

ORDINANCE O-23-05

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING ORDINANCE O-21-19, WHICH ESTABLISHED THE SCENIC TERRACE SOUTH COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR AMENDMENT TO SECTION 5 OF THE ORDINANCE TO CHANGE THE GEOGRAPHICAL BOUNDARIES OF THE DISTRICT PURSUANT TO SECTION 190.046, FLORIDA STATUTES, BY REMOVING APPROXIMATELY 15.699 ACRES OF LAND AND ADDING APPROXIMATELY 30.182 ACRES OF LAND THERETO; PROVIDING FOR AMENDMENT TO ORDINANCE O-21-19, TO FURTHER AMEND EXHIBIT A OF SAID ORDINANCE TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE DISTRICT; PROVIDING FOR THE CORRECTION OF A SCRIVENER'S ERROR TO EXHIBIT A THERETO; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 5, 2021, the Town Council of Lake Hamilton, Florida (the "Town Council") pursuant to Section 190.005(2)(a), Florida Statutes, adopted Ordinance O-21-19, which established the Scenic Terrace South Community Development District ("District"); and

WHEREAS, the Town has received from the District a "Petition to Amend the Boundary of the Scenic Terrace South Community Development District," dated December 5, 2022, as amended by the "Amended and Restated Petition to Amend the Boundary of the Scenic Terrace South Community Development District," dated February 21, 2023 (the "Amended Petition"), which Amended Petition is in compliance with the provisions of Section 190.046, Florida Statutes; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Amended Petition at a duly noticed public hearing conducted by the Town Council on May 2, 2023, pursuant to Section 190.046(1)(b), Florida Statutes; and

WHEREAS, upon consideration of the record established at that duly noticed hearing, the Town Council has considered the record of the public hearing and the statutory factors set forth in Section 190.046(1)(b), Florida Statutes, in making its determination to grant or deny the Amended Petition; and

WHEREAS, the Town Council, pursuant to the information contained within the Amended Petition and based on an investigation conducted by the Town of Lake Hamilton (the "Town") staff and otherwise being fully advised as to the facts and circumstances contained within the request of the District, finds as follows:

- (1) The statements within the Amended Petition are true and correct; and

(2) The Amended Petition is complete in that it meets the requirements of Section 190.046(1)(a), Florida Statutes (2022); and

(3) The appropriate Town staff have reviewed the Amended Petition of the District on the proposed lands to be included within the District and have advised the Town Council that said Amended Petition is complete and sufficient; and

(4) Amendment of the District boundaries and all land uses and services planned within the District, as amended are not inconsistent with applicable elements or portions of the adopted State Comprehensive Plan or the applicable and effective local comprehensive plans; and

(5) The area of land to be included within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community; and

(6) The District, as amended, is the best alternative available for delivering community development services and facilities to the area that will be served by the District; and

(7) The community development services and facilities of the District, as amended, will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

(8) The area that will be served by the District, as amended, is amenable to separate special-district government.

WHEREAS, pursuant to the information stated above, the Town Council has decided to grant the District's Amended and Restated Petition to Amend the Boundary of the Scenic Terrace South Community Development District; and

WHEREAS, the amendment of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Amended Petition; and

WHEREAS, the amendment of the District shall not act to amend any land development approvals governing the land area to be included within the District; and

WHEREAS, upon the effective date of this Ordinance, the Scenic Terrace South Community Development District, as created by general law, will be duly and legally authorized to exist on the proposed property and to exercise all of its general and special powers as limited by law.

NOW THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:

SECTION 1. TITLE.

This Ordinance shall be known and may be cited as the "Scenic Terrace South Community Development District Boundary Amendment Ordinance No. 1."

SECTION 2. BOARD FINDINGS.

The Board findings set forth in the recitals to this Ordinance are hereby incorporated in this Ordinance.

SECTION 3. AUTHORITY.

This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes.

SECTION 4. CORRECTION OF SCRIVNER'S ERROR OF LEGAL DESCRIPTION OF ORIGINAL DISTRICT BOUNDARIES.

Exhibit "A" of Ordinance O-21-19, is amended to correct a scrivener's error in the calculation of total acreage in the metes and bounds description for the original District boundaries which accurately depicts the original external boundaries of the District.

SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT.

Section 5, External Boundaries of the District, of Ordinance O-21-19, and Exhibit "A" thereto, are hereby amended to add approximately 30.182 acres (inclusive of 9.911 acres previously identified as a proposed future addition parcel pursuant to section 190.046(1)(h)(1), Florida Statutes, together with approximately 20.271 acres of additional land) and to contract approximately 15.699 acres, as described and as set forth in Exhibit "A" of this Ordinance, attached hereto and incorporated herein. Further, the District boundaries, as amended, shall encompass approximately 211.113 acres, more or less.

SECTION 6. ALL OTHER CONDITIONS TO REMAIN UNCHANGED.

All other terms and conditions of Ordinance O-21-19 shall remain unchanged and enforceable in accordance with the terms expressed herein.

SECTION 7. SEVERABILITY.

If any provision of this Ordinance, or the application thereof, is determined by a court of competent jurisdiction to be illegal, invalid, or unenforceable, such provision shall be deemed severable and the remaining provisions shall continue remain in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective immediately upon receipt of acknowledgement that a copy of this Ordinance has been filed with the Secretary of State.

INTRODUCED, PASSED AND DULY ADOPTED ON FIRST READING by the Town Council of the Town of Lake Hamilton, Florida, meeting in Regular Session this 4th day of April 2023.

INTRODUCED, PASSED AND DULY ADOPTED ON SECOND READING by the Town Council of the Town of Lake Hamilton, Florida, meeting in Regular Session this 2nd day of May 2023.



TOWN OF LAKE HAMILTON, FLORIDA

Michael Kehoe
MICHAEL KEHOE, MAYOR

Brittney Sandoval Soto
BRITTNEY SANDOVAL SOTO, TOWN CLERK

Approved as to form:

Heather R. Maxwell
HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Roberson	✓	
Tomlinson	✓	
Slavens	✓	
Wagner	✓	
Kehoe	✓	

EXHIBIT "A"

Legal Description of the District

A PORTION OF LAND LYING IN SECTION 9 AND 10, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 9, THENCE RUN SOUTH 00°36'52" EAST ALONG THE WEST LINE OF THE NORTHEAST 1/4 FOR A DISTANCE OF 1371.46 FEET; THENCE DEPARTING SAID WEST LINE RUN NORTH 89°23'08" EAST FOR A DISTANCE OF 37.81 FEET TO THE POINT OF BEGINNING; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG THE SOUTH RIGHT OF WAY LINE OF WHITE CLAY PIT ROAD, AS RECORDED IN MAP BOOK 2, PAGES 146 THROUGH 156, PUBLIC RECORDS OF POLK COUNTY FLORIDA: NORTH 69°21'25" EAST, 47.30 FEET; SOUTH 89°17'17" EAST, 1240.44 FEET; NORTH 89°45'07" EAST, 1310.06 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF DETOUR ROAD, AS RECORDED IN MAP BOOK 1, PAGES 14 THROUGH 17, AFORESAID PUBLIC RECORDS OF POLK COUNTY FLORIDA; THENCE RUN SOUTH 00°40'51" EAST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 641.71 FEET TO THE INTERSECTION OF SAID WEST LINE AND THE WESTERLY EXTENSION OF THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF AFORESAID SECTION 10; THENCE RUN NORTH 89°18'18" EAST ALONG SAID WESTERLY EXTENSION AND THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, ALSO BEING THE SOUTH LINE OF QUAIL RIDGE POINTE, AS RECORDED IN PLAT BOOK 107, PAGE 44, SAID PUBLIC RECORDS FOR A DISTANCE OF 1336.30 FEET TO THE NORTHEAST CORNER OF SAID SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, ALSO BEING THE SOUTHEAST CORNER OF SAID QUAIL RIDGE POINTE; THENCE RUN SOUTH 00°31'31" EAST ALONG THE EAST LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 10 FOR A DISTANCE OF 692.63 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF HUGHES ROAD, RECORDED IN MAP BOOK 9, PAGES 12 THROUGH 30, SAID PUBLIC RECORDS; THENCE RUN NORTH 87°44' 17" EAST ALONG SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 400.19 FEET TO A POINT ON THE EAST LINE OF THE WEST 400 FEET OF THE NORTH 990 FEET OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10, AS RECORDED IN OFFICIAL RECORDS BOOK 10582, PAGE 184, SAID PUBLIC RECORDS; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE RUN SOUTH 00°30'19" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 975.04 FEET TO THE SOUTHEAST CORNER OF SAID WEST 400 FEET OF THE NORTH 990 FEET; THENCE RUN SOUTH 89°13' 41" WEST ALONG THE SOUTH LINE OF SAID WEST 400 FEET OF THE NORTH 990 FEET FOR A DISTANCE OF 400.00 FEET TO THE SOUTHEAST CORNER OF SAID WEST 400 FEET OF THE NORTH 990 FEET ALSO BEING A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE RUN NORTH 00°30'19" WEST ALONG SAID WEST LINE FOR A DISTANCE

OF 330.07 FEET TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 10; THENCE RUN SOUTH 89°13'27" WEST ALONG THE SOUTH LINE OF SAID NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 FOR A DISTANCE OF 1299.58 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF AFORESAID DETOUR ROAD; THENCE RUN NORTH 00°57'39" WEST ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 645.08 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF AFORESAID HUGHES ROAD; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE: SOUTH 89°17'27" WEST, 54.09 FEET; NORTH 88°08'19" WEST, 78.74 FEET; SOUTH 89°27'54" WEST, 100.02 FEET; NORTH 88°48'59" WEST, 300.01 FEET; NORTH 89°57'44" WEST, 100.00 FEET; NORTH 88°48'59" WEST, 100.00 FEET; NORTH 89°23'21" WEST, 300.00 FEET; NORTH 88°48'59" WEST, 200.01 FEET; NORTH 88°51'54" WEST, 109.31 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF AFORESAID SECTION 9; THENCE RUN SOUTH 00°34'36" EAST ALONG SAID EAST LINE FOR A DISTANCE OF 1318.27 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST 1/4 OF THE SOUTHEAST 1/4; THENCE RUN NORTH 89°44'40" WEST ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHEAST 1/4 FOR A DISTANCE OF 1351.96 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF STATE ROAD 17 AS SHOWN ON FDOT RIGHT OF WAY MAP SECTION NO. 5029-RD (8), AFORESAID PUBLIC RECORDS; THENCE RUN SOUTH 00°33'34" EAST ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 658.71 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE RUN NORTH 89°39'18" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 589.98 FEET TO A POINT ON THE EAST LINE OF THE DUKE ENERGY PROPERTY, AS RECORDED IN OFFICIAL RECORDS BOOK 2209, PAGE 0597, SAID PUBLIC RECORDS; THENCE RUN NORTH 03°05'06" WEST ALONG SAID EAST LINE FOR A DISTANCE OF 1963.50 FEET TO A POINT ON THE AFORESAID SOUTH RIGHT OF WAY LINE OF HUGHES ROAD; THENCE DEPARTING SAID EAST LINE RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID SOUTH RIGHT OF WAY LINE: SOUTH 89°30'32" EAST, 49.40 FEET; NORTH 00°39'47" EAST, 6.80 FEET; SOUTH 89°44'17" EAST, 100.00 FEET; SOUTH 89°30'32" EAST, 100.00 FEET; SOUTH 89°37'24" EAST, 100.00 FEET; SOUTH 89°03'02" EAST, 100.00 FEET; SOUTH 89°54'36" EAST, 100.00 FEET; SOUTH 86°11'47" EAST, 110.29 FEET; SOUTH 87°23'20" EAST, 83.13 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF AFORESAID STATE ROAD 17; THENCE RUN NORTH 00°33'34" WEST ALONG SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 1314.71 FEET TO THE POINT OF BEGINNING.

ADDITIONALLY: THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, LYING WEST OF DETOUR ROAD, ACCORDING TO THE POLK COUNTY MAINTAINED RIGHT OF WAY MAP OF DETOUR ROAD, RECORDED IN MAP BOOK 1, PAGES 14 THROUGH 17 OF THE PUBLIC RECORDS OF POLK COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 9, RUN THENCE ALONG THE WEST BOUNDARY OF SAID NORTHEAST 1/4, S.00°36'53"E., A DISTANCE OF 1332.66 FEET TO THE SOUTH BOUNDARY OF THE NORTH 1/2 OF SAID NORTHEAST 1/4; THENCE ALONG SAID SOUTH BOUNDARY, S.89°55'02"E., A DISTANCE OF 1983.73 FEET TO THE SOUTHWEST CORNER OF AFORESAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 FOR A POINT OF BEGINNING; THENCE ALONG THE WEST BOUNDARY THEREOF, N.00°35'14"W., A DISTANCE OF 668.36 FEET TO THE NORTH BOUNDARY THEREOF; THENCE ALONG SAID NORTH BOUNDARY, S.89°58'33"E., A DISTANCE OF 646.51 FEET TO THE WEST MAINTAINED RIGHT OF WAY OF AFORESAID DETOUR ROAD; THENCE ALONG SAID WEST MAINTAINED RIGHT OF WAY THE FOLLOWING FOUR (4) COURSES: 1) S.00°17'29"E., A DISTANCE OF 232.78 FEET; 2) S.00°34'41"E., A DISTANCE OF 200.00 FEET; 3) S.00°51'52"E., A DISTANCE OF 200.00 FEET; 4) S.00°00'18"E., A DISTANCE OF 36.24 FEET TO AFORESAID SOUTH BOUNDARY OF THE NORTH 1/2 OF THE NORTHEAST 1/4; THENCE ALONG SAID SOUTH BOUNDARY, N.89°55'02"W., A DISTANCE OF 645.88 FEET TO THE POINT OF BEGINNING. CONTAINING 9.911 ACRES, MORE OR LESS.

CONTAINING 206.541 ACRES, MORE OR LESS.

ADDITIONALLY:

THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 9, RUN THENCE ALONG THE WEST BOUNDARY OF SAID NORTHEAST 1/4, S.00°36'53"E., A DISTANCE OF 1332.66 FEET TO THE SOUTH BOUNDARY OF THE NORTH 1/2 OF SAID NORTHEAST 1/4; THENCE ALONG SAID SOUTH BOUNDARY, S.89°55'02"E., A DISTANCE OF 661.24 FEET TO THE SOUTHWEST CORNER OF AFORESAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 FOR A POINT OF BEGINNING; THENCE ALONG THE WEST BOUNDARY THEREOF, N.00°36'20"W., A DISTANCE OF 667.01 FEET TO THE SOUTH BOUNDARY OF THE NORTH 1/4 OF SAID NORTHEAST 1/4; THENCE ALONG SAID SOUTH BOUNDARY, S.89°58'33"E., A DISTANCE OF 1322.68 FEET TO THE EAST BOUNDARY OF AFORESAID SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4; THENCE ALONG THE EAST BOUNDARY THEREOF, S.00°35'14"E., A DISTANCE OF 668.36 FEET TO AFORESAID SOUTH BOUNDARY OF THE NORTH 1/2 OF THE NORTHEAST 1/4; THENCE ALONG SAID SOUTH BOUNDARY, N.89°55'02"W., A DISTANCE OF 1322.49 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.271 ACRES, MORE OR LESS.

LESS DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 9; THENCE ALONG THE SOUTH BOUNDARY OF SAID NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, N.89°44'40"W., A DISTANCE OF 1285.95 FEET TO THE EAST RIGHT-OF-WAY OF SCENIC HIGHWAY, ALSO KNOWN AS STATE ROAD 17 PER THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 5029-RD (8); THENCE ALONG SAID EAST RIGHT-OF-WAY, N.00°33'34"W., A DISTANCE OF 449.46 FEET; THENCE DEPARTING SAID EAST RIGHT-OF-WAY, N.89°25'24"E., A DISTANCE OF 530.68 FEET; THENCE N.00°34'36"W., A DISTANCE OF 10.00 FEET; THENCE N.89°25'24"E., A DISTANCE OF 555.00 FEET; THENCE S.00°34'36"E., A DISTANCE OF 85.00 FEET; THENCE N.89°25'24"E., A DISTANCE OF 200.00 FEET TO THE EAST BOUNDARY OF SAID NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9; THENCE ALONG SAID EAST BOUNDARY, S.00°34'36"E., A DISTANCE OF 393.14 FEET TO THE POINT OF BEGINNING. CONTAINING 13.325 ACRES, MORE OR LESS.

LESS DESCRIPTION:

A PARCEL OF LAND LYING IN THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 9, RUN THENCE ALONG THE WEST BOUNDARY OF SAID NORTHEAST 1/4, S.00°36'53"E., A DISTANCE OF 1360.11 FEET; THENCE DEPARTING SAID WEST BOUNDARY, N.89°23'07"E., A DISTANCE OF 36.64 FEET TO THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF SCENIC HIGHWAY (STATE ROAD 17), ACCORDING TO THE STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT OF WAY MAP, PROJ. 5209-RD.(8), AND THE SOUTHERLY MAINTAINED RIGHT OF WAY OF WHITE CLAY PIT ROAD, ACCORDING TO THE POLK COUNTY MAINTAINED RIGHT OF WAY MAP OF WHITE CLAY PIT ROAD, RECORDED IN MAP BOOK 2, PAGES 146 THROUGH 156 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY MAINTAINED RIGHT OF WAY THE FOLLOWING FOUR (4) COURSES: 1) N.87°19'06"E., A DISTANCE OF 63.17 FEET; 2) S.89°25'57"E., A DISTANCE OF 100.00 FEET; 3) S.88°58'27"E., A DISTANCE OF 200.01 FEET; 4) S.89°32'50"E., A DISTANCE OF 152.32 FEET; THENCE DEPARTING SAID SOUTHERLY MAINTAINED RIGHT OF WAY, S.00°43'13"W., A DISTANCE OF 196.22 FEET; THENCE S.89°24'09"W., A DISTANCE OF 204.98 FEET; THENCE N.00°35'51"W., A DISTANCE OF 10.00 FEET; THENCE S.89°24'09"W., A DISTANCE OF 174.65 FEET; THENCE S.00°35'51"E., A DISTANCE OF 22.50 FEET; THENCE S.89°24'09"W., A DISTANCE OF 131.23 FEET TO AFORESAID EASTERLY RIGHT OF WAY OF SCENIC HIGHWAY (STATE ROAD 17); THENCE ALONG

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SAID EASTERLY RIGHT OF WAY, N.00°35'07"W., A DISTANCE OF 216.86 FEET TO THE POINT OF BEGINNING. CONTAINING 2.374 ACRES, MORE OR LESS.

ALTOGETHER CONTAINING 211.113 ACRES, MORE OR LESS.