



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Consent

F.4.

5/17/2022

Subject:

Acceptance, Re: Binding Development Plan with Scott Minnick (District 1)

Fiscal Impact:

None

Dept/Office:

Planning & Development

Requested Action:

In accordance with Section 62-1157, it is requested that the Board of County Commissioners accept, and the Chair sign, the Binding Development Plan.

Summary Explanation and Background:

A BDP (Binding Development Plan) is a voluntary agreement presented by the 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 the Board's approval of the zoning request. Following staff and legal review, the BDP is presented to the Board in recordable form as a Consent Agenda item in order to finalize the zoning action.

On April 7, 2022, the Board approved a change of zoning classification from AU (Agricultural Residential) to RR-1 (Rural Residential), with a BDP limiting density to 1 unit per 2.5 acres. The attached agreement includes this provision.

Clerk to the Board Instructions:

Upon recordation, please return two certified copies of the BDP to Planning & Development.



*COPY
Den Jones
Re-Recording*

May 18, 2022

MEMORANDUM

TO: Jennifer Jones, Zoning

RE: Item F.4., Binding Development Plan Agreement with Scott Minnick

The Board of County Commissioners, in regular session on May 17, 2022, executed Binding Development Plan with Scott Minnick, for property located at a portion of Block 8, Indian River Park, Section 2, Plat Book 2, Page 33, of the public records of Brevard County.

Enclosed for your necessary action are two certified copies of the recorded document.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

for Donna Scott
Kimberly Powell, Clerk to the Board

/dt

Encls. (2)

Resolution 22Z00003

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

WHEREAS, Scott Minnick has requested a change of zoning classification from AU (Agricultural Residential) to RR-1 (Rural Residential) with a BDP (Binding Development Plan), on property described as a portion of Block 8, Indian River Park, Section 2, Plat Book 2, Page 33, Public Records of Brevard County, Florida; more particularly described as follows: Commence at the northeast corner of said Block 8, thence S16deg44'03"E along the east line of said Block 8, a distance of 685.20 ft.; thence S76deg20'36"W, a distance of 2504 ft. to the point of beginning; thence S16deg44'03"E along the west right of way line of Dixie Way (a 50-ft. wide public right of way) a distance of 134.12 ft.; thence S76deg19'51"W, a distance of 899.83 ft.; thence N16deg45'56"W, a distance of 134.32 ft.; thence N76deg20'36"E, a distance of 899.92 ft. to the point of beginning. **Section 02, Township 20G, Range 35.** (3.38 +/- acres) Located on the west side of Dixie Way, approx. 500 ft. north of Wheeler Rd. (5170 Dixie Way, Mims); and

WHEREAS, a public hearing of the Brevard County Planning and 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 and Zoning Board recommended that the application be approved with a BDP limiting density to 1 unit per 2.5 acres; and

WHEREAS, the Board, after considering said application and Brevard County Planning and 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 1 unit per 2.5 acres; now therefore,

BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that the requested change of zoning classification from AU to RR-1, be approved with a BDP, recorded on 05/18/22, in ORB 9508, Pages 2835 - 2838, limiting density to 1 unit per 2.5 acres. The Planning and Development 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 May 18, 2022.

BOARD OF COUNTY COMMISSIONERS
Brevard County, Florida


Kristine Zonka, Chair
Brevard County Commission
As approved by the Board on May 17, 2022.

ATTEST:


RACHEL SADOFF, CLERK

(SEAL)

Planning and Zoning Board Hearing – March 14, 2022
Board of County Commissioners Hearing - April 7, 2022

Please note: A CUP (Conditional Use Permit) will generally expire on the three-year anniversary of its approval if the use is not established prior to that date. CUPs for Towers and Antennas shall expire if a site plan for the tower is not submitted within one year of approval or if construction does not commence within two years of approval. A Planned Unit Development 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.**

Prepared by: Scott Minnick
Address: 1968 Turpentine Rd.
Mims, FL 32754

CFN 2022125410, OR BK 9508 PAGE 2835,
Recorded 05/18/2022 at 11:19 AM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:4

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this 17 day of May, 2022 between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and Scott Minnick, (hereinafter referred to as "Developer/Owner").

RECITALS

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

WHEREAS, Developer/Owner has requested the RR-1 zoning classification(s) and desires to develop the Property as Single-Family Residential, and pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the Property, Developer/Owner wishes to mitigate negative impacts on abutting land owners and affected facilities or services; and

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

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated into this Agreement by their reference.
2. 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.

3. The Developer/Owner shall limit density to 1 unit per 2.5 acres and may be further restricted by any changes to the Comprehensive Plan or the Land Development Regulations.
4. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to the Brevard County Comprehensive Plan or land development regulations as they may apply to this Property.
5. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court all costs of recording this Agreement in the Public Records of Brevard County, Florida.
6. 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 rezoned and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and shall be subject to the above referenced conditions as approved by the Board of County Commissioners on April 7, 2022. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.
7. Violation of this Agreement shall constitute a violation of the zoning classification and of this Agreement. This Agreement may be enforced by Sections 1-7 and 62-5 of the Code of Ordinances of Brevard County, Florida, as may be amended.
8. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any condition is a violation of this Agreement and constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 7 above.
9. Severability clause. If any provision of this BDP is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provision shall continue in full force and effect without being impaired or invalidated in any way.

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

ATTEST:


Rachel M. Sadoff, Clerk of Court
(SEAL)


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


Kristine Zonka, Chair
As approved by the Board on May 17, 2022

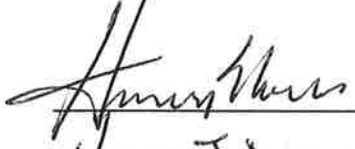
(Please note: You must have two witnesses and a notary for each signature required. The notary may serve as one witness.)

WITNESSES:

(INSERT BUSINESS NAME or INDIVIDUAL NAME(s))
as DEVELOPER/OWNER


Matt Nersen
(Witness Name typed or printed)

Scott Minnick
1968 Turpentine Rd Mims Fl 32754
(Address)


Henry T. Davis
(Witness Name typed or printed)


(President)
Scott Minnick
(Name typed, printed or stamped)

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or
☐ online notarization, this 22 day of APRIL, 20 22 by
Scott Minnick, President of OWNER, who is
personally known to me or who has produced DL as identification.

My commission expires
SEAL
Commission No.:



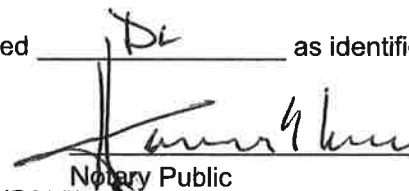

Notary Public
HENRY T. DAVIS
Commission # HH 245540
Expires March 28, 2026
(Name typed, printed or stamped)

Exhibit A

A portion of Block 8, Indian River Park, Section 2, Plat Book 2, Page 33, Public Records of Brevard County, Florida; more particularly described as follows: Commence at the northeast corner of said Block 8, thence S16deg44'03"E along the east line of said Block 8, a distance of 685.20 ft.; thence S76deg20'36"W, a distance of 2504 ft. to the point of beginning; thence S16deg44'03"E along the west right of way line of Dixie Way (a 50-ft. wide public right of way) a distance of 134.12 ft.; thence S76deg19'51"W, a distance of 899.83 ft.; thence N16deg45'56"W, a distance of 134.32 ft.; thence N76deg20'36"E, a distance of 899.92 ft. to the point of beginning. **Section 02, Township 20G, Range 35.** (3.38 +/- acres) Located on the west side of Dixie Way, approx. 500 ft. north of Wheeler Rd. (5170 Dixie Way, Mims)

Property Address: 5170 Dixie Way, Mims FL 32754

I, Scott Minnick, state that there is no mortgage on the above property address.

[Signature] 4/21/2022
Signature Date

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or _____ online notarization, this 21 day of April, 2022 by

Scott Minnick, President of Owner, who is

personally known to me or who has produced DL as identification.

My commission expires MARCH 28, 2028

Public SEAL

Commission No.: AH 245640

Notary

(Name typed, printed or stamped)



HENRY T. DAVIS
Commission # HH 245640
Expires March 28, 2026

LOCATION MAP

SCOTT MINNICK

22Z00003



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

Buffer Distance: 500 feet

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 hereon.

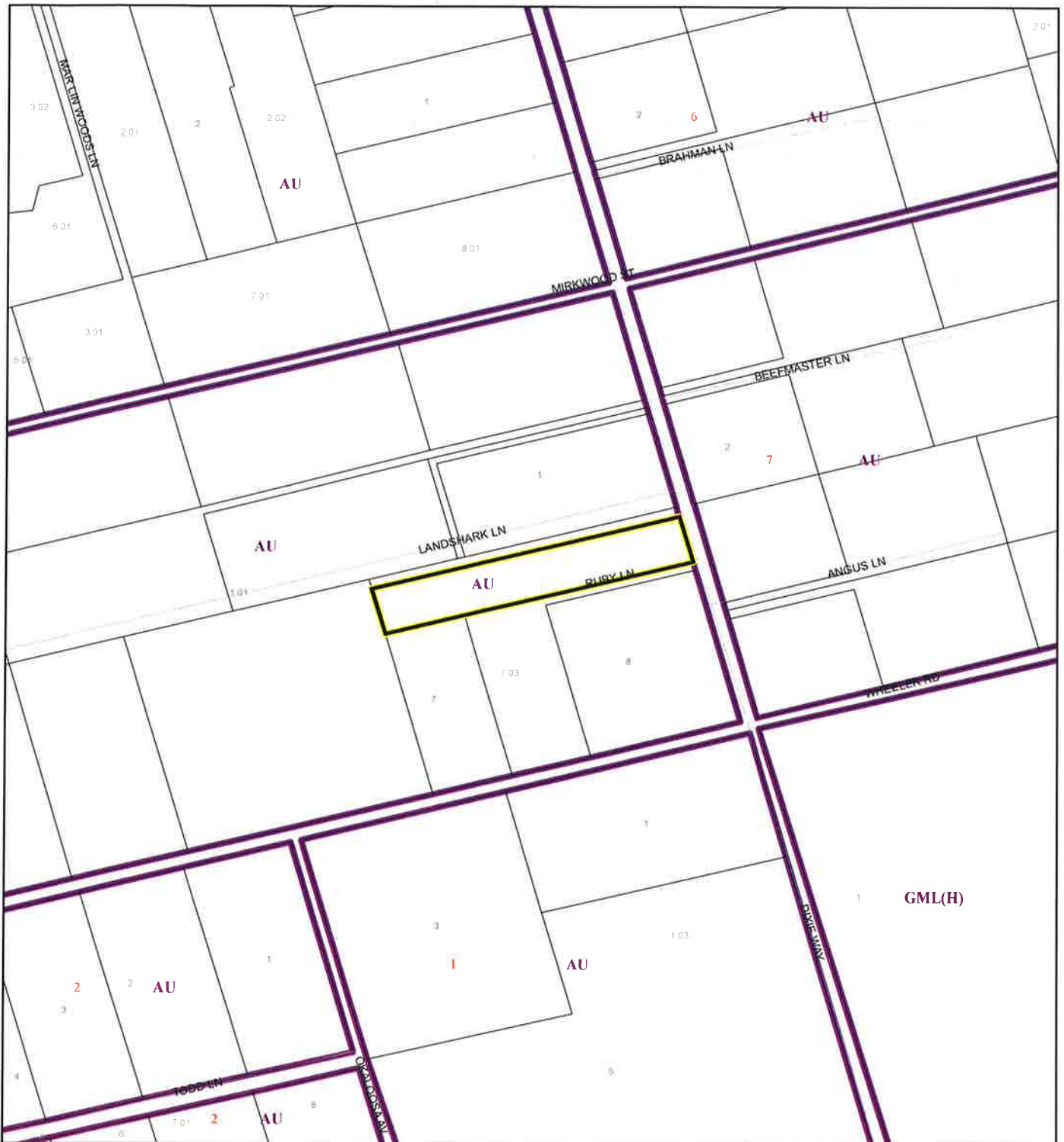
Produced by BoCC - GIS Date: 2/16/2022

Buffer
Subject Property

ZONING MAP

SCOTT MINNICK

22Z00003



H. PUBLIC HEARINGS

Local Planning Agency / Planning and Zoning Board
Monday, March 14, 2022, at 3:00 p.m.

Brevard County Board of County Commissioners
Thursday, April 7, 2022, at 5:00 p.m.

Both at the
Brevard County Government Center
2725 Judge Fran Jamieson Way, Building C, First Floor, Viera, Florida

1. **(22Z00003) SCOTT MINNICK** requests a change of zoning classification from AU (Agricultural Residential) to RR-1 (Rural Residential) with a BDP (Binding Development Plan). The property is 3.38 +/- acres, located on the west side of Dixie Way, approx. 500 ft. north of Wheeler Rd. (5170 Dixie Way, Mims) (Tax Account 2004518) (District 1)

LPA Recommendation: Bartcher/Alward - Approved with BDP limiting density to 1 unit per 2.5 acres. The vote was unanimous.

BCC Action: Pritchett/Smith - Approved as recommended, with a BDP limiting density to 1 unit per 2.5 acres. The vote was unanimous. The Binding Development Plan will be scheduled as a Consent Item on a subsequent County Commission agenda, per Policy BCC-52. Resolution to be completed upon receipt of recorded BDP.

2. **(22PZ00002) CLAIR JOHN JAUSSE AND JANET HAMILTON JAUSSE REVOCABLE TRUST** request a CUP (Conditional Use Permit) for six goats. The on is 7.04 acres +/-, located on the west side of N. Tropical Trail, approx. 635 ft. north of Easy St. (1655 N. Tropical Trail, Merritt Island) (Tax Account 2416958) (District 2)

P&Z Recommendation: Alward/Minneboo - Approved. The vote was unanimous.

BCC Action: Smith/Pritchett - Approved as recommended. The vote was unanimous.

3. **(21PZ00083) STORSAFE OF ROCKLEDGE, LLC** (Nathan Lee) requests a Small Scale Comprehensive Plan Amendment (22S.03) to change the Future Land Use designation from RES 4 (Residential 4), NC (Neighborhood Commercial), and CC (Community Commercial) to all CC. The property is 12.19 +/- acres, located on the east side of U.S. Hwy 1, approx. 192 ft. north of Barnes Blvd. (Tax Parcel 251 = No assigned address. In the Rockledge area; Tax Parcel 256 = 3700 S. Hwy 1, Rockledge; Tax Parcel 500 = No assigned address. In the Rockledge area.) (Tax Accounts 2511096, 2511103, 2511119) (District 2)

LPA Recommendation: Alward/Minneboo - Tabled to the 04/18/22 P&Z/LPA meeting. The vote was unanimous.

BCC ACTION: Smith/Pritchett - Tabled to the 05/05/22 BCC meeting. The vote was unanimous.

4. **(22Z00004) STORSAFE OF ROCKLEDGE, LLC** requests a change of zoning classification from AU (Agricultural Residential) and BU-1 (General Retail Commercial) to BU-2 (Retail, Warehousing, and Wholesale Commercial). The property is 12.19 +/- acres, located on the east side of U.S. Hwy 1, approx. 192 ft. north of Barnes Blvd. (Tax Parcel 251 = No assigned address. In the Rockledge area; Tax Parcel 256 = 3700 S. Hwy 1, Rockledge; Tax Parcel 500

PLANNING AND ZONING BOARD RECOMMENDATIONS

- Item H.1. **Scott Minnick.** Pritchett/Smith. Approved the request of changing the zoning classification from AU to RR-1, with a Binding Development Plan as recommended. (22Z00003).
- Item H.2. Clair John Jaussi and Janet Hamilton Jaussi Revocable Trust. Smith/Pritchett. Approved the request of a CUP for six goats in an SEU zoning classification as recommended. (22PZ00002).
- Item H.3. Storsafe of Rockledge, LLC. Smith/Pritchett. Tabled the request of a Small Scale Comprehensive Plan Amendment (21S.03) to change the Future Land Use designation from RES 4, NC, and CC, to all CC, to the May 5, 2022, Zoning. (21PZ00083).
- Item H.4. Storesafe of Rockledge, LLC. Pritchett/Smith. Tabled the request of a change of zoning classification from AU and BU-1 to BU-2, to the May 5, 2022, Zoning. (22Z00004).
- Item H.5. Rushing Wind, LLC. Pritchett/Smith. Tabled the request of a Small Scale Comprehensive Plan Amendment (22S.02) to change the Future Land Use designation from RES 1 to RES 4, to the April 18, 2022, Local Planning Agency, and to the May 5, 2022, Zoning. (21Z00046).
- Item H.6. Rushing Wind, LLC. Pritchett/Smith. Tabled the request of a change in zoning classification from RR-1 and IN(L) to RU-1-11, to the April 18, 2022, Local Planning Agency, and to the May 5, 2022, Zoning. (22Z00001).
- Item H.7. Brian G. and Debra S. Lawson. Pritchett/Smith. Approved the request of changing the zoning classification from GU to RR-1 with a Binding Development Plan as recommended. (22Z00005).
- Item H.8. John Johanson. Pritchett/Smith. Approved the request of changing the zoning classification from AU to RU-1-13 as recommended. (22Z00002).
- Item H.9. South Beach Cove Development Corp.; and Robert A. Baugher, Trustee. Smith/Pritchett. Approved the request of changing the zoning classification from RU-2-15 to BU-1 as recommended. (21Z00050).
- Item H.10. Murrell Properties of Brevard, LLC; and Harmony Villas Properties, Inc. Smith/Pritchett. Adopted Ordinance No. 22-09, setting forth the fifth Small Scale Comprehensive Plan Amendment 21S.11, changing the Future Land Use designation from NC to CC. (21PZ00095).

RACHEL M. SADOFF
CLERK OF THE CIRCUIT COURT & COMPTROLLER
BREVARD COUNTY, FLORIDA



POST OFFICE BOX 2767
TITUSVILLE, FLORIDA 32781-2767
(321) 637-2006
WWW.BREVARDCLERK.US

Transaction #: 3164449
Receipt #: 63001400
Cashier Date: 05/18/2022 11:19:39 AM
Cashier Branch: Titusville - Six Story

Print Date:
05/18/2022 11:19:46 AM

CUSTOMER INFORMATION	TRANSACTION INFORMATION		PAYMENT SUMMARY	
DONALD MINNICK 1968 TURPENTINE RD MIMS, FL 32754	Date Received:	05/18/2022	Total Fees	\$35.50
	Source Code:	Titusville - Six Story	Total Payments	\$35.50
	Return Code:	Hand Carried	Balance Due:	\$0.00
	Trans Type:	Recording		

1 Payments

CHECK #5599	\$35.50
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1 Recorded Items

AGREEMENT	BK/PG: 9508/2835 CFN: 2022125410 Date: 05/18/2022 11:19:37 AM
From: To:	
Recording @ 1st=\$10 Add'l=\$8.50 ea.	4 \$35.50

1 Miscellaneous Items

AGENT TRANSMITTAL



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

Telephone: (321) 637-2001
Fax: (321) 264-6972
Kimberly.Powell@brevardclerk.us

May 18, 2022

M E M O R A N D U M

TO: Jennifer Jones, Zoning

RE: Item F.4., Binding Development Plan Agreement with Scott Minnick

The Board of County Commissioners, in regular session on May 17, 2022, executed Binding Development Plan with Scott Minnick, for property located at a portion of Block 8, Indian River Park, Section 2, Plat Book 2, Page 33, of the public records of Brevard County.

Enclosed for your necessary action are two certified copies of the recorded document.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

for Donna Scott
Kimberly Powell, Clerk to the Board

/dt

Encls. (2)

Prepared by: Scott Minnick
Address: 1968 Turpentine Rd.
Mims, FL 32754

CFN 2022125410, OR BK 9508 PAGE 2835,
Recorded 05/18/2022 at 11:19 AM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:4

Re-recorded
for corrected
Exhibit "A"

BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this 17 day of May, 2022 between the
BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of
the State of Florida (hereinafter referred to as "County") and Scott Minnick, (hereinafter referred to as
"Developer/Owner").

CFN 2022154206, OR BK 9538 PAGE 2018,
Recorded 06/21/2022 at 10:49 AM, Rachel M. Sadoff,
Clerk of Courts, Brevard County
Pgs:4

RECITALS

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

WHEREAS, Developer/Owner has requested the RR-1 zoning classification(s) and desires to
develop the Property as Single-Family Residential, and pursuant to the Brevard County Code, Section
62-1157; and

WHEREAS, as part of its plan for development of the Property, Developer/Owner wishes to
mitigate negative impacts on abutting land owners and affected facilities or services; and

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

NOW, THEREFORE, the parties agree as follows:

1. Recitals. The above recitals are true and correct and are incorporated into this Agreement by their
reference.
2. 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.

Rev. 4/21/2022

3. The Developer/Owner shall limit density to 1 unit per 2.5 acres and may be further restricted by any changes to the Comprehensive Plan or the Land Development Regulations.
4. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This Agreement provides no vested rights against changes to the Brevard County Comprehensive Plan or land development regulations as they may apply to this Property.
5. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court all costs of recording this Agreement in the Public Records of Brevard County, Florida.
6. 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 rezoned and shall be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and shall be subject to the above referenced conditions as approved by the Board of County Commissioners on April 7, 2022. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.
7. Violation of this Agreement shall constitute a violation of the zoning classification and of this Agreement. This Agreement may be enforced by Sections 1-7 and 62-5 of the Code of Ordinances of Brevard County, Florida, as may be amended.
8. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and shall be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any condition is a violation of this Agreement and constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 7 above.
9. Severability clause. If any provision of this BDP is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provision shall continue in full force and effect without being impaired or invalidated in any way.

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

ATTEST:

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



Rachel M. Sadoff, Clerk of Court
(SEAL)


Kristine Zonka, Chair
As approved by the Board on May 17, 2022

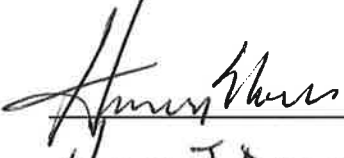
(Please note: You must have two witnesses and a notary for each signature required. The notary may serve as one witness.)

WITNESSES:

(INSERT BUSINESS NAME or INDIVIDUAL NAME(s))
as DEVELOPER/OWNER


Matt Nersen
(Witness Name typed or printed)

Scott Minnick
1968 Turpentine Rd Mims Fl 32754
(Address)


Henry T. Davis
(Witness Name typed or printed)

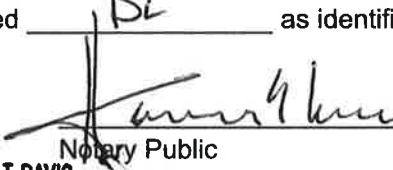

(President)
Scott Minnick
(Name typed, printed or stamped)

STATE OF FLORIDA §
COUNTY OF BREVARD §

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or
☐ online notarization, this 22 day of APRIL, 2022 by
Scott Minnick, President of OWNER, who is
personally known to me or who has produced DL as identification.

My commission expires
SEAL
Commission No.:




HENRY T. DAVIS
Commission # HH 245540
Expires March 28, 2026

Notary Public
(Name typed, printed or stamped)

Exhibit A

A portion of Block 8, Indian River Park, Section 2, Plat Book 2, Page 33, Public Records of Brevard County, Florida; more particularly described as follows: Commence at the northeast corner of said Block 8, thence S16deg44'03"E along the east line of said Block 8, a distance of 685.20 ft.; thence S76deg20'36"W, a distance of 2504 ft. to the point of beginning; thence S16deg44'03"E along the west right of way line of Dixie Way (a 50-ft. wide public right of way) a distance of 134.12 ft.; thence S76deg19'51"W, a distance of 899.83 ft.; thence N16deg45'56"W, a distance of 134.32 ft.; thence N76deg20'36"E, a distance of 899.92 ft. to the point of beginning. **Section 02, Township 20G, Range 35.** (2.76 +/- acres) Located on the west side of Dixie Way, approx. 500 ft. north of Wheeler Rd. (5170 Dixie Way, Mims)