

**WILSHIRE BLVD TOWNHOMES PUD
DEVELOPER'S COMMITMENT AGREEMENT**

On October 14, 2003 the Board of County Commissioners of Seminole County, Florida issued this Developer's Commitment Agreement relating to and touching and concerning the following described property:

1. **LEGAL DESCRIPTION:**

See Exhibit A

2. **PROPERTY OWNER**

3. **STATEMENT OF BASIC FACTS**

- A. Total Area: 12.79 Acres
B. Zoning: Planned Development
C. Gross Density 10.16 units/acre
Note: Density within the area described in Exhibit B shall be limited to 9.9 units per net buildable acre
D. The development approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance with all other applicable regulations and ordinances.
E. The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow, and perpetually burden the aforescribed property.

4. **LAND USE BREAKDOWN**

<i>LAND USE</i>	<i>AREA (acres)</i>	<i>% OF SITE</i>
Townhouse Residential	5.18	40.47
Utility & access R/W	1.9	14.92
Buffer, Drainage & Open Space tract	5.71	44.61
TOTAL AREA	12.79	100.00

5. **OPEN SPACE AND RECREATION AREAS**

Total Residential Land Area: 12.79 acres
Required Open Space: 25% = 12.79 acres x 0.25 = 3.19 acres
Open Space Provided: 5.71 Acres

6. **BUILDING SETBACKS**

Wilshire Blvd:	25'
East and South Property Lines	50' from rear wall of any unit. 40' from side wall of any unit
North Property Line (adjacent to Commercial)	20'
West Property Line:	20'

7. **PERMITTED USES**

attached single family dwelling units
single family homes
home occupations
home offices

8. **LANDSCAPE & BUFFER CRITERIA**

South and East Property Lines

- 15' landscape buffer.
- minimum of 4 canopy trees and 5 understory trees per 100'
- 6' PVC fence

North Property Line (adjacent to shopping center site)

- 10' Landscape buffer
- minimum of 2 canopy trees per 100'
- 6' PVC fence

West Property Line

- 10' Landscape buffer
- minimum of 2 canopy trees per 100'
- 6' PVC fence

Wilshire Blvd. Frontage

- 15' landscape buffer
- minimum of 4 canopy trees per 100'
- 6' brick columns and aluminum picket fence

All landscape buffers and common areas shall be maintained by a homeowners association.

10. **DEVELOPMENT COMMITMENTS**

- A. All townhouse units will be located on individual platted lots.
- B. The development will not be designed or marketed as student housing.
- C. Balconies shall be prohibited within the development.

-- DRAFT --

- D. Use of common areas shall be limited to open space, recreational amenities, and utility facilities serving all residents of the development.
- E. Density within the portion of the site described in Exhibit B shall be limited to 9.9 units per net buildable acre.
- F. Front walls of townhouse units shall be staggered.
- G. Mechanical units shall be located and/or screened so as not to be visible from Wilshire Blvd or adjoining single family development.
- H. No accessory buildings shall be allowed on individual townhouse lots.
- I. The developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside the development.
- J. Outdoor lighting shall be cutoff/shoebox style fixtures a maximum of 16 feet in height.
- K. The project street lighting adjacent to the south and east property boundaries will be limited to decorative lighting affixed to the fronts of the units. Security lighting with motion sensors shall be permitted on any side of the buildings.
- L. Building height shall be limited to 35 feet. Height shall be measured from the mean elevation between roof ridge and eaves, as specified in the Land Development Code.
- M. Existing trees that are preserved during construction may satisfy applicable landscaping requirements where they are located in buffer areas.

11. WATER, SEWER AND STORMWATER

WATER: Water services shall be provided by Seminole County.

SANITARY SEWER: Sanitary sewer shall be provided by Seminole County.

STORMWATER: Stormwater drainage and stormwater management shall be according to Seminole County's county regulations.

FIRE PROTECTION: Fire protection shall be provided by Seminole County. Fire flow will be a minimum of 1,250 gpm with 20 p.s.i. Fire hydrant shall be located according to Seminole county regulations.

12. PHASING

The development will be constructed in 1 phase.

13. STANDARD COMMITMENTS

- A. Unless specifically addressed otherwise herein, all development shall fully comply with all of the codes and ordinances, including impact fee ordinances, in effect in Seminole County at the time of permit issuance.
- B. The conditions upon this development approval and commitments made as to this development approval have been accepted by and agreed to by the Owners of the property.

-- DRAFT --

- C. The developer's commitment agreement touches and concerns the aforescribed property, and the conditions, commitments, and provisions of the developer's commitment agreement shall perpetually burden, run with, and follow the said property and be a servitude upon and binding upon said property unless released in whole or by part by action of Seminole County by virtue of a document of equal dignity herewith. The Owners of said property have expressly covenanted and agreed to this provision and all other terms and provisions of the developer's commitment agreement.

- D. The terms and provisions of the developer's commitment agreement are not severable, and in the event any portion of this developer's commitment agreement shall be found to be invalid or illegal, then the entire developer's commitment agreement shall be null and void.

**DONE AND ORDERED ON
THE DATE FIRST WRITTEN ABOVE**

By: _____
Daryl G. McLain
Chairman

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, _____, on behalf of itself and its successors, assigns or 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.

Witness

Print Name

By: _____

Witness

Print Name

STATE OF FLORIDA

COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2003.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

Site Boundary Legal Description:

A tract of land being a portion of Section 20, Township 21 South, Range 30 East, Seminole County, Florida, being more particularly described as follows:

Begin at the Southwest corner of Lot 19, Block "B" Coach Light Estates Section III according to the plat thereof as recorded in Plat Book 25, Page 86 Public Records of Seminole County, Florida; thence run North 90° 00' 00" West along the North line of Indian Hills Unit 4 according to the Plat thereof as recorded in Plat Book 15, Page 19 Public Records of Seminole County, Florida for a distance of 487.85 feet to the most Easterly corner of Lot 11, Indian Hills Unit No. 5 as recorded in Plat Book 15, Page 53, Public Records of Seminole County, Florida; thence continue along the North boundary of the aforesaid plat North 63° 55' 23" West for 314.87 feet; thence south 75° 33' 50" West for 196.31 feet; thence North 55° 25' 03" West for 200.00 feet; thence South 49° 49' 10" West for 252.15 feet; thence departing said plat boundary run North 03° 58' 10" West for a distance of 353.21 feet to a point lying on a curve concave Southeasterly having a radius of 526.59 feet; said point being on the South Right-of-Way of Wilshire Boulevard according to the plat of Coach Light Estates as recorded in Plat Book 21, Pages 30-31 Public Records of Seminole County, Florida; thence from a Tangent bearing of North 69° 31' 45" East run Northeasterly along the arc of a curve and said Right-of-Way through a central angle of 13° 40' 38" for 125.70 feet to the point of tangency; thence North 83° 12' 23" East for a distance of 177.85 feet; thence departing said Right-of-Way South 05° 00' 00" West for a distance of 49.36 feet; thence North 90° 00' 00" East for 43.20 feet; thence North 05° 00' 00" East for 57.04 feet; to a point on the afore described South Right-of-Way of Wilshire Boulevard; said point being on a curve concave Northwesterly and having a radius of 411.28 feet; thence from a tangent bearing of North 76° 59' 58" East run Northeasterly along the arc of a curve and said Right-of-Way through a central angle of 34° 12' 40" for 245.57 feet to the point of tangency, thence continue North 42° 47' 18" East along said Right-of-Way for a distance of 190.61 feet to a point on the west line of Wilshire Plaza according to the plat thereof as recorded in Plat Book 32, Page 80 Public Records of Seminole County, Florida; thence South 47° 12' 42" East along said boundary for a distance of 590.00 feet; thence North 42° 47' 18" East for a distance of 334.58 feet to a point on the west line of Coach Light Estates Section III according to the plat thereof as recorded in Plat Book 25, Page 86 Public Records of Seminole County, Florida; thence South 00° 07' 06" East along said Boundary also being the east line of Section 20, Township 21 South Range 30 East per said plat for a distance 556.92 feet to the POINT OF BEGINNING.

Contains: 12.799 Acres, more or less.

EXHIBIT B

Legal Description of Planned Development (PD) land use designation:

A tract of land being a portion of Section 20, Township 21 South, Range 30 East, Seminole County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Lot 19, Block "B" Coach Light Estates Section III according to the plat thereof as recorded in Plat Book 25, Page 86 Public Records of Seminole County, Florida; thence run North 00° 07' 06" East along the west line of Coach Light Estates Section III for 200.00 feet to the **POINT OF BEGINNING**; thence run North 90° 00' 00" West for 1000.00 feet; thence North 00° 03' 51" East, 230.92 feet to a point being on the South Right-of-Way of Wilshire Boulevard according to the plat of Coach Light Estates as recorded in Plat Book 21, Page 30-31, Public Records of Seminole County, Florida; said point being on a curve concave Northwesterly and having a radius of 411.28 feet; thence from a tangent bearing of North 76° 59' 58" East run Northeasterly along the arc of a curve and said Right-of-Way through a central angle of 34° 12' 40" for 245.57 feet to the point of tangency; thence continue North 42° 47' 18" East along said Right-of-Way for a distance of 190.61 feet to a point on the west line of Wilshire Plaza according to the plat thereof as recorded in Plat Book 32, Page 80 Public Records of Seminole County, Florida; thence South 47° 12' 42" East along said Boundary for a distance of 590.00 feet; thence North 42° 47' 18" East for a distance of 334.58 feet to a point on the west line of Coach Light Estates Section III according to the plat thereof as recorded in Plat Book 25, Page 86 Public Records of Seminole County, Florida; thence South 00° 07' 06" East along said Boundary also being the east line of Section 20, Township 21 South, Range 30 East per said plat for a distance 336.92 feet to the **POINT OF BEGINNING**.

Contains: 6.61 Acres, more or less.

EXHIBIT C

Final Master Plan

Legal Description: As provided by client.

DESCRIPTION

A tract of land being a portion of Section 20, Township 21 South, Range 30 East, Seminole County, Florida, being more particularly described as follows:

Begin at the Southwest corner of Lot 19, Block 'B' Coach Light Estates Section III according to the plat thereof as recorded in Plat Book 25, Page 66 Public Records of Seminole County, Florida, thence run North 90° 00' 00" West along the North line of Indian Hills Unit 4 according to the Plat thereof as recorded in Plat Book 13, Page 19 Public Records of Seminole County, Florida for a distance of 467.85 feet to the most Easterly corner of Lot 11, Indian Hills Unit No. 5 as recorded in Plat Book 13, Page 35, Public Records of Seminole County, Florida, thence continue along the North boundary of the aforesaid plat North 63° 55' 23" West for 314.87 feet, thence south 75° 33' 00" West for 190.31 feet, thence North 52° 23' 04" West for 200.00 feet, thence South 49° 49' 10" West for 252.15 feet, thence departing said plat boundary run North 63° 58' 10" West for a distance of 353.21 feet to a point lying on a curve concave Southeastward having a radius of 526.59 feet, said point being on the South Right-of-Way of Wilshire Boulevard according to the plat of Coach Light Estates as recorded in Plat Book 21, Pages 30 - 31, Public Records of Seminole County, Florida, thence from a tangent bearing of North 69° 31' 49" East run Northeastward along the arc of a curve and said Right-of-Way through a central angle of 13° 40' 38" for 125.70 feet to the point of tangency, thence North 83° 12' 23" East for a distance of 177.85 feet, thence departing said Right-of-Way South 03° 00' 00" West for a distance of 49.36 feet, thence North 90° 00' 00" East for 43.20 feet, thence North 03° 00' 00" East for 57.04 feet, to a point on the above described South Right-of-Way of Wilshire Boulevard, said point being on a curve concave Northwestward and having a radius of 411.23 feet, thence from a tangent bearing of North 76° 59' 58" East run Northeastward along the arc of a curve and said Right-of-Way through a central angle of 34° 12' 40" for 245.57 feet to the point of tangency, thence continue North 42° 47' 18" East along said Right-of-Way for a distance of 190.01 feet to a point on the west line of Wilshire Plaza according to the plat thereof as recorded in Plat Book 32, Page 60 Public Records of Seminole County, Florida, thence South 47° 12' 42" East along said boundary for a distance of 590.00 feet, thence North 42° 47' 18" East for a distance of 434.58 feet to a point on the west line of Coach Light Estates Section III according to the plat thereof as recorded in Plat Book 25, Page 66 Public Records of Seminole County, Florida, thence South 00° 00' 00" East along said boundary also being the west line of Section 20, Township 21 South, Range 30 East per said plat for a distance of 500.02 feet to the POINT OF BEGINNING.

Contains: 12,799 Acres, more or less.

Wilshire Blvd Townhomes

Planned Development

Final Master Plan

Seminole County, Florida

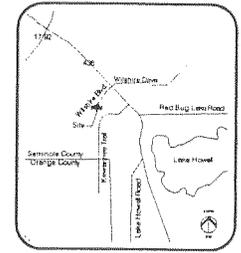
June 2003

Prepared for:
E.C.P. Development
175 Lookout Place
Suite 201
Maitland FL. 32751

Revisions

Revised per Staff Comments dated 07.30.03

▲ 08.15.03



Location Map

Site Data

Overall Site	Parcel ID Numbers	
	20-21-30-300-001E-0000	12.79 AC.
	20-21-30-300-001F-0000	1.61 AC.
	20-21-30-300-001H-0000	11.18 AC.
Total Land Area		15.57 AC.
Prime Farmland (Including Future FWS) *		0.00 AC.
Net Land Area (Including FWS) *		15.57 AC.
Approved Zoning		PD
Approved Land Use Designation		PD
Total Units		130 Units
Proposed Density		11.53 U/AC (74%)
Required Open Space		3.10 AC. (20%)
Proposed Open Space		8.71 AC. (56%)
Maximum Building Height		30' 2 story
Typical Lot Size		1,700 sq. ft. (39' x 85')
Minimum Lot Coverage		20%
Minimum Lot Area		1,000 sq. ft.
Property Setbacks		
North Property Line		25'
West Property Line		20'
South Property Line (Side of Building)		40'
South Property Line (Rear of Building)		50'
East Property Line (Along Commercial Loop)		50'
East Property Line (Along Residential Loop)		20'
Minimum Building Setbacks on Lots		
Front		0'
Side		0'
Rear		10'
Minimum Building Separation Requirements		
Side to Side		20'
Rear to Rear		40'
Rear to Side		30'
Parking		
Required Spaces		240 (2.00)
Garage		130
Residential		130
Visitor		60
Total Parking		233

General Notes

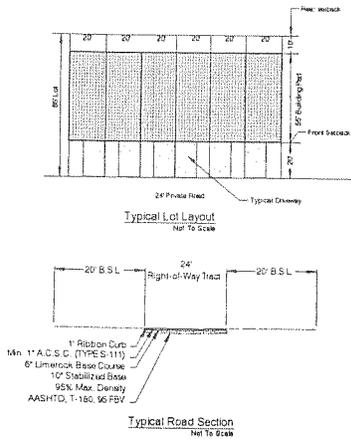
- Streets will be privately owned & maintained by the Home Owners Association.
- Buffer, landscaping and common areas will be privately owned & maintained by The Homeowners Association.
- Project infrastructure will be developed in one phase.
- Solid waste collection will be curbside pick-up.

Sheet Index

SHEET	DESCRIPTION
1	Topographic Map
2	Final Master Plan
3	Utility Plan
4	Conceptual Landscape Plan
5	Earthmoving Concept Plan
6	Aerial Photograph

daly design group, inc.

Land Planning • Landscape Architecture • Project Management
915 N. Pennsylvania Ave., Winter Park, Florida 32789
Phone 407.740.7375 • Fax 407.740.7661 • www.dalydesign.com
Date: June 2003 Scale: As Noted Job No: 2238



Owners

Lawrence Jackman
Jerry D. Albert
PO Box 940637
Maitland FL 32794

Developer

E.C.P. Development
175 Lookout Place, Suite 201
Maitland FL 32751
(407)845-5244
Contact: Pete Leardam

Applicant/Agent

Daly Design Group
913 N. Pennsylvania Ave.
Winter Park, FL 32789
(407)740-7373
Contact: Thomas Daly ASLA

Engineer

GTC Engineering
379 W. Michigan Blvd
Orlando, FL 32807
(407) 980-0402
Contact: Claude Cassagnol

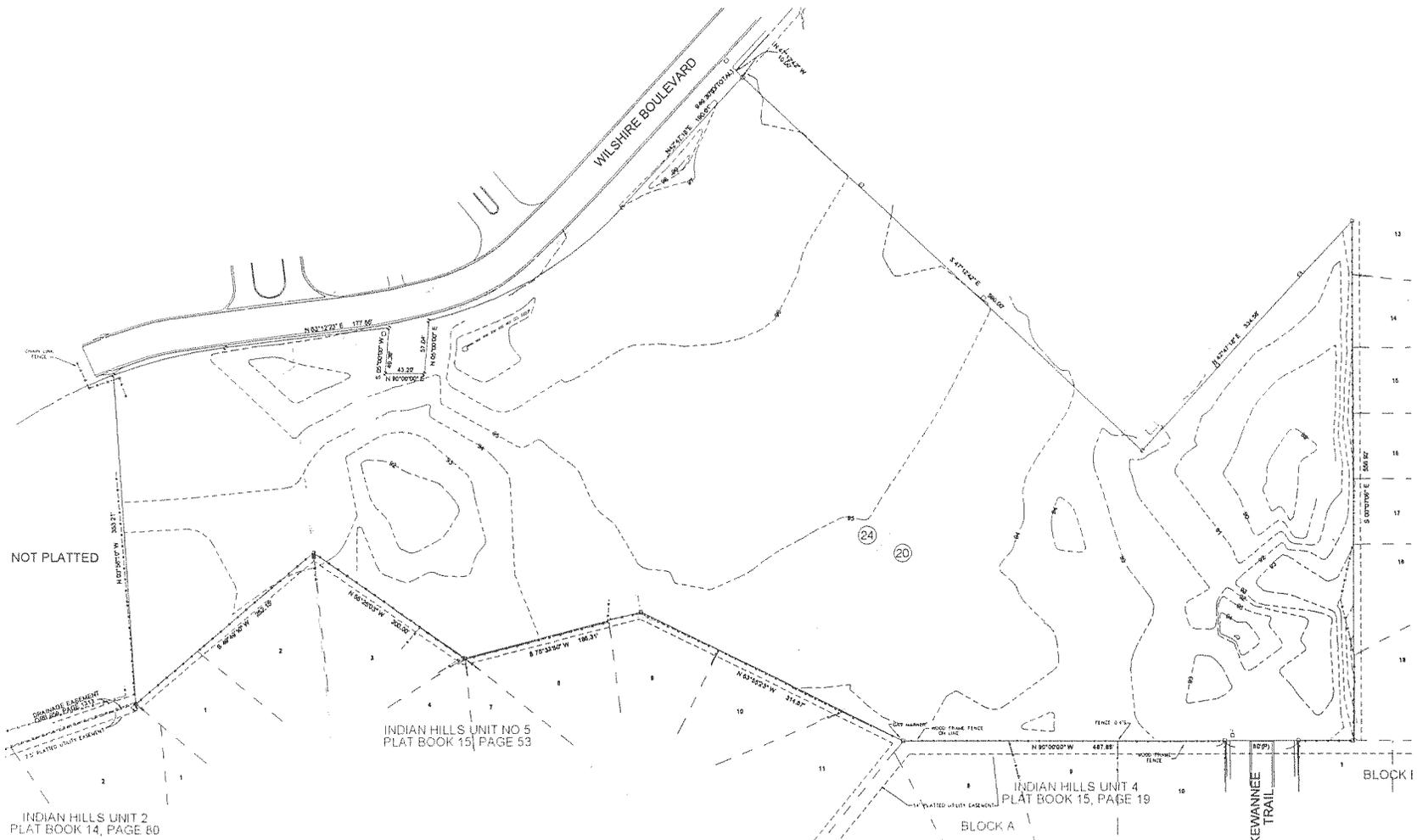
Surveyor

Tinklaugh Surveying Services
379 W. Michigan St., Suite 208
Orlando, FL 32806
(407) 422-0257
Contact: Jerry Livarouse

Conditions of Approval per Development Order #3-22000002

- All townhome units will be located on individual platted lots.
- The development will not be designed as student housing.
- Balconies shall be prohibited within the development.
- Use of common areas shall be limited to open space, recreational amenities, and utility facilities serving all residents of the development.
- Permitted uses on residential lots shall be townhome units, single family homes, home occupations and home offices.
- Density within the portion of the site described in Exhibit B shall be limited to 9 units per net buildable acre.
- Required setbacks and buffers along the south and east property line shall be as follows:
 - 50 feet from the front or rear wall of any unit.
 - 40 feet from the side wall of any unit.
 - 15 foot landscape buffer with 4 canopy and 5 understory trees per 100'.
- A 6" PVC fence shall be constructed and maintained along the south and east property line.
- Landscape buffers a minimum of 15 feet in width shall be provided along Wilshire Blvd. A minimum of 4 canopy trees per 100 feet shall be planted in said buffer.
- Front walls of townhome units shall be staggered.
- Mechanical units shall be located and/or screened so as not to be visible from Wilshire Blvd. or adjoining single family development.

- A minimum of (25) percent of the project area must be designated as open space per the requirements of the Land Development Code. Wet retention areas to be counted as open space shall be sited in accordance with the design criteria of Section 30.1344 of the Land Development Code. The applicant shall demonstrate on the Final PUD Master Plan that the open space requirements have been met.
- All landscape buffers and common areas within the residential portion of the development shall be maintained by the homeowners association.
- No accessory buildings shall be allowed on individual townhome lots.
- The developer shall provide a pedestrian circulation system giving access to all portions of the development as well as connecting to existing sidewalks outside the development.
- Outdoor lighting shall be cutoff/hooded style fixtures a maximum of 16 feet in height.
- The project street lighting adjacent to the south and east property boundaries will be limited to decorative lighting affixed to the fronts of the units. Security lighting with motion sensors shall be permitted on any side of the building.
- Building height shall be limited to 35 feet. Height shall be measured from the mean elevation between roof ridge and eaves, as specified in the Land Development Code.
- The principal access road shall be aligned with Coachlight Drive. Additional vehicular access shall be permitted on Wilshire Blvd. and Kawneer Trail, limited to emergency use only and stabilized per requirements of the Land Development Code.
- Existing trees that are preserved during construction may satisfy the landscaping requirements of this development order or the code.



NOT PLATTED

INDIAN HILLS UNIT 2
PLAT BOOK 14, PAGE 80

INDIAN HILLS UNIT NO 5
PLAT BOOK 15, PAGE 53

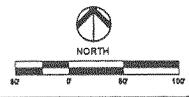
INDIAN HILLS UNIT 4
PLAT BOOK 15, PAGE 19

Soils Legend

- 20 Myakka and EauGalle fine sands
- 24 Paola - St. Lucie sands, 0-5 % slope

Soil Line

Soil information provided by the
Soil Survey of Seminole County, Florida pg. 28



Thomas Day
Registered Landscape Architect
Reg. # 1226

PROJECT NO.
2003
SCALE
1"=50'
DATE
June 2003
SHEET
1 OF 6

Topography Map
Final Master plan
Wilshire Blvd Townhomes
Seminole County, Florida

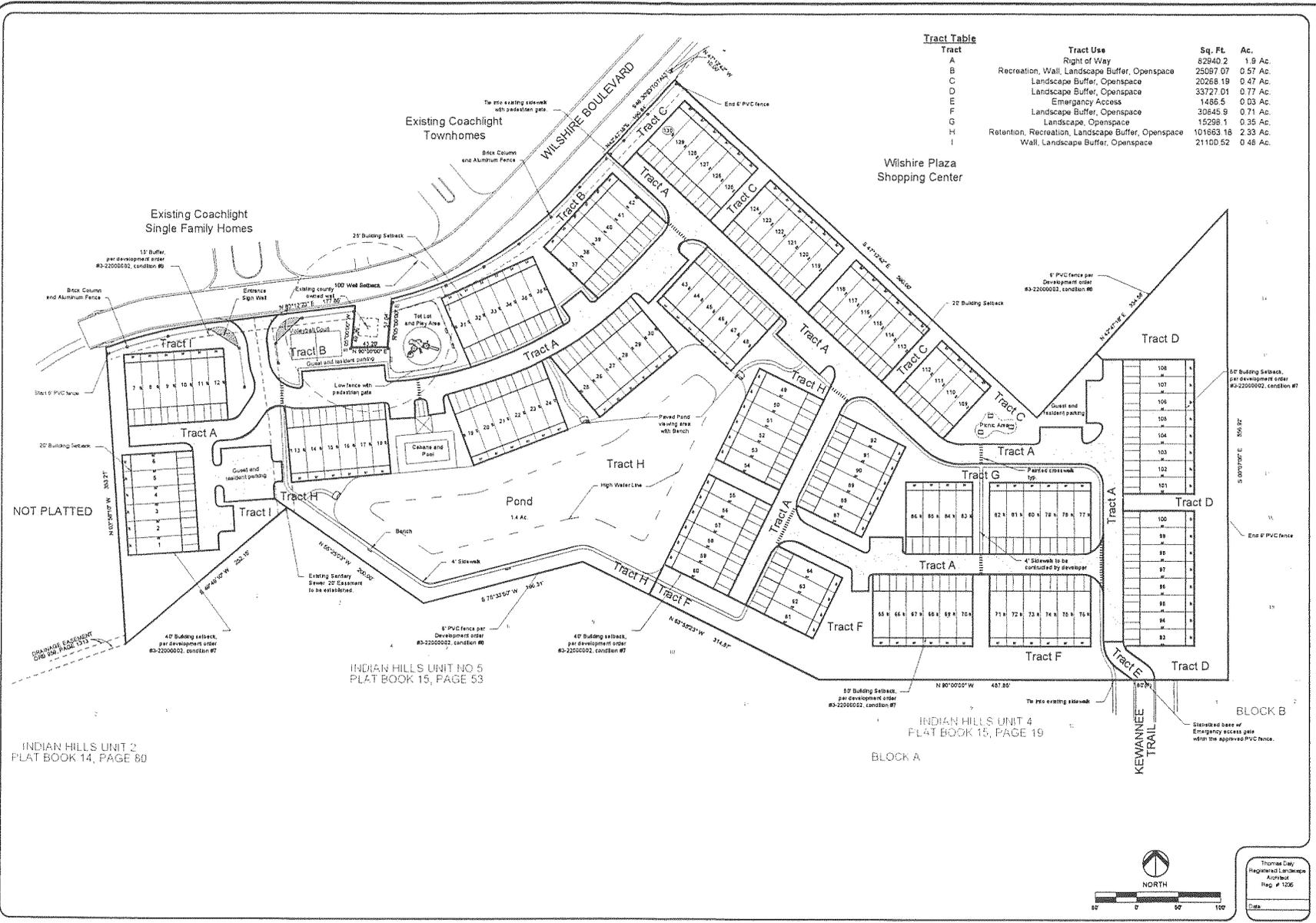


REV.	DATE	DESCRIPTION	BY
1	06/15/03	Final Topographic Map (2003)	TD

daly design group inc.
Land Planning, Landscape Architecture, Project Management, Development Consulting
913 N. Penney/Avon Ave., Winter Park, Florida 32789 (407) 740-1373 www.dalydesign.com

Tract Table

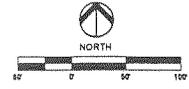
Tract	Tract Use	Sq. Ft.	Ac.
A	Right of Way	82940.2	1.9 Ac.
B	Recreation, Wall, Landscape Buffer, Openspace	25087.07	0.57 Ac.
C	Landscape Buffer, Openspace	20268.19	0.47 Ac.
D	Landscape Buffer, Openspace	33727.01	0.77 Ac.
E	Emergency Access	1436.5	0.03 Ac.
F	Landscape Buffer, Openspace	30645.9	0.71 Ac.
G	Landscape, Openspace	15298.1	0.35 Ac.
H	Retention, Recreation, Landscape Buffer, Openspace	101663.18	2.33 Ac.
I	Wall, Landscape Buffer, Openspace	21100.52	0.48 Ac.



daily design group inc.
 813 N. Pennsylvania Ave., White Pk., Tampa, FL 33611
 Phone: 813.288.4007 Fax: 813.288.4008
 www.dailydesign.com

NO.	DATE	REVISION
1	06.15.03	PERMITS

Final Master Plan
 Final Master Plan
 Wilshire Blvd Townhomes
 Seminole County, Florida



Thomas Day
 Registered Landscape
 Architect
 Reg. # 1236

PROJECT NO.
 2003
 SCALE
 1"=50'
 DATE
 June 2003
 SHEET
 2 OF 6

Existing Coachlight
 Single Family Homes

Existing Coachlight
 Townhomes

Wilshire Plaza
 Shopping Center

NOT PLATTED

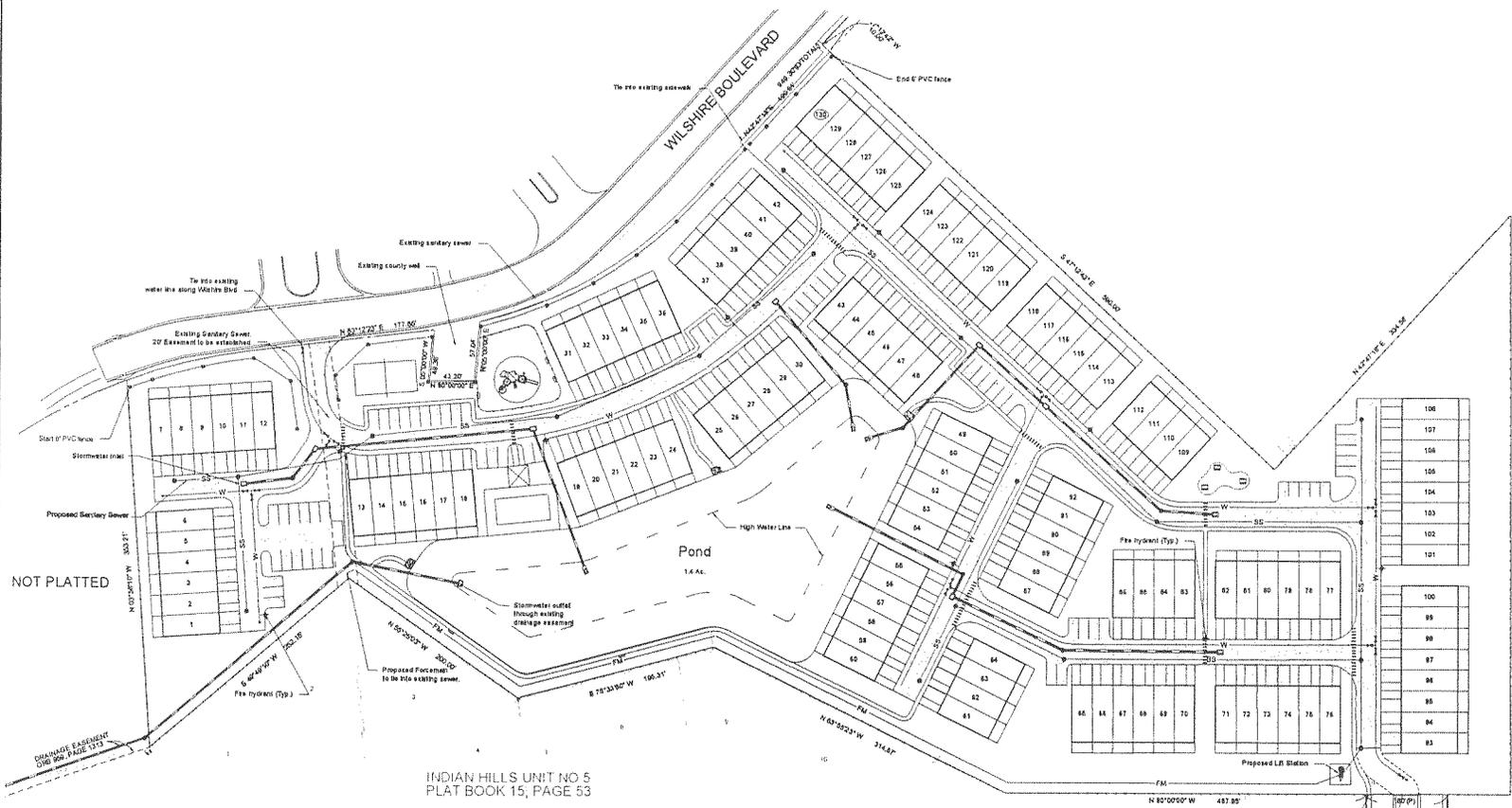
INDIAN HILLS UNIT 2
 PLAT BOOK 14, PAGE 80

INDIAN HILLS UNIT NO 5
 PLAT BOOK 15, PAGE 53

INDIAN HILLS UNIT 4
 PLAT BOOK 15, PAGE 19

BLOCK A

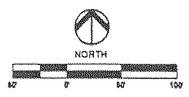
BLOCK B



INDIAN HILLS UNIT NO 5
PLAT BOOK 15, PAGE 53

INDIAN HILLS UNIT 4
PLAT BOOK 15, PAGE 19

- Legend**
- Existing Watermain
 - Existing Reclaim Water Line
 - Existing Forcemain
 - Proposed Watermain
 - Proposed Storm Sewer
 - Proposed Sanitary Sewer
 - Proposed Force Main
 - Existing Power Pole
 - Proposed Storm Inlet
 - Proposed Storm Inlet
 - Proposed Sanitary Manhole
 - Proposed Fire Hydrant



Block A
Block B

daly design group inc.

REV	DATE	DESCRIPTION
1	06/15/03	PER STATE COMMENTS

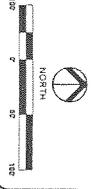
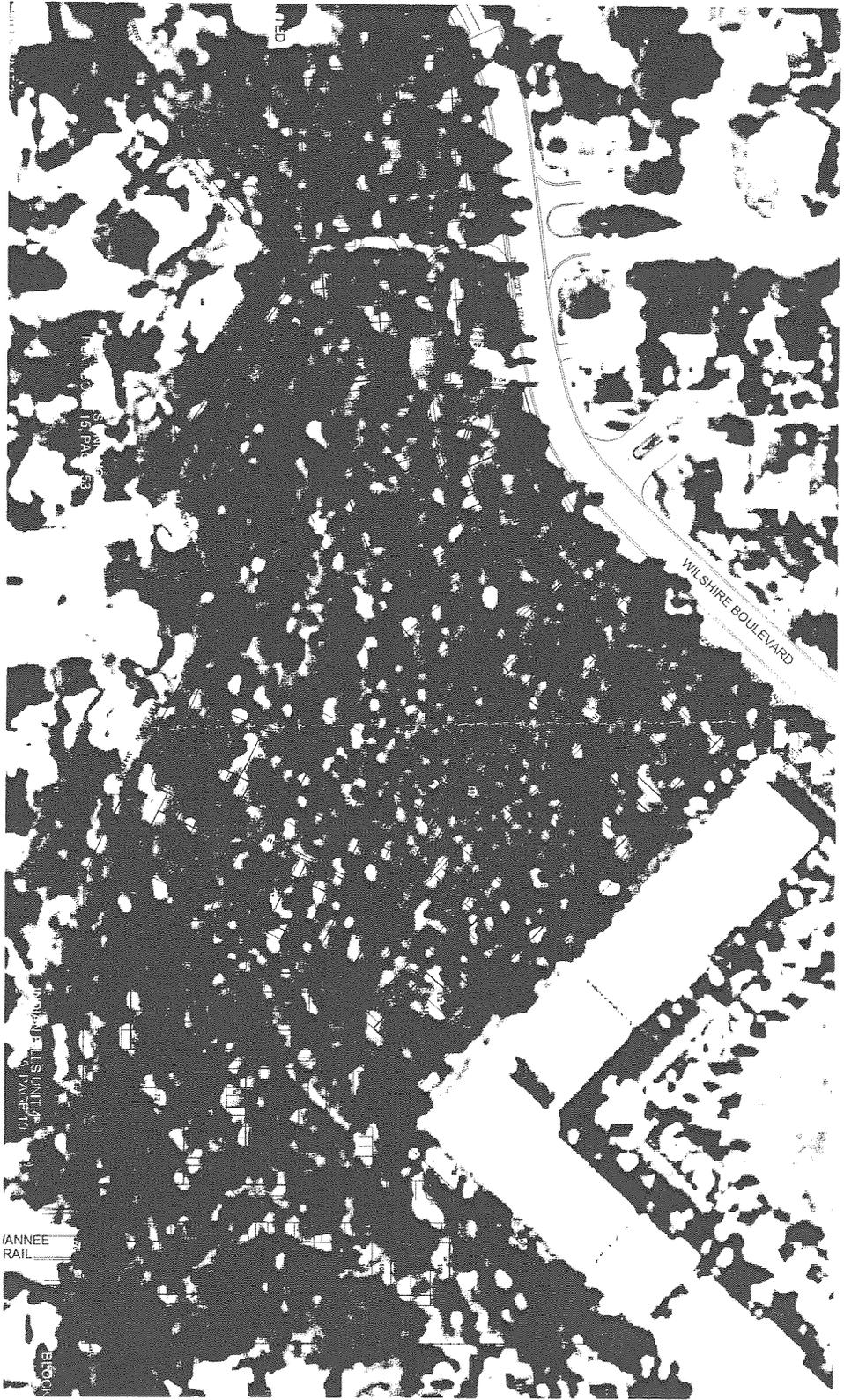
Utility Plan
Final Master plan
Wilshire Blvd Townhomes
Seminole County, Florida



Thomas Clay
Registered Landscape Architect
Reg # 1226

PROJECT NO.
22-030
DATE
June 2003
SHEET
3 OF 8

Land Planning, Landscape Architecture, Project Management, Development Consulting
813 N. Chesapeake Ave. Winter Park, Florida 32789 (407) 740-2173 www.dalydesign.com



15th PLACE
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 93rd PLACE
 94th PLACE
 95th PLACE
 96th PLACE
 97th PLACE
 98th PLACE
 99th PLACE
 100th PLACE

ANNIE
 RAIL
 BRIDGE

Aerial Photo
 Preliminary Subdivision Plan
 Wilshire Townhomes
 Seminole County, Florida

REV	DATE	DESCRIPTION	BY
1	08.15.03	Final Comments Used 07.30.03	

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