POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date: January 23, 2014 LEVEL: 3

PC Date: April 2, 2014 TYPE: Planned Development

BOCC Date: N/A CASE #: PD 14-03

Project Number: 56864 (Winslow Estates)

Request: The request is for a 275 unit single-family subdivision with short-

term rental status.

Applicant: Hanover Capital Partners, LLC

Mark E. Wilson, Kimley-Horn and Associates, Inc.

Property Owner: Platinum Highway 27 Orlando, Inc.

Location: North of Interstate 4, on the west side of U.S. Highway 27,

approximately 0.5 miles north of Deen Still Road, in Section 36,

Township 25, and Range 26.

Size: $85.4 \pm acres$

Land Use Designation: Residential Low-1X (RL-1X), North US 27 Selected Area Plan,

Ridge Special Protection Area of the Green Swamp Area of

Critical State Concern

Development Area: Transit Supportive Development Area (TSDA)

Case Planner: Todd Vargo, AICP

Summary of Analysis:

This site was originally approved by the Planning Commission as a 272 unit short-term rental single-family subdivision in December of 2004 (PD 04-35). However, the developer never began construction and the approval of the development plans expired. The current request (PD 14-03) increases the overall unit count slightly to 275 and keeps the general layout and site characteristics consistent with the previously approved site plans for PD 04-35.

The property is within several areas of the Transit Supportive Development Area (see Table 1). The acreage of the subject site for each sub-area and the suggested minimum and maximum densities for the Residential Low Future Land Use district can be found in the table below, which is taken from Table 2.104.1 of the Polk County Comprehensive Plan:

Table 1

| TSDA Area or Future Land Use District | Minimum Density | Maximum Density | Acreage | Maximum Number of Dwelling Units |
|--|--------------------|--------------------|------------|----------------------------------|
| Transit Supportive | 3 d.u./acre | 7 d.u./acre | 19 acres | 133 |
| Development Area | | | | |
| Transit Corridor | 4 d.u./acre | 10 d.u./acre | 2.5 acres | 25 |
| Transit Center | 6 d.u./acre | 12 d.u./acre | 15.3 acres | 183 |
| Transit Center within a | 8 d.u./acre | 15 d.u./acre | 34.4 acres | 516 |
| Transit Corridor | | | | |
| CORE Future Land Use | 1 d.u./20 acres | 1 d.u./ 20 acres | 14.2 acres | 0 |
| Total | | | | 857 |

The proposed net density (minus areas with a Future Land Use designation of CORE-X) of 4 dwelling units per acre is consistent with the Comprehensive Plan and Land Development Code policies, which allow between 0-15 units per acre. The proposed plan illustrates 32% open space, in excess of the 30% required for projects in the Green Swamp Area of Critical State Concern.

The proposed planned development is not anticipated to have an adverse impact upon the demand for services within this area. The site is located within the Northeast Regional Utility Service Area which has sufficient capacity to serve the project, U.S. Highway 27 is currently under construction to widen the highway to increase capacity, and adequate public safety services (such as Fire, EMS, and Polk County Sheriff) are available to serve this site. Also, the North Ridge Trail, which is a two lane collector road with bicycle and pedestrian pathways planned for this area, will provide a viable alternative to keep north- and southbound traffic off of U.S. Highway 27.

This case is located within the TSDA. The applicant for this case intends to construct lower densities than those allowed by the TSDA in the current land use. The Selected Area Plans in the northeast were adopted in the 1990s (North US 27, and Ronald Reagan Parkway) and in 2001 (North Ridge). The TSDA was created in 2010 along with the Transit Corridors and Centers Overlay (TCCO), where densities and intensities approved through an administrative review include the construction of transit oriented design and appropriate public transportation levels. The TSDA and the TCCO encourage mixed use development to support bus routes with more than an hour headway, bus rapid transit, and the extension of Sunrail.

Findings of Fact

1. The request is for a Planned Development (PD) for a 275-lot single family subdivision with short-term rental use. The subject site is approximately 85.4 acres in size and is within the Residential Low-IX and CORE Future Land Use districts within the North US 27 Selected Area Plan (SAP) and the Ridge Special Protection Area (SPA) of the Green Swamp Area of Critical State Concern. Planned Developments are Level 3 Conditional Uses in the North US 27 SAP, according to Table 4.8 of the Polk County Land Development Code (LDC).

- 2. The subject site is also within the Transit Supportive Development Area (TSDA). Portions of the site are within the "Transit Corridor," "Transit Center," and "Transit Corridor within a Transit Center" sub-areas of the TSDA.
- 3. The proposed development consists of 275 lots on 85.4 acres, only 68.7 acres of which are in the Residential Low-1X Future Land Use designation which equates to an overall density of 4 dwelling units per acre. The TSDA allows a density between three (3) and fifteen (15) units per acre within the Residential Low Future Land Use district per Table 2.104.1 of the Polk County Comprehensive Plan, depending on which sub-category of the TSDA the project falls within.
- 4. The Ridge SPA requires residential developments with densities up to 4 units per acre to set aside 30% open space. The site plan conserves 32% open space.
- 5. The applicant proposes the following setbacks: 15' from the right-of-way (10' from the right-of-way on the exterior side for double frontage lots only), 15' from the rear, and 5' from the interior side.
- 6. The site is located on the west side of U.S. Highway 27, approximately 1,800 feet north of Deen Still Road. The surrounding property is either wooded or has been developed with single-family homes or warehouses.
- 7. U.S. Highway 27 (Link 5112) between CR 54 (Ronald Reagan Parkway) and Sand Mine Road will be the impacted link for this development. U.S. Highway 27 is classified as a Principal Arterial roadway and is currently operating at a Level of Service (LOS) of "A" with an adopted LOS of "D" in the northbound direction. In the southbound direction, U.S. Highway 27 is currently operating at a LOS of "B" with an adopted LOS of "D." U.S. Highway 27 has 2,532 PM Peak hour trips available in the northbound direction and has 2,253 PM Peak hour trips available southbound.
- 8. The proposed subdivision would add 2,148 Average Annual Daily Trips (AADT) and 278 PM Peak Hour trips to the existing roadway network.
- 9. The subject site is in the Polk County Northeast Regional Service Area. The development of 275 single-family residential units would require 99,000 gallons per day of potable water and generate 74,250 gallons per day of wastewater.
- 10. According to the most recent Utilities Capacity Summary Report dated December 31, 2012, the Northeast Regional Service Area has 1,070,000 gallons per day of uncommitted potable water capacity and no current wastewater capacity. However, another 3 million gallons per day (mgd) of capacity are under construction. If the level of "firm commitments" for wastewater use remain steady, when construction is finished there would be approximately 2.4 mgd of capacity to serve future developments, including Winslow Estates.
- 11. The nearest county park is the Northeast Regional Park located at 50901 U.S. Highway 27, approximately 4.3 miles away. The site plan also shows 2 park areas internal to the subdivision for the use of residents. These internal parks are approximately 3.2 acres in size.

- 12: The portion of the site which will be developed is comprised of Candler Sand/0 to 5 percent slopes, Tavares Sand/0 to 5 percent slopes, and Adamsville Fine Sand. These sands have slight to moderate limitations on the development of dwellings without basements. Other soil types found on that portion of the site which will not be developed (west of the North Ridge Trail right-of-way) are Basinger Mucky Fine Sand/Depressional, Hontoon Muck, and Ona Fine Sand.
- 13. The site is not located within a one-mile radius of an endangered plant or animal habitat, according to the Florida Natural Areas Inventory of 2011.
- 14. There are no water bodies on the property. There are no wetlands or floodplains either.
- 15. The site is not within an airport buffer zone.
- 16. Fire response to this project is from Fire Station 210 located at 6525 Ronald Reagan Parkway. The travel distance is approximately 0.8 miles and response times should average 2 minutes. Ambulance response to this project is from Polk County Fire Station 220 located at 126 Cottonwood Drive in Davenport. The travel distance is 4.6 miles and response times should average 8 minutes. The nearest Sheriff facility is the Northeast District Command Center located at Dunson Road and North U.S. Highway 27. The travel distance is approximately 1.5 miles.

Development Review Committee Recommendation: Based upon the findings of fact, the information provided by the applicant, and a recent site visit, the Development Review Committee finds that the proposed request IS COMPATIBLE with the surrounding land uses and general character of the area and IS CONSISTENT with the Polk County Comprehensive Plan and Polk County Land Development Code and recommends APPROVAL of PD 14-03 with the following conditions:

On April 2, 2014, in an advertised public hearing, the Planning Commission voted 7:0 to APPROVE PD 14-03 with the following conditions:

- 1. This Planned Development shall not exceed 275 single-family short-term rental units. Building setbacks shall be as follows: 15 feet from rights-of-way except corner lots are allowed 10 feet for the non-garage entrance secondary right-of-way setback; 5 foot side yard setbacks; and, 15 foot rear yard setbacks. Accessory structures are allowed 5 foot side and rear setbacks. [PLG]
- 2. At a minimum, the developer shall install four foot wide sidewalks on both sides of all interior roads of the development. These sidewalks shall extend, and connect, to sidewalks along the North Ridge Trail. [PLG]
- 3. The applicant shall submit a revised binding site plan reflecting all conditions of approval herein prior to Level 2 Review approvals. [PLG]
- 4. The 1 acre park shall be constructed prior to the issuance of the Certificate of Occupancy for the 110th unit. The 2.2 acre park shall be constructed prior to the issuance of the Certificate of Occupancy for the 200th unit. [PLG]

- 5. All open space, retention, and other common areas provided within this subdivision shall be placed in a tract and deeded or dedicated to the homeowner's association or a similar responsible entity. This shall be noted on the plat. [PLG]
- 6. All landscaping shall consist entirely of Florida-native species. [PLG]
- 7. A path to the isolated gazebo shall be provided between lots 26 and 27. [PLG]
- 8. Prior to Level 2 Review approval, the applicant shall provide certification from a registered professional engineer that adequate water pressure and capacity exist to maintain fire flow as determined by the Polk County Fire Marshal. [FM]

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested parties at a public hearing.

NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with LDC Section 930 D.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

Surrounding Land Use Designations and Current Land Use Activity:

Table 2

| Northwest: | North: | Northeast: |
|-------------------|-----------------------------------|-----------------------------------|
| CORE; | RL-4X; | RL-1X; |
| undeveloped land. | Tuscan Ridge | Planted pines |
| * | (single-family dwellings approved | _ |
| | for short term rentals) | |
| West: | Subject Property: | East: |
| CORE; | RL-1X; | RL-1X; |
| undeveloped land. | undeveloped land | undeveloped land |
| Southwest: | South: | Southeast: |
| CORE; | BPC-1X, RACX, CORE; | RACX; |
| undeveloped land. | warehouses | undeveloped land, commercial stri |
| • | | center |

Compatibility with the Surrounding Land Uses:

While the US 27 SAP attempted to accommodate an anticipated high level of urbanization over a twenty year period with expanded density ranges across multiple land use districts, most of the land has developed with moderate densities such as single-family detached subdivisions and mobile home parks around four units per acre. Development surrounding this project site primarily consists of single-family short-term rental subdivisions at around four units per acre with non-residential uses (warehousing) along Deen Still Road.

Nearest Elementary, Middle, and High School

Table 3

| Name of School | Approximate Distance From Subject Site | Existing % Capacity |
|-----------------------------|--|---------------------|
| Loughman Oaks Elementary | 9 ± miles | 90 % |
| Lake Alfred-Addair Middle | $15 \pm \text{miles}$ | 79 % |
| Ridge Community Senior High | 10 ± miles | 98 % |
| Tenoroc High School | 24 ± miles | 61% |

Source: Polk County School Board

While the proposed development is requesting short-term rental status, the School Board has reported that these developments still generate school children. Currently there is capacity available at all the schools when re-locatable classrooms are included, although the School Board indicated that Loughman Oaks Elementary has generated some capacity concerns and has become increasingly reliant upon portable classrooms to supplement its available capacity (currently portables constitute 28% of the available capacity at this elementary school). Actual capacity and anticipated impacts will be evaluated during the Level 2 Review process to ensure that school concurrency is met.

Nearest Sheriff, Fire, and EMS Station

While the site is located within close proximity to the necessary emergency services, the Fire Marshal has stated that the developer will be required to provide water for fire protection, which meets the requirements for water pressure and flow by the Polk County Fire Marshal. At a minimum, the developer will be required to provide fire hydrants that flow a minimum of 1000 gallons-per-minute within 500 feet of all structures.

Table 4

| | Name of Station | Response Time | Approximate Distance |
|---------|-------------------------------------|----------------|----------------------|
| Sheriff | Northeast District Command Center | varies by call | 7 ± miles |
| Fire | Davenport (6525 Ronald Reagan Pkwy) | 5 ± minutes | 2 ± miles |
| EMS | Davenport (50945 US Hwy 27) | 8 ± minutes | 5 ± miles |

Water and Sewer Capacity and Service Provider:

The subject site is within a Transit Supportive Development Area (TSDA). The TSDA requires connection to centralized water and sewer systems. This development is within the Polk County Northeast Utility Service Area, where sufficient capacity for potable water exists to serve the proposed development. There are no improvements to the water system planned for the immediate area; however, the wastewater treatment facility is undergoing an expansion for an additional 3.0 million gallons per day of capacity.

Table 5

| Proposed Site | Estimated Impact Analysis (Residential / Commercial) | | | | | | |
|--|--|------------------------------|-------------------------|--|--|--|--|
| $\frac{85.4 \pm A cres @}{\text{(see Table 1)}}$ | (Existing Land Use Designation) | (Maximum Density / usage) | (Proposed Site Plan) | | | | |
| Permitted Density/ Maximum # | 857 multi-family units | 857 multi-family units | 275 single-family units | | | | |
| | | | | | | | |
| of Lots | (See Table 1) | (See Table 1) | | | | | |
| of Lots Potable Water Consumption | (See Table 1) 169,686 GPD | (See Table 1) 169,686 GPD | 99,000 GPD | | | | |

Source: Polk County Concurrency Manual. Potable Water rate for multi-family development is 198 GPD per unit; and the wastewater rate is 180 GPD per unit.

Potable Water rate for single-family development is 360 GPD per unit; and the wastewater rate is 270 GPD per unit.

Roadways/Transportation Network:

The proposed development site fronts the right-of-way of U.S. Highway 27 and contains right-of-way for the proposed North Ridge Trail collector road. Tables 6 and 7, below, illustrate that available capacity exists on U.S. Highway 27 to support the proposed development without creating an LOS deficiency on this link. The North Ridge Trail, when constructed, will travel through the western portion of this subdivision.

A. Capacity:

U.S. Highway 27 is the primary roadway tracked by the County for concurrency that will be impacted by the development of this site. Sufficient capacity exists to support the proposed 275 unit development.

Table 6

| Link# | Direction | Road Name | Current LOS | Available Capacity* | Minimum LOS Standard |
|-------|-----------|---|----------------|------------------------|-------------------------|
| 5112 | N | U.S. Highway 27 from Sand Mine Road to CR 54 (Ronald Reagan Parkway) | A | 2,532 | D |
| 5112 | S | U.S. Highway 27 from Sand Mine Road to CR 54 (Ronald Reagan Parkway) | В | 2,253 | D |

^{*} PM/Peak Hour Capacity

Source: Polk Transportation Planning Organization Concurrency Network Database

B. Roadway Conditions:

U.S. Highway 27 is a four-lane principal arterial roadway. The road is currently operating within the adopted level-of-service. The additional trips are not anticipated to adversely impact this link, however, a major traffic study, including an evaluation of mass transit, will be required during the Level 2 Review approval and should identify any deficiencies in the roadway network. In addition, the applicant will be required to obtain approval through the Florida Department of Transportation (FDOT).

Table 7

| Proposed Site | Estimated Impact Analysis (Residential / Commercial) | | | | | | |
|---|--|---|-------------------------|--|--|--|--|
| $\frac{85.4 \pm A \text{ cres } @}{\text{(see Table 1)}}$ | (Existing Land Use Designation) | (Maximum Density / usage) | (Proposed Site Plan) | | | | |
| Permitted Density/ Maximum # of Lots | 857 multi-family units (See Table 1) | 857 multi-family units (See Table 1) | 275 single-family units | | | | |
| Average Annual Daily Trips (AADT) | 5,520 AADT | 5,520 AADT | 2,148 AADT | | | | |
| PM/Peak Hour Trips | 532 PM/Peak | 532 PM/Peak | 278 PM/Peak | | | | |

Source: Polk County Concurrency Manual and Polk TPO: Single-family rates of 7.81 AADT and 1.01 PM Peak trips per unit. Apartment rates of 6.44 AADT and 0.62 PM Peak trips per unit

C. Planned Improvements:

The following table lists the projects currently funded in the CIP and the Transportation Planning Organization's (TPO) current work program.

Table 8

| Road Fiscal Year CIP (Construction) | | Project Description |
|-------------------------------------|-----------|---|
| North Ridge Trail | | Construct a new 2 lane road from Sand Mine Road (at Highlands Reserve Subdivision near Berry Town Center) to Deen Still Road (approx. 4.1 miles). New roadway is intended to separate local residential traffic from regional (truck) thru-traffic to help maintain an acceptable level of service on US 27. As an alternate route for local traffic, new roadway will enhance safety. Cross connections to the east side of US 27 already exist at several adjoining subdivisions. Linear park concept of aesthetic enhancements (roundabouts, sidewalks, recreational path, stamped concrete, ornamental lighting, and irrigated landscaping) included in design. Posted speed to be 30 MPH on mainline and lowered to 20 MPH at medians and 15 MPH at traffic circles (roundabouts). |
| U.S. Highway 27 | 2012-2020 | Widen from four to six lanes |

The FDOT is currently widening U.S. Highway 27, from Berry Road to U.S. 192, from four to six lanes to increase capacity.

Environmental Conditions:

A. Surface Water:

There is no surface water on the site because the site is located on the well-drained sandy soil of the Lake Wales Ridge.

B. Wetlands/Floodplains:

There are neither wetlands nor floodplains on the site.

C. Wells (Public/Private):

According to the applicant, there is an agricultural well on site. This well will most likely be abandoned since the subdivision will have to connect to County utilities.

D. Airports:

The site is not within an airport buffer zone.

E. Soils:

The site is located within adjacent to the Green Swamp CORE wetland areas and is comprised of soils with some development challenges. Most of the soil types found on this site have innate limitations for residential development. Most likely amendments to the soil will be necessary to accommodate development of the site.

Table 9

| Soil Name | Limitations for Dwellings w/o Basements | Septic Tank Limitations | Percent of Site |
|---------------------------------------|--|--|-----------------|
| Candler Sand/0 to 5 percent slopes | Slight | Slight | 60% |
| Taveres Sand/0 to 5 percent slopes | Moderate: wetness | Slight | 15% |
| Basinger Mucky Fine Sand/Depressional | Severe: Ponding | Severe: ponding, poor filter | 10% |
| Adamsville Fine Sand | Moderate: wetness | Severe: wetness, poor filter | 5% |
| Hontoon Muck | Severe: subsides, ponding, low strength | Severe: subsides, ponding, poor filter | 5% |
| Ona Fine Sand | Severe: Wetness | Severe: wetness, poor filter | 5% |

Source: United States Department of Agriculture, Soil Survey of Polk County, Florida

F. Protected Species:

The site is not located within a one-mile buffer area for endangered or threatened plant and animal species according to the 2006-2011 Florida Natural Areas Inventory Map.

Park Facilities:

This development is proposed as a time-share short-term rental development. Because the inhabitants of the proposed development are expected to spend most of their time visiting the theme parks in the vicinity (LEGOLAND, Walt Disney World and Orlando-metro area, and Busch Gardens or Tampa-metro area), local park facilities are not expected to be adversely impacted. However, the area is served by the new 83 acre Northeast Regional Park in the Four Corners area on U.S. Highway 27 on the south shore of Lake Davenport, approximately 4.3 miles to the north. This park provides ball fields, playgrounds, walking trails, fishing, a boat dock and restrooms.

Economic Factors:

The inhabitants of this short-term rental development will most likely spend a majority of their time and money at tourist and shopping destinations in adjacent counties. As a result, the most measurable direct economic impact will be associated with the up-front construction jobs, bed-tax revenue of the short-term rental units, and some tourism-related revenue generated by the proposed use.

Consistency with Comprehensive Plan:

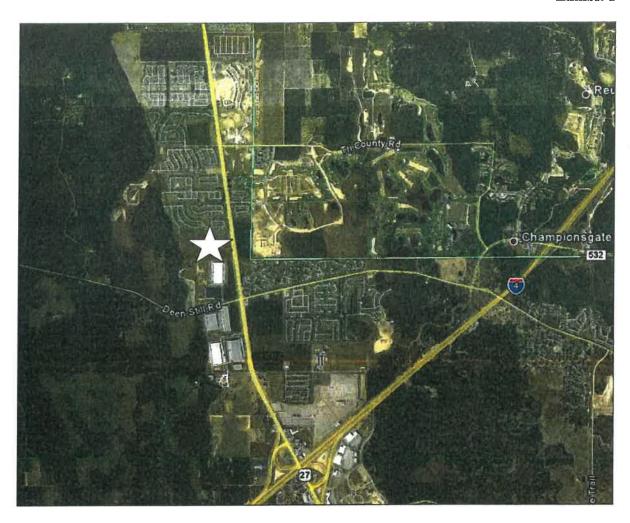
The purpose of the Residential Low District in the North US 27 SAP is to accommodate single and multi-family residential developments near activity centers, schools, public institutions, and retail centers in order to create an efficient and highly desirable urban growth pattern. The maximum permitted density in the TSDA is seven (7) dwelling units per acre and the minimum residential density is three (3) dwelling units per acre. A portion of this subject site is also within the "Transit Corridor within a Transit Center," which allows a maximum of 15 dwelling units per acre. Another portion of the site is within the "Transit Center," which allows a maximum of 12 dwelling units per acre.

Comments from other Agencies:

The comments and conditions from other agencies are incorporated into this report.

Exhibits:

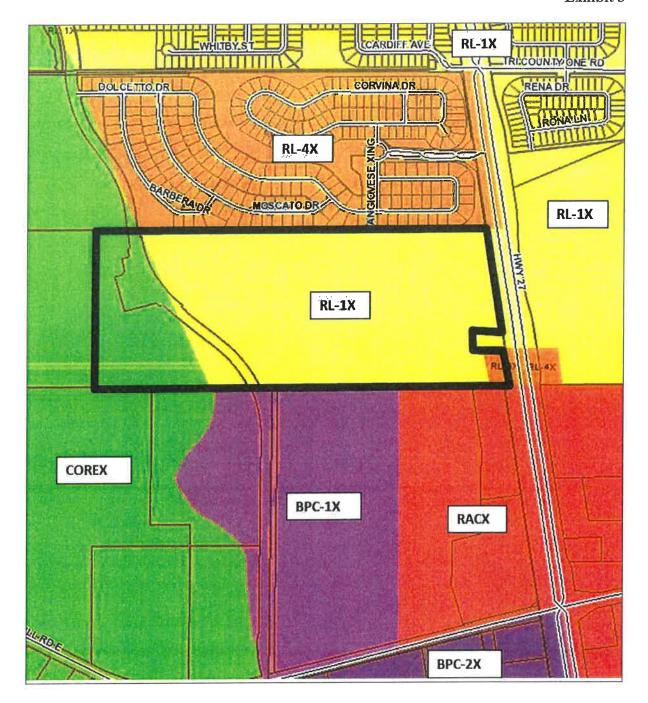
| Exhibit 1 | Location Map |
|-----------|---------------------|
| Exhibit 2 | Aerial Photograph |
| Exhibit 3 | Future Land Use Map |
| Exhibit 4 | Site Plan |



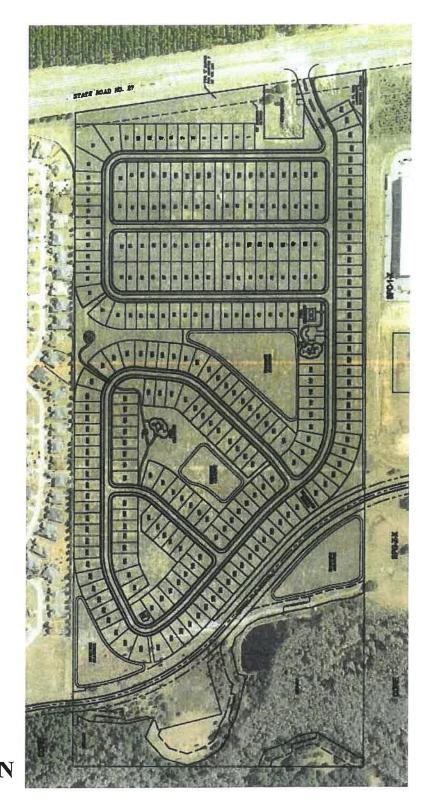
Location Map



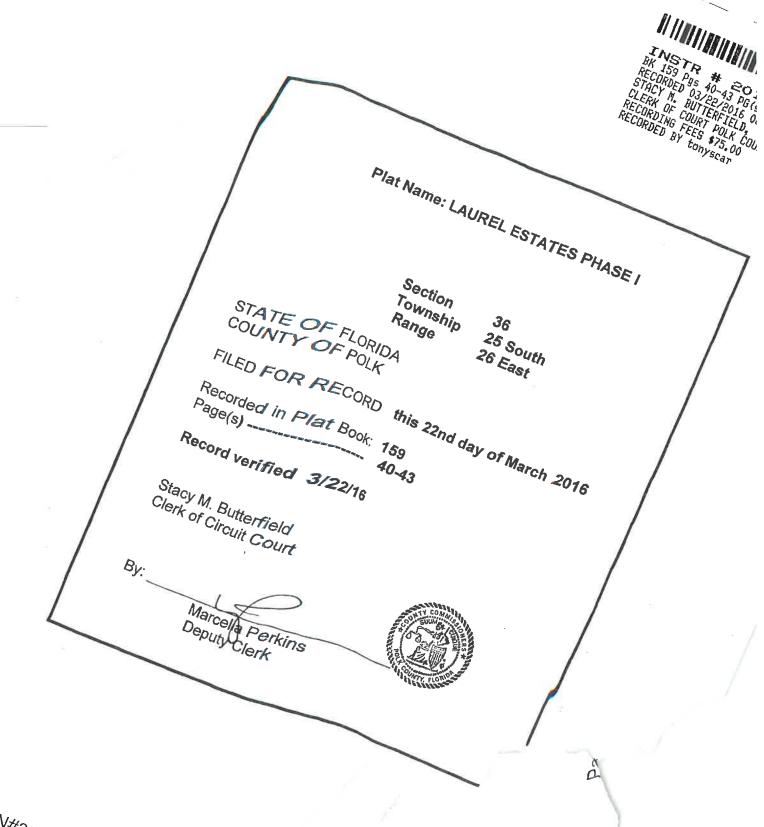
Aerial Photograph



Future Land Use Map



Site Plan





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Section

36

Township

25 South

Range

26 East

STATE OF FLORIDA **COUNTY OF POLK**

FILED FOR RECORD this 22nd day of March 2016

Recorded in Plat Book: 159

Page(s) ----- 40-43

Record verified 3/22/16

Stacy M. Butterfield Clerk of Circuit Court

By:

Marcella Perkins Deputy Clerk

LYTING IN SECTION 36, TOMINSHIP 25 SQUTH, RANGE 26 EAST

PLAT 159

PAGE

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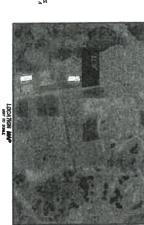
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