

Meeting Date
December 20, 2016



AGENDA	
Section	CONSENT
Item No.	<i>II.A.6</i>

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Binding Development Plan, Re: Seasons in the Sun, LLC (District 1) FISCAL IMPACT: NONE
DEPT/OFFICE:	Planning & Development Department

Requested Action:

It is requested that the Board approve, and the Chairman sign, the subject Binding Development Plan.

Summary Explanation & Background:

A Binding Development Plan (BDP) is a voluntary agreement by a property owner to self-impose limits upon development of a property in support of a change of zoning or conditional use permit. Pursuant to Section 62-1157, a BDP shall be recorded in the public records within 120 days of approval of the zoning application by the Board. Following staff and legal review, a BDP is routinely presented to the Board in recordable form as a Consent agenda item in order to finalize the zoning action.

On December 1, 2016, the Board of County Commissioners approved an amendment to an existing BDP to add all types of RV's with a minimum length of 22 feet, in an RVP zoning classification, on property located on the south side of S.R. 46, approx. 0.23 miles west of N. Carpenter Rd. (2400 Seasons in the Sun Blvd., Mims), subject to a Binding Development Plan as follows:

- Developer/Owner shall limit density to 232 sites
- All types of recreational vehicles with a minimum length of 22 feet shall be allowed.
- Developer/Owner will not allow access by other types of housing devices such as tents or non-motorized non-recreational vehicles.

Clerk to the Board instruction: After recordation, forward two certified copies to the Planning and Development Department

Exhibits Attached: Binding Development Plan, with exhibits, and check for recording

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR <input type="checkbox"/>
County Manager		Department Director / Extension Robin M. DiFabio, AICP, Director Planning & Development Dept. Ext. 56363				
Stockton Whitten						



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

December 21, 2016

MEMORANDUM

TO: Jennifer Jones, Zoning

RE: Item II.A.6, Binding Development Plan Agreement with Seasons in the Sun, LLC.

The Board of County Commissioners, in regular session on December 20, 2016, executed Binding Development Plan with Seasons in the Sun, LLC, for property located on the south side of S.R. 46, approximately .23 miles west of N. Carpenter Rd. Enclosed for your necessary action are two certified copies of the recorded document.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/dt

Encls. (2)

cc: Contracts Administration

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this 20 day of December, 2016 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred as "County") and Seasons In The Sun L.L.C. (hereinafter referred to as "Developer/Owner").

RECITALS

WHEREAS, Developer/Owner owns property in Brevard County, Florida, (hereinafter referred to as the "Property") as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, 38.1 acres of the property has already been predominantly developed in nature and scope.

WHEREAS, the County is authorized to regulate future development of the Property.

NOW, THEREFORE, the parties agree as follows:

1. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.

2. The Developer/Owner shall limit density to 232 sites. Any increase in site density will require an amendment to this agreement and will require public hearings and notice as provided in the Code of Ordinances of Brevard County, Florida. In addition to the 232 sites, the Developer/Owner has constructed four buildings and anticipates that additional buildings may be added in accordance with Brevard County codes and requirements.

3. The Developer/Owner shall allow all types of recreational vehicles with a minimum length of 22 feet. The Developer's/Owner will not allow access by other types of housing devices such as tents or non-motorized non-recreational vehicles.

4. The Developer/Owner shall provide individual water, sewer and electrical connections for each unit (lot).

5. The Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developers/Owners agreement to meet additional standards or restrictions in future development of the Property. This agreement provides no vested rights against changes to the comprehensive plan or land development regulations as they may apply to this property.

6. The Developer/Owner, upon execution of this Agreement, shall pay to the County the cost of recording this Agreement in Brevard County, Florida.

7. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until modified with consent of the County and be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property.

EXHIBIT A

LEGAL DESCRIPTION:

PARCEL 1:

A PARCEL OF LAND BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 21 SOUTH, RANGE 34 EAST, BREVARD COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 13, THENCE N.89°27'18"E., ALONG THE SOUTH LINE OF SAID SECTION 13, A DISTANCE OF 33.00 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF TURPENTINE ROAD (A 66.00 FOOT WIDE RIGHT OF WAY); THENCE ON A BEARING OF NORTH ALONG SAID EAST RIGHT OF WAY LINE OF TURPENTINE ROAD (SAID RIGHT OF WAY LINE LYING PARALLEL WITH AND 33.00 FEET EAST OF THE WEST LINE OF SAID SECTION 13), 394.50 FEET TO THE INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF HAMMOCK TRAIL (A 100 FOOT WIDE RIGHT OF WAY) AS DESCRIBED IN OFFICIAL RECORDS BOOK 1212, PAGE 917 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE CONTINUE ON A BEARING OF NORTH, ALONG THE AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF TURPENTINE ROAD, 834.74 FEET TO THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 298, PAGE 409 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N.89°20'20"E., ALONG THE SOUTH LINE OF SAID PARCEL, 133.00 FEET TO THE SOUTHEAST CORNER THEREOF AND SAID POINT BEING THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 2314, PAGE 2137 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE ALONG THE BOUNDARIES OF SAID PARCEL OF LAND, THE FOLLOWING TWO COURSES AND DISTANCES; THENCE N.58°49'19"E., 69.61 FEET; THENCE ON A BEARING OF NORTH, 62.65 FEET TO A POINT LYING ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE AFORESAID SECTION 13 AND THE SOUTH LINE OF BAR-"C" RANCHETTES AS RECORDED IN PLAT BOOK 24, PAGE 58 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA; THENCE N.89°20'20"E., ALONG SAID LINE, 436.80 FEET TO THE SOUTHEAST CORNER OF SAID PLAT OF BAR-"C" RANCHETTES AND THE SOUTHEAST CORNER OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE N.00°03'56"W., ALONG THE EAST LINE OF SAID PLAT OF BAR-"C" RANCHETTES AND ALONG SAID EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, A DISTANCE OF 1285.83 FEET TO A POINT LYING ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO.46; THENCE N.89°10'34"E., ALONG SAID RIGHT OF WAY LINE, 615.30 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE CONTINUE N.89°10'34"E., ALONG SAID RIGHT OF WAY LINE, 401.48 FEET TO A POINT LYING ON THE EAST LINE OF THE WEST 25.00 FEET OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE S.00°08'56"E., ALONG SAID LINE, 623.32 FEET TO A POINT LYING ON THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE N.89°16'10"E., ALONG SAID LINE, 967.74 FEET TO A POINT LYING ON THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE S.00°14'18"E., 893.28 FEET TO A POINT LYING ON THE NORTHERLY RIGHT OF WAY LINE OF THE AFORESAID HAMMOCK TRAIL AND THE ARC OF A CIRCULAR CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 544.65 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.39°42'47"E.; THENCE ALONG SAID RIGHT OF WAY LINE OF HAMMOCK TRAIL, THE FOLLOWING THREE COURSES AND DISTANCES; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 64°09'17", 609.85 FEET TO THE POINT OF TANGENCY; THENCE N.65°33'30"W., 641.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 675.82 FEET; THENCE WESTERLY, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 39°31'29", 466.20 FEET; THENCE N.15°04'59"W., 112.69 FEET; THENCE N.45°46'25"W., 47.84 FEET; THENCE N.44°13'35"E., 139.33 FEET; THENCE N.35°28'00"W., 139.61 FEET; THENCE N.14°14'48"W., 186.22 FEET; THENCE N.40°01'27"E., 302.44 FEET; THENCE N.08°33'12"E., 115.85 FEET; THENCE S.81°26'48"E., 60.10 FEET; THENCE N.08°33'12"E., 403.88 FEET TO THE POINT OF BEGINNING.

CONTAINING 38.10 ACRES MORE OR LESS.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed, all as of the date and year first written above.

ATTEST:

Scott Ellis, Clerk
(SEAL)

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA
2725 Judge Fran Jamieson Way
Viera, FL 32940

Curt Smith, Chairman

As approved by the Board on Dec. 20, 2016

(Please note: You must have two witnesses and a notary for each signature required. The notary may serve as one witness.)

WITNESSES:

Rodney M. Homenyatt
(Witness Name typed or printed)

DEVELOPER/OWNER

by:

Heather Calligan, as Manager

2400 Seasons in the Sun BLVD
MIMS, FL. 32754

(Address)

SAMUEL T. GLENN

(Witness Name typed or printed)

*By HEATHER CALLIGAN
Managing member
Seasons in the Sun LLC

STATE OF FLORIDA §

COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me this 6th day of December,
20 16, by Heather Calligan, Mangr. of Seasons in the Sun, who is personally
known to me or who has produced FL as identification.



My commission expires Dec. 28, 2018
SEAL
Commission No.: FF185844

Notary Public

Sally Hampton
(Name typed, printed or stamped)

JOINDER IN BINDING DEVELOPMENT PLAN

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being the authorized agent and signatory for the owner and holder of that certain Mortgage dated JAN. 13, 2012, given by Seasons In The Sun LLC as mortgagor, in favor of the undersigned, WEST TOWN SAVINGS BANK as mortgagee, recorded in Official Records Book 6520 page 999, Public Records of Brevard County, Florida, and encumbering lands described in said Mortgage, does hereby join in the foregoing Binding Development Plan for the purpose of consenting to the change of property use and development requirements as set forth therein.

WITNESSES:

MORTGAGEE NAME/ADDRESS

WEST TOWN SAVINGS BANK

8450 FALLS OF NOUSE RD STE 202

(Address)

RALPH, NC 27615

[Signature]

[Signature]

Authorized Agent Signature

Felica Norton

(Witness name typed or printed)

A. Riddick Skinner, EVP

(Name/title typed, printed or stamped)

Mark E. Banks

Mark E. Banks

(Witness name typed or printed)

STATE OF NC §

COUNTY OF Johnston §

The foregoing instrument was acknowledged before me this 26th day of September, 2016 by A. Riddick

Skinner, who is personally known to me or who has produced a NC drivers license as identification.

My commission expires

Michelle Deal

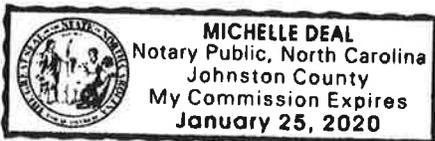
Notary Public

Michelle Deal

(Name typed, printed or stamped)

SEAL

Commission No.:



DISTRICT 1

IV.B.6. (16PZ00095) – SEASONS IN THE SUN, LLC – (Rodney Honeycutt) – requests an amendment to an existing BDP to add all types of RVs with a minimum length of 22 feet, in an RVP zoning classification, on 38.10 acres, located on the south side of S.R. 46, approx. 0.23 mile west of N. Carpenter Rd. (2400 Seasons in the Sun Blvd., Mims)

P&Z Recommendation: Lawandales/Moia – Approved with a Binding Development Plan (BDP) limiting density to 232 sites, and allowing all types of recreational vehicles with a minimum length of 22 feet. Vote was unanimous.

BCC ACTION:

IV.B.7. (16PZ00102) – SHARPES EXECUTIVE GOLF COURSE, INC. – (Boaz Bar-Navon and Rodney Honeycutt) – requests a change of classification from AU and RU-2-15(12) to RU-1-7, with a BDP limited to 4 units per acre, on 56.17 +/- acres, located on the west side of U.S. Hwy 1, approx. 0.26 mile south of Camp Rd. (4247 N. U.S. Hwy 1, Cocoa)

P&Z Recommendation: Moia/LaMarr – Approved with inclusion of sewer connection in BDP. Vote was unanimous.

BCC ACTION:

**PLANNING AND ZONING BOARD RECOMMENDATIONS OF NOVEMBER 7, 2016;
AND NORTH MERRITT ISLAND RECOMMENDATION OF NOVEMBER 10, 2016**

Item IV.B.1. Melbourne Suites, LLC. Barfield/Isnardi, approved as recommended.

Item IV.B.2. Home Depot USA, Inc. Barfield/Pritchett, tabled to the February 2, 2017, Zoning meeting.

Item IV.B.3. Gregory D. Taylor and Rachael J. Fitzpatrick. Barfield/Isnardi, approved as recommended; and approved the hours of business being 11:00 a.m. to 11:00 p.m. five days a week, having landscape buffering on the north and east sides with Lemon Bamboo, and for the CUP to be in conjunction with retail.

Item IV.B.4. Albert Heredia & Susan Kadlac Heredia. Barfield/Pritchett. Approved as recommended.

Item IV.B.5. Florida Premier Promenade. Pritchett/Isnardi. Approved as recommended.

Item IV.B.6. Seasons in the Sun, LLC. Pritchett/Barfield. Approved with the BDP staying the same.

Item IV.B.7. Sharpes Executive Golf Course, Inc. Pritchett/Barfield. Approved as recommended.

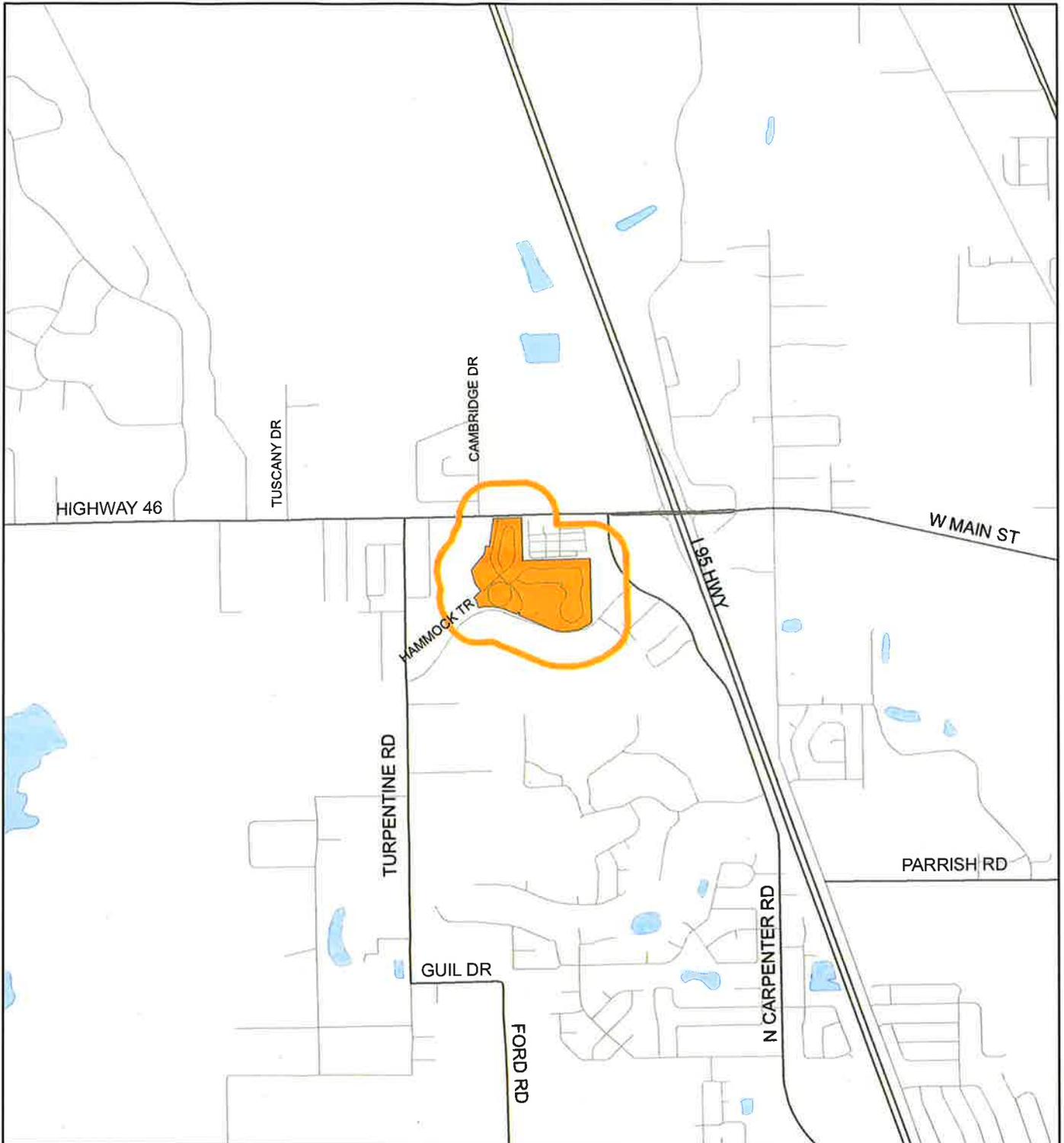
**THE FOLLOWING ITEM WAS TABLED FROM THE OCTOBER 13, 2016, AND
NOVEMBER 10, 2016, NORTH MERRITT ISLAND MEETINGS**

Item IV.B.8. Gerald Crayton, Trustee. Barfield/Pritchett, tabled to the February 2, 2017, Zoning meeting.

LOCATION MAP

SEASONS IN THE SUN, LLC

16PZ00095



1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

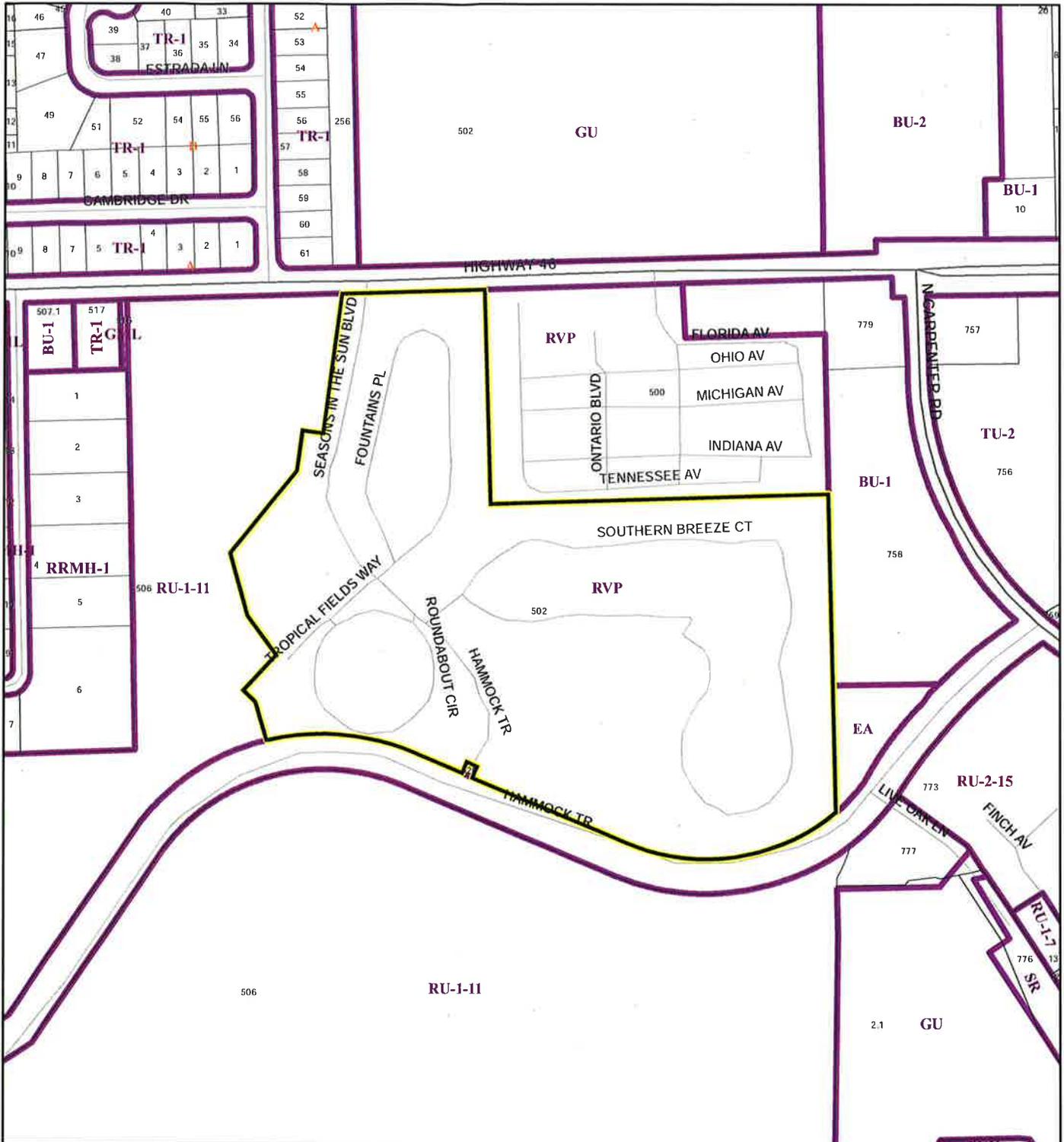
-  Buffer
-  Subject Property

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions herein.

ZONING MAP

SEASONS IN THE SUN, LLC

16PZ00095



1:4,800 or 1 inch = 400 feet

- Subject Property
- Parcels
- Zoning

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions herein.

BrevardClerk.US
 Scott Ellis, Clerk of Court

700 South Park Avenue, Bldg. B
 P.O. Box 2767
 Titusville, FL 32781-2767
 (321) 637-2006

DBLIVE Transaction
 #: 1820968
 Receipt #: 61786248
 Cashier Date: 12/21/2016
 12:15:10 PM



Print Date:
 12/21/2016 12:15:11 PM

Customer Information	Transaction Information	Payment Summary
() SILVIA M ROTH LLC 3850 LOST TREE CT TITUSVILLE, FL 32796	DateReceived: 12/21/2016 Source Code: Titusville - Six Story Q Code: Titusville - Six Story Return Code: Hand Carried Trans Type: Recording Agent Ref Num:	Total Fees \$44.00 Total Payments \$44.00

1 Payments	
CHECK 1016	\$44.00

1 Recorded Items		
(AG) AGREEMENT	BK/PG: 7782/523 CFN:2016250414 Date: 12/21/2016 12:15:09 PM From: To:	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	5	\$44.00
Indexing @ 1st 4 Names Free, Add'l=\$1 ea.	2	\$0.00

0 Search Items

1 Miscellaneous Items
(AGTR) AGENT TRANSMITTAL

RESOLUTION NO. 16PZ00095

On motion by Commissioner Pritchett, seconded by Commissioner Barfield, the following resolution was adopted by a unanimous vote:

WHEREAS, SEASONS IN THE SUN, LLC has requested an amendment to an existing BDP (Binding Development Plan), to add all types of RVs with a minimum length of 22 feet, in an RVP (Recreational Vehicle Park) zoning classification, on property described as: SEE ATTACHED

Section 13, Township 21 S, Range 34 E, and,

WHEREAS, a public hearing of the Brevard County Planning & Zoning Board was advertised and held, as required by law, and after hearing all interested parties and considering the adjacent areas, the Brevard County Planning & Zoning Board/Local Planning Agency recommended that the application be approved with a BDP limiting density to 232 sites, and allowing all types of recreational vehicles with a minimum length of 22 feet; and,

WHEREAS, the Board, after considering said application and the Brevard County Planning & Zoning Board's recommendation, and hearing all interested parties, and after due and proper consideration having been given to the matter, find that the application should be Approved with a BDP limiting density to 232 sites, and allowing all types of recreational vehicles with a minimum length of 22 feet; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested amendment to an existing BDP to add all types of RVs with a minimum length of 22 feet, in an RVP zoning classification, be APPROVED with a BDP, recorded in ORB 7782, Pages 0523 – 0527, dated December 21, 2016, limiting density to 232 sites, and allowing all types of recreational vehicles with a minimum length of 22 feet, and that the zoning classification relating to the above described property remain unchanged, and the Planning & Zoning Director, or designee, is hereby directed to make this change on the official zoning maps of Brevard County, Florida.

BE IT FURTHER RESOLVED that this resolution shall become effective as of December 21, 2016.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida



by Curt Smith, Chairman
Brevard County Commission

As approved by Brevard County Commission on December 20, 2016.

ATTEST:



SCOTT ELLIS, CLERK
(SEAL)



(P&Z Hearing – November 21, 2016)
(BCC Zoning Hearing – December 1, 2016)

Please note: A Conditional Use Permit will generally expire on the three year anniversary of its approval if the use is not established prior to that date. Conditional Use Permits for Towers and Antennas shall expire if a site plan for the tower is not submitted within one (1) year of approval or if construction does not commence within two years of approval. A PUD Preliminary Development Plan expires if a final development plan is not filed within three years.

THE GRANTING OF THIS ZONING DOES NOT GUARANTEE PHYSICAL DEVELOPMENT OF THE PROPERTY. AT THE TIME OF DEVELOPMENT, SAID DEVELOPMENT MUST BE IN ACCORDANCE WITH THE CRITERIA OF THE BREVARD COUNTY COMPREHENSIVE PLAN AND OTHER APPLICABLE LAWS AND ORDINANCES.

Legal Description:

A parcel of land being a part of the SE $\frac{1}{4}$ of Section 13, Township 21S, Range 34E, Brevard County, Florida, described as follows: Commencing at the SW corner of said Section 13, thence N89deg27'18"E, along the south line of said Section 13, a distance of 33 ft. to a point lying on the east right-of-way line of Turpentine Rd. (a 66 ft. wide right-of-way); thence on a bearing of north along said east right-of-way line of Turpentine Rd. (said right-of-way line lying parallel with and 33 ft. east of the west line of said Section 13), 394.50 ft. to the intersection with the northerly right-of-way line of Hammock Trail (a 100 ft. right-of-way) as described in ORB 1212, Page 917 of the Public Records of Brevard County, Florida; thence continue on a bearing of north, along the aforementioned easterly right-of-way line of Turpentine Rd., 834.74 ft. to the SW corner of the parcel of land described in ORB 298, Page 409 of the Public Records of Brevard County, Florida; thence N89deg20'20"E, along the south line of said parcel, 133 ft. to the SE corner thereof and said point being the SW corner of the parcel of land described in ORB 2314, Page 2137 of the public records of Brevard County, Florida; thence along the boundaries of said parcel of land, the following two courses and distances; thence N58deg49'19"E, 69.61 ft.; thence on a bearing of north, 62.65 ft. to a point lying on the south line of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the aforesaid Section 13 and the south line of Bar-"C" Ranchettes as recorded in Plat Book 24, Page 58 of the Public Records of Brevard County, Florida; thence N89deg20'20"E, along said line, 436.80 ft. to the SE corner of said plat of Bar-"C" Ranchettes and the SE corner of the west $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 13; thence N00deg03'56"W, along the east line of said Plat of Bar-"C" Ranchettes and along said east line of the west $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13, a distance of 1285.83 ft. to a point lying on the south right-of-way line of S.R. 46; thence N89deg10'34"E, along said right-of-way line, 615.30 ft. to the point of beginning of the land herein described; thence continue N89deg10'34"E, along said right-of-way line, 401.48 ft. to a point lying on the east line of the west 25 ft. of the east $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 13; thence S00deg08'56"E, along said line, 623.32 ft. to a point lying on the north line of the south $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 13; thence N89deg16'10"E, along said line, 967.74 ft. to a point lying on the east line of the SW $\frac{1}{4}$ of said Section 13; thence S00deg14'18"E, 893.28 ft. to a point lying on the northerly right-of-way line of the aforesaid Hammock Trail and the arc of a circular curve, concave northerly, having a radius of 544.65 ft. and to which point a radial line bears S39deg42'47"E; thence along said right-of-way line of Hammock Trail, the following three courses and distances; thence westerly, along the arc of said curve, through a central angle of 64deg09'17", 609.85 ft. to the point of tangency; thence N65deg33'30"W, 641 ft. to the point of curvature of a circular curve, concave southerly and having a radius of 675.82 ft.; thence westerly, along the arc of said curve, through a central angle of 39deg31'29", 466.20 ft.; thence N15deg04'59"W, 112.69 ft.; thence N45deg46'25"W, 47.84 ft.; thence N44deg13'35"E, 139.33 ft.; thence N35deg28'00"W, 139.61 ft.; thence N14deg14'48"W, 186.22 ft.; thence N40deg01'27"E, 302.44 ft.; thence N08deg33'12"E, 115.85 ft.; thence S81deg26'48"E, 60.10 ft.; thence N08deg33'12"E, 403.88 ft. to the point of beginning. **Section 13, Township 21, Range 34.** (38.10 acres) Located on the south side of S.R. 46, approx. 0.23 mile west of N. Carpenter Rd. (2400 Seasons in the Sun Blvd., Mims)