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November 3, 2017

VIA E-MAIL & HAND DELIVERY

Ms. Rebecca Grohall, AICP
Director of Planning Department
City of Fort Pierce
100 N. US1
Fort Pierce, FL 34950

Re: Walton Acquisitions FL, LLC /
Village at Midway PD, Ordinance No. 16-009

Dear Ms. Grohall:

The Village at Midway PD was originally approved by the City Commission on April 4, 2016. Pursuant to City Code Section 22-40, this PD approval will terminate on April 4, 2018, unless extended. I am sending you this letter in order to exercise an extension of the expiration date of the Village at Midway PD, pursuant to Florida Statute 252.363.

Florida Statute 252.363 provides for the extension of the expiration dates for certain land development approvals and authorizations for the period of an emergency declaration, plus an additional six (6) months. On April 11, 2017, Governor Scott issued Executive Order 17-120 declaring a state-wide state of emergency for a period of sixty (60) days due to extensive brush fires caused by drought conditions. On June 9, 2017, Governor Scott issued Executive Order 17-174 extending the state of emergency by an additional sixty (60) days, making the state of emergency 120 days.

On July 31, 2017, Governor Scott issued Executive Order 17-204 declaring a state of emergency in St. Lucie County due to Tropical Storm Emily for a period of sixty (60) days. On August 15, 2017 Governor Scott issued Executive Order No. 17-220, terminating the state of emergency for Tropical Storm Emily, effective that date, making the duration of the state of emergency 15 days.

Furthermore, on September 4, 2017, Governor Scott issued Executive Order 17-235 declaring a state of emergency in St. Lucie County due to Hurricane Irma for a period of sixty (60) days.

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In accordance with the requirements of F.S. 252.363, I am sending you this letter to provide formal written notification to the City on behalf of Walton Acquisitions, FL, LLC and the other owners of the Village at Midway property, that they are exercising their right pursuant to FS. 252.363 to extend the expiration date of the Village at Midway PD approval. When the period of tolling for two separate emergency events overlaps, the period of the overlap is counted only once and is not added together. The first two states of emergency overlapped, creating a continuous state of emergency from April 11, 2017 to August 15, 2017 (126 days). Therefore, the permit holders are entitled to an extension of 186 days (126 days for the first two states of emergency + 60 days for Hurricane Irma) plus 18 months (6 months for each state of emergency).

Based upon the foregoing, the expiration date of the Village at Midway PD approval is hereby extended from April 4, 2018 to April 7, 2020.

Please send me a letter confirming that the City's records have been updated to reflect the extension of the expiration date of the foregoing PD approval. If you have any questions or need anything further from me in order to process the extension of this PD approval, please let me know.

Best regards,



W. Lee Dobbins

WLD:sh

Enclosures

cc: Ed Fleming, President of Walton Development and Management, Inc. (via email, with enclosures)