



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 5

Public Hearings: Planning & Zoning Board (PZB): October 30, 2019  
Board of County Commissioners (BCC): November 19, 2019

Case No. and Project Name: RZ-19-23-2, East Clermont Village PUD (a/k/a Oak Properties)

Applicant: Rebecca Wilson, Esq., Lowndes Law

Owner: Oak Properties, LLC

Requested Action: Amend Planned Unit Development (PUD) 2018-51 to increase the maximum height for all designated habitable, occupancy use areas of a building or structure from thirty-five (35) feet to fifty (50) feet, and amend transportation conditions.

Staff Determination: Staff finds the rezoning application consistent with the Land Development Regulations (LDR) and Comprehensive Plan.

Case Manager: Janie Barrón, Senior Planner

PZB Recommendation:

### **Subject Property Information**

Size: 46.81 net acres (no wetlands or water bodies on subject property)

Location: Northeast of the intersection of State Road 50 and County Road 455.

Alternate Key No.: 2665645 and 1453313

Future Land Use: Urban High Density (Max. density of four (4) dwelling units per net acre)  
Regional Commercial (One dwelling unit per 10,000 square feet gross leasable area)

Current Zoning District: Planned Unit Development (PUD) by Ordinance #2018-51

Proposed Zoning District: Planned Unit Development (PUD) by Ordinance #2019-\_\_

Joint Planning Area/ISBA: Clermont JPA and Clermont ISBA – Comments Received (Attachment A)

Overlay Districts: Lake Apopka Basin Overlay District  
State Road 50 Major Commercial Corridor

**Adjacent Property Land Use Table**

<b>Direction</b>	<b>Future Land Use</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>Comments</b>
<b>North</b>	Urban Low	Agriculture (A) and Planned Commercial (CP)	Abandoned Railroad, Office Building, and Single-Family Residence	Southlake Trail and Top Notch RV Storage, Inc.
<b>South</b>	City of Clermont and Regional Commercial	City of Clermont	Commercial Development and Vacant Commercial Property	East Towne Center Commercial Development
<b>East</b>	Regional Commercial	Planned Industrial (MP) & Mining Conditional Use Permit (CUP)	Light Industrial	Dewitt Property
<b>West</b>	Regional Office	Agriculture (A), Heavy Industrial (HM), and Rural Residential (R-1)	Improved Pasture, Single-Family Residence, and Warehouse	None

**- Summary of Analysis -**

The rezoning application seeks to amend PUD Ordinance #2018-51 to increase the maximum height for all designated habitable, occupancy use areas of a building or structure from thirty-five (35) feet to fifty (50) feet, and amend transportation conditions to revise off-site road improvements. The subject property, identified by Alternate Key #3335708, contains approximately 46.81-acres with no wetlands or water bodies. The subject parcel is generally located northeast of the intersection of State Road 50 and County Road 455, in the Clermont area.

The property is located within the Clermont Joint Planning Area (JPA) and subject to the Inter-local Service Boundary Area (ISBA) agreement. The City of Clermont has provided comments (Attachment A) which have been incorporated into the draft Planned Unit Development (PUD) Ordinance.

**- Analysis -**

Land Development Regulations Section 14.03.03 Standards for Review.

**A. Whether the proposed rezoning is in conflict with any applicable provisions of the Code;**

The text amendment would not be in conflict with the Land Development Regulations (LDR). The requested amendments to PUD Ordinance #2018-51 to increase the maximum height for all designated habitable, occupancy use areas of a building or structure from thirty-five (35) feet to fifty (50) feet, and amend transportation conditions to revise the off-site road improvements, are not in conflict with any applicable provisions of the LDR. The City of Clermont has provided a statement indicating that the increase in height is in accordance with the General Commercial (C-2) City Zoning District (See Attachment A).

**B. Whether the proposed rezoning is consistent with all elements of the Lake County Comprehensive Plan;**

Amending PUD Ordinance #2018-51 to establish a 50-foot height maximum for structures is consistent with all applicable elements of the Comprehensive Plan. Comprehensive Plan Policy I-1.2.3 specifies the maximum height is limited to 50-foot for residential and non-residential structures, excluding appurtenances such as steeples, towers, spires, chimneys, antennae, or similar structures. The subject parcels are designated with Urban High Density and Regional Commercial Future Land Use Categories, in which mixed-use development of residential and commercial uses is permitted.

**C. Whether, and the extent to which, the proposed rezoning is inconsistent with existing and proposed land uses;**

The text amendment to increase the height of all designated habitable, occupancy use areas of a building or structure is consistent with surrounding development. The subject parcels have current entitlements that allow mixed-use development of residential and commercial uses, consistent with Ordinance #2018-51, and have received recent approvals to develop a car dealership consistent with the land uses assigned to the area.

**D. Whether there have been changed conditions that justify a rezoning;**

Amending PUD Ordinance #2018-51 is consistent with all applicable elements of the Comprehensive Plan. The subject property is designated with Urban High Density and Regional Commercial Future Land Use Categories, in which mixed-used development of residential and commercial uses is permitted.

**E. Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools and fire and emergency medical facilities;**

Water and Sewer

No Change.

Schools

No Change.

Parks

No Change.

Solid Waste

No Change.

Public Safety

Lake County Fire Station #90 is located less than one (1) mile from the subject property, located at 16311 State Road 50, Clermont.

Transportation Concurrency

No Change.

**F. Whether, and the extent to which, the proposed rezoning would result in significant adverse impacts on the natural environment;**

No adverse impact to the natural environment is anticipated, as the property is currently developed with urban uses.

**G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area;**

There is no indication that the rezoning amendment would have an adverse impact on property values.

**H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern;**

The text amendment is not anticipated to have any negative effects on the existing development pattern of the area. The subject property is situated between the Regional Commercial FLUC, Regional Office FLUC and the Urban Low Density FLUC. The Urban High Density FLUC is compatible with the surrounding properties and will serve as an appropriate transition between the Regional Commercial and Urban Low Density FLUC. The proposed amendment will result in an orderly and logical development pattern, as required by Comprehensive Plan Goal I-1 and Comprehensive Plan Policy I-1.1.3.

**I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and**

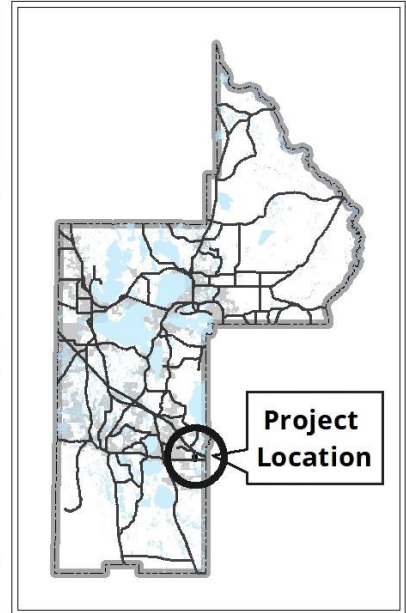
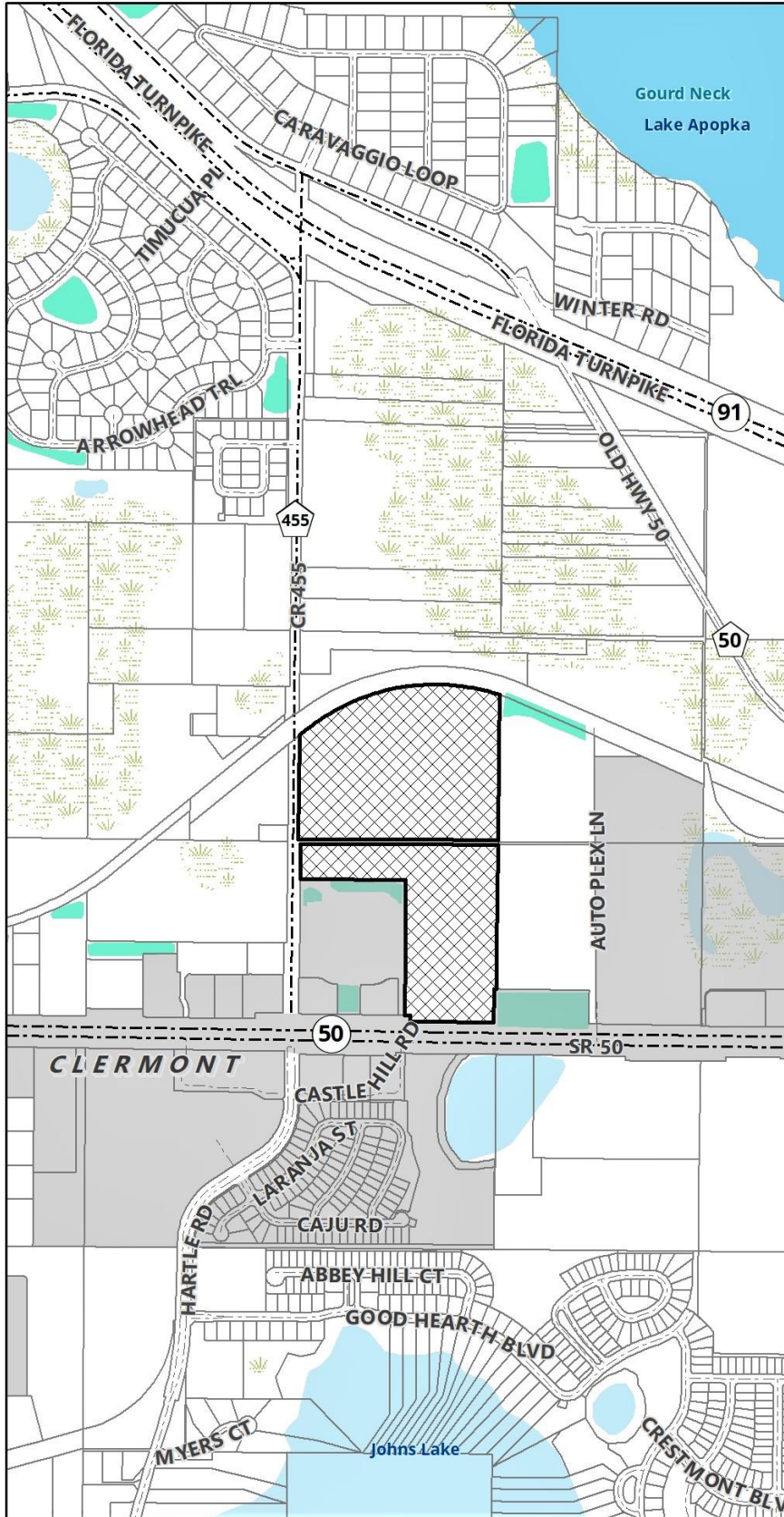
The proposed rezoning application is in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in Sections A through H above.

**J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

The City of Clermont has provided the following statement in support of the application submittal: *“The City of Clermont’s standards and the height would be fifty-five (55) feet in accordance to the C-2, General Commercial City Zoning District.”*

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# Subject Property



## Attachment A. City of Clermont Comments



DEVELOPMENT SERVICES  
352-394-4083

October 7, 2019

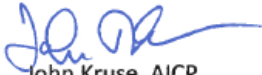
Ms. Janie Barron  
Lake County Office of Planning and Zoning  
315 W. Main Street  
Room 510  
Tavares, FL 32778

Re: Oak Properties, LLC Rezoning Project #2018040003 – AR#3846

Dear Janie,

As we have discussed, the project shall meet the City of Clermont Standards and would be allowed a height up to 55 feet, as pertained in the City's C-2 General Commercial Zoning Designation. Please let me know if you have any additional questions.

Sincerely,



John Kruse, AICP  
Planning Manager  
City of Clermont  
352-241-7309  
[jekruse@clermonfl.org](mailto:jekruse@clermonfl.org)

*Sent via email*

**Ordinance 2019-XX**  
**East Clermont Village Planned Unit Development (PUD)**  
**RZ-19-23-2**

1 **AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE**  
2 **LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.**

3 **WHEREAS**, Rebecca Wilson, Esq., Lowndes Law (the “Applicant”), on behalf of Oak Properties, LLC  
4 (the “Owner”), has made a request to amend Planned Unit Development (PUD) Ordinance #2018-51 to revise  
5 the maximum structure height and to establish new off-site transportation improvements; and

6 **WHEREAS**, the subject property consists of 46.81 +/- acres and is located north of State Road 50  
7 and east of County Road 455 in the Clermont area, within Sections 23 & 26, Township 22 South, Range 26  
8 East, and is more particularly described in Exhibit “A”; and

9 **WHEREAS**, on October 23, 2018, PUD Ordinance #2018-51 was approved by the Lake County  
10 Board of County Commissioners to revoke Conditional Use Permit (CUP) #957-3 and to rezone the subject  
11 property from Agriculture (A) to Planned Unit Development (PUD) zoning district to accommodate a mixed-  
12 use residential and commercial development; and

13 **WHEREAS**, the Lake County Planning & Zoning Board reviewed Petition RZ-19-23-2 on October  
14 30, 2019, after giving Notice of Hearing on petition for a change in the zoning, including notice that the petition  
15 would be presented to the Board of County Commissioners of Lake County, Florida, on November 19, 2019;  
16 and

17 **WHEREAS**, the Ordinance #2018-51 shall be superseded and replaced upon the adoption of this  
18 new PUD ordinance; and

19 **WHEREAS**, the Board of County Commissioners reviewed the petition, the recommendations of the  
20 Lake County Planning & Zoning Board, staff report, and any comments, favorable or unfavorable, from the  
21 public and surrounding property owners at a public hearing duly advertised; and

22 **WHEREAS**, upon review, certain terms pertaining to the development of the above described  
23 property have been duly approved; and

24 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,  
25 Florida, that:

26 **Section 1. Terms.** The County Manager or designee shall amend the Lake County Zoning Map to show the  
27 property as Planned Unit Development (PUD) zoning district in accordance with this Ordinance.  
28 All uses specified must be generally consistent with the Concept Plan as shown in Exhibit “B” of  
29 this Ordinance. To the extent where there are conflicts between the Concept Plan and this  
30 Ordinance, the Ordinance shall take precedence. Ordinance #2018-51 is shall be revoked and  
31 replaced with the adoption of this ordinance.

32 **A. Permitted Land Uses.**

33 1. Residential.

34 a. Residential uses are permitted on Tract A and Tract B as identified on the Concept Plan  
35 in Exhibit B.

36 b. The overall density shall be a minimum of four (4) dwelling units per acre and a maximum  
37 of twelve (12) dwelling units per acre.

- 1 c. A maximum of 296 dwelling units may be constructed on the subject property. Dwelling  
 2 units may include townhouses, apartments, single family residences, and duplexes.  
 3 d. Residential Setbacks. Setbacks for the single family dwelling units and duplexes are as  
 4 follows:

Front	25 feet from the property line or right-of-way, whichever is greater.
Secondary Front	15 feet from the property line or right-of-way, whichever is greater.
Side	5 feet from the property line.
Rear	10 from the property line for the dwelling unit and 5 feet from the property line for accessory structures (including pools & screen rooms).
Between Buildings (for Single Family Attached Dwellings only)	20 feet plus 15 feet for each story in excess of two.
Driveways	Single-Family Detached: Five (5) feet from the side property line. Single-Family Attached: May be allowed to have a zero-foot side setback from the property line with an approved grading plan.

5 2. Commercial Development.

- 6 a. Commercial Development is a permitted use on Tract B and Tract C, as depicted in the  
 7 Concept Plan provided as Exhibit B.  
 8 b. A maximum of 400,000 of Commercial/Office Uses may be developed on the subject  
 9 property.  
 10 c. All Planned Commercial (CP) uses are permitted with the exception of the following uses:  
 11 Kennels, Lofts/Aviary, Plant Nursery, Mining and Quarrying, Obnoxious Uses, Adult  
 12 Uses, Marina, Self-Service Laundry, Self-Service Storage, Truck Yard, Junkyard,  
 13 Warehouses, Cemetery, College or University, and Major Utilities.  
 14 d. Setbacks for Commercial Development shall be as follows:

Front	50 feet from the right-of-way of State Road 50 and County Road 455, and 25 feet from the right-of-way of any local/internal road or easement.
Side	15 feet from the property line (based on the 15-foot Type B landscape buffer requirement)
<ul style="list-style-type: none"> <li>• Rear setbacks shall be no less than twenty-five (25) feet for all structures.</li> </ul>	



- All yard setbacks for principal and accessory buildings shall be a minimum of thirty (30) feet from residentially designated land and residential structures.

- 1           **B. Development Standards.**
- 2           1. Maximum height of ~~thirty-five (35)~~ fifty (50) feet shall be allowable for all designated habitable,
- 3           occupancy use areas of a Building or structure, and a maximum height of forty-five (45) feet
- 4           shall be allowable for the finished height of all buildings or structures. For the purposes of this
- 5           section, habitable, occupancy use area shall mean that portion of a building or structure
- 6           included between the upper surface of a floor and the ceiling above, intended for human
- 7           occupancy.
- 8           2. Fencing around water retention areas Shall be ornamental metal fencing.
- 9           3. Commercial development shall adhere to the Architectural Design Standards in LDR Section
- 10          15.02.04, *Architectural Standards*.
- 11          **C. Open Space, Impervious Surface Ratio, Floor Area Ratio, and Building Height.** All
- 12          development standards must be in accordance with the Comprehensive Plan and Land
- 13          Development Regulations (LDR), as amended.
- 14          **D. Clermont Joint Planning Area (JPA):** The project shall comply with all applicable regulations
- 15          of Chapter XV of the Land Development Regulations (LDR), as amended.
- 16          **E. Parking Requirements.** Off-street parking must be provided in accordance with the Lake
- 17          County Land Development Regulations, as amended.
- 18          **F. Landscaping, Buffering, and Screening.** All new development must provide landscaping in
- 19          accordance with the Lake County Land Development Regulations, as amended.
- 20          **G. Environmental Requirements.** Prior to any future development, a current environmental
- 21          assessment must be submitted to identify potential negative impacts to wetlands, habitat, wildlife
- 22          corridors, flora, and fauna.
- 23          **H. Noise:** Compliance must be in accordance with the Lake County Land Development
- 24          Regulations, as amended.
- 25          **I. Transportation Improvements.**
- 26          1. All access management shall be in accordance with FDOT, the Comprehensive Plan and
- 27          Land Development Regulations, as amended.
- 28          2. An 8-foot wide sidewalk will be required along the site's CR 455 frontage as identified in the
- 29          Lake County Trail Master Plan, as amended.
- 30          3. Offsite Road improvements will be required on CR 455, consisting of ~~12-ft. road lanes with 5~~
- 31          ~~ft. paved shoulders~~ and left and right turn lanes at the entrances, and paved shoulders within
- 32          the limits of the offsite road improvements, or other improvements consistent with FDOT, the
- 33          Comprehensive Plan and Land Development Regulations as amended, and approved by
- 34          Lake County Public Works.
- 35          4. Right-of-Way dedication shall be required for CR 455.
- 36          5. The Owner shall landscape and maintain the SR 50 median from its east Property line
- 37          westward to the intersection at CR 455, as approved by Lake County and FDOT.

- 1           **J. Utilities.** A Utility Service Agreement for water and sewer with the City of Clermont shall be  
2 required prior to site plan approval. Connection to central water and wastewater treatment is  
3 required and shall comply with all applicable State, Regional, and Lake County policies and  
4 regulations, as amended.
- 5           **K. Stormwater Management.**
- 6           1. The additional stormwater drainage from the offsite road improvements shall be  
7 accommodated in the master stormwater management for the site.
- 8           2. The stormwater management system shall be designed in accordance with all applicable  
9 Lake County and St. Johns River Water Management District (SJRWMD) requirements, as  
10 amended.
- 11           3. The stormwater management system shall demonstrate that each phase is able to exist as  
12 an independent stable unit for drainage purposes while meeting both SJRWMD and Lake  
13 County standards. The natural predevelopment drainage pattern shall be maintained to the  
14 maximum extent possible, in accordance with SJRWMD and Lake County standards.
- 15           **L. Floodplain Management.** The Developer will be responsible for any flood studies required for  
16 developing the site and to comply with Federal Emergency Management Agency (FEMA)  
17 regulations, Comprehensive Plan, and the Lake County Land Development Regulations LDR),  
18 as amended. Any development within the floodplain as identified on the FEMA maps will require  
19 compensating storage.
- 20           **M. External Lighting Standards and Requirements.**
- 21           1. Exterior lighting must be in accordance with the Lake County Land Development Regulations,  
22 as amended, and consistent with Dark-Sky Principles.
- 23           2. All light fixtures, including security lighting, shall be limited to cutoff type fixtures and shall be  
24 incorporated as an integral design element that complements the design of the development  
25 through style, material, and color. Luminaries shall not be tilted. Floodlights or lighting types  
26 featuring sag, convex, or drop lenses shall be prohibited.
- 27           3. The height of lighting fixtures inclusive of supporting pole, the lighting source, and fixture shall  
28 not exceed 30 thirty (30') feet within parking areas and fifteen (15') feet in height in non-  
29 vehicular pedestrian areas. Such height shall be measured from finished grade to the top of  
30 the light fixture.
- 31           4. An exterior lighting plan shall be prepared and be submitted with any site plan or construction  
32 plan application. Such plan shall consist of a photometric plan of the developed area of the  
33 site with accompanying data tables and product design details addressing support poles,  
34 lamp fixtures and lenses.
- 35           **N. Signage.**
- 36           1. Signs with visible moving, revolving or rotating parts or visible mechanical movement of any  
37 description or other apparent visible movement achieved by electrical, electronic or  
38 mechanical means shall be prohibited.
- 39           2. Signs with the optical illusion of movement by means of a design that presents a pattern  
40 capable of giving the illusion of motion or changing of copy shall be prohibited.

- 1                   3. Digital or light-emitting diode (LED) signs shall be prohibited.
- 2                   4. All signage must be in accordance with the Lake County Land Development Regulations, as
- 3                   amended.

4                   **O. Concurrency Management Requirements.**

- 5                   1. The Owner shall comply with concurrency management regulations and shall be subject to
- 6                   all applicable concurrency requirements as set forth in the LDRs.
- 7                   2. Future Amendments to Statutes, Code, Plan, and/or Regulations: The specific references in
- 8                   this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County
- 9                   Comprehensive Plan, and Lake County Land Development Regulations (LDR) are inclusive
- 10                  of any future amendments to the Statutes, Code, Plan, and/or Regulations.

11                  **P. Development Review and Approval.**

- 12                  1. Prior to the issuance of any permits, the Applicant shall be required to submit a formal site
- 13                  plan (multi-family development and community facility development) or a preliminary plat,
- 14                  construction plans, and final plat (single-family/townhomes), generally consistent with Exhibit
- 15                  B, for review and approval to Lake County. The site plan or preliminary plat, construction
- 16                  plans, and final plat shall meet all submittal requirements and comply with all County codes
- 17                  and ordinances, as amended.
- 18                  2. PUD Expiration: Physical development shall commence within three (3) years from the date
- 19                  of this Ordinance approval. Failure to commence construction within three (3) years of
- 20                  approval shall cause the revocation of this ordinance, in accordance with the Comprehensive
- 21                  Plan or superseding documents amended. Prior to expiration of the three-year time frame,
- 22                  the Board of County Commissioners may grant, via a Public Hearing, one (1) extension of
- 23                  the time frame for a maximum of two (2) years upon a showing that reasonable efforts have
- 24                  been made towards securing the required approvals and commencement of work.
- 25                  3. Final approval of non-residential development shall require action by the Board of County
- 26                  Commissioners.

27                  **Section 2. Conditions.**

- 28                  **A.** After establishment of the facilities as provided in this Ordinance, the property may only be used
- 29                  for the purposes identified in this Ordinance. Any other proposed use must be specifically
- 30                  authorized by the Lake County Board of County Commissioners.
- 31                  **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove, improve,
- 32                  move, convert, or demolish any building structure, add other uses, or alter the land in any manner
- 33                  within the boundaries of the above described land without first obtaining the necessary approvals
- 34                  in accordance with the Lake County Code, as amended, and obtaining the permits required from
- 35                  the other appropriate governmental agencies.
- 36                  **C.** This Ordinance will inure to the benefit of, and will constitute a covenant running with the land,
- 37                  and the terms, conditions, and provisions of this Ordinance will be binding upon the present
- 38                  Owners and any successor, and will be subject to each and every condition set out in this
- 39                  Ordinance.
- 40                  **D.** The transfer of ownership or lease of any or all of the property described in this Ordinance must
- 41                  include in the transfer or lease agreement, a provision that the purchaser or lessee is made good

1 and aware of the conditions established by this Ordinance and agrees to be bound by these  
2 conditions. The purchaser or lessee may request a change from the existing plans and conditions  
3 by following the procedures contained in the Land Development Regulations, as amended.

4 **E.** Action by the Lake County Code Enforcement Special Master. The Lake County Code  
5 Enforcement Special Master will have authority to enforce the terms and conditions set forth in  
6 this Ordinance and to recommend that the ordinance be revoked.

7 **Section 3. Severability.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
8 unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity  
9 of the remaining portions of this Ordinance.

10 **Section 4. Filing with the Department of State.** The clerk is hereby directed to send a copy of this  
11 Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66,  
12 Florida Statutes.

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1 **Section 5. Effective Date. This Ordinance will become effective as provided by law.**

2 **ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

3 **FILED** with the Secretary of State \_\_\_\_\_, 2019.

4 **EFFECTIVE** \_\_\_\_\_, 2019.

5 **BOARD OF COUNTY COMMISSIONERS**  
6 **LAKE COUNTY, FLORIDA**

7  
8 \_\_\_\_\_  
9 **LESLIE CAMPIONE, CHAIRMAN**

10 **ATTEST:**

11  
12 \_\_\_\_\_  
13 **GARY J. COONEY, CLERK OF THE**  
14 **BOARD OF COUNTY COMMISSIONERS**  
15 **LAKE COUNTY, FLORIDA**

16  
17 **APPROVED AS TO FORM AND LEGALITY:**

18  
19  
20 \_\_\_\_\_  
21 **MELANIE MARSH, COUNTY ATTORNEY**

1

### Exhibit A, Legal Description.

**Tracts 51A, 52A, 61 and 62, of LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 23, TOWNSHIP 22 SOUTH, RANGE 26 EAST, according to the Plat thereof, as recorded in Plat Book 4, Page 11, of the Public Records of Lake County, Florida; LESS right of way on the West for State Road Number 455; together with Tracts 3, 4, 13 and 14 of LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 26, TOWNSHIP 22 SOUTH, RNAGE 26 EAST, according to the Plat thereof, as recorded in Plat Book 3, at Page 52, of the Public Records of Lake County, Florida; LESS right of way on the West for State Road 455 and LESS right of way on the South for State Road 50, in and for Lake County, Florida.**

**LESS AND EXCEPT THE FOLLOWING AS CONTAINED IN THAT CERTAIN WARRANTY DEED RECORDED DECEMBER 26, 2002, IN OFFICIAL RECORDS BOOK 2231, PARE 2257, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA:**

**A portion of tracts 3, 4, 13 and 14 of LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, according to the Plat thereof, as recorded in Plat Book 3, Page 52, of the Public Records of Lake County, Florida, being described as follows:**

**Commence at the North Quarter corner of said Section 26 as a point of reference, said point being marked by a railroad spike in the centerline of pavement of County Road No. 455; thence run South 00 degrees 40 minutes 30 seconds West, along the West line of the Northeast Quarter of said Section 26, 244.02 feet; thence run South 89 degrees 34 minutes 59 seconds East, parallel with the North line of said Northeast Quarter, 33.00 feet to the POINT OF BEGINNING; thence continue South 89 degrees 34 minutes 59 seconds East, parallel with said North line, 700.01 feet; thence run South 00 degrees 40 minutes 30 seconds West, parallel with the aforesaid West line of the Northeast Quarter, 879.12 feet to the North right of way line of State Road No. 50 as shown on right of way Map Section 11070-2505; thence run North 88 degrees 54 minutes 49 seconds West, along said North right of way line, 718.02 feet to the East line of a 30 foot right of way as shown on the Plat of LAKE HIGHLANDS COMPANY SUBDIVISION; thence run North 00 degrees 40 minutes 30 seconds East, along said East right line 261.64 feet to the East line of County Road No. 455 as currently monumented, said line being a curve concave to the Northwest; thence run Northeasterly along said curve having a central angle of 13 degrees 48 minutes 23 seconds, a radius of 623.00 feet, an arc length of 150.12 feet, a chord bearing of North 07 degrees 34 minutes 41 seconds East and a chord distance of 149.76 feet; thence run North 00 degrees 40 minutes 30 seconds East, continuing along said East line, 460.49 feet to the POINT OF BEGINNING.**

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**AND LESS AND EXCEPT THE FOLLOWING AS CONTAINED IN THAT CERTAIN**

**That portion of the following described Parcel lying within 50 feet East of the North-South Mid-Section line of Section 26, Township 22 South, Range 26 East, Lake County, Florida.**

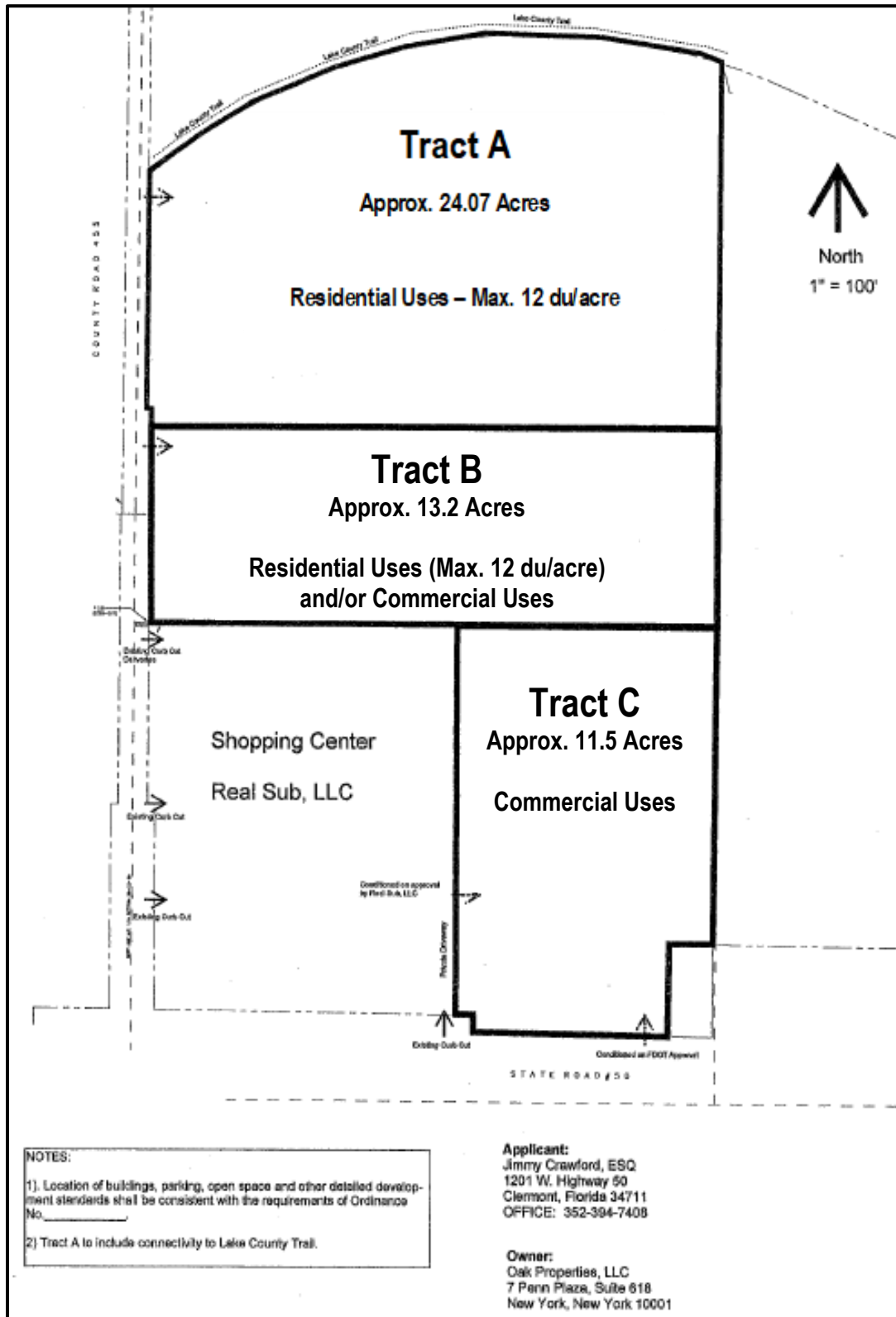
**Tract 13 of LAKE HIGHLANDS COMPANY SUBDIVISION OF SECTION 26, TOWNSHIP 22 SOUTH, RANGE 26 EAST, according to the Plat thereof, as recorded in Plat Book 3, Page 52, of the Public Records of Lake County, Florida, LESS AND EXCEPT right of way for SR 50.**

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### Exhibit B, Concept Plan.



2