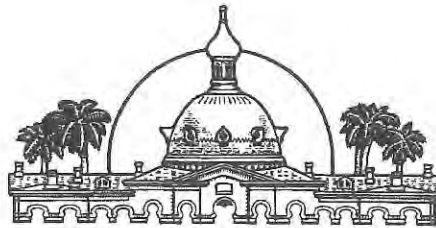


#98



Hillsborough County Florida

Office of the County Administrator
Michael S. Merrill

BOARD OF COUNTY COMMISSIONERS

Kevin Beckner
Victor D. Crist
Ken Hagan
Al Higginbotham
Lesley "Les" Miller, Jr.
Sandra L. Murman
Mark Sharpe

CHIEF ADMINISTRATIVE OFFICER
Helene Marks

CHIEF FINANCIAL ADMINISTRATOR
Bonnie M. Wise

DEPUTY COUNTY ADMINISTRATORS
Lucia E. Garsys
Sharon D. Subadan

May 2, 2013

Scott I. Steady
Burr Forman LLP
One Tampa City Center, Suite 3200
201 North Franklin Street
Tampa, FL 33602

RE: Sabal Center, Development of Regional Impact #98
Build Out and Expiration Date Extensions Pursuant to Section 252.363, F.S and Executive Orders 12-140, 12-192, and 12-199

Dear Mr. Steady:

We have received your letter notifying the County that you intend to utilize the provisions of Section 252.363, F.S and Executive Orders 12-140, 12-192, and 12-199 to extend the build out date of Phase 1 and the expiration date of the Sabal Center DRI development order (DO).

On November 22, 2011 the County acknowledged that, pursuant to HB 7207, the build out date of Phase 1 was extended by four (4) years to December 31, 2016 and the DO's expiration date was also extended by four (4) years to December 31, 2016.

On April 4, 2012 the County acknowledged that the build out date of Phase 1 and the DO's expiration date were further extended to November 21, 2017 pursuant to Section 252.363, Florida Statutes and Executive Order Numbers 11-128, 11-172 and 11-202.

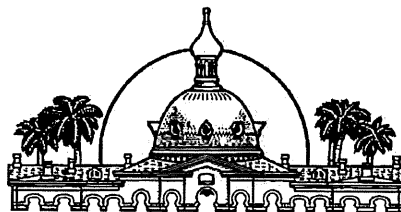
The Florida Department of Economic Opportunity has indicated that the cumulative extension period associated with Executive Orders for both Tropical Storm Debby and Tropical Storm Isaac, is one year plus one hundred and twenty (120) days. Pursuant to the present notification, the build out date for Phase 1 and the DO's expiration date are further extended from November 21, 2017 to March 19, 2019.

If you have any questions, please call me at 813.276.8393.

Sincerely,

John E. Healey, AICP

cc: John Meyer, Tampa Bay Regional Planning Council (via e-mail)
Nancy Takemori (via e-mail)



Hillsborough County
Florida

Office of the County Administrator
Michael S. Merrill

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BOARD OF COUNTY COMMISSIONERS

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Mark Sharpe

April 4, 2012

Scott I. Steady
Williams Schifino
One Tampa City Center, Suite 3200
Tampa, FL 33602-

RE: Sabal Center, Development of Regional Impact #98
Notice of Tolling and Extensions Pursuant Section 252.363, Florida Statutes and Executive
Order Numbers 11-128, 11-172 and 11-202
Build Out and Expiration Date Extensions

Dear Mr. Steady:

We have received your letter notifying the County that you intend to utilize the provisions of Section 252.363, Florida Statutes and Executive Order Numbers 11-128, 11-172 and 11-202 to extend the build out date of Phase 1 and the expiration date of the Sabal Center DRI Development Order (DO).

On November 22, 2011 the County acknowledged that, pursuant to HB 7207, the build out date of Phase 1 was extended by four (4) years to December 31, 2016 and the DO's expiration date was also extended by four (4) years to December 31, 2016.

Based upon the above cited Executive Orders, the County acknowledges the build out date of Phase 1 and the DO's expiration date are further extended to November 21, 2017.

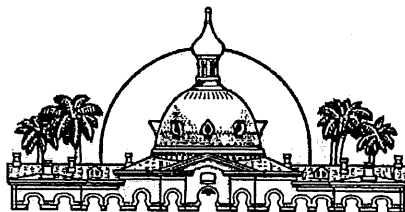
If you have any questions, please call me at 813.276.8393.

Sincerely,

John E. Healey, AICP

cc: John Meyer, Tampa Bay Regional Planning Council (via e-mail)
Nancy Takemori (via e-mail)

#98



Hillsborough County Florida

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DEPUTY COUNTY ADMINISTRATORS
Lucia E. Garsys
Sharon D. Subadan

November 22, 2011

Mr. Scott I. Steady
Williams Schifino
One Tampa City Center, Suite 3200
Tampa, FL 33602

RE: Sabal Center, Development of Regional Impact #98
HB 7207 Build Out Date Extension

Dear Mr. Steady:

We have received your letter notifying the County that you intend to utilize the provisions of House Bill (HB) 7207 to extend the build out date of the Sable Center DRI and the expiration date of the project's Development Order (DO) by four (4) years.

The Sable Center DRI is a three phase project. Phase 1 is specifically approved with a current build out date of December 31, 2012. Phases 2 and 3 are conceptually approved. The expiration date of the project's DO is also December 31, 2012.

Pursuant to HB 7207 it is hereby acknowledged that the build out date of Phase 1 and the DO's expiration date are extended to December 31, 2016.

If you have any questions, please call me at 813.276.8393.

Sincerely,

John E. Healey, AICP

cc: Nancy Takemori, County Attorney's Office (via e-mail)
John Meyer, Tampa Bay Regional Planning Council (via e-mail)

#98



December 20, 2007

JOHN MEYER DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
4000 GATEWAY CENTER BLVD SUITE 100
PINELLAS PARK FL 33782

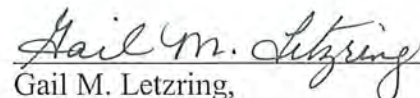
Re: Resolution No. R07-215 – Amended and Restated Development Order for the Sabal Center
Development of Regional Impact (DRI #98)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which was adopted by the Hillsborough
County Board of County Commissioners on December 11, 2007.

We are providing this original for your files.

Sincerely,


Gail M. Letzring,
Manager, BOCC Records

md

Certified Mail Receipt # 7003 3110 0004 4684 6456

Attachment

- Cc: Board files (orig.)
- Charles Gauthier, Chief, DCA Bureau of State Planning (orig. ltr.)
- Scott Steady, Esq., Williams, Schifino, Mangione & Steady, P.A. (orig. ltr.)
- Nancy Y. Takemori, Assistant County Attorney
- John Healey, Senior Planner, Planning and Growth Management
- Carman Telesca, Principal Planner, Planning and Growth Management
- Sandra Davidson, County Attorney's Office
- Christopher Weiss, Property Appraiser's Office
- Mary Mahoney, Management and Budget

RESOLUTION NO. R07-215

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
DRI #98
AMENDED AND RESTATED DEVELOPMENT ORDER

Upon motion of Commissioner, Sharpe, seconded by Commissioner, White, the following Resolution was adopted this 11th day of December, 2007,

WHEREAS, on August 20, 1985, the Board of County Commissioners approved a Development Order, Resolution R85-0148, for the Sabal Center Development of Regional Impact; and,

WHEREAS, on October 11, 1985, an amendment was requested to the Development Order seeking to transfer 45 hotel rooms from Phase II to Phase I of the Development Order; and,

WHEREAS, on November 13, 1985, the Board of County Commissioners adopted Resolution R85-0220 amending Resolution No. R85-0148; and,

WHEREAS, an amendment was filed seeking an amendment to certain right-of-way dedication requirements originally required pursuant to Resolution R85-0148; and,

WHEREAS, on April 21, 1987, the Board of County Commissioners adopted R87-0123 amending Resolutions R85-0148 and R85-0220; and,

WHEREAS, the Developer filed a Notice of Proposed Change pursuant to Section 380.06(19) on March 8, 1990, seeking an extension of the phase deadlines and the effective date of the Development Order by less than three years; and,

WHEREAS, on April 10, 1990, the Board of County Commissioners adopted Resolution R90-0075 amending Resolution Nos. R85-0148, R85-0220 and R87-0123; and,

WHEREAS, the Developer filed a Notice of Proposed Change pursuant to Section 380.06(19) on December 15, 1992, seeking to extend the buildout date for Phase I to December 31, 1999, add an additional 1.9 acres of land and delete a 1.2 acre fire station site and 8.3 acres of road right-of-way that had been dedicated to Hillsborough County; and,

WHEREAS, on March 9, 1993, the Board of County Commissioners adopted Resolution 93-0056 amending Resolution Nos. R85-0148, R85-0220, R87-0123 and R90-0075; and,

WHEREAS, the Developer filed a Notice of Proposed Change pursuant to Section 380.06(19) on March 12, 1996, seeking the adoption of a trade-off mechanism to convert light industrial land uses to Office/R & D land uses and modifications to the Master Development Plan (Map H); and,

WHEREAS, on June 11, 1996, the Board of County Commissioners adopted Resolution R96-143 amending Resolutions R85-0148, R85-0220, R87-0123, R90-0075 and R93-0056; and,

WHEREAS, the Developer filed a Notice of Proposed Change pursuant to Section 380.06(19) on November 27, 1996, seeking to extend the buildout date for Phase I to December 31, 2004, the elimination of the limited access assessments for Phase I, and modifications to the Master Development Plan (Map H); and,

WHEREAS, on February 11, 1997, the Board of County Commissioners adopted Resolution R97-027 amending Resolutions R85-0148, R85-0220, R87-0123, R90-0075, R93-0056 and R96-143; and,

WHEREAS, the Developer filed a Notice of Proposed Change ("NOPC") pursuant to Section 380.06(19) on April 22, 2005, seeking to extend the buildout date for Phase I to December 31, 2009, and extend the effective date to December 31, 2009; and,

WHEREAS, on May 9, 2006, the Board of County Commissioners adopted Resolution R06-094, amending Resolutions R85-0148, R85-0220, R87-0123, R90-0075, R93-0056, R96-143, and R97-027; and,

WHEREAS, the Developer filed a Notice of Proposed Change ("NOPC") pursuant to Section 380.06(19)(c) on October 25, 2007, seeking to extend the buildout date for Phase I to December 31, 2012, and extend the effective date to December 31, 2012; and,

WHEREAS, the Developer's Affidavit, attached hereto as Exhibit "A," affirms that copies of the NOPC have been delivered to all persons as required by law.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. Hereinafter, the word "Application" shall refer to the application for development approval, the sufficiency response, and the amending letters.

B. The real property that was the subject of the original Application was legally described as set forth in Composite Exhibit A, originally attached to Resolution 85-0148 and made a part thereof. The real property subject to this amended and restated development order is set forth in Exhibit "B" attached hereto.

C. The proposed development is not in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes.

D. All development will occur in accordance with this Development Order and Application.

E. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council.

II. CONCLUSIONS OF LAW

- A. The changes proposed in the NOPC are consistent with local development regulations and the local government comprehensive plan adopted pursuant to the Hillsborough County Local Government Comprehensive Planning Act, Chapter 75-390, Laws of Florida, as amended, and the state and regional comprehensive plans.
- B. The changes proposed in the NOPC are consistent with the report and recommendations of TBRPC.
- C. The changes proposed in the NOPC will not reasonably interfere with the achievement of the objectives of the Land Development Plan adopted by the State of Florida as it may be applicable to the area.
- D. In considering whether the NOPC should be approved subject to conditions, restrictions, and limitations, Hillsborough County has considered the criteria stated in Section 380.06 and more specifically, Subsection 380.06(14), Florida Statutes.

- E. The review by Hillsborough County Administration, the Planning Commission, TBRPC, and other participating agencies and interested citizens indicates that project impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order.
- F. Based on the above Findings of Fact and Conclusions of Law, the Board of County Commissioners hereby approves the NOPC.

III. GENERAL PROVISIONS

A. This Resolution shall constitute the Amended and Restated Development Order of Hillsborough County for the Sabal Center DRI (the "Development Order"). The provisions of Resolutions R85-0148, R85-0220, R87-0123, R90-0075, R93-0056, R96-143, R97-027, and R06-094 are incorporated into this Development Order by reference and are hereby reaffirmed in their entirety except as specifically amended herein.

B. All development within the Sabal Center DRI shall occur in accordance with this Development Order and the Master Development Plan (Map H) attached as Exhibit "C" hereto.

C. The definitions contained in Chapter 380, Florida Statutes (2005), shall govern and apply to this Development Order.

D. This Development Order shall be binding upon the Developer, its assigns, or successors in interest including any entity that may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality that may be created or designated as successor in interest to, or that otherwise possesses any of the powers and duties of, any branch of government or governmental agency.

E. This Development Order shall remain in effect until December 31, 2012. The development shall not be subject to down-zoning or intensity reduction until December 31, 2012, unless the local government can demonstrate that substantial changes in the conditions underlying approval of the development order have occurred or the development order was based on substantially inaccurate information provided by the developer or that the change is clearly established by local government to be essential

to the public health, safety, or welfare. No development shall be approved after expiration of the Development Order. Any development activity for which plans have been submitted to the County for its review and approval prior to the expiration date of this Development Order may be completed, if approved. This Development Order may be extended by the Board of County Commissioners of Hillsborough County on the finding of excusable delay in any proposed development activity.

F. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected government agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review development of regional impact applications as well as all governmental agencies and departments set forth under applicable laws and rules governing developments of regional impact.

G. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of privately owned facilities at Sabal Center, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private entity created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order, which approval shall not be unreasonably withheld.

H. Development activity constituting a substantial deviation from the terms or conditions of this Development Order, or other changes to the approved development plans that create a reasonable likelihood of additional adverse regional impact, or any other regional impact not previously reviewed by the Regional Planning Council shall result in further development of regional impact review pursuant to 380.06, Florida Statutes (1983), and may result in Hillsborough County ordering a termination of development activity pending such review.

I. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The County

Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. The County Administrator shall issue a notice of such noncompliance to the Developer, and, if the deviation is not corrected with a reasonable amount of time, shall recommend that the Board of County Commissioners establish a hearing to consider such deviations.

J. The Developer shall file an annual report in accordance with Section 380.06(18), Florida Statutes (2005), and appropriate rules and regulations. The report shall be submitted on Form BLWM-07-85 as amended. Such report shall be due on the anniversary of the effective date of this Development Order for each following year until, and including such time as, all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the County Administrator who shall, after appropriate review, submit it for review by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed. Provided, however, that the receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of the Development Order. This report shall contain:

1. Changes in the plan of development, or representations contained in the Application, or phasing for the reporting year and for the next year;
2. A summary comparison of development activity proposed and actually conducted for the reporting year;
3. Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or developer;
4. Identification and intended use of lands purchased, leased or optioned by the Developer adjacent to the original DRI site since the development order was issued;
5. An assessment of the Developer's and local government's compliance with conditions of approval contained in the DRI development order and the commitments which are contained in the Application;

6. Any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;

7. An indication of a change, if any, in local government jurisdiction for any portion of the development since the development order was issued;

8. A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

9. A statement that all persons have been sent copies of the annual report in conformance with Subsections 380.06(18), Florida Statutes (2005);

10. A copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the developer pursuant to Subsection 380.06(15)(f), Florida Statutes (2005);

11. The information regarding Transportation Systems Management measures required to be submitted pursuant to Section IV.B.2., below;

12. The field surveys required to be submitted pursuant to Section IV.B.5., below, which field surveys are only required to be submitted biannually after the issuance of Certificates of Occupancy for the first 900,000 square feet of office space, or the equivalent thereof; and

13. A copy of the stormwater system operation and maintenance schedule and annual updates required to be submitted pursuant to Section IV.H.1.(e), below.

L. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation, or ordinance of Hillsborough County, its agencies or commissions, and to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable rules, regulations and ordinances in effect at the time of the review.

M. This Development Order shall become effective upon adoption by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes (2005).

N. Upon adoption, the Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the Developer.

O. Revisions to this Development Order not addressed herein shall be subject to review by TBRPC including the payment of the incremental review fee.

IV. CONDITIONS

A. Phasing Schedule.

The development of the project in accordance with the proposed phasing schedule as provided below, is an integral part of the Development Order conditions. Therefore, if the Developer elects to amend the proposed phasing schedule, it shall submit said amendments to the County for review and approval, which approval shall not be withheld for mere acceleration of phases if the terms of this Order are otherwise fully complied with. It is the intent of this provision to insure that all prerequisites for each phase of the project are complied with. For purposes of this Order, a phase shall be considered complete upon issuance of the final certificate of occupancy for the phase. Any significant departure in project buildout from the phasing schedule set forth in the Application shall be subject to a substantial deviation determination pursuant to Chapter 380.06(19), Florida Statutes (2005).

Notwithstanding the foregoing, the Developer shall be permitted to trade-off any part or all of the approved Light Industrial/R&D uses for Office/R&D uses at the ratio of .867 square feet of Office/R&D uses for every square foot of Light Industrial/R&D uses. The developer shall provide written notification of the trade-off to the Tampa Bay Regional Planning Council and the State of Florida Department of Community Affairs prior to utilizing the trade-off and in the annual report.

Phase	Office/Research & Development (Sq. Ft.)	Light Industrial/ Research & Development (Sq. Ft.)	Commercial/ Retail (Sq. Ft.)	Hotel (Rooms)
1. 12/31/2012	1,737,000		150,000	265
2. 1990-11/30/1999	760,000			355
3. 1996-7/20/2003	770,000			380
Total	3,267,000		150,000	1,000

1. The land used entitlements are subject to the land use trade-off mechanism approved pursuant to Resolution No. R96-143. (The trade-off mechanism is provided in the paragraph preceding the chart above.)
2. The Office/R & D land use category can be developed exclusively as office uses.

B. Transportation Conditions.

1. Area Studies. A comprehensive transportation study of the Central Hillsborough/Interstate 4/Interstate 75 area in Hillsborough County analyzing transportation facilities will be prepared by the Hillsborough County City-County Planning Commission or any other appropriate entity designated by the Board of County Commissioners, in cooperation with the Tampa Bay Regional Planning Council, Florida Department of Transportation, Hillsborough County, Hillsborough County Metropolitan Planning Organization, Hillsborough County Environmental Protection Commission, Hillsborough Area Regional Transit Authority and other appropriate State agencies and developers in the area. The study will propose a transportation improvements plan and schedule for the area, involve citizens, interest groups and government agencies, and develop an implementation program to make the study workable. The issuance of a development order approving an area-wide development of regional impact shall satisfy the requirement of this study. The transportation section of the study or area-wide DRI traffic analysis shall include but not be limited to:

- (a) The regionally significant roadways that shall be included in the focus of the transportation plan, as well as identification of additional roadways to be constructed within the study area.
- (b) The existing, approved, and projected development to be included within the plan.
- (c) The manner by which the traffic impact of existing development will be documented and assessed.
- (d) The manner by which the traffic impact of approved and projected development will be documented and assessed.
- (e) The procedures by which mass transit will be studied as a viable alternative to alleviate overburdening of the roadways.
- (f) Identification of specific construction implementation goals, such as right-of-way acquisition and implementation of additional corridors designed to coincide with transportation improvement needs generated by each phase of completion for projects approved within the study area.
- (g) A program for funding the improvements identified.

Hillsborough County and/or the Hillsborough County City-County Planning Commission has committed to perform the above-referenced transportation improvements study which is scheduled to be completed on or before January 1, 1986. (The study has been completed.)

2. Transportation Systems Management. The Developer shall assess the suitability of Transportation Systems Management ("TSM") measures that may be instituted and implemented for each project phase. Each TSM measure shall be assessed to determine the potential for diverting a substantial percentage of total peak hour trips away from the peak traffic hours. The plan shall be submitted to the reviewing agencies within one year of the effective date of this Development Order and shall address the following at minimum:

- (a) Worker flex time.
- (b) Worker ridesharing strategies.
- (c) Provision of transit and service facilities and programs to increase transit ridership.

The Developer may request amendments to this Development Order to incorporate findings of the assessment as conditions of approval in lieu of structural transportation improvements identified in this Development Order. The Developer's annual reports shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure.

If an annual report is not submitted, or if the report indicates that the total projected trip diversions are not being met, Hillsborough County shall conduct a substantial deviation determination pursuant to 380.06(19), F.S. and, if necessary, amend this Development Order to change TSM objectives and/or require roadway improvements that were deleted from this Development order in contemplation of the TSM measures' being successful. The results of the TSM study may serve as a basis for the Developer or reviewing agencies to request Development Order amendments.

3. Methodology. Existing traffic volumes on roadways in the impact area were determined by counting traffic on those roadways. Growth factors were then applied to determine the "existing background" traffic for each phase of the development. In addition to existing background traffic, allowances were made for traffic projected to be generated by approved developments which have not been built ("proposed background" traffic). The sum of existing background traffic and the proposed background traffic was used as the basis against which traffic generated by each phase of the project were evaluated. The results of such evaluation are set forth in Exhibit B, attached hereto and made a part hereof.

The conditions precedent to consideration of a roadway segment as an element of the total impact of the project are:

- (a) The development's traffic on the roadway segment must equal or exceed 5% of the peak

hour LOS-D capacity of the existing roadway;
and

- (b) Development traffic, plus the total background traffic on the roadway segment, must result in a reduction of the level of service on the existing road segment to worse than LOS-D at peak hours.

The commitments by the Developer or other responsible entities for those transportation system improvements necessary to accommodate each phase of the development are identified below.

4. The Developer, at its option, shall select one of the following alternatives to mitigate the project's transportation impacts:

Alternative I¹:

Developer may elect to delay development until funding commitments are secured from responsible entities for the following roadway improvements:

Phase I

(a) Construct a four lane section of Faulkenburg Road from State Road 60 to SR 574. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 31.6 percent of the existing daily Level of Service C capacity at the end of Phase I. This improvement (TIP Work Item #61105) is scheduled for construction in Fiscal Year 1992/1993.

(b) Construct one lane in each direction on Broadway from 50th to Orient Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 11.7 percent of the existing daily Level of Service C capacity at the end of Phase I.

(c) Construct one lane in each direction on Broadway from Orient Road to US 301. These through lanes should have their termini in accordance with proper design standards. Sabal Center

¹ The Developer elected to proceed pursuant to Alternative II.

will contribute 14.7 percent of the existing daily Level of Service C capacity at the end of Phase I.

(d) Construct one lane in each direction on Broadway from US 301 to Faulkenburg Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 20.8 percent of the existing daily Level of Service C capacity at the end of Phase I.

(e) Construct a four lane section on Buffalo Avenue from I-4 to CR 574. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute the following percentages of existing daily Level of Service C capacity at the end of Phase I: from I-4 to US 301 -- 32.7 percent, and from US 301 to CR 574 -- 39.6 percent.

(f) At the intersection of Buffalo Avenue and 50th Street, construct intersection improvements providing for an eastbound through lane and exclusive left turn lane, and a westbound through lane and exclusive left turn lane. Sabal Center will contribute 8.9 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(g) At the intersection of Hillsborough Avenue and Faulkenburg Road, construct intersection improvement providing for signalization. Sabal Center will contribute 19.5 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(h) At the intersection of Hillsborough Avenue and Mango Road, construct intersection improvements providing for a southbound through lane and exclusive left turn lane. Sabal Center will contribute 14.8 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(i) At the intersection of Broadway and Orient Avenue, construct intersection improvements providing for an eastbound through lane and exclusive left turn lane, a westbound through lane and exclusive left turn lane, a southbound through lane, and a northbound through lane. Sabal Center will contribute 13.0 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(j) At the intersection of SR 60 and Kingsway Road, construct intersection improvements providing for an eastbound and westbound through lane and separate right turn lane, and a northbound through lane and separate right turn lane. Sabal Center

will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(k) At the intersection of Broadway and Faulkenburg Road construct intersection improvements providing for exclusive right and left turn lanes on all approaches. Sabal Center will contribute 25.9 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

Phase II

(a) Construct one additional lane in each direction on SR 60 from US 301 to 1-75. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.4 percent of the existing daily Level of Service C capacity at the end of Phase II.

(b) Construct one additional lane in each direction on SR 60 from Orient Road to 50th Street. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.4 percent of the existing daily Level of Service C capacity at the end of Phase II.

(c) At the intersection of SR 60 and 50th Street, construct intersection improvements providing for a northbound through lane and exclusive left turn lane, a southbound through lane and exclusive left turn lane, and an additional through lane both eastbound and westbound. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(d) At the intersection of Hillsborough Avenue and Mango Road, construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 18.8 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(e) At the intersection of Broadway and Faulkenburg Road, construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 12.9 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(f) Construct a four lane section on Buffalo Avenue from CR 574 to Valrico Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute the following percentage of the existing

daily Level of Service C capacity from Mango Road to Parsons Avenue - 5.3 percent.

(g) Construct a six lane section on 1-4 from 1-75 to US 301. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 7.8 percent of the existing daily Level of Service C capacity at the end of Phase II.

(h) Construct a six lane section on I-4 from SR 574 to 50th Street. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 6.5 percent of the existing daily Level of Service C capacity at the end of Phase II.

(i) At the intersection of Buffalo Avenue and Parson Avenue-Brandon Road, construct intersection improvements providing for one through lane eastbound and one through lane westbound. Sabal Center will contribute 5.3 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

Phase III

(a) Construct one lane in each direction on SR 60 from Kingsway Road to 1-75. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.7 percent of the existing daily Level of Service C capacity at the end of Phase III.

(b) Construct one lane in each direction on Broadway from 50th Street to Orient Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 6.7 percent of the existing daily Level of Service C capacity at the end of Phase III.

(c) At the intersection of Buffalo Avenue and 50th Street, construct intersection improvements providing for both an eastbound and westbound exclusive right turn lane. Sabal Center will contribute 5.8 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

(d) At the intersection of Broadway and 50th Street construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 5.8 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

(e) At the intersection of SR 60 and Parsons Avenue, construct intersection improvements providing for an additional through lane eastbound and westbound. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

Alternative II:

In lieu of Alternative I, the Developer has elected to proceed with development in accordance with the provisions of the Hillsborough County Consolidated Impact Assessment Program Ordinance #96-29 (10/96) as amended by #96-32 (11/96), as amended by #00-12 (4/00) (the "Ordinance"). The Ordinance provides that a developer pay a transportation impact assessment based upon the travel characteristics of the development. The assessment provides a mechanism by which development is assessed a pro-rata share of its economic impact on the Hillsborough County road network. (Alternative II was updated by Resolution R06-094 to indicate that the development is subject to the Hillsborough County Consolidated Impact Assessment Program Ordinance, as amended, and to reflect that the interstate limited access fees for Phase I were eliminated by Resolution R97-027.)

5. To assure that the transportation impacts of this development have been accurately projected by the traffic analysis field surveys in the Application, a report of findings shall be conducted every two years after the issuance of certificates of occupancy for the first 900,000 square feet of office space or the equivalent thereof. The results of these surveys shall be included in the required annual report.

6. The value as set forth in paragraph 7, below, of any rights-of-way acreage dedicated by the Developer pursuant to said paragraph 7, shall be credited against the Total Developer Fair Share Amount. (This credit has previously been credited.)

7. Within sixty (60) days after the effective date of this Order, the Developer shall dedicate to Hillsborough County land from within the development's boundaries for road rights-of-way as follows:

- (a) Faulkenburg Road - thirty-five feet (35') of right-of-way along the subject's westerly property boundary for a distance of approximately five hundred and eight feet (508') from a point that is approximately two hundred

fourteen feet (214') north of the intersection of County Road 574 and Faulkenburg Road to a point that is approximately seven hundred twenty-two feet (722') north of the intersection of County Road 574 and Faulkenburg Road to provide a total of seventy-five feet (75') of road right-of-way measured from the center line of Faulkenburg Road, as more particularly described in the attached Exhibit "A";

- (b) County Road 574 - right-of-way along the development's southerly boundary to provide a total of ninety-three feet (93') of road right-of-way as measured from the center line of the existing road right-of-way of C.R. 574 from a point that is approximately one hundred eighty-two feet (182') east of the intersection of Faulkenburg Road and C.R. 574 to a point immediately west of the intersection of C.R. 574 and I-75 as more particularly described in Exhibit "B";
- (c) Bryan Road - eleven (11) feet along the development's northerly boundary from Faulkenburg Road to the development's easterly boundary line.

The credit to the Developer for the subject additional dedicated road rights-of-way shall be calculated at one hundred forty-four thousand dollars (\$144,000.00) per acre, which shall be applied against the Total Developer Fair Share Amount payable as certificates of occupancy are issued. The amount of such credit shall be applied to the amount payable under each certificate of occupancy pursuant to the table set forth in Section IV.B.6. of Resolution R97-027, until the value of such rights-of-way is exhausted by such credit. (The obligations under this paragraph 7 have been completed).

8. In addition to the Total Developer Fair Share Amount, the following site access improvements (to be constructed at the Developer's expense) will be required at buildout of the project, if determined to be necessary by the Hillsborough County Engineering Department at that time:

(a) Prior to the issuance of the first Certificate of Occupancy within Phase I, the main entrance to the development on Buffalo Avenue shall be constructed. Provision shall be made for signalization when warranted, and the Developer shall cooperate with the Florida Department of Transportation during the design phase of the proposed Buffalo Avenue improvement project to insure provisions are made to accommodate development traffic at Level of Service D (peak hour) at buildout.

(b) Three access points are to be located at points on Faulkenburg Road. These access improvements are to be coordinated with the widening of Faulkenburg Road to four lanes.

(i) One access point shall be located north of Buffalo Avenue on Faulkenburg Road. Provision shall be made for signalization when warranted.

(ii) One access point shall be constructed immediately south of Buffalo Avenue on Faulkenburg Road. Provision shall be made for signalization when warranted.

(iii) The southernmost access point on Faulkenburg Road shall be located approximately one thousand two hundred feet (1,200 ft.) south of the access point that is immediately south of Buffalo Avenue.

(c) One access point shall be on Broadway Avenue (CR 574). Provision for signalization shall be made when warranted.

(d) If the Developer elects to make the above access improvements in stages, then a plan for each improvement shall be submitted and approved by the Hillsborough County Engineering Department prior to the issuance of the first building permit for any portion of the development site being developed. The plan shall address those access points necessary to serve the portion of the site being developed. With the plan, a transportation analysis shall be provided that calculates the Level of Service of the intersection after the proposed improvements are made taking into account existing background traffic and projected project traffic. The proposed improvement shall be projected to operate at Level of Service C Daily/Level of Service D peak hour, upon completion and full occupancy of the portion of the site being developed. The proposed improvement shall be constructed prior to issuance of the first certificate of occupancy for the portion of the site being developed.

9. The value as set forth in paragraph 7, above, of any rights-of-way acreage dedicated by the Developer pursuant to said paragraph 7, or for improvements identified in the updated analysis described in Paragraph 10, below, shall be credited against the Total Developer Fair Share Amount. (The option to design and construct two additional lanes on Falkenberg Road previously contained in this paragraph was eliminated by Resolution R06-094 as this option is no longer available).

10. Prior to commencement of Phases II and III, the Developer shall submit a revised and updated traffic analysis pursuant to Chapter 380.60, Florida Statutes. Both the traffic counts and projections of traffic volume shall be prepared consistent with generally accepted traffic engineering practices and the Application. The analysis shall serve to verify the findings of the Application traffic analysis or shall indicate alternate transportation improvements/measures which, if implemented, would maintain the regional roadways at a satisfactory Level of Service, (Level of Service, D peak hour). Funding commitments for the identified needed improvements/measures for the phase for which the review is being conducted shall be obtained prior to commencement of Phases II and III. The analysis results shall be the only criteria used to determine whether Phases II and III may be commenced, provided all other conditions of this Order are met. The Developer may elect to fund all or a portion of the improvements identified in the updated analyses, in which event the amounts expended by the Developer shall be credited against the Total Developer Fair Share Amount. In no event shall the Developer be required to expend or pay to Hillsborough County an amount in excess of the Total Developer Fair Share Amount.

11. Within 30 days after this Amended and Restated Development Order is rendered, the Developer shall pay to the Florida Department of Transportation One Million Dollars (\$1,000,000) to be utilized for the I-75 at MLK project identified pursuant to the Florida Department of Transportation Work Program as FPN/Item Segment #403758. (The payment has been made.)

The Developer shall be entitled to impact fee offsets to the extent they are eligible pursuant to Article 8, Section K of the Consolidated Impact Assessment Program Ordinance. It is anticipated that the "Developer's" obligation to pay the \$1,000,000 will be paid by two separate property owners within the DRI and that two separate impact fee offset accounts will be established. (The offsets have been credited.)

C. Hazardous Waste

1. Separate hazardous waste storage containers/areas shall be provided within the development. These containers/areas shall be accessible to all development businesses and shall be clearly marked and/or colored so as to clearly distinguish the containers/areas intended for hazardous wastes and materials.

2. The Developer shall provide to all Sabal Center businesses information that:

- (a) Indicates types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specifically-designated containers;
- (b) Indicates the location of the specially-designated hazardous waste and materials containers; and
- (c) Advises of applicable statutes and regulations regarding hazardous wastes and materials.

3. The Developer shall ensure that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

- (a) No hazardous materials or wastes shall be allowed to enter the wastewater system.
- (b) The Developer shall ensure that any hazardous waste will be pretreated on-site if necessary, and removed in a manner consistent with applicable regulations, including the waste exchange program, recycling, or disposal by a certified entity.

4. Underground storage of hazardous, toxic, or flammable materials, liquids, or chemicals shall not be permitted, except that combustible and flammable liquids and liquified gas, as defined in NFPA 30, 54 and 58 to include gasoline, kerosene, petroleum, distillates, diesel fuel and liquified gas, may be stored only in underground tanks which shall be designed, installed, constructed and located to prevent seepage of contained products into surrounding sub-surface areas and which shall comply with NFPA codes, FDER Chapter 17-6 and all prevailing statutory and regulatory requirements and standards. In addition, the

Developer shall require installation and maintenance of leak detectors for such underground tanks, if any, in accordance with County standards and criteria.

D. Energy

The energy conservation measures described in the Application shall be instituted by the Developer. In the event that an electrical sub-station is required by Tampa Electric Company, then the Developer shall donate such site to Tampa Electric Company from within the project boundaries at a location to be mutually agreed upon by the Developer and Tampa Electric Company.

E. Archaeological Resources

The discovery of any historical or archaeological resources shall be reported to the Florida Division of Archives, History and Records Management and the disposition of such resources shall be determined in cooperation with the Division of Archives and Hillsborough County.

F. Air Quality

The measures to reduce erosion, fugitive dust and air emissions described in the Application shall be instituted by the Developer.

G. Hurricane Evacuation

The Developer shall promote awareness of, and shall cooperate with, local and regional authorities having jurisdiction to issue a hurricane evacuation order. The Developer shall prepare a plan to ensure the safe and orderly evacuation of hotel guests and those employees who, for security or administrative reasons, are in the building after an evacuation order is issued by (1) ordering all buildings closed for the duration of a hurricane evacuation order; (2) making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans. This plan shall be included in the first annual report submitted after occupancy of any portion or phase of the Development. The Developer shall cooperate with local emergency management officials regarding the use of buildings on the project site as public shelters.

H. Drainage

1. The drainage plan and the stormwater system design shall be consistent with TBRPC's Stormwater and Lake Systems Maintenance and Design Guidelines (1978) with regard to biological productivity and natural assimilative capacity. The design guidelines of this system shall include the following:

- (a) 35 to 50 percent of the surface area of the detention pond at the normal water level (NWL) should consist of a shallow vegetated littoral shelf.
- (b) The littoral shelf can be incorporated into the pond bank, preferably near the pond outlet, to provide final polishing treatment for the stormwater. As an alternative, the littoral shelf can be established on a shallow submerged island in the middle of the pond.
- (c) A sediment sump should be provided at all influent pipes to accumulate sediment and to provide easy access for sediment removal.
- (d) The littoral shelf, if located along the pond bank, should have side slopes no greater than 7:1 with the top of the shelf at NWL and sloping to a depth of three feet or less. The littoral shelf should be vegetated with a diverse group of native species which can include Sagittaria, pickerelweed, Juncus, water lilies, cypress, etc. These species aid in nutrient and heavy metal uptake as well as to enhance the pond by providing blooming flowers and presenting a more "natural" appearance.
- (e) A copy of an operation and maintenance (O & M) schedule shall be provided to the Developer, and shall be submitted to TBRPC with the annual report. The O & M schedule shall include an estimation of the frequency of sediment removal operations and shall mention the periodic need for removing dead vegetation. An annual update of the O & M

schedule showing compliance with its terms shall be included in the annual report.

- (f) The master drainage system shall comply with the Department of Environmental Regulation's Stormwater Rule, Chapter 17-25, Florida Administrative Code.

Those portions of the stormwater drainage system and retention and detention ponds not dedicated to Hillsborough County shall remain the responsibility of the Developer, its assigns, or a duly constituted property owners' association.

2. Prior to final plat approval or detailed site plan approval if the project is not to be platted, the Developer shall submit to the Hillsborough County Environmental Protection Commission a copy of the Southwest Florida Water Management District's Stormwater Discharge Permit or Exemption.

I. Elevation

The elevation for all habitable structures shall be at or above the base flood elevation as required by the Federal Flood Insurance Program.

J. Water Quality

1. The Developer shall provide a sufficient body of baseline water quality data before any significant groundbreaking takes place. Sampling should be scheduled to occur immediately after a major storm event, and after an extended dry period, during both the rainy season (June-September) and the dry season (November-February). Significant water quality parameters should include, but not be limited to the following:

- streamflow (cu.ft./sec.);
- turbidity (ntu);
- specific conductance (umho/cm at 25 deg. C);
- dissolved oxygen (mg/l);
- biochemical oxygen demand (mg/l);
- pH;
- total orthophosphate as p (mg/l);
- total organic nitrogen as N (mg/l);
- ammonia N (mg/l);
- total organic carbon ms C (mg/l);
- total coliforms, multiple tube method, MPN (col/100 ml);

- total lead as pb (ug/l); and
- temperature (deg. C).

Sampling stations shall be located in the Lake Mango Canal, both at the east point of entry and at the west point of exit from the development. All water quality methods and procedures shall be thoroughly documented and shall comply with EPA/DER Quality Control standards. The Developer shall provide for review of an annual water quality profile, including the same parameters and provisions described above, until the project reaches completion. If the monitoring data indicates that the development is having a negative impact on water quality, additional design criteria or remedial measures for regional concerns shall be developed prior to approval of any subsequent increments.

2. The Developer shall submit to the Department of Environmental Regulation, Hillsborough County Environmental Protection Commission, and Tampa Bay Regional Planning Commission for approval a wetland/lake management plan, to be implemented during construction and after completion of the development. The plan shall address, but not be limited to, the following:

- proposed lake specifications;
- proposed wetland preservation or alteration;
- control of exotic and nuisance species;
- control and monitoring of on-site water quality;
- maintenance of natural hydroperiod; and
- methods for wetland/lake restoration and enhancement.

The intent of the wetland/lake management plan would be to direct the development and succession of all on-site wetlands and lakes into biologically viable and diverse habitat.

3. Soil Survey data indicate that a hardwood swamp, underlain with freshwater swamp (FE₂) soil, exists in the southern tract along the eastern border of the development adjacent to 1-75. On-site inspection reveals this area to be a viable wetland and under Environmental Protection Commission jurisdiction. A ditch across the southern tract in a northwest direction with water from the site eventually draining to the Tampa By-Pass Canal has revegetated and is under Environmental Protection Commission jurisdiction. In addition, because the ditch is connected to the By-Pass Canal, it is within State jurisdiction. Activities proposed in the ditch or ditch relocation will require a Florida Department of Environmental Regulation dredge and fill permit. The small hardwood swamp in the northwest corner of the southern

tract has been somewhat altered due to intense grazing. However, it supports a viable wetland habitat dominated by bay trees (Persea borbonia, Carolina willow (Salix caroliniana), and primrose willow (Ludwigia peruviana). Any activity interfering with the integrity of these jurisdictional areas, such as clearing, excavating, draining or filling, will be a violation of Section 17 of the Hillsborough County Environmental Protection Act, Chapter 84-446. Eventually, an on-site delineation will be required with Environmental Protection Commission staff approval. Also, a 30-foot buffer zone landward of these jurisdictional lines must be maintained with no permanent structures therein. Soil Survey data also indicate the presence of two small grass-ponds in the northern tract. On-site inspection reveals that one has been previously excavated and the other is dry and is no longer viable. Both of these areas are, therefore, not under Environmental Protection Commission jurisdiction.

4. The above referenced condition includes a Jurisdictional claim for the small hardwood swamp in the northwest corner of the southern tract. However, this area historically supported a base swamp that has been altered in recent years due to the pressures of intense grazing. Therefore, said hardwood swamp may be mitigated for on a 1:1 basis in an area immediately adjacent to the existing drainage ditch which will be widened according to State of Florida Department of Environmental Regulation specifications. This mitigation plan must be submitted to H.C.E.P.C. for approval prior to any development in this area.

5. To maintain good water quality, the project must be designed to properly treat stormwater runoff, complying with the requirements of Florida Administrative Code 17-25: Regulations of Storm Water Discharge.

K. Wildlife

1. To assure the Tampa Bay Regional Planning Council and Hillsborough County that development will not degrade the natural integrity of the Conservation areas, as referenced herein, the final development plan shall designate and map conservation areas in accordance with the Council's adopted growth policy, Future of the Region, (2.702 Conservation). The development shall maintain, at minimum, the 50 foot buffer between the Northern Office Park and Bryan Road, as committed in the Application and a habitat suitable for the woodstork shall be created within the stormwater system in cooperation with the Florida Game and Fresh Water Fish Commission.

In the event that any endangered or threatened species are observed onsite, such species shall be relocated in cooperation with the Florida Game and Fresh Water Fish Commission.

L. Public Facilities

1. Fire Protection, Police, Emergency Medical Services.

(a) Prior to issuance of detailed site plan approvals, the Developer shall provide to Hillsborough County Department of Development Coordination verification that adequate police, fire service and emergency medical service facilities are available to serve the building or buildings that are the subject of such site plan.

(b) The Developer shall be required, within one year subsequent to the effective date of this Development Order, to convey to Hillsborough County good title free and clear to 1-1/4 acres of buildable land for a fire station. The Developer shall also provide for offsite drainage requirements for the fire station site and provide the County with any necessary nonexclusive easements for drainage purposes. The location of the property to be dedicated to the County shall be on the south side of Buffalo Avenue lying westerly of the intersection of Buffalo Avenue and Faulkenburg Road and not more than one (1) mile westerly of such intersection, or shall be on Faulkenburg Road and within 1/2 mile of the intersection of Faulkenburg Road and Buffalo Avenue, or shall be located on the north side of Broadway Avenue between Faulkenburg Road and 1-75. The site selected shall have direct access to Buffalo Avenue, Faulkenburg Road or Broadway Avenue and shall not contain any environmentally sensitive land. The conveyance to the County shall provide that use of the property shall be restricted to fire station purposes for twenty-five (25) years from the date thereof and shall further provide that the property shall revert to the Developer, its successors and assigns, if construction of a fire station is not completed on the site on or before July 1, 1993.

The Developer shall make a cash contribution to the County for fire station purposes in the amount of \$50,000.00 upon the earlier of the following: (a) a contract being let by the County for construction of a fire station on the site to be dedicated by the Developer or, (b) July 1, 1990. If the County is not prepared to promptly utilize the cash contribution for construction of a fire station, then the Developer's cash contribution shall be

placed in escrow with a mutually acceptable escrow agent, such as a bank, in Hillsborough County.

The Developer shall, if requested by the County, enter into a written agreement with respect to the fire station contribution within a reasonable time hereafter.

2. Solid Waste.

The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said ordinance.

3. Wastewater Treatment.

(a) A wastewater treatment improvements plan and schedule for the Central Hillsborough/I-4/I-75 area shall be prepared in cooperation with the City of Tampa, Hillsborough County, the Department of Environmental Regulation, the Tampa Bay Regional Planning Council and developers in the study area. Completion and adoption of the plan shall be required prior to any development after Phase I, except that, if it can be demonstrated that sufficient transmission and treatment capacity is available, construction of those phases can commence prior to the completion of the plan. The plan shall consider all approved and projected development in the area. Any approval of this Development shall define the parameters for this wastewater treatment plan to include, but not be limited to:

(i) Assessment of the amounts and sources of wastewater expected to be generated within the study area on a yearly basis for a specified time period (5-10 years).

(ii) Identification of existing and future treatment capacity of regional and/or interim plants expected to provide treatment service.

(iii) Identification of 201 Plan amendments/expansion/ new facilities which may be needed to accommodate the anticipated flows.

(iv) Identification of cost benefit of new facilities versus the expansion of existing facilities.

(v) Identification of existing 201 boundaries and identification of fiscal impact of proposed boundaries

changes on regional facilities and 201 plans approved by DER and EPA.

(vi) Identification of funding sources or grants which may be available for needed improvements.

(vii) Identification of discharge points and new or expanded effluent and sludge disposal areas which may be needed, including impacts on receiving waters or groundwater.

(viii) Identification of the disposal sites to be acquired and the manner in which these sites will be funded and acquired.

Hillsborough County has committed to perform a wastewater management plan that is scheduled to be completed within six months of the effective date of this Development Order.

(b) No building permits shall be issued without a commitment from Hillsborough County or other responsible entity to provide wastewater disposal capacity for the building(s) that are the subject of such building permit application. No detailed site plan approval shall be granted without an approved, permitted wastewater collection system. Documentation of approvals from all appropriate local and State agencies shall be provided to the DDC prior to detailed site plan approval. Failure to obtain the required wastewater disposal commitment(s) shall require a substantial deviation determination pursuant to Section 380.06(17), Florida Statutes (1983).

4. Potable Water.

The City will provide potable water service to Sabal Center on the following terms and conditions:

(a) The Developer shall design, construct and install, in accordance with prevailing City design criteria and subject to prior City inspection and approval, all on-site improvements required by the City to connect the development to the City's potable water system. [On-site improvements shall be defined as all potable water facilities, including but not limited to all lines, mains, equipment, improvements, easements, rights-of-way or utilities, located within the development including all water mains, up to and including water meters.]

(b) After City inspection and approval, the Developer shall convey to the City, by instruments acceptable to the City, said on-site improvements for potable water. In addition, the Developer, at its own expense, shall acquire and convey to the City necessary and reasonable permits, rights-of-way, easements, property interests, or things specified by the City to provide the development with a working potable water system. Upon inspection and acceptance of said facilities, permits, easements, rights-of-way, property, interests or things, the City shall operate and maintain said facilities and improvements as part of the City's utility system and subject to the City's ordinances.

5. Non-potable Water.

(a) The Developer or its assigns shall be responsible for the operation and maintenance of all on-site wells and landscape irrigation systems. The Developer shall be required to utilize either shallow on-site wells, pumping from retention areas, or acceptance of non-potable water for open space and landscape irrigation.

(b) The Developer or its assigns shall participate to the maximum extent possible in any County program whereby recovered water is utilized for irrigation and other appropriate recovered water uses, provided, however, that the Developer shall not be required to bear any expense for the conveyance system required to transport such recovered water to the development site. This provision shall not be construed as a waiver of any wastewater capacity fees applicable to the development.

6. Service Adequacy.

In the event any public facility or service is inadequate to serve an entire phase but is adequate to serve one or more buildings within such phase, then detailed site plan approval and/or building permit approval shall not be withheld solely on the basis of such inadequacy if there are no other bases for disapproval and it is verified that such service is available for such building or buildings that are the subject of such detailed site plan or building permit, as the case may be.

M. Open Space

1. The Developer or its assigns shall be responsible for the maintenance of all open space recreational areas and landscaped areas within each phase of the development.

2. The Developer or its assigns shall be responsible for maintenance of the linear park.

N. Internal Roadways and Parking Lots.

1. The Developer or its assigns shall maintain the internal roadway system.

2. The Developer shall implement a street cleaning program for the roadway areas within the development, pursuant to the Area-Wide Water Quality Management Plan for the Tampa Bay Region, (1978).

3. The Developer or its assigns shall undertake parking lot sweeping as a routine maintenance function.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, Pat Frank, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of December 11, 2007 as the same appears of record in Minute Book 379 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 20th day of December, 2007.

Beverly Anne Miller, CLERK
Deputy Clerk



APPROVED BY COUNTY ATTORNEY

BY [Signature]
Approved as to Form and Legal Sufficiency

EXHIBIT "A"

A F F I D A V I T

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I hereby certify that on this day, before me, the undersigned officer, authorized in the State and County named above to administer oaths and take acknowledgements, personally appeared Scott Steady, the applicant/owner for the Sabal Center DRI Notice of Proposed Change, to me well known, who, being duly sworn, says upon oath the following:

1. Citicorp North America, Inc filed its original Notice of Proposed Change ("NOPC") for the Sabal Center DRI on Oct 25, 2007.

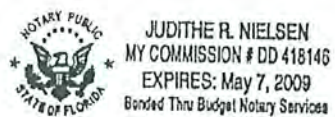
2. The aforementioned original NOPC was filed with Hillsborough County, the State of Florida Department of Community Affairs and the Tampa Bay Regional Planning Council as required by law.

Scott Steady
Scott I Steady
Printed Name

SWORN AND SUBSCRIBED to before me this 17th day of December, 2007.

My Commission Expires:

Judith R. Nielsen
JUDITH R. NIELSEN
Notary Public - State of Florida
Printed Name



LEGAL DESCRIPTION: Sabal Center

For a point of reference, commence at the Northwest corner of Section 8, Township 29 South, Range 20 East, Hillsborough County, Florida; run thence South $89^{\circ}59'04''$ East, along the North boundary of said Section 8, a distance of 75.00 feet; thence South $00^{\circ}00'46''$ West, a distance of 190.01 feet for the POINT OF BEGINNING; said point being on the Easterly right-of-way line of Falkenburg Road; continue thence South $00^{\circ}00'46''$ West, along the Easterly right-of-way line of Falkenburg Road, a distance of 2519.98 feet to the Northwest corner of a parcel of land as described in O.R. Book 5144, Page 1758 of the Public Records of Pinellas County, Florida; thence along the boundary of said parcel the following three (3) courses:

- 1) South $89^{\circ}59'14''$ East, 235.00 feet
- 2) South $00^{\circ}00'46''$ West, 257.35 feet
- 3) South $84^{\circ}30'28''$ West, 236.08 feet

to a point on the Easterly right-of-way line of Falkenburg Road; thence South $00^{\circ}00'46''$ East along the Easterly right-of-way line of Falkenburg Road a distance of 99.31 feet; thence South $47^{\circ}18'48''$ East, along the Easterly right-of-way line of Falkenburg Road, a distance of 33.89 feet to a point on the Northerly right-of-way line of County Road 574; thence North $85^{\circ}22'02''$ East, along the Northerly right-of-way line of County Road 574, a distance of 2562.54 feet to a point on the Westerly right-of-way line of State Road 93-A (I-75); thence North $00^{\circ}04'35''$ East, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 47.69 feet; thence North $34^{\circ}03'08''$ West, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 108.72 feet; thence North $00^{\circ}04'35''$ East, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 224.99 feet; thence North $02^{\circ}08'29''$ East, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 1027.36 feet to a point on a curve to the left having a radius of 1051.92 feet and a tangent bearing of North $01^{\circ}04'10''$ West; thence along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 781.72 feet along the arc of said curve, thru a central angle of $42^{\circ}34'42''$, a chord bearing and distance of North $22^{\circ}21'31''$ West, 763.85 feet to the P.T. of said curve; thence North $43^{\circ}38'52''$ West, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 675.31 feet to the P.C. of a curve to the left having a radius of 336.00 feet; thence along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 249.37 feet along the arc of said curve, thru a central angle of $42^{\circ}31'22''$, a chord bearing and distance of North $64^{\circ}54'33''$ West, 243.68 feet to a point on said curve; thence North $82^{\circ}14'01''$ West, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 328.77 feet to a point on the East

boundary of the Northwest 1/4 of the Northwest 1/4 of said Section 8; thence South $00^{\circ}07'03''$ West, along the East boundary of the Northwest 1/4 of the Northwest 1/4 of said Section 8, a distance of 76.68 feet to a point on the Southerly right-of-way line of Access Road "B", State Road 93-A (I-75); thence North $82^{\circ}07'38''$ West, along the Southerly right-of-way line of said Access Road "B", a distance of 141.89 feet; thence South $89^{\circ}15'42''$ West, along the Southerly right-of-way line of said Access Road "B", a distance of 380.03 feet; thence North $40^{\circ}30'18''$ West, along the Southerly right-of-way line of said Access Road "B" a distance of 115.43 feet to a point on the Southerly right-of-way line of Buffalo Avenue, (State Road S-574A); thence North $88^{\circ}46'50''$ West, along the Southerly right-of-way line of Buffalo Avenue, a distance of 345.08 feet; thence North $89^{\circ}59'04''$ West, along the Southerly right-of-way line of Buffalo Avenue, a distance of 262.48 feet to the P.C. of a curve to the left having a radius of 50.00 feet and a central angle of $90^{\circ}00'10''$ West; thence along the Southerly right-of-way line of Buffalo Avenue, 78.54 feet along the arc of said curve a chord bearing and distance of South $45^{\circ}00'51''$ West, 70.71 feet to the P.T. of said curve and the POINT OF BEGINNING.

All lying and being in Section 8, Township 29 South, Range 20 East, Hillsborough County, Florida, and containing 153.615 acres, more or less.

AND

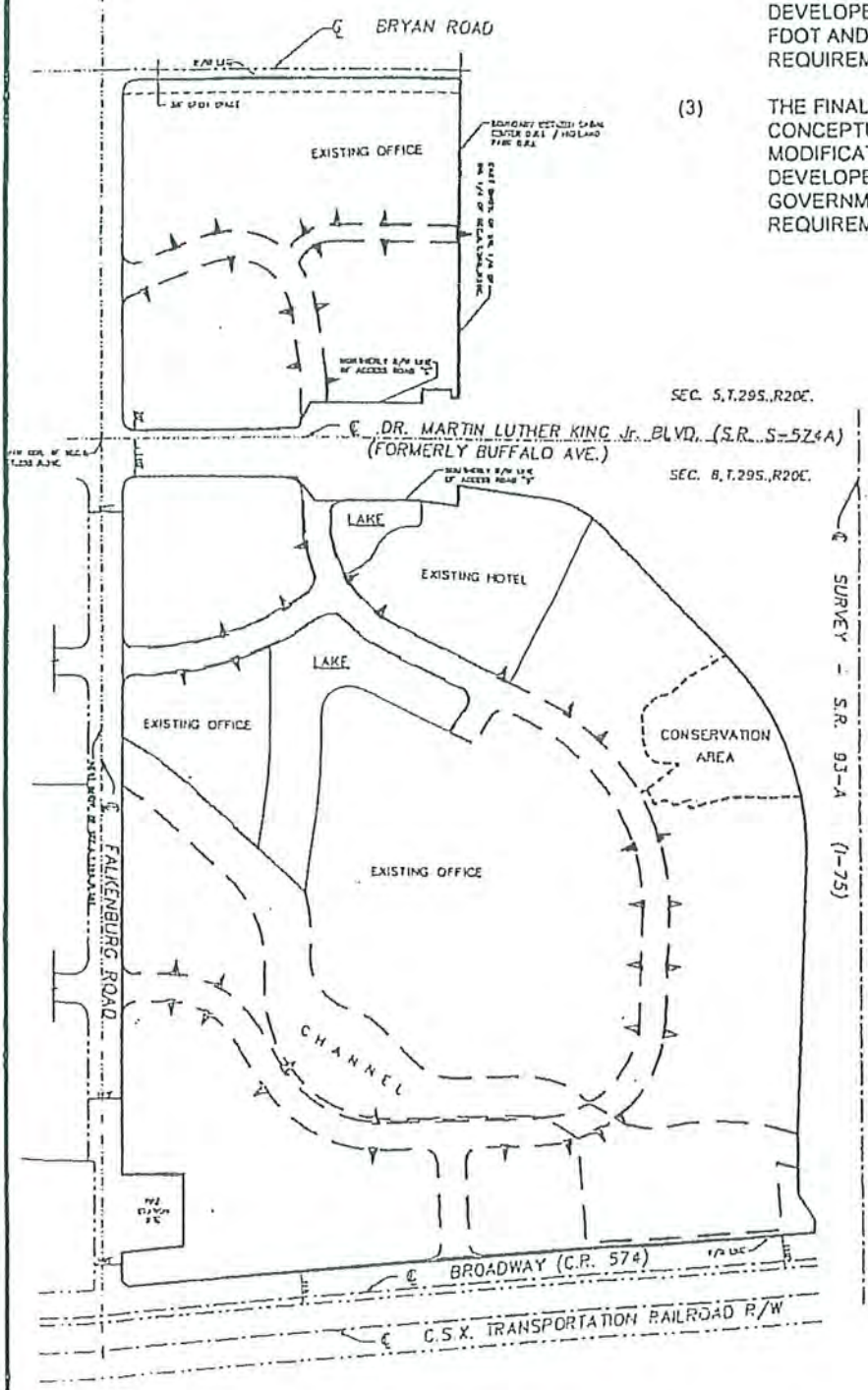
For a point of reference, commence at the Southwest corner of Section 5, Township 29 South, Range 20 East, Hillsborough County, Florida; thence North $0^{\circ}07'14''$ West, along the West boundary of said Section 5, a distance of 30.00 feet; thence South $89^{\circ}59'04''$ East, a distance of 124.88 feet for the POINT OF BEGINNING; said point being on the Northerly right-of-way line of Buffalo Avenue (State Road S-574A); continue thence South $89^{\circ}59'04''$ East along the Northerly right-of-way line of Buffalo Avenue, a distance of 539.33 feet to a point on the East boundary of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 5; thence North $0^{\circ}00'56''$ East along the East boundary of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 5, a distance of 5.00 feet to a point on the Northerly right-of-way line of Buffalo Avenue; thence South $89^{\circ}59'04''$ East along the Northerly right-of-way line of Buffalo Avenue, a distance of 72.13 feet to a point on the Northerly right-of-way line of Access Road "C", S.R. 93-A (I-75); thence North $28^{\circ}22'17''$ East along the Northerly right-of-way line of said Access Road "C", a distance of 107.90 feet; thence North $89^{\circ}53'36''$ East along the Northerly right-of-way line of said Access Road "C", a distance of 409.89 feet; thence North $0^{\circ}16'02''$ West a distance of 50.08 feet; thence South $89^{\circ}59'04''$ East a distance of 107.03 feet; thence South $0^{\circ}12'06''$ East a distance of 28.94 feet to a point on the Northerly right-of-way line of said Access Road "C"; thence North $89^{\circ}43'58''$ East along the Northerly right-of-way line of said Access Road "C", a distance of 25.00 feet to a point on the East boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 5; thence North $0^{\circ}12'06''$ West along the East boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 5, a distance of 1147.53 feet to a point on the Southerly right-of-way line of Bryan Road; thence South $89^{\circ}51'58''$ West along the Southerly right-of-way line of Bryan Road, a distance of 1203.05 feet to the P.C. of a curve to the left having a radius of 50.00 feet and a central angle of $89^{\circ}59'12''$; thence along the Southerly right-of-way line of Bryan Road, 78.53 feet along the arc of said curve, a chord bearing and distance of South $44^{\circ}52'22''$ West 70.70 feet to the P.T. of said curve, said point being on the Easterly right-of-way line of Falkenburg Road; thence South $0^{\circ}07'14''$ East along the Easterly right-of-way line of Falkenburg Road, a distance of 1166.48 feet to the P.C. of a curve to the left having a radius of 50.00 feet and a central angle of $89^{\circ}51'50''$; thence along the Easterly right-of-way line of Falkenburg Road, a distance of 78.42 feet along the arc of said curve, a chord bearing and distance of South $45^{\circ}03'09''$ East 70.63 feet to the P.T. of said curve and the POINT OF BEGINNING.

All lying and being in the Southwest 1/4 of the Southwest 1/4 of Section 5, Township 29 South, Range 20 East, Hillsborough County, Florida and containing 35.020 acres, more or less.



NOTES:

- (1) ANY OF THE APPROVED LAND USES MAY BE LOCATED IN ANY PART OF THE DEVELOPMENT, SUBJECT TO THE REQUIREMENTS OF THE D.R.I. DEVELOPMENT ORDER.
- (2) THE WIDTH AND LOCATION OF INTERNAL ROADS, AND THE LOCATION AND DESIGN OF THE FALKENBURG ROAD ACCESS POINT NORTH OF ML KING BLVD, ARE CONCEPTUAL AND ARE SUBJECT TO MODIFICATION AT THE ELECTION OF THE DEVELOPER, SUBJECT TO ALL APPLICABLE FDOT AND COUNTY PERMITTING REQUIREMENTS.
- (3) THE FINAL LOCATION OF THE CHANNEL IS CONCEPTUAL AND IS SUBJECT TO MODIFICATION AT THE ELECTION OF THE DEVELOPER, SUBJECT TO ALL APPLICABLE GOVERNMENTAL PERMITTING REQUIREMENTS.



SABAL CENTER
 REVISED MAP H
 April 2006
 MASTER DEVELOPMENT PLAN

EXHIBIT "C"



May 22, 2006

JOHN MEYER DRI COORDINATOR
 TAMPA BAY REGIONAL PLANNING COUNCIL
 4000 GATEWAY CENTER BLVD SUITE 100
 PINELLAS PARK FL 33782

Re: Resolution No. R06-094 - Amending the Development Order for Sabal Center (DRI #98)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which was adopted by the Hillsborough County Board of County Commissioners on May 9, 2006.

We are providing this original for your files.

Sincerely,

Gail M. Letzring
 Gail M. Letzring,
 Manager, BOCC Records

md

Attachment

Certified Mail 7002 2410 00001 4265 0822

- cc: Board files (orig.)
- Scott I. Steady, Esq., Williams Schifino Mangione & Steady, Attorney at Law(orig.ltr.)
- Charles Gauthier, Chief, DCA Bureau of State Planning(orig. ltr.)
- Nancy Y. Takemori, Assistant County Attorney
- John Healy, Senior Planner, Planning & Growth Management
- Sandra Davidson, County Attorney's Office
- Christopher Weiss, Property Appraiser's Office
- Mary Mahoney, Management & Budget
- Carmen Telesca, Planning and Growth Management

RESOLUTION NO. R06-094

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
DRI #98
AMENDED AND RESTATED DEVELOPMENT ORDER

Upon motion of Commissioner, Castor, seconded by Commissioner, Sharpe, 6 to 0, the following Resolution was adopted this 9th day of May, 2006,

WHEREAS, on August 20, 1985, the Board of County Commissioners approved a Development Order, Resolution R85-0148, for the Sabal Center Development of Regional Impact; and,

WHEREAS, on October 11, 1985, an amendment was requested to the Development Order seeking to transfer 45 hotel rooms from Phase II to Phase I of the Development Order; and,

WHEREAS, on November 13, 1985, the Board of County Commissioners adopted Resolution R85-0220 amending Resolution No. R85-0148; and,

WHEREAS, an amendment was filed seeking an amendment to certain right-of-way dedication requirements originally required pursuant to Resolution R85-0148; and,

WHEREAS, on April 21, 1987, the Board of County Commissioners adopted R87-0123 amending Resolutions R85-0148 and R85-0220; and,

WHEREAS, the Developer filed a Notice of Proposed Change pursuant to Section 380.06(19) on March 8, 1990, seeking an extension of the phase deadlines and the effective date of the Development Order by less than three years; and,

WHEREAS, on April 10, 1990, the Board of County Commissioners adopted Resolution R90-0075 amending Resolution Nos. R85-0148, R85-0220 and R87-0123; and,

WHEREAS, the Developer filed a Notice of Proposed Change pursuant to Section 380.06(19) on December 15, 1992, seeking to extend the buildout date for Phase I to December 31, 1999, add an additional 1.9 acres of land and delete a 1.2 acre fire station site and 8.3 acres of road right-of-way that had been dedicated to Hillsborough County; and,

WHEREAS, on March 9, 1993, the Board of County Commissioners adopted Resolution 93-0056 amending Resolution Nos. R85-0148, R85-0220, R87-0123 and R90-0075; and,

WHEREAS, the Developer filed a Notice of Proposed Change pursuant to Section 380.06(19) on March 12, 1996, seeking the adoption of a trade-off mechanism to convert light industrial land uses to Office/R & D land uses and modifications to the Master Development Plan (Map H); and,

WHEREAS, on June 11, 1996, the Board of County Commissioners adopted Resolution R96-143 amending Resolutions R85-0148, R85-0220, R87-0123, R90-0075 and R93-0056; and,

WHEREAS, the Developer filed a Notice of Proposed Change pursuant to Section 380.06(19) on November 27, 1996, seeking to extend the buildout date for Phase I to December 31, 2004, the elimination of the limited access assessments for Phase I, and modifications to the Master Development Plan (Map H); and,

WHEREAS, on February 11, 1997, the Board of County Commissioners adopted Resolution R97-027 amending Resolutions R85-0148, R85-0220, R87-0123, R90-0075, R93-0056 and R96-143; and,

WHEREAS, the Developer filed a Notice of Proposed Change ("NOPC") pursuant to Section 380.06(19) on April 22, 2005, seeking to extend the buildout date for Phase I to December 31, 2009, and extend the termination date to December 31, 2009; and,

WHEREAS, the Developer's Affidavit, attached hereto as Exhibit "A," affirms that copies of the NOPC have been delivered to all persons as required by law.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. Hereinafter, the word "Application" shall refer to the application for development approval, the sufficiency response, and the amending letters.

B. The real property that was the subject of the original Application was legally described as set forth in Composite Exhibit A, originally attached to Resolution 85-0148 and made a part thereof. The real property subject to this amended and

restated development order is set forth in Exhibit "B" attached hereto.

C. The proposed development is not in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes.

D. All development will occur in accordance with this Amended and Restated Development Order and Application.

E. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council.

II. CONCLUSIONS OF LAW

- A. The changes proposed in the NOPC are consistent with local development regulations and the local government comprehensive plan adopted pursuant to the Hillsborough County Local Government Comprehensive Planning Act, Chapter 75-390, Laws of Florida, as amended, and the state and regional comprehensive plans.
- B. The changes proposed in the NOPC are consistent with the report and recommendations of TBRPC.
- C. The changes proposed in the NOPC will not reasonably interfere with the achievement of the objectives of the Land Development Plan adopted by the State of Florida as it may be applicable to the area.
- D. In considering whether the NOPC should be approved subject to conditions, restrictions, and limitations, Hillsborough County has considered the criteria stated in Section 380.06 and more specifically, Subsection 380.06(14), Florida Statutes.
- E. The review by Hillsborough County Administration, the Planning Commission, TBRPC, and other participating agencies and interested citizens indicates that project impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Amended and Restated Development Order.

- F. Based on the above Findings of Fact and Conclusions of Law, the Board of County Commissioners hereby approves the NOPC.

III. GENERAL PROVISIONS

A. This Resolution shall constitute the Amended and Restated Development Order of Hillsborough County for the Sabal Center DRI (the "Development Order"). The provisions of Resolutions R85-0148, R85-0220, R87-0123, R90-0075, R93-0056, R96-143, and R97-027 are incorporated into this Development Order by reference and are hereby reaffirmed in their entirety except as specifically amended herein.

B. All development within the Sabal Center DRI shall occur in accordance with this Development Order and the Master Development Plan (Map H) attached as Exhibit "C" hereto.

C. The definitions contained in Chapter 380, Florida Statutes (2005), shall govern and apply to this Development Order.

D. This Development Order shall be binding upon the Developer, its assigns, or successors in interest including any entity that may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality that may be created or designated as successor in interest to, or that otherwise possesses any of the powers and duties of, any branch of government or governmental agency.

E. This Development Order shall remain in effect until December 31, 2009. The development shall not be subject to down-zoning or intensity reduction until December 31, 2009, unless the local government can demonstrate that substantial changes in the conditions underlying approval of the development order have occurred or the development order was based on substantially inaccurate information provided by the developer or that the change is clearly established by local government to be essential to the public health, safety, or welfare. No development shall be approved after expiration of the Development Order. Any development activity for which plans have been submitted to the County for its review and approval prior to the expiration date of this Development Order may be completed, if approved. This Development Order may be extended by the Board of County Commissioners of Hillsborough County on the finding of excusable delay in any proposed development activity.

F. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected government agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review development of regional impact applications as well as all governmental agencies and departments set forth under applicable laws and rules governing developments of regional impact.

G. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of privately owned facilities at Sabal Center, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private entity created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order, which approval shall not be unreasonably withheld.

H. Development activity constituting a substantial deviation from the terms or conditions of this Development Order, or other changes to the approved development plans that create a reasonable likelihood of additional adverse regional impact, or any other regional impact not previously reviewed by the Regional Planning Council shall result in further development of regional impact review pursuant to 380.06, Florida Statutes (1983), and may result in Hillsborough County ordering a termination of development activity pending such review.

I. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. The County Administrator shall issue a notice of such noncompliance to the Developer, and, if the deviation is not corrected with a reasonable amount of time, shall recommend that the Board of County Commissioners establish a hearing to consider such deviations.

J. The Developer shall file an annual report in accordance with Section 380.06(18), Florida Statutes (2005), and appropriate rules and regulations. The report shall be submitted on Form BLWM-07-85 as amended. Such report shall be due on the anniversary of the effective date of this Development Order for each following year until, and including such time as, all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the County Administrator who shall, after appropriate review, submit it for review by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed. Provided, however, that the receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of the Development Order. This report shall contain:

1. Changes in the plan of development, or representations contained in the Application, or phasing for the reporting year and for the next year;
2. A summary comparison of development activity proposed and actually conducted for the reporting year;
3. Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or developer;
4. Identification and intended use of lands purchased, leased or optioned by the Developer adjacent to the original DRI site since the development order was issued;
5. An assessment of the Developer's and local government's compliance with conditions of approval contained in the DRI development order and the commitments which are contained in the Application;
6. Any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;

7. An indication of a change, if any, in local government jurisdiction for any portion of the development since the development order was issued;

8. A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

9. A statement that all persons have been sent copies of the annual report in conformance with Subsections 380.06(18), Florida Statutes (2005);

10. A copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the developer pursuant to Subsection 380.06(15)(f), Florida Statutes (2005);

11. The information regarding Transportation Systems Management measures required to be submitted pursuant to Section IV.B.2., below;

12. The field surveys required to be submitted pursuant to Section IV.B.3., below, which field surveys are only required to be submitted biannually after the issuance of Certificates of Occupancy for the first 900,000 square feet of office space, or the equivalent thereof; and

13. A copy of the stormwater system operation and maintenance schedule and annual updates required to be submitted pursuant to Section IV.H.1.(e), below.

L. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation, or ordinance of Hillsborough County, its agencies or commissions, and to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable rules, regulations and ordinances in effect at the time of the review.

M. This Development Order shall become effective upon adoption by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes (2005).

N. Upon adoption, the Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning

Agency, the Tampa Bay Regional Planning Council, and the Developer.

O. Revisions to this Development Order not addressed herein shall be subject to review by TBRPC including the payment of the incremental review fee.

IV. CONDITIONS

A. Phasing Schedule.

The development of the project in accordance with the proposed phasing schedule as provided below, is an integral part of the Development Order conditions. Therefore, if the Developer elects to amend the proposed phasing schedule, it shall submit said amendments to the County for review and approval, which approval shall not be withheld for mere acceleration of phases if the terms of this Order are otherwise fully complied with. It is the intent of this provision to insure that all prerequisites for each phase of the project are complied with. For purposes of this Order, a phase shall be considered complete upon issuance of the final certificate of occupancy for the phase. Any significant departure in project buildout from the phasing schedule set forth in the Application shall be subject to a substantial deviation determination pursuant to Chapter 380.06(19), Florida Statutes (2005).

Notwithstanding the foregoing, the Developer shall be permitted to trade-off any part or all of the approved Light Industrial/R&D uses for Office/R&D uses at the ratio of .867 square feet of Office/R&D uses for every square foot of Light Industrial/R&D uses. The developer shall provide written notification of the trade-off to the Tampa Bay Regional Planning Council and the State of Florida Department of Community Affairs prior to utilizing the trade-off and in the annual report.

Phase	Office/Research & Development (Sq. Ft.)	Light Industrial/ Research & Development (Sq. Ft.)	Commercial/ Retail (Sq. Ft.)	Hotel (Rooms)
1. 12/31/2009	1,737,000		150,000	265
2. 1990-11/30/1999	760,000			355
3. 1996-7/20/2003	770,000			380
Total	3,267,000		150,000	1,000

1. The land used entitlements are subject to the land use trade-off mechanism approved pursuant to Resolution No. R96-143. (The trade-off mechanism is provided in the paragraph preceding the chart above.)
2. The Office/R & D land use category can be developed exclusively as office uses.

B. Transportation Conditions.

1. Area Studies. A comprehensive transportation study of the Central Hillsborough/Interstate 4/Interstate 75 area in Hillsborough County analyzing transportation facilities will be prepared by the Hillsborough County City-County Planning Commission or any other appropriate entity designated by the Board of County Commissioners, in cooperation with the Tampa Bay Regional Planning Council, Florida Department of Transportation, Hillsborough County, Hillsborough County Metropolitan Planning Organization, Hillsborough County Environmental Protection Commission, Hillsborough Area Regional Transit Authority and other appropriate State agencies and developers in the area. The study will propose a transportation improvements plan and schedule for the area, involve citizens, interest groups and government agencies, and develop an implementation program to make the study workable. The issuance of a development order approving an area-wide development of regional impact shall satisfy the requirement of this study. The transportation section of the study or area-wide DRI traffic analysis shall include but not be limited to:

- (a) The regionally significant roadways that shall be included in the focus of the transportation plan, as well as identification of additional roadways to be constructed within the study area.

- (b) The existing, approved, and projected development to be included within the plan.
- (c) The manner by which the traffic impact of existing development will be documented and assessed.
- (d) The manner by which the traffic impact of approved and projected development will be documented and assessed.
- (e) The procedures by which mass transit will be studied as a viable alternative to alleviate overburdening of the roadways.
- (f) Identification of specific construction implementation goals, such as right-of-way acquisition and implementation of additional corridors designed to coincide with transportation improvement needs generated by each phase of completion for projects approved within the study area.
- (g) A program for funding the improvements identified.

Hillsborough County and/or the Hillsborough County City-County Planning Commission has committed to perform the above-referenced transportation improvements study which is scheduled to be completed on or before January 1, 1986. (The study has been completed.)

2. Transportation Systems Management. The Developer shall assess the suitability of Transportation Systems Management ("TSM") measures that may be instituted and implemented for each project phase. Each TSM measure shall be assessed to determine the potential for diverting a substantial percentage of total peak hour trips away from the peak traffic hours. The plan shall be submitted to the reviewing agencies within one year of the effective date of this Development Order and shall address the following at minimum:

- (a) Worker flex time.
- (b) Worker ridesharing strategies.

- (c) Provision of transit and service facilities and programs to increase transit ridership.

The Developer may request amendments to this Development Order to incorporate findings of the assessment as conditions of approval in lieu of structural transportation improvements identified in this Development Order. The Developer's annual reports shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure.

If an annual report is not submitted, or if the report indicates that the total projected trip diversions are not being met, Hillsborough County shall conduct a substantial deviation determination pursuant to 380.06(19), F.S. and, if necessary, amend this Development Order to change TSM objectives and/or require roadway improvements that were deleted from this Development order in contemplation of the TSM measures' being successful. The results of the TSM study may serve as a basis for the Developer or reviewing agencies to request Development Order amendments.

3. Methodology. Existing traffic volumes on roadways in the impact area were determined by counting traffic on those roadways. Growth factors were then applied to determine the "existing background" traffic for each phase of the development. In addition to existing background traffic, allowances were made for traffic projected to be generated by approved developments which have not been built ("proposed background" traffic). The sum of existing background traffic and the proposed background traffic was used as the basis against which traffic generated by each phase of the project were evaluated. The results of such evaluation are set forth in Exhibit B, attached hereto and made a part hereof.

The conditions precedent to consideration of a roadway segment as an element of the total impact of the project are:

- (a) The development's traffic on the roadway segment must equal or exceed 5% of the peak hour LOS-D capacity of the existing roadway; and
- (b) Development traffic, plus the total background traffic on the roadway segment, must result in

a reduction of the level of service on the existing road segment to worse than LOS-D at peak hours.

The commitments by the Developer or other responsible entities for those transportation system improvements necessary to accommodate each phase of the development are identified below.

4. The Developer, at its option, shall select one of the following alternatives to mitigate the project's transportation impacts:

Alternative I¹:

Developer may elect to delay development until funding commitments are secured from responsible entities for the following roadway improvements:

Phase I

(a) Construct a four lane section of Faulkenburg Road from State Road 60 to SR 574. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 31.6 percent of the existing daily Level of Service C capacity at the end of Phase I. This improvement (TIP Work Item #61105) is scheduled for construction in Fiscal Year 1992/1993.

(b) Construct one lane in each direction on Broadway from 50th to Orient Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 11.7 percent of the existing daily Level of Service C capacity at the end of Phase I.

(c) Construct one lane in each direction on Broadway from Orient Road to US 301. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 14.7 percent of the existing daily Level of Service C capacity at the end of Phase I.

(d) Construct one lane in each direction on Broadway from US 301 to Faulkenburg Road. These through lanes should have

¹The Developer elected to proceed pursuant to Alternative II.

their termini in accordance with proper design standards. Sabal Center will contribute 20.8 percent of the existing daily Level of Service C capacity at the end of Phase I.

(e) Construct a four lane section on Buffalo Avenue from I-4 to CR 574. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute the following percentages of existing daily Level of Service C capacity at the end of Phase I: from I-4 to US 301 -- 32.7 percent, and from US 301 to CR 574 -- 39.6 percent.

(f) At the intersection of Buffalo Avenue and 50th Street, construct intersection improvements providing for an eastbound through lane and exclusive left turn lane, and a westbound through lane and exclusive left turn lane. Sabal Center will contribute 8.9 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(g) At the intersection of Hillsborough Avenue and Faulkenburg Road, construct intersection improvement providing for signalization. Sabal Center will contribute 19.5 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(h) At the intersection of Hillsborough Avenue and Mango Road, construct intersection improvements providing for a southbound through lane and exclusive left turn lane. Sabal Center will contribute 14.8 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(i) At the intersection of Broadway and Orient Avenue, construct intersection improvements providing for an eastbound through lane and exclusive left turn lane, a westbound through lane and exclusive left turn lane, a southbound through lane, and a northbound through lane. Sabal Center will contribute 13.0 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(j) At the intersection of SR 60 and Kingsway Road, construct intersection improvements providing for an eastbound and westbound through lane and separate right turn lane, and a northbound through lane and separate right turn lane. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(k) At the intersection of Broadway and Faulkenburg Road construct intersection improvements providing for exclusive

right and left turn lanes on all approaches. Sabal Center will contribute 25.9 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

Phase II

(a) Construct one additional lane in each direction on SR 60 from US 301 to 1-75. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.4 percent of the existing daily Level of Service C capacity at the end of Phase II.

(b) Construct one additional lane in each direction on SR 60 from Orient Road to 50th Street. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.4 percent of the existing daily Level of Service C capacity at the end of Phase II.

(c) At the intersection of SR 60 and 50th Street, construct intersection improvements providing for a northbound through lane and exclusive left turn lane, a southbound through lane and exclusive left turn lane, and an additional through lane both eastbound and westbound. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(d) At the intersection of Hillsborough Avenue and Mango Road, construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 18.8 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(e) At the intersection of Broadway and Faulkenburg Road, construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 12.9 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(f) Construct a four lane section on Buffalo Avenue from CR 574 to Valrico Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute the following percentage of the existing daily Level of Service C capacity from Mango Road to Parsons Avenue - 5.3 percent.

(g) Construct a six lane section on 1-4 from 1-75 to US 301. These through lanes should have their termini in accordance

with proper design standards. Sabal Center will contribute 7.8 percent of the existing daily Level of Service C capacity at the end of Phase II.

(h) Construct a six lane section on I-4 from SR 574 to 50th Street. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 6.5 percent of the existing daily Level of Service C capacity at the end of Phase II.

(i) At the intersection of Buffalo Avenue and Parson Avenue-Brandon Road, construct intersection improvements providing for one through lane eastbound and one through lane westbound. Sabal Center will contribute 5.3 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

Phase III

(a) Construct one lane in each direction on SR 60 from Kingsway Road to I-75. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.7 percent of the existing daily Level of Service C capacity at the end of Phase III.

(b) Construct one lane in each direction on Broadway from 50th Street to Orient Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 6.7 percent of the existing daily Level of Service C capacity at the end of Phase III.

(c) At the intersection of Buffalo Avenue and 50th Street, construct intersection improvements providing for both an eastbound and westbound exclusive right turn lane. Sabal Center will contribute 5.8 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

(d) At the intersection of Broadway and 50th Street construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 5.8 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

(e) At the intersection of SR 60 and Parsons Avenue, construct intersection improvements providing for an additional through lane eastbound and westbound. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

Alternative II:

In lieu of Alternative I, the Developer has elected to proceed with development in accordance with the provisions of the Hillsborough County Consolidated Impact Assessment Program Ordinance #96-29 (10/96) as amended by #96-32 (11/96), as amended by #00-12 (4/100) (the "Ordinance"). The Ordinance provides that a developer pay a transportation impact assessment based upon the travel characteristics of the development. The assessment provides a mechanism by which development is assessed a pro-rata share of its economic impact on the Hillsborough County road network. To assure that the transportation impacts of this development have been accurately projected by the traffic analysis field surveys in the Application, a report of findings shall be conducted every two years after the issuance of certificates of occupancy for the first 900,000 square feet of office space or the equivalent thereof. The results of these surveys shall be included in the required annual report. (Alternative II was updated by Resolution R06-094 to indicate that the development is subject to the Hillsborough County Consolidated Impact Assessment Program Ordinance, as amended, and to reflect that the interstate limited access fees for Phase I were eliminated by Resolution R97-027).

6. The value as set forth in paragraph 7, below, of any rights-of-way acreage dedicated by the Developer pursuant to said paragraph 7, shall be credited against the Total Developer Fair Share Amount. (This credit has previously been credited.)

7. Within sixty (60) days after the effective date of this Order, the Developer shall dedicate to Hillsborough County land from within the development's boundaries for road rights-of-way as follows:

- (a) Faulkenburg Road - thirty-five feet (35') of right-of-way along the subject's westerly property boundary for a distance of approximately five hundred and eight feet (508') from a point that is approximately two hundred fourteen feet (214') north of the intersection of County Road 574 and Faulkenburg Road to a point that is approximately seven hundred twenty-two feet (722') north of the intersection of County Road 574 and Faulkenburg Road

to provide a total of seventy-five feet (75') of road right-of-way measured from the center line of Faulkenburg Road, as more particularly described in the attached Exhibit "A";

- (b) County Road 574 - right-of-way along the development's southerly boundary to provide a total of ninety-three feet (93') of road right-of-way as measured from the center line of the existing road right-of-way of C.R. 574 from a point that is approximately one hundred eighty-two feet (182') east of the intersection of Faulkenburg Road and C.R. 574 to a point immediately west of the intersection of C.R. 574 and I-75 as more particularly described in Exhibit "B";
- (c) Bryan Road - eleven (11) feet along the development's northerly boundary from Faulkenburg Road to the development's easterly boundary line.

The credit to the Developer for the subject additional dedicated road rights-of-way shall be calculated at one hundred forty-four thousand dollars (\$144,000.00) per acre, which shall be applied against the Total Developer Fair Share Amount payable as certificates of occupancy are issued. The amount of such credit shall be applied to the amount payable under each certificate of occupancy pursuant to the table set forth in Section IV.B.6. of Resolution R97-027, until the value of such rights-of-way is exhausted by such credit. (The obligations under this paragraph 7 have been completed).

8. In addition to the Total Developer Fair Share Amount, the following site access improvements (to be constructed at the Developer's expense) will be required at buildout of the project, if determined to be necessary by the Hillsborough County Engineering Department at that time:

- (a) Prior to the issuance of the first Certificate of Occupancy within Phase I, the main entrance to the development on Buffalo Avenue shall be constructed. Provision shall be made for signalization when warranted, and the Developer shall cooperate with the Florida Department of Transportation during the design

phase of the proposed Buffalo Avenue improvement project to insure provisions are made to accommodate development traffic at Level of Service D (peak hour) at buildout.

(b) Three access points are to be located at points on Faulkenburg Road. These access improvements are to be coordinated with the widening of Faulkenburg Road to four lanes.

(i) One access point shall be located north of Buffalo Avenue on Faulkenburg Road. Provision shall be made for signalization when warranted.

(ii) One access point shall be constructed immediately south of Buffalo Avenue on Faulkenburg Road. Provision shall be made for signalization when warranted.

(iii) The southernmost access point on Faulkenburg Road shall be located approximately one thousand two hundred feet (1,200 ft.) south of the access point that is immediately south of Buffalo Avenue.

(c) One access point shall be on Broadway Avenue (CR 574). Provision for signalization shall be made when warranted.

(d) If the Developer elects to make the above access improvements in stages, then a plan for each improvement shall be submitted and approved by the Hillsborough County Engineering Department prior to the issuance of the first building permit for any portion of the development site being developed. The plan shall address those access points necessary to serve the portion of the site being developed. With the plan, a transportation analysis shall be provided that calculates the Level of Service of the intersection after the proposed improvements are made taking into account existing background traffic and projected project traffic. The proposed improvement shall be projected to operate at Level of Service C Daily/Level of Service D peak hour, upon completion and full occupancy of the portion of the site being developed. The proposed improvement shall be constructed prior to issuance of the first certificate of occupancy for the portion of the site being developed.

9. The value as set forth in paragraph 7, above, of any rights-of-way acreage dedicated by the Developer pursuant to said paragraph 7, or for improvements identified in the updated analysis described in Paragraph 10, below, shall be credited against the Total Developer Fair Share Amount. (The option to design and construct two

additional lanes on Falkenberg Road previously contained in this paragraph was eliminated by Resolution R06-094 as this option is no longer available).

10. Prior to commencement of Phases II and III, the Developer shall submit a revised and updated traffic analysis pursuant to Chapter 380.60, Florida Statutes. Both the traffic counts and projections of traffic volume shall be prepared consistent with generally accepted traffic engineering practices and the Application. The analysis shall serve to verify the findings of the Application traffic analysis or shall indicate alternate transportation improvements/measures which, if implemented, would maintain the regional roadways at a satisfactory Level of Service, (Level of Service D peak hour). Funding commitments for the identified needed improvements/measures for the phase for which the review is being conducted shall be obtained prior to commencement of Phases II and III. The analysis results shall be the only criteria used to determine whether Phases II and III may be commenced, provided all other conditions of this Order are met. The Developer may elect to fund all or a portion of the improvements identified in the updated analyses, in which event the amounts expended by the Developer shall be credited against the Total Developer Fair Share Amount. In no event shall the Developer be required to expend or pay to Hillsborough County an amount in excess of the Total Developer Fair Share Amount.

11. Within 30 days after this Amended and Restated Development Order is rendered, the Developer shall pay to the Florida Department of Transportation One Million Dollars (\$1,000,000) to be utilized for the I-75 at MLK project identified pursuant to the Florida Department of Transportation Work Program as FPN/Item Segment #403758.

The Developer shall be entitled to impact fee offsets to the extent they are eligible pursuant to Article 8, Section K of the Consolidated Impact Assessment Program Ordinance. It is anticipated that the "Developer's" obligation to pay the \$1,000,000 will be paid by two separate property owners within the DRI and that two separate impact fee offset accounts will be established.

C. Hazardous Waste

1. Separate hazardous waste storage containers/areas shall be provided within the development. These containers/areas

shall be accessible to all development businesses and shall be clearly marked and/or colored so as to clearly distinguish the containers/areas intended for hazardous wastes and materials.

2. The Developer shall provide to all Sabal Center businesses information that:

- (a) Indicates types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specifically-designated containers;
- (b) Indicates the location of the specially-designated hazardous waste and materials containers; and
- (c) Advises of applicable statutes and regulations regarding hazardous wastes and materials.

3. The Developer shall ensure that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

- (a) No hazardous materials or wastes shall be allowed to enter the wastewater system.
- (b) The Developer shall ensure that any hazardous waste will be pretreated on-site if necessary, and removed in a manner consistent with applicable regulations, including the waste exchange program, recycling, or disposal by a certified entity.

4. Underground storage of hazardous, toxic, or flammable materials, liquids, or chemicals shall not be permitted, except that combustible and flammable liquids and liquified gas, as defined in NFPA 30, 54 and 58 to include gasoline, kerosene, petroleum, distillates, diesel fuel and liquified gas, may be stored only in underground tanks which shall be designed, installed, constructed and located to prevent seepage of contained products into surrounding sub-surface areas and which shall comply with NFPA codes, FDER Chapter 17-6 and all prevailing statutory and regulatory requirements and standards. In addition, the Developer shall require installation and maintenance of leak detectors for such underground tanks, if any, in accordance with County standards and criteria.

D. Energy

The energy conservation measures described in the Application shall be instituted by the Developer. In the event that an electrical sub-station is required by Tampa Electric Company, then the Developer shall donate such site to Tampa Electric Company from within the project boundaries at a location to be mutually agreed upon by the Developer and Tampa Electric Company.

E. Archaeological Resources

The discovery of any historical or archaeological resources shall be reported to the Florida Division of Archives, History and Records Management and the disposition of such resources shall be determined in cooperation with the Division of Archives and Hillsborough County.

F. Air Quality

The measures to reduce erosion, fugitive dust and air emissions described in the Application shall be instituted by the Developer.

G. Hurricane Evacuation

The Developer shall promote awareness of, and shall cooperate with, local and regional authorities having jurisdiction to issue a hurricane evacuation order. The Developer shall prepare a plan to ensure the safe and orderly evacuation of hotel guests and those employees who, for security or administrative reasons, are in the building after an evacuation order is issued by (1) ordering all buildings closed for the duration of a hurricane evacuation order; (2) making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans. This plan shall be included in the first annual report submitted after occupancy of any portion or phase of the Development. The Developer shall cooperate with local emergency management officials regarding the use of buildings on the project site as public shelters.

H. Drainage

1. The drainage plan and the stormwater system design shall be consistent with TBRPC's Stormwater and Lake Systems Maintenance and Design Guidelines (1978) with regard to biological productivity and natural assimilative capacity. The design guidelines of this system shall include the following:

- (a) 35 to 50 percent of the surface area of the detention pond at the normal water level (NWL) should consist of a shallow vegetated littoral shelf.
- (b) The littoral shelf can be incorporated into the pond bank, preferably near the pond outlet, to provide final polishing treatment for the stormwater. As an alternative, the littoral shelf can be established on a shallow submerged island in the middle of the pond.
- (c) A sediment sump should be provided at all influent pipes to accumulate sediment and to provide easy access for sediment removal.
- (d) The littoral shelf, if located along the pond bank, should have side slopes no greater than 7:1 with the top of the shelf at NWL and sloping to a depth of three feet or less. The littoral shelf should be vegetated with a diverse group of native species which can include Sagittaria, pickerelweed, Juncus, water lilies, cypress, etc. These species aid in nutrient and heavy metal uptake as well as to enhance the pond by providing blooming flowers and presenting a more "natural" appearance.
- (e) A copy of an operation and maintenance (O & M) schedule shall be provided to the Developer, and shall be submitted to TBRPC with the annual report. The O & M schedule shall include an estimation of the frequency of sediment removal operations and shall mention the periodic need for removing dead vegetation. An annual update of the O & M schedule showing compliance with its terms shall be included in the annual report.

- (f) The master drainage system shall comply with the Department of Environmental Regulation's Stormwater Rule, Chapter 17-25, Florida Administrative Code.

Those portions of the stormwater drainage system and retention and detention ponds not dedicated to Hillsborough County shall remain the responsibility of the Developer, its assigns, or a duly constituted property owners' association.

2. Prior to final plat approval or detailed site plan approval if the project is not to be platted, the Developer shall submit to the Hillsborough County Environmental Protection Commission a copy of the Southwest Florida Water Management District's Stormwater Discharge Permit or Exemption.

I. Elevation

The elevation for all habitable structures shall be at or above the base flood elevation as required by the Federal Flood Insurance Program.

J. Water Quality

1. The Developer shall provide a sufficient body of baseline water quality data before any significant groundbreaking takes place. Sampling should be scheduled to occur immediately after a major storm event, and after an extended dry period, during both the rainy season (June-September) and the dry season (November-February). Significant water quality parameters should include, but not be limited to the following:

- streamflow (cu.ft./sec.);
- turbidity (ntu);
- specific conductance (umho/cm at 25 deg. C);
- dissolved oxygen (mg/l);
- biochemical oxygen demand (mg/l);
- pH;
- total orthophosphate as p (mg/l);
- total organic nitrogen as N (mg/l);
- ammonia N (mg/l);
- total organic carbon ms C (mg/l);
- total coliforms, multiple tube method, MPN (col/100 ml);
- total lead as pb (ug/l); and
- temperature (deg. C).

Sampling stations shall be located in the Lake Mango Canal, both at the east point of entry and at the west point of exit from the development. All water quality methods and procedures shall be thoroughly documented and shall comply with EPA/DER Quality Control standards. The Developer shall provide for review of an annual water quality profile, including the same parameters and provisions described above, until the project reaches completion. If the monitoring data indicates that the development is having a negative impact on water quality, additional design criteria or remedial measures for regional concerns shall be developed prior to approval of any subsequent increments.

2. The Developer shall submit to the Department of Environmental Regulation, Hillsborough County Environmental Protection Commission, and Tampa Bay Regional Planning Commission for approval a wetland/lake management plan, to be implemented during construction and after completion of the development. The plan shall address, but not be limited to, the following:

- proposed lake specifications;
- proposed wetland preservation or alteration;
- control of exotic and nuisance species;
- control and monitoring of on-site water quality;
- maintenance of natural hydroperiod; and
- methods for wetland/lake restoration and enhancement.

The intent of the wetland/lake management plan would be to direct the development and succession of all on-site wetlands and lakes into biologically viable and diverse habitat.

3. Soil Survey data indicate that a hardwood swamp, underlain with freshwater swamp (FE₂) soil, exists in the southern tract along the eastern border of the development adjacent to 1-75. On-site inspection reveals this area to be a viable wetland and under Environmental Protection Commission jurisdiction. A ditch across the southern tract in a northwest direction with water from the site eventually draining to the Tampa By-Pass Canal has revegetated and is under Environmental Protection Commission jurisdiction. In addition, because the ditch is connected to the By-Pass Canal, it is within State jurisdiction. Activities proposed in the ditch or ditch relocation will require a Florida Department of Environmental Regulation dredge and fill permit. The small hardwood swamp in the northwest corner of the southern tract has been somewhat altered due to intense grazing. However, it supports a viable wetland habitat dominated by bay trees (*Persea borbonia*, Carolina willow (*Salix caroliniana*), and primrose willow (*Ludwigia peruviana*)). Any activity interfering

with the integrity of these jurisdictional areas, such as clearing, excavating, draining or filling, will be a violation of Section 17 of the Hillsborough County Environmental Protection Act, Chapter 84-446. Eventually, an on-site delineation will be required with Environmental Protection Commission staff approval. Also, a 30-foot buffer zone landward of these jurisdictional lines must be maintained with no permanent structures therein. Soil Survey data also indicate the presence of two small grass-ponds in the northern tract. On-site inspection reveals that one has been previously excavated and the other is dry and is no longer viable. Both of these areas are, therefore, not under Environmental Protection Commission jurisdiction.

4. The above referenced condition includes a Jurisdictional claim for the small hardwood swamp in the northwest corner of the southern tract. However, this area historically supported a base swamp that has been altered in recent years due to the pressures of intense grazing. Therefore, said hardwood swamp may be mitigated for on a 1:1 basis in an area immediately adjacent to the existing drainage ditch which will be widened according to State of Florida Department of Environmental Regulation specifications. This mitigation plan must be submitted to H.C.E.P.C. for approval prior to any development in this area.

5. To maintain good water quality, the project must be designed to properly treat stormwater runoff, complying with the requirements of Florida Administrative Code 17-25: Regulations of Storm Water Discharge.

K. Wildlife

1. To assure the Tampa Bay Regional Planning Council and Hillsborough County that development will not degrade the natural integrity of the Conservation areas, as referenced herein, the final development plan shall designate and map conservation areas in accordance with the Council's adopted growth policy, Future of the Region, (2.702 Conservation). The development shall maintain, at minimum, the 50 foot buffer between the Northern Office Park and Bryan Road, as committed in the Application and a habitat suitable for the woodstork shall be created within the stormwater system in cooperation with the Florida Game and Fresh Water Fish Commission.

In the event that any endangered or threatened species are observed onsite, such species shall be relocated in cooperation with the Florida Game and Fresh Water Fish Commission.

L. Public Facilities

1. Fire Protection, Police, Emergency Medical Services.

(a) Prior to issuance of detailed site plan approvals, the Developer shall provide to Hillsborough County Department of Development Coordination verification that adequate police, fire service and emergency medical service facilities are available to serve the building or buildings that are the subject of such site plan.

(b) The Developer shall be required, within one year subsequent to the effective date of this Development Order, to convey to Hillsborough County good title free and clear to 1-1/4 acres of buildable land for a fire station. The Developer shall also provide for offsite drainage requirements for the fire station site and provide the County with any necessary nonexclusive easements for drainage purposes. The location of the property to be dedicated to the County shall be on the south side of Buffalo Avenue lying westerly of the intersection of Buffalo Avenue and Faulkenburg Road and not more than one (1) mile westerly of such intersection, or shall be on Faulkenburg Road and within 1/2 mile of the intersection of Faulkenburg Road and Buffalo Avenue, or shall be located on the north side of Broadway Avenue between Faulkenburg Road and 1-75. The site selected shall have direct access to Buffalo Avenue, Faulkenburg Road or Broadway Avenue and shall not contain any environmentally sensitive land. The conveyance to the County shall provide that use of the property shall be restricted to fire station purposes for twenty-five (25) years from the date thereof and shall further provide that the property shall revert to the Developer, its successors and assigns, if construction of a fire station is not completed on the site on or before July 1, 1993.

The Developer shall make a cash contribution to the County for fire station purposes in the amount of \$50,000.00 upon the earlier of the following: (a) a contract being let by the County for construction of a fire station on the site to be dedicated by the Developer or, (b) July 1, 1990. If the County is not prepared to promptly utilize the cash contribution for construction of a fire station, then the Developer's cash contribution shall be placed in escrow with a mutually acceptable escrow agent, such as a bank, in Hillsborough County.

The Developer shall, if requested by the County, enter into a written agreement with respect to the fire station contribution within a reasonable time hereafter.

2. Solid Waste.

The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said ordinance.

3. Wastewater Treatment.

(a) A wastewater treatment improvements plan and schedule for the Central Hillsborough/I-4/I-75 area shall be prepared in cooperation with the City of Tampa, Hillsborough County, the Department of Environmental Regulation, the Tampa Bay Regional Planning Council and developers in the study area. Completion and adoption of the plan shall be required prior to any development after Phase I, except that, if it can be demonstrated that sufficient transmission and treatment capacity is available, construction of those phases can commence prior to the completion of the plan. The plan shall consider all approved and projected development in the area. Any approval of this Development shall define the parameters for this wastewater treatment plan to include, but not be limited to:

(i) Assessment of the amounts and sources of wastewater expected to be generated within the study area on a yearly basis for a specified time period (5-10 years).

(ii) Identification of existing and future treatment capacity of regional and/or interim plants expected to provide treatment service.

(iii) Identification of 201 Plan amendments/expansion/ new facilities which may be needed to accommodate the anticipated flows.

(iv) Identification of cost benefit of new facilities versus the expansion of existing facilities.

(v) Identification of existing 201 boundaries and identification of fiscal impact of proposed boundaries changes on regional facilities and 201 plans approved by DER and EPA.

(vi) Identification of funding sources or grants which may be available for needed improvements.

(vii) Identification of discharge points and new or expanded effluent and sludge disposal areas which may be needed, including impacts on receiving waters or groundwater.

(viii) Identification of the disposal sites to be acquired and the manner in which these sites will be funded and acquired.

Hillsborough County has committed to perform a wastewater management plan that is scheduled to be completed within six months of the effective date of this Development Order.

(b) No building permits shall be issued without a commitment from Hillsborough County or other responsible entity to provide wastewater disposal capacity for the building(s) that are the subject of such building permit application. No detailed site plan approval shall be granted without an approved, permitted wastewater collection system. Documentation of approvals from all appropriate local and State agencies shall be provided to the DDC prior to detailed site plan approval. Failure to obtain the required wastewater disposal commitment(s) shall require a substantial deviation determination pursuant to Section 380.06(17), Florida Statutes (1983).

4. Potable Water.

The City will provide potable water service to Sabal Center on the following terms and conditions:

(a) The Developer shall design, construct and install, in accordance with prevailing City design criteria and subject to prior City inspection and approval, all on-site improvements required by the City to connect the development to the City's potable water system. [On-site improvements shall be defined as all potable water facilities, including but not limited to all lines, mains, equipment, improvements, easements, rights-of-way or utilities, located within the development including all water mains, up to and including water meters.]

(b) After City inspection and approval, the Developer shall convey to the City, by instruments acceptable to the City, said on-site improvements for potable water. In addition, the Developer, at its own expense, shall acquire and

convey to the City necessary and reasonable permits, rights-of-way, easements, property interests, or things specified by the City to provide the development with a working potable water system. Upon inspection and acceptance of said facilities, permits, easements, rights-of-way, property, interests or things, the City shall operate and maintain said facilities and improvements as part of the City's utility system and subject to the City's ordinances.

5. Non-potable Water.

(a) The Developer or its assigns shall be responsible for the operation and maintenance of all on-site wells and landscape irrigation systems. The Developer shall be required to utilize either shallow on-site wells, pumping from retention areas, or acceptance of non-potable water for open space and landscape irrigation.

(b) The Developer or its assigns shall participate to the maximum extent possible in any County program whereby recovered water is utilized for irrigation and other appropriate recovered water uses, provided, however, that the Developer shall not be required to bear any expense for the conveyance system required to transport such recovered water to the development site. This provision shall not be construed as a waiver of any wastewater capacity fees applicable to the development.

6. Service Adequacy.

In the event any public facility or service is inadequate to serve an entire phase but is adequate to serve one or more buildings within such phase, then detailed site plan approval and/or building permit approval shall not be withheld solely on the basis of such inadequacy if there are no other bases for disapproval and it is verified that such service is available for such building or buildings that are the subject of such detailed site plan or building permit, as the case may be.

M. Open Space

1. The Developer or its assigns shall be responsible for the maintenance of all open space recreational areas and landscaped areas within each phase of the development.

2. The Developer or its assigns shall be responsible for maintenance of the linear park.

N. Internal Roadways and Parking Lots.

1. The Developer or its assigns shall maintain the internal roadway system.

2. The Developer shall implement a street cleaning program for the roadway areas within the development, pursuant to the Area-Wide Water Quality Management Plan for the Tampa Bay Region, (1978).

3. The Developer or its assigns shall undertake parking lot sweeping as a routine maintenance function.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, Pat Frank, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of May 9, 2006 as the same appears of record in Minute Book 360 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 22nd day of May, 2006.

M. K. D. D. CLERK
Deputy Clerk



APPROVED BY COUNTY ATTORNEY

BY [Signature]
Approved as to Form and Legal Sufficiency


EXHIBIT "A"

A F F I D A V I T

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I hereby certify that on this day, before me, the undersigned officer, authorized in the State and County named above to administer oaths and take acknowledgements, personally appeared Scott Steady, the applicant/owner for the Sabal Center DRI Notice of Proposed Change, to me well known, who, being duly sworn, says upon oath the following:

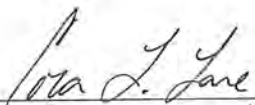
1. Citicorp North America, Inc. filed its original Notice of Proposed Change ("NOPC") for the Sabal Center DRI on April 27, 2005.
2. The aforementioned original NOPC was filed with Hillsborough County, the State of Florida Department of Community Affairs and the Tampa Bay Regional Planning Council as required by law.



Scott F Steady
 Printed Name

SWORN AND SUBSCRIBED to before me this 16th day of MAY, 2006.

My Commission Expires:



CORA L. LANE
 Notary Public - State of Florida
 Printed Name



Cora L. Lane
 Commission #DD217471
 Expires: Jul 04, 2007
 Bonded Thru
 Atlantic Bonding Co., Inc.

LEGAL DESCRIPTION: Sabal Center

For a point of reference, commence at the Northwest corner of Section 8, Township 29 South, Range 20 East, Hillsborough County, Florida; run thence South 89°59'04" East, along the North boundary of said Section 8, a distance of 75.00 feet; thence South 00°00'46" West, a distance of 190.01 feet for the POINT OF BEGINNING; said point being on the Easterly right-of-way line of Falkenburg Road; continue thence South 00°00'46" West, along the Easterly right-of-way line of Falkenburg Road, a distance of 2519.98 feet to the Northwest corner of a parcel of land as described in O.R. Book 5144, Page 1758 of the Public Records of Pinellas County, Florida; thence along the boundary of said parcel the following three (3) courses:

- 1) South 89°59'14" East, 235.00 feet
- 2) South 00°00'46" West, 257.35 feet
- 3) South 84°30'28" West, 236.08 feet

to a point on the Easterly right-of-way line of Falkenburg Road; thence South 00°00'46" East along the Easterly right-of-way line of Falkenburg Road a distance of 99.31 feet; thence South 47°18'48" East, along the Easterly right-of-way line of Falkenburg Road, a distance of 33.89 feet to a point on the Northerly right-of-way line of County Road 574; thence North 85°22'02" East, along the Northerly right-of-way line of County Road 574, a distance of 2562.54 feet to a point on the Westerly right-of-way line of State Road 93-A (I-75); thence North 00°04'35" East, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 47.69 feet; thence North 34°03'08" West, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 108.72 feet; thence North 00°04'35" East, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 224.99 feet; thence North 02°08'29" East, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 1027.36 feet to a point on a curve to the left having a radius of 1051.92 feet and a tangent bearing of North 01°04'10" West; thence along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 781.72 feet along the arc of said curve, thru a central angle of 42°34'42", a chord bearing and distance of North 22°21'31" West, 763.85 feet to the P.T. of said curve; thence North 43°38'52" West, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 675.31 feet to the P.C. of a curve to the left having a radius of 336.00 feet; thence along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 249.37 feet along the arc of said curve, thru a central angle of 42°31'22", a chord bearing and distance of North 64°54'33" West, 243.68 feet to a point on said curve; thence North 82°14'01" West, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 328.77 feet to a point on the East

EXHIBIT "B"

boundary of the Northwest 1/4 of the Northwest 1/4 of said Section 8; thence South $00^{\circ}07'03''$ West, along the East boundary of the Northwest 1/4 of the Northwest 1/4 of said Section 8, a distance of 76.68 feet to a point on the Southerly right-of-way line of Access Road "B", State Road 93-A (I-75); thence North $82^{\circ}07'38''$ West, along the Southerly right-of-way line of said Access Road "B", a distance of 141.89 feet; thence South $89^{\circ}15'42''$ West, along the Southerly right-of-way line of said Access Road "B", a distance of 380.03 feet; thence North $40^{\circ}30'18''$ West, along the Southerly right-of-way line of said Access Road "B" a distance of 115.43 feet to a point on the Southerly right-of-way line of Buffalo Avenue, (State Road S-574A); thence North $88^{\circ}46'50''$ West, along the Southerly right-of-way line of Buffalo Avenue, a distance of 345.08 feet; thence North $89^{\circ}59'04''$ West, along the Southerly right-of-way line of Buffalo Avenue, a distance of 262.48 feet to the P.C. of a curve to the left having a radius of 50.00 feet and a central angle of $90^{\circ}00'10''$ West; thence along the Southerly right-of-way line of Buffalo Avenue, 78.54 feet along the arc of said curve a chord bearing and distance of South $45^{\circ}00'51''$ West, 70.71 feet to the P.T. of said curve and the POINT OF BEGINNING.

All lying and being in Section 8, Township 29 South, Range 20 East, Hillsborough County, Florida, and containing 153.615 acres, more or less.

AND

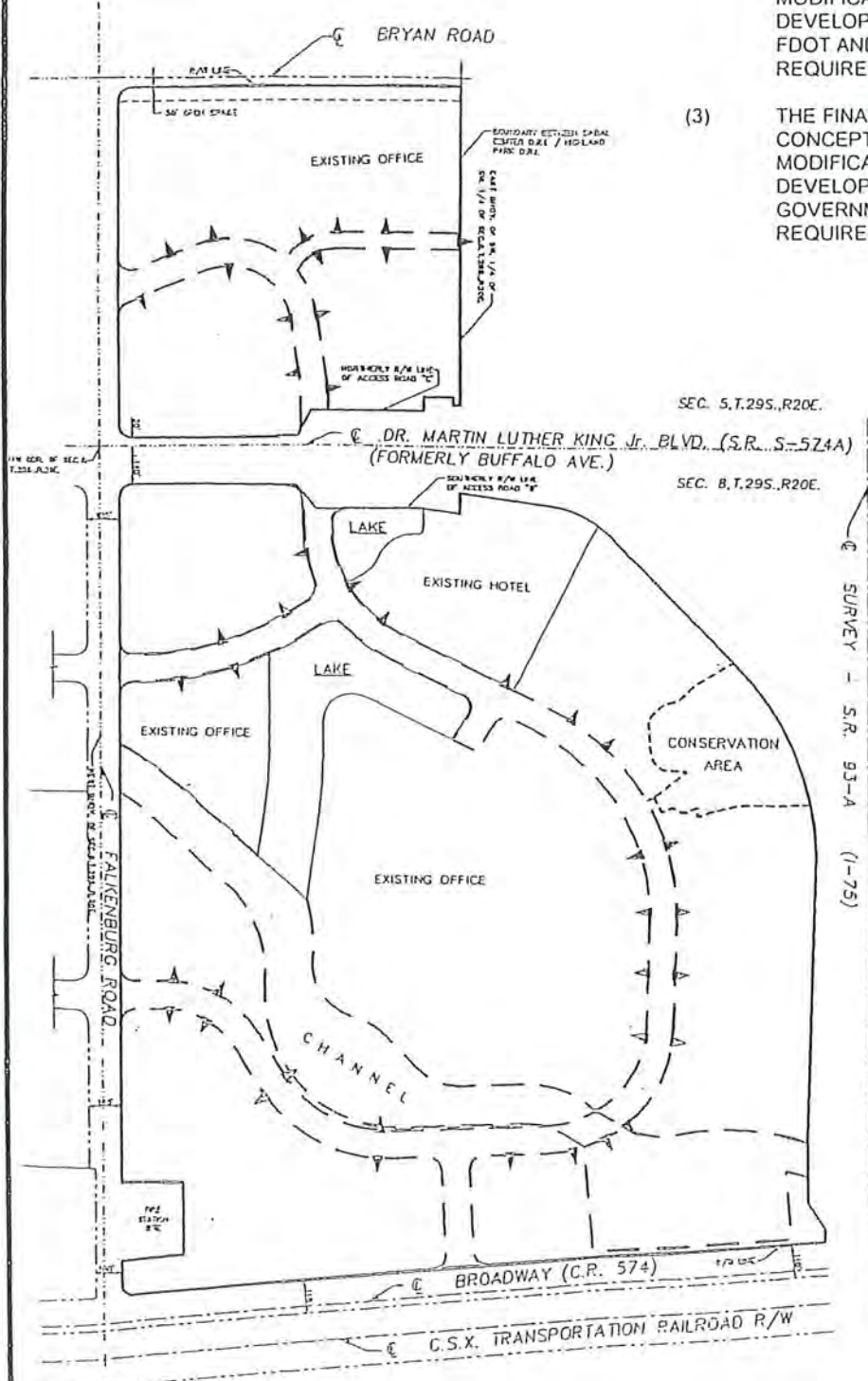
For a point of reference, commence at the Southwest corner of Section 5, Township 29 South, Range 20 East, Hillsborough County, Florida; thence North $0^{\circ}07'14''$ West, along the West boundary of said Section 5, a distance of 30.00 feet; thence South $89^{\circ}59'04''$ East, a distance of 124.88 feet for the POINT OF BEGINNING; said point being on the Northerly right-of-way line of Buffalo Avenue (State Road S-574A); continue thence South $89^{\circ}59'04''$ East along the Northerly right-of-way line of Buffalo Avenue, a distance of 539.33 feet to a point on the East boundary of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 5; thence North $0^{\circ}00'56''$ East along the East boundary of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 5, a distance of 5.00 feet to a point on the Northerly right-of-way line of Buffalo Avenue; thence South $89^{\circ}59'04''$ East along the Northerly right-of-way line of Buffalo Avenue, a distance of 72.13 feet to a point on the Northerly right-of-way line of Access Road "C", S.R. 93-A (I-75); thence North $28^{\circ}22'17''$ East along the Northerly right-of-way line of said Access Road "C", a distance of 107.90 feet; thence North $89^{\circ}53'36''$ East along the Northerly right-of-way line of said Access Road "C", a distance of 409.89 feet; thence North $0^{\circ}16'02''$ West a distance of 50.08 feet; thence South $89^{\circ}59'04''$ East a distance of 107.03 feet; thence South $0^{\circ}12'06''$ East a distance of 28.94 feet to a point on the Northerly right-of-way line of said Access Road "C"; thence North $89^{\circ}43'58''$ East along the Northerly right-of-way line of said Access Road "C", a distance of 25.00 feet to a point on the East boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 5; thence North $0^{\circ}12'06''$ West along the East boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 5, a distance of 1147.53 feet to a point on the Southerly right-of-way line of Bryan Road; thence South $89^{\circ}51'58''$ West along the Southerly right-of-way line of Bryan Road, a distance of 1203.05 feet to the P.C. of a curve to the left having a radius of 50.00 feet and a central angle of $89^{\circ}59'12''$; thence along the Southerly right-of-way line of Bryan Road, 78.53 feet along the arc of said curve, a chord bearing and distance of South $44^{\circ}52'22''$ West 70.70 feet to the P.T. of said curve, said point being on the Easterly right-of-way line of Falkenburg Road; thence South $0^{\circ}07'14''$ East along the Easterly right-of-way line of Falkenburg Road, a distance of 1166.48 feet to the P.C. of a curve to the left having a radius of 50.00 feet and a central angle of $89^{\circ}51'50''$; thence along the Easterly right-of-way line of Falkenburg Road, a distance of 78.42 feet along the arc of said curve, a chord bearing and distance of South $45^{\circ}03'09''$ East 70.63 feet to the P.T. of said curve and the POINT OF BEGINNING.

All lying and being in the Southwest 1/4 of the Southwest 1/4 of Section 5, Township 29 South, Range 20 East, Hillsborough County, Florida and containing 35.020 acres, more or less.



NOTES:

- (1) ANY OF THE APPROVED LAND USES MAY BE LOCATED IN ANY PART OF THE DEVELOPMENT, SUBJECT TO THE REQUIREMENTS OF THE D.R.I. DEVELOPMENT ORDER.
- (2) THE WIDTH AND LOCATION OF INTERNAL ROADS, AND THE LOCATION AND DESIGN OF THE FALKENBURG ROAD ACCESS POINT NORTH OF ML KING BLVD, ARE CONCEPTUAL AND ARE SUBJECT TO MODIFICATION AT THE ELECTION OF THE DEVELOPER, SUBJECT TO ALL APPLICABLE FDOT AND COUNTY PERMITTING REQUIREMENTS.
- (3) THE FINAL LOCATION OF THE CHANNEL IS CONCEPTUAL AND IS SUBJECT TO MODIFICATION AT THE ELECTION OF THE DEVELOPER, SUBJECT TO ALL APPLICABLE GOVERNMENTAL PERMITTING REQUIREMENTS.



SABAL CENTER
 REVISED MAP H
 April 2006
 MASTER DEVELOPMENT PLAN

EXHIBIT "C"



Clerk to Board of
County Commissioners
County Center, 12th Floor
601 E. Kennedy Blvd.
P.O. Box 1110
Tampa, Florida 33601
Telephone 276-2029, ext. 6730

June 27, 1996

TIM BUTTS DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
9455 KOGER BOULEVARD, SUITE 219
ST. PETERSBURG, FL 33702

Re: Resolution No. R96-143 - Amending the Development Order for
Sabal Center (DRI #98)

Dear Mr. Butts:

Attached is a certified copy of referenced resolution, which was
adopted by the Hillsborough County Board of County Commissioners on
June 11, 1996.

We are providing this copy for your files.

Sincerely,

Linda Fryman
Senior Manager, BOCC Records

LF:ADF

Attachment

Certified Mail

cc: Board files (orig.)

J. Thomas Beck, Florida Department of Community Affairs

Steven M. Samaha, Esq., Annis, Mitchell, et al.

Vincent Marchetti, Senior Assistant County Attorney

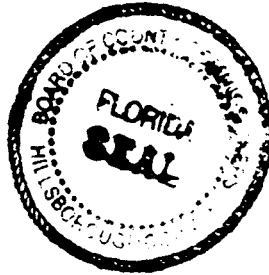
Gene Boles, Director, Planning and Development Management

Handwritten note: 6/27/96

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. R96-143, Amending the Development Order for Sabal Center (DRI #98), approved by the Board in its regular meeting of June 11, 1996, as the same appears of record in MINUTE BOOK 241 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 27th day of June, 1996.



RICHARD AKE, CLERK

By: 
Deputy Clerk

RESOLUTION NO. R-96-143

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #98 DEVELOPMENT ORDER FOR
SABAL CENTER

Upon motion of Commissioner Chillura, seconded by Commissioner Hart, the following Resolution was adopted on this 11th day of June, 1996, by a vote of 5 to 0.

WHEREAS, on August 20, 1985, the Board of County Commissioners approved a Development Order, Resolution #R85-0148 for the SABAL CENTER Development of Regional Impact ("DRI") #98 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on November 13, 1985, April 21, 1987, April 10, 1990, and March 9th, 1993, the Board of County Commissioners approved amendments to the Development Order, Resolutions #R85-0020, (NOPC #1), #R87-0123, (NOPC #2), #R90-0275, (NOPC #3), and #R93-0056, (NOPC #4), respectively, pursuant to the provision of Section 380.06, Florida Statutes (hereinafter the August 20, 1985 Development Order as amended by NOPCs #1, 2, 3, and 4) shall together be referred to as the "Development Order"; and

WHEREAS, on March 12, 1996, CRT LEASING, INC. filed a Notification of Proposed Change To A Previously Approved Development of Regional Impact for the SABAL CENTER DRI ("NOPC #5") in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, NOPC #5 proposed modifications to the Sabal Center DRI, including the adoption of a trade-off mechanism for Sabal Center with the right to convert light industrial land uses to office land uses and modifications to the Master Development Plan (Map H); and

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, as amended, have been satisfied; and

WHEREAS, the Board of County Commissioners has received and considered the report and recommendation of the Tampa Bay Regional Planning Council; and

WHEREAS, the Board of County Commissioners has solicited, received and considered reports, comments and recommendations from interested citizens and County agencies as well as the review and report of the Hillsborough County Administration.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

3

A. Section IV.A. of the Development Order is hereby amended by adding the following:

"Notwithstanding the foregoing, the Developer shall be permitted to trade-off any part or all of the approved Light Industrial/R&D uses for Office/R&D uses at the ratio of .867 square feet of Office/R&D uses for every square foot of Light Industrial/R&D uses. The Developer shall provide written notification of the trade-off to the Tampa Bay Regional Planning Council and the State of Florida Department of Community Affairs prior to utilizing the trade-off and in the annual report."

B. The Master Development Plan for the project, Map "H", is hereby replaced by the Revised Master Development Plan dated June, 1996, attached hereto as Exhibit "B".

C. The Developer is authorized to complete the development as described herein subject to the terms and conditions of the Development Order as amended hereby.

4. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

5. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

6. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk of the Board of County Commissioners by certified mail to the Department of Community Affairs, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, RICHARD AKE, Clerk of the Circuit Court and Ex-officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting on June 11, 1996, as the same appears of record in Minute Book 241 of the Public Records of Hillsborough County, Florida.

4

EXHIBIT "A"


DEVELOPER'S CERTIFICATION

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgements, personally appeared Steven M. Samaha, as attorney for CRT Leasing, Inc., the applicant for the Sabal Center DRI Notice of Proposed Change No. 5, to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Sabal Corporation filed its Notice of Proposed Change #5 for the Sabal Center DRI on March 12, 1996.

2. The aforementioned application was filed with Hillsborough County, the State of Florida Department of Community Affairs ("DCA"), and the Tampa Bay Regional Planning Council ("TBRPC") as required by law.



Steven M. Samaha, Attorney
for CRT Leasing, Inc.

Sworn to and subscribed before me this 13th day of June, 1996.

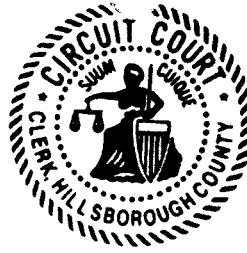


Notary Public
My Commission Expires:



OFFICIAL SEAL
LONELL MATTHEWS
My Commission Expires
July 20, 1996
Comm. No. CC 216359

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



Clerk to Board of
County Commissioners
Room # 214-F
P.O. Box 1110
Tampa, Florida 33601
Telephone 272-5845

March 23, 1993

Suzanne Cooper, DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
Suite 219
St. Petersburg, FL 33702

Re: Resolution No. R93-0056 - Amending the Development Order for Sabal
Center (DRI #98)

Dear Ms. Cooper:

Attached is a certified copy of referenced resolution, which was adopted
by the Hillsborough County Board of County Commissioners on March 9, 1993.

We are providing the copy for your files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: Linda Fryman
Linda Fryman
Manager, BOCC Records

mailed 3/25/93
received 3/26/93

LF:ADF

Attachment

Certified Mail

cc: Board files (1 orig.)

J. Thomas Beck, Florida Department of Community Affairs
Keith Bricklemyer, Esquire - Honigman, Miller, Schwartz and Cohn
Jeanie E. Hanna, Assistant County Attorney
Gene Boles, Director, Planning and Development Management
Joe Egozcue, County Attorney's Office

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and
Ex Officio Clerk of the Board of County Commissioners of
Hillsborough County, Florida, do hereby certify that the
above and foregoing is a true and correct copy of _____
H.C. Resolution No. R93-0056 - Amending the Development Order
for Sabal Center (DRI #98)

approved by the Board in its _____ regular meeting
of _____ March 9 _____, 1993, as the same
appears of record in MINUTE BOOK _____ 202 _____ of the
Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 22nd
day of _____ March _____, 1993.

RICHARD AKE, CLERK

By: Linda Lynn
Deputy Clerk

RESOLUTION NO. R- 93-0056

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #98 DEVELOPMENT ORDER FOR
SABAL CENTER

Upon motion of Commissioner Platt, seconded by Commissioner Kimbell, the following Resolution was adopted on this 9th day of March, 1993, by a vote of 6 to 0.

WHEREAS, on August 20, 1985, the Board of County Commissioners approved a Development Order, Resolution #R85-0148 for the SABAL CENTER Development of Regional Impact ("DRI") #98 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on November 13, 1985, April 21, 1987, and April 10, 1990, the Board of County Commissioners approved amendments to the Development Order, Resolutions #R85-0020, (NOPC #1), #R87-0123, (NOPC #2), and #R90-0275, (NOPC #3), respectively, pursuant to the provision of Section 380.06, Florida Statutes (hereinafter the August 20, 1985 Development Order as amended by NOPCs #1, 2, and 3 shall together be referred to as the "Development Order"); and

WHEREAS, on December 15, 1992, Sabal Corporation filed a Notification Of Proposed Change To A Previously Approved Development of Regional Impact (DRI) for the SABAL CENTER DRI (NOPC #4) in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, NOPC #4 as amended, proposed an extension of the date of buildout for Phase I of the Sabal Center DRI to December 31, 1999; the addition of 1.9 acres of land to the DRI with no additional development entitlements; and the deletion of a 1.2 acre fire station site and 8.3 acres of road right-of-way that have been dedicated to Hillsborough County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

1. The following findings of fact are made:

A. Sabal Corporation submitted to Hillsborough County NOPC #4, which requested approval of an extension of the date of buildout for Phase I of the Sabal Center DRI to December 31, 1999; the addition of 1.9 acres of land to the DRI with no additional development entitlements; and the deletion of a 1.2 acre fire station site and 8.3 acres of road right-of-way that have been dedicated to Hillsborough County.

B. A review of the impacts generated by NOPC #4 has been conducted by the Hillsborough County, Tampa Bay Regional Planning Council and the Department of Community Affairs.

C. The proposed changes approved herein result in no new or additional regional impacts requiring further DRI review.

D. The Developer's Certification, attached hereto as Exhibit "A", affirms that copies of NOPC #4 have been delivered to all persons as required by law.

2. That the following Conclusions of Law are made:

A. All statutory procedures have been adhered to and the impacts of the development authorized hereby are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.

B. Resolutions #R85-0148, #R85-0220, #R87-0123 and #R90-0075 are incorporated herein by reference and are hereby reaffirmed in their entirety except as amended herein.

C. Nothing herein shall limit or modify the rights originally approved by the Development Order or the protection afforded under Section 163.3167(8), Florida Statutes.

D. The amendment adopted hereby is consistent with the Comprehensive Plan of Hillsborough County and with applicable land development regulations, and does not unreasonably interfere with the achievement of the objectives of the State Land Development Plan applicable to the area.

E. The applicant has submitted clear and convincing evidence to rebut the presumption of a substantial deviation created under Subsection 380.06(19), Florida Statutes, and the amendment of the Development Order as set forth herein, considered cumulatively with all previous amendments, is found not to be a substantial deviation to the previously approved Development Order.

3. Based on the above Findings of Fact and Conclusions of Law, the Board of County Commissioners hereby amends the Sabal Center DRI Development Order as follows:

A. Sections I.D and IV.A. are amended to authorize December 31, 1999 as the buildout date for Phase I.

B. The Master Development Plan for the project, Map "H", is hereby replaced by the Revised Master Development Plan dated December 10, 1992 attached hereto as Exhibit "B".

C. Section IV.B.4, Phase I is amended as follows:

(a) Construct a four lane section of Faulkenburg Road from Broadway State Road 60 to SR 574. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 31.6 percent of the existing daily Level of Service C capacity at end of Phase I. This improvement (TIP Work Item #61105) is scheduled for construction in Fiscal Year 1992/1993.

D. The Developer is authorized to complete the development as described herein subject to the terms and conditions of the Development Order as amended hereby.

E. The revised legal description of the DRI attached hereto as Exhibit "C" is hereby approved.

4. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

5. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

6. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk of the Board of County Commissioners by certified mail to the Department of Community Affairs, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

I, RICHARD AKE, Clerk of the Circuit Court and Ex-officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting on March 9, 1993, as the same appears of record in Minute Book 202 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 23rd day of March, 1993.

RICHARD AKE, CLERK

BY: 

APPROVED BY COUNTY ATTORNEY

BY: 

Approved as to Form and
Legal Sufficiency

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgements, personally appeared Keith W. Brickleyer, as attorney for Sabal Corporation, the applicant for the Sabal Center DRI Notice of Proposed Change No. 4, to me well known, who being by me first duly sworn, says upon oath as stated below:

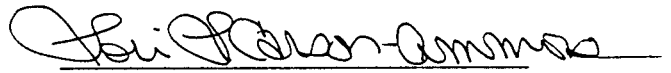
1. Sabal Corporation filed its Notice of Proposed Change #4 for the Sabal Center DRI on ~~November~~ 15, 1992.
~~December~~

2. The aforementioned application was filed with Hillsborough County, the State of Florida Department of Community Affairs ("DCA"), and the Tampa Bay Regional Planning Council ("TBRPC") as required by law.

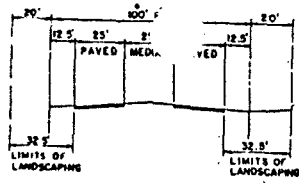


Keith W. Brickleyer, Attorney
for Sabal Corporation

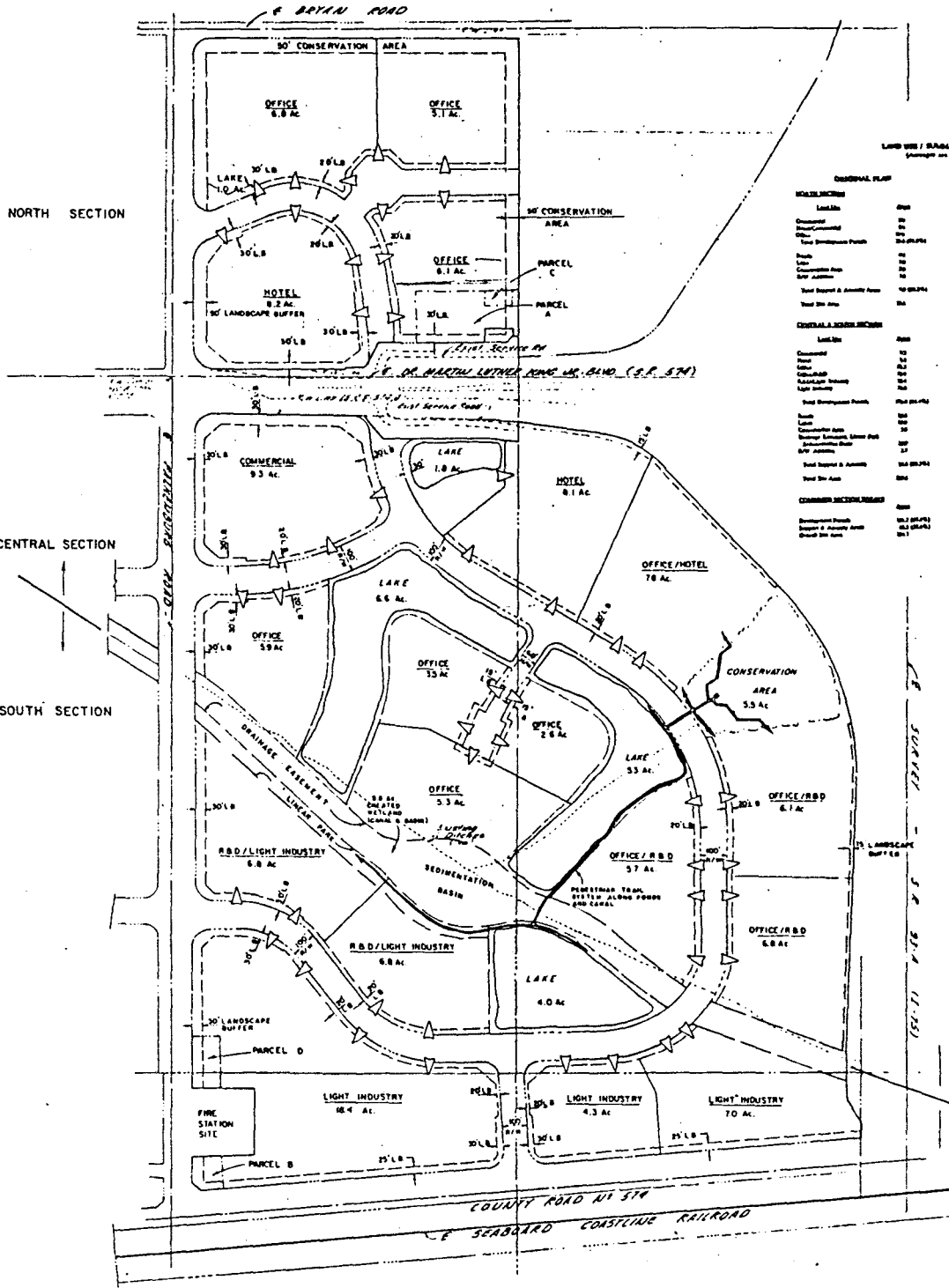
Sworn to and subscribed before me this 15th day of ~~November~~ December, 1992.



Notary Public
My Commission Expires:
Notary Public, State of Florida
My Commission Expires Feb. 27, 1996
Bonded Through Troy Fain - Insurance Inc.



ROADWAY CROSS SECTION



LAND USE / SUMMARY TABULATION (Average on approx.)

ORIGINAL PLAN		PROPOSED PLAN	
Land Use	Acres	Land Use	Acres
Conservation	80.0	Conservation	80.0
Office	8.0	Office	8.0
Hotel	8.0	Hotel	8.0
Commercial	8.0	Commercial	8.0
Light Industry	8.0	Light Industry	8.0
R&D/Light Industry	8.0	R&D/Light Industry	8.0
Other	8.0	Other	8.0
Total	100.0	Total	100.0

OVERALL SITE AREA BUDGET (Average on approx.)

Original Plan	100.0
Plan Phase C & D	100.0
Average Approved by SDC	100.0
Land of Sabal Center	100.0
Land of Sabal Center	100.0
Plan Phase A & B	100.0
Proposed Plan	100.0

EXHIBIT "B"

SABAL CENTER
 REVISED MAP H
 DATE: 12-10-92
 MASTER DEVELOPMENT PLAN

ORIGINAL PLAN

NORTH SECTION

<u>Land Use</u>	<u>Acres</u>
Commercial	2.0
Hotel/Commercial	8.6
Office	14.6
Total Development Parcels	25.2 (71.8%)
Roads	4.4
Lake	1.0
Conservation Area	3.0
R/W Addition	1.5
Total Support & Amenity Areas	9.9 (28.2%)
Total Site Area	35.1

CENTRAL & SOUTH SECTION

<u>Land Use</u>	<u>Acres</u>
Commercial	9.3
Hotel	8.1
Office	25.3
Office/R&D	18.9
R&D/Light Industry	13.4
Light Industry	31.0
Total Development Parcels	106.0 (66.4%)
Roads	15.6
Lakes	17.9
Conservation Area	5.5
Drainage Easement, Linear Park Sedimentation Basin	11.9
R/W Addition	2.7
Total Support & Amenity	53.6 (33.3%)
Total Site Area	159.6

COMBINED SECTION TOTALS

	<u>Acres</u>
Development Parcels	131.2 (67.4%)
Support & Amenity Areas	63.5 (32.6%)
Overall Site Area	194.7

PROPOSED PLAN

NORTH SECTION

<u>Land Use</u>	<u>Acres</u>
Commercial	0.0
Hotel	8.2
Office	18.0
Total Development Parcels	26.2 (74.9%)
Roads	4.6
Lakes	1.0
Conservation Area	3.2
R/W Addition	0.0
Total Support & Amenity Areas	8.8 (25.1%)
Total Site Area	35.0

CENTRAL & SOUTH SECTION

<u>Land Use</u>	<u>Acres</u>
Commercial	9.3
Hotel	12.0
Office/Research & Development	39.8
Light Industry/R&D	43.3
Total Development Parcels	104.4 (68.0%)
Roads	14.3
Lakes	17.7
Conservation Area	5.5
Drainage Easement, Linear Park Sedimentation Basin	11.7
R/W Addition	0.0
Total Support & Amenity	49.2 (32.0%)
Total Site Area	153.6

COMBINED SECTION TOTALS

	<u>Acres</u>
Development Parcels	130.6 (69.2%)
Support & Amenity Areas	58.0 (30.8%)
Overall Site Area	188.6

LEGAL DESCRIPTION: Sabal Center

For a point of reference, commence at the Northwest corner of Section 8, Township 29 South, Range 20 East, Hillsborough County, Florida; run thence South 89°59'04" East, along the North boundary of said Section 8, a distance of 75.00 feet; thence South 00°00'46" West, a distance of 190.01 feet for the POINT OF BEGINNING; said point being on the Easterly right-of-way line of Falkenburg Road; continue thence South 00°00'46" West, along the Easterly right-of-way line of Falkenburg Road, a distance of 2519.98 feet to the Northwest corner of a parcel of land as described in O.R. Book 5144, Page 1758 of the Public Records of Pinellas County, Florida; thence along the boundary of said parcel the following three (3) courses:

- 1) South 89°59'14" East, 235.00 feet
- 2) South 00°00'46" West, 257.35 feet
- 3) South 84°30'28" West, 236.08 feet

to a point on the Easterly right-of-way line of Falkenburg Road; thence South 00°00'46" East along the Easterly right-of-way line of Falkenburg Road a distance of 99.31 feet; thence South 47°18'48" East, along the Easterly right-of-way line of Falkenburg Road, a distance of 33.89 feet to a point on the Northerly right-of-way line of County Road 574; thence North 85°22'02" East, along the Northerly right-of-way line of County Road 574, a distance of 2562.54 feet to a point on the Westerly right-of-way line of State Road 93-A (I-75); thence North 00°04'35" East, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 47.69 feet; thence North 34°03'08" West, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 108.72 feet; thence North 00°04'35" East, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 224.99 feet; thence North 02°08'29" East, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 1027.36 feet to a point on a curve to the left having a radius of 1051.92 feet and a tangent bearing of North 01°04'10" West; thence along the Westerly right-of-way line of State Road 93-A(I-75), a distance of 781.72 feet along the arc of said curve, thru a central angle of 42°34'42", a chord bearing and distance of North 22°21'31" West, 763.85 feet to the P.T. of said curve; thence North 43°38'52" West, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 675.31 feet to the P.C. of a curve to the left having a radius of 336.00 feet; thence along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 249.37 feet along the arc of said curve, thru a central angle of 42°31'22", a chord bearing and distance of North 64°54'33" West, 243.68 feet to a point on said curve; thence North 82°14'01" West, along the Westerly right-of-way line of State Road 93-A (I-75), a distance of 328.77 feet to a point on the East

EXHIBIT "C"

boundary of the Northwest 1/4 of the Northwest 1/4 of said Section 8; thence South 00°07'03" West, along the East boundary of the Northwest 1/4 of the Northwest 1/4 of said Section 8, a distance of 76.68 feet to a point on the Southerly right-of-way line of Access Road "B", State Road 93-A (I-75); thence North 82°07'38" West, along the Southerly right-of-way line of said Access Road "B", a distance of 141.89 feet; thence South 89°15'42" West, along the Southerly right-of-way line of said Access Road "B", a distance of 380.03 feet; thence North 40°30'18" West, along the Southerly right-of-way line of said Access Road "B" a distance of 115.43 feet to a point on the Southerly right-of-way line of Buffalo Avenue, (State Road S-574A); thence North 88°46'50" West, along the Southerly right-of-way line of Buffalo Avenue, a distance of 345.08 feet; thence North 89°59'04" West, along the Southerly right-of-way line of Buffalo Avenue, a distance of 262.48 feet to the P.C. of a curve to the left having a radius of 50.00 feet and a central angle of 90°00'10" West; thence along the Southerly right-of-way line of Buffalo Avenue, 78.54 feet along the arc of said curve a chord bearing and distance of South 45°00'51" West, 70.71 feet to the P.T. of said curve and the POINT OF BEGINNING.

All lying and being in Section 8, Township 29 South, Range 20 East, Hillsborough County, Florida, and containing 153.615 acres, more or less.

AND

For a point of reference, commence at the Southwest corner of Section 5, Township 29 South, Range 20 East, Hillsborough County, Florida; thence North $0^{\circ}07'14''$ West, along the West boundary of said Section 5, a distance of 30.00 feet; thence South $89^{\circ}59'04''$ East, a distance of 124.88 feet for the POINT OF BEGINNING; said point being on the Northerly right-of-way line of Buffalo Avenue (State Road S-574A); continue thence South $89^{\circ}59'04''$ East along the Northerly right-of-way line of Buffalo Avenue, a distance of 539.33 feet to a point on the East boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 5; thence North $0^{\circ}00'56''$ East along the East boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 5, a distance of 5.00 feet to a point on the Northerly right-of-way line of Buffalo Avenue; thence South $89^{\circ}59'04''$ East along the Northerly right-of-way line of Buffalo Avenue, a distance of 72.13 feet to a point on the Northerly right-of-way line of Access Road "C", S.R. 93-A (I-75); thence North $28^{\circ}22'17''$ East along the Northerly right-of-way line of said Access Road "C", a distance of 107.90 feet; thence North $89^{\circ}53'36''$ East along the Northerly right-of-way line of said Access Road "C", a distance of 409.89 feet; thence North $0^{\circ}16'02''$ West a distance of 50.08 feet; thence South $89^{\circ}59'04''$ East a distance of 107.03 feet; thence South $0^{\circ}12'06''$ East a distance of 28.94 feet to a point on the Northerly right-of-way line of said Access Road "C"; thence North $89^{\circ}43'58''$ East along the Northerly right-of-way line of said Access Road "C", a distance of 25.00 feet to a point on the East boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 5; thence North $0^{\circ}12'06''$ West along the East boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 5, a distance of 1147.53 feet to a point on the Southerly right-of-way line of Bryan Road; thence South $89^{\circ}51'58''$ West along the Southerly right-of-way line of Bryan Road, a distance of 1203.05 feet to the P.C. of a curve to the left having a radius of 50.00 feet and a central angle of $89^{\circ}59'12''$; thence along the Southerly right-of-way line of Bryan Road, 78.53 feet along the arc of said curve, a chord bearing and distance of South $44^{\circ}52'22''$ West 70.70 feet to the P.T. of said curve, said point being on the Easterly right-of-way line of Falkenburg Road; thence South $0^{\circ}07'14''$ East along the Easterly right-of-way line of Falkenburg Road, a distance of 1166.48 feet to the P.C. of a curve to the left having a radius of 50.00 feet and a central angle of $89^{\circ}51'50''$; thence along the Easterly right-of-way line of Falkenburg Road, a distance of 78.42 feet along the arc of said curve, a chord bearing and distance of South $45^{\circ}03'09''$ East 70.63 feet to the P.T. of said curve and the POINT OF BEGINNING.

All lying and being in the Southwest 1/4 of the Southwest 1/4 of Section 5, Township 29 South, Range 20 East, Hillsborough County, Florida and containing 35.020 acres, more or less.

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



Clerk to Board of
County Commissioners
Room # 214-H
P.O. Box 1110
Tampa, Florida 33601
Telephone 272-5845

May 4, 1990

Suzanne Cooper, DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
Suite 219
St. Petersburg, Florida 33702

Re: Resolution No. R90-0075 - Amending DRI #98 - Development
Order for Sabal Center

Dear Ms. Cooper:

Enclosed please find a certified executed copy of the referenced
resolution, with exhibits, which was adopted by the Hillsborough
County Board of County Commissioners on April 10, 1990.

We are providing this copy for your official files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

BY: Judith M. Nichols
Judith M. Nichols
Manager, BOCC Records

RECEIVED
MAY -9 1990

Tampa Bay Regional
Planning Council

JMN:CS
Enclosure
Certified Mail

cc: Board files (1 orig.)
J. Thomas Beck, State Department of Community Affairs
Claire Bailey Carraway, Esquire, (for Sabal Corporation)
John Dixon Wall, Assistant County Attorney
Paula Dent, Contracts Manager

Mailed 5/7/90

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and
Ex Officio Clerk of the Board of County Commissioners of
Hillsborough County, Florida, do hereby certify that the
above and foregoing is a true and correct copy of _____
Resolution No. R90-0075 - Amending DRI #98 - Development
Order for Sabal Center

_____ adopted by the Board in its regular meeting of
April 10, 1990, as the same appears of
record in MINUTE BOOK 167 of the Public Records of
Hillsborough County, Florida.

WITNESS my hand and official seal this 4th
day of May, 1990.

RICHARD AKE, CLERK

By: Judith M. Nichols
Deputy Clerk

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #98 DEVELOPMENT ORDER FOR
SABAL CENTER

Upon motion of Commissioner Pam Iorio, seconded by Commissioner Rodney Colson, the following Resolution was adopted on this 10 day of April, 1990.

WHEREAS, on August 20, 1985, the Board of County Commissioners approved a Development Order, Resolution #R85-0148 for the SABAL CENTER Development of Regional Impact ("DRI") #98 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on November 13, 1985 and April 21, 1987, the Board of County Commissioners approved amendments to the Development Order, Resolutions #R85-0220 and #R87-0123, respectively, pursuant to the provisions of Section 380.06, Florida Statutes (hereinafter the August 20, 1985 Development Order as amended by the November 13, 1985 and April 21, 1987 Resolutions shall together be referred to as the "Development Order"); and

WHEREAS, on March 8, 1990, Sabal Corporation filed a Notification Of Proposed Change To A Previously Approved Development Of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes, for the SABAL CENTER DRI ("Notice of Change") in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, the Notice of Change, as amended by the applicant, proposed an extension of the dates of buildout of development of Phase I and Phase II, each by less than three (3) years, as more particularly stated in the Notice of Change; and

WHEREAS, Subsection 380.06(19)(e)2., Florida Statutes, provides that a proposed change which involves an extension of the date of building of a development, or any phase thereof, by less than three (3) years is not a substantial deviation and is not subject to a public hearing pursuant to subparagraph 380.06(19)(f)3., Florida Statutes, or a determination pursuant to subparagraph 380.06(19)(f)5., Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

1. The following findings of fact are made:

a. Sabal Corporation submitted to Hillsborough County the Notice of Change, later amended by the Applicant, which is attached hereto as Exhibit 1 and incorporated herein, which requested an extension of the date of buildout of development of Phase I and Phase II of the Development Order, each by two (2) years, eleven (11) months (the "Proposed Change").

b. In accordance with Subsection 380.06(19)(e)2., Florida Statutes, the Proposed Change is not a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes, and is not subject to a public hearing pursuant to Subparagraph 380.06(19)(f)3., Florida Statutes, or a determination pursuant to Subparagraph 380.06(19)(f)5., Florida Statutes.

c. All statutory procedures have been adhered to.

d. The findings of fact and conclusions of law made in the Development Order are incorporated herein by reference.

2. The Development Order is hereby amended to extend the dates of buildout of development of Phase I and Phase II of the Development Order, each by a period of two (2) years, eleven (11) months. Accordingly, the Development Order is further amended to incorporate the Revised Phasing Schedule, attached hereto as Exhibit 2, which reflects such extensions of dates of buildout.

3. The Development Order is hereby reaffirmed in its entirety except as amended by this Resolution.

4. The Developer's Certification, attached hereto as Exhibit 3, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

5. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

6. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

7. Upon adoption, this Resolution shall be transmitted by the ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients specified by state of rules.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting of April 10, 1990, as the same appears of record in minute Book 167 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 1st day of May, 1990.

RICHARD AKE, CLERK

By: Judith M. Nichols
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

By: John P. [Signature]
Approved As To Form And
Legal Sufficiency.

W-LU/10498/001/RES
4/30/90

STATE OF FLORIDA
 DEPARTMENT OF COMMUNITY AFFAIRS
 DIVISION OF RESOURCE PLANNING AND MANAGEMENT
 BUREAU OF RESOURCE MANAGEMENT
 2740 Centerview Drive, Rhyne Building
 Tallahassee, Florida 32399
 (904) 488-4925

NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED
 DEVELOPMENT OF REGIONAL IMPACT (DRI)
 SUBSECTION 380.06 (19), FLORIDA STATUTES

Subsection 380.06 (19) Florida Statutes (1987), requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning council, and the state land planning agency according to this form.

1. I, Claire Bailey Carraway, the undersigned attorney for Sabal Corporation, hereby gives notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06 (19), Florida Statutes (1985). In support thereof, I submit the following information concerning the Sabal Center DRI development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to Hillsborough County, to the Tampa Bay Regional Planning Council, and to the Bureau of Resource Management, Department of Community Affairs.

3/1/90
 Date

Claire Bailey Carraway
 CLAIRE BAILEY CARRAWAY,
 Attorney for Applicant

2. Applicant: Sabal Corporation
 10002 Princess Palm Avenue
 Suite 212
 Tampa, Florida 33619
 Attn: Eric Eicher
3. Authorized Agent: Claire Bailey Carraway
 Attorney for Applicant
 Stearns Weaver Miller Weissler
 Alhadeff & Sitterson, P.A.
 Post Office Box 3299
 Tampa, Florida 33601
 Telephone: (813) 223-4800
4. Location: Hillsborough County, Florida, Sections 5 and 8,
 Township 29 South, Range 20 East.
5. The currently proposed amendment to the D.O. does not involve a change to the development, but merely a change to extend the buildout dates of the phases and the effectiveness of the Development Order by two years and eleven months each. The original Development Order provided for the deadlines shown on the following chart with the deadlines proposed by this amendment.

	<u>Original Buildout Deadlines</u>	<u>Deadlines (Existing + 2 Yrs., 11 Months)</u>
Phase I	12/31/90	11/30/93
Phase II	12/31/96	11/30/99
Phase III	8/20/2000	7/20/2003
D. O. Effective Through	8/20/2000	7/20/2003

*Not
admitted
2/13/90
a. l. m. m. g.*

6. No change to any land use or other aspects of the originally approved ADA is proposed.
7. On November 13, 1985, an amendment to the original August 20, 1985, Development Order and a determination of no substantial deviation was made by the Hillsborough County Board of County Commissioners. This amendment transferred forty-five (45) hotel rooms from Phase II to Phase I of the development.
8. The following property as shown on the map enclosed as Exhibit "A" has been purchased or optioned by the applicant within 1/4 mile of the original DRI site subsequent to the approval of the ADA on August 20, 1985:
 - a. 1.72 acres north of Buffalo, adjacent to Phase III of Sabal Center.
 - b. .50 acres on the east side of Faulkenburg Road, adjacent to Sabal Center, Phase II.
 - c. .32 acres at the northeast corner of the intersection of Faulkenburg Road and CR 574.
9. No changes are proposed which would affect the development site plan or otherwise alter the approved development.
10. The proposed specific changes to the language of the previously amended development order are attached as Exhibit "B".

W-LU/10498/001/NOT
2/6/90

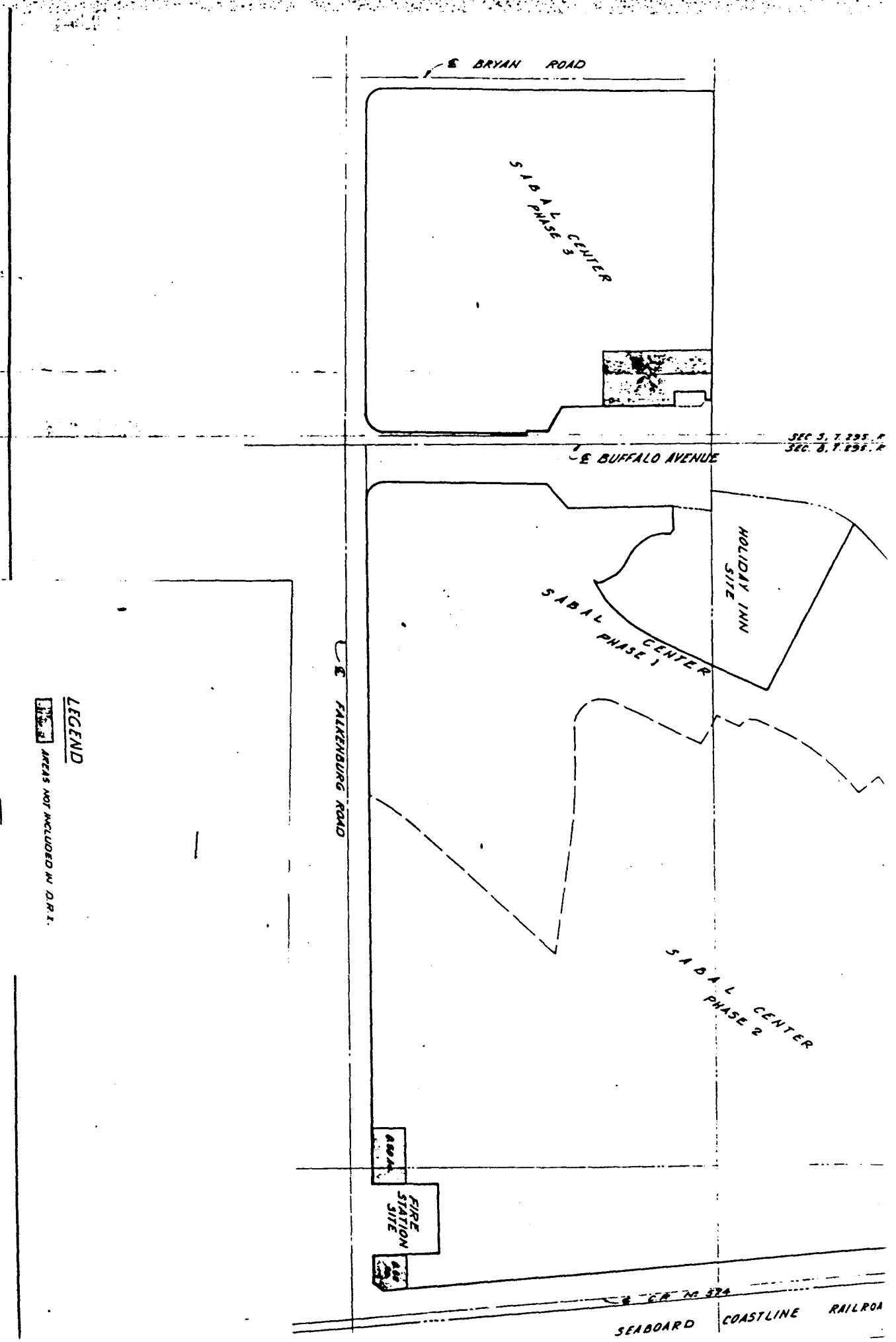


Exhibit "A"

citizens indicates that impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order and the Application.

D. The Application is approved subject to all terms and conditions of this Development Order.

III. GENERAL PROVISIONS

A. The legal description set forth in Composite Exhibit A is hereby incorporated into and by reference made part of this Development Order.

B. All provisions contained within the Application, marked Composite Exhibit A, shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.

C. This Resolution shall constitute the Development Order of Hillsborough County in response to the application for development approval for the Sabal Center Development of Regional Impact.

D. The definitions contained in Chapter 380, Florida Statutes (1983), shall govern and apply to this Development Order.

E. This Development Order shall be binding upon the Developer, its assigns, or successors in interest including any entity that may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality that may be created or designated as successor in interest to, or that otherwise possesses any of the powers and duties of, any branch of government or governmental agency.

F. This Development Order shall remain in effect ~~for a~~ through July 20, 2003. ~~period of fifteen (15) years from its effective date.~~ Any development activity for which plans have been submitted to the County for its review and approval prior to the expiration date of this

Development Order may be completed, if approved. This Development Order may be extended by the Board of County Commissioners of Hillsborough County on the finding of excusable delay in any proposed development activity.

G. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected government agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review development of regional impact applications as well as all governmental agencies and departments set forth under applicable laws and rules governing developments of regional impact.

H. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of privately owned facilities at Sabal Center, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private entity created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order, which approval shall not be unreasonably withheld.

I. Development activity constituting a substantial deviation from the terms or conditions of this Development Order, or other changes to the approved development plans that create a reasonable likelihood of additional adverse regional impact, or any other regional impact not previously reviewed by the Regional Planning Council shall result in further development of regional impact review pursuant to 380.06, Florida Statutes (1983), and may result in Hillsborough County ordering a termination of development activity pending such review.

J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County

13. A copy of the stormwater system operation and maintenance schedule and annual updates required to be submitted pursuant to Section IV, H.1.(e), below.

L. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation, or ordinance of Hillsborough County, its agencies or commissions, and to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable rules, regulations and ordinances in effect at the time of the review.

M. This Development Order shall become effective upon adoption by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes (1983).

N. Upon adoption, the Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the Developer.

O. Revisions to this Development Order not addressed herein shall be subject to review by TBRPC including the payment of the incremental review fee.

IV. CONDITIONS

A. Phasing Schedule

The development of the project in accordance with the proposed phasing schedule contained in the Application, as amended by Section I, D. of this Order, is an integral part of the Development Order conditions. Therefore, if the Developer elects to amend the proposed phasing schedule, it shall submit said amendments to the County for review and approval, which approval shall not be withheld for mere acceleration of phases if the terms of this Order are otherwise fully complied with. It is the intent of this provision to insure that all prerequisites for each phase of the project are complied with. For purposes of this Order, a phase shall be considered complete upon issuance of the final certificate of occupancy for the phase. Any significant departure in project buildout from the phasing schedule set

forth in the Application shall be subject to a substantial deviation determination pursuant to Chapter 380.06(17), Florida Statutes (1983).

B. Transportation Conditions.

1. Area Studies. A comprehensive transportation study of the Central Hillsborough/Interstate 4/Interstate 75 area in Hillsborough County analyzing transportation facilities will be prepared by the Hillsborough County City-County Planning Commission or any other appropriate entity designated by the Board of County Commissioners, in cooperation with the Tampa Bay Regional Planning Council, Florida Department of Transportation, Hillsborough County, Hillsborough County Metropolitan Planning Organization, Hillsborough County Environmental Protection Commission, Hillsborough Area Regional Transit Authority and other appropriate State agencies and developers in the area. The study will propose a transportation improvements plan and schedule for the area, involve citizens, interest groups and government agencies, and develop an implementation program to make the study workable. The issuance of a development order approving an area-wide development of regional impact shall satisfy the requirement of this study. The transportation section of the study or area-wide DRI traffic analysis shall include but not be limited to:

- (a) The regionally significant roadways that shall be included in the focus of the transportation plan, as well as identification of additional roadways to be constructed within the study area.
- (b) The existing, approved, and projected development to be included within the plan.
- (c) The manner by which the traffic impact of existing development will be documented and assessed.
- (d) The manner by which the traffic impact of approved and projected development will be documented and assessed.
- (e) The procedures by which mass transit will be studied as a viable alternative to alleviate overburdening of the roadways.
- (f) Identification of specific construction implementation goals, such as right-of-way acquisition and implementation of additional corridors designed to coincide with transportation improvement needs generated by each phase of completion for projects approved within the study area.

EXHIBIT "B"
 APPLICATION FOR DEVELOPMENT
 APPROVAL

TABLE 12-2

	<u>PHASE</u>	<u>OFFICE R&D (S.F.)</u>	<u>LT. INDUST. & R & D (S.F.)</u>	<u>COMMERCIAL / RETAIL(S.F.)</u>	<u>HOTELS (ROOMS)</u>
	<u>11/30/93</u>				
1.	(1985-1990)	970,000 870,000	1,000,000	150,000	220 265
2.	(1990-1996)	860,000 760,000			400 355 (Per
3.	(1996-2000)	<u>770,000</u>	<u> </u>	<u> </u>	<u>380</u> 1985 Amend ment).
	<u>7/20/2003</u>				
	TOTAL	2,400,000	1,000,000	150,000	1,000

EXHIBIT 2

SABAL CENTER

REVISED PHASING SCHEDULE

	<u>Original Buildout Deadlines</u>	<u>Revised Deadlines Per This Amendment</u>
Phase I	12/31/90	11/30/93
Phase II	12/31/96	11/30/99

01/11/99
11/30/99

EXHIBIT 3

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths, and take acknowledgements, personally appeared CLAIRE B. CARRAWAY, as attorney for SABAL CORPORATION, the applicant of the Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes for the Sabal Center DRI #98 ("Notice of Change"), to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Sabal Corporation filed the Notice of Change on March 8, 1990.
2. The Notice of Change was filed with all persons as required by law.

Claire B. Caraway
CLAIRE B. CARRAWAY
Attorney for Sabal Corporation

Sworn to and subscribed before me this 23rd day of April, 1990.

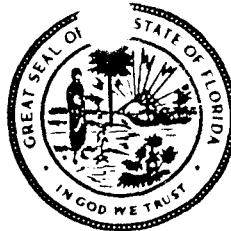
Carol Calendine Bengrow
Notary Public

(Notarial Seal)

My Commission Expires:

Notary Public, State of Florida
Commission Expires 03/31/91

Richard L. Ake
Clerk of the Circuit Court
Hillsborough County, Florida



P.O. Box 1110
Tampa, Florida 33601
Telephone 223-7811

May 28, 1987

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida 33702

Attn: Julia Greene
Executive Director

Re: Resolution No. R87-0123 - Sabal Center DRI #98 - Development
Order Amendment

Dear Ms. Greene:

Enclosed please find an executed copy of the subject Resolution
which we are providing for your files.

This Resolution was approved by the Hillsborough County Board of
County Commissioners on April 21, 1987.

Sincerely,

RICHARD AKE, CLERK
BOARD OF COUNTY COMMISSIONERS

By: Edna L. Fitzpatrick
Edna L. Fitzpatrick
Deputy Clerk

ELF/lt

cc: Board files (Orig.)
State of Florida Land Planning Agency
MacFarlane, Ferguson, Allison & Kelly, Attn: Cynthia Van Wert
Liz Eginton, Community Planner, Dept. Development Coordination
Elliott Dunn, Asst. County Attorney

Enclosure

RESOLUTION # R87-0123

Upon motion by Commissioner Talley, seconded by Commissioner Colson, the following resolution was adopted by a 6-0 vote.

WHEREAS, on August 20, 1985, the Board of County Commissioners adopted Resolution R85-0148 Development Order (DRI #98) for the Sabal Center Development of Regional Impact, hereinafter referred to as Sabal Center, a copy of said development order is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, on June 11, 1985, the Board of County Commissioners approved Petition 85-111 which action rezoned certain properties to the CU Zoning classification as described in the Zoning Resolution of Hillsborough County; and

WHEREAS, on November 13, 1985 the Board of County Commissioners by Resolution R85-0220, adopted a phasing modification and declared same not to be a substantial deviation to the development order; and

WHEREAS, the development order required dedication of fifty (50') of right-of-way on the east side of Faulkenburg Road along the development's westerly boundary; and

WHEREAS, the development order required dedication of seventy-eight feet (78') of right-of-way on the north side of C.R.574 along the development's southerly boundary; and

WHEREAS, the Developer has demonstrated that for Faulkenburg Road, only thirty-five feet (35') of right-of-way is needed along the subject's westerly property boundary for a distance of approximately five hundred eight feet (508')

from a point that is approximately two hundred fourteen feet (214') north of the intersection of County Road 574 and Faulkenburg Road, to a point that is approximately seven-hundred twenty-two (722') feet north of the intersection of C.R. 574 and Faulkenburg Road, to provide a total of seventy-five feet (75') of road right-of-way measured from the center line of Faulkenburg Road (hereinafter referred to as "Faulkenburg Road Right-of-Way Segment") as more particularly described in Exhibit "A"; and

WHEREAS, the Developer has demonstrated that for County Road 574, a total of ninety-three feet (93') of road right-of-way is needed along the subject's southerly property boundary as measured from the center line of the existing right-of-way of County Road 574, beginning at a point that is approximately one hundred eight-two feet (182') east of the intersection of Faulkenburg Road and County Road 574 to a point immediately west of the intersection of County Road 574 and I-75, (hereinafter referred to as "County Road 574 Right-of-Way Segment"), as more particularly described in Exhibit "B"; and

WHEREAS, staffs of the Traffic Operations section of the County Engineering Department and the Department of Development Coordination have reviewed the request; and

WHEREAS, the Department of Development Coordination has requested a substantial deviation determination from the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners, having reviewed the request, declares the concept of the reduction in the rights-of-way dedication requirements along the project's westerly boundary for the Faulkenburg Road Right-of-Way Segment and along the project's southerly boundary for the County Road 574 Right-of-Way Segment does not constitute a substantial deviation from the terms of Development Order No. 85-0148 (DRI No. 98).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH, FLORIDA IN REGULAR SESSION THIS 21st DAY OF APRIL, 1987:

1. The foregoing recitation of findings of fact is hereby incorporated into this Resolution.

2. Specific Condition B.10(a) and B.10(b) of the Development Order is hereby amended to read:

(a) Faulkenburg Road - thirty-five feet (35') of right-of-way along the subject's westerly property boundary for a distance of approximately five hundred and eight feet (508') from a point that is approximately two hundred fourteen feet (214') north of the intersection of County Road 574 and Faulkenburg Road to a point that is approximately seven hundred twenty-two feet (722') north of the intersection of County Road 574 and Faulkenburg Road to provide a total of seventy-five feet (75') of road right-of-way measured from the center line of Faulkenburg Road, as more particularly described in the attached Exhibit "A".

(b) County Road 574 - right-of-way along the development's southerly boundary to provide a total of ninety-three feet (93') of road right-of-way as measured from the center line of the existing road right-of-way of C.R. 574 from a point that is approximately one hundred eight-two feet (182') east of the intersection of Faulkenburg Road and C.R. 574 to a point immediately west of the intersection of C.R. 574 and I-75 as more particularly described in Exhibit "B".

3. The reductions in the rights-of-way dedication along the project's westerly boundary for the Faulkenburg Right-of-Way Segment and along the project's southerly boundary for the County Road 574 Right-of-Way Segment do not constitute a substantial deviation to the Sabal Center Development of Regional Impact pursuant to the terms of Florida Statute 380.06(19).

4. Dedication of the abovedescribed rights-of-way shall proceed in strict accordance with the general site plan and shall be subject to the conditions contained in the Development Order for Sabal Center (DRI #98), and Zoning Petition 85-111, including but not limited to specific conditions described herein.

5. Nothing contained herein shall be construed to constitute a waiver of applicable land development regulations, including detailed site plan review.

6. This Resolution shall constitute the Amended Development Order for Sabal Center Development of Regional Impact ("Order"). All provisions of the Order, except as amended hereby, shall be and remain in full force and effect and shall be considered conditions of this Resolution unless inconsistent with the terms and conditions of this Resolution, in which case the terms and conditions of this Resolution shall control.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of April 21, 1987, as the same appears of record in Minute Book 131 of the Public Records of Hillsborough County, Florida.

WITNESS My hand and official seal this 22nd day of May, 1987.

RICHARD AKE, CLERK

APPROVED BY COUNTY ATTORNEY
BY *Edna J. Fitzpatrick*
Approved As To Form And
Legal Sufficiency.

BY: *Edna J. Fitzpatrick*
Deputy Clerk

C

1. The following findings of fact are made:

A. Sabal Corporation submitted to Hillsborough County NOPC #6 which requested the extension of the date of buildout for Phase I of the Development to December 31, 2004, the elimination of the limited access assessments for Phase I, and modifications to the Master Development Plan (Map H).

B. The Developer's Certification, attached hereto as Exhibit "A," affirms that copies of NOPC #6 have been delivered to all persons as required by law.

C. A review of the impacts generated by NOPC #6 has been conducted by the Hillsborough County, Tampa Bay Regional Planning Council and the Department of Community Affairs.

D. The proposed changes approved herein result in no new or additional regional impacts requiring further DRI review.

2. That the following Conclusions of Law are made:

A. All statutory procedures have been adhered to and the impacts of the development authorized hereby are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.

B. Resolutions #R85-0148, #R85-0220, #R87-0123, #R90-0075, #R93-0056, and #R96-0143 are incorporated herein by reference and are hereby reaffirmed in their entirety except as amended herein.

C. Nothing herein shall limit the rights originally approved by the Development Order or the protection afforded under Section 163.3167(8), Florida Statutes.

D. The amendment adopted hereby is consistent with the Comprehensive Plan of Hillsborough County and with applicable land development regulations, and does not unreasonably interfere with the achievement of the objectives of the State Land Development Plan applicable to the area.

E. The amendment of the Development Order as set forth herein, considered cumulatively with all previous amendments, is found not to be a substantial deviation to the previously approved Development Order.

3. Based on the above Findings of Fact and Conclusions of Law, the Board of County Commissioners hereby amends the Sabal Center DRI Development Order as follows:

A. Sections I.D and IV.A are amended to authorize December 31, 2004 as the buildout date for Phase I.

B. Section IV.B.4, Alternative II is amended to eliminate for Phase I the payment of the limited access facility fee provided for in Sections IV.B.5(b) and IV.B.6. The following sentence shall be added to the end of Sections IV.B.5(b) and IV.B.6: "Notwithstanding any requirement to the contrary, payment of the limited access facility fee shall not be required for Phase I."

C. The Master Development Plan for the project, Map "H," is hereby replaced by the Revised Master Development Plan dated November, 1996, attached hereby as Exhibit "B."

D. The Development Schedule attached as Exhibit "C" is hereby approved.

4. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

5. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

6. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk of the Board of County Commissioners by certified mail to the Department of Community Affairs, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Richard Ake, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its regular meeting on February 11, 1997, as the same appears of record in Minute Book 249 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 10th day of March, 1997.



RICHARD L. AKE
CLERK OF THE CIRCUIT COURT

Gary Johnson
Deputy Clerk,

Approved By County Attorney

By: *[Signature]*
Approved as to Form and
Legal Sufficiency

WLW0A9D2

EXHIBIT "A"

A F F I D A V I T

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I hereby certify that on this day, before me, the undersigned officer, authorized in the State and County named above to administer oaths and take acknowledgments, personally appeared David Goldstein, Esq., attorney for CRT Leasing, Inc., the applicant/owner for the Sabal Center DRI Notice of Proposed Change, to me well known, who, being first duly sworn, says upon oath the following:

1. CRT Leasing, Inc. filed its original Notice of Proposed Change ("NOPC") for the Sabal Center DRI on November 27, 1996.

2. The aforementioned original NOPC was filed with Hillsborough County, the State of Florida Department of Community Affairs and the Tampa Bay Regional Planning Council as required by law.

David Goldstein

David Goldstein
Printed Name

SWORN AND SUBSCRIBED to before me this 4th day of MARCH, 1997.

My Commission Expires:

Debra L. Rocchio

Notary Public - State of Florida
Printed Name

WLW05AF





NOTES:

- (1) ANY OF THE APPROVED LAND USES MAY BE LOCATED IN ANY PART OF THE DEVELOPMENT, SUBJECT TO THE REQUIREMENTS OF THE D.R.L. DEVELOPMENT ORDER.
- (2) THE WIDTH AND LOCATION OF INTERNAL ROADS, AND THE LOCATION AND DESIGN OF THE FALCONBURG ROAD ACCESS POINT NORTH OF ML KING BLVD., ARE CONCEPTUAL AND ARE SUBJECT TO MODIFICATION AT THE ELECTION OF THE DEVELOPER, SUBJECT TO ALL APPLICABLE FOOT AND COUNTY PERMITTING REQUIREMENTS.
- (3) THE FINAL LOCATION OF THE CHANNEL IS CONCEPTUAL AND IS SUBJECT TO MODIFICATION AT THE ELECTION OF THE DEVELOPER, SUBJECT TO ALL APPLICABLE GOVERNMENTAL PERMITTING REQUIREMENTS.

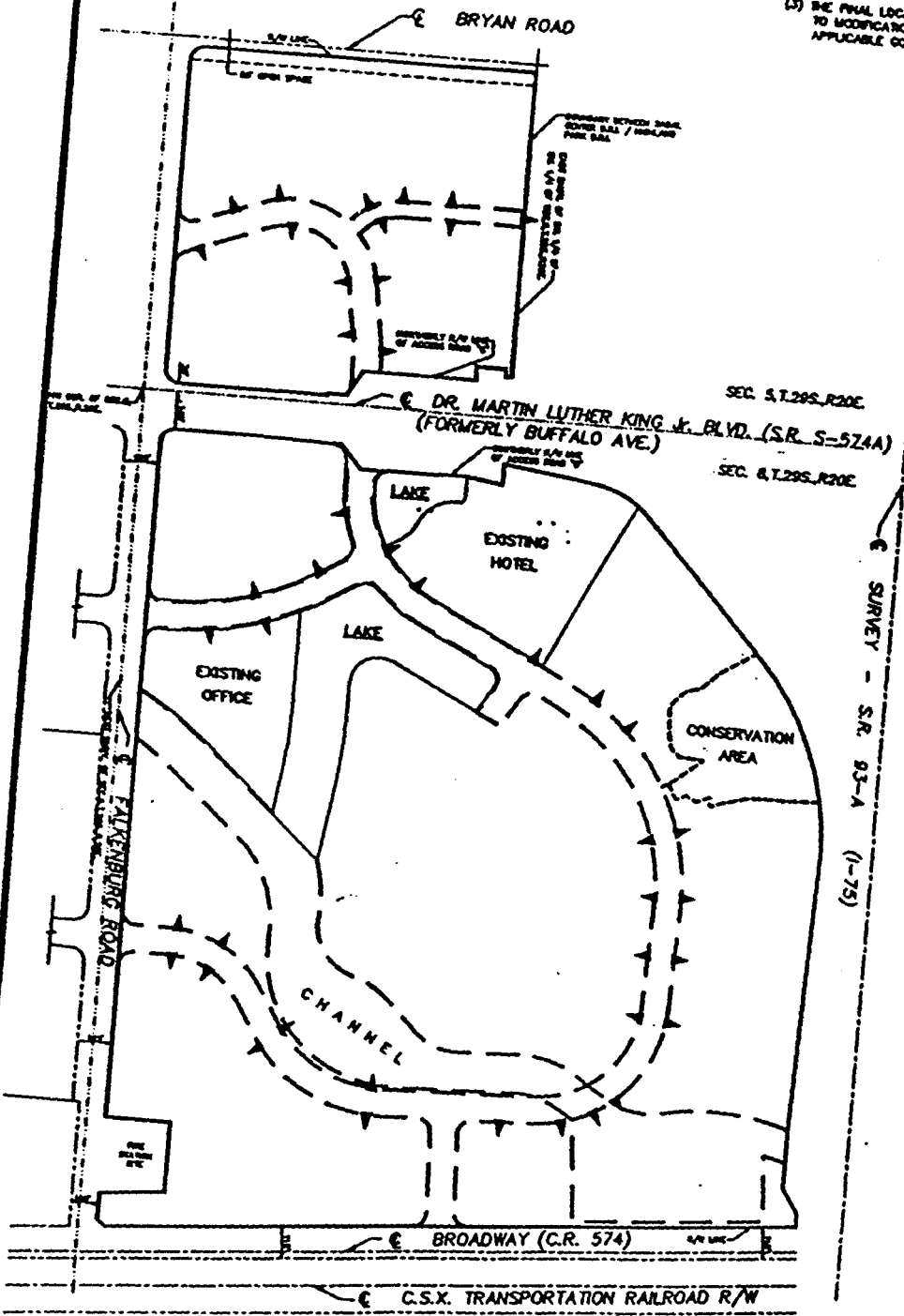


EXHIBIT B

SABAL CENTER
 REVISED MAP H
 DATE 11/98
 3/96
 12/10/92
 MASTER DEVELOPMENT PLAN

Table 12-2

PHASE (and build-out date)	OFFICE/R&D (Sq. Ft.)	LIGHT INDUSTRIAL/R&D (Sq. Ft.)	COMMERCIAL (Sq. Ft.)	HOTEL (Rooms)
I (12-31-2004)	870,000	1,000,000	150,000	265
II (11-30-99)	760,000	—	—	355
III (7-20-2003)	770,000	—	—	380
TOTALS	2,400,000	1,000,000	150,000	1,000

1. The land use entitlements are subject to the land use trade-off mechanism approved pursuant to Resolution No. R96-143.
2. The Office/R&D land use category can be developed exclusively as office uses.

RECEIVED
 MAR 12 1997
 Tampa Bay Area
 Planning Council

EXHIBIT "C"

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



97

Clerk to Board of
County Commissioners
County Center, 12th Floor
601 E. Kennedy Blvd.
PO. Box 1110
Tampa, Florida 33601
Telephone 276-2029, ext. 6730

March 10, 1997

TIM BUTTS DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
9455 KOGER BOULEVARD, SUITE 219
ST. PETERSBURG, FL 33702

Re: Resolution No. R97-027 - Amending the Development Order for
Sabal Center (DRI #98)

Dear Mr. Butts:

Attached is a certified copy of referenced resolution, which was
adopted by the Hillsborough County Board of County Commissioners on
February 11, 1997.

We are providing this copy for your files.

Sincerely,

Linda Fryman
Senior Manager, BOCC Records

LF:SAB

Attachment

Certified Mail

cc: Board files (orig.)

J. Thomas Beck, Florida Department of Community Affairs
David A. Goldstein, Esq. - Annis, Mitchell, Cockey, et al.
Vincent A. Marchetti, Sr. Assistant County Attorney
Gene Boles, Director, Planning & Growth Management
Joe Egozcue, County Attorney's Office

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, RICHARD AKE, Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. R97-027 Amending the Development Order for Sabal Center (DRI #98) approved by the Board in its regular meeting of February 11, 1997, as the same appears of record in MINUTE BOOK 249 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 10th day of March,
1997.



RICHARD AKE, CLERK

Gary J. [Signature]
Deputy Clerk

RESOLUTION NO. R 97-027

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI #98 DEVELOPMENT ORDER FOR
SABAL CENTER

Upon motion of Commissioner Scott, seconded by
Commissioner Hart, the following Resolution was
adopted on this 11th day of February, 1997, by a vote of
6 to 0.

WHEREAS, on August 20, 1985, the Board of County Commissioners approved a Development Order, Resolution #R85-0148 for the Sabal Center Development of Regional Impact ("DRI") #98 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on November 13, 1985; April 21, 1987; April 10, 1990; March 9, 1993; and June 11, 1996, the Board of County Commissioners approved amendments to the Development Order, Resolutions #R85-0020, (NOPC #1), #R-87-0123, (NOPC #2), #R90-0275, (NOPC #3), R93-0056, (NOPC #4), and #R96-0143 (NOPC #5), respectively, pursuant to the provision of Section 380.06, Florida Statutes (hereinafter the August 20, 1985 Development Order as amended by NOPCs 1, 2, 3, 4, and 5, shall together be referred to as the "Development Order"); and

WHEREAS, on November 27, 1996, CRT Leasing, Inc. filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact for the Sabal Center DRI ("NOPC #6") in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, NOPC #6 proposed modifications to the Sabal Center DRI, including the extension of the date of buildout for Phase I of the Development to December 31, 2004, the elimination of the limited access assessments for Phase I, and modifications to the Master Development Plan (Map H);

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, as amended, have been satisfied; and

WHEREAS, the Board of County Commissioners has received and considered the report and recommendation of the Tampa Bay Regional Planning Council; and

WHEREAS, the Board of County Commissioners has solicited, received and considered reports, comments and recommendations from interested citizens and County agencies as well as the review and report of the Hillsborough County Administration.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

RESOLUTION NO. R85-0148RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
DRI
DEVELOPMENT ORDER

Upon motion of Commissioner, Talley, seconded
by Commissioner, Padgett, the following Resolution
was adopted this 20th day of August, 1985,

WHEREAS, on July 2, 1984, SABAL CORPORATION filed an applica-
tion for development approval of a development of regional impact
with the Hillsborough County Board of County Commissioners pursu-
ant to the provisions of Section 380.06, Florida Statutes (1983);
and,

WHEREAS, said application proposes construction of a mixed-
use development containing office, research and development,
hotel, retail and light industrial uses located in central Hills-
borough County, hereinafter referred to as Sabal Center or the
development; and,

WHEREAS, the Board of County Commissioners as the governing
body of local government having jurisdiction pursuant to Section
380.06, Florida Statutes, is authorized and empowered to consider
applications for development approval for developments of
regional impact; and,

WHEREAS, the public notice requirements of Section 380.06,
Florida Statutes, have been satisfied; and,

WHEREAS, the Zoning Hearing Master appointed pursuant to
Chapter 83-416, Laws of Florida (1983), has reviewed the applica-
tion for development approval and has filed a recommendation on
said application with the Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners has on June 11,
1985 and on August 20, 1985 held a duly noticed public hearing on
said application for development approval and has heard and
considered testimony and documents received thereon; and,

WHEREAS, on July 30, 1985, Sabal Corporati through its attorneys, submitted a letter setting forth a proposed reduction in the square footage of Phase I by 100,000 square feet of Office/R & D, which 100,000 square feet was proposed to be added to the Office/R & D square footage designated for Phase II; and,

WHEREAS, the Board of County Commissioners has received and considered the report and recommendations of the Tampa Bay Regional Planning Council ("TRPC"); and,

WHEREAS, Hillsborough County has solicited, received, and considered reports, comments and recommendations from interested citizens, County and City agencies, as well as the review and report of Hillsborough County Administration.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. Sabal Corporation, hereinafter referred to as "Developer," submitted to Hillsborough County, Florida, an application for development approval, sufficiency response, letter dated January 30, 1985, from Housel & Associates, engineers, amending the legal description of the development site, and letter dated July 30, 1985 from Macfarlane, Ferguson, Allison & Kelly, amending the phasing schedule set forth in Table 12-2 of the application for development approval, which documents are attached hereto as Composite Exhibit A and incorporated herein by reference. Hereinafter, the word "Application" shall refer to the application for development approval, the sufficiency response, and the amending letters.

B. The real property that is the subject of the Application is legally described as set forth in Composite Exhibit A, attached hereto and make a part hereof by reference.

C. The proposed development is not in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes.

D. The square footage of Phase I of the development, as set forth in Table 12-2 of the Application, has been reduced by 100,000 square feet of Office/R & D, which 100,000 square feet shall be added to the Office/R & D square footage permitted under Phase II. The permitted square footage under Phase III shall remain unchanged. Hereafter, all references to Phases I, II, and III shall refer to those phases as set forth in the amending letter from Macfarlane, Ferguson, Allison & Kelly.

E. All development will occur in accordance with this Development Order and Application.

F. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council.

II. CONCLUSIONS OF LAW

A. Based upon the compliance with the terms and conditions of this Development Order, provisions of the Application as set forth in Composite Exhibit A, the reports, recommendations and testimony heard and considered by the Board of County Commissioners, it is concluded that:

1. The development will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

2. The development is consistent with local land development regulations and the adopted local comprehensive plan.

3. The development is consistent with the report and recommendations of the Tampa Bay Regional Planning Council.

B. In considering whether the development should be approved subject to conditions, restrictions and limitations, Hillsborough County has considered the criteria stated in subsection 380.06 (13), Florida Statutes (1983).

C. The review by Hillsborough County, the Hillsborough County City-County Planning Commission, the Tampa Bay Regional Planning Council, and other participating agencies and interested

citizens indicate that impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order and the Application.

D. The Application is approved subject to all terms and conditions of this Development Order.

III. GENERAL PROVISIONS

A. The legal description set forth in Composite Exhibit A is hereby incorporated into and by reference made part of this Development Order.

B. All provisions contained within the Application, marked Composite Exhibit A, shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.

C. This Resolution shall constitute the Development Order of Hillsborough County in response to the application for development approval for the Sabal Center Development of Regional Impact.

D. The definitions contained in Chapter 380, Florida Statutes (1983), shall govern and apply to this Development Order.

E. This Development Order shall be binding upon the Developer, its assigns, or successors in interest including any entity that may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality that may be created or designated as successor in interest to, or that otherwise possesses any of the powers and duties of, any branch of government or governmental agency.

F. This Development Order shall remain in effect for a period of fifteen (15) years from its effective date. Any development activity for which plans have been submitted to the County for its review and approval prior to the expiration date of this

Developme Order may be completed, if approv This Develop-
ment Order may be extended by the Board of County Commissioners
of Hillsborough County on the finding of excusable delay in any
proposed development activity.

G. Whenever this Development Order provides for or other-
wise necessitates reviews or determinations of any kind subse-
quent to its issuance, the right to review shall include all
directly affected government agencies and departments as are or
may be designated by the Board of County Commissioners of Hills-
borough County to review development of regional impact applica-
tions as well as all governmental agencies and departments set
forth under applicable laws and rules governing developments of
regional impact.

H. In each instance in this Development Order where the
Developer is responsible for ongoing maintenance of privately
owned facilities at Sabal Center, the Developer may transfer any
or all of its responsibilities to improve and maintain those
facilities to an appropriate private entity created to perform
such responsibilities. Provided, however, that before such
transfer may be effective, the body to which responsibility has
been or will be transferred must be approved by the County, upon
determination that the entity in question can and will be respon-
sible to provide maintenance as required in this Development
Order, which approval shall not be unreasonably withheld.

I. Development activity constituting a substantial devia-
tion from the terms or conditions of this Development Order, or
other changes to the approved development plans that create a
reasonable likelihood of additional adverse regional impact, or
any other regional impact not previously reviewed by the Regional
Planning Council shall result in further development of regional
impact review pursuant to 380.06, Florida Statutes (1983), and
may result in Hillsborough County ordering a termination of
development activity pending such review.

J. The County Administrator of Hillsborough County shall
be responsible for monitoring all terms and conditions of this
Development Order. For purposes of this condition, the County

Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency placing particular responsibility over the area or subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. The County Administrator shall issue a notice of such noncompliance to the Developer, and, if the deviation is not corrected with a reasonable amount of time, shall recommend that the Board of County Commissioners establish a hearing to consider such deviations.

K. The Developer shall file an annual report in accordance with Section 380.06(16), Florida Statutes (1983), and appropriate rules and regulations. The report shall be submitted on Form BLWM-07-85. Such report shall be due on the anniversary of the effective date of this Development Order for each following year until, and including such time as, all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the County Administrator who shall, after appropriate review, submit it for review by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed. Provided, however, that the receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of the Development Order. This report shall contain:

1. Changes in the plan of development, or representations contained in the Application, or phasing for the reporting year and for the next year;
2. A summary comparison of development activity proposed and actually conducted for the reporting year;

3. Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or developer;

4. Identification and intended use of lands purchased, leased or optioned by the Developer adjacent to the original DRI site since the development order was issued;

5. An assessment of the Developer's and local government's compliance with conditions of approval contained in the DRI development order and the commitments which are contained in the Application;

6. Any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;

7. An indication of a change, if any, in local government jurisdiction for any portion of the development since the development order was issued;

8. A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

9. A statement that all persons have been sent copies of the annual report in conformance with Subsections 380.06(14) and (16), Florida Statutes (1983);

10. A copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the developer pursuant to Subsection 380.06(14)(d), Florida Statutes (1983);

11. The information regarding Transportation Systems Management measures required to be submitted pursuant to Section IV,B.2., below;

12. The field surveys required to be submitted pursuant to Section IV,B.3., below, which field surveys are only required to be submitted biannually after the issuance of Certificates of Occupancy for the first 900,000 square feet of office space, or the equivalent thereof; and

1. A copy of the stormwater system operation and maintenance schedule and annual updates required to be submitted pursuant to Section IV, H.1.(e), below.

L. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation, or ordinance of Hillsborough County, its agencies or commissions, and to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable rules, regulations and ordinances in effect at the time of the review.

M. This Development Order shall become effective upon adoption by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes (1983).

N. Upon adoption, the Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the Developer.

O. Revisions to this Development Order not addressed herein shall be subject to review by TBRPC including the payment of the incremental review fee.

IV. CONDITIONS

A. Phasing Schedule

The development of the project in accordance with the proposed phasing schedule contained in the Application, as amended by Section I.D. of this Order, is an integral part of the Development Order conditions. Therefore, if the Developer elects to amend the proposed phasing schedule, it shall submit said amendments to the County for review and approval, which approval shall not be withheld for mere acceleration of phases if the terms of this Order are otherwise fully complied with. It is the intent of this provision to insure that all prerequisites for each phase of the project are complied with. For purposes of this Order, a phase shall be considered complete upon issuance of the final certificate of occupancy for the phase. Any significant departure in project buildout from the phasing schedule set

forth in the Application shall be subject to a substantial deviation determination pursuant to Chapter 380.06(17), Florida Statutes (1983).

B. Transportation Conditions.

1. Area Studies. A comprehensive transportation study of the Central Hillsborough/Interstate 4/Interstate 75 area in Hillsborough County analyzing transportation facilities will be prepared by the Hillsborough County City-County Planning Commission or any other appropriate entity designated by the Board of County Commissioners, in cooperation with the Tampa Bay Regional Planning Council, Florida Department of Transportation, Hillsborough County, Hillsborough County Metropolitan Planning Organization, Hillsborough County Environmental Protection Commission, Hillsborough Area Regional Transit Authority and other appropriate State agencies and developers in the area. The study will propose a transportation improvements plan and schedule for the area, involve citizens, interest groups and government agencies, and develop an implementation program to make the study workable. The issuance of a development order approving an area-wide development of regional impact shall satisfy the requirement of this study. The transportation section of the study or area-wide DRI traffic analysis shall include but not be limited to:

- (a) The regionally significant roadways that shall be included in the focus of the transportation plan, as well as identification of additional roadways to be constructed within the study area.
- (b) The existing, approved, and projected development to be included within the plan.
- (c) The manner by which the traffic impact of existing development will be documented and assessed.
- (d) The manner by which the traffic impact of approved and projected development will be documented and assessed.
- (e) The procedures by which mass transit will be studied as a viable alternative to alleviate overburdening of the roadways.
- (f) Identification of specific construction implementation goals, such as right-of-way acquisition and implementation of additional corridors designed to coincide with transportation improvement needs generated by each phase of completion for projects approved within the study area.

- (g) A program for funding the improvements identified.

Hillsborough County and/or the Hillsborough County City-County Planning Commission has committed to perform the above-referenced transportation improvements study which is scheduled to be completed on or before January 1, 1986.

2. Transportation Systems Management. The Developer shall assess the suitability of Transportation Systems Management ("TSM") measures that may be instituted and implemented for each project phase. Each TSM measure shall be assessed to determine the potential for diverting a substantial percentage of total peak hour trips away from the peak traffic hours. The plan shall be submitted to the reviewing agencies within one year of the effective date of this Development Order and shall address the following at minimum:

- (a) Worker flex time.
- (b) Worker ridesharing strategies.
- (c) Provision of transit and service facilities and programs to increase transit ridership.

The Developer may request amendments to this Development Order to incorporate findings of the assessment as conditions of approval in lieu of structural transportation improvements identified in this Development Order. The Developer's annual reports shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure.

If an annual report is not submitted, or if the report indicates that the total projected trip diversions are not being met, Hillsborough County shall conduct a substantial deviation determination pursuant to 380.06(17), F.S. and, if necessary, amend this Development Order to change TSM objectives and/or require roadway improvements that were deleted from this Development Order in contemplation of the TSM measures' being successful. The results of the TSM study may serve as a basis for the

Development or reviewing agencies to request Development Order amendments.

3. Methodology. Existing traffic volumes on roadways in the impact area were determined by counting traffic on those roadways. Growth factors were then applied to determine the "existing background" traffic for each phase of the development. In addition to existing background traffic, allowances were made for traffic projected to be generated by approved developments which have not been built ("proposed background" traffic). The sum of existing background traffic and the proposed background traffic was used as the basis against which traffic generated by each phase of the project were evaluated. The results of such evaluation are set forth in Exhibit B, attached hereto and made a part hereof.

The conditions precedent to consideration of a roadway segment as an element of the total impact of the project are:

- (a) The development's traffic on the roadway segment must equal or exceed 5% of the daily level of service (LOS-C, or peak hour LOS-D) capacity of the existing roadway; and
- (b) Development traffic, plus the total background traffic on the roadway segment, must result in a reduction of the level of service on the existing road segment to worse than LOS-C on a daily basis or worse than LOS-D at peak hours.

The commitments by the Developer or other responsible entities for those transportation system improvements necessary to accommodate each phase of the development are identified below.

4. The Developer, at its option, shall select one of the following alternatives to mitigate the project's transportation impacts:

Alternative I:

Developer may elect to delay development until funding commitments are secured from responsible entities for the following roadway improvements:

Phase I (1990)

(a) Construct a four lane section of Faulkenburg Road from Broadway to SR 574. These through lanes should have their

termini in accordance with proper design standards. Sabal Center will contribute 31.6 percent of the existing daily Level of Service C capacity at the end of Phase I.

(b) Construct one lane in each direction on Broadway from 50th to Orient Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 11.7 percent of the existing daily Level of Service C capacity at the end of Phase I.

(c) Construct one lane in each direction on Broadway from Orient Road to US 301. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 14.7 percent of the existing daily Level of Service C capacity at the end of Phase I.

(d) Construct one lane in each direction on Broadway from US 301 to Faulkenburg Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 20.8 percent of the existing daily Level of Service C capacity at the end of Phase I.

(e) Construct a four lane section on Buffalo Avenue from I-4 to CR 574. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute the following percentages of existing daily Level of Service C capacity at the end of Phase I: from I-4 to US 301 - 32.7 percent, and from US 301 to CR 574 - 39.6 percent.

(f) At the intersection of Buffalo Avenue and 50th Street, construct intersection improvements providing for an eastbound through lane and exclusive left turn lane, and a westbound through lane and exclusive left turn lane. Sabal Center will contribute 8.9 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(g) At the intersection of Hillsborough Avenue and Faulkenburg Road, construct intersection improvement providing for signalization. Sabal Center will contribute 19.5 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

Mango Road construct intersection improvements providing for a southbound through lane and exclusive left turn lane. Sabal Center will contribute 14.8 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(i) At the intersection of Broadway and Orient Avenue, construct intersection improvements providing for an eastbound through lane and exclusive left turn lane, a westbound through lane and exclusive left turn lane, a southbound through lane, and a northbound through lane. Sabal Center will contribute 13.0 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(j) At the intersection of SR 60 and Kingsway Road, construct intersection improvements providing for an eastbound and westbound through lane and separate right turn lane, and a northbound through lane and separate right turn lane. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(k) At the intersection of Broadway and Faulkenburg Road construct intersection improvements providing for exclusive right and left turn lanes on all approaches. Sabal Center will contribute 25.9 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

Phase II

(a) Construct one additional lane in each direction on SR 60 from US 301 to I-75. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.4 percent of the existing daily Level of Service C capacity at the end of Phase II.

(b) Construct one additional lane in each direction on SR 60 from Orient Road to 50th Street. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.4 percent of the existing daily Level of Service C capacity at the end of Phase II.

(c) At the intersection of SR 60 and 50th Street, construct intersection improvements providing for a northbound

lane and exclusive left turn lane, and an additional through lane both eastbound and westbound. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(d) At the intersection of Hillsborough Avenue and Mango Road, construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 18.8 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(e) At the intersection of Broadway and Faulkenburg Road, construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 12.9 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(f) Construct a four lane section on Buffalo Avenue from CR 574 to Valrico Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute the following percentage of the existing daily Level of Service C capacity from Mango Road to Parsons Avenue - 5.3 percent.

(g) Construct a six lane section on I-4 from I-75 to US 301. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 7.8 percent of the existing daily Level of Service C capacity at the end of Phase II.

(h) Construct a six lane section on I-4 from SR 574 to 50th Street. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 6.5 percent of the existing daily Level of Service C capacity at the end of Phase II.

(i) At the intersection of Buffalo Avenue and Parson Avenue-Brandon Road, construct intersection improvements providing for one through lane eastbound and one through lane westbound. Sabal Center will contribute 5.3 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(a) Construct one lane in each direction SR 60 from Kingsway Road to I-75. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.7 percent of the existing daily Level of Service C capacity at the end of Phase III.

(b) Construct one lane in each direction on Broadway from 50th Street to Orient Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 6.7 percent of the existing daily Level of Service C capacity at the end of Phase III.

(c) At the intersection of Buffalo Avenue and 50th Street, construct intersection improvements providing for both an eastbound and westbound exclusive right turn lane. Sabal Center will contribute 5.8 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

(d) At the intersection of Broadway and 50th Street construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 5.8 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

(e) At the intersection of SR 60 and Parsons Avenue, construct intersection improvements providing for an additional through lane eastbound and westbound. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

Alternative II:

In lieu of Alternative I, the Developer may elect to proceed with development in accordance with the provisions of the Hillsborough County Road Network Improvement Program Ordinance, Hillsborough County Ordinance #85-24E (1985) (the "Ordinance"). The Ordinance provides that a developer pay a transportation impact assessment based upon the travel characteristics of the development. The assessment provides a mechanism by which development is assessed a pro-rata share of its economic impact on the Hillsborough County road network. As set forth in Section XIV.C.

of the Ordinance, the assessment is based upon a formula designed to calculate costs inherent in the construction of at grade facilities for arterial and collector roads. The formula does not make provision for the construction of limited access facilities (i.e., interstates) or for the acquisition of necessary road rights-of-way. For this reason, the assessment under this Alternative II shall address:

- (i) the development's transportation impact assessment under the Ordinance;
- (ii) the development's impacts on limited access facilities; and
- (iii) right-of-way requirements as a result of traffic impacts of the development.

5. If the Developer elects to proceed under Alternative II to discharge its responsibility to mitigate its proportionate share of the negative transportation impacts of the development, the development's assessment is as follows:

(a) IMPACT FEE ORDINANCE. The Developer shall pay the required transportation impact assessment under the Ordinance, which amount shall be derived from the following table:

<u>Land Use</u>	<u>Size</u>	<u>Impact Cost</u>	<u>Unit Impact Cost Per 1,000 Sq. Ft. or Bed</u>
Office/R & D	2,400,000 sq. ft.	\$927,712.05	\$386.55/1,000
Light Industrial	1,000,000 sq. ft.	\$230,130.12	\$230.13/1,000
Support Commercial	150,000 sq. ft.	\$ 54,655.90	\$364.37/1,000
Hotel	2,000 beds	\$225,815.18	\$112.91/bed

As provided in Section XIV.C. of the Ordinance, in calculating the assessment for limited access facility improvements the application of the formula contained in the Ordinance shall be adjusted so as to ensure that impacts on the Hillsborough County Road Network are not counted twice. The above impact costs reflect this adjustment.

(b) INTERSTATE. The Developer shall pay its required fair share amount for necessary limited access facility improvements identified in Exhibit B. The development's assessment, derived pursuant to the methodology described in Section IV.B.3., above, is One Million Five Hundred Forty-Four Thousand Eight

Hundred Sixty-Five Dollars (\$1,544,865), which amount set forth by land use as follows:

<u>Land Use</u>	<u>Size</u>	<u>Unit Impact Cost</u>
Office/R & D	2,400,000 sq. ft.	\$415.18/1,000 sq. ft.
Light Industrial	1,000,000 sq. ft.	\$247.18/1,000 sq. ft.
Support Commercial	150,000 sq. ft.	\$391.37/1,000 sq. ft.
Hotel	2,000 beds	\$121.27/bed

(c) RIGHT-OF-WAY. The Developer shall provide its fair share of necessary right-of-way in the amount of Four Hundred Sixty-Four Thousand Six Hundred Seventy-Six Dollars (\$464,676), which amount is calculated based upon the methodology set forth in Section IV.B.3., above, and is set forth by land use as follows:

<u>Land Use</u>	<u>Size</u>	<u>Unit Impact Cost</u>
Office/R & D	2,400,000 sq. ft.	\$124.88/1,000 sq. ft.
Light Industrial	1,000,000 sq. ft.	\$ 74.35/1,000 sq. ft.
Support Commercial	150,000 sq. ft.	\$117.72/1,000 sq. ft.
Hotel	2,000 beds	\$ 36.48/bed

(d) Based on the foregoing, the development's total assessment under this Alternative II shall be Three Million Four Hundred Forty-Seven Thousand Eight Hundred Fifty-Four Dollars and Twenty-Five Cents (\$3,447,854.25), which amount is subject to adjustment as provided in Section IV.B.15 (the "Total Developer Fair Share Amount").

6. Method and Timing of Payment. The Total Developer Fair Share Amount shall be allocated to the development based upon the following table, which reflects the combined amounts set forth in paragraphs (a), (b), and (c), above.

<u>Land Use</u>	<u>Size</u>	<u>Unit Impact Cost</u>
Office/R & D	2,400,000 sq. ft.	\$926.61/1,000 sq. ft.
Light Industrial	1,000,000 sq. ft.	\$551.66/1,000 sq. ft.
Support Commercial	150,000 sq. ft.	\$873.46/1,000 sq. ft.
Hotel	2,000 beds	\$270.66/bed

In accordance with Section XV of the Ordinance, payment of that portion of the Total Developer Fair Share Amount attributable to a particular land use pursuant to the foregoing table shall be due upon issuance of certificates of occupancy for such land use, except as is provided for in paragraphs 10. and 12., below. In prorating payment of the Total Developer Fair Share

hundred (100' square feet.

The County agrees to hold all such transportation on fair share contributions received from the Developer pursuant to the Ordinance and D.R.I. assessment in escrow and to pay the applicable governmental entity (including itself, where appropriate) having jurisdiction over one or more of the enumerated roadway segments an amount equal to the amount of the Total Developer Fair Share Amount the Developer has paid for said roadway segment(s) upon being furnished with evidence, satisfactory to the County that such governmental entity has committed to construct said transportation improvement. The County shall award contracts for construction of sufficient improvements to attain and maintain LOS "D" at peak hour for link segments and corresponding intersections identified above and referenced in Exhibit B, upon receipt of contributions or impact fees from the Developer and from other development projects in the area which equal, in the aggregate, when coupled with funds received from other sources and funds allocated in the County transportation improvements programs, the cost of those improvements. On the joint stipulation of Hillsborough County, the Developer, and TBRPC, Hillsborough County may modify the above-referenced list of improvements, based on subsequent TSM measures and transportation studies referred to in paragraphs 8 and 14, below.

7. Pursuant to the adopted Hillsborough County Road Network Improvement Program Ordinance (85-24E), Hillsborough County government is committed to maintain an acceptable level of service on all collector and arterial roadways under Hillsborough County's jurisdiction. As such, the specific improvements identified as being attributable to this development and set forth in Exhibit "B" will be constructed. Hillsborough County is committed to begin design/construction drawings for improving each listed intersection and roadway link at such time as the level of service of that roadway drops to level "C." At such time as the roadway drops to Level of Service "D," Hillsborough County is committed to begin constructing the necessary improvements on

that roadway facility. Thus, the Road Network Improvement Program Ordinance is a positive commitment by Hillsborough County to fund and construct transportation improvements needed to maintain an acceptable level of service on facilities within Hillsborough County.

8. To assure that the transportation impacts of this development have been accurately projected by the traffic analysis field surveys in the Application, a report of findings shall be conducted every two years after the issuance of certificates of occupancy for the first 900,000 square feet of office space or the equivalent thereof. The results of these surveys shall be included in the required annual report.

9. The value as set forth in paragraph 10, below, of any rights-of-way acreage dedicated by the Developer pursuant to said paragraph 10, as well as any amounts paid by the Developer for the widening of Faulkenburg Road, pursuant to paragraph 12, below, shall be credited against the Total Developer Fair Share Amount.

10. Within sixty (60) days after the effective date of this Order, the Developer shall dedicate to Hillsborough County land from within the development's boundaries for road rights-of-way as follows:

- (a) Faulkenburg Road - fifty (50) feet along the development's westerly boundary from Bryan Road to County Road 574;
- (b) County Road 574 - seventy-eight (78) feet along the development's southerly boundary from Faulkenburg Road to I-75;
- (c) Bryan Road - eleven (11) feet along the development's northerly boundary from Faulkenburg Road to the development's easterly boundary line.

The credit to the Developer for the subject additional dedicated road rights-of-way shall be calculated at one hundred forty-four thousand dollars (\$144,000.00) per acre, which shall be applied against the Total Developer Fair Share Amount payable as certificates of occupancy are issued. The amount of such credit shall be applied to the amount payable under each certificate of occupancy pursuant to the table set forth in Section IV.B.6., above, until the value of such rights-of-way is exhausted by such credit.

In addition to the Total Developer Fair Share Amount, the following site access improvements (to be constructed at the Developer's expense) will be required at buildout of the project, if determined to be necessary by the Hillsborough County Engineering Department at that time:

(a) Prior to the issuance of the first Certificate of Occupancy within Phase I, the main entrance to the development on Buffalo Avenue shall be constructed. Provision shall be made for signalization when warranted, and the Developer shall cooperate with the Florida Department of Transportation during the design phase of the proposed Buffalo Avenue improvement project to insure provisions are made to accommodate development traffic at Level of Service D (peak hour) at buildout.

(b) Three access points are to be located at points on Faulkenburg Road. These access improvements are to be coordinated with the widening of Faulkenburg Road to four lanes.

(i) One access point shall be located north of Buffalo Avenue on Faulkenburg Road. Provision shall be made for signalization when warranted.

(ii) One access point shall be constructed immediately south of Buffalo Avenue on Faulkenburg Road. Provision shall be made for signalization when warranted.

(iii) The southernmost access point on Faulkenburg Road shall be located approximately one thousand two hundred feet (1,200 ft.) south of the access point that is immediately south of Buffalo Avenue.

(c) One access point shall be on Broadway Avenue (CR 574). Provision for signalization shall be made when warranted.

(d) If the Developer elects to make the above access improvements in stages, then a plan for each improvement shall be submitted and approved by the Hillsborough County Engineering Department prior to the issuance of the first building permit for any portion of the development site being developed. The plan shall address those access points necessary to serve the portion of the site being developed. With the plan, a transportation

analysis shall be provided that calculates the Level of Service of the intersection after the proposed improvements are made taking into account existing background traffic and projected project traffic. The proposed improvement shall be projected to operate at Level of Service C Daily/Level of Service D peak hour, upon completion and full occupancy of the portion of the site being developed. The proposed improvement shall be constructed prior to issuance of the first certificate of occupancy for the portion of the site being developed.

12. In lieu of a portion of the Total Developer Fair Share Amount, the Developer may elect to design and construct two additional lanes on Faulkenburg Road from the development's northern boundary to Broadway Avenue. The design shall be subject to approval by the governmental entities having jurisdiction over this project. The Developer's contribution for the design and construction of the two additional lanes shall be credited against the Total Developer Fair Share Amount payable as certificates of occupancy are issued. The amount of such credit shall be applied to the amount payable under each certificate of occupancy pursuant to the table set forth in Section IV.B.6., above, until the amount expended by the Developer for the design and construction of the two additional lanes is exhausted by such credit. In no event shall the Developer be required to pay more than the Total Developer Fair Share Amount. The widening will be phased throughout Phase I as follows:

The construction of two additional lanes on Faulkenburg Road extending from Buffalo Avenue to the first project entrance south of Buffalo Avenue (the "First Entrance"), including the intersection of Buffalo Avenue and Faulkenburg Road and its approaches, shall commence at the time the Developer requests its first driveway permit for a driveway located at the First Entrance. Construction of the two additional lanes from the First Entrance to the second project entrance approximately one thousand two hundred feet (1,200 ft.) south of the First Entrance (the "Second

request a second driveway permit for the driveway located at the Second Entrance. The remaining portions of Faulkenburg Road from the Second Entrance to Broadway Avenue shall be widened prior to commencement of Phase II of the development.

13. The value as set forth in paragraph 10, above, of any rights-of-way acreage dedicated by the Developer pursuant to said paragraph 10, as well as any amounts paid by the Developer for the widening of Faulkenburg Road, pursuant to paragraph 12, above, or for improvements identified in the updated analysis described in Paragraph 14, below, shall be credited against the Total Developer Fair Share Amount.

14. Prior to commencement of Phases II and III, the Developer shall submit a revised and updated traffic analysis pursuant to Chapter 380.60, Florida Statutes. Both the traffic counts and projections of traffic volume shall be prepared consistent with generally accepted traffic engineering practices and the Application. The analysis shall serve to verify the findings of the Application traffic analysis or shall indicate alternate transportation improvements/measures which, if implemented, would maintain the regional roadways at a satisfactory Level of Service, (Level of Service C daily, D peak hour). Funding commitments for the identified needed improvements/measures for the phase for which the review is being conducted shall be obtained prior to commencement of Phases II and III. The analysis results shall be the only criteria used to determine whether Phases II and III may be commenced, provided all other conditions of this Order are met. The Developer may elect to fund all or a portion of the improvements identified in the updated analyses, in which event the amounts expended by the Developer shall be credited against the Total Developer Fair Share Amount. In no event shall the Developer be required to expend or pay to Hillsborough County an amount in excess of the Total Developer Fair Share Amount.

15. Notwithstanding the amounts set forth in Section IV.B.5.(a), above, and any provisions of this Development Order

to the contrary, the "impact fee ordinance" portion of the Total Developer Fair Share Amount shall be calculated pursuant to the provisions and methodology of the Hillsborough County Road Network Improvement Program Ordinance as in effect at the time of issuance of each building permit for the Development.

16. In the event future amendments to Hillsborough County Road Network Improvement Program Ordinance 85-24E (the "Ordinance") should include, in the assessment of transportation impacts, fees for impacts not currently addressed by the Ordinance, e.g., right-of-way, then in making payment under such amended Ordinance, the Developer shall receive a credit for contributions or payments for those items for which an assessment is made under this Development Order but that are not currently addressed in the Ordinance.

17. To the extent that this Development Order provides that the development is subject to future amendments to the Ordinance, such provision shall not be construed as a waiver of, or limitation on, the Developer's right to contest the validity of such amendments or the application thereof to this development.

18. In the event that Hillsborough County is precluded for any reason from collecting the impact fees provided in the Ordinance, or any amendments thereto, the Developer shall pay to Hillsborough County the amounts set forth in Section IV.B.5., above, and in such event, the Developer shall not be precluded from proceeding with development in accordance with the terms and conditions of this Development Order.

C. Hazardous Waste

1. Separate hazardous waste storage containers/areas shall be provided within the development. These containers/areas shall be accessible to all development businesses and shall be clearly marked and/or colored so as to clearly distinguish the containers/areas intended for hazardous wastes and materials.

2. The Developer shall provide to all Sabal Center businesses information that:

- (a) Indicates types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers;

(b) Indicates the location of the specially-designated hazardous waste and materials containers; and

(c) Advises of applicable statutes and regulations regarding hazardous wastes and materials.

3. The Developer shall ensure that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

(a) No hazardous materials or wastes shall be allowed to enter the wastewater system.

(b) The Developer shall ensure that any hazardous waste will be pretreated on-site if necessary, and removed in a manner consistent with applicable regulations, including the waste exchange program, recycling, or disposal by a certified entity.

4. Underground storage of hazardous, toxic, or flammable materials, liquids, or chemicals shall not be permitted, except that combustible and flammable liquids and liquified gas, as defined in NFPA 30, 54 and 58 to include gasoline, kerosene, petroleum, distillates, diesel fuel and liquified gas, may be stored only in underground tanks which shall be designed, installed, constructed and located to prevent seepage of contained products into surrounding sub-surface areas and which shall comply with NFPA codes, FDER Chapter 17-6 and all prevailing statutory and regulatory requirements and standards. In addition, the Developer shall require installation and maintenance of leak detectors for such underground tanks, if any, in accordance with County standards and criteria.

D. Energy

The energy conservation measures described in the Application shall be instituted by the Developer. In the event that an electrical sub-station is required by Tampa Electric Company, then the Developer shall donate such site to Tampa Electric Company from within the project boundaries at a location to be mutually agreed upon by the Developer and Tampa Electric Company.

E. Archaeological Resources

The discovery of any historical or archaeological resources shall be reported to the Florida Division of Archives,

His y and Records Management and the sposition of such re-
sources ll be determined in cooperation v the Division of
Archives and Hillsborough County.

F. Air Quality

The measures to reduce erosion, fugitive dust and air emissions described in the Application shall be instituted by the Developer.

G. Hurricane Evacuation

The Developer shall promote awareness of, and shall cooperate with, local and regional authorities having jurisdiction to issue a hurricane evacuation order. The Developer shall prepare a plan to ensure the safe and orderly evacuation of hotel guests and those employees who, for security or administrative reasons, are in the building after an evacuation order is issued by (1) ordering all buildings closed for the duration of a hurricane evacuation order; (2) making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans. This plan shall be included in the first annual report submitted after occupancy of any portion or phase of the Development. The Developer shall cooperate with local emergency management officials regarding the use of buildings on the project site as public shelters.

H. Drainage

1. The drainage plan and the stormwater system design shall be consistent with TBRPC's Stormwater and Lake Systems Maintenance and Design Guidelines (1978) with regard to biological productivity and natural assimilative capacity. The design guidelines of this system shall include the following:

- (a) 35 to 50 percent of the surface area of the detention pond at the normal water level (NWL) should consist of a shallow vegetated littoral shelf.
- (b) The littoral shelf can be incorporated into the pond bank, preferably near the pond outlet, to provide final polishing treatment for the stormwater. As an alternative, the littoral shelf can be established on a shallow submerged island in the middle of the pond.

- (c) A sediment sump should be provided at all influent pipes to accumulate sediment and to provide easy access for sediment removal.
- (d) The littoral shelf, if located along the pond bank, should have side slopes no greater than 7:1 with the top of the shelf at NWL and sloping to a depth of three feet or less. The littoral shelf should be vegetated with a diverse group of native species which can include Sagittaria, pickerelweed, Juncus, water lilies, cypress, etc. These species aid in nutrient and heavy metal uptake as well as to enhance the pond by providing blooming flowers and presenting a more "natural" appearance.
- (e) A copy of an operation and maintenance (O & M) schedule shall be provided to the Developer, and shall be submitted to TBRPC with the annual report. The O & M schedule shall include an estimation of the frequency of sediment removal operations and shall mention the periodic need for removing dead vegetation. An annual update of the O & M schedule showing compliance with its terms shall be included in the annual report.
- (f) The master drainage system shall comply with the Department of Environmental Regulation's Stormwater Rule, Chapter 17-25, Florida Administrative Code.

Those portions of the stormwater drainage system and retention and detention ponds not dedicated to Hillsborough County shall remain the responsibility of the Developer, its assigns, or a duly constituted property owners' association.

2. Prior to final plat approval or detailed site plan approval if the project is not to be platted, the Developer shall submit to the Hillsborough County Environmental Protection Commission a copy of the Southwest Florida Water Management District's Stormwater Discharge Permit or Exemption.

I. Elevation

The elevation for all habitable structures shall be at or above the base flood elevation as required by the Federal Flood Insurance Program.

J. Water Quality

1. The Developer shall provide a sufficient body of baseline water quality data before any significant ground-breaking takes place. Sampling should be scheduled to occur immediately after a major storm event, and after an extended dry period, during both the rainy season (June-September) and the dry

season November-February). Significant water quality parameters should include but not be limited to the following:

- streamflow (cu.ft./sec.);
- turbidity (ntu);
- specific conductance (umho/cm at 25 deg. C);
- dissolved oxygen (mg/l);
- biochemical oxygen demand (mg/l);
- pH;
- total orthophosphate as P (mg/l);
- total organic nitrogen as N (mg/l);
- ammonia N (mg/l);
- total organic carbon as C (mg/l);
- total coliforms, multiple tube method, MPN (col/100 ml);
- total lead as Pb (ug/l); and
- temperature (deg. C).

Sampling stations shall be located in the Lake Mango Canal, both at the east point of entry and at the west point of exit from the development. All water quality methods and procedures shall be thoroughly documented and shall comply with EPA/DER Quality Control standards. The Developer shall provide for review of an annual water quality profile, including the same parameters and provisions described above, until the project reaches completion. If the monitoring data indicates that the development is having a negative impact on water quality, additional design criteria or remedial measures for regional concerns shall be developed prior to approval of any subsequent increments.

2. The Developer shall submit to the Department of Environmental Regulation, Hillsborough County Environmental Protection Commission, and Tampa Bay Regional Planning Commission for approval a wetland/lake management plan, to be implemented during construction and after completion of the development. The plan shall address, but not be limited to, the following:

- proposed lake specifications;
- proposed wetland preservation or alteration;
- control of exotic and nuisance species;

- maintenance of natural hydroperiod; and
- methods for wetland/lake restoration and enhancement.

The intent of the wetland/lake management plan would be to direct the development and succession of all on-site wetlands and lakes into biologically viable and diverse habitat.

3. Soil Survey data indicate that a hardwood swamp, underlain with freshwater swamp (FE₂) soil, exists in the southern tract along the eastern border of the development adjacent to I-75. On-site inspection reveals this area to be a viable wetland and under Environmental Protection Commission jurisdiction. A ditch across the southern tract in a northwest direction with water from the site eventually draining to the Tampa By-Pass Canal has revegetated and is under Environmental Protection Commission jurisdiction. In addition, because the ditch is connected to the By-Pass Canal, it is within State jurisdiction. Activities proposed in the ditch or ditch relocation will require a Florida Department of Environmental Regulation dredge and fill permit. The small hardwood swamp in the northwest corner of the southern tract has been somewhat altered due to intense grazing. However, it supports a viable wetland habitat dominated by bay trees (Persea borbonia), Carolina willow (Salix caroliniana), and primrose willow (Ludwigia peruviana). Any activity interfering with the integrity of these jurisdictional areas, such as clearing, excavating, draining or filling, will be a violation of Section 17 of the Hillsborough County Environmental Protection Act, Chapter 84-446. Eventually, an on-site delineation will be required with Environmental Protection Commission staff approval. Also, a 30-foot buffer zone landward of these jurisdictional lines must be maintained with no permanent structures therein. Soil Survey data also indicate the presence of two small grassponds in the northern tract. On-site inspection reveals that one has been previously excavated and the other is dry and is no longer viable. Both of these areas are, therefore, not under Environmental Protection Commission jurisdiction.

4. The above referenced condition includes a jurisdictional area for the small hardwood swamp at the northwest corner of the southern tract. However, this area historically supported a base swamp that has been altered in recent years due to the pressures of intense grazing. Therefore, said hardwood swamp may be mitigated for on a 1:1 basis in an area immediately adjacent to the existing drainage ditch which will be widened according to State of Florida Department of Environmental Regulation specifications. This mitigation plan must be submitted to H.C.E.P.C. for approval prior to any development in this area.

5. To maintain good water quality, the project must be designed to properly treat stormwater runoff, complying with the requirements of Florida Administrative Code 17-25: Regulations of Storm Water Discharge.

K. Wildlife

1. To assure the Tampa Bay Regional Planning Council and Hillsborough County that development will not degrade the natural integrity of the Conservation areas, as referenced herein, the final development plan shall designate and map conservation areas in accordance with the Council's adopted growth policy, Future of the Region, (2.702 Conservation). The development shall maintain, at minimum, the 50 foot buffer between the Northern Office Park and Bryan Road, as committed in the Application and a habitat suitable for the woodstork shall be created within the stormwater system in cooperation with the Florida Game and Fresh Water Fish Commission.

In the event that any endangered or threatened species are observed onsite, such species shall be relocated in cooperation with the Florida Game and Fresh Water Fish Commission.

L. Public Facilities

1. Fire Protection, Police, Emergency Medical Services.

(a) Prior to issuance of detailed site plan approvals, the Developer shall provide to the Hillsborough County Department of Development Coordination verification that adequate police, fire service and emergency medical service facilities are

available to serve the building or buildings that are the subject of such site plan.

(b) The Developer shall be required, within one year subsequent to the effective date of this Development Order, to convey to Hillsborough County good title free and clear to 1-1/4 acres of buildable land for a fire station. The Developer shall also provide for offsite drainage requirements for the fire station site and provide the County with any necessary non-exclusive easements for drainage purposes. The location of the property to be dedicated to the County shall be on the south side of Buffalo Avenue lying westerly of the intersection of Buffalo Avenue and Faulkenburg Road and not more than one (1) mile westerly of such intersection, or shall be on Faulkenburg Road and within 1/2 mile of the intersection of Faulkenburg Road and Buffalo Avenue, or shall be located on the north side of Broadway Avenue between Faulkenburg Road and I-75. The site selected shall have direct access to Buffalo Avenue, Faulkenburg Road or Broadway Avenue and shall not contain any environmentally sensitive land. The conveyance to the County shall provide that use of the property shall be restricted to fire station purposes for twenty-five (25) years from the date thereof and shall further provide that the property shall revert to the Developer, its successors and assigns, if construction of a fire station is not completed on the site on or before July 1, 1993.

The Developer shall make a cash contribution to the County for fire station purposes in the amount of \$50,000.00 upon the earlier of the following: (a) a contract being let by the County for construction of a fire station on the site to be dedicated by the Developer or, (b) July 1, 1990. If the County is not prepared to promptly utilize the cash contribution for construction of a fire station, then the Developer's cash contribution shall be placed in escrow with a mutually acceptable escrow agent, such as a bank, in Hillsborough County.

The Developer shall, if requested by the County, enter into a written agreement with respect to the fire station contribution within a reasonable time hereafter.

2. Solid Waste.

The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said ordinance.

3. Wastewater Treatment.

(a) A wastewater treatment improvements plan and schedule for the Central Hillsborough/I-4/I-75 area shall be prepared in cooperation with the City of Tampa, Hillsborough County, the Department of Environmental Regulation, the Tampa Bay Regional Planning Council and developers in the study area. Completion and adoption of the plan shall be required prior to any development after Phase I, except that, if it can be demonstrated that sufficient transmission and treatment capacity is available, construction of those phases can commence prior to the completion of the plan. The plan shall consider all approved and projected development in the area. Any approval of this Development shall define the parameters for this wastewater treatment plan to include, but not be limited to:

(i) Assessment of the amounts and sources of wastewater expected to be generated within the study area on a yearly basis for a specified time period (5-10 years).

(ii) Identification of existing and future treatment capacity of regional and/or interim plants expected to provide treatment service.

(iii) Identification of 201 Plan amendments/expansion/new facilities which may be needed to accommodate the anticipated flows.

(iv) Identification of cost benefit of new facilities versus the expansion of existing facilities.

(v) Identification of existing 201 boundaries and identification of fiscal impact of proposed boundary changes on regional facilities and 201 plans approved by DER and EPA.

(vi) Identification of funding sources or grants which may be available for needed improvements.

new or expanded effluent and sludge disposal areas which may be needed, including impacts on receiving waters or groundwater.

(viii) Identification of the disposal sites to be acquired and the manner in which these sites will be funded and acquired.

Hillsborough County has committed to perform a wastewater management plan that is scheduled to be completed within six months of the effective date of this Development Order.

(b) No building permits shall be issued without a commitment from Hillsborough County or other responsible entity to provide wastewater disposal capacity for the building(s) that are the subject of such building permit application. No detailed site plan approval shall be granted without an approved, permitted wastewater collection system. Documentation of approvals from all appropriate local and State agencies shall be provided to the DDC prior to detailed site plan approval. Failure to obtain the required wastewater disposal commitment(s) shall require a substantial deviation determination pursuant to Section 380.06(17), Florida Statutes (1983).

4. Potable Water.

The City will provide potable water service to Sabal Center on the following terms and conditions:

(a) The Developer shall design, construct and install, in accordance with prevailing City design criteria and subject to prior City inspection and approval, all on-site improvements required by the City to connect the development to the City's potable water system. [On-site improvements shall be defined as all potable water facilities, including but not limited to all lines, mains, equipment, improvements, easements, rights-of-way or utilities, located within the development including all water mains, up to and including water meters.]

(b) After City inspection and approval, the Developer shall convey to the City, by instruments acceptable to

tion, the Developer, at its own expense, shall acquire and convey to the City necessary and reasonable perma rights-of-way, easements, property interests, or things specified by the City to provide the development with a working potable water system. Upon inspection and acceptance of said facilities, permits, easements, rights-of-way, property, interests or things, the City shall operate and maintain said facilities and improvements as part of the City's utility system and subject to the City's ordinances.

5. Non-potable Water.

(a) The Developer or its assigns shall be responsible for the operation and maintenance of all on-site wells and landscape irrigation systems. The Developer shall be required to utilize either shallow on-site wells, pumping from retention areas, or acceptance of non-potable water for open space and landscape irrigation.

(b) The Developer or its assigns shall participate to the maximum extent possible in any County program whereby recovered water is utilized for irrigation and other appropriate recovered water uses, provided, however, that the Developer shall not be required to bear any expense for the conveyance system required to transport such recovered water to the development site. This provision shall not be construed as a waiver of any wastewater capacity fees applicable to the development.

6. Service Adequacy.

In the event any public facility or service is inadequate to serve an entire phase but is adequate to serve one or more buildings within such phase, then detailed site plan approval and/or building permit approval shall not be withheld solely on the basis of such inadequacy if there are no other reasons for disapproval and it is verified that such service is available for such building or buildings that are the subject of the detailed site plan or building permit, as the case may be.

1. The Developer or its assigns shall be responsible for the maintenance of all open space recreational areas and landscaped areas within each phase of the development.

2. The Developer or its assigns shall be responsible for maintenance of the linear park.

N. Internal Roadways and Parking Lots.

1. The Developer or its assigns shall maintain the internal roadway system.

2. The Developer shall implement a street cleaning program for the roadway areas within the development, pursuant to the Area-Wide Water Quality Management Plan for the Tampa Bay Region, (1978).

3. The Developer or its assigns shall undertake parking lot sweeping as a routine maintenance function.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of August 20, 1985 as the same appears of record in Minute Book 111 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 22nd day of August, 1985.

JAMES F. TAYLOR, JR., CLERK

APPROVED BY COUNTY ATTORNEY

Edna D. Stypatich

By: Edna D. Stypatich
Deputy Clerk

EXHIBIT "B"

of 1951
20.30.00

LEGAL DESCRIPTION OF ADDITIONAL R/W REQUIRED FOR COUNTY ROAD No. 574

For a point of reference, commence at the Northwest corner of Section 8, Township 29 South, Range 20 East, Hillsborough County, Florida. Run thence S.89°59'04"E., along the North boundary of said Section 8, a distance of 25.00 feet; thence S.00°00'46"E., a distance of 140.00 feet to the intersection of the Southerly right-of-way line of Buffalo Avenue and the Easterly right-of-way line of Faulkenburg Road; continue thence S.00°00'46"W., along the Easterly right-of-way line of Faulkenburg Road, a distance of 2344.69 feet; thence S.89°59'14"E., along the Easterly right-of-way line of Faulkenburg Road, a distance of 15.00 feet; thence S.00°00'46"W., along the Easterly right-of-way line of Faulkenburg Road, a distance of 232.02 feet; thence S.01°25'10"E., along the Easterly right-of-way line of Faulkenburg Road, a distance of 200.07 feet; thence S.00°00'46"W., along the Easterly right-of-way line of Faulkenburg Road, a distance of 76.17 feet; thence N.84°30'28"E., a distance of 142.92 feet; thence S.00°01'43"E., a distance of 126.00 feet for the Point of Beginning. Continue thence S.00°01'43"E., a distance of 48.17 feet to a point on the Northerly right-of-way line of County Road No. 574; thence N.85°22'02"E., along the Northerly right-of-way line of County Road No. 574, a distance of 8.36 feet; thence N.88°13'32"E., along the Northerly right-of-way line of County Road No. 574, a distance of 100.12 feet; thence N.85°22'02"E., along the Northerly right-of-way line of County Road No. 574, a distance of 100.00 feet; thence N.88°13'32"E., along the Northerly right-of-way line of County Road No. 574, a distance of 100.12 feet; thence N.85°22'02"E., along the Northerly right-of-way line of County Road No. 574, a distance of 245.61 feet; thence S.04°37'58"E., along the Northerly right-of-way line of County Road No. 574, a distance of 3.00 feet; thence N.85°22'02"E., along the Northerly right-of-way line of County Road No. 574, a distance of 1919.74 feet to a point on the Westerly right-of-way line of S.R. 93A (I 75); thence N.00°04'35"E., along the Westerly right-of-way line of S.R. 93A (I 75), a distance of 61.20 feet; thence S.85°22'02"W., a distance of 2474.84 feet to the Point of Beginning.

Containing 3.391 Acres, more or less.

**LEGAL DESCRIPTION OF ADDITIONAL R/W REQUIRED FOR FAULKENBURG ROAD
(NORTH OF BUFFALO AVENUE).**

For a point of reference, commence at the Southwest corner of Section 5, Township 29 South, Range 20 East Hillsborough County, Florida. Run thence S.89°59'04"E., along the South boundary of said Section 5, a distance of 25.00 feet; thence N.00°07'14"W., a distance of 30.00 feet for a point of beginning; said point being the intersection of the Northerly right-of-way line of Buffalo Avenue and the Easterly right-of-way line of Faulkenburg Road. Continue thence N.00°07'14"W., along the Easterly right-of-way line of Faulkenburg Road, a distance of 1277.22 feet to a point on the Southerly right-of-way line of Bryan Road; thence N.89°51'58"E., along the Southerly right-of-way line of Bryan Road a distance of 50.00 feet; thence S.00°07'14"E., a distance of 1227.47 feet to the P.C. of a curve to the left having a radius of 50.00 feet and a central angle of 89°51'50"; thence 78.42 feet along the arc of said curve, a chord bearing and distance of S.45°03'09"E., 70.63 feet to the P.T. of said curve; said point being on the Northerly right-of-way line of Buffalo Avenue; thence N.89°59'04"W., along the Northerly right-of-way line of Buffalo Avenue, a distance of 99.88 feet to the point of beginning.

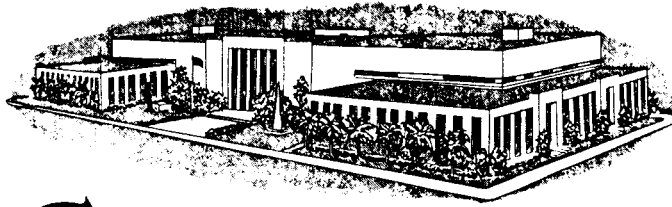
Containing 1.478 acres, more or less.

**LEGAL DESCRIPTION OF ADDITIONAL R/W REQUIRED FOR FAULKENBURG ROAD (SOUTH
OF BUFFALO AVENUE):**

For a point of reference, commence at the Northwest corner of Section 8, Township 29 South, Range 20 East, Hillsborough County, Florida. Run thence S.89°59'04"E., along the North boundary of said Section 8, a distance of 25.00 feet; thence S.00°00'46"W., a distance of 140.00 feet for the Point of Beginning; said point being the intersection of the Southerly right-of-way line of Buffalo Avenue and the Easterly right-of-way line of Faulkenburg Road. Continue thence S.00°00'46"W., along the Easterly right-of-way line of Faulkenburg Road, a distance of 2344.69 feet; thence S.89°59'14"E., along the Easterly right-of-way line of Faulkenburg Road, a distance of 15.00 feet; thence S.00°00'46"W., along the Easterly right-of-way line of Faulkenburg Road, a distance of 232.02 feet; thence S.01°25'10"E., along the Easterly right-of-way line of Faulkenburg Road, a distance of 200.07 feet; thence S.00°00'46"W., along the Easterly right-of-way line of Faulkenburg Road, a distance of 76.17 feet; thence N.84°30'28"E., a distance of 30.14 feet; thence N.00°00'46"E., a distance of 2799.98 feet to the P.C. of a curve to the right having a radius of 50.00 feet and a central angle of 90°00'10"; thence 78.52 feet along the arc of said curve, a chord bearing and distance of N.45°00'51"E., 70.71 feet to the P.T. of said curve; said point being on the Southerly right-of-way line of Buffalo Avenue; thence N.89°59'04"W., along the Southerly right-of-way line of Buffalo Avenue, a distance of 100.00 feet to the Point of Beginning.

Containing 3.091 Acres, more or less.

OFFICE OF
JAMES F. TAYLOR, JR.
CLERK OF CIRCUIT COURT
CLERK OF COUNTY COURT
P. O. BOX 1110
TAMPA, FLORIDA 33601
TELEPHONE 223-7811



COUNTY of HILLSBOROUGH

Tampa, Florida 33601



CERTIFIED MAIL

CLERK BOARD OF COUNTY COMMISSIONERS
COUNTY AUDITOR
COUNTY RECORDER
CUSTODIAN OF COUNTY FUNDS
DEPENDENT'S SUPPORT COLLECTION
TAX DEED SALES

IN RESPONSE REFER TO:

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida 33702

Attn: Bruce R. Belrose

Re: Resolution No. R85-0148 - Sabal Corporation DRI Development Order

Dear Mr. Belrose:

Enclosed please find an executed copy of the subject Resolution, with Exhibit B, which was adopted by the Hillsborough County Board of County Commissioners on August 20, 1985.

Sincerely,

JAMES F. TAYLOR, JR., CLERK
BOARD OF COUNTY COMMISSIONERS

By: Edna L. Fitzpatrick
Edna L. Fitzpatrick
Deputy Clerk

ELF/lt

cc: Board files (Orig.)
Elliott Dunn, Asst. County Attorney
Mark Gentry, Sr. Planner, Dept. of Development Coordination
Sabal Corporation
State Land Planning Agency

Enclosure

An Affirmative Action - Equal Opportunity Employer

master
DO # 98

DATE: 8/19/85

RESOLUTION NO. R85-0148

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
DRI
DEVELOPMENT ORDER

Upon motion of Commissioner, Talley, seconded by Commissioner, Padgett, the following Resolution was adopted this 20th day of August, 1985,

WHEREAS, on July 2, 1984, SABAL CORPORATION filed an application for development approval of a development of regional impact with the Hillsborough County Board of County Commissioners pursuant to the provisions of Section 380.06, Florida Statutes (1983); and,

WHEREAS, said application proposes construction of a mixed-use development containing office, research and development, hotel, retail and light industrial uses located in central Hillsborough County, hereinafter referred to as Sabal Center or the development; and,

WHEREAS, the Board of County Commissioners as the governing body of local government having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider applications for development approval for developments of regional impact; and,

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, have been satisfied; and,

WHEREAS, the Zoning Hearing Master appointed pursuant to Chapter 83-416, Laws of Florida (1983), has reviewed the application for development approval and has filed a recommendation on said application with the Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners has on June 11, 1985 and on August 20, 1985 held a duly noticed public hearing on said application for development approval and has heard and considered testimony and documents received thereon; and,

WHEREAS, on July 30, 1985, Sabal Corporation, through its attorneys, submitted a letter setting forth a proposed reduction in the square footage of Phase I by 100,000 square feet of Office/R & D, which 100,000 square feet was proposed to be added to the Office/R & D square footage designated for Phase II; and,

WHEREAS, the Board of County Commissioners has received and considered the report and recommendations of the Tampa Bay Regional Planning Council ("TBRPC"); and,

WHEREAS, Hillsborough County has solicited, received, and considered reports, comments and recommendations from interested citizens, County and City agencies, as well as the review and report of Hillsborough County Administration.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. Sabal Corporation, hereinafter referred to as "Developer," submitted to Hillsborough County, Florida, an application for development approval, sufficiency response, letter dated January 30, 1985, from Housel & Associates, engineers, amending the legal description of the development site, and letter dated July 30, 1985 from Macfarlane, Ferguson, Allison & Kelly, amending the phasing schedule set forth in Table 12-2 of the application for development approval, which documents are attached hereto as Composite Exhibit A and incorporated herein by reference. Hereinafter, the word "Application" shall refer to the application for development approval, the sufficiency response, and the amending letters.

B. The real property that is the subject of the Application is legally described as set forth in Composite Exhibit A, attached hereto and make a part hereof by reference.

C. The proposed development is not in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes.

D. The square footage of Phase I of the development, as set forth in Table 12-2 of the Application, has been reduced by 100,000 square feet of Office/R & D, which 100,000 square feet shall be added to the Office/R & D square footage permitted under Phase II. The permitted square footage under Phase III shall remain unchanged. Hereafter, all references to Phases I, II, and III shall refer to those phases as set forth in the amending letter from Macfarlane, Ferguson, Allison & Kelly.

E. All development will occur in accordance with this Development Order and Application.

F. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council.

II. CONCLUSIONS OF LAW

A. Based upon the compliance with the terms and conditions of this Development Order, provisions of the Application as set forth in Composite Exhibit A, the reports, recommendations and testimony heard and considered by the Board of County Commissioners, it is concluded that:

1. The development will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

2. The development is consistent with local land development regulations and the adopted local comprehensive plan.

3. The development is consistent with the report and recommendations of the Tampa Bay Regional Planning Council.

B. In considering whether the development should be approved subject to conditions, restrictions and limitations, Hillsborough County has considered the criteria stated in subsection 380.06 (13), Florida Statutes (1983).

C. The review by Hillsborough County, the Hillsborough County City-County Planning Commission, the Tampa Bay Regional Planning Council, and other participating agencies and interested

citizens indicates that impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order and the Application.

D. The Application is approved subject to all terms and conditions of this Development Order.

III. GENERAL PROVISIONS

A. The legal description set forth in Composite Exhibit A is hereby incorporated into and by reference made part of this Development Order.

B. All provisions contained within the Application, marked Composite Exhibit A, shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.

C. This Resolution shall constitute the Development Order of Hillsborough County in response to the application for development approval for the Sabal Center Development of Regional Impact.

D. The definitions contained in Chapter 380, Florida Statutes (1983), shall govern and apply to this Development Order.

E. This Development Order shall be binding upon the Developer, its assigns, or successors in interest including any entity that may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality that may be created or designated as successor in interest to, or that otherwise possesses any of the powers and duties of, any branch of government or governmental agency.

F. This Development Order shall remain in effect for a period of fifteen (15) years from its effective date. Any development activity for which plans have been submitted to the County for its review and approval prior to the expiration date of this

Development Order may be completed, if approved. This Development Order may be extended by the Board of County Commissioners of Hillsborough County on the finding of excusable delay in any proposed development activity.

G. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected government agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review development of regional impact applications as well as all governmental agencies and departments set forth under applicable laws and rules governing developments of regional impact.

H. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of privately owned facilities at Sabal Center, the Developer may transfer any or all of its responsibilities to improve and maintain those facilities to an appropriate private entity created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order, which approval shall not be unreasonably withheld.

I. Development activity constituting a substantial deviation from the terms or conditions of this Development Order, or other changes to the approved development plans that create a reasonable likelihood of additional adverse regional impact, or any other regional impact not previously reviewed by the Regional Planning Council shall result in further development of regional impact review pursuant to 380.06, Florida Statutes (1983), and may result in Hillsborough County ordering a termination of development activity pending such review.

J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County

Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The County Administrator shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. The County Administrator shall issue a notice of such noncompliance to the Developer, and, if the deviation is not corrected with a reasonable amount of time, shall recommend that the Board of County Commissioners establish a hearing to consider such deviations.

K. The Developer shall file an annual report in accordance with Section 380.06(16), Florida Statutes (1983), and appropriate rules and regulations. The report shall be submitted on Form BLWM-07-85. Such report shall be due on the anniversary of the effective date of this Development Order for each following year until, and including such time as, all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the County Administrator who shall, after appropriate review, submit it for review by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed. Provided, however, that the receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of the Development Order. This report shall contain:

1. Changes in the plan of development, or representations contained in the Application, or phasing for the reporting year and for the next year;

2. A summary comparison of development activity proposed and actually conducted for the reporting year;

3. Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or developer;

4. Identification and intended use of lands purchased, leased or optioned by the Developer adjacent to the original DRI site since the development order was issued;

5. An assessment of the Developer's and local government's compliance with conditions of approval contained in the DRI development order and the commitments which are contained in the Application;

6. Any known incremental DRI applications for development approval or requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;

7. An indication of a change, if any, in local government jurisdiction for any portion of the development since the development order was issued;

8. A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

9. A statement that all persons have been sent copies of the annual report in conformance with Subsections 380.06(14) and (16), Florida Statutes (1983);

10. A copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the developer pursuant to Subsection 380.06(14)(d), Florida Statutes (1983);

11. The information regarding Transportation Systems Management measures required to be submitted pursuant to Section IV,B.2., below;

12. The field surveys required to be submitted pursuant to Section IV,B.3., below, which field surveys are only required to be submitted biannually after the issuance of Certificates of Occupancy for the first 900,000 square feet of office space, or the equivalent thereof; and

13. A copy of the stormwater system operation and maintenance schedule and annual updates required to be submitted pursuant to Section IV,H.1.(e), below.

L. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation, or ordinance of Hillsborough County, its agencies or commissions, and to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable rules, regulations and ordinances in effect at the time of the review.

M. This Development Order shall become effective upon adoption by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes (1983).

N. Upon adoption, the Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the Developer.

O. Revisions to this Development Order not addressed herein shall be subject to review by TBRPC including the payment of the incremental review fee.

IV. CONDITIONS

A. Phasing Schedule

The development of the project in accordance with the proposed phasing schedule contained in the Application, as amended by Section I,D. of this Order, is an integral part of the Development Order conditions. Therefore, if the Developer elects to amend the proposed phasing schedule, it shall submit said amendments to the County for review and approval, which approval shall not be withheld for mere acceleration of phases if the terms of this Order are otherwise fully complied with. It is the intent of this provision to insure that all prerequisites for each phase of the project are complied with. For purposes of this Order, a phase shall be considered complete upon issuance of the final certificate of occupancy for the phase. Any significant departure in project buildout from the phasing schedule set

forth in the Application shall be subject to a substantial deviation determination pursuant to Chapter 380.06(17), Florida Statutes (1983).

B. Transportation Conditions.

1. Area Studies. A comprehensive transportation study of the Central Hillsborough/Interstate 4/Interstate 75 area in Hillsborough County analyzing transportation facilities will be prepared by the Hillsborough County City-County Planning Commission or any other appropriate entity designated by the Board of County Commissioners, in cooperation with the Tampa Bay Regional Planning Council, Florida Department of Transportation, Hillsborough County, Hillsborough County Metropolitan Planning Organization, Hillsborough County Environmental Protection Commission, Hillsborough Area Regional Transit Authority and other appropriate State agencies and developers in the area. The study will propose a transportation improvements plan and schedule for the area, involve citizens, interest groups and government agencies, and develop an implementation program to make the study workable. The issuance of a development order approving an area-wide development of regional impact shall satisfy the requirement of this study. The transportation section of the study or area-wide DRI traffic analysis shall include but not be limited to:

- (a) The regionally significant roadways that shall be included in the focus of the transportation plan, as well as identification of additional roadways to be constructed within the study area.
- (b) The existing, approved, and projected development to be included within the plan.
- (c) The manner by which the traffic impact of existing development will be documented and assessed.
- (d) The manner by which the traffic impact of approved and projected development will be documented and assessed.
- (e) The procedures by which mass transit will be studied as a viable alternative to alleviate overburdening of the roadways.
- (f) Identification of specific construction implementation goals, such as right-of-way acquisition and implementation of additional corridors designed to coincide with transportation improvement needs generated by each phase of completion for projects approved within the study area.

- (g) A program for funding the improvements identified.

Hillsborough County and/or the Hillsborough County City-County Planning Commission has committed to perform the above-referenced transportation improvements study which is scheduled to be completed on or before January 1, 1986.

2. Transportation Systems Management. The Developer shall assess the suitability of Transportation Systems Management ("TSM") measures that may be instituted and implemented for each project phase. Each TSM measure shall be assessed to determine the potential for diverting a substantial percentage of total peak hour trips away from the peak traffic hours. The plan shall be submitted to the reviewing agencies within one year of the effective date of this Development Order and shall address the following at minimum:

- (a) Worker flex time.
- (b) Worker ridesharing strategies.
- (c) Provision of transit and service facilities and programs to increase transit ridership.

The Developer may request amendments to this Development Order to incorporate findings of the assessment as conditions of approval in lieu of structural transportation improvements identified in this Development Order. The Developer's annual reports shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure.

If an annual report is not submitted, or if the report indicates that the total projected trip diversions are not being met, Hillsborough County shall conduct a substantial deviation determination pursuant to 380.06(17), F.S. and, if necessary, amend this Development Order to change TSM objectives and/or require roadway improvements that were deleted from this Development Order in contemplation of the TSM measures' being successful. The results of the TSM study may serve as a basis for the

Developer or reviewing agencies to request Development Order amendments.

3. Methodology. Existing traffic volumes on roadways in the impact area were determined by counting traffic on those roadways. Growth factors were then applied to determine the "existing background" traffic for each phase of the development. In addition to existing background traffic, allowances were made for traffic projected to be generated by approved developments which have not been built ("proposed background" traffic). The sum of existing background traffic and the proposed background traffic was used as the basis against which traffic generated by each phase of the project were evaluated. The results of such evaluation are set forth in Exhibit B, attached hereto and made a part hereof.

The conditions precedent to consideration of a roadway segment as an element of the total impact of the project are:

- (a) The development's traffic on the roadway segment must equal or exceed 5% of the daily level of service (LOS-C, or peak hour LOS-D) capacity of the existing roadway; and
- (b) Development traffic, plus the total background traffic on the roadway segment, must result in a reduction of the level of service on the existing road segment to worse than LOS-C on a daily basis or worse than LOS-D at peak hours.

The commitments by the Developer or other responsible entities for those transportation system improvements necessary to accommodate each phase of the development are identified below.

4. The Developer, at its option, shall select one of the following alternatives to mitigate the project's transportation impacts:

Alternative I:

Developer may elect to delay development until funding commitments are secured from responsible entities for the following roadway improvements:

Phase I (1990)

(a) Construct a four lane section of Faulkenburg Road from Broadway to SR 574. These through lanes should have their

(h) At the intersection of Hillsborough Avenue and Mango Road, construct intersection improvements providing for a southbound through lane and exclusive left turn lane. Sabal Center will contribute 14.8 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(i) At the intersection of Broadway and Orient Avenue, construct intersection improvements providing for an eastbound through lane and exclusive left turn lane, a westbound through lane and exclusive left turn lane, a southbound through lane, and a northbound through lane. Sabal Center will contribute 13.0 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(j) At the intersection of SR 60 and Kingsway Road, construct intersection improvements providing for an eastbound and westbound through lane and separate right turn lane, and a northbound through lane and separate right turn lane. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(k) At the intersection of Broadway and Faulkenburg Road construct intersection improvements providing for exclusive right and left turn lanes on all approaches. Sabal Center will contribute 25.9 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

Phase II

(a) Construct one additional lane in each direction on SR 60 from US 301 to I-75. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.4 percent of the existing daily Level of Service C capacity at the end of Phase II.

(b) Construct one additional lane in each direction on SR 60 from Orient Road to 50th Street. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.4 percent of the existing daily Level of Service C capacity at the end of Phase II.

(c) At the intersection of SR 60 and 50th Street, construct intersection improvements providing for a northbound

through lane and exclusive left turn lane, a southbound through lane and exclusive left turn lane, and an additional through lane both eastbound and westbound. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(d) At the intersection of Hillsborough Avenue and Mango Road, construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 18.8 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(e) At the intersection of Broadway and Faulkenburg Road, construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 12.9 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(f) Construct a four lane section on Buffalo Avenue from CR 574 to Valrico Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute the following percentage of the existing daily Level of Service C capacity from Mango Road to Parsons Avenue - 5.3 percent.

(g) Construct a six lane section on I-4 from I-75 to US 301. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 7.8 percent of the existing daily Level of Service C capacity at the end of Phase II.

(h) Construct a six lane section on I-4 from SR 574 to 50th Street. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 6.5 percent of the existing daily Level of Service C capacity at the end of Phase II.

(i) At the intersection of Buffalo Avenue and Parson Avenue-Brandon Road, construct intersection improvements providing for one through lane eastbound and one through lane westbound. Sabal Center will contribute 5.3 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

Phase III

(a) Construct one lane in each direction on SR 60 from Kingsway Road to I-75. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.7 percent of the existing daily Level of Service C capacity at the end of Phase III.

(b) Construct one lane in each direction on Broadway from 50th Street to Orient Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 6.7 percent of the existing daily Level of Service C capacity at the end of Phase III.

(c) At the intersection of Buffalo Avenue and 50th Street, construct intersection improvements providing for both an eastbound and westbound exclusive right turn lane. Sabal Center will contribute 5.8 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

(d) At the intersection of Broadway and 50th Street construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 5.8 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

(e) At the intersection of SR 60 and Parsons Avenue, construct intersection improvements providing for an additional through lane eastbound and westbound. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

Alternative II:

In lieu of Alternative I, the Developer may elect to proceed with development in accordance with the provisions of the Hillsborough County Road Network Improvement Program Ordinance, Hillsborough County Ordinance #85-24E (1985) (the "Ordinance"). The Ordinance provides that a developer pay a transportation impact assessment based upon the travel characteristics of the development. The assessment provides a mechanism by which development is assessed a pro-rata share of its economic impact on the Hillsborough County road network. As set forth in Section XIV.C.

of the Ordinance, the assessment is based upon a formula designed to calculate costs inherent in the construction of at grade facilities for arterial and collector roads. The formula does not make provision for the construction of limited access facilities (i.e., interstates) or for the acquisition of necessary road rights-of-way. For this reason, the assessment under this Alternative II shall address:

(i) the development's transportation impact assessment under the Ordinance;

(ii) the development's impacts on limited access facilities; and

(iii) right-of-way requirements as a result of traffic impacts of the development.

5. If the Developer elects to proceed under Alternative II to discharge its responsibility to mitigate its proportionate share of the negative transportation impacts of the development, the development's assessment is as follows:

(a) IMPACT FEE ORDINANCE. The Developer shall pay the required transportation impact assessment under the Ordinance, which amount shall be derived from the following table:

<u>Land Use</u>	<u>Size</u>	<u>Impact Cost</u>	<u>Unit Impact Cost Per 1,000 Sq. Ft. or Bed</u>
Office/R & D	2,400,000 sq. ft.	\$927,712.05	\$386.55/1,000
Light Industrial	1,000,000 sq. ft.	\$230,130.12	\$230.13/1,000
Support Commercial	150,000 sq. ft.	\$ 54,655.90	\$364.37/1,000
Hotel	2,000 beds	\$225,815.18	\$112.91/bed

As provided in Section XIV.C. of the Ordinance, in calculating the assessment for limited access facility improvements the application of the formula contained in the Ordinance shall be adjusted so as to ensure that impacts on the Hillsborough County Road Network are not counted twice. The above impact costs reflect this adjustment.

(b) INTERSTATE. The Developer shall pay its required fair share amount for necessary limited access facility improvements identified in Exhibit B. The development's assessment, derived pursuant to the methodology described in Section IV.B.3., above, is One Million Five Hundred Forty-Four Thousand Eight

Hundred Sixty-Five Dollars (\$1,544,865), which amount set forth by land use is as follows:

<u>Land Use</u>	<u>Size</u>	<u>Unit Impact Cost</u>
Office/R & D	2,400,000 sq. ft.	\$415.18/1,000 sq. ft.
Light Industrial	1,000,000 sq. ft.	\$247.18/1,000 sq. ft.
Support Commercial	150,000 sq. ft.	\$391.37/1,000 sq. ft.
Hotel	2,000 beds	\$121.27/bed

(c) RIGHT-OF-WAY. The Developer shall provide its fair share of necessary right-of-way in the amount of Four Hundred Sixty-Four Thousand Six Hundred Seventy-Six Dollars (\$464,676), which amount is calculated based upon the methodology set forth in Section IV.B.3., above, and is set forth by land use as follows:

<u>Land Use</u>	<u>Size</u>	<u>Unit Impact Cost</u>
Office/R & D	2,400,000 sq. ft.	\$124.88/1,000 sq. ft.
Light Industrial	1,000,000 sq. ft.	\$ 74.35/1,000 sq. ft.
Support Commercial	150,000 sq. ft.	\$117.72/1,000 sq. ft.
Hotel	2,000 beds	\$ 36.48/bed

(d) Based on the foregoing, the development's total assessment under this Alternative II shall be Three Million Four Hundred Forty-Seven Thousand Eight Hundred Fifty-Four Dollars and Twenty-Five Cents (\$3,447,854.25), which amount is subject to adjustment as provided in Section IV.B.15 (the "Total Developer Fair Share Amount").

6. Method and Timing of Payment. The Total Developer Fair Share Amount shall be allocated to the development based upon the following table, which reflects the combined amounts set forth in paragraphs (a), (b), and (c), above.

<u>Land Use</u>	<u>Size</u>	<u>Unit Impact Cost</u>
Office/R & D	2,400,000 sq. ft.	\$926.61/1,000 sq. ft.
Light Industrial	1,000,000 sq. ft.	\$551.66/1,000 sq. ft.
Support Commercial	150,000 sq. ft.	\$873.46/1,000 sq. ft.
Hotel	2,000 beds	\$270.66/bed

In accordance with Section XV of the Ordinance, payment of that portion of the Total Developer Fair Share Amount attributable to a particular land use pursuant to the foregoing table shall be due upon issuance of certificates of occupancy for such land use, except as is provided for in paragraphs 10. and 12., below. In prorating payment of the Total Developer Fair Share

that roadway facility. Thus, the Road Network Improvement Program Ordinance is a positive commitment by Hillsborough County to fund and construct transportation improvements needed to maintain an acceptable level of service on facilities within Hillsborough County.

8. To assure that the transportation impacts of this development have been accurately projected by the traffic analysis field surveys in the Application, a report of findings shall be conducted every two years after the issuance of certificates of occupancy for the first 900,000 square feet of office space or the equivalent thereof. The results of these surveys shall be included in the required annual report.

9. The value as set forth in paragraph 10, below, of any rights-of-way acreage dedicated by the Developer pursuant to said paragraph 10, as well as any amounts paid by the Developer for the widening of Faulkenburg Road, pursuant to paragraph 12, below, shall be credited against the Total Developer Fair Share Amount.

10. Within sixty (60) days after the effective date of this Order, the Developer shall dedicate to Hillsborough County land from within the development's boundaries for road rights-of-way as follows:

- (a) Faulkenburg Road - fifty (50) feet along the development's westerly boundary from Bryan Road to County Road 574;
- (b) County Road 574 - seventy-eight (78) feet along the development's southerly boundary from Faulkenburg Road to I-75;
- (c) Bryan Road - eleven (11) feet along the development's northerly boundary from Faulkenburg Road to the development's easterly boundary line.

The credit to the Developer for the subject additional dedicated road rights-of-way shall be calculated at one hundred forty-four thousand dollars (\$144,000.00) per acre, which shall be applied against the Total Developer Fair Share Amount payable as certificates of occupancy are issued. The amount of such credit shall be applied to the amount payable under each certificate of occupancy pursuant to the table set forth in Section IV.B.6., above, until the value of such rights-of-way is exhausted by such credit.

11. In addition to the Total Developer Fair Share Amount, the following site access improvements (to be constructed at the Developer's expense) will be required at buildout of the project, if determined to be necessary by the Hillsborough County Engineering Department at that time:

(a) Prior to the issuance of the first Certificate of Occupancy within Phase I, the main entrance to the development on Buffalo Avenue shall be constructed. Provision shall be made for signalization when warranted, and the Developer shall cooperate with the Florida Department of Transportation during the design phase of the proposed Buffalo Avenue improvement project to insure provisions are made to accommodate development traffic at Level of Service D (peak hour) at buildout.

(b) Three access points are to be located at points on Faulkenburg Road. These access improvements are to be coordinated with the widening of Faulkenburg Road to four lanes.

(i) One access point shall be located north of Buffalo Avenue on Faulkenburg Road. Provision shall be made for signalization when warranted.

(ii) One access point shall be constructed immediately south of Buffalo Avenue on Faulkenburg Road. Provision shall be made for signalization when warranted.

(iii) The southernmost access point on Faulkenburg Road shall be located approximately one thousand two hundred feet (1,200 ft.) south of the access point that is immediately south of Buffalo Avenue.

(c) One access point shall be on Broadway Avenue (CR 574). Provision for signalization shall be made when warranted.

(d) If the Developer elects to make the above access improvements in stages, then a plan for each improvement shall be submitted and approved by the Hillsborough County Engineering Department prior to the issuance of the first building permit for any portion of the development site being developed. The plan shall address those access points necessary to serve the portion of the site being developed. With the plan, a transportation

analysis shall be provided that calculates the Level of Service of the intersection after the proposed improvements are made taking into account existing background traffic and projected project traffic. The proposed improvement shall be projected to operate at Level of Service C Daily/Level of Service D peak hour, upon completion and full occupancy of the portion of the site being developed. The proposed improvement shall be constructed prior to issuance of the first certificate of occupancy for the portion of the site being developed.

12. In lieu of a portion of the Total Developer Fair Share Amount, the Developer may elect to design and construct two additional lanes on Faulkenburg Road from the development's northern boundary to Broadway Avenue. The design shall be subject to approval by the governmental entities having jurisdiction over this project. The Developer's contribution for the design and construction of the two additional lanes shall be credited against the Total Developer Fair Share Amount payable as certificates of occupancy are issued. The amount of such credit shall be applied to the amount payable under each certificate of occupancy pursuant to the table set forth in Section IV.B.6., above, until the amount expended by the Developer for the design and construction of the two additional lanes is exhausted by such credit. In no event shall the Developer be required to pay more than the Total Developer Fair Share Amount. The widening will be phased throughout Phase I as follows:

The construction of two additional lanes on Faulkenburg Road extending from Buffalo Avenue to the first project entrance south of Buffalo Avenue (the "First Entrance"), including the intersection of Buffalo Avenue and Faulkenburg Road and its approaches, shall commence at the time the Developer requests its first driveway permit for a driveway located at the First Entrance. Construction of the two additional lanes from the First Entrance to the second project entrance approximately one thousand two hundred feet (1,200 ft.) south of the First Entrance (the "Second

Entrance") shall commence at the time the Developer requests a second driveway permit for the driveway located at the Second Entrance. The remaining portions of Faulkenburg Road from the Second Entrance to Broadway Avenue shall be widened prior to commencement of Phase II of the development.

13. The value as set forth in paragraph 10, above, of any rights-of-way acreage dedicated by the Developer pursuant to said paragraph 10, as well as any amounts paid by the Developer for the widening of Faulkenburg Road, pursuant to paragraph 12, above, or for improvements identified in the updated analysis described in Paragraph 14, below, shall be credited against the Total Developer Fair Share Amount.

14. Prior to commencement of Phases II and III, the Developer shall submit a revised and updated traffic analysis pursuant to Chapter 380.60, Florida Statutes. Both the traffic counts and projections of traffic volume shall be prepared consistent with generally accepted traffic engineering practices and the Application. The analysis shall serve to verify the findings of the Application traffic analysis or shall indicate alternate transportation improvements/measures which, if implemented, would maintain the regional roadways at a satisfactory Level of Service, (Level of Service C daily, D peak hour). Funding commitments for the identified needed improvements/measures for the phase for which the review is being conducted shall be obtained prior to commencement of Phases II and III. The analysis results shall be the only criteria used to determine whether Phases II and III may be commenced, provided all other conditions of this Order are met. The Developer may elect to fund all or a portion of the improvements identified in the updated analyses, in which event the amounts expended by the Developer shall be credited against the Total Developer Fair Share Amount. In no event shall the Developer be required to expend or pay to Hillsborough County an amount in excess of the Total Developer Fair Share Amount.

15. Notwithstanding the amounts set forth in Section IV.B.5.(a), above, and any provisions of this Development Order

(b) Indicates the location of the specially-designated hazardous waste and materials containers; and

(c) Advises of applicable statutes and regulations regarding hazardous wastes and materials.

3. The Developer shall ensure that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

(a) No hazardous materials or wastes shall be allowed to enter the wastewater system.

(b) The Developer shall ensure that any hazardous waste will be pretreated on-site if necessary, and removed in a manner consistent with applicable regulations, including the waste exchange program, recycling, or disposal by a certified entity.

4. Underground storage of hazardous, toxic, or flammable materials, liquids, or chemicals shall not be permitted, except that combustible and flammable liquids and liquified gas, as defined in NEPA 30, 54 and 58 to include gasoline, kerosene, petroleum, distillates, diesel fuel and liquified gas, may be stored only in underground tanks which shall be designed, installed, constructed and located to prevent seepage of contained products into surrounding sub-surface areas and which shall comply with NEPA codes, FDER Chapter 17-6 and all prevailing statutory and regulatory requirements and standards. In addition, the Developer shall require installation and maintenance of leak detectors for such underground tanks, if any, in accordance with County standards and criteria.

D. Energy

The energy conservation measures described in the Application shall be instituted by the Developer. In the event that an electrical sub-station is required by Tampa Electric Company, then the Developer shall donate such site to Tampa Electric Company from within the project boundaries at a location to be mutually agreed upon by the Developer and Tampa Electric Company.

E. Archaeological Resources

The discovery of any historical or archaeological resources shall be reported to the Florida Division of Archives,

History and Records Management and the disposition of such resources shall be determined in cooperation with the Division of Archives and Hillsborough County.

F. Air Quality

The measures to reduce erosion, fugitive dust and air emissions described in the Application shall be instituted by the Developer.

G. Hurricane Evacuation

The Developer shall promote awareness of, and shall cooperate with, local and regional authorities having jurisdiction to issue a hurricane evacuation order. The Developer shall prepare a plan to ensure the safe and orderly evacuation of hotel guests and those employees who, for security or administrative reasons, are in the building after an evacuation order is issued by (1) ordering all buildings closed for the duration of a hurricane evacuation order; (2) making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans. This plan shall be included in the first annual report submitted after occupancy of any portion or phase of the Development. The Developer shall cooperate with local emergency management officials regarding the use of buildings on the project site as public shelters.

H. Drainage

1. The drainage plan and the stormwater system design shall be consistent with TBRPC's Stormwater and Lake Systems Maintenance and Design Guidelines (1978) with regard to biological productivity and natural assimilative capacity. The design guidelines of this system shall include the following:

- (a) 35 to 50 percent of the surface area of the detention pond at the normal water level (NWL) should consist of a shallow vegetated littoral shelf.
- (b) The littoral shelf can be incorporated into the pond bank, preferably near the pond outlet, to provide final polishing treatment for the stormwater. As an alternative, the littoral shelf can be established on a shallow submerged island in the middle of the pond.

- control and monitoring of on-site water quality;
- maintenance of natural hydroperiod; and
- methods for wetland/lake restoration and enhancement.

The intent of the wetland/lake management plan would be to direct the development and succession of all on-site wetlands and lakes into biologically viable and diverse habitat.

3. Soil Survey data indicate that a hardwood swamp, underlain with freshwater swamp (FE₂) soil, exists in the southern tract along the eastern border of the development adjacent to I-75. On-site inspection reveals this area to be a viable wetland and under Environmental Protection Commission jurisdiction. A ditch across the southern tract in a northwest direction with water from the site eventually draining to the Tampa By-Pass Canal has revegetated and is under Environmental Protection Commission jurisdiction. In addition, because the ditch is connected to the By-Pass Canal, it is within State jurisdiction. Activities proposed in the ditch or ditch relocation will require a Florida Department of Environmental Regulation dredge and fill permit. The small hardwood swamp in the northwest corner of the southern tract has been somewhat altered due to intense grazing. However, it supports a viable wetland habitat dominated by bay trees (Persea borbonia), Carolina willow (Salix caroliniana), and primrose willow (Ludwigia peruviana). Any activity interfering with the integrity of these jurisdictional areas, such as clearing, excavating, draining or filling, will be a violation of Section 17 of the Hillsborough County Environmental Protection Act, Chapter 84-446. Eventually, an on-site delineation will be required with Environmental Protection Commission staff approval. Also, a 30-foot buffer zone landward of these jurisdictional lines must be maintained with no permanent structures therein. Soil Survey data also indicate the presence of two small grassponds in the northern tract. On-site inspection reveals that one has been previously excavated and the other is dry and is no longer viable. Both of these areas are, therefore, not under Environmental Protection Commission jurisdiction.

4. The above referenced condition includes a jurisdictional claim for the small hardwood swamp in the northwest corner of the southern tract. However, this area historically supported a base swamp that has been altered in recent years due to the pressures of intense grazing. Therefore, said hardwood swamp may be mitigated for on a 1:1 basis in an area immediately adjacent to the existing drainage ditch which will be widened according to State of Florida Department of Environmental Regulation specifications. This mitigation plan must be submitted to H.C.E.P.C. for approval prior to any development in this area.

5. To maintain good water quality, the project must be designed to properly treat stormwater runoff, complying with the requirements of Florida Administrative Code 17-25: Regulations of Storm Water Discharge.

K. Wildlife

1. To assure the Tampa Bay Regional Planning Council and Hillsborough County that development will not degrade the natural integrity of the Conservation areas, as referenced herein, the final development plan shall designate and map conservation areas in accordance with the Council's adopted growth policy, Future of the Region, (2.702 Conservation). The development shall maintain, at minimum, the 50 foot buffer between the Northern Office Park and Bryan Road, as committed in the Application and a habitat suitable for the woodstork shall be created within the stormwater system in cooperation with the Florida Game and Fresh Water Fish Commission.

In the event that any endangered or threatened species are observed onsite, such species shall be relocated in cooperation with the Florida Game and Fresh Water Fish Commission.

L. Public Facilities

1. Fire Protection, Police, Emergency Medical Services.

(a) Prior to issuance of detailed site plan approvals, the Developer shall provide to the Hillsborough County Department of Development Coordination verification that adequate police, fire service and emergency medical service facilities are

2. Sol. . Waste.

The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said ordinance.

3. Wastewater Treatment.

(a) A wastewater treatment improvements plan and schedule for the Central Hillsborough/I-4/I-75 area shall be prepared in cooperation with the City of Tampa, Hillsborough County, the Department of Environmental Regulation, the Tampa Bay Regional Planning Council and developers in the study area. Completion and adoption of the plan shall be required prior to any development after Phase I, except that, if it can be demonstrated that sufficient transmission and treatment capacity is available, construction of those phases can commence prior to the completion of the plan. The plan shall consider all approved and projected development in the area. Any approval of this Development shall define the parameters for this wastewater treatment plan to include, but not be limited to:

(i) Assessment of the amounts and sources of wastewater expected to be generated within the study area on a yearly basis for a specified time period (5-10 years).

(ii) Identification of existing and future treatment capacity of regional and/or interim plants expected to provide treatment service.

(iii) Identification of 201 Plan amendments/expansion/new facilities which may be needed to accommodate the anticipated flows.

(iv) Identification of cost benefit of new facilities versus the expansion of existing facilities.

(v) Identification of existing 201 boundaries and identification of fiscal impact of proposed boundary changes on regional facilities and 201 plans approved by DER and EPA.

(vi) Identification of funding sources or grants which may be available for needed improvements.

(vii) Identification of discharge points and new or expanded effluent and sludge disposal areas which may be needed, including impacts on receiving waters or groundwater.

(viii) Identification of the disposal sites to be acquired and the manner in which these sites will be funded and acquired.

Hillsborough County has committed to perform a wastewater management plan that is scheduled to be completed within six months of the effective date of this Development Order.

(b) No building permits shall be issued without a commitment from Hillsborough County or other responsible entity to provide wastewater disposal capacity for the building(s) that are the subject of such building permit application. No detailed site plan approval shall be granted without an approved, permitted wastewater collection system. Documentation of approvals from all appropriate local and State agencies shall be provided to the DDC prior to detailed site plan approval. Failure to obtain the required wastewater disposal commitment(s) shall require a substantial deviation determination pursuant to Section 380.06(17), Florida Statutes (1983).

4. Potable Water.

The City will provide potable water service to Sabal Center on the following terms and conditions:

(a) The Developer shall design, construct and install, in accordance with prevailing City design criteria and subject to prior City inspection and approval, all on-site improvements required by the City to connect the development to the City's potable water system. [On-site improvements shall be defined as all potable water facilities, including but not limited to all lines, mains, equipment, improvements, easements, rights-of-way or utilities, located within the development including all water mains, up to and including water meters.]

(b) After City inspection and approval, the Developer shall convey to the City, by instruments acceptable to

the City, said on-site improvements for potable water. In addition, the Developer, at its own expense, shall acquire and convey to the City necessary and reasonable permits, rights-of-way, easements, property interests, or things specified by the City to provide the development with a working potable water system. Upon inspection and acceptance of said facilities, permits, easements, rights-of-way, property, interests or things, the City shall operate and maintain said facilities and improvements as part of the City's utility system and subject to the City's ordinances.

5. Non-potable Water.

(a) The Developer or its assigns shall be responsible for the operation and maintenance of all on-site wells and landscape irrigation systems. The Developer shall be required to utilize either shallow on-site wells, pumping from retention areas, or acceptance of non-potable water for open space and landscape irrigation.

(b) The Developer or its assigns shall participate to the maximum extent possible in any County program whereby recovered water is utilized for irrigation and other appropriate recovered water uses, provided, however, that the Developer shall not be required to bear any expense for the conveyance system required to transport such recovered water to the development site. This provision shall not be construed as a waiver of any wastewater capacity fees applicable to the development.

6. Service Adequacy.

In the event any public facility or service is inadequate to serve an entire phase but is adequate to serve one or more buildings within such phase, then detailed site plan approval and/or building permit approval shall not be withheld solely on the basis of such inadequacy if there are no other bases for disapproval and it is verified that such service is available for such building or buildings that are the subject of such detailed site plan or building permit, as the case may be.

M. Open Space

1. The Developer or its assigns shall be responsible for the maintenance of all open space recreational areas and landscaped areas within each phase of the development.

2. The Developer or its assigns shall be responsible for maintenance of the linear park.

N. Internal Roadways and Parking Lots.

1. The Developer or its assigns shall maintain the internal roadway system.

2. The Developer shall implement a street cleaning program for the roadway areas within the development, pursuant to the Area-Wide Water Quality Management Plan for the Tampa Bay Region, (1978).

3. The Developer or its assigns shall undertake parking lot sweeping as a routine maintenance function.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of August 20, 1985 as the same appears of record in Minute Book 111 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 22nd day of August, 1985.

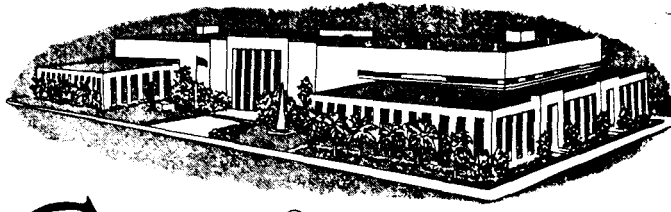
JAMES F. TAYLOR, JR., CLERK

By: Edna D. Fitzpatrick
Deputy Clerk

APPROVED BY COUNTY ATTORNEY

Ernest Dunn

OFFICE OF
JAMES F. TAYLOR, JR.
CLERK OF CIRCUIT COURT
CLERK OF COUNTY COURT
P. O. BOX 1110
TAMPA, FLORIDA 33601
TELEPHONE 223-7811



COUNTY of HILLSBOROUGH

Tampa, Florida 33601



CLERK BOARD OF COUNTY COMMISSIONERS
COUNTY AUDITOR
COUNTY RECORDER
CUSTODIAN OF COUNTY FUNDS
DEPENDENT'S SUPPORT COLLECTION
TAX DEED SALES

CERTIFIED MAIL

IN RESPONSE REFER TO:

November 20, 1985

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida 33702

Attn: Bruce R. Belrose

Re: Resolution No. R85-0220 - Sabal Corporation (Amendment to
Development Order)

Dear Mr. Belrose:

Enclosed please find an executed copy of the above referenced
Resolution which we are providing for your files.

It was approved by the Hillsborough County Board of County
Commissioners on November 13, 1985.

Sincerely,

JAMES F. TAYLOR, JR., CLERK
BOARD OF COUNTY COMMISSIONERS

By: Edna L. Fitzpatrick
Edna L. Fitzpatrick
Deputy Clerk

ELF/lt

cc: Board files (Orig.)
Sabal Corporation
State of Florida Land Planning Agency
Elliott Dunn, Asst. County Attorney
Mark Gentry, Sr. Planner, Dept. of Development Coordination

Enclosure

An Affirmative Action - Equal Opportunity Employer

PART II

**TRAFFIC IMPACT ANALYSIS
OF PHASING MODIFICATION**

**SABAL CENTER
HILLSBOROUGH COUNTY, FLORIDA**

Prepared by:

**Vanasse/Hangen Associates, Inc.
2611 Technology Drive, Suite 201
Orlando, FL 32804
305/291-1002**

**REQUEST FOR AND ANALYSIS
OF PHASING MODIFICATION**

On August 20, 1985 the Board of County Commissioners of Hillsborough County issued a development order for Sabal Center, a mixed-use Development of Regional Impact ("DRI") containing office, research and development, hotel, retail, and light industrial uses located in central Hillsborough County and known as Sabal Center (the "Development"). Sabal Corporation, the developer of Sabal Center, is proposing to transfer forty-five (45) rooms from Phase II to Phase I of the Development. The transfer would increase the number of hotel rooms in Phase I from two hundred twenty (220) to two hundred sixty-five (265) and reduce the number of hotel rooms in Phase II from four hundred (400) to three hundred fifty-five (355). The total number of hotel rooms within the Development would remain unchanged. There have been no modifications to the Development Order subsequent to its approval.

The proposed transfer would not increase the impacts of the Development. The following analysis first examines the impact of the proposed transfer on the various areas analyzed in the DRI and C-U rezoning reviews, and follows with a discussion of the substantial deviation provisions of Section 380.06, Florida Statutes (1985) and the C-U conceptual modification provisions of the Hillsborough County Zoning Regulations.

Drainage

The proposed transfer does not change the location of the

hotel, as shown in the approved General Site Development Plan, or alter the impervious and open space areas of the Development. No increase in size of this hotel building footprint is proposed. The transfer would, therefore, have no impact on drainage within the Development.

Wildlife/Conservation Areas

No change in the location or size of this hotel building footprint is proposed. The proposed transfer, therefore, would have no effect on any areas set aside for the protection of threatened and endangered species habitat, wetlands, or other conservation areas within the Development.

Public Facilities

a. Fire Protection, Police, Emergency Medical Services -

Since there will be no change in the number of hotel rooms at buildout of the Development, the police, fire and emergency medical services will be unaffected by the transfer. The Development Order safeguards the adequacy of these services, in that pursuant to Section IV, M., 1., prior to issuance of detailed site plan approvals, the Developer must provide Hillsborough County verification that adequate police, fire service, and emergency medical service facilities are available to serve the hotel.

b. Solid Waste -

The proposed transfer would increase the solid waste generated by Phase I by less than 1%, with a concomitant reduction in Phase II generation. The proposed transfer would not cause a net increase in the solid waste generated by the Development. Hillsborough County has committed to

Section 380.06() (b), the transfer of for -five (45) hotel rooms from Phase II to Phase I is presumed not to create a substantial deviation subject to further development-of-regional-impact review. The analyses contained herein also show that no regional impacts will result from the proposed change.

C-U Rezoning Resolution

The proposed transfer would not alter the anticipated location of the hotel within POD-4 of the Development, and would not affect setbacks, maximum floor area ratios, water, wastewater, drainage and stormwater treatment systems, parking, landscaping and permitted uses within the Development, nor will building height exceed that which has been approved. Since the proposed transfer would not increase the total number of hotel rooms within the Development nor trigger any other Conceptual Modification criteria set forth in Section 22 of the Hillsborough County Zoning Regulations, the proposal does not constitute a Conceptual Modification of the Development.

Conclusion

As shown in the foregoing analysis, the proposed transfer of forty-five hotel rooms from Phase II to Phase I would not increase the impacts of the Development. In addition, the approved Development Order and C-U zoning Resolution provide safeguards to insure that the proposed transfer would not adversely affect any aspect of the Development.

INTRODUCTION

Sabal Center development, a Development of Regional Impact, located at the junction of Buffalo Avenue and Interstate 75 in Hillsborough County, Florida, is a mixed-use project which was approved by the Board of County Commissioners of Hillsborough County on August 20, 1985.

The initial traffic analysis for the Application for Development Approval (ADA) and Sufficiency Response was based on a certain mix of land uses to be developed within three phases.

Since approval, it has become necessary to adjust the land use totals to reflect an additional 45 hotel rooms to be included during Phase I to accommodate expeditious construction of the hotel development plan for Phase I.

Therefore, we have prepared this analysis in accordance with approved ADA methodology and modification of assumptions as approved in the Sufficiency Response, to identify and discuss any potential impacts that the revised phasing of 45 hotel rooms would have above and beyond those identified in the final Development Order.

LAND USE

Table 1 identifies the type of development anticipated within Sabal Center, by phase, for the two conditions previously discussed; that is: (1) as approved; and (2) as presently requested.

It is noted that the shift of land use within the phases is a very minor part of the overall project with only 27,000 square footage required to accommodate an additional 45 hotel rooms. That figure constitutes only 1.2% of the total Phase I development, with no net differences at buildout.

TRIP GENERATION

The amount of travel that will be created by Sabal Center is presented in Table 2 for a 24-hour period and in Table 3 for the afternoon peak hour. These tables are developed to reflect the changes in the magnitude of trip making due to the phasing modification. The additional 45 hotel rooms in Phase I will cause an additional 472 trips in the 24-hour period and 30 trips during the peak hour.

EXTERNAL TRAVEL

In a mixed-use project such as Sabal Center, all trips attributed to a single land use function within the development do not necessarily cross the external boundaries. Some portion of the travel is satisfied by linkages with other land uses within the development site. In the case of a hotel, it can be anticipated that a portion of these trips would be satisfied from the general office development and commercial development adjacent to the land use in question. For this analysis, it is assumed that the additional traffic due to hotel expansion would exhibit the same characteristics as assumed for the original hotel traffic set forth in the ADA.

Table 4 reflects the internal/external trip summary for all three development conditions. It can be noted that the additional hotel rooms in Phase I will produce an additional 330 external trips in a 24-hour period and 24 external trips in the evening peak hour.

TRIP DISTRIBUTION

The hotel trips have been allocated to the external roadway system based on the approved ADA methodology. Figures 1 and 2 reflect the assignment of these trips to the roadway network for a 24-hour period and PM peak hour, respectively.

IMPACT ANALYSIS

Based on a review of Figures 1 and 2, the volumes of traffic due to the additional trips on the external network were determined to most likely impact main entrance and Buffalo Avenue. Since Buffalo Avenue, the project entrance, and Buffalo Avenue/Faulkenburg Road intersection are all scheduled for improvements, accommodations can be made for the small increase in Phase I traffic.

The volumes of traffic on the remainder of the network are insignificant. However, one additional off-site link should be examined. Phase I, as approved, was reduced in size so that the level of service on this link would be acceptable throughout Phase I. Interstate 4 from US 301 to Interstate 75 was identified as the most critical link in determining original Phase I sizing. At the completion of Phase I, this link will be approaching the upper limits of Level of Service "D". However, as shown in Figure 2, only 3 additional trips will be added to this

link during the peak hour, representing 0.1 percent of the roadway capacity. This level of change will make no significant difference on the Level of Service for this roadway.

CONCLUSION

The advancing of 45 hotel rooms to Phase I from Phase II adds only a small amount of traffic to the external roadway network and does not change the extent of the already identified needed improvements nor does it cause any change in the Levels of Service of roadways in the impact area during Phase I. Phases II and III of the project remain unaffected since the magnitude of development anticipated during those phases will not change.

TABLE 1

	As Approved	As Presently Requested
-----Cumulative Totals-----		
PHASE I LAND USE:		
Office		
General (KSF)	630	630
R&D Office (KSF)	240	240
Light Industrial (KSF)	1,000	1,000
Support Commercial/Retail (KSF)	150	150
Hotel (KSF)	132	132
	(220)*	(220)*
 PHASE II LAND USE:		
Office		
General (KSF)	1,220	1,220
R&D Office (KSF)	410	410
Light Industrial (KSF)	1,000	1,000
Support Commercial/Retail (KSF)	150	150
Hotel (KSF)	372	372
	(620)*	(620)*
 PHASE III LAND USE:		
Office		
General (KSF)	1,800	1,800
R&D Office (KSF)	600	600
Light Industrial (KSF)	1,000	1,000
Support Commercial/Retail (KSF)	150	150
Hotel (KSF)	600	600
	(1,000)*	(1,000)*

* (Number of Hotel Rooms)


 Phase I Modification

TABLE 2

MODIFIED LAND USES
AVERAGE DAILY TRIP GENERATION SUMMARY
 (Cumulative Totals)

<u>Land Use</u>	<u>Trip Rate</u>	<u>Total End of Phase I</u>		<u>Total End of Phase II</u>		<u>Total End of Phase III</u>	
		<u>Project Size</u>	<u>Total Trips</u>	<u>Project Size</u>	<u>Total Trips</u>	<u>Project Size</u>	<u>Total Trips</u>
Office							
General Office (KSF)	10.90 ⁽¹⁾	630	6,870	1,220	13,300	1,800	19,620
R&D Office (KSF)	5.30 ⁽²⁾	240	1,270	410	2,170	600	3,180
Light Industrial (KSF)	5.46 ⁽³⁾	1,000	5,460	1,000	5,460	1,000	5,460
Support Commercial/ Retail (KSF)	66.70 ⁽⁴⁾	150	10,000	150	10,000	150	10,000
Hotel (KSF)	10.50 ⁽⁵⁾	159 (265)*	2,780	372 (620)*	6,510	600 (1,000)*	10,500
Total		2,179	25,910	3,152	37,440	4,150	48,760
Original Total		2,400	26,380	3,300	37,440	4,150	48,760

* (Number of Hotel Rooms)

- (1) Institute of Transportation Engineers - Land Use Code #713
- (2) Institute of Transportation Engineers - Land Use Code #760
- (3) Institute of Transportation Engineers - Land Use Code #110
- (4) Institute of Transportation Engineers - Land Use Code #822
- (5) Institute of Transportation Engineers - Land Use Code #310

TABLE 3

MODIFIED LAND USES
PM PEAK HOUR TRIP GENERATION SUMMARY
(Cumulative Totals)

<u>Land Use</u>	<u>Trip Rate</u>	<u>Total End of Phase I</u>		<u>Total End of Phase II</u>		<u>Total End of Phase III</u>	
		<u>Project Size</u>	<u>Total Trips</u>	<u>Project Size</u>	<u>Total Trips</u>	<u>Project Size</u>	<u>Total Trips</u>
Office							
General Office (KSF)	2.04 ⁽¹⁾	630	1,290	1,220	2,490	1,800	3,670
R&D Office (KSF)	.90 ⁽²⁾	240	220	410	370	600	540
Light Industrial (KSF)	1.18 ⁽³⁾	1,000	1,180	1,000	1,180	1,000	1,180
Support Commercial/ Retail (KSF)	5.90 ⁽⁴⁾	150	890	150	890	150	890
Hotel (KSF)	.73 ⁽⁵⁾	159 (265)*	190	372 (620)*	450	600 (1,000)*	730
Total		2,179	3,770	3,152	5,380	4,150	7,010
Original Total		2,400	3,940	3,300	5,380	4,150	7,010

* (Number of Hotel Rooms)

- (1) Institute of Transportation Engineers - Land Use Code #713
- (2) Institute of Transportation Engineers - Land Use Code #760
- (3) Institute of Transportation Engineers - Land Use Code #110
- (4) Institute of Transportation Engineers - Land Use Code #822
- (5) Institute of Transportation Engineers - Land Use Code #310

TABLE 4

EXTERNAL-INTERNAL TRIP SUMMARY

AS APPROVED

<u>End of Phase</u>	<u>Daily Trips</u>			<u>Peak Hour Trips</u>		
	<u>External</u>	<u>Internal</u>	<u>Total</u>	<u>External</u>	<u>Internal</u>	<u>Total</u>
	I	23,054	1,301	24,355	3,408	194
II	30,443	3,763	34,206	4,526	555	5,081
III	34,589	6,642	41,231	5,114	982	6,096

EXTERNAL-INTERNAL TRIP SUMMARY

AS PROPOSED

<u>End of Phase</u>	<u>Daily Trips</u>			<u>Peak Hour Trips</u>		
	<u>External</u>	<u>Internal</u>	<u>Total</u>	<u>External</u>	<u>Internal</u>	<u>Total</u>
	I	23,384	1,372	24,756	3,432	197
II	29,395	3,752	33,147	4,335	553	4,888
III	34,589	6,642	41,231	5,114	982	6,096

**SABAL CENTER
HILLSBOROUGH
COUNTY, FLORIDA**

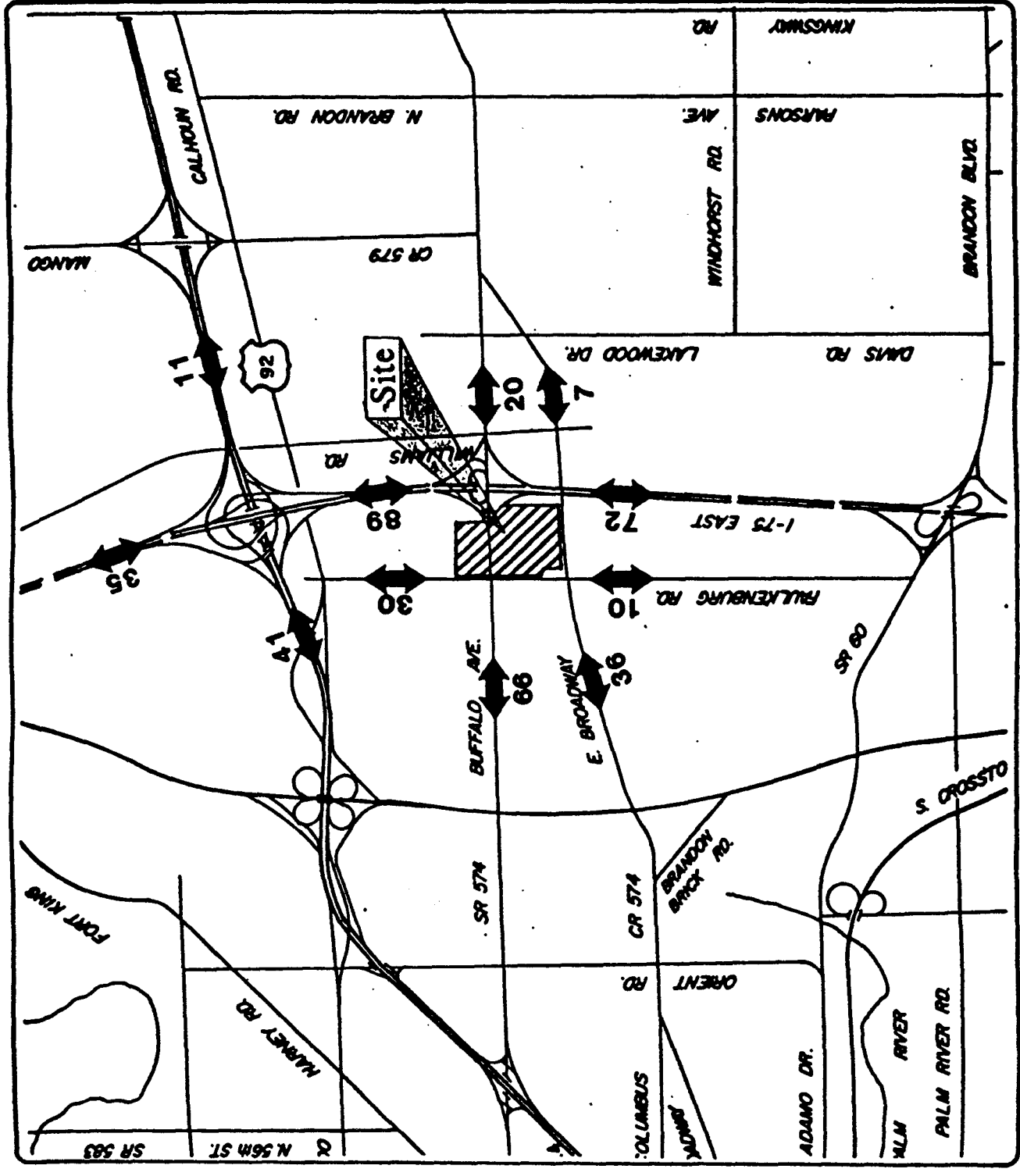
**ADDITIONAL PHASE I
DAILY TRIPS DUE
TO EXPANDED H. FL**

**LEGEND:
XX - ADDITIONAL
DAILY VOLUME**

**VANASSE/HANGEN
ORLANDO, FLORIDA**



FIG. 1



RESOLUTION NO. R85-0220

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF HILLSBOROUGH COUNTY, FLORIDA
DRI
DEVELOPMENT ORDER

(Amendment to Development Order -
Hillsborough County Resolution # R85-0148)

Upon motion of Commissioner, Talley, seconded by Commissioner, Selvey, the following Resolution was adopted this 13th day of November, 1985,

WHEREAS, on July 2, 1984, SABAL CORPORATION filed an application for development approval of a development of regional impact with the Hillsborough County Board of County Commissioners pursuant to the provisions of Section 380.06, Florida Statutes (1985); and,

WHEREAS, said application proposed construction of a mixed-use development containing office, research and development, hotel, retail and light industrial uses located in central Hillsborough County, hereinafter referred to as Sabal Center or the development; and,

WHEREAS, on August 20, 1985, the Board of County Commissioners of Hillsborough County adopted, by Resolution R85-0148, a development order for Sabal Center (the "Order"); and,

WHEREAS, on October 11, 1985, Sabal Corporation requested an amendment to the Order in a document entitled "Request for and Analysis of Phasing Modification," a copy of which is attached hereto as Exhibit "A" and made part hereof by reference (the "Proposed Amendment"); and,

WHEREAS, the Proposed Amendment requests the transfer of forty-five (45) hotel rooms from Phase II to Phase I of the development; and,

WHEREAS, the Board of County Commissioners as the governing body of local government having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider amendments to development orders; and,

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes (1985), have been satisfied; and,

WHEREAS, Hillsborough County has solicited, received, and considered reports, comments and recommendations from interested citizens, County and City agencies, as well as the review and report of Hillsborough County Administration.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

I. FINDINGS OF FACT

A. On October 11, 1985, Sabal Corporation, hereinafter referred to as "Developer," submitted to Hillsborough County, Florida, an application for amendment to the Order.

B. The real property that is the subject of the Proposed Amendment is legally described as set forth in the Sabal Center Application for Development Approval, previously filed with all reviewing agencies and attached to the Order as Composite Exhibit A (the "Application").

C. The Developer proposes an amendment to the Order providing for the transfer of forty-five hotel rooms from Phase II to Phase I of the development.

D. A comprehensive review of the impacts generated by the Proposed Amendment has been conducted by Hillsborough County and the Tampa Bay Regional Planning Council ("TBRPC").

E. Development in accordance with the Order and the Proposed Amendment will not create additional adverse impacts over those created under the Order as originally adopted.

F. The development is not in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes.

II. CONCLUSIONS OF LAW

A. Based upon compliance with the terms and conditions of the Order, provisions of the Application as set forth in Composite Exhibit A to the Order, the Proposed Amendment, and the reports, recommendations and testimony heard and considered by the Board of County Commissioners, it is concluded that:

1. Development in accordance with the Proposed Amendment will not unreasonably interfere with the achievement of the

objectives of the adopted State Land Development Plan applicable to the area.

2. The Proposed Amendment is consistent with local land development regulations and the adopted local comprehensive plan.

3. The Proposed Amendment is consistent with the report and recommendations of the Tampa Bay Regional Planning Council.

4. The Proposed Amendment does not constitute a substantial deviation from the Order.

B. In considering whether the Proposed Amendment should be approved, Hillsborough County has considered the criteria stated in subsection 380.06 (14), Florida Statutes (1985).

C. The review by Hillsborough County, the Tampa Bay Regional Planning Council, and other participating agencies and interested citizens indicates that impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of the Order, the Application, and the Proposed Amendment.

D. The Proposed Amendment is hereby approved subject to all terms and conditions of this Development Order.

III. GENERAL PROVISIONS

A. The legal description set forth in Composite Exhibit A to the Order is hereby incorporated into and by reference made part of this Development Order.

B. This Resolution shall constitute an amendment to the Order in response to the Proposed Amendment, which Proposed Amendment is hereby approved and adopted and become part of the Order. All provisions of the Order, except as amended hereby, shall be and remain in full force and effect and shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.

C. The definitions contained in Chapter 380, Florida Statutes (1985), shall govern and apply to the Order, as amended.

D. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation, or ordinance of Hillsborough County, its agencies or commissions, and to the extent that further review is provided for in the Order or required by Hillsborough County, said review shall be subject to all applicable rules, regulations and ordinances in effect at the time of the review.

E. This Development Order shall become effective upon adoption by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes (1985).

F. Upon adoption, this Development Order shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners, by certified mail, to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and the Developer.

G. The Developer shall record a notice of adoption of this Order pursuant to Chapter 380, and shall furnish the Ex Officio Clerk to the Board of County Commissioners a copy of the recorded notice.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, JAMES F. TAYLOR, JR., Clerk of the Circuit Court and Ex Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board at its regular meeting of November 13, 1985 as the same appears of record in Minute Book 114 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 15th day of November, 1985.

JAMES F. TAYLOR, JR., CLERK

APPROVED BY COUNTY ATTORNEY

E. J. Dunn

By:

James F. Taylor
Deputy Clerk

SABAL CENTER DRI
TRAFFIC IMPROVEMENTS
EXHIBIT "B"

Phase I (1990)

(a) Construct a four lane section of Faulkenburg Road from Broadway to SR 574. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 31.6 percent of the existing daily Level of Service C capacity at the end of Phase I.

(b) Construct one lane in each direction on Broadway from 50th to Orient Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 11.7 percent of the existing daily Level of Service C capacity at the end of Phase I.

(c) Construct one lane in each direction on Broadway from Orient Road to US 301. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 14.7 percent of the existing daily Level of Service C capacity at the end of Phase I.

(d) Construct one lane in each direction on Broadway from US 301 to Faulkenburg Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 20.8 percent of the existing daily Level of Service C capacity at the end of Phase I.

(e) Construct a four lane section on Buffalo Avenue from I-4 to CR 574. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute the following percentages of existing daily Level of Service C capacity at the end of Phase I: from I-4 to US 301 - 32.7 percent, and from US 301 to CR 574 - 39.6 percent.

(f) At the intersection of Buffalo Avenue and 50th Street, construct intersection improvements providing for an eastbound through lane and exclusive left turn lane, and a westbound through lane and exclusive left turn lane. Sabal Center will contribute 8.9 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(g) At the intersection of Hillsborough Avenue and Faulkenburg Road, construct intersection improvement providing for signalization. Sabal Center will contribute 19.5 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(h) At the intersection of Hillsborough Avenue and Mango Road, construct intersection improvements providing for a southbound through lane and exclusive left turn lane. Sabal Center will contribute 14.8 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(i) At the intersection of Broadway and Orient Avenue, construct intersection improvements providing for an eastbound through lane and exclusive left turn lane, a westbound through lane and exclusive left turn lane, a southbound through lane, and a northbound through lane. Sabal Center will contribute 13.0 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(j) At the intersection of SR 60 and Kingsway Road, construct intersection improvements providing for an eastbound and westbound through lane and separate right turn lane, and a northbound through lane and separate right turn lane. Sabal

Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

(k) At the intersection of Broadway and Faulkenburg Road construct intersection improvements providing for exclusive right and left turn lanes on all approaches. Sabal Center will contribute 25.9 percent of the existing peak hour Level of Service D capacity at the end of Phase I.

Phase II

(a) Construct one additional lane in each direction on SR 60 from US 301 to I-75. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.4 percent of the existing daily Level of Service C capacity at the end of Phase II.

(b) Construct one additional lane in each direction on SR 60 from Orient Road to 50th Street. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.4 percent of the existing daily Level of Service C capacity at the end of Phase II.

(c) At the intersection of SR 60 and 50th Street, construct intersection improvements providing for a northbound through lane and exclusive left turn lane, a southbound through lane and exclusive left turn lane, and an additional through lane both eastbound and westbound. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(d) At the intersection of Hillsborough Avenue and Mango Road, construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 18.8 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(e) At the intersection of Broadway and Faulkenburg Road, construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 12.9 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

(f) Construct a four lane section on Buffalo Avenue from CR 574 to Valrico Road. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute the following percentage of the existing daily Level of Service C capacity from Mango Road to Parsons Avenue - 5.3 percent.

(g) Construct a six lane section on I-4 from I-75 to US 301. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 7.8 percent of the existing daily Level of Service C capacity at the end of Phase II.

(h) Construct a six lane section on I-4 from SR 574 to 50th Street. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 6.5 percent of the existing daily Level of Service C capacity at the end of Phase II.

(i) At the intersection of Buffalo Avenue and Parson Avenue-Brandon Road, construct intersection improvements providing for one through lane eastbound and one through lane westbound. Sabal Center will contribute 5.3 percent of the existing peak hour Level of Service D capacity at the end of Phase II.

Phase III

(a) Construct one lane in each direction on SR 60 from Kingsway Road to I-75. These through lanes should have their termini in accordance with proper design standards. Sabal Center will contribute 5.7 percent of the existing daily Level of Service C capacity at the end of Phase III.

(b) Construct one lane in each direction on Broadway from 50th Street to Orient Road. These through lanes should have their termini in accordance with proper design standacds. Sabal Center will contribute 6.7 percent of the existing daily Level of Service C capacity at the end of Phase III.

(c) At the intersection of Buffalo Avenue and 50th Street, construct intersection improvements providing for both an eastbound and westbound exclusive right turn lane. Sabal Center will contribute 5.8 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

(d) At the intersection of Broadway and 50th Street construct intersection improvements providing for an additional through lane both eastbound and westbound. Sabal Center will contribute 5.8 percent of the existing peak hour Level of Service D capacity at the end of Phase III.

(e) At the intersection of SR 60 and Parsons Avenue, construct intersection improvements providing for an additional through lane eastbound and westbound. Sabal Center will contribute 5.2 percent of the existing peak hour Level of Service D capacity at the end of Phase III.