

SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT: Oviedo Marketplace Development of Regional Impact Notice of Proposed Change, Substantial Deviation Determination, and Addendum #3 to the PUD Final Master Plan and Developer's Commitment Agreement; Carey Hayo, Glatting Jackson, Applicant

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Dan Matthys *[Signature]* **CONTACT:** Tony Matthews *[Signature]* **EXT.** 7936

Agenda Date 07/26/05 Regular Consent Work Session Briefing
Public Hearing - 1:30 Public Hearing - 7:00

MOTION/RECOMMENDATION:

1. Approve the Seminole County First Amendment to the Third Amended and Restated Substantial Deviation Development Order for the Oviedo Marketplace Development of Regional Impact (DRI) with finding that the DRI Notice of Proposed Change is not a substantial deviation and that no additional DRI review is required; and approve Addendum #3 to the Oviedo Marketplace PUD Final Master Plan and Developer's Commitment Agreement for property generally located at the SR 417 and Red Bug Lake Road Interchange, along Red Bug Lake Road and west of SR 417, with staff findings; or
2. Deny the Seminole County First Amendment to the Third Amended and Restated Substantial Deviation Development Order for the Oviedo Marketplace Development of Regional Impact (DRI) with finding that the DRI Notice of Proposed Change constitutes a substantial deviation and that additional DRI review is required; and deny Addendum #3 to the Oviedo Marketplace PUD Final Master Plan and Developer's Commitment Agreement for property generally located at the SR 417 and Red Bug Lake Road Interchange, along Red Bug Lake Road and west of SR 417; or
3. Continue this item to a date and time certain.

(Districts 1 and 2 - Commissioners Dallari and Morris) (Tony Matthews, Principal Planner)

BACKGROUND:

The applicant is requesting approval of the Seminole County First Amendment to the Third Amended and Restated Substantial Deviation Development Order for the Oviedo Marketplace DRI to extend the DRI development order buildout date from 2005 to November 27, 2007, and change the DRI development order reporting requirement from an annual (every year) to biennial (every other year) submittal. The applicant is also requesting approval of Addendum #3 to the Oviedo Marketplace PUD Final Master Plan and Developer's Commitment Agreement to extend the current buildout

Reviewed by:	<i>[Signature]</i>
Co Atty:	<i>[Signature]</i>
DFS:	<i>[Signature]</i>
Other:	<i>[Signature]</i>
DCM:	<i>[Signature]</i>
CM:	<i>[Signature]</i>
File No.	ph130pdp02

date of the amended PUD Agreement from 2005 to November 27, 2007; update the jurisdictional boundaries shown on the final master plan; and include miscellaneous minor amendments, as summarized in Staff Findings below, to the PUD Developer's Commitment Agreement (see attached documents).

STAFF RECOMMENDATION:

Staff recommends approval of the Seminole County First Amendment to the Third Amended and Restated Substantial Deviation Development Order for the Oviedo Marketplace Development of Regional Impact (DRI) with finding that the DRI Notice of Proposed Change is not a substantial deviation and that no additional DRI review is required; and approval of Addendum #3 to the 1988 Oviedo Marketplace PUD Final Master Plan and Developer's Commitment Agreement for property generally located at the SR 417 and Red Bug Lake Road Interchange, along Red Bug Lake Road and west of SR 417, with staff findings.

Attachments:

- A. Seminole County First Amendment to the Third Amended and Restated Substantial Deviation Development Order for the Oviedo Marketplace Development of Regional Impact with attached master development plan.
- B. Addendum #3 to the Oviedo Marketplace 1988 Final Master Plan and Developer's Commitment Agreement with attached legal description and PUD Master Plan.
- C. Letter from the East Central Florida Regional Planning Council.
- D. Letter from the Florida Department of Transportation.
- E. Vicinity Map.
- F. Future Land Use and Zoning Map.
- G. Aerial Photo.

OVIEDO MARKETPLACE PLANNED UNIT DEVELOPMENT

REQUEST INFORMATION	
APPLICANT	Carey Hayo, Glatting Jackson, Inc.
PROPERTY OWNER(S)	The Viera Company
REZONING	Addendum #3 to the Oviedo Marketplace PUD Final Master Plan and Developer's Commitment Agreement
LOCATION	Generally located at the SR 417 and Red Bug Lake Road Interchange, along Red Bug Lake Road and west of SR 417
PROPOSED USE	Retail/office
EXISTING USE	Retail/office
HEARING DATES	LPA/P&Z: July 13, 2005 BCC: July 26, 2005
SEC/TWP/RNG	Portions of 17 and 20-21-31
FILE NUMBER	Z2005-021
COMMISSION DISTRICT	#1 and #2 – Dallari and Morris

Existing Land Uses: Predominate abutting uses, future land use designations and zoning classifications are:

<p><u>NW</u> Suburban Estates, Low Density Residential, Winter Springs, and Oviedo <i>A-1, Winter Springs and Oviedo</i> Commercial, residential, and vacant</p>	<p><u>N</u> Suburban Estates, Low Density Residential, and Oviedo <i>A-1, R-1A, and Oviedo</i> Commercial and vacant</p>	<p><u>NE</u> Low Density Residential, Commercial, and Oviedo <i>C-2, A-1, and Oviedo</i> Commercial and vacant</p>
<p><u>W</u> Suburban Estates, Winter Springs, and Oviedo <i>A-1, R-1A, Winter Springs, and Oviedo</i> Commercial, residential, and vacant</p>	<p><u>Site</u> Higher Intensity Planned Development-Transitional and Planned Development <i>PUD</i> Commercial and vacant</p>	<p><u>E</u> Low Density Residential and Oviedo <i>A-1 and Oviedo</i> Commercial and vacant</p>
<p><u>SW</u> Commercial and Suburban Estates <i>A-1 and C-2</i> Commercial and vacant</p>	<p><u>S</u> Commercial, High Density and Low Density Residential <i>A-1, R-4, and C-2</i> Commercial and vacant</p>	<p><u>SE</u> Commercial, Low and High Density Residential <i>A-1, R-4, and C-2</i> Commercial, residential, and vacant</p>

Please refer to the attached map and aerial photo for more detailed information regarding land use, zoning, and existing uses.

STAFF FINDINGS:

Overview: The applicant is requesting approval of the Seminole County First Amendment to the Third Amended and Restated Substantial Deviation Development Order for the Oviedo Marketplace DRI to extend the DRI development order buildout date from 2005 to November 27, 2007, and to change the DRI development order reporting requirements from an annual (every year) to biennial (every other year) submittal.

The applicant is also requesting approval of Addendum #3 to the Oviedo Marketplace PUD Final Master Plan and Developer's Commitment Agreement, which will extend the current buildout date of the amended PUD Agreement from 2005 to November 27, 2007; update the jurisdictional boundaries shown on the final master plan; and include miscellaneous minor amendments to the PUD Developer's Commitment Agreement. Addendum #3 to the PUD depicts changes in bold strikeout and underline text format. Corresponding changes to the PUD final master plan are included in Exhibit 2 of the Addendum (see attached documents). Minor Amendments to the PUD are as follows:

1. Adding a reference for "Exhibit 1" to Item I - Legal Description.
2. Amending Table 1, Phase 3 buildout date from 2005 to November 27, 2007.
3. Striking the letter "B" from Table 1, Phase 3 Parking Spaces.
4. Amending/deleting certain footnotes to the Summary of Land Use Table.
5. Amending Table 2, and Building Height Table, to reflect changes in jurisdictional boundaries by parcel.
6. Adding XI to reflect the attached final master plan.
7. Deleting the "Notes:" section and updating the tables to the final master plan.

Facilities and Services: Adequate facilities and services must be available concurrent with the impacts of development. The applicant's proposal is currently undergoing currency review to address any impacts on County facilities and services resulting from the extension of the buildout date. The County anticipates no additional regional impacts from the applicant's request. If required by concurrency review, additional facilities and services will be identified.

The proposed PUD zoning is consistent with the adopted future land use designation of Higher Intensity Planned Development-Transitional and Planned Development assigned to the property, and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Seminole County Comprehensive Plan (Vision 2020 Plan). The request is consistent with Plan policies identified at this time.

Transportation:

Major access to the site is by way of Red Bug Lake Road, a 6-laned minor arterial roadway, currently operating at Level of Service "B", between Slavia Road and SR 417.

Water and Sewer Service:

The unincorporated portion of the site is served by Seminole County Utilities.

Compliance with Environmental Regulations: At this time there are no concerns regarding compliance with environmental regulations.

Compatibility with Surrounding Development: The proposed development is compatible with surrounding uses by way of the existing Higher Intensity Planned Development-Transitional and Planned Development future land use designations; conditions of the PUD development order and developer's commitment agreement; and DRI development order.

DRI Notice of Proposed Change Determination of Substantial Deviation: Section 380.06 (19) (Substantial Deviations), Florida Statutes, provides, in relevant part, that any change to a previously approved DRI development which creates a reasonable likelihood of additional regional impact shall constitute a substantial deviation and shall cause the development to be subject to further development-of-regional-impact review.

Section 380.06(19)(c), Florida Statutes, provides that an extension of the date of buildout of five (5) years or more but less than seven (7) years shall be presumed not to create a substantial deviation (this presumption may be rebutted by clear and convincing evidence at the public hearing).

The approval date of the current DRI development order for the Oviedo Marketplace is November 28, 2000. As the applicant is seeking to extend the buildout date from 2005 to November 27, 2007, this proposed buildout date does not exceed the seven (7) year provision of Florida Statutes. There is a rebuttable presumption that the date extension will not create a substantial deviation. In addition, the East Central Florida Regional Planning Council (ECFRPC) has opined that this change would not result in an automatic substantial deviation determination under the statute, and did not recommend that the proposal be submitted for additional regional review.

The applicant is also requesting to change the DRI development order reporting requirement from an annual submittal to a biennial submittal. Section 380.06(18), Florida Statutes, permits local governments to allow a development order to be amended to require biennial reports instead of annual reports.

On May 16, 2005, the East Central Florida Regional Planning Council (ECFRPC) issued a letter regarding the Notice of Proposed Change (NOPC). The letter referred to comments made by the Florida Department of Transportation (FDOT), including that the developer ensure that: (1) the amount of commercial development remaining is consistent throughout the application and development order; and (2) that future applications are submitted in their entirety as the Substantial Deviation Determination

Chart had not been completed with either application. The ECFRPC concluded that none of the proposed changes sought by the applicant results in an automatic substantial deviation determination and did not recommend that the proposal be submitted for additional regional review.

In response, staff believes that approval of the proposed NOPC is not conditioned upon the issues raised by the FDOT, with the following findings:

1. Any inconsistency between the NOPC application and the DRI development order regarding the amount of commercial uses can be addressed by the applicant during the 2004-2005 DRI Annual Report.
2. The applicant is not proposing changes in uses or increases in intensities within the development.
3. The applicant is not proposing a buildout greater than seven (7) years beyond 2000, which is the base date of the current substantial deviation development order for this development.
4. The ECFRPC has stated in their May 16, 2005 letter (attached) that the Substantial Deviation Determination Chart is not pertinent for this review. The ECFRPC concluded that the proposed changes to the Oviedo Marketplace DRI, applicable to unincorporated Seminole County, do not result in an automatic substantial deviation determination pursuant to the threshold criteria of Section 380.06(19), Florida Statutes, nor is it expected that these changes will cause new or increased impacts to regional resources or facilities. The ECFRPC does not recommend that this proposal be submitted for additional regional agency review (see attached letter from the ECFRPC).

Note: The applicant is also requesting a change to Parcel 13 of the Oviedo Marketplace, located in the City of Oviedo, to allow the conversion of retail and office uses to residential uses, along with a request to extend the buildout date of the development from 2005 to 2007, and change the DRI reporting requirements from an annual to biennial submittal.

LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION (LPA/P&Z)
RECOMMENDATIONS (7/13/05)

On July 13, 2005, the LPA/P&Z voted 5 to 0 to recommend approval of the attached Addendum #3 to the Oviedo Marketplace PUD, with staff findings. Note: The LPA/P&Z does not take action on a DRI Notice of Proposed Change.

**MINUTES FOR THE SEMINOLE COUNTY LAND PLANNING
AGENCY/PLANNING AND ZONING COMMISSION
JULY 13, 2005**

Members Present: Beth Hattaway, Dudley Bates, Walt Eismann, Matthew Brown, Richard Harris

Member absent: Ben Tucker

Also present: Matt West, Planning Manager; Tony Walter, Assistant Planning Manager; Jeffrey Hopper, Senior Planner; Tony Matthews, Principal Planner; Rebecca Hammock, Principal Planner; Kimberley Romano, Assistant County Attorney; Tom Radzai, Senior Engineer; and Candace Lindlaw-Hudson, Senior Staff Assistant.

H. Oviedo Marketplace Planned Unit Development; Carey S. Hayo, Glatting Jackson, Applicant; rezoning from Planned Unit Development (PUD) to PUD; and minor amendments to the Oviedo Marketplace PUD Final Master Plan; PUD is approximately 430+/- acres, located mostly in the northwest quadrant of the SR 417 and Red Bug Lake Road Interchange and along Red Bug Lake Road. (Z2005-021).

Commissioners Dallari and Morris - Districts 1 and 2
Tony Matthews, Principal Planner

Mr. Matthews stated that the applicant is requesting approval of Addendum #3 to the Oviedo Marketplace PUD Final Master Plan and Developer's Commitment agreement.

Changes generally include: extending the build-out date of the PUD from 2005 to 2007; updating the jurisdictional boundaries shown on the final master plan; and miscellaneous minor amendments to the PUD Developer's Commitment Agreement.

Mr. Matthews stated that Staff recommends approval of the requests, with Staff findings. This is more of a technical item. There is one correction to the documents submitted: the table on page 2 should have the year 2005 omitted.

The applicant was present, but did not wish to make a presentation.

No one spoke from the audience.

Commissioner Hattaway asked why Parcel 13 was being converted from residential to commercial.

Carey S. Hayo stated that this is an action being filed with the City of Oviedo. The DRI is located within 3 distinct public entities. Basically they were trying to extend build out time with the County in this request.

Commissioner Brown made a motion to recommend approval.

Commissioner Eismann seconded.

The motion passed unanimously.

ATTACHMENT A

THIS INSTRUMENT WAS PREPARED BY
AND SHOULD BE RETURNED
Rebecca Furman, Esquire
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
215 North Eola Drive
Post Office Box 2809
Orlando, FL 32802-2809
(407) 813-4600

SEMINOLE COUNTY FIRST AMENDMENT TO THE THIRD AMENDED AND RESTATED SUBSTANTIAL DEVIATION DEVELOPMENT ORDER FOR OVIEDO MARKETPLACE (FORMERLY KNOWN AS OVIEDO CROSSING)

WHEREAS, DLI Properties, Inc., a Florida corporation, filed an original Application for Development Approval entitled the "DLI Properties ADA" dated July 15, 1988 and additional information dated October 3, 1988 and December 12, 1988 (hereinafter together referred to as the "Original ADA") with Seminole County; and

WHEREAS, Seminole County (hereinafter sometimes referred to as the "County") issued a Development Order in connection with the Original ADA dated March 13, 1990, and recorded March 20, 1990, in Official Records Book 2162, Page 1612, Public Records of Seminole County, Florida (hereinafter referred to as the "Original Development Order"); and

WHEREAS, the Project as described in the Original ADA was modified in connection with the filing of a Notification of Proposed Change in 1993 and pursuant to which the County issued the First Amendment to Development Order dated June 2, 1993 and recorded June 30, 1993 in Official Records Book 2608, Page 117, Public Records of Seminole County, Florida (hereinafter referred to as the "First Amendment"); and

WHEREAS, the Original Development Order and the First Amendment shall be jointly referred to as the "First Development Order;" and

WHEREAS, the First Development Order set forth certain conditions with respect to the development of certain property in Seminole County as described therein (hereinafter referred to as the "Seminole County Property"); and

WHEREAS, the First Development Order contemplated that the Seminole County Property would be developed into a mixed use project as contemplated in the Original ADA (which, as modified herein shall hereinafter be referred to as the "Oviedo Marketplace Project" or the "Project"); and

WHEREAS, The Viera Company, a Florida corporation (hereinafter referred to as the "Developer") whose address is Post Office Box 257, Oviedo, Florida 32765 is the successor in interest to DLI Properties, Inc. and had the authority to and did seek a substantial deviation of the

First Development Order with respect to the Project on the Seminole County Property, all in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, the County issued a Substantial Deviation Development Order for Oviedo Crossing dated September 1995 and recorded October 27, 1995 in Official Records Book 2985, Page 1730, as amended and superceded pursuant to that certain First Amended and Restated Substantial Deviation Development Order for Oviedo Marketplace (formerly Oviedo Crossing) dated December 16, 1997 and recorded February 11, 1998 in Official Records Book 3369, Page 1077, as further amended and superceded pursuant to that certain Second Amended and Restated Substantial Deviation Development Order for Oviedo Marketplace (formerly Oviedo Crossing) dated August 31, 1998 and recorded October 15, 1998 in Official Records Book 3516, Page 1672, as further amended and superceded pursuant to that certain Third Amended and Restated Substantial Deviation Development Order for Oviedo Marketplace (formerly Oviedo Crossing) dated May 7, 2001 and recorded May 11, 2001 in Official Records Book 4075, Page 0478, all of the Public Records of Seminole County, Florida (hereinafter referred to as the "County Substantial Deviation Development Order"); and

WHEREAS, the Developer in April 2005 has filed a Notification of Proposed change to a Previously Approved Development of Regional Impact with respect to the Project on the Property in accordance with Section 380.06, Florida Statutes, for the purpose of, among other things: (a) changing the build out date of Phase III, and (b) providing for biennial reporting; and

WHEREAS, Seminole County has reviewed the Developer's request and finds that the extension of the build out date and the change to biennial reporting are not substantial deviations under Florida Statutes, 380.06(19), and 380.06(18).

NOW, THEREFORE, IT IS HEREBY ORDERED AND RESOLVED by the County that

1. The Project's table of Summary of Approved/Proposed Development as found in Section II, paragraph 14 of the Seminole County DO shall be deleted and replaced with the following:

Land Use Phase	Development Program	Acreage	Parking Spaces
PHASE 1a and 1b			
Retail Services/Office	250,197 SF	29.1	2,200
Office (1)	126,800 SF	12.9	300
PHASE 2 (2000 – 2002)			
Retail Services/Office	1,240,000 SF (3)	101.4	7,300
Hospital Office (2)	104,981 SF	15.6	650
PHASE 3 (2002-2007)			
Retail Services/Office	419,000 SF	46.0	1,750
Hospital (4)	0 to 120 Beds	-	240
Residential	4 DU	1.3	N/A

The dates reflected in the above table extend the build out date of Phase 3 by two (2) years (i.e. December 30, 2007), any dates in the Seminole County DO shall be deemed to conform, including but not limited to those dates found in Section IV, paragraph 12.

2. Section VI of the Seminole County DO, shall be modified to read “Biennial Reporting Requirements” and the first paragraph and subparagraphs a, b, f and i shall be deleted in their entirety and in place, stead and lieu thereof shall be inserted the following:

“The Developer shall submit a biennial report on or before May 30, 2007, and on the same date every other year thereafter during the build-out of the Project. The biennial report shall be submitted to the County, the ECFRPC, the DCA and all affected permit agencies. The report shall include:

- a. Any changes in the plan of development, or in the representations contained in the ADA, or in the phasing for the reporting period and for the time period since the last report;
- b. A comparison of development activity proposed and actually conducted for the period since the last report;
- f. Any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting period, or which are to be filed during the next reporting period;

i. A statement that all persons have been sent copies of the biennial report in conformance with Sections 380.06(15) and (18), Florida Statutes; and”

5. Exhibit B (Map H – Master Development Plan) of the Seminole County DO shall be deleted and replaced with Exhibit 1 herein.

6. The Seminole County DO shall continue in full force and effect as heretofore except as amended hereby.

ADOPTED and approved subject to the conditions set forth herein on this _____ day of _____, 2005 by the Board of County Commissioners Seminole County, Florida.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
CARLTON D. HENLEY, Chairman

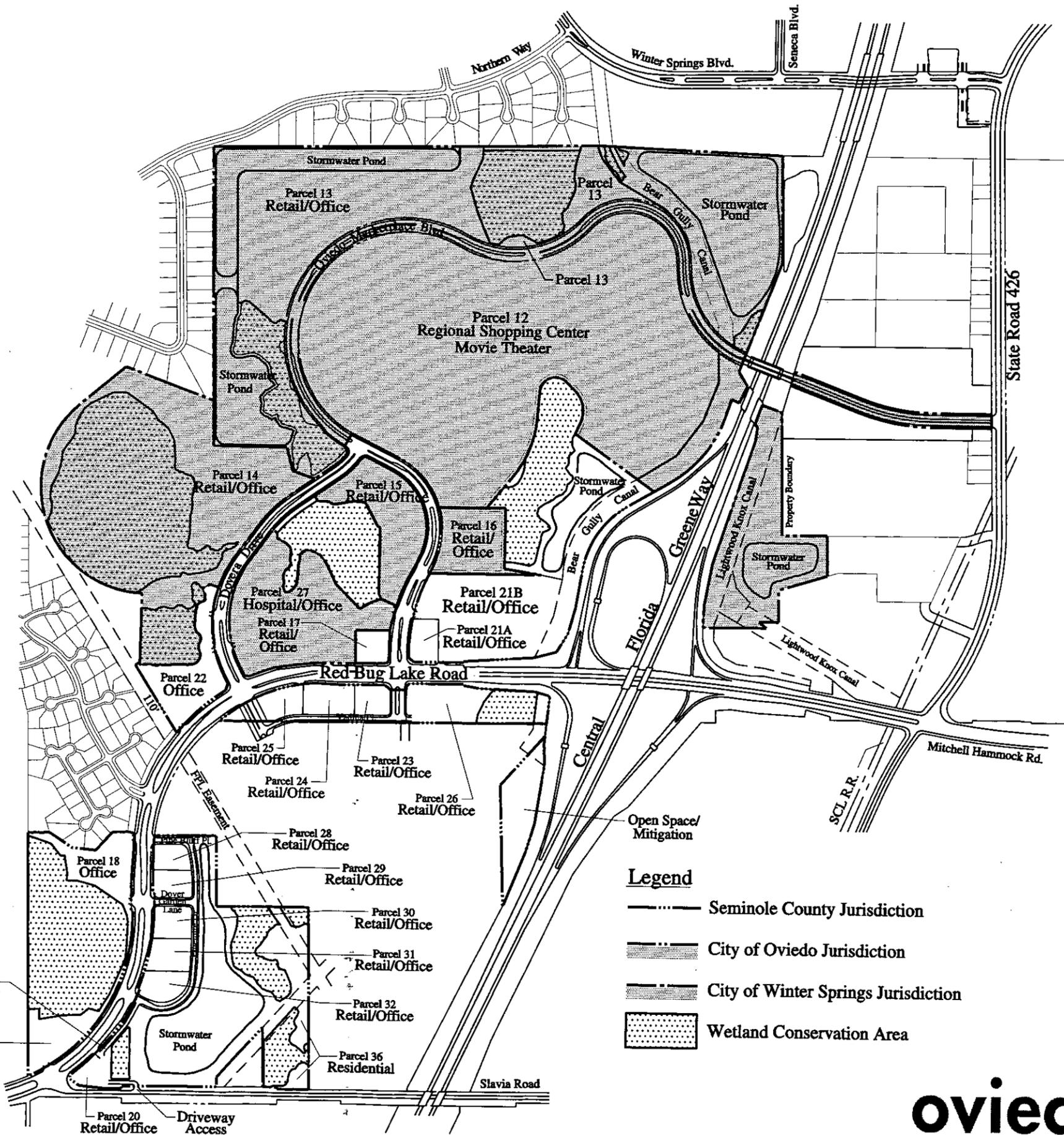
MARYANN MORSE
Clerk to the Board of County Commissioners
of
Seminole County, Florida

Date: _____

For the use and reliance of
Seminole County only.
Approved as to form and
Legal sufficiency

County Attorney

Exhibit 1



LAND USE BY JURISDICTION

City of Oviedo			
Land Use	Parcel	Acreage	Development Program
Retail	12	95.1	1,200,000 SF
Retail	13	20.1	200,000 SF
Retail/Office	15	7.5	59,000 SF
Retail/Office	16	5.1	30,000 SF
Hospital/Office	27	15.6	104,981 SF 0-120 beds
Total		143.4	1,593,981 SF 0-120 beds

City of Winter Springs			
Land Use	Parcel	Acreage	Development Program
Retail/Office	14	18.4	160,000 SF
Total		18.4	160,000 SF

Seminole County			
Land Use	Parcel	Acreage	Development Program
Retail/Office	17	1.2	10,000 SF
Office	18	4.2	50,050 SF
Office	19	3.3	37,750 SF
Retail/Office	20	1.4	2,720 SF
Retail/Office	21A	1.4	5,683 SF
Retail/Office	21B	11.9	128,634 SF
Office	22	5.4	39,000 SF
Retail/Office	23	0.9	12,205 SF
Retail/Office	24	2.6	18,505 SF
Retail/Office	25	1.0	3,206 SF
Retail/Office	26	3.0	30,662 SF
Retail/Office	28	1.1	11,200 SF
Retail/Office	29	1.2	8,682 SF
Retail/Office	30	1.4	7,000 SF
Retail/Office	31	1.6	15,000 SF
Retail/Office	32	1.6	6,700 SF
Residential	36	1.3	4 DU
TOTAL		44.5	386,997 SF 4 DU

Notes:

- (1) Includes, but is not limited to Office, Clinical Facilities, and up to a 120-bed Hospital. The office component within Parcel 27 will not exceed 75,000 SF or 7 acres.
- (2) The exact location of wetlands to be removed in Parcel 16 may change at the time of final site planning and permitting. In no case, however, will the acreage to be impacted exceed 1.0 acre.
- (3) A land use equivalency matrix allows for the exchange of retail and office uses between parcels. The matrix applies to changes between Parcels 13, 15, 16, 17, 20, 21a, 21b, and 23-32. Parcels 18, 19, and 22 require an amendment to the PUD and are not subject to the matrix.

LAND USE BY PHASE

Land Use	Parcel(s)	Acreage	Development Program	Parking Spaces
PHASE 1a and 1b APPROVED				
Retail/Office	20, 21a, 21b, 23, 24, 25, 26, 28, 29, 30, 31, 32	29.1	250,197 SF	2,200
Office	18, 19, 22	12.9	126,800 SF	300
PHASE 2 (2000-2002)				
Retail/Office	12, 16, 17	101.4	1,240,000 SF	7,300
Hospital/Office (1)	27	15.6	104,981 SF (1)	650
PHASE 3 (2002-2007)				
Retail/Office	13, 14, 15	46.0	419,000 SF	1,750
Hospital	27	-	0 to 120 Beds	240
Residential	36	1.3	4 DU	-

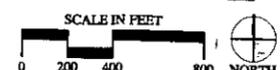
SUMMARY OF LAND USE

Land Use	Parcel(s)	Acreage	Development Program	Parking Spaces
Retail/Office	12, 13, 14, 15, 16, 17, 20, 21a, 21b, 23, 24, 25, 26, 28, 29, 30, 31, 32	176.5	1,909,197 SF	10,950
Office	18, 19, 22	12.9	126,800 SF	600
Hospital/Office	27	15.6	104,981 SF	650
Residential	36	1.3	4 DU	-
Stormwater Ponds/Borrow Pits	-	48.6	-	-
Wetland Conservation	-	89.3	-	-
Canals and Canal Easements	-	20.2	-	-
Open Space	-	36.0	-	-
Right-of-Way	-	30.8	-	-
TOTAL		431.2		12,440

oviedomarketplace

Revised June, 2005
 Revised July, 2000
 Revised November, 1999
 Revised October, 1999
 Revised August, 1999
 Revised April, 1998
 Revised February, 1998
 September 1995

Seminole County Map H
 Master Development Plan



ATTACHMENT B

DEVELOPMENT ORDER #2005-21500001

**OVIEDO MARKETPLACE PUD
ADDENDUM #3**

**AMENDMENT #3 TO 1998 FINAL MASTER PLAN
DEVELOPER'S COMMITMENT AGREEMENT
COMMITMENTS, CLASSIFICATIONS AND DISTRICT DESCRIPTION**

On July 26, 2005, the Board of County Commissioners of Seminole County issued this Development Order relating to and touching and concerning the following described property:

I. LEGAL DESCRIPTION

See attached Legal Description (**Exhibit 1**).

PROPERTY OWNER

The Viera Company
7380 Murrell Road, Suite 201
Viera, Florida 32940
321-242-1200

II. STATEMENT OF BASIC FACTS

Total Acreage	<u>Total Project</u> 431.2
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III. SUMMARY OF LAND USE

Table 1

LAND USE BY PHASE
(Revised June 2005)
Oviedo Marketplace

Land Use	Parcels	Acreage ⁽⁵⁾	Development Program	Parking Spaces ⁽⁴⁾
PHASE 1a and 1b APPROVED				
Retail Services/Office	20, 21a, 21b, 23, 24, 25, 26, 28, 29, 30, 31, 32	29.1	250,197 SF	2,200
Office	18, 19, 22	12.9	126,800 SF	300
SUBSTANTIAL DEVIATION				
PHASE 2 (2000 - 2002) ⁽⁶⁾				
Retail Services/Office	12 ⁽³⁾ , 16, 17	101.4	1,240,000 SF	7,300
Hospital/Office (2)	27	15.6	104,981 SF	650
PHASE 3 (2002 - 2005, 2007) ⁽⁶⁾				
Retail Services/Office	13 ⁽³⁾ , 14 ⁽¹⁾ , 15	46.0	419,000 SF	1,750
Hospital	27	--	0 to 120 Beds	240
Residential	36	1.3	4 DU	B

SUMMARY OF LAND USE

Land Use	Parcels	Acreage ⁽⁵⁾	Development Program	Parking Spaces ⁽⁴⁾
Retail Services/Office	12 ⁽³⁾ , 13 ⁽³⁾ , 14 ⁽¹⁾ , 15 ⁽³⁾ , 16 ⁽³⁾ , 17, 20, 21a, 21b, 23, 24, 25, 26, 28, 29, 30, 31, 32	176.5	1,910,197 SF	10,950
Office	18, 19, 22	12.9	126,800 SF	600
Hospital/Office	27 ⁽³⁾	15.6	104,981 SF 0 to 120 Beds	650 240
Residential	36	1.3	4 DU	
Stormwater Ponds/Borrow Pits	--	48.6		
Wetland Conservation	--	89.3		
Canals and Canal Easements	--	20.2		
Open Space	--	36.0		
Right-of-Way	--	30.8		
TOTAL		431.2 +/-		12,440

Notes:

- (1) Parcel 14 is in the City of Winter Springs and will consist of mixed use Office and Retail services. The amount of each use may vary; however, the total number of trips will not exceed 5,499 daily trips.
- (2) Includes, but is not limited to Office, Clinical Facilities, and up to 120-bed Hospital. The office component within Parcel 27 will not exceed 75,000 SF or 7 acres.
- (3) Parcels 12, ~~and 13~~, 15, 16, and 27 are located within the City of Oviedo and are subject to a separate City of Oviedo PUD. ~~Parcel 14 is located within the City of Winter Springs jurisdiction.~~
- (4) Per local jurisdiction. Minimum number of parking spaces to be provided. City of Oviedo parking code will be adhered to.
- (5) ~~Acreages for each land use have been revised to reflect actual surveyed acreage.~~
- (6) Buildout date is November 27, 2007.
- (6) ~~Phasing dates changed in First Amended and Restated Development Order dated December 17, 1997.~~

Source: *Glating Jackson Kercher Anglin Lopez Rinehart, Inc., July 2000 2005*

Parcel breakdown is shown below in **Table 2**, Parcel Breakdown.

IV.

Table 2

**PARCEL BREAKDOWN
Oviedo Marketplace**

Jurisdiction	Parcel No.	Land Use	Gross Acres*	Square Feet
Oviedo	12	Retail Services	95.1	1,200,000
Oviedo	13	Retail Services	20.1	200,000
Winter Springs	14	Retail Services	18.4	160,000
Seminole County Oviedo	15	Retail/Office	7.5	59,000
Seminole County Oviedo	16A 16	Retail/Office	5.1	30,000
Seminole County	17	Retail Services	1.2	10,000
Seminole County	18	Office	4.2	50,050
Seminole County	19	Office	3.3	37,750
Seminole County	20	Retail/Office	1.4	2,720
Seminole County	21A	Retail/Office	1.4	5,683
Seminole County	21B	Retail/Office	11.9	128,634
Seminole County	22	Office	5.4	39,000
Seminole County	23	Retail/Office	0.9	12,205

Seminole County	24	Retail/Office	2.6	18,505
Seminole County	25	Retail/Office	1.0	3,206
Seminole County	26	Retail/Office	3.0	30,662
Seminole County Oviedo	27A 27	Hospital/Office	15.6	Up to 120 beds; 104,981
Seminole County	28	Retail/Office	1.1	11,200
Seminole County	29	Retail/Office	1.2	8,682
Seminole County	30	Retail/Office	1.4	7,000
Seminole County	31	Retail/Office	1.6	15,000
Seminole County	32	Retail/Office	1.6	6,700
Seminole	36	Residential	1.3	4 DU
		Total	206.3	

* Parcel areas shown are approximate and, during final planning and platting, parcel size may vary.

V. **BUILDING HEIGHT**

The maximum building height in all parcels, except as otherwise noted herein, shall be as follows:

Jurisdiction	Parcel No.	Land Use	Maximum Building Height (Ft.)
Oviedo	12	Retail	78
Oviedo	13	Retail	60
Winter Springs	14	Retail/Office	78
Seminole County <u>Oviedo</u>	15	Retail/Office	78
Seminole County <u>Oviedo</u>	16	Retail/Office	78
Seminole County	17	Retail/Office	78
Seminole County	18	Office	35
Seminole County	19	Office	35
Seminole County	20	Retail/Office	35
Seminole County	21A	Retail/Office	78
Seminole County	21B	Retail/Office	78
Seminole County	22	Office	35

Seminole County	23	Retail/Office	35
Seminole County	24	Retail/Office	35
Seminole County	25	Retail/Office	35
Seminole County	26	Retail/Office	35
Seminole County Oviedo	27	Hospital/Office	78
Seminole County	28	Retail/Office	35
Seminole County	29	Retail/Office	35
Seminole County	30	Retail/Office	35
Seminole County	31	Retail/Office	35
Seminole County	32	Retail/Office	45
Seminole County	36	Residential	35

XI. FINAL MASTER PLAN

Amendments to the final master plan are included in Exhibit 1.

DONE AND ORDERED ON THE DATE FIRST WRITTEN ABOVE.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
CARLTON D. HENLEY, Chairman

OWNER'S CONSENT AND COVENANT

COMES NOW, the Owner/Developer, The Viera Company, on behalf of itself and its heirs, successors, assigns and transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

WITNESSES:

OWNER/DEVELOPER

THE VIERA COMPANY, a Florida corporation

WITNESS
(Sign and Print Name)

By: _____
Steven Johnson, President

WITNESS
(Sign and Print Name)

STATE OF FLORIDA }
COUNTY OF _____ }

The foregoing instrument was acknowledged before me this _____ day of _____, 2005, by Steven Johnson, President of The Viera Company, a Florida corporation, who is personally known to me or who produced _____ as identification.

Notary Public
Print Name: _____
My Commission Expires: _____

EXHIBIT 1

LEGAL DESCRIPTION FOR PORTION OF THE OVIEDO MARKETPLACE PROJECT LYING WITHIN SEMINOLE COUNTY

PARCEL A (INCLUDES THE ENTIRE PROJECT AREA): A PORTION OF SECTIONS 16, 17, AND 20, TOWNSHIP 21 SOUTH, RANGE 31 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 17, FOR A POINT OF REFERENCE; THENCE RUN NORTH 89°47'00" WEST, ALONG THE SOUTH LINE OF SAID SECTION 17, A DISTANCE OF 1083.21 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°47'00" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 249.02 FEET TO THE NORTHWEST CORNER OF LOT 28, SLAVIA COLONY COMPANY'S SUBDIVISION, AS RECORDED IN PLAT BOOK 2, PAGE 71, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE, DEPARTING SAID SOUTH LINE, RUN SOUTH 00°50'55" EAST, ALONG THE WEST LINE OF SAID LOT 28, A DISTANCE OF 471.56 FEET; THENCE, DEPARTING SAID WEST LINE, RUN SOUTH 37°09'05" WEST, A DISTANCE OF 312.85 FEET; THENCE RUN SOUTH 32°17'05" WEST, A DISTANCE OF 718.75 FEET TO THE SOUTH LINE OF LOT 33 OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION; THENCE RUN NORTH 89°42'55" WEST, ALONG SAID SOUTH LINE OF LOT 33, A DISTANCE OF 80.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 33; THENCE, DEPARTING SAID SOUTH LINE, RUN NORTH 00°52'18" WEST, ALONG THE WEST LINE OF LOTS 33 AND 34 OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION, A DISTANCE OF 878.78 FEET; THENCE, DEPARTING SAID WEST LINE, RUN NORTH 41°58'16" EAST, A DISTANCE OF 605.78 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 34, SAID POINT ALSO BEING ON THE SOUTH LINE OF SAID SECTION 17; THENCE RUN NORTH 89°47'00" WEST, ALONG SAID SOUTH LINE OF SECTION 17, A DISTANCE OF 1078.12 FEET TO THE NORTHWEST CORNER OF LOT 35 OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION, SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 17; THENCE RUN SOUTH 89°58'42" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 1296.54 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF PROPOSED RED BUG ROAD, HAVING A PROPOSED RIGHT-OF-WAY WIDTH OF 140.00 FEET, SAID POINT ALSO BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, FROM WHICH A RADIAL LINE BEARS SOUTH 37°37'39" EAST; THENCE RUN SOUTHWESTERLY ALONG SAID PROPOSED RED BUG ROAD AND SAID CURVE, HAVING A RADIUS LENGTH OF 1203.24 FEET, A CENTRAL ANGLE OF 13°38'37", AN ARC LENGTH OF 286.52 FEET, A CHORD LENGTH OF 285.85 FEET, AND A CHORD BEARING OF SOUTH 45°33'02" WEST; THENCE, DEPARTING SAID PROPOSED RED BUG ROAD RIGHT-OF-WAY, RUN NORTH 51°16'16" WEST, A DISTANCE OF 140.00 FEET TO THE NORTHEASTERLY LINE OF A 110 FOOT FLORIDA POWER AND LIGHT COMPANY EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 143, PAGE 253, OF SAID PUBLIC RECORDS; THENCE RUN NORTH 32°11'14" WEST, ALONG SAID NORTHEASTERLY LINE, A DISTANCE OF 505.11 FEET; THENCE DEPARTING SAID NORTHEASTERLY LINE, RUN NORTH 01°11'40" EAST, A DISTANCE OF 550.79 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, FROM WHICH A RADIAL LINE BEARS NORTH 01°43'03" EAST; THENCE RUN NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 750.00 FEET, A CENTRAL ANGLE OF 138°34'34", AN ARC LENGTH OF 1813.96 FEET, A CHORD LENGTH OF 1403.06 FEET, AND A CHORD BEARING OF NORTH 18°59'40" WEST; THENCE RUN NORTH 50°17'37" EAST, A DISTANCE OF 423.20 FEET TO A POINT ON THE SOUTHERN MOST LINE OF TUSCAWILLA UNIT 7, AS RECORDED IN PLAT BOOK 22, PAGES 46 AND 47, OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 69°03'43" EAST, ALONG SAID SOUTHERN MOST LINE, A DISTANCE OF 664.77 FEET TO THE SOUTHEAST CORNER OF LOT 31, OF SAID TUSCAWILLA UNIT 7; THENCE, DEPARTING SAID SOUTHERN MOST LINE, RUN NORTH 00°41'26" WEST, ALONG THE EAST LINE OF SAID TUSCAWILLA UNIT 7, A DISTANCE OF 1796.40 FEET TO THE SOUTHWEST CORNER OF TUSCAWILLA UNIT 13, AS RECORDED IN PLAT BOOK 29, PAGES 1 AND 2, OF SAID PUBLIC RECORDS; THENCE, DEPARTING SAID EAST LINE, RUN NORTH 89°51'03" EAST, ALONG THE SOUTH LINE OF SAID TUSCAWILLA UNIT 13, A DISTANCE OF 2741.19 FEET TO THE NORTHWEST CORNER OF LOT 11 OF THE AFORESAID SLAVIA COLONY

COMPANY'S SUBDIVISION; THENCE, DEPARTING SAID SOUTH LINE, RUN SOUTH 87°16'25" EAST, ALONG THE NORTH LINE OF LOTS 11 AND 12 OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION, A DISTANCE OF 1285.36 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE, DEPARTING SAID NORTH LINE, RUN SOUTH 00°28'26" EAST, ALONG THE EAST LINE OF LOTS 12, 10, 7 AND 6, OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION, A DISTANCE OF 2682.12 FEET, TO THE NORTHWEST CORNER OF LOT 2, OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION; THENCE, DEPARTING SAID EAST LINE, RUN SOUTH 89°45'41" EAST, ALONG THE NORTH LINE OF LOTS 2 AND 1, OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION, A DISTANCE OF 1267.80 FEET TO A POINT ON THE WEST LINE OF A CSX RAILROAD RIGHT-OF-WAY, HAVING A 75.00 FOOT RIGHT-OF-WAY WIDTH; THENCE, DEPARTING SAID NORTH LINE, RUN SOUTH 23°48'40" WEST, ALONG SAID WEST LINE, A DISTANCE OF 501.88 FEET; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89°45'41" WEST, A DISTANCE OF 387.75 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2 OF SLAVIA COLONY COMPANY'S SUBDIVISION; THENCE RUN NORTH 00°40'15" WEST, ALONG SAID EAST LINE, A DISTANCE OF 197.37 FEET TO THE SOUTH LINE OF THE NORTH 262.66 FEET OF SAID LOT 2; THENCE, DEPARTING SAID EAST LINE, RUN NORTH 89°45'41" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 281.76 FEET; THENCE, DEPARTING SAID NORTH LINE, RUN SOUTH 73°48'01" WEST, A DISTANCE OF 405.71 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2; THENCE CONTINUE SOUTH 73°48'01" WEST, A DISTANCE OF 25.96 FEET; THENCE RUN SOUTH 00°34'10" EAST, A DISTANCE OF 226.37 FEET; THENCE RUN NORTH 89°45'41" WEST, A DISTANCE OF 138.94 FEET TO A POINT ON THE NORTHERLY LINE OF LIGHTWOOD KNOT CANAL, HAVING A WIDTH OF 50.00 FEET; THENCE RUN SOUTH 51°39'21" EAST, ALONG SAID NORTHERLY LINE, A DISTANCE OF 68.71 FEET TO A POINT ON THE NORTH LINE OF LOT 19 OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION; THENCE, DEPARTING SAID NORTHERLY LINE OF LIGHTWOOD KNOT CANAL, RUN NORTH 89°46'20" WEST, ALONG THE NORTH LINE OF LOTS 19 AND 18 OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION, A DISTANCE OF 972.95 FEET; THENCE, DEPARTING SAID NORTH LINE, RUN SOUTH 00°35'17" EAST, A DISTANCE OF 668.82 FEET TO THE POINT OF BEGINNING; AND TOGETHER WITH: A PORTION OF SECTION 20, TOWNSHIP 21 SOUTH, RANGE 31 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 20, FOR A POINT OF REFERENCE; THENCE RUN NORTH 89°58'42" EAST, ALONG THE NORTH LINE OF SAID SECTION 20, A DISTANCE OF 1332.41 FEET TO THE NORTHWEST CORNER OF LOT 43, OF THE AFORESAID SLAVIA COLONY COMPANY'S SUBDIVISION, THENCE, DEPARTING SAID NORTH LINE OF SECTION 20, RUN SOUTH 00°48'20" EAST, ALONG THE WEST LINE OF LOTS 43 AND 44, OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION, A DISTANCE OF 835.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST LINE, SOUTH 00°48'20" EAST, A DISTANCE OF 493.62 FEET TO THE SOUTHWEST CORNER OF SAID LOT 44; THENCE, DEPARTING SAID WEST LINE, RUN SOUTH 89°58'53" EAST, ALONG THE SOUTH LINE OF SAID LOT 44, A DISTANCE OF 667.25 FEET TO THE NORTHEAST CORNER OF LOT 45 OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION; THENCE, DEPARTING SAID SOUTH LINE, RUN SOUTH 00°51'01" EAST, ALONG THE EAST LINE OF LOTS 45 AND 46 OF SAID SLAVIA COMPANY'S SUBDIVISION, A DISTANCE OF 1279.50 FEET TO A POINT ON THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF RED BUG ROAD, WHICH HAS A VARYING RIGHT-OF-WAY WIDTH; THENCE, DEPARTING SAID EAST LINE, RUN ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 89°56'28", A DISTANCE OF 334.13 FEET; THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE RUN NORTH 00°49'40" WEST, A DISTANCE OF 439.30 FEET; THENCE RUN SOUTH 42°19'05" WEST, A DISTANCE OF 488.49 FEET TO A POINT ON THE WEST LINE OF LOT 46 OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION; THENCE RUN SOUTH 00°48'20" EAST, ALONG SAID WEST LINE, A DISTANCE OF 77.73 FEET TO THE AFORESAID EXISTING NORTHERLY RIGHT-OF-WAY LINE OF RED BUG ROAD; THENCE RUN ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: THENCE RUN NORTH 89°56'28" WEST, A DISTANCE OF 668.25 FEET; THENCE RUN SOUTH 00°45'39" EAST, A DISTANCE

OF 35.00 FEET; THENCE RUN NORTH 89°56'28" WEST, A DISTANCE OF 668.28 FEET TO A POINT ON THE WEST LINE OF LOT 65 OF SAID SLAVIA COLONY COMPANY'S SUBDIVISION, SAID POINT ALSO BEING ON THE EAST LINE OF A PARCEL OF LAND, RECORDED IN OFFICIAL RECORDS BOOK 691, PAGE 637, OF THE AFORESAID PUBLIC RECORDS; THENCE, DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE, RUN NORTH 00°42'58" WEST, ALONG THE WEST LINE OF LOTS 65, 64 AND 61, A DISTANCE OF 1816.12 FEET; THENCE, DEPARTING SAID WEST LINE, AND SAID EAST LINE OF SAID PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 691, PAGE 637, RUN NORTH 89°17'02" EAST, A DISTANCE OF 155.00 FEET; THENCE RUN SOUTH 56°12'58" EAST, A DISTANCE OF 190.00 FEET; THENCE RUN SOUTH 83°59'55" EAST, A DISTANCE OF 169.67 FEET; THENCE RUN NORTH 42°32'02" EAST, A DISTANCE OF 175.00 FEET; THENCE RUN NORTH 89°17'03" EAST, A DISTANCE OF 120.00 FEET; THENCE RUN SOUTH 72°42'58" EAST, A DISTANCE OF 85.93 FEET; THENCE RUN NORTH 89°17'02" EAST, A DISTANCE OF 531.89 FEET TO THE POINT OF BEGINNING. LESS: THAT PORTION OF THE FOLLOWING DESCRIBED LANDS THAT LIE WITHIN THE ABOVE DESCRIBED PARCELS. COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 17; THENCE S 89°47'50" W ALONG THE SOUTHERLY LINE OF SAID SE 1/4, A DISTANCE OF 572.03 FEET TO A POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING S 89°47'50" W ALONG THE SOUTHERLY LINE OF SAID SE 1/4, A DISTANCE OF 1090.89 FEET TO A POINT; THENCE LEAVING THE SOUTHERLY LINE OF SAID SE 1/4, N 05°51'37" E, A DISTANCE OF 174.81 FEET TO A POINT; THENCE N 74°47'07" W, A DISTANCE OF 113.07 FEET TO A POINT; THENCE N 87°30'44" W, A DISTANCE OF 390.59 FEET TO A POINT; THENCE N 80°08'06" W, A DISTANCE OF 111.72 FEET TO A POINT; THENCE N 00°26'50" W, A DISTANCE OF 170.00 FEET TO A POINT; THENCE N 86°07'09" E, A DISTANCE OF 500.90 FEET TO A POINT; THENCE N 75°09'40" E, A DISTANCE OF 156.93 FEET TO A POINT; THENCE N 31°55'54" E, A DISTANCE OF 153.21 FEET TO A POINT; THENCE N 15°20'52" E, A DISTANCE OF 191.25 FEET TO A POINT; THENCE N 09°38'39" E, A DISTANCE OF 275.57 FEET TO A POINT; THENCE ALONG A CURVE CONCAVE SOUTHEASTERLY AN ARC DISTANCE OF 560.89 FEET (SAID CURVE HAVING A RADIUS OF 640.00 FEET, A CENTRAL ANGLE OF 50°12'49", AND A CHORD BEARING AND DISTANCE OF N 34°45'04" E, 543.11 FEET) TO A POINT; THENCE N 59°51'28" E, A DISTANCE OF 348.93 FEET TO A POINT; THENCE ALONG A CURVE CONCAVE NORTHWESTERLY AN ARC DISTANCE OF 620.79 FEET (SAID CURVE HAVING A RADIUS OF 850.00 FEET, A CENTRAL ANGLE OF 41°50'43", AND A CHORD BEARING AND DISTANCE OF N 38°56'07" E, 607.08 FEET) TO A POINT; THENCE N 18°00'45" E, A DISTANCE OF 125.70 FEET TO A POINT; THENCE S 65°07'30" E, A DISTANCE OF 60.17 FEET TO A POINT; THENCE N 24°52'30" E, A DISTANCE OF 130.00 FEET TO A POINT; THENCE N 30°11'15" W, A DISTANCE OF 120.06 FEET TO A POINT; THENCE N 20°51'49" E, A DISTANCE OF 818.94 FEET TO A POINT ON THE EASTERLY LINE OF SAID NE 1/4, THENCE S 00°47'59" E, A DISTANCE OF 564.87 FEET TO A POINT BEING THE NE CORNER OF THE SE 1/4 OF SAID SECTION 17; THENCE ALONG THE EASTERLY LINE OF SAID SE 1/4, S 00°59'36" E, A DISTANCE OF 484.46 FEET TO A POINT; THENCE LEAVING THE SAID EASTERLY LINE OF SAID SE 1/4, N 70°16'15" W, A DISTANCE OF 150.23 FEET TO A POINT; THENCE S 19°43'45" W, A DISTANCE OF 130.00 FEET TO A POINT; THENCE S 23°17'55" E, A DISTANCE OF 36.86 FEET TO A POINT; THENCE S 07°55'20" W, A DISTANCE OF 102.61 FEET TO A POINT; THENCE S 18°23'56" W, A DISTANCE OF 902.33 FEET TO A POINT; THENCE S 10°34'09" W, A DISTANCE OF 308.38 FEET TO A POINT; THENCE S 02°08'49" W, A DISTANCE OF 200.77 FEET TO A POINT; THENCE ALONG A CURVE CONCAVE NORTHEASTERLY AN ARC DISTANCE OF 377.07 FEET (SAID CURVE HAVING A RADIUS OF 262.00 FEET, A CENTRAL ANGLE OF 82°27'32", AND A CHORD BEARING AND DISTANCE OF S 39°04'57" E, 345.36 FEET) TO A POINT; THENCE S 80°18'43" E, A DISTANCE OF 119.86 FEET TO A POINT; THENCE S 88°18'16" E, A DISTANCE OF 101.45 FEET TO A POINT; THENCE S 78°59'29" E, A DISTANCE OF 332.86 FEET TO A POINT; THENCE S 09°14'58" W, A DISTANCE OF 220.00 FEET TO A POINT; THENCE N 86°50'19" W, A DISTANCE OF 326.93 FEET TO A POINT; THENCE N 82°53'52" W, A DISTANCE OF 197.38 FEET TO A POINT; THENCE S 85°40'48" W, A DISTANCE OF 83.60 FEET TO A POINT; THENCE S 00°57'24" E, A DISTANCE OF 73.33 FEET TO A POINT;

THENCE S 89°47'50" W, A DISTANCE OF 111.87 FEET TO A POINT; THENCE S 40°04'59" W, A DISTANCE OF 19.66 FEET TO A POINT BEING THE POINT OF BEGINNING; AND ALSO LESS: THAT PORTION OF THE FOLLOWING DESCRIBED LANDS THAT LIE WITHIN THE ABOVE DESCRIBED PARCELS. A PARCEL OF LAND LOCATED IN THE NE 1/4 OF SECTION 20, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, BEING ALSO THAT PART OF LOTS 33 AND 34 ACCORDING TO SLAVIA COLONY CO'S. SUBDIVISION RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. LYING WITHIN THE FOLLOWING BOUNDARIES DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 20; THENCE S 89°46'46" W ALONG THE SOUTHERLY LINE OF SAID NE 1/4, A DISTANCE OF 2408.82 FEET TO A POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING S 89°46'46" W ALONG THE SOUTHERLY LINE OF SAID NE 1/4, A DISTANCE OF 149.78 FEET TO A POINT; THENCE LEAVING THE SOUTHERLY LINE OF SAID NE 1/4, N 25°22'30" E, A DISTANCE OF 55.44 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF RED BUG LAKE ROAD (100 FOOT RIGHT-OF-WAY LINE); THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE S 89°46'46" W, A DISTANCE OF 124.60 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TATRA STREET (30 FOOT RIGHT-OF-WAY); THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE ALONG SAID EASTERLY RIGHT-OF-WAY LINE N 01°01'30" W, A DISTANCE OF 22.80 FEET TO A POINT; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE N 26°34'28" E, A DISTANCE OF 957.77 FEET TO A POINT; THENCE N 27°05'36" E, A DISTANCE OF 500.22 FEET TO A POINT; THENCE N 21°47'55" E, A DISTANCE OF 400.78 FEET TO A POINT; THENCE N 16°50'39" E, A DISTANCE OF 202.24 FEET TO A POINT; THENCE N 08°40'33" E, A DISTANCE OF 417.61 FEET TO A POINT; THENCE N 01°11'24" W, A DISTANCE OF 156.52 FEET TO A POINT; THENCE N 05°51'37" E, A DISTANCE OF 160.98 FEET TO A POINT ON THE NORTHERLY LINE OF SAID NE 1/4; THENCE N 89°47'50" E ALONG THE NORTHERLY LINE OF SAID NE 1/4, A DISTANCE OF 1090.89 FEET TO A POINT; THENCE LEAVING THE NORTHERLY LINE OF SAID NE 1/4, S 40°04'59" W, A DISTANCE OF 788.55 FEET TO A POINT; THENCE S 56°20'20" W, A DISTANCE OF 116.62 FEET TO A POINT; THENCE S 34°27'55" W, A DISTANCE OF 506.36 FEET TO A POINT; THENCE S 25°22'30" W, A DISTANCE OF 1300.00 FEET TO A POINT; THENCE S 21°20'22" W, A DISTANCE OF 388.65 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID RED BUG LAKE ROAD; THENCE S 89°46'46" W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 166.11 FEET TO A POINT; THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE S 25°22'30" W, A DISTANCE OF 55.44 FEET TO A POINT BEING THE POINT OF BEGINNING; AND ALSO LESS: THAT PORTION OF THE FOLLOWING DESCRIBED LANDS THAT LIE WITHIN THE ABOVE DESCRIBED PARCELS. A PARCEL OF LAND LOCATED IN SECTION 17, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, BEING ALSO THAT PART OF LOTS 3, 6, AND 7, ACCORDING TO SLAVIA COLONY CO'S. SUBDIVISION RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. LYING WITHIN THE FOLLOWING BOUNDARIES DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SE 1/4 OF SAID SECTION 17; THENCE N 00°59'36" W ALONG THE EASTERLY LINE OF SAID SE 1/4, A DISTANCE OF 306.22 FEET TO A POINT BEING THE POINT OF BEGINNING; THENCE LEAVING THE EASTERLY LINE OF SAID SE 1/4, N 78°59'29" W, A DISTANCE OF 131.54 FEET TO A POINT; THENCE N 88°18'16" W, A DISTANCE OF 101.45 FEET TO A POINT; THENCE N 80°18'43" W, A DISTANCE OF 119.86 FEET TO A POINT; THENCE ALONG A CURVE CONCAVE NORTHEASTERLY AN ARC DISTANCE OF 377.07 FEET (SAID CURVE HAVING A RADIUS OF 262.00 FEET, A CENTRAL ANGLE OF 82°27'32", AND A CHORD BEARING AND DISTANCE OF N 39°04'57" W, 345.36 FEET) TO A POINT; THENCE N 02°08'49" E, A DISTANCE OF 200.77 FEET TO A POINT; THENCE N 10°34'09" E, A DISTANCE OF 308.38 FEET TO A POINT; THENCE N 18°23'56" E, A DISTANCE OF 902.33 FEET TO A POINT; THENCE N 07°55'20" E, A DISTANCE OF 102.61 FEET TO A POINT; THENCE N 23°17'55" W, A DISTANCE OF 36.86 FEET TO A POINT; THENCE N 19°43'45" E, A DISTANCE OF 130.00 FEET TO A POINT; THENCE S 70°16'15" E, A DISTANCE OF 150.23 FEET TO A POINT; THENCE S 15°08'48" W, A DISTANCE OF 461.72 FEET TO A

POINT; THENCE S 17°26'14" W, A DISTANCE OF 1129.84 FEET TO A POINT; THENCE N 89°42'54" E, A DISTANCE OF 38.79 FEET TO A POINT; THENCE S 00°57'24" E, A DISTANCE OF 153.71 FEET TO A POINT; THENCE S 31°11'08" E, A DISTANCE OF 59.21 FEET TO A POINT; THENCE S 62°10'10" E, A DISTANCE OF 109.24 FEET TO A POINT; THENCE S 82°53'52" E, A DISTANCE OF 202.96 FEET TO A POINT; THENCE S 76°26'25" E, A DISTANCE OF 335.23 FEET TO A POINT; THENCE S 09°14'58" W, A DISTANCE OF 40.00 FEET TO A POINT; THENCE N 78°59'29" W, A DISTANCE OF 201.32 FEET TO A POINT BEING THE POINT OF BEGINNING; AND ALSO LESS: THAT PORTION OF THE FOLLOWING DESCRIBED LANDS THAT LIE WITHIN THE ABOVE DESCRIBED PARCELS. A PARCEL OF LAND LOCATED IN SECTION 17 AND 20, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, BEING ALSO THAT PART OF LOT 17, ACCORDING TO SLAVIA COLONY CO'S. SUBDIVISION RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. LYING WITHIN THE FOLLOWING BOUNDARIES DESCRIBED AS FOLLOWS: COMMENCING AT NORTHWEST CORNER OF THE NE 1/4 SAID OF SECTION 20; THENCE N 89°47'50" E ALONG THE NORTHERLY LINE OF SAID NE 1/4, A DISTANCE OF 910.81 FEET TO A POINT BEING THE POINT OF BEGINNING; THENCE LEAVING THE NORTHERLY LINE N 05°51'37" E, A DISTANCE OF 199.19 FEET TO A POINT; THENCE S 74°47'07" E, A DISTANCE OF 91.21 FEET TO A POINT; THENCE S 05°51'37" W, A DISTANCE OF 335.79 FEET TO A POINT; THENCE S 01°11'24" E, A DISTANCE OF 156.52 FEET TO A POINT; THENCE N 54°27'27" W, A DISTANCE OF 213.08 FEET TO A POINT; THENCE N 33°49'34" E, A DISTANCE OF 161.86 FEET TO A POINT; THENCE N 05°51'37" E, A DISTANCE OF 58.30 FEET TO THE POINT OF BEGINNING; AND ALSO LESS: THAT PORTION OF THE FOLLOWING DESCRIBED LANDS THAT LIE WITHIN THE ABOVE DESCRIBED PARCELS. A PARCEL OF LAND LOCATED IN SECTION 17, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, BEING ALSO THAT PART OF LOTS 4 THRU 8 AND 17, ACCORDING TO SLAVIA COLONY CO'S. SUBDIVISION RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, BEING ALSO PART OF THE PHILLIP R. YONGE GRANT AS RECORDED IN PLAT BOOK 1, PAGE 38 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA. LYING WITHIN THE FOLLOWING BOUNDARIES DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SE 1/4 OF SAID SECTION 17; THENCE S 89°27'42" W ALONG THE NORTHERLY LINE OF SAID SE 1/4, A DISTANCE OF 223.97 FEET TO A POINT; THENCE LEAVING THE NORTHERLY LINE OF SAID SE 1/4, S 20°51'49" W, A DISTANCE OF 212.24 FEET TO A POINT BEING THE POINT OF BEGINNING; THENCE S 30°11'15" E, A DISTANCE OF 120.06 FEET TO A POINT; THENCE S 24°52'30" W, A DISTANCE OF 130.00 FEET TO A POINT; THENCE N 65°07'30" W, A DISTANCE OF 60.17 FEET TO A POINT; THENCE S 18°00'45" W, A DISTANCE OF 125.70 FEET TO A POINT; THENCE ALONG A CURVE CONCAVE NORTHWESTERLY AN ARC DISTANCE OF 620.79 FEET (SAID CURVE HAVING A RADIUS OF 850.00 FEET, A CENTRAL ANGLE OF 41°50'43", AND A CHORD BEARING AND DISTANCE OF S 38°56'07" W, 607.08 FEET) TO A POINT; THENCE S 59°51'28" W, A DISTANCE OF 348.93 FEET TO A POINT; THENCE ALONG A CURVE CONCAVE SOUTHEASTERLY AN ARC DISTANCE OF 560.89 FEET (SAID CURVE HAVING A RADIUS OF 640.00 FEET, A CENTRAL ANGLE OF 50°12'49", AND A CHORD BEARING AND DISTANCE OF S 34°45'04" W, 543.11 FEET) TO A POINT; THENCE S 09°38'39" W, A DISTANCE OF 275.57 FEET TO A POINT; THENCE S 15°20'52" W, A DISTANCE OF 191.25 FEET TO A POINT; THENCE S 31°55'54" W, A DISTANCE OF 153.21 FEET TO A POINT; THENCE S 75°09'40" W, A DISTANCE OF 156.93 FEET TO A POINT; THENCE N 23°35'53" E, A DISTANCE OF 322.59 FEET TO A POINT; THENCE N 12°23'47" E, A DISTANCE OF 589.06 FEET TO A POINT; THENCE N 38°47'41" E, A DISTANCE OF 303.38 FEET TO A POINT; THENCE N 58°20'14" E, A DISTANCE OF 625.22 FEET TO A POINT; THENCE N 36°41'39" E, A DISTANCE OF 311.81 FEET TO A POINT; THENCE N 20°52'30" E, A DISTANCE OF 472.86 FEET TO A POINT; THENCE S 40°16'15" E, A DISTANCE OF 119.88 FEET TO A POINT BEING THE POINT OF BEGINNING; AND ALSO LESS: THAT PORTION OF RED BUG LAKE ROAD RIGHT-OF-WAY, ACCORDING TO RIGHT-OF-WAY AND RESERVATION MAP BOOK 2, PAGES 56 THROUGH 90 OF THE PUBLIC RECORDS OF

SEMINOLE COUNTY, FLORIDA, THAT LIES WITHIN THE AFORESAID PARCELS OF LAND. THE ABOVE DESCRIBED PARCELS OF LAND LIE IN THE CITY OF OVIEDO, SEMINOLE COUNTY, FLORIDA THE CITY OF WINTER SPRINGS, SEMINOLE COUNTY FLORIDA, AND UNINCORPORATED SEMINOLE COUNTY FLORIDA, AND CONTAINS 420.299 ACRES, MORE OR LESS. LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS OF LAND (PARCEL B, C-1 AND C-2): PARCEL B (INCLUDES A PORTION OF THE PROJECT AREA WITHIN THE CITY OF WINTER SPRINGS): SECTION 17, TOWNSHIP 21 SOUTH, RANGE 31 EAST DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF LOT 12, OVIEDO CROSSING - PHASE 1B, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 47, PAGES 80, 81, 82, AND 83 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, AS THE POINT OF BEGINNING; THENCE RUN THE FOLLOWING COURSES ALONG THE NORTH LINE OF SAID LOT 12; NORTH 72°46'44" WEST, 63.09 FEET; SOUTH 63°05'12" WEST, 61.20 FEET; SOUTH 53°50'30" EAST, 4.28 FEET; SOUTH 16°08'58" EAST, 25.85 FEET; SOUTH 36°03'21" EAST, 19.28 FEET; SOUTH 16°06'18" WEST, 18.15 FEET; SOUTH 17°13'24" EAST, 23.03 FEET; SOUTH 62°56'25" WEST, 24.86 FEET; SOUTH 65°39'42" WEST, 22.91 FEET; SOUTH 40°51'22" WEST, 19.28 FEET; SOUTH 14°41'54" WEST, 39.45 FEET; SOUTH 07°28'11" WEST, 53.00 FEET; SOUTH 03°54'47" EAST, 17.73 FEET; SOUTH 04°32'01" WEST, 32.26 FEET; SOUTH 10°23'42" EAST, 27.27 FEET; SOUTH 21°25'56" EAST, 25.94 FEET; SOUTH 57°13'53" EAST, 26.73 FEET; SOUTH 22°30'24" EAST, 30.02 FEET; SOUTH 17°32'14" WEST, 34.51 FEET; SOUTH 12°34'08" WEST, 35.71 FEET; SOUTH 20°39'55" EAST, 50.30 FEET; SOUTH 14°47'38" WEST, 33.01 FEET; SOUTH 38°46'47" WEST, 36.55 FEET; SOUTH 69°23'30" WEST, 30.77 FEET; SOUTH 83°13'35" WEST, 31.96 FEET; NORTH 83°26'48" WEST, 29.09 FEET; SOUTH 86°46'10" WEST, 122.80 FEET; NORTH 87°33'11" WEST, 45.67 FEET; SOUTH 69°27'35" WEST, 21.26 FEET; NORTH 87°32'46" WEST, 146.71 FEET; THENCE, DEPARTING SAID NORTH LINE OF LOT 12, RUN NORTH 57°24'04" EAST, 29.61 FEET; THENCE RUN NORTH 00°47'25" EAST, 484.46 FEET TO A CURVE CONCAVE NORTHERLY; THENCE RUN WESTERLY AND THEN NORTHERLY ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 750.00 FEET, A CENTRAL ANGLE OF 138°48'54", AN ARC LENGTH OF 1817.09 FEET, A CHORD LENGTH OF 1404.16 FEET, AND A CHORD BEARING OF NORTH 19°16'44" WEST; THENCE RUN NORTH 49°50'01" EAST, 419.30 FEET TO THE SOUTHERLY LINE OF TUSCAWILLA UNIT 7, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 22, PAGES 46 AND 47 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN ALONG THE SOUTHERLY LINE OF SAID TUSCAWILLA UNIT 7, SOUTH 70°00'29" EAST, 664.21 FEET TO THE SOUTHEAST CORNER OF SAID PLAT; THENCE RUN SOUTH 01°07'52" EAST, 319.02 FEET; THENCE RUN SOUTH 89°37'40" EAST, 520.75 FEET; THENCE RUN SOUTH 14°32'19" EAST, 169.91 FEET; THENCE RUN SOUTH 71°20'10" EAST, 164.74 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF THE PROPOSED OVIEDO CROSSING TERRACE; THENCE RUN ALONG SAID PROPOSED WEST RIGHT-OF-WAY LINE THE FOLLOWING COURSES; SOUTH 55°15'44" WEST, 200.22 FEET TO A CURVE CONCAVE SOUTHEASTERLY; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE HAVING A RADIUS LENGTH OF 950.00 FEET, A CENTRAL ANGLE OF 19°06'05", AN ARC LENGTH OF 316.71 FEET, A CHORD LENGTH OF 315.25 FEET, AND A CHORD BEARING OF SOUTH 45°42'41" WEST; THENCE RUN SOUTH 36°09'39" WEST, 275.09 FEET TO A CURVE CONCAVE SOUTHEASTERLY; THENCE RUN SOUTHWESTERLY ALONG SAID CURVE HAVING A RADIUS LENGTH OF 800.00 FEET, A CENTRAL ANGLE OF 17°48'35", AN ARC LENGTH OF 248.67 FEET, A CHORD LENGTH OF 247.67 FEET, AND A CHORD BEARING OF SOUTH 27°15'22" WEST TO THE AFORESAID NORTHEAST CORNER OF LOT 12 AND THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT OF LAND LIES IN THE CITY OF WINTER SPRINGS, SEMINOLE COUNTY, FLORIDA AND CONTAINS 49.551 ACRES, MORE OR LESS. TOGETHER WITH: PARCEL C-1 (INCLUDES A PORTION OF THE PROJECT WITHIN THE CITY OF OVIEDO): SECTION 17, TOWNSHIP 21 SOUTH, RANGE 31 EAST, INCLUDING A PORTION OF TRACT "A" AND TRACT "F", OVIEDO CROSSING - PHASE 1A ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 47, PAGES 100 THROUGH 101, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE

SOUTHEAST CORNER OF TUSCAWILLA UNIT 7, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGES 46 AND 47 OF SAID PUBLIC RECORDS FOR THE POINT OF BEGINNING; THENCE RUN NORTH 01°07'52" WEST, ALONG THE EAST LINE OF SAID TUSCAWILLA UNIT 7, A DISTANCE OF 1795.63 FEET TO THE SOUTHWEST CORNER OF TUSCAWILLA UNIT 13, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 29, PAGES 1 AND 2 OF SAID PUBLIC RECORDS; THENCE RUN NORTH 88°56'43" EAST, ALONG THE SOUTH LINE OF SAID TUSCAWILLA UNIT 13, A DISTANCE OF 2743.37 FEET; THENCE RUN SOUTH 87°46'09" EAST, ALONG SAID SOUTH LINE AND THE SOUTH LINE OF TUSCAWILLA UNIT 14C, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 36, PAGES 11 AND 12 OF SAID PUBLIC RECORDS, 1284.87 FEET TO A POINT ON THE WEST LIMITED ACCESS RIGHT-OF-WAY LINE OF THE SEMINOLE COUNTY EXPRESSWAY; THENCE RUN SOUTHERLY ALONG SAID WEST LIMITED ACCESS RIGHT-OF-WAY LINE THE FOLLOWING COURSES: SOUTH 00°47'59" EAST, 759.24 FEET; SOUTH 20°38'23" WEST, 827.08 FEET; SOUTH 30°11'15" EAST, 120.06 FEET; SOUTH 24°52'30" WEST, 130.00 FEET; NORTH 65°07'48" WEST, 60.17 FEET; SOUTH 18°00'45" WEST, 125.70 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY; THENCE RUN SOUTHWESTERLY, ALONG SAID CURVE HAVING A RADIUS LENGTH OF 850.00 FEET, A CENTRAL ANGLE OF 41°50'43", AN ARC LENGTH OF 620.79 FEET, A CHORD LENGTH OF 607.08 FEET AND A CHORD BEARING OF SOUTH 38°56'06" WEST TO THE POINT OF TANGENCY; THENCE RUN SOUTH 59°51'28" WEST, 133.05 FEET; THENCE, DEPARTING SAID WEST LIMITED ACCESS RIGHT-OF-WAY LINE, RUN NORTH 54°41'46" WEST, 148.77 FEET TO THE MOST EASTERLY CORNER OF TRACT "E" OF SAID OVIEDO CROSSING - PHASE 1A; THENCE CONTINUE NORTH 54°41'46" WEST, ALONG THE NORTHERLY LINE OF SAID TRACT "E", 543.96 FEET TO THE EASTERLY LINE OF TRACT "D" OF SAID OVIEDO CROSSING - PHASE 1A; THENCE RUN ALONG THE EASTERLY AND NORTHERLY LINES OF SAID TRACT "D", THE FOLLOWING COURSES: NORTH 24°47'37" EAST, 83.65 FEET TO THE POINT OF CURVATURE OF CURVE CONCAVE WESTERLY; THENCE RUN NORTHERLY, ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 200.00 FEET, A CENTRAL ANGLE OF 70°17'57", AN ARC LENGTH OF 245.39 FEET, A CHORD LENGTH OF 230.29 FEET AND A CHORD BEARING OF NORTH 10°21'21" WEST TO THE POINT OF TANGENCY; THENCE RUN NORTH 45°30'19" WEST, 87.70 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY; THENCE RUN WESTERLY ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 110.00 FEET, A CENTRAL ANGLE OF 99°35'26", AN ARC LENGTH OF 191.20 FEET, A CHORD LENGTH OF 168.02 FEET AND A CHORD BEARING OF SOUTH 84°41'58" WEST TO THE NORTHEAST CORNER OF TRACT "F" OF SAID OVIEDO CROSSING - PHASE 1A; THENCE, DEPARTING SAID NORTHERLY LINE OF TRACT "D", RUN SOUTHERLY, ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 110.00 FEET, A CENTRAL ANGLE OF 30°44'29", AN ARC LENGTH OF 59.02 FEET, A CHORD LENGTH OF 58.31 FEET AND A CHORD BEARING OF SOUTH 19°32'01" WEST TO THE POINT OF TANGENCY; THENCE RUN SOUTH 04°09'47" WEST, 185.99 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY; THENCE RUN SOUTHWESTERLY, ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 758.00 FEET, A CENTRAL ANGLE OF 35°18'45", AN ARC LENGTH OF 467.17 FEET, A CHORD LENGTH OF 459.81 FEET AND A CHORD BEARING OF SOUTH 21°49'09" WEST TO THE POINT OF TANGENCY; THENCE RUN SOUTH 39°28'32" WEST, 278.46 FEET; THENCE, RUN NORTH 90°00'00" WEST, 335.46 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY; THENCE RUN NORTHWESTERLY, ALONG SAID CURVE HAVING A RADIUS LENGTH OF 570.00 FEET, A CENTRAL ANGLE OF 46°32'56", AN ARC LENGTH OF 463.08 FEET, A CHORD LENGTH OF 450.45 FEET, AND A CHORD BEARING OF NORTH 40°13'55" WEST TO THE POINT OF TANGENCY; THENCE RUN NORTH 63°30'23" WEST, 338.06 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY; THENCE RUN NORTHWESTERLY ALONG SAID CURVE HAVING A RADIUS LENGTH OF 763.65 FEET, A CENTRAL ANGLE OF 02°36'57", AN ARC LENGTH OF 34.86 FEET, A CHORD LENGTH OF 34.86 FEET AND A CHORD BEARING OF NORTH 62°11'54" WEST; THENCE RUN SOUTH 29°06'34" WEST, RADIAL TO SAID CURVE, 110.00 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHEASTERLY, ALONG SAID

CURVE, HAVING A RADIUS LENGTH OF 40.00 FEET, A CENTRAL ANGLE OF 101°21'50", AN ARC LENGTH OF 70.77 FEET, A CHORD LENGTH OF 61.89 FEET, AND A CHORD BEARING OF SOUTH 10°12'31" EAST TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHWESTERLY; THENCE RUN SOUTHWESTERLY, ALONG SAID CURVE HAVING A RADIUS LENGTH OF 450.00 FEET, A CENTRAL ANGLE OF 14°47'20", AN ARC LENGTH OF 116.15 FEET, A CHORD LENGTH OF 115.83 FEET AND A CHORD BEARING OF SOUTH 47°52'04" WEST TO THE POINT OF TANGENCY; THENCE RUN SOUTH 55°15'44" WEST, 157.72 FEET; THENCE RUN NORTH 71°20'10" WEST 164.74 FEET; THENCE RUN NORTH 14°32'19" WEST, 169.91 FEET; THENCE RUN NORTH 89°37'40" WEST, 520.75 FEET; THENCE RUN NORTH 01°07'52" WEST, 319.02 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT OF LAND LIES IN THE CITY OF OVIEDO, SEMINOLE COUNTY, FLORIDA AND CONTAINS 195.853 ACRES, MORE OR LESS. TOGETHER WITH PARCEL C-2 (INCLUDES A PORTION OF THE PROJECT WITHIN THE CITY OF OVIEDO): A TRACT OF LAND LYING IN SECTIONS 16 AND 17, TOWNSHIP 21 SOUTH, RANGE 31 EAST, BEING A PORTION OF LOTS 1, 2, 3, 6 AND 7 SLAVIA COLONY COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 71, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 16 FOR A POINT OF REFERENCE; THENCE RUN SOUTH 00°59'55" EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 485.31 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 00°59'55" EAST, ALONG SAID WEST LINE, 866.98 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE RUN NORTH 89°41'25" EAST, ALONG THE NORTH LINE OF SAID LOTS 1 AND 2, A DISTANCE OF 1268.60 FEET TO THE WEST RIGHT-OF-WAY LINE OF THE C.S.X. RAILROAD; THENCE RUN SOUTH 23°26'17" WEST, ALONG SAID WEST RIGHT-OF-WAY LINE, 502.55 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 460.00 FEET OF SAID LOT 1; THENCE RUN SOUTH 89°41'25" WEST, ALONG SAID SOUTH LINE, 386.43 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE RUN NORTH 01°00'17" WEST, ALONG SAID WEST LINE, 197.32 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 262.69 FEET OF SAID LOT 2; THENCE RUN SOUTH 89°41'25" WEST, ALONG SAID SOUTH LINE, 281.76 FEET; THENCE RUN SOUTH 73°15'07" WEST, 407.75 FEET TO A POINT ON THE WEST LINE OF SAID LOT 2; THENCE RUN NORTH 00°59'55" WEST, ALONG SAID WEST LINE, 0.56 FEET; THENCE, DEPARTING SAID WEST LINE, RUN SOUTH 73°22'16" WEST, 25.96 FEET; THENCE RUN SOUTH 00°59'55" EAST, PARALLEL WITH AND 25.00 FEET WEST OF (PERPENDICULAR MEASURE) THE EAST LINE OF SAID LOT 3, A DISTANCE OF 226.37 FEET; THENCE RUN SOUTH 89°48'34" WEST, 138.94 FEET; THENCE RUN SOUTH 52°05'06" EAST, 68.70 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 3; THENCE RUN SOUTH 89°48'00" WEST, ALONG SAID SOUTH LINE, 448.15 FEET TO A POINT ON THE EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD #417 (SEMINOLE COUNTY EXPRESSWAY); THENCE RUN ALONG SAID EAST LIMITED ACCESS RIGHT-OF-WAY LINE THE FOLLOWING COURSES: NORTH 02°08'53" EAST, 155.97 FEET; NORTH 10°34'09" EAST, 308.38 FEET; NORTH 18°23'56" EAST, 902.33 FEET; NORTH 07°55'20" EAST, 102.61 FEET; NORTH 23°17'55" WEST, 36.86 FEET; NORTH 19°43'45" EAST, 130.00 FEET, SOUTH 70°16'15" EAST, 150.28 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

THOSE LANDS CONTAINED IN OVIEDO CROSSING-PHASE 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 53, PAGES 29 AND 30 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

LESS AND EXCEPT

THAT PART OF OVIEDO CROSSING TERRACE, OVIEDO CROSSING-PHASE 1B ACCORDING TO THE PLAT THEREOF AS RECORDED AT PLAT BOOK 47 PAGES 80, 81, 82

AND 84 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY FLORIDA, LYING NORTH OF RED BUG LAKE ROAD

LESS AND EXCEPT

OVIEDO CROSSING TERRACE, OVIEDO CROSSING-PHASE 1A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 47 PAGES 100 AND 101 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

TOGETHER WITH

TRACT D AND TRACT E OF OVIEDO CROSSING TERRACE, OVIEDO CROSSING-PHASE 1A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 47 PAGES 100 AND 101 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, AND THAT PART OF THE BEAR GULLY CANAL LYING SOUTH OF THE SOUTHEASTERLY EXTENSION OF THE NORTH LINE OF SAID TRACT E

TOGETHER WITH

LOT 12 OF OVIEDO CROSSING-PHASE 1B, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 47 PAGES 80, 81, 82 AND 83 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

LESS AND EXCEPT

LOT 1, TRACTS "A" AND "B", OVIEDO CROSSING-PHASE 2A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 52, PAGES 15 AND 16 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

LESS:

A PORTION OF LOT 1, OVIEDO CROSSING - PHASE 2A ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 52, PAGES 15 AND 16 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF LOT 2 OF SAID OVIEDO CROSSINGS - PHASE 2A, FOR THE POINT OF BEGINNING; THENCE RUN SOUTH 89°33'10" WEST, ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 241.64 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE, DEPARTING SAID NORTH LINE, RUN NORTH 00°26'50" WEST, 72.51 FEET; THENCE RUN NORTH 89°33'10" EAST, 62.68 FEET TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 81°03'50", AN ARC LENGTH OF 169.78 FEET, A CHORD LENGTH OF 155.97 FEET AND A CHORD BEARING OF NORTH 63°48'56" EAST TO THE POINT OF TANGENCY; THENCE RUN SOUTH 75°39'09" EAST, 63.81 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1, SAID POINT LIES ON A CURVE CONCAVE SOUTHEASTERLY; THENCE RUN SOUTHWESTERLY, ALONG SAID EAST LINE OF SAID CURVE, HAVING A RADIUS OF 1100.00 FEET, A CENTRAL ANGLE OF 06°34'19", AN ARC LENGTH OF 126.17 FEET, A CHORD LENGTH OF 126.10 FEET AND A CHORD BEARING OF SOUTH 10°10'07" WEST TO THE POINT OF BEGINNING.

LESS AND EXCEPT

A TRACT OF LAND LYING IN SECTIONS 16 AND 17, TOWNSHIP 21 SOUTH, RANGE 31 EAST, BEING A PORTION OF LOTS 2, 3, 6 AND 7, SLAVIA COLONY COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 71 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, TOGETHER WITH THE UN-NAMED 30 FOOT WIDE PUBLIC RIGHT-OF-WAY, LYING WITHIN THE FOLLOWING DESCRIBED TRACT OF LAND:

COMMENCE AT THE WEST QUARTER CORNER OF SAID SECTION 16 FOR A POINT OF REFERENCE; THENCE RUN SOUTH 00°59'55" EAST, ALONG THE WEST LINE OF SAID SECTION 16, A DISTANCE OF 485.31 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO LIES ON THE EAST LINE OF SAID LOT 7 AND THE EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD # 417 (SEMINOLE COUNTY EXPRESSWAY); THENCE RUN SOUTH 00°59'55" EAST, ALONG SAID WEST SECTION LINE AND SAID EAST LINE OF LOT 7, A DISTANCE OF 866.98 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE RUN NORTH 89°41'25" EAST, ALONG SAID NORTH LINE, 265.87 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 06°54'49" EAST, 247.45 FEET; THENCE RUN SOUTH 26°17'15" WEST, 61.37 FEET; THENCE RUN SOUTH 73°15'07" WEST, 273.48 FEET TO THE WEST LINE OF SAID LOT 2; THENCE RUN NORTH 00°59'55" WEST, ALONG SAID WEST LINE, 0.56 FEET; THENCE DEPARTING SAID WEST LINE, RUN SOUTH 73°22'16" WEST, 25.96 FEET; THENCE RUN SOUTH 00°59'55" EAST, 226.37 FEET; THENCE RUN SOUTH 89°48'34" WEST, 138.94 FEET; THENCE RUN SOUTH 52°05'06" EAST, 68.70 FEET TO THE SOUTH LINE OF SAID LOT 3; THENCE RUN SOUTH 89°47'59" WEST, ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 448.15 FEET TO THE EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD # 417 (SEMINOLE COUNTY EXPRESSWAY); THENCE RUN, ALONG SAID EAST LIMITED ACCESS RIGHT-OF-WAY LINE THE FOLLOWING COURSES: NORTH 02°08'53" EAST, 155.97 FEET; THENCE RUN NORTH 10°34'09" EAST, 308.38 FEET; THENCE RUN NORTH 18°23'56" EAST, 902.33 FEET; THENCE RUN NORTH 07°55'20" EAST, 102.61 FEET; THENCE RUN NORTH 23°17'55" WEST, 36.86 FEET; THENCE RUN NORTH 19°43'45" EAST, 130.00 FEET; THENCE RUN SOUTH 70°16'15" EAST, 150.28 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

THAT PORTION OF LOT 1, SLAVIA COLONY COMPANY'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1 PAGE 71 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA LYING WESTERLY OF THE ABANDONED C.S.X. TRANSPORTATION, INC. RAILROAD RIGHT OF WAY AS DEPICTED ON A BOUNDARY SURVEY PERFORMED BY REGIONAL ENGINEERS, PLANNERS AND SURVEYORS, INC., DATED DECEMBER, 1996, AND A PORTION OF LOT 2 SAID SLAVIA COLONY COMPANY'S SUBDIVISION, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF AFORESAID LOT 2 RUN N 89°49'02" E ALONG THE NORTHERLY LINE OF THE AFORESAID LOT 1, 591.62 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE AFORESAID ABANDONED C.S.X. TRANSPORTATION INC. RAILROAD RIGHT OF WAY BEING A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1477.57 FEET; THENCE ALONG THE SAID RIGHT OF WAY LINE THE FOLLOWING 2 COURSES AND DISTANCES: THROUGH A CENTRAL ANGLE OF 2°53'28" RUN SOUTHERLY ALONG THE ARC OF SAID CURVE 74.55 FEET TO THE POINT OF TANGENCY, SAID CURVE HAVING A CHORD LENGTH OF 74.55 FEET WHICH BEARS S 24°47'50" W; THENCE S 23°21'06" W, 428.03 FEET TO THE SOUTHERLY LINE OF THE AFORESAID NORTHERLY 460.00 FEET OF LOT 1; THENCE S 89°49'02" W ALONG SAID SOUTHERLY LINE; 381.87 FEET TO THE EASTERLY LINE OF AFORESAID LOT 1; THENCE N 01°05'57" W ALONG SAID EASTERLY LINE,

197.37 FEET TO THE SOUTHERLY LINE OF THE NORTHERLY 262.66 FEET OF AFORESAID LOT 2; THENCE S 89°49'02" W ALONG SAID SOUTHERLY LINE, 281.76 FEET; THENCE S 73°28'41" W, 134.27 FEET; THENCE N 26°30'49" E, 61.37 FEET; THENCE N 06°41'15" W, 147.20 FEET TO THE NORTHERLY LINE OF AFORESAID LOT 2; THENCE N 89°49'02" E ALONG SAID NORTHERLY LINE, 406.84 FEET TO THE POINT OF BEGINNING.

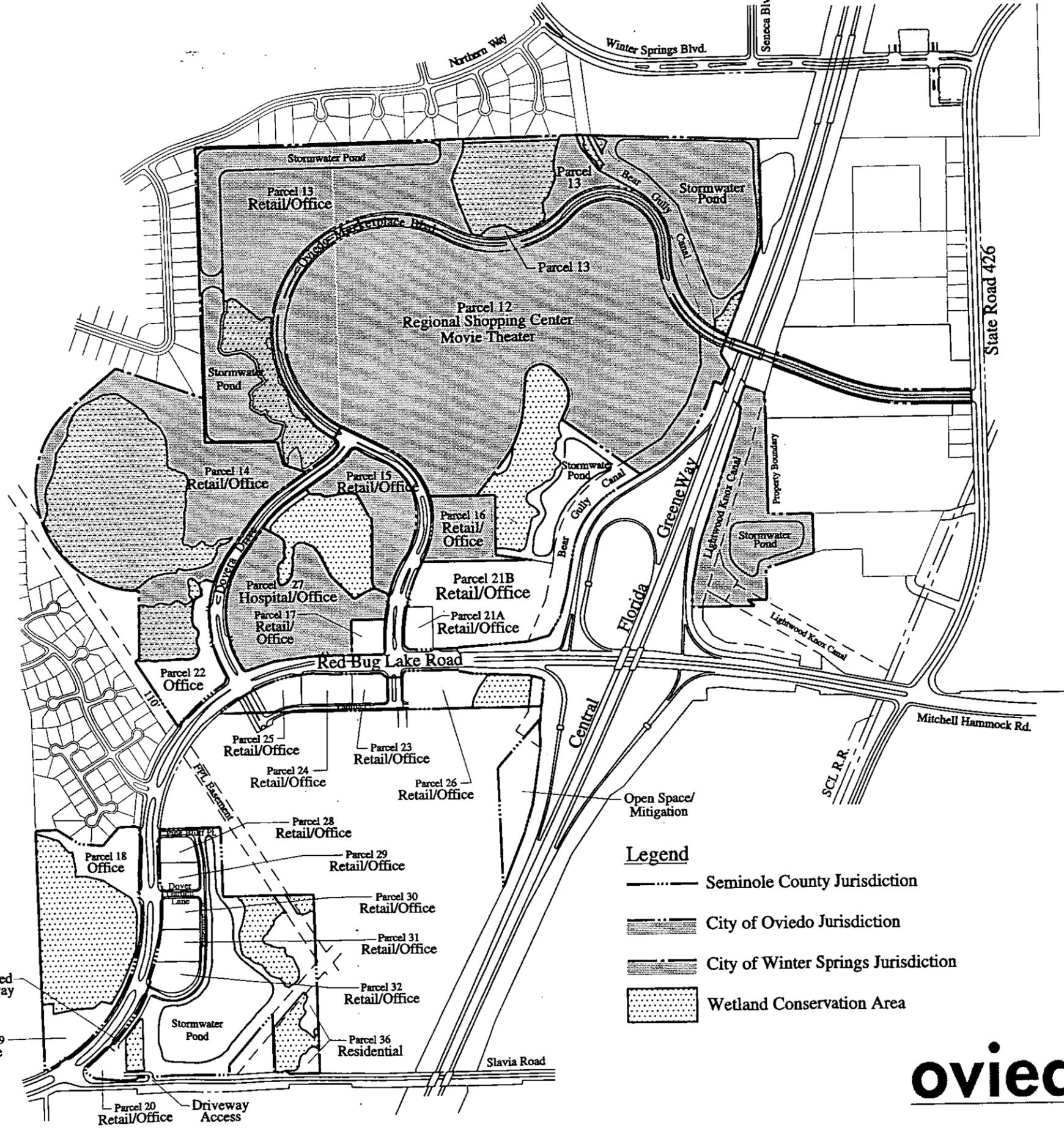
k:\sur\legals\ds01-SEMINOLE

LAND USE BY JURISDICTION

City of Oviedo			
Land Use	Parcel	Acreage	Development Program
Retail	12	95.1	1,200,000 SF
Retail	13	20.1	200,000 SF
Retail/Office	15	7.5	59,000 SF
Retail/Office	16	5.1	30,000 SF
Hospital/Office	27	15.6	104,981 SF 0-120 Beds
Total		143.4	1,593,981 SF 0-120 beds

City of Winter Springs			
Land Use	Parcel	Acreage	Development Program
Retail/Office	14	18.4	160,000 SF
Total		18.4	160,000 SF

Seminole County			
Land Use	Parcel	Acreage	Development Program
Retail/Office	17	1.2	10,000 SF
Office	18	4.2	50,050 SF
Office	19	3.3	37,750 SF
Retail/Office	20	1.4	2,720 SF
Retail/Office	21A	1.4	5,683 SF
Retail/Office	21B	11.9	128,634 SF
Office	22	5.4	39,000 SF
Retail/Office	23	0.9	12,205 SF
Retail/Office	24	2.6	18,505 SF
Retail/Office	25	1.0	3,206 SF
Retail/Office	26	3.0	30,662 SF
Retail/Office	28	1.1	11,200 SF
Retail/Office	29	1.2	8,682 SF
Retail/Office	30	1.4	7,000 SF
Retail/Office	31	1.6	15,000 SF
Retail/Office	32	1.6	6,700 SF
Residential	36	1.3	4 DU
TOTAL		44.5	386,997 SF 4 DU



LAND USE BY PHASE

Land Use	Parcel(s)	Acreage	Development Program	Parking Spaces
PHASE 1a and 1b APPROVED				
Retail/Office	20, 21a, 21b, 23, 24, 25, 26, 28, 29, 30, 31, 32	29.1	250,197 SF	2,200
Office	18, 19, 22	12.9	126,800 SF	300
SUBSTANTIAL DEVIATION				
PHASE 2 (2000-2002)				
Retail/Office	12, 16, 17	101.4	1,240,000 SF	7,300
Hospital/Office	27	15.6	104,981 SF	650
PHASE 3 (2002-2007)				
Retail/Office	13, 14, 15	46.0	419,000 SF	1,750
Hospital	27	-	0 to 120 Beds	240
Residential	36	1.3	4 DU	-

SUMMARY OF LAND USE

Land Use	Parcel(s)	Acreage	Development Program	Parking Spaces
Retail/Office	12, 13, 14, 15, 16, 17, 20, 21a, 21b, 23, 24, 25, 26, 28, 29, 30, 31, 32	176.5	1,909,197 SF	10,950
Office	18, 19, 22	12.9	126,800 SF	600
Hospital/Office	27	15.6	104,981 SF 0 to 120 Beds	650
Residential	36	1.3	4 DU	-
Stormwater Ponds/Borrow Pits	-	48.6		
Wetland Conservation	-	89.3		
Canals and Canal Easements	-	20.2		
Open Space	-	36.0		
Right-of-Way	-	30.8		
TOTAL		431.2		12,440

Legend

- Seminole County Jurisdiction
- City of Oviedo Jurisdiction
- City of Winter Springs Jurisdiction
- Wetland Conservation Area

oviedomarketplace

Revised June, 2005
Revised July, 2000
Revised Nov, 1999
Revised Sept, 24, 1999
Revised April, 1998
Revised February, 1998
September 1995

PUD

Master Development Plan



RECEIVED
MAY 20 2005

REGIONAL
PLANNING
COUNCIL

May 16, 2005

Chairman
Welton G. Cadwell
Commissioner
Lake County

Brian Cobb
City of Oviedo
400 Alexandria Blvd.
Oviedo, FL 32765

Vice Chairman
Jon B. Rawlson
Governor's Appointee
Orange County

Matthew West
Planning Department
Seminole County
1101 E. First Street
Sanford, FL 32771

Secretary/Treasurer
Michael S. Blake
Commissioner
Tri-County League
of Cities
Winter Springs

Re: Oviedo Crossings Notification of a Proposed Change
ECFRPC Element # 5388 (Seminole County) & 5386 (City of Oviedo)

Executive Director
Sandra S. Glenn

Dear Messrs. Cobb and West:

We have reviewed the referenced NOPCs and it is our understanding that the following changes are proposed:

*Serving
Brevard, Lake, Orange,
Osceola, Seminole and
Volusia counties.*

For both Seminole County and the City of Oviedo, the following changes are requested:

631 N. Wymore
Suite 100
Maitland, Florida
32751

1. Extend the buildout date from December 31, 2005 to December 31, 2007.
2. Amend the reporting requirements from annual to biennial.

For the City of Oviedo only, the following additional changes are requested:

Phone
407.623.1075
Fax 407.623.1084

3. Add townhouse uses to the equivalency matrix.
4. Add residential as an allowed use and convert 10,000 square feet of retail to 180 residential units.
5. Update the acreage calculations for Parcel 13 as shown on Map H.

Suncom 334.1075
Suncom Fax
334.1084

We offer the following comments regarding these proposed changes;

A. The buildout date extension is addressed in Section 380.06(19) (c), F.S.,

Website:
www.ecfrpc.org

An extension of the date of buildout of a development, or any phase thereof, by 7 or more years shall be presumed to create a substantial

deviation subject to further development-of-regional-impact review. An extension of the date of buildout, or any phase thereof, of 5 years or more but less than 7 years shall be presumed not to create a substantial deviation. These presumptions may be rebutted by clear and convincing evidence at the public hearing held by the local government. An extension of less than 5 years is not a substantial deviation. For the purpose of calculating when a buildout, phase or termination date has been exceeded, the time shall be tolled during the pendency of administrative or judicial proceedings relating to development permits. Any extension of the buildout date of a project or a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof by a like period of time.

Since this extension is for 7 years, it is presumed to create additional regional impacts, however no information was presented to rebut this presumption. It is our suggestion that the requested buildout date be December 30, 2007 in order to avoid this requirement.

- B. The change to biennial reporting is allowed by statute if supported by the local government. It is our opinion that annual reporting should be retained in order to keep better account of what is being developed. As related below, it is unlikely that the project will buildout in the timeframe requested and it is necessary to know this information to ascertain when buildout occurs and how much development is remaining.
- C. Changes 3 and 4 above are presumed to create additional regional impacts but the applicant provided limited information to rebut these presumptions. No information regarding water capacity or the likelihood that student stations will be available. These presumptions have not been rebutted. In order to address the water and student station capacity issues, we would request that the City of Oviedo or the developer obtain the following:
 - 1. A letter or some other form of proof acceptable to the SJRWMD that the appropriate utility has available water for the project under its current consumptive use permit.
 - 2. A letter from the Seminole County School Board stating that the developer has or will adequately address the impacts to school capacity.
- D. Item 5 above is not presumed to create any additional regional impacts.

We received comments from the Florida Department of Transportation (attached) and we share the concerns related therein. It is unlikely that the project will complete the additional development in the timeframe extension requested and it is likely that the developer will return prior to December 30, 2007 for a further extension which will be presumed to create additional regional impacts. However, the developer may submit the extension timeframe he desires and further extensions will be dealt with at a future date.

The FDOT also pointed out an inconsistency with the amount of commercial remaining to be built. Please review their letter and make sure that the amount of commercial development remaining is consistent throughout the application and development order.

The FDOT also noted that the Substantial Deviation Determination Chart was not completed in either application. While not pertinent for this review, the developer should make sure that future applications are submitted in their entirety.

In conclusion, it is our opinion that these proposed changes, with the suggested changes and recommendations contained above, do not result in an automatic substantial deviation determination pursuant to the threshold criteria of section 380.06(19), Florida Statutes. These changes are not expected to cause new or increased impacts to regional resources or facilities when considered independently or cumulatively with prior project changes. We therefore do not recommend that this proposal be submitted for additional regional review by this agency.

If you have any questions or if we can be of further assistance, please call Fred Milch at 407/623-1075. We appreciate the opportunity to comment on this NOPC.

Sincerely,



Jeffrey Jones
Acting Executive Director

c: James Stansbury, FDCA
Stephanie Vena, FDOT
Steve Johnson, The Viera Co.
John Moore, Glatting Jackson
Brett Blackadar, Seminole County Public Works
Debbie Pierre, Oviedo Planning Department
Carey Hayo, Glatting Jackson
George Kramer, Glatting Jackson
John Baker, City of Winter Springs

ATTACHMENT D



Florida Department of Transportation

JEB BUSH
GOVERNOR

JOSE ABREU
SECRETARY

Intermodal Systems Development
133 South Semoran Boulevard
Orlando, FL 32801

April 27, 2005

Mr. Jeff Jones, Acting Executive Director
East Central Florida Regional Planning Council
631 North Wymore Road, Suite 100
Maitland, Florida 32751-4246

SUBJECT: OVIEDO MARKETPLACE DRI NOPC, APRIL 2005
LOCAL GOVERNMENT: SEMINOLE COUNTY
ECFRPC REFERENCE NUMBER: N/A

Dear Mr. Jones:

The Department of Transportation has completed its review of the Oviedo Marketplace DRI, NOPC, dated April 2005. Staff has complied with your request to review this submittal promptly. Please find our enclosed comments for your consideration.

We appreciate the opportunity to participate in this review process and if you have any questions, please contact me at your earliest convenience at 407-482-7884 or Suncom: 335-7884 or email at susan.sadighi@dot.state.fl.us

Sincerely,

A handwritten signature in cursive script that reads "Susan Sadighi".

for Susan Sadighi, P.E.
Governmental Operations & Planning Manager

Attachment

C: Fred Milch, ECFRPC
James Stansbury, DCA
Matt West, Seminole County
Rob Magee, FDOT C/O
Clif Tate, FDOT Consultant
Carey Hayo, Glatting Jackson

DEVELOPMENT OF REGIONAL IMPACT REVIEW FORM

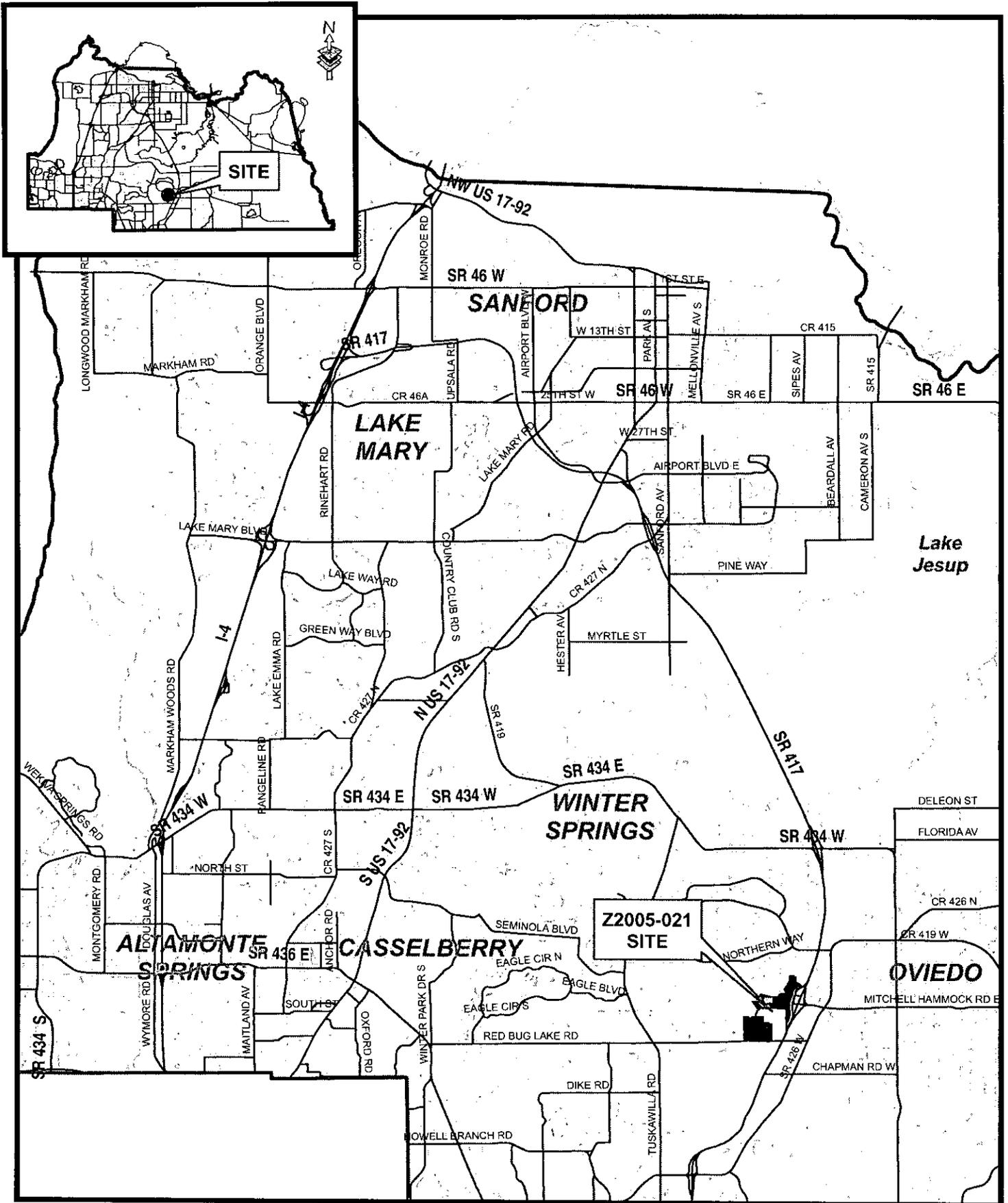
DRI NAME: OVIEDO MARKETPLACE DRI, NOPC
SUBJECT: COMMENTS ON APPLICATION, DATED APRIL 2005
LOCAL GOV'T./JURISDICTION: SEMINOLE COUNTY
ECFRPC IDENTIFICATION #: 5388
REVIEW COMMENTS DEADLINE: APRIL 28, 2005
TODAY'S DATE: APRIL 26, 2005

Comment Number	Page(s)	General Areas of Concern	Specific Review Comment(s)
1	Application, Page 3 and Exhibit 2	Missing Information	The NOPC does not include the required Substantial Deviation Determination Chart. Please provide the chart in the specified format per FORM-RPM-BSP-PROPCHANTE-1
2	Page 2-1	Undeveloped parcels	In addition to the parcels referenced as not developed (Parcels 18 and 36), several other parcels within Seminole County appear to be undeveloped, including Parcels 15, 17, 28, 30, 31, and portions of 27.
3	Amendment, Page 3	Square footage in Phase 3	Based on a review of undeveloped parcels, it appears that the remaining retail and office square footage to be built is approximately 550,000 square feet. However, the proposed summary table includes only 419,000 square feet in Phase 3 (2002 – 2007). Some of the undeveloped parcels were previously identified as occurring in Phase 1 (this includes Parcels 18, 28, 30 and 31). In addition, some of the Hospital Office space in Phase 2 (2000 – 2002) appears to represent parcel 27, which may not be fully developed.
4	Application, Page 3	Status of Substantial Deviation	Recognizing that many of the Parcels to be developed were previously identified for Phase 1, and that there are not enough entitlements in Phase 3 to cover the build-out of the DRI, the actual extension requested may be for 7 years (if the end of Phase 1 was 2000) or more, if any extensions have been previously granted. Additional information is needed to determine if the requested extension is a Substantial Deviation. The applicant needs to provide a completed Substantial Deviation Determination Chart (see comment 1) and a development summary table which accurately describes the amount of development anticipated in Phase 3. The development summary should identify parcels by previous phase (and date) and proposed phase.

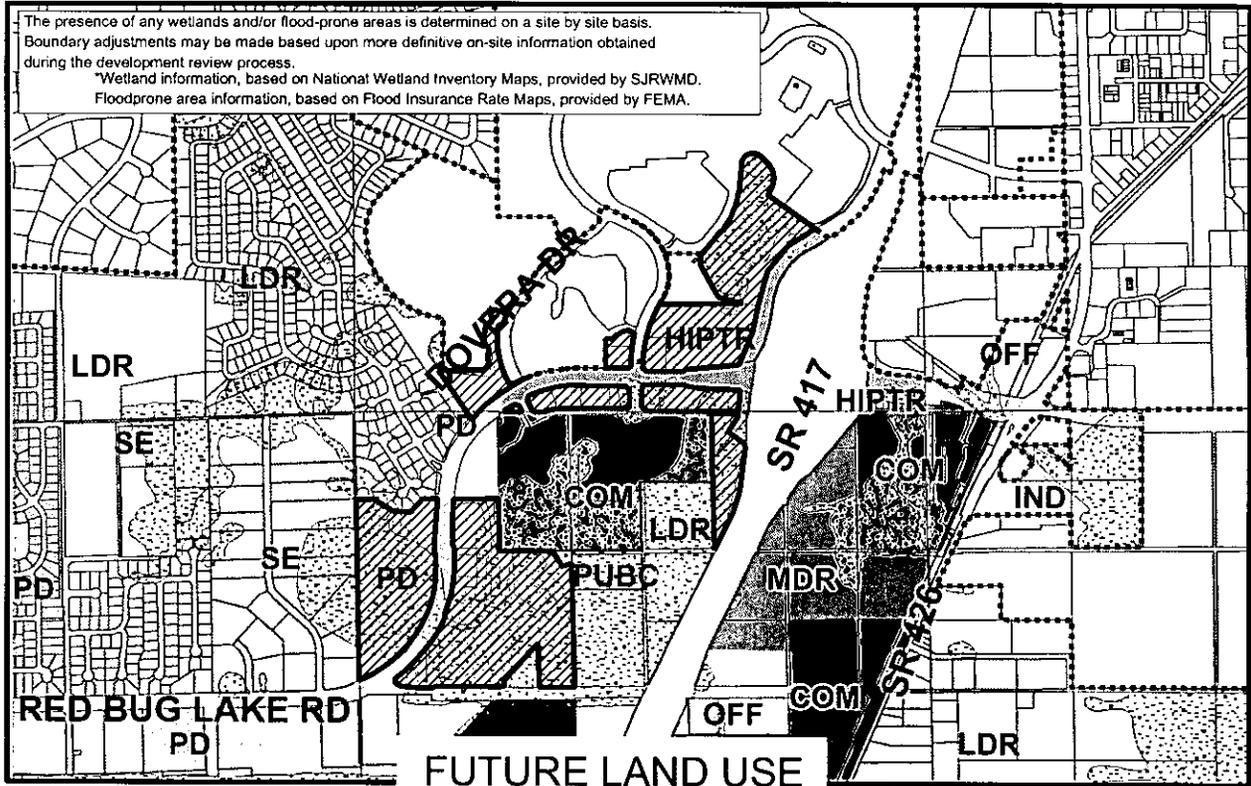
FDOT Contact: Stephanie Vena
 Telephone: 407-482-7887
 Fax: 407-275-4188
 E-mail: stephanie.vena@dot.state.fl.us
 File: J:\Growth Management\DRI Reviews\Seminole County\Oviedo Marketplace\NOPC Seminole comments_042705.doc

Reviewed By: Clif Tate, P.E.
 Company: Kimley-Horn & Associates
 Telephone: 407-898-1511
 Email: clif.tate@kimley-horn.com

Attachment E



Attachment F

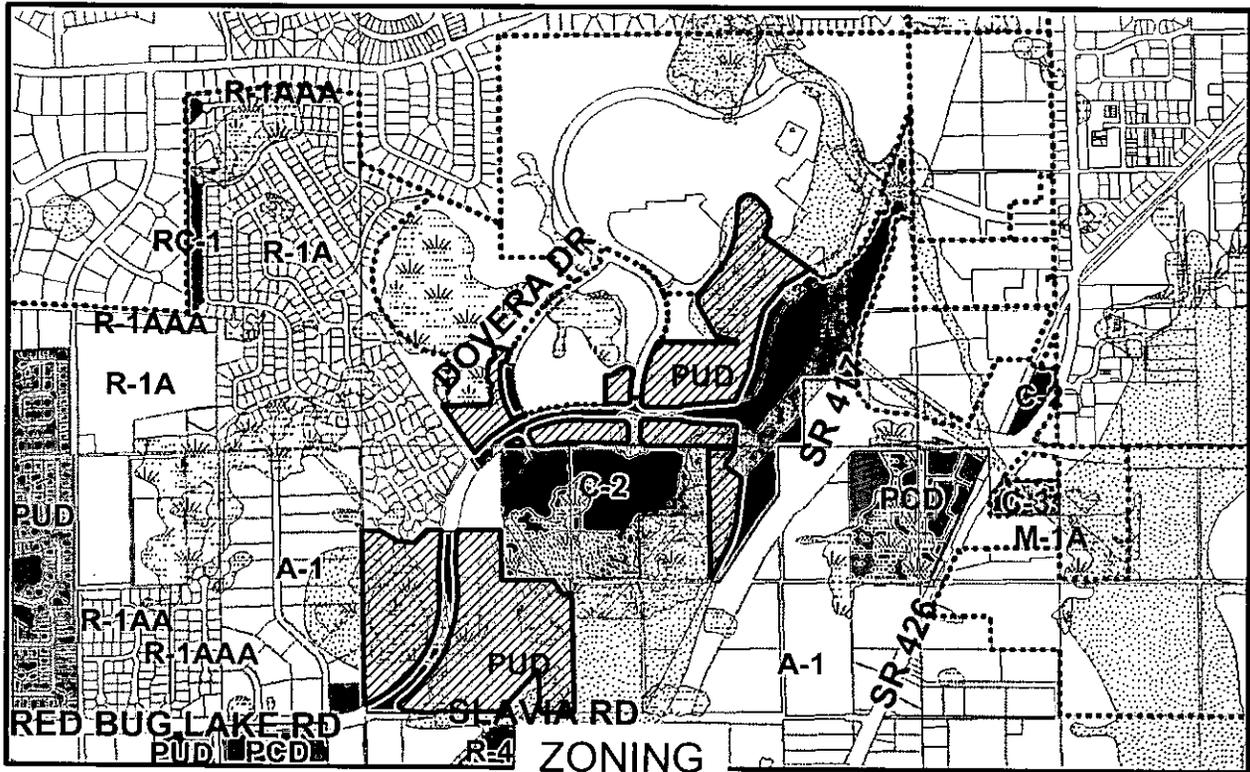


FUTURE LAND USE

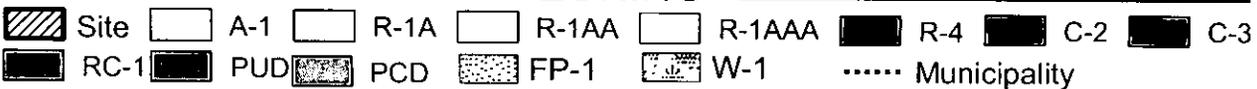


Applicant: Carey Hayo / Glatting Jackson
 Physical STR: 17-21-31 and 20-21-31
 Gross Acres: 115 +/- BCC District: 1 and 2
 Existing Use: Retail Center
 Special Notes: None

	Amend/ Rezoning#	From	To
FLU	--	--	--
Zoning	Z2005-021	--	--



ZONING



Attachment G



Rezone No: Z2005-021
From: PUD To: PUD

-  Parcel
-  Subject Property



January 2004 Color Aerials