

CITY PLANNING BOARD

BOARD AGENDA

Planning Board Regular Meeting - Tuesday, April 10, 2018 - 6:00 p.m.
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CONSIDERATION OF ABSENCES**
5. **APPROVAL OF MINUTES**
 - a. Minutes from the March 13, 2018 meeting
6. **NEW BUSINESS**
 - a. Voluntary Annexation - Okeechobee Properties LLC - 2605, 2607, & 2609 Rolyat Street
 - b. Zoning Atlas Amendment - BHT Properties - 3798 Selvitz Road
7. **BOARD COMMENTS**
8. **ADJOURNMENT**

Any person seeking to appeal any decision by the Planning Board with respect to any matter considered at this meeting is advised that a record of proceedings is required in any such appeal and that such person may need to insure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact (772) 467-3729, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

Planning Board

5.a.

Meeting Date: 04/10/2018

Information

REQUESTED ACTION

Minutes from the March 13, 2018 meeting

LOCATION

RESPONSIBLE STAFF

RECOMMENDATION

Attachments

Planning Board Minutes 3.13.18

Form Review

Form Started By: Alicia Rosenthal

Started On: 03/20/2018 10:44 AM

Final Approval Date: 03/20/2018

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **MARCH 13, 2018**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: **Bob Burdge; Gloria Johnson-Scott; Brian Paul; Michael Broderick; Tim O'Connell; Frank Creyaufmiller, Chairman**

Absent: **John George**

Staff Present: **James Messer, City Attorney
Rebecca Grohall, Planning Director
Vennis Gilmore, Planning Analyst
Brandon Creagan, Planner
Alicia Rosenthal, Executive Assistant**

4. **CONSIDERATION OF ABSENCES**

Mr. George was excused.

5. **APPROVAL OF MINUTES**

- a. Minutes from the February 13, 2018 meeting

Motion was made by Gloria Johnson-Scott, and seconded by Michael Broderick to approve the minutes from the February 13, 2018 meeting with the revision to the board comment regarding changes made to documents should be shown by Amendment 1, 2, 3 etc.

AYE: Michael Broderick, Tim O'Connell, Bob Burdge, Gloria Johnson-Scott, Brian Paul, Chairman Frank Creyaufmiller

Passed

6. NEW BUSINESS

a. Zoning Atlas Amendment - Second Street Station - 100 Avenue A (Marina Way)

Chairman Creyaufmiller mentioned that he is personal friends with the owner of the property.

Mr. Gilmore gave an overview of the application and answered questions from the Board regarding impacts to Avenue B and the RFP for the King Power Plant site.

Ms. Grohall stated the city has committed to make Avenue B a permanent right-of-way through the city's right-of-way program.

John Blum, Engineer of Record, stated that the Future Land Use Zoning Map showed the entire 1.02 acres being rezoned to C-4 and there request was for the south portion only. Mr. Blum explained that a parcel split into two parcels is being done and parcel A, which is .13 acres, is the only portion of the property to be rezoned.

Ms. Grohall said a parcel split application, along with the sketch and legal for that portion of the parcel, will be needed.

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the proposed amendment.

AYE: Gloria Johnson-Scott, Brian Paul, Michael Broderick, Tim O'Connell, Bob Burdge, Chairman Frank Creyaufmiller

Passed

b. Site Plan and Design Review - Second Street Station - 100 Avenue A (Marina Way)

Mr. Gilmore gave an overview of the application and answered questions from the Board regarding the city easement for the pedestrian right-of-way.

Ms. Grohall stated the engineering department agreed to the elevated outdoor seating that is in the city's right-of-way. Ms. Grohall also explained that the existing building to the west has some doors that front on to an alleyway, but a pedestrian way has been preserved that will give the tenants access to their units.

Mike Menard, from Architectonic, stated the project has been submitted for Historic Preservation Board approval and they will be addressing anything that is required for the architectural review.

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to forward a recommendation to, approve the proposed Site Plan with the following conditions:

1) The applicant obtains a Right of Way permit with the Engineering Department for re-construction of the adjacent sidewalk and construction of an elevated patio.

2) Please provide a color board (11"x17" maximum) containing actual color samples of all exterior finishes, keyed to the elevations, and indicating the manufacturer's name and color designation. Provide an accurate color rendering of proposed signs showing dimensions, type of lettering, materials and actual color samples that demonstrates cohesiveness with the project design.

3) Please provide a final landscape plan that meets the requirements of Article XII, Landscaping and Trees.

4) Per City Code Section 22-59 and Chapter 23; the design features must be reasonably consistent with the historic character of the predominant architectural style within the historic district (Downtown). Please seek approval by the Historic Preservation Board for compliance with terms and conditions of applicable certificates of appropriateness, prior to issuance of any building permit.

AYE: Brian Paul, Michael Broderick, Tim O'Connell, Bob Burdge, Gloria Johnson-Scott, Chairman Frank Creyaufmiller

Passed

c. Conditional Use - Arcade Amusement Center - 740 Orange Avenue

Mr. Creagan gave an overview of the application and answered questions from the Board regarding parking requirements, enforcement strategy of staggered capacity schedule, on street parking, and payment in lieu of cost for one additional parking space.

Mr. Broderick addressed his concerns with not having enough parking. Ms. Johnson Scott expressed her concerns with the parking spaces, the location's proximity to churches and the Sunday hours of operation.

Mike Menard, from Architectonic, provided additional information and answered questions from the Board on public parking, hours of operation and square footage.

Yousef Qasem, Owner, stated he will follow the rules and follow the schedule for the machines and on Sunday he will open the business after church. Mr. Qasem said he is the operator of the facility and will be responsible for the percentages of occupancy.

Ms. Grohall addressed the 50% parking reduction for the Peacock Arts District. She explained the City Commission took into account the availability of on-street parking and a few of the lots the city owns in proximity to the district. Ms. Grohall stated there is no provision in the code for a waiver of the parking spot, but the code specifies several different things the applicant can do such as a shared use agreement, parking in lieu fee, installing a covered bike rack or lease a space provided within 350 feet.

Mr. Burdge asked if the applicant can make an agreement with the supermarket across the street to lease one of there parking spaces so they can meet the 19th parking space. Ms. Grohall stated if they meet the distance calculation they could effectuate a lease agreement.

Gus Gutierrez, Resident, had concerns with the arcade operating at fifty percent and the Peacock Arts District parking reduction classification.

Board discussion ensued regarding the off street parking code, compatibility with the Peacock Arts District, parking lease agreement and policing the schedule of operation.

Mr. Broderick explained that the current tenants in the building have a parking requirement of 11 spaces, which needs to be added into the accounting of the total parking for the building.

Mr. Burdge stated he received communication from Mr. Hayek and Steve Tarr regarding the arcade. Chairman Creyaufmiller stated the entire Board received the communication.

Chairman Creyaufmiller stated the use of the arcade is inconsistent with what the general public and the view of the city has of the Peacock Arts District. Chairman Creyaufmiller went on to say that providing 18 parking spaces to the arcade is ignoring the other tenants in the building and he does not know how the schedule of operation and machines would be policed and managed.

Jennifer Gilchrist, Resident, spoke in opposition and stated the arcade does not enrich the area.

Motion was made by Mr. Burdge to approve the arcade with a condition that the waiver request under City Code Section 22-71(e)(3)c, for the parking space, be applied for by the applicant.

No one seconded the motion therefore the motion failed.

With clarification from counsel,

Motion was made by Chairman Frank Creyaufmiller, and seconded by Gloria Johnson-Scott to forward a recommendation of denial for the Conditional Use with No New Construction to the City Commission.

Chairman Creyaufmiller stated the reasons for denial are the parking issue, the Peacock Arts District has already reduced the necessary required parking by 50% and further reduction should not be considered, there is only 18 spaces available in a shared space building, and there is no way to police the facility capacity.

Mr. Messer stated the Planning Board has the ability to recommend an approval of the application, denial of the application or some type of modification of the application. He went on to say that the motion, as it is constituted, is an appropriate denial of the application. Mr. Messer said if the vote comes to the City Commission with a denial, it may trigger a different vote from a simple majority to a super majority. Mr. Messer explained if the Planning Board votes to deny the conditional use application the only practical effect at the City Commission is that it will require four Commissioners to approve it instead of three.

AYE: Gloria Johnson-Scott, Michael Broderick, Tim O'Connell, Chairman Frank Creyaufmiller

NAY: Bob Burdge, Brian Paul

Passed

d. **Conditional Use - Little Angels Learning Academy - 436 N. 7th Street**

Mr. O'Connell recused himself because he owns the building.

Mr. Gilmore gave an overview of the application and answered a question from the Board regarding the parking requirement.

Myrtle Peterson, Owner of the Daycare Center, made herself available for questions.

Cindi O'Connell, Applicant Representative, provided additional information and answered questions from the Board on the playground and parking location.

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to forward a recommendation to the City Commission for approval with the following conditions:

1) Comply with City Code Section 22-60. Off-street Parking and Loading (c) Design Standards, d) Commercial Uses & (j) Lighting. Please provide the lighting plan with a minimum average of two (2) footcandles.

2) The applicant integrates landscaping around the perimeter of the recreational area pursuant to City Code Section 22-67 (d)(1).

3) The applicant re-stripes the parking spaces to fulfill the required spaces per City Code Section 22-60. Off-street Parking and Loading -- (d) Number of required off-street parking spaces.

4) Per City Code Section 22-60. Off-street Parking and Loading – (c)(4) Access; all off-street parking and loading facilities shall be so arranged that no automobile shall have to back into any street. Please consider parking located in the rear of the building or payment in-lieu to the city’s multimodal fund for spaces that are not in accordance.

AYE: Michael Broderick, Bob Burdge, Gloria Johnson-Scott, Brian Paul, Chairman Frank Creyaufmiller

Other: Tim O’Connell (RECUSE)

Passed

e. Conditional Use - Broderick Dwelling Rental - 1042 Windward Drive #3403

Mr. Broderick recused himself.

Mr. Gilmore gave an overview of the application. No one spoke for or against the application.

Motion was made by Gloria Johnson-Scott, and seconded by Tim O’Connell to forward a recommendation to approve the request with the following conditions:

1) The maximum occupancy ensures compliance with City Code Section 8.5-43. - Required space in dwelling units, based upon the size of each unit;

2) Registration of the property manager accessible at all times, to resolve complaints or violations of City Code;

3) Issuance of guide booklets (available from Code Enforcement) for renters regarding local rules and public service resources to minimize conflicts; and

4) The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within thirty (30) days of Conditional Use approval.

5) Limit no more than 2 vehicles.

AYE: Tim O’Connell, Bob Burdge, Gloria Johnson-Scott, Brian Paul, Chairman Frank Creyaufmiller

Other: Michael Broderick (RECUSE)

Passed

7. BOARD COMMENTS

Mr. Burdge asked if documents could be signed by the authors and reviewers. Ms. Grohall stated staff has gotten away from signing staff memorandums due to the agenda package going through a multi step review process, but signing the documents can be accomplished.

Ms. Grohall stated they are in the stages to book Susan Trevarthen, a leading land use attorney in the state, for a workshop on short term rentals, possibly at the April 9, 2018 conference agenda. Ms. Grohall went on to say that an invitation would be sent to all the Planning Board members and it would be a good opportunity to gain information and ask questions. Mr. Messer stated he would like Planning Board members to submit written questions, within the next 10 days, to either himself or Ms. Grohall to try and tailor the presentation to meet the general requirements and any specific issues the Planning Board members might want to discuss relative to the Code of Ordinances.

8. ADJOURNMENT

Planning Board

6.a.

Meeting Date: 04/10/2018

Information

REQUESTED ACTION

Voluntary Annexation - Okeechobee Properties LLC - 2605, 2607, & 2609 Rolyat Street

LOCATION

2605, 2607, & 2609 Rolyat Street

RESPONSIBLE STAFF

Brandon Creagan, LEED Green Associate, Planner

RECOMMENDATION

Approval

Attachments

Planning Staff Report

Application for Annexation Packet with Survey

TRC Comments

TRC Comment Response from Applicant

Aerial Map

Flyer Sent to Neighbors by Applicant

Form Review

Form Started By: Brandon Creagan

Started On: 04/03/2018 03:40 PM

Final Approval Date: 04/04/2018



TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Director *RB*

FROM: Brandon Creagan, LEED Green Associate, Planner *BCC*

RE: **Application for Annexation**
2605, 2607, & 2609 Rolyat Street

DATE: April 3, 2018

STAFF REPORT

Property Owner/Applicant: Karen Gelety
2507 Lazy Hammock Lane
Fort Pierce, FL 34981

Representative: Paul Hannah/Okeechobee Properties LLC
P.O. Box 3316
Tequesta, FL 33469

Requested Action: Approval of a Voluntary Application for Annexation for three parcels of land.

Site Location: 2605, 2607, & 2609 Rolyat Street Fort Pierce, Florida.

Parcel ID: 2419-601-0040-000-9
2419-601-0041-000-6
2419-601-0042-000-3

Parcel Size: .73 acres

Current Zoning: CO, Commercial Office (St. Lucie County)
CG, Commercial General (St. Lucie County)

Current Future Land Use: COM, Commercial (St. Lucie County)

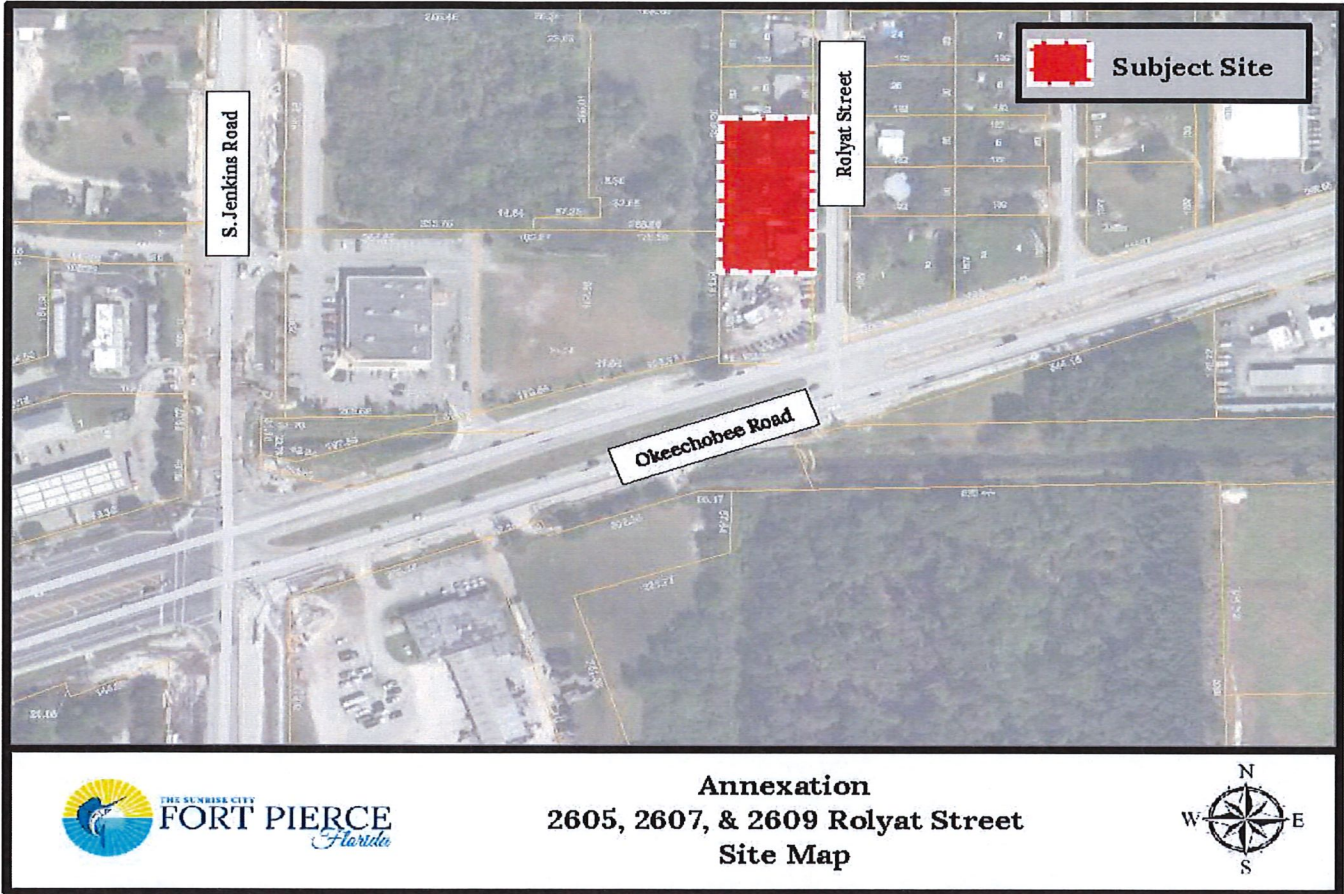
Proposed Zoning: C-3, General Commercial

Proposed Future Land Use: GC, General Commercial

Surrounding Zoning:	North	East	South	West
	CO (SCL)	CO (SLC)	C-3 (FP)	C-3 (FP)
Surrounding FLU:	COM (SLC)	COM (SLC)	GC (FP)	GC (FP)

Staff Analysis:

The applicant is requesting a voluntary annexation of properties (Parcel IDs 2419-601-0040-000-9, 2419-601-0041-000-6, & 2419-601-0042-000-3) located at 2605, 2607, & 2609 Rolyat Street in Fort Pierce, Florida.



**Annexation
2605, 2607, & 2609 Rolyat Street
Site Map**



The current St. Lucie County Zoning for 2605 & 2607 Rolyat Street is CO, Commercial Office, with a St. Lucie County Future Land Use of COM, Commercial. The current St. Lucie County Zoning for 2609 Rolyat Street is CG, Commercial General, with a St. Lucie County Future Land Use of COM, Commercial. To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Zoning designation will be C-3, General Commercial, and the proposed Future Land Use designation will be GC, General Commercial.

Staff has confirmed that the property is located within unincorporated St. Lucie County and is contiguous to the Fort Pierce City municipal boundary. The property is also within the FPUA service area. The applicant plans to develop the parcels along with the parcel directly to the south for a commercial development. All parcels will be combined via a Unity of Title when the annexation is complete. The property to the south of the proposed annexed parcels was annexed into the City of Fort Pierce in December of 1993. To the west of all three parcels is the Chick-fil-A development, to the north and east is St. Lucie County zoned Commercial Office properties.

This proposed voluntary annexation is also consistent with F.S 171.044, whereas the property is contiguous to a municipality and reasonably compact; and the annexation will not result in the creation of an enclave.

The current taxable value of the combined parcels is approximately \$91,367. If the Application for Annexation is approved it would create a new source of ad-valorem tax revenue annually to the City of Fort Pierce, depending on the millage rate per year, which currently is 6.9000. Future commercial development of this parcel would bring higher value and associated revenue.

Comprehensive Plan:

Staff has reviewed the Comprehensive Plan and finds the proposed annexation is consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The property is within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery"

The area where this annexation is taking place has mostly all been annexed into the City of Fort Pierce and the annexation of this property would help to continue eliminating irregularities along the City's boundary in this area. The adoption of this property into the City also helps to provide efficient public services.

The applicant is requesting that the City of Fort Pierce Zoning designation and Future Land Use designation remain consistent with the current County designation. The Zoning Designation of C-3, General Commercial, and Future Land Use of GC, General Commercial would be consistent with Policy 1.11.5.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation application based on compliance with the requirements of the City Code and Comprehensive Plan. All comments received are attached for your review.

Staff Recommendation:

As proposed, the annexation meets the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the Planning Board forward a recommendation of approval for the proposed annexation.



APPLICATION FOR ANNEXATION

Annexation applications will require the adoption of an ordinance which will require a public meeting before the Planning Board and two public hearings before the City Commission.

Application submission shall include the following:

- **TRC (*Initial Submission):** One (1) original and (5) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **Planning Board:** One (1) original and (7) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **City Commission:** One (1) original and (3) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

- Warranty Deed(s)
- Current Survey (completed within the last 12 months)

1. Address: 2609, 2607 and 2605 Rolyat Street, St. Lucie County

2. Legal description of real property for which annexation is being requested:

Property Tax ID: 2419-601-0040-000-9; 2419-601-0041-000-6 and 2419-601-0042-000-3

3. Size of described property: Approximately .89 acres

4. Project description: Proposed is a commercial development consisting of a fast food restaurant

5. Current St. Lucie County Future Land Use Designation: Commercial

6. Current St. Lucie County Zoning: CN - Neighborhood Commercial

7. Is this a Historic property? No

8. Appraised value: _____

9. Name of Owner(s): Karen Gelety

Signature of Owner(s): *Karen Gelety*

Mailing Address: 2507 Lazy Hammock Lane

City Fort Pierce State FL Zip 34981-5411

Phone 772-332-6793 Fax _____

10. Name of Representative: Paul Hanna/Okee Properties, LLC
Signature of representative: 
Mailing Address: P.O. Box 3316
City) Tequesta State FL Zip 33469
Phone 561-346-9959 Fax _____
E-mail: paul@phanna.com

INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

OFFICE USE:		
DATE RECEIVED: _____	Signed: _____	
File Number: _____	Check No: _____	Receipt No: _____
TRC Review: _____	Planning Board Review: _____	City Commission: _____
Ordinance No: _____	Date Approved: _____	



Okee Properties, Inc.

Justification Statement Annexation and Zoning Atlas Amendment Applications February 21, 2018 Resubmittal - March 28, 2018

Request/Location:

On behalf of the Applicant Okee Properties, LLC, Gentile Glas Holloway O'Mahoney & Associates, Inc. (2GHO), acting as agent, is submitting an application for annexation of property within St. Lucie County to City of Fort Pierce; and a Zoning Atlas Amendment to rezone said property from St. Lucie County Zoning District of CN-Neighborhood Commercial District to City of Fort Pierce C-3 – Commercial Zoning District. The Subject site comprises four contiguous lots with 3 property control numbers and is located on the west side of Rolyat Street, north of Okeechobee Road in St. Lucie County, Florida. The property contains 3 residential units, one with a garage structure.

Capacity Analysis:

The Zoning Atlas Amendment – Capacity Analysis has been conducted based on the highest intensity of development; the analysis was prepared based on .73 acres (Property Appraisers acreage information) with a FAR of 1.0 which equals 31,798 s.f.

Development Program:

The three properties subject to this request will be combined with the adjacent property to the south which is already within the City limits and faces directly on Okeechobee Road. The development program is to create a fast food retail facility with its associated parking and drive-through on the total 1.094 acres. Entry would be off Rolyat Street (meeting all FDOT and engineering criteria) and have a connection through to the Chick-fil- a on the west side allowing for commercial connectivity off of Okeechobee Road between Rolyat Street and South Jenkins Road.

Development History:

There are 3 existing single-family homes on subject site.

Consistency with Comprehensive Plan:

The proposed Annexation of the subject site is consistent with the Policies and Objectives of the City of Fort Pierce Comprehensive Plan, as follows:

1.11 Objective

Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City.

The subject site provides for an orderly manner of annexation since it is contiguous with the City on both the south and east property lines. The surrounding properties are part of the Fort Pierce Utilities Authority Boundary.

1.11.1 Policy:

The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:
The subject site is located within the Urban Service Area Boundary and therefore consistent with this policy.

1.11.3 Policy:

The annexation program shall include fiscal impact analyses and plans for maintaining level of service standards consistent with the Comprehensive Plan.
As part of the Zoning Atlas Amendment a capacity analysis is included and meets the levels of service for this area.

1.11.5 Policy:

Properties annexed shall receive a land use designation compatible with its county land use designation, unless otherwise approved by the City Commission.
The subject site has a St. Lucie County Commercial Land Use which is consistent with the City.

1.11.7 Policy:

Existing structures on newly annexed properties shall be assessed for historic value according to the City's historic preservation ordinance and, if found to have such value, be incorporated into the City's list of designated structures.
The subject site has some existing single family dwelling that are of no historic significances.

Consistency with the Land Development Code:

Currently, the property has a Commercial Zoning District although St. Lucie County. The property development program will meet the City of Fort Pierce Land Development Code including the property development regulations of setbacks, dimension, parking and landscaping.

Surrounding Land Use:

The proposed commercial development is consistent with the surrounding land use and zoning.

Surrounding Land Use and Zoning Information:

	Land Use	Zoning	Approved Use
North	COFP – COMMERCIAL	COFP – C-3	Residential
South	COFP – COMMERCIAL	COFP – C-3	
East	Vacant	COFP – Commercial	COFP – C-3
West	Vacant	COFP – Commercial	COFP – C-3

Effect on the Natural Environment:

The proposed development will not result in a significantly adverse impact on the nature environment. Redevelopment of the subject site will enhance the public realm by the addition of landscape required vegetation and manage stormwater. Existing trees of value will be inventoried and a tree disposition plan developed.

Adequate Public Facilities:

The Applicant has included a Public Facilities statement as part of these applications along with the information included in the Capacity Analysis part of the Zoning Atlas Amendment.

On behalf of the applicant, Okee Properties, LLC and Gentile Glas Holloway O'Mahoney & Associates, Inc. respectfully request approval of this application. The Project Managers at Gentile Glas Holloway O'Mahoney & Associates, Inc. are Emily M. O'Mahoney, Dylan Roden and Patricia Lentini.

D. Solid Waste

- a) Residential properties 2 yards
- b) Proposed zoning maximum 4 yards

E. Stormwater

The surface water management system to serve the subject parcel of land will be designed and constructed to satisfy drainage requirements of the South Florida Water Management District (SFWMD), St. Lucie County, City of Ft. Pierce and other regulatory agencies.

1. Water control (stormwater management) for this area will be planned to meet several objectives as follows:
 - a. Remove excess water from the area during periods of prolonged rainfall or severe storms.
 - b. Exfiltration trenches and/or depressed open space areas will be utilized to satisfy regulatory criteria on water quality/water quantity.
 - c. Storm inlets and piping will be installed to receive and transmit storm runoff to an internal existing retention area to manage various rainfall events.
2. The project site will be limited to a peak discharge rate utilizing allowable runoff criteria as established by the SFWMD and St. Lucie County, City of Ft. Pierce criteria of regulatory agencies will be used during development of site grading and drainage plans. Legal positive outfall exists along the ditch on the east side of the property.

Pre vs Post runoff analysis will be accomplished during site development in order not to increase volume discharged. Appropriate stormwater management means and methods will be incorporated into drainage plans to satisfy adopted level of service.

**LEGAL DESCRIPTION
PREPARED FOR:
OKEE PROPERTIES, LLC**

EXHIBIT "A"

**SEMINOLE PARK SUBDIVISION
LOTS 3 & 4 AND
PORTION OF LOTS 1 & 2**

LEGAL DESCRIPTION:

A PARCEL OF LAND, BEING THE NORTH 80.00 FEET OF LOTS 1 AND 2, BLOCK 3 AND ALL OF LOTS 3 AND 4, BLOCK 3, AS SHOWN ON SEMINOLE PARK SUBDIVISION, RECORDED IN PLAT BOOK 10, PAGE 11, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 19, TOWNSHIP 35 SOUTH, RANGE 40 EAST; THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 19, NORTH 88°19'06" EAST, A DISTANCE OF 664.31 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 19; THENCE ALONG SAID EAST LINE, NORTH 00°23'26" WEST, A DISTANCE OF 126.19 FEET TO THE INTERSECTION THEREOF WITH THE EXISTING NORTHERLY RIGHT OF WAY LINE OF OKEECHOBEE ROAD (STATE ROAD 70), AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP - SECTION 94030-2516 AND THE WEST LINE OF SAID PLAT BOOK 10, PAGE 11; THENCE CONTINUE ALONG SAID EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 19 AND ALONG SAID WEST LINE OF PLAT BOOK 10, PAGE 11, NORTH 00°23'26" WEST, A DISTANCE OF 127.55 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 80.00 FEET OF SAID LOT 1, BLOCK 3 AND THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND;

THENCE CONTINUE ALONG SAID WEST LINE OF PLAT BOOK 10, PAGE 11, NORTH 00°23'26" WEST, A DISTANCE OF 240.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 4, BLOCK 3; THENCE ALONG THE NORTH LINE OF SAID LOT 4, BLOCK 3, NORTH 89°52'34" EAST, A DISTANCE OF 132.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 4, BLOCK 3; THENCE ALONG THE EAST LINE OF SAID LOTS 4, 3 AND 2, BLOCK 3, SOUTH 00°23'26" EAST, A DISTANCE OF 240.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 80.00 FEET OF SAID LOT 2, BLOCK 3; THENCE ALONG SAID SOUTH LINE OF THE NORTH 80.00 FEET OF LOTS 1 AND 2, BLOCK 3, SOUTH 89°52'34" WEST, A DISTANCE OF 132.00 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 31,680 SQUARE FEET OR 0.73 ACRES, MORE OR LESS.

REVISED LEGAL 02-23-18 - EC



LB4431

675 West Indiantown Road, Suite 200,
Jupiter, Florida 33458 TEL. 561-746-8454

CAD. K:\UST \ 193540 \ 10-11 \ 17-084-303 \ 17-084-303.DGN			
REF.			
FLD. _	FB. PG.	JOB 17-084-303	
OFF. CASASUS	_	DATE FEBRUARY 14, 2018	
CKD. D.C.L.	SHEET 1 OF 1	DWG. A17-084	

St. Lucie County File Date: 07/24/2014 12:00 AM

Filing # 16285931 Electronically Filed 07/24/2014 10:12:37 AM

PERSONAL REPRESENTATIVE'S RELEASE
AND CERTIFICATE OF DISTRIBUTION OF REAL PROPERTY
(single individual personal representative)

The undersigned, Karen Gelety whose post office address is: 2507 Lazy Hammock Lane, Fort Pierce, Florida, 34981, as personal representative of the estate of Michael D. Gelety deceased, hereby acknowledges that title to the real property located in St. Lucie County, Florida, owned by the decedent the time of death, described as follows:

Parcel 1:

The North 80 feet of Lots 1 and 2, Block 3, Seminole Park Subdivision, according to the Plat thereof as recorded in Plat Book 10, Page 11, Public Records of St. Lucie County, Florida.

Parcel 2:

Lots 1 and 2, Block 3, Seminole Park Subdivision, according to the Plat thereof as recorded in Plat Book 10, Page 11, Public Records of St. Lucie County, Florida.

Property Appraiser's Parcel Identification Number 2419-601-0039-000/9 (the "Property"), vested in Karen Gelety, whose post office address is: 2507 Lazy Hammock Lane, Fort Pierce, Florida 34981 (the "Beneficiary" or Beneficiaries") by operation of law as of the date of the decedent's death pursuant to Florida law as will more fully appear from the proceedings in the Circuit Court for St. Lucie County, Florida, Probate Division, in File No. 2013-CP-000876, subject to the rights of the personal representative under Sections 733.607 and 733.608 of the Florida Probate Code to:

1. Take possession or control of the Property, or
2. To use, sell, encumber or otherwise exercise control over the Property:
 - a. For the payment of devises, family allowance, elective share, estate and inheritance taxes, claims, charges, and expenses of the administration and obligations of the decedent's estate;
 - b. To enforce contribution and equalize advancement;
 - c. For distribution.

Having determined that the Property is not needed for any of the foregoing purposes, except distribution, and that the Property should be release and distributed to the Beneficiary or Beneficiaries, the personal representative, hereby releases the Property from all rights and powers of the personal representative and acknowledges that the Property is vested in Karen Gelety free of all rights of the personal representative.



St. Lucie County File Date: 07/24/2014 12:00 AM

IN WITNESS WHEREOF, the undersigned, as personal representative of the estate of the decedent, has executed this instrument on: July 16th, 2014.

Executed in the presence of:

Jenny Blecker
Witness Signature

Jenny Blecker
(Print Witness Name)

Trudy A Russo
Witness Signature

TWDY G. RUSSO
(Print Witness Name)

Karen Gelety
Karen Gelety
As Personal Representative of the Estate of
Michael D. Gelety, deceased.

STATE OF: FLORIDA)
COUNTY OF: ST. LUCIE)

The foregoing instrument was acknowledged before me on July 16th, 2014, by Karen Gelety, as personal representative of the estate of Michael D. Gelety, deceased, who is personally known to me or who produced; _____ as identification.

(Affix Notarial Seal)



Brenda L. Hadden
Notary Public, State of Florida

My Commission Expires: 5-5-18

My Commission Number is: FF 102119

This instrument prepared by:

Ronald M. Rowars, Esquire
Attorney for Personal Representative
1908 SE Port St. Lucie Boulevard
Port St. Lucie, Florida 34952
(772) 337-1146

P-5.0600 2of 2
#4

STATE OF FLORIDA
ST. LUCIE COUNTY
THIS IS TO CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY OF THE
ORIGINAL.
By: Joseph E. Smith
Deputy Clerk
Date: FEB 20 2018



St. Lucie County File Date: 07/24/2014 12:00 AM

Filing # 16285931 Electronically Filed 07/24/2014 10:12:37 AM

PERSONAL REPRESENTATIVE'S RELEASE
AND CERTIFICATE OF DISTRIBUTION OF REAL PROPERTY
(single individual personal representative)

The undersigned, Karen Gelety whose post office address is: 2507 Lazy Hammock Lane, Fort Pierce, Florida, 34981, as personal representative of the estate of Michael D. Gelety deceased, hereby acknowledges that title to the real property located in St. Lucie County, Florida, owned by the decedent the time of death, described as follows:

Lot 4, Block 3, Seminole Park Subdivision, according to the Plat thereof recorded in Plat Book 10, page 11, of the Public Records of St. Lucie County, Florida.

Property Appraiser's Parcel Identification Number 2419-601-0042-000/3 (the "Property"), vested in Karen Gelety, whose post office address is: 2507 Lazy Hammock Lane, Fort Pierce, Florida 34981 (the "Beneficiary" or Beneficiaries") by operation of law as of the date of the decedent's death pursuant to Florida law as will more fully appear from the proceedings in the Circuit Court for St. Lucie County, Florida, Probate Division, in File No. 2013-CP-000876, subject to the rights of the personal representative under Sections 733.607 and 733.608 of the Florida Probate Code to:

1. Take possession or control of the Property, or
2. To use, sell, encumber or otherwise exercise control over the Property:
 - a. For the payment of devises, family allowance, elective share, estate and inheritance taxes, claims, charges, and expenses of the administration and obligations of the decedent's estate;
 - b. To enforce contribution and equalize advancement;
 - c. For distribution.

Having determined that the Property is not needed for any of the foregoing purposes, except distribution, and that the Property should be release and distributed to the Beneficiary or Beneficiaries, the personal representative, hereby releases the Property from all rights and powers of the personal representative and acknowledges that the Property is vested in Karen Gelety free of all rights of the personal representative.



St. Lucie County File Date: 07/24/2014 12:00 AM

IN WITNESS WHEREOF, the undersigned, as personal representative of the estate of the decedent, has executed this instrument on: July 16th, 2014.

Executed in the presence of:

Jenny Blecker
Witness Signature

Karen Gelety
Karen Gelety
As Personal Representative of the Estate of
Michael D. Gelety, deceased.

Jenny Blecker
(Print Witness Name)

Tруды Р. Руссо
Witness Signature

TRUDY G. RUSSO
(Print Witness Name)

STATE OF: FLORIDA)
COUNTY OF: ST. LUCIE)

The foregoing instrument was acknowledged before me on July 16th, 2014, by Karen Gelety, as personal representative of the estate of Michael D. Gelety, deceased, who is personally known to me or who produced; _____ as identification.

(Affix Notarial Seal)



Brenda L. Hadden
Notary Public, State of Florida

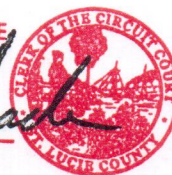
My Commission Expires: 5-5-18
My Commission Number is: FF 102 119

This instrument prepared by:

Ronald M. Rowars, Esquire
Attorney for Personal Representative
1908 SE Port St. Lucie Boulevard
Port St. Lucie, Florida 34952
(772) 337-1146

P-5 0600 2of2
#4

STATE OF FLORIDA
ST. LUCIE COUNTY
THIS IS TO CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY OF THE
ORIGINAL.
JOSEPH E. SMITH, CLERK
BY: Chelsea Anderson
Date: FEB 20 2018



St. Lucie County File Date: 07/24/2014 12:00 AM

Filing # 16285931 Electronically Filed 07/24/2014 10:12:37 AM

PERSONAL REPRESENTATIVE'S RELEASE
AND CERTIFICATE OF DISTRIBUTION OF REAL PROPERTY
(single individual personal representative)

The undersigned, Karen Gelety whose post office address is: 2507 Lazy Hammock Lane, Fort Pierce, Florida, 34981, as personal representative of the estate of Michael D. Gelety deceased, hereby acknowledges that title to the real property located in St. Lucie County, Florida, owned by the decedent the time of death, described as follows:

Lot 3, Block 3, Seminole Park Subdivision, according to the Plat thereof recorded in Plat Book 10, page 11, of the Public Records of St. Lucie County, Florida.

Property Appraiser's Parcel Identification Number 2419-601-0041-000/6 (the "Property"), vested in Karen Gelety, whose post office address is: 2507 Lazy Hammock Lane, Fort Pierce, Florida 34981 (the "Beneficiary" or Beneficiaries") by operation of law as of the date of the decedent's death pursuant to Florida law as will more fully appear from the proceedings in the Circuit Court for St. Lucie County, Florida, Probate Division, in File No. 2013-CP-000876, subject to the rights of the personal representative under Sections 733.607 and 733.608 of the Florida Probate Code to:

1. Take possession or control of the Property, or
2. To use, sell, encumber or otherwise exercise control over the Property:
 - a. For the payment of devises, family allowance, elective share, estate and inheritance taxes, claims, charges, and expenses of the administration and obligations of the decedent's estate;
 - b. To enforce contribution and equalize advancement;
 - c. For distribution.

Having determined that the Property is not needed for any of the foregoing purposes, except distribution, and that the Property should be release and distributed to the Beneficiary or Beneficiaries, the personal representative, hereby releases the Property from all rights and powers of the personal representative and acknowledges that the Property is vested in Karen Gelety free of all rights of the personal representative.



St. Lucie County File Date: 07/24/2014 12:00 AM

IN WITNESS WHEREOF, the undersigned, as personal representative of the estate of the decedent, has executed this instrument on: July 16th, 2014.

Executed in the presence of:

Jenny Blecker
Witness Signature

Jenny Blecker
(Print Witness Name)

Trudy A Russo
Witness Signature

TRUDY G. RUSSO
(Print Witness Name)

Karen Gelety
Karen Gelety
As Personal Representative of the Estate of
Michael D. Gelety, deceased.

STATE OF: FLORIDA)
COUNTY OF: ST. LUCIE)

The foregoing instrument was acknowledged before me on July 16th, 2014, by Karen Gelety, as personal representative of the estate of Michael D. Gelety, deceased, who is personally known to me or who produced; _____ as identification.

(Affix Notarial Seal)



Brenda L. Hadden
Notary Public, State of Florida

My Commission Expires: 5-5-18
My Commission Number is: FF 102 119

This instrument prepared by:

Ronald M. Rowars, Esquire
Attorney for Personal Representative
1908 SE Port St. Lucie Boulevard
Port St. Lucie, Florida 34952
(772) 337-1146

P-5.0600 2of2
#4

STATE OF FLORIDA
ST. LUCIE COUNTY
THIS IS TO CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY OF THE
ORIGINAL.
JOSEPH E. SMITH, CLERK
By: [Signature]
Deputy Clerk
Date: FEB 20 2018



Property Identification

Site Address:	2607 ROLYAT ST
Parcel ID:	2419-601-0041-000-6
Account #:	27514
Map ID:	24/19N
Use Type:	0100
Zoning:	CO
City/County:	Saint Lucie County

Ownership

Karen Gelety
2507 Lazy Hammock Ln
Fort Pierce, FL 34981


Legal Description

SEMINOLE PARK S/D BLK 3 LOT 3 (MAP 24/19N) (0.24 AC) (OR 3656-751)

Current Values

Just/Market Value:	\$30,500
Assessed Value:	\$21,417
Exemptions:	\$0
Taxable Value:	\$21,417

Taxes for this parcel: [SLC Tax Collector's Office](#) 

Download TRIM for this parcel: [Download PDF](#) 



Total Areas

Finished/Under Air (SF):	795
Gross Area (SF):	1,676
Land Size (acres):	0.24
Land Size (SF):	10,454.4

Property Identification

Site Address: 2609 ROLYAT ST
Parcel ID: 2419-601-0040-000-9
Account #: 27513
Map ID: 24/19N
Use Type: 0100
Zoning: CG
City/County: Saint Lucie County



Ownership

Karen Gelety
2507 Lazy Hammock Ln
Fort Pierce, FL 34981

Legal Description

SEMINOLE PARK S/D BLK 3 N 80 FT OF LOTS 1 AND 2 (MAP 24/19N) (0.24AC) (OR 1272-1922: 3656-749)

Current Values

Just/Market Value:
Assessed Value:
Exemptions:
Taxable Value:
Taxes for this parcel: [SLC Tax Collector's Office](#) 
Download TRIM for this parcel: [Download PDF](#) 



Total Areas

Finished/Under Air (SF):	822
Gross Area (SF):	888
Land Size (acres):	0.24
Land Size (SF):	10,454.4

Property Identification

Site Address:	5550 OKEECHOBEE RD
Parcel ID:	2419-601-0039-000-9
Account #:	27512
Map ID:	24/19N
Use Type:	2700
Zoning:	C3
City/County:	Fort Pierce

Ownership


Karen Gelety
2507 Lazy Hammock Ln
Fort Pierce, FL 34981


Legal Description

SEMINOLE PARK S/D BLK 3 LOTS 1 AND 2 LYG NLY OF I-95 R/W-LESS N 80 FT- (0.41 AC) (MAP 24/19N) (OR 1272-1922: 3656-749)

Current Values

Just/Market Value:	\$74,300
Assessed Value:	\$74,300
Exemptions:	\$0
Taxable Value:	\$74,300

Taxes for this parcel: [SLC Tax Collector's Office](#) 

Download TRIM for this parcel: [Download PDF](#) 



Total Areas

Finished/Under Air (SF):	280
Gross Area (SF):	600
Land Size (acres):	0.41
Land Size (SF):	17,859.6

Property Identification

Site Address:
Parcel ID:
Account #:
Map ID:
Use Type:
Zoning:
City/County:

Ownership

Legal Description

Current Values

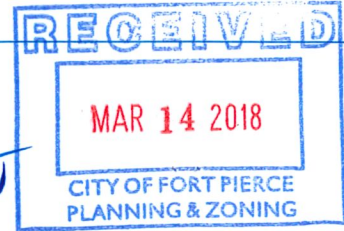
Just/Market Value:	\$22,900
Assessed Value:	\$17,050
Exemptions:	\$0
Taxable Value:	\$17,050

Taxes for this parcel: [SLC Tax Collector's Office](#)
Download TRIM for this parcel: [Download PDF](#)



Total Areas

Finished/Under Air (SF):	624
Gross Area (SF):	921
Land Size (acres):	0.24
Land Size (SF):	10,454.4



To : Brandon Creagan, Planner
FROM : John R. Andrews, P.E., City Engineer
RE : Starbucks Annexation & Rezoning – 5550 Okeechobee Road
TRC No. 18-02000001
DATE : March 14, 2018

This is to advise you that we have completed the review of the following documents as received by this office on February 22, 2018:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Annexation & Rezoning Application | <input type="checkbox"/> P/D Drawings |
| <input type="checkbox"/> Test Reports & Related Documents | <input type="checkbox"/> Certificate of Completion |
| <input type="checkbox"/> Record Drawings | <input type="checkbox"/> Permits from applicable Local, State & Federal Agencies |
| <input type="checkbox"/> Clearances from all applicable Local, State and Federal Agencies | |

Based on our reviews and appropriate site final inspection, we

- Recommend Do Not Recommend
- Approval Annexation/Rezone Building Permit C/O

Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

- See attached for engineering comments

JRA/TST/tst



TECHNICAL REVIEW COMMITTEE (TRC) COMMENTS FORM

FROM : Paul Thomas, CBO, CFM, Building Official

**RE : 2609, 2906,&2605 Rolyat St. – Annex. & Zoning Atlas Map. Amd. – BHT
Properties (BC)**

DATE : March 15, 2018

The proposed may trigger the following Code requirements:

1. Change address to reflect 2607 Rolyat St., parcel #2419-601-0040-0009
2. Unity of title?

PT/km

**Project: STARBUCKS ANNEXATION AND
ZONING CHANGE**

Subject: Review Comments
To: Brandon Creagan
From: Rod Reed, County Surveyor
PW-Engineering Division
Date March 12, 2018

All comments are based on the Standards of Practice per 5J-17.050 thru 5J-17.052

SURVEY:

- 1) Please add this statement to your survey report. All measurements are in accordance with the United States standard, in feet.
- 2) In the survey report please provide the last day of data acquisition.
- 3) In the survey report add the following: Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- 4) Are the bearings assumed?
- 5) In the survey report please add and describe the originating benchmark that was used for the elevations.
- 6) Please add St. Lucie County to the "Prepared For" use.
- 7) "Advisory Comment" Please file certified corner records within 90 days of the survey.

Please provide a written response to all comments

Rod Reed, County Surveyor
St. Lucie County, Fl.
2300 Virginia Avenue
Ft. Pierce, Fl. 34982-5652
www.stlucieco.org
Ph. (772) 462-1721
E-mail reedr@stlucieco.org



ST. LUCIE COUNTY
 PLANNING & DEVELOPMENT SERVICES
 TECHNICAL REVIEW LETTER

TO: Brandon Creagan, LEED Green Associate, Planner

THROUGH: Mayte Santamaria, AICP, Assistant Director

FROM: Kori Benton, Senior Planner

DATE: March 12, 2018

SUBJECT: Annexation & Zoning Atlas Map Amendment – Okeechobee Properties LLC
 2609, 2906, & 2605 Rolyat Street

Background

The St. Lucie County Planning & Development Services Department has completed a review of the March 1st, 2018 distribution of TECHNICAL REVIEW PROJECT# 18-02000001.

The applicant is requesting Voluntary Annexation with a concurrent Zoning Atlas Amendment for adjoining parcels located at 2609, 2906, & 2605 Rolyat Street. The combined site is .73 acres, with one (1) parcel currently within the CG, Commercial General District, and remaining two (2) parcels within the CO, Commercial Office district. All three parcels have a COM, Commercial Future Land Use.

The Parcel IDs for the lots are 2419-601-0040-000-9, 2419-601-0041-000-6, & 2419-601-0042-000-3.

Review Comments

- 1) Please revise Page 2 of the Zoning Atlas Amendment Application, subsection 11. I. Site Data, to reflect the current zoning classification of CO, Commercial Office (SLC). Additionally, as Survey of the property has been completed, please update the site data to reflect a total acreage of .73 acres, per the sketch & legal.

11. CAPACITY ANALYSIS

I. Site Data:

	Existing Use	Future Land Use	Zoning
North	residential	COFP - Commercial	COFP - C-3
South	Okeechobee Road	Okeechobee Road	Okeechobee Road
East	Vacant	COFP - Commercial	COFP - C-3
West	Vacant	COFP - Commercial	COFP - C-3

	Future Land Use	Zoning Classification	Maximum Intensity Residential: Dwelling Units per Acre Other: Square Footage	Total Acreage	Flood Zone
Current	SLC - Com	SLC - CN		.89	
Proposed	COFP - Com	COFP - C-3		.89	N/A

- 2) Please revise the Development Program to reflect shared access with the “Chick-fil-a” development to the west.

Development Program:

The three properties subject to this request will be combined with the adjacent property to the south which is already within the City limits and faces directly on Okeechobee Road. The development program is to create a fast food retail facility with its associated parking and drive-through on the total 1.094 acres. Entry would be off Rolyat Street (meeting all FDOT and engineering criteria) and have a connection through to the Chick-fil-a on the west side allowing for commercial connectivity off of Okeechobee Road between Rolyat Street and South Jenkins Road.

- 3) The applicant is encouraged to preserve and incorporate the native (oak & pine) trees existing within the development plan, where feasible. The City of Fort Pierce offers notable offsets and incentives for such retention and presentation.
- 4) The properties situated to the north, east, and northeast, are within the CO, Commercial Office District, however many remain occupied with single-family residences. A neighborhood meeting may be considered to present the detail and scope of the proposal to adjacent residents.

Please contact Kori Benton at 772-462-2518 if you have any questions or would like to discuss the presented comments.

FPUA Comments

Annexation & Zoning Atlas Map Amendment –Okeechobee Road Properties – 2609, 2906, &2605 Rolyat Street

- W/WW Engineering: Water and Wastewater is available for this site. Please contact James Carnes, P.E. with FPUA W/WW Engineering @ 772-466-1600 x3472 for information.
- Electric & Gas Engineering: Electric is available. Please contact Sal Scimeca for Details (772)466-1600x6957. Gas is available. Please contact Ana Johnson (772)466-1600x6628



March 28, 2018

Mr. Brandon Creagan, Planner
City of Fort Pierce Planning & Zoning
2300 Virginia Avenue
Ft. Pierce, FL 34982-5652

RE: STARBUCKS ANNEXATION & REZONING – 5550 OKEECHOBEE ROAD – TRC
NO. 18-02000001

Dear Mr. Creagan:

Pursuant to comments received from staff at the TRC meeting on March 15, 2018 and based on a submittal of February 21, 2018 please accept this letter as a written response. Also, included with this letter are the revised plans, which address the comments where applicable. For your convenience we have prepared our responses in **bold italics**.

Comments from John R. Andrews, P.E. City Engineer

No Comments from City Engineer

Comments from Paul Thomas, CBO, CFM, Building Official

1. Change address to reflect 2607 Rolyat Street, parcel #2419-601-0040-0009.
Response: The application reflects the correct address for the Property Control Number.
2. Unity of Title?
Response: The property will be platted after Site Plan approval.

Comments from Paul Thomas, CBO, CFM, Building Official

1. Please add this statement to your survey report. All measurements are in accordance with the United States standard, in feet.
Response: The statement has been added to the survey.
2. In the survey report please provide the last day of data acquisition.
Response: Date of data acquisition has been added to the survey.

3. In the survey report add the following: Additions or deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

Response: The statement has been added to the survey.

4. Are the bearings assumed?

Response: Bearings are grid and a notation has been added to the survey.

5. In the survey report please add and describe the originating benchmark that was used for the elevations.

Response: Primary originating benchmark has been added to the survey.

6. Please add St. Lucie County to the "Prepared For" use.

Response: St. Lucie County has been added to the survey.

7. "Advisory Comment" please file certified corner records within 90 days of the survey.

Response: The section corner does not physically exist. The state plane coordinates were obtained from the current FDOT right of way map, a notation to that affect has been added to the survey.

Comments from Kori Benton, St. Lucie County Planning & Development Services

1. Please review Page 2 of the Zoning Atlas Amendment Application, subsection 11.I. Site Data, to reflect the current zoning classification of CO, Commercial Office (SLC). Additionally, as Survey of the property has been completed, please update the site data to reflect a total acreage of .73 acres, per the sketch & legal.

Response: The application has been amended.

2. Please revise the Development Program to reflect shared access with the "Chick-fil-a" development to the west.

Response: Development program that referenced "Chick-fil-a" has been corrected.

3. The applicant is encouraged to preserve and incorporate the native (oak & pine) trees existing within the development plan, where feasible. The City of Fort Pierce offers notable offsets and incentives for such retention and presentation.

Response: The majority of trees are being preserved on site with the modified site plan.

4. The properties situated to the north, east, and northeast, are within the CO, Commercial Office District, however many remain occupied with single-family residences. A neighborhood meeting may be considered to preset the detail and scope of the proposal to adjacent residents.

Response: The applicant will send a flyer to the surrounding property owners within 500 feet to inform them of the Annexation and Rezoning of the subject site.

Comments from FPUA

1. W/WW Engineering: Water and Wastewater is available for this site. Please contact James Carnes, P.E. with FPUA W/WW Engineering – 772-466-1600x3472 for information.
2. Electric & Gas Engineering: Electric is available. Please contact Sal Scimeca for details – 772-466-1600x6957; gas is available – contact Ana Johnson – 772-466-1600x6628.

Should you have any questions regarding the resubmittal please do not hesitate to contact me at 561-575-9557 or email me at Emily@2gho.com.

Respectfully,


Gentile Glas Holloway O'Mahoney & Associates, Inc.



Emily O'Mahoney, PLA, ASLA
Partner

S. Jenkins Road

Rolyat Street

 Subject Site

Okeechobee Road

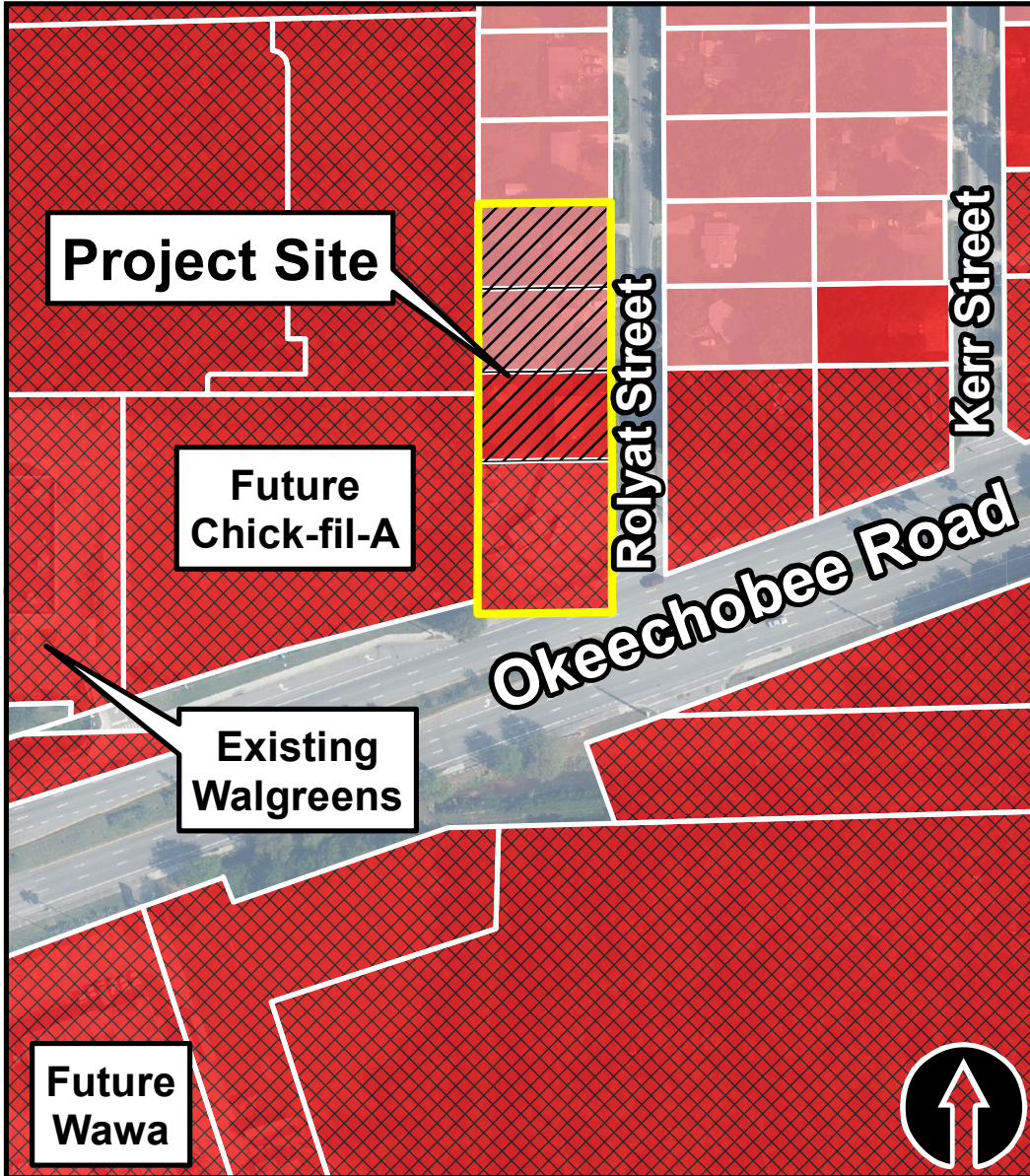


Annexation
2605, 2607, & 2609 Rolyat Street
Site Map



5550 Okeechobee Road


Annexation & Rezoning City of Fort Pierce, Florida




Legend

 Project Site

Fort Pierce Ex. Zoning
Zoning

 C3 - General Commercial

St. Lucie Ex. Zoning
Zoned

 CG - Commercial General

 CO - Commercial Office

Parcels to be Annexed

 To Fort Pierce C-3 Zoning

An application for Annexation from St. Lucie County to the City of Fort Pierce and a Rezoning from St. Lucie County Commercial General and Commercial Office to the City of Fort Pierce C3- General Commercial Zoning District. The subject application is on .73 acres of land located east of the existing Walgreens and Chick-fil-A Restaurant on the north side of Okeechobee Road.

**City of Fort Pierce
Planning & Zoning Public Hearing
April 10th @ 6:00 p.m.**

Planning Board

6.b.

Meeting Date: 04/10/2018

Information

REQUESTED ACTION

Zoning Atlas Amendment - BHT Properties - 3798 Selvitz Road

LOCATION

3798 Selvitz Road

RESPONSIBLE STAFF

Vennis Gilmore, Planning Analyst

Brandon Creagan, LEED Green Associate, Planner

RECOMMENDATION

Approval

Attachments

Staff Report

Aerial & Zoning Maps

Application with Attachments

Survey

Warranty Deed

Form Review


Form Started By: Vennis Gilmore


Started On: 04/03/2018 04:48 PM

Final Approval Date: 04/04/2018



TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Director 

FROM: Vennis Gilmore, Planning Analyst, Brandon Creagan, LEED Green Associate, Planner 

RE: **Application for a Zoning Atlas Amendment (Rezoning)**
BHT Properties Group, LLC
3798 Selvitz Road

DATE: April 3, 2018

STAFF REPORT

Owner: Cargill Juice N America Inc
 PO Box 5626
 Minneapolis, MN 55440

Applicant: BHT Properties Group, LLC (Attn: Yaniv Cohen)
 5081 SW 48th Street, Ste. 103
 Davie, FL. 33314

Requested Action: Approval to rezone the subject property from IH, Industrial Heavy (St. Lucie County Zoning) to I-3, Heavy Industrial (City of Fort Pierce Zoning)

Site Location: 3798 Selvitz Road

Parcel ID: 2429-331-0003-000-1

Existing Use: Vacant - Cargill Industries, Citrus Juicing Plant

Parcel Size: 39.71 acres

Current Zoning: Industrial Heavy (IH) – St. Lucie County Zoning

Future Land-Use: Heavy Industrial (HI)

Proposed Zoning: Heavy Industrial (I-3)

Surrounding Zoning:

North	East	South	West
IH/I-1/RS-2/Ten Mile Creek	PD	IH	IH

Utilities: Located within the FPUA Retail Service Area

Staff Analysis:

Request

In accordance with Sections 22-128 & 22-143 of the City Code, the applicant is requesting the review and approval of a Zoning Atlas Amendment (Rezoning) from IH, Industrial Heavy (SLC Classification) to I-3, Heavy Industrial.. The subject property is currently zoned IH, Industrial Heavy, which is a St. Lucie County zoning designation held since the time of annexation.

Background & Project Summary

The subject site was annexed into City limits in 2004 via Ordinance K-310 for the purpose of annexing property generally located between Selvitz Road and 25th Street. The subject property, in a group of seven parcels, was annexed because it was identified as being contiguous to the municipal boundary and there were corresponding FPUA annexation agreements on file with the City.

Three of the seven parcels annexed were designated with an IH, Heavy Industrial, zoning classification by St. Lucie County at the time of annexation; however, the City Code did not include a heavy industrial zoning classification until several years after annexation, in December, 2008 via Ordinance L-63. In the absence of an equivalent City of Fort Pierce zoning designation to assign, the property has retained the St. Lucie County IH, Industrial Heavy designation.

The applicant is seeking to establish an Auto Recovery/Insurance Inspection Center in an existing building; located at the subject site. The use includes mandated inspections performed only to determine the condition of the vehicle. This location will become a transfer center for vehicles before being sent to a salvage yard. The existing building is approximately 19,500 sq. ft. and has 30 parking spaces. The site is situated to the east of Selvitz Road and is adjacent to many existing industrial uses along this corridor. Action to rezone the property from the St. Lucie County designation to the equivalent City designation is necessary, and sought by the applicant to advance consideration of the subject project.

Per City Code Section 22-22. – Allowed Uses: The use is permitted as a conditional use in the I-3, Heavy Industrial zoning district. The applicant has submitted a conditional use application to seek approval by the City Commission.

Future Land Use Designation & Comprehensive Plan

The subject site has a future land use designation of Heavy Industrial (HI). This designation is intended for parcels suitable for industrial development, to promote the City's position as a major employment center. The uses allowed under this designation include intensive manufacturing and processing facilities; storage and distribution facilities; warehousing; general and intensive commercial uses; large business parks; office, retail, and service uses that provide support to employees; and compatible public, quasi-public, and special uses. This land use designation allows a maximum Floor Area Ratio (FAR) of 2.0.

The requested zoning designation is consistent with the Future Land Use element of the Comprehensive Plan.

Standards for Review

The following standards must be satisfied per Section 22-131 of the City Code prior to the approval of the requested amendment:

- (1) The amendment is consistent with the comprehensive plan;
- (2) The amendment will not have an adverse effect on the ability of the city to:
 - a. Satisfy land and water use needs; and
 - b. Meet transportation demands and provide community facilities and services; and
- (3) The amendment will promote and protect the public health, safety and general welfare.

The proposed amendment is consistent with the Goals, Objectives, and Policies of the City's Comprehensive Plan, holding a future land use designation of Heavy Industrial (HI). Furthermore, the amendment should not have adverse an effect on the ability of the city to satisfy land and water use needs, meet transportation demands, and provide community facilities and services. The presented amendment promotes and protects the public health, safety and general welfare through the designation of lands; when location and characteristics are appropriate, to provide manufacturing and processing facilities, distribution facilities, warehousing, and intensive commercial uses to promote the City's position as a major employment center. Specific uses and developments shall comply with established land development regulations, and seek to ensure minimal impacts to neighboring uses or districts.

Technical Review Committee

All affected departments have reviewed the proposed Zoning Atlas Amendment for consistency with the requirements of the City Code. Findings and comments from review by affected departments, and the corresponding responses and plan amendments by the applicant are provided for consideration.

Staff Recommendation:

The proposed amendment meets the criteria specified in Section 22-131 of the City Code, and is consistent with the City's Comprehensive Plan, and annexation policies; therefore Staff recommends the Planning Board forward a recommendation of **approval** of the proposed amendment.



Proposed Rezoning Site
(39.71 acres)

ACCESS DRIVE



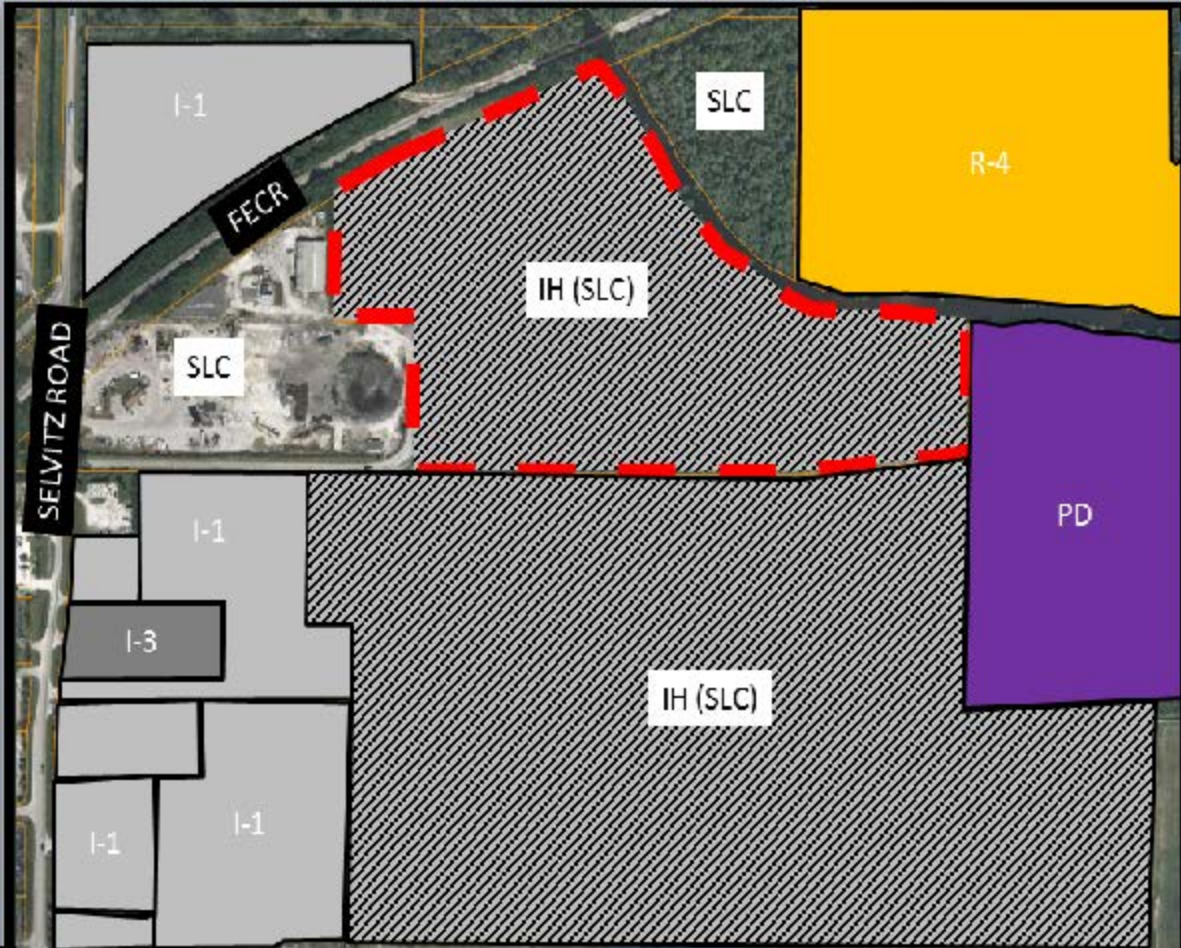
c

BHT Properties
3798 Selvitz Road

Aerial Map



THE SUNRISE CITY
FORT PIERCE
Florida



BHT Properties
3798 Selvitz Road
Zoning Map



THE SUNNYSIDE CITY
FORT PIERCE
Florida



I-3 Heavy Industrial



I-1 Light Industrial



IH Industrial Heavy (SLC)



PD Planned Development



R-4 Medium Density Residential



APPLICATION FOR ZONING ATLAS MAP AMENDMENT

Application submission shall include the following:

- TRC (*Initial Submission): One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- Planning Board: One (1) original and (16) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- City Commission: One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

- Warranty Deed & Legal Description
- St. Lucie County Property Record Card
- Statement of why there is a need for the proposed future land use map amendment and how the amendment will result in an orderly and logical development pattern; statements how amendment(s) are consistent with Comprehensive Plan; how future land use designation is compatible with future land use designations and existing land uses surrounding the amended lands; identify future land use designations and existing land uses within a ½ mile of the subject property that have the same or greater type of proposed future land use designation; data and analysis to support conclusions.
- Current Survey
- n/a Environmental Study
- n/a Traffic Impact Report
- *** Capacity Analysis-Separate Form
- n/a Drainage Analysis
- n/a Historical Report
- 1 CD of all documents submitted in PDF
- Other _____

1.	Property Address/Location:	3798 Selvitz Road, Ft. Pierce, Florida 34981		
	Legal Description:	SEE ATTACHED		
2.	Property Tax ID(s):	2429-331-0003-000-1	xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x
		xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x	xxxx-xxx-xxxx-xxx/x
3.	Total Acreage:	39.71	Acres	1,729,768
				Sq Ft
4.	Existing Future Land Use Designation:	HI (Heavy Industrial)		
5.	Existing Zoning Classification:	IH (St. Lucie County Zoning Designation)		
6.	Proposed Zoning Classification:	I-3 (Heavy Industrial)		
7.	Other applications being submitted concurrent with this application, if any:	Yes, a conditional use application.		

8. Describe the existing uses, improvements and structures on the amendment lands:

Site is currently vacant. The subject site was formerly the old Cargill Industries, Citrus Juicing Plant.

9. Are there any identified or possible historical structures on the amendment lands? No.

10. The reason for making this request:

Purpose of the requested change in zoning is to place the described property into a conforming City of Ft. Pierce Zoning Category in order to allow future uses consistent with City Use/Activity Classifications

11. Capacity Analysis:

I. Site Data:

	Existing Use	Future Land Use	Zoning
North	Public Conservation (SFWMD/ SLC)	Medium Density Residential (RM)	R4 - Medium Density Residential
South	Industrial	Heavy Industrial (HI)	I3 (Industrial Heavy)
East	Residential & Ft. Pierce Central High School	Low Density Residential (RM)	PD – Planned Development R4 - Medium Density Residential
West	Misc. Industrial Uses	Heavy Industrial (HI))	R4 - Medium Density Residential

	Future Land Use Classification	Zoning Classification	Maximum Intensity Residential: Dwelling Units per Acre Other: Square Footage	Total Acreage	Flood Zone
Current Current	Heavy Industrial (HI)	IH (St. Lucie County Zoning Designation)	205,114 sq ft (estimated @ 15,000 sf/acre) subject to site design & permitting	39.71	Varies (see attached)
Proposed	Heavy Industrial (HI)	I-3 (Heavy Industrial)	205,114 sq ft (estimated @ 15,000 sf/acre) subject to site design & permitting	39.71	Varies (see attached)

II. Public Facilities Information:

A. Potable Water:		
Average Use	Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) Other: 0.125 gallons per day per square foot	
Demand Analysis	Maximum:	
Current Zoning	Total gallons per day	25,639 gpd (maximum bldg. sq feet assumed at 205,114 sq ft)
Proposed Zoning	Total gallons per day	25,639 gpd (maximum bldg. sq feet assumed at 205,114 sq ft)
Change in Demand	Total gallons per day	0 gpd

B. Wastewater:		
Average Use	Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) Other: 0.1 gallons per day per square foot	
Demand Analysis	Maximum	
Current Zoning	Total gallons per day	20,511 gpd (maximum bldg. sq feet assumed at 20,511 sq ft)
Proposed Zoning	Total gallons per day	20,511 gpd (maximum bldg. sq feet assumed at 20,511 sq ft)
Change in Demand	Total gallons per day	0 gpd

C. Parks and Recreation (Residential Classifications Only): (Du x 2.6 = persons + 44,227 = population /LOS)				
Park Type	LOS	Existing Population Park Demand	Proposed Population Park Demand	Change in Demand
Regional	20 acres per 1,000 people	0	0	0
Urban District	5 acres per 1,000 people	0	0	0
Community	2.5 acres per 1,000 people	0	0	0
Neighborhood	1.36 acres per 1,000 people	0	0	0

D. Public Schools (Residential Classifications Only): Single Family: (du x 0.405 = students/70% K-8/30% High) Multi-family: (du x 0.207 = students/70% K-8/30% High)		
	K-8	High
School Name	n/a	n/a
City	n/a	n/a
Distance	n/a	n/a
Current Zoning Enrollment Demand	n/a	n/a
Proposed Zoning Enrollment Demand	n/a	n/a
Change in Demand	n/a	n/a

E. Solid Waste: 2 yard serves 15 units, 4 yard serves 30 units, 6 yard serves 45 units, 8 yard serves 60 units	
Demand Analysis	Maximum
Current Zoning	IH (St. Lucie County Zoning Designation)
Proposed Zoning	I-3 (Heavy Industrial)
Change in Demand	0

F. Stormwater:

Potential increase in volume discharged due to increased impervious coverage, reduced groundwater seepage or loss of surface water storage impacting Adopted LOS of 25-year 3-day storm Pre vs. Post Runoff (Storm sewers to convey 5 year- 1 day storm event; Canals to convey 3 year – 1 day storm event)

Impact

The proposed change in zoning will not, by itself result in any change in potential levels of impervious surfaces. Both the current County industrial and the proposed City industrial classification provide for similar lot coverage's with impervious areas.

G. Transportation Analysis:

Most recent ITE Code for use; HCM Roadway Capacity

	AADT	AM/PM Peak Hour Trips
Demand Analysis	Maximum (ITE 120) (sq ft)	Maximum (ITE 120) (pm peak)
Current Zoning	IH (St. Lucie County Zoning Designation)	IH (St. Lucie County Zoning Designation)
Proposed Zoning	I-3 (Heavy Industrial)	I-3 (Heavy Industrial)
Trips	308 trips	139
Change in Demand	0 Trips	0 Trips
Impact to Capacity	none	none

12. Name of Owner(s): Cargill Juice N America, Inc.
 Mailing Address: P.O. Box 5626
 City: Minneapolis
 State: Minnesota Zip: 55440
 Phone #: _____ E-mail: _____

Name of Owner(s): _____
 Mailing Address: _____
 City: _____
 State: _____ Zip: _____
 Phone #: _____ E-mail: _____

13. Name of Applicant : BHT Properties Group, LLC (Attn.: Yaniv Cohen)
 Mailing Address: 5081 SW 48th Street, Ste. 103
 City: Davie
 State: Florida Zip: 33314
 Phone #: _____ E-mail: yanivc@bhtpropertiesgroup.com

14. Name of Representative: Patrick J. Ferland, PE
 Mailing Address: 2980 South 25th Street
 City: Ft. Pierce
 State: Florida Zip: 34981
 Phone #: 772-464-3537 E-mail: Pferland@ct-eng.com

15. Applicant Acknowledgements (Owner's signature must be notarized)

I certify that: (Check One)

I (we) do hereby certify that I (we) own in fee simple the above referenced described property for which a change in Zoning Classification is requested.

xx I (we) are not the owner of the above described property; however, the owners signature below authorizes the applicants the authority to act as agent for the owner(s) of record.

Applicant's Signature _____ Date 2/9/18

5081 SW 48TH ST SUITE 103 _____ FL _____ 33314
Address State Zip

Phone _____ Fax _____ E-mail Address _____

STATE OF: FL
COUNTY OF: Broward

The foregoing instrument was acknowledged before me this 9 day of February
2018 by ARIEL ETRY who is personally
known to me or who has produced _____ as identification.

Signature of Notary _____ Yaniv Cohen
Type or Print Name of Notary



Yaniv Cohen
COMMISSION # FF153720
EXPIRES: Sept. 10, 2018
WWW.AARONNOTARY.COM
Commission Number (Seal)

[go to next page]

16. Property Owners Acknowledgements: -

This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application for a change in zoning classification. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Agent to act in his/her behalf for the purposes of seeking this change to the City' Land Development Regulations for the property described herein.

Cargill Juice NA
Property Owners Name (Please Print)

Tom Abrahamson
Property Owners Signature

11-28-17
Date

P.O. Box 5626
Address

MN
State

55440
Zip

612-817-7360
Phone

tom_abrahamson@cargill.com
E-mail Address

STATE OF: Minnesota
COUNTY OF: Hennepin

The foregoing instrument was acknowledged before me this November 28 day of 28

2017 by Tom Abrahamson who is personally
known to me or who has produced Driver's License as identification.

Brenda J. Doubler
Signature of Notary

Brenda J. Doubler
Type or Print Name of Notary



Commission Number (Seal)

OFFICE USE:			
Date Received	_____	Signed:	_____
File Number:	_____	Check No: _	Receipt No: _
TRC Review:	_____	Planning Board Review:	City Commission:
Ordinance No:	_____	Date Approved: _	_____

LEGAL DESCRIPTION

PARCEL III:

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST;

LESS AND EXCEPTING THEREFROM THE FLORIDA EAST COAST RAILWAY COMPANY RAILROAD RIGHT-OF-WAY.

SAID RIGHT OF WAY BEING 200.00 FEET IN WIDTH AND LYING 100.00 FEET EACH SIDE OF THE CENTER LINE AS DELINEATED ON FLORIDA EAST COAST RAILWAY RIGHT OF WAY MAP V3D, SHEET 2, DATED OCTOBER 1948.

AND ALSO:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 29;

RUN SOUTH 222.51 FEET ALONG THE WEST LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4;

THENCE RUN WEST ON A LINE PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 300.00 FEET;

THENCE RUN NORTH ON A LINE PARALLEL WITH THE WEST LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY;

THENCE RUN NORTHEASTERLY ALONG SAID RIGHT-OF-WAY TO THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4;

THENCE RUN SOUTH ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM PARCEL I.D.: 2429-342-0001-000-1 AND PARCEL I.D.: 2429-341-0001-000-8.

TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS:

EASEMENTS FOR INGRESS AND EGRESS PURPOSES OVER THE SOUTH 50 FEET OF THE SOUTHWEST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST, AND THE EAST 50 FEET OF THE SOUTHWEST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

AND ALSO

A PORTION OF PARCEL 1 BEING A PARCEL OF LAND LYING IN SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 29;

THENCE NORTH 00°24'18" EAST, ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 29, A DISTANCE OF 1.45 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 00°24'18" EAST, ALONG SAID WEST LINE, A DISTANCE OF 522.30 FEET TO THE SOUTH SHORE OF TEN MILE CREEK;

THENCE RUN SOUTHEASTERLY, MEANDERING THE SAID SOUTH SHORE TO A POINT ON THE WEST LINE OF A TRACT TO ADAMS RANCH, INC., AS RECORDED IN O.R. BOOK 328, AT PAGE 1222, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA;

THENCE SOUTH 00°34'35" WEST, ALONG SAID WEST LINE, A DISTANCE OF 404.17 FEET;

THENCE SOUTH 85°18'27" WEST, A DISTANCE OF 611.15 FEET TO THE POINT OF BEGINNING.

Property Card

Page 1 of 1

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

Property Identification

Site Address: 3798 SELVITZ RD
Sec/Town/Range: 29/35S/40E
Map ID: 24/29S
Zoning: IH - CO

Parcel ID: 2429-331-0003-000-1
Account #: 32655
Use Type: 4400
Jurisdiction: Fort Pierce



Ownership

Cargill Juice N America Inc
 PO Box 5626
 Minneapolis, MN 55440

Legal Description

29 35 40 THAT PART OF SE 1/4 OF SW 1/4 LYG SE OF S R/W LI OF FEC RR AND SW OF TEN MILE CREEK (NSLWMD CANAL #71) AND BEG AT INT OF W/LI OF SE 1/4 OF SW 1/4 AND S R/W LI OF FEC RR RUN S ON 1/4 1/4 SEC LI TO PT 222.51 FT S OF N LI OF S 1/2 OF SE 1/4 OF SW 1/4, TH RUN W 300 FT, TH N // TO 1/4 1/4 SEC LI TO INT WITH S R/W FEC RR R/W TO POB AND THAT PART OF SE 1/4 LYG SLY OF 10 MILE CREEK (NSLWMD CANAL #71)-LESS AS IN OR 328-1222- (39.71 AC) (OR 1814-1541 ERRONEOUS LGAL)

**Current Values**

Just/Market Value: \$1,847,300
Assessed Value: \$1,847,300
Exemptions: \$0
Taxable Value: \$1,847,300
Taxes for this parcel: SLC Tax Collector's Office 
Download TRIM for this parcel: [Download PDF](#) 

Total Areas

Finished/Under Air (SF): 19,270
Gross Area (SF): 21,085
Land Size (acres): 39.71
Land Size (SF): 1,729,767.6

This information is believed to be correct at this time but it is subject to change and is not warranted.
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Detail by Entity Name

FLORIDA DEPARTMENT OF STATE

DIVISION OF CORPORATIONS



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

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No Events **No Name History**

Detail by Entity Name

Florida Limited Liability Company
BHT PROPERTIES GROUP LLC

Filing Information

Document Number	L16000149610
FE/EIN Number	81-3559520
Date Filed	08/10/2016
Effective Date	08/10/2016
State	FL
Status	ACTIVE

Principal Address

5081 SW 48th St.
103
Davie, FL 33314

Changed: 02/22/2017

Mailing Address

5081 SW 48th St.
103
Davie, FL 33314

Changed: 02/22/2017

Registered Agent Name & Address

EDRY, ARIEL
5081 SW 48th St.
103
Davie, FL 33314

[http://search.sunbiz.org/...a3-92f6-c8a509541b75&searchTerm=bhtpropertiesgroup&listNameOrder=BHTPROPERTIESGROUP%20L160001496100\[11/10/2017 3:53:22 PM\]](http://search.sunbiz.org/...a3-92f6-c8a509541b75&searchTerm=bhtpropertiesgroup&listNameOrder=BHTPROPERTIESGROUP%20L160001496100[11/10/2017 3:53:22 PM])

Detail by Entity Name

Address Changed: 02/22/2017

Authorized Person(s) Detail

Name & Address

Title MGR

bht manager llc
5081 SW 48th St.
103
Davie, FL 33314

Annual Reports

Report Year	Filed Date
2017	02/22/2017

Document Images

02/22/2017 -- ANNUAL REPORT	View image in PDF format
08/10/2016 -- Florida Limited Liability	View image in PDF format

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 [Next On List](#)
 [Return to List](#)

No Events **No Name History**

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
 File Number: 2283338 OR BOOK 1814 PAGE 1541
 Recorded: 10/06/03 15:46

m-Chicago Title
 This Instrument was prepared by: * Doc Assump: \$ 0.00
 Louise W. Spivey, Esq. * Doc Tax : \$ 20,530.30
 Gray, Harris & Robinson, P.A. * Int Tax : \$ 0.00
 Post Office Box 3
 One Lake Morton Drive
 Lakeland, Florida 33802-0003
 (863) 284-2200

Parcel ID# 242933100030001

Recording Data Above

WARRANTY DEED

83 PARTNERS, LTD, a Florida limited partnership, formerly known as SUNPURE, LTD., a Florida limited partnership ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, and sold, to **CARGILL CITRO-AMERICA, INC., a Delaware corporation ("Grantee"),** whose post office address is **100 East Sixth Street, Frostproof, Florida, 33843,** and Grantee's successors, heirs and assigns, in fee simple, the following described real property located in **St. Lucie County, Florida:**

See Exhibit "A" attached hereto and by this reference incorporated herein.

This conveyance is made subject to: (a) zoning, restrictions, prohibitions, and other requirements imposed by governmental authority; (b) taxes for 2003 and subsequent years; and (c) restrictions, easements, and rights-of-way of record; provided, however, that the reference to restrictions shall not operate to reimpose the same.

Grantor hereby covenants with Grantee that the above-described property is free of all liens and encumbrances except as identified on Exhibit "B" attached hereto and by this reference incorporated herein, and that Grantor has good right and lawful authority to grant, bargain, sell, and convey the above-described property. Grantor fully warrants the title to the above-described property, and will defend the same against the lawful claims of all persons whomsoever.

("Grantor" and "Grantee" are used herein for singular or plural, as the context requires.)

[Signatures on Following Page]

107107 v1
 9/29/03

OR BOOK 1814 PAGE 1542

Warranty Deed
Page 2 of 4

Recording Data Above

IN WITNESS WHEREOF, Grantor has executed this instrument effective this 30th day of September, 2003.

Subscribed before the following two witnesses:

83 PARTNERS, LTD., a Florida limited partnership

By: TASTESPIRE, INC., a Florida corporation, as its General Partner

[Signature]
Print Name: Robert J. Bestwood

By: [Signature]
Hadi B. Lashkajani, President

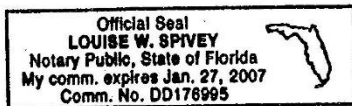
[Signature]
Print Name: Louise W. Spivey

STATE OF FLORIDA,
COUNTY OF POLK.

The foregoing instrument was acknowledged before me this 30th day of September, 2003, by Hadi B. Lashkajani, as President of Tastespire, Inc., a Florida corporation, as General Partner of 83 Partners, Ltd., a Florida limited partnership, on behalf of the corporation and the partnership. He is personally known to me or has produced a Florida driver's license as identification and did not take an oath.

(Affix Notary Seal)

[Signature]
NOTARY PUBLIC, State of Florida
Print Name: Louise W. Spivey
My Commission Expires: _____



107107 v1
9/29/03

OR BOOK 1814 PAGE 1543

Warranty Deed
Page 3 of 4*Recording Data Above***EXHIBIT "A"**
Legal Description of St. Lucie County Real Property

Being a parcel of land lying in Sections 29 and 32, Township 35 South, Range 40 East, St. Lucie County, Florida, and being more particularly described as follows:

PARCEL I:

Beginning at the Northwest corner of the Northeast 1/4 of Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida, recorded in Chancery No. 680-E, dated April 25, 1938; thence run South 89°36'15" East (assumed datum), a distance of 77.86 feet to the South 1/4 corner of Section 29, Township 35 South, Range 40 East, St. Lucie County, Florida; thence run North 00°54'36" East along the North-South 1/4 Section line, a distance of 527.49 feet, more or less, to the South shore of Ten Mile Creek; thence run Southeasterly, meandering the said South shore, to a point on the West line of a tract to Adams Ranch, Inc., as in O.R. Book 328, Page 1222 of the Public Records of St. Lucie County, Florida; thence run South 01°09'02" West, a distance of 1185.88 feet, more or less, to a concrete monument; thence run North 88°07'52" East, a distance of 682.40 feet, to the East line of the Northwest 1/4 of the Northeast 1/4 of said Section 32, by said Chancery No. 680-E; thence run South 01°49'35" West, a distance of 594.97 feet, to an iron pipe in concrete at the Southeast corner of the said Northwest 1/4 of the Northeast 1/4 by said Chancery No. 680-E; thence run South 88°03'45" West, along the South line of said Northwest 1/4 of the Northeast 1/4 by said Chancery No. 680-E, a distance of 1350.99 feet, to the Southwest corner of the said Northwest 1/4 of the Northeast 1/4, by said Chancery 680-E; thence run North 00°25'20" East, along the West line of the said Northwest 1/4 of the Northeast 1/4, by said Chancery No. 680-E, a distance of 1332.57 feet to the Point of Beginning; all lying and being in Sections 29 and 32, Township 35 South, Range 40 East, St. Lucie County, Florida.

PARCEL II:

The Northeast 1/4 of the Northwest 1/4 of Section 32, Township 35 South, Range 40 East, lying and being in St. Lucie County, Florida;

107107 v1
9/29/03

Page A-1

OR BOOK 1814 PAGE 1544

PARCEL III:

The Southeast 1/4 of the Southwest 1/4 of Section 29, Township 35 South, Range 40 East;

LESS AND EXCEPTING THEREFROM the Florida East Coast Railway Company Railroad Right-of-Way, said Right of Way being 200.00 feet in width and lying 100.00 feet each side of the center line as delineated on Florida East Coast Railway Right of Way Map V3D, Sheet 2, dated October 1948.

AND ALSO:

Beginning at the Northwest corner of the South 1/2 of the Southeast 1/4 of the Southwest 1/4 of said Section 29, run South 222.51 feet along the West line of the South 1/2 of the Southeast 1/4 of the Southwest 1/4; thence run West on a line parallel with the North line of the South 1/2 of the Southeast 1/4 of the Southwest 1/4, 300.00 feet; thence run North on a line parallel with the West line of the South 1/2 of the Southeast 1/4 of the Southwest 1/4 to the Southerly right-of-way line of the Florida East Coast Railway; thence run Northeasterly along said right-of-way to the West line of the Southeast 1/4 of the Southwest 1/4; thence run South along said West line to the Point of Beginning.

PARCEL IV:

That portion of the following described property lying North of the North St. Lucie River Water Management Drainage District Canal No. 101 and East of the East right of way for Selvitz Road:

The Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 32, Township 35 South, Range 40 East, lying in St. Lucie County, Florida.

PARCEL V:

The East 230.00 feet of the Northwest 1/4 of the Northwest 1/4 of Section 32, Township 35 South, Range 40 East, and the West 170.00 feet of the East 400.00 feet of the North 460.00 feet of the Northwest 1/4 of the Northwest 1/4 of Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida.

OR BOOK 1814 PAGE 1545

PARCEL VI:

The East 230.00 feet of the North 325.00 feet of the Southwest 1/4 of the Northwest 1/4 of Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida.

PARCEL VII:

Being a strip of land 75.00 feet in width, said strip lying in Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida, said strip lying 37.50 feet each side of the following described center line:

Commence at the Southwest corner of the Northwest one quarter of said Section 32, thence North 00°04'23" East along the West line of the Northwest one quarter of said Section 32, a distance of 891.00 feet; thence South 89°58'19" East, parallel with the South line of said Northwest one quarter of Section 32, a distance of 50.00 feet to a point in the Easterly Right-of-Way line of Selvitz Road (being a 100.00 feet Right-of-Way) and the Point of Beginning of said strip; thence continue South 89°58'19" East a distance of 531.27 feet to the beginning of a curve concave to the Northwest, having a radius of 125.00 feet; thence Easterly, Northeasterly and Northerly along the arc of said curve through a central angle of 89°12'39", a distance of 194.63 feet; thence North 00°49'02" East, parallel with the East line of the Southwest one quarter of the Northwest one quarter of said Section 32, a distance of 22.41 feet to the beginning of a curve concave to the Southeast, having a radius of 100.00 feet; thence Northeasterly along the arc of said curve through a central angle of 57°00'00" a distance of 99.48 feet; thence North 57°49'02" East a distance of 116.83 feet to the beginning of a curve concave to the Southeast, having a radius of 100.00 feet; thence Northeasterly and Easterly along the arc of said curve, through a central angle of 32°12'39", a distance of 56.22 feet; thence South 89°58'19" East, a distance of 193.42 feet to a point on the West line of the East 230 feet of the Southwest one quarter of the Northwest one quarter of said Section 32 and the Point of Termination of said strip. The sidelines of said strip shall be shortened or lengthened to intersect at angle points.

PARCEL VIII:

Being a parcel of land lying in Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida, and being more particularly described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 32; thence South 89°58'19" East along the South line of the Northwest 1/4 of said Section 32, a distance of 705.00 feet to a point, said point being on the East line of the West 705.00 feet of the Southwest 1/4 of the Northwest 1/4 of said Section 32; thence North 00°04'06" East along said East line, a distance of 53.50 feet to a point on the North Right-of-Way line of the North St. Lucie River Water Control District Canal No. 101 and

OR BOOK 1814 PAGE 1546

the Point of Beginning; thence continue North $00^{\circ}04'06''$ East along said line, a distance of 600.00 feet to a point; said point being on the North line of the North 653.50 feet of the Southwest $1/4$ of the Northwest $1/4$ of said Section 32; thence North $89^{\circ}58'19''$ West parallel with the South line of said Northwest $1/4$, a distance of 280.00 feet to a point, said point being on the East line of the West 425.00 feet of the Southwest $1/4$ of the Northwest $1/4$ of said Section 32; thence North $00^{\circ}04'06''$ East, a distance of 200.00 feet to a point on the North line of the South 853.50 feet of the Southwest $1/4$ of the Northwest $1/4$ of said Section 32; thence South $89^{\circ}58'19''$ East along said line, a distance of 156.30 feet to the beginning of a curve concave to the Northwest, having a radius of 162.50 feet; thence Northeasterly and Northerly along the arc of said curve through a central angle of $89^{\circ}12'39''$, a distance of 253.02 feet; thence North $00^{\circ}49'02''$ East, a distance of 22.41 feet to the beginning of a curve concave to the Southeast, having a radius of 62.50 feet; thence Northeasterly along the arc of said curve through a central angle of $57^{\circ}00'00''$, a distance of 62.18 feet; thence North $57^{\circ}49'02''$ East, a distance of 116.83 feet to the beginning of a curve concave to the South, having a radius of 62.50 feet; thence Northeasterly and Easterly along the arc of said curve through a central angle of $32^{\circ}12'39''$, a distance of 35.14 feet; thence South $89^{\circ}58'19''$ East, a distance of 193.42 feet to a point, said point being on the West line of the East 230 feet of the North 325 feet of the Southwest $1/4$ of the Northwest $1/4$ of said Section 32; thence South $00^{\circ}49'04''$ West along said line, a distance of 153.61 feet to a point, said point being on the South line of the North 325 feet of the East 230.00 feet of the Southwest $1/4$ of the Northwest $1/4$ of said Section 32; thence North $89^{\circ}56'24''$ East along said line, a distance of 230.03 feet to a point in the East line of the Southwest $1/4$ on the Northwest $1/4$ of said Section 32; thence South $00^{\circ}49'04''$ West along said line, a distance of 953.44 feet to a point on the North line of aforementioned North St. Lucie River Water Control District Canal No. 101; thence North $89^{\circ}58'19''$ West along said line, a distance of 608.68 feet to the Point of Beginning.

Page A-4

OR BOOK 1814 PAGE 1547

TOGETHER WITH the following described easements:

Easement for ingress and egress purposes over the South 50.00 feet of the Southwest 1/4 of the Southwest 1/4 of Section 29, Township 35 South, Range 40 East, and the East 50.00 feet of the Southwest 1/4 of the Southwest 1/4 of Section 29, Township 35 South, Range 40 East, St. Lucie County, Florida, lying South of the above-described Parcel III.

OR BOOK 1814 PAGE 1548

Warranty Deed
Page 4 of 4*Recording Data Above***EXHIBIT "B"**

List of Permitted Exceptions to St. Lucie County Property

1. Terms and conditions of that certain Easement granted to Indian River Foods, Inc., a Florida corporation, dated February 9, 1966, recorded February 10, 1966, in Official Records Book 138, Page 160, St. Lucie County, Florida, records. (As to the South 50 feet of the Southwest 1/4 of the Southwest 1/4.) Said Agreement has been modified in Easement Release recorded in Official Records Book 1104, Page 2328.
2. Easement granted to Fort Pierce Utilities Authority of the City of Fort Pierce, Florida, a municipal corporation under the laws of the State of Florida, dated August 1, 1983, recorded August 15, 1983, in Official Records Book 408, Page 1958; together with Clarification and Modification of Easement recorded in Official Records Book 1205, Page 2099; St. Lucie County, Records. (As to Parcel III).
3. Terms and conditions of the ANNEXATION AGREEMENT by and between Fort Pierce Utilities Authority and Indian River Foods, Inc., dated January 10, 1990, recorded March 22, 1990, in Official Records Book 683, Page 1259; and ANNEXATION AGREEMENT recorded February 9, 1994 in Official Records Book 884, Page 328, St. Lucie County, Records. (As to Parcels I, II, III, IV, V, VI, VII and VIII)
4. Terms and conditions of the ANNEXATION AGREEMENT by and between Fort Pierce Utilities Authority and Indian River Foods, Inc., dated June 24, 1994 in Official Records Book 912, Page 2117, St. Lucie County, Records. (As to Parcel III)
5. Terms and conditions of the ANNEXATION AGREEMENT by and between Fort Pierce Utilities Authority and Indian River Foods, Inc., dated December 29, 1995, recorded March 18, 1996, in Official Records Book 1004, Page 1890, Public Records of St. Lucie County, Florida. (As to Parcels I, II, III, IV, VI, VII AND VIII)
6. Subject to the railroad spur track located on subject property. (As to Parcel III)
7. Terms and conditions of that certain resolution relating to legal access to private lands over facilities within district rights-of-way executed by the North St. Lucie River Water Control District, recorded December 21, 1980 in Official Records Book 669, Page 699, St. Lucie County, Records.
8. Easement granted to Carl Paul Wild and Selma R. Wild, his wife, from Indian River Foods, Inc., dated August 1, 1969, recorded September 3, 1969, in Official Records Book 179, Page 1972, St. Lucie County, Records.

107107 v1
9/29/03

Page B-1

OR BOOK 1814 PAGE 1549

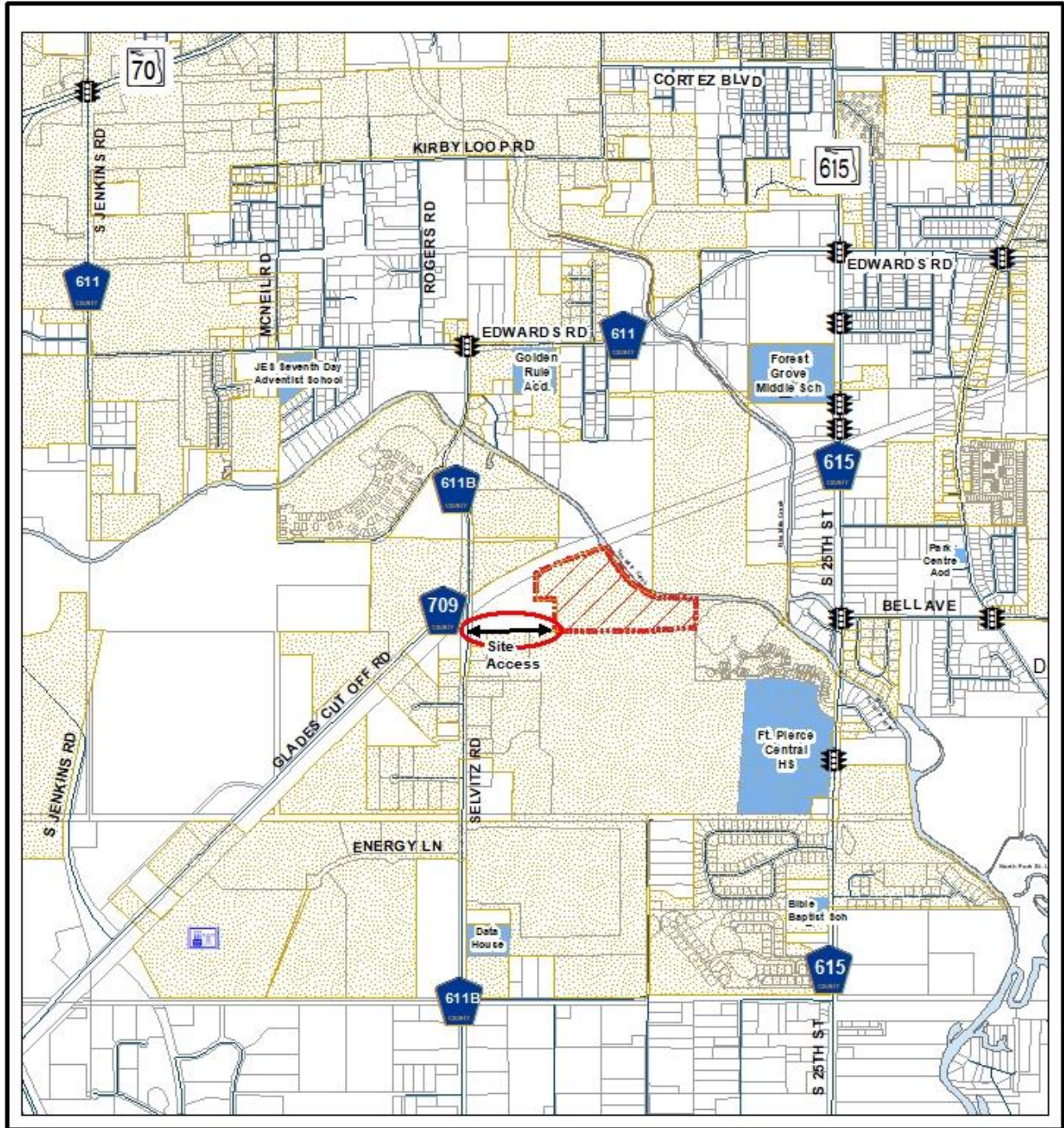
9. Terms and conditions of the Easement Agreement between Margaret Kimmel, Carl E. Wild and Raymond S. Wild and Dickerson Florida, Inc. and "East Coast Block Company, Inc." recorded October 9, 1991, in Official Records Book 758, Page 2300, St. Lucie County, Records.
10. Rights of others under unrecorded tower space leases.
11. Survey by GCY INCORPORATED, dated October 15, 1997, discloses the following:
 - (a)Overhead Power lines;(b)Encroachment of a ditch into the adjacent property located on the Northeast side of Parcel I in Section 32; (c)Encroachment of asphalt pavement, chain link fence, concrete curbs, electric meter box, culvert pipe, and guard house into adjacent property.(d)Septic Area encroaches over Northwest property line into Florida East Coast Railroad Right-of-Way.
12. Easement by and between Indian River Foods, Inc., a Florida corporation to Becker Holding Corporation in instrument recorded in Official Records Book 1104, Page 2330, Public Records of St. Lucie County, Florida.
13. Tower Space Lease Agreement between Indian River Foods, Inc. and Becker Holding Corporation, as Lessor, and Ram Mobile Data U.S.A. Limited, as Lessee dated August 24, 1992.
14. Lease Agreement between Indian River Foods, Inc. and Becker Holding Corporation, as Lessor, and McCaw Communications of Fort Pierce, Inc., as Lessee dated January 11, 1990, as amended by Second Addendum dated July 3, 1990.
15. Tower Space Lease Agreement between Indian River Foods, Inc. and Becker Holding Corporation, as Lessor, and St. Lucie Caretaking Corporation, as Lessee dated March 12, 1991.
16. Lease of Site for Communications Facilities between Indian River Foods, Inc., as Lessor, and Sitecom, Inc., as Lessee, dated October 10, 1995, as amended by Addendum dated December 8, 1995, and as assigned to Pinnacle Towers, Inc. as consented by Lessor's Consent to Assignment dated May 6, 1996.
17. Lease of Site for Communications Facilities from SunPure, Ltd. to Becker Holding Corporation executed October 16, 1997.
18. Guy Wire Easement by and between SunPure, Ltd., a Florida limited partnership and Pinnacle Towers, Inc., a Delaware corporation, as recorded in Official Records Book 1207, at Page 1949.

Page B-2

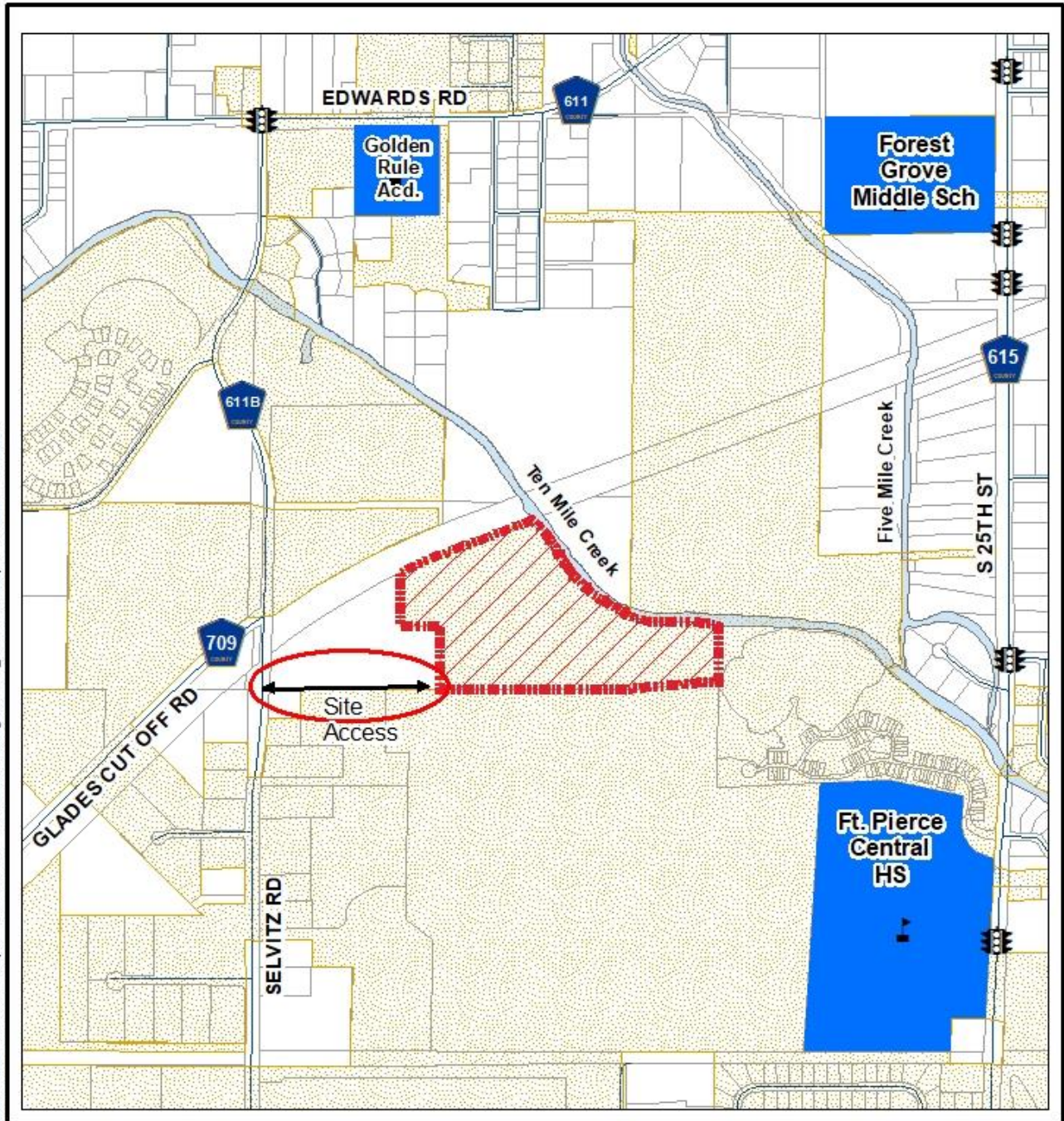
OR BOOK 1814 PAGE 1550

19. **Assignment of Tower Leases by and between SunPure, Ltd., a Florida limited partnership and Pinnacle Towers, Inc., a Delaware corporation as recorded in Official Records Book 1207, Page 1955.**
20. **Utility Easement by and between SunPure, Ltd., a Florida limited partnership and Pinnacle Towers, Inc., a Delaware corporation as recorded in Official Records Book 1207, at Page 1944.**
21. **Access Easement by and between SunPure, Ltd., a Florida limited partnership and Pinnacle Towers, Inc., a Delaware corporation as recorded in Official Records Book 1207, at Page 1937.**
22. **Provisions of Bill of Sale, between SunPure, Ltd., a Florida limited partnership and Pinnacle Towers, Inc., a Delaware corporation as recorded in Official Records Book 1207, at Page 1928.**
23. **Land Lease Agreement by and between SunPure, Ltd., a Florida limited partnership and Pinnacle Towers, Inc., a Delaware corporation as recorded in Official Records Book 1207, at Page 1914.**
24. **Memorandum of Agreement by and between Pinnacle Towers, Inc., a Delaware corporation and Nextel South Corp., a Georgia corporation as recorded in Official Records Book 1370, at Page 624.**
25. **Subordination, Non-Disturbance and Attornment Agreement by and between Pinnacle Towers, Inc., a Delaware corporation, Comerica Bank, a Michigan banking corporation and SunPure, Ltd., a Florida limited partnership as recorded in Official Records Book 1207, at Page 1964.**
26. **Provisions of the Subordination Agreement by SunPure, Ltd., a Florida limited partnership, Cargill Citrus Pure, L.P. a Delaware limited partnership and Comerica Bank, a Michigan banking corporation, as recorded in Official Records Book 1359, at Page 1515.**

Page B-3



<h2>BHT Properties Group, LLC</h2>			MAP A Location Map (wide view)
Legend	FacilityType		
 BHT Properties Parcel	 School	 L.L. PEPPER & TERPENRY, INC. CONSULTING ENGINEERS - LAND SURVEYORS	
City Limits - Ft. Pierce	 Government		
 Fort Pierce	 Power Facility		



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BHT Properties Group, LLC


Legend

 BHT Properties Parcel	 School
 City Limits - Ft. Pierce	 Government
 Fort Pierce	 Power Facility



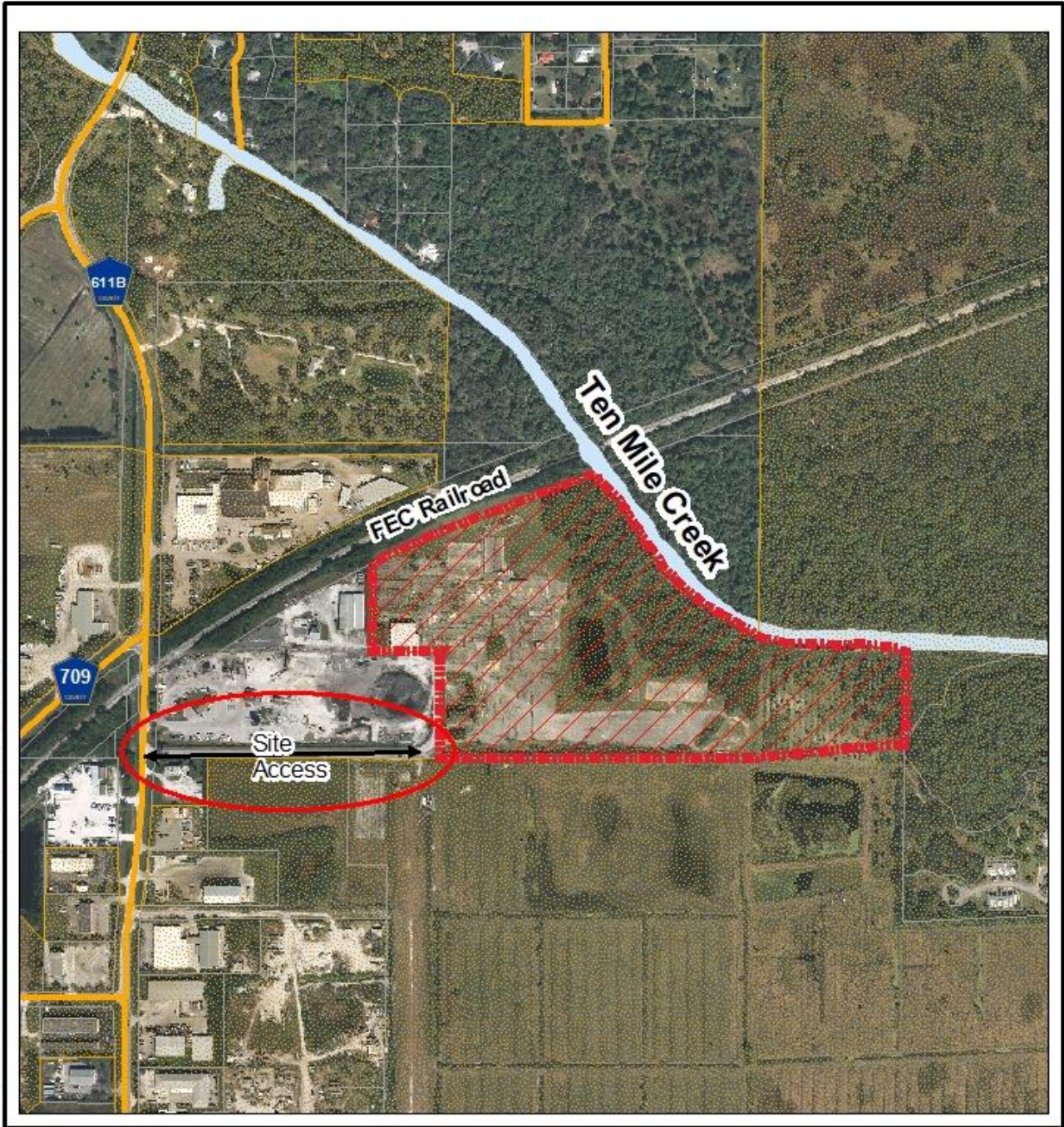
1 in = 1,000 ft

MAP B
Location Map
(close view)



LULPEPPEL & TERPENKO, INC.
CONSULTING ENGINEERS & LAND SURVEYORS

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BHT Properties Group, LLC

Legend

-  BHT Properties Parcel
-  City Limits - Ft. Pierce
-  Fort Pierce


Facility Type

-  School
-  Government
-  Power Facility

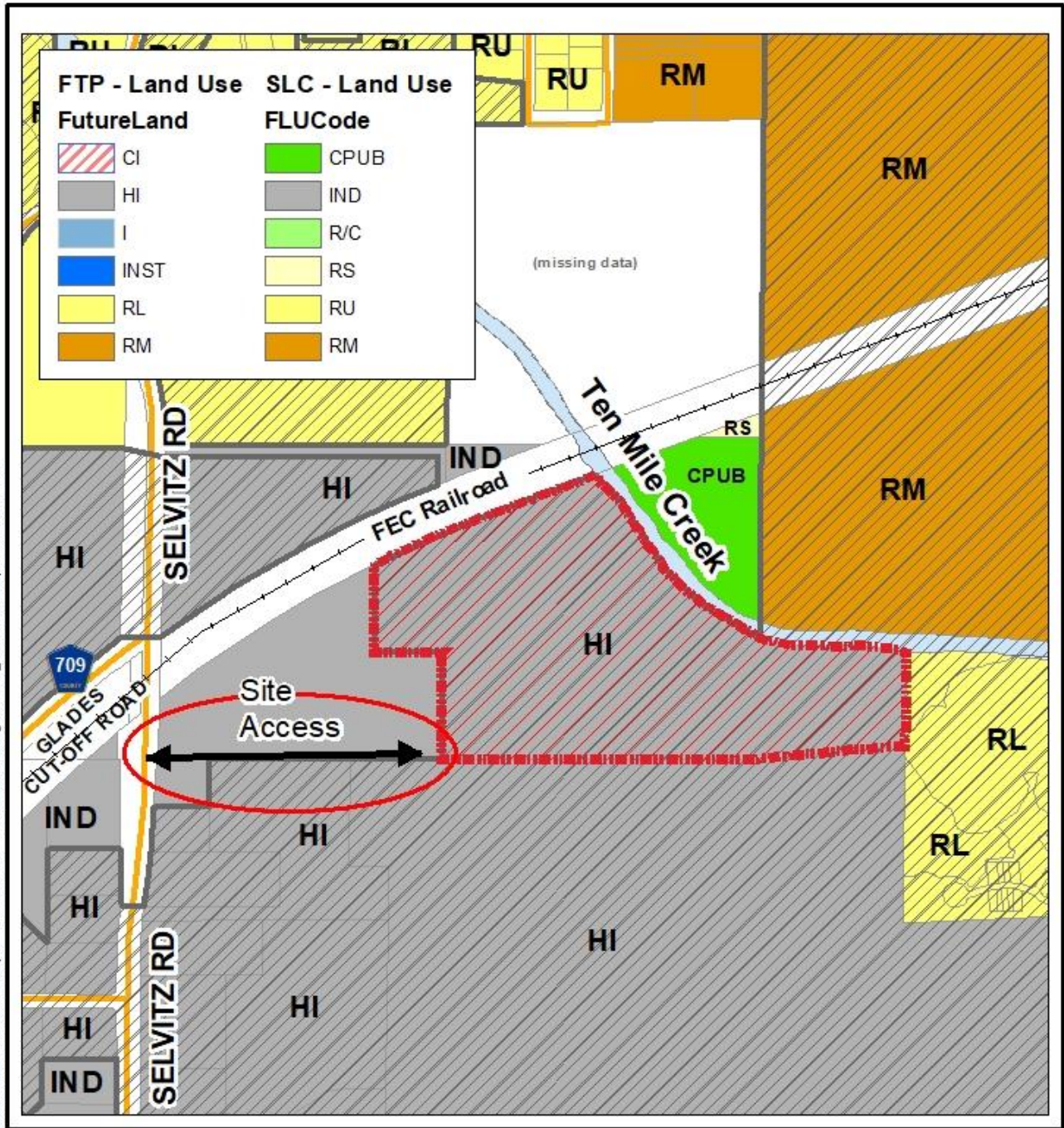


1 in = 600 ft

MAP C
Aerial Map
(close view)

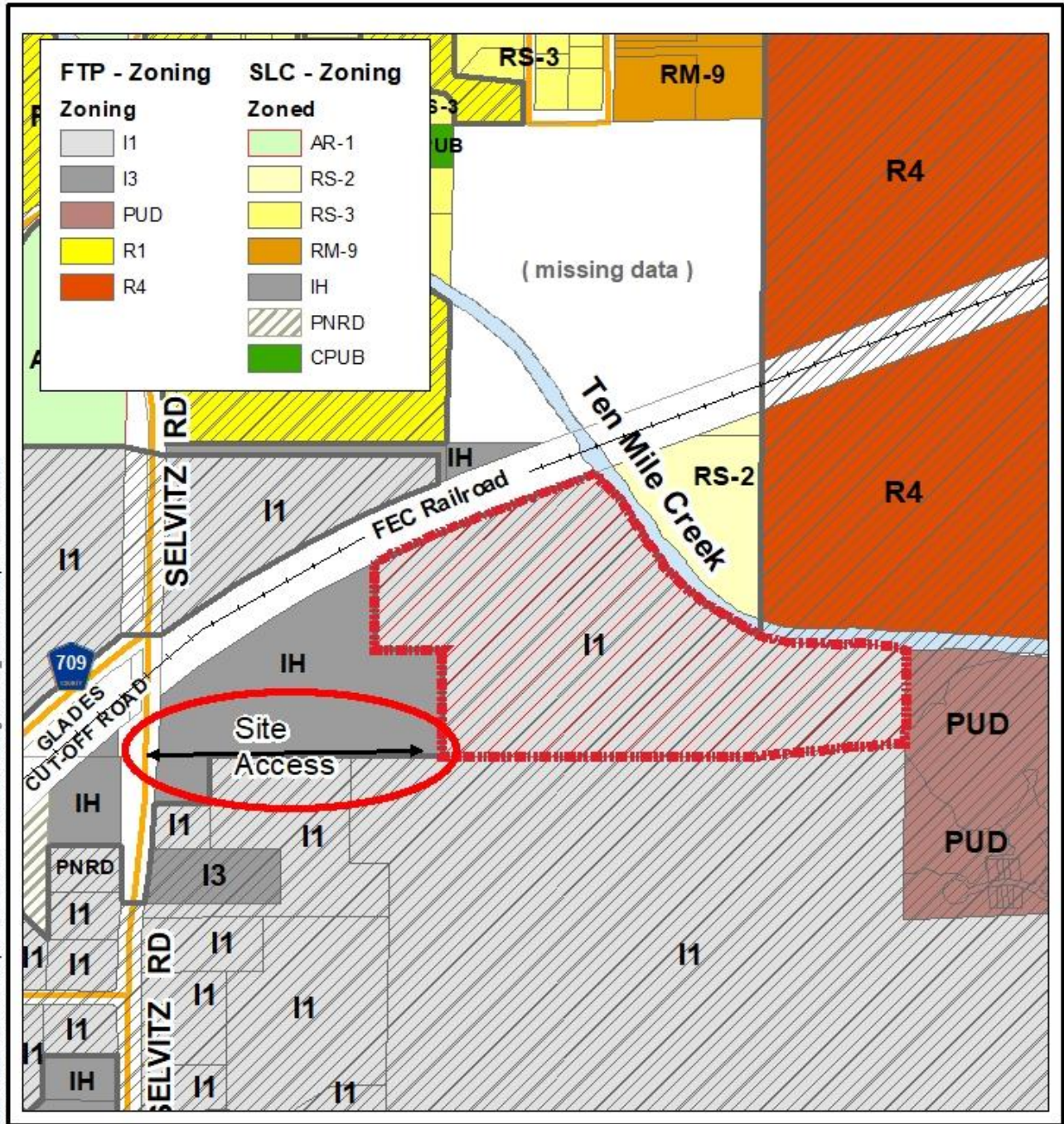


LULPEPPE & TERPERSU, INC.
CONSULTING ENGINEERS | LAND SURVEYORS



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<h2>BHT Properties Group, LLC</h2>			<h3>MAP D Future Land Use</h3>
<p>Legend</p> <p> BHT Properties Parcel</p> <p>City Limits - Ft. Pierce</p> <p> Fort Pierce</p>			
<p>FacilityType</p> <p> School</p> <p> Government</p> <p> Power Facility</p>			



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<h2>BHT Properties Group, LLC</h2>		<p>1 in = 600 ft</p>	<p>MAP E Area Zoning (existing)</p> <p>LULPEPPE & FERRERO, INC. CONSULTING ENGINEERS - LAND SURVEYORS</p>
<p>Legend</p> <ul style="list-style-type: none"> BHT Properties Parcel City Limits - Ft. Pierce Fort Pierce 	<p>FacilityType</p> <ul style="list-style-type: none"> School Government Power Facility 		



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BHT Properties Group, LLC

Legend

- BHT Properties Parcel
- City Limits - Ft. Pierce
- Fort Pierce

FacilityType

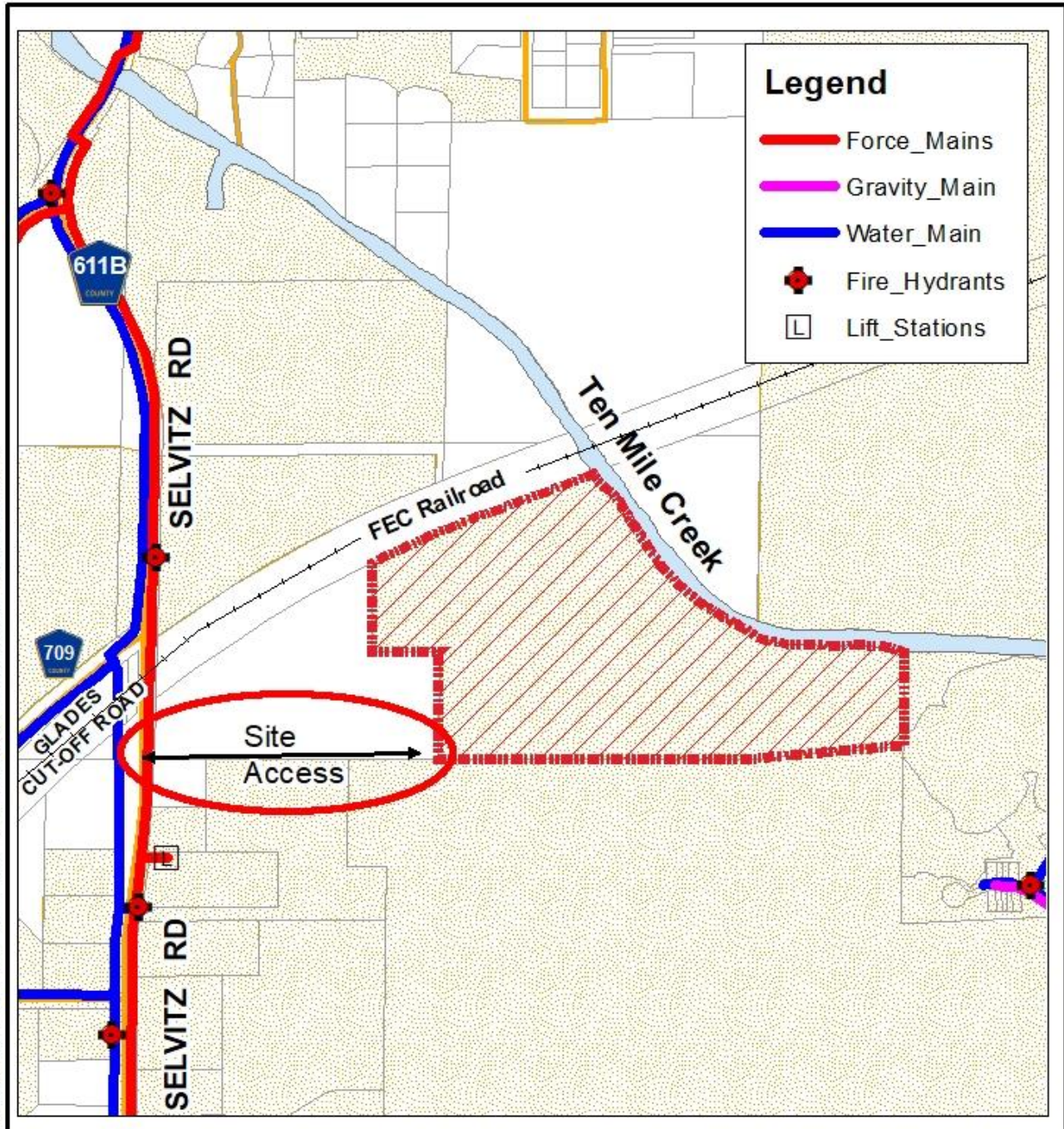
- School
- Government
- Power Facility



1 in = 600 ft

**MAP F
Flood Zones**

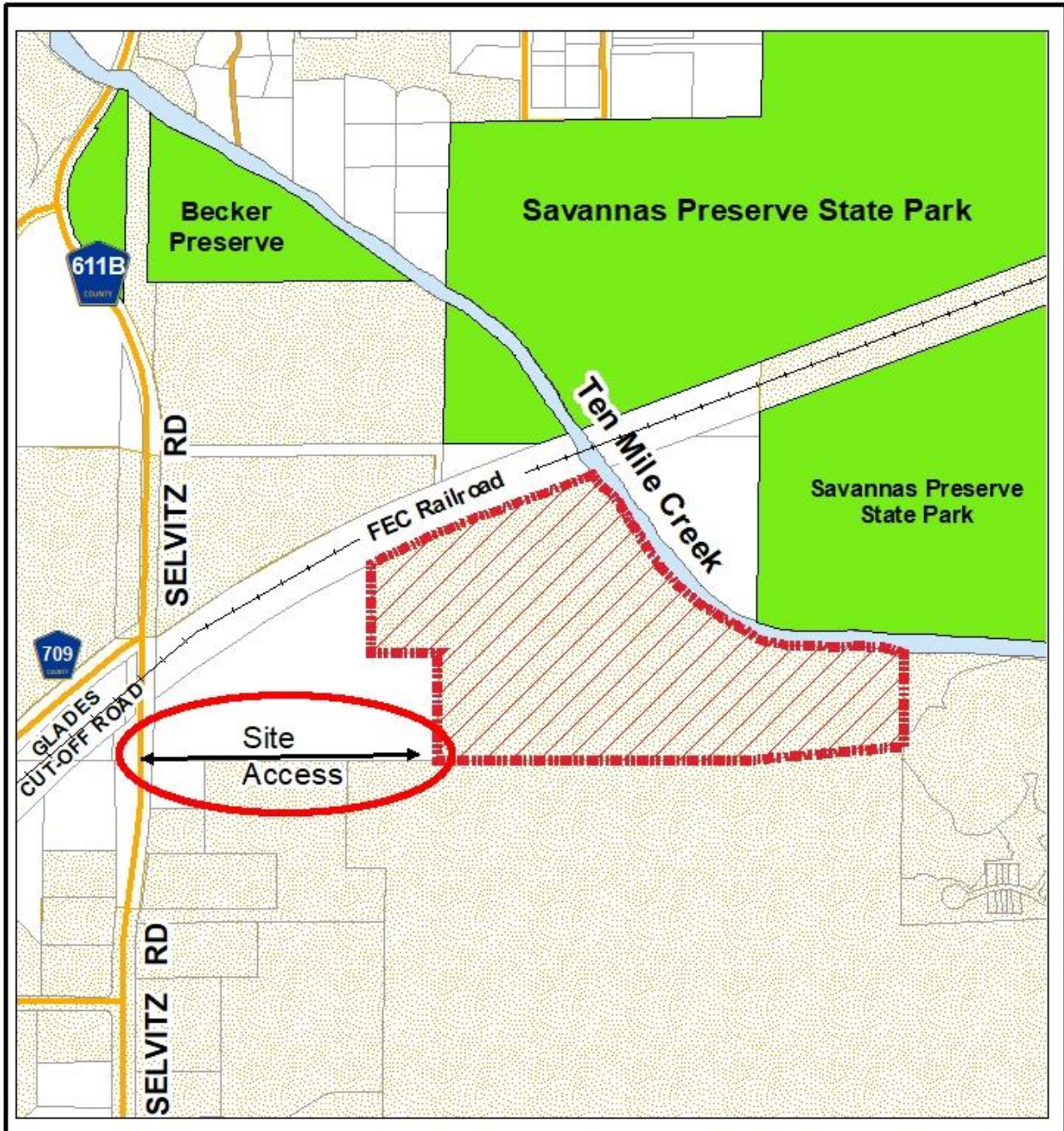




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<h2>BHT Properties Group, LLC</h2>			<h3>MAP G</h3> <h4>Utility Services</h4>
<p>Legend</p> <ul style="list-style-type: none"> BHT Properties Parcel City Limits - Ft. Pierce Fort Pierce 	<p>FacilityType</p> <ul style="list-style-type: none"> School Government Power Facility 		
		<p>1 in = 600 ft</p>	<p>L.L. PEPPER & TERPENNO, INC. CONSULTING ENGINEERS & LAND SURVEYORS</p>

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BHT Properties Group, LLC

Legend

- BHT Properties Parcel
- City Limits - Ft. Pierce
- Fort Pierce

FacilityType

- School
- Government
- Power Facility



1 in = 600 ft

**MAP H
Public Lands**



SKETCH OF BOUNDARY AND TOPOGRAPHIC SURVEY OF: **3798 SELVITZ ROAD, FORT PIERCE, FL.**

- LEGEND:**
- S.L.C.R. ST. LUCIE COUNTY RECORDS
 - L.B. LICENSED BUSINESS
 - (C) CALCULATED
 - O.R.B. OFFICIAL RECORDS BOOK
 - PG. PAGE
 - ID. IDENTIFICATION
 - P.O.B. POINT OF BEGINNING
 - R. RADIUS
 - D. DELTA ANGLE
 - A. ARC LENGTH
 - P.R.M. PERMANENT REFERENCE MONUMENT
 - L.S. LICENSED SURVEYOR
 - A/C. AIR CONDITIONING UNIT(S)
 - C.M.P. CORRUGATED METAL PIPE
 - OHW- OVERHEAD WIRES
 - (R) DENOTES DISTANCE BASED ON RECORD INFORMATION
 - N.S.L.R.W.C.D. NORTH ST. LUCIE RIVER WATER CONTROL DISTRICT
 - NAVD 88. NORTH AMERICAN VERTICAL DATUM OF 1988
 - TRAV. PT. TRAVERSE POINT
 - METAL BOLLARD
 - TRAFFIC LIGHT POLE
 - WOOD POWER POLE
 - CONCRETE POWER POLE
 - ELECTRICAL METER
 - WOOD LIGHT POLE
 - GUY ANCHOR
 - FIRE HYDRANT
 - WOOD POLE
 - SANITARY SEWER MANHOLE
 - SIGN
 - WELL
 - MONITORING WELL
 - SET 5/8" IRON ROD & CAP, L.B. 7551 UNLESS OTHERWISE SPECIFIED
 - BREAK IN SCALE
 - VIEW 1
 - SURFACE ELEVATION



VIEW 1
NOT TO SCALE



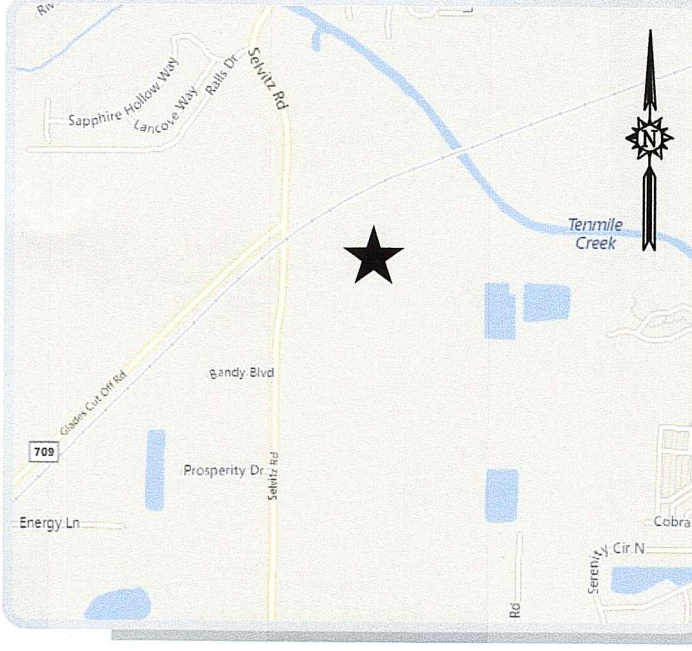
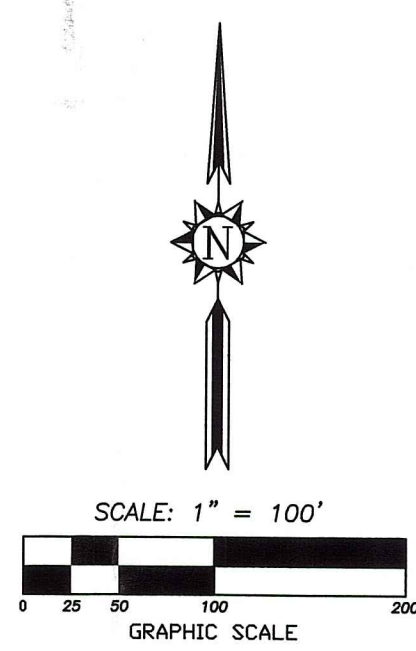
VIEW 2
NOT TO SCALE



VIEW 3
NOT TO SCALE



VIEW 4
NOT TO SCALE

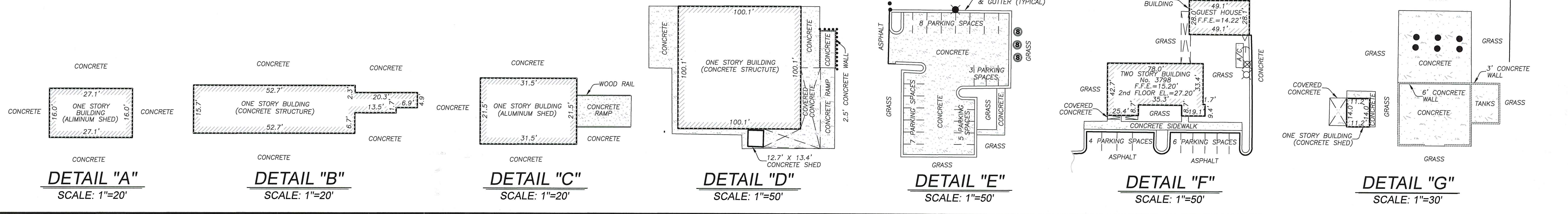
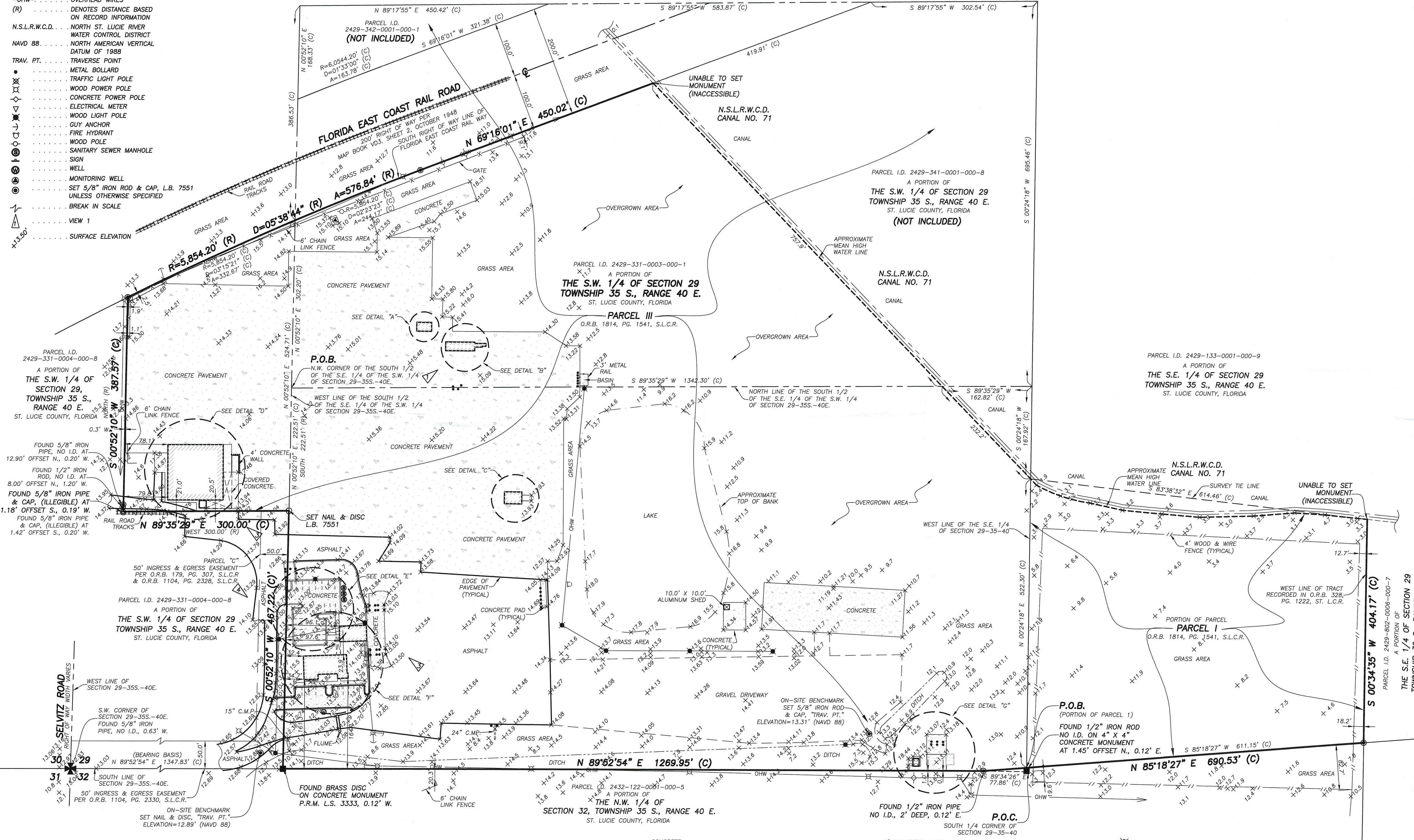


LEGAL DESCRIPTION: **LOCATION MAP**
NOT TO SCALE

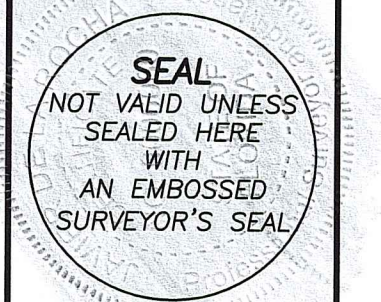
PARCEL III:
THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST;
LESS AND EXCEPTING THEREFROM THE FLORIDA EAST COAST RAILWAY COMPANY RAILROAD RIGHT-OF-WAY.
SAID RIGHT OF WAY BEING 200.00 FEET IN WIDTH AND LYING 100.00 FEET EACH SIDE OF THE CENTER LINE AS DELINEATED ON FLORIDA EAST COAST RAILWAY RIGHT OF WAY MAP V30, SHEET 2, DATED OCTOBER 1948.
AND ALSO:
BEGINNING AT THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 29;
RUN SOUTH 222.51 FEET ALONG THE WEST LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4;
THENCE RUN WEST ON A LINE PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, 300.00 FEET;
THENCE RUN NORTH ON A LINE PARALLEL WITH THE WEST LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY;
THENCE RUN NORTHEASTERLY ALONG SAID RIGHT-OF-WAY TO THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4;
THENCE RUN SOUTH ALONG SAID WEST LINE TO THE POINT OF BEGINNING.
LESS AND EXCEPTING THEREFROM PARCEL I.D.: 2429-342-0001-000-1 AND PARCEL I.D.: 2429-341-0001-000-8.
TOGETHER WITH THE FOLLOWING DESCRIBED EASEMENTS:
EASEMENTS FOR INGRESS AND EGRESS PURPOSES OVER THE SOUTH 50 FEET OF THE SOUTHWEST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST, AND THE EAST 50 FEET OF THE SOUTHWEST 1/4 OF THE SOUTH WEST 1/4 OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.
AND ALSO
A PORTION OF PARCEL 1 BEING A PARCEL OF LAND LYING IN SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 29;
THENCE NORTH 00°24'18" EAST, ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 29, A DISTANCE OF 1.45 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUE NORTH 00°24'18" EAST, ALONG SAID WEST LINE, A DISTANCE OF 522.30 FEET TO THE SOUTH SHORE OF TEV NILE CREEK;
THENCE RUN SOUTHEASTERLY, MEANDERING THE SAID SOUTH SHORE TO A POINT ON THE WEST LINE OF A TRACT TO ADAMS RANCH, INC., AS RECORDED IN O.R. BOOK 328, AT PAGE 1222, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA;
THENCE SOUTH 00°34'35" WEST, ALONG SAID WEST LINE, A DISTANCE OF 404.17 FEET;
THENCE SOUTH 85°18'27" WEST, A DISTANCE OF 611.15 FEET TO THE POINT OF BEGINNING.

- SURVEY NOTES:**
- THIS SURVEY REPRESENTS A BOUNDARY AND TOPOGRAPHIC SURVEY AS DEFINED BY STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING, CHAPTER 5A-17, FLORIDA ADMINISTRATIVE CODES. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 - THE BEARINGS SHOWN HEREON ARE BASED ON A BEARING OF N.89°52'54"E, ALONG THE SOUTH LINE OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 40 EAST AND REFER TO THE FLORIDA STATE PLANE COORDINATES SYSTEM, EAST ZONE 1983 (1990) ADJUSTMENT.
 - THE PROPERTY SHOWN HEREON LIES WITHIN FLOOD ZONE X AND FLOOD ZONE AE, ELEVATION 10' (NAVD 88), AS SHOWN IN FLOOD INSURANCE RATE MAP, NUMBER 12111C 0188 J, COMMUNITY NUMBER 120286, CITY OF FORT PIERCE, ST. LUCIE COUNTY, MAP REVISION DATED FEBRUARY 16, 2012.
 - THE PROPERTY SHOWN HEREON CONTAINS AN AREA OF 40.12 ACRES (1,747,420 SQUARE FEET), MORE OR LESS. THE AREA SHOWN HEREON WAS CALCULATED TO THE APPROXIMATE MEAN HIGH WATER LINE.
 - THE SYMBOLS REFLECTED IN THE LEGEND AND ON THIS SURVEY MAY HAVE BEEN ENLARGED FOR CLARITY. THE SYMBOLS HAVE BEEN PLOTTED AT THE CENTER OF THE FIELD LOCATION AND MAY NOT REPRESENT THE ACTUAL SHAPE OR SIZE OF THE FEATURE.
 - THE INFORMATION DEPICTED ON THIS SURVEY REPRESENTS THE RESULTS OF A FIELD SURVEY ON THE DATE INDICATED AND CAN ONLY BE CONSIDERED AS A REPRESENTATION OF THE GENERAL CONDITIONS EXISTING AT THAT TIME. THE SURVEYOR DID NOT INSPECT THE PROPERTY SHOWN HEREON FOR ENVIRONMENTAL HAZARDS.
 - IRRIGATION EQUIPMENT AND LANDSCAPING NOT LOCATED OR SHOWN HEREON. FENCES AND WALL DIMENSIONS ARE APPROXIMATE. THE SURVEYOR DID NOT DETERMINE OWNERSHIP OF FENCES AND WALLS.
 - THE INFORMATION CONTAINED IN THIS DOCUMENT WAS PREPARED BY EXACTA COMMERCIAL SURVEYORS, INC. EXACTA HAS TAKEN ALL REASONABLE STEPS TO ENSURE THE ACCURACY OF THIS DOCUMENT. WE CANNOT GUARANTEE THAT ALTERATIONS AND/OR MODIFICATIONS WILL NOT BE MADE BY OTHERS AFTER IT LEAVES OUR POSSESSION. THIS DOCUMENT MUST BE COMPARED TO THE ORIGINAL HARD COPY (WHICH BEARS THE RAISED SURVEYOR'S CERTIFICATION SEAL, IF APPLICABLE) TO ENSURE THE ACCURACY OF THE INFORMATION CONTAINED HEREON AND TO FURTHER ENSURE THAT ALTERATIONS AND/OR MODIFICATIONS HAVE NOT BEEN MADE. EXACTA MAKES NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACCURACY OF THE INFORMATION CONTAINED IN THIS OR ANY DOCUMENT TRANSMITTED OR REVIEWED BY COMPUTER OR OTHER ELECTRONIC MEANS. CONTACT EXACTA DIRECTLY FOR VERIFICATION OF ACCURACY.
 - BUILDING DIMENSIONS WERE MEASURED AT GROUND LEVEL AND ARE OVERALL. ARCHITECTURAL DETAILS MAY NOT BE SHOWN. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
 - EXACTA COMMERCIAL SURVEYORS, INC. DID NOT SEARCH THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS AFFECTING THE PROPERTY BEING SURVEYED. THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
 - THE LOCATION OF THE APPROXIMATE MEAN HIGH WATER LINE OF THE NORTH ST. LUCIE RIVER WATER CONTROL DISTRICT CANAL NO. 71 WAS DETERMINED BY FIELD LOCATION USING A TOPOCON HIPER GPS UNIT AND IS ACCURATE TO +/- 5 FEET.
 - THE ELEVATIONS SHOWN HEREON ARE BASED ON A ST. LUCIE COUNTY BENCHMARK "TROGER" AND REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). THE MARK IS A CONCRETE DISK SET IN CONCRETE, 42 FEET PLUS OR MINUS EAST OF THE EAST EDGE OF A PAVEMENT OF SELVITZ ROAD AND 10 FEET PLUS OR MINUS NORTHEAST OF A WOOD UTILITY POLE, 3 FEET PLUS OR MINUS WEST OF THE CORNER POST OF A 6 FOOT CHAIN-LINKED FENCE. MARK IS LOCATED AT THE INTERSECTION OF GLADES CUTOFF AND SELVITZ ROADS. ELEVATION=13.68'

CERTIFIED TO:
BHT PROPERTIES GROUP.
CERTIFICATE:
THIS IS TO CERTIFY THAT THIS BOUNDARY AND TOPOGRAPHIC SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
JAVIER DE LA ROCHA
PROFESSIONAL SURVEYOR AND MAPPER NO. 6080
STATE OF FLORIDA
EXACTA COMMERCIAL SURVEYORS, INC. L.B. 7551
email:javier@exactacomm.com



FAX NO. 888-314-0770
TEL. NO. 888-314-0769
EXACTA COMMERCIAL SURVEYORS, INC.
L.B. 7551
3460 FAIRPLANE FARMS ROAD, SUITE 6, WELLINGTON, FL. 33414



SKETCH OF BOUNDARY AND TOPOGRAPHIC SURVEY
A PORTION OF THE S.W. 1/4 OF SECTION 29, TOWNSHIP 35 S., RANGE 40 E., ST. LUCIE COUNTY, FLORIDA
3798 SELVITZ ROAD, FORT PIERCE, FL. 34981

CLIENT: BHT PROPERTIES GROUP	DATE: 02/08/18
DRAWN BY: JDLR	CHECKED BY: JDLR
LAST FIELD DATE: 02/08/18	REVISIONS:
	01 BOUNDARY SURVEY 08/17/17
	02 ADD TOPOGRAPHIC ELEVATIONS 02/08/18
JOB NO. ECS1127 TASK2	SHEET NO. 01 OF 01

M-Chicago Title

This Instrument was prepared by:

Louise W. Spivey, Esq.
Gray, Harris & Robinson, P.A.
Post Office Box 3
One Lake Morton Drive
Lakeland, Florida 33802-0003
(863) 284-2200

* DOC ASSUMP: \$ 0.00
* DOC Tax : \$ 20,530.30
* Int Tax : \$ 0.00

Parcel ID# 247933100030001

Recording Data Above

WARRANTY DEED

83 PARTNERS, LTD, a Florida limited partnership, formerly known as SUNPURE, LTD., a Florida limited partnership ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, and sold, to **CARGILL CITRO-AMERICA, INC., a Delaware corporation ("Grantee"),** whose post office address is **100 East Sixth Street, Frostproof, Florida, 33843,** and Grantee's successors, heirs and assigns, in fee simple, the following described real property located in **St. Lucie County, Florida:**

See Exhibit "A" attached hereto and by this reference incorporated herein.

This conveyance is made subject to: (a) zoning, restrictions, prohibitions, and other requirements imposed by governmental authority; (b) taxes for 2003 and subsequent years; and (c) restrictions, easements, and rights-of-way of record; provided, however, that the reference to restrictions shall not operate to reimpose the same.

Grantor hereby covenants with Grantee that the above-described property is free of all liens and encumbrances except as identified on Exhibit "B" attached hereto and by this reference incorporated herein, and that Grantor has good right and lawful authority to grant, bargain, sell, and convey the above-described property. Grantor fully warrants the title to the above-described property, and will defend the same against the lawful claims of all persons whomsoever.

("Grantor" and "Grantee" are used herein for singular or plural, as the context requires.)

[Signatures on Following Page]

Warranty Deed
Page 2 of 4

Recording Data Above

IN WITNESS WHEREOF, Grantor has executed this instrument effective this 30th day of September, 2003.

Subscribed before the following two witnesses:

83 PARTNERS, LTD., a Florida limited partnership

[Signature]
Print Name: Robert J. Baird

By: TASTESPIRE, INC., a Florida corporation, as its General Partner

[Signature]
Print Name: Louise W. Spivey

By: [Signature]
Hadi B. Lashkajani, President

STATE OF FLORIDA,
COUNTY OF POLK.

The foregoing instrument was acknowledged before me this 30th day of September, 2003, by Hadi B. Lashkajani, as President of Tastespire, Inc., a Florida corporation, as General Partner of 83 Partners, Ltd., a Florida limited partnership, on behalf of the corporation and the partnership. He is personally known to me or has produced a Florida driver's license as identification and did not take an oath.

(Affix Notary Seal)

[Signature]
NOTARY PUBLIC, State of Florida
Print Name: Louise W. Spivey
My Commission Expires: _____

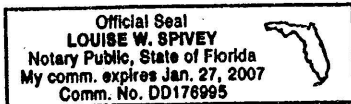


EXHIBIT "A"
Legal Description of St. Lucie County Real Property

Being a parcel of land lying in Sections 29 and 32, Township 35 South, Range 40 East, St. Lucie County, Florida, and being more particularly described as follows:

PARCEL I:

Beginning at the Northwest corner of the Northeast 1/4 of Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida, recorded in Chancery No. 680-E, dated April 25, 1938; thence run South 89°36'15" East (assumed datum), a distance of 77.86 feet to the South 1/4 corner of Section 29, Township 35 South, Range 40 East, St. Lucie County, Florida; thence run North 00°54'36" East along the North-South 1/4 Section line, a distance of 527.49 feet, more or less, to the South shore of Ten Mile Creek; thence run Southeasterly, meandering the said South shore, to a point on the West line of a tract to Adams Ranch, Inc., as in O.R. Book 328, Page 1222 of the Public Records of St. Lucie County, Florida; thence run South 01°09'02" West, a distance of 1185.88 feet, more or less, to a concrete monument; thence run North 88°07'52" East, a distance of 682.40 feet, to the East line of the Northwest 1/4 of the Northeast 1/4 of said Section 32, by said Chancery No. 680-E; thence run South 01°49'35" West, a distance of 594.97 feet, to an iron pipe in concrete at the Southeast corner of the said Northwest 1/4 of the Northeast 1/4 by said Chancery No. 680-E; thence run South 88°03'45" West, along the South line of said Northwest 1/4 of the Northeast 1/4 by said Chancery No. 680-E, a distance of 1350.99 feet, to the Southwest corner of the said Northwest 1/4 of the Northeast 1/4, by said Chancery 680-E; thence run North 00°25'20" East, along the West line of the said Northwest 1/4 of the Northeast 1/4, by said Chancery No. 680-E, a distance of 1332.57 feet to the Point of Beginning; all lying and being in Sections 29 and 32, Township 35 South, Range 40 East, St. Lucie County, Florida.

PARCEL II:

The Northeast 1/4 of the Northwest 1/4 of Section 32, Township 35 South, Range 40 East, lying and being in St. Lucie County, Florida;

PARCEL III:

The Southeast 1/4 of the Southwest 1/4 of Section 29, Township 35 South, Range 40 East;

LESS AND EXCEPTING THEREFROM the Florida East Coast Railway Company Railroad Right-of-Way, said Right of Way being 200.00 feet in width and lying 100.00 feet each side of the center line as delineated on Florida East Coast Railway Right of Way Map V3D, Sheet 2, dated October 1948.

AND ALSO:

Beginning at the Northwest corner of the South 1/2 of the Southeast 1/4 of the Southwest 1/4 of said Section 29, run South 222.51 feet along the West line of the South 1/2 of the Southeast 1/4 of the Southwest 1/4; thence run West on a line parallel with the North line of the South 1/2 of the Southeast 1/4 of the Southwest 1/4, 300.00 feet; thence run North on a line parallel with the West line of the South 1/2 of the Southeast 1/4 of the Southwest 1/4 to the Southerly right-of-way line of the Florida East Coast Railway; thence run Northeasterly along said right-of-way to the West line of the Southeast 1/4 of the Southwest 1/4; thence run South along said West line to the Point of Beginning.

PARCEL IV:

That portion of the following described property lying North of the North St. Lucie River Water Management Drainage District Canal No. 101 and East of the East right of way for Selvitz Road:

The Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 32, Township 35 South, Range 40 East, lying in St. Lucie County, Florida.

PARCEL V:

The East 230.00 feet of the Northwest 1/4 of the Northwest 1/4 of Section 32, Township 35 South, Range 40 East, and the West 170.00 feet of the East 400.00 feet of the North 460.00 feet of the Northwest 1/4 of the Northwest 1/4 of Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida.

PARCEL VI:

The East 230.00 feet of the North 325.00 feet of the Southwest 1/4 of the Northwest 1/4 of Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida.

PARCEL VII:

Being a strip of land 75.00 feet in width, said strip lying in Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida, said strip lying 37.50 feet each side of the following described center line:

Commence at the Southwest corner of the Northwest one quarter of said Section 32, thence North 00°04'23" East along the West line of the Northwest one quarter of said Section 32, a distance of 891.00 feet; thence South 89°58'19" East, parallel with the South line of said Northwest one quarter of Section 32, a distance of 50.00 feet to a point in the Easterly Right-of-Way line of Selvitz Road (being a 100.00 feet Right-of-Way) and the Point of Beginning of said strip; thence continue South 89°58'19" East a distance of 531.27 feet to the beginning of a curve concave to the Northwest, having a radius of 125.00 feet; thence Easterly, Northeasterly and Northerly along the arc of said curve through a central angle of 89°12'39", a distance of 194.63 feet; thence North 00°49'02" East, parallel with the East line of the Southwest one quarter of the Northwest one quarter of said Section 32, a distance of 22.41 feet to the beginning of a curve concave to the Southeast, having a radius of 100.00 feet; thence Northeasterly along the arc of said curve through a central angle of 57°00'00" a distance of 99.48 feet; thence North 57°49'02" East a distance of 116.83 feet to the beginning of a curve concave to the Southeast, having a radius of 100.00 feet; thence Northeasterly and Easterly along the arc of said curve, through a central angle of 32°12'39", a distance of 56.22 feet; thence South 89°58'19" East, a distance of 193.42 feet to a point on the West line of the East 230 feet of the Southwest one quarter of the Northwest one quarter of said Section 32 and the Point of Termination of said strip. The sidelines of said strip shall be shortened or lengthened to intersect at angle points.

PARCEL VIII:

Being a parcel of land lying in Section 32, Township 35 South, Range 40 East, St. Lucie County, Florida, and being more particularly described as follows:

Commence at the Southwest corner of the Northwest 1/4 of said Section 32; thence South 89°58'19" East along the South line of the Northwest 1/4 of said Section 32, a distance of 705.00 feet to a point, said point being on the East line of the West 705.00 feet of the Southwest 1/4 of the Northwest 1/4 of said Section 32; thence North 00°04'06" East along said East line, a distance of 53.50 feet to a point on the North Right-of-Way line of the North St. Lucie River Water Control District Canal No. 101 and

the Point of Beginning; thence continue North $00^{\circ}04'06''$ East along said line, a distance of 600.00 feet to a point, said point being on the North line of the North 653.50 feet of the Southwest $1/4$ of the Northwest $1/4$ of said Section 32; thence North $89^{\circ}58'19''$ West parallel with the South line of said Northwest $1/4$, a distance of 280.00 feet to a point, said point being on the East line of the West 425.00 feet of the Southwest $1/4$ of the Northwest $1/4$ of said Section 32; thence North $00^{\circ}04'06''$ East, a distance of 200.00 feet to a point on the North line of the South 853.50 feet of the Southwest $1/4$ of the Northwest $1/4$ of said Section 32; thence South $89^{\circ}58'19''$ East along said line, a distance of 156.30 feet to the beginning of a curve concave to the Northwest, having a radius of 162.50 feet; thence Northeasterly and Northerly along the arc of said curve through a central angle of $89^{\circ}12'39''$, a distance of 253.02 feet; thence North $00^{\circ}49'02''$ East, a distance of 22.41 feet to the beginning of a curve concave to the Southeast, having a radius of 62.50 feet; thence Northeasterly along the arc of said curve through a central angle of $57^{\circ}00'00''$, a distance of 62.18 feet; thence North $57^{\circ}49'02''$ East, a distance of 116.83 feet to the beginning of a curve concave to the South, having a radius of 62.50 feet; thence Northeasterly and Easterly along the arc of said curve through a central angle of $32^{\circ}12'39''$, a distance of 35.14 feet; thence South $89^{\circ}58'19''$ East, a distance of 193.42 feet to a point, said point being on the West line of the East 230 feet of the North 325 feet of the Southwest $1/4$ of the Northwest $1/4$ of said Section 32; thence South $00^{\circ}49'04''$ West along said line, a distance of 153.61 feet to a point, said point being on the South line of the North 325 feet of the East 230.00 feet of the Southwest $1/4$ of the Northwest $1/4$ of said Section 32; thence North $89^{\circ}56'24''$ East along said line, a distance of 230.03 feet to a point in the East line of the Southwest $1/4$ on the Northwest $1/4$ of said Section 32; thence South $00^{\circ}49'04''$ West along said line, a distance of 953.44 feet to a point on the North line of aforementioned North St. Lucie River Water Control District Canal No. 101; thence North $89^{\circ}58'19''$ West along said line, a distance of 608.68 feet to the Point of Beginning.

TOGETHER WITH the following described easements:

Easement for ingress and egress purposes over the South 50.00 feet of the Southwest 1/4 of the Southwest 1/4 of Section 29, Township 35 South, Range 40 East, and the East 50.00 feet of the Southwest 1/4 of the Southwest 1/4 of Section 29, Township 35 South, Range 40 East, St. Lucia County, Florida, lying South of the above-described Parcel III.

EXHIBIT "B"

List of Permitted Exceptions to St. Lucie County Property

1. Terms and conditions of that certain Easement granted to Indian River Foods, Inc., a Florida corporation, dated February 9, 1966, recorded February 10, 1966, in Official Records Book 138, Page 160, St. Lucie County, Florida, records. (As to the South 50 feet of the Southwest 1/4 of the Southwest 1/4.) Said Agreement has been modified in Easement Release recorded in Official Records Book 1104, Page 2328.
2. Easement granted to Fort Pierce Utilities Authority of the City of Fort Pierce, Florida, a municipal corporation under the laws of the State of Florida, dated August 1, 1983, recorded August 15, 1983, in Official Records Book 408, Page 1958; together with Clarification and Modification of Easement recorded in Official Records Book 1205, Page 2099; St. Lucie County, Records. (As to Parcel III).
3. Terms and conditions of the ANNEXATION AGREEMENT by and between Fort Pierce Utilities Authority and Indian River Foods, Inc., dated January 10, 1990, recorded March 22, 1990, in Official Records Book 683, Page 1259; and ANNEXATION AGREEMENT recorded February 9, 1994 in Official Records Book 884, Page 328, St. Lucie County, Records. (As to Parcels I, II, III, IV, V, VI, VII and VIII)
4. Terms and conditions of the ANNEXATION AGREEMENT by and between Fort Pierce Utilities Authority and Indian River Foods, Inc., dated June 24, 1994 in Official Records Book 912, Page 2117, St. Lucie County, Records. (As to Parcel III)
5. Terms and conditions of the ANNEXATION AGREEMENT by and between Fort Pierce Utilities Authority and Indian River Foods, Inc., dated December 29, 1995, recorded March 18, 1996, in Official Records Book 1004, Page 1890, Public Records of St. Lucie County, Florida. (As to Parcels I, II, III, IV, VI, VII AND VIII)
6. Subject to the railroad spur track located on subject property. (As to Parcel III)
7. Terms and conditions of that certain resolution relating to legal access to private lands over facilities within district rights-of-way executed by the North St. Lucie River Water Control District, recorded December 21, 1980 in Official Records Book 669, Page 699, St. Lucie County, Records.
8. Easement granted to Carl Paul Wild and Selma R. Wild, his wife, from Indian River Foods, Inc., dated August 1, 1969, recorded September 3, 1969, in Official Records Book 179, Page 1972, St. Lucie County, Records.

9. Terms and conditions of the Easement Agreement between Margaret Kimmel, Carl E. Wild and Raymond S. Wild and Dickerson Florida, Inc. and "East Coast Block Company, Inc." recorded October 9, 1991, in Official Records Book 758, Page 2300, St. Lucie County, Records.
10. Rights of others under unrecorded tower space leases.
11. Survey by GCY INCORPORATED, dated October 15, 1997, discloses the following:
 - (a)Overhead Power lines;(b)Encroachment of a ditch into the adjacent property located on the Northeast side of Parcel I in Section 32; (c)Encroachment of asphalt pavement, chain link fence, concrete curbs, electric meter box, culvert pipe. and guard house into adjacent property.(d)Septic Area encroaches over Northwest property line into Florida East Coast Railroad Right-of-Way.
12. Easement by and between Indian River Foods, Inc., a Florida corporation to Becker Holding Corporation in instrument recorded in Official Records Book 1104, Page 2330, Public Records of St. Lucie County, Florida.
13. Tower Space Lease Agreement between Indian River Foods, Inc. and Becker Holding Corporation, as Lessor, and Ram Mobile Data U.S.A. Limited, as Lessee dated August 24, 1992.
14. Lease Agreement between Indian River Foods, Inc. and Becker Holding Corporation, as Lessor, and McCaw Communications of Fort Pierce, Inc., as Lessee dated January 11, 1990, as amended by Second Addendum dated July 3, 1990.
15. Tower Space Lease Agreement between Indian River Foods, Inc. and Becker Holding Corporation, as Lessor, and St. Lucie Caretaking Corporation, as Lessee dated March 12, 1991.
16. Lease of Site for Communications Facilities between Indian River Foods, Inc., as Lessor, and Sitecom, Inc., as Lessee, dated October 10, 1995, as amended by Addendum dated December 8, 1995, and as assigned to Pinnacle Towers, Inc. as consented by Lessor's Consent to Assignment dated May 6, 1996.
17. Lease of Site for Communications Facilities from SunPure, Ltd. to Becker Holding Corporation executed October 16, 1997.
18. Guy Wire Easement by and between SunPure, Ltd., a Florida limited partnership and Pinnacle Towers, Inc., a Delaware corporation, as recorded in Official Records Book 1207, at Page 1949.

19. **Assignment of Tower Leases by and between SunPure, Ltd., a Florida limited partnership and Pinnacle Towers, Inc., a Delaware corporation as recorded in Official Records Book 1207, Page 1955.**
20. **Utility Easement by and between SunPure, Ltd., a Florida limited partnership and Pinnacle Towers, Inc., a Delaware corporation as recorded in Official Records Book 1207, at Page 1944.**
21. **Access Easement by and between SunPure, Ltd., a Florida limited partnership and Pinnacle Towers, Inc., a Delaware corporation as recorded in Official Records Book 1207, at Page 1937.**
22. **Provisions of Bill of Sale, between SunPure, Ltd., a Florida limited partnership and Pinnacle Towers, Inc., a Delaware corporation as recorded in Official Records Book 1207, at Page 1928.**
23. **Land Lease Agreement by and between SunPure, Ltd., a Florida limited partnership and Pinnacle Towers, Inc., a Delaware corporation as recorded in Official Records Book 1207, at Page 1914.**
24. **Memorandum of Agreement by and between Pinnacle Towers, Inc., a Delaware corporation and Nextel South Corp., a Georgia corporation as recorded in Official Records Book 1370, at Page 624.**
25. **Subordination, Non-Disturbance and Attornment Agreement by and between Pinnacle Towers, Inc., a Delaware corporation, Comerica Bank, a Michigan banking corporation and SunPure, Ltd., a Florida limited partnership as recorded in Official Records Book 1207, at Page 1964.**
26. **Provisions of the Subordination Agreement by SunPure, Ltd., a Florida limited partnership, Cargill Citro Pure, L.P. a Delaware limited partnership and Comerica Bank, a Michigan banking corporation, as recorded in Official Records Book 1359, at Page 1515.**