residents lower Home Owners Association fees.

Vice Chair/Member Sigurdson asked for questions and comments from those in attendance.

Ms. Then commented this plan was reviewed by the Town Attorney to ensure it is in compliance with Florida Statute Chapter 177, and by the Town surveyor. The declaration of covenant restrictions and easements, and the subdivision title have been submitted. She stated everything is in order to forward this to the Town Commission for final consideration.

Vice Chair/Member Sigurdson asked for questions and comments from those in attendance, and hearing none, asked for a motion.

Upon a motion by Member Chiasson and a second by Member McKenzie, the Planning and Zoning Board recommended transmittal and approval of Green Key Subdivision – Final Plat Phase II to the Town Commission for consideration by the following roll call vote:

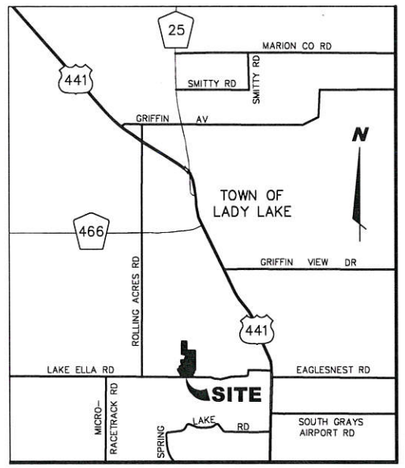
MCKENZIE	***YES***
CHIASSON	***YES***
SIGURDSON	***YES***
CONLIN	***YES***

DRAFT

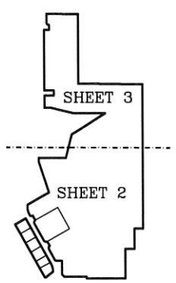
GREEN KEY VILLAGE PHASE 2

A REPLAT OF A PORTION OF BLOCKS 4, 5, 6, 11, 12, 21, 22, 26 AND ALL OF BLOCK 3, TOGETHER WITH THE VACATED ROADS LYING BETWEEN SAID BLOCKS AS SHOWN ON THE MAP OF THE LAND OF CHETWYND LAND CO., PLAT BOOK 1, PAGE 42, AND A REPLAT OF LOTS 1 THROUGH 6, INCLUSIVE, GREEN KEY VILLAGE, PLAT BOOK 65, PAGE 19, ALL OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA
LYING IN SECTION 29, TOWNSHIP 18 SOUTH, RANGE 24 EAST, TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA.

RESERVED FOR CLERK OF CIRCUIT COURT
PLAT BOOK _____
PAGE _____



VICINITY MAP
NOT TO SCALE



KEY MAP
NOT TO SCALE

DESCRIPTION

LOTS 1 THROUGH 6, INCLUSIVE, OF GREEN KEY VILLAGE, AS RECORDED IN PLAT BOOK 65, PAGES 19 AND 20, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 18 SOUTH, RANGE 24 EAST, TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 1 OF SAID GREEN KEY VILLAGE; THENCE ALONG THE BOUNDARY OF LOTS 1 THROUGH 6, INCLUSIVE, OF SAID PLAT THE FOLLOWING SIX (6) COURSES: N29°17'33"W FOR 596.72 FEET; THENCE N60°42'27"E FOR 120.00 FEET; THENCE S29°17'33"E FOR 491.84 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 225.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°41'12" FOR A DISTANCE OF 96.94 FEET; THENCE S51°11'46"W FOR 92.90 FEET; THENCE N89°38'58"W FOR 8.99 FEET TO THE POINT OF BEGINNING.

AND

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 18 SOUTH, RANGE 24 EAST, TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF TRACT F, GREEN KEY VILLAGE, AS RECORDED IN PLAT BOOK 65, PAGES 19 AND 20, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG THE EASTERLY BOUNDARY LINE OF SAID GREEN KEY VILLAGE THE FOLLOWING THIRTY ONE (31) COURSES: THENCE N44°59'54"W FOR 35.52 FEET; THENCE N00°21'02"E FOR 131.79 FEET; THENCE N89°38'58"W FOR 51.35 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 60°21'25" FOR A DISTANCE OF 26.34 FEET TO THE POINT OF TANGENCY; THENCE N29°17'33"W FOR 114.85 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET: THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO A POINT OF NON TANGENCY; THENCE N29°17'33"W FOR 50.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, FROM A RADIAL LINE WHICH BEARS S29°17'33E, THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE N29°17'33"W FOR 190.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO A POINT OF NON TANGENCY; THENCE N29°17'33"W FOR 50.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, FROM A RADIAL LINE WHICH BEARS S29°06'26"E, THROUGH A CENTRAL ANGLE OF 91°41'34" FOR A DISTANCE OF 40.01 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 175.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 32°56'18" FOR A DISTANCE OF 100.60 FEET TO A POINT OF NON TANGENCY; THENCE N60°42'27"E FOR 246.29 FEET; THENCE N18°02'53"W FOR 322.28 FEET; THENCE N00°14'41"E FOR 33.16 FEET; THENCE S89°45'19"E FOR 268.73 FEET; THENCE N14°35'24"E FOR 240.63 FEET; THENCE N58°25'35"E FOR 393.07 FEET; THENCE N89°31'01"W FOR 323.25 FEET; THENCE N76°26'12"W FOR 226.23 FEET; THENCE N89°56'08"W FOR 61.67 FEET; THENCE N00°03'52"E FOR 120.00 FEET; THENCE S89°56'08"E FOR 92.01 FEET; THENCE N00°03'52"E FOR 50.00 FEET; THENCE N89°56'08"W FOR 95.00 FEET; THENCE N00°03'52"E FOR 596.00 FEET; THENCE S89°56'08"E FOR 50.00 FEET; THENCE N00°03'52"E FOR 50.00 FEET TO A POINT ON A NON TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, FROM A RADIAL LINE WHICH BEARS S00°03'52"W, THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE N00°03'52"E FOR 83.11 FEET TO THE SOUTHERLY RIGHT OF WAY LINE FOR ABEBLE ROAD AS SHOWN ON THE MAP OF THE LAND OF CHETWYND LAND CO., AS RECORDED IN PLAT BOOK 1, PAGE 42, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE DEPARTING AFORESAID EASTERLY BOUNDARY OF GREEN KEY VILLAGE, S89°31'01"E ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 312.50 FEET TO THE WEST LINE OF THE EAST 640.00 FEET OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29; THENCE S00°03'52"W ALONG SAID EAST LINE FOR 685.02 FEET TO THE SOUTH LINE OF THE NORTH 700.00 FEET OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 29; THENCE S89°31'01"E ALONG SAID SOUTH LINE FOR 640.02 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 29; THENCE S00°03'52"W ALONG SAID EAST LINE FOR 1421.01 FEET TO THE NORTHWEST CORNER OF THE WEST 120.00 FEET OF THE SOUTH 530.00 FEET OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 29; THENCE N89°38'59"W FOR 85.51 FEET; THENCE S00°06'36"W FOR 199.93 FEET; THENCE N89°39'10"W FOR 89.19 FEET; THENCE S00°05'24"W FOR 290.07 FEET TO THE NORTHERLY RIGHT OF WAY LINE FOR LAKE ELLA ROAD (COUNTY DISTRICT #1-6602) AS RECORDED IN OFFICIAL RECORDS BOOK 3702, PAGES 2131 THROUGH 2133, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES: N89°38'58"W FOR 387.02 FEET; THENCE N00°21'02"E FOR 13.25 FEET; THENCE N89°38'58"W FOR 221.73 FEET TO THE POINT OF BEGNNING.

CONTAINING 44.49 ACRES, MORE OR LESS.

NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON FLORIDA STATE PLANE COORDINATES EAST ZONE, NORTH AMERICAN DATUM OF 1983, 2007 ADJUSTMENT (SPCS'83-2007) AND REFERENCED TO THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 18 SOUTH, RANGE 24 EAST, AS BEING S89°38'58"E.
2. ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS USE 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 FACILITY 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 SERVICES COMMISSION AS PROVIDED IN CHAPTER 177.091 (28) FLORIDA STATUTES.
3. BUILDING SETBACK LINES ARE AS FOLLOWS:

FRONT	- 20.00 FEET FROM LOT LINE
REAR	- 20.00 FEET FROM LOT LINE
SIDE	- 6.00 FEET FROM LOT LINE
SIDE (CORNER LOT)	- 25.00 FEET FROM LOT LINE

4. MORTGAGEE'S JOINDER AND CONSENT TO DEDICATION TO BE RECORDED BY SEPARATE INSTRUMENT.
5. LOT CORNERS WILL BE SET PRIOR TO THE TRANSFER OF LOTS IN COMPLIANCE WITH CHAPTER 177.091 (9) FLORIDA STATUTES.
6. STATE PLANE COORDINATES SHOWN HEREON AND THEIR COMPUTED VALUES SHALL BE SUBORDINATED TO THE MONUMENTS, BEARINGS AND DISTANCES SHOWN ON THIS PLAT.
7. LANDS DESCRIBED HEREON ARE SUBJECT TO THE FOLLOWING LISTED INSTRUMENTS RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   a. ORDINANCE 2005-62 RECORDED IN OFFICIAL RECORDS BOOK 3171, PAGE 2177, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   b. ORDINANCE 2005-63 RECORDED IN OFFICIAL RECORDS BOOK 3171, PAGE 2180, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   c. ORDINANCE 2005-61 RECORDED IN OFFICIAL RECORDS BOOK 3171, PAGE 2183, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   d. RESOLUTION NUMBER 2007-123 RECORDED IN OFFICIAL RECORDS BOOK 3565, PAGE 1097, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   e. ORDINANCE 2008-05 RECORDED IN OFFICIAL RECORDS BOOK 3582, PAGE 59, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   f. ORDINANCE 2008-06 RECORDED IN OFFICIAL RECORDS BOOK 3582, PAGE 62, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   g. ORDINANCE NO. 2008-07 NO. 2008-05 RECORDED IN OFFICIAL RECORDS BOOK 3582, PAGE 65, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   h. SEWER & WATER UTILITY AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 3863, PAGE 349, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   i. EASEMENT IN FAVOR OF FLORIDA POWER CORPORATION RECORDED IN OFFICIAL RECORDS BOOK 4232, PAGE 671, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   j. MORTGAGE IN FAVOR OF JOHN A. SWANSON DATED SEPTEMBER 6, 2012 AND RECORDED IN OFFICIAL RECORDS BOOK 4211, PAGE 910; FUTURE ADVANCE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 4382, PAGE 941; MODIFICATION AND EXTENSION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 4382, PAGE 943; MORTGAGE MODIFICATION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 4682, PAGE 827; FUTURE ADVANCE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 4682, PAGE 829; MODIFICATION AND EXTENSION AGREEMENT RECORDED IN OFFICIAL RECORDS 4682, PAGE 831, ALL OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   k. MORTGAGE IN FAVOR OF JOHN A. SWANSON DATED OCTOBER 31, 2013 RECORDED IN OFFICIAL RECORDS BOOK 4398, PAGE 2031, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   l. MORTGAGE IN FAVOR OF JOHN A. SWANSON DATED JUNE 23, 2014 RECORDED IN OFFICIAL RECORDS BOOK 4492, PAGE 2410, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   m. ALL MATTERS CONTAINED ON PLAT OF GREEN KEY VILLAGE, RECORDED IN PLAT BOOK 65, PAGE 19, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   n. COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN OFFICIAL RECORDS BOOK 4499, PAGE 1228, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   o. EASEMENT IN FAVOR OF COMCAST CABLE COMMUNICATIONS, LLC, RECORDED IN OFFICIAL RECORDS BOOK 4294, PAGE 1086, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   p. RESOLUTION NO. 2013-101 RECORDED IN OFFICIAL RECORDS BOOK 4275, PAGE 2130, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   q. ORDINANCE 2003-04 RECORDED IN OFFICIAL RECORDS BOOK 2284, PAGE 1713, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   r. SEWER & WATER UTILITY AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 4322, PAGE 398, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   s. COVENANT OF REMOVAL DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 4396, PAGE 746, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   t. COVENANT OF REMOVAL DOCUMENT RECORDED IN OFFICIAL RECORDS BOOK 4443, PAGE 832, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
   u. NOTICE OF ENVIRONMENTAL RESOURCE PERMIT IN OFFICIAL RECORDS BOOK 4720. PAGE 538, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
8. LANDS SHOWN HEREON LIE IN FLOOD ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 12069C0170E EFFECTIVE DATE: DECEMBER 18, 2012.
9. TRACT A IS TO BE OWNED AND MAINTAINED BY THE GREEN KEY VILLAGE HOME OWNERS ASSOCIATION FOR PARK AND RECREATION.
10. TRACT B IS TO BE OWNED AND MAINTAINED BY THE DEVELOPER FOR FUTURE DEVELOPMENT.
11. A 10.00 FOOT DRAINAGE AND UTILITY EASEMENT ON ALL FRONT AND REAR LOT LINES AND A 5.00 FOOT DRAINAGE AND UTILITY EASEMENT ON ALL SIDE LOT LINES, OR AS SHOWN HEREON.
12. TO THE PROVIDERS OF UTILITIES, SANITATION, POSTAL, FIRE, LAW ENFORCEMENT AND EMERGENCY MEDICAL SERVICES, THEIR VEHICLES AND PERSONNEL: A PERPETUAL RIGHT OF INGRESS AND EGRESS OVER, ACROSS AND UNDER TRACT A SHOWN HEREON.

LEGEND

⊛	SET NAIL & PERMANENT REFERENCE MARKER DISK LB 7514	UE	UTILITY EASEMENT
○	FOUND 4" ROUND CONCRETE MONUMENT RLS#5571	DE	DRAINAGE EASEMENT
○	FOUND 4"OCTAGON CONCRETE MONUMENT NO ID	C1	REFERENCE TO CURVE TABLE
■	PERMANENT REFERENCE MONUMENT FOUND (LB 7514) (4x4 CONCRETE MONUMENT)	PG	PAGE
		CM	CONCRETE MONUMENT
⊡	PERMANENT REFERENCE MONUMENT FOUND (LB 4709) (4x4 CONCRETE MONUMENT) (UNLESS OTHERWISE NOTED)	ID	IDENTIFICATION
		ORB	OFFICIAL RECORDS BOOK
■	PERMANENT REFERENCE MONUMENT SET (LB 7514) (4x4 CONCRETE MONUMENT))	(NR)	NON RADIAL
		PCC	POINT OF COMPOUND CURVATURE
φ	5/8" ROD AND CAP SET (LB 7514)	PC	POINT OF CURVE
R	RADIUS	PT	POINT OF TANGENT
Δ	CENTRAL ANGLE (DELTA)	NTC	NON TANGENT CURVE
L	LENGTH		
CB	CHORD BEARING		
CH	CHORD		
℄	CENTERLINE		

NOTICE:

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.

NOTICE:

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

BESH
BOOTH ERN STRAUGHAN HIOTT, INC
ENGINEERS • SURVEYORS • LAND PLANNERS
902 North Sinclair Ave. Office: 352.343.8481
Tavares, Florida 32778 Fax: 352.343.8495
LICENSED BUSINESS 7514 www.besandh.com

CERTIFICATE OF DEDICATION

GREEN KEY VILLAGE PHASE 2

STATE OF FLORIDA
COUNTY OF LAKE

KNOW ALL MEN BY THESE PRESENTS, that Green Key Village, LLC, a Florida corporation, fee simple owner of the land described and platted herein, as Green Key Village Phase 2, being in the Town of Lady Lake, Lake County, Florida, have caused said lands to be surveyed and platted as shown hereon and does hereby dedicate as follows:

1. UTILITY EASEMENTS:
The utility easements shown are dedicated in perpetuity to the utility provider for the construction, installation, maintenance and operation of utilities by any utility provider, including cable television services, in compliance with such ordinances and regulation as may be adopted from time to time by the Town Commission of Lady Lake.

2. DRAINAGE EASEMENTS:
The drainage easements as shown are dedicated in perpetuity for construction and maintenance of drainage facilities and shall be the perpetual maintenance obligation of GREEN KEY VILLAGE HOME OWNERS ASSOCIATION. Front yard drainage easements are subject to the right of each lot to have a driveway for ingress/egress as approved by the Town.

3. PARK AND RECREATION AREAS:
The park and recreation area as shown is dedicated in perpetuity for the exclusive use and enjoyment of the owners of lots in this subdivision and shall be the perpetual maintenance obligation of GREEN KEY VILLAGE HOME OWNERS ASSOCIATION.

4. TRACT B:
Tract B is reserved by the developer for future development.

IN WITNESS WHEREOF, the above named Corporation has caused these presents to be signed by its Managing Member on this_____day of _____, 2016.

WITNESSES:
1. _____
SIGNATURE
1. _____
PRINTED NAME
2. _____
SIGNATURE
2. _____
PRINTED NAME

OWNER:
Green Key Village, LLC

_____
Gregory O. Thomas
Managing Member

STATE OF FLORIDA, COUNTY OF LAKE, THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2016, BY _____ AND _____ AS _____ AND _____, RESPECTIVELY, OF THE ABOVE CORPORATION WHO ARE PERSONALLY KNOWN TO ME OR HAVE PRODUCED _____ AS IDENTIFICATION AND DID (DID NOT) TAKE AN OATH.

Signature of Acknowledger _____
Printed name of Acknowledger _____
Title _____
My commission Expires: _____ (SEAL OR STAMP)

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 _____ 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 set as shown thereon as required by Chapter 177, Florida Statutes and that said land is located in Lady Lake, Florida.

Booth Ern Straughan Hiott, Inc. - 902 North Sinclair Avenue
Tavares, FL 32778 Licensed Business No. 7514

Jennings E. Griffin Dated 06/09/16

JENNINGS E. GRIFFIN
PROFESSIONAL LAND SURVEYOR
FLORIDA REGISTRATION No. 4486

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.

_____ ATTEST: _____
MAYOR TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
TOWN ATTORNEY

CERTIFICATE OF CLERK

State of Florida
County of Lake

I, Clerk of Circuit Court of Lake County, Florida do hereby certify that I have examined this plat of Green Key Village Phase 1 subdivision and that it complies with all the requirements of Chapter 177 of the Laws of Florida. This plat filed for record this _____day of _____,20___ and recorded on Page _____of Plat Book _____in the office of the Clerk of Circuit Court of Lake County, Florida.

By: _____
Clerk of Circuit Court, Lake County, Florida.

REVIEWER STATEMENT

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Section 177, 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 of the coordinates, points or measurements shown on this plat.

_____ _____ _____
Signature Date Registration No.

CERTIFICATE OF APPROVAL BY THE PLANNING AND ZONING BOARD

Examined and Approved _____

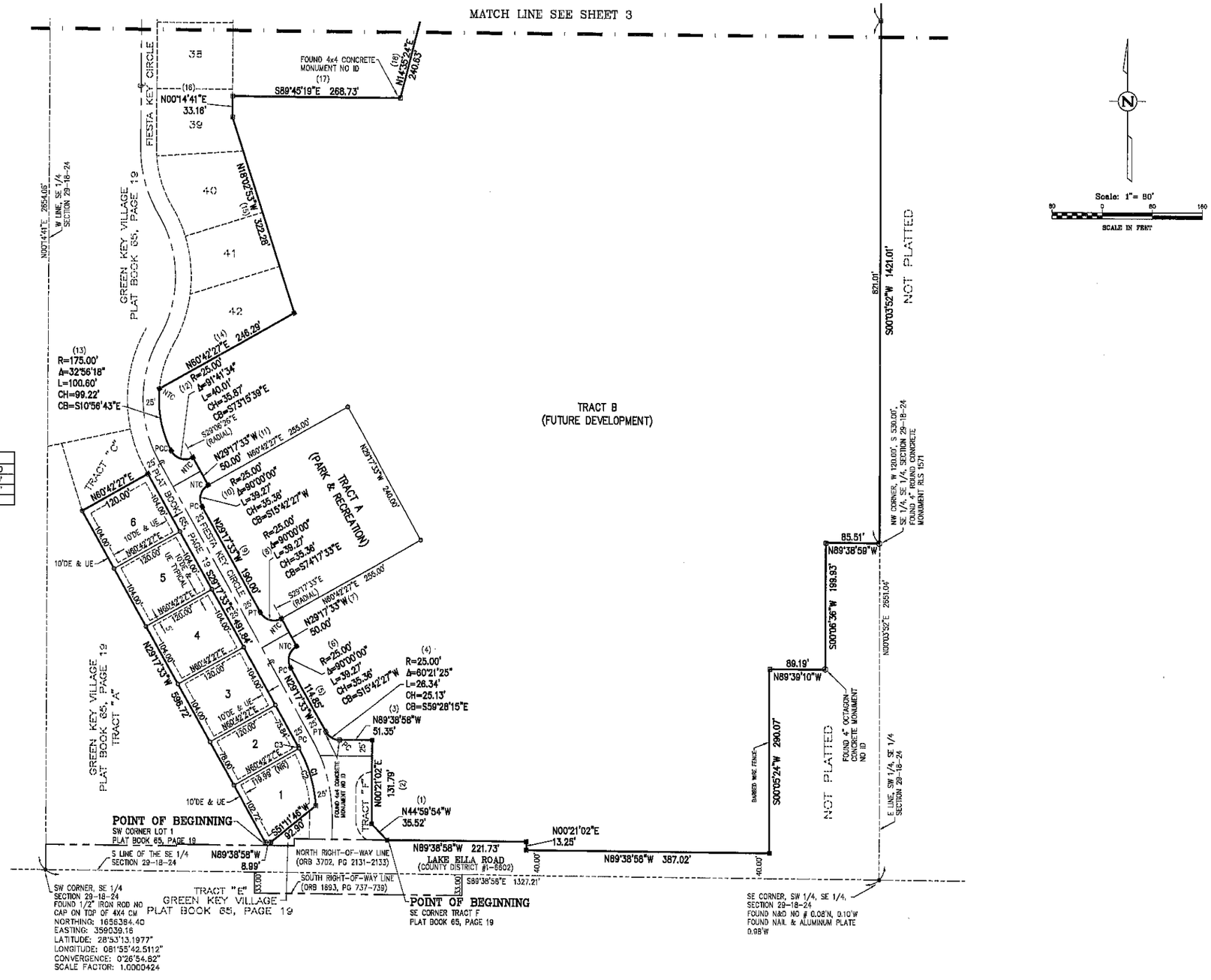
Date _____

GREEN KEY VILLAGE PHASE 2

SHEET 2 OF 3

A REPLAT OF A PORTION OF BLOCKS 4, 5, 6, 11, 12, 21, 22, 26 AND ALL OF BLOCK 3, TOGETHER WITH THE VACATED ROADS LYING BETWEEN SAID BLOCKS AS SHOWN ON THE MAP OF THE LAND OF CHETWYND LAND CO., PLAT BOOK 1, PAGE 42, AND A REPLAT OF LOTS 1 THROUGH 6, INCLUSIVE, GREEN KEY VILLAGE, PLAT BOOK 65, PAGE 19, ALL OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING IN SECTION 29, TOWNSHIP 18 SOUTH, RANGE 24 EAST, TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA.

PLAT BOOK _____
PAGE _____



CURVE TABLE					
CURVE	RADIUS	CENTRAL ANGLE	LENGTH	CHORD BEARING	CHORD
C1	225.00'	24°41'12"	96.94'	S18°56'57"E	96.20'
C2	225.00'	24°08'15"	94.79'	N18°40'29"W	94.09'
C3	225.00'	00°32'57"	2.15'	N29°01'04"W	2.15'

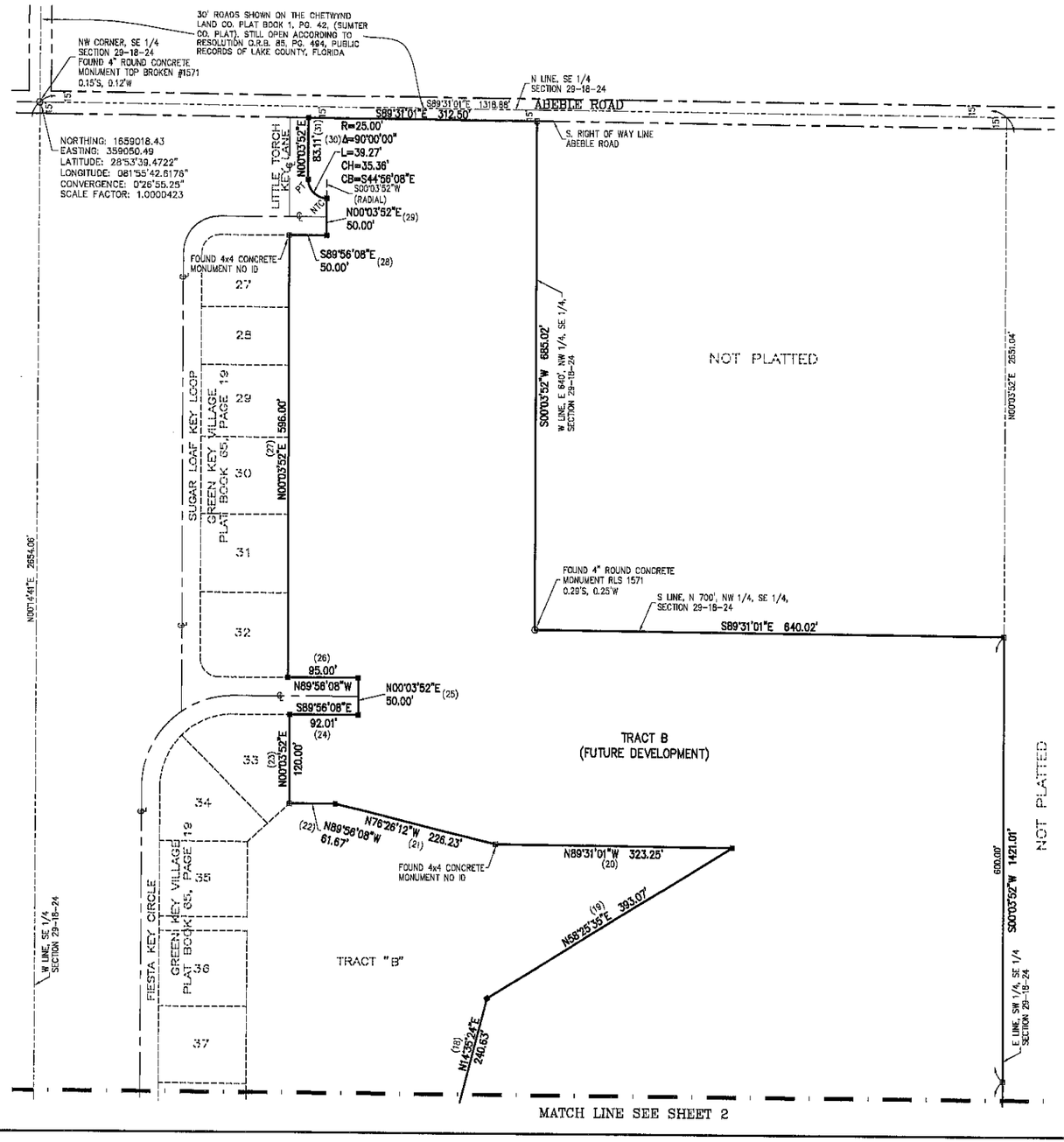
BESH
BOOTH SAN STRAUSHAN HOTTING
ENGINEERS • SURVEYORS • LAND PLANNERS
902 North Sinclair Ave. Tavares, Florida 32778 LICENSED BUSINESS 7514
Office: 352.343.8481 Fax: 352.343.8496 www.besandh.com

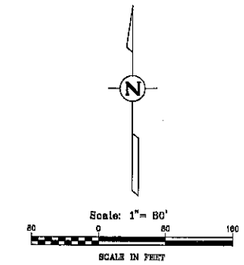
GREEN KEY VILLAGE PHASE 2

SHEET 3 OF 3

PLAT BOOK _____
PAGE _____

A REPLAT OF A PORTION OF BLOCKS 4, 5, 6, 11, 12, 21, 22, 26 AND ALL OF BLOCK 3, TOGETHER WITH THE VACATED ROADS LYING BETWEEN SAID BLOCKS AS SHOWN ON THE MAP OF THE LAND OF CHETWYND LAND CO., PLAT BOOK 1, PAGE 42, AND A REPLAT OF LOTS 1 THROUGH 6, INCLUSIVE, GREEN KEY VILLAGE, PLAT BOOK 65, PAGE 19, ALL OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA
LYING IN SECTION 29, TOWNSHIP 18 SOUTH, RANGE 24 EAST, TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA.





BESH
BOOTH ERN STRAUGHAN HOTT, INC.
ENGINEERS • SURVEYORS • LAND PLANNERS
902 North Sinclair Ave.
Tavares, Florida 32778
LICENSED BUSINESS 7514
Office: 352.343.8481
Fax: 352.343.8495
www.besandh.com

K-8

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: AUGUST 1, 2016

SUBJECT: **Ordinance 2016-21 – Annexation of Property Being 0.31 +/- Acres of Land Owned by the Villages of Lake-Sumter, Inc., Referenced by Alternate Keys 1482437 and 2582774; Two (2) Lots Which Are Located Within Orange Blossom Gardens Unit 1, within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance 2016-21, The Villages of Lake-Sumter, Inc., Requesting Annexation of 2 lots consisting of approximately 0.31 +/- acres of land which are Located Within Orange Blossom Gardens Unit 1.

Applicant, Martin L. Dzuro, on behalf of the Villages of Lake-Sumter, Inc., has filed applications to annex properties consisting of 2 Lots located on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1. The annexation application involves 0.31 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The 2 lots include the following addresses:

- 1034 Aloha Way
- 1043 Aloha Way

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 each property has 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 non-contiguous lots.

The annexation application was received on Tuesday, June 14, 2016, 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 (33) within 150 feet of the properties proposed by annexation request were mailed Wednesday, June 22, 2016. The properties were posted Monday, June 27, 2016.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2016-21, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the July 11, 2016 meeting, the **Planning and Zoning Board** recommended approval of Ordinance 2016-21 by a vote of 4-0.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2016-21 for second and final reading on Monday, August 15, 2016 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

---

7-25-16

DEPARTMENT HEAD		**Submitted** 7/25/16	**Date**
FINANCE DEPARTMENT		**Approved as to Budget Requirements**	**Date**
TOWN ATTORNEY		**Approved as to Form and Legality**	**Date**
TOWN MANAGER		**Approved Agenda Item for:** 8/1/16	**Date** 7/25/16

BOARD ACTION: **[ ] Approved as Recommended** **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modifications

ORDINANCE NO. 2016-21

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA; VOLUNTARILY ANNEXING PROPERTY BEING 0.31 +/- ACRES OF LAND OWNED BY THE VILLAGES OF LAKE-SUMTER, INC; REFERENCED BY ALTERNATE KEYS 1482437 AND 2582774; TWO LOTS WHICH ARE LOCATED WITHIN ORANGE BLOSSOM GARDENS UNIT 1, 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 0.31 +/- 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

DRAFT

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 by the Town Commission of the Town of Lady Lake, Florida, this **15th** day of **August**, **2016**.

TOWN OF LADY LAKE, FLORIDA

_____

Ruth Kussard, Mayor

ATTEST:

_____

Kristen Kollgaard, Town Clerk

APPROVED AS TO FORM:

_____

Derek Schroth, Town Attorney

Passed on First Reading: _____

Passed on Second/Final Reading: _____

DRAFT

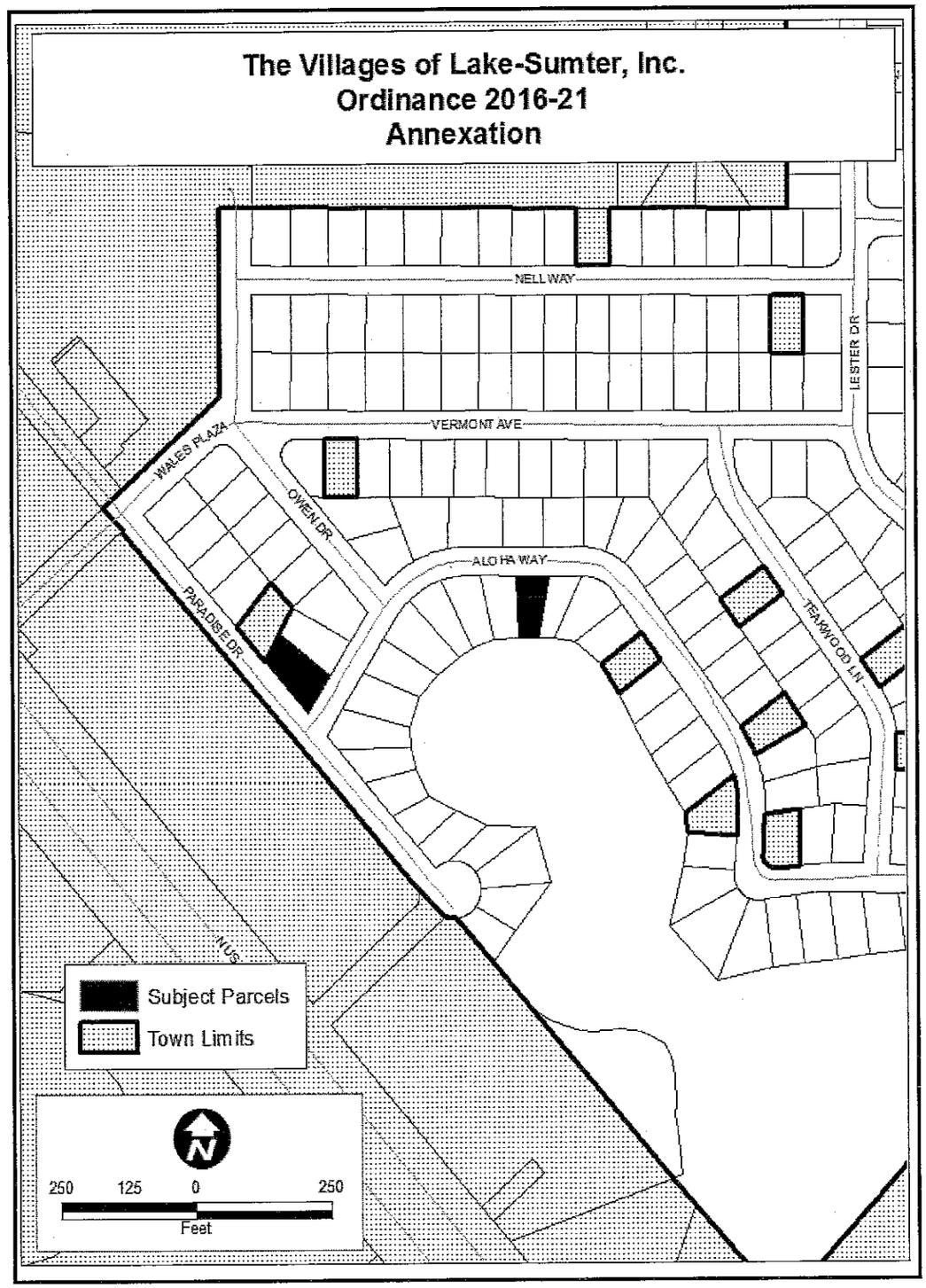
EXHIBIT "A" - legal Descriptions and Map

Parcel ID #: 06-18-24-01000-000-00100; Lot 1, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida.

and

Parcel ID #: 06-18-24-001000-000-0700; Lot 70, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida. And a part of Lot 71, Unit 1, Orange Blossom Gardens, described as follows: Begin at the most Northeasterly corner of Lot 70 and run S 09°45'50" W. along the lot line between Lot 70 and 71 a distance of 115 feet more or less, to the waters of Lake Paradise and a point hereby designated as Point "A," return to the Point of Beginning and run S 06°43'20" W. 115 feet, more or less, to the waters of lake Paradise, thence Westerly along and with said waters of Lake Paradise, to intersect the aforementioned Point "A."

DRAFT


The Villages of Lake-Sumter, Inc.
Ordinance 2016-21
Annexation
NELL WAY
LESTER DR
VERMONT AVE
WALES PLAZA
OWEN DR
ALOHA WAY
PARADISE DR
TEAKWOOD LN
Subject Parcels
Town Limits
250 125 0 250
Feet

1

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: 13,410 Square feet 0.31 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: 6/14/16 Received by: T. Carroll

Annexation and Rezoning Fees Paid: $2500.00

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 14th day of June, 2016, 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
MY COMMISSION EXPIRES
September 22, 2019
#FF 909781
Bonded thru Troy Fain - Insurance
NOTARY PUBLIC, STATE OF FLORIDA

LIST NO.	UNIT	LOT	HOUSE NO.	ADDRESS	ALT KEY NO.	PLAT BOOK/PAGE
1	OBG1	1	1043	Aloha Way.	2582774	18/9
2	OBG1	70 & Part of Lot 71	1034	Aloha Way	1482437	18/9

Exhibit A

Parcel ID #: 06-18-24-01000-000-00100

Lot 1, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida.

and

Parcel ID #: 06-18-24-001000-000-0700

Lot 70, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida. And a part of Lot 71, Unit 1, Orange Blossom Gardens, described as follows: Begin at the most Northeasterly corner of Lot 70 and run S 09°45'50" W. along the lot line between Lot 70 and 71 a distance of 115 feet more or less, to the waters of Lake Paradise and a point hereby designated as Point "A," return to the Point of Beginning and run S 06°43'20" W. 115 feet, more or less, to the waters of lake Paradise, thence Westerly along and with said waters of Lake Paradise, to intersect the aforementioned Point "A."

INSTRUMENT#: 2016051582 OR BK 4781 PG 1384 PAGES: 1 5/19/2016 11:23:00 AM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$595.00

8500

Prepared by and return to:
Gary Fuchs/sss
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: P08841

RETURN

Ex
Rec
Doc
Int
Total

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Warranty Deed

This Warranty Deed made this **9th** day of **May, 2016** between **Patricia V. DePalma, a single woman, individually and as Trustee of the Patricia V. DePalma Trust under Agreement dated September 28, 2015**, whose post office address is **1007 Parker Place, 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 #: 06182401000-000-00100

Lot 1, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida.

Together with the Manufactured Home, bearing VIN # 312894 A & B thereon. The Titles have been retired.

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, 2015.

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: Michael O'Neill

Witness Name: Stacy Spears

Patricia V. DePalma

Patricia V. DePalma, individually and as Trustee of the Patricia V. DePalma Trust under Agreement dated September 28, 2015

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 9th day of May, 2016 by Patricia V. DePalma, a single woman, Individually and as Trustee of the Patricia V. DePalma Trust under Agreement dated September 28, 2015, 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 072714
EXPIRES: December 28, 2017
Bonded Thru Budget Notary Services

INSTRUMENT#: 2016060000 OR BK 4791 PG 1387 PAGES: 1 6/9/2016 3:40:51 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$490.00

70,00C

Ex/N
Rec
Doc
Int
Total

Prepared by and return to:
Gary Fuchs/jg
Attorney at Law
McLin Burnsed
1026 Lake Sumter Landing
The Villages, FL 32162
File No.: P08616

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Warranty Deed

This Warranty Deed made this 26th day of May, 2016 between Marie L. Clapp MacClennan, a single woman, whose post office address is 1034 Aloha Way, 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 #: 08182401000-000-07000

Lot 70, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida. And a part of Lot 71, Unit 1, Orange Blossom Gardens, described as follows: Begin at the most Northeasterly corner of Lot 70 and run S 09 deg. 45' 50" West along the lot line between Lot 70 and 71, a distance of 115 feet more or less, to the waters of Lake Paradise and a point hereby designated as Point "A", return to the Point of Beginning and run S 06 deg 43' 20" West 115 feet more or less, to the waters of Lake Paradise; thence Westerly along and with said waters of Lake Paradise, to intersect the aforementioned Point "A".

Together with a 1977 SKYLINE Manufactured Home, ID# 0261186K, Florida Title 13742602 bearing Real Property Decals # R0682189 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, 2016.

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:

Janice Grovest
Witness Name: Jennifer Grovesteen

Marie L. Clapp MacClennan
Marie L. Clapp MacClennan

Janice S. Schoenfeldt
Witness Name: JANICE S. SCHOENFELDT

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 26th day of May, 2016 by Marie L. Clapp MacClennan, a single woman, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

JENNIFER GROVESTEEN
MY COMMISSION # FF 00224
EXPIRES: December 5, 2019
Bonded Thru Budget Notary Service

Janice Grovest
Notary Public

Printed Name: Jennifer Grovesteen

My Commission Expires: 12/5/19

I certify that the foregoing is an accurate copy of the document as reflected in the Official Records. Portions may be redacted.
NEIL KELLY, CLERK OF CIRCUIT COURT LAKE COUNTY
By Thomas L. Deputy Clerk 6/9/2016 3:40:54 PM

State of Florida
County of Sumter

The foregoing instrument was acknowledged before me this 25 day of May, 2001 by Leonard A. Drayton, Individually and as Trustee of The Leonard A. Drayton Trust dated December 18, 1998, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

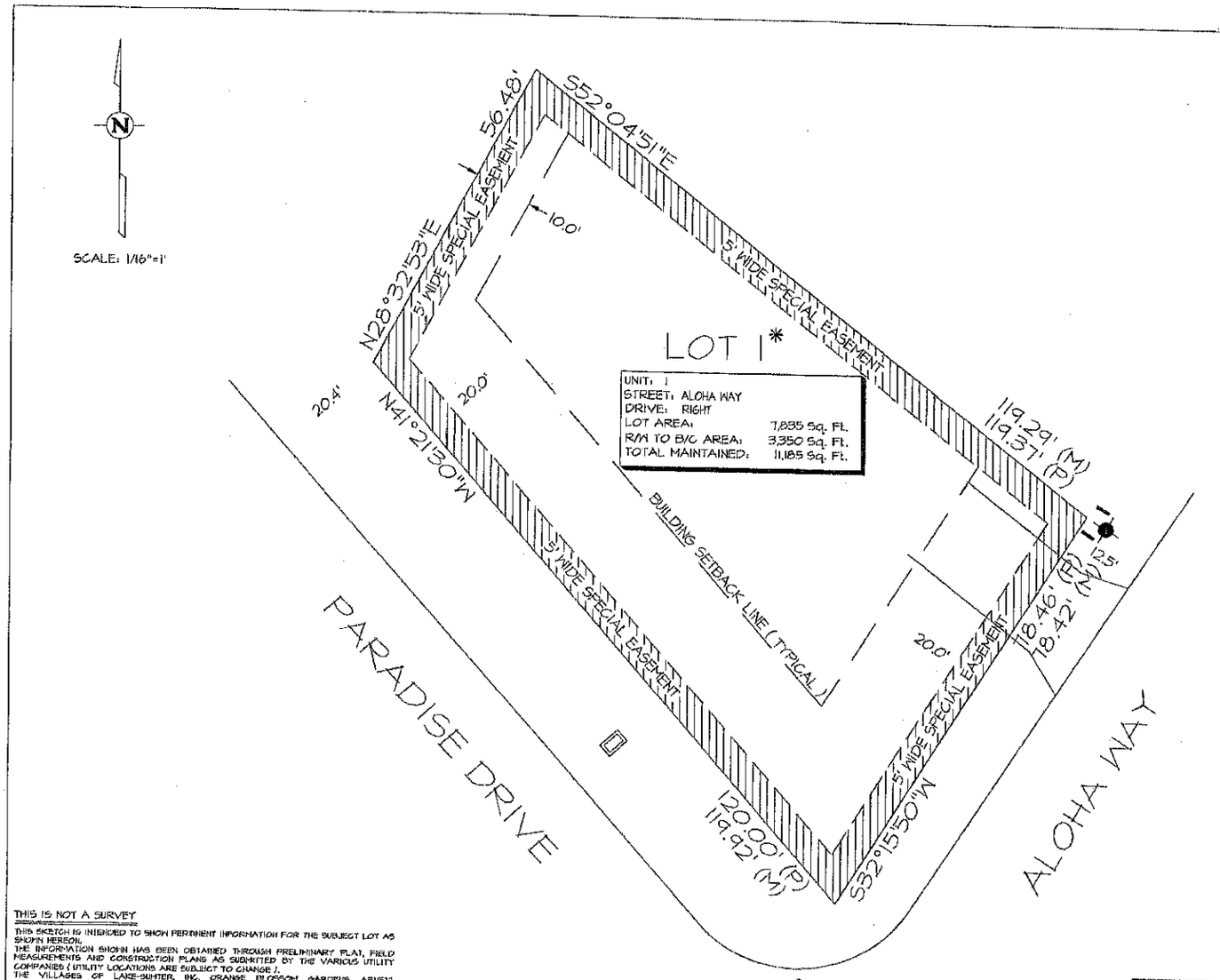
MICHELLE M. HEWETT
MY COMMISSION EXPIRES
July 25, 2003
#CC 827748
Bonded thru
Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

Notary Public

Printed Name: Michelle M. Hewett

My Commission Expires: July 25, 2003

DoubleTime®



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"x23"x36"
- 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.

* SPECIAL FLOOR PLAN HOME SITE

THIS IS NOT A SURVEY

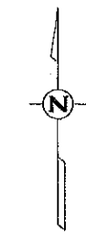
THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES / UTILITY LOCATIONS ARE SUBJECT TO CHANGE /.
THE VILLAGES 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: _____

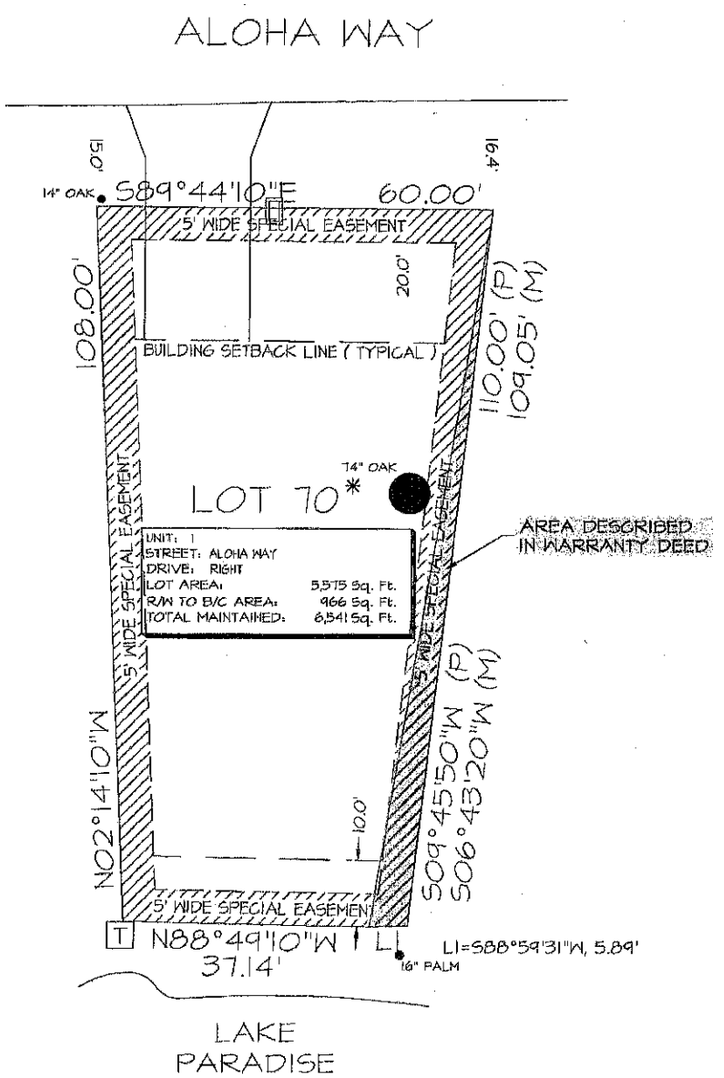
CUSTOMER SIGNATURE: _____ DATE: _____

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.

* SPECIAL FLOOR PLAN HOME SITE

THIS IS NOT A SURVEY

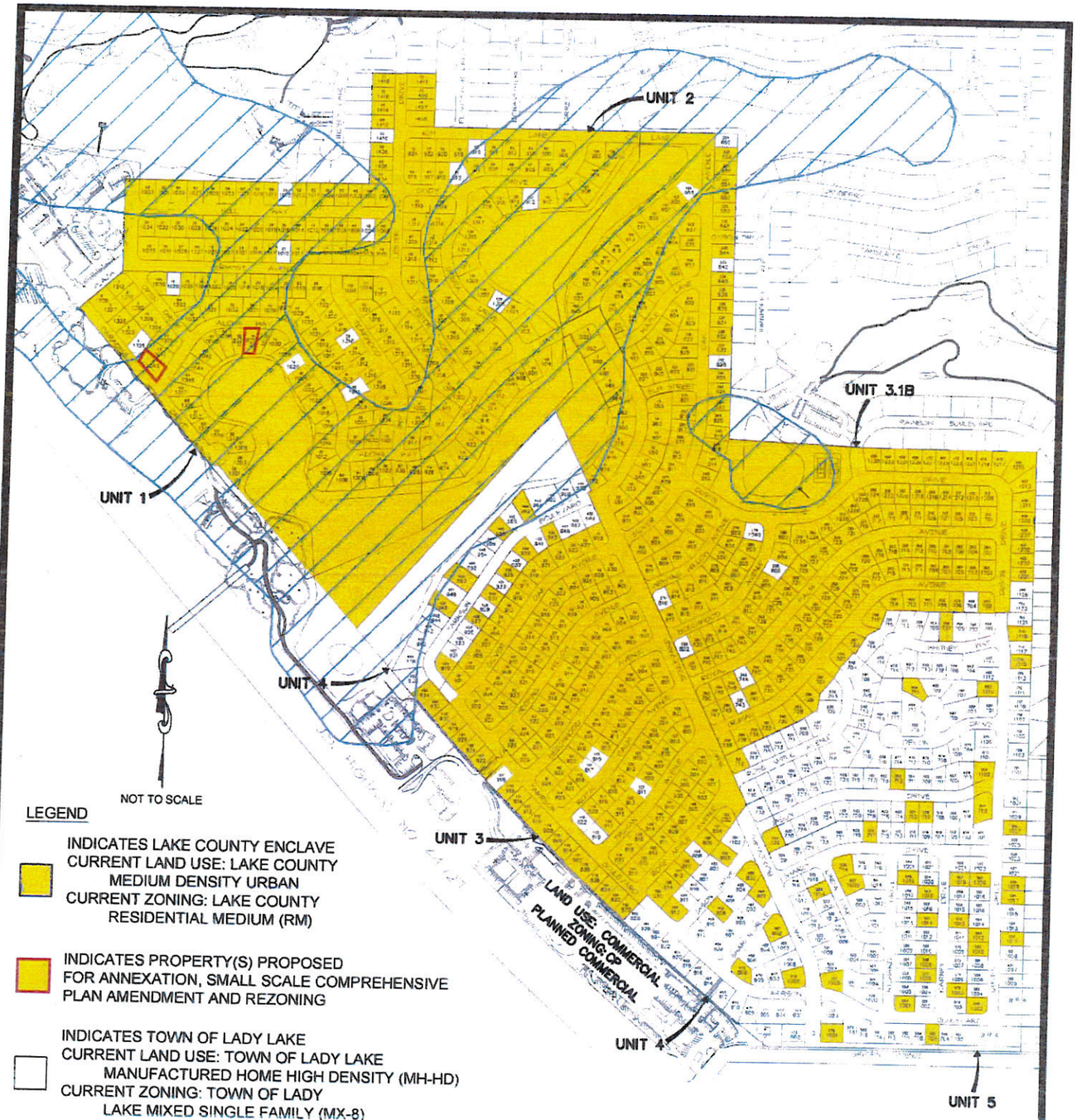
THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES (UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES 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
JUNE 13, 2016

Arnett
Environmental, LLC
1038 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4447 Fax No. (352)753-1258
Certificate of Authorization Number 27495

The Villages

June 14, 2016

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, the $2500 check, 10 copies and one CD of the 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 July 11, 2016 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 August 1, 2016 Meetings and Commission for Final Reading on August 15, 2016.

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
Land Development Consultants-Surveyors
1045 Lake Sumter Landing
The Villages, Florida 32162
(352) 753-6262
marty.dzuro@thevillages.com

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

COUNTY

LAKE COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

ATTEST:

Neil Kelly, Clerk of the Board
of County Commissioners
of Lake County, Florida

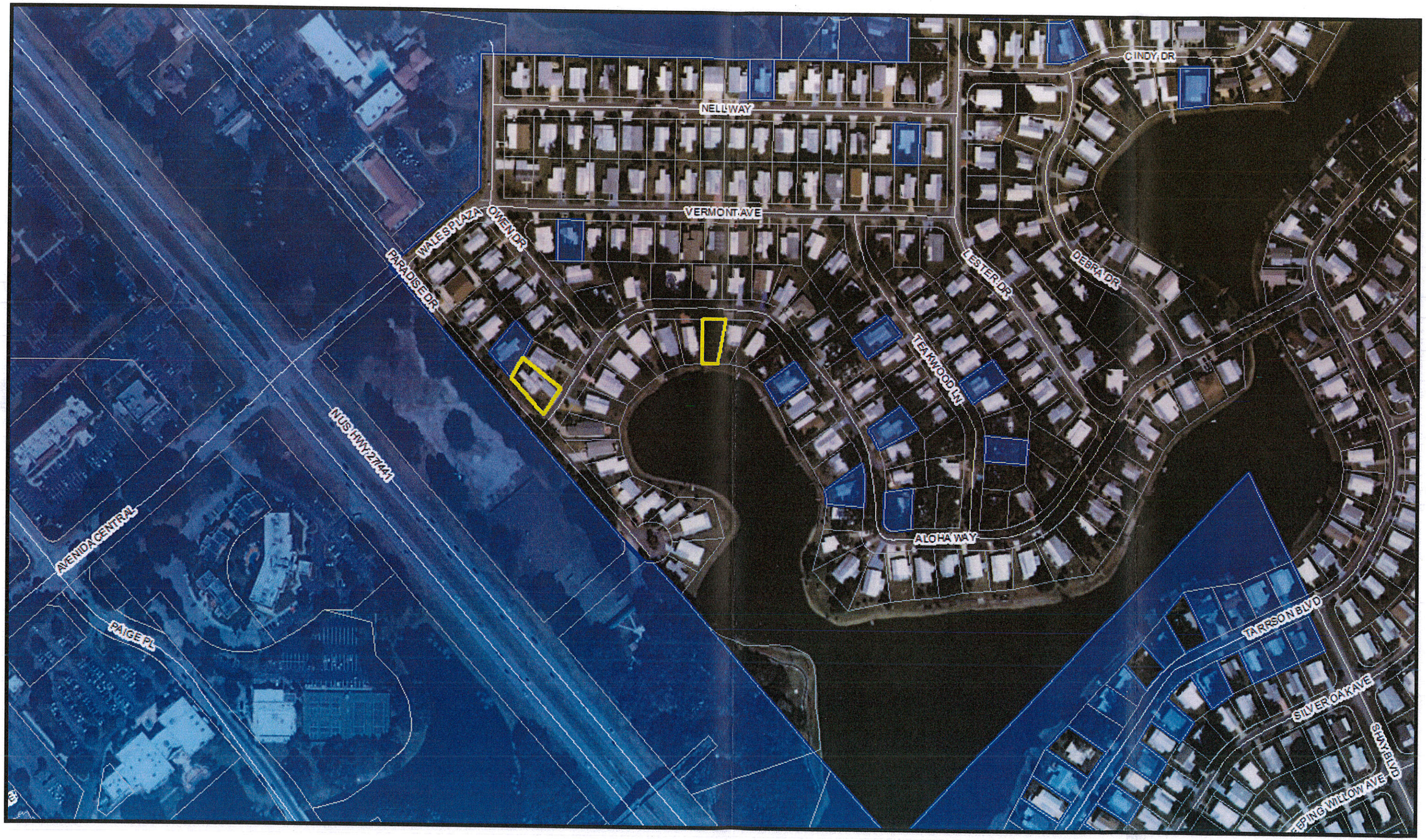
Jimmy Conner
Chairman

This 9th day of June, 2015.

Approved as to form and legality:

Sanford A. Minkoff
County Attorney

Property Location



PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: July 11, 2016

SUBJECT: **Ordinance 2016-21 – Annexation of Property Being 0.31 +/- Acres of Land Owned by the Villages of Lake-Sumter, Inc., Referenced by Alternate Keys 1482437 and 2582774; Two (2) Lots Which Are Located Within Orange Blossom Gardens Unit 1, within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTIONS:

1. **Motion to forward Ordinance 2016-21- The Villages of Lake-Sumter, Inc.– Requesting Annexation of 2 lots consisting of approximately 0.31 +/- acres of land which are Located Within Orange Blossom Gardens Unit 1, Within Lake County, Florida, with the recommendation of approval.**

2. **Motion to forward Ordinance 2016-21- The Villages of Lake-Sumter, Inc.– Requesting Annexation of 2 lots consisting of approximately 0.31 +/- acres of land which are Located Within Orange Blossom Gardens Unit 1, 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 2 Lots located on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1. The annexation application involves 0.31 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The 2 lots include the following addresses:

- 1034 Aloha Way
- 1043 Aloha Way

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 each property has 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 non-contiguous lots.

The annexation application was received on Tuesday, June 14, 2016, 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 (33) within 150 feet of the properties proposed by annexation request were mailed Wednesday, June 22, 2016. The properties were posted Monday, June 27, 2016.

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2016-21, 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 2016-21 for first reading on Monday, August 1, 2016 at 6:00 p.m. The second and final reading will be held on Monday, August 15, 2016 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

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7-5-16	**DEPARTMENT HEAD**	**Submitted** 7/5/16	**Date**
	FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
	TOWN ATTORNEY	**Approved as to Form and Legality**	**Date**
	TOWN MANAGER	**Approved Agenda Item for:** 7/11/16	**Date** 7/6/16

BOARD ACTION: [✓] Approved as Recommended [ ] Disapproved

Chasson McKenzie 4/0

cc Thad

~~MINUTES OF THE TOWN OF LADY LAKE~~
~~REGULAR PLANNING AND ZONING BOARD MEETING~~
~~LADY LAKE, FLORIDA~~

~~July 11, 2016~~
~~5:30pm~~

~~The Planning and Zoning Board Meeting was held in the Town Hall Commission Chambers at 409 Fennell Blvd., Lady Lake, Florida. The meeting convened at 5:30 p.m.~~

~~CALL TO ORDER:~~ ~~William Sigurdson, Vice Chair~~

~~PLEDGE OF ALLEGIANCE:~~ ~~William Sigurdson, Vice Chair~~

~~ROLL CALL:~~ ~~Michael McKenzie, Member~~
~~William Sigurdson, Vice Chair/Member~~
~~Peter Chiasson, Member~~
~~Robert Conlin, Member~~

~~ABSENT:~~ ~~John Gauder, Chairperson~~

~~STAFF MEMBERS PRESENT:~~ ~~Wendy Then, Town Planner; and Carol Osborne, Staff Assistant to Town Clerk~~

~~Also Present:~~ ~~Attorney Sasha Garcia, BRS Legal; Daniel O'Neill; and Greg Thomas, Green Key Village Subdivision~~

~~OPEN FORUM:~~ ~~Vice Chair/Member Sigurdson introduced and welcomed new board member Robert Conlin.~~

~~NEW BUSINESS:~~

~~1. Approval of Minutes – June 13, 2016 Regular Meeting~~

~~Upon a motion by Member McKenzie and a second by Member Chiasson, the Planning and Zoning Board approved the minutes of the Planning and Zoning Board meeting of June 13, 2016 by a vote of 4-0.~~

2. Ordinance No. 2016-21 – Annexation – The Villages of Lake-Sumter, Inc. – Two Lots within Orange Blossom Gardens Unit 1, within Lake County, FL; Referenced by Alternate Keys 1482437 & 2582774 (Wendy Then)

Town Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk's Office). She stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., has filed applications to annex properties consisting of two lots located on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1. The annexation application involves 0.31 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The two lots include the following addresses:

- 1034 Aloha Way
- 1043 Aloha Way

DRAFT

Ms. Then reported the manufactured homes have been removed and the properties are currently vacant. 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 each property was 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 non-contiguous lots.

The annexation application was received on Tuesday, June 14, 2016, 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 (33) within 150 feet of the properties proposed by annexation request were mailed Wednesday, June 22, 2016, and the properties were posted Monday, June 27, 2016.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-21, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance No. 2016-21 for first reading on Monday, August 1, 2016 at 6:00 p.m. The second and final reading will be held on Monday, August 15, 2016 at 6:00 p.m.

Vice Chair/Member Sigurdson asked for questions and comments from those in attendance. He briefly reviewed the background for these properties and the process of annexation. He explained several properties have been annexed into the Town of Lady Lake per an Interlocal Agreement between Lake County and the Town of Lady Lake. All properties annexed into the Town must comply with the Town's zoning requirements.

Ms. Then further clarified the process pertaining to this applicant. She stated that in 2015, Mr. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., presented a plan to revitalize the entire area of Orange Blossom Gardens Subdivision. Therefore, there is a possibility more properties will be presented to the Planning and Zoning Board and to the Town Commission for annexation by The Villages and other applicants.

Upon a motion by Member Chiasson and a second by Member McKenzie, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-21 to the Town Commission for consideration by the following roll call vote:

MCKENZIE	***YES***
CHIASSON	***YES***
SIGURDSON	***YES***
CONLIN	***YES***

3. ~~Ordinance No. 2016-22 – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – from Lake County Medium Urban Density to Lady Lake~~

K-9

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: August 1, 2016

SUBJECT: **Ordinance 2016-22 – Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for property being approximately 0.31+/- acres of land, owned by The Villages of Lake-Sumter, Inc., Referenced by Alternate Keys 1482437 and 2582774; Two (2) Lots Which Are Located Within Orange Blossom Gardens Unit 1, within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance No. 2016-22, a Small Scale Comprehensive Plan Amendment – Requesting to Change approximately 0.31 +/- 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 two (2) Lots located on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1, from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The application involves 0.31 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. The proposed properties are as follows:

- 1034 Aloha Way
- 1043 Aloha Way

The Small Scale Future Land Use Map Amendment application was received on Tuesday, June 14, 2016, 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 (33) within 150' of the property of the proposed amendment were mailed on Wednesday, June 22, 2016. The properties were posted on Monday, June 27, 2016.

Concurrency Determination Statement

The Villages has removed existing manufactured homes on two (2) lots in a historic section of the Villages known as Orange Blossom Gardens to construct a similar size conventional built home on each lot. 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 small scale future land use amendment 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 0.31 ± acres lie 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/
East	Lake County – Medium Urban Density
North	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density
South	Lake County Medium Urban Density

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 2016-22, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the July 11, 2016 meeting, the **Planning and Zoning Board** recommended approval of Ordinance 2016-22 by a vote of 4-0.

Public Hearings

The **Local Planning Agency** is scheduled to consider Ordinance 2016-22 on Monday, August 1, at 5:45 p.m.

The **Town Commission** is scheduled to consider Ordinance 2016-22 second and final reading on Monday, August 15, 2016 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

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7/25/16 **DEPARTMENT HEAD**	**Submitted** 7/25/16	**Date**
FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
TOWN ATTORNEY	**Approved as to Form and Legality**	**Date**
TOWN MANAGER	**Approved Agenda Item for:** 8/1/16	**Date** 7/25/16

BOARD ACTION: **[ ] Approved as Recommended** **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modification

ORDINANCE NO. 2016-22

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 August 1, 2016, 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, 2 lots located within the Orange Blossom Gardens Subdivision Unit 1, within Lake County, Florida.
Acres:	0.31 +/- 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 this **15th** day of **August**, **2016**.

TOWN OF LADY LAKE, FLORIDA

_____
Ruth Kussard, Mayor

ATTEST:

_____
Kristen Kollgaard, Town Clerk

APPROVED AS TO FORM:

_____
Derek Schroth, Town Attorney

DRAFT

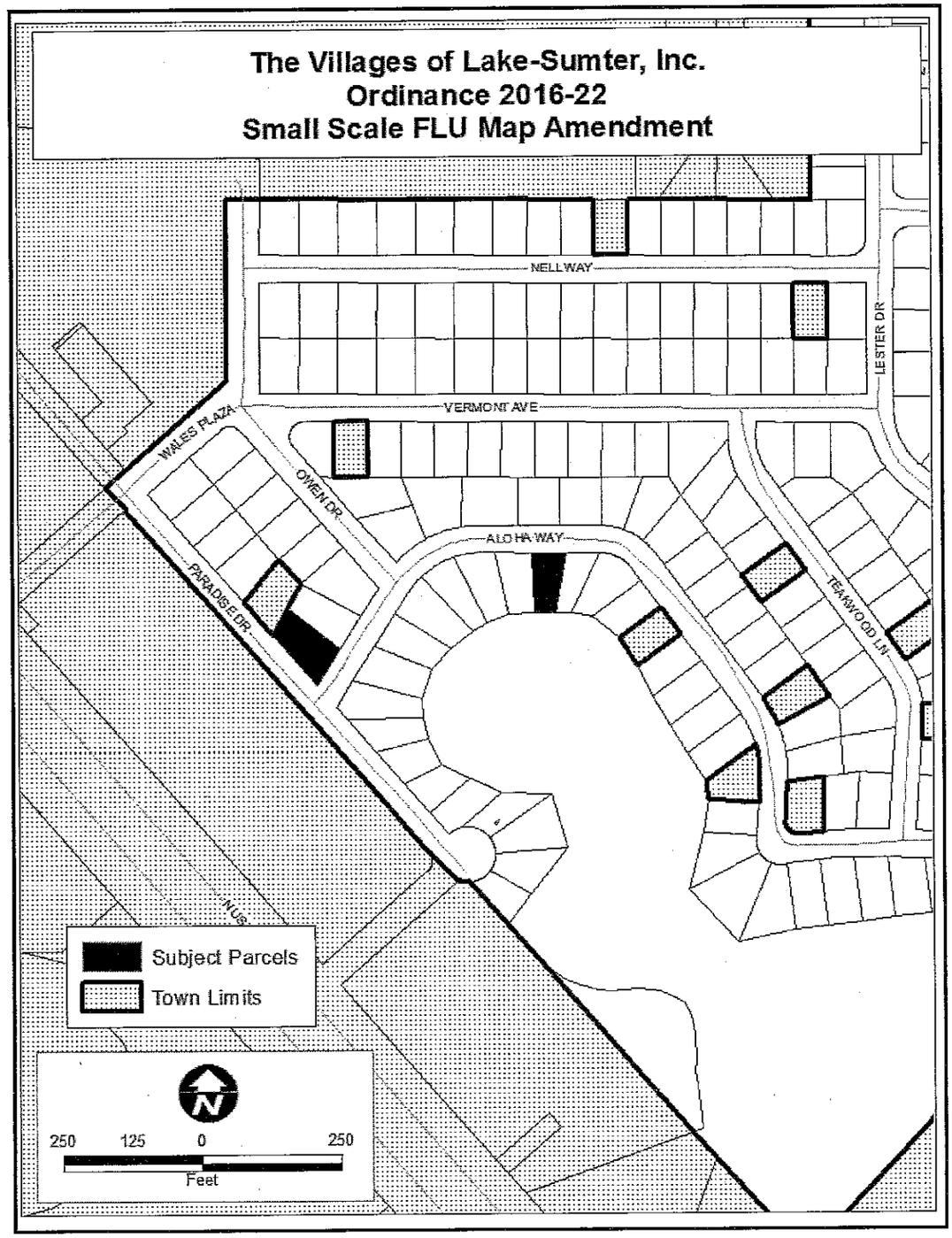
EXHIBIT "A"
Legal Descriptions and Map

Parcel ID #: 06-18-24-01000-000-00100; Lot 1, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida.

and

Parcel ID #: 06-18-24-001000-000-0700; Lot 70, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida. And a part of Lot 71, Unit 1, Orange Blossom Gardens, described as follows: Begin at the most Northeasterly corner of Lot 70 and run S 09°45'50" W. along the lot line between Lot 70 and 71 a distance of 115 feet more or less, to the waters of Lake Paradise and a point hereby designated as Point "A," return to the Point of Beginning and run S 06°43'20" W. 115 feet, more or less, to the waters of lake Paradise, thence Westerly along and with said waters of Lake Paradise, to intersect the aforementioned Point "A."

DRAFT


The Villages of Lake-Sumter, Inc.
Ordinance 2016-22
Small Scale FLU Map Amendment
NELL WAY
LESTER DR
VERMONT AVE
WALES PLAZA
OWEN DR
ALOHA WAY
PARADISE DR
TEAKWOOD LN
US
Subject Parcels
Town Limits
N
250 125 0 250
Feet

1

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, Vice President
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 13,410

Developable Acreage to be Amended: Approximately 0.31

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

June 14, 2016
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 14th day of June, 20 16, 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 14th day of June, 20 16.

Notary Public (SEAL)

Vicki C. Vamon
Printed Name
Commission No.:
My Commission Expires:

VICKI C. VARNON
MY COMMISSION EXPIRES
September 22, 2019
#FF 909781
Bonded thru Troy Fain - Insurance
NOTARY PUBLIC, STATE OF FLORIDA

Exhibit A

Parcel ID #: 06-18-24-01000-000-00100

Lot 1, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida.

and

Parcel ID #: 06-18-24-001000-000-0700

Lot 70, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida. And a part of Lot 71, Unit 1, Orange Blossom Gardens, described as follows: Begin at the most Northeasterly corner of Lot 70 and run S 09°45'50" W. along the lot line between Lot 70 and 71 a distance of 115 feet more or less, to the waters of Lake Paradise and a point hereby designated as Point "A," return to the Point of Beginning and run S 06°43'20" W. 115 feet, more or less, to the waters of lake Paradise, thence Westerly along and with said waters of Lake Paradise, to intersect the aforementioned Point "A."

LIST NO.	UNIT	LOT	HOUSE NO.	ADDRESS	ALT KEY NO.	PLAT BOOK/PAGE
1	OBG1	1	1043	Aloha Way	2582774	18/9
2	OBG1	70 & Part of Lot 71	1034	Aloha Way	1482437	18/9

INSTRUMENT#: 2016051582 OR BK 4781 PG 1384 PAGES: 1 5/19/2016 11:23:00 AM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$595.00

8000

Prepared by and return to:
Gary Fuchs/sss
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: P08841

RETURN

Ent
Rec
Doc
Int
Total

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Warranty Deed

This Warranty Deed made this **9th** day of **May, 2016** between **Patricia V. DePalma, a single woman, individually and as Trustee of the Patricia V. DePalma Trust under Agreement dated September 28, 2015,** whose post office address is **1007 Parker Place, 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 #: 06182401000-000-00100

Lot 1, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida.

Together with the Manufactured Home, bearing VIN # 312894 A & B thereon. The Titles have been retired.

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, 2015.

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: Michael O'Sullivan

Witness Name: Stacy Spears

Patricia V. DePalma

Patricia V. DePalma, Individually and as Trustee of the Patricia V. DePalma Trust under Agreement dated September 28, 2015

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 9th day of May, 2016 by Patricia V. DePalma, a single woman, Individually and as Trustee of the Patricia V. DePalma Trust under Agreement dated September 28, 2015, 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 072174
EXPIRES: December 26, 2017
Bonded Thru Budget Notary Services

INSTRUMENT#: 2016060000 OR BK 4791 PG 1387 PAGES: 1 6/9/2016 3:40:51 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$490.00

70,00C

Prepared by and return to:
Gary Fuchs/jg
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: P08616

Ex. 1
Rec 10
Doc
Int
Total

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 26th day of May, 2016 between Marie L. Clapp MacClennan, a single woman, whose post office address is 1024 Aloha Way, 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 #: 06162401000-000-07000

Lot 70, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida. And a part of Lot 71, Unit 1, Orange Blossom Gardens, described as follows: Begin at the most Northeasterly corner of Lot 70 and run S 08 deg. 45' 50" West along the lot line between Lot 70 and 71, a distance of 115 feet more or less, to the waters of Lake Pardise and a point hereby designated as Point "A", return to the Point of Beginning and run S 08 deg 43' 20" West 115 feet more or less, to the waters of Lake Paradise; thence Westerly along and with said waters of Lake Paradise, to intersect the aforementioned Point "A".

Together with a 1977 SKYLINE Manufactured Home, ID# 0261185K, Florida Title 13742802 bearing Real Property Decals # R0662189 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, 2015.

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 Groveteen
Witness Name Jennifer Groveteen

Janice S. Schoenfelot
Witness Name JANICE S. SCHOENFELOT

Marie L. Clapp MacClennan
Marie L. Clapp MacClennan

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 26th day of May, 2016 by Marie L. Clapp MacClennan, a single woman, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

JENNIFER GROVEETEEN
MY COMMISSION # FF 007231
EXPIRES: December 5, 2019
Bonded Thru Notary Service

Jennifer Groveteen
Notary Public

Printed Name: Jennifer Groveteen

My Commission Expires: 12/5/19

I certify that the foregoing is an accurate copy of the document as reflected in the Official Records. Portions may be redacted.
NEIL KELLY, CLERK OF CIRCUIT COURT LAKE COUNTY
By [signature] Deputy Clerk 6/9/2016 3:40:54 PM

State of Florida
County of Sumter

The foregoing instrument was acknowledged before me this 24th day of May, 2001 by Leonard A. Drayton, Individually and as Trustee of The Leonard A. Drayton Trust dated December 18, 1998, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

MICHELLE M. HEWETT
MY COMMISSION EXPIRES
July 25, 2003
#CC 827748
Bonded thru
Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

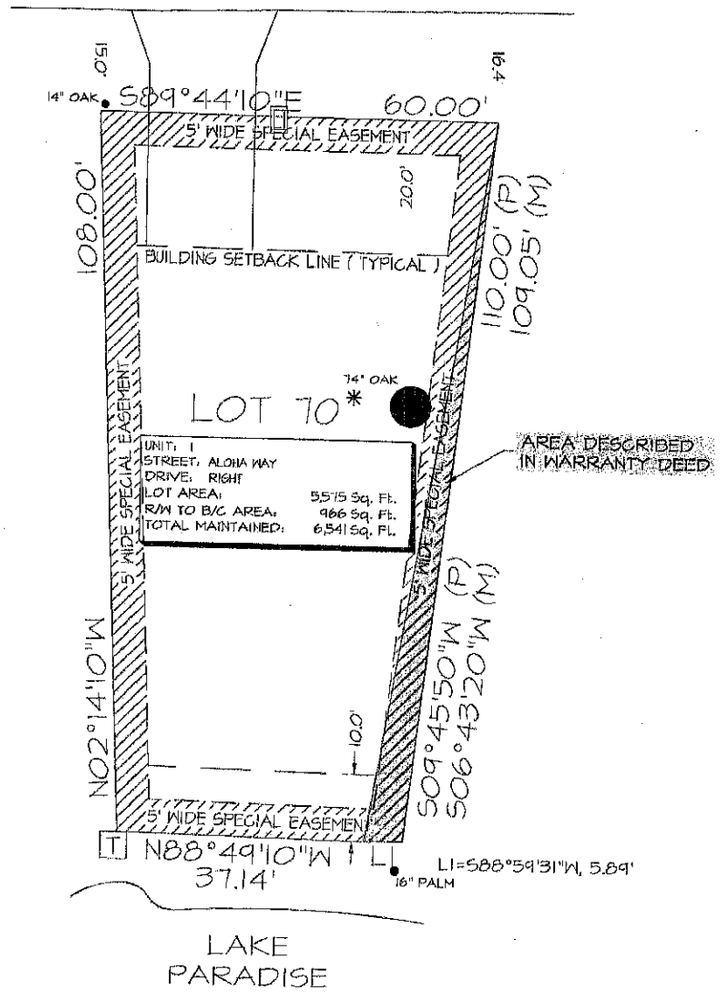
Notary Public

Printed Name: Michelle M. Hewett

My Commission Expires: July 25, 2003

DoubleTime®

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.

* SPECIAL FLOOR PLAN HOME SITE

THIS IS NOT A SURVEY

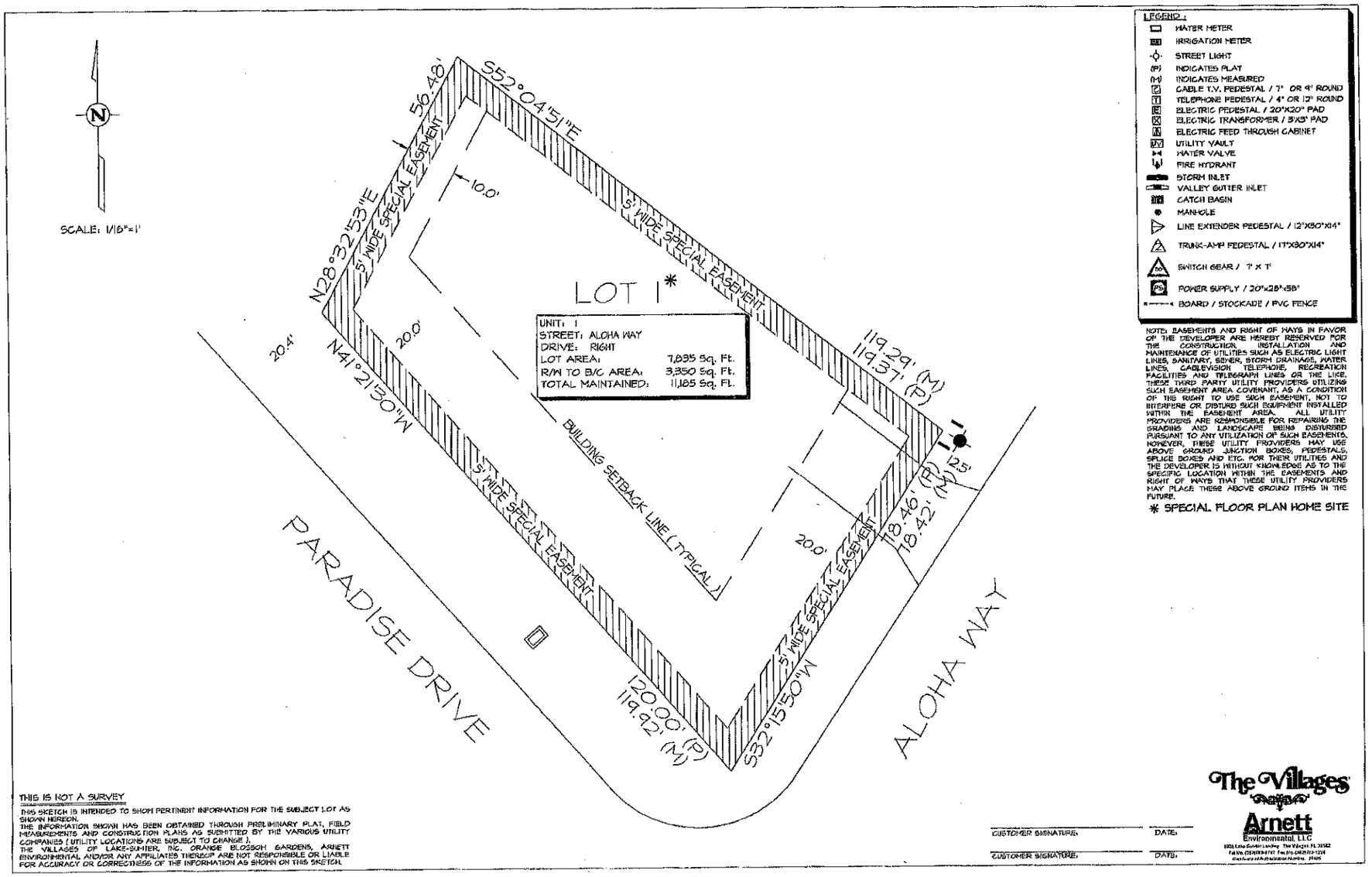
THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES / UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES 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



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.

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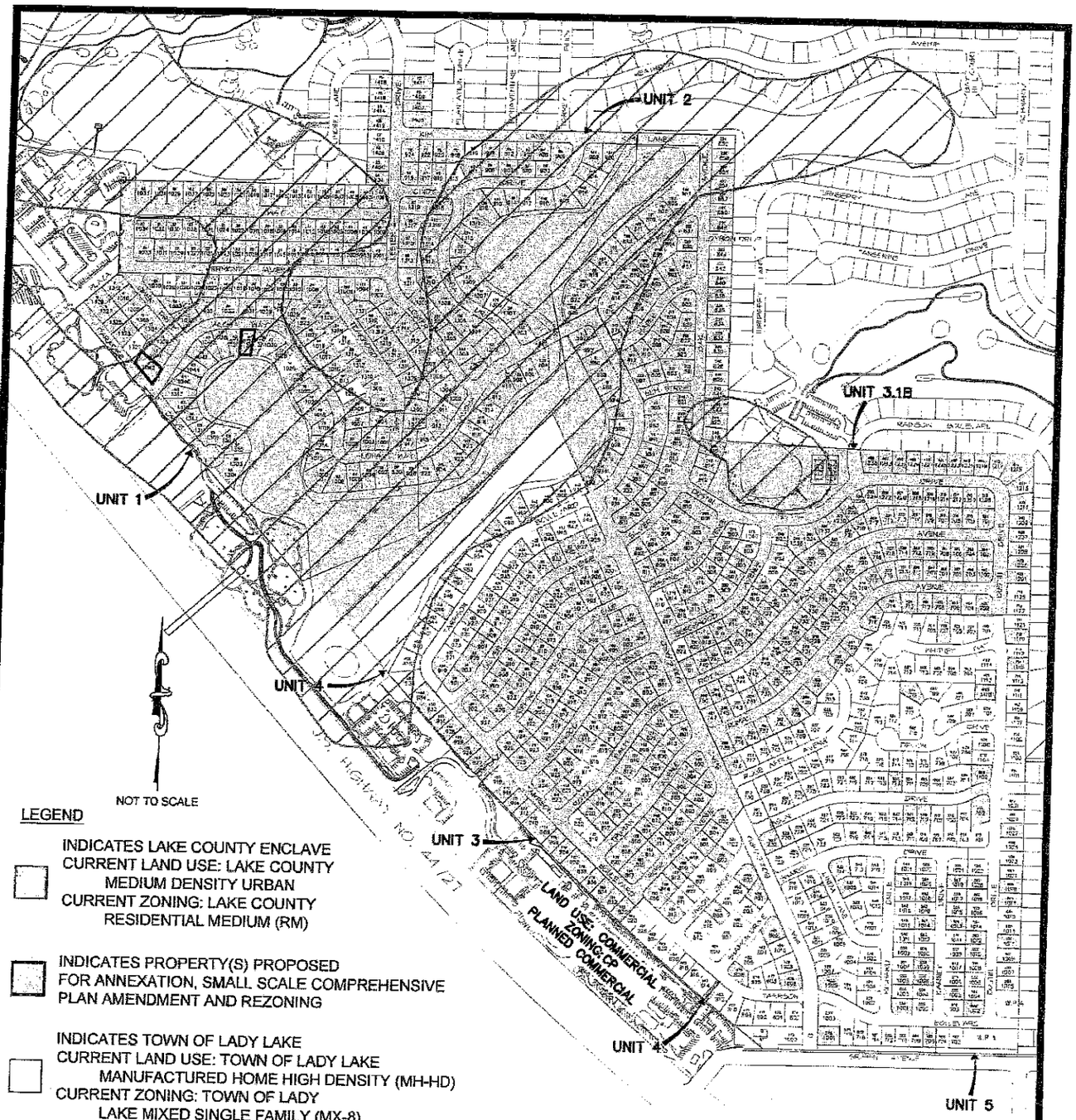
CUSTOMER SIGNATURE: DATE:

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

JUNE 13, 2016

Arnett Environmental, LLC
1832 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-6747 Fax No. (352)753-1295
Certificate of Authorization Number 27495

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 two (2) 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 homes will be replaced with new homes. 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 SJR WMD guidelines and Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

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 Ldg, 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. 0.31 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:** 2 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	OBG1	1	1043	Aloha Way	2582774	18/9
2	OBG1	70 & Part of Lot 71	1034	Aloha Way	1482437	18/9

Exhibit A

Parcel ID #: 06-18-24-01000-000-00100

Lot 1, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida.

and

Parcel ID #: 06-18-24-001000-000-0700

Lot 70, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida. And a part of Lot 71, Unit 1, Orange Blossom Gardens, described as follows: Begin at the most Northeasterly corner of Lot 70 and run S 09°45'50" W. along the lot line between Lot 70 and 71 a distance of 115 feet more or less, to the waters of Lake Paradise and a point hereby designated as Point "A," return to the Point of Beginning and run S 06°43'20" W. 115 feet, more or less, to the waters of lake Paradise, thence Westerly along and with said waters of Lake Paradise, to intersect the aforementioned Point "A."

INSTRUMENT#: 2016060000 OR BK 4791 PG 1387 PAGES: 1 6/9/2016 3:40:51 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$490.00

70,00C

Prepared by and return to:
Gary Fuchs/jg
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: P06616

Excl
Rec
Doc
Int
Total

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 26th day of May, 2016 between Marie L. Clapp MacClennan, a single woman, whose post office address is 1034 Aloha Way, 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 #: 06182401000-000-07000

Lot 70, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida. And a part of Lot 71, Unit 1, Orange Blossom Gardens, described as follows: Begin at the most Northeasterly corner of Lot 70 and run S 09 deg. 45' 50" West along the lot line between Lot 70 and 71, a distance of 115 feet more or less, to the waters of Lake Pardise and a point hereby designated as Point "A", return to the Point of Beginning and run S 08 deg 43' 20" West 115 feet more or less, to the waters of Lake Paradise; thence Westerly along and with said waters of Lake Paradise, to intersect the aforementioned Point "A".

Together with a 1977 SKYLINE Manufactured Home, ID# 0281185K, Florida Title 13742602 bearing Real Property Decals # R0662189 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, 2015.

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

Marie L. Clapp MacClennan

Witness Name: JANICE S. SCHOENFELDT

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 26th day of May, 2016 by Marie L. Clapp MacClennan, a single woman, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

JENNIFER GROVESTEEN
MY COMMISSION # FF 36424
EXPIRES: December 5, 2019
Bonded Thru Budget Notary Services

Notary Public

Printed Name: Jennifer Grovesteen

My Commission Expires: 12/5/19

I certify that the foregoing is an accurate copy of the document as reflected in the Official Records. Portions may be redacted.
NEIL KELLY, CLERK OF CIRCUIT COURT LAKE COUNTY
By Thomas L Deputy Clerk 6/9/2016 3:40:54 PM

INSTRUMENT#: 2016051582 OR BK 4781 PG 1384 PAGES: 1 5/19/2016 11:23:00 AM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$595.00

8800

Prepared by and return to:
Gary Fuchs/sss
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: P08841

RETURN

Ex
Rec
Doc
Int
Total

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **9th** day of **May, 2016** between **Patricia V. DePalma, a single woman, Individually and as Trustee of the Patricia V. DePalma Trust under Agreement dated September 28, 2015**, whose post office address is **1097 Parker Place, 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 #: 06182401000-000-00100

Lot 1, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida.

Together with the Manufactured Home, bearing VIN # 312894 A & B thereon. The Titles have been retired.

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, 2015.

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: Michael O'Brien

Witness Name: Stacy Spears

Patricia V. DePalma

Patricia V. DePalma, Individually and as Trustee of the Patricia V. DePalma Trust under Agreement dated September 28, 2015

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 9th day of May, 2016 by Patricia V. DePalma, a single woman, Individually and as Trustee of the Patricia V. DePalma Trust under Agreement dated September 28, 2015, who [ ] is personally known or [X] has produced a driver's license as identification.

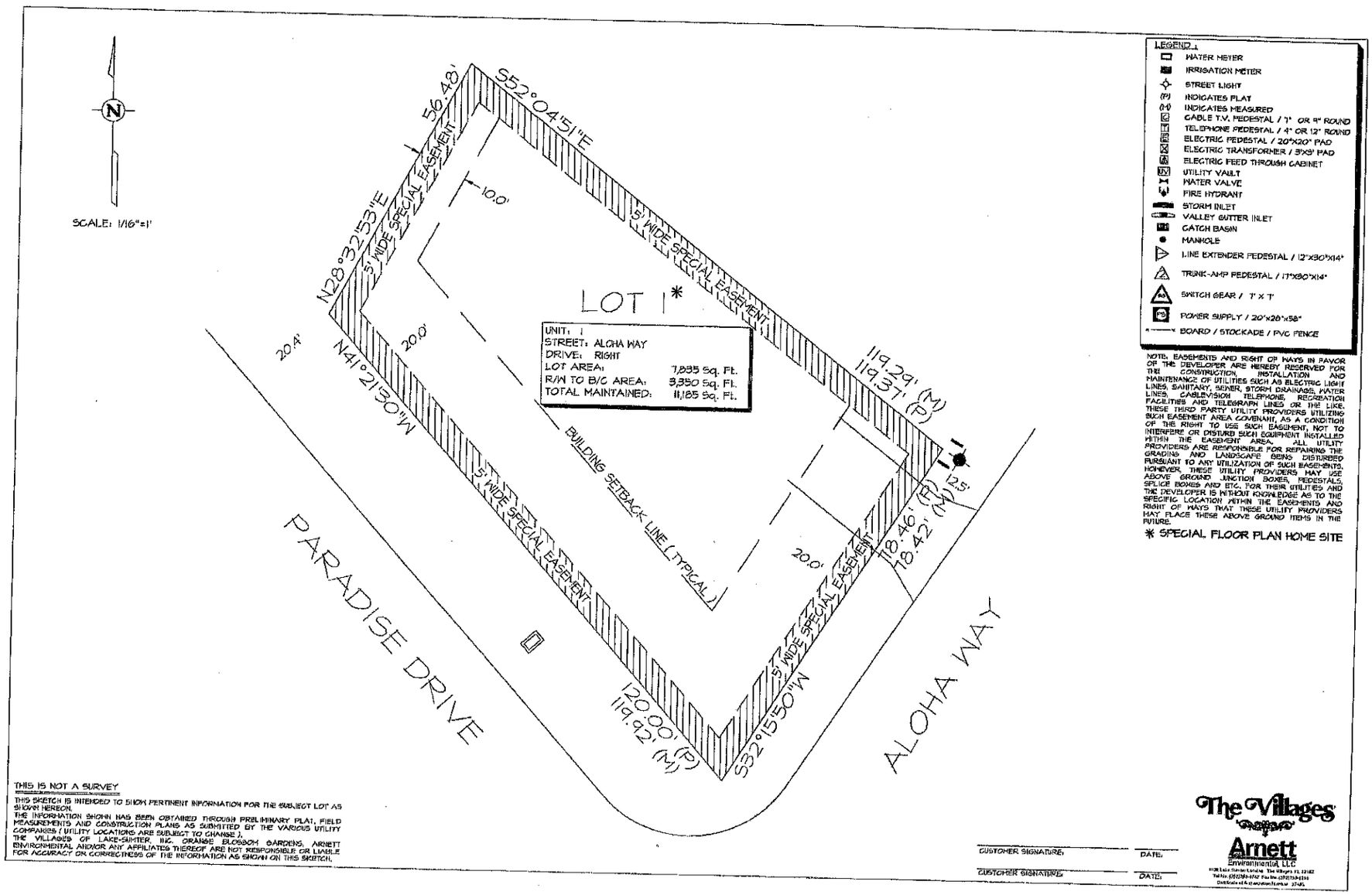
[Notary Seal]

Notary Public

Printed Name:

My Commission Expires:

STACY S. SPEARS
MY COMMISSION # FF 072714
EXPIRES: December 28, 2017
Bonded Thru Budget Notary Services



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.

* SPECIAL FLOOR PLAN HOME SITE

THIS IS NOT A SURVEY

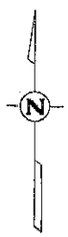
THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES (UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES 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: _____

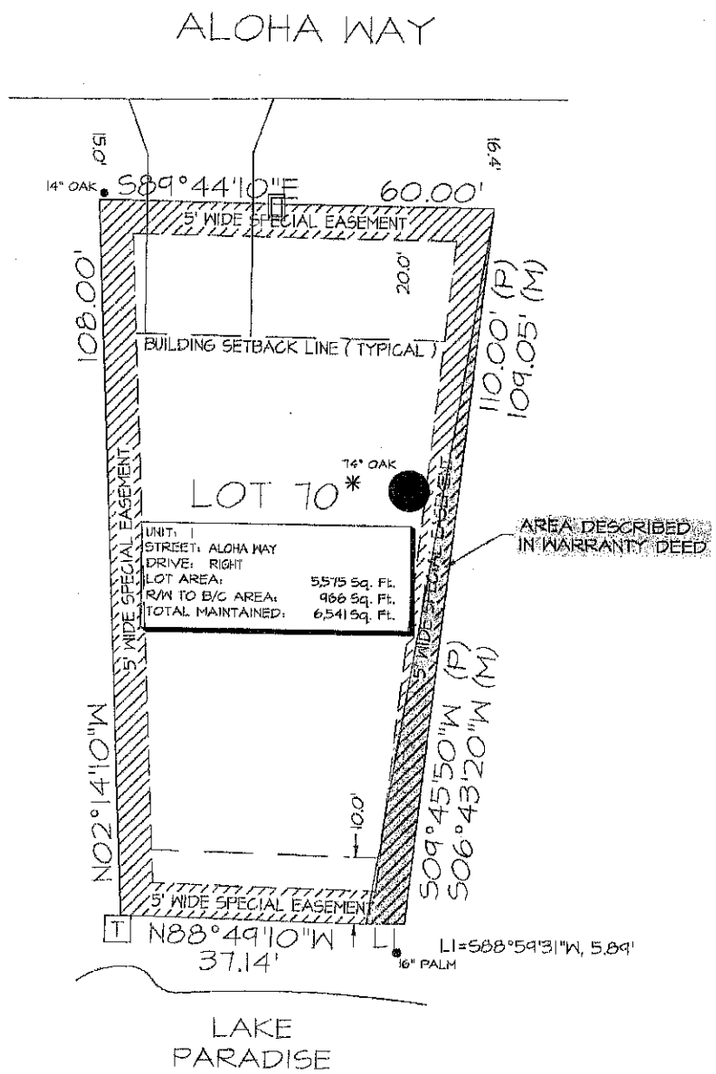
CUSTOMER SIGNATURE: _____ DATE: _____

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 / 5'X8' 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"X80"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 BERMS 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.

* SPECIAL FLOOR PLAN HOME SITE

THIS IS NOT A SURVEY

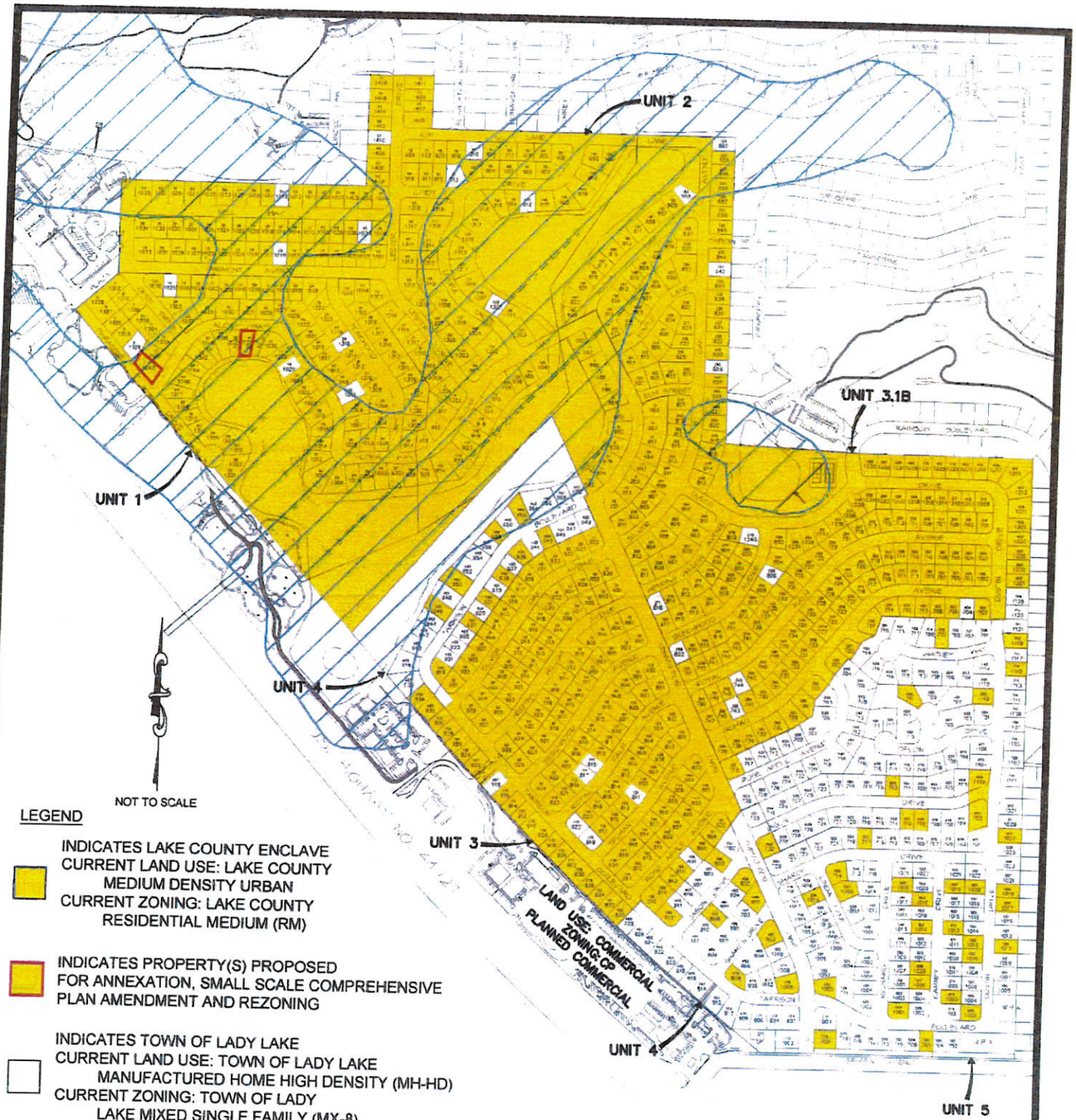
THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES (UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES 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)

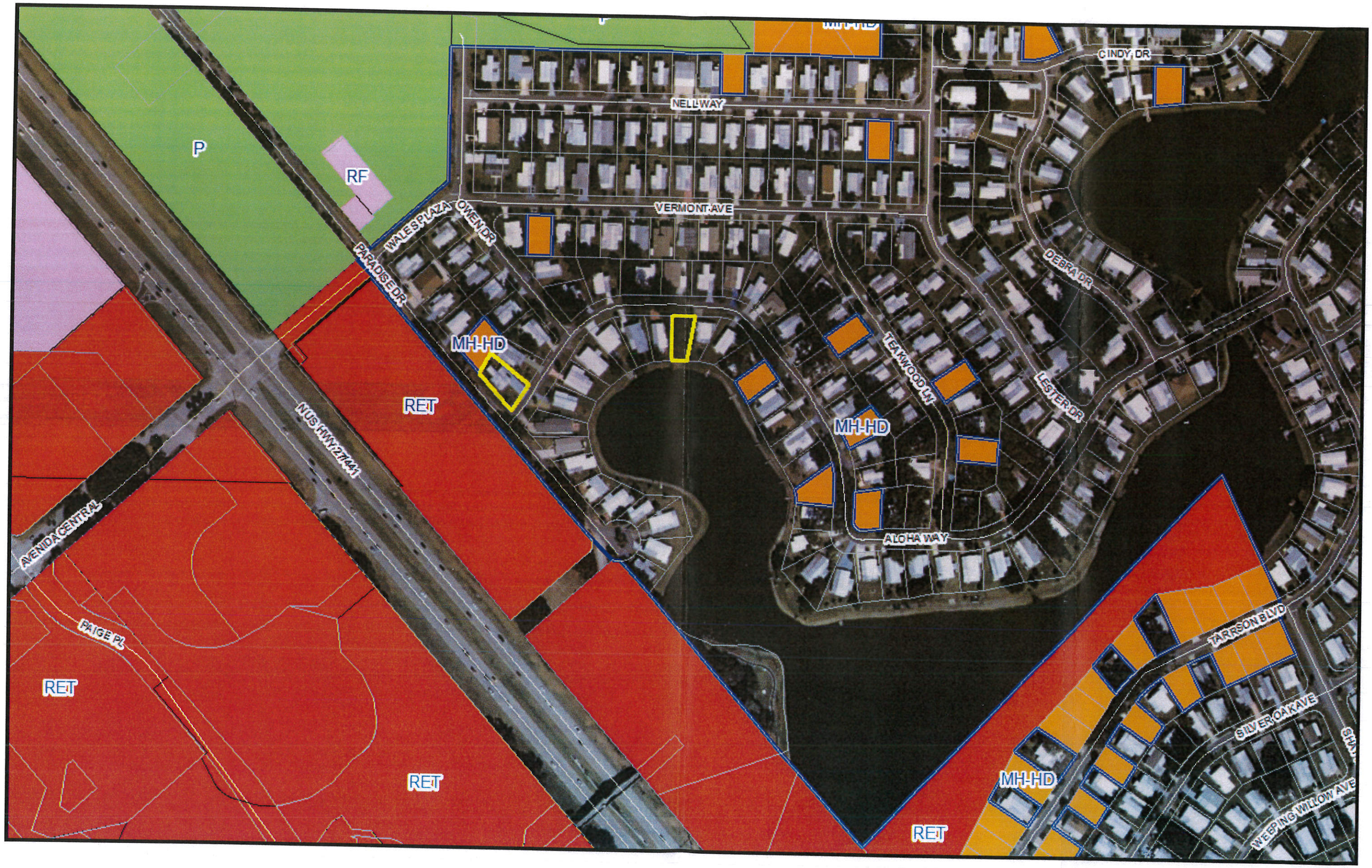
FLOOD ZONE
MAP# 12069C0154E
PANEL 154 OF 750 (REVISED 12-18-12)

10 —— LOT NUMBER
100 —— 911 NUMBER

PROPOSED
ORANGE BLOSSOM GARDENS PROPERTIES
FOR
ANNEXATION, SMALL SCALE COMPREHENSIVE PLAN AMENDMENT
AND REZONING
JUNE 13, 2016

Arnett
Environmental, LLC
1009 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1298
Certificate of Authorization Number: 27495

Future Land Use Map



PLANNING & ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: July 11, 2016

SUBJECT: **Ordinance 2016-22 —Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for property being approximately 0.31+/- acres of land, owned by The Villages of Lake-Sumter, Inc., Referenced by Alternate Keys 1482437 and 2582774; Two (2) Lots Which Are Located Within Orange Blossom Gardens Unit 1, within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTIONS:

1. **Motion to forward Ordinance No. 2016-22, a Small Scale Comprehensive Plan Amendment – Requesting to Change approximately 0.31 +/- 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. 2016-22, a Small Scale Comprehensive Plan Amendment – Requesting to Change approximately 0.31 +/- 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 two (2) Lots located on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1, from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The application involves 0.31 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. The proposed properties are as follows:

- 1034 Aloha Way
- 1043 Aloha Way

The Small Scale Future Land Use Map Amendment application was received on Tuesday, June 14, 2016, 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 (33) within 150' of the property of the proposed amendment were mailed on Wednesday, June 22, 2016. The properties were posted on Monday, June 27, 2016.

Concurrency Determination Statement

The Villages has removed existing manufactured homes on two (2) lots in a historic section of the Villages known as Orange Blossom Gardens to construct a similar size conventional built home on each lot. 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 small scale future land use amendment 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 0.31 ± acres lie 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/
East	Lake County – Medium Urban Density
North	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density
South	Lake County Medium Urban Density

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 2016-22, 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 2016-22 on Monday, August 1, at 5:45 p.m.

The **Town Commission** is scheduled to consider Ordinance 2016-22 for first reading on Monday, August 1, 2016 at 6:00 p.m. The second and final reading will be held on Monday, August 15, 2016 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

---

WP 7-05-16	**DEPARTMENT HEAD** [signature]	**Submitted** 7/5/16	**Date**
	FINANCE DEPARTMENT	**Approved as to Budget Requirements**	**Date**
	TOWN ATTORNEY	**Approved as to Form and Legality**	**Date**
	TOWN MANAGER [signature]	**Approved Agenda Item for:** 7/11/16	**Date** 7/5/16

BOARD ACTION: **[✓] Approved as Recommended** **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modification

McKenzie, Chisson 4/0

C.C. T. Carroll

~~Ms. Then reported the manufactured homes have been removed and the properties are currently vacant. 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 each property was 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 non-contiguous lots.~~

~~The annexation application was received on Tuesday, June 14, 2016, 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 (33) within 150 feet of the properties proposed by annexation request were mailed Wednesday, June 22, 2016, and the properties were posted Monday, June 27, 2016.~~

~~The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-21, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance No. 2016-21 for first reading on Monday, August 1, 2016 at 6:00 p.m. The second and final reading will be held on Monday, August 15, 2016 at 6:00 p.m.~~

~~Vice Chair/Member Sigurdson asked for questions and comments from those in attendance. He briefly reviewed the background for these properties and the process of annexation. He explained several properties have been annexed into the Town of Lady Lake per an Interlocal Agreement between Lake County and the Town of Lady Lake. All properties annexed into the Town must comply with the Town's zoning requirements.~~

~~Ms. Then further clarified the process pertaining to this applicant. She stated that in 2015, Mr. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., presented a plan to revitalize the entire area of Orange Blossom Gardens Subdivision. Therefore, there is a possibility more properties will be presented to the Planning and Zoning Board and to the Town Commission for annexation by The Villages and other applicants.~~

~~***Upon a motion by Member Chiasson and a second by Member McKenzie, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-21 to the Town Commission for consideration by the following roll call vote:***~~

~~***MCKENZIE***~~	~~***YES***~~
~~***CHIASSON***~~	~~***YES***~~
~~***SIGURDSON***~~	~~***YES***~~
~~***CONLIN***~~	~~***YES***~~

3. <u>Ordinance No. 2016-22 – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – from Lake County Medium Urban Density to Lady Lake</u>

DRAFT

Manufactured Home High Density – Two Lots within Orange Blossom Gardens Unit 1, within Lake County, FL; Referenced by Alternate Keys 1482437 & 2582774 (Wendy Then)

Town Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk's Office). She 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 two lots located on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1 from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The application involves 0.31 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. The proposed properties are as follows:

- 1034 Aloha Way
- 1043 Aloha Way

The Small Scale Future Land Use Map Amendment application was received on Tuesday, June 14, 2016 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 (33) within 150 feet of the property of the proposed amendment were mailed on Wednesday, June 22, 2016, and the properties were posted on Monday, June 27, 2016. There were no objections or letters of support from the neighboring property owners.

Concurrency Determination Statement: The Villages has removed existing manufactured homes on two lots in a historic section of The Villages known as Orange Blossom Gardens to construct a similar size conventional built home on each lot. There will be no increase in utility services, traffic, population, or recreation use as reviewed below:

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 small scale future land use amendment will not cause the Parks and Recreation 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.

Ms. Then stated that both of these properties are located within the flood plain. She explained all properties located within a flood plain that have proposed construction plans must adhere to the Town's Floodplain Management Ordinance. She stated elevation certificates are submitted with the

DRAFT

construction plan, during construction, and at the end of construction to ensure the regulations have been followed.

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 0.31 ± acres lie 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/
East	Lake County – Medium Urban Density
North	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density
South	Lake County Medium Urban Density

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. 2016-22, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Local Planning Agency is scheduled to consider Ordinance No. 2016-22 on Monday, August 1, at 5:45 p.m. The Town Commission is scheduled to consider Ordinance No. 2016-22 for first reading on Monday, August 1, 2016 at 6:00 p.m., and for second/final reading on Monday, August 15, 2016 at 6:00 p.m.

Vice Chair/Member Sigurdson asked for questions and comments from those in attendance, and hearing none, asked for a motion.

Upon a motion by Member McKenzie and a second by Member Chiasson the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-22 to the Town Commission for consideration by the following roll call vote:

DRAFT

MCKENZIE	***YES***
CHIASSON	***YES***
SIGURDSON	***YES***
CONLIN	***YES***

~~4. Ordinance No. 2016-23 – Rezoning – The Villages of Lake Sumter, Inc. – from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) – Two Lots within Orange Blossom Gardens Unit 1, within Lake County, FL; Referenced by Alternate Keys 1482437 & 2582774 (Wendy Then)~~

~~Town Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk's Office). She 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 two lots on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1. The application involves rezoning 0.31 +/- 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 proposed properties are as follows:~~

- ~~1034 Aloha Way~~
- ~~1043 Aloha Way~~

~~The Rezoning application was received on Tuesday, June 14, 2016, 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 (33) within 150 feet of the property of the proposed annexation were mailed on Wednesday, June 22, 2016, and the properties were posted on Monday, June 27, 2016.~~

~~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)~~
~~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)~~

~~The Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-23, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance No. 2016-23 for first reading on Monday, August 1, 2016 at 6:00 p.m., and for second/final reading on Monday, August 15, 2016 at 6:00 p.m.~~

DRAFT

K-10

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: AUGUST 1, 2016

SUBJECT: **Ordinance 2016-23 - Rezoning of Property Being 0.31 +/- Acres of Land Owned by the Villages of Lake-Sumter, Inc. from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8), Referenced by Alternate Keys 1482437 and 2582774; Two (2) Lots Which Are Located Within Orange Blossom Gardens Unit 1, Within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance No. 2016-23, Rezoning 0.31 ± Acres of Property consisting of 2 lots – Located within Orange Blossom Gardens Unit 1 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 two (2) Lots on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1. The application involves rezoning 0.31 +/- 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 proposed properties are as follows:

- 1034 Aloha Way
- 1043 Aloha Way

The Rezoning application was received on Tuesday, June 14, 2016, 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 (33) within 150' of the property of the proposed rezoning were mailed on Wednesday, June 22, 2016. The properties were posted on Monday, June 27, 2016.

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)
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)

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2016-23, and determined the application to be complete and ready for transmittal to the P&Z Board.

At the July 11, 2016 meeting, the **Planning and Zoning Board** recommended approval of Ordinance 2016-23 by a vote of 4-0.

Public Hearings

The **Town Commission** is scheduled to consider Ordinance 2016-23 for second and final reading on Monday, August 15, 2016 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

7-25-16	DEPARTMENT HEAD	Submitted 7/25/16	Date
	FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
	TOWN ATTORNEY	Approved as to Form and Legality	Date
	TOWN MANAGER	Approved Agenda Item for: 8/1/16	Date 7/25/16

BOARD ACTION: [ ] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

ORDINANCE NO. 2016-23

AN ORDINANCE REDESIGNATING ZONING CLASSIFICATION FOR CERTAIN PROPERTY BEING 0.31 ± ACRES OF LAND OWNED BY THE VILLAGES OF LAKE-SUMTER, INC.; REFERENCED BY ALTERNATE KEYS 1482437, AND 2582774, TWO LOTS WHICH ARE LOCATED WITHIN ORANGE BLOSSOM GARDENS UNIT 1, 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 **15th** day of **August, 2016**, 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

DRAFT

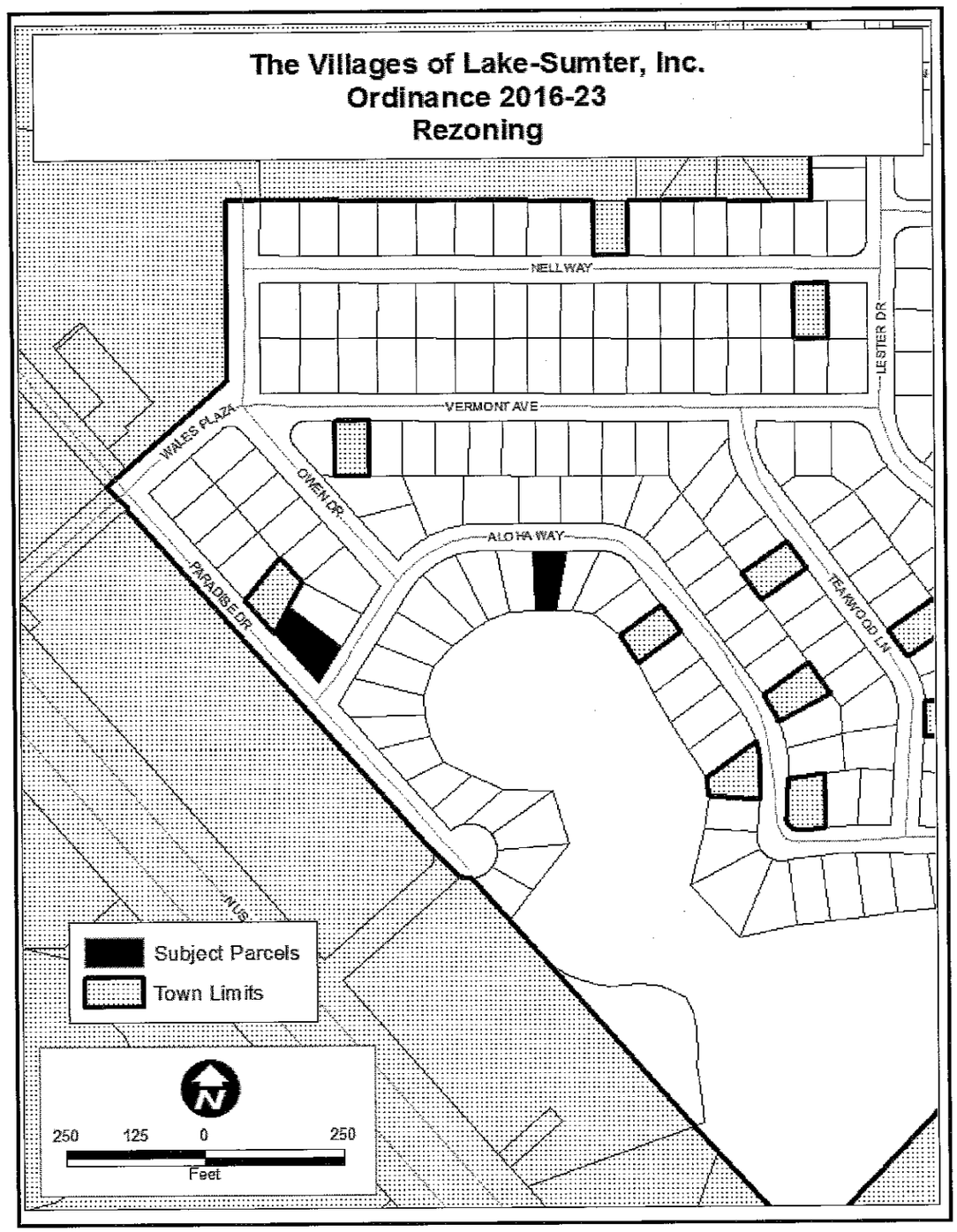
EXHIBIT "A"
Legal Descriptions and Map

Parcel ID #: 06-18-24-01000-000-00100; Lot 1, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida.

and

Parcel ID #: 06-18-24-001000-000-0700; Lot 70, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida. And a part of Lot 71, Unit 1, Orange Blossom Gardens, described as follows: Begin at the most Northeasterly corner of Lot 70 and run S 09°45'50" W. along the lot line between Lot 70 and 71 a distance of 115 feet more or less, to the waters of Lake Paradise and a point hereby designated as Point "A," return to the Point of Beginning and run S 06°43'20" W. 115 feet, more or less, to the waters of lake Paradise, thence Westerly along and with said waters of Lake Paradise, to intersect the aforementioned Point "A."

DRAFT


The Villages of Lake-Sumter, Inc.
Ordinance 2016-23
Rezoning
NELL WAY
LESTER DR
VERMONT AVE
WALES PLAZA
OWEN DR
ALOHA WAY
PARADISE DR
TEAKWOOD LN
Subject Parcels
Town Limits
N
250
125
0
250
Feet

1

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, VP

   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: 13,410 Square feet _____ Acres 0.31

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: 6/10/16 Received by: T. Carroll

Fees Paid: $2500.00

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 4th day of June, 2016, 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
MY COMMISSION EXPIRES
September 22, 2019
#FF 909781
NOTARY PUBLIC STATE OF FLORIDA

LIST NO.	UNIT	LOT	HOUSE NO.	ADDRESS	ALT KEY NO.	PLAT BOOK/PAGE
1	OBG1	1	1043	Aloha Way	2582774	18/9
2	OBG1	70 & Part of Lot 71	1034	Aloha Way	1482437	18/9

Exhibit A

Parcel ID #: 06-18-24-01000-000-00100

Lot 1, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida.

and

Parcel ID #: 06-18-24-001000-000-0700

Lot 70, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida. And a part of Lot 71, Unit 1, Orange Blossom Gardens, described as follows: Begin at the most Northeasterly corner of Lot 70 and run S 09°45'50" W. along the lot line between Lot 70 and 71 a distance of 115 feet more or less, to the waters of Lake Paradise and a point hereby designated as Point "A," return to the Point of Beginning and run S 06°43'20" W. 115 feet, more or less, to the waters of lake Paradise, thence Westerly along and with said waters of Lake Paradise, to intersect the aforementioned Point "A."

INSTRUMENT#: 2016051582 OR BK 4781 PG 1384 PAGES: 1 5/19/2016 11:23:00 AM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$595.00

8000

Prepared by and return to:
Gary Fuchs/sss
Attorney at Law
McLin Burnsed
1028 Lake Sumter Landing
The Villages, FL 32162
File No.: P08841

RETURN

Ex.N
Rec
Doc
Int
Total

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Warranty Deed

This Warranty Deed made this **9th** day of **May, 2016** between **Patricia V. DePalma, a single woman, Individually and as Trustee of the Patricia V. DePalma Trust under Agreement dated September 28, 2015**, whose post office address is **1007 Parker Place, 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 #: 06182401000-000-00100

Lot 1, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida.

Together with the Manufactured Home, bearing VIN # 312894 A & B thereon. The Titles have been retired.

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, 2015.

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: Michael O'Rourke

Witness Name: Stacy Spears

Patricia V. DePalma

Patricia V. DePalma, Individually and as Trustee of the Patricia V. DePalma Trust under Agreement dated September 28, 2015

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 9th day of May, 2016 by Patricia V. DePalma, a single woman, Individually and as Trustee of the Patricia V. DePalma Trust under Agreement dated September 28, 2015, 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 072274
EXPIRES: December 26, 2017
Bonded Thru Budget Notary Services

INSTRUMENT#: 2016060000 OR BK 4791 PG 1387 PAGES: 1 6/9/2016 3:40:51 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: $10.00 DEED DOC:$490.00

70,00C

Prepared by and return to:
Gary Fuchs/jg
Attorney at Law
McLin Burnsed
1026 Lake Sumter Landing
The Villages, FL 32162
File No.: P06616

Rec
Doc
Int
Total

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Warranty Deed

This Warranty Deed made this 26th day of May, 2016 between Marie L. Clapp MacClennan, a single woman, whose post office address is 1034 Aloha Way, 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 #: 06182401000-000-07000

Lot 70, Unit 1, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 18, Page 9, Public Records of Lake County, Florida. And a part of Lot 71, Unit 1, Orange Blossom Gardens, described as follows: Begin at the most Northeasterly corner of Lot 70 and run S 09 deg 45' 50" West along the lot line between Lot 70 and 71, a distance of 115 feet more or less, to the waters of Lake Pardise and a point hereby designated as Point "A", return to the Point of Beginning and run S 09 deg 43' 20" West 115 feet more or less, to the waters of Lake Paradise; thence Westerly along and with said waters of Lake Paradise, to intersect the aforementioned Point "A".

Together with a 1977 SKYLINE Manufactured Home, ID# 0261185K, Florida Title 13742602 bearing Real Property Decals # R0682189 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, 2016.

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: JANICE S. SCHOENFELDT

Marie L. Clapp MacClennan
Marie L. Clapp MacClennan

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 26th day of May, 2016 by Marie L. Clapp MacClennan, a single woman, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

JENNIFER GROVESTEEN
MY COMMISSION # FF 067234
EXPIRES: December 5, 2019
Bonded Thru Notary Public Underwriters

Notary Public
Printed Name: Jennifer Grovesteen
My Commission Expires: 12/5/19

I certify that the foregoing is an accurate copy of the document as reflected in the Official Records. Portions may be redacted.
NEIL KELLY, CLERK OF CIRCUIT COURT LAKE COUNTY
By: Deputy Clerk 6/9/2016 3:40:54 PM

State of Florida
County of Sumter

The foregoing instrument was acknowledged before me this 25th day of May, 2001 by Leonard A. Drayton, Individually and as Trustee of The Leonard A. Drayton Trust dated December 18, 1998, who [ ] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

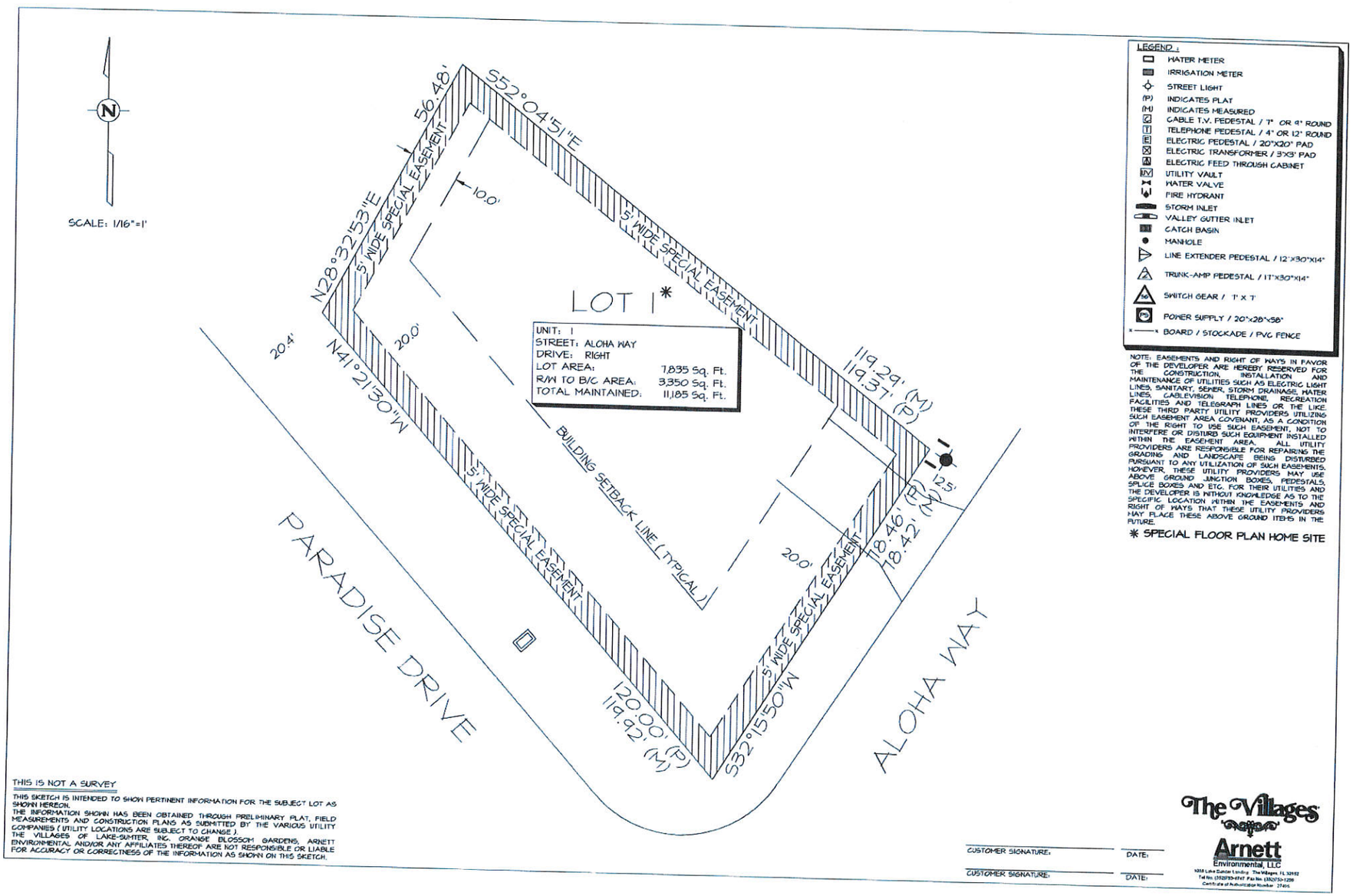
MICHELLE M. HEWETT
MY COMMISSION EXPIRES
July 25, 2003
#CC 827748
Bonded thru Notary Public Underwriters
NOTARY PUBLIC, STATE OF FLORIDA

Notary Public

Printed Name: Michelle M. Hewett

My Commission Expires: July 25, 2003

DoubleTime®



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.

* SPECIAL FLOOR PLAN HOME SITE

THIS IS NOT A SURVEY

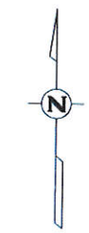
THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES (UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES 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:

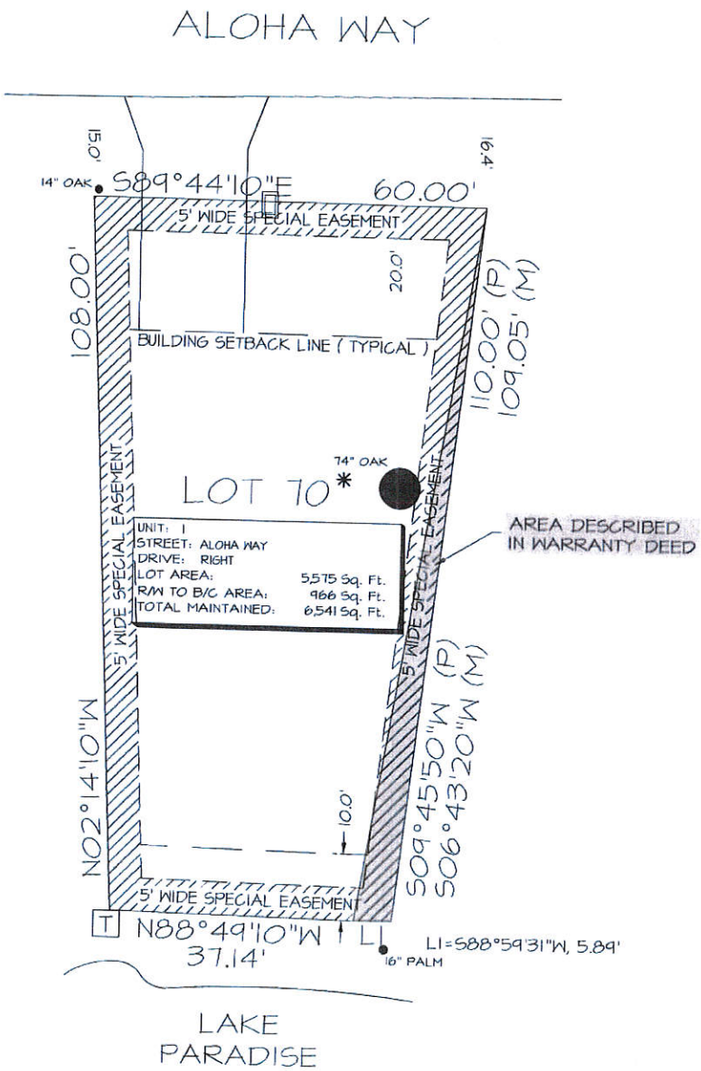
CUSTOMER SIGNATURE: DATE:

The Villages

Arnett Environmental, LLC
1018 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1208
Certificate of Authorization Number 27494



SCALE: 1/16"=1'



LEGEND :

- WATER METER
- IRRIGATION METER
- STREET LIGHT
- (P) INDICATES PLAT
- (M) INDICATES MEASURED
- C CABLE T.V. PEDESTAL / 7" OR 9" ROUND
- T TELEPHONE PEDESTAL / 4" OR 12" ROUND
- E ELECTRIC PEDESTAL / 20"X20" PAD
- ELECTRIC TRANSFORMER / 3'X3' PAD
- ELECTRIC FEED THROUGH CABINET
- UV 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.

* SPECIAL FLOOR PLAN HOME SITE

THIS IS NOT A SURVEY

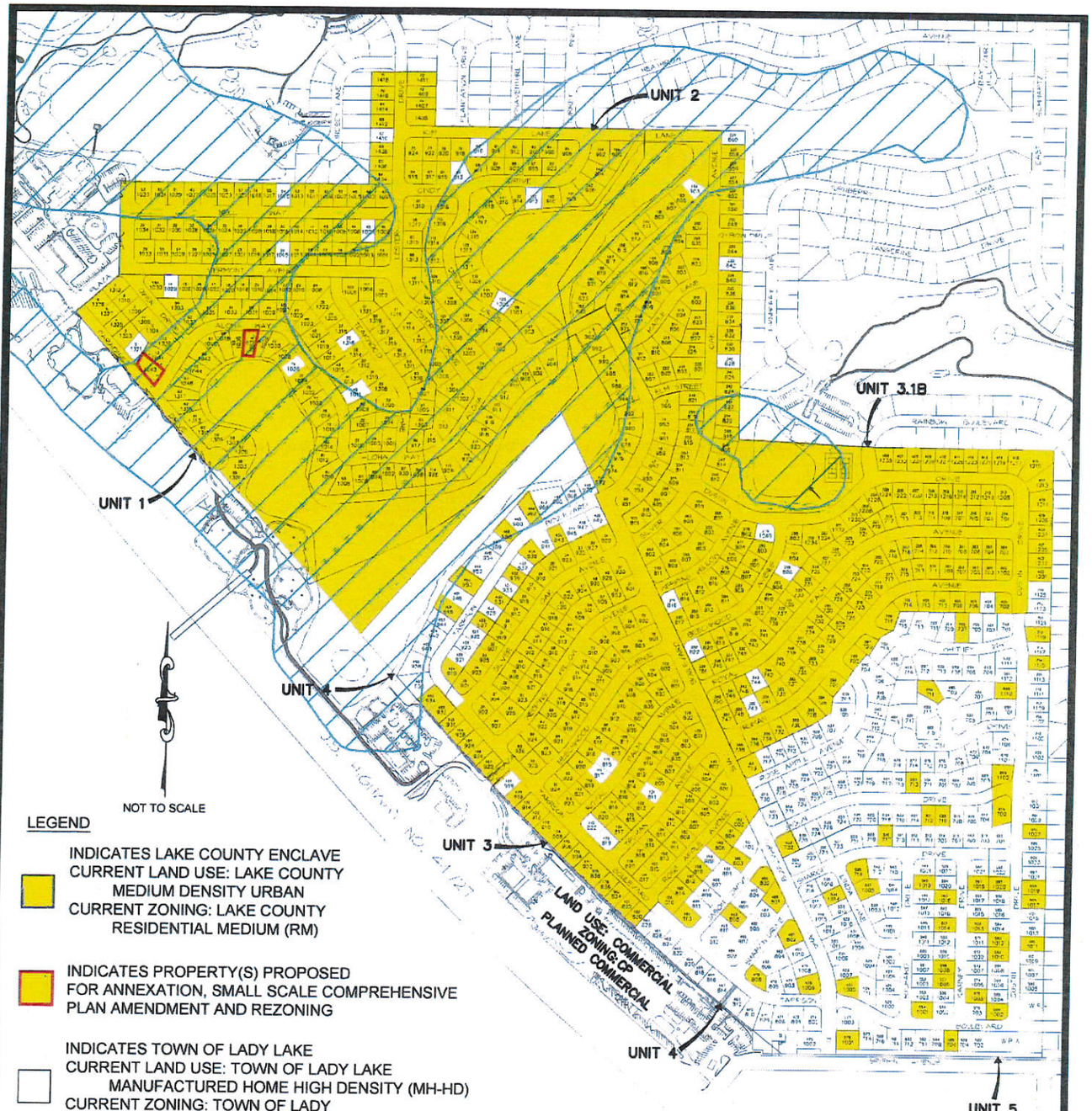
THIS SKETCH IS INTENDED TO SHOW PERTINENT INFORMATION FOR THE SUBJECT LOT AS SHOWN HEREON.
THE INFORMATION SHOWN HAS BEEN OBTAINED THROUGH PRELIMINARY PLAT, FIELD MEASUREMENTS AND CONSTRUCTION PLANS AS SUBMITTED BY THE VARIOUS UTILITY COMPANIES (UTILITY LOCATIONS ARE SUBJECT TO CHANGE).
THE VILLAGES 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
1058 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1288
Certificate of Authorization Number 27495



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)

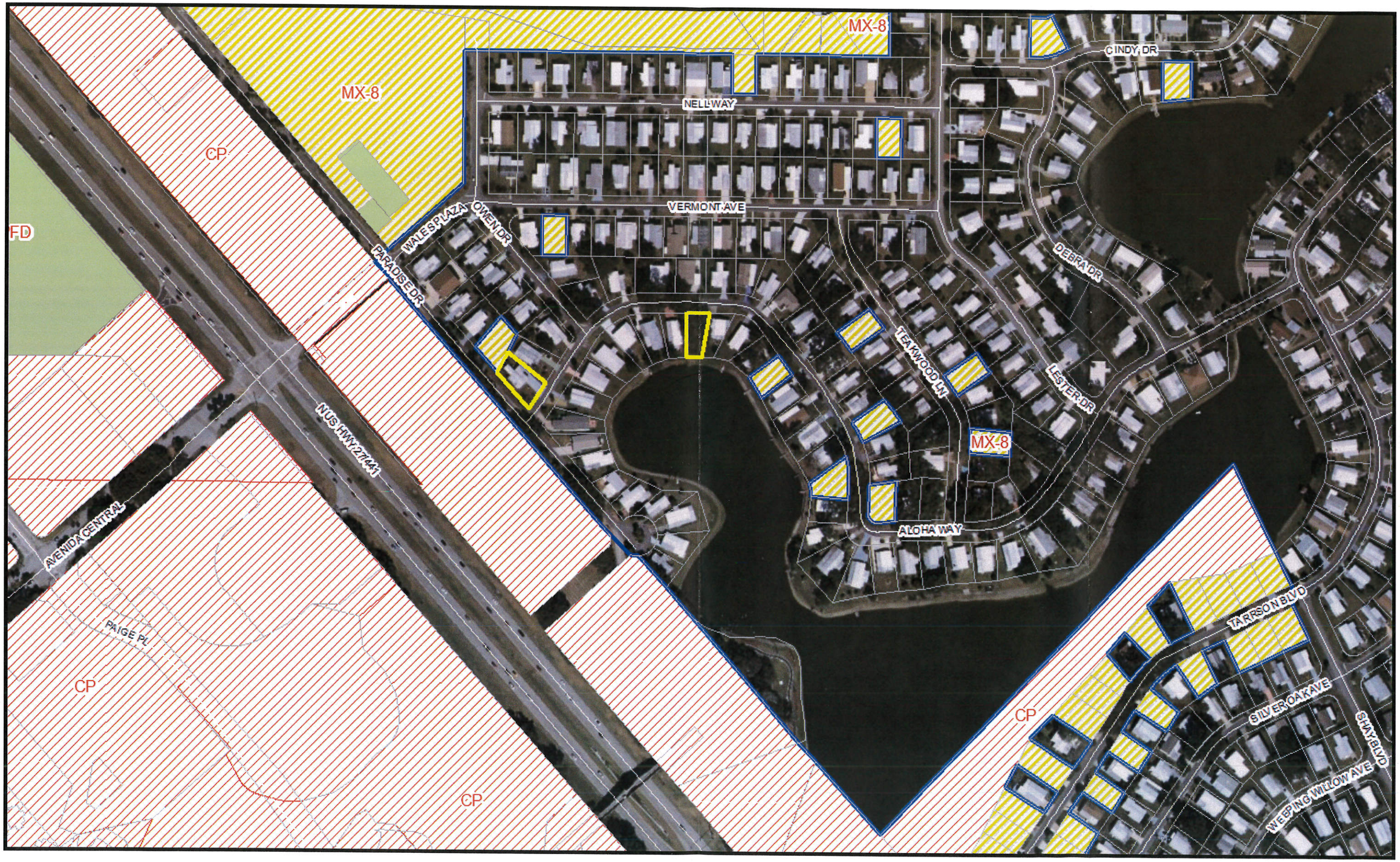
FLOOD ZONE
MAP# 12069C0154E
PANEL 154 OF 750 (REVISED 12-18-12)

10 —— LOT NUMBER
100 —— 911 NUMBER

PROPOSED
ORANGE BLOSSOM GARDENS PROPERTIES
FOR
ANNEXATION, SMALL SCALE COMPREHENSIVE PLAN AMENDMENT
AND REZONING
JUNE 13, 2016

Arnett
Environmental, LLC
1039 Lake Sumter Landing The Villages, FL 32162
Tel No. (352)753-4747 Fax No. (352)753-1296
Certificate of Authorization Number 27498

Zoning Map


MX-8
MX-8
CP
FD
NELL WAY
VERMONT AVE
WALES PLAZA
OWEN DR
PARADISE DR
CINDY DR
DEBRA DR
TEAKWOOD LN
LESTER DR
MX-8
ALOHA WAY
US HWY 27/441
AVENIDA CENTRAL
PAIGE PL
CP
CP
CP
TARRSON BLVD
SILVER OAK AVE
SHAY BLVD
WEEPING WILLOW AVE

PLANNING AND ZONING BOARD AGENDA ITEM

REQUESTED BOARD MEETING DATE: July 11, 2016

SUBJECT: **Ordinance 2016-23 - Rezoning of Property Being 0.31 +/- Acres of Land Owned by the Villages of Lake-Sumter, Inc. from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8), Referenced by Alternate Keys 1482437 and 2582774; Two (2) Lots Which Are Located Within Orange Blossom Gardens Unit 1, Within Lake County, Florida.**

DEPARTMENT: **GROWTH MANAGEMENT**

STAFF RECOMMENDED MOTIONS:

1. **Motion to forward Ordinance No. 2016-23, Rezoning 0.31 ± Acres of Property consisting of 2 lots – Located within Orange Blossom Gardens Unit 1 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. 2016-23, rezoning 0.31 ± Acres of Property consisting of 2 lots – Located within Orange Blossom Gardens Unit 1 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 two (2) Lots on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1. The application involves rezoning 0.31 +/- 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 proposed properties are as follows:

- 1034 Aloha Way
- 1043 Aloha Way

The Rezoning application was received on Tuesday, June 14, 2016, 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 (33) within 150' of the property of the proposed annexation were mailed on Wednesday, June 22, 2016. The properties were posted on Monday, June 27, 2016.

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)
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)

Past Actions:

The **Technical Review Committee (TRC)** members individually reviewed application for Ordinance 2016-23, 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 2016-23 for first reading on Monday, August 1, 2016 at 6:00 p.m. The second and final reading will be held on Monday, August 15, 2016 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

7/5/16	DEPARTMENT HEAD	Submitted 7/5/16	Date
	FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
	TOWN ATTORNEY	Approved as to Form and Legality	Date
	TOWN MANAGER	Approved Agenda Item for: 7/11/16	Date 7/5/16

BOARD ACTION: [✓] Approved as Recommended [ ] Disapproved

[ ] Tabled Indefinitely [ ] Continued to Date Certain

[ ] Approved with Modification

Chiasson, McKenzie 4/0

C.C.T. Carroll

~~*MCKENZIE* *YES*~~
~~*CHIASSON* *YES*~~
~~*SIGURDSON* *YES*~~
~~*CONLIN* *YES*~~

4. Ordinance No. 2016-23 - Rezoning – The Villages of Lake-Sumter, Inc. – from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) – Two Lots within Orange Blossom Gardens Unit 1, within Lake County, FL; Referenced by Alternate Keys 1482437 & 2582774 (Wendy Then)

Town Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk's Office). She 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 two lots on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1. The application involves rezoning 0.31 +/- 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 proposed properties are as follows:

- 1034 Aloha Way
- 1043 Aloha Way

The Rezoning application was received on Tuesday, June 14, 2016, 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 (33) within 150 feet of the property of the proposed annexation were mailed on Wednesday, June 22, 2016, and the properties were posted on Monday, June 27, 2016.

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:

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Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM)
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)

The Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-23, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. The Town Commission is scheduled to consider Ordinance No. 2016-23 for first reading on Monday, August 1, 2016 at 6:00 p.m., and for second/final reading on Monday, August 15, 2016 at 6:00 p.m.

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Vice Chair/Member Sigurdson asked for questions and comments from those in attendance, and hearing none, asked for a motion.

Upon a motion by Member Chiasson and a second by Member McKenzie, the Planning and Zoning Board recommended transmittal and approval of Ordinance No. 2016-23 to the Town Commission for consideration by the following roll call vote:

MCKENZIE	***YES***
CHIASSON	***YES***
SIGURDSON	***YES***
CONLIN	***YES***

~~5. Resolution No. 2016-107 – Variance Request – Daniel O'Neill – Pursuant to Chapter 5, Section 5-4. f). 4). C). 1.a., of the Town of Lady Lake Land Development Regulations (LDRs) – Requesting a Minimum 10-Foot Front-Yard Setback to Replace an Existing Manufactured Home with a Single Family Residence – Located at 1016 Aloha Way (Wendy Then)~~

~~Town Planner Wendy Then presented the background summary for this agenda item (on file in the Clerk's Office). She stated that the applicant, Daniel O'Neil, has submitted an application for a variance from Chapter 5, Section 5-4. f). 4). C). 1.a., of the Town of Lady Lake Land Development Regulations (LDRs) which requires that the front yard setback be a distance of a 20-foot minimum within the MX-8 Zoning District. The applicant is proposing to construct a new single-family residence at 1016 Aloha Way (referenced by Alternate Key No. 1482496), and the variance request is to allow a minimum ten-foot front-yard setback along Aloha Way for the new proposed home.~~

~~Ms. Then reported that the applicant just recently annexed this parcel into the jurisdiction of Town of Lady Lake on March 21, 2016, to replace an existing manufactured home with a single family residence. As result of the Town's Land Development Regulations, Chapter 12, Article II, Section 12-52) a).1)., any part of the proposed habitable structure is required to adhere to a 35-foot setback from the ordinary high water line from bodies of water. The parcel abuts Lake Paradise on the rear yard and is located within a Special Flood Hazard Area (SFHA) Flood Zone A, which requires that redevelopment adheres to the National Flood Insurance Program (NFIP) and the Town's Floodplain Management Ordinance.~~

~~Referring to pictures of the property included in the Board's meeting packet, Ms. Then stated the owner is preserving the two large oak trees in the front of the property.~~

~~Ms. Then stated that as part of the variance application, a Justification Statement is required and has been provided. The applicant states that:~~

- ~~The ten-foot encroachment into the front yard setback along Aloha Way will not present an adverse impact to the general safety or well-being to adjacent properties in that the current manufactured home sits at a 5.74-foot front yard setback; therefore, the new single-family residence proposal would be more in compliance with the current zoning regulations than the existing structure.~~

- ~~The property will not suffer diminution of value, but rather enable the property owners to rebuild to the square footage desired. By replacing the existing late model manufactured home, the applicant must adhere to all new Florida Building Code and Life Safety Code inspections, including new hurricane and wind codes, which would enhance the neighborhood and increase the value of surrounding properties.~~

K-11

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: AUGUST 1, 2016

SUBJECT: **Ordinance 2016-24 - An Ordinance of the Town of Lady Lake, Lake County, Florida; Amending The Town of Lady Lake Land Development Regulations (Ordinance No. 2014-04); Chapter 1, Article III, Section 1-83; Entitled "Code Enforcement Special Magistrate"; Providing for A Procedure for Stipulation Agreements.**

DEPARTMENT: **Growth Management**

STAFF RECOMMENDED MOTION:

Staff recommends approval of Ordinance #2016-24 – Amending The Town of Lady Lake Land Development Regulations (Ordinance No. 2014-04); Chapter 1, Article III, Section 1-83; Entitled "Code Enforcement Special Magistrate"; Providing for A Procedure for Stipulation Agreements.

Over the course of the past few months, Growth Management Staff has received many inquiries regarding the purchase of listed properties for sale within the Town of Lady Lake. However, in many cases these properties have accrued costly code enforcement liens – many of which still continue to accrue due to their status of non-compliance of a violation.

At present, the Town has a procedure under the Land Development Regulations, Section 1-83, h), 5), whereby an individual or corporation may purchase a property that is not in compliance with the Town's Code of Ordinances and/or Land Development Regulations; then bring that property into compliance; and, subsequently ask for a lien reduction by the Town Commission based upon their efforts to bring the property into a satisfactory state. Although the process does afford the purchaser the potential for relief of large lien accruals, to many speculative purchasers, the process does not provide any assurance of such relief and the amount by which the liens will be reduced remains unknown. As a result, having no guarantee of what the purchaser will ultimately be responsible to pay following the lien reduction has left many properties within the Town in a state of vacancy, and in some cases, blight.

Staff is proposing a process, under Ordinance 2016-24, whereby a potential purchaser can come before the Town Commission *before* the purchase of property is made to orchestrate a stipulation agreement. This agreement shall define the timeline and manner in which the property will be brought into compliance. In exchange, the property purchaser will be provided a set figure for which

they will be responsible to pay provided that they satisfy all conditions of the agreement. In the event that the terms of the agreement are not adhered to, the liens are reinstated to their original amounts and the agreement shall be deemed void.

It is the intent that such agreements will provide potential purchasers the assurance they need to acquire properties that are in need of improvement and repair, thereby reducing the number of vacant and derelict parcels within the Town; essentially, the purpose of the ordinance is to improve and preserve the land values within the neighborhoods of our community.

Therefore, staff recommends approval of Ordinance 2016-24, establishing the process whereby these stipulation agreements can be created and used as an additional tool for code enforcement compliance and neighborhood stabilization.

Public Hearing Dates:

The Town Commission is scheduled to review Ordinance 2016-24 on second and final reading on Monday, August 15, 2016.

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

7/25/16

DEPARTMENT HEAD **Submitted** 7/25/16 **Date**

FINANCE DEPARTMENT **Approved as to Budget Requirements** **Date**

TOWN ATTORNEY **Approved as to Form and Legality** **Date**

TOWN MANAGER **Approved Agenda Item for:** 8/1/16 **Date** 7/25/16

COMMISSION ACTION: [ ] Approved as Recommended **[ ] Disapproved**

[ ] Tabled Indefinitely **[ ] Continued to Date Certain**

[ ] Approved with Modification

ORDINANCE NO. 2016-24

AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA; AMENDING THE TOWN OF LADY LAKE LAND DEVELOPMENT REGULATIONS (ORDINANCE NO. 2014-04); CHAPTER 1, ARTICLE III, SECTION 1-83; ENTITLED "CODE ENFORCEMENT SPECIAL MAGISTRATE"; PROVIDING FOR A PROCEDURE FOR STIPULATION AGREEMENTS; 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 Code 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, the Town of Lady Lake has elected to amend Chapter 1 Article III, Section 1-83 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 1, Article III, Section 1-83 of the Land Development Regulations entitled "Code Enforcement Special Magistrate", is amended 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 affect 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

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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 affect 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 **15th** day of **August, 2016** in the regular meeting 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

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EXHIBIT "A"

Sec. 1-83 Code Enforcement Special Magistrate

a) Code Enforcement Special Magistrate.

1) The Town Commission shall appoint one (1) or more persons to act in the capacity of a Special Magistrate to hear cases involving violations of the Town of Lady Lake Code of Ordinances and the Land Development Regulations.

2) In order to serve as a Code Enforcement Special Magistrate (hereinafter referred to as "Special Magistrate"), a person must be either a lawyer in good standing with the Florida Bar or a Florida Supreme Court certified mediator.

3) The Town shall include within the statement of violation and notice of hearing the date, time, and location the Special Magistrate will hear the case.

b) Jurisdiction and powers. The Special Magistrate shall have jurisdiction to hear and decide cases involving alleged violations of any provision of the Town of Lady Lake Code, the Land Development Regulations, or any resolution duly enacted by the Town Commission. The Special Magistrate shall have all powers granted by applicable law, in accordance with the F.S. Ch. 163, or as amended.

c) Enforcement procedure.

1) The Growth Management Director or designee shall have the duty of enforcing the various codes pursuant to this chapter. The Special Magistrate shall not have the power to initiate enforcement proceedings pursuant to this chapter. The Growth Management Director or designee shall accept anonymous Code violation complaints.

2) If a violation of a Code provision is found, the Growth Management Director or designee shall notify the alleged violator of the violation and give the alleged violator a reasonable time, in light of the nature of the violation, to correct the violation. Should the violation continue beyond the time specified for correction, the Growth Management Director or designee shall schedule a hearing in front of the Special Magistrate and provide written notice to the alleged violator of a scheduled hearing in the manner prescribed in subsection (d). If the violation is not corrected by the time specified for correction by the Growth Management Director or designee, the case may be presented to the Special Magistrate even if the violation has been corrected prior to the hearing, and the notice shall so state.

3) If a repeat violation is found, the Growth Management Director or designee shall notify the alleged violator, but shall not be required to give the alleged violator a reasonable time to correct the violation. The Growth Management Director or designee, upon notifying the alleged violator of a repeat violation, shall schedule a hearing, and shall provide written notice to the alleged violator of a scheduled hearing in the manner prescribed in subsection (d). The case may be presented to the Special Magistrate even if the repeat violation has been corrected prior to the hearing, and the notice shall so state. If

the repeat violation has been corrected, the Special Magistrate shall retain the right to hold a hearing to determine costs and impose the payment of reasonable enforcement fees upon the repeat violator. For purposes of this chapter, a repeat violation means a violation of a provision of a code or ordinance by a person who has been previously found to have violated or who has admitted violating the same provision within five (5) years prior to the violation, notwithstanding the violations occur at different locations.

4) Notwithstanding the provisions of paragraphs (1), (2), and (3), [above], if the Growth Management Director or designee has reason to believe a violation presents a serious threat to the public health, safety and welfare or if the violation is irreparable or irreversible in nature, the Growth Management Director or designee shall make a reasonable effort to notify the alleged violator and may immediately schedule a hearing in front of the Special Magistrate.

d) Written notice.

1) All written notices required by this section shall be provided to the alleged violator by certified mail, return receipt requested, to the owner of the property in question at the address listed in the property appraiser or tax collector's office for tax notices and at any other address provided to the Town by such owner (hereinafter collectively "owner's address"). If such notice is returned as unclaimed or refused, notice shall be provided by posting and by first-class mail directed to the owner's address or by leaving the notice at the alleged violator's usual place of residence with some person of his or her family above fifteen (15) years of age, and informing such person of the contents of the written notice; or in the case of commercial premises, leaving the notice with the manager, registered agent, or other person in charge.

2) In addition to providing written notice as set forth in subsection (a), written notice may also be served by publication or posting as provided in F.S. § 162.12(2).

3) Evidence that an attempt has been made to hand deliver or mail notice, as provided in subsection (1) together with proof of publication or posting as provided in subsection (2), shall be sufficient to show that the notice requirements of this part have been met without regard to whether or not the alleged violator actually received such notice.

e) Public hearings.

1) Upon request of the Growth Management Director, a hearing in front of the Special Magistrate shall be scheduled. Minutes shall be kept of all hearings before the Special Magistrate and proceedings shall be open to the public. The alleged violator shall be given at least fifteen (15) days' written notice of the hearing, pursuant to the provisions of subsection (d), above. The Special Magistrate is a quasi-judicial official and shall follow all statutes and common law concerning ex parte communications.

2) Each case before the Special Magistrate shall be presented by the Town.

3) The Special Magistrate shall proceed to hear cases on the agenda for the day of the scheduled hearing. All testimony shall be under oath or affirmation, and shall be

recorded. The Special Magistrate, Town Attorney, Town Clerk, or Deputy Clerk shall have power to administer oaths and affirmations. The Town and the alleged violator shall have the right to call and examine witnesses, introduce exhibits, cross-examine opposing witnesses, impeach witnesses and rebut evidence. All persons appearing before the Special Magistrate shall be sworn in prior to giving any testimony relevant to the case. However, hearings shall be informal and need not be conducted according to technical rules of evidence.

4) Any relevant evidence shall be admitted if determined by the Special Magistrate to be the sort of evidence upon which reasonable and prudent persons are accustomed to rely in the conduct of their affairs, regardless of the existence of any common law or statutory rule which might make such evidence inadmissible in civil actions. Hearsay evidence may be used to supplement or explain other evidence, but shall not be sufficient in itself to support a finding of fact unless it would be admissible over objection in a civil action. The Special Magistrate may exclude irrelevant or unduly repetitious evidence.

5) After the conclusion of the hearing, if enforcement action is necessary, the Special Magistrate shall issue findings of fact and conclusions of law in the form of an order of enforcement, which shall command whatever steps are necessary to bring a violation into compliance by the time set in the order. The order of enforcement may include a notice that it shall be complied with by a specified date and that a fine may be imposed if the order is not complied with by such date. At the discretion of the Growth Management Director or designee and based upon the individual circumstances of a case, a certified copy of such order of enforcement may be recorded in the public records of the county prior to compliance and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property and the findings therein shall be binding upon the violator, and, if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns. If such an order of enforcement is recorded in the public records pursuant to this section, and the order is complied with by the date specified in the order, the Special Magistrate shall issue an order acknowledging compliance, which shall be also recorded in the public records of the county.

6) The Town Clerk or the clerk's designee shall maintain all official records and orders of the Special Magistrate.

f) Subpoena powers. The Special Magistrate, the Growth Management Director or designee, or the alleged violator may request that witnesses and evidence, including records, surveys, plats, and other materials be subpoenaed for any Code enforcement hearing. Subpoenas, if requested in writing at least ten (10) days prior to the hearing, shall be signed by the Special Magistrate. Subpoenas may be served by the sheriff, or in any other manner provided by law. Proof of such service shall be made by affidavit of the person making service if not served by an officer authorized by law to do so.

g) Decisions and orders.

1) The Growth Management Director or designee, or the violator may appeal a final administrative order of the Special Magistrate to the Circuit Court of the Fifth Judicial

Circuit in Lake County. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within thirty (30) days of the execution of the order to be appealed.

2) Every order of enforcement entered by the Special Magistrate shall be in writing, and shall include findings of fact and conclusions of law, and shall contain a notice that the violation(s) shall be complied with by a specified date or that the stated fine will be imposed; that an administrative fee may be imposed; and that the violator shall have twenty (20) days from the imposition of the fine to request a due process hearing before the Special Magistrate to appeal the fine but such hearing shall not be a hearing de novo. Requesting a hearing on the order of enforcement shall not toll the time for appeal to the Circuit Court sitting in Lake County, Florida.

3) Every order of enforcement entered by the Special Magistrate shall be filed in the Office of the Clerk for the Special Magistrate. A copy of the executed order shall be mailed, regular mail and certified mail, to the owner's address.

4) The Special Magistrate shall, in every proceeding, reach a decision without unreasonable or unnecessary delay.

h) Orders of enforcement; liens. Reduction of fine; liens.

1) The Growth Management Director or designee having knowledge that an order of enforcement has not been complied with by the time set out in the order of enforcement, may cause to have the certified order of enforcement recorded in the public records of the county along with an affidavit of noncompliance.

a) A fine imposed pursuant to this section shall not exceed two hundred fifty dollars ($250.00) per day for a first violation and shall not exceed five hundred dollars ($500.00) per day for a repeat violation. However, if the Special Magistrate finds the violation to be irreparable or irreversible in nature, the Special Magistrate may impose a fine not to exceed five thousand dollars ($5,000.00) per violation.

b) In determining the amount of the fine, if any, the Special Magistrate shall consider the following factors:

i) The gravity of the violation;

ii) Any actions taken by the violator to correct the violation; and

iii) Any previous violations committed by the violator.

2) The violator shall have the right to request a hearing in front of the Special Magistrate to challenge the imposition of a fine, as contained in the order of enforcement, provided such hearing is requested within twenty (20) days of the date of imposition of the fine. If the hearing is timely requested, it shall be scheduled as soon as practicable in front of the Special Magistrate. The hearing shall be limited to consideration of only those new findings necessary to imposing the fine as contained in the order of enforcement and shall in no event be a complete re-hearing of the case. If the violator fails to make a timely

request for a hearing on the imposition of a fine contained in the order of enforcement, the order shall remain as recorded in the public records of Lake County, Florida. Requesting a hearing on the order of enforcement shall not toll the time for appeal to the Circuit Court sitting in Lake County, Florida.

3) A certified copy of an order of enforcement shall be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator. Upon petition to the Circuit Court, such order shall be enforceable in the same manner as a court judgment by the sheriff, including execution and levy against the personal property of the violator, but such order shall not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this section shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit to foreclose on a lien filed pursuant to this section, whichever shall first occur. After three (3) months from the filing of any such lien which remains unpaid, the Special Magistrate may authorize the Town Attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest, attorney fees, and costs pursuant to the provisions of F.S. § 162.09.

4) No lien created pursuant to this chapter shall continue for a period longer than twenty (20) years after the certified copy of an order imposing a fine has been recorded, unless within that time an action to foreclose on the lien is commenced in a court of competent jurisdiction.

5) Upon complying with the order of enforcement as executed by the Special Magistrate, the violator may request a hearing to ask for a reduction of fine accrual of the order of enforcement. Such request shall be made in writing addressed to the Growth Management Director or designee. Upon receipt of such request, Growth Management Director or designee shall verify that the violator has complied with the order of enforcement, and if in compliance, shall schedule the reduction request to be heard by the Special Magistrate. A request for reduction of fine shall not toll the time for filing an appeal of the order of enforcement to the Circuit Court. Should the Special Magistrate recommend a fine reduction, the Town Clerk shall place the fine reduction recommendation on the next available regular commission meeting agenda to consider approval of the Special Magistrate's recommendation. Upon approval, the Town Commission shall authorize the Mayor to sign an amended order or any other legal document necessary to satisfy or reduce the lien.

i. Stipulation Agreements. In the event that a potential purchaser/owner desires to remedy the outstanding violations on a property or properties where liens have continued to accrue, the Town of Lady Lake may extend the opportunity to enter into a stipulation agreement with the potential purchaser/owner for a lien reduction prior to compliance with the order of enforcement. The agreement shall be written in a manner so as to set a specific timeframe to achieve compliance for each violation on the property or properties; in turn, the purchaser/owner shall be provided assurance from the Town that the lien will be reduced by providing a specific amount to which the lien will be set when compliance is achieved. This

agreement shall be presented to the Town Commission for approval to form, and signed and recorded with the Lake County Clerk of the Courts. Should the terms of the agreement not be satisfied by the date as specified in the agreement, the agreement shall become null and void; in addition, the conditions of the original lien will remain in effect, thus the time elapsed over the course of the allotted performance period shall be included in the lien accrual. An individual who has failed to comply with the terms of a stipulation agreement will not be extended an opportunity to enter into another stipulation agreement on the same property or properties under any circumstance. However, both parties may agree to an extension or modification of the agreement prior to the expiration date of the original stipulation agreement in circumstances where hardships may have arisen through no fault of the potential purchaser/owner.

j~~i~~) Conflicts. All ordinances or part of ordinances in conflict with any of the provisions of this section are hereby repealed.

k~~j~~) Severability. If any section, sentence, phrase, word or portion of this section is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this chapter not otherwise determined to be invalid, unlawful or unconstitutional.

(Ord. No. 2005-11, § 2(Exh. A), 5-19-2005; Ord. No. 2007-29, §§ 3-1—3-11, 10-18-2007; Ord. No. 2012-02, § 1(Exh. A), 2-22-2012; Ord. No. 2014-04, § 1(Exh. A), 7-7-2014)

Editor's note— Ord. No. 2014-04, § 1(Exh. A), adopted July 7, 2014, amended the catchline of § 1-83 to read as herein set out. Said section was formerly titled "Code Enforcement Board/Special Magistrate."

Ord. No. 2005-11, § 1, adopted May 19, 2005, repealed § 1-83, in its entirety. Section 2 (Exh. A) of said ordinance, enacted new provisions to read as herein set out. Prior to amendment, § 1-83 pertained to similar subject matter and derived from the original Land Development Code Regulations.

State Law reference— Code enforcement boards and special magistrates, F.S. § 162.01 et seq.