

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Development of Regional Impact Notice of Proposed Change (DRI/NOPC), Substantial Deviation Determination; rezoning from PUD (Planned Unit Development District) to PUD; and Third Amended Developer's Commitment Agreement for the Heathrow DRI/PUD.

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Dori L. DeBord **CONTACT:** Michael Rumer **EXT.** 7431

Agenda Date <u>12/12/06</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input checked="" type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

1. **APPROVE** the Second Amended and Restated Development Order for the Heathrow Development of Regional Impact with the finding that the Notice of Proposed Change does not constitute a substantial deviation; and the Heathrow PUD Major Amendment, Rezoning from PUD to PUD and Third Amended Developer's Commitment Agreement, for 1,495.2 ± acres, located on the north side of Lake Mary Boulevard, approximately bounded by Markham Road, Markham Woods Road, Orange Boulevard and Heathrow International Parkway, and authorize the Chairman to execute aforesaid documents based on staff findings (Joe Dobosh/Heathrow Land Company Limited Partnership, applicant);or
2. **DENY** the Second Amended and Restated Development Order for the Heathrow Development of Regional Impact and the Heathrow PUD Major Amendment, Rezoning from PUD to PUD and Third Amended Developer's Commitment Agreement, for 1,495.2 ± acres, located on the north side of Lake Mary Boulevard, approximately bounded by Markham Road, Markham Woods Road, Orange Boulevard and Heathrow International Parkway, and authorize the Chairman to execute the Denial Development Order (Joe Dobosh/Heathrow Land Company Limited Partnership, applicant);or
3. **CONTINUE** the item to a time and date certain.

District 5 – Commissioner Carey

Michael Rumer, Senior Planner

BACKGROUND:

The applicant is requesting approval of the Second Amended and Restated Development Order for the Heathrow Development of Regional Impact and a Major Amendment to the Heathrow PUD (see Additional Background for details). The Heathrow DRI/PUD

Reviewed by: <u>KFT</u> Co Atty: _____ DFS: _____ Other: _____ DCM: _____ CM: <u>[Signature]</u> File No. <u>ph130pdp05</u>
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was approved August 27, 1974. The original PUD was approved for 1,267.47 acres and consisted of 4,325 residential units, 133.3 acre golf course, 6.7 acre Club House, 5.3 acre Athletic Club, and 19.6 acres of Commercial. The DRI was approved for 1,977.7 acres and which includes Heathrow West, an agriculturally zoned property. Subsequently, the PUD Developer's Commitment Agreement which has been the controlling zoning document for the PUD since 1991, was amended two (2) times with five (5) addendums giving the current approved acreage of 1495.2 ± acres and 3,480 residential units. The Third Amended Developer's Commitment Agreement proposed as part of this request incorporates the five (5) addendums as well as the changes proposed below.

Additional Background:

At this time, the applicant is requesting a Major Amendment to the Heathrow PUD consisting of the following changes:

- a. Relocation and redevelopment of the "Athletic Club" tract amenities: 12 tennis courts, swimming pool and athletic club to the site adjacent to the "Golf Club" tract.
- b. Redevelopment of "Athletic Club" tract 57 with single-family detached homes and renaming the tract to 4A.
- c. Addition of approved densities to tract 14 (Devon Green). Additional 8 single family units.
- d. Modification of tract 29 from an approved 382 residential units to 317 residential units.
- e. Relocation of the entrance for Barclay Place Condominiums.

The difference between the prior zoning approvals and what is proposed now, is as follows:

Tract	Building Area (Prior Zoning Approval)	Building Area (Proposed)
4A Athletic Club	12 Tennis Courts, Swimming Pool, and Athletic Club	57 single-family Units / 6,000-9,000 ± sq. ft. lot sizes
Country Club	6.9 acres with Golf Club House	12.9 acres with Golf Club House, 12 Tennis Courts, Swimming Pool, and Athletic Club
Golf Course	155.6 acres	147.65 acres
Tract 29 Residential	29.4 acres with 13 units/acre	29.4 acres with 10.78 units/acre
14 Residential (Devon Green)	17 acres / 119 Single-family Units	18.95 acre/ 127 Single-family Units

Proposed changes to the DRI Development Order include:

1. Updating the list of previous Amendments/Addendums to the DRI Development Order;
2. Amending the Land Use Apportionments Table;
3. Changing the Developer's name from the Heathrow Land Company to the Heathrow Land Company Limited Partnership;
4. Changing the DRI Annual Report submittal date from an annual to biennial basis;
5. Changing the down-zoning and termination date of the DRI Development Order from September 22, 2007 to September 22, 2012.

EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL AND FLORIDA DEPARTMENT OF TRANSPORTATION COMMENTS:

The East Central Florida Regional Planning Council (ECFRPC) has issued a letter stating that the proposed changes to the Heathrow DRI do not result in an automatic substantial deviation determination pursuant to the threshold criteria of Section 380.06(19), Florida Statutes, and recommends that the proposal does not require additional regional review (see attached letter from the ECFRPC).

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the Second Amended and Restated Development Order for the Heathrow Development of Regional Impact with the finding that the Notice of Proposed Change does not constitute a substantial deviation and of the Heathrow PUD Major Amendment, Rezoning from PUD to PUD and Third Amended Developer's Commitment Agreement, for 1,495.2 ± acres, located on the north side of Lake Mary Boulevard, approximately bounded by Markham Road, Markham Woods Road, Orange Boulevard and Heathrow International Parkway, based on staff findings.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission met on November 1, 2006 and voted 4-1 to recommend APPROVAL of the request for the Heathrow PUD Major Amendment, Rezoning from PUD to PUD and Third Amended Developer's Commitment Agreement, for 1,495.2 ± acres, located on the north side of Lake Mary Boulevard, approximately bounded by Markham Road, Markham Woods Road, Orange Boulevard and Heathrow International Parkway, and authorize the Chairman to execute aforesaid documents based on staff findings.

Attachments:

Location Map
FLU/Zoning Map
Aerial Photo

Third Amended Developer's Commitment Agreement
Rezone Ordinance
Denial Development Order (applicable if the request is denied)
Letters of opposition
East Central Florida Regional Planning Council (ECFRPC) Letter
11/01/06 Planning and Zoning Commission Meeting Minutes

Heathrow PUD DRI NOPC and Major Amendments- Rezone from PUD to PUD

APPLICANT	Joe Dobosh/Heathrow Land Company Limited Partnership	
PROPERTY OWNER	Heathrow Land Company Limited Partnership	
REQUEST	PUD Major Amendment (Rezone from PUD to PUD) Development of Regional Impact Notice of Proposed Change.	
PROPERTY SIZE	1495.2 ± acres	
HEARING DATE (S)	P&Z: November 1, 2006	BCC: December 12, 2006
PARCEL ID	12-20-29-300-0140-0000, 12-20-29-300-001L-0000,	
LOCATION	located on the north side of Lake Mary Boulevard, approximately bounded by Markham Road, Markham Woods Road, Orange Boulevard and Heathrow International Parkway.	
FUTURE LAND USE	PD	
ZONING	PUD	
FILE NUMBER	Z2006-057	
COMMISSION DISTRICT	#5 – Carey	

PROPOSED DEVELOPMENT:

The applicant is requesting Major Amendments to the Heathrow PUD, consisting of the following changes:

- a. Relocation and redevelopment of the "Athletic Club" tract amenities: 12 tennis courts, swimming pool and athletic club to site adjacent to the "Golf Club" tract.
- b. Redevelopment of "Athletic Club" tract 57 with single-family detached homes and renaming the tract to 4A.
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- c. Changing the Developer's name from the Heathrow Land Company to the Heathrow Land Company Limited Partnership;
- d. Changing the DRI Annual Report submittal date from an annual to biennial basis;
- e. Changing the down-zoning and extend buildout date of the DRI Development Order from September 22, 2007 to September 22, 2012.

ANALYSIS OVERVIEW:

COMPATIBILITY WITH SURROUNDING PROPERTIES

The proposed amendments to the tracts are consistent with the permitted uses within the Heathrow PUD. The proposed tract 4A which currently consists of twelve tennis courts, pool and club house is surrounded by condominiums (converted apartments) to the west, a lake to the north, residential to the east, and Lake Mary Boulevard to the south. The proposed addition of the tennis courts and pool to the Country Club tract will be compatible with the existing golf course. The addition to tract 14 (Devon Green Phase III) will add eight (8) units with rear yards abutting the golf course.

SITE ANALYSIS:

ENVIRONMENTAL IMPACTS

Floodplain Impacts:

Based on preliminary updated DFIRMs, a portion of the proposed site development appears to take place in floodzone AE. Compliance with the Seminole County Land Development Code regarding development within flood prone areas is required prior to final engineering approval.

Wetland Impacts:

Based on preliminary aerial photo and County wetland map analysis, there appears to be wetlands on the subject property. The jurisdictional wetland line must be reviewed by SJRWMD staff. Compliance with the Land Development Code regarding development within and around wetland areas is required prior to the issuance of any building permits.

Endangered and Threatened Wildlife:

Based on a preliminary analysis, there may be endangered and threatened wildlife on the subject property. A listed species survey will be required prior to final engineering approval.

Utilities:

The site is located in the Northwest Seminole County utility service area, and will be required to connect to public utilities. There is an existing 10-inch water main servicing the parcel and an 8-inch gravity main servicing the parcel.

Transportation / Traffic:

The property is adjacent to Lake Mary Blvd. which is classified as a collector road. Lake Mary Blvd. is not currently programmed to be improved according to the County 5-year Capital Improvement Program.

School Impacts:

The proposed project will not generate any school impacts not already accounted for in the PUD.

Public Safety:

The County Level-Of-Service standard for fire protection and rescue, per Policy PUB 2.1 of the Comprehensive Plan, is 5 minutes average response time. The nearest response unit to the subject property is Station # 36, which is located at 6200 Lake Mary

Blvd. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is less than 2 minutes.

Drainage:

The site falls within the new Wekiva Parkway and Protection Act (WPPA) Study Area. Portions of the site are areas of most effective recharge per WPPA overlays and must meet SCLDC requirements for these areas. Also, there are significant areas of karst topography per WPPA overlays. A geotechnical investigation must be done to verify the existence and extent of karst topography and only proposed development must meet all Wekiva Study Area setbacks.

Parks, Recreation and Open Space:

The Heathrow PUD is required to provide 35% or 510 acres as open space including lakes, golf course, recreation facilities, parks, conservation areas, greenbelts, road tracts, and landscaped areas. The new proposed open space total is 564.7 acres or 37.7% of the total area.

Sidewalks and Buffers:

All new development will provide a multi-use pedestrian, bicycle and jogging path system and will connect with the overall Heathrow pedestrian, bicycle and jogging path system which is sixteen (16) miles in length.

APPLICABLE POLICIES:

FISCAL IMPACT ANALYSIS

This project does not warrant running the County Fiscal Impact Analysis Model.

SPECIAL DISTRICTS

The site is located within the Wekiva Parkway and Protection Act (WPPA) Study Area. There are significant areas of karst topography per WPPA overlays. Existence and/or limits of karst topography need to be verified by a geotechnical engineer prior to Final Engineering.

COMPREHENSIVE PLAN (VISION 2020)

The following policies are applicable with the proposed project:

Policy FLU 2.11: Determination of Compatibility in PUD and PCD Zoning
Classifications

Policy CIE 3.2: Application to New Development

Policy POT 4.5: Potable Water-Extension of Service to New Development

Policy SAN 4.4: Sanitary Sewer Connection

Policy PUB 2.1: Public Safety Level-of-Service

INTERGOVERNMENTAL NOTIFICATION:

Intergovernmental notices were not required; the subject site is not within or directly adjacent to any local municipality and will not impact schools.

LETTERS OF SUPPORT OR OPPOSITION:

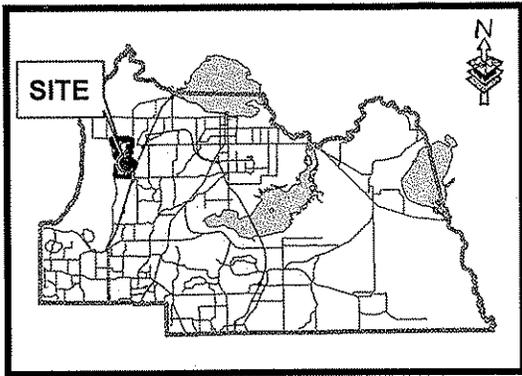
Staff has received letters of opposition which are included in the agenda packet.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the Second Amended and Restated Development Order for the Heathrow Development of Regional Impact with the finding that the Notice of Proposed Change does not constitute a substantial deviation and of the Heathrow PUD Major Amendment, Rezoning from PUD to PUD and Third Amended Developer's Commitment Agreement, for 1,495.2 ± acres, located on the north side of Lake Mary Boulevard, approximately bounded by Markham Road, Markham Woods Road, Orange Boulevard and Heathrow International Parkway, based on staff findings.

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LAKE COUNTY

POLUSIA COUNTY

Lake Monroe

Z2006-057
SITE

W SR 46

S SR 417

W 13TH ST

W 20TH ST

MARKHAM RD

ORANGE BLVD

INTERNATIONAL PKWY

N OREGON ST

MONROE RD

US 17-92

WAIRPORT BLVD

PERSIMMON AVE

W 25TH ST

W I-4

CR 46A

CR 46A

UPSALA RD

W LAKE MARY BLVD

LAKE MARY

OLD LAKE MARY RD

RAMP

W LAKE MARY BLVD

LAKE WAY RD

GREEN WAY BLVD

S COUNTRY CLUB RD

MUS 17-92

MYRTLE ST

HESTER AVE

Lake Josup

SR 419

E SR 434

ORANGE COUNTY

WEKIVA SPRINGS RD

E WEKIVA TRL

SABAL PALM DR

SABAL PALM DR

MARKHAM WOODS RD

L-4 REST AREA

E I-4

LAKE EMMA RD

LONGWOOD

W SR 434

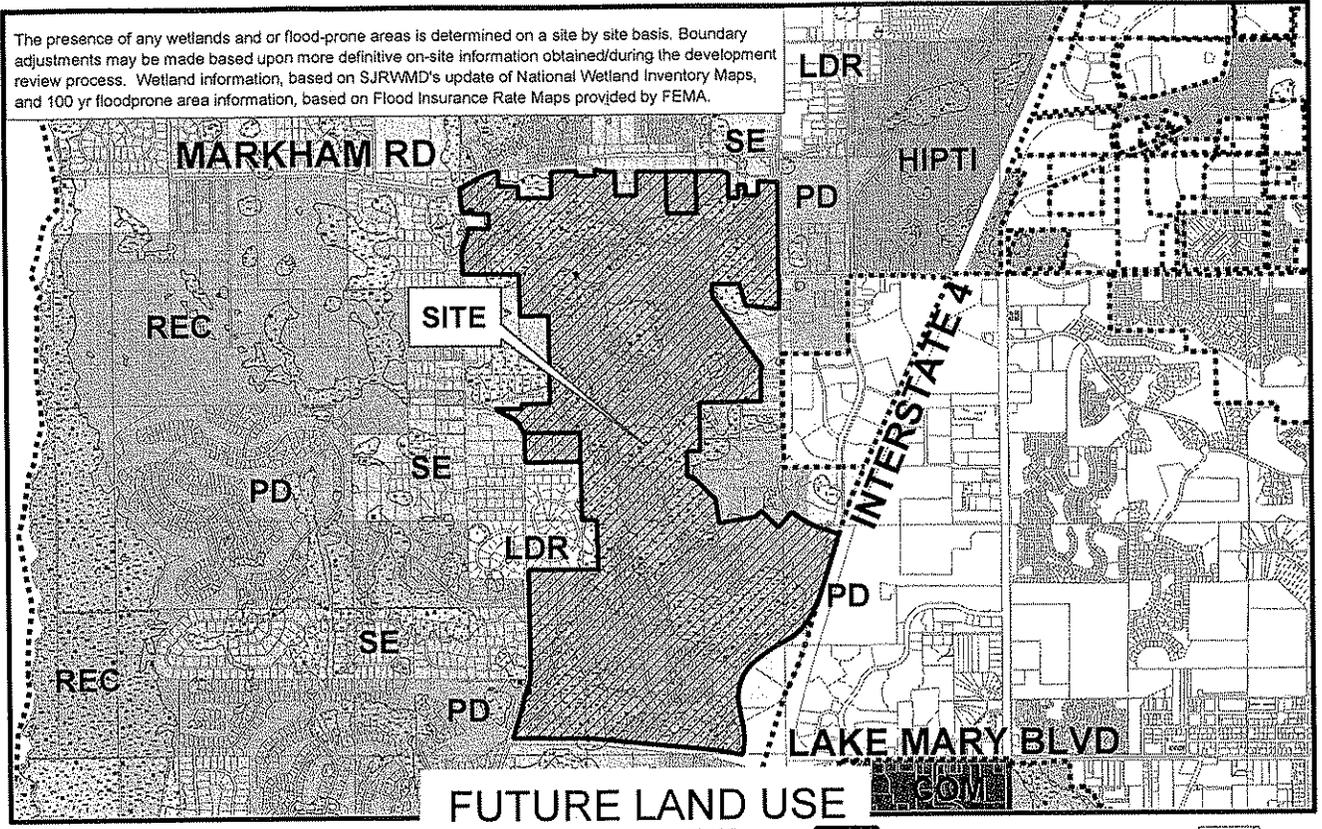
E SR 434

W SR 434

S US 17-92

WINTER SPRINGS

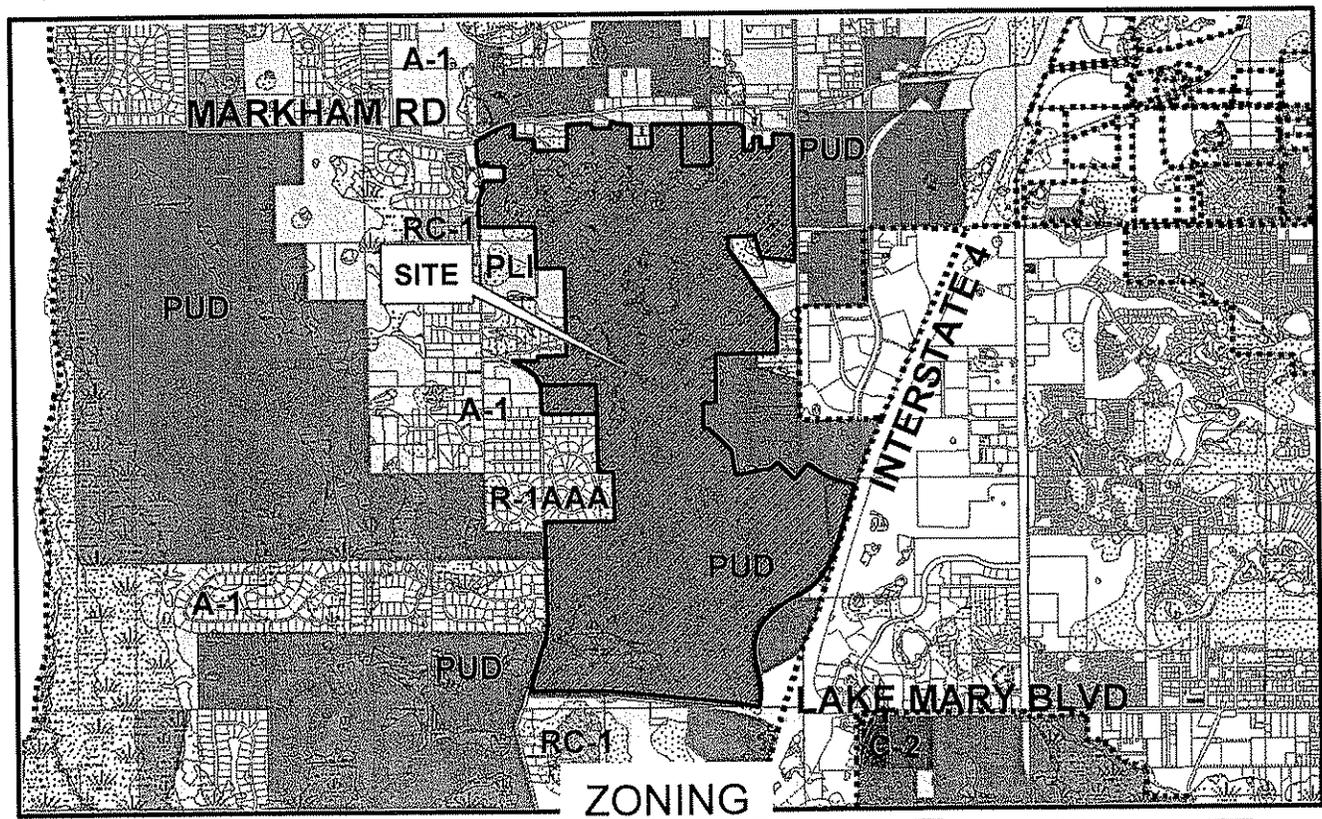
The presence of any wetlands and or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained/during the development review process. Wetland information, based on SJRWMD's update of National Wetland Inventory Maps, and 100 yr floodprone area information, based on Flood Insurance Rate Maps provided by FEMA.



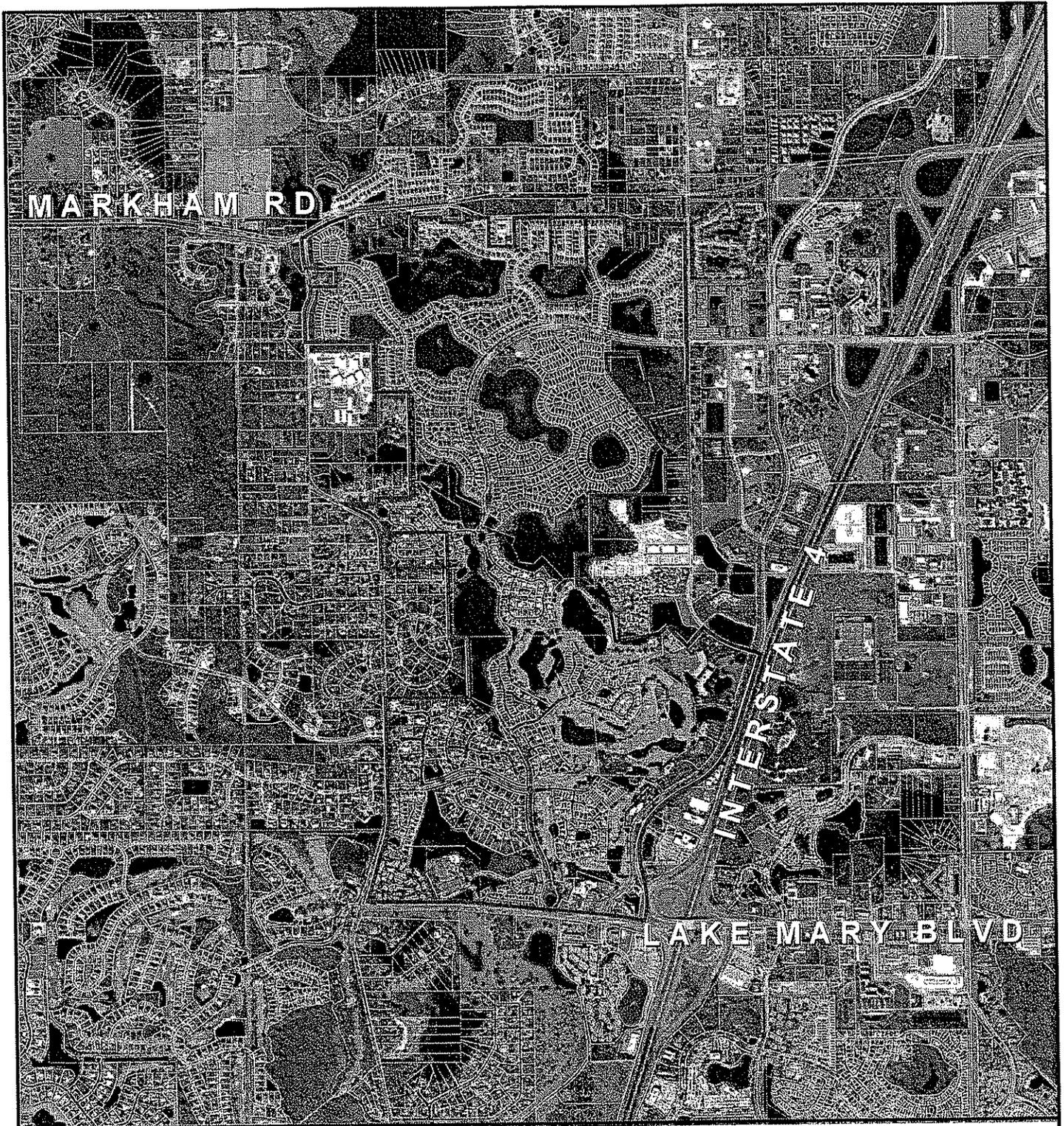
LDR SE PD HIPTI COM REC Site Municipality CONS

Applicant: Paul Roecker
 Physical STR: 12-20-29-300-0140&001Q&001L-0000
 Gross Acres: 1977.7 +/- BCC District: 5
 Existing Use: PUD
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	----	----	----
Zoning	Z2006-057	PUD	PUD



A-1 RC-1 R-1AAA C-2 PUD PLI FP-1 W-1



Rezone No: Z2006-057
From: PUD To: PUD

-  Parcel
-  Subject Property



Winter 2006 Color Aerials

**HEATHROW DEVELOPMENT OF REGIONAL IMPACT
FIRST SECOND AMENDED AND RESTATED DEVELOPMENT ORDER**

This Heathrow Development of Regional Impact (“DRI”) First Second Amended and Restated Development Order is made and entered into as of the ~~22nd~~ 12th day of ~~June~~ December, ~~1999~~, 2006 by and between Seminole County, Florida, a political subdivision of the State of Florida, whose address is Seminole County Services Building , 1101 East First Street, Sanford, Florida 32771 (the “County”), and Heathrow Land Company, Limited Partnership., (the “Developer”), whose address is 1275 Lake Heathrow Lane, Heathrow, Florida 32746 as successor in interest to Heathrow Development Associates, Ltd., a Florida Limited Partnership.

WITNESSETH:

WHEREAS, on August 30, 1974, the County issued that certain DRI Development Order for the Heathrow Planned Unit Development (“PUD”) (the “Original Development Order”), which has been amended by the Modified DRI Development Order dated May 15 March 14, 1984; Modified DRI Development Order dated August 27, 1985; Consolidated DRI Development Order dated July 28, 1992; and First Amended and Restated Development Order dated June 22, 1999; and by PUD Amendments/Addendums dated March 14, 1984, August 27, 1985, July 23, 1985, October 7, 1985, June 24, 1986, December 9, 1986, July 14, 1987, September 22, 1987, October 13, 1987, June 14, 1988, May 5, 1989, October 24, 1989, January 23, 1990, August 28, 1990, May 28, 1991, July 30, 1991, July 28, 1992, March 23, 1993, October 22, 1996, June 22, 1999, September 18, 1999, and February 8, 2000; and

~~WHEREAS, the June 14, 1989 and October 24, 1989 Amendments to the Original Development Order included additional real property located within the boundaries of the Heathrow DRI that retained their existing assigned A-1 zoning classification and were not included in the Heathrow properties assigned the PUD zoning classification; and~~

WHEREAS, a Consolidated Development Order was approved by the County on July 28, 1992 and recorded at O.R. Book 2464, Page 0497, of the public records of Seminole County which differentiated between the lands subject to DRI development conditions and PUD developments conditions; and

WHEREAS, a First Amended and Restated Development Order was approved by the County on June 22, 1999 and recorded at O.R. Book 3722, Page 1644, of the public records of Seminole County which included the incorporation of certain additional lands and a revision of the Heathrow DRI Master Plan; and

WHEREAS, the Developer wishes to make certain additional changes to the Heathrow DRI, ~~including the incorporation of certain additional lands and~~ to include a revision of the Heathrow DRI Master Plan and the Developer has requested the County's approval of same; and

WHEREAS, the proposed revisions have been reviewed by the Florida Department of Community Affairs ("DCA") and the East Central Florida Regional Planning Council ("ECFRPC") pursuant to Section 380.06(19), Florida Statutes, and have been determined to constitute a nonsubstantial deviation to the Heathrow DRI; and

WHEREAS, the County has conducted the required public hearings and has also determined that the proposed revisions do not constitute a substantial deviation to the Heathrow DRI.

NOW, THEREFORE, it is hereby ordered and resolved by the County acting by and through the Board of County Commissioners of Seminole County, Florida, that this Heathrow Development of Regional Impact ~~First~~ Second Amended and Restated Development Order is hereby approved in accordance with the following terms and conditions and with the Developer's joinder in all matters set forth herein:

PART I. FINDING OF FACT AND CONCLUSIONS OF LAW

SECTION 1. Heathrow Land Company, Limited Partnership, a Florida Limited Partnership is the Developer of the Heathrow DRI. The Developer's principal place of business is at 1275 Lake Heathrow Lane, Heathrow, Florida 32746.

SECTION 2. The property included with the Heathrow DRI is described in Exhibit "A" attached hereto and incorporated herein (the "Property")

SECTION 3. The Property does not lie with an area of critical state concern.

SECTION 4. The Heathrow DRI consists of the following development program.

- A. Total Acreage: 1,977.7 Acres
- B. Land Use Apportionments:

<u>Land Use Classification</u>	<u>Acres</u>	<u>Density (Unit/Acre)</u>	<u>Units</u>
Single Family Estates (3 units or less per gross acre)	653.4 <u>651.4</u>	1.5 <u>1.56</u>	974 <u>1,021</u>
Single Family (6 units or less per gross acre)	116.9 <u>158.7</u>	4.1 <u>3.73</u>	477 <u>592</u>
Low Density Multifamily (7 units or less per gross acre)	114.1 <u>89.65</u>	6.2 <u>6.88</u>	714 <u>617</u>
Medium Density Multifamily (13 units or less per gross acre)	187.6 <u>137.6</u>	11.1 <u>10.65</u>	1,531 <u>1,466</u>
Commercial/Office	86.5		
Open Space/Recreation			
Lakes	253.5		
Conservation	337.6		
Golf Course	155.6 <u>147.65</u>		
County Club	6.9 <u>12.90</u>		
Athletic Club	13.4		
Fire/Police	1.5		
Recreation Area	10.0		
Rights-of-way	90.7		
TOTAL ACREAGE	1,977.7	TOTAL UNITS	3,696

- C. The Heathrow DRI Master Plan (Map H) is attached hereto and incorporated herein as Exhibit “B.”
- D. Potential external traffic generation: 40,000 Average Daily Trips (Maximum).
- E. Water Supply: Supplied by Seminole County.
- F. Wastewater Service: Supplied by Seminole County.
- G. Fire Protection: Supplied by Seminole County.

SECTION 5. The Developer’s authorized agent is Joe DoBosh, Heathrow Land Company, Limited Partnership, 1275 Lake Heathrow lane, Heathrow, Florida 32746

SECTION 6. The development of the Heathrow DRI in accordance with the Master Plan attached hereto as Exhibit “B” will be consistent with the achievement of the objectives of the adopted State Land Development Plan and, therefore, will not unreasonably interfere with those objectives.

SECTION 7. The development of the Heathrow DRI in accordance with the Master Plan attached hereto as Exhibit “B” will be consistent with the Seminole County Comprehensive Plan.

SECTION 8. The development of the Heathrow DRI in accordance with the Master Plan attached hereto as Exhibit “B” will be substantially consistent with the report and recommendations of the ECFRPC made pursuant to Section 380.06, Florida Statutes.

SECTION 9. The Developer represents that all matters set forth herein are true and correct and intends for the County to rely upon said matters.

PART II. DRI AND ZONING COMMITMENTS

SECTION 1. The Heathrow PUD Commitment Agreement is incorporated herein by this reference thereto as if fully set forth herein verbatim. The Facility Commitments set forth in

Section IX of the PUD Commitment Agreement shall be deemed to be DRI commitments applicable to all property included within the Heathrow DRI as described in Exhibit "A" attached hereto.

SECTION 2. All other provisions of the PUD Commitment Agreement shall be deemed to be zoning commitments applicable only to the real property located within the Heathrow DRI that is assigned to the PUD zoning classification, as described in Exhibit "C" attached hereto and incorporated herein.

SECTION 3. Those real properties within the Heathrow DRI which are assigned a zoning classification other than PUD shall be developed in accordance with the County's Land Development Regulations applicable to the lands having the same zoning classification. The applicable zoning classification and legal description of those portions of the Property which are not assigned the PUD zoning classification are attached hereto as Exhibit "D" and incorporated herein.

SECTION 4. The following development shall be subject to the Seminole County Impact Fee Ordinances:

- (a) all development within those portions of the Property that are not currently assigned the PUD zoning classification; and
- (b) all development occurring upon those portions of the Property assigned the PUD zoning classification in excess of the first 3,618 residential units; and
- (c) development in all non-residential tracts except tracts allocated for recreational facilities and Tracts 1, 2, 9, 16A, 16B, and 16C.

PART III. OTHER DRI COMMITMENTS

In 1990 the Florida Game and Fresh Water Fish Commission issued Permit No. WR90051 to authorize the relocation of up to 250 gopher tortoises from the DRI Property. All gopher tortoises were removed and relocated in accordance with the terms of the Permit. No evidence of gopher tortoise habitation has been found within the 15-acre parcel that was being included in the DRI with the adoption of the ~~First~~ Second Amended and Restated Development Order. If, however, it is subsequently determined that gopher tortoises are residing on this parcel, any proposed impacts to the species shall be addressed using the applicable Florida Game and Fresh Water Fish Commission guidelines.

PART IV. MONITORING MECHANISMS

The Developer shall submit ~~an annual~~ a biennial report on or before ~~February 28th~~ March 31st of each calendar year during the build out of the development plan. Said ~~annual~~ biennial report shall be submitted to the County's ~~Current~~ Planning and Development Director Department, the ECFRPC, the DCA and all affected permitting agencies. The report shall include at a minimum:

- (a) a listing of any and all changes in the plan of development, or in the representations contained in the DRI Application for Development Approval ("ADA") or in the phasing for the reporting years and for the next year; and
- (b) a summary comparison of development activity proposed and actually conducted for the reporting years; and
- (c) a listing of undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or developer; and
- (d) identification of and intended use for lands purchased, leased or optioned by the Developer adjacent to the original DRI site since the Original Development Order was issued; and
- (e) an assessment of the Developer's and the County's compliance with the conditions for approval contained in the Original Development Order and the ~~First~~ Second Amended and Restated Development Order and the commitments which are

contained in the ADA and which have been identified by the County, the ECFRPC or the DCA as being significant; and

- (f) any known incremental DRI application for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year; and
- (g) a written indication of a change, if any, in the County's jurisdiction over for any portion of the Heathrow DRI since the Original Development Order was issued; and
- (h) a list of significant local, State and Federal permits which have been obtained or which are pending or under consideration listed by agency, type of permit, permit number and purpose of each; and
- (i) a statement that all persons have been provided copies of the ~~annual~~ biennial report in conformance with Subsections 380.06(15) and (18), Florida Statutes; and
- (j) a copy of any recorded notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the Developer pursuant to Section 380.06(15)(f), Florida Statutes.

PART VI V. PERIOD OF EFFECTIVENESS

This ~~First~~ Second Amended and Restated Development Order shall take effect upon execution by the County.

PART VII VI. DOWN-ZONING

Pursuant to Section 380.06(15)(c)3, Florida Statutes, the Property shall not be subject to down-zoning, unit density reduction, or intensity reduction until September 22, ~~2007~~ 2012 unless the County can demonstrate that substantial changes in the conditions underlying the approval of this ~~First~~ Second Amended and Restated Development Order have occurred, or that this ~~First~~ Second Amended and Restated Development Order or the Original Development Order, as previously amended, was based on substantially inaccurate information provided by the Developer or that the change is clearly established by the County to be essential to the public health, safety or welfare.

PART ~~VIII~~ VII. TERMINATION DATE

The effectiveness of this ~~First~~ Second Amended and Restated Development Order shall terminate and expire on September 22, ~~2007~~ 2012 unless all development activity in accordance herewith has previously been commenced. Further development past this date, upon good cause shown, will require approval by the County and the ECFRPC.

PART ~~IX~~ VIII. COMPLIANCE DATE

Development Activity within the Heathrow DRI has commenced in compliance with the terms and conditions of the Original Development Order, as previously amended.

PART ~~X~~ IX. EFFECTIVE DATE OF THIS ~~FIRST~~ SECOND AMENDED AND RESTATED DEVELOPMENT ORDER

Upon execution hereof, this ~~First~~ Second Amended and Restated Development Order shall supersede and replace the Original Development Order and all modification, amendments or addendums thereto which were executed prior to the date of this ~~First~~ Second Amended and Restated Development Order. Thereafter, this ~~First~~ Second Amended and Restated Development Order shall govern the requirements and conditions of development for the Heathrow DRI, and the Original Development Order and all prior modifications, amendments or addendums thereto shall be null and void and of no further force or effect. This Development Order, however, shall not be deemed to invalidate or supersede the PUD Commitment Agreement. The PUD Commitment Agreement shall be applicable to the lands within the Heathrow DRI in the manner described herein. The execution of this ~~First~~ Second Amended and Restated Development Order shall not be deemed or constructed to grant any vested rights to the Developer which the Developer did not have prior to the execution of this ~~First~~ Second Amended and Restated Development Order.

PART XI X. PROVISIONS BINDING /RECORDING OF NOTICE

The terms and conditions of this ~~First~~ Second Amended and Restated Development Order shall inure to the benefit of and be binding upon the heirs, personal representatives, successors and assigns of the parties hereto and shall run with the burden of the Property. The Developer shall ensure and provide that any successor in interest in and to any real property affected by this ~~First~~ Second Amended and Restated Development Order is bound by the terms of this ~~First~~ Second Amended and Restated Development Order. The Developer shall record this ~~First~~ Second Amended and Restated Development Order in the Official Records of Seminole County, Florida, and shall provide the County with a copy of the recorded ~~First~~ Second Amended and Restated Development Order including Book and Page Number within forty-five (45) days following the County's rendition of this ~~First~~ Second Amended and Restated Development Order to DCA and ECFRPC.

PART XII XI. HOLD HARMLESS

The Developer hereby holds the County harmless and indemnifies from and against any claim made in any way relating in any manner to the approval of this ~~First~~ Second Amended and Restated Development Order.

IN WITNESS WHEREOF, the parties hereunder have executed this ~~First~~ Second Amended and Restated Development Order on the day and year first above written.

All terms, conditions and provisions of this ~~First~~ Second Amended and Restated Development Order are hereby agreed to and shall be binding upon the Developer and its heirs, transferees, successors and assigns and shall run with and burden the Property.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

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

By: _____
CARLTON D. HENLEY, CHAIRMAN

Date: _____

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

As authorized for execution
By the Board of County
Commissioners at their
~~February 8, 2000~~ December 12, 2006
regular meeting.

County Attorney

WITNESSES: HEATHROW LAND COMPANY,
LIMITED PARTNERSHIP, a Florida Limited
Partnership; acting through its General Partner
4/46A Corporation

Print Name _____

By: _____
Joe DoBosh
Senior Vice President

Print Name _____

Date: _____

STATE OF) FLORIDA
)
COUNTY OF) SEMINOLE

The foregoing instrument was acknowledged before me this ____ day of _____, 2006, by Joe DoBosh, Senior Vice President, on behalf of said limited partnership, who is/is not personally known to me who did/did not taken an oath.

Print Name: _____
Notary Public in and for the County and State
Aforementioned
My commission expires: _____

EXHIBIT "A"

COMPOSITE HEATHROW DRI and WEST DESCRIPTION

Northwest Addition to the Heathrow P.U.D.

A parcel of land being a portion of Sections 35 and 36, Township 19 South, Range 29 East; Seminole County, Florida; more particularly described as follows: Commence at the Southeast corner of said Section 35 and run North $89^{\circ} 44' 00''$ West, along the South line of the Southeast $1/4$ of said Section 35 for a distance of 1336.26 feet; thence run North $00^{\circ} 16' 02''$ East along the East line of the Southwest $1/4$ of the Southeast $1/4$ of said Section 35 for a distance of 289.10 feet to Point of Beginning; thence North $89^{\circ} 47' 58''$ West, 1285.39 feet to the East right of way of Markham Woods Road; thence North $00^{\circ} 26' 27''$ East, 471.63 feet to the P.C. of a curve concave to the Southeast having a radius of 919.28 feet; thence Northerly along the arc of said curve through a central angle of $16^{\circ} 13' 54''$ for 260.43 feet to the P.R.C. of a curve concave to the Northwest having a radius of 1098.06 feet; thence Northerly along the arc of said curve through a central angle of $16^{\circ} 33' 22''$ for 317.29 feet; thence South $89^{\circ} 38' 12''$ East along the North line of the Southwest $1/4$ of the Southeast $1/4$ of Section 35, Township 19 South, Range 29 East for 535.72 feet; thence North $00^{\circ} 21' 15''$ East, 332.05 feet; thence North $89^{\circ} 36' 45''$ West, 370.61 feet; thence North $00^{\circ} 26' 27''$ East, 50.00 feet; thence South $89^{\circ} 36' 45''$ East, 5.00 feet; thence North $00^{\circ} 26' 27''$ East, 38.00 feet; thence North $89^{\circ} 36' 45''$ West, 75.00 feet; thence South $00^{\circ} 26' 27''$ West, 38.00 feet; thence South $89^{\circ} 36' 45''$ East, 10.00 feet; thence South $00^{\circ} 26' 27''$ West, 35.00 feet; thence North $89^{\circ} 36' 45''$ West, 156.99 feet; thence North $12^{\circ} 23' 55''$ West along the East right of way of Markham Woods Road for 49.60 feet to the P.C. of a curve concave Easterly and having a radius of 1598.24 feet; thence Northerly along the arc of said curve through a central angle of $10^{\circ} 42' 11''$ for 298.56 feet to the P.T.; thence North $01^{\circ} 41' 46''$ West, 253.21 feet to a point being on the Southerly right of way of Markham Road; thence Easterly along said Southerly right of way of Markham Road along a curve concave to the Northwest having a tangent bearing of North $65^{\circ} 06' 16''$ East, a radius of 1245.93 feet, a central angle of $06^{\circ} 04' 09''$ and an arc length of 131.98 feet to the P.T.; thence North $59^{\circ} 02' 06''$ East, 142.02 feet to the P.C. of a curve concave Southeasterly having a radius of 1986.79 feet; thence Easterly along the arc of said curve through a central angle of $20^{\circ} 17' 17''$ for 703.51 feet; thence South $00^{\circ} 16' 02''$ West along a line 420.00 feet West of and parallel to the East line of the Northwest $1/4$ of the Southeast $1/4$ of Section 35 for 5.83 feet; thence South $89^{\circ} 32' 22''$ East along the North line of the Southeast $1/4$ of Section 35, Township 19 South, Range 29 East for 24.00 feet; thence South $00^{\circ} 16' 02''$ West along the West line of the East 396.00 feet of the Northwest $1/4$ of the Southeast $1/4$ of Section 35 for 330.00 feet; thence South $89^{\circ} 32' 22''$ East along a line 330.00 feet South of and parallel to the North line of the Southeast $1/4$ of Section 35 for 396.00 feet; thence South $00^{\circ} 16' 02''$ West along the West line of the Northeast $1/4$ of the Southeast

1/4 of Section 35 for 270.00 feet; thence South $89^{\circ} 32' 22''$ East along the South line of the North 600.00 feet of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 707.40 feet; thence North $00^{\circ} 16' 02''$ East along the East line of the West 707.40 feet of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 600.00 feet; thence South $89^{\circ} 32' 22''$ East along the North line of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 620.80 feet; thence South $00^{\circ} 05' 35''$ West along the East line of the Southeast 1/4 of Section 35 for 100.00 feet; thence North $89^{\circ} 27' 27''$ East parallel to the North line of the Southwest 1/4 of Section 36, Township 19 South, Range 29 East for 430.03 feet; thence North $00^{\circ} 05' 35''$ East along a line 430.00 feet East of and parallel to the West line of the Southwest 1/4 of Section 36 for 142.90 feet; thence South $67^{\circ} 57' 09''$ East along a line being the South right of way of Markham Road for 44.17 feet to the P.C. of a curve concave to the Northeast and having a radius of 989.64 feet; thence Easterly along the arc of said curve through a central angle of $22^{\circ} 35' 24''$ for 390.19 feet to the P.T.; thence North $89^{\circ} 27' 27''$ East, 6.15 feet; thence departing said right of way run South $00^{\circ} 00' 30''$ East, along a line parallel to the East line of the Northwest 1/4 of the Southwest 1/4 for a distance of 1280.72 feet; thence South $89^{\circ} 51' 03''$ West along the North line of the South 1/2 of the Southwest 1/4 of said Section 36 for a distance of 860.35 feet thence South $00^{\circ} 05' 35''$ West along the West line of the Southwest 1/4 of said Section 36 for a distance of 662.42 feet; thence North $89^{\circ} 41' 24''$ West along the North line of the South 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 35 for a distance of 1334.24 feet; thence South $00^{\circ} 16' 02''$ West along the West line of the Southeast 1/4 of the Southeast 1/4 of said Section 35 for C distance of 374.33 feet to the Point of Beginning.

TOGETHER WITH:

Northeast Addition to the Heathrow P.U.D.

A parcel of land being a portion of Section 36, Township 19 South, Range 29 East, Seminole County, Florida; more particularly described as follows: Commence at the Southeast corner of Section 35, Township 19 South, Range 29 East and run North $89^{\circ} 44' 00''$ West, along the South line of the Southeast 1/4 of said Section 35 for a distance of 1336.26 feet; thence North $00^{\circ} 16' 02''$ East along the West line of the SE 1/4 of the SE 1/4 of Section 35, Township 19 South, Range 29 East, a distance of 663.43 feet; thence South $89^{\circ} 41' 24''$ East along the North line of the South 1/2 of the SE 1/4 of the SE 1/4 of said Section 35, a distance of 1334.24 feet; thence North $00^{\circ} 05' 35''$ East along the West line of the SW 1/4 of Section 36, Township 19 South, Range 29 East, a distance of 662.42 feet; thence North $89^{\circ} 51' 03''$ East along the North line of the South 1/2 of the SW 1/4 of said Section 36, a distance of 860.35 feet to a point lying 7.04 chains (464.64 feet) West of the SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North $00^{\circ} 00' 30''$ West along a line parallel to the East line of the NW 1/4 of the SW 1/4 for a distance of 11.42 chains (753.72 feet); thence run North $89^{\circ} 51' 03''$ East along a line parallel to the South line of the NW 1/4 of the SW 1/4 for a distance of 7.04 chains (464.64 feet) to a point on the West line of the NE 1/4 of the SW 1/4 of said Section 36, said point being 11.42 chains (753.72 feet) North $00^{\circ} 00' 30''$ West from the

SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along the West line of the NE 1/4 of the SW 1/4 of said Section 36 a distance of 530.19 feet to the Southerly right of way line of Markham Road; thence North 89° 27' 27" East along said Southerly right of way line and along a line 50 feet South of and parallel with the North line of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 661.40 feet; thence South 00° 03' 31" East along the East line of the West 1/2 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 953.84 feet; thence North 89° 45' 10" East along the North line of the South 1/4 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 662.21 feet to the Point of Beginning; thence North 00° 06' 30" West along the East line of the Southwest 1/4 of Section 36 for 952.81 feet to a point lying on the South right of way of Markham Road; thence South 89° 34' 25" East along said right of way a distance of 414.61 feet to the P.C. of a curve concave to the South having a radius of 1829.00 feet; thence Easterly along the arc of said curve through a central angle of 05 34' 00" for 177.70 feet to the P.C.C. of a curve concave Southerly having a radius of 386.24 feet; thence Easterly along the arc of said curve through a central angle of 20° 13' 53" for 136.38 feet to the P.C.C. of a curve concave Southerly and having, a radius of 415.00 feet; thence Easterly along the arc of said curve through a central angle of 01° 23' 24" for 10.07 feet; thence departing said right of way run South 00° 06' 30" East, 550.79 feet; thence North 88° 01' 00" East, 195.06 feet; thence North 00° 02' 42" West, 300.22 feet; thence North 88° 01' 00" East, 130.33 feet; thence South 00° 02' 42" East, 248.14 feet; thence North 88° 01' 00" East 254.00 feet; thence North 00° 02' 42" West, 306.09 feet; thence South 88° 57' 00" East, 420.82 feet thence South 00° 02' 42" East along a line 40 feet West of and parallel to the East line of the Southeast 1/4 of Section 36, (said line being the West right of way of State Road 431, Orange Boulevard) for a distance of 2108.59 feet; thence North 89° 57' 18" East, 10.00 feet; thence South 00° 02' 42" East, 183.45 feet; thence North 86° 34' 36" East along the South line of Section 36 for a distance of 5.01 feet; thence South 00° 04' 43" East along the East boundary of that tract described in Official Records Book 973, Page 336, Public Records of Seminole County, Florida, and along the West right of way of Banana Lake Road for a distance of 581.94 feet; thence North 84° 35' 24" West along the South line of the aforesaid tract for a distance of 731.58 feet; thence North 14° 43' 24" West along the West line of the aforesaid tract and along the West line of Lot 1, Weiser's Subdivision, Plat Book 1, Page 9, Public Records of Seminole County, Florida, for a distance of 477.87 feet; thence South 86° 34' 36" West along the North line of Section 1, Township 20 South, Range 29 East, for a distance of 565.84 feet; thence North 00° 06' 30" West along a line 5 chains East of and parallel to the West line of Government Lot 2 of said Section 36, a distance of 1322.21 feet; thence South 86° 34' 36" West along a line 20 chains North of and parallel to the South line of Government Lot 2, a distance of 330.55 feet; thence North 00° 06' 30" West along the East line of the Southwest 1/4 of said Section 36, a distance of 356.53 feet to the Point of Beginning.

TOGETHER WITH:

Heathrow P.U.D. as of 11/89

A parcel of land being a portion of Section 1, Township 20 South, Range 29 East; Section 2, Township 20 South, Range 29 East, Section 35, Township 19 South, Range 29 East; Section 36, Township 19 South, Range 29 East; Section 11, Township 20 South, Range 29 East; Section 12, Township 20 South, Range 29 East; Section 13, Township 20 South, Range 29 East; and Sections 6 and 7, Township 20 South, Range 30 East; Seminole County, Florida; more particularly described as follows: Begin at the Southwest corner of Section 1, Township 20 South, Range 29 East; thence North $00^{\circ} 36' 50''$ East, 1981.89 feet; thence North $89^{\circ} 55' 29''$ West along the South line of the North $1/2$ of the NE $1/4$ of the SE $1/4$ of said Section 2, a distance of 1297.61 feet to a point on the Easterly right of way line of Markham Woods Road, said right of way also being a curve concave to the Southwest and having as its elements a radius of 590.76 feet, a central angle of $09^{\circ} 19' 09''$ and a tangent bearing of North $14^{\circ} 17' 27''$ West; thence Northwesterly along the arc of a curve, and along the aforesaid Easterly right of way line a distance of 96.09 feet; thence North $00^{\circ} 07' 55''$ East along said West line of the Northeast $1/4$ of the Southeast $1/4$, 74.26 feet; thence North $89^{\circ} 55' 29''$ West along the North line of the South 165 feet of the Northeast $1/4$ of the Northwest $1/4$ of the Southeast $1/4$ of Section 2 for 39.16 feet to a point on a curve concave Southwesterly, having a tangent bearing of North $31^{\circ} 45' 22''$ West and a radius of 590.76 feet; thence Northwesterly along the arc of said curve, being the Easterly right of way line of Markham Woods Road, through a central angle of $32^{\circ} 33' 25''$, for 335.69 feet to the P.T.; thence North $64^{\circ} 18' 47''$ West along the Northerly right of way line of said Markham Woods Road, 410.67 feet; thence South $89^{\circ} 51' 56''$ East along a line parallel with and 6 rods South of the North line of the SE $1/4$ of said Section 2, a distance of 656.41 feet; thence North $00^{\circ} 07' 55''$ East along the West line of the NE $1/4$ of the SE $1/4$ of said Section 2 a distance of 99.00 feet; thence South $89^{\circ} 51' 56''$ East along the North line of the NE $1/4$ of the SE $1/4$ of said Section 2, a distance of 667.27 feet; thence North $00^{\circ} 18' 00''$ West along the West line of the East $1/4$ of the NE $1/4$ of said Section 2, a distance of 1949.38 feet; thence North $89^{\circ} 45' 59''$ West along the South line of the NW $1/4$ of the NE $1/4$ of the NE $1/4$ of said Section 2, a distance of 667.92 feet; thence North $00^{\circ} 19' 07''$ West along the West line of the NW $1/4$ of the NE $1/4$ of the NE $1/4$ of said Section 2, a distance of 650.18 feet; thence North $00^{\circ} 16' 02''$ East along the West line of the SE $1/4$ of the SE $1/4$ of Section 35, Township 19 South, Range 29 East, a distance of 663.43 feet; thence South $89^{\circ} 41' 24''$ East along the North line of the South $1/2$ of the SE $1/4$ of the SE $1/4$ of said Section 35, a distance of 1334.24 feet; thence North $00^{\circ} 05' 35''$ East along the West line of the SW $1/4$ of Section 36, Township 19 South, Range 29 East, a distance of 662.42 feet; thence North $89^{\circ} 51' 03''$ East along the North line of the South $1/2$ of the SW $1/4$ of said Section 36, a distance of 860.35 feet to a point lying 7.04 chains (464.64 feet) West of the SE corner of the NW $1/4$ of the SW $1/4$ of said Section 36; thence North $00^{\circ} 00' 30''$ West along a line parallel to the East line of the NW $1/4$ of the SW $1/4$ for a distance of 11.42 chains (753.72 feet); thence run North $89^{\circ} 51' 03''$ East along a line parallel to the South line of the NW $1/4$ of the SW

1/4 for a distance of 7.04 chains (464.64 feet) to a point on the West line of the NE 1/4 of the SW 1/4 of said Section 36, said point being 11.42 chains (753.72 feet) North 00° 00' 30" West from the SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along the West line of the NE 1/4 of the SW 1/4 of said Section 36 a distance of 530.19 feet to the Southerly right of way line of Markham Road; thence North 89° 27' 27" East along said Southerly right of way line and along a line 50 feet South of and parallel with the North line of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 661.40 feet; thence South 00° 03' 31" East along the East line of the West 1/2 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 953.84 feet; thence North 89° 45' 10" East along the North line of the South 1/4 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 662.21 feet; thence South 00° 06' 30" East along the East line of the SW 1/4 of said Section 36, a distance of 356.53 feet; thence North 86° 34' 36" East along a line 20 chains North of and parallel to the South line, of Government Lot 2 of said Section 36, a distance of 330.55 feet; thence South 00° 06' 30" East along a line 5 chains East of and parallel to the West line of Government Lot 2, a distance of 1322.21 feet; thence South 86° 34' 36" West along the South line of said Government Lot 2, a distance of 4.58 feet to the NW corner of Lot 2, WEISER'S SUBDIVISION as recorded in Plat Book 1, Page 9, Public Records of Seminole County, Florida; thence South 00° 19' 52" West along the West line of said Lot 2, a distance of 310.20 feet to the most Northerly corner of Lot 3, said WEISER'S SUBDIVISION; thence South 34° 55' 24" East along a common line which divides said Lots 2 and 3, said WEISER'S SUBDIVISION, 1853.30 feet; thence South 14° 43' 24" East along a common line which divides Lots 1 and 6, said WEISER'S SUBDIVISION, 59.51 feet; thence South 62° 44' 12" West, 35.64 feet; thence run South 00° 01' 17" West along the West line of Lot 7 said WEISER'S SUBDIVISION, according to the plat of Bahia Subdivision as recorded in Plat Book 7, Page 73, Public Records of Seminole County, Florida, a distance of 700.00 feet to the South line of said WEISER'S SUBDIVISION; thence South 89° 58' 08" West along the South line of said WEISER'S SUBDIVISION a distance of 1382.69 feet to the SW corner of Lot 5; thence South 00° 19' 51" West along the East line of the SW 1/4 of said Section I, a distance of 1113.50 feet to a point being 210 feet North 00° 19' 51" East of the SE corner of the North 1/2 of the SW 1/4 of said Section 1; thence North 89° 58' 52" West, 285.00 feet along a line parallel with the South line of the North 1/2 of the SW 1/4 of said Section 1; thence South 00° 19' 51" West 560.00 feet along a line parallel with the East line of the SW 1/4 of said Section 1; thence South 89° 58' 52" East, 80.00 feet; thence South 48° 16' 27" East, 888.59 feet; thence South 04° 15' 32" East, 471.30 feet; thence North 78° 55' 17" East, 728.58 feet; thence North 48° 41' 24" East, 200.00 feet; thence South 41° 18' 38" East, 516.64 feet; thence North 42° 30' 22" East, 435.27 feet; thence Southeasterly along a curve concave to the Northeast having a radius of 1800.00 feet, a tangent bearing of South 47° 29' 38" East, a central angle of 24° 55' 11" and an arc length of 782.88 feet to the P.T.; thence South 72° 24' 49" East 400.00 feet; thence South 17° 35' 11" West along the Westerly right of way of Interstate No 4 for 1352.41 feet to the P.C. of a curve concave to the Northwest having a radius of 2606.57 feet; thence departing said right of way of I-4 run Southerly along the arc of said curve through a central angle of 18° 08' 33" for 825.36 feet to the P.C.C. of a curve concave to the Northwest having a radius of 1253.35 feet; thence Southerly

along the arc of said curve through a central angle of $24^{\circ} 13' 51''$ for 530.05 feet to the P.T.; thence South $59^{\circ} 57' 34''$ West, 272.99 feet to the P.C. of a curve concave Southeasterly having a radius of 3445.17 feet; thence Southerly along the arc of said curve through a central angle of $11^{\circ} 21' 53''$ for 683.36 feet to the P.C.C. of a curve concave Southeasterly having a radius of 1041.19 feet; thence Southerly along the arc of said curve through a central angle of $60^{\circ} 00' 00''$ for 1090.33 feet to the P.T.; thence South $11^{\circ} 24' 18''$ East, 454.11 to the P.C. of a curve concave Westerly having a radius of 1379.58 feet; thence Southerly along the arc of said curve through a central angle of $26^{\circ} 56' 29''$ for 648.70 feet; thence run Westerly along a line 80 feet North of and parallel to the centerline of Lake Mary Boulevard (State Road #S-419) according to Florida State Road Department Right of Way Map, Section 77502-2601, for the following courses and distances; run Westerly along a curve concave Northerly having as its elements a central angle of $03^{\circ} 12' 02''$, a radius of 1830.08 feet tangent of 51.13 feet; a tangent bearing of North $82^{\circ} 16' 14''$ West, an arc length of 102.23 feet the P.T.; thence North $79^{\circ} 04' 02''$ West, 319.62 feet to the P.C. of a curve concave Southwest and having as its elements a central angle of $04^{\circ} 46' 16''$, a radius of 4663.75 feet, a tangent 194.29 feet; thence along the arc of said curve 388.36 feet to the P.T.; thence North $83^{\circ} 50' 18''$ West, 2445.33 feet; thence South $06^{\circ} 09' 42''$ West, 4.00 feet; thence Westerly along a line 76.00 feet North of and parallel to the afore described centerline of Lake Mary Boulevard and along a curve concave Southwesterly having as its elements a central angle of $06^{\circ} 01' 14''$, a radius of 3895.83 feet, a tangent of 204.87 feet, a tangent bearing of North $83^{\circ} 50' 18''$ West, an arc length of 409.36 feet to the P.T.; thence North $89^{\circ} 51' 32''$ West, 1531.21; thence departing the aforesaid Lake Mary Boulevard run North $18^{\circ} 16' 43''$ East along a line 50.00 feet East of and parallel to the centerline of Markham Woods Road as it presently physically exists for a distance of 1048.04 feet; thence departing the aforesaid line run South $89^{\circ} 39' 44''$ East along the North line of the South $1/2$ of the SE $1/4$ of said Section 11 for a distance of 82.45 feet; thence North $00^{\circ} 07' 38''$ East along the West line of the NE $1/4$ of the SE $1/4$ of said Section 11 a distance of 251.80 feet; thence Northerly along the afore described line 50.00 feet East of and parallel to the centerline of Markham Woods Road and along a curve concave Northwesterly, having as its elements a central angle of $18^{\circ} 09' 05''$, a radius of 1004.76 feet, a tangent of 160.50 feet, a tangent bearing of North $18^{\circ} 16' 43''$ East, an arc length of 318.31 feet to the P.T.; thence North $00^{\circ} 07' 38''$ East along a line 50.00 feet East of and parallel to the West line of the NE $1/4$ of the SE $1/4$ of said Section 11, a distance of 769.95 feet; thence North $00^{\circ} 34' 23''$ West along a line 50.00 feet East of and parallel to the West line of the East $1/2$ of the NE $1/4$ of said Section 11, a distance of 1513.48 feet; thence South $89^{\circ} 57' 00''$ East along a line 3 chains North of and parallel to the South line of the NE $1/4$ of the NE $1/4$ of said Section 11, a distance of 1271.17 feet; thence South $01^{\circ} 01' 22''$ East along the East line of the NE $1/4$ of the NE $1/4$ of said Section 11, a distance of 1.20 feet; thence South $89^{\circ} 55' 53''$ East along a line 17 chains South of and parallel to the North line of the NW $1/4$ of said Section 12, a distance of 330.06 feet; thence North $01^{\circ} 01' 22''$ West along a line 5 chains East of and parallel to the West line of the NW $1/4$ of said Section 12, a distance of 1122.20 feet; thence North $89^{\circ} 55' 53''$ West along the North line of the NW $1/4$ of said Section 12, a distance of 330.06 feet; to the Point of Beginning.

TOGETHER WITH:

Triangular Addition to the Heathrow P.U.D.

All that part of the Northwest 1/4 of the Southeast 1/4 of Section 11, Township 20 South, Range 29 East, lying East of road, Seminole County, Florida; being more particularly described as follows: Begin at the Southwest corner of the Northeast 1/4 of the Southeast 1/4 of said Section 11; thence run North 00° 07' 38" East along the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 11 a distance of 251.80 feet; thence run South 18° 16' 43" West along a line 50.00 feet East of and parallel to the centerline of Markham Woods Road as it presently physically exists for a distance of 264.67 feet; thence departing the aforesaid line run South 89° 39' 44" East along the North line of the South 1/2 of the Southeast 1/4 of said Section 11 for a distance of 82.45 feet to the Point of Beginning.

TOGETHER WITH:

Forbes-Ramsey Tract

The South 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 2, Township 20 South, Range 29 East, Seminole County, Florida; being further described as follows: Commence at the Southeast corner of Section 2, Township 20 South, Range 29 East; thence run North 00° 36' 50" East along the East line of the Southeast 1/4 of Section 2 for 1321.26 feet to the Point of Beginning; thence continue North 00° 36' 50" East along said East line for a distance of 660.63 feet; thence run North 89° 55' 29" West along the South line of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 2, a distance of 1297.61 feet to a point on the Easterly right of way line of Markham Woods Road, said right of way also being a curve concave to the Southwest and having as its elements a radius of 590.76 feet, a central angle of 14° 25' 22", a tangent of 74.75 feet and a tangent bearing of South 14° 17' 26" East; thence Southeasterly along the arc of a curve, and along the aforesaid Easterly right of way line a distance of 148.71 feet to the P.T.; thence run South 00° 07' 55" West along said right of way for a distance of 514.76 feet; thence South 89° 59' 03" East along the North line of the South 1/2 of the Southeast 1/4 of said Section 2 for a distance of 1273.44 feet to the Point of Beginning.

TOGETHER WITH:

15± Acre Addition (1999)

That part of the Southwest 1/4 of Section 36, Township 19 South, Range 29 East being described as follows:

Commence at the Southwest corner of said Southwest 1/4 thence run South 89°45' 26" East along the South line of said Southwest 1/4 a distance of 2654.69 feet; thence North 00°06'30" West along the East line of said Southwest 1/4 a distance of 1678.52 feet to the POINT OF BEGINNING; thence South 89°44'42" West along the North line of the South 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 36 a distance of 663.71 feet; thence North 00°06'35" West along the East line of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of said. Section 36 a distance of 953.65 feet to the South right-of-way line of Markham Road; thence North 89°48'09" East along a line 50 feet South of and parallel to the physical centerline of Markham Road a distance of 663.73 feet; thence South 00°06'30" East along the aforesaid East line of the Southwest 1/4 of Section 36 a distance of 952.98 feet to the POINT OF BEGINNING.

Containing 14.526 acres more or less and being subject to any easements, rights-of-way, and restrictions of records.

TOGETHER WITH:

HEATHROW WEST

Begin at the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of said Section 11, said point also being the Northwest corner of Brierwood as recorded in Plat Book 17, Page 46 of the Public Records of Seminole County, Florida; thence run along the boundary lines of said Brierwood the following courses and distances: run S 00° 29' 13" E a distance of 655.85 feet; thence N 89° 50' 41" E distance of 796.25 feet; thence N 00° 29' 13" W a distance of 328.45 feet; thence N 89° 48' 21" E a distance of 502.99 feet to the Westerly right of way of Markham Woods Road; thence leaving said Brierwood boundary line run S 00° 53' 28" E along said Westerly right of way line 1001.54 feet to the point of curvature of a curve concave Northwesterly and having a radius of 1135.90 feet; thence run Southwesterly along the arc of said curve 284.10 feet through a central angle of 14° 19' 49"; thence leaving said Westerly right of way line run West a distance of 7863.02 feet; thence run South a distance of 1702.94 feet to the South line of aforesaid Section 10; thence run S 89° 52' 31" W along said South section line 1443.48 feet to the Southwest corner of said Section 10 and the Southeast corner of a foresaid Section 9; thence run S 89° 52' 31" W along the South line of said Section 9 a distance of 1320.00 feet to the West line of the East 1/4 of said Section 9; thence run N 00° 16' 54" E along said West line 3315.59 feet; thence run East 9323.57 feet to the Point of Beginning.

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HEATHROW SOUTH

Symbol	Land Use	Tract A.C.	Units/ A.C.	Total Units
1	Commercial	9.3		
2	Commercial	13.0		
3	Residential	23.2	7	162
4	Residential	19.4		7
4A	Residential	13.4	4.25	57
5	Residential	15.0	2.3	34
6	Residential	38.6	1.1	41
7 (A&B)	Residential	22.6	9	176
8	Residential	5.0	6.2	31
9	Office	4.6		
10	Residential	13.2	7	92
11	Residential	31.2	5	62
12	Residential	36.8	0.7	23
13	Residential	11.3	13	147
14	Residential	17.0	18.95	7
15	Residential	17.8	13	231
16	Office	59.6		
	16 A-B (10.3)			
	16 C (39.3)			
18	Residential	9.9	7	69
19	Residential	23.0	12.4	286
20	Residential	49.4	1.4	68
SUBTOTAL		499.9	435.25	1,672

HEATHROW NORTH

Symbol	Land Use	Tract A.C.	Units/ A.C.	Total Units
21	Residential	25.7	4	102
22 (A&B)	Residential	32.0/14.3	1/6	153
23	Residential	14.7	5.5	80
24	Residential	6.8	13	88
25	Residential	25.2	3	75
26	Residential	14.7	4	58
27	Residential	18.3	4	73
28	Residential	26.4	2.3	61
29	Residential	29.4	14	221
30	Residential	26.7	8.3	121
31	Residential	34.1	4	136
32	Residential	6.6	4	24
33	Residential	14.9	3.5	52
34A	Residential	24.5	3	73
34B	Residential	30.4	2.5	76
35	Residential	56.3	2.6	149
SUBTOTAL		481.0		1,738

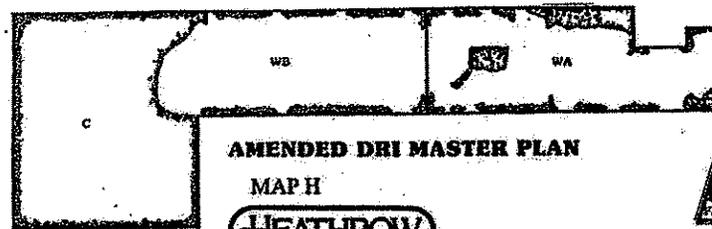
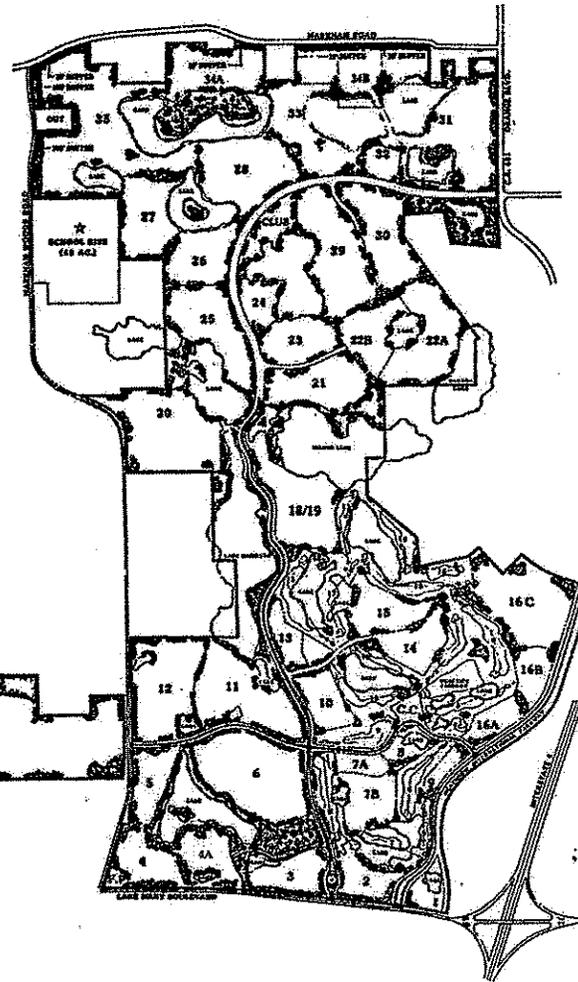
HEATHROW WEST

Symbol	Land Use	Tract A.C.	Units/ A.C.	Total Units
WA	Residential	149.2	1	104
WB	Residential	138.4	1	112
SUBTOTAL		287.6		216

Symbol	Land Use	Tract/ A.C.	Units/ A.C.	Total Units
	Lakes	253.5		
	Conservation	337.6		
	Golf Course	465.6		147.65
CC	Country Club	6.0	12.9	
AG	Athletic Club	48.4	0	
FP	Fire/Police	1.5		
RA	Recreation	10.0		
R.O.W.		90.7		
SUBTOTAL		869.2		853.85

TOTAL ACRES 1,977.7

TOTAL UNITS 3,696



AMENDED DRI MASTER PLAN

MAP H



Engineers
Architects
Planners
Landscape Architects
Surveyors
Environmental Scientists
Construction Management
Design/Build



DRI MAP H
EXHIBIT B

EXHIBIT "C"

HEATHROW PUD

Northwest Addition to the Heathrow P.U.D.

A parcel of land being a portion of Sections 35 and 36, Township 19 South, Range 29 East; Seminole County, Florida; more particularly described as follows: Commence at the Southeast corner of said Section 35 and run North $89^{\circ} 44' 00''$ West, along the South line of the Southeast $1/4$ of said Section 35 for a distance of 1336.26 feet; thence run North $00^{\circ} 16' 02''$ East along the East line of the Southwest $1/4$ of the Southeast $1/4$ of said Section 35 for a distance of 289.10 feet to Point of Beginning; thence North $89^{\circ} 47' 58''$ West, 1285.39 feet to the East right of way of Markham Woods Road; thence North $00^{\circ} 26' 27''$ East, 471.63 feet to the P.C. of a curve concave to the Southeast having a radius of 919.28 feet; thence Northerly along the arc of said curve through a central angle of $16^{\circ} 13' 54''$ for 260.43 feet to the P.R.C. of a curve concave to the Northwest having a radius of 1098.06 feet; thence Northerly along the arc of said curve through a central angle of $16^{\circ} 33' 22''$ for 317.29 feet; thence South $89^{\circ} 38' 12''$ East along the North line of the Southwest $1/4$ of the Southeast $1/4$ of Section 35, Township 19 South, Range 29 East for 535.72 feet; thence North $00^{\circ} 21' 15''$ East, 332.05 feet; thence North $89^{\circ} 36' 45''$ West, 370.61 feet; thence North $00^{\circ} 26' 27''$ East, 50.00 feet; thence South $89^{\circ} 36' 45''$ East, 5.00 feet; thence North $00^{\circ} 26' 27''$ East, 38.00 feet; thence North $89^{\circ} 36' 45''$ West, 75.00 feet; thence South $00^{\circ} 26' 27''$ West, 38.00 feet; thence South $89^{\circ} 36' 45''$ East, 10.00 feet; thence South $00^{\circ} 26' 27''$ West, 35.00 feet; thence North $89^{\circ} 36' 45''$ West, 156.99 feet; thence North $12^{\circ} 23' 55''$ West along the East right of way of Markham Woods Road for 49.60 feet to the P.C. of a curve concave Easterly and having a radius of 1598.24 feet; thence Northerly along the arc of said curve through a central angle of $10^{\circ} 42' 11''$ for 298.56 feet to the P.T.; thence North $01^{\circ} 41' 46''$ West, 253.21 feet to a point being on the Southerly right of way of Markham Road; thence Easterly along said Southerly right of way of Markham Road along a curve concave to the Northwest having a tangent bearing of North $65^{\circ} 06' 16''$ East, a radius of 1245.93 feet, a central angle of $06^{\circ} 04' 09''$ and an arc length of 131.98 feet to the P.T.; thence North $59^{\circ} 02' 06''$ East, 142.02 feet to the P.C. of a curve concave Southeasterly having a radius of 1986.79 feet; thence Easterly along the arc of said curve through a central angle of $20^{\circ} 17' 17''$ for 703.51 feet; thence South $00^{\circ} 16' 02''$ West along a line 420.00 feet West of and parallel to the East line of the Northwest $1/4$ of the Southeast $1/4$ of Section 35 for 5.83 feet; thence South $89^{\circ} 32' 22''$ East along the North line of the Southeast $1/4$ of Section 35, Township 19 South, Range 29 East for 24.00 feet; thence South $00^{\circ} 16' 02''$ West along the West line of the East $3/4$ of the Northwest $1/4$ of the Southeast $1/4$ of Section 35 for 330.00 feet; thence South $89^{\circ} 32' 22''$ East along a line 330.00 feet South of and parallel to the North line of the Southeast $1/4$ of Section 35 for 396.00 feet; thence South $00^{\circ} 16' 02''$ West along the West line of the Northeast $1/4$ of the Southeast

1/4 of Section 35 for 270.00 feet; thence South 89° 32' 22" East along the South line of the North 600.00 feet of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 707.40 feet; thence North 00° 16' 02" East along the East line of the West 707.40 feet of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 600.00 feet; thence South 89° 32' 22" East along the North line of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 620.80 feet; thence South 00° 05' 35" West along the East line of the Southeast 1/4 of Section 35 for 100.00 feet; thence North 89° 27' 27" East parallel to the North line of the Southwest 1/4 of Section 36, Township 19 South, Range 29 East for 430.03 feet; thence North 00° 05' 35" East along a line 430.00 feet East of and parallel to the West line of the Southwest 1/4 of Section 36 for 142.90 feet; thence South 67° 57' 09" East along a line being the South right of way of Markham Road for 44.17 feet to the P.C. of a curve concave to the Northeast and having a radius of 989.64 feet; thence Easterly along the arc of said curve through a central angle of 22° 35' 24" for 390.19 feet to the P.T.; thence North 89° 27' 27" East, 6.15 feet; thence departing said right of way run South 00° 00' 30" East, along a line parallel to the East line of the Northwest 1/4 of the Southwest 1/4 for a distance of 1280.72 feet; thence South 89° 51' 03" West along the North line of the South 1/2 of the Southwest 1/4 of said Section 36 for a distance of 860.35 feet thence South 00° 05' 35" West along the West line of the Southwest 1/4 of said Section 36 for a distance of 662.42 feet; thence North 89° 41' 24" West along the North line of the South 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 35 for a distance of 1334.24 feet; thence South 00° 16' 02" West along the West line of the Southeast 1/4 of the Southeast 1/4 of said Section 35 for C distance of 374.33 feet to the Point of Beginning.

TOGETHER WITH:

Northeast Addition to the Heathrow P.U.D.

A parcel of land being a portion of Section 36, Township 19 South, Range 29 East, Seminole County, Florida; more particularly described *as follows*: Commence at the Southeast corner of Section 35, Township 19 South, Range 29 East and run North 89° 44' 00" West, along the South line of the Southeast 1/4 of said Section 35 for a distance of 1336.26 feet; thence North 00° 16' 02" East along the West line of the SE 1/4 of the SE 1/4 of Section 35, Township 19 South, Range 29 East, a distance of 663.43 feet; thence South 89° 41' 24" East along the North line of the South 1/2 of the SE 1/4 of the SE 1/4 of said Section 35, a distance of 1334.24 feet; thence North 00° 05' 35" East along the West line of the SW 1/4 of Section 36, Township 19 South, Range 29 East, a distance of 662.42 feet; thence North 89° 51' 03" East along the North line of the South 1/2 of the SW 1/4 of said Section 36, a distance of 860.35 feet to a point lying 7.04 chains (464.64 feet) West of the SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along a line parallel to the East line of the NW 1/4 of the SW 1/4 for a distance of 11.42 chains (753.72 feet); thence run North 89° 51' 03" East along a line parallel to the South line of the NW 1/4 of the SW 1/4 for a distance of 7.04 chains (464.64 feet) to a point on the West line of the NE 1/4 of the SW 1/4 of said Section 36, said point being 11.42 chains (753.72 feet) North 00° 00' 30" West from the

SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along the West line of the NE 1/4 of the SW 1/4 of said Section 36 a distance of 530.19 feet to the Southerly right of way line of Markham Road; thence North 89° 27' 27" East along said Southerly right of way line and along a line 50 feet South of and parallel with the North line of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 661.40 feet; thence South 00° 03' 31" East along the East line of the West 1/2 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 953.84 feet; thence North 89° 45' 10" East along the North line of the South 1/4 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 662.21 feet to the Point of Beginning; thence North 00° 06' 30" West along the East line of the Southwest 1/4 of Section 36 for 952.81 feet to a point lying on the South right of way of Markham Road; thence South 89° 34' 25" East along said right of way a distance of 414.61 feet to the P.C. of a curve concave to the South having a radius of 1829.00 feet; thence Easterly along the arc of said curve through a central angle of 05 34' 00" for 177.70 feet to the P.C.C. of a curve concave Southerly having a radius of 386.24 feet; thence Easterly along the arc of said curve through a central angle of 20° 13' 53" for 136.38 feet to the P.C.C. of a curve concave Southerly and having, a radius of 415.00 feet; thence Easterly along the arc of said curve through a central angle of 01° 23' 24" for 10.07 feet; thence departing said right of way run South 00° 06' 30" East, 550.79 feet; thence North 88° 01' 00" East, 195.06 feet; thence North 00° 02' 42" West, 300.22 feet; thence North 88° 01' 00" East, 130.33 feet; thence South 00° 02' 42" East, 248.14 feet; thence North 88° 01' 00" East 254.00 feet; thence North 00° 02' 42" West, 306.09 feet; thence South 88° 57' 00" East, 420.82 feet thence South 00° 02' 42" East along a line 40 feet West of and parallel to the East line of the Southeast 1/4 of Section 36, (said line being the West right of way of State Road 431, Orange Boulevard) for a distance of 2108.59 feet; thence North 89° 57' 18" East, 10.00 feet; thence South 00° 02' 42" East, 183.45 feet; thence North 86° 34' 36" East along the South line of Section 36 for a distance of 5.01 feet; thence South 00° 04' 43" East along the East boundary of that tract described in Official Records Book 973, Page 336, Public Records of Seminole County, Florida, and along the West right of way of Banana Lake Road for a distance of 581.94 feet; thence North 84° 35' 24" West along the South line of the aforesaid tract for a distance of 731.58 feet; thence North 14° 43' 24" West along the West line of the aforesaid tract and along the West line of Lot 1, Weiser's Subdivision, Plat Book 1, Page 9, Public Records of Seminole County, Florida, for a distance of 477.87 feet; thence South 86° 34' 36" West along the North line of Section 1, Township 20 South, Range 29 East, for a distance of 565.84 feet; thence North 00° 06' 30" West along a line 5 chains East of and parallel to the West line of Government Lot 2 of said Section 36, a distance of 1322.21 feet; thence South 86° 34' 36" West along a line 20 chains North of and parallel to the South line of Government Lot 2, a distance of 330.55 feet; thence North 00° 06' 30" West along the East line of the Southwest 1/4 of said Section 36, a distance of 356.53 feet to the Point of Beginning.

TOGETHER WITH:

Heathrow P.U.D. as of 11/89

A parcel of land being a portion of Section 1, Township 20 South, Range 29 East; Section 2, Township 20 South, Range 29 East, Section 35, Township 19 South, Range 29 East; Section 36, Township 19 South, Range 29 East; Section 11, Township 20 South, Range 29 East; Section 12, Township 20 South, Range 29 East; Section 13, Township 20 South, Range 29 East; and Sections 6 and 7, Township 20 South, Range 30 East; Seminole County, Florida; more particularly described as follows: Begin at the Southwest corner of Section 1, Township 20 South, Range 29 East; thence North $00^{\circ} 36' 50''$ East, 1981.89 feet; thence North $89^{\circ} 55' 29''$ West along the South line of the North 1/2 of the NE 1/4 of the SE 1/4 of said Section 2, a distance of 1297.61 feet to a point on the Easterly right of way line of Markham Woods Road, said right of way also being a curve concave to the Southwest and having as its elements a radius of 590.76 feet, a central angle of $09^{\circ} 19' 09''$ and a tangent bearing of North $14^{\circ} 17' 27''$ West; thence Northwesterly along the arc of a curve, and along the aforesaid Easterly right of way line a distance of 96.09 feet; thence North $00^{\circ} 07' 55''$ East along said West line of the Northeast 1/4 of the Southeast 1/4, 74.26 feet; thence North $89^{\circ} 55' 29''$ West along the North line of the South 165 feet of the Northeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 2 for 39.16 feet to a point on a curve concave Southwesterly, having a tangent bearing of North $31^{\circ} 45' 22''$ West and a radius of 590.76 feet; thence Northwesterly along the arc of said curve, being the Easterly right of way line of Markham Woods Road, through a central angle of $32^{\circ} 33' 25''$, for 335.69 feet to the P.T.; thence North $64^{\circ} 18' 47''$ West along the Northerly right of way line of said Markham Woods Road, 410.67 feet; thence South $89^{\circ} 51' 56''$ East along a line parallel with and 6 rods South of the North line of the SE 1/4 of said Section 2, a distance of 656.41 feet; thence North $00^{\circ} 07' 55''$ East along the West line of the NE 1/4 of the SE 1/4 of said Section 2 a distance of 99.00 feet; thence South $89^{\circ} 51' 56''$ East along the North line of the NE 1/4 of the SE 1/4 of said Section 2, a distance of 667.27 feet; thence North $00^{\circ} 18' 00''$ West along the West line of the East 1/4 of the NE 1/4 of said Section 2, a distance of 1949.38 feet; thence North $89^{\circ} 45' 59''$ West along the South line of the NW 1/4 of the NE 1/4 of the NE 1/4 of said Section 2, a distance of 667.92 feet; thence North $00^{\circ} 19' 07''$ West along the West line of the NW 1/4 of the NE 1/4 of the NE 1/4 of said Section 2, a distance of 650.18 feet; thence North $00^{\circ} 16' 02''$ East along the West line of the SE 1/4 of the SE 1/4 of Section 35, Township 19 South, Range 29 East, a distance of 663.43 feet; thence South $89^{\circ} 41' 24''$ East along the North line of the South 1/2 of the SE 1/4 of the SE 1/4 of said Section 35, a distance of 1334.24 feet; thence North $00^{\circ} 05' 35''$ East along the West line of the SW 1/4 of Section 36, Township 19 South, Range 29 East, a distance of 662.42 feet; thence North $89^{\circ} 51' 03''$ East along the North line of the South 1/2 of the SW 1/4 of said Section 36, a distance of 860.35 feet to a point lying 7.04 chains (464.64 feet) West of the SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North $00^{\circ} 00' 30''$ West along a line parallel to the East line of the NW 1/4 of the SW 1/4 for a distance of 11.42 chains (753.72 feet); thence run North $89^{\circ} 51' 03''$ East along a line parallel to the South line of the NW 1/4 of the SW

1/4 for a distance of 7.04 chains (464.64 feet) to a point on the West line of the NE 1/4 of the SW 1/4 of said Section 36, said point being 11.42 chains (753.72 feet) North 00° 00' 30" West from the SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along the West line of the NE 1/4 of the SW 1/4 of said Section 36 a distance of 530.19 feet to the Southerly right of way line of Markham Road; thence North 89° 27' 27" East along said Southerly right of way line and along a line 50 feet South of and parallel with the North line of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 661.40 feet; thence South 00° 03' 31" East along the East line of the West 1/2 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 953.84 feet; thence North 89° 45' 10" East along the North line of the South 1/4 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 662.21 feet; thence South 00° 06' 30" East along the East line of the SW 1/4 of said Section 36, a distance of 356.53 feet; thence North 86° 34' 36" East along a line 20 chains North of and parallel to the South line, of Government Lot 2 of said Section 36, a distance of 330.55 feet; thence South 00° 06' 30" East along a line 5 chains East of and parallel to the West line of Government Lot 2, a distance of 1322.21 feet; thence South 86° 34' 36" West along the South line of said Government Lot 2, a distance of 4.58 feet to the NW corner of Lot 2, WEISER'S SUBDIVISION as recorded in Plat Book 1, Page 9, Public Records of Seminole County, Florida; thence South 00° 19' 52" West along the West line of said Lot 2, a distance of 310.20 feet to the most Northerly corner of Lot 3, said WEISER'S SUBDIVISION; thence South 34° 55' 24" East along a common line which divides said Lots 2 and 3, said WEISER'S SUBDIVISION, 1853.30 feet; thence South 14° 43' 24" East along a common line which divides Lots 1 and 6, said WEISER'S SUBDIVISION, 59.51 feet; thence South 62° 44' 12" West, 35.64 feet; thence run South 00° 01' 17" West along the West line of Lot 7 said WEISER'S SUBDIVISION, according to the plat of Bahia Subdivision as recorded in Plat Book 7, Page 73, Public Records of Seminole County, Florida, a distance of 700.00 feet to the South line of said WEISER'S SUBDIVISION; thence South 89° 58' 08" West along the South line of said WEISER'S SUBDIVISION a distance of 1382.69 feet to the SW corner of Lot 5; thence South 00° 19' 51" West along the East line of the SW 1/4 of said Section I, a distance of 1113.50 feet to a point being 210 feet North 00° 19' 51" East of the SE corner of the North 1/2 of the SW 1/4 of said Section 1; thence North 89° 58' 52" West, 285.00 feet along a line parallel with the South line of the North 1/2 of the SW 1/4 of said Section 1; thence South 00° 19' 51" West 560.00 feet along a line parallel with the East line of the SW 1/4 of said Section 1; thence South 89° 58' 52" East, 80.00 feet; thence South 48° 16' 27" East, 888.59 feet; thence South 04° 15' 32" East, 471.30 feet; thence North 78° 55' 17" East, 728.58 feet; thence North 48° 41' 24" East, 200.00 feet; thence South 41° 18' 38" East, 516.64 feet; thence North 42° 30' 22" East, 435.27 feet; thence Southeasterly along a curve concave to the Northeast having a radius of 1800.00 feet, a tangent bearing of South 47° 29' 38" East, a central angle of 24° 55' 11" and an arc length of 782.88 feet to the P.T.; thence South 72° 24' 49" East 400.00 feet; thence South 17° 35' 11" West along the Westerly right of way of Interstate No 4 for 1352.41 feet to the P.C. of a curve concave to the Northwest having a radius of 2606.57 feet; thence departing said right of way of I-4 run Southerly along the arc of said curve through a central angle of 18° 08' 33" for 825.36 feet to the P.C.C. of a curve concave to the Northwest having a radius of 1253.35 feet; thence Southerly

along the arc of said curve through a central angle of $24^{\circ} 13' 51''$ for 530.05 feet to the P.T.; thence South $59^{\circ} 57' 34''$ West, 272.99 feet to the P.C. of a curve concave Southeasterly having a radius of 3445.17 feet; thence Southerly along the arc of said curve through a central angle of $11^{\circ} 21' 53''$ for 683.36 feet to the P.C.C. of a curve concave Southeasterly having a radius of 1041.19 feet; thence Southerly along the arc of said curve through a central angle of $60^{\circ} 00' 00''$ for 1090.33 feet to the P.T.; thence South $11^{\circ} 24' 18''$ East, 454.11 to the P.C. of a curve concave Westerly having a radius of 1379.58 feet; thence Southerly along the arc of said curve through a central angle of $26^{\circ} 56' 29''$ for 648.70 feet; thence run Westerly along a line 80 feet North of and parallel to the centerline of Lake Mary Boulevard (State Road #S-419) according to Florida State Road Department Right of Way Map, Section 77502-2601, for the following courses and distances; run Westerly along a curve concave Northerly having as its elements a central angle of $03^{\circ} 12' 02''$, a radius of 1830.08 feet tangent of 51.13 feet; a tangent bearing of North $82^{\circ} 16' 14''$ West, an arc length of 102.23 feet to the P.T.; thence North $79^{\circ} 04' 02''$ West, 319.62 feet to the P.C. of a curve concave Southwest and having as its elements a central angle of $04^{\circ} 46' 16''$, a radius of 4663.75 feet, a tangent 194.29 feet; thence along the arc of said curve 388.36 feet to the P.T.; thence North $83^{\circ} 50' 18''$ West, 2445.33 feet; thence South $06^{\circ} 09' 42''$ West, 4.00 feet; thence Westerly along a line 76.00 feet North of and parallel to the afore described centerline of Lake Mary Boulevard and along a curve concave Southwesterly having as its elements a central angle of $06^{\circ} 01' 14''$, a radius of 3895.83 feet, a tangent of 204.87 feet, a tangent bearing of North $83^{\circ} 50' 18''$ West, an arc length of 409.36 feet to the P.T.; thence North $89^{\circ} 51' 32''$ West, 1531.21; thence departing the aforesaid Lake Mary Boulevard run North $18^{\circ} 16' 43''$ East along a line 50.00 feet East of and parallel to the centerline of Markham Woods Road as it presently physically exists for a distance of 1048.04 feet; thence departing the aforesaid line run South $89^{\circ} 39' 44''$ East along the North line of the South 1/2 of the SE 1/4 of said Section 11 for a distance of 82.45 feet; thence North $00^{\circ} 07' 38''$ East along the West line of the NE 1/4 of the SE 1/4 of said Section 11 a distance of 251.80 feet; thence Northerly along the afore described line 50.00 feet East of and parallel to the centerline of Markham Woods Road and along a curve concave Northwesterly, having as its elements a central angle of $18^{\circ} 09' 05''$, a radius of 1004.76 feet, a tangent of 160.50 feet, a tangent bearing of North $18^{\circ} 16' 43''$ East, an arc length of 318.31 feet to the P.T.; thence North $00^{\circ} 07' 38''$ East along a line 50.00 feet East of and parallel to the West line of the NE 1/4 of the SE 1/4 of said Section 11, a distance of 769.95 feet; thence North $00^{\circ} 34' 23''$ West along a line 50.00 feet East of and parallel to the West line of the East 1/2 of the NE 1/4 of said Section 11, a distance of 1513.48 feet; thence South $89^{\circ} 57' 00''$ East along a line 3 chains North of and parallel to the South line of the NE 1/4 of the NE 1/4 of said Section 11, a distance of 1271.17 feet; thence South $01^{\circ} 01' 22''$ East along the East line of the NE 1/4 of the NE 1/4 of said Section 11, a distance of 1.20 feet; thence South $89^{\circ} 55' 53''$ East along a line 17 chains South of and parallel to the North line of the NW 1/4 of said Section 12, a distance of 330.06 feet; thence North $01^{\circ} 01' 22''$ West along a line 5 chains East of and parallel to the West line of the NW 1/4 of said Section 12, a distance of 1122.20 feet; thence North $89^{\circ} 55' 53''$ West along the North line of the NW 1/4 of said Section 12, a distance of 330.06 feet; to the Point of Beginning.

TOGETHER WITH:

Triangular Addition to the Heathrow P.U.D.

All that part of the Northwest 1/4 of the Southeast 1/4 of Section 11, Township 20 South, Range 29 East, lying East of road, Seminole County, Florida; being more particularly described *as follows*: Begin at the Southwest corner of the Northeast 1/4 of the Southeast 1/4 of said Section 11; thence run North 00° 07' 38" East along the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 11 a distance of 251.80 feet; thence run South 18° 16' 43" West along a line 50.00 feet East of and parallel to the centerline of Markham Woods Road as it presently physically exists for a distance of 264.67 feet; thence departing the aforesaid line run South 89° 39' 44" East along the North line of the South 1/2 of the Southeast 1/4 of said Section 11 for a distance of 82.45 feet to the Point of Beginning.

TOGETHER WITH:

Forbes-Ramsey Tract

The South 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 2, Township 20 South, Range 29 East, Seminole County, Florida; being further described as follows: Commence at the Southeast corner of Section 2, Township 20 South, Range 29 East; thence run North 00° 36' 50" East along the East line of the Southeast 1/4 of Section 2 for 1321.26 feet to the Point of Beginning; thence continue North 00° 36' 50" East along said East line for a distance of 660.63 feet; thence run North 89° 55' 29" West along the South line of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 2, a distance of 1297.61 feet to a point on the Easterly right of way line of Markham Woods Road, said right of way also being a curve concave to the Southwest and having as its elements a radius of 590.76 feet, a central angle of 14° 25' 22", a tangent of 74.75 feet and a tangent bearing of South 14° 17' 26" East; thence Southeasterly along the arc of a curve, and along the aforesaid Easterly right of way line a distance of 148.71 feet to the P.T.; thence run South 00° 07' 55" West along said right of way for a distance of 514.76 feet; thence South 89° 59' 03" East along the North line of the South 1/2 of the Southeast 1/4 of *said* Section 2 for a distance of 1273.44 feet to the Point of Beginning.

TOGETHER WITH:

15± Acre Addition (1999)

That part of the Southwest 1/4 of Section 36, Township 19 South, Range 29 East being described as follows:

Commence at the Southwest corner of said Southwest 1/4 thence run South 89°45' 26" East along the South line of said Southwest 1/4 a distance of 2654.69 feet; thence North 00°06'30" West along the East line of said Southwest 1/4 a distance of 1678.52 feet to the POINT OF BEGINNING; thence South 89°44'42" West along the North line of the South 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 36 a distance of 663.71 feet; thence North 00°06'35" West along the East line of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of said. Section 36 a distance of 953.65 feet to the South right-of-way line of Markham Road; thence North 89°48'09" East along a line 50 feet South of and parallel to the physical centerline of Markham Road a distance of 663.73 feet; thence South 00°06'30" East along the aforesaid East line of the Southwest 1/4 of Section 36 a distance of 952.98 feet to the POINT OF BEGINNING.

Containing 14.526 acres more or less and being subject to any easements, rights-of-way, and restrictions of records.

EXHIBIT "D"

HEATHROW WEST

Begin at the Northeast corner of the Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of said Section 11, said point also being the Northwest corner of Brierwood as recorded in Plat Book 17, Page 46 of the Public Records of Seminole County, Florida; thence run along the boundary lines of said Brierwood the following courses and distances: run S 00° 29' 13" E a distance of 655.85 feet; thence N 89° 50' 41" E distance of 796.25 feet; thence N 00° 29' 13" W a distance of 328.45 feet; thence N 89° 48' 21" E a distance of 502.99 feet to the Westerly right of way of Markham Woods Road; thence leaving said Brierwood boundary line run S 00° 53' 28" E along said Westerly right of way line 1001.54 feet to the point of curvature of a curve concave Northwesterly and having a radius of 1135.90 feet; thence run Southwesterly along the arc of said curve 284.10 feet through a central angle of 14° 19' 49"; thence leaving said Westerly right of way line run West a distance of 7863.02 feet; thence run South a distance of 1702.94 feet to the South line of aforesaid Section 10; thence run S 89° 52' 31" W along said South section line 1443.48 feet to the Southwest corner of said Section 10 and the Southeast corner of a foresaid Section 9; thence run S 89° 52' 31" W along the South line of said Section 9 a distance of 1320.00 feet to the West line of the East 1/4 of said Section 9; thence run N 00° 16' 54" E along said West line 3315.59 feet; thence run East 9323.57 feet to the Point of Beginning.

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HEATHROW SOUTH

Symbol	Land Use	Tract A.C.	Units/ A.C.	Total Units		
1	Commercial	9.3				
2	Commercial	13.0				
3	Residential	23.2	7	162		
4	Residential	19.4	7	136		
4A	Residential	13.4	4.25	57		
5	Residential	15.0	2.3	34		
6	Residential	38.6	1.1	41		
7 (A&B)	Residential	22.6	8	176		
8	Residential	5.0	6.2	31		
9	Office	4.6				
10	Residential	13.2	7	92		
11	Residential	31.2	5	62		
12	Residential	36.8	0.7	23		
13	Residential	11.3	13	147		
14	Residential	44.0	18.95	7	449	127
15	Residential	17.8	13	231		
16	Office	59.6				
16 A-B (20.3)						
16 C (39.3)						
18	Residential	9.9	7	69		
19	Residential	23.0	12.4	286		
20	Residential	49.4	1.4	68		
SUBTOTAL		449.4	435.25	1,677	1,742	



HEATHROW NORTH

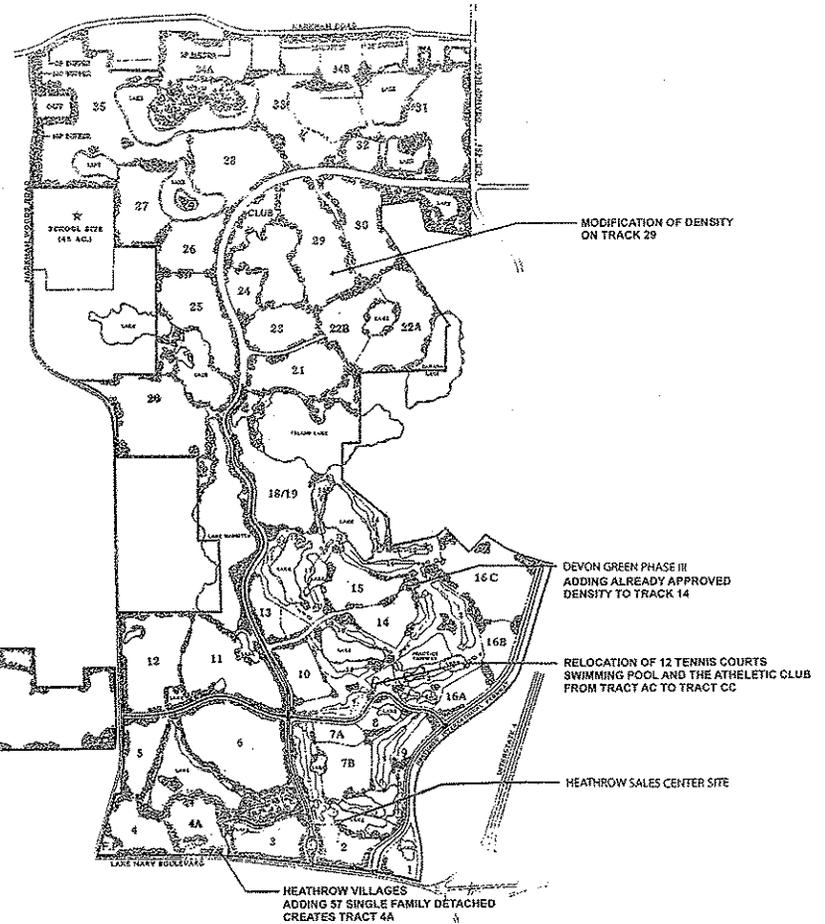
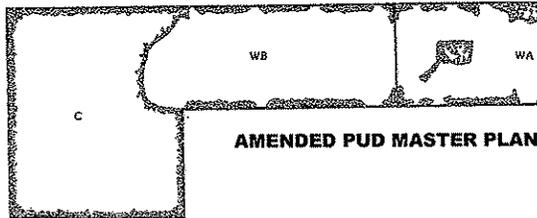
Symbol	Land Use	Tract A.C.	Units/ A.C.	Total Units	
21	Residential	25.7	4	102	
22 (A&B)	Residential	32.0/14.3	4	153	
23	Residential	14.7	5.5	80	
24	Residential	6.8	13	88	
25	Residential	25.2	3	75	
26	Residential	14.7	4	58	
27	Residential	18.3	4	73	
28	Residential	26.4	2.3	61	
29	Residential	29.4	44	1678	343
30	Residential	26.7	8.3	221	
31	Residential	34.1	4	136	
32	Residential	6.6	4	24	
33	Residential	14.9	3.5	52	
34A	Residential	24.5	3	73	
34B	Residential	30.4	2.5	76	
35	Residential	56.3	2.6	149	
SUBTOTAL		401.0		4,803	1,718

HEATHROW WEST (Heathrow Woods)

Symbol	Land Use	Tract A.C.	Units/ A.C.	Total Units
WA	Residential	149.2	1	104
WB	Residential	138.4	1	112
C	Conservation	197.0		
SUBTOTAL		484.6		216

TOTALS
North, South & West
ACRES: 1977.7
UNITS: 3,696

Note: Heathrow West is not part of the PUD



Symbol	Land Use	Tracts/ A.C.	Units/ A.C.	Total Units
	Lakes	253.5		
	Conservation	140.6		
	Golf Course	485.4	147.65	
CC	Country Club	6.9	12.9	
AC	Athletic Club	43.4	0	
FP	Fire/Police	1.5		
RA	Recreation	10.0		
R.O.W.		90.7		
SUBTOTAL		869.3	656.85	

TOTAL (South & North)	ACRES	UNITS
	1,493.1	3,489

* Elementary and Middle School Site are outside of DRI Boundary

**Engineers
Architects
Planners
Landscape Architects
Surveyors
Environmental Scientists
Construction Management
Design/Build**



Heathrow PUD Master Plan

HEATHROW PLANNED UNIT DEVELOPMENT
COMMITMENTS, CLASSIFICATION AND DISTRICT DESCRIPTION

Third Amended Developer's Commitment Agreement

**Adopted by the Seminole County
Board of County Commissioners
on December 12, 2006 1991**

(Incorporates all Addendums since 1991)

Prepared for: **HEATHROW DEVELOPMENT ASSOCIATES, LTD**
LAND COMPANY LIMITED PARTNERSHIP
120 International Parkway, Suite 220
1275 Heathrow Lane
Heathrow, Florida 32746

Prepared by: **POST, BUCKLEY, SCHUH & JERNIGAN, INC.**
1560 Orange Avenue, Suite 700
Winter Park, FL 32789

CONKLIN, PORTER & HOLMES ENGINEERS,
INC. 500 West Fulton Street; Sanford, Florida
32771

**HEATHROW PLANNED UNIT DEVELOPMENT
COMMITMENTS, CLASSIFICATION AND DISTRICT DESCRIPTION**

I. LEGAL DESCRIPTION

See **Exhibit A** attached.

II. STATEMENT OF BASIC FACTS

Total Acreage:	1,458.7	<u>1,493.2</u>
Total Units:	3,480	
Acreage Devoted to Residential:	751.8	<u>749.75</u>
Gross Density:	2.34	

III. LAND USE TABLE

<u>Land Use Classification</u>	<u>Acres</u>	<u>Density (Unit/Ac.)</u>	<u>Units</u>
Single Family Estates (3 units or less per gross acre)	365.8/363.8	2.1/2.2	758/805
Single Family (6 units or less per gross acre)	116.9/158.7	4.1/3.7	477/592
Low Density Multifamily (7 units or less per gross acre)	114.1/89.7	6.3/6.9	714/617
Medium Density Multifamily (13 units or less per gross acre)	137.6	11.1/10.7	1,531/1,466
Commercial/Office	86.5		
Open Space/Recreation			
Lakes	253.5		
Conservation	140.6		
Golf Course	155.6/147.7		
Country Club	6.9/12.9		
Athletic Club	13.4		
Recreation Area	10.0		
Fire/Police	1.5		
R.O.W.	90.7		
Total Acreage:	<u>1,493.2/1,495.2</u>		Total Units: 3,480

IV. TRACTING TABLE

**Heathrow Master Land Use Plan
(December 1990)
(November 2006)**

<u>Tract</u>	<u>Land Use</u>	<u>Acres</u>	<u>Units/Acre</u>	<u>Total Units</u>
1	Commercial	9.3	---	---
2	Commercial	13.0	---	---
3	Residential	23.2	7	162
4	Residential	19.4	7	136
4A	Residential	13.4	4.25	57
5	Residential	15.0	2.3	34
6	Residential	38.6	1.1	41
7 (A&B)	Residential	22.6	3	176
8	Residential	5.0	6.2	31
9	Office	4.6	---	---
10	Residential	13.2	7	92
11	Residential	31.2	2	62
12	Residential	36.8	0.7	23
13	Residential	11.3	13	147
14	Residential	17.0/18.95	7	119/127
15	Residential	17.8	13	231
16	Office	59.6	---	---
	16 A-B (20.3)	20.3	---	---
	16 C (39.3)	39.3	---	---
18	Residential	9.9	7	69
19	Residential	23.0	13 /12.4	299/286
20*	Residential	13.3/49.4	3/1.4	55/68
21	Residential	25.7	4	102
22 (A&B)	Residential	32.0/14.3	3.4	153
23	Residential	14.7	5.5	80
24	Residential	6.8	13	83
25	Residential	25.2	3	75
26	Residential	14.7	4	58
27	Residential	18.3	4	73
28	Residential	26.4	10/2.3	264/61
29	Residential	29.4	13/10.78	382/317
30	Residential	26.7	8.3	221
31	Residential	34.1	4	136
32	Comm /Residential	6.6	4	24
33	Residential	14.9	13/3.5	193/52
35	Residential	38.8/56.3	3/2.6	116/149
34A	TBD/Residential	27.2/24.5	3.0	73
34 B**	Beltway R.O.W./Residential	32.2 /30.4	2.5	76
	Subtotal Acreage	820.9/836.25	Subtotal Units	3,618-/3,480
	Lakes	263.2/253.5		
	Conservation	140.6		
	Golf Course	155.6/147.65		
	Country Club	6.9/12.9		
	Athletic Club	13.4		
	Fire/Police	1.5		
	Recreation Area	10.0		
	R-O-W	90.7		
	Subtotal	672.2/656.85		
	TOTAL ACREAGE	1,458.7/1,493.2	TOTAL UNITS	3,618/3,480

Notes on Tracting Table:

*A fifty foot (50') undisturbed natural buffer will be provided on Tract 20 along the western property line, running parallel to Markham Woods Road, and along the southern boundary line, adjacent to Dawn Estates subdivision (Addendum 3).

*Within Tract 20, as expanded, the Developer shall install a fifty foot (50') undistributed natural buffer along the west boundary of the one (1) acre lots lying adjacent to and east of Markham Woods Road and along the south boundary of the one (1) acre lots lying adjacent to the Dawn Estates subdivision ("Buffer Lots"). The size and dimensions of each of the Buffer Lots shall be not less than one (1) acre. This fifty foot (50') undisturbed natural buffer shall be located approximately fifty feet (50') inward from the back lot line of the foregoing described Buffer Lots. The Developer shall also plant an additional ten thousand and no/100 dollars (\$10,000) of landscaping along the south boundary line of Tract 20, as expanded, abutting the Dawn Estates Subdivision (Addendum 2).

Developer hereby agrees to pay to the Board all impact fees assessed by Seminole County for the development of Tract 20, as expanded (Addendum 2).

**The Developer shall establish a landscaped buffer and conservation easement fifteen feet (15') in width along the northern property line of the lots within the 15 Acre Parcel ("Conservation Easement Area"). Within thirty (30) days after obtaining all necessary permits, the Developer shall implement the native vegetation planting plan in the Conservation Easement Area. Prior to the sale of any lots within the expanded Tract 34B, the Developer shall impose a conservation easement over the Conservation Easement Area. In addition the subdivision plat that include the 15 Acre Parcel shall depict the location of the Conservation Easement Area and shall note the applicable recording information regarding the conservation easement (Addendum 5).

**Development within the 15 Acre Parcel is subject to a final resolution of the amendment to the Comprehensive Plan for the 15 Acre Parcel and execution of the Agreement. No development is authorized within the 15 Acre Parcel until the amendment to the Comprehensive Plan for the 15 Acre Parcel is found in compliance pursuant to Section 163.3184(16), Florida Statutes (Addendum 5).

**A fifteen foot (15') conservation easement will be established adjacent to the twenty-five foot (25') buffer along the northern property line of the 15-acre portion of Tract 34B that is subject of the Stipulated Settlement Agreement (Addendum 5).

V. BUILDING AND LOT INFORMATION

Building restrictions and criteria for development on the Heathrow Property are set forth below. All other building restrictions and criteria for residential, commercial and recreational development within the Heathrow Property shall be in accordance with the requirements of the Seminole County Land Development Code except in the event of a conflict between the Land Development Code and the terms of this Agreement in which event this Agreement shall control. The County and the Developer agree that all facilities constructed on the Heathrow Property shall either be platted or receive complete site plan review, as appropriate, in accordance with the provisions of the Land Development Code and this Agreement.

Dwelling Type	Minimum Lot Size (Sq. Ft.)	Minimum Dwelling Size	MINIMUM LOT SETBACKS IN FEET				Maximum ² Height (Feet)
			FY ¹	SY ¹	SY ¹	RY ¹	
Detached Single Family ³	8,400	1,500	20	10	10	30	35
Detached Single Family ³ Zero Lot Lines	3,800	1,200	10 ⁵	0	10 ⁶	20 ⁷	35
Attached Single Family	2,800	1,200	10 ⁵	0	0	20 ⁸	35
Attached Multifamily	N/A	N/A	25	25 ¹¹	25 ¹¹	25 ¹²	35
Commercial and Office ⁴	0	N/A	25	0	0	10	35 ⁹

1 FY=Front Yard
SY=Side Yard
RY=Rear Yard

2 Building height is the vertical distance from the finish grade at the primary entrance of the building to the highest point of a flat roof or mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

3 All subdivisions, platted after December 8, 1989, will utilize the following setbacks:

Detached Single Family: FY 20 feet
 SY 7.5 feet
 SY 7.5 feet
 RY 20 feet

Detached Single FY 10 feet⁵
Family Zero Lot Line: SY 0 feet
 SY 7.5 feet¹⁰
 RY 20 feet

- 4 Tract 30 side yard setback along boundary with Tract 29 shall be 25 feet.
- 5 Ten feet front setback will consist of a minimum of 20 feet from front of garage to the edge of pavement.
- 6 Tract 13 will have a side yard setback of 5 feet.
- 7 Pool setbacks for detached single family **zero lot line** units shall be a minimum of **0 feet on the side and** 5 feet on the rear.
- 8 Pool setbacks for attached single family units shall be a minimum of 0 feet on the side and 5 feet on the rear.
- 9 The maximum height for Tracts 16A and 16B shall be 67.5 feet. The maximum building height for Tract 16C shall be 68 feet. The maximum height of buildings in Tracts 16D, E, F and G shall be 97 feet. The maximum height for Tract 9 shall be 46 feet.
- 10 There will be a minimum 10 feet separation between structures on adjacent lots.
- 11 Muirfield Village (located within Tract 7) shall have a side yard setback of not less than 7.5 feet and a minimum separation of 15 feet between buildings.
- 12 Breckenridge Heights (located within Tracts 18 and 19) shall have a side yard setback of not less than 7.5 feet and a rear yard setback of not less than 20 feet.

A. Gross Floor Area Limitations: The Developer agrees that if any building is constructed on Tracts 16 D, E, F and G of the revised Master Plan at a height in excess of sixty-eight (68) feet, the maximum size of any building or any combination of buildings shall not exceed a total of five hundred thousand (500,000) square feet of "Gross Floor Area" as herein after defined. For purposes hereof, the term "Gross Floor Area" shall mean any and all portions of a building constructed on such tracts exclusive solely of any areas of a building devoted to parking, mechanical/elevator, penthouses, elevator shafts, staircases, conduits, vent shafts, and also exclusive of any other portion of a building which would not ordinarily be taken into account by the County in computing the Gross Floor Area of a building as determined solely and conclusively by the County.

B. Land Uses: The following land uses, as defined for Heathrow, are intended to limit what may be built on the different tracts within Heathrow while allowing flexibility with the specifics of a particular land use for Heathrow to pursue unique, creative and attractive residential and nonresidential development. Actual number of stories (limited by maximum height), attached or detached garages, number of units for multiple family buildings and other specific characteristics of a particular land use will be determined during site planning of an individual tract and future market conditions.

C. Single Family Estates (three units or less per gross acre): Detached residential dwelling located on a fee simple lot.

D. Single Family (six units or less per gross acre): Attached or detached residential dwelling located on a fee simple lot. Examples include, but are not limited to, detached zero lot line dwellings and multiple unit buildings (townhouse, patio homes, quadraplexes, etc.) where each unit is located on a fee simple lot.

E. Low Density Multiple-Family (seven units or less per gross acre): A group of attached residential dwellings located on a tract or parcel. Examples include, but are not limited to, single and multi-story dwellings, two story dwellings located over single story dwellings, duplexes, triplexes, quadraplexes, and all other vertical and horizontal arrangements of a multiple dwelling unit building. It may also include attached or detached garages or dwelling units over parking.

F. Medium Density Multiple-Family (thirteen units or less per gross acre): Same definition as for Low Density Multiple Family, except higher density of units per gross acre are allowed.

G. Office: The primary use of office tracts within Heathrow shall be for medical, professional and business offices, and shall also include service establishments and retail outlets that are intended to primarily serve office tenants and Heathrow residents. Office tracts within Heathrow are further defined as single or multiple story buildings for medical, professional and business offices, service establishments, banks, financial services, restaurants, beauty salons, photographic studio, laundry, tailor, business school, dance or studio and similar activities, retail outlets (wearing apparel, toys, sundries and notions, books, office supplies, jewelry, art, antiques, photographic supplies, florist, gifts, and similar activities) and parking garages. Multi-use (offices, service establishments and retail outlets in the same building) is anticipated in Heathrow. Office buildings within Tracts 16 A and 16 B may not be utilized for medical or dental offices.

H. Commercial: The same uses defined for office tracts within Heathrow shall be permitted for commercial tracts; however, the primary use of these tracts is intended for service establishments and retail outlets. Tracts 1 and 2 are intended as a specialty shopping center of restaurants, specialty shops, entertainment establishments, personnel services, offices and other similar uses and may be multi-story or multi-level, depending upon more specific investigation of tenant needs and architectural design. Tract 30 shall be limited to office, service establishments and retail outlets only, for the exclusive use of Heathrow residents and guests.

I. Restaurants and Lounges: It is the intent that Heathrow will offer a variety of quality restaurants and lounges for residents, guests, club members, employees, and patrons. Accordingly, sale and consumption of alcoholic beverages shall be a permissible use at various locations throughout Heathrow, including the Country Club, ~~Athletic Club~~, Commercial and Office tracts. More than one restaurant and lounge may be located in a single building or complex of buildings as an accessory use, and sale of alcoholic beverages shall be permitted subject to the State of Florida regulations. Where the sale or consumption of alcoholic beverages is the primary use of the building, the provisions of the Land Development Code shall control.

J. Guest Quarters: It is anticipated in Heathrow that there will be single family residences that, due to size and nature of household, will require special guest quarters. To accommodate the special circumstance, guest quarters containing a separate kitchen shall be permitted in Heathrow in association with a single family dwelling. Guest quarters are intended only for family members, visitors, live-in caretaker or other domestic help, and shall not be leased or sold except concurrently with the lease or sale of the primary single family dwelling.

K. Temporary Structures: Trailers for development office and sales use shall be permitted at Heathrow for a period not to exceed one (1) year for each approved trailer. Location and site plan for each trailer shall be subject to review and approval by Seminole County. Construction trailers shall be permitted at Heathrow for a period not to exceed the period of construction for which the trailer is intended.

L. Unique Development: It is anticipated in Heathrow that there will be unique types of residential and non-residential development. These may include platform buildings, buildings in lakes (as shown in **Figure 1**), underground buildings, and other types of unique construction. This type of development shall be allowed in Heathrow, subject to meeting applicable building codes and permitting requirements.

M. Shifting Of Units between Tracts And Land Use Categories May Occur With The Following Conditions:

1. Total number of dwelling units for Heathrow North shall not exceed 1,941.
2. Densities of individual tracts bordering the external boundary may increase by as much as 5 percent or decrease.
3. Densities of individual tracts internal to the site, not bordering the external boundary of the site, may increase or decrease.

4. No parcel density shall exceed 13 units per acre, except Tract 31 shall not exceed 4 DU/acre ~~and 3 DU/acre, respectively; Tract 35 shall not exceed 3.0 DU/acre;~~ Tract 20, as expanded, shall not exceed a net density of 1.4 DU/acre; Tract 32 shall not exceed 4 DU/per net buildable acre, and Tract 34B, as expanded by the 15 acres parcel, shall not exceed 3.0 DU/per net buildable acre (Addendum 2 and 3).

VI. VEHICLE AND PEDESTRIAN CIRCULATION SYSTEM

A. Paths: It is the intent that a private multi-use pedestrian, bicycle and jogging path system be provided in lieu of a formal sidewalk. There shall be non vehicular access from each residential dwelling to the recreation and commercial facilities within Heathrow. It is also the intent that since Heathrow's path system is unique in Seminole County in terms of being a self contained system for use by residents and guests traveling from their residences to the parks, recreation centers, and shopping within Heathrow, that flexibility shall be allowed in the planning and implementation of the system.

As shown on **Exhibit B** (Heathrow Master Plan), a path shall exist on one side of the major street system in Heathrow and shall provide access to all tracts. Where possible, no paths will be located next to the golf course. Within subdivision tracts, paths shall be provided on one side of the street. Paths located along the rear of lots may be provided in lieu of paths located along streets.

Except for Chestnut Hill (Tract 12), in subdivisions where the average lot size is one acre or larger, no paths shall be required. Paths shall be provided within multiple family, commercial and office tracts that will allow non vehicular access from parking to buildings, and will provide a connection with the master system.

Pedestrian access to the Heathrow Elementary School shall be provided by the Developer through the Heathrow Planned Unit Development (Addendum 2).

B. Sidewalks: The Developer is required to construct a 5-foot sidewalk along Markham Woods Road, adjacent to Heathrow, when requested by the County Engineer. The Developer shall construct a five foot (5') sidewalk network and roadway crossing system for the sole use of the Heathrow Planned Unit Development which

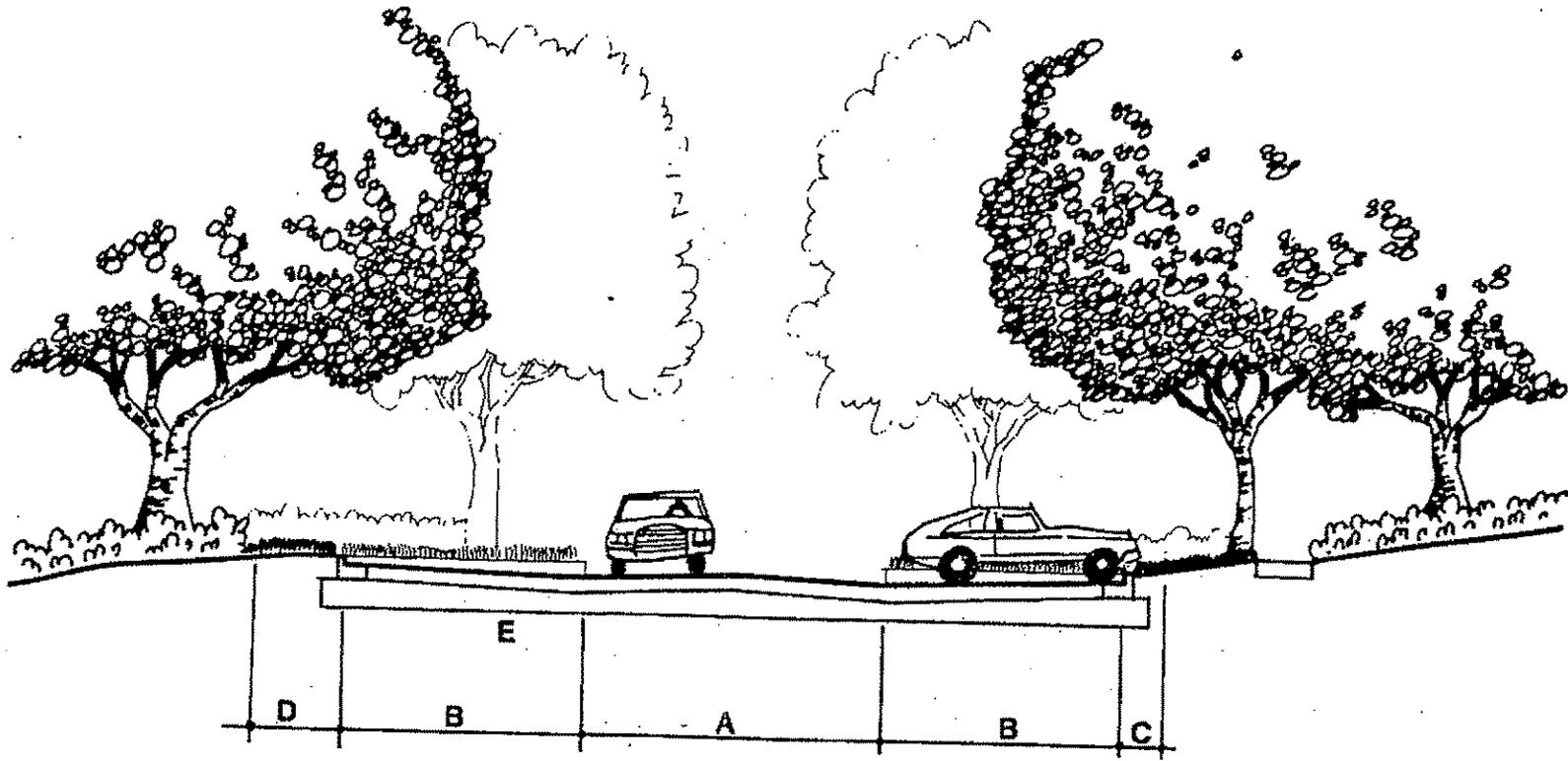
shall extend along Heathrow Boulevard (Addendum 2).

C. Multiple Family Parking Requirements: Duplex, triplex, quadraplex, and multiple family dwellings in Heathrow may provide a minimum of one and one-half spaces for each dwelling unit. An equivalent of one-half space for each dwelling unit will be left in open space, in addition to open space required.

D. Parking Location: Remote parking (i.e., not located on the same lot or tract) shall be allowed in Heathrow for special events (tennis tournaments, golf tournaments, art shows, outdoor concerts, etc.) or buildings, provided that a pedestrian system connects the remote parking to the event or building, or that Heathrow provides bus, monorail or other transit service to and from the remote parking.

E. Off-Street Loading and Unloading: No minimum loading or unloading space requirements shall be required, provided that no motor truck, tractor or trailer, while loading or unloading, shall remain standing for more than two (2) hours within a twenty-four (24) hour period, and under no conditions shall block access of emergency services to a building.

F. Parking Design: It is the intent in Heathrow that parking areas for residential and nonresidential development, in addition to being safe and functional, are also consistent with the overall quality of development. To accomplish this goal, the following design standards allow Heathrow to reduce pavement area while increasing landscape and pedestrian opportunities. The following notes refer to **Figure 1:**



PARKING

[Figure 1]

A1. The minimum width of aisle pavement shall be twenty (20) feet, not including curbs and gutter.

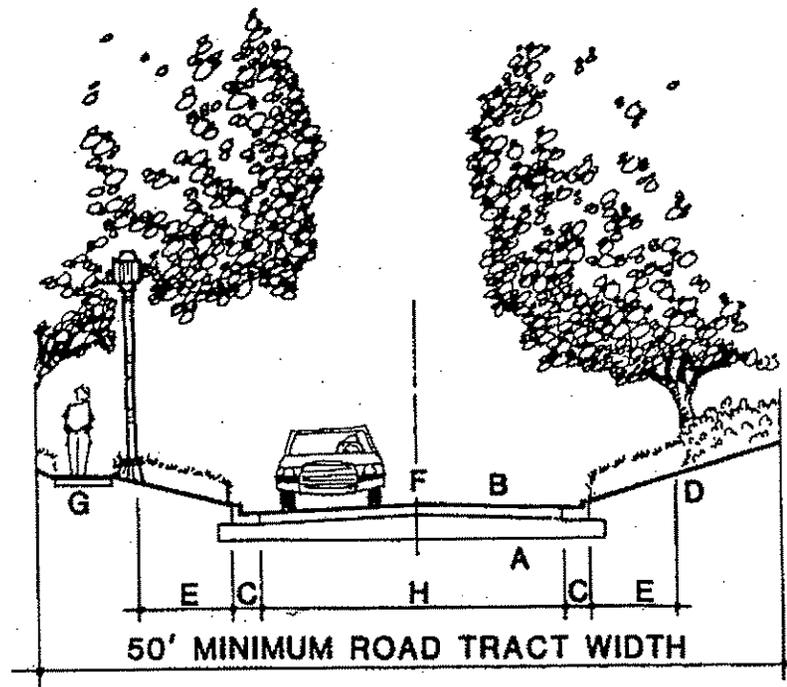
B2. Stalls for parking ninety degrees (90°) to centerline of aisle shall be a minimum of sixteen and a half (16.5) feet deep to face of curb or wheelstop, and a minimum of nine (9) feet wide. Parking stalls for handicapped, where required, shall be a minimum of twelve (12) feet wide. Parking stall dimensions for parking other than perpendicular to aisle centerline shall be in accordance with County standards.

C3. Where required, paths shall be located no closer than three (3) feet from the face of curb or wheelstop. Paths that are a minimum of seven (7) feet in width may be used as a wheelstop.

D4. All plantings six (6) inches or higher shall be restricted to areas a minimum of two (2) feet back from the face of curb where adjacent parking stalls are less than twenty (20) feet deep.

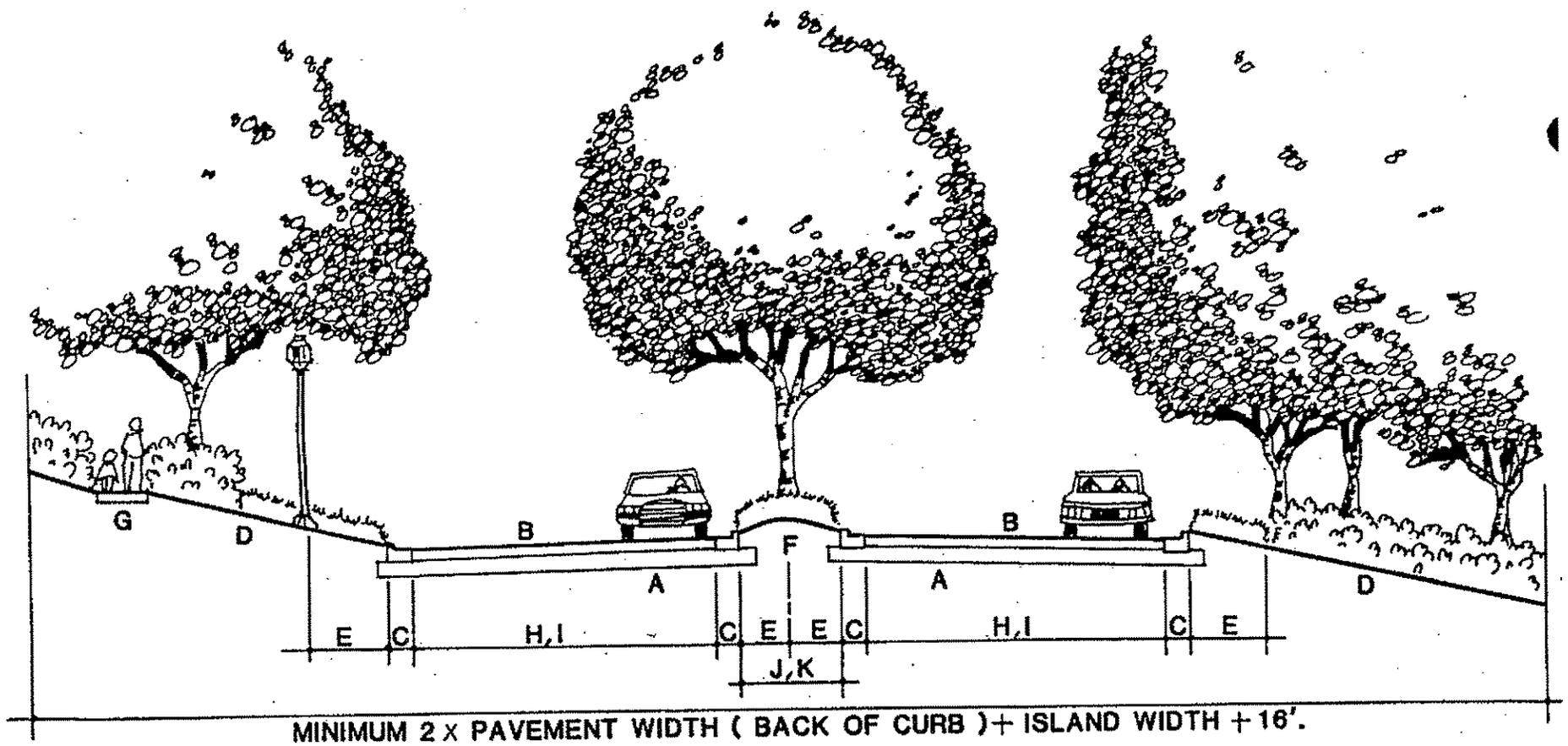
E5. The minimum material thickness and types shall be 10" stabilized to 75 FBV, 6" base course and 1 1/4 (±1/4) of asphaltic concrete surface course; or decorative pavement of equivalent strength and durability as the asphalt parking section.

F6. Parking space requirements for Tract 9 shall be one space per 285 square feet of gross floor area. Parking space requirements for Tract 16 shall be one space per 300 square feet of gross floor area.



TWO LANE UNDIVIDED STREET

[Figure 2]



TWO AND FOUR LANE DIVIDED BOULEVARD

[Figure 3]

G. Street Design: The following notes refer to **Figures 2 and 3:**

A1. The minimum material thicknesses and types are ten (10) inch stabilized sub-base to Florida Bearing Value (FBV), seventy-five (75) pounds per square inch (psi); base course six (6) inches thick for residential streets and eight (8) inches thick for commercial streets; and one and one-quarter (1-1/4) inch, plus or minus one-quarter (1/4) inch thick (residential) and one and three quarters (1 3/4) inch, plus or minus one-quarter (1/4) inch thick (commercial) asphaltic concrete surface course, or decorative pavement surface of thickness appropriate to the material, strength and durability equal to, or greater than, asphaltic concrete. Additionally, Heathrow Blvd. shall be constructed to the commercial standards, stated above.

B2. The minimum cross slope shall equal one-quarter (1/4) inch vertical per one (1) foot horizontal.

C3. Concrete curb and gutter shall be two (2) feet wide (either Standard or Miami type) for positive crowned roads. For inverted crown roads, no curb or gutter shall be required.

D4. The maximum side slope to grade shall equal no greater than one (1) foot vertical per three (3) feet horizontal, with one (1) foot vertical per four (4) feet horizontal being desirable in most circumstances. For the first 4 feet behind edge of pavement or curb slopes shall be no steeper than 4 feet horizontal to 1 foot vertical. Retaining walls not higher or lower than four (4) feet measured from top of curb shall be allowed, and shall be located a minimum of four (4) feet horizontally from back of curb.

E5. A minimum width of three (3) feet back of curb shall be maintained clear of all trees or shrubs two (2) feet or higher. Trees beyond the three (3) foot limit shall be selectively cleared, where necessary, for utility, sidewalk and driveway purposes. Groundcovers and shrubs not higher than two (2) feet shall be allowed in the area less than three (3) feet from curb.

F6. The pavement centerline may vary substantially from centerline of the road tract, except that a minimum width of three (3) feet from back of curb to tract property line shall be maintained.

G7. Paths may meander within roadway tract and onto adjacent lots on which a path easement exists. Paths are to be a minimum of four (4) feet wide, four (4) inches thick, using 2500 p.s.i. concrete or equivalent durable decorative pavement.

H8. The pavement width shall be twenty (20) feet of pavement surface, exclusive of curbs and gutters for minor streets, and twenty-four (24) feet, exclusive of curbs and gutters for local streets.

I9. On a two-lane divided section, minimum pavement width, exclusive of curbs, shall be seventeen (17) feet with a minimum face of curb to face of curb dimension of 20 feet if island divider is noncontinuous and short (less than two hundred (200) feet long), or a minimum of twenty (20) feet, exclusive of curbs, if the divided section is longer than two hundred (200) feet in length. If no curbs are provided, minimum pavement width shall be 20 feet. The minimum pavement width on a four-lane boulevard shall be twenty-four (24) feet per side, exclusive of curbs.

J10. The island divider width on continuous (longer than two hundred (200) feet in length) divided roadways shall be a minimum of fourteen (14) feet wide back-to-back of curb, except where left turns are required, where minimum width shall be three (3) feet, and the island shall be a minimum of two (2) feet between back of curbs. Landscaping less than two (2) feet high above curb shall be allowed in the recovery zone three (3) feet back of curb. Site amenities over two (2) feet high, as included in STREETSCAPE, shall be permitted in the divider median, if located over three (3) feet back of curb.

K11. The island divider width on non continuous (shorter than two hundred (200) feet in length) divided roadways, and where no left turn lanes are required, shall be a minimum of eight (8) feet.

L12. Permanent curb ramps shall be provided at all intersections where curbs and sidewalks are constructed.

M13.Traffic control markings and signage shall meet Seminole County standards as to type, size, color and graphic to be depicted on sign faces and location of signage. All street markings on asphalt street pavement shall be thermoplastic.

Florida State Department of Transportation (FDOT) "Green Book" (Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways) standards shall not apply to any of Heathrow PUD's subdivision internal private roads, private roads, and the standards are applicable to public streets and highways. FDOT Green Book standards shall apply to Heathrow Blvd. and International Parkway.

Minimum Roadway Tract and Pavement Widths
Exclusive of Required Turn Lanes

	<u>ROAD TRACT WIDTH</u>		<u>PAVEMENT WIDTH</u>	
	<u>Gutter</u>	<u>Rural</u>	<u>Curb & Gutter Back-to-Back of Curb</u>	<u>Rural</u>
Collector	60	80	24	24
Local	50	70	24	24
Minor	50	60	20	20
Cul-de-sac	44*	50*	44*	42*
		Pavement width on C .D.S. = 24' b-b.		
Service Drive	50	60	20	20

* Radius

Design speed and design vehicle for the Heathrow PUD interior minor and local streets shall be 30 mph maximum and type SU and BUS, respectively. For minor collector roads within Heathrow, the design speed and vehicle shall be 30 mph maximum and type WB-50, at a maximum. Posted speed limits and design limits within specific tracts at Heathrow may be lower than the 30 mph cited above.

Roadway classification by usage within Heathrow shall be as follows:

Minor collector-Heathrow Boulevards and International Parkway

Local or minor streets - all others

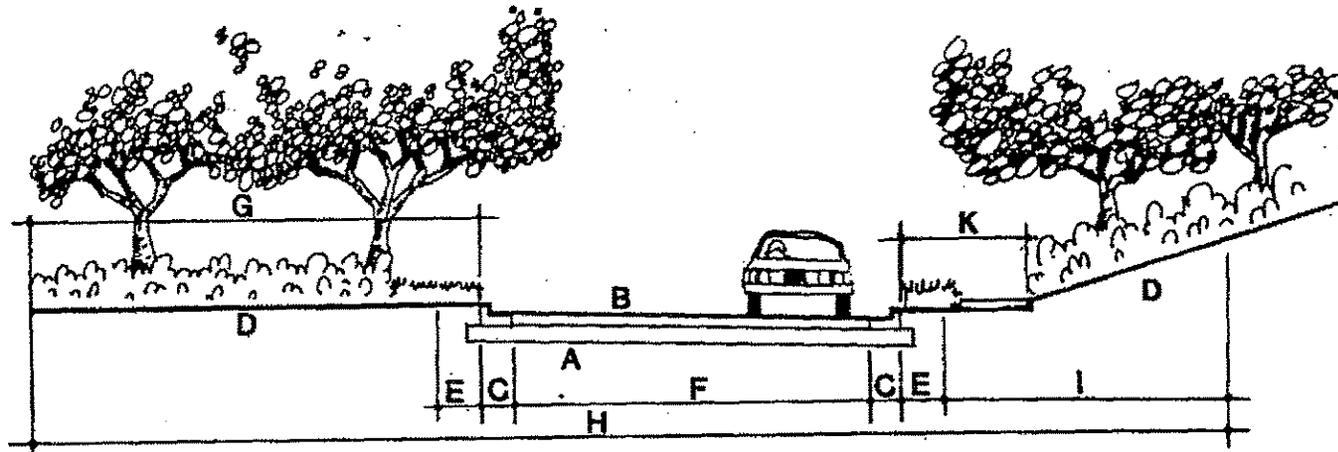
H. Lake Mary Boulevard Design: It is the intent of Seminole County and Heathrow that future widening and improvements to Lake Mary Boulevard adjacent to the Heathrow property, in addition to being safe and functional, are also consistent with the overall quality of development being achieved in Heathrow and should the existing berm and landscaping along Lake Mary Boulevard require removal or modification as a result of such widening, landscaping shall be replaced so as to comply with the Lake Mary Boulevard Gateway Corridor Overlay Standards Classification (Addendum 1). The landscaping, lighting, berming, utilities, and entrances completed, and under construction, or anticipated along Lake Mary Boulevard are to be conceptually in accordance with **Figures 4 and 5**. The following notes refer to **Figures 4 and 5**:

A1. The minimum material thicknesses and types are ten (10) inch stabilized subbase to Florida Bearing Value (FBV), seventy-five pounds per square inch (psi); limerock or soil cement base course eight (8) inches thick; and one and three quarters (1 3 1/4) inch, plus or minus one-quarter (1/4) inch thick asphaltic concrete surface course, or decorative pavement surface subject to review and approval by the County Engineer.

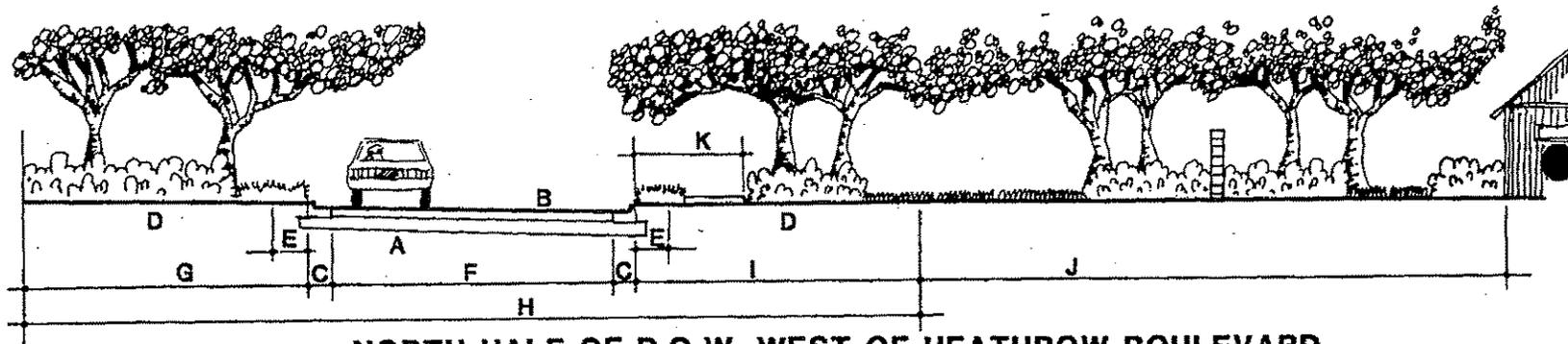
B2. The minimum cross slope shall equal one-quarter (1/4) inch vertical per one (1) foot horizontal. All roads shall be positive crowned.

C3. Concrete curb and gutter shall be two (2) feet wide (Standard type).

D4. The maximum side slope to grade shall equal no greater than one (1) foot vertical per three (3) feet horizontal, with one (1) foot vertical per four (4) feet horizontal being desirable in most circumstances, except that retaining walls not higher or lower than four (4) feet measured from top of curb shall be allowed, and shall be located a minimum of six (6) feet horizontally from back of curb. Where the sidewalks are located along the north side of Lake Mary Boulevard, the finish elevation of the sidewalks shall be approximately equal to the finish elevation of the top of the adjacent curb.



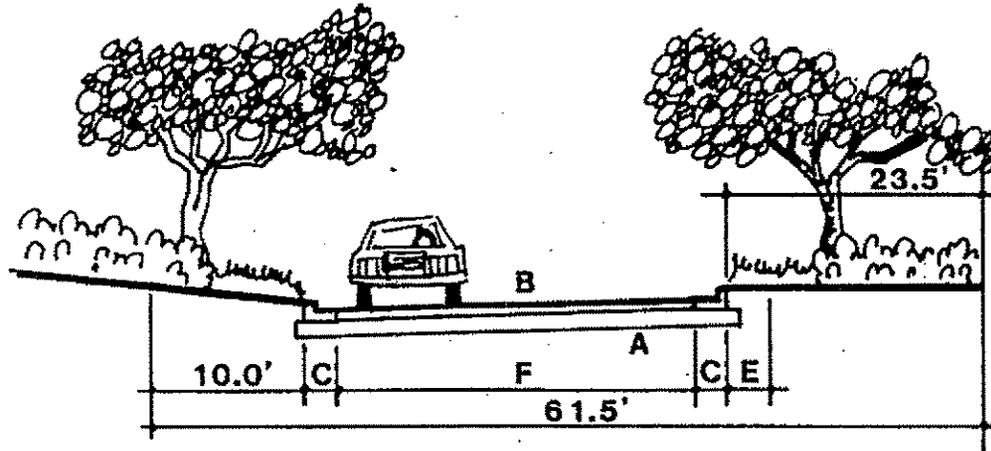
NORTH HALF OF R.O.W. EAST OF HEATHROW BOULEVARD



NORTH HALF OF R.O.W. WEST OF HEATHROW BOULEVARD

LAKE MARY BOULEVARD NORTH HALF

[Figure 4]



LAKE MARY BOULEVARD SOUTH HALF

IF ADDITIONAL RIGHT-OF-WAY AS SHOWN ON
FIGURE 4 IS NOT ACQUIRED BY THE COUNTY.

[Figure 5]

E5. A minimum width of six (6) feet back of curb shall be maintained clear of all trees or shrubs two (2) feet or higher. Groundcovers and shrubs not higher than two (2) feet shall be allowed in the area less than six (6) feet from curb. Where the sidewalk is located along the north side of Lake Mary Boulevard, groundcovers and shrubs not higher than two (2) feet shall be allowed in the four (4) foot area between sidewalk and curb.

F6. The pavement width shall be twenty-four (24) feet of pavement surface, exclusive of curbs and gutters. Left turn lanes shall be twelve (12) feet of pavement surface, exclusive of curbs and gutters.

G7. The north half median width back of curb shall be fifteen (15) feet west of Heathrow Boulevard and twenty-one (21) feet east of Heathrow Boulevard. Shrubs, groundcover, trees, street lights, signs and similar features may be located in the median, provided they are maintained by Heathrow and do not reduce visibility and other such safety considerations at intersections.

H8. The north half right-of-way shall be seventy-six (76) feet, west of Heathrow Boulevard, and eighty (80) feet, east of Heathrow Boulevard.

I9. Subject to Paragraph **5 E**, shrubs, groundcover, trees, street lights, signs and similar features may be located in the area from back of curb to edge of right-of-way, provided they are maintained by Developer or homeowners association, and do not reduce visibility and other such safety considerations at intersections.

J10. The Developer shall provide a five (5) foot wide concrete sidewalk along the south boundary of Heathrow, along Lake Mary Boulevard, at such time that Lake Mary Boulevard is four (4) lanes. There shall be a minimum four (4) foot separation between back of curb and the sidewalk.

K11. The final design of Lake Mary Boulevard shall take into account consideration for retention/detention systems of Lake Mary Boulevard runoff and the final drainage system shall have access and easements provided to the FDOT drainage system traversing the southern one-third

(1/3) of Heathrow.

12. The Developer shall construct a right turn lane on Lake Mary Boulevard approximately 400 feet west of International Parkway that will provide a one-way entrance into Tract 2. This right turn shall be a minimum of 12 feet of pavement surface exclusive of curbs and gutters (Addendum 1).

VII. LANDSCAPING AND BUFFERS

Except in the case of the requirements listed below, the landscaping and buffering requirements of the Heathrow Property shall be in accordance with the applicable provisions of the Land Development Code set forth therein. Specific landscaping and buffering requirements are as follows:

A. Greenbelt Requirements: The Developer shall provide and maintain the greenbelt easement area as shown on the Master Plan (**Exhibit B**) between the right-of-way for Lake Mary Boulevard and any residential construction located west of the main entrance to the Heathrow Property on Lake Mary Boulevard. The Developer shall maintain a 25-foot greenbelt easement area between the right-of-way for Markham Woods Road and residential construction located south of the southerly entrance to the Heathrow Property from Markham Woods Road. Residential construction will be permitted adjacent to the sewage treatment plant improvements and effluent disposal areas including the golf course in accordance with Florida Department of Environmental Regulation requirements.

B. Special Buffer: A fifty (50) foot-wide landscape buffer, west of Heathrow Boulevard to Markham Woods Road, shall be provided. The buffer shall be installed not later than the development of adjacent parcels. Trees, shrubs, walls and/or earthen berms shall be installed to buffer residential dwellings from Lake Mary Boulevard. The landscape buffer may be an easement and may be used for related developments (stormwater facilities, paths, open space, and similar features), provided that no buildings or parking ~~are~~ **is** developed in the buffer and that the intent of the buffer is preserved. In addition a provision for a twenty-five (25) foot natural buffer, supplemented by additional plantings where necessary and as determined at the

time of development, along the entire northern boundary of the PUD shall be added (Addendum 3).

C. Landscape Screening: Landscaping plans for the commercial areas of the Heathrow Property and for the sewer treatment plant shall be designed with a view toward providing aesthetic screening of such areas from residential areas, by means of either landscaping and/or earth moving and grading, and shall meet the requirements of this Agreement.

D. Noise Buffers: Where noise pollution studies conducted by the Developer indicate that natural terrain and landscape conditions do not provide buffering from traffic noise on Interstate 4, or where such studies indicate that development on the Heathrow Property shall increase noise levels beyond those permitted by County Ordinances, the Developer shall provide buffering through landscaping and/or earth moving and grading so as to reasonably minimize such noise levels.

E. Streetscape: It is the intent that all streets, driveways and parking areas will be attractive and consistent with the overall quality in Heathrow. To accomplish this goal, site amenities (shrubs, groundcover, trees, fountains, decorative walls and fences, street lights, signs, and similar features) may be located within the roadway tracts and in the medians of all streets, driveways and parking areas in Heathrow, provided they are maintained by Heathrow and do not reduce visibility at intersections. The distance and height for landscape and other amenities from street or parking curb shall be restricted, as included in PARKING DESIGN and STREET DESIGN. Alternative materials may be used for street, driveway and parking area surfaces and pedestrian crossings (examples include, but are not limited to, concrete, decorative concrete, brick, granite, or other long wearing surfaces). Alternatives to thermo-plastic or other street marking paint may be used, provided they are long wearing and serve the same intent.

F. Installed and Existing Landscape: It is the intent of Heathrow to continue to be outstanding in preservation of existing trees and installation of new landscape material. Provided that Heathrow maintains its current level of excellence in installed and existing landscape, Seminole County requirements for clearing and preservation of existing trees and installed landscape shall not be applied in Heathrow.

Landscape plans for areas to be developed in Heathrow shall be submitted to Seminole County in order that the County can confirm that Heathrow is performing at, or above, the intent of Land Development Code landscape requirements. The landscape plans shall show trees to be preserved; installed landscaping, including trees, shrubs, groundcover, and sodded areas; and provisions for irrigation. At the County's option, a County inspector may visit the development area to verify that preservation of trees and installation of landscape are in accordance with submitted plans.

Tree surveys shall not be required for County review, provided that preservation of existing trees has been addressed through use of aerial photographs and site familiarity. Tree surveys will be used where other means are inadequate to specifically locate trees to be preserved.

VIII. RECREATION AND OPEN SPACE:

Specific recreational and open space requirements are outlined below. The Developer may provide additional recreational amenities as the need therefore is determined. The Developer agrees that no gasoline powered boats shall be permitted on any lakes within the Heathrow Property, and that no active recreational facility shall be constructed on Banana Lake.

A. Pedestrian, Bicycle and Jogging Paths: Heathrow will provide a private multi-use pedestrian, bicycle and jogging path system in the general location, as shown on **Exhibit B** and within each tract. This system will provide access from each tract to the recreation and commercial facilities within Heathrow. The location of paths within each tract will be determined during the specific planning of a tract, and will connect with the overall Heathrow pedestrian, bicycle and jogging path system. The total system will be no less than sixteen (16) miles in length.

B. Swimming Pools: Heathrow will provide private community swimming pools at the Heathrow Golf Clubhouse **including the athletic club facilities and the Heathrow Athletic Club.** Additional swimming pools may be permitted, subject to review and approval by Heathrow.

C. Boat Ramps: Heathrow will provide four (4) private boat ramps on lakes within the development. These ramps shall be used by canoes, sailboats and other non gasoline-powered small boats.

D. Tennis Courts: Heathrow will provide a minimum of eight (8) tennis courts to be located at the Heathrow ~~Athletic Club~~ Country Club Tract. Additional tennis courts may be permitted, subject to review and approval by Heathrow.

E. Recreation Center: Heathrow will provide a private athletic center that will have eight (8) tennis courts and a community swimming pool, as previously committed above ("Swimming Pools" and "Tennis Courts"). It may also include, as determined by Heathrow in future planning, an indoor running track, indoor racquetball courts, tennis tournament facility, racquetball tournament facility, exercise equipment, sporting goods shop, sport clothes boutique, dining facilities and other accessory uses normally associated with a first-class, private, full-service athletic center.

F. Parks and Open Space: Heathrow will contain five hundred ten (510) acres or thirty-five percent (35%) of its total area in open space, including lakes, golf course, recreation facilities, parks, conservation areas, greenbelts, road tracts, and landscaped areas. Areas of the open space will be developed as passive parks. Visual or physical access by residents to developed open space shall be provided. Actual number, size and types of passive parks will be determined during specific site planning, and subject to County review. No active recreation facilities will be located on Banana Lake. The ratio of open space to total development (35%) shall be maintained during development. Forty-five (45) percent of Tracts 16A and 16B shall be preserved as open space.

Maximum Impervious Surface: Maximum impervious surface in Tract 9 shall be 65 percent. Maximum impervious surface in Tracts 16C and 16D shall be 70 %.

Recreation Facilities Phasing

<u>Phase</u>	<u>Residential Units</u>	<u>Recreation Facilities*</u>
1	90	
2	200	Golf Course, Phase I Country Club and 1 Community Pool
3	300	4 Tennis Courts, Phase I Athletic Club
4	300	1 Boat Ramp, 4 Tennis Courts
5	300	1 Boat Ramp, Phase 2 Country Club, Phase 2 Athletic Club, 1 Community Pool
6	390	
7	400	1 Boat Ramp
8	400	
9	500	1 Boat Ramp
10	600	
11	600	
12	64	Relocation of athletic club amenities including swimming pool, club house and tennis courts

* Pedestrian, bicycle, and jogging paths will be phased in each new tract that is developed, and will be connected to the Heathrow system of paths. Passive parks will be phased concurrently with new tracts that are developed.

IX. FACILITY COMMITMENTS

A. Road Improvements: All off-site transportation improvements required to be constructed by the Developer in connection herewith shall meet Florida Department of Transportation "Green Book" standards. All streets and boulevards within the Heathrow PUD shall be private and maintained by the Developer or Association. All transportation improvements shall be subject to design review by the County Engineering Department. All on-site transportation improvements shall meet the Land Development Code standards, except in the event of a conflict with the on-site transportation design criteria set forth in this Agreement, in which event this Agreement shall control. The County requires, as a condition to the approval of this Commitment, that the Developer provide the specific transportation improvements listed below in connection with the development of the Heathrow Property, at such times as the County shall determine the need therefore, based upon appropriate traffic studies in accordance with Department of Transportation recognized traffic warrants; provided, however, the County may not require the installation of the said improvements, without the Developer's consent, prior to the date or events indicated herein below. The required traffic improvements are as follows:

A1. Lake Mary Boulevard: The Developer shall four-lane Lake Mary Boulevard from the main entrance of the residential area of the Heathrow Property east to the limits of the intersection with Interstate 4, which shall be constructed in accordance with the standards set forth in this Agreement. The County shall not have any obligation to provide maintenance beyond that normally required for equivalent type roads. Where the Developer desires to have maintenance exceeding the foregoing level, the Developer, or property owners' association, shall have the right to perform the maintenance upon the County's authorization. The said four-laning shall include left and right turn storage lanes at the main entrance to the residential area. The Developer agrees that additional right-of-way required north of the existing centerline of Lake Mary Boulevard for such four-laning shall be provided by the Developer. So long as an equal amount of right-of-way shall be taken south of such centerline, conceptually Lake Mary Boulevard shall be the same as shown for the north right-of-way on **Figure 4**. In the event that an equal amount of right-of-way is not taken, conceptually Lake Mary Boulevard shall be in accordance with **Figure 5**. Final design and construction drawings shall be reviewed and approved by the County Engineer.

The Developer will also four-lane Lake Mary Boulevard from Markham Woods Road to Heathrow Boulevard. The four laning is to be completed at the same time as completion of the Interstate 4/Lake Mary Boulevard modified interchange. If the additional right-of-way is provided by the County on the south side of Lake Mary Boulevard, then the four lanes shall be designed and constructed according to the typical 140-foot right-of-way. If the additional right-of-way is not provided by the County on the south side of Lake Mary Boulevard, then the four lanes shall be designed and constructed according to the typical 120-foot right-of-way.

The County agrees that from Markham Woods Road to Interstate 4 all utility lines of all kinds, including, but not limited to, those of franchised utilities, electric power and light, telephone and telegraph, cable television, water, sewer, and gas, shall be constructed and installed beneath the surface of the ground, unless it is determined by the County Engineer that soil, topographical, or any other compelling conditions, including extraordinary costs, make the underground installation of such utility lines as prescribed here unreasonable and impracticable

B2. International Parkway: The Developer shall locate the entrance to International Parkway at least 600 feet west of the west right-of-way line for the CSX Seaboard System Railroad, Inc. (unless such right-of-way is discontinued or abandoned as an active railroute by the Railroad). International Parkway shall be a private roadway serving the Heathrow Property. The Developer recognizes that the County may decide in the future that International Parkway be designed and constructed as a major north/south arterial that is ultimately intended to connect Lake Mary Boulevard with State Road 46A. In the event that the County decides to implement the foregoing, the Developer agrees to dedicate to the County the required portion of the right-of-way located within the Heathrow Property; provided, however, that the design and construction of the entire roadway shall be in conformance with this Agreement, and further provided that it is understood that the Developer hereunder shall have no obligation to construct any portion of said roadway or to dedicate any portions of the right-of-way required for such roadway lying outside the boundaries of the Heathrow Property. The County shall not have any obligation to provide maintenance beyond that normally required for equivalent type roads. Where the

Developer desires to have maintenance exceeding the foregoing level, the Developer shall have the right to perform the same upon County's authorization.

C3. East/West Access to County State Road 46A: The Developer shall provide an access road to **County State** Road 46A from the northeasterly portion of the Heathrow Property, approximately as shown on the Land Use Plan, not later than such time as three thousand (3,000) dwelling units are developed within Heathrow.

D4. County State Road 46A/Interstate 4 Traffic Study: The Developer agreed to and participated with the County and others in a traffic study initiated by the County when the County determined the need within an area surrounding the **County State** Road 46A/Interstate 4 interchange. The study area was determined by the County, with the advice of the State of Florida Department of Transportation and the other study sponsors. The Developer's participation was \$10,000.00.

E5. Emergency Access Road: The Developer shall provide an easement to the County for an emergency access road to Banana Lake Road from the Heathrow Property for use by fire protection and law enforcement vehicles. Said roadway shall be stabilized per County requirements and located as shown on the Land Use Plan.

F6. Traffic Information: The Developer shall provide the County with traffic information for the Heathrow Property's internal traffic, including volumes and circulation systems. Trip end generation rates used for traffic analysis within Heathrow and for determination of Heathrow traffic impact on surrounding roads shall fall within the ranges cited in the Seminole County Transportation Planning guidelines, except where traffic generation data on similar land uses can substantiate lower trip end generation rates. This information shall be updated for each phase of the Heathrow development.

G7. Golf Carts: The Developer agrees that there shall be no at grade golf cart crossings on Heathrow Boulevard.

H8. Areawide Traffic Study: The Developer agrees to participate with the County and others in a traffic study, which shall be initiated by the County when the County determines the need, therefore within an area surrounding Heathrow. The study area will be determined by the County, with the advice of the Developer. The Developer's participation shall be \$10,000.00.

I9. Signalization: The Developer shall either participate in the cost of, or provide signalization, as hereinafter indicated, at intersections on public roads in the vicinity of the Heathrow Property. Such signalization shall be deemed to include both the cost of installation and equipment at such intersections, as well as the installation of traffic pre-emption devices where the need therefore is demonstrated by the Department of Transportation recognized traffic warrant methods. The signalization requirements are as follows:

(A1) Signalization of the intersection of the main entrance to the Heathrow Property at Heathrow Boulevard and Lake Mary Boulevard, and at all other "T" intersections serving only Heathrow, shall be provided at the sole cost and expense of the Developer.

(B 2) The Developer shall participate on a pro rata basis with the County and others in connection with the signalization of the following intersections. Such pro rata basis shall be determined on the basis of appropriate traffic studies demonstrating the share of projected traffic through such intersections that are generated by the Heathrow Property, as compared with the total projected amount of traffic from other areas utilizing such intersections. The intersections are as follows:

~~(a)~~I. Southeast corner exit ramp of Interstate 4.

~~(b)~~II. Intersection of Lake Mary Boulevard and Markham Woods Road.

~~(c)~~III. All entrance ways to the Heathrow Property from adjacent public roads, other than the main entrance to the residential area of the Heathrow Property from Lake Mary Boulevard and other than all "T" intersections serving only Heathrow.

J10. Internal Traffic Control: The Developer shall be responsible for installing all appropriate internal traffic control devices, signs and signalization in accordance with the standards set forth in this Agreement, as the need therefore is demonstrated in connection with the development of each phase of the Heathrow Property.

K11. Participation by Other Developers: The County agrees that in those instances where other new developments in the area of Heathrow are determined to have an impact on the off-site transportation improvements to be installed by the Developer hereunder, it shall make a good faith effort to require the developers of such other developments to participate in such improvements on a pro rata basis measured by their impact, and the Developer's future participation hereunder shall be reduced accordingly.

L12. Mass Transit: The Developer shall develop and implement plans for a mass transit parking facility within the commercial area lying north of Lake Mary Boulevard

M13. The Developer will construct the deceleration and left turn lanes on Markham Woods Road at the entrance of Bridgewater Drive. This improvement is to take place at the time of approval of the first site plan by Seminole County for buildings on Tract 9, 16C, or 16D.

N14. Subject to a mutually acceptable realignment of the abandoned Seaboard Coast Line Railroad right-of-way between Heathrow, Seminole County and the Florida Department of Transportation, Heathrow will convey to Seminole County, and/or the Florida Department of Transportation, any existing or future private interest in the abandoned railroad right-of-way located between Lake Mary Boulevard and ~~County State~~ Road 46A, as

realigned. This conveyance and possible realignment of this right-of-way shall be for the purpose of connecting Lake Mary Boulevard with **County State** Road 46A as a public access roadway contingent upon Seminole County and/or the Florida Department of Transportation approval.

015. The Developer has corrected the overlay and striping of the existing left turn/right turn lanes on Lake Mary Boulevard between Heathrow Boulevard and International Parkway. The overlay and striping took place at the time of approval of the first site plan by Seminole County for buildings on Tract 9, 16C, or 16D.

P16. Based on the currently approved PUD, the transportation improvement requirements of the Developer as set out in this section shall relieve the Heathrow PUD of the payment of transportation impact fees as now required or which will be required in the future by Seminole County for the currently approved PUD.

017. Access will be provided to 45-acre school site through Tract 27 for residents of Heathrow.

18. Ingress and egress to and from Tract 20, as expanded, shall be provided by Developer through the Heathrow Planned Unit Development with no direct access or interconnection into Markham Woods Road (Addendum 2).

19. Ingress and egress to and from the expanded Tract 34B, shall be provided by the Developer through the Heathrow PUD with no direct access or interconnection onto Markham Road (Addendum 5).

B. Fire Protection: The Developer has provided a site upon which the County has constructed a fire station at the intersection of Lake Mary Blvd. and Markham Woods Road.

The Developer has paid a total of \$300,000 (three hundred thousand dollars) towards the purchase of aerial equipment and the construction of an aerial equipment parking bay. The aerial equipment and aerial equipment parking bay is located at the existing Seminole County Fire Station at the corner of Markham Woods Road and Lake Mary Boulevard. The \$300,000 was paid by the Developer at the time a Certificate of Occupancy was issued for a building constructed within Tract 16 after September 22, 1987.

C. Drainage, Recharge and Water Quality Commitments:

Drainage, water recharge and water quality requirements shall be in accordance with the applicable provisions of the Land Development Code, except as specified in this Agreement. In addition, the Developer agrees as follows:

(1) The Developer will, subject to final engineering approval by the State of Florida Department of Transportation, retain water in the lake system of the Heathrow Property from the Department of Transportation drainage easement across the Heathrow Property.

(2) The Developer, or the operator of the wastewater treatment plant, shall monitor groundwater quality in accordance with Florida Department of Environmental Regulation requirements. All data from such monitoring shall be made available to the County, the Developer, and other appropriate governmental agencies.

(3) The Developer shall provide compensating storage (as defined further in this Agreement and the Land Development Code) for any fill deposited within the 100-year flood plain area located within the Heathrow Property. No construction shall be permitted within the 100-year flood plain area without prior County consent (except any such areas as to which filling above the 100-year flood plain level has been approved).

(4) Stormwater detention ponds in residential areas shall be designed to give a bank slope of six (6) horizontal to one (1) vertical from design low water level (structure control level), to a depth of three (3) feet; detention ponds and man-made lakes (e.g. golf course lakes) in areas other than residential, shall be exempt from this bank slope requirement and may be steeper where conditions dictate, but not steeper than three (3) feet horizontal to one (1) vertical.

(5) Design storms for the Heathrow PUD shall be the following:

- a. For rational method design of culverts and inlets: 10-year frequency FDOT Zone 7.
- b. For retention/detention design 25-year/24-hour storm event. The 25-year/24-hour storm shall be used on tracts on which the St. Johns River Water Management District has jurisdiction.

(6) Flood prone elevations for closed basins will be established for post development conditions and reflected in the Master Drainage Plan.

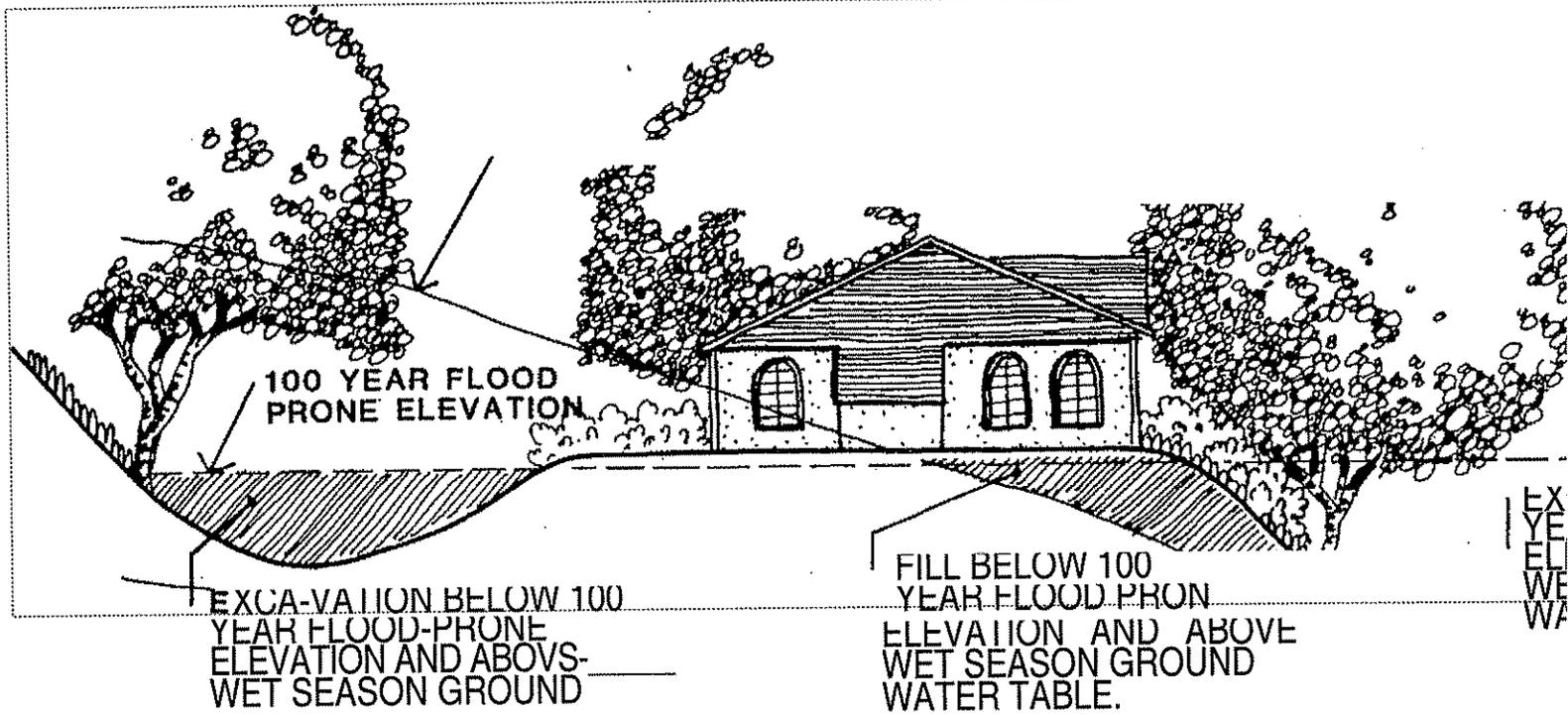
(7) Developer commits to conform with, and provide Seminole County with copies of, the conditions, limitations and reporting requirements of the St. Johns River Water Management District Permit No. 4-117-0030M22 (and its subsequent modifications, if any) as pertains to wetlands creation/mitigation, specifically conditions 21 through 31 inclusive and condition 35, and further agrees that such conditions are part of this Agreement.

(8) Installation of an interconnect drainage culvert from northern drainage basin (Basin 100) under Markham Road to unnamed lake on the north side (Addendum 3).

D. Compensating Storage: It is anticipated that there will be circumstances where development in the one hundred (100) year floodplain will be desirable to achieve a quality environment in Heathrow. All inhabited buildings shall have a minimum' finish floor elevation equal to or greater than one (1) foot above the one hundred (100) year flood elevation. Golf courses, tennis courts, parking areas, paths, and similar development may be subject to flooding during the one hundred (100) year events. Portions of driveways and streets within a tract may be subject; to flooding during the one hundred (100) year event, provided that alternative non-flooded vehicular access is available to inhabited buildings for emergency services and subject to County staff review.

Based on the total drainage basin, there shall be no material reduction in flood storage. As exemplified in **Figure 6**, fill placed below the one hundred (100) year flood elevation shall be compensated by excavation of an equal or greater volume within the floodplain or other method acceptable

to the County Engineer. Compensated storage may also be provided upland or outside the floodplain, provided that it is either hydrologically connected to the floodplain, or that it holds upland contribution to the flood volume.



Wet Season Ground Water Table

COMPENSATING STORAGE

[Figure 6]

E. Water and Sewer Facility Commitments: Except as otherwise agreed by the County, all construction within the Heathrow Property shall be served by central water and wastewater treatment facilities. A previous Utility Lease Agreement between the Developer and Seminole County has been terminated by a purchase agreement.

It is intended that the disposal of treated effluent (treated to public access level, when required) shall be accommodated in all permissible ways, consistent with all applicable laws, rules and regulations. Disposal methods may include, but are not limited to, spray irrigation, lake disposal and percolation systems. Appropriate areas within Heathrow, such as golf course, landscape areas, road tracts, buffers, greenbelts, and other suitable and permissible areas may be used for disposal.

F. Other Facilities:

A1. Schools: The Developer has dedicated and the School Board of Seminole County has accepted a 45-acre school site of which 40 acres are buildable at the location shown on **Exhibit B**.

The Developer shall pay the County Three Hundred Dollars (\$300.00) for each single family unit and Two Hundred Dollars (\$200.00) for each multifamily unit. Said fees are currently being collected by the County at the time of issuance of a building permit, and said funds are for the use of the Seminole County Board of Education. The contribution of the land shall be credited to payments for the contribution to the Seminole County Board of Education. In determining the credit for the land contributed, the Developer agrees to accept fair market value as determined by an M.A.I. appraiser jointly selected by the Developer and the County. The M.A.I. appraisal, dated June 7, 1989, set the fair market value of the 45-acre school site at \$2,650,000. The requirement of a cash contribution for school purposes will likewise be applied in a uniform and equal manner to Planned Unit Developments in the unincorporated areas of Seminole County.

Notwithstanding dedication of any of the foregoing sites, it is agreed that such sites shall automatically revert to the Developer in the event that the Seminole County Board of Education does not start construction of a school and proceed thereon, with due diligence, within seven (7) years following the date of actual dedication, as measured by a deed of

conveyance from the Developer to the School Board.

Notwithstanding the foregoing, the Developer and the School Board may, by mutual agreement, extend the period for construction by up to an additional five (5) year period. The deed of conveyance shall set forth the Developer's right of reverter. The Developer shall have the right to review and recommend change to the landscaping and buffering plans, which will be considered in good faith by the School Board, for such schools prior to any construction.

B2. Law Enforcement: Tracts 16A and 16B shall pay a law enforcement impact fee in the of .05 cents per square foot of building structure.

C3. Parks: Tract 4 shall pay a parks impact fee in the amount of \$25 per dwelling unit.

D4. Facilities Phasing: See Community Facilities Phase Schedule.

Community Facilities Phasing

<u>Phase</u>	<u>Residential Units</u>	<u>Community Facilities *</u>
1	90	Master Drainage Plan
2	200	First Phase Water Treatment Facility, First Phase Sewage Treatment Facility, Internal Traffic Study
3	300	Fire Substation and Police Substation, Site 1, School Site
4	300	
5	300	
6	390	
7	400	
8	400	School Site
9	500	
10	600	
11	600	

* External road improvements will be phased, as provided in Paragraph VI; drainage improvements will be phased with developed areas.

E5. Fire and Library: Tracts 31 and 35 shall pay impact fees in accordance with the Fire Impact Ordinance and the Library Impact Ordinance

X. OTHER COMMITMENTS

A. Development Phasing: The Developer and the County anticipate that the entire Heathrow Property shall be developed in logical phases over the course of a ten (10) to twenty (20) year buildout schedule. Development of the residential and commercial areas, as well as the construction of public facilities, shall take place in accordance with the Phase Schedule set forth in this Agreement. Although the Developer may delay the commencement of construction of one or more phases, the Developer agrees that it shall not accelerate the commencement of phases, without the County's consent, in advance of the cumulative levels of development set forth within the Phase Schedule.

B. Continuing Evaluation: It is intended and expected that this document will, from time to time, require modifications or amendments by the parties, particularly with respect to the specific development criteria established herein and in the Land Development Code. Further, in connection with such modification and amendments, all parties agree to bargain in good faith to reach agreement.

C. Posting of Land Use Plan: The Developer agrees to post a copy of the Land Use Plan in a permanent location within the sales office on the Heathrow Property, and to supply each buyer of any portion of the Heathrow Property with a copy of such Land Use Plan.

D. Maintenance: A property owners association(s) will be established to maintain all common areas within the development, including private road rights-of-way, all open space, and recreational facilities.

E. Land Development Code Contingency: Unless a particular item is specifically covered or permitted in this Agreement, the applicable portion of the Seminole County Land Development Code shall prevail.

F. Developer Definition: When the term "Developer" is used herein, same shall be taken or construed to mean Heathrow Land Company

~~**Limited Partnership Development Associates, Ltd.**~~ All obligations, liabilities, and responsibilities incurred by or implied by the Developer in this Agreement shall be assumed by any successors in interest of Heathrow **Land Company Limited Partnership Development Associates, Ltd** as the overall Developer of the Planned Unit Development, or any portion thereof.

G. Building Permits: Prior to recording of any Final Plat, Seminole County agrees to issue Building Permits for twelve (12) model homes. No Certificate of Occupancy will be issued and no land sale will be conducted prior to recording of the Final Plat. The access to the model homes shall be consistent with the approved Engineering plans for the development.

H. Signs: It is the intent of Heathrow to implement strict control over the physical (i.e., aesthetic) appearance of signs, and to limit signage in size and number to the minimum necessary for identification and information.

1. No trailer or other portable signs shall be allowed in Heathrow.

2. No outdoor advertising billboards shall be allowed in Heathrow.

3. Sign faces and location of all required stop, yield, one-way and other similar street traffic control signs shall be in accordance with the "Manual of Uniform Traffic Control Devices" and Seminole County standards. Post and sign face bracket may be of a decorative material.

Unique signs, including, but not limited to, pylons, neon, flower beds, clock towers, and sign/sculpture, shall be permitted in Heathrow subject to review and approval of the County Commission.

I. Miscellaneous - Per Seminole County Development Order 90-612:

1. No Certificate of Occupancies to be issued on Tracts 31 and 35 until intersection improvements are made at the CR 46A/CR 431 intersection and the 1-4/Lake Mary Boulevard interchange; and the **International Parkway Grant Line Road** extension is operational.

2. Dedication of 60' half right-of-ways on Markham Woods Road, CR 431 and CR 46A; and a 50' half right-of-way on Markham Road.

3. No direct access to Markham Woods Road; and no direct

access to Markham Road unless construction of the proposed beltway eliminates access to all or a portion of Parcel "A", in which case access to Markham Road from the affected parcels will be allowed.

4. Dedication of all areas below the post development 100 year flood elevation to the Heathrow Master Property Owners Association as a conservation easement.
5. ~~Rezoning and Land Use Change does not include that property within the proposed beltway corridor. That property remains designated Suburban Estates and zoned A-1.~~
6. Maintenance of a 100' deep undisturbed natural buffer adjacent to Markham Woods Road.
7. In any conflict between a term or provision of the Developer's Commitment Agreement and the Final Master Plan is found to exist, the term or provision of this Developer's Commitment Agreement shall remain valid and the conflicting term of the Final Master Plan shall be null and void.

XI. EFFECT OF COMMITMENT

A. Upon the execution hereof by the County and the Developer, this Commitment, which compiles all of the commitments in the Developer's Commitment Agreement dated ~~June 14, 1988 and Addendums 1 through 3,~~ May 28, 2001 and Addendums one (1) through five (5) listed below shall supersede and replace the original Commitment. Thereafter, this Commitment shall govern the requirements and conditions of the zoning of the Heathrow Property and the original Commitment shall be null and void and of no further force and effect. **Incorporated Addendums include:**

No. 1 Approved July 30, 1991

No. 2 Approved March 23, 1993

No. 3 Approved October 22, 1996

No. 3 {sic} Approved June 22, 1999

No. 5 Approved February 8, 2000

B. List of Exhibits

A - Legal description

B - PUD master plan

C - Heathrow residential Lot Study for Tract 4A

D - Devon Green

DONE AND ORDERED ON THE DATE FIRST WRITTEN ABOVE

By: _____
Carlton D. Henley, Chairman
Seminole County Board of Commissioners

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Heathrow Land company Limited Partnership, on behalf of itself and its heirs, 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 Developer's Commitment Agreement.

Witness

Print Name

Witness

Print Name

By: _____

Joe DoBosh, Senior Vice-President
Heathrow Land Company Limited Partnership

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, _____ who 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 _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

I:\pl\projects\developments of regional impact\heathrow\third amended developer's commitment agree.docZ2006-057

EXHIBIT "A"

COMPOSITE HEATHROW D.R.I. DESCRIPTION

Northwest Addition to the Heathrow P.U.D.

A parcel of land being a portion of Sections 35 and 36, Township 19 South, Range 29 East; Seminole County, Florida; more particularly described as follows: Commence at the Southeast corner of said Section 35 and run North $89^{\circ} 44' 00''$ West, along the South line of the Southeast 1/4 of said Section 35 for a distance of 1336.26 feet; thence run North $00^{\circ} 16' 02''$ East along the East line of the Southwest 1/4 of the Southeast 1/4 of said Section 35 for a distance of 289.10 feet to Point of Beginning; thence North $89^{\circ} 47' 58''$ West, 1285.39 feet to the East right of way of Markham Woods Road; thence North $00^{\circ} 26' 27''$ East, 471.63 feet to the P.C. of a curve concave to the Southeast having a radius of 919.28 feet; thence Northerly along the arc of said curve through a central angle of $16^{\circ} 13' 54''$ for 260.43 feet to the P.R.C. of a curve concave to the Northwest having a radius of 1098.06 feet; thence Northerly along the arc of said curve through a central angle of $16^{\circ} 33' 22''$ for 317.29 feet; thence South $89^{\circ} 38' 12''$ East along the North line of the Southwest 1/4 of the Southeast 1/4 of Section 35, Township 19 South, Range 29 East for 535.72 feet; thence North $00^{\circ} 21' 15''$ East, 332.05 feet; thence North $89^{\circ} 36' 45''$ West, 370.61 feet; thence North $00^{\circ} 26' 27''$ East, 50.00 feet; thence South $89^{\circ} 36' 45''$ East, 5.00 feet; thence North $00^{\circ} 26' 27''$ East, 38.00 feet; thence North $89^{\circ} 36' 45''$ West, 75.00 feet; thence South $00^{\circ} 26' 27''$ West, 38.00 feet; thence South $89^{\circ} 36' 45''$ East, 10.00 feet; thence South $00^{\circ} 26' 27''$ West, 35.00 feet; thence North $89^{\circ} 36' 45''$ West, 156.99 feet; thence North $12^{\circ} 23' 55''$ West along the East right of way of Markham Woods Road for 49.60 feet to the P.C. of a curve concave Easterly and having a radius of 1598.24 feet; thence Northerly along the arc of said curve through a central angle of $10^{\circ} 42' 11''$ for 298.56 feet to the P.T.; thence North $01^{\circ} 41' 46''$ West, 253.21 feet to a point being on the Southerly right of way of Markham Road; thence Easterly along said Southerly right of way of Markham Road along a curve concave to the Northwest having a tangent bearing of North $65^{\circ} 06' 16''$ East, a radius of 1245.93 feet, a central angle of $06^{\circ} 04' 09''$ and an arc length of 131.98 feet to the P.T.; thence North $59^{\circ} 02' 06''$ East, 142.02 feet to the P.C. of a curve concave Southeasterly having a radius of 1986.79 feet; thence Easterly along the arc of said curve through a central angle of $20^{\circ} 17' 17''$ for 703.51 feet; thence South $00^{\circ} 16' 02''$ West along a line 420.00 feet West of and parallel to the East line of the Northwest 1/4 of the Southeast 1/4 of Section 35 for 5.83 feet; thence South $89^{\circ} 32' 22''$ East along the North line of the Southeast 1/4 of Section 35, Township 19 South, Range 29 East for 24.00 feet; thence South $00^{\circ} 16' 02''$ West along the West line of the East 396.00 feet of the Northwest 1/4 of the Southeast 1/4 of Section 35 for 330.00 feet; thence South $89^{\circ} 32' 22''$ East along a line 330.00 feet South of and parallel to the North line of the Southeast 1/4 of Section 35 for 396.00 feet; thence South $00^{\circ} 16' 02''$ West along the West line of the Northeast 1/4 of the Southeast

1/4 of Section 35 for 270.00 feet; thence South 89° 32' 22" East along the South line of the North 600.00 feet of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 707.40 feet; thence North 00° 16' 02" East along the East line of the West 707.40 feet of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 600.00 feet; thence South 89° 32' 22" East along the North line of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 620.80 feet; thence South 00° 05' 35" West along the East line of the Southeast 1/4 of Section 35 for 100.00 feet; thence North 89° 27' 27" East parallel to the North line of the Southwest 1/4 of Section 36, Township 19 South, Range 29 East for 430.03 feet; thence North 00° 05' 35" East along a line 430.00 feet East of and parallel to the West line of the Southwest 1/4 of Section 36 for 142.90 feet; thence South 67° 57' 09" East along a line being the South right of way of Markham Road for 44.17 feet to the P.C. of a curve concave to the Northeast and having a radius of 989.64 feet; thence Easterly along the arc of said curve through a central angle of 22° 35' 24" for 390.19 feet to the P.T.; thence North 89° 27' 27" East, 6.15 feet; thence departing said right of way run South 00° 00' 30" East, along a line parallel to the East line of the Northwest 1/4 of the Southwest 1/4 for a distance of 1280.72 feet; thence South 89° 51' 03" West along the North line of the South 1/2 of the Southwest 1/4 of said Section 36 for a distance of 860.35 feet thence South 00° 05' 35" West along the West line of the Southwest 1/4 of said Section 36 for a distance of 662.42 feet; thence North 89° 41' 24" West along the North line of the South 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 35 for a distance of 1334.24 feet; thence South 00° 16' 02" West along the West line of the Southeast 1/4 of the Southeast 1/4 of said Section 35 for C distance of 374.33 feet to the Point of Beginning.

TOGETHER WITH:

Northeast Addition to the Heathrow P.U.D.

A parcel of land being a portion of Section 36, Township 19 South, Range 29 East, Seminole County, Florida; more particularly described as follows: Commence at the Southeast corner of Section 35, Township 19 South, Range 29 East and run North 89° 44' 00" West, along the South line of the Southeast 1/4 of said Section 35 for a distance of 1336.26 feet; thence North 00° 16' 02" East along the West line of the SE 1/4 of the SE 1/4 of Section 35, Township 19 South, Range 29 East, a distance of 663.43 feet; thence South 89° 41' 24" East along the North line of the South 1/2 of the SE 1/4 of the SE 1/4 of said Section 35, a distance of 1334.24 feet; thence North 00° 05' 35" East along the West line of the SW 1/4 of Section 36, Township 19 South, Range 29 East, a distance of 662.42 feet; thence North 89° 51' 03" East along the North line of the South 1/2 of the SW 1/4 of said Section 36, a distance of 860.35 feet to a point lying 7.04 chains (464.64 feet) West of the SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along a line parallel to the East line of the NW 1/4 of the SW 1/4 for a distance of 11.42 chains (753.72 feet); thence run North 89° 51' 03" East along a line parallel to the South line of the NW 1/4 of the SW 1/4 for a distance of 7.04 chains (464.64 feet) to a point on the West line of the NE 1/4 of the SW 1/4 of said Section 36, said point being 11.42 chains (753.72 feet) North 00° 00' 30" West from the

SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along the West line of the NE 1/4 of the SW 1/4 of said Section 36 a distance of 530.19 feet to the Southerly right of way line of Markham Road; thence North 89° 27' 27" East along said Southerly right of way line and along a line 50 feet South of and parallel with the North line of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 661.00 feet; thence South 00° 03' 31" East along the East line of the West 1/2 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 953.84 feet; thence North 89° 45' 10" East along the North line of the South 1/4 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 662.21 feet to the Point of Beginning; thence North 00° 06' 30" West along the East line of the Southwest 1/4 of Section 36 for 952.81 feet to a point lying on the South right of way of Markham Road; thence South 89° 34' 25" East along said right of way a distance of 414.61 feet to the P.C. of a curve concave to the South having a radius of 1829.00 feet; thence Easterly along the arc of said curve through a central angle of 05° 34' 00" for 177.70 feet to the P.C.C. of a curve concave Southerly having a radius of 386.24 feet; thence Easterly along the arc of said curve through a central angle of 20° 13' 53" for 136.38 feet to the P.C.C. of a curve concave Southerly and having a radius of 415.00 feet; thence Easterly along the arc of said curve through a central angle of 01° 23' 24" for 10.07 feet; thence departing said right of way run South 00° 06' 30" East, 550.79 feet; then North 88° 01' 00" East, 195.06 feet; thence North 00° 02' 42" West, 300.22 feet; thence North 01' 00" East, 130.33 feet; thence South 00° 02' 42" East, 248.14 feet; thence North 88° 01' 00" East 254.00 feet; thence North 00° 02' 42" West, 306.09 feet; thence South 88° 57' 00" East, 420.82 feet; thence South 00° 02' 42" East along a line 40 feet West of and parallel to the East line of the Southeast 1/4 of Section 36, (said line being the West right of way of State Road 431, Orange Boulevard) for a distance of 2108.59 feet; thence North 89° 57' 18" East, 10.00 feet; thence South 00° 02' 42" East, 183.45 feet; thence North 86° 34' 36" East along the South line of Section 36 for a distance of 5.01 feet; thence South 00° 04' 43" East along the East boundary of that tract described in Official Records Book 973, Page 336, Public Records of Seminole County, Florida, and along the West right of way of Banana Lake Road for a distance of 581.94 feet; thence North 84° 35' 24" West along the South line of the aforesaid tract for a distance of 731.58 feet; thence North 14° 43' 24" West along the West line of the aforesaid tract and along the West line of Lot 1, Weiser's Subdivision, Plat Book 1, Page 9, Public Records of Seminole County, Florida, for a distance of 477.87 feet; thence South 86° 34' 36" West along the North line of Section 1, Township 20 South, Range 29 East, for a distance of 565.84 feet; thence North 00° 06' 30" West along a line 5 chains East of and parallel to the West line of Government Lot 2 of said Section 36, a distance of 1322.21 feet; thence South 86° 34' 36" West along a line 20 chains North of and parallel to the South line of Government Lot 2, a distance of 330.55 feet; thence North 00° 06' 30" West along the East line of the Southwest 1/4 of said Section 36, a distance of 356.53 feet to the Point of Beginning.

TOGETHER WITH:

Heathrow P.U.D. as of 11/89

A parcel of land being a portion of Section 1, Township 20 South, Range 29 East; Section 2, Township 20 South, Range 29 East, Section 35, Township 19 South, Range 29 East; Section 36, Township 19 South, Range 29 East; Section 11, Township 20 South, Range 29 East; Section 12, Township 20 South, Range 29 East; Section 13, Township 20 South, Range 29 East; and Sections 6 and 7, Township 20 South, Range 30 East; Seminole County, Florida; more particularly described as follows: Begin at the Southwest corner of Section 1, Township 20 South, Range 29 East; thence North $00^{\circ} 36' 50''$ East, 1981.89 feet; thence North $89^{\circ} 55' 29''$ West along the South line of the North $1/2$ of the NE $1/4$ of the SE $1/4$ of said Section 2, a distance of 1297.61 feet to a point on the Easterly right of way line of Markham Woods Road, said right of way also being a curve concave to the Southwest and having as its elements a radius of 590.76 feet, a central angle of $09^{\circ} 19' 09''$ and a tangent bearing of North $14^{\circ} 17' 27''$ West; thence Northwesterly along the arc of a curve, and along the aforesaid Easterly right of way line a distance of 96.09 feet; thence North $00^{\circ} 07' 55''$ along said West line of the Northeast $1/4$ of the Southeast $1/4$, 7426 feet; thence North $89^{\circ} 55' 29''$ West along the North line of the South 165 feet of the Northeast $1/4$ of the Northwest $1/4$ of the Southeast $1/4$ of Section 2 for 39.16 feet to a point on a curve concave Southwesterly, having a tangent bearing of North $31^{\circ} 45' 22''$ West and a radius of 590.76 feet; thence Northwesterly along the arc of said curve, being the Easterly right of way line of Markham Woods Road, through a central angle of $32^{\circ} 33' 25''$, for 335.69 feet to the P.T.; thence North $64^{\circ} 18' 47''$ West along the Northerly right of way line of said Markham Woods Road, 410.67 feet; thence South $89^{\circ} 51' 56''$ East along a line parallel with and 6 rods South of the North line of the SE $1/4$ of said Section 2, a distance of 656.41 feet; thence North $00^{\circ} 07' 55''$ East along the West line of the NE $1/4$ of the SE $1/4$ of said Section 2 a distance of 99.00 feet; thence South $89^{\circ} 51' 56''$ East along the North line of the NE $1/4$ of the SE $1/4$ of said Section 2, a distance of 66727 feet; thence North $00^{\circ} 18' 00''$ West along the West line of the East $1/4$ of the NE $1/4$ of said Section 2, a distance of 1949.38 feet; thence North $89^{\circ} 45' 59''$ West along the South line of the NW $1/4$ of the NE $1/4$ of the NE $1/4$ of said Section 2, a distance of 667.92 feet; thence North $00 19' 07''$ West along the West line of the NW $1/4$ of the NE $1/4$ of the NE $1/4$ of said Section 2, a distance of 650.18 feet; thence North $00^{\circ} 16' 02''$ East along the West line of the SE $1/4$ of the SE $1/4$ of Section 35, Township 19 South, Range 29 East, a distance of 663.43 feet; thence South $89^{\circ} 41' 24''$ East along the North line of the South $1/2$ of the SE $1/4$ of the SE $1/4$ of said Section 35, a distance of 1334.24 feet; thence North $00^{\circ} 05' 35''$ East along the West line of the SW $1/4$ of Section 36, Township 19 South, Range 29 East, a distance of 662.42 feet; thence North $89^{\circ} 51' 03''$ East along the North line of the South $1/2$ of the SW $1/4$ of said Section 36, a distance of 860.35 feet to a point lying 7.04 chains (464.64 feet) West of the SE corner of the NW $1/4$ of the SW $1/4$ of said Section 36; thence North $00^{\circ} 00' 30''$ West along a line parallel to the East line of the NW $1/4$ of the SW $1/4$ for a distance of 11.42 chains (753.72 feet); thence run North $89^{\circ} 51' 03''$ East along a line parallel to the South line of the NW $1/4$ of the SW

1/4 for a distance of 7.04 chains (464.64 feet) to a point on the West line of the NE 1/4 of the SW 1/4 of said Section 36, said point being 11.42 chains (753.72 feet) North 00° 00' 30" West from the SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along the West line of the NE 1/4 of the SW 1/4 of said Section 36 a distance of 530.19 feet to the Southerly right of way line of Markham Road; thence North 89° 27' 27" East along said Southerly right of way line and along a line 50 feet South of and parallel with the North line of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 661.40 feet; thence South 00° 03' 31" East along the East line of the West 1/2 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 953.84 feet; thence North

45' 10" East along the North line of the South 1/4 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 662.21 feet; thence South 00° 06' 30" East along the East line of the SW 1/4 of said Section 36, a distance of 356.53 feet; thence North 86° 34' 36" East along a line 20 chains North of and parallel to the South line, of Government Lot 2 of said Section 36, a distance of 330.55 feet; thence South 00° 06' 30" East along a line 5 chains East of and parallel to the West line of Government Lot 2, a distance of 1322.21 feet; thence South 86° 34' 36" West along the South line of said Government Lot 2, a distance of 4.58 feet to the NW corner of Lot 2, WEISER'S SUBDIVISION as recorded in Plat Book 1, Page 9, Public Records of Seminole County, Florida; thence South 00° 19' 52" West along the West line of said Lot 2, a distance of 310.20 feet to the most Northerly corner of Lot 3, said WEISER'S SUBDIVISION; thence South 34° 55' 24" East along a common line which divides said Lots 2 and 3, said WEISER'S SUBDIVISION, 185330 feet; thence South 14° 43' 24" East along a common line which divides Lots 1 and 6, said WEISER'S SUBDIVISION, 59.51 feet; thence South 62° 44' 12" West, 35.64 feet; thence run South 00° 01' 17" West along the West line of Lot 7 said WEISER'S SUBDIVISION, according to the plat of Bahia Subdivision as recorded in Plat Book 7, Page 73, Public Records of Seminole County, Florida, a distance of 700.00 feet to the South line of said WEISER'S SUBDIVISION; thence South 89° 58' 08" West along the South line of said WEISER'S SUBDIVISION a distance of 1382.69 feet to the SW corner of Lot 5; thence South 00° 19' 51" West along the East line of the SW 1/4 of said Section I, a distance of 1113.50 feet to a point being 210 feet North 00° 19' 51" East of the SE corner of the North 1/2 of the SW 1/4 of said Section 1; thence North 89° 58' 52" West, 285.00 feet along a line parallel with the South line of the North 1/2 of the SW 1/4 of said Section 1; thence South 00° 19' 51" West 560.00 feet along a line parallel with the East line of the SW 1/4 of said Section 1; thence South 89° 58' 52" East, 80.00 feet; thence South 48° 16' 27" East, 888.59 feet; thence South 04° 15' 32" East, 471.30 feet; thence North 78° 55' 17" East, 728.58 feet; thence North 48° 41' 24" East, 200.00 feet; thence South 41° 18' 38" East, 516.64 feet; thence North 42° 30' 22" East, 435.27 feet; thence Southeasterly along a curve concave to the Northeast having a radius of 1800.00 feet, a tangent bearing of South 47° 29' 38" East, a central angle of 24° 55' 11" and an arc length of 782.88 feet to the P.T.; thence South 72° 24' 49" East 400.00 feet; thence South 17° 35' 11" West along the Westerly right of way of Interstate No 4 for 1352.41 feet to the P.C. of a curve concave to the Northwest having a radius of 2606.57 feet; thence departing said right of way of I-4 run Southerly along the arc of said curve through a central angle of 18° 08' 33" for 825.36 feet to the P.C.C. of a curve concave to the Northwest having a radius of 1253.35 feet; thence Southerly

along the arc of said curve through a central angle of $24^{\circ} 13' 51''$ for 530.05 feet to the P.T.; thence South $59^{\circ} 57' 34''$ West, 272.99 feet to the P.C. of a curve concave Southeasterly having a radius of 3445.17 feet; thence Southerly along the arc of said curve through a central angle of $11^{\circ} 21' 53''$ for 683.36 feet to the P.C.C. of a curve concave Southeasterly having a radius of 1041.19 feet; thence Southerly along the arc of said curve through a central angle of $60^{\circ} 00' 00''$ for 1090.33 feet to the P.T.; thence South $11^{\circ} 24' 18''$ East, 454.11 to the P.C. of a curve concave Westerly having a radius of 1379.58 feet; thence Southerly along the arc of said curve through a central angle of $26^{\circ} 56' 29''$ for 648.70 feet; thence run Westerly along a line 80 feet North of and parallel to the centerline of Lake Mary Boulevard (State Road #S-419) according to Florida State Road Department Right of Way Map, Section 77502-2601, for the following courses and distances; run Westerly along a curve concave Northerly having as its elements a central angle of $03^{\circ} 12' 02''$, a radius of 1830.08 feet tangent of 51.13 feet; a tangent bearing of North $82^{\circ} 16' 14''$ West, an arc length of 102.23 feet the P.T.; thence North $79^{\circ} 04' 02''$ West, 319.62 feet to the P.C. of a curve concave Southwest and having as its elements a central angle of $04^{\circ} 46' 16''$, a radius of 4663.75 feet, a tangent 194.29 feet; thence along the arc of said curve 388.36 feet to the P.T.; thence North $83^{\circ} 50' 18''$ West, 2445.33 feet; thence South $06^{\circ} 09' 42''$ West, 4.00 feet; thence Westerly along a line 76.d feet^a North of and parallel to the afore described centerline of Lake Mary Boulevard and along a curve concave Southwesterly having as its elements a central angle of $06^{\circ} 01' 14''$, a radius of 3895.83 feet, a tangent of 204.87 feet, a tangent bearing of North $83^{\circ} 50' 18''$ West, an arc length of 40936 feet to the P.T.; thence North $89^{\circ} 51' 32''$ West, 1531.21; thence departing the aforesaid Lake Mary Boulevard run North $18^{\circ} 16' 43''$ East along a line 50.00 feet East of and parallel to the centerline of Markham Woods Road as it presently physically exists for a distance of 1048.04 feet; thence departing the aforesaid line run South $89^{\circ} 39' 44''$ East along the North line of the South 1/2 of the SE 1/4 of said Section 11 for a distance of 82.455 feet; thence North $00^{\circ} 07' 38''$ East along the West line of the NE 1/4 of the SE 1/4 of said Section 11 a distance of 251.80 feet; thence Northerly along the afore described line 50.00 feet East of and parallel to the centerline of Markham Woods Road and along a curve concave Northwesterly, having as its elements a central angle of $18^{\circ} 09' 05''$, a radius of 1004.76 feet, a tangent of 160.50 feet, a tangent bearing of North $18^{\circ} 16' 43''$ East, an arc length of 318.31 feet to the P.T.; thence North $00^{\circ} 07' 38''$ East along a line 50.00 feet East of and parallel to the West line of the NE 1/4 of the SE 1/4 of said Section 11, a distance of 769.95 feet; thence North $00^{\circ} 34' 23''$ West along a line 50.00 feet East of and parallel to the West line of the East 1/2 of the NE 1/4 of said Section 11, a distance of 1513.48 feet; thence South $89^{\circ} 57' 00''$ East along a line 3 chains North of and parallel to the South line of the NE 1/4 of the NE 1/4 of said Section 11, a distance of 1271.17 feet; thence South $01^{\circ} 01' 22''$ East along the East line of the NE 1/4 of the NE 1/4 of said Section 11, a distance of 1.20 feet; thence South $89^{\circ} 55' 53''$ East along a line 17 chains South of and parallel to the North line of the NW 1/4 of said Section 12, a distance of 330.06 feet; thence North $01^{\circ} 01' 22''$ West along a line 5 chains East of and parallel to the West line of the NW 1/4 of said Section 12, a distance of 1122.20 feet; thence North $89^{\circ} 55' 53''$ West along the North line of the NW 1/4 of said Section 12, a distance of 330.06 feet; to the Point of Beginning.

TOGETHER WITH:

Triangular Addition to the Heathrow P.U.D.

All that part of the Northwest 1/4 of the Southeast 1/4 of Section 11, Township 20 South, Range 29 East, lying East of road, Seminole County, Florida; being more particularly described *as follows*: Begin at the Southwest corner of the Northeast 1/4 of the Southeast 1/4 of said Section 11; thence run North 00° 07' 38" East along the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 11 a distance of 251.80 feet; thence run South 18° 16' 43" West along a line 50.00 feet East of and parallel to the centerline of Markham Woods Road as it presently physically exists for a distance of 264.67 feet; thence departing the aforesaid line run South 89° 39' 44" East along the North line of the South 1/2 of the Southeast 1/4 of said Section 11 for a distance of 82.45 feet to the Point of Beginning.

TOGETHER WITH:

Forbes-Ramsey Tract

The South 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 2, Township 20 South, Range 29 East, Seminole County, Florida; being further described as follows: Commence at the Southeast corner of Section 2, Township 20 South, Range 29 East; thence run North 00° 36' 50" East along the East line of the Southeast 1/4 of Section 2 for 1321/6 feet to the Point of Beginning; thence continue North 00° 36' 50" East along said East line for a distance of 660.63 feet; thence run North 89° 55' 29" West along the South line of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 2, a distance of 1297.61 feet to a point on the Easterly right of way line of Markham Woods Road, said right of way also being a curve concave to the Southwest and having as its elements a radius of 590.76 feet, a central angle of 14° 25' 22", a tangent of 74.75 feet and a tangent bearing of South 14° 17' 26" East; thence Southeasterly along the arc of a curve, and along the aforesaid Easterly right of way line a distance of 148.71 feet to the P.T.; thence run South 00° 07' 55" West along said right of way for a distance of 514.76 feet; thence South 89° 59' 03" East along the North line of the South 1/2 of the Southeast 1/4 of said Section 2 for a distance of 1273.44 feet to the Point of Beginning.

TOGETHER WITH:

15± Acre Addition (1999)

That part of the Southwest 1/4 of Section 36, Township 19 South, Range 29 East being described as follows:

Commence at the Southwest corner of said Southwest 1/4 thence run South 89°45'26" East along the South line of said Southwest 1/4 a distance of 2654.69 feet; thence North 00°06'30" West along the East line of said Southwest 1/4 a distance of 1678.52 feet to the POINT OF BEGINNING; thence South 89°44'42" West along the North line of the South 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 36 a distance of 663.71 feet; thence North 00°06'35" West along the East line of the West Y2 of the Northeast 1/4 of the Southwest 1/4 of said. Section 36 a distance of 953.65 feet to the South right-of-way line of Markham Road; thence North 89°48'09" East along a line 50 feet South of and parallel to the physical centerline of Markham Road a distance of 663.73 feet; thence South 00°06'30" East along the aforesaid East line of the Southwest 1/4 of Section 36 a distance of 952.98 feet to the POINT OF BEGINNING.

Containing 14.526 acres more or less and being subject to any easements, rights-of-way, and restrictions of records.

EXHIBIT B

PUD MASTER PLAN
(following page)

HEATHROW SOUTH

Symbol	Land Use	Tract A.C.	Units/ A.C.	Total Units	
1	Commercial	9.3			
2	Commercial	13.0			
3	Residential	23.2	7	162	
4	Residential	19.4	7	136	
4A	Residential	13.4	4.25	57	
5	Residential	15.0	2.3	34	
6	Residential	38.6	1.1	41	
7 (A&B)	Residential	22.6	8	176	
8	Residential	5.0	6.2	31	
9	Office	4.6			
10	Residential	13.2	7	92	
11	Residential	31.2	5	62	
12	Residential	36.8	0.7	23	
13	Residential	11.3	13	147	
14	Residential	17.0	18.95	7	449
15	Residential	17.8	13	231	
16	Office	59.6			
16 A-B (20.3)					
16 C (39.3)					
18	Residential	9.9	7	69	
19	Residential	23.0	12.4	286	
20	Residential	49.4	1.4	68	
SUBTOTAL		410.0	435.25	1,742	



HEATHROW NORTH

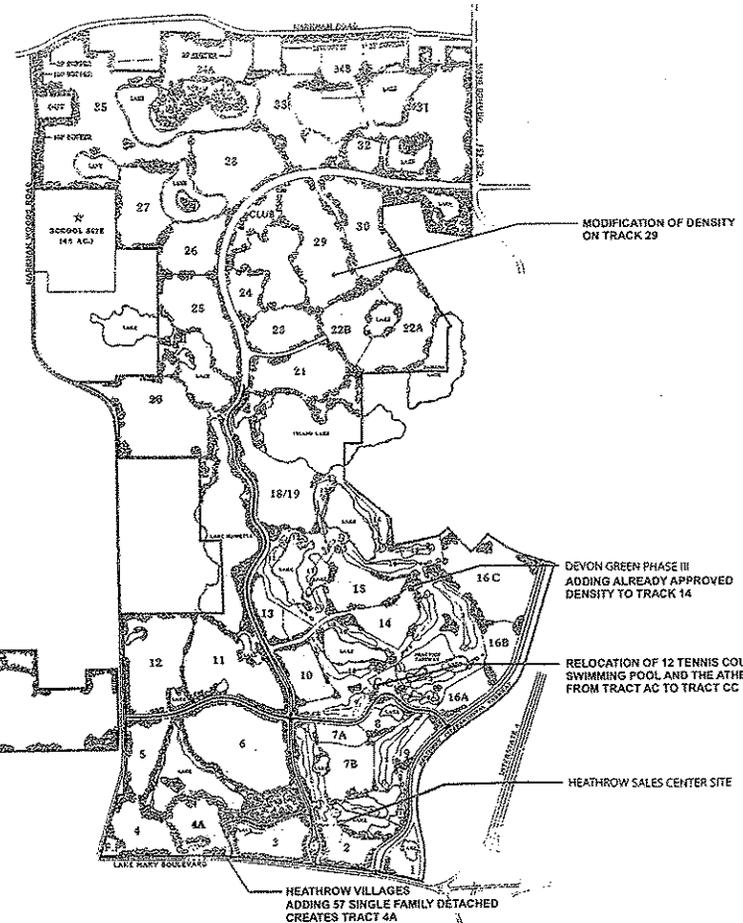
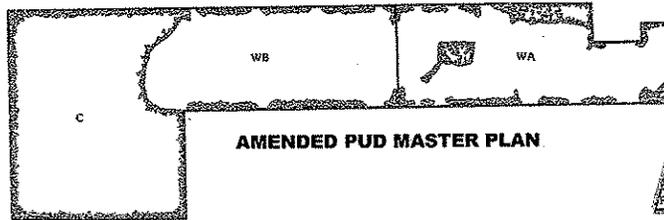
Symbol	Land Use	Tract A.C.	Units/ A.C.	Total Units
21	Residential	25.7	4	102
22 (A&B)	Residential	32.0/14.3	1/4	153
23	Residential	14.7	5.5	80
24	Residential	6.8	13	88
25	Residential	25.2	3	75
26	Residential	14.7	4	58
27	Residential	18.3	4	73
28	Residential	26.4	2.3	61
29	Residential	29.4	48	1078
30	Residential	26.7	8.3	221
31	Residential	34.1	4	136
32	Residential	6.6	4	24
33	Residential	14.9	3.5	52
34A	Residential	24.5	3	73
34B	Residential	30.4	2.5	76
35	Residential	56.3	2.6	149
SUBTOTAL		401.0		1,738

HEATHROW WEST (Heathrow Woods)

Symbol	Land Use	Tract A.C.	Units/ A.C.	Total Units
WA	Residential	149.2	1	104
WB	Residential	138.4	1	112
C	Conservation	197.0		
SUBTOTAL		484.6		216

TOTALS North, South & West ACRES 1977.7 UNITS 3,696

Note: Heathrow West is not part of the PUD



Symbol	Land Use	Tracts/ A.C.	Units/ A.C.	Total Units
	Lakes	253.5		
	Conservation	140.6		
	Golf Course	186.6	147.65	
CC	Country Club	6.0	12.9	
AG	Athletic Club	13.4	0	
FP	Fire/Police	1.5		
RA	Recreation	10.0		
R.O.W.		90.7		
SUBTOTAL		862.2	656.85	
TOTAL (South & North)		ACRES 1,493.1	UNITS 3,480	

* Elementary and Middle School Site are outside of DRI Boundary

cph Engineers, Architects, Planners, Landscape Architects, Surveyors, Environmental Scientists, Construction Management, Design/Build.



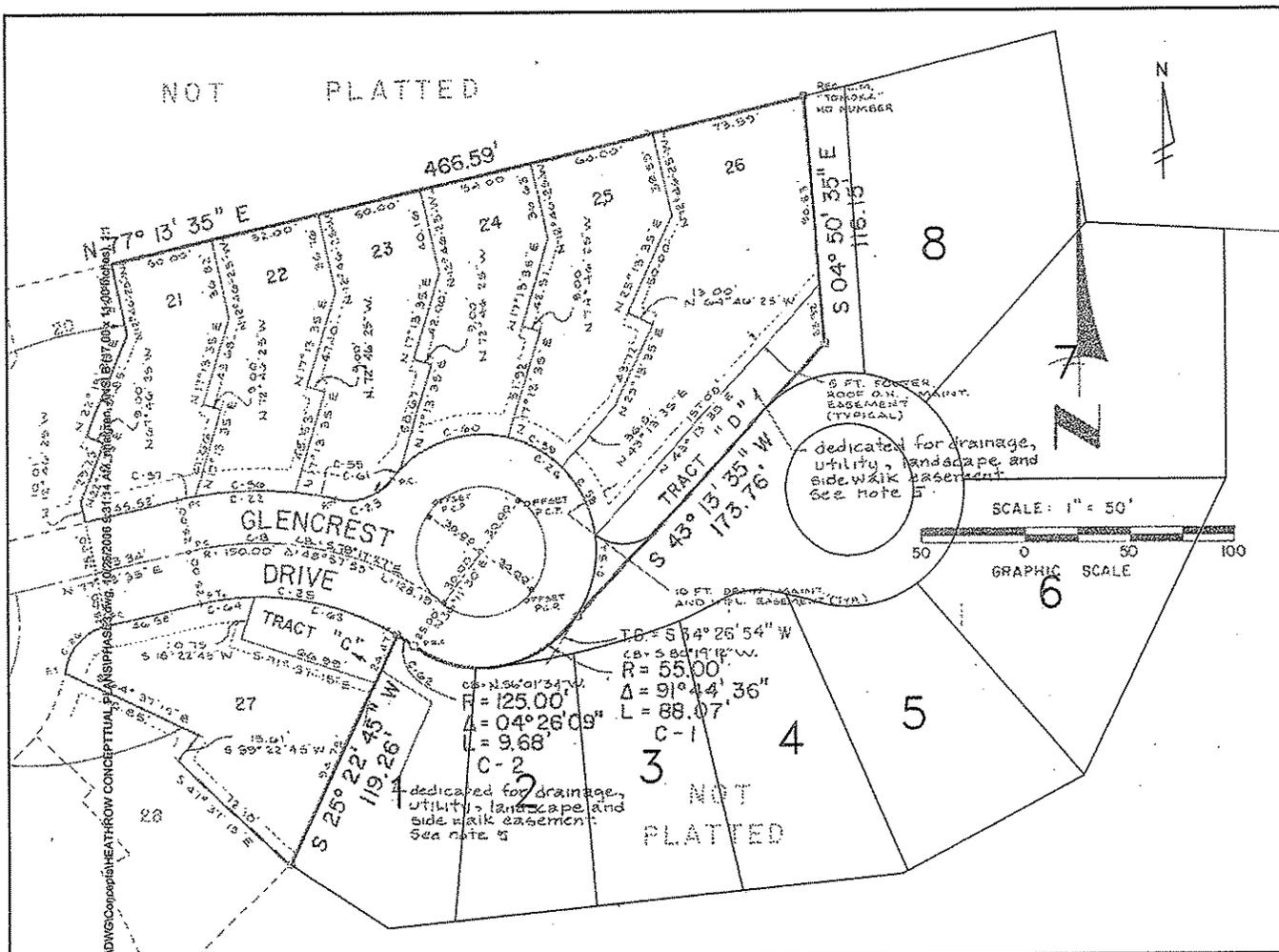
Heathrow PUD Master Plan

EXHIBIT C

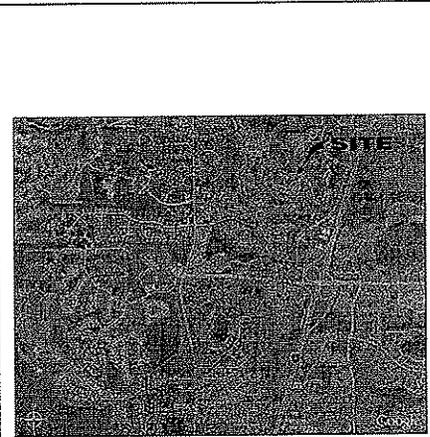
HEATHROW VILLAGE TRACT 4A
(following page)

EXHIBIT D

DEVON GREEN TRACT 14
(following page)



TRACT NO. 14
 NOTE: DRAWING IS FOR INFORMATIONAL PURPOSES ONLY.



LOCATION MAP
 NTS

Designed by:	I.B.	Date:	03/05/06
Drawn by:	J.P.H.	Job No.	P7123
Checked by:	I.B.	File:	
Approved by:	I.B.	Certificate of Authorization No.	3215
Scale:	1" = 50'	©	2006



Engineers
 Architects
 Surveyors
 Planners
 Landscape Architects
 Environmental Scientists
 Construction Management
 Design / Build

500 West Fulton Street
 Sanford, FL 32771
 P.O. Box 2808
 32772-2808
 Phone: 407.322.6841
 Fax: 407.330.0639

ENGINEER, P.E.
 REG.#

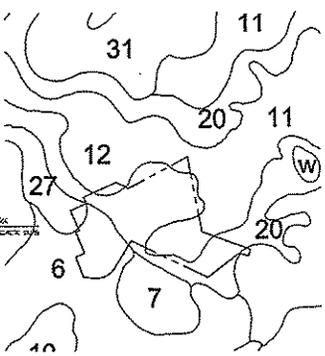
DEVON GREEN - TRACT 14
HEATHROW LAKE MARY, FL

Sheet No.
C-1

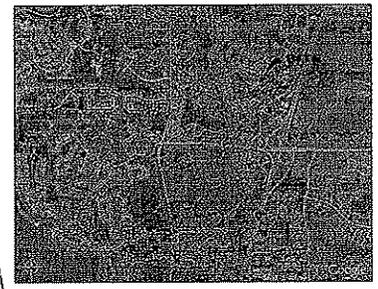
EXHIBIT E

HEATHROW COUNTRY CLUB
(following page)

- 9 - ASTATULA FINE SAND, 0 - 5 % SLOPE
- 7 - ASTATULA - APOPKA FINE SAND, 5 - 8 % SLOPE
- 11 - BASINGER, SMYRNA FINE SANDS, DEPRESSIONAL
- 12 - CANOVA AND TERRA CEIA MUCKS
- 20 - MYAKKA AND SAUGALLE FINE SANDS
- 27 - POMELLO FINE SAND, 0 TO 5 PERCENT SLOPES

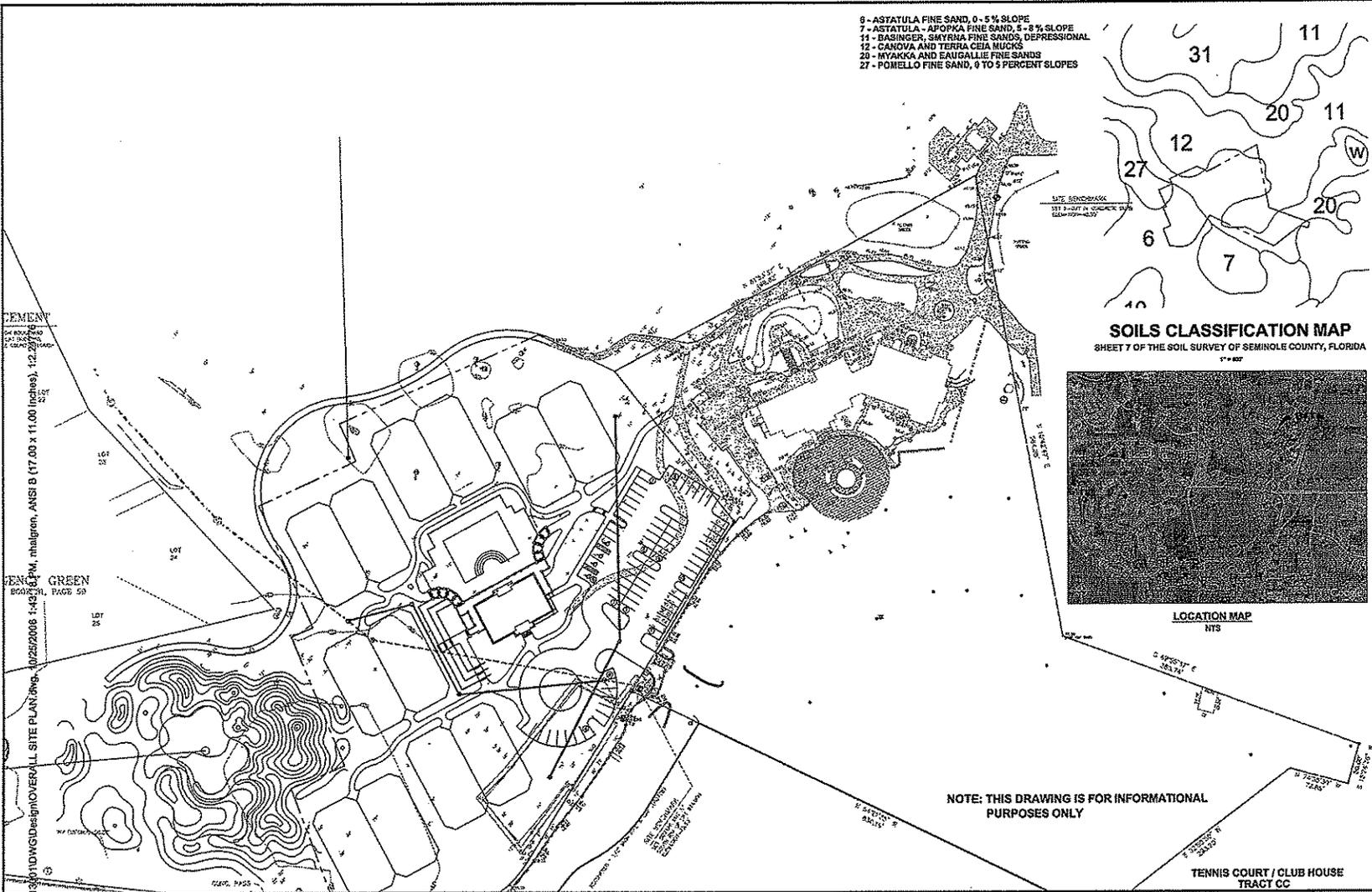


SOILS CLASSIFICATION MAP
SHEET 7 OF THE SOIL SURVEY OF SEMINOLE COUNTY, FLORIDA
1" = 400'



LOCATION MAP
NTS

NOTE: THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY



CEMENT GREEN

CEMENT GREEN
BOOK 21, PAGE 59

3/10/10 WGD Design/Overall Site Plan.dwg, (0/25/2008 1:42:27 PM, nhalgren, ANSI B (17.00 x 11.00 inches), 1:2, 2776
 3/10/10 WGD Design/Overall Site Plan.dwg, (0/25/2008 1:42:27 PM, nhalgren, ANSI B (17.00 x 11.00 inches), 1:2, 2776

NO.	DATE	BY	CHK	DATE	REVISION
1					
2					
3					
4					
5					

**HEATHROW GOLF COURSE
AND CLUB HOUSE BUILDING**



David A. Temple, P.E.
Professional Engineer
No. 12000
David A. Temple, P.E.
Professional Engineer
No. 12000

DAVID A. TEMPLE, P.E.
12000

OVERALL SITE PLAN

Sheet No.
C-4

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN DESCRIBED REAL PROPERTIES LOCATED IN UNINCORPORATED SEMINOLE COUNTY FROM PUD (PLANNED UNIT DEVELOPMENT DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT DISTRICT); PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS.

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the document titled "Heathrow PUD Major Amendment".

(b) The Board of County Commissioners hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

Section 2. REZONING. The zoning classification assigned to the following described property is changed from the PUD (Planned Unit Development District) to the PUD (Planned Unit Development District) zoning classification.

LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

Section 3. CODIFICATION. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall not be codified.

Section 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 5. EFFECTIVE DATE. A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall take effect upon filing the Ordinance with the Department of State and recording Development Order #06-21700005 in the Public Records of Seminole County, Florida.

ENACTED this 12th day of December 2006

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley, Chairman

EXHIBIT "A"

COMPOSITE HEATHROW D.R.I. DESCRIPTION

Northwest Addition to the Heathrow P.U.D.

A parcel of land being a portion of Sections 35 and 36, Township 19 South, Range 29 East; Seminole County, Florida; more particularly described as follows: Commence at the Southeast corner of said Section 35 and run North $89^{\circ} 44' 00''$ West, along the South line of the Southeast $1/4$ of said Section 35 for a distance of 1336.26 feet; thence run North $00^{\circ} 16' 02''$ East along the East line of the Southwest $1/4$ of the Southeast $1/4$ of said Section 35 for a distance of 289.10 feet to Point of Beginning; thence North $89^{\circ} 47' 58''$ West, 1285.39 feet to the East right of way of Markham Woods Road; thence North $00^{\circ} 26' 27''$ East, 471.63 feet to the P.C. of a curve concave to the Southeast having a radius of 919.28 feet; thence Northerly along the arc of said curve through a central angle of $16^{\circ} 13' 54''$ for 260.43 feet to the P.R.C. of a curve concave to the Northwest having a radius of 1098.06 feet; thence Northerly along the arc of said curve through a central angle of $16^{\circ} 33' 22''$ for 317.29 feet; thence South $89^{\circ} 38' 12''$ East along the North line of the Southwest $1/4$ of the Southeast $1/4$ of Section 35, Township 19 South, Range 29 East for 535.72 feet; thence North $00^{\circ} 21' 15''$ East, 332.05 feet; thence North $89^{\circ} 36' 45''$ West, 370.61 feet; thence North $00^{\circ} 26' 27''$ East, 50.00 feet; thence South $89^{\circ} 36' 45''$ East, 5.00 feet; thence North $00^{\circ} 26' 27''$ East, 38.00 feet; thence North $89^{\circ} 36' 45''$ West, 75.00 feet; thence South $00^{\circ} 26' 27''$ West, 38.00 feet; thence South $89^{\circ} 36' 45''$ East, 10.00 feet; thence South $00^{\circ} 26' 27''$ West, 35.00 feet; thence North $89^{\circ} 36' 45''$ West, 156.99 feet; thence North $12^{\circ} 23' 55''$ West along the East right of way of Markham Woods Road for 49.60 feet to the P.C. of a curve concave Easterly and having a radius of 1598.24 feet; thence Northerly along the arc of said curve through a central angle of $10^{\circ} 42' 11''$ for 298.56 feet to the P.T.; thence North $01^{\circ} 41' 46''$ West, 253.21 feet to a point being on the Southerly right of way of Markham Road; thence Easterly along said Southerly right of way of Markham Road along a curve concave to the Northwest having a tangent bearing of North $65^{\circ} 06' 16''$ East, a radius of 1245.93 feet, a central angle of $06^{\circ} 04' 09''$ and an arc length of 131.98 feet to the P.T.; thence North $59^{\circ} 02' 06''$ East, 142.02 feet to the P.C. of a curve concave Southeasterly having a radius of 1986.79 feet; thence Easterly along the arc of said curve through a central angle of $20^{\circ} 17' 17''$ for 703.51 feet; thence South $00^{\circ} 16' 02''$ West along a line 420.00 feet West of and parallel to the East line of the Northwest $1/4$ of the Southeast $1/4$ of Section 35 for 5.83 feet; thence South $89^{\circ} 32' 22''$ East along the North line of the Southeast $1/4$ of Section 35, Township 19 South, Range 29 East for 24.00 feet; thence South $00^{\circ} 16' 02''$ West along the West line of the East $3/4$ of the Northwest $1/4$ of the Southeast $1/4$ of Section 35 for 330.00 feet; thence South $89^{\circ} 32' 22''$ East along a line 330.00 feet South of and parallel to the North line of the Southeast $1/4$ of Section 35 for 396.00 feet; thence South $00^{\circ} 16' 02''$ West along the West line of the Northeast $1/4$ of the Southeast

1/4 of Section 35 for 270.00 feet; thence South 89° 32' 22" East along the South line of the North 600.00 feet of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 707.40 feet; thence North 00° 16' 02" East along the East line of the West 707.40 feet of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 600.00 feet; thence South 89° 32' 22" East along the North line of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 620.80 feet; thence South 00° 05' 35" West along the East line of the Southeast 1/4 of Section 35 for 100.00 feet; thence North 89° 27' 27" East parallel to the North line of the Southwest 1/4 of Section 36, Township 19 South, Range 29 East for 430.03 feet; thence North 00° 05' 35" East along a line 430.00 feet East of and parallel to the West line of the Southwest 1/4 of Section 36 for 142.90 feet; thence South 67° 57' 09" East along a line being the South right of way of Markham Road for 44.17 feet to the P.C. of a curve concave to the Northeast and having a radius of 989.64 feet; thence Easterly along the arc of said curve through a central angle of 22° 35' 24" for 390.19 feet to the P.T.; thence North 89° 27' 27" East, 6.15 feet; thence departing said right of way run South 00° 00' 30" East, along a line parallel to the East line of the Northwest 1/4 of the Southwest 1/4 for a distance of 1280.72 feet; thence South 89° 51' 03" West along the North line of the South 1/2 of the Southwest 1/4 of said Section 36 for a distance of 860.35 feet thence South 00° 05' 35" West along the West line of the Southwest 1/4 of said Section 36 for a distance of 662.42 feet; thence North 89° 41' 24" West along the North line of the South 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 35 for a distance of 1334.24 feet; thence South 00° 16' 02" West along the West line of the Southeast 1/4 of the Southeast 1/4 of said Section 35 for a distance of 374.33 feet to the Point of Beginning.

TOGETHER WITH:

Northeast Addition to the Heathrow P.U.D.

A parcel of land being a portion of Section 36, Township 19 South, Range 29 East, Seminole County, Florida; more particularly described as follows: Commence at the Southeast corner of Section 35, Township 19 South, Range 29 East and run North 89° 44' 00" West, along the South line of the Southeast 1/4 of said Section 35 for a distance of 1336.26 feet; thence North 00° 16' 02" East along the West line of the SE 1/4 of the SE 1/4 of Section 35, Township 19 South, Range 29 East, a distance of 663.43 feet; thence South 89° 41' 24" East along the North line of the South 1/2 of the SE 1/4 of the SE 1/4 of said Section 35, a distance of 1334.24 feet; thence North 00° 05' 35" East along the West line of the SW 1/4 of Section 36, Township 19 South, Range 29 East, a distance of 662.42 feet; thence North 89° 51' 03" East along the North line of the South 1/2 of the SW 1/4 of said Section 36, a distance of 860.35 feet to a point lying 7.04 chains (464.64 feet) West of the SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along a line parallel to the East line of the NW 1/4 of the SW 1/4 for a distance of 11.42 chains (753.72 feet); thence run North 89° 51' 03" East along a line parallel to the South line of the NW 1/4 of the SW 1/4 for a distance of 7.04 chains (464.64 feet) to a point on the West line of the NE 1/4 of the SW 1/4 of said Section 36, said point being 11.42 chains (753.72 feet) North 00° 00' 30" West from the

SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along the West line of the NE 1/4 of the SW 1/4 of said Section 36 a distance of 530.19 feet to the Southerly right of way line of Markham Road; thence North 89° 27' 27" East along said Southerly right of way line and along a line 50 feet South of and parallel with the North line of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 661.10 feet; thence South 00° 03' 31" East along the East line of the West 1/2 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 953.84 feet; thence North 89° 45' 10" East along the North line of the South 1/4 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 662.21 feet to the Point of Beginning; thence North 00° 06' 30" West along the East line of the Southwest 1/4 of Section 36 for 952.81 feet to a point lying on the South right of way of Markham Road; thence South 89° 34' 25" East along said right of way a distance of 414.61 feet to the P.C. of a curve concave to the South having a radius of 1829.00 feet; thence Easterly along the arc of said curve through a central angle of 05 34' 00" for 177.70 feet to the P.C.C. of a curve concave Southerly having a radius of 386.24 feet; thence Easterly along the arc of said curve through a central angle of 20° 13' 53" for 136.38 feet to the P.C.C. of a curve concave Southerly and having a radius of 415.00 feet; thence Easterly along the arc of said curve through a central angle of 01° 23' 24" for 10.07 feet; thence departing said right of way run South 00° 06' 30" East, 550.79 feet; then North 88° 01' 00" East, 195.06 feet; thence North 00° 02' 42" West, 300.22 feet; thence North 01' 00" East, 130.33 feet; thence South 00° 02' 42" East, 248.14 feet; thence North 88° 01' 00" East 254.00 feet; thence North 00° 02' 42" West, 306.09 feet; thence South 88° 57' 00" East, 420.82 feet thence South 00° 02' 42" East along a line 40 feet West of and parallel to the East line of the Southeast 1/4 of Section 36, (said line being the West right of way of State Road 431, Orange Boulevard) for a distance of 2108.59 feet; thence North 89° 57' 18" East, 10.00 feet; thence South 00° 02' 42" East, 183.45 feet; thence North 86° 34' 36" East along the South line of Section 36 for a distance of 5.01 feet; thence South 00° 04' 43" East along the East boundary of that tract described in Official Records Book 973, Page 336, Public Records of Seminole County, Florida, and along the West right of way of Banana Lake Road for a distance of 581.94 feet; thence North 84° 35' 24" West along the South line of the aforesaid tract for a distance of 731.58 feet; thence North 14° 43' 24" West along the West line of the aforesaid tract and along the West line of Lot 1, Weiser's Subdivision, Plat Book 1, Page 9, Public Records of Seminole County, Florida, for a distance of 477.87 feet; thence South 86° 34' 36" West along the North line of Section 1, Township 20 South, Range 29 East, for a distance of 565.84 feet; thence North 00° 06' 30" West along a line 5 chains East of and parallel to the West line of Government Lot 2 of said Section 36, a distance of 1322.21 feet; thence South 86° 34' 36" West along a line 20 chains North of and parallel to the South line of Government Lot 2, a distance of 330.55 feet; thence North 00° 06' 30" West along the East line of the Southwest 1/4 of said Section 36, a distance of 356.53 feet to the Point of Beginning.

TOGETHER WITH:

Heathrow P.U.D. as of 11/89

A parcel of land being a portion of Section 1, Township 20 South, Range 29 East; Section 2, Township 20 South, Range 29 East, Section 35, Township 19 South, Range 29 East; Section 36, Township 19 South, Range 29 East; Section 11, Township 20 South, Range 29 East; Section 12, Township 20 South, Range 29 East; Section 13, Township 20 South, Range 29 East; and Sections 6 and 7, Township 20 South, Range 30 East; Seminole County, Florida; more particularly described as follows: Begin at the Southwest corner of Section 1, Township 20 South, Range 29 East; thence North $00^{\circ} 36' 50''$ East, 1981.89 feet; thence North $89^{\circ} 55' 29''$ West along the South line of the North $1/2$ of the NE $1/4$ of the SE $1/4$ of said Section 2, a distance of 1297.61 feet to a point on the Easterly right of way line of Markham Woods Road, said right of way also being a curve concave to the Southwest and having as its elements a radius of 590.76 feet, a central angle of $09^{\circ} 19' 09''$ and a tangent bearing of North $14^{\circ} 17' 27''$ West; thence Northwesterly along the arc of a curve, and along the aforesaid Easterly right of way line a distance of 96.09 feet; thence North $00^{\circ} 07' 55''$ along said West line of the Northeast $1/4$ of the Southeast $1/4$, 7426 feet; thence North $89^{\circ} 55' 29''$ West along the North line of the South 165 feet of the Northeast $1/4$ of the Northwest $1/4$ of the Southeast $1/4$ of Section 2 for 39.16 feet to a point on a curve concave Southwesterly, having a tangent bearing of North $31^{\circ} 45' 22''$ West and a radius of 590.76 feet; thence Northwesterly along the arc of said curve, being the Easterly right of way line of Markham Woods Road, through a central angle of $32^{\circ} 33' 25''$, for 335.69 feet to the P.T.; thence North $64^{\circ} 18' 47''$ West along the Northerly right of way line of said Markham Woods Road, 410.67 feet; thence South $89^{\circ} 51' 56''$ East along a line parallel with and 6 rods South of the North line of the SE $1/4$ of said Section 2, a distance of 656.41 feet; thence North $00^{\circ} 07' 55''$ East along the West line of the NE $1/4$ of the SE $1/4$ of said Section 2 a distance of 99.00 feet; thence South $89^{\circ} 51' 56''$ East along the North line of the NE $1/4$ of the SE $1/4$ of said Section 2, a distance of 66727 feet; thence North $00^{\circ} 18' 00''$ West along the West line of the East $1/4$ of the NE $1/4$ of said Section 2, a distance of 1949.38 feet; thence North $89^{\circ} 45' 59''$ West along the South line of the NW $1/4$ of the NE $1/4$ of the NE $1/4$ of said Section 2, a distance of 667.92 feet; thence North $00^{\circ} 19' 07''$ West along the West line of the NW $1/4$ of the NE $1/4$ of the NE $1/4$ of said Section 2, a distance of 650.18 feet; thence North $00^{\circ} 16' 02''$ East along the West line of the SE $1/4$ of the SE $1/4$ of Section 35, Township 19 South, Range 29 East, a distance of 663.43 feet; thence South $89^{\circ} 41' 24''$ East along the North line of the South $1/2$ of the SE $1/4$ of the SE $1/4$ of said Section 35, a distance of 1334.24 feet; thence North $00^{\circ} 05' 35''$ East along the West line of the SW $1/4$ of Section 36, Township 19 South, Range 29 East, a distance of 662.42 feet; thence North $89^{\circ} 51' 03''$ East along the North line of the South $1/2$ of the SW $1/4$ of said Section 36, a distance of 860.35 feet to a point lying 7.04 chains (464.64 feet) West of the SE corner of the NW $1/4$ of the SW $1/4$ of said Section 36; thence North $00^{\circ} 00' 30''$ West along a line parallel to the East line of the NW $1/4$ of the SW $1/4$ for a distance of 11.42 chains (753.72 feet); thence run North $89^{\circ} 51' 03''$ East along a line parallel to the South line of the NW $1/4$ of the SW

1/4 for a distance of 7.04 chains (464.64 feet) to a point on the West line of the NE 1/4 of the SW 1/4 of said Section 36, said point being 11.42 chains (753.72 feet) North 00° 00' 30" West from the SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along the West line of the NE 1/4 of the SW 1/4 of said Section 36 a distance of 530.19 feet to the Southerly right of way line of Markham Road; thence North 89° 27' 27" East along said Southerly right of way line and along a line 50 feet South of and parallel with the North line of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 661.40 feet; thence South 00° 03' 31" East along the East line of the West 1/2 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 953.84 feet; thence North

45' 10" East along the North line of the South 1/4 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 662.21 feet; thence South 00° 06' 30" East along the East line of the SW 1/4 of said Section 36, a distance of 356.53 feet; thence North 86° 34' 36" East along a line 20 chains North of and parallel to the South line, of Government Lot 2 of said Section 36, a distance of 330.55 feet; thence South 00° 06' 30" East along a line 5 chains East of and parallel to the West line of Government Lot 2, a distance of 1322.21 feet; thence South 86° 34' 36" West along the South line of said Government Lot 2, a distance of 4.58 feet to the NW corner of Lot 2, WEISER'S SUBDIVISION as recorded in Plat Book 1, Page 9, Public Records of Seminole County, Florida; thence South 00° 19' 52" West along the West line of said Lot 2, a distance of 310.20 feet to the most Northerly corner of Lot 3, said WEISER'S SUBDIVISION; thence South 34° 55' 24" East along a common line which divides said Lots 2 and 3, said WEISER'S SUBDIVISION, 185330 feet; thence South 14° 43' 24" East along a common line which divides Lots 1 and 6, said WEISER'S SUBDIVISION, 59.51 feet; thence South 62° 44' 12" West, 35.64 feet; thence run South 00° 01' 17" West along the West line of Lot 7 said WEISER'S SUBDIVISION, according to the plat of Bahia Subdivision as recorded in Plat Book 7, Page 73, Public Records of Seminole County, Florida, a distance of 700.00 feet to the South line of said WEISER'S SUBDIVISION; thence South 89° 58' 08" West along the South line of said WEISER'S SUBDIVISION a distance of 1382.69 feet to the SW corner of Lot 5; thence South 00° 19' 51" West along the East line of the SW 1/4 of said Section I, a distance of 1113.50 feet to a point being 210 feet North 00° 19' 51" East of the SE corner of the North 1/2 of the SW 1/4 of said Section 1; thence North 89° 58' 52" West, 285.00 feet along a line parallel with the South line of the North 1/2 of the SW 1/4 of said Section 1; thence South 00° 19' 51" West 560.00 feet along a line parallel with the East line of the SW 1/4 of said Section 1; thence South 89° 58' 52" East, 80.00 feet; thence South 48° 16' 27" East, 888.59 feet; thence South 04° 15' 32" East, 471.30 feet; thence North 78° 55' 17" East, 728.58 feet; thence North 48° 41' 24" East, 200.00 feet; thence South 41° 18' 38" East, 516.64 feet; thence North 42° 30' 22" East, 435.27 feet; thence Southeasterly along a curve concave to the Northeast having a radius of 1800.00 feet, a tangent bearing of South 47° 29' 38" East, a central angle of 24° 55' 11" and an arc length of 782.88 feet to the P.T.; thence South 72° 24' 49" East 400.00 feet; thence South 17° 35' 11" West along the Westerly right of way of Interstate No 4 for 1352.41 feet to the P.C. of a curve concave to the Northwest having a radius of 2606.57 feet; thence departing said right of way of I-4 run Southerly along the arc of said curve through a central angle of 18° 08' 33" for 825.36 feet to the P.C.C. of a curve concave to the Northwest having a radius of 1253.35 feet; thence Southerly

along the arc of said curve through a central angle of $24^{\circ} 13' 51''$ for 530.05 feet to the P.T.; thence South $59^{\circ} 57' 34''$ West, 272.99 feet to the P.C. of a curve concave Southeasterly having a radius of 3445.17 feet; thence Southerly along the arc of said curve through a central angle of $11^{\circ} 21' 53''$ for 683.36 feet to the P.C.C. of a curve concave Southeasterly having a radius of 1041.19 feet; thence Southerly along the arc of said curve through a central angle of $60^{\circ} 00' 00''$ for 1090.33 feet to the P.T.; thence South $11^{\circ} 24' 18''$ East, 454.11 to the P.C. of a curve concave Westerly having a radius of 1379.58 feet; thence Southerly along the arc of said curve through a central angle of $26^{\circ} 56' 29''$ for 648.70 feet; thence run Westerly along a line 80 feet North of and parallel to the centerline of Lake Mary Boulevard (State Road #S-419) according to Florida State Road Department Right of Way Map, Section 77502-2601, for the following courses and distances; run Westerly along a curve concave Northerly having as its elements a central angle of $03^{\circ} 12' 02''$, a radius of 1830.08 feet tangent of 51.13 feet; a tangent bearing of North $82^{\circ} 16' 14''$ West, an arc length of 102.23 feet the P.T.; thence North $79^{\circ} 04' 02''$ West, 319.62 feet to the P.C. of a curve concave Southwest and having as its elements a central angle of $04^{\circ} 46' 16''$, a radius of 4663.75 feet, a tangent 194.29 feet; thence along the arc of said curve 388.36 feet to the P.T.; thence North $83^{\circ} 50' 18''$ West, 2445.33 feet; thence South $06^{\circ} 09' 42''$ West, 4.00 feet; thence Westerly along a line 76.d feet^a North of and parallel to the afore described centerline of Lake Mary Boulevard and along a curve concave Southwesterly having as its elements a central angle of $06^{\circ} 01' 14''$, a radius of 3895.83 feet, a tangent of 204.87 feet, a tangent bearing of North $83^{\circ} 50' 18''$ West, an arc length of 40936 feet to the P.T.; thence North $89^{\circ} 51' 32''$ West, 1531.21; thence departing the aforesaid Lake Mary Boulevard run North $18^{\circ} 16' 43''$ East along a line 50.00 feet East of and parallel to the centerline of Markham Woods Road as it presently physically exists for a distance of 1048.04 feet; thence departing the aforesaid line run South $89^{\circ} 39' 44''$ East along the North line of the South 1/2 of the SE 1/4 of said Section 11 for a distance of 82.455 feet; thence North $00^{\circ} 07' 38''$ East along the West line of the NE 1/4 of the SE 1/4 of said Section 11 a distance of 251.80 feet; thence Northerly along the afore described line 50.00 feet East of and parallel to the centerline of Markham Woods Road and along a curve concave Northwesterly, having as its elements a central angle of $18^{\circ} 09' 05''$, a radius of 1004.76 feet, a tangent of 160.50 feet, a tangent bearing of North $18^{\circ} 16' 43''$ East, an arc length of 318.31 feet to the P.T.; thence North $00^{\circ} 07' 38''$ East along a line 50.00 feet East of and parallel to the West line of the NE 1/4 of the SE 1/4 of said Section 11, a distance of 769.95 feet; thence North $00^{\circ} 34' 23''$ West along a line 50.00 feet East of and parallel to the West line of the East 1/2 of the NE 1/4 of said Section 11, a distance of 1513.48 feet; thence South $89^{\circ} 57' 00''$ East along a line 3 chains North of and parallel to the South line of the NE 1/4 of the NE 1/4 of said Section 11, a distance of 1271.17 feet; thence South $01^{\circ} 01' 22''$ East along the East line of the NE 1/4 of the NE 1/4 of said Section 11, a distance of 1.20 feet; thence South $89^{\circ} 55' 53''$ East along a line 17 chains South of and parallel to the North line of the NW 1/4 of said Section 12, a distance of 330.06 feet; thence North $01^{\circ} 01' 22''$ West along a line 5 chains East of and parallel to the West line of the NW 1/4 of said Section 12, a distance of 1122.20 feet; thence North $89^{\circ} 55' 53''$ West along the North line of the NW 1/4 of said Section 12, a distance of 330.06 feet; to the Point of Beginning.

TOGETHER WITH:

Triangular Addition to the Heathrow P.U.D.

All that part of the Northwest 1/4 of the Southeast 1/4 of Section 11, Township 20 South, Range 29 East, lying East of road, Seminole County, Florida; being more particularly described *as follows*: Begin at the Southwest corner of the Northeast 1/4 of the Southeast 1/4 of said Section 11; thence run North 00° 07' 38" East along the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 11 a distance of 251.80 feet; thence run South 18° 16' 43" West along a line 50.00 feet East of and parallel to the centerline of Markham Woods Road as it presently physically exists for a distance of 264.67 feet; thence departing the aforesaid line run South 89° 39' 44" East along the North line of the South 1/2 of the Southeast 1/4 of said Section 11 for a distance of 82.45 feet to the Point of Beginning.

TOGETHER WITH:

Forbes-Ramsey Tract

The South 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 2, Township 20 South, Range 29 East, Seminole County, Florida; being further described as follows: Commence at the Southeast corner of Section 2, Township 20 South, Range 29 East; thence run North 00° 36' 50" East along the East line of the Southeast 1/4 of Section 2 for 1321/6 feet to the Point of Beginning; thence continue North 00° 36' 50" East along said East line for a distance of 660.63 feet; thence run North 89° 55' 29" West along the South line of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 2, a distance of 1297.61 feet to a point on the Easterly right of way line of Markham Woods Road, said right of way also being a curve concave to the Southwest and having as its elements a radius of 590.76 feet, a central angle of 14° 25' 22", a tangent of 74.75 feet and a tangent bearing of South 14° 17' 26" East; thence Southeasterly along the arc of a curve, and along the aforesaid Easterly right of way line a distance of 148.71 feet to the P.T.; thence run South 00° 07' 55" West along said right of way for a distance of 514.76 feet; thence South 89° 59' 03" East along the North line of the South 1/2 of the Southeast 1/4 of *said* Section 2 for a distance of 1273.44 feet to the Point of Beginning.

TOGETHER WITH:

15± Acre Addition (1999)

That part of the Southwest 1/4 of Section 36, Township 19 South, Range 29 East being described as follows:

Commence at the Southwest corner of said Southwest 1/4 thence run South 89°45'26" East along the South line of said Southwest 1/4 a distance of 2654.69 feet; thence North 00°06'30" West along the East line of said Southwest 1/4 a distance of 1678.52 feet to the POINT OF BEGINNING; thence South 89°44'42" West along the North line of the South 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 36 a distance of 663.71 feet; thence North 00°06'35" West along the East line of the West Y2 of the Northeast 1/4 of the Southwest 1/4 of said. Section 36 a distance of 953.65 feet to the South right-of-way line of Markham Road; thence North 89°48'09" East along a line 50 feet South of and parallel to the physical centerline of Markham Road a distance of 663.73 feet; thence South 00°06'30" East along the aforesaid East line of the Southwest 1/4 of Section 36 a distance of 952.98 feet to the POINT OF BEGINNING.

Containing 14.526 acres more or less and being subject to any easements, rights-of-way, and restrictions of records.

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On December 12, 2006, Seminole County issued this Denial Development Order relating to and touching and concerning the following property described in the attached legal description as Exhibit "A".

Property Owner(s):

HEATHROW VILLAGES DEV CO LLC
1275 LAKE HEATHROW LN
Lake Mary, FL 32746

Project Name: Heathrow PUD Major Amendment

Requested Development Approval: The applicant is requesting a Major Amendment to the Heathrow PUD.

The Board of County Commissioners has determined that the request for a Major Amendment to the Heathrow PUD is not compatible with the surrounding area and could not be supported.

After fully considering staff analysis titled "Heathrow PUD Major Amendment" and all evidence submitted at the public hearing on December 12, 2006, regarding this matter the Board of County Commissioners have found, determined and concluded that the requested PUD Major Amendment should be denied.

ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

The aforementioned application for development approval is **DENIED**.

Done and Ordered on the date first written above.

**SEMINOLE COUNTY BOARD OF
COUNTY COMMISSIONERS**

By: _____
Carlton D. Henley, Chairman

EXHIBIT "A"

COMPOSITE HEATHROW D.R.I. DESCRIPTION

Northwest Addition to the Heathrow P.U.D.

A parcel of land being a portion of Sections 35 and 36, Township 19 South, Range 29 East; Seminole County, Florida; more particularly described as follows: Commence at the Southeast corner of said Section 35 and run North $89^{\circ} 44' 00''$ West, along the South line of the Southeast $1/4$ of said Section 35 for a distance of 1336.26 feet; thence run North $00^{\circ} 16' 02''$ East along the East line of the Southwest $1/4$ of the Southeast $1/4$ of said Section 35 for a distance of 289.10 feet to Point of Beginning; thence North $89^{\circ} 47' 58''$ West, 1285.39 feet to the East right of way of Markham Woods Road; thence North $00^{\circ} 26' 27''$ East, 471.63 feet to the P.C. of a curve concave to the Southeast having a radius of 919.28 feet; thence Northerly along the arc of said curve through a central angle of $16^{\circ} 13' 54''$ for 260.43 feet to the P.R.C. of a curve concave to the Northwest having a radius of 1098.06 feet; thence Northerly along the arc of said curve through a central angle of $16^{\circ} 33' 22''$ for 317.29 feet; thence South $89^{\circ} 38' 12''$ East along the North line of the Southwest $1/4$ of the Southeast $1/4$ of Section 35, Township 19 South, Range 29 East for 535.72 feet; thence North $00^{\circ} 21' 15''$ East, 332.05 feet; thence North $89^{\circ} 36' 45''$ West, 370.61 feet; thence North $00^{\circ} 26' 27''$ East, 50.00 feet; thence South $89^{\circ} 36' 45''$ East, 5.00 feet; thence North $00^{\circ} 26' 27''$ East, 38.00 feet; thence North $89^{\circ} 36' 45''$ West, 75.00 feet; thence South $00^{\circ} 26' 27''$ West, 38.00 feet; thence South $89^{\circ} 36' 45''$ East, 10.00 feet; thence South $00^{\circ} 26' 27''$ West, 35.00 feet; thence North $89^{\circ} 36' 45''$ West, 156.99 feet; thence North $12^{\circ} 23' 55''$ West along the East right of way of Markham Woods Road for 49.60 feet to the P.C. of a curve concave Easterly and having a radius of 1598.24 feet; thence Northerly along the arc of said curve through a central angle of $10^{\circ} 42' 11''$ for 298.56 feet to the P.T.; thence North $01^{\circ} 41' 46''$ West, 253.21 feet to a point being on the Southerly right of way of Markham Road; thence Easterly along said Southerly right of way of Markham Road along a curve concave to the Northwest having a tangent bearing of North $65^{\circ} 06' 16''$ East, a radius of 1245.93 feet, a central angle of $06^{\circ} 04' 09''$ and an arc length of 131.98 feet to the P.T.; thence North $59^{\circ} 02' 06''$ East, 142.02 feet to the P.C. of a curve concave Southeasterly having a radius of 1986.79 feet; thence Easterly along the arc of said curve through a central angle of $20^{\circ} 17' 17''$ for 703.51 feet; thence South $00^{\circ} 16' 02''$ West along a line 420.00 feet West of and parallel to the East line of the Northwest $1/4$ of the Southeast $1/4$ of Section 35 for 5.83 feet; thence South $89^{\circ} 32' 22''$ East along the North line of the Southeast $1/4$ of Section 35, Township 19 South, Range 29 East for 24.00 feet; thence South $00^{\circ} 16' 02''$ West along the West line of the East $3/4$ of the Northwest $1/4$ of the Southeast $1/4$ of Section 35 for 330.00 feet; thence South $89^{\circ} 32' 22''$ East along a line 330.00 feet South of and parallel to the North line of the Southeast $1/4$ of Section 35 for 396.00 feet; thence South $00^{\circ} 16' 02''$ West along the West line of the Northeast $1/4$ of the Southeast

1/4 of Section 35 for 270.00 feet; thence South 89° 32' 22" East along the South line of the North 600.00 feet of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 707.40 feet; thence North 00° 16' 02" East along the East line of the West 707.40 feet of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 600.00 feet; thence South 89° 32' 22" East along the North line of the Northeast 1/4 of the Southeast 1/4 of Section 35 for 620.80 feet; thence South 00° 05' 35" West along the East line of the Southeast 1/4 of Section 35 for 100.00 feet; thence North 89° 27' 27" East parallel to the North line of the Southwest 1/4 of Section 36, Township 19 South, Range 29 East for 430.03 feet; thence North 00° 05' 35" East along a line 430.00 feet East of and parallel to the West line of the Southwest 1/4 of Section 36 for 142.90 feet; thence South 67° 57' 09" East along a line being the South right of way of Markham Road for 44.17 feet to the P.C. of a curve concave to the Northeast and having a radius of 989.64 feet; thence Easterly along the arc of said curve through a central angle of 22° 35' 24" for 390.19 feet to the P.T.; thence North 89° 27' 27" East, 6.15 feet; thence departing said right of way run South 00° 00' 30" East, along a line parallel to the East line of the Northwest 1/4 of the Southwest 1/4 for a distance of 1280.72 feet; thence South 89° 51' 03" West along the North line of the South 1/2 of the Southwest 1/4 of said Section 36 for a distance of 860.35 feet thence South 00° 05' 35" West along the West line of the Southwest 1/4 of said Section 36 for a distance of 662.42 feet; thence North 89° 41' 24" West along the North line of the South 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 35 for a distance of 1334.24 feet; thence South 00° 16' 02" West along the West line of the Southeast 1/4 of the Southeast 1/4 of said Section 35 for C distance of 374.33 feet to the Point of Beginning.

TOGETHER WITH:

Northeast Addition to the Heathrow P.U.D.

A parcel of land being a portion of Section 36, Township 19 South, Range 29 East, Seminole County, Florida; more particularly described as follows: Commence at the Southeast corner of Section 35, Township 19 South, Range 29 East and run North 89° 44' 00" West, along the South line of the Southeast 1/4 of said Section 35 for a distance of 1336.26 feet; thence North 00° 16' 02" East along the West line of the SE 1/4 of the SE 1/4 of Section 35, Township 19 South, Range 29 East, a distance of 663.43 feet; thence South 89° 41' 24" East along the North line of the South 1/2 of the SE 1/4 of the SE 1/4 of said Section 35, a distance of 1334.24 feet; thence North 00° 05' 35" East along the West line of the SW 1/4 of Section 36, Township 19 South, Range 29 East, a distance of 662.42 feet; thence North 89° 51' 03" East along the North line of the South 1/2 of the SW 1/4 of said Section 36, a distance of 860.35 feet to a point lying 7.04 chains (464.64 feet) West of the SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along a line parallel to the East line of the NW 1/4 of the SW 1/4 for a distance of 11.42 chains (753.72 feet); thence run North 89° 51' 03" East along a line parallel to the South line of the NW 1/4 of the SW 1/4 for a distance of 7.04 chains (464.64 feet) to a point on the West line of the NE 1/4 of the SW 1/4 of said Section 36, said point being 11.42 chains (753.72 feet) North 00° 00' 30" West from the

SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along the West line of the NE 1/4 of the SW 1/4 of said Section 36 a distance of 530.19 feet to the Southerly right of way line of Markham Road; thence North 89° 27' 27" East along said Southerly right of way line and along a line 50 feet South of and parallel with the North line of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 661.10 feet; thence South 00° 03' 31" East along the East line of the West 1/2 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 953.84 feet; thence North 89° 45' 10" East along the North line of the South 1/4 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 662.21 feet to the Point of Beginning; thence North 00° 06' 30" West along the East line of the Southwest 1/4 of Section 36 for 952.81 feet to a point lying on the South right of way of Markham Road; thence South 89° 34' 25" East along said right of way a distance of 414.61 feet to the P.C. of a curve concave to the South having a radius of 1829.00 feet; thence Easterly along the arc of said curve through a central angle of 05 34' 00" for 177.70 feet to the P.C.C. of a curve concave Southerly having a radius of 386.24 feet; thence Easterly along the arc of said curve through a central angle of 20° 13' 53" for 136.38 feet to the P.C.C. of a curve concave Southerly and having, a radius of 415.00 feet; thence Easterly along the arc of said curve through a central angle of 01° 23' 24" for 10.07 feet; thence departing said right of way run South 00° 06' 30" East, 550.79 feet; then North 88° 01' 00" East, 195.06 feet; thence North 00° 02' 42" West, 300.22 feet; thence North 01' 00" East, 130.33 feet; thence South 00° 02' 42" East, 248.14 feet; thence North 88° 01' 00" East 254.00 feet; thence North 00° 02' 42" West, 306.09 feet; thence South 88° 57' 00" East, 420.82 feet thence South 00° 02' 42" East along a line 40 feet West of and parallel to the East line of the Southeast 1/4 of Section 36, (said line being the West right of way of State Road 431, Orange Boulevard) for a distance of 2108.59 feet; thence North 89° 57' 18" East, 10.00 feet; thence South 00° 02' 42" East, 183.45 feet; thence North 86° 34' 36" East along the South line of Section 36 for a distance of 5.01 feet; thence South 00° 04' 43" East along the East boundary of that tract described in Official Records Book 973, Page 336, Public Records of Seminole County, Florida, and along the West right of way of Banana Lake Road for a distance of 581.94 feet; thence North 84° 35' 24" West along the South line of the aforesaid tract for a distance of 731.58 feet; thence North 14° 43' 24" West along the West line of the aforesaid tract and along the West line of Lot 1, Weiser's Subdivision, Plat Book 1, Page 9, Public Records of Seminole County, Florida, for a distance of 477.87 feet; thence South 86° 34' 36" West along the North line of Section 1, Township 20 South, Range 29 East, for a distance of 565.84 feet; thence North 00° 06' 30" West along a line 5 chains East of and parallel to the West line of Government Lot 2 of said Section 36, a distance of 1322.21 feet; thence South 86° 34' 36" West along a line 20 chains North of and parallel to the South line of Government Lot 2, a distance of 330.55 feet; thence North 00° 06' 30" West along the East line of the Southwest 1/4 of said Section 36, a distance of 356.53 feet to the Point of Beginning.

TOGETHER WITH:

Heathrow P.U.D. as of 11/89

A parcel of land being a portion of Section 1, Township 20 South, Range 29 East; Section 2, Township 20 South, Range 29 East, Section 35, Township 19 South, Range 29 East; Section 36, Township 19 South, Range 29 East; Section 11, Township 20 South, Range 29 East; Section 12, Township 20 South, Range 29 East; Section 13, Township 20 South, Range 29 East; and Sections 6 and 7, Township 20 South, Range 30 East; Seminole County, Florida; more particularly described as follows: Begin at the Southwest corner of Section 1, Township 20 South, Range 29 East; thence North $00^{\circ} 36' 50''$ East, 1981.89 feet; thence North $89^{\circ} 55' 29''$ West along the South line of the North 1/2 of the NE 1/4 of the SE 1/4 of said Section 2, a distance of 1297.61 feet to a point on the Easterly right of way line of Markham Woods Road, said right of way also being a curve concave to the Southwest and having as its elements a radius of 590.76 feet, a central angle of $09^{\circ} 19' 09''$ and a tangent bearing of North $14^{\circ} 17' 27''$ West; thence Northwesterly along the arc of a curve, and along the aforesaid Easterly right of way line a distance of 96.09 feet; thence North $00^{\circ} 07' 55''$ along said West line of the Northeast 1/4 of the Southeast 1/4, 7426 feet; thence North $89^{\circ} 55' 29''$ West along the North line of the South 1/2 of the Northeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 2 for 39.16 feet to a point on a curve concave Southwesterly, having a tangent bearing of North $31^{\circ} 45' 22''$ West and a radius of 590.76 feet; thence Northwesterly along the arc of said curve, being the Easterly right of way line of Markham Woods Road, through a central angle of $32^{\circ} 33' 25''$, for 335.69 feet to the P.T.; thence North $64^{\circ} 18' 47''$ West along the Northerly right of way line of said Markham Woods Road, 410.67 feet; thence South $89^{\circ} 51' 56''$ East along a line parallel with and 6 rods South of the North line of the SE 1/4 of said Section 2, a distance of 656.41 feet; thence North $00^{\circ} 07' 55''$ East along the West line of the NE 1/4 of the SE 1/4 of said Section 2 a distance of 99.00 feet; thence South $89^{\circ} 51' 56''$ East along the North line of the NE 1/4 of the SE 1/4 of said Section 2, a distance of 667.27 feet; thence North $00^{\circ} 18' 00''$ West along the West line of the East 1/4 of the NE 1/4 of said Section 2, a distance of 1949.38 feet; thence North $89^{\circ} 45' 59''$ West along the South line of the NW 1/4 of the NE 1/4 of the NE 1/4 of said Section 2, a distance of 667.92 feet; thence North $00^{\circ} 19' 07''$ West along the West line of the NW 1/4 of the NE 1/4 of the NE 1/4 of said Section 2, a distance of 650.18 feet; thence North $00^{\circ} 16' 02''$ East along the West line of the SE 1/4 of the SE 1/4 of Section 35, Township 19 South, Range 29 East, a distance of 663.43 feet; thence South $89^{\circ} 41' 24''$ East along the North line of the South 1/2 of the SE 1/4 of the SE 1/4 of said Section 35, a distance of 1334.24 feet; thence North $00^{\circ} 05' 35''$ East along the West line of the SW 1/4 of Section 36, Township 19 South, Range 29 East, a distance of 662.42 feet; thence North $89^{\circ} 51' 03''$ East along the North line of the South 1/2 of the SW 1/4 of said Section 36, a distance of 860.35 feet to a point lying 7.04 chains (464.64 feet) West of the SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North $00^{\circ} 00' 30''$ West along a line parallel to the East line of the NW 1/4 of the SW 1/4 for a distance of 11.42 chains (753.72 feet); thence run North $89^{\circ} 51' 03''$ East along a line parallel to the South line of the NW 1/4 of the SW

1/4 for a distance of 7.04 chains (464.64 feet) to a point on the West line of the NE 1/4 of the SW 1/4 of said Section 36, said point being 11.42 chains (753.72 feet) North 00° 00' 30" West from the SE corner of the NW 1/4 of the SW 1/4 of said Section 36; thence North 00° 00' 30" West along the West line of the NE 1/4 of the SW 1/4 of said Section 36 a distance of 530.19 feet to the Southerly right of way line of Markham Road; thence North 89° 27' 27" East along said Southerly right of way line and along a line 50 feet South of and parallel with the North line of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 661.40 feet; thence South 00° 03' 31" East along the East line of the West 1/2 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 953.84 feet; thence North

45' 10" East along the North line of the South 1/4 of the NE 1/4 of the SW 1/4 of said Section 36, a distance of 662.21 feet; thence South 00° 06' 30" East along the East line of the SW 1/4 of said Section 36, a distance of 356.53 feet; thence North 86° 34' 36" East along a line 20 chains North of and parallel to the South line, of Government Lot 2 of said Section 36, a distance of 330.55 feet; thence South 00° 06' 30" East along a line 5 chains East of and parallel to the West line of Government Lot 2, a distance of 1322.21 feet; thence South 86° 34' 36" West along the South line of said Government Lot 2, a distance of 4.58 feet to the NW corner of Lot 2, WEISER'S SUBDIVISION *as* recorded in Plat Book 1, Page 9, Public Records of Seminole County, Florida; thence South 00° 19' 52" West along the West line of said Lot 2, a distance of 310.20 feet to the most Northerly corner of Lot 3, said WEISER'S SUBDIVISION; thence South 34° 55' 24" East along a common line which divides said Lots 2 and 3, said WEISER'S SUBDIVISION, 185330 feet; thence South 14° 43' 24" East along a common line which divides Lots 1 and 6, said WEISER'S SUBDIVISION, 59.51 feet; thence South 62° 44' 12" West, 35.64 feet; thence run South 00° 01' 17" West along the West line of Lot 7 said WEISER'S SUBDIVISION, according to the plat of Bahia Subdivision *as* recorded in Plat Book 7, Page 73, Public Records of Seminole County, Florida, a distance of 700.00 feet to the South line of said WEISER'S SUBDIVISION; thence South 89° 58' 08" West along the South line of said WEISER'S SUBDIVISION a distance of 1382.69 feet to the SW corner of Lot 5; thence South 00° 19' 51" West along the East line of the SW 1/4 of said Section I, a distance of 1113.50 feet to a point being 210 feet North 00° 19' 51" East of the SE corner of the North 1/2 of the SW 1/4 of said Section 1; thence North 89° 58' 52" West, 285.00 feet along a line parallel with the South line of the North 1/2 of the SW 1/4 of said Section 1; thence South 00° 19' 51" West 560.00 feet along a line parallel with the East line of the SW 1/4 of said Section 1; thence South 89° 58' 52" East, 80.00 feet; thence South 48° 16' 27" East, 888.59 feet; thence South 04° 15' 32" East, 471.30 feet; thence North 78° 55' 17" East, 728.58 feet; thence North 48° 41' 24" East, 200.00 feet; thence South 41° 18' 38" East, 516.64 feet; thence North 42° 30' 22" East, 435.27 feet; thence Southeasterly along a curve concave to the Northeast having a radius of 1800.00 feet, a tangent bearing of South 47° 29' 38" East, a central angle of 24° 55' 11" and an arc length of 782.88 feet to the P.T.; thence South 72° 24' 49" East 400.00 feet; thence South 17° 35' 11" West along the Westerly right of way of Interstate No 4 for 1352.41 feet to the P.C. of a curve concave to the Northwest having a radius of 2606.57 feet; thence departing said right of way of I-4 run Southerly along the arc of said curve through a central angle of 18° 08' 33" for 825.36 feet to the P.C.C. of a curve concave to the Northwest having a radius of 1253.35 feet; thence Southerly

along the arc of said curve through a central angle of $24^{\circ} 13' 51''$ for 530.05 feet to the P.T.; thence South $59^{\circ} 57' 34''$ West, 272.99 feet to the P.C. of a curve concave Southeasterly having a radius of 3445.17 feet; thence Southerly along the arc of said curve through a central angle of $11^{\circ} 21' 53''$ for 683.36 feet to the P.C.C. of a curve concave Southeasterly having a radius of 1041.19 feet; thence Southerly along the arc of said curve through a central angle of $60^{\circ} 00' 00''$ for 1090.33 feet to the P.T.; thence South $11^{\circ} 24' 18''$ East, 454.11 to the P.C. of a curve concave Westerly having a radius of 1379.58 feet; thence Southerly along the arc of said curve through a central angle of $26^{\circ} 56' 29''$ for 648.70 feet; thence run Westerly along a line 80 feet North of and parallel to the centerline of Lake Mary Boulevard (State Road #S-419) according to Florida State Road Department Right of Way Map, Section 77502-2601, for the following courses and distances; run Westerly along a curve concave Northerly having as its elements a central angle of $03^{\circ} 12' 02''$, a radius of 1830.08 feet tangent of 51.13 feet; a tangent bearing of North $82^{\circ} 16' 14''$ West, an arc length of 102.23 feet the P.T.; thence North $79^{\circ} 04' 02''$ West, 319.62 feet to the P.C. of a curve concave Southwest and having as its elements a central angle of $04^{\circ} 46' 16''$, a radius of 4663.75 feet, a tangent 194.29 feet; thence along the arc of said curve 388.36 feet to the P.T.; thence North $83^{\circ} 50' 18''$ West, 2445.33 feet; thence South $06^{\circ} 09' 42''$ West, 4.00 feet; thence Westerly along a line 76.4 feet^a North of and parallel to the afore described centerline of Lake Mary Boulevard and along a curve concave Southwesterly having as its elements a central angle of $06^{\circ} 01' 14''$, a radius of 3895.83 feet, a tangent of 204.87 feet, a tangent bearing of North $83^{\circ} 50' 18''$ West, an arc length of 40936 feet to the P.T.; thence North $89^{\circ} 51' 32''$ West, 1531.21; thence departing the aforesaid Lake Mary Boulevard run North $18^{\circ} 16' 43''$ East along a line 50.00 feet East of and parallel to the centerline of Markham Woods Road as it presently physically exists for a distance of 1048.04 feet; thence departing the aforesaid line run South $89^{\circ} 39' 44''$ East along the North line of the South 1/2 of the SE 1/4 of said Section 11 for a distance of 82.455 feet; thence North $00^{\circ} 07' 38''$ East along the West line of the NE 1/4 of the SE 1/4 of said Section 11 a distance of 251.80 feet; thence Northerly along the afore described line 50.00 feet East of and parallel to the centerline of Markham Woods Road and along a curve concave Northwesterly, having as its elements a central angle of $18^{\circ} 09' 05''$, a radius of 1004.76 feet, a tangent of 160.50 feet, a tangent bearing of North $18^{\circ} 16' 43''$ East, an arc length of 318.31 feet to the P.T.; thence North $00^{\circ} 07' 38''$ East along a line 50.00 feet East of and parallel to the West line of the NE 1/4 of the SE 1/4 of said Section 11, a distance of 769.95 feet; thence North $00^{\circ} 34' 23''$ West along a line 50.00 feet East of and parallel to the West line of the East 1/2 of the NE 1/4 of said Section 11, a distance of 1513.48 feet; thence South $89^{\circ} 57' 00''$ East along a line 3 chains North of and parallel to the South line of the NE 1/4 of the NE 1/4 of said Section 11, a distance of 1271.17 feet; thence South $01^{\circ} 01' 22''$ East along the East line of the NE 1/4 of the NE 1/4 of said Section 11, a distance of 1.20 feet; thence South $89^{\circ} 55' 53''$ East along a line 17 chains South of and parallel to the North line of the NW 1/4 of said Section 12, a distance of 330.06 feet; thence North $01^{\circ} 01' 22''$ West along a line 5 chains East of and parallel to the West line of the NW 1/4 of said Section 12, a distance of 1122.20 feet; thence North $89^{\circ} 55' 53''$ West along the North line of the NW 1/4 of said Section 12, a distance of 330.06 feet; to the Point of Beginning.

TOGETHER WITH:

Triangular Addition to the Heathrow P.U.D.

All that part of the Northwest 1/4 of the Southeast 1/4 of Section 11, Township 20 South, Range 29 East, lying East of road, Seminole County, Florida; being more particularly described *as follows*: Begin at the Southwest corner of the Northeast 1/4 of the Southeast 1/4 of said Section 11; thence run North 00° 07' 38" East along the West line of the Northeast 1/4 of the Southeast 1/4 of said Section 11 a distance of 251.80 feet; thence run South 18° 16' 43" West along a line 50.00 feet East of and parallel to the centerline of Markham Woods Road as it presently physically exists for a distance of 264.67 feet; thence departing the aforesaid line run South 89° 39' 44" East along the North line of the South 1/2 of the Southeast 1/4 of said Section 11 for a distance of 82.45 feet to the Point of Beginning.

TOGETHER WITH:

Forbes-Ramsey Tract

The South 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 2, Township 20 South, Range 29 East, Seminole County, Florida; being further described as follows: Commence at the Southeast corner of Section 2, Township 20 South, Range 29 East; thence run North 00° 36' 50" East along the East line of the Southeast 1/4 of Section 2 for 1321/6 feet to the Point of Beginning; thence continue North 00° 36' 50" East along said East line for a distance of 660.63 feet; thence run North 89° 55' 29" West along the South line of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of said Section 2, a distance of 1297.61 feet to a point on the Easterly right of way line of Markham Woods Road, said right of way also being a curve concave to the Southwest and having as its elements a radius of 590.76 feet, a central angle of 14° 25' 22", a tangent of 74.75 feet and a tangent bearing of South 14° 17' 26" East; thence Southeasterly along the arc of a curve, and along the aforesaid Easterly right of way line a distance of 148.71 feet to the P.T.; thence run South 00° 07' 55" West along said right of way for a distance of 514.76 feet; thence South 89° 59' 03" East along the North line of the South 1/2 of the Southeast 1/4 of said Section 2 for a distance of 1273.44 feet to the Point of Beginning.

TOGETHER WITH:

15± Acre Addition (1999)

That part of the Southwest 1/4 of Section 36, Township 19 South, Range 29 East being described as follows:

Commence at the Southwest corner of said Southwest 1/4 thence run South 89°45'26" East along the South line of said Southwest 1/4 a distance of 2654.69 feet; thence North 00°06'30" West along the East line of said Southwest 1/4 a distance of 1678.52 feet to the POINT OF BEGINNING; thence South 89°44'42" West along the North line of the South 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 36 a distance of 663.71 feet; thence North 00°06'35" West along the East line of the West Y2 of the Northeast 1/4 of the Southwest 1/4 of said. Section 36 a distance of 953.65 feet to the South right-of-way line of Markham Road; thence North 89°48'09" East along a line 50 feet South of and parallel to the physical centerline of Markham Road a distance of 663.73 feet; thence South 00°06'30" East along the aforesaid East line of the Southwest 1/4 of Section 36 a distance of 952.98 feet to the POINT OF BEGINNING.

Containing 14.526 acres more or less and being subject to any easements, rights-of-way, and restrictions of records.

Rumer, Michael

From: John Serieka - LFL [jserieka@lifeforce-labs.com]
Sent: Tuesday, October 31, 2006 1:34 AM
To: Rumer, Michael; board@barclayplace-heathrow.com; Lockhart, Amy
Subject: Heathrow Land Development: Planning Board Meeting 11-1-06 (Z2006-57)
Importance: High

October 30th, 2006

TO: the Seminole County Board, Michael Rumer, and Commissioner Brenda Carey-

RE: *Joe Dobosh/Heathrow Land Company – PUD major Amendment (Z2006-57)*

I write this letter to express my dissatisfaction with the proposed plans to rezone the Heathrow Racquet/Athletic Club area and effectively replace/re-route the Barclay Place entrance. I am additionally concerned that although the county finds it very easy to contact me in order to send me my property tax forms -- I was not contacted to alert me to this very important meeting that very much affects both the value and safety of my home. I had to be contacted by my Barclay Place Homeowners Association to find out that this meeting was even planned. I will unfortunately be out of town traveling on business on NOV 1st and so will be unable to attend in person – but I want my very strong opinion on this matter to be recorded into the record & to be addressed by the Barclay Place Board on my behalf.

The planned expansion/redevelopment of the Heathrow Racquet & Athletic Club area would cause overcrowding in the immediate area, and furthermore & more importantly in my opinion, would cause an unsafe situation for cars trying to enter and leave Barclay Place. Given that Barclay is 1/3 owner of the entrance and parkway – I hereby withhold my approval of this plan and respectfully ask that the board reject the developers request to force us to relinquish our control of our rightful property. I purchased my home with the understanding that the entrance was safe and attractive – and I expect it to stay so. To otherwise force the owners of Barclay place to accept plans that are not in our best interest – but rather to benefit a separate private developer [Joe Dobbs/Heathrow land Company] -- is both unethical and tantamount to unlawful seizure of property. Given that there is no “necessity” for the common public use -- to approve the developer’s plans should certainly be considered oppressive and an abuse of power in violating my property rights and liberties.

In this day and age when our rights as individual citizens are assailed daily – I request you find it proper to deny the aforementioned developer’s plans to minimize the value of my property and endanger my well-being....and by denying the amendment at hand -- thereby uphold my rights as an individual property owner in Seminole County FL. I thank you for allowing me to voice my opinion on this very important matter.

Sincerely-

John

**MR. JOHN SERIEKA
 1547 Farrindon Circle
 Heathrow, FL 32746**

Managing Partner
LifeForce Labs, LLC
ph: 407-830-0009

cc:/ Robert Saltsman, ESQ

Rumer, Michael

From: EdwardJordon@aol.com
Sent: Thursday, October 26, 2006 11:03 AM
To: Rumer, Michael
Subject: Heathrow PUD Major Amendment filed by Joe Dobosh/Heathrow Land Company

Dear Michael Rumer and Commissioner Carey,

I, Edward Jordon, am the owner of a condominium unit located at 1521 Farrindon Circle within the community of Barclay Place At Heathrow. I wish to express my strong opposition to the Heathrow PUD Major Amendment filed by applicant Joe Dobosh/Heathrow Land Company Limited Partnership.

I especially disapprove of the Heathrow Land Development's proposal to alter the ingress and egress to Barclay Place that we have come to enjoy. HLD plans to eliminate Tournament Drive and place the entrance to Barclay Place immediately outside our gate. We would only have room for two to three cars. Cars awaiting entrance to Barclay Place would be backed up on Lake Mary Boulevard. Cars exiting Barclay Place would have a right turn only exit with no left turn cut-through in the median. This would force us to turn right and do a U-turn to access any point east on Lake Mary Boulevard.

Barclay Place owns a one-third interest in the current entrance and roadway. In essence, Heathrow Land Development is asking Barclay Place residents to relinquish that interest. This is something that I emphatically reject.

I sincerely hope my voice is heard and that the Seminole County Planning and Zoning Commission does the right thing by denying the amendment filed by Joe Dobosh/Heathrow Land Company Limited Partnership.

Respectfully,
Edward Jordon

Rumer, Michael

From: Daniel Couloff [Couloff@groneklatham.com]
Sent: Tuesday, October 24, 2006 9:49 AM
To: Rumer, Michael
Subject: Heathrow PUD

Dear Mike:

We live @ 245 Saddleworth Drive. We are concerned about the trees at the west side of what will be tract 4A. There are nests.

Please send us the concept plan.

Thank you.

Dan

Daniel H. Couloff

Gronek & Latham, LLP

390 N. Orange Avenue, Suite 600

Orlando, Florida 32801

(407) 481-5845 (p)

(407) 481-5801 (f)

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East Central Florida
**REGIONAL
PLANNING
COUNCIL**

November 8, 2006

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Mr. Tony Matthews
Principal Planner
Planning and Development Department
Planning Division
1101 East First Street
Sanford, FL 32771-1468

RE: Notification of a Proposed Change (NOPC) for the Heathrow DRI
ECFRPC # 5451

Dear Mr. Matthews:

We have received the Heathrow DRI NOPC on August 2, 2006 and modifications to that letter via e-mail on November 6, 2006 and it is our understanding that the following changes are now proposed:

1. Relocate the Athletic Club and associated tennis courts and swimming pool adjacent to the golf club and redevelop this area with 57 single family detached homes and renaming the tract as 4A.
2. Add 8 homes to Devon Green Phase III.
3. Modification of tract 29 from an approved 382 residential units to 317 residential units.
4. Request that the existing Tournament Drive onto Lake Mary Blvd. which provides access to the Tract designated as Athletic Club be eliminated and relocated access farther west on Lake Mary Blvd.
5. Change the Master Development Plan map to reflect these changes.
6. Extend the build out date for 5 years to September 2012.

No dwelling unit increase is sought; only a relocation of homes within the DRI and this is not a regional issue.

Regarding the access point change, Subsection 380.06(19) (b) F.S., states that any proposed change which creates the likelihood of an additional regional impact shall constitute a substantial deviation. However, because the change in the location of the access point is on a county roadway, this will be adequately addressed by Seminole County.

Regarding the time frame extension, According to section 380.06(19)(c), F.S.,

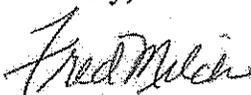
An extension of the date of buildout of a development, or any phase thereof, by 7 or more years shall be presumed to create a substantial deviation subject to further development-of-regional-impact review. An extension of the date of buildout, or any phase thereof, of 5 years or more but less than 7 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 change request is for five years from the originally established buildout date, it is not a substantial deviation.

Consequently, it is our opinion that these proposed changes 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 it will 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, please give me or Fred Milch a call at 623-1075, extension 315.

Sincerely,



for Phil Laurien, AICP
Executive Director, ECFRPC

c: Brett W. Blackadar, Seminole County Public Works Department
James Stansbury, FDCA
Jon Weiss, FDOT
Joe DoBosh, Heathrow Land Company
Dana Boyte, CPH Engineers, In

**MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING & ZONING COMMISSION
NOVEMBER 1, 2006**

Members present: Ben Tucker, Beth Hattaway, Matt Brown, Jason Brodeur, and Dudley Bates

Members absent: Rob Wolf and Walt Eismann

Also present: Tina Williamson, Principal Coordinator; Michael Rumer, Senior Planner; Kathleen Furey-Tran, Assistant County Attorney; Ian Sikonia, Senior Planner; Sheryl Stolzenberg, Principal Coordinator; Brett Blackadar, Principal Engineer; Dr. Kelly Brock, Senior Engineer; Austin Watkins, Planner; and Candace Lindlaw-Hudson, Clerk to the Commission.

G. Heathrow PUD Major Amendment; Joe Dobosh/Heathrow Land Company Limited Partnership, applicant; 1,493.1± acres; Major Amendment to the Heathrow PUD Final Master Plan; located on the north side of Lake Mary Boulevard, approximately bounded by Markham Road, Markham Woods Road, Orange Boulevard and Heathrow International Parkway. (Z2006-57)

Commissioner Carey – District 5
Michael Rumer, Senior Planner

Michael Rumer stated that the applicant is requesting the relocation and redevelopment of the athletic tract amenities, including 12 tennis courts, a swimming pool and an athletic club to a site adjacent to the golf club tract; redevelopment of the athletic tract with 57 single family detached homes and the renaming of the tract as "4A." Also included is the addition of approved densities to Tract 14, Devon Green, with the addition of an additional 8 single family units there; also in Tract 29 the density credit will be removed to another tract. Also proposed is the possible relocation of the entrance to Barclay Place. Staff has no objections to the request.

Dana Boyd of CPH Engineers made a presentation on behalf of the applicant. The development was adopted in 1974. Today it has a variety of housing types, with a total of 1956 units built. The original approval included 4,325 residential units on 1,267 acres. Today there

are 1,493.2 acres and 3,480 approved units in Heathrow's neighborhoods. This is an increase in acreage and a decrease in approved units. There are 1,956 units built to date which leaves 1,524 units available to be built.

The changes requested will amend the country club (CC) tract, amend the athletic club (AC) tract and rename it to 4A, amend tract 14 (Devon Green) and to amend residential tract 29.

Ms. Boyd stated that 6 acres would be used in the County Club tract for the tennis courts, pool, and club house.

The Athletic Club tract which is 13.4 acres would be changed to Tract 4A, adding 57 single family lots, and having the Lake Mary entrance relocated further west. The 57 lots added to the 141 homes of Barclay Place which would be accessed by the new entrance and the entrance would be paid for by the developer and deeded over to the homeowners.

Devon Green, which is approved for 119 units, has 72 completed currently. The applicant proposes to build an additional 8 lots of estate type homes.

Lot 29 will have a diminished number of units overall.

Ms. Boyd stated that these proposals will not change the overall densities and acreage of Heathrow. The request will not change the concurrency or infrastructure of Heathrow.

Blaine Darrah spoke representing the Heathrow Master Board of the Heathrow Homeowners Association. He is the Government Affairs Committee Chairman. The Heathrow Master Board approves of the changes and the inclusion of the residential units within the community. The 57 homes will be the 29th neighborhood in Heathrow.

James Olsen, Esq. represented Barclay Place Homeowners. All of the owners own the amenities in their neighborhood. There is a Declaration of Easement agreement between the developer of Heathrow and the developer of what became Barclay Place which is a perpetual easement over that entrance and access. Mr. Olsen said that his clients are vehemently opposed to changing the easement. They will not give up the easement. Moving the entrance further west brings up the question of a deceleration lane and questions about I-4 access from Lake Mary Blvd.

Cindy Donlin has lived in Barclay Place for 10 years, and questioned how the project will impact the road.

Allan Schipper lives in Barclay Place. He asked why the access point wasn't addressed in the introduction. What about home owner rights?

Diane Farber said that more information is needed. What is Tract 29? Will homes be built there? What are estate homes? Will they be zero lot line homes similar to what is there now? Will they be compatible with the existing development?

Daniel Couloff is concerned about the redevelopment of the Athletic Club Tract. He is concerned about the fact that things are already happening in terms of this development. He is concerned about the trees and the presence of eagles, sand cranes, and the presence of wetlands.

Joe Debosh said that he would not ignore Barclay Place. They do not belong to Heathrow Association. His proposals will increase the value of properties. He showed pictures of the entrance to Barclay Place as it is now. He said that he would like to give them a new entrance. One does not need a deceleration lane from a four lane highway. The proposed new entrance will have a stacking lane of at least 10 cars and a turn-around at the gate. They will not be blocked from Lake Mary Blvd. to access I-4. Mr. Debosh said that he had met with County Traffic Engineers and found no objection.

The land used for the new entrance will be deeded to the Barclay Homeowners Association.

Mr. Debosh said that he made presentations to all of the Heathrow Boards. He will put back 6 trees for every one that is removed for the development. The current owner has pride in what will be done.

Commissioner Tucker asked for clarification on the questions posed by the speakers: what is Tract 29?

A speaker for Mr. DeBosh stated that it is the Kenwick neighborhood. There will be wildlife survey and a tree survey. Mr. DeBosh said that if the neighbors do not agree on the new entrance, he will leave it as it is.

Commissioner Brown asked how notices to area landowners were distributed.

Michael Rumer said that all legal requirements were met in notices sent and that the site was placarded. A 300-foot courtesy notice was sent, including the homeowners association.

Commissioner Brodeur noted that the job of the Commission was to make recommendations as to what would be the best use of the land. A project's legal issues or wildlife issues are addressed elsewhere.

Commissioner Brown noted that area golf courses are using streamlining techniques to make operations viable.

Commissioner Brodeur asked about the open space requirements.

Mr. Rumer said that the original documents gave an estimated 35% open space. Mr. Rumer said that there was no issue with the open space. The County requires 25% open space with PUDs.

Commissioner Brown made a motion to approve the request.

Commissioner Bates seconded the request.

Commissioner Tucker said that he cannot support this. The owners came in after the beginning. We have obligations to consider the existing homeowners. He will vote "no."

The vote was 4 – 1 in favor of the motion. Commissioner Tucker voted "no."