

ORDINANCE 15-05

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, RELATING TO THE AMENDMENT OF THE OFFICIAL ZONING ATLAS; AMENDING THE OFFICIAL ZONING ATLAS FROM PLANNED UNIT DEVELOPMENT (“PUD”) TO PLANNED DEVELOPMENT–RESIDENTIAL (“PD-R”) ON APPROXIMATELY 41.21 ACRES, LOCATED APPROXIMATELY 1,000 FEET NORTH OF U.S. HIGHWAY 441 AND EAST OF SANTA FE HIGH SCHOOL; TAX PARCEL NUMBERS 03053-001-000 AND 03053-010-000 THROUGH 03053-010-054; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, an application for a Site-Specific Amendment to the Official Zoning Atlas (“Amendment”), as described below, has been filed with the City by Duration Builders, Inc., a Florida corporation (“Developer”), and Heritage Oaks Property Owners’ Association, Inc., a Florida corporation (“Association”); and

WHEREAS, the Developer and the Association desire to obtain approval for a Planned Development (“PD”) in the City known as Heritage Oaks Planned Development – Residential (“PD-R”); and

WHEREAS, the Developer wishes to improve that portion of the PD-R known as Heritage Oaks Phase II, the legal description for which is attached hereto as Exhibit “A” and shall sometimes be referred to herein as “Phase II”; and

WHEREAS, the City advertised a public hearing to be held before the Planning and Zoning Board, sitting as the Local Planning Agency (“LPA”), on April 14, 2015; and

WHEREAS, the LPA conducted a quasi-judicial public hearing on the proposed Amendment on April 14, 2015, and the LPA reviewed and considered all comments received during the public hearing concerning the proposed Amendment and made its recommendation to the City Commission; and

WHEREAS, the City advertised public hearings to be held before the City Commission on April 27, 2015, and on May 11, 2015; and

WHEREAS, the City Commission conducted quasi-judicial public hearings on the proposed Amendment on April 27, 2015, and May 11, 2015, and provided for and received public participation at both public hearings; and

WHEREAS, the City Commission has determined and found the proposed Amendment to be consistent with the City's Comprehensive Plan and the City's Land Development Regulations ("LDRs"); and

WHEREAS, for reasons set forth in this ordinance that is hereby adopted and incorporated as findings of fact, the Alachua City Commission finds and declares that the enactment of this Amendment is in the furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA:

Section 1. Findings of Fact and Conclusions of Law

1. The above recitals are true and correct and incorporated herein by reference.
2. The proposed Amendment is in compliance with the City's LDRs.
3. The proposed Amendment will not cause a reduction in the adopted level of service standards for transportation, water, sewer, waste, stormwater, recreation, and public schools.

Section 2. Official Zoning Atlas Amended

1. The Official Zoning Atlas is hereby amended from Planned Unit Development ("PUD") to Planned Development-Residential ("PD-R") for Tax Parcel Nos. 03053-001-000 and 03053-010-000

through 03053-010-054 (“Property”), in accordance with the legal description found in Exhibit “B” and map found in Exhibit “C.”

Section 3. Development Parameters

- The development shall consist of the following Development Areas: Residential (A-1); Residential (A-2); Residential (A-3); Circulation (B); Common Area/Open Space (C-1); Common Area/Open Space (C-2); and Buffers (D). The density, intensity, allowable uses, acreage, and dimensional standards, where applicable, for each Development Area are as follows:

Development Area	Allowable Uses (Common area/open space, stormwater management facilities, and other infrastructure may exist in any land use designation)	Permitted Density/Intensity	Acres	Site %	Dimensional Standards
Residential (A-1)	Single-Family Detached Residential Units	54 Dwelling Units	±11.4	27.7%	<i>Minimum Lot Area</i> 5,000 square feet <i>Minimum Lot Width</i> 50 feet <i>Setbacks</i> <u>Lots 1 – 4</u> Front= 15’; Side= 5’; Rear= 15’ <u>Lots 5 – 8</u> Front= 15’; Side= 10’; Rear= 20’ <u>Lots 9 – 10</u> Front= 15’; Side= 10’; Rear= 15’ <u>Lot 11</u> Front= 15’; Side= 10’; Rear= 20’ <u>Lots 12 – 13</u> Front= 15’; Side= 10’; Rear= 15’ <u>Lot 14</u> Front= 15’; Left Side= 10’; Right Side= 15’; Rear= 20’ <u>Lot 15</u> Front= 15’; Left Side= 15’; Right Side= 10’; Rear= 15’

Development Area	Allowable Uses (Common area/open space, stormwater management facilities, and other infrastructure may exist in any land use designation)	Permitted Density/Intensity	Acres	Site %	Dimensional Standards
Residential (A-1) (continued)	Single-Family Detached Residential Units	54 Dwelling Units	±11.4	27.7%	<u>Lots 16 – 19</u> Front= 15'; Side= 10'; Rear= 10' <u>Lots 20 – 42</u> Front= 15'; Side= 5'; Rear= 10' <u>Lots 43 – 45</u> Front= 15'; Side= 5'; Rear= 15' <u>Lots 46 – 54</u> Front= 15'; Side= 5'; Rear= 10' <i>Maximum Building Height</i> 45 feet <i>Maximum Lot Coverage</i> 75%
Residential (A-2)	Single-Family Detached Residential Units	39 Dwelling Units	±9.3	22.6%	<i>Minimum Lot Area</i> 8,000 square feet <i>Minimum Lot Width</i> 80 feet <i>Setbacks</i> Front= 15 feet Side= 7.5 feet Rear= 15 feet <i>Maximum Building Height</i> 45 feet <i>Maximum Lot Coverage</i> 75%
Residential (A-3)	Single-Family Detached Residential Units	5 Dwelling Units	±2.0	1.9%	<i>Minimum Lot Area</i> 15,000 square feet <i>Minimum Lot Width</i> 80 feet <i>Setbacks</i> Front= 15 feet Side= 7.5 feet Rear= 15 feet <i>Maximum Building Height</i> 45 feet <i>Maximum Lot Coverage</i> 75%

Development Area	Allowable Uses (Common area/open space, stormwater management facilities, and other infrastructure may exist in any land use designation)	Permitted Density/Intensity	Acres	Site %	Dimensional Standards
Circulation (B)	Roadways, Parking, Driveways, Bicycle & Pedestrian Pathways, and Supportive Infrastructure Improvements	N/A	±9.3	22.6%	<p>Phase I Roadways: Minimum 42 foot ROW Width</p> <p>Alleys: Minimum 15 foot ROW Width</p> <p>Phase II Roadways: Minimum 50 foot ROW Width</p>
Common Area/ Open Space (C-1)	Public or Private Parks, Recreational Trail, Resource-Based Recreation, Non-Intensive Communication/ Public Infrastructure, Community Center	10,000 square foot (Community Center)	±1.8	4.2%	<p><i>Minimum Lot Area</i> 10,000 square feet</p> <p><i>Minimum Lot Width</i> 100 feet</p> <p><i>Setbacks</i> Front= 20 feet Side= 7.5 feet Rear= 15 feet</p> <p><i>Maximum Building Height</i> 45 feet</p>
Common Area/ Open Space (C-2)	Public or Private Parks, Recreational Trail, Resource-Based Recreation, Non-Intensive Communication/ Public Infrastructure	N/A	±5.8	14.1%	N/A
Buffers (D)	Natural Vegetation, Landscaping, and Fencing	N/A	±1.6	3.8%	N/A

2. Phasing is permitted in accordance with the Phasing Schedule established by the PD Master Plan, and shall be as follows:

Phase	By End of Year	Development Area(s)	Maximum Potential Development	Acreage	Density/Intensity
Phase I	2025	Residential (A-1)	54 dwelling units	±11.4	4.74 DU/acre
		Common Area/ Open Space (C-1)	10,000 square foot Community Center	±1.8	0.13 FAR
		Common Area/ Open Space (C-2)	N/A	±2.9	N/A
Phase II	2025	Residential (A-2)	39 dwelling units	±9.3	4.19 du/acre
		Residential (A-3)	5 dwelling units	±2.0	2.5 du/acre
		Common Area/ Open Space (C-2)	N/A	±2.9	N/A

3. Phase I of the Property has been platted. Phase II of the Property may be developed according to market conditions and may be further divided into smaller units for development according to each new Final PD Plan to create a logical and/or functional development and infrastructure pattern or to respond to market conditions.
4. The Developer shall provide and maintain a minimum 15-foot buffer with fencing along the northern boundary of Phase II ("Buffer Area"). Fencing shall be a minimum 6 feet in height, shall be consistent with Section 6.3 of the City's LDRs, and shall be installed before the issuance of a Certificate of Occupancy ("CO") for any building permit that is issued for a lot in Development Area A-3. Unless necessary for the installation of stormwater facilities or for the installation of utilities associated with Phase II, the Buffer Area shall remain as an undisturbed, natural area to provide separation between Phase II and the rural residential areas located to the north of Phase II.

5. Each new Final PD Plan shall be consistent with the Goals, Objectives, and Policies of the Comprehensive Plan, as it may be amended from time to time, related to the eradication of invasive exotic plant species.
6. The Developer shall, at the time of each new Final PD Plan, remove and destroy all Category I and II exotic plant species, as published in the most current version of the Florida Exotic Plant Council's List of Invasive Plant Species, located on lands subject to the new Final PD Plan. Thereafter, the Developer shall assure long-term implementation of an exotic plants management plan approved with each new Final PD Plan or any other final development order and which shall be included in covenants and restrictions to be implemented by a properly structured property owner's association or other mechanism acceptable to the City.
7. The planting of any species identified in the most current version of the Florida Exotic Pest Plant Council's List of Invasive Plant Species shall be prohibited. Grasses and sods shall be certified free of noxious weeds by the Florida Department of Agriculture and Consumer Services, Division of Plant Industry.
8. The Developer shall utilize methods of minimizing impacts, such as appropriate Best Management Practices of the Suwannee River Water Management District, in order to reduce the potential for flash flooding, to avoid adverse impacts to water quality, and to incorporate existing drainage patterns to the greatest extent practicable. Upon approval from the City of Alachua and the Suwannee River Water Management District, enhancements may be permitted to the existing, natural conveyance system to mitigate for existing erosion and sedimentation, restoration of historical erosion and sedimentation damage, and preventing future adverse erosion and sedimentation.
9. Development within Phase II shall comply with the following requirements:
 - a. Any roadways that are to be dedicated to the City shall be designed to meet the standards established by Section 7.3.1 of the City's LDRs, or any amendment thereto.

- b. The Developer shall design, permit, and construct a stormwater management system necessary to serve the development. On-site soil shall be appropriately prepared so as to alleviate any drainage issues.
 - c. Utilities shall be extended throughout Phase II within areas designated as public right-of-ways, where practical. Utility infrastructure which must run outside the right-of-way, and which will be maintained by the City, shall be located in easements granting access and maintenance of such infrastructure.
 - d. The Developer shall be responsible for the provision of infrastructure for the development. This shall include all on-site improvements and off-site improvements, including transportation infrastructure improvements, deemed necessary to support the development by the City in its sole discretion.
 - e. Facilities constructed on-site that are not dedicated to the City for maintenance shall be the responsibility of a legally established property owners' association. The property owners' association shall have the responsibility of maintenance of all common areas.
10. Phase II Electric System Requirements:
- a. The Developer shall be responsible to connect to the City's electric system as necessary to serve the development within Phase II.
 - b. Electric system design shall conform to National Electric Code regulations and National Electrical Contractors Association and National Electric Installation Standards guidelines for electric systems. The electric system design shall be performed by a professional engineer registered in Florida.
11. Phase II Water System Requirements:
- a. The Developer shall be responsible to connect to the City's potable water as necessary to serve the development within Phase II.

- b. Water systems shall be designed to provide fire flow rates that conform to the current standards of the Florida Fire Prevention Code, Chapter 633, Florida Statutes, and the Florida Building Code.
- 12. Phase II Wastewater System Requirements:
 - a. The Developer shall be responsible to design, permit, and construct wastewater main extensions as necessary to serve the development within Phase II.
- 13. The Developer shall obtain all applicable permits from the Suwannee River Water Management District, the Florida Department of Environmental Protection, and/or any other Federal, State, or Local agency before the commencement of any development in Phase II.
- 14. Development shall be subject to the following maximum densities/intensities:
 - a. A maximum of 54 single-family dwelling units shall be permitted within Development Area “Residential (A-1).”
 - b. A maximum of 39 single-family dwelling units shall be permitted within Development Area “Residential (A-2).”
 - c. A maximum of 5 single-family dwelling units shall be permitted within Development Area “Residential (A-3).”
 - d. A maximum 10,000 square foot Community Center shall be permitted in Development Area “Common Area/Open Space (C-1).”
- 15. A new Final PD Plan shall be a Site Plan for non-residential development or a Preliminary Plat for single-family detached residential development, and shall adhere to all requirements of this PD Ordinance, the City’s Comprehensive Plan, and the City’s LDRs. Each new Final PD Plan shall also adhere to all requirements of the PD Master Plan and the PD Agreement for the Property.
- 16. The Developer and/or the Association shall submit a landscaping and buffering plan as part of each new Final PD Plan. The landscaping and buffering plan shall meet the requirements

- established by Section 6.2.2, *Landscaping Standards*, of the City's LDRs, or any amendments thereto.
17. The Developer and/or the Association shall submit an open space plan as part of each new Final PD Plan. The open space plan shall meet the minimum requirements established by Section 6.7, *Open Space Standards*, of the City's LDRs, or any amendments thereto.
 18. Open spaces and conservation areas shall account for a minimum of ten percent (10%) of Phase II.
 19. If a new Final PD Plan contains non-residential development, the Developer and/or the Association shall submit a lighting and photometric plan as part of the new Final PD Plan. The lighting and photometric plan shall meet the requirements established by Section 6.4, *Exterior Lighting Standards*, of the City's LDRs, or any amendments thereto.
 20. If a new Final PD Plan contains non-residential development, the Developer and/or the Association shall submit a parking plan as part of the new Final PD Plan. The parking plan shall meet the requirements established by Section 6.1, *Off-Street Parking and Loading Standards*, of the City's LDRs, or any amendments thereto.
 21. If a new Final PD Plan contains non-residential development, the Developer and/or the Association shall submit a utility system plan as part of the new Final PD Plan. If a new Final PD Plan consists of development requiring Preliminary Plat review (single-family detached residential development), the Developer and/or the Association shall submit a utility system plan as part of the Construction Plans for the proposed subdivision.
 22. Each new Final PD Plan shall include the exact intensity (square footage) of non-residential uses and exact number of residential dwelling units, as well as precise information regarding the layout of open space, circulation, and stormwater management.
 23. Each new Final PD Plan shall contain concrete, quantitative, and site-specific standards regarding the location of any non-residential and/or residential components, design

- standards, circulation scheme, parking facilities, utilities system design, open space design, landscaping, and stormwater management facilities, as applicable to the portion of the development subject to each new Final PD Plan.
24. A valid Planned Development Agreement shall be adopted concurrently with the approval of this ordinance and the PD Master Plan.
 25. The development parameters defined herein do not inordinately burden the development of the Property.
 26. The rezoning of the Property does not reserve concurrency for the development.
 27. All development, including, but not limited to, new Final PD Plans for the Property, shall be governed by the laws, regulations, City's Comprehensive Plan, City's LDRs, and ordinances in effect at the time of the specific proposed development, and not as of the date of this ordinance.

Section 4. Ordinance to be Construed Liberally

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety, and welfare of the citizens and residents of Alachua, Florida.

Section 5. Repealing Clause

All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 6. Severability

It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or

inoperative by any court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of the ordinance after the exclusions of such part or parts shall be deemed to be valid.

Section 7. Effective Date

This ordinance shall take effect immediately upon its adoption by the City Commission and the signature of the Mayor.

Passed on First Reading the 27th day of April 2015.

PASSED and ADOPTED, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 11th day of May 2015.

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Gib Coerper, Mayor

SEAL

ATTEST:

APPROVED AS TO FORM

Traci L. Cain, City Manager/Clerk

Marian B. Rush, City Attorney

EXHIBIT “A”

Phase 2:

DESCRIPTION: (PER O.R. BOOK 4231, PAGE 1068)

COMMENCE AT THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY FLORIDA, AND THENCE SOUTH 01 DEG. 49 MIN. 00 SEC. EAST ALONG THE WEST LINE OF SAID SECTION 9, A DISTANCE OF 1576.08 FEET; THENCE NORTH 88 DEG. 33 MIN. 13 SEC. EAST, 1300.20 FEET TO THE NORTHWEST CORNER OF OFFICIAL RECORDS BOOK 503, PAGE 107 OF THE OFFICIAL RECORDS OF ALACHUA COUNTY, FLORIDA, AS SURVEYED BY ENG, DENMAN AND ASSOCIATES, AND THE POINT OF BEGINNING; THENCE SOUTH 01 DEG. 49 MIN. 00 SEC. EAST ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 1347.88 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2296, PAGE 2823 OF SAID OFFICIAL RECORDS; THENCE SOUTH 78 DEG. 52 MIN. 28 SEC. EAST ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 1258.05 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE NORTH 03 DEG. 06 MIN. 01 SEC. WEST ALONG THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 27, PAGE 296 OF SAID OFFICIAL RECORDS AS PER SURVEY BY ENG, DENMAN AND ASSOCIATES, A DISTANCE OF 1644.27 FEET TO A 5/8 INCH IRON ROD, LB 2389, MARKING THE NORTHEAST CORNER OF SAID LANDS AS SURVEYED BY ENG, DENMAN AND ASSOCIATES; THENCE SOUTH 84 DEG. 55 MIN. 02 SEC. WEST, 179.59 FEET TO A POINT ON THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1970, PAGE 718 OF SAID OFFICIAL RECORDS (ALACHUA COUNTY PROPERTY APPRAISERS PARCEL TAX IDENTIFICATION NUMBER 03049-001-011); THENCE SOUTH 01 DEG. 48 MIN. 33 SEC. EAST ALONG SAID LINE, 10.09 FEET TO A CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF SAID LANDS; THENCE SOUTH 88 DEG. 17 MIN. 38 SEC. WEST, 327.34 FEET TO AN IRON PIPE MARKING THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2043, PAGE 2987 OF SAID OFFICIAL RECORDS (ALACHUA COUNTY PROPERTY APPRAISERS PARCEL TAX IDENTIFICATION NUMBER 03049-001-002); THENCE SOUTH 88 DEG. 41 MIN. 44 SEC. WEST, 322.15 FEET TO AN IRON PIPE MARKING THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 790, PAGE 371 OF SAID OFFICIAL RECORDS (ALACHUA COUNTY PROPERTY APPRAISERS PARCEL TAX IDENTIFICATION NUMBER 03049-001-001); THENCE SOUTH 88 DEG. 37 MIN. 50 SEC. WEST, 360.44 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PROPERTY DESCRIBED AS THE ENTIRE PLAT OF HERITAGE OAKS PHASE 1, AS RECORDED IN PLAT BOOK 24, PAGE 79 THROUGH 82, INCLUSIVE, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

EXHIBIT "B"

Phase 1:

DESCRIPTION:

COMMENCE AT THE NW CORNER OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA; THENCE S.01°49'00"E., ALONG THE WEST LINE OF SAID SECTION 9 A DISTANCE OF 1576.08 FEET; THENCE N.88°33'13"E., 1300.20 FEET TO THE NW CORNER OF OFFICIAL RECORDS BOOK (ORB) 503, PAGE 107 OF THE OFFICIAL RECORDS OF ALACHUA COUNTY, FLORIDA, AS SURVEYED BY ENG, DENMAN AND ASSOCIATES,; THENCE S.01°49'00"E., ALONG THE WEST LINE OF SAID LANDS, 600.76 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE ALONG SAID WEST LINE, S.01°49'00"E., 747.12 FEET TO THE NW CORNER OF LANDS DESCRIBED IN ORB 2296, PAGE 2823 OF SAID OFFICIAL RECORDS; THENCE S.78°52'28"E., ALONG THE NORTH LINE OF SAID LANDS, 1258.05 FEET TO THE NE CORNER OF SAID LANDS; THENCE N.03°06'39"W., ALONG THE EAST LINE OF THE LANDS DESCRIBED IN ORB 27 PAGE 296 OF SAID OFFICIAL RECORDS AS PER SURVEY BY ENG, DENMAN AND ASSOCIATES, A DISTANCE OF 975.51 FEET; THENCE DEPARTING SAID EAST LINE, WEST, A DISTANCE OF 88.98 FEET TO A POINT ON 46.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A CHORD OF 41.18 FEET BEARING N.69°52'54"W., THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 53°10'43", A DISTANCE OF 42.69 FEET TO THE POINT OF TANGENCY; THENCE S.83°31'44"W., A DISTANCE OF 168.69 FEET TO THE POINT OF CURVATURE OF A 13.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, HAVING A CHORD OF 19.39 FEET BEARING N.48°14'08"W.; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 96°28'16", A DISTANCE OF 21.89 FEET; THENCE N.81°53'26"W., A DISTANCE OF 42.42 FEET TO A POINT ON A 13.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, HAVING A CHORD OF 18.38 FEET BEARING S.45°00'00"W.; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 20.42 FEET TO THE POINT OF TANGENCY; THENCE WEST A DISTANCE OF 162.95 FEET TO A POINT ON A 42.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A CHORD OF 20.61 FEET BEARING N.45°47'39"W.; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°24'43", A DISTANCE OF 20.83 FEET; THENCE WEST A DISTANCE OF 42.01 FEET TO A POINT ON A 42.00 FOOT RADIUS CURVE, CONCAVE SOUTHEASTERLY, HAVING A CHORD OF 20.61 FEET BEARING S.45°47'39"W., THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°24'43", A DISTANCE OF 20.83 FEET; THENCE WEST A DISTANCE OF 162.96 FEET TO THE POINT OF CURVATURE OF A 13.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, HAVING A CHORD OF 18.38 FEET BEARING N.45°00'00"W.; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 20.42 FEET; THENCE WEST A DISTANCE OF 42.00 FEET TO A POINT ON A 13.00 FOOT RADIUS CURVE, CONCAVE NORTHWESTERLY, HAVING A CHORD OF 18.38 FEET BEARING S.45°00'00"W.; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 20.42 FEET TO THE POINT OF TANGENCY; THENCE WEST A DISTANCE OF 177.13 FEET TO A POINT ON A 42.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A CHORD OF 20.62 FEET BEARING N.45°47'43"W., THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°24'51", A DISTANCE OF 20.83 FEET; THENCE WEST A DISTANCE OF 183.06 FEET TO THE POINT OF BEGINNING. SAID LANDS CONTAINING 23.92 ACRES, MORE OR LESS.

TOGETHER WITH:

Phase 2:

DESCRIPTION: (PER O.R. BOOK 4231, PAGE 1068)

COMMENCE AT THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 18 EAST, ALACHUA COUNTY FLORIDA, AND THENCE SOUTH 01 DEG. 49 MIN. 00 SEC. EAST ALONG THE WEST LINE OF SAID SECTION 9, A DISTANCE OF 1576.08 FEET; THENCE NORTH 88 DEG. 33 MIN. 13 SEC. EAST, 1300.20 FEET TO THE NORTHWEST CORNER OF OFFICIAL RECORDS BOOK 503, PAGE 107 OF THE OFFICIAL RECORDS OF ALACHUA COUNTY, FLORIDA, AS SURVEYED BY ENG, DENMAN AND ASSOCIATES, AND THE POINT OF BEGINNING; THENCE SOUTH 01 DEG. 49 MIN. 00 SEC. EAST ALONG THE WEST LINE OF SAID LANDS, A DISTANCE OF 1347.88 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2296, PAGE 2823 OF SAID OFFICIAL RECORDS; THENCE SOUTH 78 DEG. 52 MIN. 28 SEC. EAST ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 1258.05 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE NORTH 03 DEG. 06 MIN. 01 SEC. WEST ALONG THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 27, PAGE 296 OF SAID OFFICIAL RECORDS AS PER SURVEY BY ENG, DENMAN AND ASSOCIATES, A DISTANCE OF 1644.27 FEET TO A 5/8 INCH IRON ROD, LB 2389, MARKING THE NORTHEAST CORNER OF SAID LANDS AS SURVEYED BY ENG, DENMAN AND ASSOCIATES; THENCE SOUTH 84 DEG. 55 MIN. 02 SEC. WEST, 179.59 FEET TO A POINT ON THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1970, PAGE 718 OF SAID OFFICIAL RECORDS (ALACHUA COUNTY PROPERTY APPRAISERS PARCEL TAX IDENTIFICATION NUMBER 03049-001-011); THENCE SOUTH 01 DEG. 48 MIN. 33 SEC. EAST ALONG SAID LINE, 10.09 FEET TO A CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF SAID LANDS; THENCE SOUTH 88 DEG. 17 MIN. 38 SEC. WEST, 327.34 FEET TO AN IRON PIPE MARKING THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2043, PAGE 2987 OF SAID OFFICIAL RECORDS (ALACHUA COUNTY PROPERTY APPRAISERS PARCEL TAX IDENTIFICATION NUMBER 03049-001-002); THENCE SOUTH 88 DEG. 41 MIN. 44 SEC. WEST, 322.15 FEET TO AN IRON PIPE MARKING THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 790, PAGE 371 OF SAID OFFICIAL RECORDS (ALACHUA COUNTY PROPERTY APPRAISERS PARCEL TAX IDENTIFICATION NUMBER 03049-001-001); THENCE SOUTH 88 DEG. 37 MIN. 50 SEC. WEST, 360.44 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PROPERTY DESCRIBED AS THE ENTIRE PLAT OF HERITAGE OAKS PHASE 1, AS RECORDED IN PLAT BOOK 24, PAGE 79 THROUGH 82, INCLUSIVE, PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA.

EXHIBIT "C"

