

ORDINANCE NO. 04 - 17

**AN ORDINANCE ESTABLISHING THE SOUTH BAY COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2004); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; CONSENTING TO THE USE OF SPECIAL POWERS BY THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Bahia Sun Associates Limited Partnership ("Petitioner"), having obtained written consent to the establishment of the District by the owners of one hundred percent (100%) of the real property to be included in the District, petitioned the Board of County Commissioners of Hillsborough County (the "County") to adopt an ordinance establishing the South Bay Community Development District (the "District") pursuant to Chapter 190, Florida Statutes (2003); and

WHEREAS, Petitioner is a Florida limited partnership authorized to conduct business in the State of Florida and whose principal place of business is 301 East Pine Street, Suite 1400, Orlando, Florida 32801; 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 Petition at a duly noticed public hearing conducted by the County on January 27, 2004; and

WHEREAS, upon consideration of the record established at that hearing duly noticed, the County finds as follows:

- (1) The statements within the Petition were true and correct; and
- (2) The petition is complete in that it meets the requirements of Section 190.005(1)(a), Florida Statutes (2000) and all statements contained within the petition are true and correct; and

(3) The appropriate Board staff have reviewed and approved the petition for establishment of the District on the proposed land and it is complete and sufficient; and

(4) The costs to Hillsborough County and government agencies from establishment of the District are nominal. There is no adverse impact on competition or employment from District establishment. The persons affected by the establishment are the future landowners, present landowners, Hillsborough County and its taxpayers, and the State of Florida. There is a net economic benefit flowing to these persons by virtue of establishing this District as the governmental entity to manage and finance the statutory services identified. The impact of District establishment and function on competition and the employment market is marginal and generally positive, as is the impact on small business. None of the reasonable public or private alternatives, including an assessment of less costly and less intrusive methods and of probable costs and benefits of not adopting the ordinance, is as economically viable as establishing the District. Methodology is as set forth in the Statement of Estimated Regulatory Costs ("SERC") is on file with the County. The SERC of the Petitioner on District establishment is complete and adequate, and meets the requirements of Section 120.541, Florida Statutes; and

(5) Establishment of the District by this Ordinance, whose uniform general law charter consists of Sections 190.006 – 190.041, Florida Statutes, created by general law, is subject to and not inconsistent with the local Comprehensive Plan of Hillsborough County and with the State Comprehensive Plan; and,

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

(7) The District is the best alternative available for delivering community development services and facilities to the area proposed to be serviced by the District; and

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

WHEREAS, the Petitioner has requested the Board for consent to exercise one or more of the special powers granted by charter in Section 190.012(2), Florida Statutes, and the Board in reaching its conclusions, has considered the potential exercise by the District of all the powers set forth in Section 190.012(1-3), Florida Statutes; and,

WHEREAS, upon the effective date of this establishing Ordinance, the South Bay 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 ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

**SECTION 1. TITLE.** This Ordinance shall be known and may be cited as the "South Bay Community Development District Establishment Ordinance."

**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 (2003).

**SECTION 4. CREATION OF DISTRICT; DISTRICT NAME.** There is hereby created a community development district situated entirely within unincorporated Hillsborough County, Florida, which District shall be known as the "South Bay Community Development District." Therefore, the petition filed to create the South Bay Community Development District is hereby granted and the said District shall operate in accordance with the Uniform Community Development District charter as set forth in Chapter 190, Florida Statutes.

**SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT.** Encompassing approximately 367 acres, the external boundaries of the District are described in Exhibit A attached hereto.

**SECTION 6. FUNCTIONS AND POWERS.** The District is limited to the performance of those powers and functions as described in Chapter 190, Florida Statutes. Consent is also hereby given, pursuant to Section 190.012(2), Florida Statutes, to the District Board to exercise all special powers set forth in Section 190.012, Florida Statutes. More specifically, the District is granted by its charter, so long as it is in compliance with and subject to the Hillsborough County Comprehensive Plan and subject to the regulatory jurisdiction and permitting authority of all applicable other ordinances and regulations of Hillsborough County, the power to plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain additional systems and facilities for parks and facilities for indoor and outdoor recreational, cultural and educational uses, fire prevention and control, including related buildings and equipment, school buildings and related structures, security, including but not limited to personnel and equipment, mosquito and anthropods of public health importance control, and waste collection and disposal. In the exercise of its powers, the District shall comply with all applicable governmental laws, rules, regulations and policies including, but not limited to, all Hillsborough County ordinances and policies governing land planning and permitting of the development to be served by the District. The District shall not have any zoning or permitting powers governing land development or the use of land. No debt or obligation of the District shall constitute a burden on any local general purpose government.

**SECTION 7. BOARD OF SUPERVISORS.** The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Alexander Pockrus, Robert Newhart, Brett Raskin, Kenneth Meadvin, Lori Jordan.

All of the above-listed persons are residents of the state of Florida and citizens of the United States of America.

**SECTION 8. SEVERABILITY.** If any provision of this Ordinance is held to be illegal or invalid, the other provisions shall remain in full force and effect.

**SECTION 9. 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.

Adopted this 24th day of February, 2004.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex-Officio of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of February 24, 2004, as the same appears of record in Minute Book 333 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 25th day of February 2004.

RICHARD AKE, CLERK

By: Mildred K. Ditt  
Deputy Clerk



Approved as to form and legal sufficiency:  
COUNTY ATTORNEY

By: [Signature]  
Margaret Courtney  
Assistant County Attorney



STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

THIS IS TO CERTIFY THE FOREGOING IS  
A TRUE AND CORRECT COPY OF \_\_\_\_\_  
Ordinance 04-17

WITNESS MY HAND AND OFFICIAL SEAL THIS  
2nd DAY OF March 04.  
RICHARD AKE, CLERK  
BY: [Signature] D.C.

PARCEL 1:

The Southwest 1/4 of the Southwest 1/4, LESS AND EXCEPT the South 55 feet thereof for road right-of-way described in Deed recorded in Official Records Book 2016, Page 192, Public Records of Hillsborough County, Florida, in Section 1, Township 32 South, Range 18 East, lying and being in Hillsborough County, Florida.

The above can also be described as follows:

Commence at the Southwest corner of Section 1, Township 32 South, Range 18 East, Hillsborough County, Florida, run thence along the West boundary of the Southwest 1/4 of said Section 1, N.00°22'20"W., 55.00 feet to a point on the North right-of-way line of Shell Point Road as recorded in Official Records Book 2016, Page 192, Public Records of Hillsborough County, Florida, said point also being the POINT OF BEGINNING; thence continue, N.00°22'20"W., 1271.39 feet to the Northwest corner of the Southwest 1/4 of said Southwest 1/4 of Section 1; thence along the North boundary of said Southwest 1/4 of the Southwest 1/4 of Section 1, N.89°58'02"E., 1324.34 to the Northeast corner of said Southwest 1/4 of the Southwest 1/4 of Section 1; thence along the East boundary of said Southwest 1/4 of the Southwest 1/4 of Section 1, S.00°20'49"E., 1274.27 feet to a point on the aforesaid North right-of-way line of Shell Point Road; thence along said North right-of-way line, N.89°54'29"W., 1323.80 feet to the POINT OF BEGINNING.

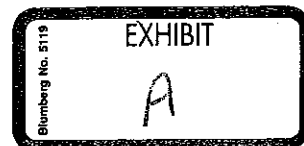
Containing 38.689 acres, more or less.

PARCEL 2:

The Southeast 1/4 of the Southeast 1/4, LESS AND EXCEPT the South 55 feet thereof for road right-of-way described in Deed recorded in Official Records Book 2016, Page 192, and ALSO LESS AND EXCEPT that part conveyed by Deed to State of Florida recorded in Official Records Book 2574, Page 224 re-recorded in Official Records Book 2581, Page 184, all of the Public Records of Hillsborough County, Florida, in Section 2, Township 32 South, Range 18 East, lying and being in Hillsborough County, Florida.

The above can also be described as follows:

Commence at the Southeast corner of Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, run thence along the East boundary of the Southeast 1/4 of said Section 2, N.00°22'20"W., 55.00 feet to a point on the North right-of-way line of Shell Point Road as recorded in Official Records Book 2016, Page 192, Public Records of Hillsborough County, Florida, said point also being the POINT OF BEGINNING; thence along said



North right-of-way line, N.89°54'46"W., 1292.79 feet; thence along the said North right-of-way line of Shell point Road, as recorded in Official Records book 2574, Page 224, Public Records of Hillsborough County, Florida, N.58°06'40"W., 32.02 feet; thence along the East right-of-way line of 32nd Street N.W. as recorded in Official Records Book 4977, Page 11, Public Records of Hillsborough County, Florida, and the West boundary of said Southeast 1/4 of the Southeast 1/4 of Section 2, N.00°25'29"W., 1247.33 feet to a point on the North boundary of the Southeast 1/4 of the Southeast 1/4 of said Section 2; thence along said North boundary, N.89°46'32"E., 1355.90 feet to the Northeast corner of said Southeast 1/4 of the Southeast 1/4 of Section 2; thence along the East boundary of said Southeast 1/4 of the Southeast 1/4 of Section 2, S.00°22'20"E., 1271.39 feet to the POINT OF BEGINNING.

Containing 39.443 acres, more or less.

PARCEL 3:

Government Lot 1, LESS AND EXCEPT the North 55 feet thereof for road right-of-way described in Deed recorded in Official Records Book 2016, Page 192, and ALSO LESS AND EXCEPT that part conveyed by Deed to State of Florida recorded in Official Records Book 2574, Page 224 re-recorded in Official Records Book 2581, Page 184, all of the Public Records of Hillsborough County, Florida, in Section 11, Township 32 South, Range 18 East, lying and being in Hillsborough County, Florida.

PARCEL 4:

Government Lot 4, LESS AND EXCEPT the North 55 feet thereof for road right-of-way described in Deed recorded in Official Records Book 2016, Page 192, Public Records of Hillsborough County, Florida, in Section 12, Township 32 South, Range 18 East, lying and being in Hillsborough County, Florida.

PARCEL 5

All of that portion of Shell Point Road lying in the Southwest 1/4 of the Southwest 1/4 of Section 1, the Southeast 1/4 of the Southeast 1/4 of Section 2, the Northeast 1/4 of the Northeast 1/4 of Section 11, and the Northwest 1/4 of the Northwest 1/4 of Section 12, all lying in Township 32 South, Range 18 East, Hillsborough County, Florida.

PARCEL 6

A parcel of land in Fractional Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, being a portion of Bahia Beach Unit-No. 1, as recorded in Plat Book 40, Page 81, of the Public Records of Hillsborough County, Florida, expressly described as follows:

Commence at the Southeast corner of said Section 2, thence on the South boundary thereof, also being the centerline of Shell Point Road (Bellamy Avenue) North 89 degrees 54 minutes 50 seconds West, a distance of 1,406.50 feet to the intersection with the Southerly extension of the Westerly right-of-way line of Tarpon Drive; Thence on said Southerly extension and Northerly extension North 00 degrees 34 minutes 35 seconds West, a distance of 1,549.60 feet to a point on the centerline of Mangrove Point Drive and the Point of Beginning. Thence continue on said Northerly extension North 00 degrees 34 minutes 35 seconds West, a distance of 27.50 feet to a point on the North right-of-way line of said Mangrove Point Drive; Thence on said North right-of-way line North 89 degrees 27 minutes 50 seconds West, a distance of 54.16 feet; Thence departing from said right-of-way line, North 00 degrees 32 minutes 10 seconds East a distance of 400.00 feet; Thence North 14 degrees 57 minutes 50 seconds West, a distance of 241.58 feet; Thence South 89 degrees 34 minutes 23 seconds East, a distance of 1,533.93 feet to the East boundary of said Section 2; Thence on the East boundary line thereof South 00 degrees 20 minutes 02 seconds East, a distance of 875.73 feet to the Southeast corner of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 2; Thence on the South boundary line thereof and the Westerly extension South 89 degrees 51 minutes 00 seconds West, a distance of 1,357.06 feet to the Easterly right-of-way line of said Tarpon Drive; Thence on said right-of-way line and the Northerly extension thereof North 00 degrees 34 minutes 35 seconds West, a distance of 228.48 feet to a point on the centerline of said Mangrove Drive; Thence on said centerline North 89 degrees 27 minutes 50 seconds West, a distance of 55.00 feet to the Point of Beginning.

PARCEL 7:

Commence at the Southeast corner of the Northeast 1/4 of said Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, for a POINT OF BEGINNING; run thence along the East boundary of the Northeast 1/4 of the Southeast 1/4 of said Section 2, S.00°21'40"E., 450.23 feet; thence N.89°35'06"W., 1530.69 feet; thence N.14°57'26"W., 30.38 feet; thence N.16°22'54"E., 1191.52 feet; thence N.00°25'59"E., 87.82 feet; thence S.89°34'01"E., 1193.78 feet to a point on the East boundary of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 2; thence along said East boundary, N.00°21'59"W., 513.90 feet to the Northwest corner of the Southwest 1/4 of the



Northwest 1/4 of Section 1, Township 32 South, Range 18 East, Hillsborough County, Florida; thence along the North boundary of said Southwest 1/4 of the Northwest 1/4 of Section 1, S.89°36'27"E., 922.79 feet; thence S.00°00'37"W., 1325.52 feet to a point on the South boundary of said Southwest 1/4 of the Northwest 1/4 of Section 1; thence along said South boundary, N89°38'12"W., 914.06 feet to the POINT OF BEGINNING.

PARCEL 8

All of BAHIA BEACH TOWNHOMES PHASE 1A, according to the map of plat thereof as recorded in Plat Book 94, Page 32, Public Records of Hillsborough County, Florida.

PARCEL 9

All of BAHIA BEACH TOWNHOMES PHASE 1B, according to the map of plat thereof as recorded in Plat Book 94, Page 33, Public Records of Hillsborough County, Florida.

PARCEL 10

Bahia Beach Townhomes Phase 1B Addition

DESCRIPTION: A portion of land described as "Future Development" as shown on the plat of BAHIA BEACH SOUTH UNIT No. 1, as recorded in Plat Book 40, Page 81, of the Public Records of Hillsborough County, Florida, said land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, being more particularly described as follows:

BEGINNING at the Northwest corner of BAHIA BEACH TOWNHOMES PHASE 1B, according to the plat thereof as recorded in Plat Book 94, Page 33, of the Public Records of Hillsborough County, Florida, run thence along the Westerly and Southerly boundary of said BAHIA BEACH TOWNHOMES PHASE 1B the following five (5) courses: 1) S.18°07'01"E., 53.83 feet; 2) N.71°00'24"E., 24.28 feet; 3) S.18°59'36"E., 177.87 feet; 4) S.89°38'37"E., 115.21 feet to a point of curvature; 5) Northeasterly, 49.91 feet along the arc of a curve to the left, having a radius of 25.00 feet and a central angle of 114°22'34" (chord bearing N.33°10'06"E., 42.02 feet) to a point on the Westerly right-of-way line of Bahia Beach Boulevard (Seagrape Drive by Plat) as shown on the aforesaid plat of BAHIA BEACH SOUTH UNIT NO. 1; thence along said Westerly right-of-way line the following two (2) courses: 1) S.24°01'11"E., 20.86 feet to a point of curvature; 2) Southwesterly, 49.91 feet along the arc of a curve to the right, having a radius of 25.00 feet and a central angle of 114°22'34" (chord bearing S.33°10'06"W., 42.02 feet) to a point of tangency; thence N.89°38'37"W., 239.76 feet; thence N.02°00'24"E., 236.86 feet;

thence N.65°58'49"E., 149.77 feet to a point on the aforesaid Westerly right-of-way line of Bahia Beach Boulevard; thence along said Westerly right-of-way line S.24°01'11"E., 20.62 feet to the Northeast corner of the aforesaid BAHIA BEACH TOWNHOMES PHASE 1B; thence along the Northerly boundary of said BAHIA BEACH TOWNHOMES PHASE 1B, S.70°00'24"W., 143.67 feet to the POINT OF BEGINNING.

PARCEL 11 (Northeast Parcel)

DESCRIPTION: A portion land designated as "Future Development" as shown on the plat of BAHIA BEACH SOUTH UNIT No. 1, as recorded in Plat Book 40, Page 81, of the Public Records of Hillsborough County, Florida, said land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, being more particularly described as follows:

COMMENCE at the Northwest corner of BAHIA BEACH TOWNHOMES PHASE 1A, according to the plat thereof as recorded in Plat Book 94, Page 32, of the Public Records of Hillsborough County, Florida, said point also being the POINT OF BEGINNING; run thence, N.01°21'34"E., 198.63 feet to a point on the Northerly boundary of said area designated as "Future Development"; thence along said Northerly and Easterly boundary of area designated as "Future Development", the following three (3) courses: 1) S.89°24'21"E., 218.91 feet to a point of curvature; 2) Southeasterly, 107.24 feet along the arc of said curve to the right having a radius of 61.00 feet and a central angle of 100°43'53" (chord bearing S.39°02'24"E., 93.95 feet) to a point of tangency; 3) S.11°19'32"W., 132.02 feet to point on the aforesaid North boundary of BAHIA BEACH TOWNHOMES PHASE 1A; thence along the North boundary of said plat of BAHIA BEACH TOWNHOMES PHASE 1A, N.88°38'26"W., 256.94 feet to the POINT OF BEGINNING.

PARCEL 12

DESCRIPTION: A parcel of land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, explicitly described as follows:

From the Southeast corner of said Section 2, proceed thence on the South boundary thereof, also being the centerline of Shell Point Road, (Bellamy Drive), at this point, N 89°54'50" W, a distance of 1406.51 feet; thence N 00°34'35" W, a distance of 1320.05 feet to a point on the West right-of-way boundary of Tarpon Drive and the POINT OF BEGINNING; From the POINT OF BEGINNING thus described, and departing said West right-of-way boundary, proceed thence N 89°54'50" W, a distance of 1225.45 feet to a point on the Hillsborough County Bulkhead Line; thence on said Bulkhead Line, N 25°50'54" E, a distance of 822.83 feet;

thence N 18°30'00" E, a distance of 959.04 feet; thence S 89°08'05" W, a distance of 259.25 feet to the beginning of a curve concave Southeasterly having a radius of 50.00 feet and a central angle of 81°30'54", thence on that arc of said curve a distance of 71.14 feet, said arc subtended by a chord which bears S 48°22'38" W, a distance of 65.29 feet to the curve's end, thence S 07°37'10" W, a distance of 228.28 feet; thence S 22°54'30" W, a distance of 612.63 feet; thence S 33°52'10" W, a distance of 635.93 feet; thence N 62°41'10" W, a distance of 402.63 feet; thence N 33°52'10" E, a distance of 643.52 feet; thence N 22°54'30" E, a distance of 513.85 feet; thence N 06°12'05" E, a distance of 7.93 feet; thence departing said Bulkhead Line, S 83°41'32" E, a distance of 254.17 feet; thence N 06°28'55" E, a distance of 379.20 feet; thence S 43°28'58" E, a distance of 34.90 feet to the beginning of a curve concave Southeasterly having a radius of 25.00 feet and a central angle of 84°45'55"; thence on the arc of said curve a distance of 36.99 feet, said arc subtended by a chord which bears N 48°58'13" E, a distance of 33.70 feet to the curve's end, said point being on the South right-of-way boundary of aforesaid Tarpon Drive; thence on said right-of-way boundary, S 88°38'50" E, a distance of 754.94 feet to the beginning of a curve concave Southwesterly having a radius of 32.50 feet and a central angle of 106°43'05"; thence on the arc of said curve a distance of 60.53 feet; said arc subtended by a chord which bears S 35°17'18" E, a distance of 52.16 feet to the curve's end, thence S 18°04'15" W, a distance of 667.51 feet to the beginning of a curve concave Southwesterly having a radius of 232.50 feet and a central angle of 08°44'55"; thence on the arc of said curve a distance of 35.50 feet; said arc subtended by a chord which bears S 13°41'48" W, a distance of 35.47 feet to the curve's end, thence S 09°19'20" W, a distance of 301.09 feet to the beginning of a curve concave Northeasterly having a radius of 50.50 feet and a central angle of 33°20'55"; thence on the arc of said curve a distance of 29.39 feet, said arc subtended by a chord which bears S 07°21'08" E, a distance of 28.98 feet to the curve's end; thence S 24°01'35" E, a distance of 516.42 feet to the beginning of a curve concave Northwesterly having a radius of 25.00 feet and a central angle of 114°22'34"; thence on the arc of said curve a distance of 49.91 feet, said arc subtended by a chord which bears S 33°09'43" W, a distance of 42.02 feet to the curve's end; thence S 00°20'59" W, a distance of 55.00 feet; thence S 89°39'01" E, a distance of 92.63 feet to the beginning of a curve concave Southerly having a radius of 114.39 feet and a central angle of 16°25'36"; thence on the arc of said curve a distance of 32.80 feet, said arc subtended by a chord which bears S 81°26'14" E, a distance of 32.68 feet to the beginning of a reverse curve concave Northerly having a radius of 155.50 feet and a central angle of 16°14'24"; thence on the arc of said curve a distance of 44.07 feet, said arc subtended by a chord which bears S 81°20'39" E, a distance of 43.93 feet to the

curve's end; thence S 89°27'50" E, a distance of 40.71 feet to the beginning of a curve concave Southeasterly having a radius of 25.00 feet and a central angle of 88°53'15"; thence on the arc of said curve a distance of 38.78 feet, said arc subtended by a chord which bears S 45°01'13" E, a distance of 35.01 feet to the curve's end; thence S 00°34'35" E, a distance of 177.57 feet to the Point of Beginning.

LESS: (LESS OUT PARCEL 1)

A parcel of land lying in the Southeast 1/4 of Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 2, thence S 89°54'50" E, along the South boundary of said Southeast 1/4 of Section 2, a distance of 155.07 feet: thence N 00°05'10" E, a distance of 1424.55 feet for a POINT OF BEGINNING; thence on a curve concave Northeasterly on an arc of 105.47 feet with a radius of 50.00 feet subtended by a chord of 86.94 feet to a point of tangency; thence N 31°35'25" E, a distance of 128.25 feet; thence S 80°24'35" E, a distance of 149.53 feet to a point on a curve of the Westerly right-of-way boundary of Mangrove Point Drive; thence on a curve concave Northeasterly on an arc of 59.34 feet with a radius of 50.00 feet, subtended by a chord of 55.92 feet, chord bearing S 24°24'35" E; thence S 31°35'25" W, a distance of 130.58 feet; thence N 89°16'01" W, a distance of 127.39 feet to the POINT OF BEGINNING.

LESS: (Lift Station) (LESS OUT PARCEL 2)

A parcel of land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, explicitly described as follows:

From the Southeast corner of said Section 2, proceed thence on the South boundary thereof, also being the centerline of Shell Point Road, (Bellamy Avenue), at this point, N 89°54'50" W, a distance of 1694.30 feet thence N 00°05'10" E, a distance of 3009.28 feet to the Point of Beginning; thence N 88°38'50" W, a distance of 35.00 feet; thence N 01°21'10" E, a distance of 42.00 feet; thence S 88°38'50" E, a distance of 35.00 feet; thence S 01°21'10" W, a distance of 42.00 feet to the Point of Beginning.

LESS:

BAHIA BEACH TOWNHOMES PHASE 1B, according to the plat thereof as recorded in Plat Book 94, Page 33, of the Public Records of Hillsborough County, Florida.

ALSO LESS (1B TOWNHOMES ADDITION)

DESCRIPTION: A portion of land described as "Future Development" as shown on the plat of BAHIA BEACH SOUTH UNIT No. 1, as recorded in Plat Book 40, Page 81, of the Public Records of Hillsborough County, Florida, said land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, being more particularly described as follows:

BEGINNING at the Northwest corner of BAHIA BEACH TOWNHOMES PHASE 1B, according to the plat thereof as recorded in Plat Book 94, Page 33, of the Public Records of Hillsborough County, Florida, run thence along the Westerly and Southerly boundary of said BAHIA BEACH TOWNHOMES PHASE 1B the following five (5) courses: 1) S.18°07'01"E., 53.83 feet; 2) N.71°00'24"E., 24.28 feet; 3) S.18°59'36"E., 177.87 feet; 4) S.89°38'37"E., 115.21 feet to a point of curvature; 5) Northeasterly, 49.91 feet along the arc of a curve to the left, having a radius of 25.00 feet and a central angle of 114°22'34" (chord bearing N.33°10'06"E., 42.02 feet) to a point on the Westerly right-of-way line of Bahia Beach Boulevard (Seagrape Drive by Plat) as shown on the aforesaid plat of BAHIA BEACH SOUTH UNIT NO. 1; thence along said Westerly right-of-way line the following two (2) courses: 1) S.24°01'11"E., 20.86 feet to a point of curvature; 2) Southwesterly, 49.91 feet along the arc of a curve to the right, having a radius of 25.00 feet and a central angle of 114°22'34" (chord bearing S.33°10'06"W., 42.02 feet) to a point of tangency; thence N.89°38'37"W., 239.76 feet; thence N.02°00'24"E., 236.86 feet; thence N.65°58'49"E., 149.77 feet to a point on the aforesaid Westerly right-of-way line of Bahia Beach Boulevard; thence along said Westerly right-of-way line S.24°01'11"E., 20.62 feet to the Northeast corner of the aforesaid BAHIA BEACH TOWNHOMES PHASE 1B; thence along the Northerly boundary of said BAHIA BEACH TOWNHOMES PHASE 1B, S.70°00'24"W., 143.67 feet to the POINT OF BEGINNING.

PARCEL 13 (Preserve Area)

DESCRIPTION: A parcel of land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, explicitly described as follows:

From the Southeast corner of said Section 2, proceed thence on the South boundary thereof, also being the centerline of Shell Point Road, (Bellamy Drive), at this point, N 89°54'50" W, a distance of 1488.90 feet: thence N 00°05'10" E, a distance of

1577.50 feet to the POINT OF BEGINNING said point being on the Easterly right-of-way boundary of Tarpon Drive; From the POINT OF BEGINNING thus described, proceed thence on said Easterly right-of-way boundary, the same being the beginning of a curve concave Northeasterly having a radius of 100.50 feet and a central angle of  $65^{\circ}26'15''$ , thence on that arc of said curve a distance of 114.78 feet, said arc subtended by a chord which bears N  $56^{\circ}44'42''$  W, a distance of 108.64 feet to the curve's end, thence N  $24^{\circ}01'35''$  W, a distance of 526.07 feet; thence N  $09^{\circ}19'20''$  E, a distance of 299.74 feet to the beginning of a curve concave Southeasterly having a radius of 177.50 feet and a central angle of  $08^{\circ}44'55''$ ; thence on the arc of 27.10 feet, said arc subtended by a chord which bears N  $13^{\circ}41'48''$  E, a distance of 27.08 feet to the curve's end, thence N  $18^{\circ}04'15''$  E, a distance of 667.51 feet to the beginning of a curve concave Southwesterly having a radius of 87.50 feet and a central angle of  $106^{\circ}43'07''$ ; thence an arc of said curve a distance of 162.98 feet, said arc subtended by a chord which bears N  $35^{\circ}17'18''$  W, a distance of 140.42 feet to the curve's end, thence departing said right-of-way boundary, N  $01^{\circ}21'10''$  E, a distance of 198.63 feet; thence N  $89^{\circ}24'45''$  W, a distance of 236.28 feet to a point on the Hillsborough County Bulkhead Line; thence on said Bulkhead Line, N  $18^{\circ}30'00''$  E, a distance of 141.04 feet; thence N  $17^{\circ}19'10''$  W, a distance of 1797.77 feet; thence N  $09^{\circ}54'40''$  W, a distance of 81.18 feet to a point on the North boundary of said Section 2, thence departing said Bulkhead Line and on said North boundary S  $89^{\circ}34'25''$  E, a distance of 1143.96 feet; thence S  $00^{\circ}25'35''$  W, a distance of 1927.93 feet; thence S  $16^{\circ}22'30''$  W, a distance of 1191.56 feet; thence S  $14^{\circ}57'50''$  E, a distance of 271.96 feet; thence S  $00^{\circ}32'10''$  W, a distance of 400.00 feet to the Point of Beginning.

PARCEL 14 - (PARCEL NO. 1 O.R.8080, Pg. 420)

A parcel of land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, explicitly described as follows:

From the Southeast corner of said Section 2, proceed thence on the South boundary thereof, also being the centerline of Shell Point Road (Bellamy Avenue), at this point North  $89^{\circ}54'50''$  West, a distance of 2404.39 feet; thence North  $00^{\circ}05'10''$  East, a distance of 3716.83 feet to the Point of Beginning, said point being on the Westerly right-of-way boundary of Bahia Del Sol Drive. From the Point of Beginning thus described, proceed thence on said right-of-way boundary, South  $01^{\circ}59'21''$  East, a distance of 128.13 feet; thence South  $06^{\circ}28'55''$  West, a distance of 411.82 feet; thence South  $43^{\circ}28'58''$  East, a distance of 35.92 feet; thence departing said right-of-way boundary, South  $06^{\circ}28'55''$  West, a distance of 379.20 feet; thence North  $83^{\circ}41'32''$

West, a distance of 254.17 feet; thence North  $06^{\circ}12'05''$  East, a distance of 807.20 feet; thence North  $01^{\circ}53'40''$  West, a distance of 133.97 feet; thence South  $83^{\circ}59'21''$  East, a distance of 231.27 feet to the Point of Beginning.

PARCEL 14 - (PARCEL NO. 2 O.R.8080, Pg. 420)

A parcel of land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, explicitly described as follows:

From the Southeast corner of said Section 2, proceed thence on the South boundary thereof, also being the centerline of Shell Point Road (Bellamy Avenue), at this point North  $89^{\circ}54'50''$  West, a distance of 2361.48 feet; thence North  $00^{\circ}05'10''$  East, a distance of 4051.23 feet to the Point of Beginning, said point being on the Easterly right-of-way boundary of Bahia Del Sol Drive. From the Point of Beginning, thus described, proceed thence North  $86^{\circ}33'39''$  East, a distance of 124.69 feet; thence South  $04^{\circ}53'20''$  East, a distance of 298.45 feet to the beginning of a curve concave Northeasterly having a radius of 154.00 feet and a central angle of  $40^{\circ}37'14''$ ; thence on the arc of said curve a distance of 109.18 feet, said arc subtended by a chord which bears South  $25^{\circ}11'57''$  East, a distance of 106.91 feet to the curve's end; thence South  $45^{\circ}30'35''$  East, a distance of 291.97 feet; thence South  $43^{\circ}55'50''$  West, a distance of 195.92 feet to the Northeasterly right-of-way boundary of Tarpon Drive; thence on said Northeasterly right-of-way boundary, North  $45^{\circ}44'10''$  West, a distance of 249.38 feet to the beginning of a curve concave Northeasterly having a radius of 262.50 feet and a central angle of  $09^{\circ}27'50''$ ; thence on the arc of said curve a distance of 43.36 feet, said arc subtended by a chord which bears North  $41^{\circ}00'15''$  West, a distance of 43.31 feet to the curve's end; thence North  $36^{\circ}16'20''$  West, a distance of 75.46 feet to the intersection of the Northeasterly right-of-way boundary of Tarpon Drive with the Easterly right-of-way boundary of the aforementioned Bahia Del Sol Drive; thence departing said Northeasterly right-of-way boundary and on said Easterly right-of-way, North  $01^{\circ}59'21''$  West, a distance of 465.03 feet to the Point of Beginning.

PARCEL 14 - (PARCEL NO. 3 O.R.8080, Pg. 420)

All that parcel of land being reserved for Water and Sewage Treatment plants as shown in BAHIA BEACH, UNIT NO. 1, as recorded in Plat Book 40, page 81, of the public records of Hillsborough County, Florida, being explicitly described as follows:

From the Southeast corner of said Section 2, proceed thence on

the South boundary thereof, also being the centerline of Shell Point Road (Bellamy Avenue), at this point, North 89°54'50" West, a distance of 2113.42 feet; thence North 00°05'10" East, a distance of 3199.68 feet to the Point of Beginning. From the Point of Beginning thus described proceed thence North 88°38'50" West, a distance of 246.64 feet to a point of curvature of a curve concave Northeasterly, having a radius of 25.00 feet, and a central angle of 95°07'45"; thence on the arc of said curve a distance of 41.51 feet, said arc subtended by a chord which bears North 41°04'57" West, a distance of 36.90 feet to a point of tangency; thence North 06°28'55" East, a distance of 203.42 feet to the point of curvature of a curve concave Southeasterly, having a radius of 30.68 feet, and a central angle of 127°46'55"; thence on the arc of said curve a distance of 68.43 feet, said arc subtended by a chord which bears North 70°22'23" East, a distance of 55.10 feet to a point of tangency; thence South 45°44'10" East, a distance of 299.99 feet to the point of curvature of a curve concave Northwesterly, having a radius of 26.16 feet and a central angle of 137°05'20"; thence on the arc of said curve a distance of 62.58 feet, said arc subtended by a chord which bears South 22°48'30" West, a distance of 48.69 feet to the point of tangency and the Point of Beginning.

PARCEL 14 - (PARCEL NO. 4 O.R.8080, Pg. 420)

A parcel of land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, explicitly described as follows:

From the Southeast corner of said Section 2, proceed thence on the South boundary thereof, also being the centerline of Shell Point Road (Bellamy Avenue), at this point North 89°54'50" West, a distance of 2404.39 feet; thence North 00°05'10" East, a distance of 3716.83 feet to the Point of Beginning; said point being on the Westerly right-of-way boundary of Bahia Del Sol Drive. From the Point of Beginning thus described, proceed thence North 83°59'21" West, a distance of 231.27 feet; thence North 01°53'40" West, a distance of 210.95 feet to the Southerly boundary of Parcel "B" of BAHIA DEL SOL CONDOMINIUM, as recorded in Condominium Plat Book 3, Page 53, of the public records of Hillsborough County, Florida; thence on said Southerly boundary, North 88°00'39" East, a distance of 228.67 feet to the aforesaid Westerly right-of-way boundary of Bahia Del Sol Drive; thence departing said Southerly boundary and on said Westerly right-of-way boundary, South 01°59'21" East, a distance of 243.14 feet to the Point of Beginning.

PARCEL 14 - (PARCEL NO 5 O.R.8080, Pg. 420)

A parcel of land lying in Section 2, Township 32 South, Range 18



East, Hillsborough County, Florida, explicitly described as follows:

From the Southeast corner of said Section 2, proceed thence on the South boundary thereof, also being the centerline of Shell Point Road (Bellamy Avenue), at this point North  $89^{\circ}54'50''$  West, a distance of 1615.46 feet; thence North  $00^{\circ}05'10''$  East, a distance of 3188.67 feet to the Point of Beginning, said point being on the Northerly right-of-way boundary of Tarpon Drive. From the Point of Beginning thus described, proceed thence on said right-of-way boundary, North  $88^{\circ}38'49''$  West, a distance of 310.78 feet; thence North  $57^{\circ}56'16''$  West, a distance of 99.66 feet to the beginning of a curve concave Northeasterly having a radius of 272.50 feet and a central angle of  $12^{\circ}12'05''$ ; thence on the arc of said curve a distance of 58.02 feet, said arc subtended by a chord which bears North  $51^{\circ}50'13''$  West, a distance of 57.92 feet to the curve's end; thence North  $45^{\circ}44'10''$  West, a distance of 50.62 feet; thence departing said right-of-way boundary, North  $43^{\circ}55'50''$  East, a distance of 195.92 feet; thence South  $45^{\circ}30'35''$  East, a distance of 64.34 feet to the beginning of a curve concave Northeasterly, having a radius of 92.00 feet and a central angle of  $43^{\circ}54'10''$ ; thence on the arc of said curve a distance of 70.49 feet, said arc subtended by a chord which bears South  $67^{\circ}27'40''$  East, a distance of 68.78 feet to the curve's end; thence South  $89^{\circ}24'45''$  East, a distance of 236.28 feet; thence South  $01^{\circ}21'10''$  West, a distance of 198.63 feet to the Point of Beginning.

PARCEL 14 - (PARCEL NO. 6 O.R.8080, Pg. 420)

A parcel of land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida, explicitly described as follows:

From the Southeast corner of said Section 2, proceed thence on the South boundary thereof, also being the centerline of Shell Point Road (Bellamy Avenue), at this point North  $89^{\circ}54'50''$  West a distance of 2361.46 feet; thence North  $00^{\circ}05'10''$  East, a distance of 4051.23 feet to the Point of Beginning, said point being on the Easterly right-of-way boundary of Bahia Del Sol Drive, from the Point of Beginning thus described, proceed thence North  $86^{\circ}33'39''$  East, a distance of 124.69 feet; thence South  $04^{\circ}53'20''$  East, a distance of 190.86 feet; thence South  $86^{\circ}57'52''$  West, a distance of 134.34 feet to the Easterly right-of-way boundary of the aforementioned Bahia Del Sol Drive; thence on said Easterly right-of-way, North  $01^{\circ}59'21''$  West, a distance of 189.91 feet to the Point of Beginning.

PARCEL 15

All that part of the platted right-of-ways as shown on the plat of BAHIA BEACH SOUTH UNIT No. 1, as recorded in Plat Book 40, Page 81, of the Public Records of Hillsborough County, Florida, said land lying in Section 2, Township 32 South, Range 18 East, Hillsborough County, Florida.

LESS said platted right-of-way lying North of a line having a bearing of S.88°01'03"W., 55.00 feet, from the Northwest corner of Parcel 6, as recorded in Official Records Book 8080, Page 420, Public Records of Hillsborough County, Florida.

Containing 367.006 acres, more or less.

BSA-BB-018

P:\BAHIA BEACH\MP\LEGAL\2003CDD

JLS

JLS (Revised Parcel 2)

November 12, 2003

February 23, 2004