

RESOLUTION No. ~~21-183~~ 24-XXX

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, ADOPTING A RESTATED AND AMENDED DEVELOPMENT ORDER WITH CONDITIONS FOR A DEVELOPMENT OF REGIONAL IMPACT KNOWN AS RIVER RANCH, ON PROPERTY DESCRIBED HEREIN, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 380.06, FLOIRDA STATUTES; SETTING FORTH FINDINGS OF FACT, CONCLUSIONS OF LAW, AND CONDITIONS OF APPROVAL; PROVIDING FOR SUBSTANTIAL DEVIATIONS; PROVIDING FOR LOCAL MONITORING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Polk County (the "Board") is the governing body of the unit of local government having jurisdiction over the issuance and conditions of issuance of a development order, pursuant to Section 380.06 Florida Statutes; and

WHEREAS, CFI Westgate, successor in title of Outdoor Resorts, is the master developer ("developer") of the River Ranch Development of Regional Impact (the "River Ranch DRI"); and

WHEREAS, on ~~December 14, 2021, Bryon Smith, as the authorized representative of the developer, filed a Level 4 Review ("the application – LDDRI-2021-1), on July 19, 2023, Andrew McCown, as the authorized representative of the developer, filed a Level 4 Review ("the application – LDDRI-2023-3),~~ to amend the Development Order for the River Ranch DRI pursuant to Section 380.06, Florida Statutes; and

WHEREAS, the application (the application – LDDRI-2023-3) seeks to allow for a mixed-use land use On Map H (Land Use Master Plan) to replace the existing restaurant and retail building next to the marina with two mixed-use buildings on a 4.4-acre portion of the site known as the "project area", ~~(the application – LDDRI-2021-1) seeks to (i) provide for certain terms and conditions relating to a proposed safari community use in the River Ranch DRI, (ii) update the Map H to reflect the proposed safari use among other minor changes, and (iii) recognize the buildout date of the River Ranch DRI as being extended to January 16, 2027,~~ pursuant to notices that were timely filed with the County by the developer in accordance with Section 252.363, Florida Statutes; and

WHEREAS, the Development Order for the River Ranch DRI ("Development Order") was approved by the Board on July 16, 1991, and was subsequently amended by the Board on October 15, 1991, August 4, 1998, August 1, 2000, December 18, 2002, March 3, 2004, July 26, 2006, and again on December 14, 2021; and

WHEREAS, the Board of County Commissioners of Polk County has conducted a duly noticed public hearing to consider the application – ~~LDDRI-2021-1,~~ LDDRI-2023-3, and during the conduct of said hearing, solicited and evaluated comments, testimony and reports, both oral and written, from local, state and regional agencies and interested citizens concerned with the amendment of the River Ranch Development Order by Polk County; and

WHEREAS, the Board has determined that the proposed amendment to the Development Order is a non-substantial change and is not required to undergo additional development of regional impact review;

WHEREAS, the Board, after due consideration, hereby reaffirms the following Findings of Fact and Conclusions of Law contained in the Development Order, subject to the revisions shown below which are hereby adopted by the Board:

**Findings of Fact**

1. River Ranch, Inc. and River Utilities, Inc., both being Florida corporations (hereinafter referred to as the “Applicant”), submitted an Application for Development Approval entitled “River Ranch” (hereinafter referred to as the “Application”) to the Board, said Application being incorporated and made part of this Development Order by reference.
2. The real property which is the subject of the Application is legally described in the Application (and attached hereto as **Exhibit "A"**) and is located in Polk County, Florida. Generally, the resort is located on the eastern border of Polk County, Florida, three miles south of State Road 60 on the Kissimmee River.
3. The information and data contained in the Application were sufficient for the Board to perform the review required by Section 380.06, Florida Statutes.
4. A Development Agreement was entered into by and between Applicant, Polk County, Central Florida Regional Planning Council (CFRPC), and the Department of Community Affairs on the 11\* day of December, 1989, First Amendment dated April 26, 1990, and a Second Amendment on April 30, 1991, recorded on May 29, 1991 in official Records Book 2977 at page 104; and a Third Amendment on August 1, 2000 Board Resolution 00-68 and recorded in the public records of Polk County; and a Fourth Amendment on December 18, 2002, Board Resolution 02-79 and recorded on January 17, 2003 in Official Records Book 05235; and a Fifth Amendment, Board Resolution 04-35, recorded on March 24, 2004 in Official Records Book 05714 beginning at page 1432; a Sixth Amendment, recorded at Official Records Book 06917, Page 1782, Public Records of Polk County, Florida.
5. The Applicant proposed a mixed-use development to consist of 2,086 resort residential units, 300 wilderness camping spaces, 512 residential units, 7.57 acres of office/retail and other related ancillary recreational facilities. Buildout, at the time of the original approval, was proposed to take seven years.
6. The Application includes land use plans and maps illustrating the general distribution of land uses, major transportation routes, development phases, drainage plans, vegetative and soil associations, flood prone areas, and site topography.
7. The proposed development is not in an area designated as an Area of Critical State Concern pursuant to the provisions of Section 380.05 of the Florida Statutes.

8. The State of Florida has adopted a statewide comprehensive plan and a statewide land-development plan.
9. The Central Florida Regional Planning Council has adopted a regional policy plan.
10. The Board has adopted a Comprehensive Plan for Polk County pursuant to Section 163.3161 Florida Statutes.
11. A religious institution, which was constructed after the establishment of the River Ranch Saloon, is located at the northeast corner of River Ranch Boulevard and the entrance to the Trap and Skeet Range.
12. The Board approved the Development Order for the River Ranch DRI on July 16, 1991, following a public hearing on the issue and review of the evaluation and recommendation regarding the River Ranch project by the CFRPC.
13. The Board approved an amendment to the Development Order on October 15, 1991, that added a condition requiring the Applicant to set aside a 24-acre wildlife preservation area.
14. The Board approved a second amendment to the Development Order on August 4, 1998, which extended the buildout date of the River Ranch project by two (2) years.
15. The Board approved a third amendment to the Development Order on August 1, 2000, which extended the buildout date of the River Ranch project to August 5, 2005.
16. The Board approved a fourth amendment to the Development Order on December 18, 2002, which permitted the substitution of 75 site built cabins in lieu of 250 Recreation Vehicles.
17. The Applicant overstated the conversion of cabins in lieu of Recreational Vehicles analyzed in the fourth amendment to the Development Order by one hundred and seventy-five (175) RVs.
18. The Board approved a fifth amendment to the Development Order on March 3, 2004, which provided a Traffic Equivalency Table and revised Map H (River Ranch Master Plan). The fifth amendment to the Development Order is recorded at Official Records Book 05714, Page 1432, Public Records of Polk County, Florida.
19. The Board approved a sixth amendment to the Development Order on July 26, 2006, which extended the buildout date of the River Ranch project to August 11, 2011, and provided certain terms and conditions applicable to lock-off units. The sixth amendment to the Development Order is recorded at Official Records Book 06917, Page 1782, Public Records of Polk County, Florida.
20. The Board approved a seventh amendment to the Development Order on December 14, 2021, which (i) provided for certain terms and conditions relating to a proposed safari community use in the River Ranch DRI, (ii) updated the Map H to reflect the proposed safari use among other minor changes, and (iii) recognized the buildout date of the River Ranch DRI as being extended to January 16, 2027.

21. All development, existing and proposed residential is classified as Resort Residential. Such individual Resort Residential units are intended for residential occupancy, whether short-term, seasonal or time share.
22. A Recreational Vehicle (RV) Unit equals one and one-half(1/2) Resort Residential (RR) Units as based on the Institute of Traffic Engineers Trip Generation Manual, (6<sup>th</sup> Edition), and detailed in the Traffic Analysis of the fifth amendment to the Development Order (Exhibit B).
23. The intersection improvements to SR 60, as specified in the Conditions of Approval, of this Development Order have been completed by the Applicant.
24. Westgate Resorts LTD submitted a Level 4 Review application (~~LDDRI-2023-3~~~~LDDRI-2021-1~~, “the Application”) to amend the River Ranch DRI in accordance with Section 380.06(7) Florida Statutes to add a mixed-use category..
25. Florida Statutes Chapter 721.05 Subparagraph (41) defines Timeshare Unit.
26. On April 16, 2024, the Board convened the required public hearing to consider the application submitted to the County.

#### **Conclusions of Law**

1. The Board’s review of the original ADA and all subsequent amendments including the application ~~LDDRI-2023-3~~ ~~LDDRI-2021-1~~ has been conducted pursuant to and has complied with the provisions of Chapter 380 of the Florida Statutes.
2. The application (~~LDDRI-2023-3~~ ~~LDDRI-2021-1~~), as submitted, complies with the requirements of Section 380.06 of the Florida Statutes and all applicable chapters of the Florida Administrative Code.
3. The development, as proposed, is consistent with the State Land Development Plan and the State Comprehensive Plan.
4. The development, as proposed, is consistent with the CFRPC Regional Policy Plan.
5. The development, as proposed, is consistent with the Polk County Comprehensive Plan, concurrency requirements and local land development regulations.
6. All development activities described in the application (~~LDDRI-2023-3~~ ~~LDDRI-2021-1~~) shall be subject to the terms of this Development Order and shall not be subject to future development of Regional Impact review pursuant to Section 380.06 of the Florida Statutes.
7. The rights and obligations set forth in this Development Order shall inure to the benefit of and be binding upon the Applicant, any subsequent property owners affected by this Order and their successors, assignees and grantees.

8. The provisions of this Development Order shall not be construed as a waiver of exception to any applicable rule, regulation or ordinance of Polk County, and therefore, any further review and approval required by Polk County shall be subject to all such applicable rules, regulations, or ordinances in effect at the time of the review.
9. A Timeshare unit containing a lock-off provision shall only constitute one unit, unless, the Timeshare instrument provides that timeshare interests may be separately conveyed in the lock-off portion.

NOW THEREFORE, BE IT RESOLVED, by the Polk County Board of County Commissioners, in public meeting, duly constituted and assembled, that the application (LDDRI-2023-3 ~~LDDRI-2021-1~~) is hereby approved, and the Development Order is hereby amended as follows:

### **Conditions of Approval**

#### **A. Environmental and Natural Resources:**

1. The surface water management system and wetland mitigation, as proposed in the Application, shall be constructed in accordance with the applicable Water Management District Policies and Guidelines in effect at the time this Development Order is adopted. Under no circumstances shall post-development runoff rates exceed pre-development runoff rates. The permitted and constructed surface water management systems shall be operated and maintained in accordance with Water Management District permit conditions.
2. Xeriscape landscaping and water conservation landscaping techniques shall be used on the project site. Exotic species, such as Brazilian Pepper, shall be eliminated if found on-site.
3. For the purpose of potable water conservation, the DRI shall utilize low volume plumbing fixtures, self-closing and/or metered water faucets, and other water conserving devices.
4. Buffer areas of native upland vegetation with a minimum width of 25 feet wide shall be retained around all wetlands. Upland buffers between on-site wetlands, marshes, rivers and any type of development or land alteration shall be delineated with temporary construction fencing prior to construction to allow these areas to be maintained with existing native vegetation or be replanted with native, transitional zone or upland vegetation. Use of these buffers shall be limited to nature trails and other passive recreation. The use of pesticides, herbicides or fertilizers shall be prohibited in these buffers and the wetlands they protect.
5. Unavoidable losses of wetlands must be mitigated through creation of wetlands or restoration of wetlands in accordance with adopted rules and policies of the County and the District. Wetlands to be created shall be located contemporaneously with one or more major habitat areas to be preserved so as to provide a continuity or expansion of natural areas. Detention ponds, preservation of viable on-site wetlands, lakes or open water areas shall not be acceptable for wetland mitigation.

6. Where feasible, pervious surface pavement for parking areas shall be utilized to facilitate groundwater recharge and to reduce surface water runoff.
7. Treated wastewater shall be used for non-potable needs such as landscape irrigation when the development begins generating suitable quantities.
8. The design of the master drainage system shall maintain the existing natural hydroperiod of any wetlands which are incorporated into the overall drainage system. The applicant shall provide accurate documentation of the natural hydroperiods of the subject wetlands for approval by the CFRPC. All construction permit applications to the water management district shall be copied to the CFRPC.
9. No direct discharge from the storm water system wetlands shall be permitted. Any drainage outfalls from on-site retention/detention ponds which discharge into on-site wetlands shall be discharged directly into a marsh system created adjacent to existing wetlands. This created marsh area may be located within the buffer adjacent to on-site wetlands. The buffer area may be altered to accommodate the marsh creation area; however, such alteration shall not exceed 25% of the linear distance of the buffer. Storm water flows through the marsh system shall be regulated in a manner to maximize water quality improvement.
10. The Applicant shall provide a detailed wetland delineation, including identification of those to be impacted by the proposed project, for field staking and verification by the District staff. The Applicant shall also provide a detailed mitigation and monitoring plan which is consistent with the final wetland delineations and District criteria.
11. Prior to development of any golf course, the Applicant shall develop an integrated Chemical Management Plan (CMP) as a component of the golf course design process. The CMP shall be submitted to the water management district, CFRPC and Polk County for review. Following review, the CMP shall be subject to approval by the South Florida Water Management District (SFWMD) and CFRPC.

The CMP shall appropriately address the utilization of fertilizers, fungicides, herbicides, pesticides, insecticides, etc., including: application; storage and handling; cleaning procedures; quality control and assurance procedures; and golf monitoring of the adjacent wetland areas specifically related to bottom sediment sampling to determine any potential buildup of such chemicals shall be performed. The protocol for the monitoring program shall be a part of the CMP.

12. Any sandhill crane nests shall be protected by a buffer with a 300-foot radius between it and any landscaping or buildings. Suitable forage areas shall be protected. The existing nest area shall be checked at least once a week during the nesting season (January through April), and if evidence of nesting is found, the buffer area shall immediately be marked to warn people to remain out of the buffer zone until the nest area has been abandoned for that season.

13. The Applicant shall set aside a 24-acre wildlife preserve pursuant to pages 19-21 of the CFRPC's Evaluation and Recommendation Report. The Applicant shall amend the management plan, previously submitted, in a manner consistent with the comments provided by the Florida Game and Freshwater Fish Commission no later than December 31, 1991. The amended plan shall be re-submitted for review and final approval by the Florida Game and Freshwater Fish Commission by January 29, 1992. Following approval, the amended plan, with map, shall be incorporated into this development order by reference; and a certified copy shall be issued to the Florida Department of Community Affairs for their files. The wildlife preserve shall be managed according to the approved management plan. Any decrease to the wildlife preserve shall be considered a substantial deviation. (Amended 10/17/91 by BoCC and recorded at Official Records Book 3030, Page 0488, Public Records of Polk County, Florida.)
14. The Applicant shall protect any occurrence of burrowing owls on-site by the placement of warning signs near the burrow, and setting aside a protection area of approximately 20 feet in diameter during development of the project. Construction activities near active owl burrows shall be limited to times of year other than nesting months, which are February 1 through July 7, annually.
15. The Applicant shall negotiate in good faith to reach an agreement with the Avon Park Air Force Range (APAFR) for the posting of signs and making information available to guests of the military activity nearby. The agreement shall include a provision that the Range is to be responsible for the cost of purchasing/maintaining any signage and installation.

**B. Transportation:**

1. The developer shall provide the following improvements to the intersection of State Road 60 and River Ranch Boulevard.
  - a. Construct a westbound left-turn lane of adequate length to provide storage for several large-sized vehicles.
  - b. Lengthen the existing eastbound right-turn lane to accommodate the storage of large-sized vehicles.

The required improvements shall be constructed within eighteen (18) months of the adoption of the Development Order.

2. The developer shall monitor traffic volumes and turning movements at the intersection of State Road 60 and River Ranch Boulevard on an annual basis. The monitoring information shall be provided to the Florida Department of Transportation (FDOT) and the CFRPC with the required annual report.

Annual traffic monitoring shall continue until the intersection meets warrants for signalization or until buildout of the development occurs, whichever occurs first. If the intersection meets warrants for signalization during the monitoring period, the developer shall pay for the signalization.

**C. Annual Report:**

The developer shall submit an Annual Report utilizing the form required by the State. The Annual Report shall be submitted on or before the 15<sup>th</sup> day of May each year to Polk County, the CFRPC, the State Land Planning Agency and all affected permit agencies, including the FDOT, Florida Department of Environmental Regulation and the SFWMD. The form may be modified by the CFRPC at its discretion.

**D. Termination Date/Downzoning:**

1. This Development Order shall terminate on January 16, 2027.
2. Polk County shall not downzone/reduce the intensity of the property for five (5) years from the date of adoption of this Development Order.

**E. Recording Notice of Adoption:**

Notice of adoption of this Development Order shall be recorded by the developer in accordance with the provisions of Section 380.06 (15) (I) Florida Statutes and the Land Development Code within ten (10) days after its adoption.

**F. Substantial Deviation:**

Failure to comply with these conditions shall be determined to be a substantial deviation and thus initiate the DRI review process and potential shutdown of all development activities.

**G. Development Totals:**

River Ranch, as herein amended on ~~December 14, 2021~~ April 16, 2024, is a mixed use recreation and residential resort which consists of 1,836 recreational vehicle spaces, 300 wilderness camping spaces, 587 site-built residential units, 7.57 acres of office/retail space, and other related ancillary recreational and community facilities. The general location of these land units is depicted on the revised Map H ~~prepared by VHB~~ with a date of ~~September 9, 2021~~ July 19, 2023.

All units, whether existing or proposed, intended for residential occupancy are hereafter classified as Resort Residential Units. Such units may either be short-term or seasonal or time-share, and include the previously identified residential categories of development depicted as Recreational Vehicles, Cabins, Estate Homes Single Family Homes, and Multifamily Condominiums as shown on Map H, (Exhibit B).

All types of Resort Residential units as defined in this Development Order may be located within any area of the Project site intended for Resort Residential use as depicted on Map H. Any and all development shall be designed so that RV units shall not be intermixed with conventionally constructed Resort Residential Units within an individual pod, tract or area. This condition shall not prohibit any two or more such development pods, tracts or areas from being contiguous to one another or from sharing common entrances, access roads, security gates or other common facilities.

As provided above, certain recreational and community facilities are allowed in the River Ranch DRI consistent with this Development Order and the Land Development Code. ~~This~~ A prior amendment added the use for a safari community that is designed for general recreational and amusement purposes and is located generally in the area depicted as Safari on Map H.

H. The Breakdown of Resort Residential Units is depicted in the following table:

TABLE 1  
RESORT RESIDENTIAL UNIT BREAKDOWN

Category	PHASE A	PHASE B	TOTAL
RESORT RESIDENTIAL <sup>1</sup>			
Single Family or Estate	90	<sup>2</sup>	90 <sup>1</sup>
Multifamily	192	<sup>2</sup>	192 <sup>2</sup>
RV Units	486	<sup>2</sup>	486 <sup>2</sup>
All Other Resort Residential Units	0	2,130	2,130
Total Resort Residential	786	2,130	2,898
Office/Retail Space <sup>3 4</sup>	7.57 acres	n/a	7.57 acres

1 Resort Residential Units include previously built or approved RVs, Single Family or Estate, Multifamily, Cabins, Wilderness Campsites and like residential occupancy units.

2 Some or all of the Resort Residential Units may be of this dwelling type in Phase B.

3 Includes office, retail, and other ancillary recreational and community facilities.

4 Stand-alone single use or vertical mixed use with residential above.

BE IT FURTHER RESOLVED, by the Board of County Commissioners of Polk County, that:

1. All commitments and impact mitigating actions provided by the Applicant in the Application for Development Approval and supplemental documents that are not in conflict with conditions or stipulations specifically enumerated herein above, are hereby appended to this Development Order by reference.
2. The Polk County Community Services Director shall be the local official responsible for assuring compliance with this Development Order.
3. The terms and conditions of this Agreement shall expire in the event that development activities do not commence at the River Ranch site on or before August 6, 1994 and demonstrate regular progress.
4. The Applicant or its successors in title to the subject property shall submit the first required annual report in calendar year 1992.
5. Subsequent requests for development permits shall not require further review pursuant to Section 380.06 Florida Statutes, unless it is found by the Polk County Board of County Commissioners, after due notice and hearing, that an amendment is necessary per Section 380.06(7).

Upon finding that either of the above is present, the Polk County Board of County Commissioners shall order a termination of all development activity until such time as a new DRI Application for Development Approval has been submitted, reviewed, and approved in accordance with Section 380.06 Florida Statutes.

6. The approval granted by this Development Order is limited. Such approval shall not be construed to obligate the duty of the Applicant to comply with all other applicable local or state land-use and permitting procedures.
7. A lock off unit shall not, in and of itself, be counted as a unit for purposes of density provided that the Applicant shall record covenants, running with the land, which shall inure to the benefit of Polk County and be binding upon CFI Westgate, its successors, and assigns, which prevent and prohibit the sale of a timeshare interest in the lock-off unit. The Applicant shall comply with this condition of approval within sixty (60) days of the recording of this Development Order.

**DULY PASSED AND ADOPTED this 16th day of April, 2024. ~~14<sup>th</sup> day of December, 2021.~~**

\_\_\_\_\_  
\_\_\_\_\_, Chairman  
Polk County Board of Commissioners

ATTEST: Stacy M. Butterfield; Clerk

By: \_\_\_\_\_  
Deputy Clerk

EXHIBIT A

LEGAL DESCRIPTION

PARCEL I

All of RIVER RANCH SHORES, UNIT ONE (now vacated), as recorded in Plat Book 48, Pages 26 thru 48, of the Public Records of Polk County, Florida, LESS AND EXCEPT, Tracts D, E, F, K, R, S, S-1, Lots 5 thru 69 of Block 55, all of Blocks 56, 57, 58, 59, 60, 61, 62, and 63, of said RIVER RANCH SHORES, UNIT ONE (now vacated), LESS Rights-of-Way maintained by Polk County specifically described as follows: River Ranch Boulevard from State Road 60 to its intersection with River Ranch Drive; all of Oakmont Drive from River Ranch Boulevard to Sunfish Drive, all of Dallas Circle, Phoenix Circle, Tucson Circle, Houston Circle, Columbia Circle, and Newport Circle, all of Riviera Drive, and all of Canterbury Drive, as shown on said Map of RIVER RANCH SHORES, UNIT ONE (now vacated), and LESS that part of Lot 18, Block 15, of RIVER RANCH SHORES, UNIT ONE (now vacated), described in Official Records Book 1383, Pages 1066 thru 1068, of said Public Records. Tract BK of RIVER RANCH SHORES, UNIT FOUR (now vacated), as recorded in Plat Book 50, pages 3 thru 27, of the Public Records of Polk County, Florida, together with drainage Easements set forth in Official Records Book 2296, at pages 1438 and 1444, of said Public Records. Said Parcels of land are subject to Easements of record and of use for ingress and egress, underground pipelines, power lines, telephone and cable television facilities.

AND

All that PART of the East one-half (1/2) of the Northeast One-Quarter (1/4) of Section 9, Township 31 South, Range 31 East, lying and being in Polk County, Florida

AND

PARCEL II

1. Tracts AJ, AL, AN, AO, AK, BH, BJ, BL, CD, CE, CF, AND CC according to the plat of River Ranch Shores Subdivision, Unit 4, in Plat Book 50 at pages 15 through 27;
2. Tracts AL, AJ, AN, AP, AO, according to the plat of River Ranch Shores Subdivision, Unit 5, in Plat Book 51, at pages 15, 16, and 17;
3. Tracts K, F, D, E, S-1, S, R, according to the plat of River Ranch Shores Subdivision, Unit 1, in Plat Book 48, at pages 32, 33, 37, 44, and 46.

All among the Public Records of Polk County, Florida.

4. The River Ranch Hotel and Recreational Resort more particularly described as:

Begin 239.31 feet East and 659.87 feet North of the South quarter Section corner of Section 23, Township 31 South, Range 31 East, Polk County, Florida, and run N 37° 36' 12" W, parallel with and 50 feet distant from the East boundary of River Ranch Shores - Unit One (as recorded in Plat Book 48, pages 26 thru 48, of the Public Records of Polk County, Florida); 1594.51 feet; thence N 77° 18' 48" E, 1309.37 feet; thence S 21° 56' 23" E, 588.47 feet; thence S 34° 53' 15" E, 476.79 feet, to a point on the northerly boundary of River Ranch Shores - Unit Two (as recorded in Plat Book 49, Pages 1 thru 21, of the Public Records of Polk County, Florida); thence run along the Northerly boundary of said River Ranch Shores - Unit Two the following courses and distances: S 37° 36' 12" E, 316.11 feet; thence N 49° 00' 00" E, 1049.16 feet; thence N 69° 21' 12" E, 217.83 feet; thence S 41° 00' 00" E, 484.24 feet; thence N 49° 00' 00" E 132.01 feet to the West boundary of Section 24, Township 31 South, Range 31 East; thence continue N 49° 00' 00" E 274.55 feet, to the West boundary of River Ranch Shores - Unit Five (as recorded in Plat Book 51, pages 8 thru 48, of the Public Records of Polk County, Florida); thence run along the Westerly boundary of said River Ranch Shores - Unit Five the following courses and distances: N 22° 52' 55" W, 541.88 feet, to the West boundary of said Section 24; thence continue N 22° 52' 55" W, 775.58 feet; thence N 50° 00' 00" W, 1248.92 feet; thence N 26° 00' 00" E, 531.39 feet; thence N 60° 00' 00" W, 880 feet; thence Northwesterly on the arc of a curve to the right (radius 800 feet, central angle 35° 55' 30") 501.61 feet, to a point on the South boundary of River Ranch Shores - Unit Four, (as recorded in Plat Book 50, Pages 3 thru 27, of the Public Records of Polk County, Florida); thence run along the Southerly boundary of said River Ranch Shores - Unit Four the following courses and distances: S 24° 04' 30" E, 950 feet; thence S 65° 55' 30" W, 990 feet; thence S 24° 04' 30" E, 150 feet; thence S 65° 55' 30" W, 560 feet, to a point of curve; thence Northwesterly on the arc of a curve to the right (radius 1480.00 feet, central angle 68° 47' 34") 1776.98 feet

to a point of tangent; thence N 45° 16' 56" W, 229.05 feet to a point on the East boundary of said River Ranch Shores - Unit One; thence S 37° 36' 12" E, along said East boundary, 4020.33 feet to the North boundary of said River Ranch Shores - Unit Two; thence N 52° 23' 48" E, along said boundary 50 feet to the point of beginning. Said parcel of land contains 170.365 acres, more or less.

5. Sewage Treatment Plant more particularly described as follows:

Begin 239.31 feet East and 659.87 feet North of the South 1/4 corner of Section 23, Township 31 South, Range 31 East, Polk County, Florida, and run N 37° 36' 12" W, along the Northeasterly proposed right of way line of River Ranch Boulevard 1594.51 feet to a point; thence run N 77° 18' 48" E, 1309.37 feet; thence S 21° 56' 23" E, 588.47 feet; thence S 34° 53' 15" E, 476.79 feet to a Permanent Reference Monument; thence S 52° 23' 48" W, along the Northerly boundary of River Ranch Shores - Unit Two as recorded in Plat Book 49, page 6, of the Public Records of Polk County, Florida, 1006.00 feet to another Permanent Reference Monument and the point of beginning, containing 33.055 acres, more or less.

ALSO an Easement 10 feet wide for a force main with its centerline described as follows:

Commence at the South 1/4 Section corner of Section 23, Township 31 South, Range 31 East, Polk County, Florida, and run East 239.31 feet; North 659.87 feet; N 37° 36' 12" W, 1594.51 feet; N 77° 18' 48" E, 1148.60 feet to the point of beginning; From the point of beginning run N 16° 48' 32" W, 508.00 feet; thence N 61° 35' 28" E, 232.00 feet; thence N 28° 24' 32" W, 25.00 feet to the point of termination for said centerline.

ALSO an Easement 30 feet wide for a Water Main and Access Road Easement with its centerline described as follows:

Commence at the Northwesterly corner of the above-described land and run N 77° 18' 48" E, along its Northern boundary, 710.16 feet to the point of beginning of said centerline; thence run N 21° 38' 45" E, 363 feet to the Water Tank Site and the point of termination for said centerline.

ALSO an Easement 20 feet wide for Drainage with its centerline described as follows:

Commence at the Northeasterly corner of the above-described land and run S 21° 56' 23" E, along its Easterly boundary, 185 feet to the point of beginning of said centerline; thence run N 68° 03' 37" E, 50 feet to an existing Drainage Canal and the point of termination for this centerline.

Water Tank Site, Water Pumping Station, Road and Water Main Easement more particularly described as follows:

PARCEL 1 WATER TANK SITE:

Commence at a Permanent Reference Monument which lies 239.31 feet East and 659.87 feet North of the South 1/4 corner of Section 23, Township 31 South, Range 31 East, Polk County, Florida, and run N 37° 36' 12" W, along the Northeasterly proposed right-of-way line of River Ranch Boulevard, 1594.51 feet to a concrete monument; thence run N 77° 18' 48" E, 1215.10 feet; thence N 22° 55' 02" W, 331.72 feet to the point of beginning; From the point of beginning continue N 22° 55' 02" W, 190.00 feet; thence S 67° 04' 58" W, 253.00 feet; thence S 22° 55' 02" E, 163 feet; thence S 68° 59' 50" E, 216.96 feet; thence N 22° 04' 58" E, 110.00 feet, thence Northeasterly along the arc of a curve to the left (radius 64.65 feet, central angle 45° 00' 00") 50.78 feet to the point of beginning.

PARCEL 2 PUMPING STATION SITE:

Commence at a Permanent Reference Monument which lies 239.31 feet East and 659.87 feet North of the South 1/4 corner of Section 23, Township 31 South, Range 31 East, Polk County, Florida, and run N 37° 36' 12" W along the Northeasterly proposed right-of-way line of River Ranch Boulevard, 1594.51 feet to a concrete monument; thence run N 77° 18' 48" E, 1215.10 feet; thence N 22° 55' 02" W, 521.72 feet; thence run N 67° 04' 58" E, 190.00 feet to the point of beginning; From the point of beginning, continue N 67° 04' 58" E, 80.00 feet, thence run N 22° 55' 02" W, 85.30 feet; thence S 67° 04' 58" W, 80.00 feet, thence S 22° 55' 02" E, 85.00 feet to the point of beginning.

ROAD EASEMENT:

All lands lying within 25 feet right and left of the following described centerline: Commence at a Permanent Reference Monument which lies 239.31 feet East and 659.87 feet North of the South 1/4 corner of Section 23, Township 31 South, Range 31 East, Polk County, Florida, and run N 37° 36' 12" W, along the Northeasterly proposed right-of-way line of River Ranch Boulevard, 1594.51 feet to a concrete monument; thence run N 77° 18' 48" E, 1215.10 feet; thence N 22° 55' 02" W, 496.72 feet to the point of beginning; From the point of beginning, run N 67° 04' 58" E, 270.00 feet to the point of termination for said centerline on the Westerly boundary of an existing road.

WATER MAIN EASEMENT:

An Easement 15 feet wide for a Water Main with its centerline described as follows: Commence at the Northeasterly corner of the above-described Parcel 1 and run S 67° 04' 58" W, along its Northerly boundary, 150.5 feet to the point of beginning; thence N 23° 13' 24" W, 218.23 feet; thence S 78° 01' 23" W, 172.10 feet; thence S 62° 42' 54" W, 161.33 feet; thence S 68° 56' 05" W, 254.07 feet; thence N 23° 48' 25" W, 683.03 feet to a point which lies 10 feet South of the Southerly boundary of River Ranch Drive and the point of termination for this centerline; thence an Easement 20 feet wide along the Southerly boundary of River Ranch Drive in a Northwesterly direction to its intersection with River Ranch Boulevard.

7. Inland in Kissimmee River lying West of Canal C-30 and East of bed of Old Kissimmee River more particularly described as:

All those portions of Section 14, 23, and 24, Township 31 South, Range 31 East, Polk County, Florida lying west of Canal C-30 and East of the Old Kissimmee River containing 5,500 acres, more or less.

8. A parcel of land on State Road 60 at intersection with River Ranch Boulevard, more particularly described as follows and containing 3.67 acres, more or less, to wit:

All that part of Section 10, Township 31 South, Range 31 East, Polk County, Florida, more particularly described as follows: Commence at the Northwest corner of said Section 10 and run S 0° 22' 36" E, 43.79 feet to the South boundary of State Road 60; thence S 89° 41' 09" E, along said boundary, 150.31 feet to the point of beginning. From the point of beginning, continue S 89° 41' 09" E, 374.30 feet; thence S 0° 22' 36" E, 400 feet; thence N 89° 41' 09" W, 400 feet to the East boundary of River Ranch Shores, Unit One, as recorded in Plat Book 48, Pages 25 thru 48 of the Public Records of Polk County, Florida; thence N 0° 22' 36" W along the East boundary of said subdivision 374.30 feet to a point of curve; thence Northeasterly on the arc of a curve to the right (radius 25 feet, central angle 90° 41' 27") 39.57 feet to the point of beginning.

**LESS AND EXCEPT:**

**A. NON-EXCLUSIVE EASEMENTS RESERVED IN EVENT OF VACATION OF PLATS OF RIVER RANCH SHORES**

Shore Drive from the center of Harbor Drive West of River Ranch Boulevard as described in River Ranch Shores Subdivision, Unit One, Plat Book 48, page 26, et seq.

Waterway (Tract AN) from the center of Shore Drive to the Old Kissimmee River, River Ranch Shores Units 5, Plat Book 51, page 16.

That portion of River Ranch Boulevard running Southwardly from its intersection with River Ranch Drive to the Southwesterly corner of River Ranch Resort as described in metes and bounds and designated as Item No. 4 in Exhibit A hereof.

Tracts AE and AN together being the "S" shaped parcel running Easterly from River Ranch Boulevard to a point, such point being at the intersection with the Northerly projection of the East line of Tract AK, Plat Book 50, page 10.

That portion of land between Tract R and Tract S occupied by Oakmont Drive, River Ranch Shores Unit One, Plat Book 48, page 46.

All that part of Sunfish Drive lying to the South and adjacent to Tract D, Plat Book 48, page 46, and

**B. LESS AND EXCEPT all of LONG HAMMOCK RECREATIONAL VEHICLE SUBDIVISION according to map or plat thereof recorded in Plat Book 73, Page 21, of the Public Records of Polk County, Florida; and LESS AND EXCEPT all of OUTDOOR RESORTS RIVER RANCH INN AND COTTAGES, a Condominium according to Declaration of Condominium recorded in Official Records Book 2527, Page 2147, Public Records of Polk County, Florida**

**AND**

**EXHIBIT B**

River Ranch Resort  
**TRIP INTERCHANGE MATRICIES (BASED ON ITE TRIP GENERATION 6TH EDITION)**  
 Daily Trip Matrix

Trips Generated By	ITE Code 6th Ed.	Resort Residential (DU)	RV Site (Occupied)	ITE Daily Trip Rate
1 Resort Residential <sup>1</sup>	260		0.667	3.160
1 Recreational Vehicle <sup>2</sup>	416	1.500		4.740

PM Peak Hour Trip Matrix

Trips Generated By	ITE Code 6th Ed.	Resort Residential (DU)	RV Site (Occupied)	ITE PM Peak Hour Trip Rate
1 Resort Residential <sup>1</sup>	260		0.667	0.260
1 Recreational Vehicle	416	1.500		0.390

DU = Dwelling Units

Source: ITE "Trip Generation Manual," 6th Edition

Notes: (1) Resort Residential includes, Single Family, Multi-family, Estate Residential RVs and Timeshare

(2) Daily Rate based on ratio of Resort Residential Daily trip rate to PM Peak Hour trip rate

**EHHIBIT C**

**This is the new Map H**

