

RESOLUTION NO. R-2016-1235

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD/DOA-2016-00269
(CONTROL NO. 2000-00032)
an Official Zoning Map Amendment to a Planned Development District
APPLICATION OF 441 Acquisition, LLC
BY G.L. Homes, AGENT
(Sussman AGR-PUD)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application ZV/PDD/DOA-2016-00269 was presented to the Board of County Commissioners at a public hearing conducted on September 22, 2016;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, the recommendations of the various County Review Agencies, and the recommendation of the Zoning Commission;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Process) for an Official Zoning Map Amendment to a Planned Development District;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the ULDC requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Application ZV/PDD/DOA-2016-00269, the Application of 441 Acquisition, LLC, by G.L. Homes, Agent, for an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR PUD) Zoning District, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch in EXHIBIT B, attached hereto and made a part hereof, was approved on September 22, 2016 subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Taylor moved for the approval of the Resolution.

The motion was seconded by Commissioner Vana and, upon being put to a vote, the vote was as follows:

Commissioner Mary Lou Berger, Mayor	- Aye
Commissioner Hal R. Valeche, Vice Mayor	- Absent
Commissioner Paulette Burdick	- Nay
Commissioner Shelley Vana	- Aye
Commissioner Steven L. Abrams	- Aye
Commissioner Melissa McKinlay	- Aye
Commissioner Priscilla A. Taylor	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on September 22, 2016.

Filed with the Clerk of the Board of County Commissioners on October 4th, 2016.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION: SUSSMAN AGR-PUD Development Parcel(Sussman North)

TRACTS 17 THROUGH 24 AND 41 THROUGH 56 ALL IN SECTION 19, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

LESS AND EXCEPT THE WEST 80 FEET OF SAID TRACTS 17, 48 AND 49, ALSO BEING DESCRIBED AS THE WEST 80 FEET OF THAT PART OF SECTION 19, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA LYING SOUTH OF THE NORTH LINE OF SAID TRACT 17 AND LYING NORTH OF THE SOUTH LINE OF SAID TRACT 49,

LESS AND EXCEPT THE NORTH 328.15 FEET OF THE EAST 149.32 FEET OF SAID TRACT 22, LESS AND EXCEPT THE NORTH 328.15 FEET OF SAID TRACTS 23 AND 24.

CONTAINING 112.765 ACRES, MORE OR LESS

TOGETHER WITH:

LEGAL DESCRIPTION: (PRESERVE PARCELS NORTH)

SUSSMAN AGR-PUD – PRESERVE 3

THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

CONTAINING 20.110 ACRES, MORE OR LESS.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER THE NORTH 50 FEET OF THE SOUTH 1/2 OF THE NORTH 1/2 OF SECTION 13, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER THE NORTH 50 FEET OF THE EAST 30 FEET OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4; ALSO THE EAST 30 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4; ALSO THE NORTH 30 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, OF SECTION 14, TOWNSHIP 45 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

AND:

SUSSMAN AGR-PUD – PRESERVE 4

BEING A PORTION OF TRACTS 69, 70, 71, 84, 85 AND 86, BLOCK 45, TOGETHER WITH THAT ROAD, DYKE & DITCH RESERVATION, 30.00 FEET IN WIDTH LYING BETWEEN SAID TRACTS 70, 85 AND 69, 86, ALL IN BLOCK 45, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT 86, BLOCK 45, PALM BEACH FARMS CO. PLAT NO. 3; THENCE, ALONG THE EAST LINE OF SAID TRACT 86, NORTH 00°59'11" WEST, A DISTANCE OF 617.49 FEET TO THE POINT OF BEGINNING; THENCE, DEPARTING SAID EAST LINE, SOUTH 89°00'49" WEST, A DISTANCE OF 411.66 FEET; THENCE NORTH 00°59'11" WEST, A DISTANCE OF

107.93 FEET; THENCE SOUTH 89°00'49" WEST, A DISTANCE OF 211.05 FEET; THENCE SOUTH 00°59'11" EAST, A DISTANCE OF 138.17 FEET; THENCE SOUTH 89°00'49" WEST, A DISTANCE OF 106.04 FEET; THENCE SOUTH 00°59'11" EAST, A DISTANCE OF 268.88 FEET; THENCE NORTH 89°00'49" EAST, A DISTANCE OF 249.13 FEET; THENCE SOUTH 00°59'11" EAST, A DISTANCE OF 318.37 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT 85, BLOCK 45, PALM BEACH FARMS CO. PLAT NO. 3; THENCE SOUTH 89°00'49" WEST ALONG THE SOUTH LINE OF SAID TRACT 85, A DISTANCE OF 399.13 FEET; THENCE NORTH 00°59'11" WEST, A DISTANCE OF 1216.88 FEET; THENCE NORTH 89°03'41" EAST, A DISTANCE OF 878.74 FEET; THENCE SOUTH 00°59'11" EAST ALONG THE EAST LINE OF SAID TRACTS 69 AND 86, A DISTANCE OF 598.65 FEET TO THE POINT OF BEGINNING.

CONTAINING 15.582 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 5
TRACT 97, BLOCK 45, OF THE PALM BEACH FARMS CO. PLAT NO. 3,
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45,
OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 5.007 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 6
BEING A PARCEL OF LAND LYING WITHIN TRACT A, YEE PLAT, AS RECORDED IN
PLAT BOOK 104, PAGES 49 THROUGH 51, PUBLIC RECORDS OF PALM BEACH
COUNTY, FLORIDA, ALSO LYING IN SECTION 13, TOWNSHIP 45 SOUTH, RANGE 41
EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID TRACT A; THENCE NORTH 00°56'37"
WEST, ALONG THE WEST LINE OF SAID TRACT A, A DISTANCE OF 466.69 FEET;
THENCE NORTH 88°56'17" EAST, A DISTANCE OF 466.69 FEET, THENCE SOUTH
00°56'37" EAST, A DISTANCE OF 466.69 FEET; THENCE SOUTH 88°56'17" WEST,
ALONG THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 466.69 FEET TO THE
POINT OF BEGINNING.

CONTAINING 5.000 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 7
A PARCEL OF LAND BEING A PORTION OF TRACTS 76 AND 77, BLOCK 45, PALM
BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS
RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM
BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACTS 77; THENCE
SOUTH 00°57'10" EAST ALONG THE WEST LINE OF SAID TRACT 77, A DISTANCE
OF 38.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°03'41" EAST
ALONG A LINE 38.00 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO)
AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 77, A DISTANCE OF
350.02 FEET; THENCE SOUTH 00°59'11" EAST ALONG THE EAST LINE OF SAID
TRACTS 77, A DISTANCE OF 0.28 FEET; THENCE NORTH 89°03'41" EAST ALONG
A LINE 38.28 FEET SOUTH OF (AS MEASURED AT RIGHT ANGLES TO) AND
PARALLEL WITH THE NORTH LINE OF SAID TRACT 76, A DISTANCE OF 254.07
FEET; THENCE SOUTH 00°59'29" EAST, A DISTANCE OF 360.31 FEET; THENCE
SOUTH 89°03'41" WEST, A DISTANCE OF 604.33 FEET; THENCE NORTH 00°57'10"
WEST ALONG THE WEST LINE OF SAID TRACT 77, A DISTANCE OF 360.59 FEET
TO THE POINT OF BEGINNING.

CONTAINING 5.000 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 8
TRACT 52, IN SECTION 20, TOWNSHIP 46 SOUTH, RANGE 42 EAST, OF THE
PALM BEACH FARMS CO. PLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS
RECORDED IN PLAT BOOK 2, PAGE 26, OF THE PUBLIC RECORDS OF PALM
BEACH COUNTY, FLORIDA.

CONTAINING 5.079 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 9
TRACT 13, LESS THE RIGHT-OF-WAY OF THE LAKE WORTH DRAINAGE
DISTRICT L-34 CANAL, AND TRACTS 20 AND 45, IN SECTION 20, TOWNSHIP 46
SOUTH, RANGE 42 EAST, OF THE PALM BEACH FARMS CO. PLAT NO. 1,
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 26,
OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 14.961 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 10
TRACT 68, LESS THE WEST 220 FEET, AND TRACT 67, LESS THE EAST 55 FEET,
BLOCK 50, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE
PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC
RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THE SOUTH 2.0 FEET.

AND LESS THE NORTH 45.0 FEET THEREOF.

AND FURTHER LESS AND EXCEPT THE SOUTH 30 FEET THEREOF, WHICH WAS
CONVEYED TO PALM BEACH COUNTY BY RIGHT-OF-WAY WARRANTY DEED,
RECORDED IN OFFICIAL RECORDS BOOK 5764, PAGE 1262, OF THE PUBLIC
RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH AN EASEMENT FOR ROAD PURPOSES 60 FEET IN WIDTH
DESCRIBED AS THE NORTH 28 FEET OF TRACTS 89 THROUGH 95, INCLUSIVE,
AND THE SOUTH 32 FEET OF TRACTS 66 THROUGH 72, INCLUSIVE, OF SAID
BLOCK 50.

TOGETHER WITH:

TRACT 69, LESS THE WEST 165 FEET AND THE WEST 220 FEET OF TRACT 68,
IN BLOCK 50, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO
THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC
RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THE SOUTH 2.0 FEET AND LESS THE NORTH 45.0 FEET THEREOF.

AND FURTHER LESS AND EXCEPT THE SOUTH 30 FEET THEREOF, WHICH WAS
CONVEYED TO PALM BEACH COUNTY BY RIGHT-OF-WAY WARRANTY DEED,
RECORDED IN OFFICIAL RECORDS BOOK 5764, PAGE 724, OF THE PUBLIC
RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH AN EASEMENT FOR ROAD PURPOSES 60 FEET IN WIDTH
DESCRIBED AS THE NORTH 28 FEET OF TRACTS 89 THROUGH 95, INCLUSIVE,

AND THE SOUTH 32 FEET OF TRACTS 66 THROUGH 72, INCLUSIVE, OF SAID BLOCK 50.

CONTAINING 10.301 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 11A

TRACT 37, LESS THE NORTH 110 FEET THEREOF, TOGETHER WITH THE NORTH 120 FEET OF TRACT 60, BLOCK 50, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THE RIGHT-OF-WAY FOR 93RD LANE, AS SET FORTH IN RIGHT-OF-WAY WARRANTY DEED IN FAVOR OF PALM BEACH COUNTY, RECORDED IN OFFICIAL RECORDS BOOK 5165, PAGE 288, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH AN EASEMENT FOR ROAD PURPOSES 60 FEET IN WIDTH, DESCRIBED AS THE SOUTH 60 FEET OF THE NORTH 150 FEET OF TRACTS 57 THROUGH 63, INCLUSIVE, OF SAID BLOCK 50.

CONTAINING 4.840 ACRES MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 11B

TRACT 72, AND THE WEST 55 FEET OF TRACT 71, BLOCK 50, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THE SOUTH 2.0 FEET

AND ALSO LESS THE NORTH 45.0 FEET THEREOF.

SUBJECT TO AN EASEMENT FOR ROAD PURPOSES OVER THE SOUTH 30 FEET THEREOF.

LESS THE RIGHT-OF-WAY FOR 96TH COURT, AS SET FORTH IN RIGHT-OF-WAY WARRANTY DEED IN FAVOR OF PALM BEACH COUNTY, RECORDED IN OFFICIAL RECORDS BOOK 5764, PAGE 1276, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH AN EASEMENT FOR ROAD PURPOSES 60 FEET IN WIDTH, DESCRIBED AS THE NORTH 28 FEET OF TRACTS 89 THROUGH 93, INCLUSIVE, AND THE SOUTH 32 FEET OF TRACTS 66 THROUGH 72, INCLUSIVE, OF BLOCK 50.

CONTAINING 5.155 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 12A

PARCEL 2:

TRACT 36, LESS THE NORTH 110 FEET THEREOF, TOGETHER WITH THE NORTH 120 FEET OF TRACT 61, BLOCK 50, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY WHICH WAS CONVEYED TO PALM BEACH COUNTY BY RIGHT-OF-WAY WARRANTY DEED, RECORDED IN OFFICIAL RECORDS BOOK 5165, PAGE 298, OF THE PUBLIC

RECORDS OF PALM BEACH COUNTY, FLORIDA:

A 30 FOOT WIDE PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES,
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 30 FEET OF THE NORTH 120 FEET OF TRACT 61, BLOCK 50, THE PALM
BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS
RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH
COUNTY, FLORIDA.

CONTAINING 4.814 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 12B

TRACT 59, LESS THE WEST 210 FEET THEREOF, AND TRACT 60, AND THE
WEST 30 FEET OF TRACT 61, BLOCK 50, LESS THE NORTH 120 FEET OF SAID
TRACTS, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT
THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS
OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY WHICH WAS
CONVEYED TO PALM BEACH COUNTY BY RIGHT-OF-WAY WARRANTY DEED,
RECORDED IN OFFICIAL RECORDS BOOK 5165, PAGE 281, OF THE PUBLIC
RECORDS OF PALM BEACH COUNTY, FLORIDA:

A 30 FOOT WIDE PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES,
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 30 FEET OF THE NORTH 150 FEET OF TRACT 59, LESS THE WEST
210 FEET THEREOF.

ALSO, THE SOUTH 30 FEET OF THE NORTH 150 FEET OF TRACT 60.

ALSO, THE SOUTH 30 FEET OF THE NORTH 150 FEET OF THE WEST 30 FEET
OF TRACT 61,

ALL IN BLOCK 50, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO
THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC
RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 5.619 ACRES MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 13

TRACT 91, AND THE SOUTH 2 FEET OF TRACT 70, BLOCK 50, THE PALM BEACH
FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN
PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY,
FLORIDA.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY WHICH WAS
CONVEYED TO PALM BEACH COUNTY BY RIGHT-OF-WAY WARRANTY DEED,
RECORDED IN OFFICIAL RECORDS BOOK 5764, PAGE 1213, OF THE PUBLIC
RECORDS OF PALM BEACH COUNTY, FLORIDA:

A 30 FOOT WIDE PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES,
BEING THE NORTH 30 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

TRACT 91, AND THE SOUTH 2 FEET OF TRACT 70, BLOCK 50, THE PALM BEACH
FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN
PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY,
FLORIDA.

CONTAINING 4.788 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 14

THE EAST 911.84 FEET OF TRACTS 78, 79 AND 80, BLOCK 45, OF THE PALM
BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS
RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM
BEACH COUNTY, FLORIDA.

CONTAINING 13.838 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 15

TRACT 92, AND THE SOUTH 2 FEET OF TRACT 69, IN BLOCK 50, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THE NORTH 30 FEET THEREOF, WHICH WAS CONVEYED TO PALM BEACH COUNTY BY RIGHT-OF-WAY WARRANTY DEED, RECORDED IN OFFICIAL RECORDS BOOK 5764, PAGE 784, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 4.788 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 16

A PARCEL OF LAND IN THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 1 AS MARKED BY AN 8" ROUND CONCRETE MONUMENT WITH A DISK MARKED "PRECISE SURVEY CITY OF WEST PALM BEACH" AS SET BY BROCKWAY, WEBER & BROCKWAY; THENCE SOUTH 00° 54' 32" EAST (STATE PLANE GRID DATUM) ALONG THE EAST LINE OF SECTION 1, A DISTANCE OF 1160.30 FEET TO AN IRON ROD; THENCE SOUTH 89° 34' 49" WEST, 91.35 FEET TO THE POINT OF BEGINNING BEING A 1/2" IRON PIPE AND CAP (LB 3653) ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7, AS RECORDED IN ROAD BOOK 1, PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 89° 34' 49" WEST, 1304.14 FEET TO A 1/2" IRON PIPE AND CAP (LB 3653); THENCE SOUTH 01° 24' 23" WEST, 277.65 FEET TO A 1/2" IRON PIPE AND CAP (LB 3653) SAID POINT ALSO DESIGNATED AS POINT "A" FOR FUTURE REFERENCE; THENCE NORTH 89° 24' 57" EAST, 1316.58 FEET TO A 1/2" IRON PIPE AND CAP (LB 3653) TO THE SAID WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7; THENCE NORTH 01° 10' 14" WEST ALONG SAID RIGHT-OF-WAY LINE, 273.76 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL OF LAND; COMMENCE AT THE PREVIOUSLY DESCRIBED POINT "A"; THENCE NORTH 89°24'57" EAST, A DISTANCE OF 754.11 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01°28'51" WEST, A DISTANCE OF 275.53 FEET; THENCE NORTH 89°34'49" EAST, A DISTANCE OF 400.59 FEET; THENCE SOUTH 01°10'57" EAST ALONG THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 7 AS RECORDED IN OFFICIAL RECORDS BOOK 10989, PAGE 779, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 274.23 FEET; THENCE SOUTH 89°24'57" WEST, A DISTANCE OF 399.15 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN INGRESS AND EGRESS EASEMENT OVER AND ACROSS THE SOUTH 25.00 FEET THEREOF.

LESS AND EXCEPTING PARCEL 110 CONVEYED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, BY WARRANTY DEED RECORDED MARCH 16, 1999, IN OFFICIAL RECORDS BOOK 10989, PAGE 779, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 1; THENCE SOUTH 89° 28' 58" WEST ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 5.735 METERS (18.82 FEET) TO A POINT ON THE BASELINE OF SURVEY FOR STATE ROAD 7 (U.S. 441), ACCORDING TO THAT FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 93210-2524; THENCE NORTH 00° 57' 44" WEST ALONG SAID BASELINE OF SURVEY, A DISTANCE OF 0.557 METERS (1.83 FEET); THENCE SOUTH 89° 02' 16" WEST AT A RIGHT ANGLE TO THE PREVIOUSLY DESCRIBED COURSE, A DISTANCE OF 71.635 METERS (235.02 FEET); THENCE SOUTH 00° 57' 52" WEST, A DISTANCE OF 237.697 METERS (779.84 FEET); THENCE SOUTH 01° 10' 57" EAST, A DISTANCE OF 115.338 METERS (378.41 FEET) TO THE POINT OF BEGINNING; THENCE SOUTH 01° 10' 57" EAST ALONG A LINE 71.628 METERS (235.00 FEET) WEST OF AND PARALLEL WITH SAID BASELINE OF SURVEY, A DISTANCE OF 83.585 METERS (274.23 FEET); THENCE NORTH 89° 24' 50" EAST, A DISTANCE OF 48.768 METERS (160.00 FEET) TO A POINT ON THE WESTERLY EXISTING RIGHT-OF-WAY LINE FOR STATE ROAD 7 (U.S. 441) AND A LINE 22.860 METERS (75.00 FEET) WEST OF AND PARALLEL WITH SAID BASELINE OF SURVEY; THENCE NORTH 01° 10' 57" WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 83.445 METERS (273.76 FEET); THENCE SOUTH 89° 34' 42" WEST, A DISTANCE OF 48.770 METERS (160.01 FEET) TO THE POINT OF BEGINNING.

CONTAINING 4.742 ACRES MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 17

TRACT 89 AND THE SOUTH 2.00 FEET OF TRACT 72, BLOCK 50, THE PALM BEACH FARMS CO, PLAT NO, 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY WHICH WAS CONVEYED TO PALM BEACH COUNTY BY RIGHT-OF-WAY WARRANTY DEED, RECORDED IN OFFICIAL RECORDS BOOK 5764, PAGE 1215, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

A 30 FOOT WIDE PARCEL OF LAND FOR ROAD RIGHT-OF-WAY PURPOSES, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 28 FEET OF TRACT 89 AND THE SOUTH 2.00 FEET OF TRACT 72, BLOCK 50, THE PALM BEACH FARMS CO, PLAT NO, 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 4.789 ACRES, MORE OR LESS.

AND:

SUSSMAN AGR-PUD – PRESERVE 18

PARCEL 1:

TRACTS 17 AND 18, BLOCK 67, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 2:

TRACT 16, BLOCK 67, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 3:

THE NORTH 15 FEET OF THAT ROAD, DYKE & DITCH RESERVATION 30 FEET IN WIDTH, LYING SOUTH OF THE EAST 1/2 OF TRACT 11, TRACTS 12 AND 13, BLOCK 67; TOGETHER WITH THE SOUTH 15 FEET OF THAT ROAD, DYKE & DITCH RESERVATION 30 FEET IN WIDTH, LYING NORTH OF TRACTS 16 THROUGH 18, BLOCK 67; TOGETHER WITH THE EAST 15 FEET OF THAT ROAD, DYKE & DITCH RESERVATION 30 FEET IN WIDTH, LYING WEST OF TRACT 18

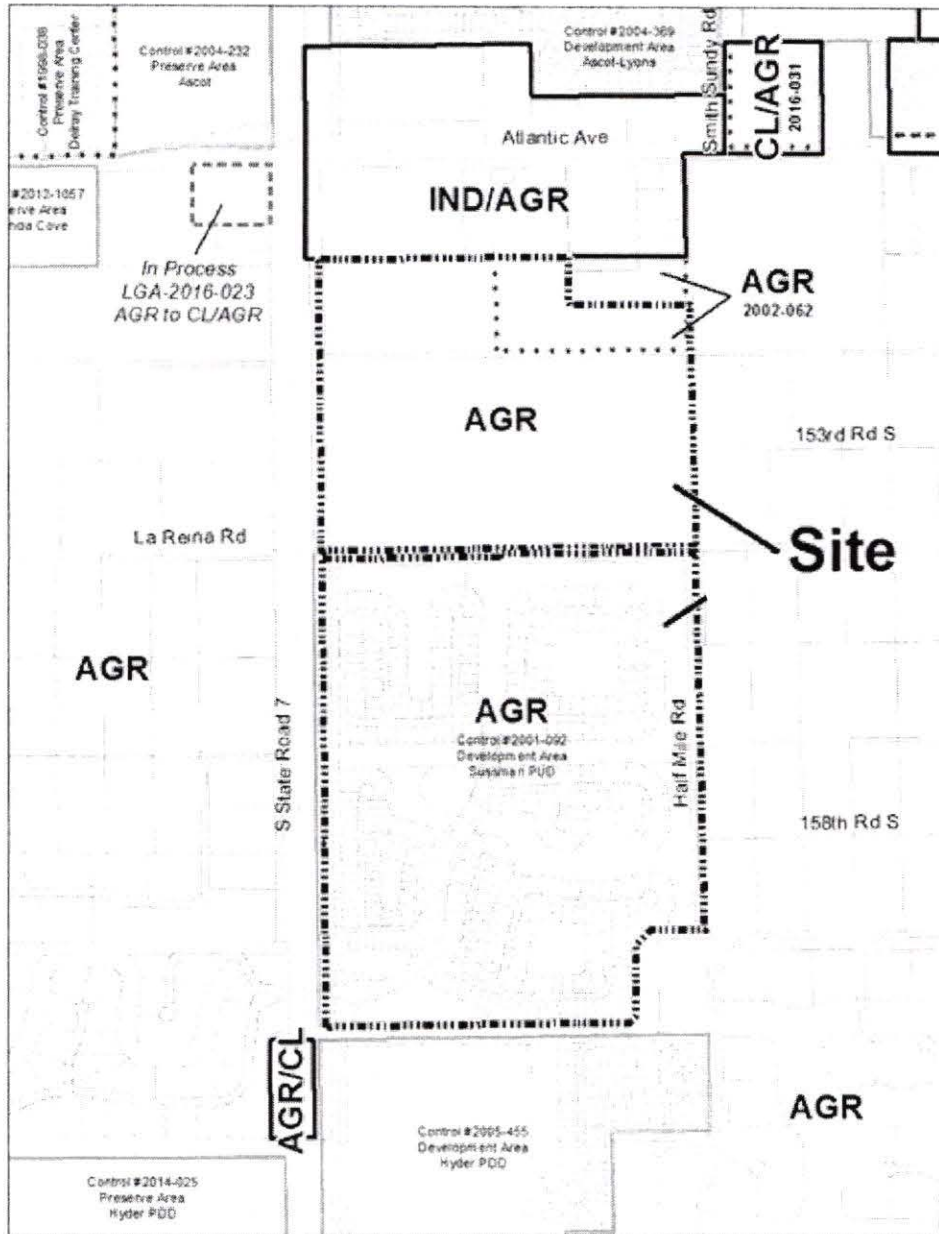
AND ITS NORTHERLY EXTENSION, BOUNDED ON THE NORTH BY THE CENTERLINE OF THAT ROAD, DYKE & DITCH RESERVATION 30 FEET IN WIDTH, LYING NORTH OF TRACT 18, BLOCK 67, ALL OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

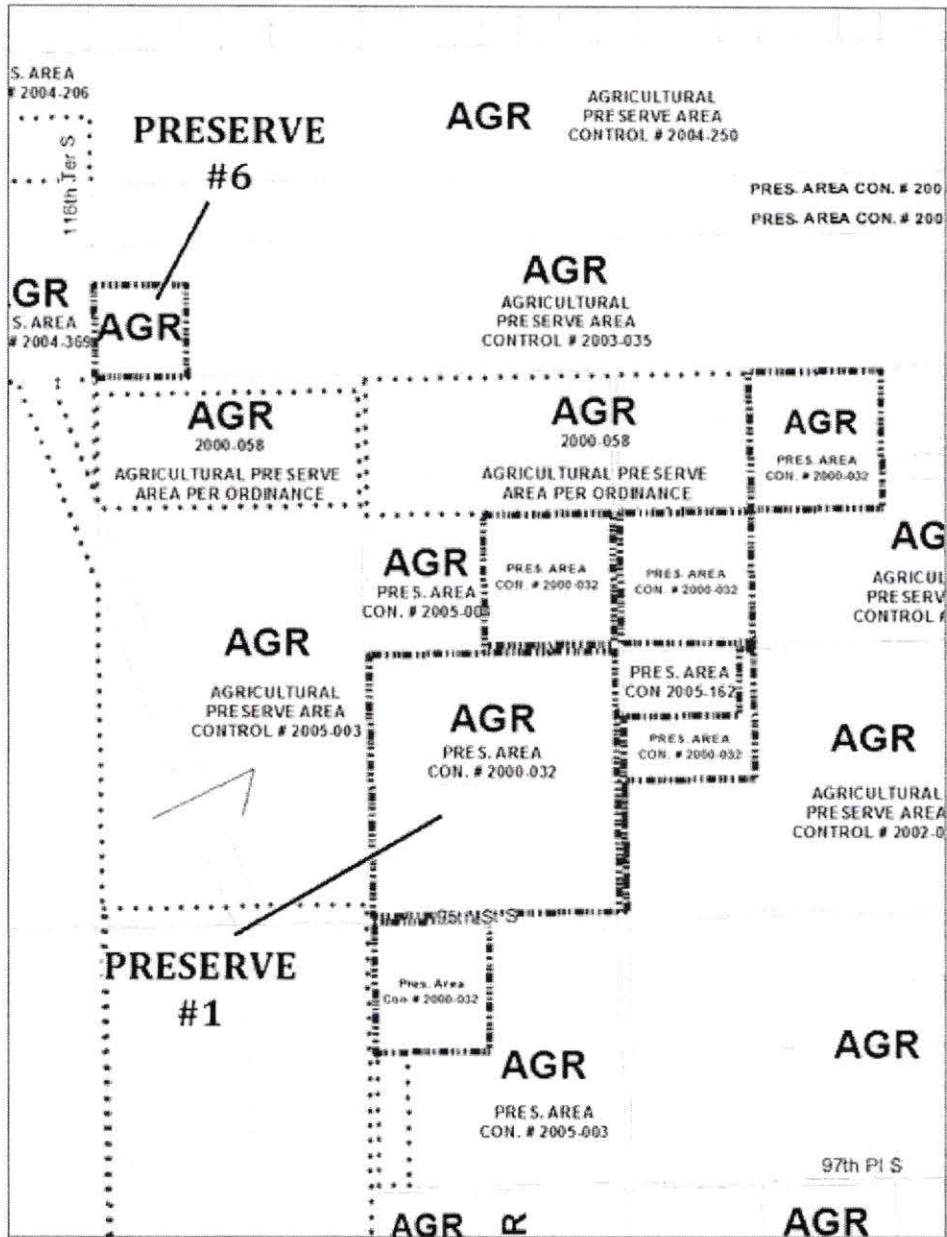
CONTAINING 31.476 ACRES, MORE OR LESS.

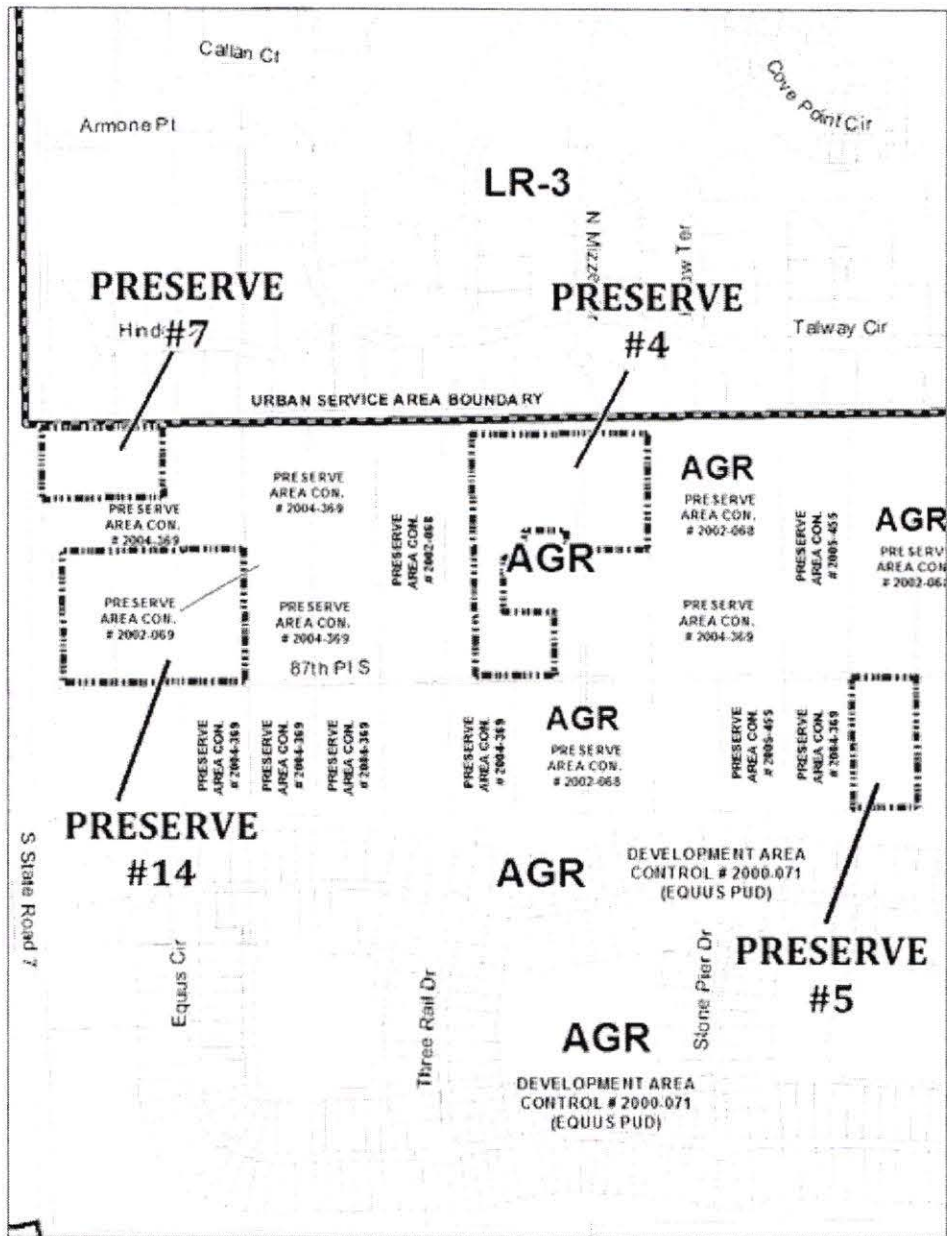
PROPOSED PRESERVE PARCELS NORTH_ CONTAINING A TOTAL OF 165.916 ACRES MORE OR LESS.

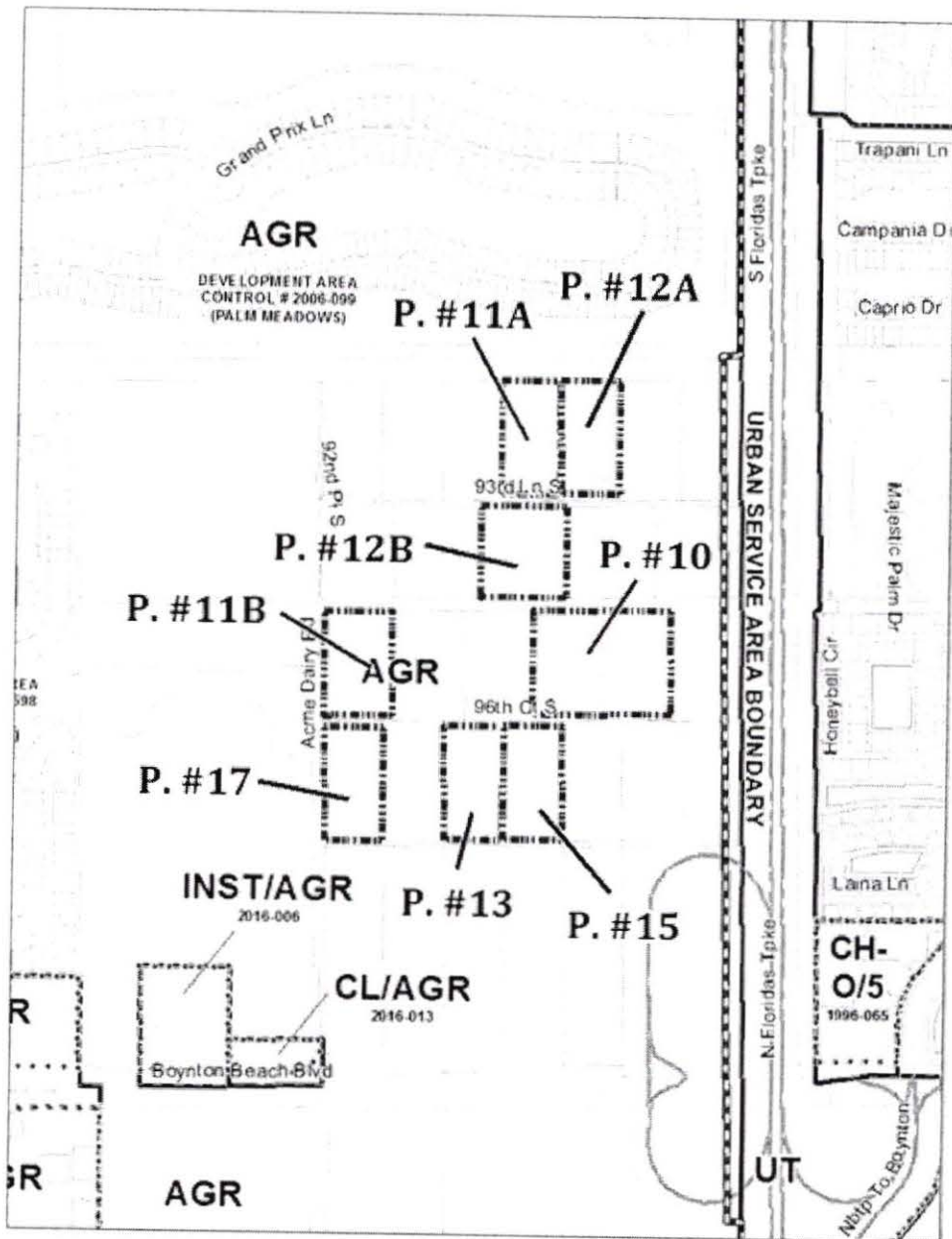
_CONTAINING A TOTAL OF 278.681 ACRES MORE OR LESS.

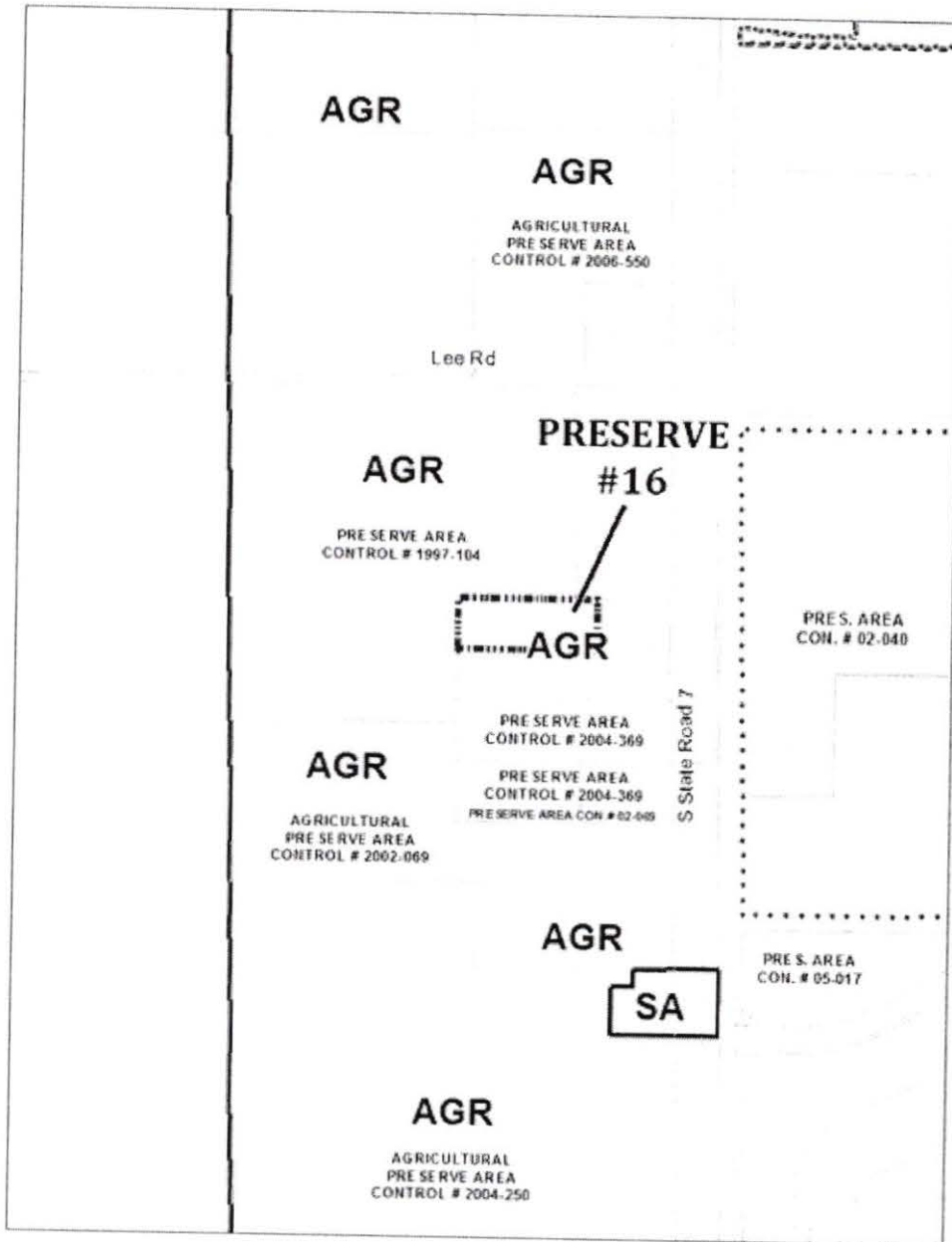
EXHIBIT B
VICINITY SKETCH

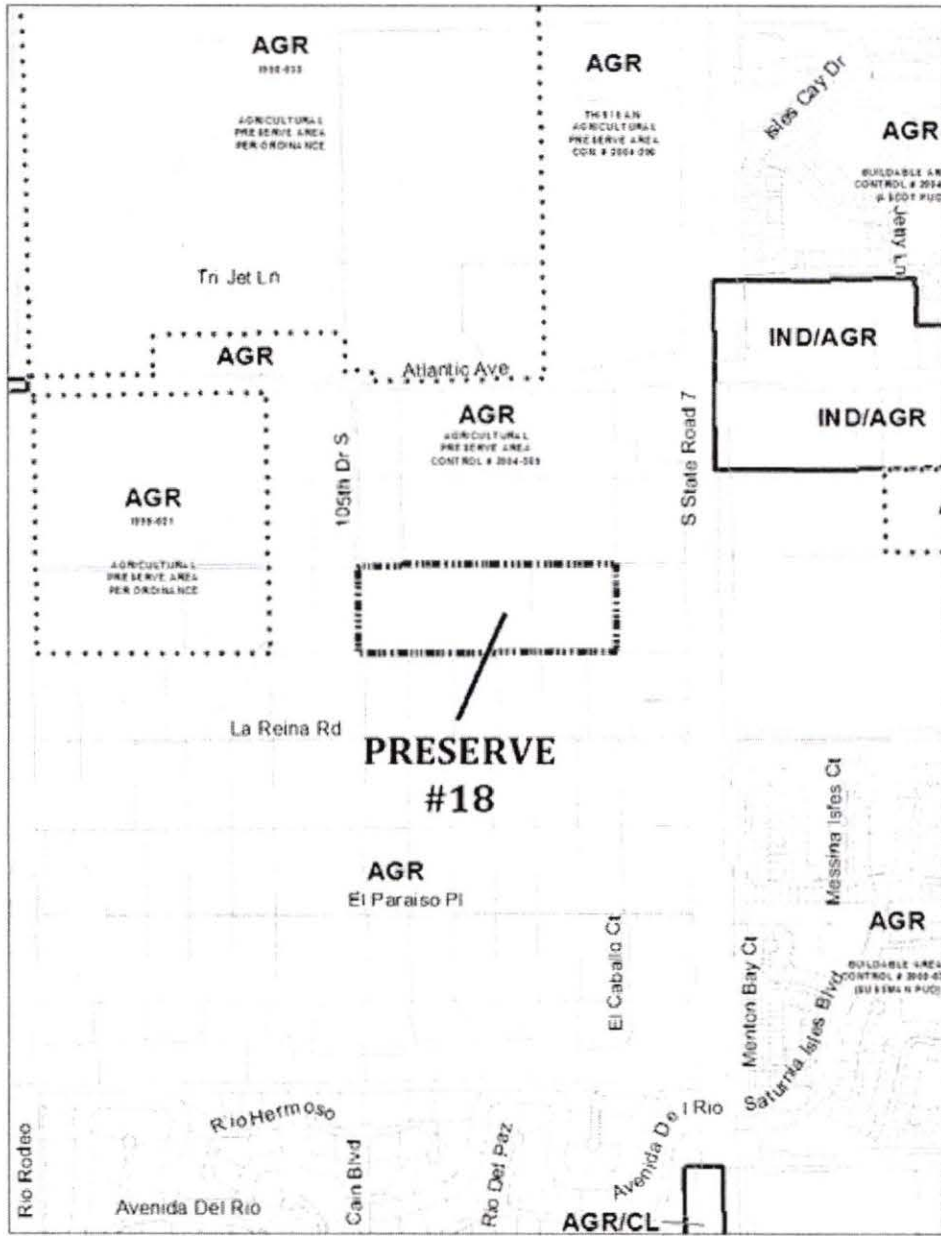












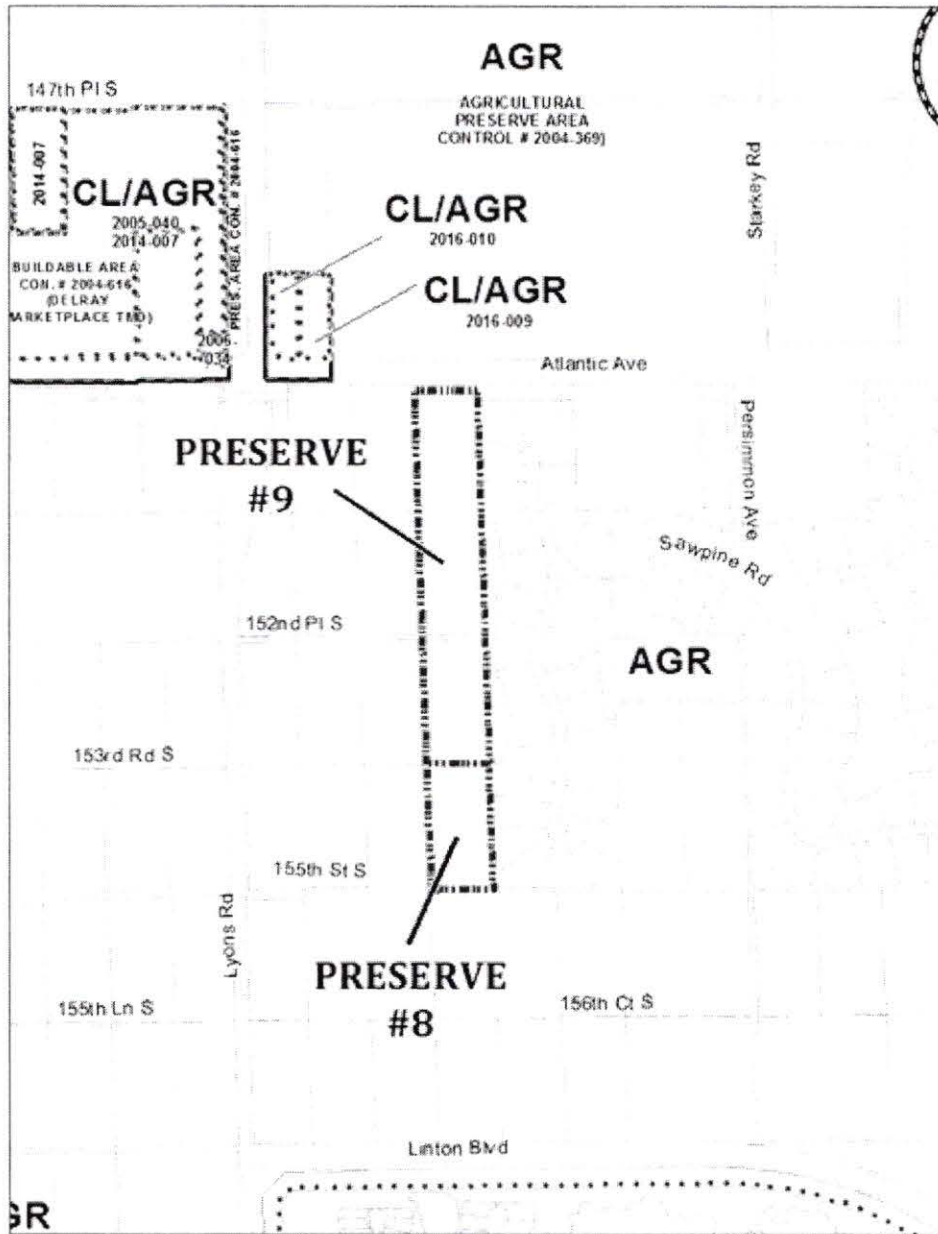


EXHIBIT C

CONDITIONS OF APPROVAL

PDD- Residential Planned Development District

ALL PETITIONS

1. The approved Preliminary Master and Regulating Plans are dated July 25, 2016. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: ZONING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or

b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or

c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or

d. Referral to Code Enforcement; and/or

e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: ZONING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.