



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

PHONE: 352-360-6727
FAX: 352-360-6652

Board Members: Connie Bame, Chairwoman Daniel Dicus Philip Purlee Fred Collins Walter Birriel	Others: Greg Beliveau, LPG Tracy Kelley, CDD Kelly Turner, Administrative Assistant
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**AGENDA
PLANNING & ZONING BOARD
MARCH 27, 2019
6:00PM**

- I. INVOCATION:**
- II. ROLL CALL:**
- III. MINUTES FROM PREVIOUS MEETING:** Approve meeting minutes from November 15, 2018.
- IV. OLD BUSINESS:** None
- V. NEW BUSINESS:**
- A. The Glen Final Plat Phases 11-13
- Springstead Engineering submitted a Final Plat Application on behalf of registered property owner. The application is for Final Plat approval for The Glen Phases 11-13.
- B. Mirror Lake PUD Amendment
- Eric Marks submitted a PUD Amendment Application on behalf of Avex Mirror Lake, LLC and Fruitland Park, LLC. Applicant requests an amendment to the existing PUD known as Mirror Lake Village. Applicant requests the maximum impervious surface ratio be increased to 50% as well as the front setback be reduced to 20 feet.

BOARD MEMBERS' COMMENTS:

ADJOURNMENT:



506 WEST BERCKMAN STREET
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PHONE: 352-360-6727
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Board Members: Connie Bame, Chairwoman Colin Crews Daniel Dicus Philip Purlee Tom Bradley	Others: Greg Beliveau, LPG Tracy Kelley, CDD Kelly Turner, Administrative Assistant
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**AGENDA
PLANNING & ZONING BOARD
NOVEMBER 15, 2018
6:00PM**

- I. INVOCATION:** Meeting called to order at 6:01PM. Board member Purlee led the invocation and Pledge of Allegiance.
- II. ROLL CALL:** All members present with the exception of Tom Bradley. Present Greg Beliveau, LPG, Tracy Kelley, CDD and Kelly Turner, Administrative Assistant.
- III. MINUTES FROM PREVIOUS MEETING:** Board member Dicus made motion to approve meeting minutes from September 20, 2018. Second by Board member Purlee. Approved 4-0.
- IV. OLD BUSINESS:** None
- V. NEW BUSINESS:**
- A. Re-appointment of Chair and Vice-Chair**
- a. Annual re-appointment of Chair and Vice-Chair to the Planning & Zoning Board per City Land Development Regulations.
- Board member Purlee made motion for Chairwoman Connie Bame to continue as Chair for the Planning and Zoning Board. Second by Board member Dicus. Approved 3-0.
- Chairwoman Bame nominated Board member Purlee as Vice-Chair. Second by Board member Dicus. Approved 3-0.
- B. Resolution 2018-065 Granting a Variance to the Land Development Regulations**
- a. A Resolution granting a Variance to the Land Development Regulations in Appendix 4 to allow a 14' one way drive aisle adjacent to the vacuum stalls in place of a 24' drive aisle and to allow an 18' one way drive aisle adjacent to the carwash in place of a 24' drive aisle for an approved carwash facility located at CR 25A and US HWY 27.
- Greg Beliveau, LPG gave introduction to the Variance which was discussed during the September 20, 2018 Planning and Zoning meeting. The proposed Variance was not formally approved with the Site Plan application as the amended application was not submitted with the original Site Plan application. LPG Beliveau stated most jurisdictions allow the proposed aisle width and would not require a Variance.

Two notices were returned with one opposed. City Fire Department and City Engineer are satisfied with the proposed aisle width and LPG Beliveau recommends approval.

Board member Dicus made motion to approve Resolution 2018-065 granting a Variance to the Land Development Regulations. Second by Board member Crews. Approved 4-0.

BOARD MEMBERS' COMMENTS:

Board member Colin Crews announced his resignation has been given to the City. Crews stated he loves working with the Board but his difficulty hearing and his age is preventing him from giving the level of service he desires. Each Board member thanked him for his exemplary service and gave kind words for future endeavors.

ADJOURNMENT: Meeting adjourned at 6:15PM.



City of Fruitland Park, Florida
Community Development Department
 506 W. Berckman St., Fruitland Park, Florida 34731
 Tel: (352) 360-6727 Fax: (352) 360-6652
 www.fruitlandpark.org

<i>Staff Use Only</i>	
Case No.:	_____
Fee Paid:	_____
Receipt No.:	_____

Development Application

Contact Information:

Owner Name: Michel Moukhtara - A.A. Moukhtara Company
 Address: 7717 NW 20th Lane, Gainesville, Florida 32605
 Phone: 386-867-1003 Email: mmoukhtara@gmail.com

Applicant Name: Sayed Moukhtara - A.A. Moukhtara Company
 Address: 7717 NW 20th Lane, Gainesville, Florida 32605
 Phone: 352-278-5317 Email: Smaaps@atlantic.net

Engineer Name: David W. Springstead/Springstead Engineering, Inc.
 Address: 727 South 14th Street, Leesburg, Florida 34748
 Phone: 352-787-1414 Email: staff@springsteadeng.net

Property and Project Information:

PROJECT NAME*: The Glen - Phases 11, 12, & 13
*A project name is required for all submissions. Please choose a name representative of the project for ease of reference.

Property Address: 1339 Myrtle Lake Avenue, Fruitland Park, Florida 34731
 Parcel Number(s): 08-19-24-000300002300 Section: 08 Township: 19 Range 24
 Area of Property: 38.57 +/- Nearest Intersection: Forest Glen Dr. & Myrtle Lake Dr.
 Existing Zoning: PUD Existing Future Land Use Designation: SFMD
 Proposed Zoning: PUD Proposed Future Land Use Designation: SFMD

The property is presently used for: Vacant
 The property is proposed to be used for: Single Family Residential
 Do you currently have City Utilities? Yes

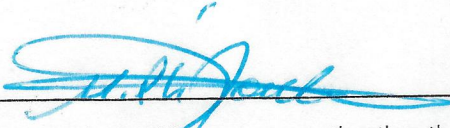
Application Type:

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Comp Plan Amendment | <input type="checkbox"/> Rezoning | <input type="checkbox"/> Planned Development |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Special Exception Use | <input type="checkbox"/> Conditional Use Permit | <input checked="" type="checkbox"/> Final Plat |
| <input type="checkbox"/> Minor Lot Split | <input type="checkbox"/> Preliminary Plan | <input type="checkbox"/> Construction Plan | <input type="checkbox"/> ROW/Plat Vacate |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Replat of Subdivision | |

Please describe your request in detail: Requesting plat approval for Phases 11, 12, & 13 currently under construction.

Required Data, Documents, Forms & Fees

Attached to this application is a list of **REQUIRED** data, documents and forms for each application type as well as the adopted fee schedule. These items must be included when submitting the application package. Failure to include the supporting data will deem your application package **INCOMPLETE** and will not be processed for review.

Signature:  Date: 1-11-2019

If application is being submitted by any person other than the legal owner(s) of the property, the applicant must have written authorization from the owner to submit application.

Development Application Checklist

The Following are Required for ALL Development Applications:

- Legal Description (Word file req'd) Current Deed Aerial Photo
 Property Appraiser Information Electronic Copy of Application Location Map

Pre-application conferences are strongly encouraged. Submit TWO CDs with ALL documents in pdf; those that are generated as CAD files should be submitted in pdf and dwg formats. . Legal Descriptions should also come with a MS Word file of the legal description. Most maps are accessible through www.lakecountyfl.gov/maps/. Note: All maps are required to depict adjacent properties at a minimum.

Failure to provide adequate maps may delay the application process.

Other Required Analyses and Maps:

Small Scale Comprehensive Plan Amendment Applications:

- Justification for Amendment Environmental Constraints Map Requested FLU Map

Large Scale Comprehensive Plan Amendment Applications:

Maps: Environmental Constraints Soils Requested FLUM Designation Requested Zoning Map Designation

Analyses: Environmental Assessment Utility Availability Analysis Urban Sprawl Analysis School Impact Analysis
 Traffic Impact Analysis Consistency with the Comp Plan Florida Master Site File sign-off or Archaeological Survey

Rezoning Applications: Requested Zoning Map Justification for Rezoning

Planned Development Applications:

Maps/Plans: Conceptual Plan as Described in LDRs Chapter 154, Section 154.030,10,G Environmental Constraints

Analyses: Environmental Assessment Traffic Impact Analysis Preliminary Concurrency Analysis

Variance Applications: Justification for Variance

Special Exception Use Applications:

- Justification for Special Exception Use
 Site Sketch List of Special Requirements as Described in LDRs, Chapter 155

Conditional Use Permit Applications:

- Proposed List of Conditions and Safeguards
 Site Plan as Described in LDRs, Chapter 155 Written Statement as Described in LDRs, Chapter 155

Subdivision Applications:

(Preliminary Plan, Improvement Plan and Final Plat)

- As Described in LDRs, Chapter 157

Minor Subdivision Applications:

- As Described in LDRs, Chapter 157

Site Plan Applications:

- As Described in LDRs, Chapter 160



727 South 14th Street
Leesburg, Florida 34748

Lake (352) 787-1414
Sumter (352) 793-3639
Fax (352) 787-7221

March 1, 2019

Ms. Kelly Turner, CFM
Community Development Department
City of Fruitland Park
506 W Berckman Street
Fruitland Park, FL 34731

Re: The Glen PH 11-13
Response to City Attorney's Comments

Dear Ms Turner:

We are in receipt of the City Attorney's comments for the above referenced project. Please see the responses below:

Attorney's comments

1. The following language needs to be added in Dedication after the stormwater dedication language:
Front yard drainage easements are subject to the right of each lot to have a driveway for ingress/egress as approved by the City.

RESPONSE: See revised Dedication on Plat sheet 1.

-
2. Mortgagor's Consent needs to be revised to read as provided in the LDRs:

MORTGAGOR'S CONSENT

STATE OF _____

COUNTY OF _____

The undersigned hereby certified that it is the holder of (a) mortgage(s), lien(s), or other encumbrance(s) upon the property described hereon and does hereby join in and consent to the dedication of the land described in said dedication by the owner thereof and agrees that its mortgage(s), lien(s) or other encumbrance(s) which (is) (are) recorded in Official Record Book _____ at page(s) _____ of the public records of Lake County, Florida, shall be subordinated to the dedication shown hereon.

IN WITNESS WHEREOF, (I) (we), _____ do hereunto set (my) (our) hand(s) and seal(s) this ____ day of _____, ____.

WITNESS MORTGAGOR

_____ (Signature)

_____ (Signature)

_____ (Typed name)

_____ (Typed name)

RESPONSE: See revised Consent & Joinder on Plat sheet 1. The revised language is per BESH's Note #1.

3. I did not find any declarations adding these three phases to the existing Declarations.

RESPONSE: See attached Declarations for Phase 11-13 as previously submitted on January 15, 2019.

4. A title opinion and/or title report with all referenced documents was not included.

RESPONSE: See attached Title Report as previously submitted on January 15, 2019.

5. Certificate of concurrency was not included.

RESPONSE: Springstead Engineering, Inc. (SEI) contacted LPG in request of the concurrency on October 2, 2018 and was directed to prepare a traffic analysis. LPG indicated that they could not prepare the concurrency prior to SEI's plat application submittal to the City.

6. If infrastructure been completed then maintenance bond is required for the public improvements. If it has not been completed, then a performance bond is required for public improvements.

RESPONSE: See attached draft maintenance bond as previously submitted on January 15, 2019.

7. Engineer's cost estimate was not provided.

RESPONSE: See attached engineer's cost estimate previously submitted on January 15, 2019 attached to draft maintenance bond.

BESH's Comments dated 1-28-19

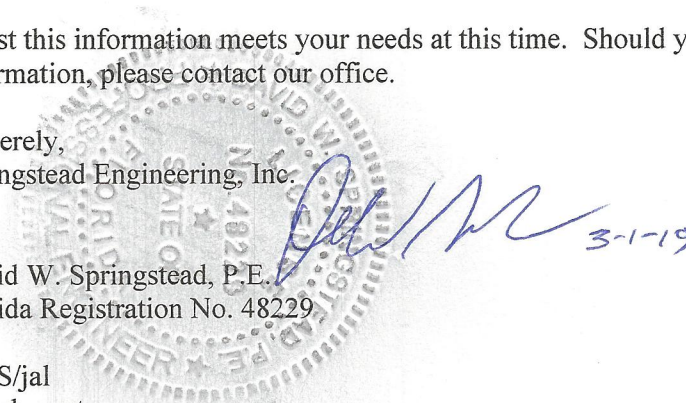
Please see attached comments with responses listed in blue.

I trust this information meets your needs at this time. Should you have any questions or require additional information, please contact our office.

Sincerely,
Springstead Engineering, Inc.

David W. Springstead, P.E.
Florida Registration No. 48229

DWS/jal
Attachments
cc: A.A. Moukhtara Company



BOOTH, ERN, STRAUGHAN & HIOTT, INC.
350 N. Sinclair Avenue
Tavares, Florida 32778
352-343-8481-Office
352-343-8495-Fax

PLAT REVIEW CHECK LIST-CITY OF FRUITLAND PARK
with references to Florida Statute

PLAT NAME: The Glen Phases 11, 12 & 13

CHECKED BY: James M. Straughan, PSM #5309

DATE: 1/28/19

CHAPTER 177, FLORIDA STATUTES, REQUIREMENTS

Legend:

OK= Complies with chapter 177 F.S.

N/A=not applicable

NO=needs more information

1. ORIGINAL DRAWING BLACK PERMANENT DRAWING INK ON FILM (0.003 INCHES MINIMUM THICKNESS). 177.091 (1)	NO	Not on Mylar Yet Pending City draft approval.
2. SHEET SIZE – 24" X 36"; ½" MARGIN ON TOP, BOTTOM, & RIGHT; 3" LEFT MARGIN. Per Lake County Code Chapter XIV Section 14.07 2.	OK	
3. MAP BOOK _____ PAGE _____, UPPER RIGHT HAND CORNER, per clerk of court.	OK	
4. SHEET NO. _____ OF _____ 177.091 (3)	OK	
5. INDEX SHEET IF MULTIPLE PAGES WITH MATCHLINES. 177.091. (3)	OK	
6. CLEARLY LABELED MATCHLINES TO SHOW WHERE SHEETS MATCH OR ADJOIN. 177.091 (3)	OK	
7. STATED AND GRAPHIC SCALE. 177.091 (4)	OK	
8. SUFFICIENT SIZE LETTERING AND SCALE TO SHOW DETAIL. 177.091 (4) And Per Lake County Code Chapter XIV Section 14.07	OK	

9. PLAT NAME ON EACH SHEET (THE SAME SIZE AND TYPE OF LETTERING, INCLUDING THE WORDS "SECTION", "UNIT", "REPLAT", "AMENDED", ETC.). <i>177.091 (5) & 177.051 (1)</i>	OK	
10. NAME OF SURVEYOR OR SURVEY BUSINESS, STREET, AND MAILING ADDRESS ON EACH SHEET. <i>177.091 (5)</i>	OK	
11. NORTH ARROW. <i>177.091 (6)</i>	OK	
12. BEARING REFERENCE TO A WELL ESTABLISHED AND MONUMENTED LINE. <i>177.091 (6)</i>	OK	
13. PERMANENT REFERENCE MONUMENTS AT EVERY CORNER WITH APPROPRIATE SYMBOL OR DESIGNATION (LB OR LS NUMBER PRIOR TO PLATTING. <i>177.091 (7)</i>	NO	Not set yet PRM's have been set.
14. PERMANENT CONTROL POINTS ON THE CENTERLINE OF R.O.W. WITH APPROPRIATE SYMBOL OR DESIGNATION (LB OR LS NUMBER) WITHIN 1 (ONE) YEAR OR BEFORE BOND EXPIRATION. <i>177.091 (8)</i>	NO	Not set Yet PCP's have been set.
15. MONUMENTS AT LOT CORNERS – BEFORE THE TRANSFER OF ANY LOT OR BOND EXPIRATION. <i>177.091 (9)</i>	NO	Not set yet Monuments have been set.
16. SECTION, TOWNSHIP, AND RANGE UNDER THE NAME OF THE PLAT WITH REPLATTING INFORMATION, IF ANY. <i>177.091 (10) & 177.091 (17)</i>	OK	
17. NAME OF THE CITY, TOWN, VILLAGE, COUNTY, AND STATE THAT THE LAND BEING PLATTED IS IN. <i>177.091 (10)</i>	OK	
18. CAPTION (DESCRIPTION) MUST BE SO COMPLETE THAT FROM IT, WITHOUT REFERENCE TO THE PLAT, THE STARTING POINT AND BOUNDARY CAN BE DETERMINED. <i>177.091 (11)</i>	OK	

19. ADOPTION AND DEDICATION WITH NOTARY. 177.081 (2) & 177.091 (12)	OK	
20. CERTIFICATE OF APPROVAL AND ACCEPTANCE BY GOVERNING BODY. 177.071 & 177.091 (12)	OK	
21. CERTIFICATE OF CLERK. 177.091 (13)	OK	
22. SURVEYOR'S CERTIFICATE 177.091 (13)	OK	
23. SURVEYOR'S CERTIFICATE INCLUDES "THAT THE PLAT WAS PREPARED UNDER HIS OR HER DIRECTION AND SUPERVISION AND THAT THE PLAT COMPLIES WITH ALL OF THE SURVEY REQUIREMENTS OF CHAPTER 177, PART 1, PLATTING.". 177.061	OK	
24. PRINTED NAME OF THE SURVEYOR; LICENSE NUMBER; SURVEY BUSINESS NAME, IF ANY; LB NUMBER, IF ANY; AND ADDRESS UNDER THE SURVEYOR'S CERTIFICATE 177.061	OK	
25. CERTIFICATE OF REVIEW BY PROFESSIONAL SURVEYOR AND MAPPER. 177.081 (1)	NO	Please add my printed name, James M Straughan; And a line for me to sign; Also my Registration number 5309. See revised draft plat, sheet 1 of 5.
26. SECTION LINES AND ¼ SECTION LINES. 177.091 (14)	OK	
27. POINT OF REFERENCE, IF ANY. 177.091 (14)	OK	
28. POINT OF BEGINNING. 177.091 (14)	OK	
29. BEARINGS AND DISTANCES AROUND BOUNDARY. 177.091 (14)	OK	
30. STREET NAMES. 177.091 (15)	OK	

31. R.O.W. WIDTHS. 177.091 (15)	NO	Please add the Right of Way widths to Bell Creek Loop on Sheet 3; Please add the Right of Way widths to Forest Glen Drive on Sheet 4. See revised draft plat.
32. WATERWAYS. 177.091 (15)	NA	
33. LOCATION AND WIDTH OF PROPOSED EASEMENTS. 177.091 (16)	OK	
34. LOCATION AND WIDTH OF EXISTING EASEMENTS IDENTIFIED IN THE TITLE OPINION. 177.091 (16)	NO	Title Opinion number 7: Easement in O.R. Book 372, Pages 44-46 and in O.R. Book 372, Page 47, does not appear to cross subject property, but it is unknown to this Surveyor if any portion of the easement did cross. This easement does not encumber the parcel
35. BEARINGS AND DISTANCES FOR NON CONCENTRIC OR NON PARALELL EASEMENTS. 177.091 (16)	N/A	
36. IDENTIFY CONTIGUOUS PROPERTIES BY SUBDIVISION TITLE, PLAT BOOK AND PAGE OR IF UNPLATTED, SO STATE. 177.091 (17)	NO	Please add to sheets 3, 4 and 5, the words Not Platted to the label of "not a part of this plat" See revised draft plat.
37. LOT AND BLOCK NUMBERS MUST BE PROGRESSIVE. 177.091 (18)	OK	
38. BEARINGS AND DISTANCES ON ALL TRACTS. 177.091 (19)	OK	
39. BEARINGS AND DISTANCES ON ALL LOTS. 177.091 (19)	NO	Please add line table to sheets 3 and 4. See revised draft plat.
40. BEARINGS AND DISTANCES ON ALL ROADS. 177.091 (19)	NO	Please add line table to sheets 3 and 4. See revised draft plat.
41. IF LOT OR BOUNDARY IRREGULAR, A WITNESS LINE MUST BE SHOWN. 177.091 (19)	NA	
42. CURVILINEAR LOTS – SHOW RADIUS, ARC, AND DELTA. 177.091 (20)	NO	Please add curve table to sheets 3 and 4. See revised draft plat.
43. RADIAL LINES WILL BE SO DESIGNATED. 177.091 (20)	NO	With no curve data provided it is unknown to this Surveyor what lines if any are radial. See revised draft plat.

44. BEARINGS OR ANGLES ON ALL LINES. 177.091 (21)	NO	Please add line table and curve table to sheets 3 and 4. See revised draft plat.
45. BEARINGS AND DISTANCES ON CENTERLINE STREETS. 177.091 (22)	NO	Please add line table to sheets 3 and 4. See revised draft plat.
46. CURVED CENTERLINES SHOW ARC, DELTA, RADIUS, CHORD, AND CHORD BEARING. 177.091 (22)	NO	Please add curve table to sheets 3 and 4. See revised draft plat.
47. DESIGNATE PARK AND RECREATION PARCELS, IF ANY. 177.091 (23)	OK	
48. INTERIOR EXCEPTED PARCELS, AS DESCRIBED IN THE CAPTION, MUST BE LABELED "NOT A PART OF THIS PLAT". 177.091 (24)	N/A	
49. SHOW PURPOSE OF ALL AREAS DEDICATED ON THE PLAT. 177.091 (25)	NO	Please add Tract "L" to Water Retention Area on Sheet 3; Also should there be a line (as shown on Sheets 4 & 5) at the middle rear of lot 226 that would separate Tract "L", I believe that Tract "L" would be part of Phase 13. Most Surveyors would understand where the match lines were.
50. TABULAR DATA MUST APPEAR ON SHEET WHICH IT APPLIES. 177.091 (26)	NO	Please add line table and curve table to sheets 3 and 4. See revised draft plat.
51. "NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY." 177.091 (27)	OK	
52. EASEMENTS REFERENCED FOR CABLE TELEVISION USE. 177.091 (28)	OK	
53. LEGEND OF ALL SYMBOLIZED ABBREVIATIONS. 177.091 (29)	NO	If radial lines are to be added and a symbol depicting them as being radial is used then that should be added.
54. BOUNDARY SURVEY. 177.041	NO	A Boundary Survey was found in the TRC Board Meeting Agenda, but was not signed. See attached signed & sealed survey

See revised draft plat.

See revised draft plat.

55. CHECK ACCESS TO PUBLIC OR DEDICATED RIGHT OF WAY. <i>Informational</i>	OK	
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NOTES: 1) Please add to the Consent and Joinder on Sheet 1, the wording after the word Florida (first line at top) **having a Consensual Lien for Deposit as recorded in Official Records Book 5097, Pages 1143 through 1151, Public Records of Lake County, Florida,** hereby joins in... [See revised draft plat.](#)

2) Please modify Note #3 on Sheet 1 to read **Lot corners will be set in accordance with Chapter 177.091 (9) Florida Statutes prior to the expiration of the bond or other surety.**

[Lot corners have been set.](#)

**CITY OF FRUITLAND PARK
CHAPTER 157 SUBDIVISIONS
CHECKLIST**

Legend:

OK= Complies with Chapter 157

N/A=not applicable

NO=needs more information

CITY= For City use or does not apply to the Final plat

20) Final Plat.

The approved final plat is the official record of the subdivision to be filed with the City Clerk and a copy shall be submitted to the Building Department. It is verification that the subdivided land has been developed substantially in accordance with the approved preliminary plat or that a bond has been posted which will secure the development as specified in the final plat, if applicable. The final plat must be approved by the City Commission and recorded in the Public Records of Lake County prior to the developer selling any lot or parcel.

- A) Procedure. No final plat application shall be approved prior to the issuance of a land development permit. The plat shall be accompanied by: CITY
- i) A complete final plat application furnished by the Building Department; CITY
 - ii) The appropriate filing fee and application; CITY
 - iii) Appropriate security for required improvement as specified in the VOFP LDR's unless a certificate of completion has been issued by the City Engineer; CITY
 - iv) Seven (7) copies of the final plat drawing showing the required information and certifications; CITY
 - v) Security for maintenance of Improvements meeting the requirements of the Land Development Code when a certificate of completion has been issued; CITY
 - vi) A copy of the final protective covenants and deed restrictions, where such covenants and restrictions are required or established by the applicant; CITY
 - vii) All applicable informational requirements of the Land

Development Code.

CITY

viii) The City Manager or designee shall determine whether or not an application is complete and can be routed for interdepartmental review. No incomplete application shall be routed for review.

CITY

ix) Current opinion of title prepared by a Florida attorney-at-law or title policy.

OK

21) Format of Drawings. The final plat shall be:

A) Prepared by a land surveyor registered and licensed in the State of Florida;

OK

B) On sheets twenty-four (24) inches by thirty-six (36) inches with one half inch margin on three sides and a three inch margin on the left side for binding;

OK

C) To a scale of no smaller than one inch represents one hundred (100) feet;

OK

D) Clearly drawn or printed with permanent black drawing ink;

OK

E) On linen tracing cloth or stable base film a minimum of 0.003 inches thick coated upon completion with plastic material or a non-adhered scaled print on a stable base film made by photographic processes to ensure permanency; and

NO: NOT ON MYLAR YET

F) Printed with lettering no smaller than 1/8", with a commensurate letter-line width.

OK

23) Information Required. (All Information as required in Chapter 177.091, F.S.). The final plat shall contain:

A) A title block;

OK

B) The name of the proposed subdivision which shall not duplicate nor closely approximate the name of any other existing subdivision in the City. If the plat is an addition to an existing subdivision, it shall bear the same name as the existing subdivision;

OK

C) The name of the city, county and state;

OK

D) The legal description;

OK

E) The date of preparation of the final plat and of any revisions;

NO: NOT CERTIFIED YET

F) A prominent "north arrow" on each sheet showing any portion of the subdivided lands; also, the reference bearing or azimuth in the notes

or legend;

OK

G) The scale stated and graphically illustrated on each sheet;

OK

H) An index sheet on page one showing the entire subdivision and indexing the area shown on succeeding sheets. Each sheet must show the particular number of the sheet and the total number of sheets as well as clearly labeled match lines;

OK

I) The point of beginning shown together with the letters P.O.B. in bold letters when a point of beginning is used in the legal description;

OK

J) The initial point in the description shall be accurately tied to the nearest section corner, quarter section corner or government lot corner, and a certified corner record must be submitted to the Department of Natural Resources for such corner in accordance with Florida Statutes Section 177, part III;

OK

K) Boundary lines of the subdivided tract shown as a heavy line;

OK

L) All adjacent platted property identified by the subdivision name, plat book and page number; if not platted, so state; NO Please add Not Platted

[See revised draft plat.](#)

M) County and City limit lines within or abutting the tract;

OK

N) Permanent reference monuments and permanent control point locations as prescribed in Chapter 177, Florida Statutes, permanent reference monuments shall be installed prior to submission of final plat, permanent control points shall be installed within one year for the recording date;

NO not set yet

O) Survey data including all pertinent dimensions; NO [See revised draft plat.](#)

P) Lot and block identification. Each lot and each block shall be identified;

OK

Q) Street names;

OK

R) The location and width of all existing or recorded streets intersecting or contiguous to the boundary of the plat;

OK

S) "Not included" parcels to be labeled "not a part of this plat";

NO need to add not platted (Chapter 177

[See revised draft plat.](#)

#36)

T) All easements including limited access easements shall be graphically depicted on the plat or included in the covenants and restrictions established by the applicant;

CITY in separate document

U) The following statements shall be noted on the plat in a prominent place:

Notice: "There may be additional restrictions that are not recorded on this plat that may be found in the public records of Lake County";

NO need to add to notes on Sheet 1

See revised draft plat.

V) A three inch by five inch space in the upper right hand corner of each sheet to be used by the Clerk of the Circuit Court for recording information. The following shall be depicted:

PLAT BOOK: _____

PAGE: _____

OK

W) The boundary of the final plat having a mathematical error of closure not greater than .01 foot. Any plat undertaking to establish a local tidal datum and determine the location of the mean high water line or mean low water line shall comply with the notification requirements of Florida Statutes Section 177.37. OK

23) Covenants, Restrictions, Reservations.

All covenants, restrictions or reservations placed by the developer or required by the City shall appear on the final plat or be established by separate recorded document, which documents shall be submitted to the City with the final plat. If done by separate document, the public record location of such documents shall be indicated beneath the subdivision name or in the margin as follows: "Covenants, restrictions, or reservations affecting the ownership or use of the property shown in this plat are filed in Official Record Book No. _____, page _____." CITY

24) Certification.

The final plat shall contain on the face or first page the following certifications, dedications and approvals, all executed and acknowledged as required by law, in the forms set forth below:

A) Dedications.

All areas reserved for use by the residents of the subdivision and all areas or facilities intended for public use, shall be specifically dedicated by the owner of the land at the time the plat is recorded. All streets, rights-of-way, easements, recreation facilities designed to serve more than one property owner shall be dedicated to the City, Community Development District or residents within the subdivision". The dedication to Community Development Districts and/or residents within the subdivision shall be dedicated without recourse to the City or any other public agency. All dedications shall be in the following forms or as approved by the City Attorney:

CERTIFICATE OF DEDICATION

(Corporate)

STATE OF _____

COUNTY OF _____

KNOW ALL MEN BY THESE PRESENTS, that (exact corporate name), a (state) corporation, fee simple owner of

the land described and platted herein, as (exact name of subdivision), being in the City of Fruitland Park, Lake County, Florida, have caused said lands to be surveyed and platted as shown hereon and does hereby dedicate as follows: CITY (same Dedication as last Plats that the City approved)

**CERTIFICATE OF DEDICATION
(Individual)**

STATE OF _____

COUNTY OF _____

KNOW ALL MEN BY THESE PRESENTS, that (exact owner's name), fee simple owner of the land described and platted herein, as (exact name of subdivision), being in the City of Fruitland Park, Lake County, Florida, has caused said lands to be surveyed and platted as shown hereon and does hereby dedicate as follows: N/A

(SELECT AS APPROPRIATE):

B) Streets and Right-of-ways. (For public streets)

All streets and rights-of-way shown on this plat (name specifically if less than all) are hereby dedicated in perpetuity to the City of Fruitland Park for the use and benefit of the public for proper purposes.

B) Streets and Right-of ways. (For public streets)

All streets and rights-of-ways shown on this plat (name specifically if less than all) are hereby dedicated in perpetuity to the City of Fruitland Park for the use and benefit of the public for proper purposes.

i) Private Streets.

All streets and rights-of-way shown on this plat (name specifically if less than all) are hereby declared to be and shall remain private. They are dedicated for the use and benefit of the owners and residents of this subdivision, and shall be of the perpetual maintenance obligation of the (state exact legal name of maintenance entity). All public authorities, including but not limited to police, fire, ambulance, and utility providers shall have the right to use the streets in the course of performing their respective duties. The City of Fruitland Park shall have no responsibility, duty or liability whatsoever regarding such streets. N/A

ii) Utility Easements.

The utility easements shown are reserved by the Developer for the construction, installation, maintenance and operation of utilities. CITY

iii) Drainage and Stormwater Management Easements.

The drainage easements and stormwater management tracts or easements as shown are reserved by the Developer or conveyed to a CDD or DD for construction, operation and maintenance of drainage facilities CITY

iv) Park and Recreation Areas.

The park and recreation areas are reserved by the Developer.

CITY

v) **Limited Access Easements.**

The limited access easements as shown are reserved by the Developer or its assignees for the purposes of control and jurisdiction over access rights. OK

vi) **Conservation Easements.**

Conservation easements as shown are dedicated to the appropriate agency for the purpose of preservation of environmentally sensitive areas. OK

(ADD APPROPRIATE CONCLUSION):

(Corporate)

IN WITNESS WHEREOF, the above named corporation has caused these presents to be signed by its _____ and its corporate seal to be affixed hereto by and with the authority of its board of directors this _____ day of _____, _____.

(FULL CORPORATE NAME), a corporation of the State of _____, By: _____ (Signature of president or vice president or chief executive

CITY (same as last Plats that the City approved)

(Individual)

IN WITNESS WHEREOF, (I) (we), (name(s)), have hereunto set (my) (our) hand(s) and seal(s) this _____ day of _____, _____.

WITNESSES:

_____ (Signature)

(Typed Name)

N/A

(ADD ACKNOWLEDGEMENT OF THOSE EXECUTING THE DEDICATION)

25) Joinder and Consent to Dedication by Mortgagor or Other Party in Interest.

MORTGAGOR'S CONSENT

STATE OF _____
COUNTY OF _____

The undersigned hereby certified that it is the holder of (a) mortgage(s), lien(s), or other encumbrance(s) upon the property described hereon and does hereby join in and consent to the dedication of the land described in said

complies with all of the requirements of Chapter 177, Florida Statutes, as amended, chapter in the following forms:

NO (not signed yet) Pending City approval of draft plat.

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed and registered land surveyor, does hereby certify that on _____ he completed the survey of the lands as shown in the foregoing plat; that said plat is a correct presentation of the lands therein described and platted or subdivided; that permanent reference monuments have been placed and each P.C.P. will be set as shown thereon within one year of the plat recording date as required by Chapter 177, Florida Statutes and Subdivisions and Platting, Chapter ____; and that said land is located in Fruitland Park, Florida.

Dated _____ Registration No. _____;
OK

B) A statement that permanent reference monuments, "P.R.M.", have been set in compliance with Chapter 177, Florida Statutes, as amended; and
OK

C) Each P.C.P. will be set under the direction and supervision of the surveyor within one year from the date the plat was recorded.
OK (bond)

28) Certificate of Approval by the City Commission.

The plat shall contain the approval and signature block for the City Commission and the acknowledgment and signature block of the Clerk of Circuit Court and the City Attorney. In the event the plat contains dedications to the City, this certificate shall also indicate whether the City accepts in whole or in part the dedications made. The following form is acceptable:

CERTIFICATE OF APPROVAL BY CITY COMMISSION

THIS IS TO CERTIFY, that on _____, the foregoing plat was approved by the City Commission of Fruitland Park, Florida. (Address acceptance of dedications in whole or in part, as appropriate).

Mayor
Attest:

City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

City Attorney

OK

29) Certificate of Approval by the Planning & Zoning Board.

The final plat shall contain the approval and signature of the Planning and Zoning Board Chairman in the following form:

CERTIFICATE OF APPROVAL BY THE PLANNING AND ZONING BOARD

Examined and Approved _____ Date _____
OK

30) Clerk's Certification.

State of Florida
County of Lake

I, Clerk of the Circuit Court of Lake County, Florida, do hereby certify that I have examined this plat of _____ subdivision and that it complies with all the requirements of

Chapter 177 of the Laws of Florida. This plat filed for record this ____ day of _____, _____, and recorded on Page ____ of Plat Book ____ in the office of the Clerk of Circuit Court of Lake County, Florida.

By: _____
Clerk of Circuit Court, Lake County, Florida.
OK

31) Instrument Prepared By.

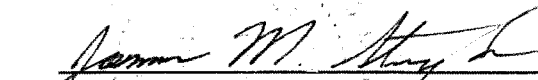
The name and address of the Surveyor or Surveying Company who prepared the plat shall be contained on the plat. OK

32) Signatures.

All signatures required shall be originals on the final plat and shall be made in permanent black ink. NO (not executed yet)

Pending City approval of draft plat.

NOTES:



James M Straughan PSM #5309
Booth, Ern, Straughan & Hiott, Inc.

C:

Billy Earl Owens, PSM

Florida Certificate No. 3522

39 CR 494
Lake Panasoffkee, FL 33538

Member FSMS
352-793-2854

Booth, Ern, Straughan & Hiott, Inc.
ATTN: James M. Straughan
350 N. Sinclair Avenue
Tavares, FL 32778

February 28, 2019

RESPONSE TO PLAT REVIEW CHECKLIST – CITY OF FRUITLAND PARK

PLAT NAME: The Glen Phases 11, 12 & 13

- Item 1: "Not on Mylar Yet" – Mylar will be furnished upon final approval
- Item 13: "Not set yet" – All PRMs have been set
- Item 14: "Not set yet" – All PCPs have been set
- Item 15: "Not set yet" – All Lot corners have been set
- Item 25: "Please add my printed name, James M. Straughan, line to sign and Registration No." – Added
- Item 31: "Please add R/W widths to Bell Creek Loop and Forest Glen Drive" – Added
- Item 34: "Title Opinion number 7: Easement..." – Does not encumber parcel
- Item 36: "Please add to Sheets 3, 4, and 5...not a part of this plat" – Added
- Item 39: "Please add line table to Sheets 3 and 4" - Added
- Item 40: "Please add line table to Sheets 3 and 4" – Added
- Item 42: "Please add curve table to Sheets 3 and 4" – Added
- Item 43: Cannot determine radial lines – (R) Radial and (NR) Non-Radial added
- Item 44: "Please add line table and curve table to Sheets 3 and 4" – Added
- Item 45: "Please add line table to sheets 3 and 4" – Added
- Item 46: "Please add curve table to sheets 3 and 4" – Added
- Item 49: "Please add Tract 'L' to Water Retention Area on Sheet 3" - Added
- Item 49: "Sheets 4 and 5 at middle rear of Lot 226" – Labeled "Match Line" on Sheets 4 and 5
- Item 50: "Please add line table and curve table to sheets 3 and 4" – Added
- Item 53: "If radial lines are to be added and a symbol depicting them...should be added" – Added
- Item 54: "A Boundary Survey was found in the TRC Board Meeting Agenda, not signed" – Survey signed

NOTES

- 1) "Please add to the Consent and Joinder on Sheet 1, the wording after the word Florida (first line at top) having a Consensual Lien for Deposit as recorded in Official Records Book 5097, Pages 1143 through 1151, Public Records of Lake County, Florida, hereby joins in..." Phrase added

Billy Earl Owens, PSM

Florida Certificate No. 3522

39 CR 494
Lake Panasoffkee, FL 33538

Member FSMS
352-793-2854

Checklist Continued

- 2) "Please modify Note #3 on Sheet 1 to read: Lot corners will be set in accordance with Chapter 177.091 (9) Florida Statutes prior to the expiration of the bond or other surety"
– Modified

COMMENTS FOR COMPLIANCE TO CITY OF FRUITLAND PARK CHAPTER 157 SUBDIVISIONS CHECKLIST

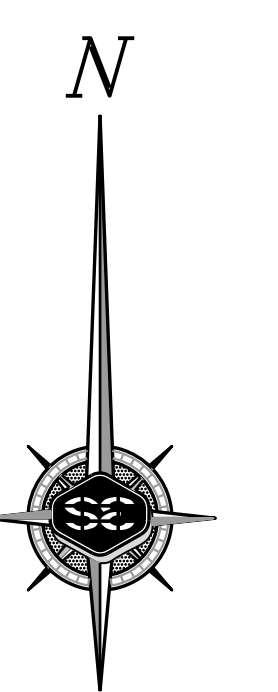
- 21) Format of Drawings E) "NO; NOT ON MYLAR YET" – Mylar will be furnished upon final approval
- 23) Information Required E) "NO; NOT CERTIFIED YET" – Will be certified upon final approval
- 23) Information Required L) "NO Please add Not Platted" – Added
- 23) Information Required N) "NO not set yet" – All PRM's, PCP's and Lot Corners are set
- 23) Information Required S) "NO; need to add not platted (Ch 177)" – Added
- 23) Information Required U) "Notice: There may be additional restrictions..." – Added Lake County, Florida
- 25) Joinder and Consent "NO please add additional wording as shown in the Notes section of Chapter 177" – Added phrase as called for in NOTES section of Chapter 177:
 - 1) "Please add to the Consent and Joinder on Sheet 1, the wording after the word Florida (first line at top) having a Consensual Lien for Deposit as recorded in Official Records Book 5097, Pages 1143 through 1151, Public Records of Lake County, Florida, hereby joins in..."
- 27) Certification of Surveyor "NO (not signed yet)" – Surveyor's certification, signature and seal on mylar will be executed upon final approval.
- 32) Signatures "NO (not executed yet)" – will be executed upon final approval

Email Comments from City Attorney:

1. "The following language needs to be added in Dedication after the stormwater dedication language: Front yard drainage easements are subject to the right of each lot to have a driveway for ingress/egress as approved by the City." – Language added
2. "Mortgager's Consent" – revised according to Chapter 177 (Notes 1) and City compliance checklists "25) Joinder and Consent" note above.

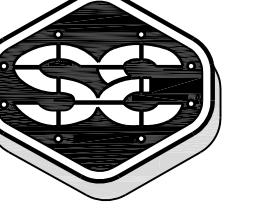
Respectfully submitted,

Billy Earl Owens, PSM



SCALE: 1"=80'

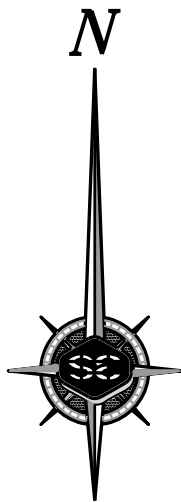
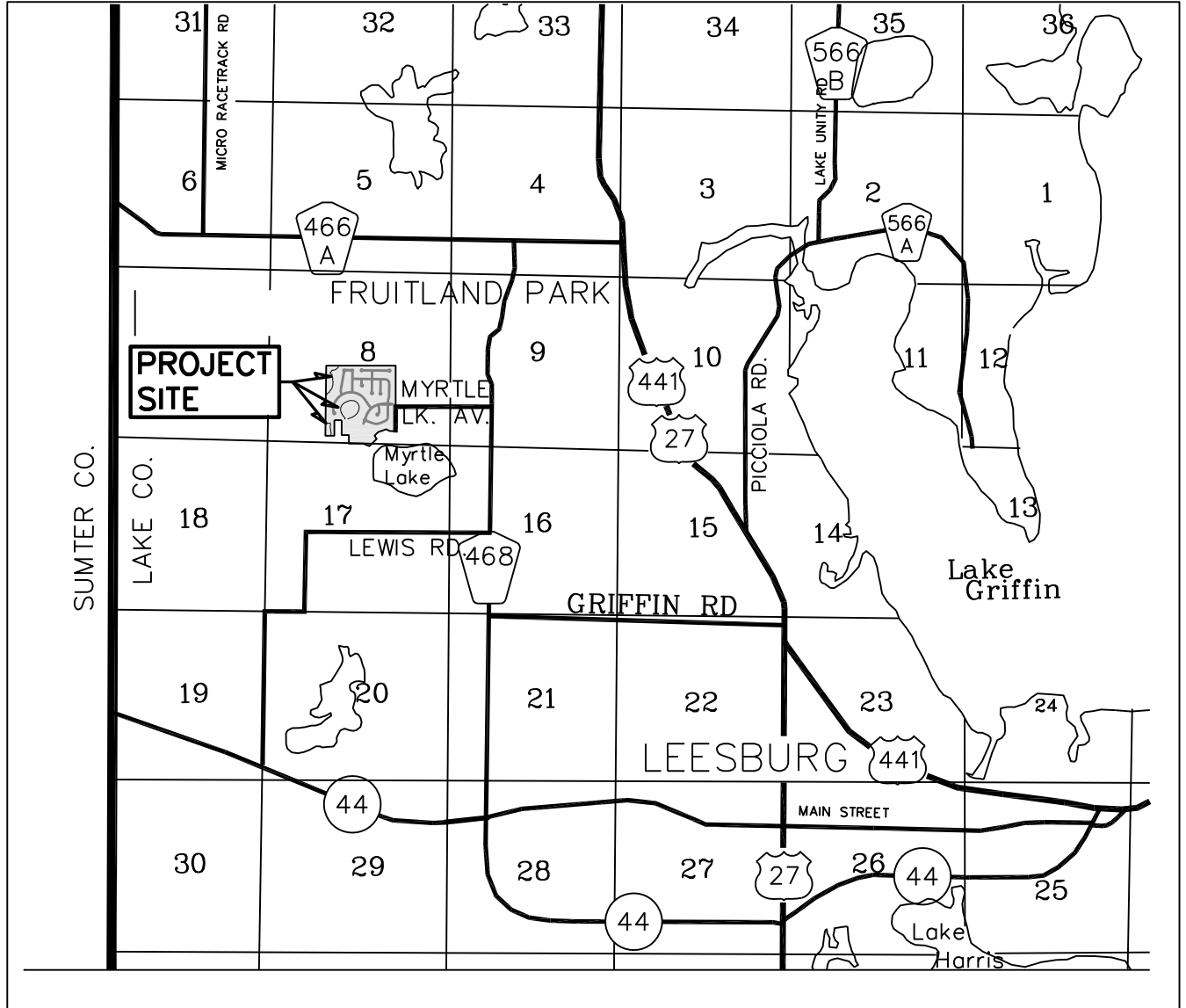
**Springstead
Engineering, Inc.**



Consulting Engineers
Planners
CA-0001723
LB-0001723
727 South 14th Street
Leesburg, FL 34748
(352) 787-1414

DRAWING: PHASES 11-13 w/AERIAL	
CLIENT: MOUKHTARA THE GLEN	
JOB NO.: 1710010.000	SCALE: HORIZ: 1"=80'

A:\Land Projects\2005\1710010.000\Working\The Glen\Aerial\Site_Design\1710010.000_17126\2018_11_14.dwg



SCALE: 1" = 2640'



**Springstead
Engineering, Inc.**
Consulting Engineers
Planners

CA-0001723
LB-0001723
727 South 14th Street
Leesburg, FL 34748
(352) 787-1414

**THE GLEN
FRUITLAND PARK, FLORIDA**

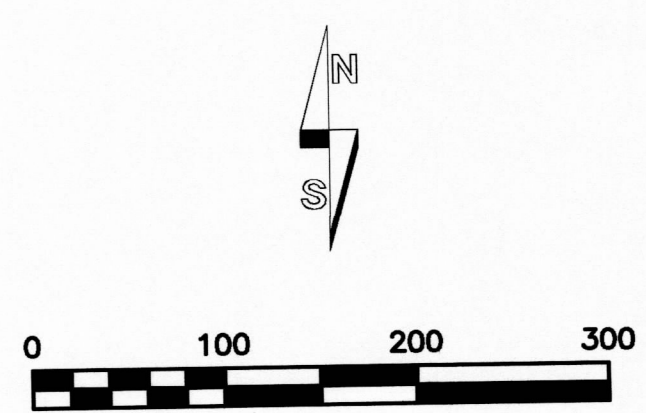
1710010.000

DESIGN: DWS

DRAWN: SKK

DATE: 5/9/17

**Boundary Survey of THE GLEN PHASES 11, 12, & 13
A Proposed Subdivision in the City of Fruitland Park
Being a Portion of:
Section 8, Township 19 South, Range 24 East
Lake County, Florida**



NOTE:
Rebar found in place, as shown hereon, does not conform to subdivision platting requirements for size and type; rebar was replaced with four inch square concrete monuments to meet platting requirements.

LEGEND

- = Permanent Reference Monument-Four inch square concrete Permanent Reference Monument, with Disk marked PRM, LS 3522, found on the boundary of THE GLEN, PHASE 10 or set on the boundary of THE GLEN, PHASES 11, 12, AND 13, unless otherwise noted.
- PC = Point of Curvature
- EC = End of Curve
- POC = Point on Curve
- PRC = Point of Reverse Curve
- (R) = Radial Line
- (NR) = Not Radial Line

DESCRIPTION FOR THE GLEN PHASES 11, 12 & 13:

That part of the East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East, Lake County, Florida, described as follows: from the Northeast corner of said East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East, run N 89°22'17" W, along the north boundary of the East 1/2 of the Southwest 1/4 of said Section 8, a distance of 577.44 feet, to northwest corner of THE GLEN PHASE 10, as recorded in Plat Book 70, Page 29, Public Records of Lake County, Florida, and Point of Beginning of the following described parcel; from said Point of Beginning, continue N 89°22'17" W, along said north boundary, a distance of 754.79 feet, to the Northwest corner of said East 1/2 of the Southwest 1/4; thence S 01°02'58" W, along the west boundary of said East 1/2 of the Southwest 1/4, a distance of 2361.04 feet, to a point that is located N 01°02'58" E, a distance of 275.00 feet, from the Southwest corner of said East 1/2 of the Southwest 1/4; thence S 88°55'13" E, and parallel with the south boundary of said East 1/2 of the Southwest 1/4, a distance of 292.50 feet; thence N 01°02'58" E, and parallel with the aforesaid west boundary of the East 1/2 of the Southwest 1/4, a distance of 500.00 feet; thence S 88°55'12" E, a distance of 250.40 feet, to the Southwest corner of THE GLEN PHASES 1, 2 & 3, as recorded in Plat Book 53, Pages 62-63, Public Records of Lake County, Florida; thence along the westerly boundary of THE GLEN PHASES 1, 2 & 3, the following courses; N 42°30'55" E, a distance of 58.41 feet; thence N 03°59'34" W, a distance of 51.94 feet; thence N 24°27'34" W, a distance of 73.72 feet; thence N 31°56'26" W, a distance of 125.13 feet; thence N 11°55'03" W, a distance of 50.16 feet; thence N 07°31'48" E, a distance of 43.70 feet; thence N 23°42'30" E, a distance of 92.64 feet; thence N 38°26'09" E, a distance of 99.69 feet; thence N 52°56'23" E, a distance of 106.90 feet; thence N 62°39'19" E, a distance of 93.81 feet; thence N 78°24'57" E, a distance of 37.17 feet; thence N 08°37'13" W, a distance of 106.75 feet, to a point on a curve concave to the south and having a radius of 430.51 feet; thence Easterly, along the arc of said curve, through a central angle of 9°39'48", a distance of 72.61 feet (Chord Bearing N 84°52'49" E, and Chord Length 72.52 feet), to the Southwest corner of THE GLEN PHASES 4, 5, 6 & 9, as recorded in Plat Book 56, Pages 11-12, Public Records of Lake County, Florida; thence along the west boundary of THE GLEN PHASES 4, 5, 6 & 9, the following courses; N 00°17'16" W, a distance of 154.49 feet; thence N 01°50'39" E, a distance of 50.03 feet, to a Point of Reverse Curve on the southerly boundary of the aforesaid THE GLEN PHASE 10, said curve being concave southerly and having a radius of 635.00 feet; thence from a radial bearing of N 00°07'12" W, run westerly, along the arc of said curve and southerly boundary of THE GLEN PHASE 10, through a central angle of 06°16'53", a distance of 69.62 feet (Chord Bearing S 86°44'22" W, and Chord Length 69.58 feet), to the southwest corner of THE GLEN PHASE 10; thence along the westerly boundary of THE GLEN PHASE 10, the following courses; N 06°24'05" W, a distance of 131.80 feet; thence N 88°54'28" W, a distance of 43.04 feet; thence N 03°55'27" E, a distance of 588.53 feet; thence S 88°54'28" E, a distance of 50.00 feet; thence N 37°15'30" E, a distance of 61.93 feet; thence N 88°54'28" W, a distance of 53.12 feet; thence N 01°05'32" E, a distance of 143.41 feet, to the Point of Beginning, and end of this description; area described contains 32.25 acres.

**THE GLEN PHASES 11, 12, & 13,
a Proposed Subdivision in the City of Fruitland Park**

ALT KEY
1740576
32.25
ACRES

ALT KEY
1287863

ALT KEY
3834391

ALT KEY
1288789

Map of Boundary Survey:
This survey map and report is not valid without the signature and original seal of the Florida licensed surveyor and mapper which can be found at the end of this report.

- Data Sources:**
- Request from client to prepare a boundary survey of the subject parcel.
 - McLin Burnsed examination of title, based on Old Republic National Title Insurance Company Title Certificate, having an effective date of September 16, 2019.
 - Preliminary Plat of THE GLEN PHASES 1-13, furnished by Springstead Engineering.
 - Maps and Descriptions contained on the plats of THE GLEN PHASES 1-9, as recorded in the Public Records of Lake County, Florida.
 - Corner monuments as found in place.

- Limitations:**
- No research was made in the Public Records of Lake County, Florida by the office of Billy Earl Owens, PSM, for easements, restrictions, rights-of-way, or reservations.
 - Subsurface and environmental conditions were not examined or considered as a part of this survey.
 - The word "certify" or "certification" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
 - THE GLEN PHASES 11, 12 & 13, was under construction, at the time of this survey; roads, utilities and other improvements being installed were not located.
 - Underground foundations, if any, were not located.
 - Survey and description are subject to easements, restrictions, rights-of-way and reservations, if any.

- Easements:**
Refer to Data Sources Note No. 2.
- Notes:**
- This survey was performed utilizing a Carlson GNSS Base and Receiver and Robotic Total Station. Corner monuments found and/or set utilizing a closed traverse and were verified by redundant measurements. Monuments found and/or set exceeds the minimum relative distance accuracy of 1 foot in 10,000 feet.
 - Bearings are based on the map of THE GLEN PHASES 7 and 8, recorded in Plat Book 59, Pages 25 and 26, Public Records of Lake County, Florida, and the monumented centerline of DAYBREAK DR., this line is not shown.
 - All boundary bearings and distances were field measured and are in U.S. Feet.

Survey is for the benefit of:
Michel Moukhtara, President, on behalf of A. A. Moukhtara, Inc., a Florida Corporation.

Surveyor's certification:
I hereby certify this Map and Report Boundary Survey meets the STANDARDS OF PRACTICE for surveying as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 53-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes.
Date of Survey: February 22, 2019.

Billy Earl Owens
Billy Earl Owens, PSM
Florida Certificate No. 3522
VOID UNLESS SIGNED AND EMBOSSED WITH SURVEYOR'S SEAL
doc\ The Glen Boundary Survey
bk Field Drawing and dc19

Prepared by:
Billy Earl Owens, PSM
Surveyor and Mapper
Mailing Address: 494 CR 416N
Physical Address: 39 CR 494
Lake Panasofflee, FL 33538
PH: 352-793-2854
e-mail: bcopsm3522@gmail.com

Boundary Survey of THE GLEN PHASES 11, 12, & 13			SHEET 1 of 1	
DRAWN	DATE	APPROVED	SCALE	PROJECT NO.
	2/22/19	bee/leo	1" = 100'	The Glen 11-13

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS, That we, **A.A. Moukhtara Company**, as Principal, and _____ (insert name of surety) , authorized to do business in the State of Florida, hereinafter referred to as “Surety”, are held and firmly bound unto the CITY OF FRUITLAND PARK, Florida, hereinafter referred to as “CITY” in the sum of **Eighty-Five Thousand Seven Hundred Forty and 80/100 Dollars (\$85,740.80) [twenty-five percent (25%) of the estimated cost of improvements]** for the payment of which we do bind ourselves, and each of our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, PRINCIPAL has constructed certain improvements, including **paving, stormwater, water, signage, and miscellaneous improvements** as more particularly set forth on the Cost Estimate prepared by **Springstead Engineering, Inc.** attached hereto as Exhibit A, in that certain development described as **The Glen Phase 11-13**.

WHEREAS, pursuant to the City of FRUITLAND PARK Code, the aforesaid improvements were made pursuant to certain plans and specifications dated **May 2002 and Revised November 19, 2003**, filed with the CITY;

WHEREAS, PRINCIPAL is obligated to protect the CITY against any defects resulting from faulty materials or workmanship of said improvements and to maintain said improvements for a period of two (2) years from the date of the City’s letter of acceptance of the improvements;

NOW, THEREFORE, the condition of this obligation is such that PRINCIPAL shall promptly and faithfully protect the CITY against any defects and correct any defects resulting from faulty materials or faulty workmanship of the aforesaid improvements, shall maintain said improvements, and shall correct, repair and otherwise maintain said improvements for a period of two (2) years from the date of the letter of acceptance of the improvements;

The CITY shall notify PRINCIPAL in writing of (1) any defect for which the PRINCIPAL is responsible and (2) any item that is not properly maintained and shall specify in said notice a reasonable period of time within which PRINCIPAL shall have to correct said defect or properly maintain said item.

The SURETY unconditionally covenants and agrees that if the PRINCIPAL fails to perform within the time specified, the SURETY, upon forty-five (45) days written notice from the CITY, or its authorized agent or officer, of the default with forthwith correct such defect or defects, perform the required maintenance and pay all CITY costs related hereto, including but not limited to, engineering costs, legal fees (including attorneys’ fees on appeal) and contingent costs. Should the SURETY fail to refuse to correct said defects or perform the required maintenance, the CITY in view of the public interest, health, safety and welfare factors involved, and the consideration in approving and filing the said development, shall have the right to resort to any and all legal remedies against the PRINCIPAL and SURETY, both at law and in equity including specifically, specific performance, to which the PRINCIPAL and SURETY unconditionally agree.

The PRINCIPAL and SURETY further jointly and severally agree that the CITY, at its option, shall have the right (1) to correct said defects and/or (2) to perform the required maintenance in case the PRINCIPAL and/or SURETY shall fail or refused to do so, and in the event the CITY should exercise and give effect to such right, the PRINCIPAL and SURETY, shall be jointly and severally obligated hereunder to reimburse the CITY the total costs thereof, including but not limited to, construction costs, engineering costs, legal fees (including attorneys' fees on appeal) and contingent costs, together with any damages either direct or consequential, which may be sustained on account of the failure of the PRINCIPAL to correct said defects or maintain said improvements.

ADDRESSES FOR NOTICE ARE AS PROVIDED BELOW:

City Manager
City of Fruitland Park
506 W Berckman Street
Fruitland Park, Florida 34731

PRINCIPAL:

SURETY:

Signed, sealed and dated this ____ day of _____, 2018.

Principal (seal)

By: _____

Date: _____

Address:

Surety
SURETY COMPANY

By: _____

Date: _____

Address:

Attach Power of Attorney to this Bond

EXHIBIT "A"
THE GLEN - PHASES 11-13
ENGINEER'S CONSTRUCTION COST ESTIMATE

	<u>Description</u>	<u>QTY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
Roadways					
1	1 1/2" SP 9.5 Level "C" Fine Graded Asphalt Surface Course	5,578	SY	\$ 10.50	\$ 58,569.00
2	6" Limerock Stabilized Shoulder (8' Wide, LBR 40)	3,387	SY	\$ 6.20	\$ 20,999.40
3	8" Limerock Base (LBR 100)	5,883	SY	\$ 10.60	\$ 62,359.80
	Subtotal Roadways				\$ 141,928.20
Drainage					
4	14" x 23" Oval RCP	146	LF	\$ 90.00	\$ 13,140.00
5	18" HDPE	234	LF	\$ 80.00	\$ 18,720.00
6	24" HDPE	205	LF	\$ 95.00	\$ 19,475.00
7	Type E Inlet	3	EA	\$ 3,700.00	\$ 11,100.00
8	Mitered End Section	2	EA	\$ 1,500.00	\$ 3,000.00
9	Mitered End Section w/Dissipater	2	EA	\$ 1,200.00	\$ 2,400.00
	Subtotal Drainage				\$ 67,835.00
Water					
10	8" x 8" x 8" Tee	1	EA	\$ 750.00	\$ 750.00
11	4" PVC Watermain	371	LF	\$ 34.00	\$ 12,614.00
12	6" PVC Watermain	466	LF	\$ 44.00	\$ 20,504.00
13	8" PVC Watermain	1,277	LF	\$ 54.00	\$ 68,958.00
14	8" D.I.P. Watermain	150	LF	\$ 75.00	\$ 11,250.00
15	8" x 6" Reducer	1	EA	\$ 365.00	\$ 365.00
16	6" X 4" Reducer	1	EA	\$ 365.00	\$ 365.00
17	8" Gate Valve & Box	1	EA	\$ 1,325.00	\$ 1,325.00
18	Fire Hydrant Assembly	3	EA	\$ 3,500.00	\$ 10,500.00
19	6" Gate Valve & Box	1	EA	\$ 890.00	\$ 890.00
20	8" 45° Bends	4	EA	\$ 475.00	\$ 1,900.00
21	6" 45° Bends	3	EA	\$ 457.00	\$ 1,371.00
22	2" Blowoff	1	EA	\$ 850.00	\$ 850.00
23	6" Cap	1	EA	\$ 450.00	\$ 450.00
24	8" Cap	1	EA	\$ 550.00	\$ 550.00
	Subtotal Water				\$ 132,642.00
Signage and Striping					
25	Stop Sign, R1-1, 30" x 30" w/Street Signs	1	EA	\$ 370.00	\$ 370.00
26	24" Wide White Stop Bar	2	EA	\$ 94.00	\$ 188.00
	Subtotal Signage and Striping				\$ 558.00
	Total Improvements Phase 11 - 13				\$ 342,963.20
	Required Maintenance Bond			25%	\$ 85,740.80

This instrument prepared by and
after recording return to:

Newman, P. Richard, Esq.
McLin & Burnsed, P.A.
Post Box Office Post 491357
34749-Florida Leesburg 34749-1357

-----SPACE ABOVE THIS LINE FOR RECORDING DATA-----

**AMENDMENT AND SUPPLEMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF THE GLEN**

THIS AMENDMENT AND SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE GLEN (this "Amendment and Supplement") is made as of this ____ day of _____, 2019, ("Effective Date") by **A.A. MOUKHTARA COMPANY**, a Florida corporation ("Declarant").

RECITALS:

WHEREAS, Declarant is the Declarant under that certain Declaration of Covenants, Conditions and Restriction for The Glen, recorded in Official Records Book 2760, Page 2292, Public Records of Lake County, Florida, as subsequently amended (as amended, collectively, the "Declaration") (unless otherwise defined, capitalized terms used above or herein shall have the meanings ascribed to them in the Declaration); and

WHEREAS, Article II of the Declaration provides that Declarant may bring additional properties within the operation of the Declaration to become part of the Property, except as provided for in Article XII, without the consent of the Association, the Owners, any mortgagee or other lien holder or anyone else, by the recording a Supplemental Declaration in the Public Records of Lake County, Florida; and

WHEREAS, Declarant is the fee simple owner of that certain real property described on Exhibit "A" attached hereto and incorporated herein (the "Subject Property"), being the same property as depicted as the Plat of The Glen Phases 11, 12 and 13 recorded in Plat Book ____, Page ____ through ____, Public Records of Lake County, Florida; and

NOW, THEREFORE, Declarant, for itself and its successors in interest and assigns, by the execution and recording of this Amendment and Supplement in the Public Records of Lake County, Florida, does hereby declare that the Declaration is hereby amended as follows:

1. Recitals. The recital set forth above are incorporated herein by this reference as if the same were fully set forth herein.

2. Additional Property. Effective as of the date on which this Amendment and Supplement is recorded in the Public Records of Lake County, Florida (the "Supplement Effective Date"), the Declaration is hereby supplemented to extend the effect and encumbrance of the Declaration to the Subject Property as additional property. Commencing as of the Supplement Effective Date, the Subject Property, as additional property, shall be held, transferred, sold, conveyed, improved, and occupied subject to the covenants, conditions, restrictions, easements, and liens set forth in the Declaration and in this Amendment and Supplement. The annexation of the Subject Property as additional property is made pursuant to Article II, Section 3 of the Declaration, and also extends the jurisdiction of the Association to the Subject Property.

3. Association Assessments and Fees. Notwithstanding anything in the Declaration to the contrary, Maronda Homes, Inc. of Florida ("Maronda") and any other entity or individual engaged in the purchase of Lots within the Subject Property for the construction and sale of residences thereon (as to each, a "Phase 11, 12 and 13 Homebuilder," shall be exempt from the payment of any and all annual, special, start-up, capital, initial and other assessments and contributions during the time they own any Lots within the Subject Property. Neither Maronda nor any of its homebuyers within the Subject Property shall be responsible for paying to the Association, its property management company, or any other party or entity, any estoppel fee whatsoever in connection with the purchase or sale by Maronda of any Lot or home within the Subject Property. Maronda shall be exempt from the payment of any fee whatsoever in connection with obtaining approvals from the ARB as described in Article VII of the Declaration.

4. Effect of this Amendment and Supplement. Except as modified by this Amendment and Supplement, the Declaration remains unmodified, and in full force and effect. In the event of any inconsistency or conflict between the terms of this Amendment and Supplement and the terms of the Declaration, the terms of this Amendment and Supplement shall control only as necessary to resolve any such inconsistency or conflict.

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Declarant has executed this Amendment and Supplement as of the date first written above.

DECLARANT:

Signed, sealed and delivered in the presence of:

A.A. MOUKHTARA COMPANY, a Florida corporation

Print Name:

By: _____

Print Name: _____

Title: _____

Print Name:

Dated: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by _____ as _____ of A.A. MOUKHTARA COMPANY, a Florida corporation, on behalf of the Corporation, who (check appropriate Box) [____] is personally known to me or [____] produced _____ as identification.

NOTARY PUBLIC. STATE OF FLORIDA

Via email: (tkelley@fruitlandpark.org)

Ref: 4730.01

TECHNICAL MEMORANDUM

To: Tracy Kelley, Fruitland Park Community Development Director
From: Matthew West AICP
Date: November 2, 2018
Subject: The Glen Phases 11 - 13 – Trip Generation and Traffic Impact Analysis (TIA) Exemption
 Fruitland Park, FL

INTRODUCTION

LTG, Inc. has been retained by A.A. Moukhtara Company to prepare a Trip Generation Analysis and a Request for Exemption from a Tier 1 TIA for the 49-lot single family development (the PROJECT) located in the west half of The Glen PUD in Fruitland Park, Florida. A preliminary subdivision plan is attached as Exhibit A. The PROJECT will consist of 49 single family lots. Currently, the property is vacant.

PROJECT TRIP GENERATION

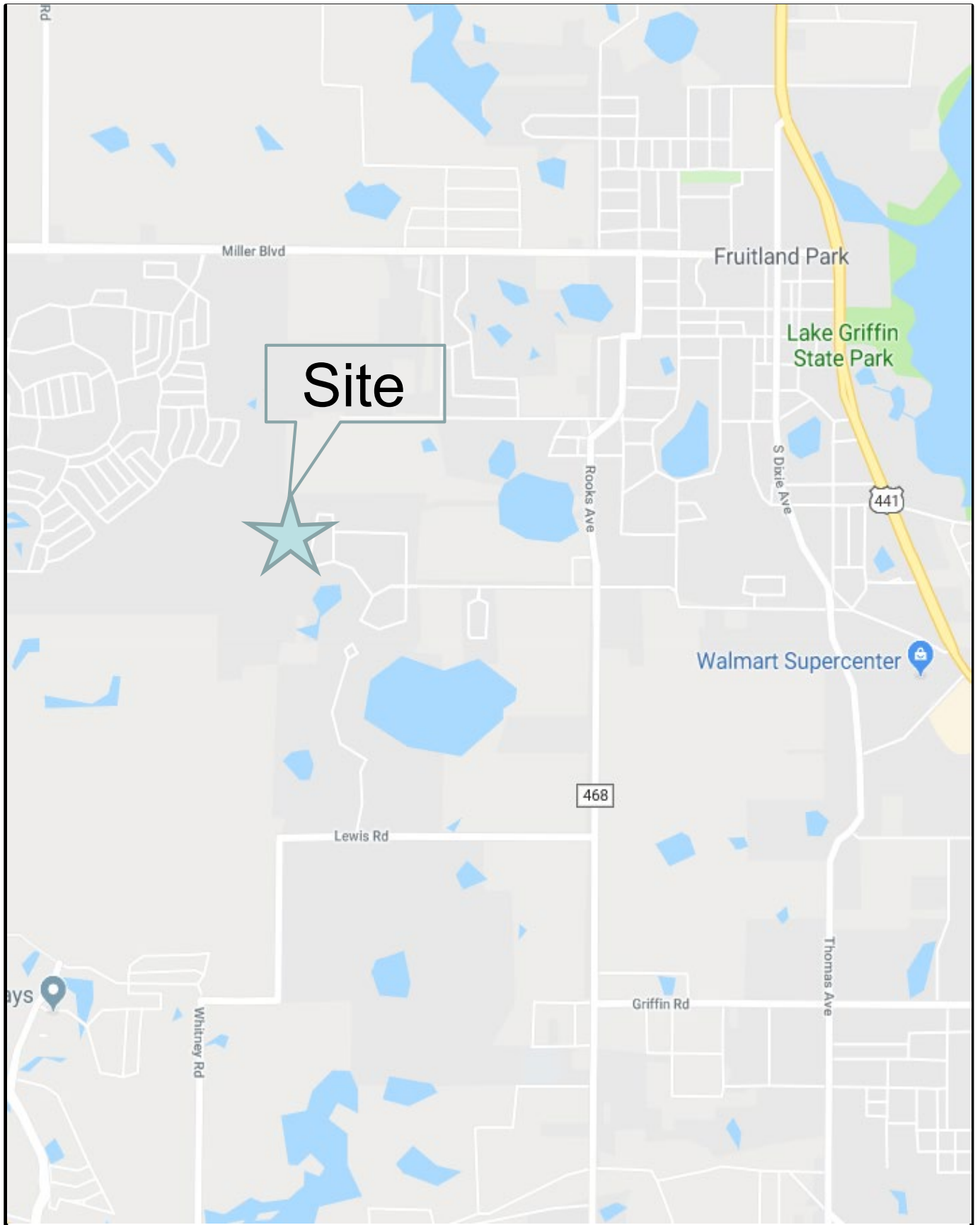
The project-generated daily, a.m., and p.m. peak-hour trips, presented in Table 1, were determined using the Institute of Transportation Engineers' Trip Generation Manual, 10th Edition. The 49 single family detached homes' trip generation is calculated using the Single Family Detached Housing (land use code 210). As shown in Table 1, the PROJECT is expected to produce 539 daily trips, 40 a.m. peak-hour trips, and 51 p.m. peak-hour trips. Internal capture and pass-by capture trips are not calculated for this single use residential development.

**Table 1
 Trip Generation
 The Glen, Phases 11-13**

Time Period	Land Use	Land Use Code	Trip Rate Equation	Size	Units	Percent Entering	Percent Exiting	Trips Entering	Trips Exiting	Total Trips
Daily	Single Family Detached Housing	210	$\ln(T) = 0.92 \ln(X) + 2.71$	49	Units	50%	50%	270	270	539
AM Peak Hour	Single Family Detached Housing	210	$T = 0.71(X) + 4.80$	49	Units	25%	75%	10	30	40
PM Peak Hour	Single Family Detached Housing	210	$\ln(T) = 0.96 \ln(X) + 0.20$	49	Units	63%	37%	32	19	51

It should be noted that Section 153.040,a),1) of the Fruitland Park Code requires a traffic analysis when a development is anticipated to generate 250 or more peak-hour trips. Table 1 above demonstrates that the proposed development's trip generation would be substantially less than 250 peak-hour trips (roughly 20 percent of the threshold).

Also, the Lake Sumter Metropolitan Planning Organization's TIS Methodology Guidelines (Section 3.1) defines "de minimis" development as any development for which the net average weekday peak-hour two-way volume is less than 100 trip ends. Table 1 demonstrates that the proposed development is roughly half the de minimis threshold. The local roadway network has adequate capacity to accommodate the additional trips without exceeding the adopted levels of service. Therefore, an exemption from providing a Tier 1 TIS is requested.



**The Glen PUD
Phases 11-13**



NTS

Location Map

Project No.:4730.01

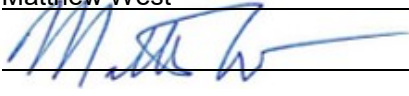
Figure: 1



LTG *Engineering
& Planning*

1450 West Granada Blvd., Suite 2 – Daytona Beach, Florida 32174
Telephone: 386.257.2571 Fax: 386.257.6996 EB# 0009227

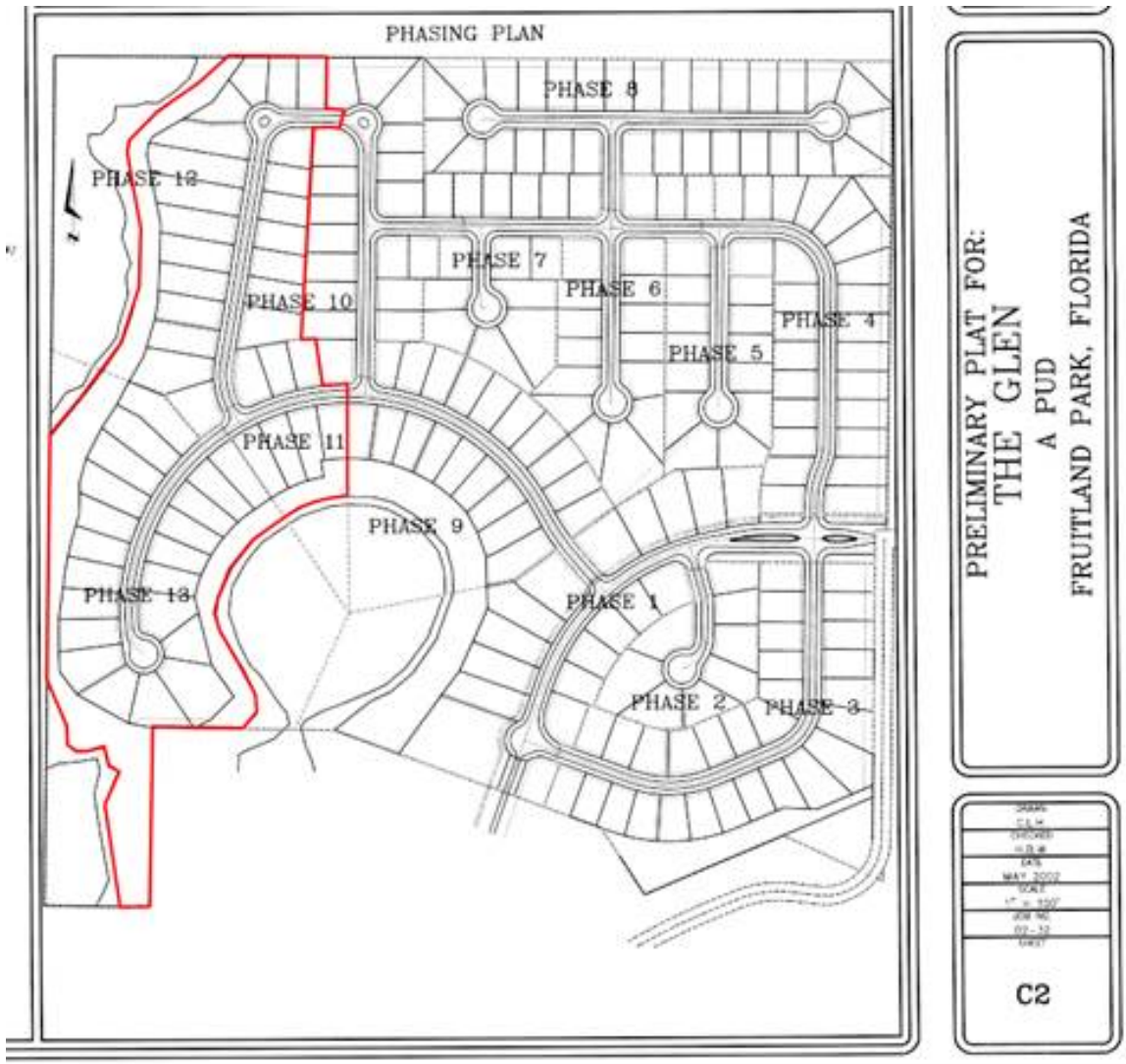
I affirm, by affixing my signature and seal below, that the findings contained herein are, to my knowledge, accurate and truthful and were developed using current procedures standard to the practice of professional planning.

Name: Matthew West
Signature: 
Date: November 2, 2018

Attachments:

Exhibit A – Conceptual Subdivision Plan

EXHIBIT A





St. Johns River

Water Management District

Ann B. Shortelle, Ph.D., Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • 386-329-4500
On the internet at www.sjrwmd.com.

July 24, 2017

Sayed Moukhtara
A A Moukhtara, Inc.
7717 NW 20th Ln
Gainesville, FL 32605-3163

SUBJECT: 26496-3
The Glen, Phases 10, 11, 12, & 13

Dear Sir/Madam:

Enclosed is your individual permit issued by the St. Johns River Water Management District on July 24, 2017. This permit is a legal document and should be kept with your other important documents. Permit issuance does not relieve you from the responsibility of obtaining any necessary permits from any federal, state, or local agencies for your project.

Technical Staff Report:

If you wish to review a copy of the Technical Staff Report (TSR) that provides the District's staff analysis of your permit application, you may view the TSR by going to the Permitting section of the District's website at www.sjrwmd.com/permitting. Using the "search applications and permits" feature, you can use your permit number or project name to find information about the permit. When you see the results of your search, click on the permit number and then on the TSR folder.

Noticing Your Permit:

For noticing instructions, please refer to the noticing materials in this package regarding closing the point of entry for someone to challenge the issuance of your permit. Please note that if a timely petition for administrative hearing is filed, your permit will become non-final and any activities that you choose to undertake pursuant to your permit will be at your own risk.

Compliance with Permit Conditions:

To submit your required permit compliance information, go to the District's website at www.sjrwmd.com/permitting. Under the "Apply for a permit or submit compliance data" section, click to sign-in to your existing account or to create a new account. Select the "Compliance Submittal" tab, enter your permit number, and select "No Specific Date" for the Compliance Due Date Range. You will then be able to view all the compliance submittal requirements for your project. Select the compliance item that you are ready to submit and then attach the appropriate information or form. The forms to comply with your permit conditions are available at www.sjrwmd.com/permitting under the section "Handbooks, forms, fees, final orders". Click on forms to view all permit compliance forms, then scroll to the ERP application forms section and select the applicable compliance forms. Alternatively, if you have difficulty finding forms or need

GOVERNING BOARD

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Fred N. Roberts Jr., VICE CHAIRMAN
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COCOA

Douglas C. Bourniquet
VERO BEACH

Douglas Burnett
ST. AUGUSTINE

Susan Dolan
SANFORD

Janet Price
FERNANDINA BEACH

copies of the appropriate forms, please contact the Bureau of Regulatory Support at (386) 329-4570.

Transferring Your Permit:

Your permit requires you to notify the District within 30 days of any change in ownership or control of the project or activity covered by the permit, or within 30 days of any change in ownership or control of the real property on which the permitted project or activity is located or occurs. You will need to provide the District with the information specified in rule 62-330.340, Florida Administrative Code (F.A.C.). Generally, this will require you to complete and submit Form 62-330.340(1), "Request to Transfer Permit," available at <http://www.sjrwmd.com/permitting/permitforms.html>.

Please note that a permittee is liable for compliance with the permit before the permit is transferred. The District, therefore, recommends that you request a permit transfer in advance in accordance with the applicable rules. You are encouraged to contact District staff for assistance with this process.

Thank you and please let us know if you have additional questions. For general questions contact e-permit@sjrwmd.com or (386) 329-4570.

Sincerely,



Margaret Daniels, Office Director
Office of Business and Administrative Services
St. Johns River Water Management District
4049 Reid Street
Palatka, FL 32177-2529
(386) 329-4570

Enclosures: Permit

cc: District Permit File

David W. Springstead
Springstead Engineering, Inc.
727 S 14th St
Leesburg, FL 34748-5618

David W. Springstead
Springstead Engineering, Inc.
727 S 14th St
Leesburg, FL 34748-5618

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO: 26496-3

DATE ISSUED: July 24, 2017

PROJECT NAME: The Glen, Phases 10, 11, 12, & 13

A PERMIT AUTHORIZING:

Construction of a Stormwater Management System for The Glen, Phases 10, 11, 12, & 13, a 38.38 - acre project to be constructed and operated as per plans received by the District on August 21, 2003 and as amended by Sheets 2 of 7 and 4 of 7 received by the District on October 21, 2003.

LOCATION:

Section(s): 8 Township(s): 19S Range(s): 24E
Lake County

Receiving Water Body:

Name	Class
Myrtle Lake	III Fresh

ISSUED TO:

A A Moukhtara, Inc.
7717 NW 20th Ln
Gainesville, FL 32605-3163

The permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to the permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes.

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated July 24, 2017

AUTHORIZED BY: St. Johns River Water Management District
Division of Regulatory Services

By: 

Marc vonCanal
Regulatory Coordinator

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 26496-3
The Glen, Phases 10, 11, 12, & 13
DATED July 24, 2017

1. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C. Any deviations that are not so authorized may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S.
2. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the District staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.
3. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), and the Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008), which are both incorporated by reference in subparagraph 62-330.050(9)(b)5, F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.
4. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the District a fully executed Form 62-330.350(1), "Construction Commencement Notice,"[10-1-13], incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), indicating the expected start and completion dates. A copy of this form may be obtained from the District, as described in subsection 62-330.010(5), F.A.C. If available, an District website that fulfills this notification requirement may be used in lieu of the form.
5. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.
6. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:
 - a. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex — "Construction Completion and Inspection Certification for Activities Associated With a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or
 - b. For all other activities — "As-Built Certification and Request for Conversion to Operational Phase" [Form 62-330.310(1)].
 - c. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

7. If the final operation and maintenance entity is a third party:
 - a. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as-built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.3 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.
 - b. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity" [Form 62-330.310(2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.
8. The permittee shall notify the District in writing of changes required by any other regulatory District that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.
9. This permit does not:
 - a. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;
 - b. Convey to the permittee or create in the permittee any interest in real property;
 - c. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or
 - d. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.
10. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.
11. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.
12. The permittee shall notify the District in writing:
 - a. Immediately if any previously submitted information is discovered to be inaccurate; and
 - b. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

13. Upon reasonable notice to the permittee, District staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.
14. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.
16. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.
17. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the District will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.
18. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.
19. This permit for construction will expire five years from the date of issuance.
20. At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediment must be removed from the storage area prior to final grading and stabilization.
21. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
22. The operation and maintenance entity shall inspect the stormwater or surface water management system once within two years after the completion of construction and every two years thereafter to determine if the system is functioning as designed and permitted. The operation and maintenance entity must maintain a record of each required inspection, including the date of the inspection, the name and contact information of the inspector, and whether the system was functioning as designed and permitted, and make such record available for inspection upon request by the District during normal business hours. If at any

time the system is not functioning as designed and permitted, then within 30 days the entity shall submit a report electronically or in writing to the District using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," describing the remedial actions taken to resolve the failure or deviation.

23. Deed of Conservation Easement

This permit requires the recording of a conservation easement. Within 30 days of recording, the permittee shall provide the District with: (a) the original recorded easement (including exhibits) showing the date it was recorded and the official records book and page number, (b) a copy of the recorded plat (if applicable), (c) a surveyor's sketch of the easement area plotted on the appropriate USGS topographic map, and (d) the original recorded consent and joinder(s) of mortgagee (if applicable). Before recording them, the permittee shall ensure that these documents are acceptable to the District as described below.

Description of Conservation Easement Area.

The permittee shall provide to the District for review and written approval a copy of: (a) the preliminary plat showing the area to be encumbered by the conservation easement, or (b) a surveyor's sketch and legal description of the area to be placed under the conservation easement, per the approved mitigation plan, at least 45 days before (1) dredging, filling, or clearing any wetland or surface water for which mitigation is required; (2) clearing any upland within a Riparian Habitat Protection Zone for which mitigation is required; (3) the sale of any lot or parcel; (4) the recording of the subdivision plat; or (5) use of the infrastructure for its intended use, whichever occurs first.

If the impacts to an upland within a Riparian Habitat Protection Zone or to a wetland or surface water for which mitigation is required will occur in discrete phases, the areas to be preserved to offset such impacts may be placed under conservation easement in phases such that impacts are offset during each phase. Such phasing of preservation shall only occur if it has been proposed in the mitigation plan and approved by the permit, or if it is approved in writing by the District. A surveyor's sketch and legal description of the area to be placed under conservation easement during each phase must be submitted in accordance with the previous paragraph.

Recording of Conservation Easement.

Before (1) dredging, filling, or clearing any wetland or surface water for which mitigation is required, (2) clearing any upland within a Riparian Habitat Protection Zone for which mitigation is required, (3) the sale of any lot or parcel, (4) the recording of the subdivision plat, or (5) use of the infrastructure for its intended use, whichever occurs first, the permittee shall record a conservation easement. The conservation easement shall include restrictions on the real property pursuant to section 704.06, Florida Statutes, and be consistent with section 10.3.8, ERP Applicant's Handbook, Volume I (October 1, 2013) and Fla. Admin. Code R. 62-330.301(6).

The conservation easement shall be in the form approved in writing by the District and, if no plat has been submitted, the easement shall include the approved legal description and surveyor's sketch. If the District does not provide written comments on the preliminary plat or surveyor's sketch and legal description within 45 days of receipt, then the permittee may record the conservation easement with the legal description and surveyor's sketch or plat reference previously submitted. If the District provides written disapproval of the preliminary plat or surveyor's sketch and legal description, the permittee shall, within ten (10) days of receipt of the disapproval, correct all errors with the conservation easement, including the preliminary plat or legal description and surveyor's sketch, and record the conservation

easement. Pursuant to section 704.06, Florida Statutes, the conservation easement shall prohibit all construction, including clearing, dredging, or filling, except that which is specifically authorized by this permit, within the mitigation areas delineated on the final plans and/or mitigation proposal approved by the District.

The easement may not be amended without written District approval.

Additional Documents Required.

The permittee shall ensure that the conservation easement identifies, and is executed by, the correct grantor, who must hold sufficient record title to the land encumbered by the easement. If the easement's grantor is a partnership, the partnership shall provide to the District a partnership affidavit stating that the person executing the conservation easement has the legal authority to convey an interest in the partnership land. If there exist any mortgages on the land, the permittee shall also have each mortgagee execute a consent and joinder of mortgagee subordinating the mortgage to the conservation easement. The consent and joinder of the mortgagee shall be recorded simultaneously with the conservation easement in the public records of the county where the land is located. Within 30 days of recording, the permittee shall provide the District with: (a) the original recorded easement (including exhibits) showing the date it was recorded and the official records book and page number, (b) a copy of the recorded plat (if applicable), (c) a surveyor's sketch of the easement area plotted on the appropriate USGS topographic map, and (d) the original recorded consent and joinder(s) of mortgagee (if applicable).

Demarcation of Conservation Easement Area. Prior to lot or parcel sales, all changes in direction of the easement area boundaries must be permanently monumented above ground on the project site.

24. The stormwater management system shall be constructed and operated in accordance with the plans received by the District on August 21, 2003 and as amended by Sheets 2 of 7 and 4 of 7 received by the District on October 21, 2003.
25. This permit does not authorize any impacts to wetlands or other surface waters.
26. Prior to the use of the infrastructure or sale of any lot or parcel, the permittee must install permanent information signs (number of signs to be approved by the District) advising residents of the conservation areas along all conservation tract boundaries with lots or roads. These signs must indicate that this is a conservation area and that no clearing or dumping is allowed.

Notice Of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within twenty-six (26) days of the District depositing the notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 4 below.
2. Please be advised that if you wish to dispute this District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.
3. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

Notice Of Rights

4. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
5. Failure to file a petition for an administrative hearing within the requisite timeframe shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
6. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
7. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
8. A District action is considered rendered, as referred to in paragraph no. 7 above, after it is signed on behalf of the District and filed by the District Clerk.
9. Failure to observe the relevant timeframes for filing a petition for judicial review as described in paragraph no. 7 above will result in waiver of that right to review.

Notice Of Rights

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent to the permittee:

Sayed Moukhtara
A A Moukhtara, Inc.
7717 NW 20th Ln
Gainesville, FL 32605-3163

This 24th day of July, 2017.



Margaret Daniels, Office Director
Office of Business and Administrative Services
St. Johns River Water Management District
4049 Reid Street
Palatka, FL 32177-2529
(386) 329-4570

Permit Number: 26496-3

NOTICING INFORMATION

Dear Permittee:

Please be advised that the St. Johns River Water Management District will not publish a notice in the newspaper advising the public that it has issued a permit for this project.

Newspaper publication, using the District's notice form, notifies members of the public of their right to challenge the issuance of the permit. If proper notice is given by newspaper publication, then there is a 21-day time limit for someone to file a petition for an administrative hearing to challenge the issuance of the permit.

To close the point of entry for filing a petition, you may publish (at your own expense) a one-time notice of the District's decision in a newspaper of general circulation within the affected area as defined in Section 50.011 of the Florida Statutes. If you do not publish a newspaper notice to close the point of entry, the time to challenge the issuance of your permit will not expire and someone could file a petition even after your project is constructed.

A copy of the notice form and a partial list of newspapers of general circulation are attached for your convenience. However, you are not limited to those listed newspapers. If you choose to close the point of entry and the notice is published, the newspaper will return to you an affidavit of publication. In that event, it is important that you either submit a scanned copy of the affidavit by emailing it to compliancesupport@sjrwm.com (preferred method) or send a copy of the original affidavit to:

Margaret Daniels, Office Director
Office of Business and Administrative Services
4049 Reid Street
Palatka, FL 32177

If you have any questions, please contact the Office of Business and Administrative Services at (386) 329-4570.

Sincerely,



Margaret Daniels, Office Director
Office of Business and Administrative Services

NOTICE OF AGENCY ACTION TAKEN BY THE
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that the following permit was issued on _____:

(Name and address of applicant) _____
permit# _____. The project is located in _____ County, Section
_____, Township _____ South, Range _____ East. The permit authorizes a surface
water management system on _____ acres for _____ known as
_____. The receiving water body is _____.

A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code (F.A.C.), the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P.O. Box 1429, Palatka FL 32178-1429 (4049 Reid St, Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwm.com, within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes (F.S.), and Chapter 28-106, F.A.C. The District will not accept a petition sent by facsimile (fax). Mediation pursuant to Section 120.573, F.S., may be available and choosing mediation does not affect your right to an administrative hearing.

A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8 a.m. – 5 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwm.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile (fax) is prohibited and shall not constitute filing.

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. **Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, F.A.C.).**

If you wish to do so, please visit http://www.sjrwm.com/nor_dec/ to read the complete Notice of Rights to determine any legal rights you may have concerning the District's decision(s) on the permit application(s) described above. You can also request the Notice of Rights by contacting the Director of Regulatory Support, 4049 Reid St., Palatka, FL 32177-2529, tele. no. (386)329-4570.

NEWSPAPER ADVERTISING

ALACHUA

The Alachua County Record, Legal Advertising
P. O. Box 806
Gainesville, FL 32602
352-377-2444/ fax 352-338-1986

BRAFORD

Bradford County Telegraph, Legal Advertising
P. O. Drawer A
Starke, FL 32901
904-964-6305/ fax 904-964-8628

CLAY

Clay Today, Legal Advertising
1560 Kinsley Ave., Suite 1
Orange Park, FL 32073
904-264-3200/ fax 904-264-3285

FLAGLER

Flagler Tribune, c/o News Journal
P. O. Box 2831
Daytona Beach, FL 32120-2831
386-681-2322

LAKE

Daily Commercial, Legal Advertising
P. O. Drawer 490007
Leesburg, FL 34749
352-365-8235/fax 352-365-1951

NASSAU

News-Leader, Legal Advertising
P. O. Box 766
Fernandina Beach, FL 32035
904-261-3696/fax 904-261-3698

ORANGE

Sentinel Communications, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

PUTNAM

Palatka Daily News, Legal Advertising
P. O. Box 777
Palatka, FL 32178
386-312-5200/ fax 386-312-5209

SEMINOLE

Seminole Herald, Legal Advertising
300 North French Avenue
Sanford, FL 32771
407-323-9408

BAKER

Baker County Press, Legal Advertising
P. O. Box 598
MacLenny, FL 32063
904-259-2400/ fax 904-259-6502

BREVARD

Florida Today, Legal Advertising
P. O. Box 419000
Melbourne, FL 32941-9000
321-242-3832/ fax 321-242-6618

DUVAL

Daily Record, Legal Advertising
P. O. Box 1769
Jacksonville, FL 32201
904-356-2466 / fax 904-353-2628

INDIAN RIVER

Vero Beach Press Journal, Legal Advertising
P. O. Box 1268
Vero Beach, FL 32961-1268
772-221-4282/ fax 772-978-2340

MARION

Ocala Star Banner, Legal Advertising
2121 SW 19th Avenue Road
Ocala, FL 34474
352-867-4010/fax 352-867-4126

OKEECHOBEE

Okeechobee News, Legal Advertising
P. O. Box 639
Okeechobee, FL 34973-0639
863-763-3134/fax 863-763-5901

OSCEOLA

Little Sentinel, Legal Advertising
633 N. Orange Avenue
Orlando, FL 32801
407-420-5160/ fax 407-420-5011

ST. JOHNS

St. Augustine Record, Legal Advertising
P. O. Box 1630
St. Augustine, FL 32085
904-819-3436

VOLUSIA

News Journal Corporation, Legal Advertising
P. O. Box 2831
Daytona Beach, FL 32120-2831
(386) 681-2322



CITY OF FRUITLAND PARK

FLOODPLAIN DEVELOPMENT PERMIT APPLICATION



1. No work of any kind may start until a permit is issued. Project must be in compliance with Fruitland Park Land Development Regulations, Section 161.090, Chapter 161.
2. The permit may be revoked if any false statements are made herein.
3. If revoked, all work must cease until permit is re-issued.
4. Development shall not be used or occupied until a Certificate of Occupancy is issued.
5. The permit will expire if no work is commenced within six months of issuance. The permit will be null and void and a new permit required if the work described in the permit has not been substantially completed within 1 year of issuance.
6. Applicant is hereby informed that other permits may be required, prior to issuance of a permit by the City, to fulfill local, state, and federal regulatory requirements, including but not limited to the following
 - a. The St. Johns River Water Management District; section 373.036, F. S.
 - b. Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F. S. and Chapter 64E-6, F. A. C.
 - c. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F. S.
 - d. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U. S. Army Corps of Engineers; Section 404 of the Clean Water Act.
 - e. Federal permits and approvals.
7. Applicant hereby gives consent to the local administrator or his/her representatives to make reasonable inspections required to verify compliance.
8. THE APPLICANT CERTIFIES THAT ALL STATEMENTS HEREIN AND IN ATTACHMENTS TO THIS APPLICATION ARE, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE.

APPLICANTS SIGNATURE: _____

DATE: 3-10-19

Proposed Development (To be completed by APPLICANT)

NAME	ADDRESS	PHONE
<u>Sayed Moukhtara/A.A. Moukhtara Company - 7717 NW 20th Lane, Gainesville, FL 32605 352-278-5317</u>		

Applicant

<u>Michel Moukhtara/A.A. Moukhtara Company - 7717 NW 20th Lane, Gainesville, FL 32605 386-867-1003</u>		
--	--	--

Owner

<u>Paqco, Inc. dba Paquette Company - 101 Weber Avenue, Leesburg, Florida 34748 352-365-0006</u>		
--	--	--

Builder

<u>Springstead Engineering, Inc. - 727 South 14th Street, Leesburg, Florida 34748 352-787-1414</u>		
--	--	--

Engineer

Applicant's Email Address Smaaps@atlantic.net

Project Location

Attach legal description and sketch of property location.

<u>1740576</u>	<u>1339 Myrtle Lake Avenue, Fruitland Park, Florida 34731</u>
----------------	---

Alternate Key Street Address

Description of Work (Check all applicable boxes)

A. Structural Development

<u>Activity</u>	<u>Structure Type</u>
<input checked="" type="checkbox"/> New Structure	<input checked="" type="checkbox"/> Residential Single Family
<input type="checkbox"/> Addition	<input type="checkbox"/> Residential Multi Family
<input type="checkbox"/> Alteration	<input type="checkbox"/> Commercial <input type="checkbox"/> Floodproofing
<input type="checkbox"/> Relocation	<input type="checkbox"/> Combined Use (Residential and Commercial)
<input type="checkbox"/> Demolition	<input type="checkbox"/> Manufactured (Mobile) Home
<input type="checkbox"/> Replacement	

Estimated Cost of Project \$ N/A - SFR permit values based on current ICC tables at time of permitting

B. Other Developmental Activities

<input type="checkbox"/> Clearing	<input type="checkbox"/> Fill	<input type="checkbox"/> Mining
<input checked="" type="checkbox"/> Grading	<input type="checkbox"/> Excavation (Except for Structural Development Checked Above)	<input type="checkbox"/> Watercourse Alteration (Including Dredging and Channel Modifications)
<input type="checkbox"/> Drainage Improvements (Including Culvert Work)	<input checked="" type="checkbox"/> Road, Street or Bridge Construction	<input checked="" type="checkbox"/> Subdivision (New or Expansion)
<input checked="" type="checkbox"/> Individual Water or Sewer System	<input type="checkbox"/> Other (Please specify) _____ _____	

Floodplain Determination (To be completed by the Administer)

The proposed development is located on the FIRM Panel No. 306E, Dated 12/18/2012.

The Proposed Development:

- Is NOT located in a Special Flood Hazard Area (Notify the applicant that the application review is complete and NO FLOODPLAIN DEVELOPMENT PERMIT IS REQUIRED).
- Is partially located in the SFHA, but building/development is NOT.
- Is located in a Special Flood Hazard Area

FIRM zone designation is zone A.

***As determined by Springstead Engineering:**

"100-Year" flood elevation at the site is * ft. NGVD

69.88 Basin A

72.99 Basin B

74.92 Basin C

Unavailable

- Is located in the floodway

FBFM Panel No. _____ Dated: _____

(if different from the FIRM panel and date)

- See next section for additional instructions. **Accompanying letter attached.**

SIGNED

Kelly Turner CFM

Date: 3/15/2019

Additional Information Required

- A plot plan drawn to scale showing the location of all existing structures, water bodies, adjacent roads, lot dimensions, and proposed development. *Attached*
- Development plans, drawn to scale, and specifications, including where applicable: details for anchoring structures, proposed elevation of lowest floor (including basement), types of water-resistant materials used below the first floor, details of floodproofing of utilities located below the first floor. *Attached*
- Subdivision or other development plans. (If the subdivision or other development exceeds 50 lots or 5 acres, whichever is lesser, the applicant must provide "100-year" flood elevations if they are not otherwise available). *Attached*

- Plans showing the extent of watercourse relocation and/or landform alterations as a result of the proposed development. *N/A*
- Change in water elevation (in feet) _____ *N/A*
 - Meets ordinance limits on elevation increases
 - Yes
 - No
- Top of new compacted fill elevation _____ ft. NGVD *Varies - See plans*
- Floodproofing protection level (non-residential only) _____ ft. NGVD. For floodproofed structures, applicant must attach certification from registered engineer or architect that the nonresidential flood-proofed structure meets the flood-proofing criteria. *N/A*
- Certification from a registered engineer that the proposed activity in a regulatory floodway will not result in ANY increase in the height of the "100-year" flood. A copy of all data and hydraulic/hydrologic calculations supporting this finding must also be submitted. *See attached*

Permit Determination (to be completed by LOCAL ADMINISTRATOR)

I have determined that the proposed activity:

- IS
- IS NOT

In conformance with provisions of local law.

SIGNED *Kelley Turner, CFM* Date: *3/15/2019*

If box A is checked, the Local Administrator may issue a Development Permit upon payment of designated fee. If Box B is checked, the Local Administrator will provide a written summary of deficiencies. Applicant may revise and resubmit an application to the Local Administrator.

As-Built Elevations N/A

The following information must be provided for structures that are part of this application. This section must be completed by a registered professional engineer or a licensed land surveyor (or attach a certification to this application). Complete 1 and 2 below.

1. Actual (as-built) Elevation of the top of the lowest floor is _____ ft. NGVD

2. Actual (as-built) Elevation of floodproofing protection is _____ ft. NGVD

Note: No structure has been initiated. The proposed lowest finished floor elevation for each basin is as follows:

Basin A - 74.50 ft NGVD

Basin B - 76.50 ft NGVD

Basin C - 79.50 ft NGVD

Compliance Action

The Local Floodplain Administrator/ Building Official will complete this section as applicable based on inspection of the project to ensure compliance with the community's local law for flood damage prevention.

Date:	Inspected By:	Deficiencies?
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No



Community Development Department
506 W. Berckman St.
Fruitland Park FL 34731

Tel. (352) 360-6727
Fax. (352) 360-6652

smaaps@atlantic.net

March 13, 2019

A A Moukhtara Inc
Michel Moukhtara
7717 NW 20th Ln
Gainesville, FL, 32605

Ref: The Glen Phases 11-13 Floodplain Permit (ALT Key #1740576)

Mr. Moukhtara,

Per Chapter 161.090 1.C.8.3. (as revised per Ordinance 2017-029), applicant to file LOMR, to include new flood data, with FEMA within 6 months of issuance of floodplain permit.

<https://www.fema.gov/mt-2-application-forms-and-instructions>

Property owner is hereby informed that each new residential structure constructed in the Special Flood Hazard Area, or the land area covered by the floodwaters of the base flood, must be constructed in compliance with federal and local regulations. Each new residential structure shall have the lowest floor elevated no lower than two feet above the base flood elevation, as determined by Springstead Engineering, Inc.

If you have any questions, please feel free to contact me.

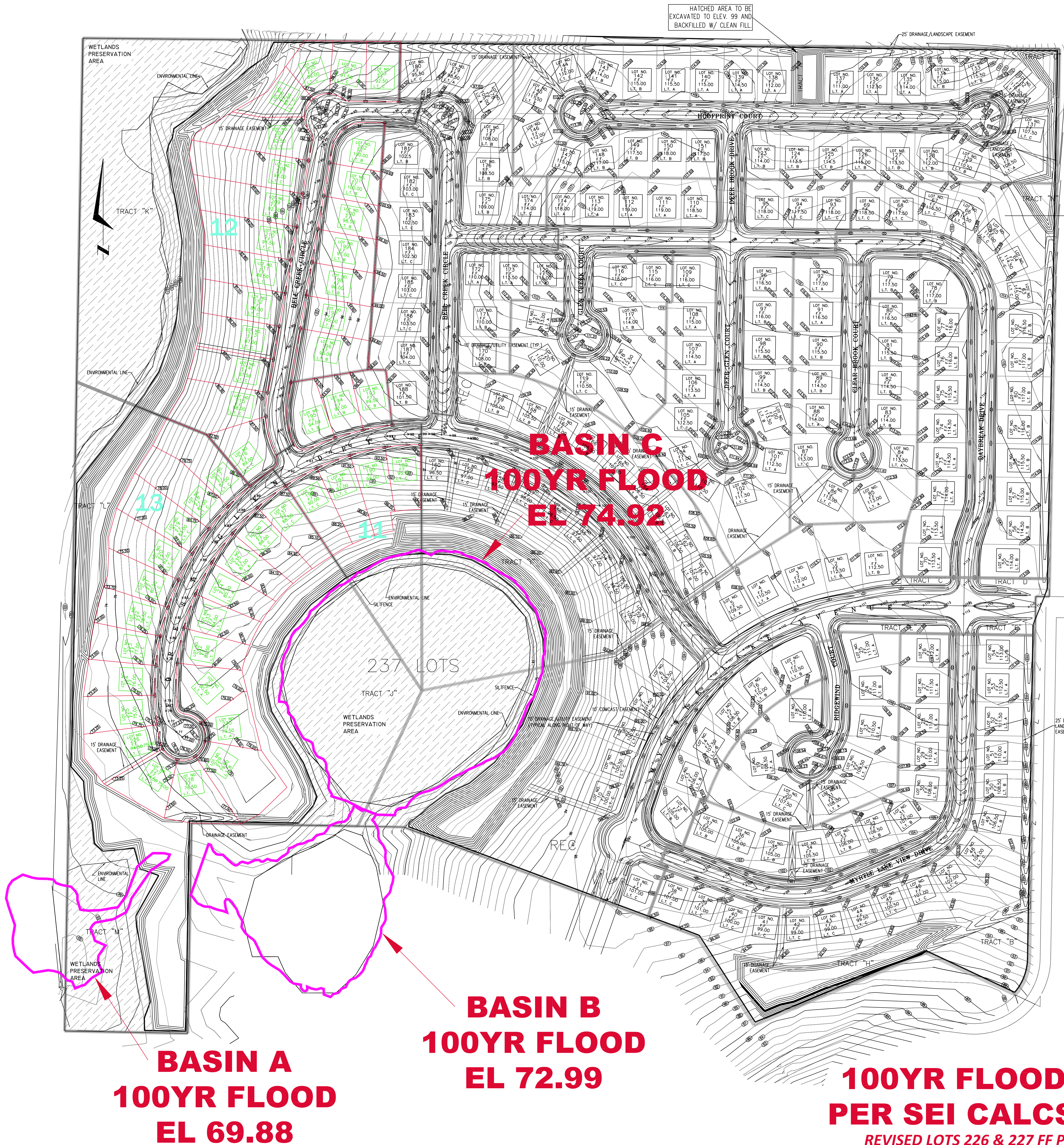
Regards,

Kelly Turner, Certified Floodplain Manager
City of Fruitland Park
Community Development Department

cc: File

cc: Springstead Engineering, Inc.

J:\Land Projects - 2005\171001000\Moukhtara The Glen\dwg\Site-Development-2018-south end flood stages.dwg, 3/13/2019 2:22:56 PM, SKK

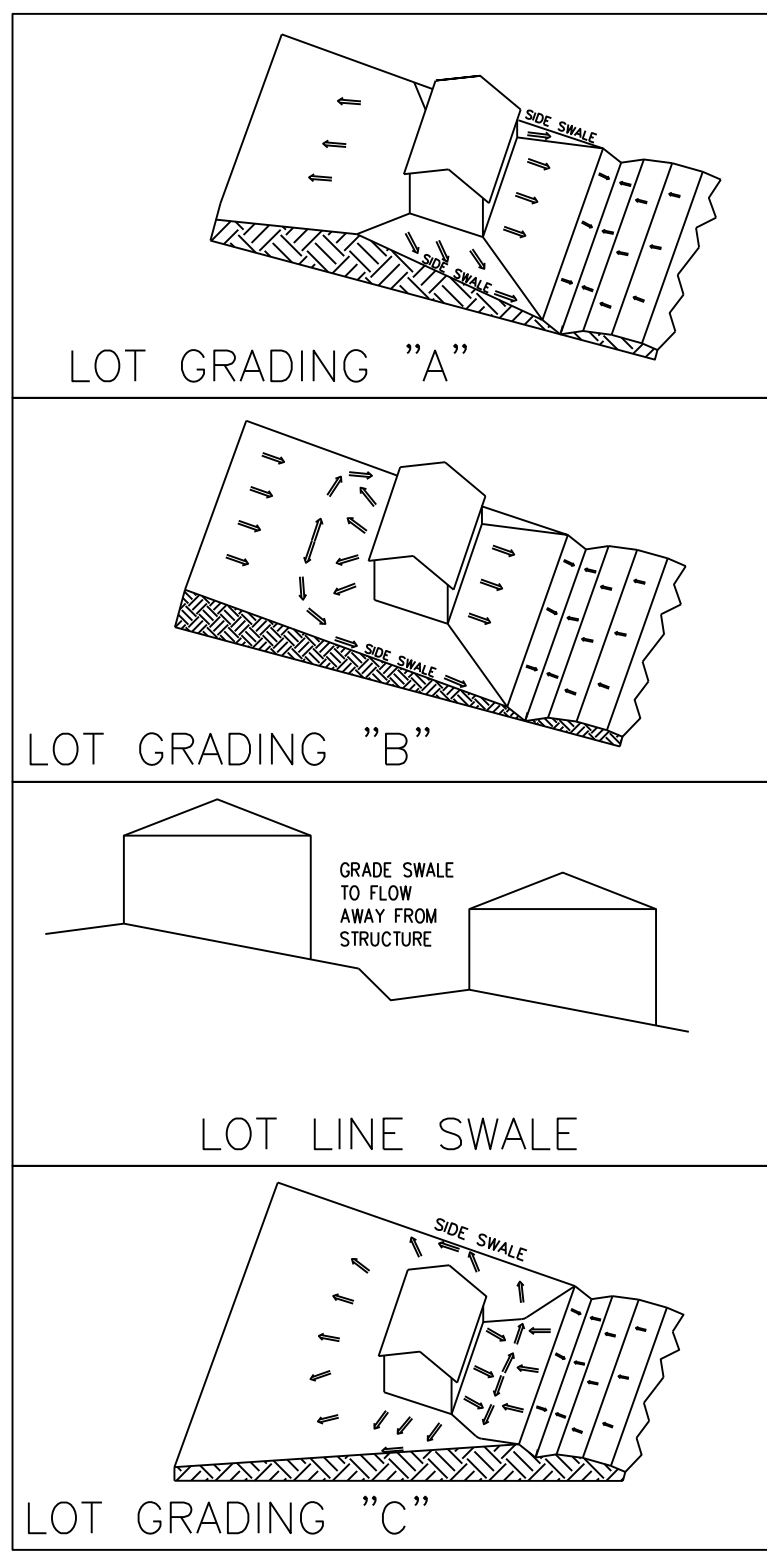


HATCHED AREA TO BE EXCAVATED TO ELEV. 99 AND BACKFILLED W/ CLEAN FILL

EROSION & SEDIMENT CONTROL
 PRIOR TO INITIATING CONSTRUCTION OF PLANNED IMPROVEMENTS, ALL WRA'S WILL BE EXCAVATED AND ROUGH GRADED TO PROVIDE SEDIMENT AND RUNOFF CONTROL DURING CONSTRUCTION.
 ALL DISTURBED AREAS WILL BE BROUGHT TO FINAL GRADE AND SEEDED AND MULCHED OR SOODED AS SOON AS POSSIBLE.
 AREAS WHICH MAY ERODE DUE TO SLOPES OR CONCENTRATED RUNOFF DURING CONSTRUCTION WILL BE TREATED. TEMPORARY SLOPE DRAIN PROTECTION WILL BE PROVIDED PER FOOT ROAD DESIGN STANDARD INDEX NO. 100.
 OFF-SITE DISCHARGE OF UNTREATED STORMWATER WILL BE PREVENTED USING TEMPORARY BARRIERS AND DAMS WHERE NEEDED.
 BALED HAY AND STRAW BARRIERS WILL BE PROVIDED ALONG JURISDICTIONAL WETLANDS AND STREAMS OF OTHER SURFACE WATERS. DEVICES CONSISTENT WITH FOOT ROAD DESIGN STANDARD INDEX NO. 102 WILL BE USED.
 TURBIDITY BARRIERS, IF REQUIRED, WILL BE USED AND WILL CONFORM TO FOOT INDEX NO. 103.
 UPON COMPLETION OF SITE IMPROVEMENTS, THE WRA'S, SWALES, AND OTHER STORMWATER MANAGEMENT DEVICES WILL BE FINAL GRADED AND SOODED AS SPECIFIED IN THE APPROVED CONSTRUCTION PLANS.
ROUTINE MAINTENANCE -- STORMWATER
 AFTER COMPLETION OF CONSTRUCTION, WRA'S WILL BE MOVED AND MAINTAINED AS PART OF THE NORMAL LAWN AND OPEN SPACE MAINTENANCE.
 TRASH AND DEBRIS THAT ACCUMULATES WITHIN THE WRA'S, SWALES, PIPES, AND INLETS WILL BE MANUALLY COLLECTED AND DISPOSED OF WITH OTHER NORMAL SOLID WASTE.
 ANY EROSION, LOSS OF GRASS, ETC., WILL BE REPAIRED OR REPLACED ROUTINELY AND AS NEEDED.
 PIPES, INLETS, FLUMES, AND OTHER CONTROL DEVICES WILL BE INSPECTED ANNUALLY AND REPAIRS MADE AS NEEDED.

REVISION	DATE
▲ ORIGINAL PLOT	07/16/03
▲ ADD NOTE & HATCH AT WRA-B; REDOT	8/29/03
▲ REVISED PER S.A.M.M. REPLY	9/15/03
▲ REVISED LOTS AND TRACTS PER S.A.M.M. REPLY	

WE VALLING ENGINEERING
 CIVIL & PERMITTING ENGINEERING
 915 VENTURE AVENUE, SUITE 1
 LEEBURG, FLORIDA 34748
 H. BENNETT WALLING, P.E., FL. REG. #42797
 KEVIN L. ATCHLEY, P.E., FL. REG. #53119
 CERTIFICATE NO. EB-0006635



**BASIN A
 100YR FLOOD
 EL 69.88**

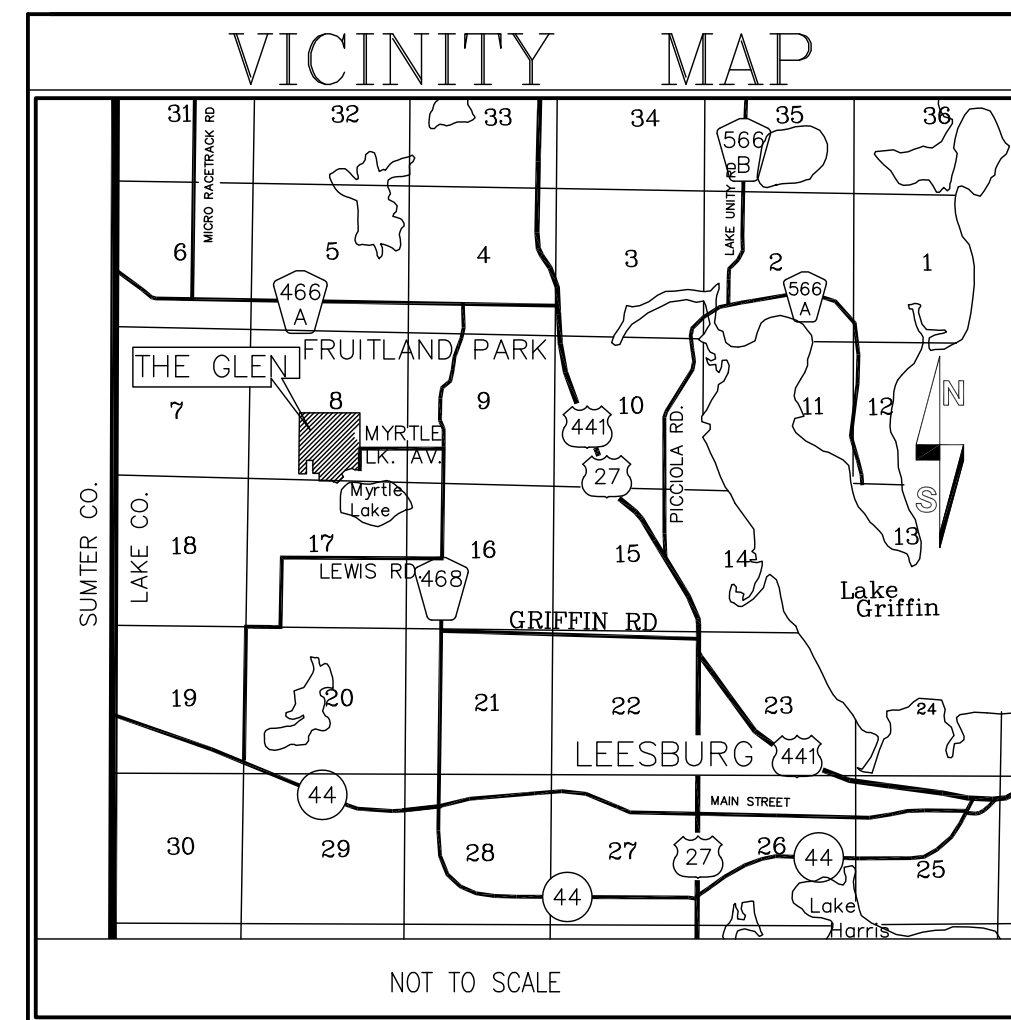
**BASIN B
 100YR FLOOD
 EL 72.99**

**BASIN C
 100YR FLOOD
 EL 74.92**

**100YR FLOOD STAGE
 PER SEI CALCS 2/22/19
 REVISED LOTS 226 & 227 FF PER CITY REQ.**

GRADING PLAN FOR:
THE GLEN
 A PUD
 FRUITLAND PARK, FLORIDA

DRAWN	C.L.H.
CHECKED	H.B.W.
DATE	MAY 2002
SCALE	1" = 100'
JOB NO.	02-32
SHEET	



THE GLEN PHASES 11, 12 & 13

A PUD in the City of Fruitland Park
 Being a Portion of:
 Section 8, Township 19 South, Range 24 East
 Lake County, Florida

DESCRIPTION FOR THE GLEN PHASES 11, 12 & 13:

That part of the East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East, Lake County, Florida, described as follows; from the Northeast corner of said East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East, run N 89°22'17" W, along the north boundary of the East 1/2 of the Southwest 1/4 of said Section 8, a distance of 577.44 feet, to northwest corner of THE GLEN PHASE 10, as recorded in Plat Book 70, Page 29, Public Records of Lake County, Florida, and Point of Beginning of the following described parcel; from said Point of Beginning, continue N 89°22'17" W, along said north boundary, a distance of 754.79 feet, to the Northwest corner of said East 1/2 of the Southwest 1/4; thence S 01°02'58" W, along the west boundary of said East 1/2 of the Southwest 1/4, a distance of 2361.04 feet, to a point that is located N 01°02'58" E, a distance of 275.00 feet, from the Southwest corner of said East 1/2 of the Southwest 1/4; thence S 88°55'13" E, and parallel with the south boundary of said East 1/2 of the Southwest 1/4, a distance of 292.50 feet; thence N 01°02'58" E, and parallel with the aforesaid west boundary of the East 1/2 of the Southwest 1/4, a distance of 500.00 feet; thence S 88°55'12" E, a distance of 250.40 feet, to the Southwest corner of THE GLEN PHASE'S 1, 2 & 3, as recorded in Plat Book 53, Pages 62-63, Public Records of Lake County, Florida; thence along the westerly boundary of THE GLEN PHASE'S 1, 2 & 3, the following courses; N 42°30'55" E, a distance of 58.41 feet; thence N 03°59'34" W, a distance of 51.94 feet; thence N 24°27'34" W, a distance of 73.72 feet; thence N 31°56'26" W, a distance of 125.13 feet; thence N 11°55'03" W, a distance of 50.16 feet; thence N 07°31'48" E, a distance of 43.70 feet; thence N 23°42'30" E, a distance of 92.64 feet; thence N 38°26'09" E, a distance of 99.69 feet; thence N 52°56'23" E, a distance of 106.90 feet; thence N 62°39'19" E, a distance of 93.81 feet; thence N 78°24'57" E, a distance of 37.17 feet; thence N 08°37'13" W, a distance of 106.75 feet, to a point on a curve concave to the south and having a radius of 430.51 feet; thence Easterly, along the arc of said curve, through a central angle of 9°39'48", a distance of 72.61 feet (Chord Bearing N 84°52'49" E, and Chord Length 72.52 feet), to the Southwest corner of THE GLEN PHASE'S 4, 5, 6 & 9, as recorded in Plat Book 56, Pages 11-12, Public Records of Lake County, Florida; thence along the west boundary of THE GLEN PHASE'S 4, 5, 6 & 9, the following courses; N 00°17'16" W, a distance of 154.49 feet; thence N 01°50'39" E, a distance of 50.03 feet, to a Point of Reverse Curve on the southerly boundary of the aforesaid THE GLEN PHASE 10, said curve being concave southerly and having a radius of 635.00 feet; thence from a radial bearing of N 00°07'12" W, run westerly, along the arc of said curve and southerly boundary of THE GLEN PHASE 10, through a central angle of 06°16'53", a distance of 69.62 feet (Chord Bearing S 86°44'22" W, and Chord Length 69.58 feet), to the southwest corner of THE GLEN PHASE 10; thence along the westerly boundary of THE GLEN PHASE 10, the following courses; N 06°24'05" W, a distance of 131.80 feet; thence N 88°54'28" W, a distance of 43.04 feet; thence N 03°55'27" E, a distance of 588.53 feet; thence S 88°54'28" E, a distance of 50.00 feet; thence N 37°15'30" E, a distance of 61.93 feet; thence N 88°54'28" W, a distance of 53.12 feet; thence N 01°05'32" E, a distance of 143.41 feet, to the Point of Beginning, and end of this description; area described contains 32.25 acres.

NOTICE:

This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.

NOTES:

- 1) Bearings are based on the recorded plat of THE GLEN PHASE'S 7 & 8, as recorded in Plat Book 59, Pages 25 and 26, Public Records of Lake County, Florida, and the centerline of Daybreak Drive as being N89°14'27"W.
- 2) Distances are shown in U.S. survey feet and decimals thereof.
- 3) Lot corners have been set in accordance with Chapter 177.091 (9), Florida Statutes.
- 4) All platted utility easements shall provide that such easements shall also be easements for the construction, installation, maintenance and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas, or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electric Safety Code as adopted by the Florida Public Service Commission.
- 5) No construction, trees, or shrubs will be placed in easements or rights-of-way without the City of Fruitland Park approval.
- 6) It is the responsibility of the property owner to operate and maintain any storm water management system not located within the right of way of the road unless such responsibility is voluntarily assumed by the City of Fruitland Park.
- 7) Potable water to be provided by the City of Fruitland Park.
- 8) Covenants, restrictions, or reservations affecting the ownership or use of the property shown in this plat are filed in the Official Records Book(s) of Lake County Florida in:

Book No. 1763, Page 1174, being amended in
 Book No. 5009, Page 2020, and

Book No. 2460, Page 1195, being amended in
 Book No. 5009, Page 2020, and

Book No. 2351, Page 1253, and

Book No. 5097, Page 1135, and

Deed Book No. 191, Page 133.

SHEET INDEX

- SHEET 1 --- TITLE SHEET
- SHEET 2 --- PHASES 11-13 KEY MAP
- SHEET 3 --- LOTS 193-216
- SHEET 4 --- LOTS 189-192 & LOTS 217-237
- SHEET 5 --- TRACT "M" & WATER RETENTION AREA

Prepared by:
 Billy Earl Owens, PSM
 Professional Surveyor and Mapper
 Florida Registration No. 3522
 Address: 39 CR 494
 Lake Panasoffkee, FL 33538
 PH: 352-793-2854

CERTIFICATE OF CLERK
 THIS IS TO CERTIFY, That I have examined the foregoing plat and find that it complies in form with all the requirements of chapter 177, Florida Statutes, and was filed for record on _____ 20____, at _____ File No. _____

 Clerk of the Circuit Court
 in and for Lake County, Florida

RECORD PLAT REVIEW STATEMENT
 "Pursuant to Section 177.081, Florida Statutes, I have reviewed this Plat for conformity to Chapter 177, Florida Statutes, and find that said Plat complies with the technical requirements of that chapter; provided however, that my review does not include field verification of any of the coordinates, points or measurements shown on this Plat."

 Date: _____
 Name: _____
 Florida Registered Surveyor and Mapper,
 Registration No. _____

CONSENT AND JOINDER
THE GLEN PHASES 11, 12 & 13
 Maronda Homes, Inc. of Florida hereby joins in and consents to the dedication appearing on the face of the plat.
 Name: _____
 Title: _____
 Witness: _____
 Witness: _____
 (SEAL) or with two subscribing witnesses
 State of Florida
 County of Lake
 The foregoing Consent and Joinder was acknowledged before me this _____ day of _____ 20____, by _____, as _____ of Maronda Homes, Inc. of Florida. He/She is personally known to me or has produced the following identification: _____
 Notary Public: _____ (Seal)

CERTIFICATE OF APPROVAL BY CITY COMMISSION
 THIS IS TO CERTIFY, that on _____ 20____, the foregoing plat was approved by the City Commission of Fruitland Park, Florida, and includes the acceptance of the dedications of the streets and easements.

 Mayor
 Attest: _____

 City Clerk
 Approved as to Form and Legal Sufficiency
 _____ Date: _____

 City Attorney

CERTIFICATE OF APPROVAL BY THE PLANNING AND ZONING BOARD
 Examined and Approved: _____ Date _____

PLAT BOOK _____

PAGE _____

DEDICATION FOR THE GLEN PHASES 11, 12 & 13

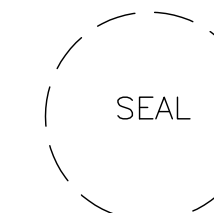
KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being the owner in fee simple of the lands described in the foregoing caption to this plat, does hereby dedicate said lands and plat for the uses and purposes thereon expressed, all streets and rights-of-way shown on this plat are hereby dedicated in perpetuity to the City of Fruitland Park for the use and benefit of the public for proper purposes; all utility easements shown are dedicated in perpetuity to the City of Fruitland Park for construction, installation, maintenance and operation of utilities by any utility provider, including cable television services, in compliance with such ordinances and regulations as may be adopted from time to time by the City Commission of Fruitland Park; all drainage easements as shown are dedicated in perpetuity for construction and maintenance of drainage facilities and shall be perpetual maintenance obligation of The Glen Homeowners' Association, Inc.

IN WITNESS WHEREOF, A.A. Moukhtara, Inc. has caused these presents to be signed by its President and its corporate seal to be affixed hereto by and with the authority of its board of directors this _____ day of _____, 20____. Signed, Sealed and delivered in our presence as witnesses:

WITNESS: _____ GRANTEE: _____
 Signature _____ A. A. Moukhtara, Inc.
 a Florida Corporation

Print Name _____ by: Michel Moukhtara, President

Signature _____

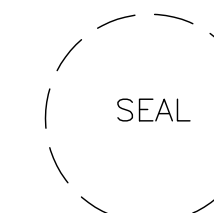


Print Name _____

STATE OF FLORIDA
 COUNTY OF LAKE
 The foregoing Dedication was acknowledged before me, an officer duly authorized to take acknowledgements in the State of Florida and County of Lake, this _____ day of _____ 20____, by Michel Moukhtara, President, on behalf of A. A. Moukhtara, Inc., a Florida Corporation.

He [] is personally known to me, or [] has produced _____ as identification.

Notary Public - State of Florida



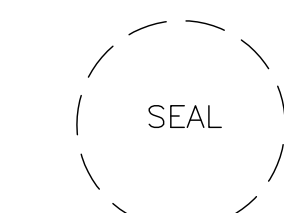
Print Name: _____

My commission expires _____

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a Florida licensed and registered Surveyor and Mapper, does hereby certify that on _____, he completed the survey on the lands herein described; that this plat was prepared under his direction and supervision; that it is a correct representation of the lands herein described and platted or subdivided; that Permanent Reference Monuments and Permanent Control Points have been set and this plat is in compliance with Chapter 177, Florida Statutes.

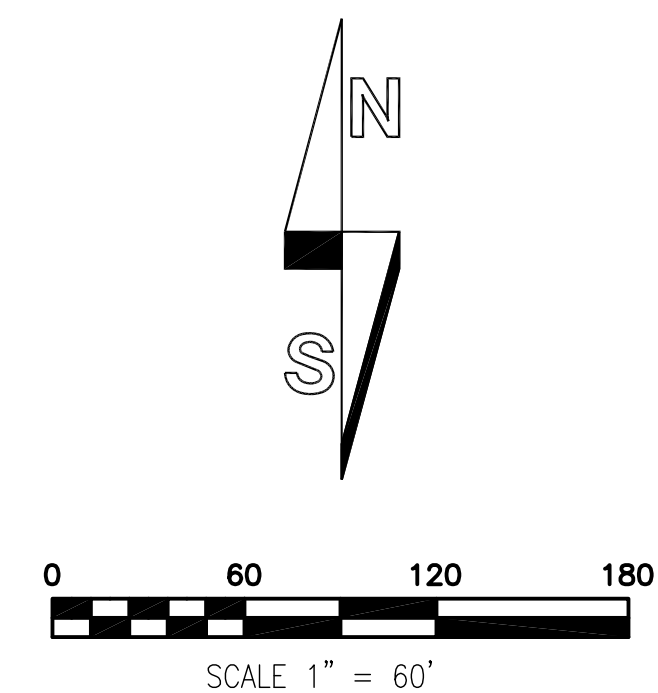
Billy Earl Owens
 Professional Surveyor and Mapper
 39 County Road 494
 Lake Panasoffkee, Florida 33538



Billy Earl Owens, PSM
 Florida Registration No. 3522 Date _____

TITLE SHEET
 Sheet 1 of 5

West boundary of the East 1/2 of the Southwest 1/4 of Section 8, Township 19 South, Range 24 East.



TRACT "K" CONSERVATION EASEMENT OR 5097 PG 1135-1142

TRACT "L"

TRACT "M" CONSERVATION EASEMENT OR 5097 PG 1135-1142

FOREST GLEN DRIVE

THE GLEN PHASES 11, 12 & 13

A PUD in the City of Fruitland Park
Being a Portion of:
Section 8, Township 19 South, Range 24 East
Lake County, Florida

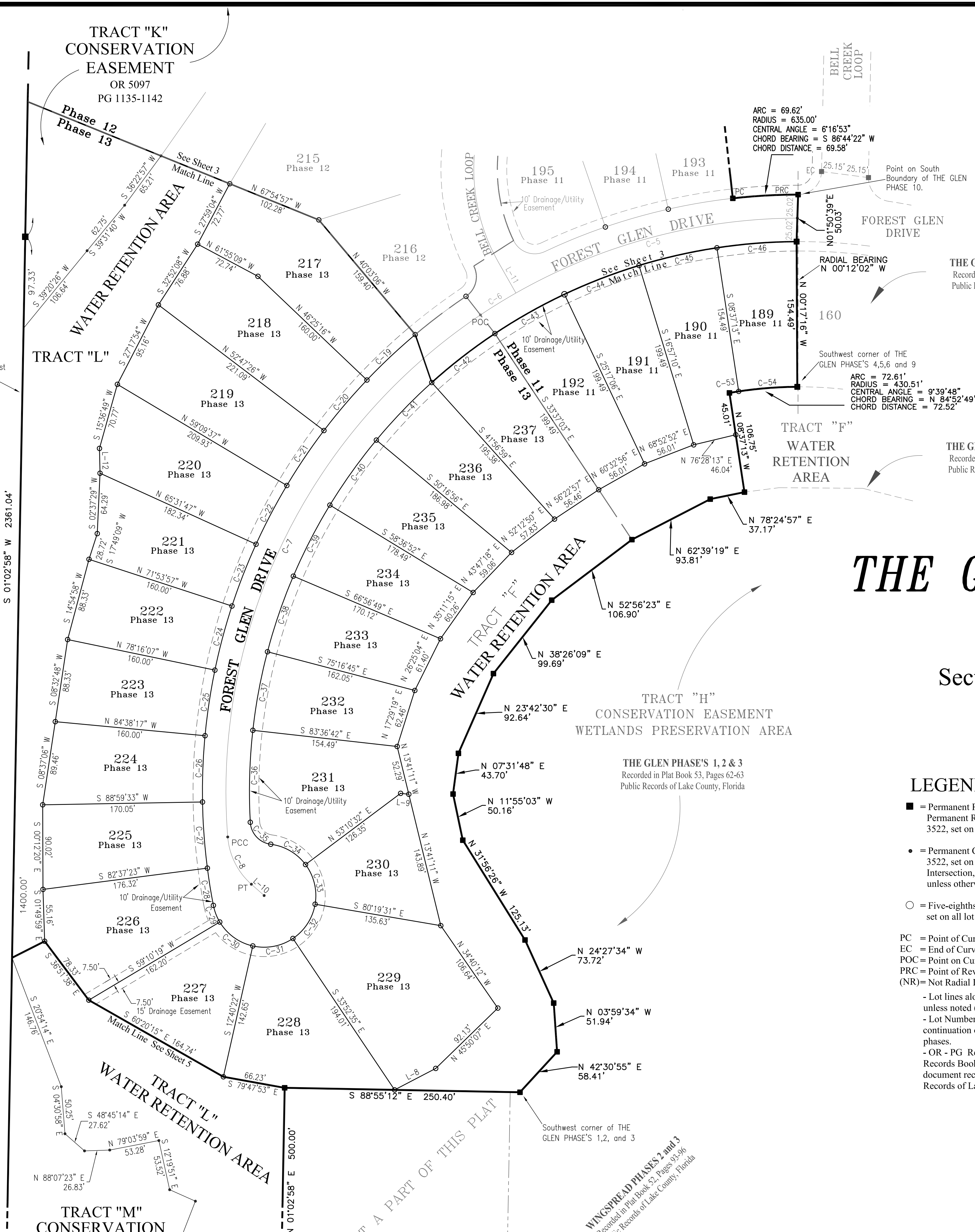
LEGEND

- = Permanent Reference Monument-Four inch square concrete Permanent Reference Monument, with Disk marked PRM, LS 3522, set on the boundary of THE GLEN, PHASE 10
- = Permanent Control Point - PK nail and disk marked PCP, LS 3522, set on road centerline at Points on Boundary, Points of Intersection, Points of Curvature and Points of Tangency, unless otherwise noted
- = Five-eighths inch rebar with cap marked Owens, PSM 3522, set on all lot corners
- PC = Point of Curvature
- EC = End of Curve
- POC = Point on Curve
- PRC = Point of Reverse Curve
- (NR) = Not Radial Line
- Lot lines along curves are Radial unless noted (NR)
- Lot Numbering (189-237) is a continuation of previously recorded phases.
- OR - PG Refers to the Official Records Book and Page Number of document recorded in the Public Records of Lake County, Florida.

WINGSURE AD PHASES 2 and 3
Recorded in Plat Book 53, Pages 9-96
Public Records of Lake County, Florida

NOT A PART OF THIS PLAT

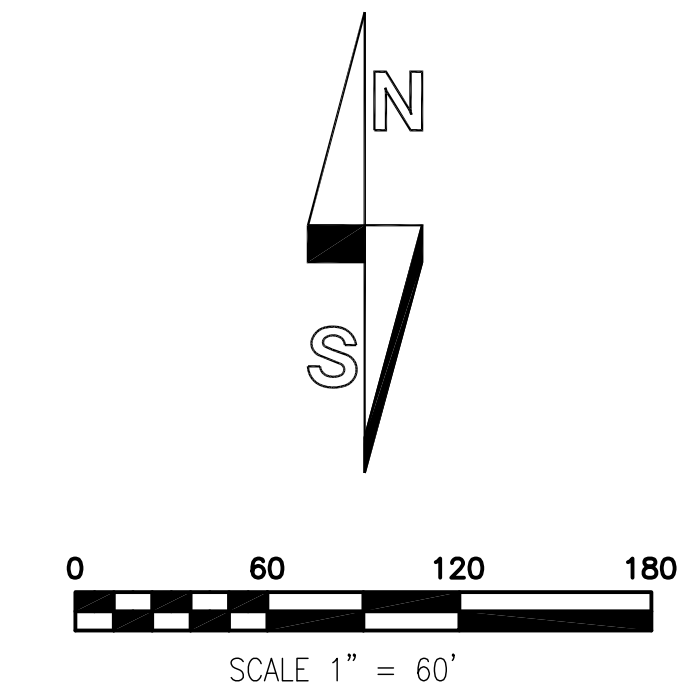
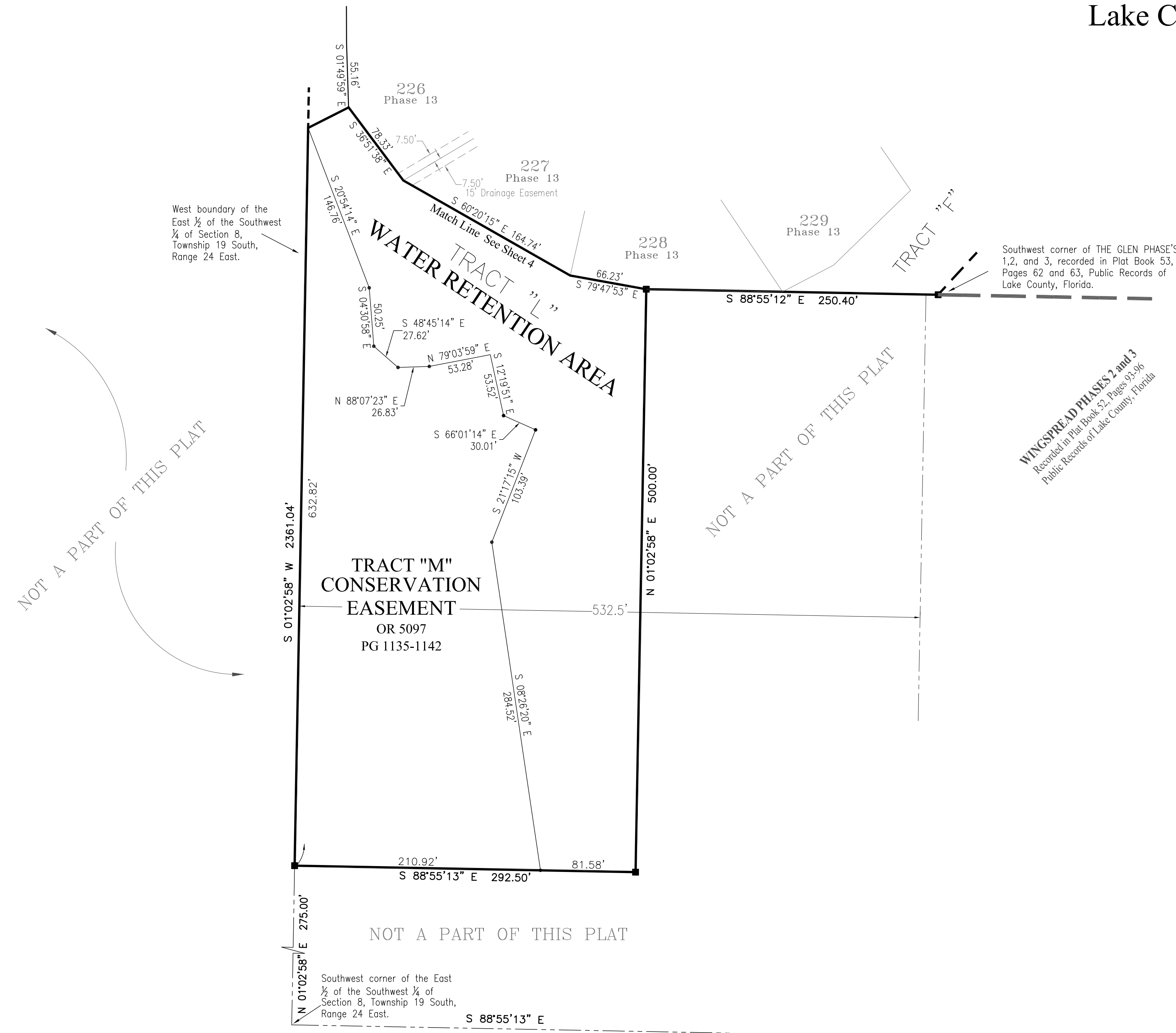
NOT A PART OF THIS PLAT



Prepared by:
Billy Earl Owens, PSM
Professional Surveyor and Mapper
Address: 39 CR 494
Lake Panasoffkee, FL 33538
PH: 352-793-2854

THE GLEN PHASES 11,12&13

A PUD in the City of Fruitland Park
Being a Portion of:
Section 8, Township 19 South, Range 24 East
Lake County, Florida



LEGEND

- = Permanent Reference Monument-Four inch square concrete Permanent Reference Monument, with Disk marked PRM, LS 3522, set on the boundary of THE GLEN, PHASE 10
- = Permanent Control Point - PK nail and disk marked PCP, LS 3522, set on road centerline at Points on Boundary, Points of Intersection, Points of Curvature and Points of Tangency, unless otherwise noted
- = Five-eighths inch rebar with cap marked Owens, PSM 3522, set on all lot corners
- PC = Point of Curvature
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- (NR) = Not Radial Line
- Lot lines along curves are Radial unless noted (NR)
- Lot Numbering (189-237) is a continuation of previously recorded phases.
- OR - PG Refers to the Official Records Book and Page Number of document recorded in the Public Records of Lake County, Florida.

Prepared by:
Billy Earl Owens, PSM
Professional Surveyor and Mapper
Address: 39 CR 494
Lake Panasoffkee, FL 33538
PH: 352-793-2854



City of Fruitland Park, Florida
Community Development Department
 506 W. Berckman St., Fruitland Park, Florida 34731
 Tel: (352) 360-6727 Fax: (352) 360-6652
 www.fruitlandpark.org

<i>Staff Use Only</i>	
Case No.:	_____
Fee Paid:	_____
Receipt No.:	_____

Development Application

Contact Information:

Owner Name: Avex Mirror Lakes, LLC
 Address: 28 East Washington Street, Orlando, FL 32801
 Phone: 407-930-5800 Email: ericm@avexhomes.com

Applicant Name: Same
 Address: _____
 Phone: _____ Email: _____

Engineer Name: Keith Riddle @ Riddle Newman Engineering, Inc.
 Address: 115 North Canal Street, Leesburg, FL 34748
 Phone: 352-787-7482 Email: keith@riddlenewman.com

Property and Project Information:

PROJECT NAME*: Mirror Lake Village

*A project name is required for all submissions. Please choose a name representative of the project for ease of reference.

Property Address: 119 Urick St Fruitland Park, FL 34731

Parcel Number(s): _____ Section: _____ Township: _____ Range _____

Area of Property: _____ Nearest Intersection: Urick Street and Thomas Avenue

Existing Zoning: MPUD Existing Future Land Use Designation: Single Family Medium Density

Proposed Zoning: MPUD Proposed Future Land Use Designation: Single Family Medium Density

The property is presently used for: Single Family Residential Development

The property is proposed to be used for: Same

Do you currently have City Utilities? Yes

Application Type:

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Comp Plan Amendment | <input type="checkbox"/> Rezoning | <input checked="" type="checkbox"/> Planned Development |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Special Exception Use | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Minor Lot Split | <input type="checkbox"/> Preliminary Plan | <input type="checkbox"/> Construction Plan | <input type="checkbox"/> ROW/Plat Vacate |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Replat of Subdivision | |

Please describe your request in detail: See attached.

Required Data, Documents, Forms & Fees

Attached to this application is a list of **REQUIRED** data, documents and forms for each application type as well as the adopted fee schedule. These items must be included when submitting the application package. Failure to include the supporting data will deem your application package **INCOMPLETE** and will not be processed for review.

Signature: _____ Date: 10/22/18

If application is being submitted by any person other than the legal owner(s) of the property, the applicant must have written authorization from the owner to submit application.

Development Application Checklist

The Following are Required for ALL Development Applications:

- Legal Description (Word file req'd) Current Deed Aerial Photo
 Property Appraiser Information Electronic Copy of Application Location Map

Pre-application conferences are strongly encouraged. Submit TWO CDs with ALL documents in pdf; those that are generated as CAD files should be submitted in pdf and dwg formats. Legal Descriptions should also come with a MS Word file of the legal description. Most maps are accessible through www.lakecountyfl.gov/maps/. Note: All maps are required to depict adjacent properties at a minimum.

Failure to provide adequate maps may delay the application process.

Other Required Analyses and Maps:

Small Scale Comprehensive Plan Amendment Applications:

- Justification for Amendment Environmental Constraints Map Requested FLU Map

Large Scale Comprehensive Plan Amendment Applications:

Maps: Environmental Constraints Soils Requested FLUM Designation Requested Zoning Map Designation

Analyses: Environmental Assessment Utility Availability Analysis Urban Sprawl Analysis School Impact Analysis
 Traffic Impact Analysis Consistency with the Comp Plan Florida Master Site File sign-off or Archaeological Survey

Rezoning Applications: Requested Zoning Map Justification for Rezoning

Planned Development Applications:

Maps/Plans: Conceptual Plan as Described in LDRs Chapter 154, Section 154.030,10,G Environmental Constraints

Analyses: Environmental Assessment Traffic Impact Analysis Preliminary Concurrency Analysis

Variance Applications: Justification for Variance

Special Exception Use Applications: Justification for Special Exception Use
 Site Sketch List of Special Requirements as Described in LDRs, Chapter 155

Conditional Use Permit Applications: Proposed List of Conditions and Safeguards
 Site Plan as Described in LDRs, Chapter 155 Written Statement as Described in LDRs, Chapter 155

Subdivision Applications: As Described in LDRs, Chapter 157
(Preliminary Plan, Improvement Plan and Final Plat)

Minor Subdivision Applications: As Described in LDRs, Chapter 157

Site Plan Applications: As Described in LDRs, Chapter 160

ORDINANCE 2019-001

**AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA,
AMENDING THE MASTER DEVELOPMENT AGREEMENT CONDITIONS OF
THE MIRROR LAKE VILLAGE PLANNED UNIT DEVELOPMENT (PUD) TO
PROVIDE FOR A MAXIMUM IMPERVIOUS SURFACE RATIO AND REVISE
THE FRONT SETBACKS; PROVIDING FOR CONFLICTS; SEVERABILITY;
AND SETTING AN EFFECTIVE DATE.**

WHEREAS, the Mirror Lake Village Planned Unit Development (PUD) was approved by City Commission on January 8, 2015, by Ordinance No. 2014-024; and

WHEREAS, Avex Mirror Lakes, LLC, the applicant and Fruitland Park, LLC the property owner have requested an amendment to the Mirror Lake Village Planned Unit Development (PUD) Master Development Agreement terms and conditions to allow a maximum impervious surface ratio of fifty percent (50%) for each lot instead of a maximum building coverage of thirty percent (30%), and to reduce the front setback requirements from thirty feet (30') to twenty feet (20'); and

WHEREAS, the petition bears all required signatures; and

WHEREAS, the required notice of the amendment has been properly published;

NOW, THEREFORE, be it ordained by the City Commission of the City of Fruitland Park, Florida:

SECTION 1. LEGAL DESCRIPTION.

The above-referenced property, more particularly described on Exhibit "A," attached hereto and incorporated herein by reference, consisting of approximately 42.26 ± acres generally located north of Urick Street and west of Seminole Boulevard.

SECTION 2. AMENDMENT OF MASTER DEVELOPMENT AGREEMENT CONDITIONS.

(NOTE: Underlined words constitute the additions to the existing text of the *PUD Ordinance No. 2014-024*, and ~~strikethroughs~~ constitute deletions to the existing text.

The conditions within "Section 3" of the Mirror Lake Village Master Development Agreement by Ordinance No. 2014-024 adopted on January 8, 2015, are hereby amended as follows:

Section 3. Land Use/Development. Development of the Property shall be substantially consistent with the "Conceptual Site Plan - Mirror Lake Village" prepared by Riddle-Newman Engineering, Inc. dated ~~October 30, 2014~~ November 18, 2018 and attached as Exhibit "B" (the Plan). All development shall be consistent with City's "PUD" (Planned Unit Development/Residential) zoning district and, subject to City approval. As set forth further below, all land use issues addressed herein must be adopted by City through its regular procedures before being effective.

The conditions within "Section 5" of the Mirror Lake Village Master Development Agreement by Ordinance No. 2014-024 adopted on January 8, 2015, are hereby amended as follows:

Section 5. Development Standards. City and Owner agree that building setbacks shall be as follows:

Vice Mayor Gunter _____(Yes), _____(No), _____(Abstained), _____(Absent)
Commissioner Bell _____(Yes), _____(No), _____(Abstained), _____(Absent)
Commissioner DeGrave _____(Yes), _____(No), _____(Abstained), _____(Absent)
Commissioner Mobilian _____(Yes), _____(No), _____(Abstained), _____(Absent)

Passed First Reading _____
Passed Second Reading _____
(SEAL)



**Development Application Review
Planned Unit Development Master Agreement Amendment**

Applicant: Eric Marks, President, Avex Mirror Lakes, LLC
Ph: 407-930-5800 **Email:** ericm@avexhomes.com

Address: 28 East Washington Street
Orlando, FL 32801

Project: Avex Mirror Lakes, LLC / Mirror Lake Village (fka Fruitland Estates)
Project Address: North of Urick Street & South of East Mirror Lake Drive

Mr. Marks:

The City's Technical Review Committee (TRC) completed the review of the application submittal dated RECEIVED January 28, 2019, for the PUD Amendment. Herein are responses and/or recommendations including those from the regular scheduled TRC meeting on March 5, 2019.

Development Review:

Original application dated received November 16, 2018 was incomplete and applicant was to re-submit a complete application packet for review.

The initial application fees are as follows:

City Application Fee	\$415.00	PAID
City Land Planner Fee	\$850.00	PAID
City Engineer Fee	\$875.00	PAID

Per City Ordinance 2008-023 these are the applicable fees as of date; however, there may be additional fees associated with the application(s) that will be passed to applicant.

City Attorney:

No formal TRC comments.

City Engineer (BESH):

Review of the hydraulic pipe calculations and inlet spread calculations as submitted by Keith Riddle, P.E., show the increase impervious area to fifty (50%) percent for the lots and the pipes and inlets as constructed can handle the additional impervious area and still meet the design requirements of the City's LDR's.

Based on receipt and approval of these calculations, it is recommended for approval for construction of the Phase 1 lots beyond the additional eight (8) Council has approved, once the PUD modification is approved.

City Land Planner:

DRAFT Master Developer Agreement Ordinance presented to Board members will state 20 foot front setback revision request would only be considered from the home as the garages will require at least a 25 foot setback to accommodate larger vehicles. LPG will revise Ordinance to add Phase 2 contingency.

Building Review:

No comments.

Fire Review:

No comments.

Lake County Public Works:

No comments.

Public Works Review (City):

Construction run-off is causing sand in storm drains that needs to be addressed routinely. Tree debris has been previously dumped beside the stormwater pond behind several dirt mounds. All issues need to be addressed by applicant and/or HOA.

Police Review:

No comments.

City Staff Review:

In closing the applicant was to submit hydraulic pipe and inlet calculations indicating the request to increase the impervious area that would support the requested ratio of fifty (50%) percent. The project Engineer of record Keith Riddle, P.E., submitted those calculations dated RECEIVED March 6, 2019, meeting the requirements of City Engineer BESH.

The applicant is to move forward with the request of the PUD Amendment Ordinance in accordance to staff recommendations and provisions under the City's Land Development Regulations Chapter 154 Zoning District Regulations; Section 154.30 d) 10) L).

Mirror Lake Village (Formerly Fruitland Estates) Stormwater Timeline

2005/2006 – Fruitland Estates plan permitted with dry stormwater management system. (Project PUD allows for 30% impervious coverage on lots).

2007-2011 – The retention pond as constructed holds water and does not dry out (recover) in a timeframe consistent with City and SJRWMD requirements.

2011 – Dry retention pond design proposed to be changed to dry retention using under drains. (not constructed).

2014 – Re-design of pond underdrain system (project now called Mirror Lake Village). Pond overflows to spreader swale adjacent to Mirror Lake Drive

2018 – Underdrain system allows water to percolate through pond bottom too quickly. After/during hurricane Irma, spreader swale floods and allows stormwater washout over Mirror Lake Drive. Developer receives permission from SJRWMD to plug underdrain system and observe pond in order to better develop engineering solution for the retention pond design. With underdrain system plugged, washouts onto Mirror Lake Drive cease.

2018 – Developer seeks and receives permission from City of Fruitland Park council to allow construction of 10 single family homes at a 50% impervious rate, with the understanding that the PUD will be amended, and that the construction plans and drainage calculations will be modified and permitted as needed with both City of Fruitland Park, and the SJRWMD to allow for development of future lots at 50% impervious rate.

2019 – Developer submits PUD modification to City of Fruitland Park to allow for 50% impervious area on single family lots. PUD modification is currently under review by city staff, and scheduled for the March TRC agenda.

TO DATE:

- Developer has submitted for PUD modification. Application is under review and scheduled for March TRC.
- Developer has not submitted for construction plan modification.
- Developer has not received SJRWMD permit modification.
- Developer has not provided engineering detail on proposed pond modification that will meet City of Fruitland Park and SJRWMD requirements.
- With underdrains still plugged, pond now exists as it did from 2007-2014 where the pond held water.
- The pond as it currently exists is not in compliance with SJRWMD criteria and rules.

VIA EMAIL kturner@fruitlandpark.org

February 15, 2019

Gary LaVenía
City Manager
City of Fruitland Park
506 W. Berckman Street
Fruitland Park, FL 34731

**RE: MIRROR LAKE VILLAGE
PUD MODIFICATION**

Dear Mr. LaVenía:

Per your email dated January 29, 2019, I have reviewed the documents which were attached for the above referenced project. Based on my review, my comments are below.

1. The submitted drainage calculations do not provide pond recovery calculations. Engineer does not object to the PUD modification to allow 50%, however applicant must apply for and receive permit for site plan modification. At such time, calculations showing pond recovery will need to be provided, including justification for soil parameters used, as well as signed and sealed construction drawings for the modification. Applicant will also need to furnish SJRWMD permit for the pond alteration. Building construction at the 50% rate shall not be allowed until site plan modification is approved.

Should you have any questions, please feel free to contact our office.

Sincerely,



Brett J. Tobias, P.E.
btobias@besandh.com
BJT:am

From: [Duane Booth](#)
To: [Tracy Kelley](#); [Dale Bogle](#); [Gary La Venia](#)
Cc: [Keith Riddle](#); "[Beliveau, Greg](#)"
Subject: FW: Mirror Lake Village
Date: Thursday, March 07, 2019 1:54:36 PM
Attachments: [Mirror Lake Inlet Spread Calcs Sealed.pdf](#)
[Hydraulic Analysis Sealed.pdf](#)

Tracy,

I have reviewed the hydraulic pipe calculations and inlet spread calculations (attached) as submitted by Keith Riddle, PE.

The calculations show the increase impervious area to 50% for the lots and that the pipes and inlets as constructed can handle the additional impervious area and still meet the design requirements of the City's LDR's.

Based on receipt and approval of these calculations, I can recommend approval to move forward with construction of the phase 1 lots, beyond the additional 8 the Council approved, once the PUD modification is approved.

Duane K Booth, PE
Booth Ern Straughan & Hiott, Inc.
902 N Sinclair Ave
Tavares, Florida 32778
352-343-8481 (office) 352-267-4435 (cell)
duanebooth@besandh.com
Good...Better...*BESH!*

From: Keith Riddle <keith@riddlenewman.com>
Sent: Thursday, March 7, 2019 1:44 PM
To: Duane Booth <duanebooth@besandh.com>
Subject: RE: Mirror Lake Village

Attached are the spread calcs for the street inlets.
Thank you.

Keith E. Riddle, P.E.
keith@riddlenewman.com

OWNER'S AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me the undersigned authority, personally appeared Eric Marks as Manager of Avex Mirror Lake, LLC

_____, who being by me first duly sworn on oath deposes and says:

- 1) That he/she is the fee-simple owner of the property legally described on attached page of this application.
- 2) That he/she desires Riddle Newman Engineering, Inc. to allow to submit applications, documents,
and other matters related to the Application submitted by Avex Mirror Lake, LLC to amend the Mirror Lake Village PUD.

- 3) That he/she has appointed Keith Riddle - Riddle Newman Engineering, Inc. to act as agent on his/her behalf to accomplish the above. The owner is required to complete the Applicant's Affidavit of this application if no agent is appointed to act on his/her behalf.

[Handwritten Signature]

Affiant (Owner's Signature)

State of Florida

County of Orange

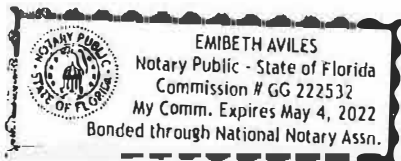
The Foregoing instrument was acknowledged before me this 24th day of Jan, 20 19,
by Eric Marks who is personally known to me or has produced

as identification and who did or did not take an oath
(Notary Seal)

Notary Public - State of Florida
Commission No GG 222532
My Commission Expires May 4, 2022

[Handwritten Signature]

Signature
Emibeth Aviles
Printed Name



APPLICANT AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me the undersigned authority, personally appeared Eric Marks, as Manager of Avex Mirror Lake, LLC, who being by me first duly sworn on oath deposes and says:

- 1) That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations, and provisions of the City of Fruitland Park, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further that this application and attachments shall become part of the Official Records of the City of Fruitland Park, Florida, and are not returnable.
2) That the submittal requirements for the application have been completed and attached hereto as part of that application.
3) That he/she desires Keith Riddle - Riddle Newman Engineering to allow to submit applications, documents, and other matters related to the Application submitted by Avex Mirror Lake, LLC to amend the Mirror Lake Village PUD.

Affiant (Applicant's Signature)

State of Florida
County of

The Foregoing instrument was acknowledged before me this day of , 20 by Eric Marks, as Manager of Avex Mirror Lake, LLC who is personally known to me or has produced as identification and who did or did not take an oath

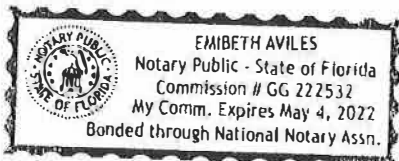
(Notary Seal)

Notary Public - State of Florida
Commission No
My Commission Expires

Signature

Emibeth Aviles

Printed Name



APPLICANT AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me the undersigned authority, personally appeared Keith Riddle

_____, who being by me first duly sworn on oath deposes and says:

- 1) That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations, and provisions of the City of Fruitland Park, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further that this application and attachments shall become part of the Official Records of the City of Fruitland Park, Florida, and are not returnable.
- 2) That the submittal requirements for the application have been completed and attached hereto as part of that application.
- 3) That he/she desires Riddle Newman Engineering to allow to submit applications, documents, and other matters related to the Application submitted by Avex Mirror Lake, LLC to amend the Mirror Lake Village PUD.

[Signature]
Affiant (Applicant's Signature)

State of Florida
County of LAKE

The Foregoing instrument was acknowledged before me this 28th day of January, 20 19,
by Keith Riddle who is (personally known) to me or has produced
_____ as identification and who did or did not take an oath

(Notary Seal)



Notary Public - State of Florida
Commission No GG022067
My Commission Expires 11/19/2020

[Signature]
Signature
NANCY L. AULT
Printed Name

OWNER'S AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me the undersigned authority, personally appeared Fruitland Park, LLC Manager, Mary L. Demetree

_____, who being by me first duly sworn on oath deposes and says:

- 1) That he/she is the fee-simple owner of the property legally described on attached page of this application.
- 2) That he/she desires Eric Marks, Avex Homes, LLC to allow to submit applications, documents, and other matters related to the Application submitted by Avex Mirror Lake, LLC to amend the Mirror Lake Village PUD.

- 3) That he/she has appointed Eric Marks, Avex Homes, LLC to act as agent on his/her behalf to accomplish the above. The owner is required to complete the Applicant's Affidavit of this application if no agent is appointed to act on his/her behalf.

Mary L. Demetree

Affiant (Owner's Signature)

State of Florida

County of Orange

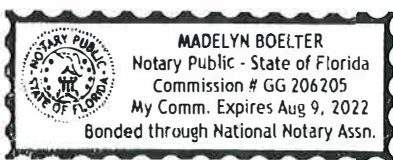
The foregoing instrument was acknowledged before me this 27th day of Feb, 2019, by Mary L. Demetree who is personally known to me or has produced N/A as identification and who did or did not take an oath

(Notary Seal)

Notary Public - State of Florida
Commission No GG 206205
My Commission Expires 8/9/22

Madelyn Boelter

Signature
Madelyn Boelter
Printed Name

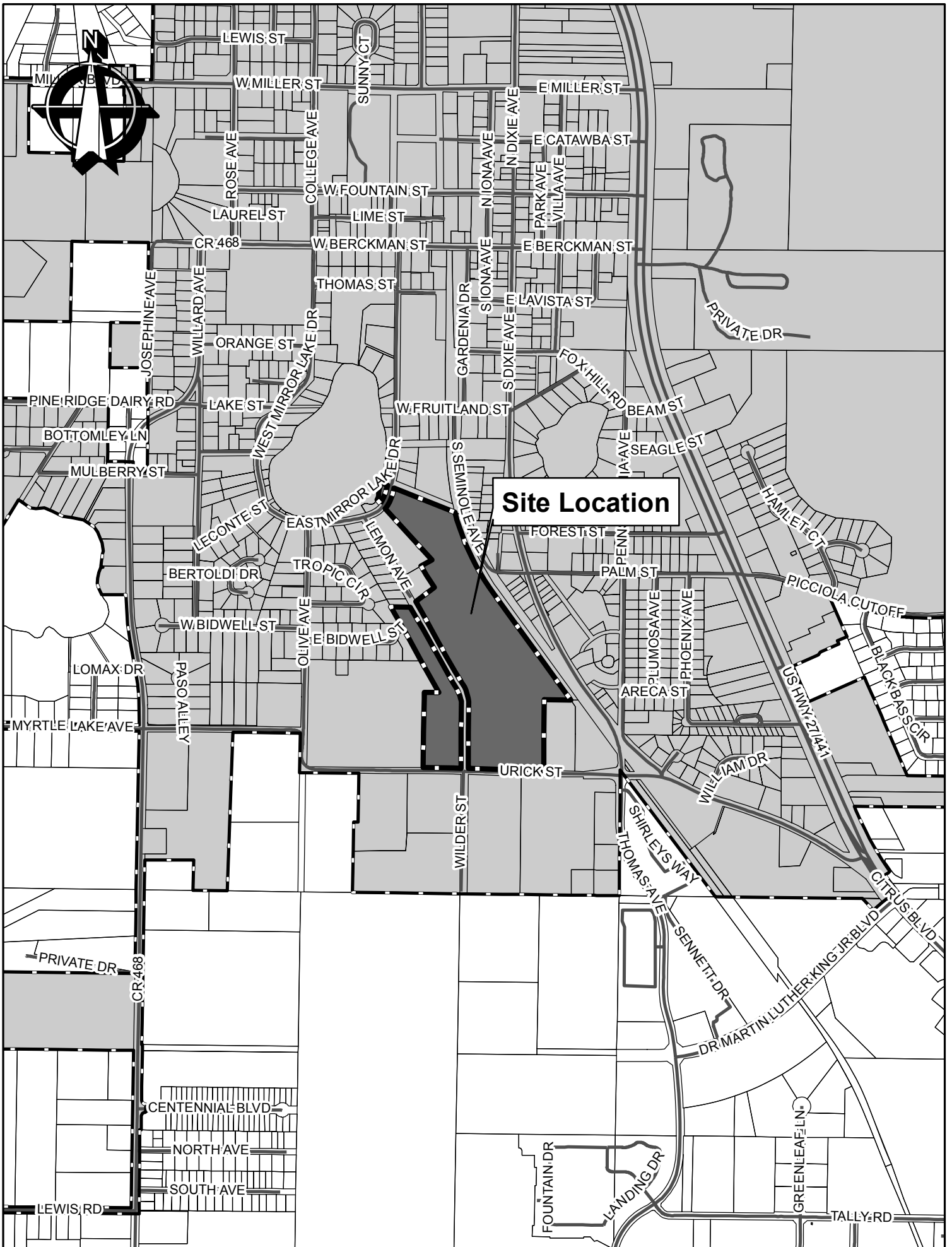


PROPERTY RECORD CARD

General Information

Owner Name:	MIRROR LAKE VILLAGE HOA INC	Alternate Key:	3897103
Mailing Address:	941 W MORSE BLVD STE 315 WINTER PARK, FL 32789 Update Mailing Address	Parcel Number:	09-19-24- 1400-00G- 00000 00F2
		Millage Group and City:	(FRUITLAND PARK)
		Total Certified Millage Rate:	17.7079
		Trash/Recycling/Water/Info:	My Public Services Map
Property Location:	EAST MIRROR LAKE DR FRUITLAND PARK FL 34731 Update Property Location	Property Name:	-- Submit Property Name School Locator & Bus Stop Map
		School Information:	School Boundary Maps
Property Description:	FRUITLAND PARK, MIRROR LAKE VILLAGE SUB TRACT G PB 66 PG 92-96 ORB 4724 PG 1917		

NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record.



Site Location

LEWIS ST

W MILLER ST

SUNNY CT

E MILLER ST

LAUREL ST

W FOUNTAIN ST

E CATAWBA ST

CR 468

W BERCKMAN ST

E BERCKMAN ST

THOMAS ST

ORANGE ST

W FRUITLAND ST

E LAVISTA ST

PINE RIDGE DAIRY RD

LAKE ST

W FRUITLAND ST

FOX HILL RD

PRIVATE DR

BOTTOMLEY LN

LAKE ST

W FRUITLAND ST

BEAM ST

MULBERRY ST

LAKE ST

W FRUITLAND ST

IA AVE

SEAGLE ST

LECONTE ST

EAST MIRROR LAKE DR

W FRUITLAND ST

FOREST ST

HAMLET CT

BERTOLDI DR

TROPIC CIR

LEMON AVE

PENN ST

PICCIOLA CUTOFF

W BIDWELL ST

OLIVE AVE

E BIDWELL ST

PENN ST

PALM ST

PICCIOLA CUTOFF

LOMAX DR

PASO ALLEY

OLIVE AVE

E BIDWELL ST

PENN ST

PLUMOSA AVE

ARECA ST

PHOENIX AVE

UST HWY 27/441

MYRTLE LAKE AVE

PASO ALLEY

OLIVE AVE

E BIDWELL ST

ARECA ST

PLUMOSA AVE

ARECA ST

PHOENIX AVE

UST HWY 27/441

URICK ST

WILDER ST

SHIRLEYS WAY

THOMAS AVE

SENETT DR

DR MARTIN LUTHER KING JR BLVD

WILLIAM DR

CITRUS BLVD

DR MARTIN LUTHER KING JR BLVD

DR MARTIN LUTHER KING JR BLVD

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DR MARTIN LUTHER KING JR BLVD

CENTENNIAL BLVD

NORTH AVE

SOUTH AVE

LEWIS RD

FOUNTAIN DR

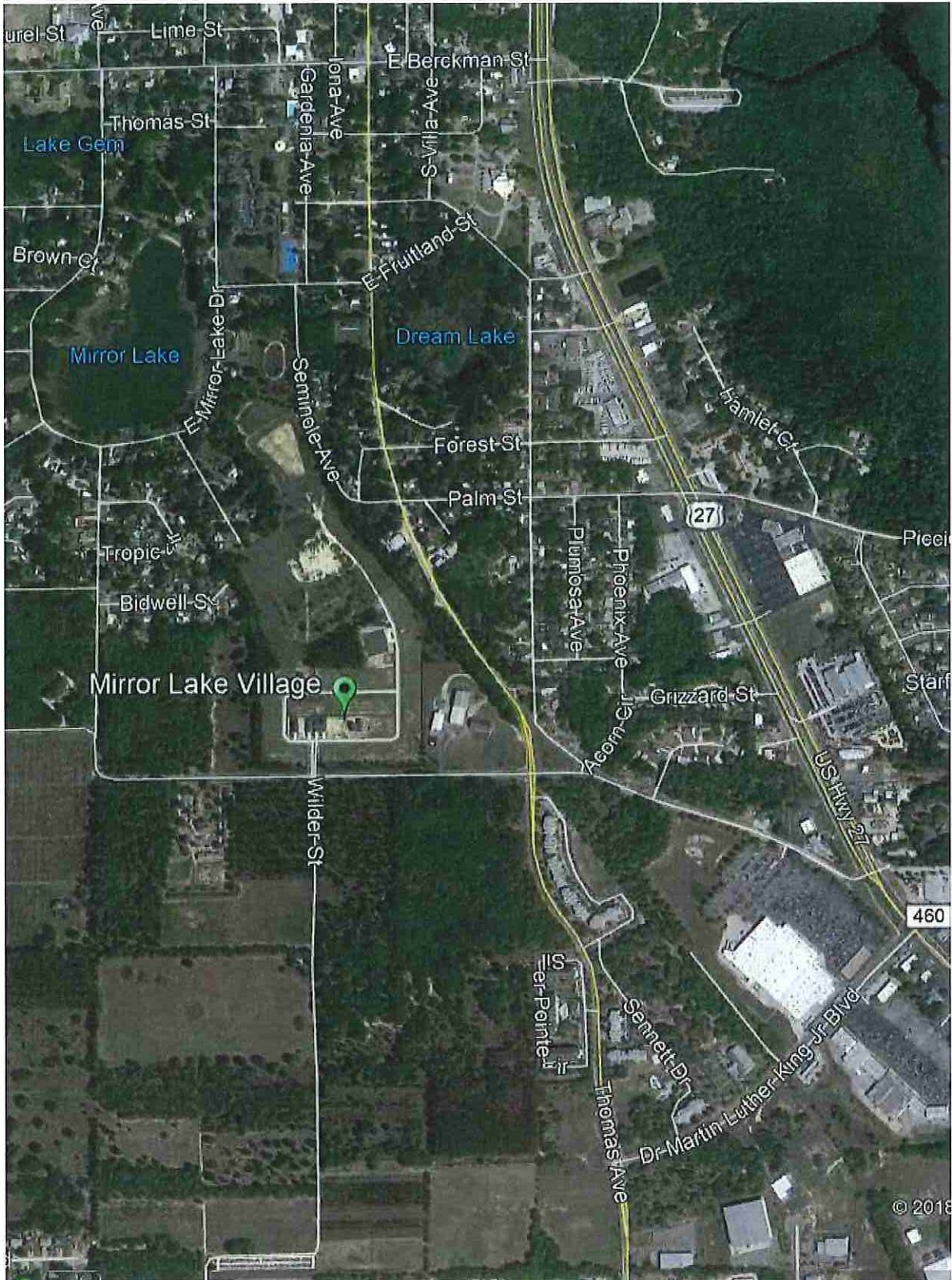
LANDING DR

GREENLEAF LN

TALLY RD

MIRROR LAKE VILLAGE

LOCATION MAP



MIRROR LAKE VILLAGE

AERIAL VIEW



ATTACHMENT TO DEVELOPMENT APPLICATION
PUD MODIFICATION FOR MIRROR LAKE VILLAGE

Avex Mirror Lakes, LLC (the "Applicant") hereby requests an amendment to the existing PUD Ordinance governing the Mirror Lake Village Project as established in the Master Development Agreement dated January 8, 2015 between the City of Fruitland Park, Florida and Fruitland Park, LLC. (the "Development Agreement"). Specifically, the Applicant requests modification of the following provisions of the Development Agreement:

1. Section 3. Land Use/Development. The Applicant requests that the following provision be added at the end of Section 3:

"Section 154.040 of the City of Fruitland Park Development Code does not apply to the Property. In lieu thereof, the maximum impervious surface ratio for any Lot in the subdivision shall be fifty percent (50%)."

2. Section 5. Development Standards. The Applicant requests that Section 5 of the Development Agreement be modified to reduce the "Front: Local Roadways" setback to Twenty feet (20').

MIRROR LAKE PUD AMENDMENT
LEGAL DESCRIPTION

BEING A REPLAT OF THOSE PORTIONS OF BLOCKS 39, 40, 43, AND 44; AND ALSO THOSE PORTIONS OF THE VACATED RIGHT-OF-WAYS OF WILDER STREET, LEMON AVENUE, HURST STREET, BIDWELL STREET, AND THOSE UNNAMED UNIMPROVED STREETS ACCORDING TO RESOLUTION #2006-032 OF THE CITY OF FRUITLAND PARK, FLORIDA DATED THE NINTH DAY OF NOVEMBER, 2006, RECORDED IN OFFICIAL RECORDS BOOK 03325, PAGES 0233 THROUGH 0237, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING SOUTHWESTERLY OF THE RIGHT-OF-WAY OF THE ATLANTIC COASTLINE RAILROAD AND NORTH OF THE RIGHT-OF-WAY OF URICK STREET AS SHOWN ON THE PLAN AND MAP OF FRUITLAND PARK, ACCORDING TO THE PLATS THEREOF, RECORDED IN PLAT BOOK 3, PAGES 8 AND 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA IN SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS; COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 9, RUN THENCE SOUTH 89°19'20" EAST (BEARINGS RELATED TO THE FLORIDA GRID SYSTEM EAST ZONE) 1344.95 FEET ALONG THE SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SECTION 9 TO A 4 INCH ROUND CONCRETE MONUMENT, LOCATED ON THE EAST BOUNDARY OF THE 60.00 FOOT WIDE WILDER STREET; THENCE NORTH 00°52'50" EAST 1024.25 FEET ALONG THE EAST BOUNDARY OF SAID WILDER STREET TO A 4 INCH ROUND CONCRETE MONUMENT LOCATED ON THE NORTH BOUNDARY OF THE 50.00 FOOT WIDE URICK STREET, SAID MONUMENT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN THENCE NORTH 89°20'46" WEST 60.00 FEET ALONG THE NORTH BOUNDARY OF SAID URICK STREET TO A 4 INCH ROUND CONCRETE MONUMENT LOCATED ON THE WEST BOUNDARY OF SAID WILDER STREET; THENCE CONTINUE NORTH 89°02'06" WEST 290.72 FEET ALONG THE NORTH BOUNDARY OF SAID URICK STREET TO A 4 INCH ROUND CONCRETE MONUMENT LOCATED AT THE SOUTHWEST CORNER OF LOT 8, BLOCK 43 OF SAID PLAN OF FRUITLAND PARK; DEPARTING THE NORTH BOUNDARY OF SAID URICK STREET, RUN THENCE NORTH 00°55'32" EAST 632.72 FEET ALONG THE WEST BOUNDARY OF SAID LOT 8, BLOCK 43 TO A 4 INCH SQUARE CONCRETE MONUMENT LOCATED ON THE SOUTH BOUNDARY OF HURST STREET; THENCE SOUTH 89°32'30" EAST 125.56 FEET ALONG THE SOUTH BOUNDARY OF SAID HURST STREET TO AN IRON MARKER; DEPARTING THE SOUTH BOUNDARY OF SAID HURST STREET, RUN THENCE NORTH 2°23'19" WEST 801.04 FEET TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715; THENCE NORTH 88°46'28" EAST 158.41 FEET TO A 4" SQUARE CONCRETE MONUMENT MARKED PRM #3715 ON THE SOUTHEASTERLY EXTENSION OF THE SOUTHWESTERLY BOUNDARY OF THE 60.00 FOOT WIDE LEMON AVENUE; THENCE NORTH 2°18'54" WEST 4.07 FEET ALONG THE SOUTHEASTERLY EXTENSION OF THE SOUTHWESTERLY BOUNDARY OF THE 60.00 FOOT WIDE LEMON AVENUE TO A 4 INCH ROUND CONCRETE MONUMENT LOCATED ON THE SOUTHERLY TERMINUS OF SAID LEMON AVENUE; THENCE NORTH 53°12'15" EAST 60.51 FEET ALONG THE SOUTHERLY TERMINUS OF LEMON AVENUE TO A 4 INCH ROUND CONCRETE MONUMENT LOCATED ON THE NORTHEASTERLY BOUNDARY OF SAID LEMON AVENUE; DEPARTING SAID NORTHEASTERLY BOUNDARY OF LEMON AVENUE, RUN THENCE NORTH 53°04'36" EAST 206.19 FEET TO A 4 INCH ROUND CONCRETE MONUMENT; THENCE NORTH 31°35'16" WEST 207.81 FEET TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715; THENCE NORTH 60°40'50" EAST 103.80 FEET TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715; THENCE NORTH 44°11'03" WEST 582.93 FEET TO A POINT ON THE SOUTHEASTERLY BOUNDARY OF THE 60.00 FOOT WIDE EAST MIRROR LAKE DRIVE; FROM SAID POINT, DEPARTING SAID BOUNDARY, CONTINUE NORTH 44°11'03" WEST 60.55 FEET TO A POINT ON THE NORTHWESTERLY BOUNDARY OF SAID EAST MIRROR LAKE DRIVE, FROM SAID POINT, DEPARTING SAID BOUNDARY, CONTINUE NORTH 44°11'03" WEST 525.17 FEET TO THE INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTHERLY BOUNDARY OF THE 40.00 FOOT WIDE DESOTO AVENUE; THENCE SOUTH 67°57'59" EAST 476.45 FEET ALONG THE SOUTHERLY BOUNDARY OF THE 40.00 FOOT WIDE DESOTO AVENUE AND ITS WESTERLY EXTENSION TO A POINT ON THE NORTHWESTERLY BOUNDARY OF SAID EAST MIRROR LAKE DRIVE, FROM SAID POINT, DEPARTING SAID BOUNDARY, CONTINUE SOUTH 67°57'59" EAST 60.39 FEET ALONG THE WESTERLY EXTENSION OF THE SOUTHERLY BOUNDARY OF SAID DESOTO AVENUE TO A POINT ON THE SOUTHEASTERLY BOUNDARY OF SAID EAST MIRROR LAKE DRIVE; FROM SAID POINT, DEPARTING SAID BOUNDARY, CONTINUE SOUTH 67°57'59" EAST 522.81 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID DESOTO AVENUE TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715 ON THE SOUTHWESTERLY BOUNDARY OF THE ATLANTIC COASTLINE RAILROAD, SAID MONUMENT BEING ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1936.45 FEET TO WHICH A RADIAL LINE BEARS SOUTH 76°33'07" WEST; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY BOUNDARY OF SAID RAILROAD THROUGH A CENTRAL ANGLE OF 17°11'41" AN ARC DISTANCE OF 581.14 FEET TO A POINT ON THE EAST-WEST MID-SECTION LINE OF SAID SECTION 9; FROM SAID POINT, RUN THENCE SOUTH 89°07'17" EAST 8.80 FEET ALONG THE EAST-WEST MID-SECTION LINE AND SAID RAILROAD RIGHT-OF-WAY TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715 ON THE SOUTHWESTERLY BOUNDARY OF SAID RAILROAD, SAID MONUMENT BEING ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1928.95 FEET TO WHICH A RADIAL LINE BEARS SOUTH 59°13'13" WEST; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY BOUNDARY OF SAID RAILROAD THROUGH A CENTRAL ANGLE OF 05°43'59" AN ARC DISTANCE OF 193.02 FEET TO A 4 INCH ROUND CONCRETE MONUMENT AT THE POINT OF TANGENCY; THENCE SOUTH 36°32'08" EAST 1020.21 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF SAID RAILROAD TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715 LOCATED ON THE CENTERLINE OF SAID VACATED HURST STREET; DEPARTING SAID RAILROAD BOUNDARY, RUN THENCE NORTH 88°54'41" WEST 216.10 FEET ALONG SAID CENTERLINE TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715 ON THE NORTHERLY EXTENSION OF THE WEST BOUNDARY OF LOT 6, BLOCK 44 OF SAID PLAN OF FRUITLAND PARK, DEPARTING SAID CENTERLINE, RUN THENCE SOUTH 00°46'21" WEST 668.06 FEET ALONG THE WEST BOUNDARY OF SAID LOT 6 AND THE NORTHERLY EXTENSION THEREOF TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715 ON THE NORTH BOUNDARY OF URICK STREET, FROM SAID MONUMENT, RUN THENCE NORTH 89°02'49" WEST 626.47 FEET ALONG THE NORTH BOUNDARY OF URICK STREET TO THE POINT OF BEGINNING. LESS THE MONUMENTED 60.00 FOOT WIDE RIGHT-OF-WAY OF EAST MIRROR LAKE DRIVE LYING 30.00 FEET EACH SIDE OF THE CENTERLINE OF EXISTING PAVEMENT. SUBJECT TO A BLANKET UTILITY EASEMENT OVER THE VACATED PORTIONS OF THE ABOVE MENTIONED STREETS FOR UTILITY PURPOSES ACCORDING TO RESOLUTION #2006-032.

THIS DOCUMENT PREPARED BY
AND SHOULD BE RETURNED TO:

RETURN

Randolph J. Rush, Esquire
Underweede, Haines, Ward
& Woodman, P.A.
Post Office Box 880
Winter Park, Florida 32790

Parcel ID 0919240400-000-00002
0919240400-043-00100
0919240400-043-00800

SPECIAL WARRANTY DEED

THIS INDENTURE, made effective the 31st day of December, 2015, between **FRUITLAND PARK, LLC, a Florida limited liability company**, whose address is 941 W. Morse Boulevard, Suite 315, Winter Park, Florida 32789 ("Grantor"), and **AVEX MIRROR LAKE, LLC, a Florida limited liability company**, whose address is 28 E. Washington Street, Orlando, Florida 32801 ("Grantee"):

WITNESSETH:

GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations to said Grantor in hand paid by said Grantee, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, conveyed, and sold to the said Grantee, and Grantee's successors and assigns forever, land, situate, lying and being in Lake County, Florida, being more particularly described as:

Lots 1 through 90, MIRROR LAKE VILLAGE, according to the Plat thereof, as recorded in Plat Book 66, Pages 92 through 96, Public Records of Lake County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

GRANTOR HEREBY covenants with said Grantee that Grantor is lawfully seized of said land in fee simple; that Grantor has good, right and lawful authority to sell and convey said land; and that Grantor hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through, or under the said Grantor. This conveyance is subject to taxes for the year 2016 and thereafter, and easements, reservations and restrictions of record, but this reference shall not act to reimpose the same.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed and sealed the day and year first above written.

Signed, sealed and delivered in the presence of:

FRUITLAND PARK, LLC, a Florida limited liability company

Eric S Peisner
Print Name: Eric S Peisner

By: Mary L Demetree
Mary L. Demetree, Manager

Madelyn Boelter
Print Name: Madelyn Boelter

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was sworn to, subscribed and acknowledged before me this 30th day of December, 2015, by MARY L. DEMETREE, as Manager of FRUITLAND PARK, LLC, a Florida limited liability company, on behalf of the company, []who is personally known to me or []who has produced N/A as identification.



Madelyn Boelter
Notary Public
My Commission Expires: 8/9/18

February 25, 2019

VIA EMAIL AND HAND DELIVERY

City of Fruitland Park
Attn: Mr. Gary La Venia, City Manager
506 W. Breckman Street
Fruitland Park, FL 34731

Re: Mirror Lake Village Phase 2

Dear Mr. La Venia,

Fruitland Park, LLC is the owner of Phase 2 of the Mirror Lake Village PUD (the "Project") and several lots in Phase 1. The storm water ponds for the project were originally designed under St. Johns River Water Management District Storm Water Permit No. 40-069-100697-3 in or around August, 2005 (the "Original Permit"). The Original Permit was modified by application dated October 25, 2013 (the "Permit Modification"). The Original Permit, as modified by the Permit Modification (the "Storm Water Permit") authorizes 6.1 acres of impervious surface on all lots in the Project.

Fruitland Park, LLC hereby agrees not to develop any improvements (vertical or horizontal) on Phase 2 of the Project until such time as the St. Johns Water Management District issues a permit for Phase 2 which authorizes sufficient capacity to accommodate development of Phase 2 in accordance with the approved PUD (as modified). We further agree that by authorizing development of Phase 1 at a 50% impervious surface ratio, 216,000 square feet (approximately 4.96 acres) of the allocated 6.1 acres of permitted impervious surface area will be allocated to Phase 1. Finally, Fruitland Park, LLC hereby agrees to a modification of the pending PUD Amendment application to incorporate the foregoing restriction into the PUD.

We appreciate your efforts to resolve these issues and look forward to working with you bring these matters to a mutually beneficial conclusion.

Sincerely,

Fruitland Park, LLC



Mary Demetree, Manager

STATE OF FLORIDA

COUNTY OF ORANGE

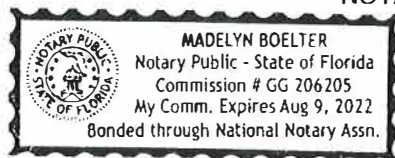
The foregoing instrument was acknowledged before me this 27th day of February, 2019, by Mary Demetree, as Manager of Fruitland Park, LLC, who is personally known by me.




NOTARY PUBLIC, State of Florida

My Commission Expires:

CC: Eric Marks, (via email)



ORDINANCE 2014-024

CERTIFY TRUE COPY
BY 
CITY CLERK
DATE 1/21/15

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING APPROXIMATELY 42.26 ACRES OF PROPERTY GENERALLY LOCATED NORTH OF URICK STREET AND WEST OF SEMINOLE BOULEVARD FROM SINGLE FAMILY MEDIUM DENSITY (R-2) TO THE DESIGNATION OF PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Eris S. Peisner, as applicant on behalf of Fruitland Park LLC as owner, requesting that real property within the City of Fruitland Park be rezoned from Single-Family Medium Density (R-2) to Planned Unit Development-Residential within the city limits of Fruitland Park; and

WHEREAS, the petition bears the signature of all required parties; and

WHEREAS, the required notice of the proposed rezoning has been properly published;

NOW, THEREFORE, be it ordained by the City Commission of the City of Fruitland Park, Florida:

Section 1. The above-referenced property, more particularly described on Exhibit "A," attached hereto and incorporated herein by reference, consisting of approximately 42.26 ± acres generally located north of Urick Street and west of Seminole Boulevard is hereby rezoned from R-2 (Single Family Medium Density) to Planned Unit Development - Residential within the City of Fruitland Park. Such zoning designation shall be subject to and conditioned upon the terms of a Master Development Agreement attached as Exhibit "B" and incorporated herein by reference.

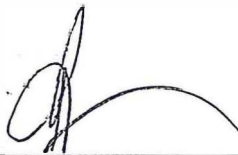
Section 2. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County Florida, and the Secretary of State of the State of Florida within seven days after its passage on second and final reading.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

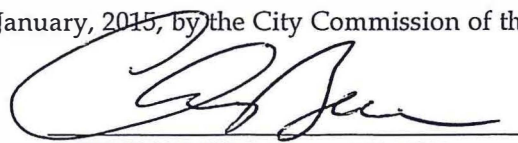
Section 4. This Ordinance shall become effective immediately upon passage.

PASSED AND ORDAINED this 8th day of January, 2015, by the City Commission of the City of Fruitland Park, Florida.

ATTEST:



ESTHER COULSON,
CITY CLERK


CHRISTOPHER J. BELL, MAYOR

CERTIFY TRUE COPY
BY. [Signature]
CITY CLERK
DATE 1/8/15

Vice Mayor Cheshire	<u>/</u>	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Gunther	<u>/</u>	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Lewis	<u>/</u>	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Ranize	<u>/</u>	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Mayor Bell	<u>/</u>	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

Passed First Reading November 20, 2014
Passed Second Reading January 8, 2015

Approved as to form:

[Signature]

Scott A. Gerken, City Attorney

MASTER DEVELOPMENT AGREEMENT

THIS AGREEMENT is entered into and made as of the 8th day of January, 2015, between the CITY OF FRUITLAND PARK, FLORIDA, a Florida municipal corporation, (hereinafter referred to as the "City"), and Fruitland Park, LLC, a Florida limited liability company (hereinafter referred to as the "Owner").

RECITALS

1. The Owner desires to rezone approximately 42.26 acres of property within the City of Fruitland Park, described and depicted as set forth on Exhibit "A" attached to and incorporated in this Agreement (hereafter referred to as the "Property").
2. The Property is currently located within the City of Fruitland Park and is currently zoned "Single-Family Medium Density" (R-2) with a future land use designation on the City of Fruitland Park Future Land Use Map of "Single Family Medium Density."
3. Owner has filed applications for rezoning for the Property as a residential planned unit development.
4. Owner represents that it is the sole legal owner of the Property and that it has the full power and authority to make, deliver, enter into, and perform pursuant to the terms and conditions of this Agreement and has taken all necessary action to authorize the execution, delivery, and performance of the terms and conditions of this Agreement.
5. The City of Fruitland Park has determined that the rezoning of the Property and the proposal for its development presents, among other things, an opportunity for the City to secure quality planning and growth, protection of the environment, and a strengthened and revitalized tax base.
6. Owner will fund certain public improvements and infrastructure to facilitate the development of the Property.
7. The Property is within the City's Chapter 180, Florida Statutes, utility district, and Owner has requested and City desires to provide water and sewer as well as other municipal services to the Property.

ACCORDINGLY, in consideration of the mutual benefits and the public interest and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Section 1. Recitals. The above recitals are true and correct, are hereby incorporated herein by reference, and form a material part of this Agreement. All exhibits to this Agreement are hereby deemed a part thereof.

Section 2. Conditions Precedent. Owner has filed an application for rezoning for the Property. It is understood and agreed to by the City and the Owner that this Agreement shall not be binding or enforceable as to any party unless and until: a) the City duly adopts the Agreement and adopts an ordinance rezoning the Property. The parties hereto understand and acknowledge that the City is in no way bound to rezone

the Property. The City shall have the full and complete right to approve or deny the application for rezoning.

Section 3. Land Use/Development. Development of the Property shall be substantially consistent with the "Conceptual Site Plan – Mirror Lake Village" prepared by Riddle-Newman Engineering, Inc., dated October 30, 2014 and attached as Exhibit "B" (the "Plan"). All development shall be consistent with City's "PUD" (Planned Unit Development/Residential) zoning district and, subject to City approval. As set forth further below, all land use issues addressed herein must be adopted by City through its regular procedures before being effective.

Section 4. Density. The maximum density shall not exceed 166 units.

Section 5. Development Standards. City and Owner agree that building setbacks shall be as follows:

- A. Front: Local Roadways - Thirty feet (30')*
- B. Side: Five feet (5')
- C. Rear: Twenty feet (20')
- D. Rear: From Mirror Lake – Fifty feet (50')

*Notwithstanding the foregoing, corner lots facing roadways on two sides shall be subject to a thirty (30) foot setback along the roadway designated as the property address and a twenty (20) foot setback along the other roadway not designated as the property address.

Section 6. Homeowners Association. Owner shall establish a homeowners association, which shall be responsible for maintenance of common areas and infrastructure within the Property, including, but not limited to, parks and recreation areas, stormwater retention, open space areas, and common areas.

Section 7. Lighting. All exterior lighting shall be arranged to reflect light away from adjacent properties to the greatest extent possible while providing lighting adequate to ensure safety on road right of way. The poles and street lights within the Property shall be installed by Owner and thereafter maintained by the HOA.

Section 8. Water, Wastewater, and Reuse Water. Subject to the terms herein, Owner and their successors and assigns agree to obtain water, reuse water, irrigation water, and wastewater service (hereafter, "Utilities") exclusively through purchase from City when available. Owner covenants and warrants to City that it will not engage in the business of providing such Utilities to the Property or within City's F.S. Chapter 180 utility district. Notwithstanding the foregoing, private wells for irrigation purposes will be allowed within the Property so long as such wells are approved and permitted by the St. Johns River Water Management District (the "District") and comply with the rules and regulations of the District. Owner shall construct, at Owner's expense, all on-site utility facilities (e.g. lift stations and lines) as well as pay for the extension of facilities from City's current point of connection. Owner shall also construct, at Owner's expense, "dry" utility lines for reclaimed water purposes in the areas marked for future development in the Property (i.e., Phase II). All such improvements must be constructed to City requirements and transferred to City as a contribution in aid of construction. Owner shall not be obligated to construct "dry" utility lines in any areas already developed (including Phase I) within the Property.

Owner has constructed all Capital Utility Improvements as described in the Water and Wastewater Utility Agreement between the City and Owner, dated September 13, 2007, (the "Utility Agreement") and has conveyed such improvements to the City pursuant to the terms of the Agreement.

Section 9. Impact Fees. Owner shall be required to pay impact fees as established by City from time to time. Notwithstanding the foregoing, Owner shall pay water and wastewater impact fees at the rate of \$3,080.00 per dwelling for wastewater (sewer) and \$985.00 per dwelling for water. Owner has made the Payment (as described herein), which is the only payment for such water and wastewater impact fees due at the time of plat approval. The remaining balance due for the water and wastewater impact fees, including any amounts by which the City's water and wastewater impact fees increase over their current amounts as set forth in this Section 9, shall be paid for each lot at the time a building permit is issued for such lot. Owner may apply the credits for the Payment as set forth in the First Amendment (described below) against the foregoing water and wastewater impact fees due at permit issuance until the credits either expire on September 12, 2017 or are used up.

Owner agrees to pay all other impact fees, including parks and recreation, police and fire rescue and any impact fees adopted after the execution of this Agreement for all units as building permits are issued for such units at the then existing rate. If impact fees increase from the time they are paid until the building permit is issued, Owner shall pay the incremental increased amount at the time building permits are issued. Prepayment of utility impact fees and acceptance by City of such fees shall reserve capacity for the prepaid units. No capacity is reserved until or unless such fees have been paid pursuant to an agreement with City. Owner agrees and understands that no capacity has been reserved and that Owner assumes the risk that capacity will be available. Accordingly, if capacity is available at the time of platting and City is willing to allocate such capacity to Owner, Owner shall enter into a reservation agreement and any other utility agreements or easements related to the Property as requested by City from time to time.

Notwithstanding anything herein to the contrary, Owner has paid \$182,925.00 to City (the "Payment") as a prepayment of a portion of the water and wastewater impact fees for the Property. However, pursuant to the terms of the First Amendment to the Agreement dated January 29, 2009, (the "First Amendment") no water or wastewater capacity is reserved for Owner or with regard to the Property and Owner fully assumes the risk that capacity will be available. At such time as the Property is developed, Owner shall receive impact fee credits for the Payment, as set forth in Section 9 above. However, pursuant to the First Amendment, all credits not used shall expire on September 12, 2017.

Section 10. Easements. Owner shall provide the City such easements or right of way in form acceptable to the City Attorney, as the City deems necessary for the installation and maintenance of roads, sidewalks, bikeways, street lighting or utility services, including but not limited to sewer, water, drainage and reclaimed water services.

Section 11. Landscaping/Buffers. Developer has reviewed City's Land Development Regulations relating to landscaping and agrees to comply with such regulations. Owner shall install and maintain a ten foot (10') landscape buffer consisting of four (4) canopy trees, two (2) understory trees, and fifteen (15) shrubs per one hundred feet (100') or portion thereof along the eastern, southern, and western boundaries of the Property. In lieu of a 10' landscape buffer, the Owner may install a six foot (6') high vinyl fence as reasonably approved by City. No landscape buffer shall be required adjacent to Mirror Lake; however, a 50' upland buffer from the wetland line is required. Owner shall install and maintain a twenty-four foot (24') natural upland buffer along Urick Street that meets all applicable Land Development Regulations requirements, and existing vegetation may be utilized to meet such twenty-four (24') natural upland buffer. All landscaping and tree protection shall comply with Chapter 163 of the City of Fruitland Park Land

Development Regulations.

Owner shall, at its sole expense, install underground irrigation systems on all common areas of the Property, as well as exercise any other measures reasonably necessary to ensure the long-term maintenance of the landscaping.

Owner shall design and construct, at its sole expense, the interior landscaped areas and islands within the common and parking areas of the Property in accordance with all applicable City of Fruitland Park Land Development Regulations. Owner shall maintain such areas until such maintenance responsibility has been assumed by the HOA.

Owner acknowledges City's goal of achieving a greater level of tree preservation within the City. In aid of such goal, Owner agrees to comply with all applicable City of Fruitland Park Land Development Regulations pertaining to tree removal and replacement.

Section 12. Stormwater Management. Owner agrees to provide at Developer's expense a comprehensive stormwater management system consistent with all regulatory requirements of the City and the St. John's River Water Management District. Impacts to flood plains are allowed in accordance with the Water Management District procedures for compensating storage and will be based on the 100-year floodplain established by Lake County.

Section 13. Other Municipal Facilities/Services. The City hereby agrees to provide, either directly or through its franchisees or third party providers, police and fire protection, emergency medical services, and solid waste collection, disposal, and recycling services to the Property under the same terms and conditions and in the same manner as are afforded to all other residential property owners within the City.

Section 14. Concurrency. The City acknowledges that the Property has satisfied current City concurrency requirements, and the Property shall be subject to further concurrency review as the Property is developed.

Section 15. Environmental Considerations. The Owner agrees to comply with all federal, state, county, and city laws, rules and regulations regarding any environmental issues affecting the Property.

Section 16. Signage. Owner shall submit a master sign plan as a component of the final site plan (i.e., construction plan) application for the Property. Such plan shall be in compliance with all applicable regulations contained within the City of Fruitland Park Land Development Regulations, unless City grants a waiver or variance pursuant to the City's Land Development Regulations. Alternatively, the Owner, in the Owner's discretion, may apply to amend the PUD to incorporate a Master Signage Plan at the time that the Owner desires to install signage at the development.

Section 17. Title Opinion. Owner shall provide to City, in advance of the City's execution of this Agreement, a title opinion of an attorney licensed in the State of Florida, or a certification by an abstractor or title company authorized to do business in the State of Florida, showing marketable title to the Property to be in the name of the Owner and showing all liens, mortgages, and other encumbrances not satisfied or released of record.

Section 18. Compliance with City Laws and Regulations. Except as expressly modified herein, all development of the Property shall be subject to compliance with the City Land Development Regulations and City Code provisions, as amended, as well as regulations of county, state, local, and federal agencies.

All improvements and infrastructure shall be constructed to City standards.

Section 19. Due Diligence. The City and Owner further agree that they shall commence all reasonable actions necessary to fulfill their obligations hereunder and shall diligently pursue the same throughout the existence of this Agreement. The City shall further provide all other municipal services to the Property as are needed by Owner from time to time in accordance with the City's applicable policies for the provision of said services.

Section 20. Enforcement/Effectiveness. A default by either party under this Agreement shall entitle the other party to all remedies available at law or as set forth in Section 163.3243, Florida Statutes.

Section 21. Governing Law. This Agreement shall be construed in accordance with the laws of the State of Florida and venue for any action hereunder shall be in the Circuit Court of Lake County, Florida.

Section 22. Binding Effect; Assignability. This Agreement, once effective, shall be binding upon and enforceable by and against the parties hereto and their assigns. This Agreement shall be assignable by the Owner to successive owners. Owner shall, however, provide written notice to the City of any and all such assignees. The rights and obligations set forth in this Agreement shall run with the land and be binding on all successors and/or assignees. Owner consents to the placement of a claim of lien on the Property upon default in payment of any obligation herein without precluding any other remedies of City. The parties hereby covenant that they will enforce this Agreement and that it is a legal, valid, and binding agreement.

Section 23. Waiver; Remedies. No failure or delay on the part of either party in exercising any right, power, or privilege hereunder will operate as a waiver thereof, nor will any waiver on the part of either party or any right, power, or privilege hereunder operate as a waiver of any other right, power, privilege hereunder, not will any single or partial exercise of any right, power, or privilege hereunder preclude any other further exercise thereof or the exercise of any other right, power, or privilege hereunder.

Section 24. Exhibits. All exhibits attached hereto are hereby incorporated in and made a part of this Agreement as if set forth in full herein.

Section 25. Notice. Any notice to be given shall be in writing and shall be sent by certified mail, return receipt requested, to the party being noticed at the following addresses or such other address as the parties shall provide from time to time:

As to City:	City Manager City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 352-360-6727 Telephone
Copy to:	Christopher J. Bell, City Mayor City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 352-360-6727 Telephone

	Scott A. Gerken, Esquire City Attorney 4850 N. Highway 19A Mount Dora, FL 32757 352-357-0330 Telephone 352-357-2474 Facsimile
As to Owner:	Fruitland Park, LLC 1350 Orange Ave., Suite 100 Winter Park, FL 32789
Copy to:	Nicole Latham Carolan, Esq. Winderweedle, Haines, Ward & Woodman, P.A. 329 Park Avenue North, Second Floor Winter Park, FL 32789

Section 26. Entire Agreement. This Agreement sets forth all of the promises, covenants, agreements, conditions, and understandings between the parties hereto, and supersedes all prior and contemporaneous agreements, understandings, inducements or conditions, express or implied, oral or written, except as herein contained. However, the failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve Owner from complying with the law governing said permitting requirements, conditions, terms or restrictions.

Section 27. Term of Agreement. The term of this Agreement shall commence on the date this Agreement is executed by both the City and Owner, or the effective date of the annexation of the Property, whichever occurs later, and shall terminate twenty (20) years thereafter; provided, however, that the term of this Agreement may be extended by mutual consent of the City and the Owner, subject to a public hearing in accordance with the requirements of Section 163.3225, Florida Statutes.

Section 28. Amendment. Amendments to the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

Section 29. Severability. If any part of this Developer’s Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not effect the other parts of this Developer’s Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be effected. To that end, this Developer’s Agreement is declared severable.

IN WITNESS WHEREOF, the Owner and the City have executed this Agreement as of the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

FRUITLAND PARK, LLC,
a Florida limited liability company

Eric S Peisner
Witness Signature

By: Mary L Demetree
Mary L. Demetree, its Manager

Eric S Peisner
Print Name

[Signature]
Witness Signature

Daniel Conn
Print Name

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 5 day of January, 2015 by MARY L. DEMETREE, as Manager of FRUITLAND PARK, LLC, a Florida limited liability company, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Evelyn Guzman
Notary Public
Notary Public - State of Florida
Commission No _____
My Commission Expires _____



ACCEPTED BY THE CITY OF FRUITLAND PARK

Approved as to form and
Legality for use and reliance
by the City of Fruitland Park

By: [Signature]
_____, Mayor

Date: 8th day of January 2015

[Signature]

ATTEST: [Signature]

City Clerk

City Attorney

This instrument prepared by:

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 9th day of January by 2015, Esther Coulson, City Clerk of the City of Fruitland Park, Florida, who are personally known to be me and they acknowledge executing the same freely and voluntarily under authority vested in them and that the seal affixed thereto is the true and corporate seal of the City of Fruitland Park, Florida.



[Signature]

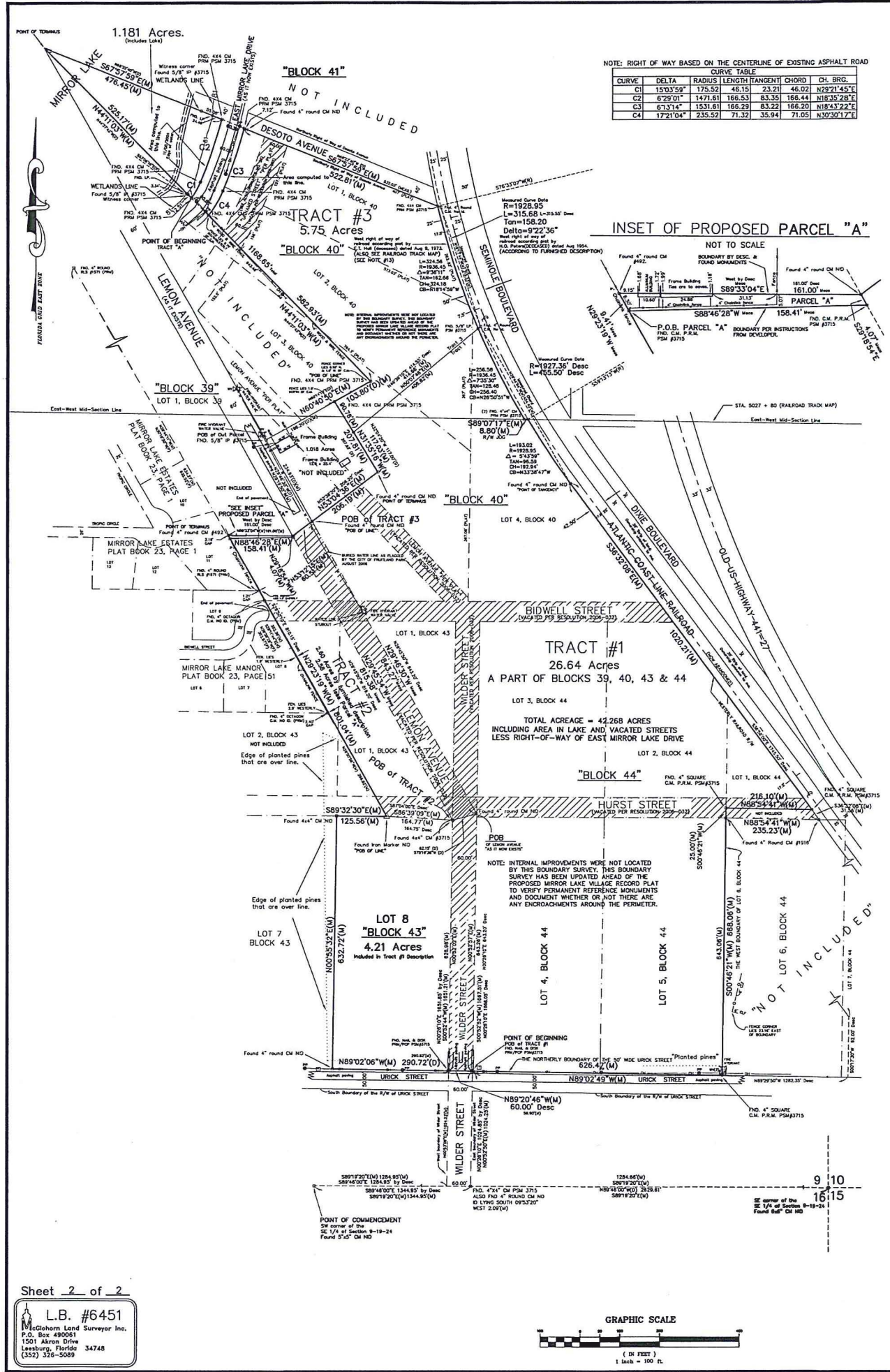
Notary Public
Notary Public - State of Florida
Commission No EE 834921
My Commission Expires 9-13-16

EXHIBIT "A"

Subject Property Legal Description

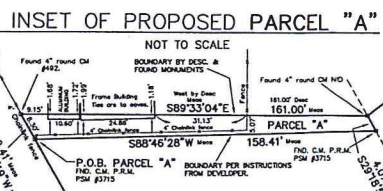
BEING A REPLAT OF THOSE PORTIONS OF BLOCKS 39, 40, 43, AND 44; AND ALSO THOSE PORTIONS OF THE VACATED RIGHT-OF-WAYS OF WILDER STREET, LEMON AVENUE, HURST STREET, BIDWELL STREET, AND THOSE UNNAMED UNIMPROVED STREETS ACCORDING TO RESOLUTION #2006-032 OF THE CITY OF FRUITLAND PARK, FLORIDA DATED THE NINTH DAY OF NOVEMBER, 2006, RECORDED IN OFFICIAL RECORDS BOOK 03325, PAGES 0233 THROUGH 0237, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA LYING SOUTHWESTERLY OF THE RIGHT-OF-WAY OF THE ATLANTIC COASTLINE RAILROAD AND NORTH OF THE RIGHT-OF-WAY OF URICK STREET AS SHOWN ON THE PLAN AND MAP OF FRUITLAND PARK, ACCORDING TO THE PLATS THEREOF, RECORDED IN PLAT BOOK 3, PAGES 8 AND 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA IN SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA DESCRIBED AS FOLLOWS; COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 9, RUN THENCE SOUTH 89°19'20" EAST (BEARINGS RELATED TO THE FLORIDA GRID SYSTEM EAST ZONE) 1344.95 FEET ALONG THE SOUTH BOUNDARY OF THE SOUTHEAST 1/4 OF SAID SECTION 9 TO A 4 INCH ROUND CONCRETE MONUMENT, LOCATED ON THE EAST BOUNDARY OF THE 60.00 FOOT WIDE WILDER STREET; THENCE NORTH 00°52'50" EAST 1024.25 FEET ALONG THE EAST BOUNDARY OF SAID WILDER STREET TO A 4 INCH ROUND CONCRETE MONUMENT LOCATED ON THE NORTH BOUNDARY OF THE 50.00 FOOT WIDE URICK STREET, SAID MONUMENT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN THENCE NORTH 89°20'46" WEST 60.00 FEET ALONG THE NORTH BOUNDARY OF SAID URICK STREET TO A 4 INCH ROUND CONCRETE MONUMENT LOCATED ON THE WEST BOUNDARY OF SAID WILDER STREET; THENCE CONTINUE NORTH 89°02'06" WEST 290.72 FEET ALONG THE NORTH BOUNDARY OF SAID URICK STREET TO A 4 INCH ROUND CONCRETE MONUMENT LOCATED AT THE SOUTHWEST CORNER OF LOT 8, BLOCK 43 OF SAID PLAN OF FRUITLAND PARK; DEPARTING THE NORTH BOUNDARY OF SAID URICK STREET, RUN THENCE NORTH 00°55'32" EAST 632.72 FEET ALONG THE WEST BOUNDARY OF SAID LOT 8, BLOCK 43 TO A 4 INCH SQUARE CONCRETE MONUMENT LOCATED ON THE SOUTH BOUNDARY OF HURST STREET; THENCE SOUTH 89°32'30" EAST 125.56 FEET ALONG THE SOUTH BOUNDARY OF SAID HURST STREET TO AN IRON MARKER; DEPARTING THE SOUTH BOUNDARY OF SAID HURST STREET, RUN THENCE NORTH 29°23'19" WEST 801.04 FEET TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715; THENCE NORTH 88°46'28" EAST 158.41 FEET TO A 4" SQUARE CONCRETE MONUMENT MARKED PRM #3715 ON THE SOUTHEASTERLY EXTENSION OF THE SOUTHWESTERLY BOUNDARY OF THE 60.00 FOOT WIDE LEMON AVENUE; THENCE NORTH 29°18'54" WEST 4.07 FEET ALONG THE SOUTHEASTERLY EXTENSION OF THE SOUTHWESTERLY BOUNDARY OF THE 60.00 FOOT WIDE LEMON AVENUE TO A 4 INCH ROUND CONCRETE MONUMENT LOCATED ON THE SOUTHERLY TERMINUS OF SAID LEMON AVENUE; THENCE NORTH 53°12'15" EAST 60.51 FEET ALONG THE SOUTHERLY TERMINUS OF LEMON AVENUE TO A 4 INCH ROUND CONCRETE MONUMENT LOCATED ON THE NORTHEASTERLY BOUNDARY OF SAID LEMON AVENUE; DEPARTING SAID NORTHEASTERLY BOUNDARY OF LEMON AVENUE, RUN THENCE NORTH 53°04'36" EAST 206.19 FEET TO A 4 INCH ROUND CONCRETE MONUMENT; THENCE NORTH 31°35'16" WEST 207.81 FEET TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715; THENCE NORTH 60°40'50" EAST 103.80 FEET TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715; THENCE NORTH 44°11'03" WEST 582.93 FEET TO A POINT ON THE SOUTHEASTERLY BOUNDARY OF THE 60.00 FOOT WIDE EAST MIRROR LAKE DRIVE; FROM SAID POINT, DEPARTING SAID BOUNDARY, CONTINUE NORTH 44°11'03" WEST 60.55 FEET TO A POINT ON THE NORTHWESTERLY BOUNDARY OF SAID EAST MIRROR LAKE DRIVE, FROM SAID POINT, DEPARTING SAID BOUNDARY, CONTINUE NORTH

44°11'03" WEST 525.17 FEET TO THE INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTHERLY BOUNDARY OF THE 40.00 FOOT WIDE DESOTO AVENUE; THENCE SOUTH 67°57'59" EAST 476.45 FEET ALONG THE SOUTHERLY BOUNDARY OF THE 40.00 FOOT WIDE DESOTO AVENUE AND ITS WESTERLY EXTENSION TO A POINT ON THE NORTHWESTERLY BOUNDARY OF SAID EAST MIRROR LAKE DRIVE, FROM SAID POINT, DEPARTING SAID BOUNDARY, CONTINUE SOUTH 67°57'59" EAST 60.39 FEET ALONG THE WESTERLY EXTENSION OF THE SOUTHERLY BOUNDARY OF SAID DESOTO AVENUE TO A POINT ON THE SOUTHEASTERLY BOUNDARY OF SAID EAST MIRROR LAKE DRIVE; FROM SAID POINT, DEPARTING SAID BOUNDARY, CONTINUE SOUTH 67°57'59" EAST 522.81 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID DESOTO AVENUE TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715 ON THE SOUTHWESTERLY BOUNDARY OF THE ATLANTIC COASTLINE RAILROAD, SAID MONUMENT BEING ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1936.45 FEET TO WHICH A RADIAL LINE BEARS SOUTH 76°33'07" WEST; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY BOUNDARY OF SAID RAILROAD THROUGH A CENTRAL ANGLE OF 17°11'41" AN ARC DISTANCE OF 581.14 FEET TO A POINT ON THE EAST-WEST MID-SECTION LINE OF SAID SECTION 9; FROM SAID POINT, RUN THENCE SOUTH 89°07'17" EAST 8.80 FEET ALONG THE EAST-WEST MID-SECTION LINE AND SAID RAILROAD RIGHT-OF-WAY TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715 ON THE SOUTHWESTERLY BOUNDARY OF SAID RAILROAD, SAID MONUMENT BEING ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1928.95 FEET TO WHICH A RADIAL LINE BEARS SOUTH 59°13'13" WEST; THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY BOUNDARY OF SAID RAILROAD THROUGH A CENTRAL ANGLE OF 05°43'59" AN ARC DISTANCE OF 193.02 FEET TO A 4 INCH ROUND CONCRETE MONUMENT AT THE POINT OF TANGENCY; THENCE SOUTH 36°32'08" EAST 1020.21 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF SAID RAILROAD TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715 LOCATED ON THE CENTERLINE OF SAID VACATED HURST STREET; DEPARTING SAID RAILROAD BOUNDARY, RUN THENCE NORTH 88°54'41" WEST 216.10 FEET ALONG SAID CENTERLINE TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715 ON THE NORTHERLY EXTENSION OF THE WEST BOUNDARY OF LOT 6, BLOCK 44 OF SAID PLAN OF FRUITLAND PARK, DEPARTING SAID CENTERLINE, RUN THENCE SOUTH 00°46'21" WEST 668.06 FEET ALONG THE WEST BOUNDARY OF SAID LOT 6 AND THE NORTHERLY EXTENSION THEREOF TO A 4 INCH SQUARE CONCRETE MONUMENT MARKED PRM #3715 ON THE NORTH BOUNDARY OF URICK STREET, FROM SAID MONUMENT, RUN THENCE NORTH 89°02'49" WEST 626.47 FEET ALONG THE NORTH BOUNDARY OF URICK STREET TO THE POINT OF BEGINNING. LESS THE MONUMENTED 60.00 FOOT WIDE RIGHT-OF-WAY OF EAST MIRROR LAKE DRIVE LYING 30.00 FEET EACH SIDE OF THE CENTERLINE OF EXISTING PAVEMENT. SUBJECT TO A BLANKET UTILITY EASEMENT OVER THE VACATED PORTIONS OF THE ABOVE MENTIONED STREETS FOR UTILITY PURPOSES ACCORDING TO RESOLUTION #2006-032.



NOTE: RIGHT OF WAY BASED ON THE CENTERLINE OF EXISTING ASPHALT ROAD

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CH. BRG.
C1	153°35'	175.52	46.19	23.21	46.02	N79°21'45"E
C2	6°29'01"	1471.61	166.53	83.35	166.44	N18°35'28"E
C3	6°13'14"	1531.61	166.29	83.22	166.20	N18°43'22"E
C4	17°21'04"	235.52	71.32	35.94	71.05	N30°30'17"E



NOTE: INTERNAL IMPROVEMENTS WERE NOT LOCATED BY THIS BOUNDARY SURVEY. THIS BOUNDARY SURVEY HAS BEEN UPDATED AHEAD OF THE PROPOSED MIRROR LAKE VILLAGE RECORD PLAT TO VERIFY PERMANENT REFERENCE MONUMENTS AND DOCUMENT WHETHER OR NOT THERE ARE ANY ENCROACHMENTS AROUND THE PERIMETER.

Sheet 2 of 2

L.B. #6451
 McGlothlen Land Surveyor, Inc.
 P.O. Box 490081
 1501 Alton Drive
 Leesburg, Florida 34748
 (352) 326-5089

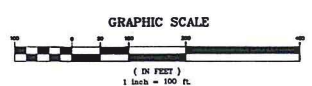
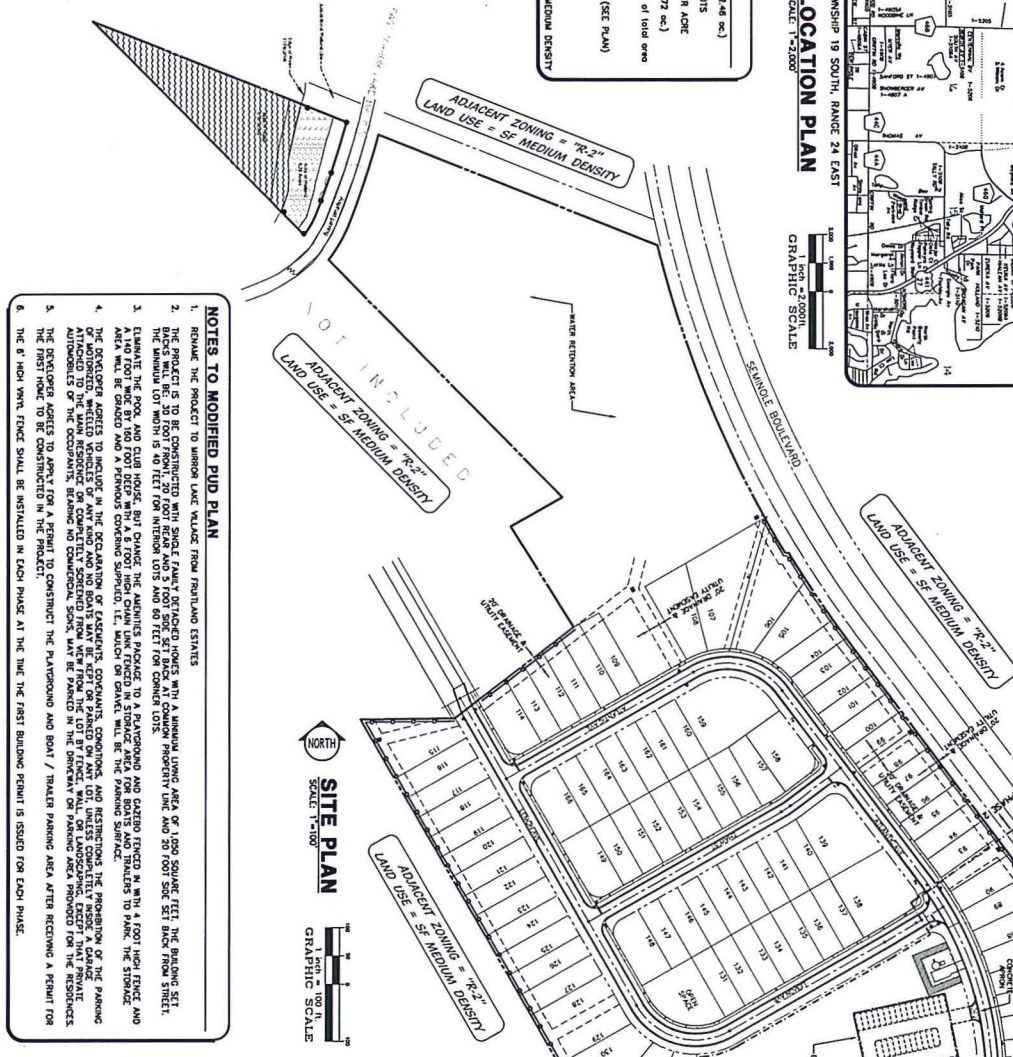
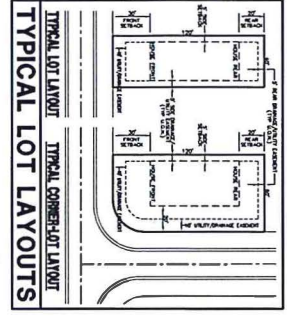
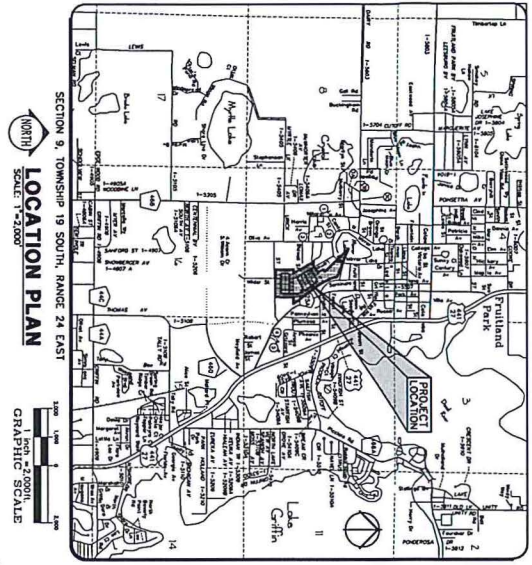


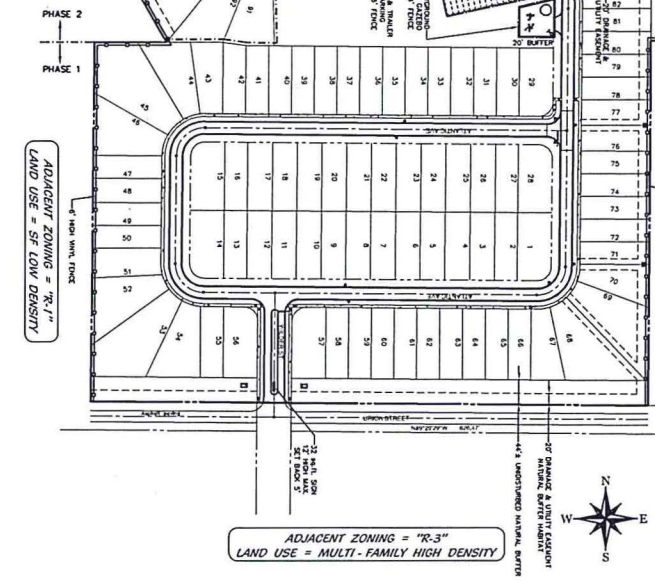
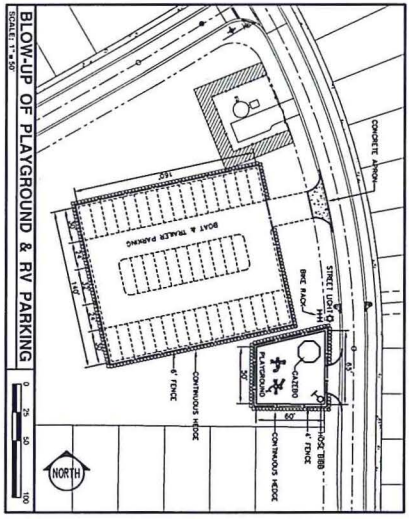
EXHIBIT "B"

THE PLAN

SITE DATA
 TOTAL AREA = 1,848,336 sq. ft. (42.48 ac.)
 TOTAL NUMBER OF UNITS = 166 UNITS
 GROSS DENSITY = 3.9 UNITS PER ACRE
 OPEN SPACE = 597,434 sq. ft. (13.72 ac.)
 PERCENT OF OPEN SPACE = 32.3% of total area
 MAX. BUILDING HEIGHTS = 35'
 ADJACENT ZONING = R-1, R2 & R3 (SEE PLANS)
 EXISTING ZONING = R-2
 PROPOSED ZONING = PUD
 EXISTING FUTURE LAND USE = SF MEDIUM DENSITY



- NOTES TO MODIFIED PUD PLAN**
1. REMOVE THE PROJECT TO UNIFORM LOT WIDTH FROM FRUITLAND ESTATES
 2. THE PROJECT IS TO BE CONSIDERED WITH SINGLE FAMILY DETACHED HOMES WITH A MINIMUM LIVING AREA OF 1,000 SQUARE FEET. THE BUILDING SET BACKS SHALL BE 30 FEET FROM THE FRONT, 20 FEET FROM THE SIDE AND 5 FEET FROM THE REAR AND 5 FEET FROM THE FRONT PROPERTY LINE AND 20 FEET FROM THE REAR PROPERTY LINE. THE MINIMUM LOT WIDTH IS 40 FEET FOR INTERIOR LOTS AND 60 FEET FOR CORNER LOTS.
 3. ELIMINATE THE POOL AND CLUB HOUSE. THE ADJACENT PARKING TO A PLAYGROUND AND GATED DRIVEWAY WITH A 4 FOOT HIGH FENCE AND 6 FOOT WIDE DRIVEWAY SHALL BE MAINTAINED. THE DRIVEWAY SHALL BE 10 FEET WIDE. THE DRIVEWAY SHALL BE 10 FEET WIDE. THE DRIVEWAY SHALL BE 10 FEET WIDE.
 4. THE DEVELOPER AGREES TO INCLUDE IN THE DECLARATION OF EASEMENTS, CONDITIONS, AND RESTRICTIONS THE PROVISION OF THE PARKING OF MOTORISTS. THE DEVELOPER SHALL PROVIDE SUFFICIENT PARKING SPACES TO ACCOMMODATE ALL RESIDENTS OF THE PROJECT. THE DEVELOPER SHALL PROVIDE SUFFICIENT PARKING SPACES TO ACCOMMODATE ALL RESIDENTS OF THE PROJECT.
 5. THE DEVELOPER AGREES TO APPLY FOR A PERMIT TO CONSTRUCT THE PLAYGROUND AND BOAT / TRAILER PARKING AREA AFTER RECEIVING A PERMIT FOR THE FIRST HOME TO BE CONSTRUCTED IN THE PROJECT.
 6. THE 6' HIGH WHITE FENCE SHALL BE INSTALLED IN EACH PHASE AT THE TIME THE FIRST BUILDING PERMIT IS ISSUED FOR EACH PHASE.



LEGAL DESCRIPTION

SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LEESBURG, FLORIDA

ALL RIGHTS RESERVED

<p>FILE: E:\1215-004\1215004 Estates PUD Mod</p> <p>© 2014 RIDDLE - NEWMAN ENGINEERING, INC. ALL RIGHTS RESERVED.</p>	<p>PUD MODIFICATION</p> <p>MIRROR LAKE VILLAGE</p> <p>FRUITLAND PARK FLORIDA</p>		<p>DESIGN: R.S.H.</p> <p>DESIGNED: K.E.R.</p> <p>WORLD: AS SHOWN</p> <p>DATE: 5/8/14</p> <p>PROJECT NO: 1215-004</p>	<p>KEITH E. RIDDLE, P.E.</p> <p>FLA. REG. NO. 38800</p>	<p>REV #1: 10/26/14</p> <p>REV #2: 10/27/14</p> <p>REV #3: 9/23/2014</p> <p>REV #4: REVISED NOTES AND ADDED TYPICAL LOT LAYOUTS 5/13/14</p>	<p>RIDDLE - NEWMAN ENGINEERING, INC.</p> <p>113 NORTH CANAL STREET</p> <p>LEESBURG, FLORIDA 34748</p> <p>PHONE: (352) 787-7482</p> <p>FAX: (352) 787-7412</p> <p>keith@riddlenewman.com</p> <p>Cal# 00002883</p>
	<p>C1.1</p>	<p>ESTABLISHED 1981</p>				