

ORDINANCE NO. 2015 - 07

AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, CHANGING THE ZONING FROM CARRIAGE PARK PLANNED DEVELOPMENT TO PARKMORE MANOR PLANNED DEVELOPMENT, ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF NORTH BLUE LAKE AVENUE AND NORTH HILL AVENUE; APPROVING A PLANNED DEVELOPMENT PLAN CONSISTING OF APPROXIMATELY +/- 20 ACRES OF PROPERTY; MAKING FINDINGS OF CONSISTENCY WITH THE COMPREHENSIVE LAND USE PLAN FOR THE CITY OF DELAND; DIRECTING CHANGE IN THE COMPREHENSIVE ZONING MAP; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Applicant, Randall W. Stallard, (hereinafter referred to as "Applicant"), is the owner of +/- 20 acres of land located on the southeast corner of North Blue Lake Avenue and North Hill Avenue, which is more particularly described in the legal description attached hereto as Exhibit "A" and by this reference made a part hereof; and

WHEREAS, the Applicant has applied for a change of zoning designation from Carriage Park PD to Parkmore Manor PD, Planned Development District; and

WHEREAS, said rezoning is consistent with both the Comprehensive Plan and the purpose and intent of Section 33-32 of the Code of Ordinances of the City of DeLand (the "Code"); and

WHEREAS, the Applicant has submitted an application for the approval of a development plan in order to amend the current PD so as to change certain development standards for the property described in Exhibit "A" (hereinafter the "Property" or the "Project"); and

WHEREAS, the Property has already had all infrastructure (i.e., roads and utilities) installed and the Applicant is ready to start building homes on the developed lots; and

WHEREAS, the proposed development plan meets or exceeds the minimum conditions and standards for the PD District with respect to minimum development size, perimeter setbacks, comprehensive plan consistency, internal compatibility, external compatibility, open spaces, sidewalks, environmental constraints, internal access and circulation, external transportation access, off-street parking, public facilities and unified control; and

WHEREAS, the proposed development plan is consistent with the Low Density Residential land use designation.

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

Section 1. The City Commission has held a public hearing to approve the change of zoning from Carriage Park PD to Parkmore Manor PD, Planned Development District, on the property located on the southeast corner of North Blue Lake Avenue and North Hill Avenue.

Section 2. Pursuant to the determination made at public hearing, the City Commission hereby amends the Comprehensive Zoning Map of the City to include the land described in Exhibit "A" as Parkmore Manor PD, Planned Development District.

Section 3. The zoning of the Property as PD, Planned Development District, is made pursuant to Section 33-32 of the Code and the development of the Property shall take place in

accordance with that Section and in substantial compliance with the Development Plan Agreement, Maps and other supporting documentation submitted by Applicant which shall be filed and retained for public inspection in the office of the City Planning Department and constitute a supplement to the official Zoning Map of the City.

Section 4. The approved Development Plan for Parkmore Manor PD, Planned Development District, including the Development Plan Agreement, Map and other supporting documentation (on file with the City Planning Department), are attached hereto as Exhibit "B" and by this reference made a part hereof.

Section 5. The failure of the approved Development Plan to address a particular permit, condition, term or restriction shall not relieve the Applicant of the necessity of complying with any law governing said permitting requirements, conditions, terms or restrictions, as same may be amended or enacted from time to time in the future. All current land development regulations of the City are applicable to the PD District except to the extent that they conflict with a specific provision of the approved Development Plan.

Section 6. At the time of development, the Applicant shall comply with all relevant building codes and development standards contained in the City's Code of Ordinances or in the Development Plan; provided, however, that the development standards contained in the adopted Development Plan shall supersede comparable standards contained in the Code of Ordinances.

Section 7. Pursuant to Article 5 of the City's Land Development Regulations, the Applicant shall comply with all applicable infrastructure regulations.

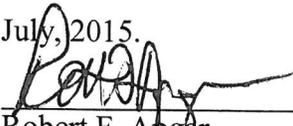
Section 8. The City Engineer, Planning Director, and Building Department are hereby directed to change the Comprehensive Zoning Map of the City of DeLand to conform with the change of zoning enacted in this Ordinance.

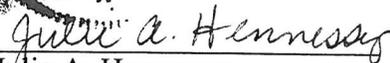
Section 9. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 10. This Ordinance shall become effective immediately upon its adoption.

RESOLVED AND DULY ADOPTED this 6th day of July, 2015.




Robert F. Apper
Mayor - Commissioner


Julie A. Hennessy
City Clerk - Auditor

Passed on first reading: June 15, 2015
Adopted on second reading: July 6, 2015

APPROVED AS TO FORM AND LEGALITY:

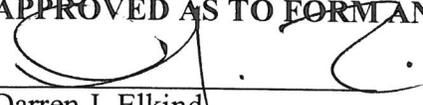

Darren J. Elkind
City Attorney

EXHIBIT A

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DESCRIPTION:

A PORTION OF THE NORTH 1/2 OF SECTION 10, TOWNSHIP 17 SOUTH, RANGE 30, VOLUSIA COUNTY, FLORIDA, LYING SOUTHERLY AND WESTERLY OF THE BLUE LAKE AVENUE EXTENSION AND EASTERLY OF JACOBS DAIRY ROAD BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE N.W. CORNER OF EASTBROOK SUBDIVISION PHASE II, AS PER MAP RECORDED IN PLAT BOOK 48, PAGE 197, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN N 00°41'39" W, ALONG THE EAST LINE OF THE S.E. 1/4 OF THE N.W. 1/4 OF SAID SECTION 10, A DISTANCE OF 384.94 FEET TO A 4X4 CONCRETE MONUMENT MARKING THE N.E. CORNER OF THE S.E. 1/4 OF THE N.W. 1/4 OF SAID SECTION 10; . THENCE RUN S 89°54'50" W, ALONG THE NORTH LINE OF THE S.E. 1/4 OF THE N.W. 1/4, A DISTANCE OF 555.21 FEET TO A 5/8" IR&C, LB #3019, AT THE EAST RIGHT OF WAY OF JACOBS DAIRY ROAD, (A 100' R/W) THENCE N 00°51'16" W, ALONG SAID EAST RIGHT OF WAY OF JACOBS DAIRY ROAD A DISTANCE OF 616.21 FEET TO A 4X4 CONCRETE MONUMENT, PLS #3254 & #4046; THENCE RUN N 44°14'00" E, A DISTANCE OF 28.21 FEET TO A 4X4 CONCRETE MONUMENT, PLS #3254 & #4046 ON THE SOUTHERLY RIGHT OF WAY LINE OF N. BLUE LAKE AVE. (A 100' R/W); THENCE RUN N 89°52'54" E, ALONG SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 223.24 FEET TO A 4X4 CONCRETE MONUMENT, PLS #3254 & #4046, MARKING THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 1,150 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF 58°10'04" AND HAVING AN ARC LENGTH OF 1167.50 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 61°02'04" E, 1118.01 FEET; THENCE DEPARTING SAID BLUE LAKE AVE., RUN S 00°06'16" E, A DISTANCE OF 478.94 FEET TO A 4X4 CONCRETE MONUMENT #3282 MARKING THE N.E. CORNER OF SAID EASTBROOK SUBDIVISION PHASE II, THENCE RUN S 89°57'18" W, ALONG THE NORTH LINE OF SAID EASTBROOK SUBDIVISION PHASE II, A DISTANCE OF 653.66 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 20.00 ACRES MORE OR LESS.

1 PLANNED DEVELOPMENT AGREEMENT

2 IN THE CITY COMMISSION OF THE

3 CITY OF DELAND, FLORIDA

4 IN RE: (Case Number # _____), Application of

5 Randall W. Stallard

6 Ordinance # 2015-07

7
8 ORDER AND RESOLUTION

9 GRANTING A REQUEST FOR CHANGE OF ZONING FROM

10 CARRIAGE PARK PD (PLANNED DEVELOPMENT) TO PARKMORE MANOR PD

11

12 The application of Parks Properties, Inc., hereinafter, "Original Applicant", for rezoning
13 was heard by and before the City Commission, DeLand, Florida, for first reading on October
14 03, 2005 and for second and final reading on December 19, 2005. Based on the verified
15 Application and other supporting documents, maps, charts, overlays, other evidence and
16 instruments; the advice, report, and recommendations of the Community Development, and
17 other Departments and agencies of DeLand, Florida; and the testimony adduced and
18 evidence received at the Public Hearing on that Application by the Planning Board on
19 September 22, 2005 and otherwise having been fully advised, the City Commission made the
20 findings and determinations set forth in Order and Resolution 2005-68 approving the
21 Development. Following the approval by the City Commission as aforesaid, the
22 Development Agreement was not executed by Parks Properties, Inc. However, Parks
23 Properties, Inc. was permitted to submit a preliminary plat and associated construction
24 documents for the site infrastructure on the subject property, for which the preliminary plat
25 was approved by the City Commission on May 15, 2006. Construction of the site

1 infrastructure was substantially completed and a final plat was approved by the City
2 Commission by way of Resolution Number 2007-28. The final plat was never executed by
3 the City of DeLand officials whom are required to execute final plats, the final plat was not
4 recorded, and the subdivision infrastructure, while in place, was never accepted by the City
5 of DeLand. The subject property was transferred by the original applicant, Parks Properties,
6 Inc., to DAVID L. THOMAS TRUSTEE OF THE HOWARD RING 2005 TRUST DATED 9/21/2005 on
7 or about November 17, 2010. DAVID THOMAS TRUSTEE OF THE HOWARD RING 2005 TRUST
8 DATED 9/21/2005, who is now the current owner of the subject property. The City of
9 DeLand required the current owner of the subject property to execute the Development
10 Agreement (which was previously approved by the City Commission by way of Ordinance
11 Number 2005-68). Said agreement for the Carriage Park PD (also referenced as East Carriage
12 Park PD and Carriage Park East PD in said document) was executed by all parties and publicly
13 recorded in December, 2014 in the Official Records of Volusia County, Florida, Book 7064,
14 Page 2260-2277. The current owner is currently in negotiations with Randall W. Stallard
15 (hereinafter referred to as the "Applicant", and for purposes herein the term Applicant shall
16 include the Applicant's predecessors in interest, as the context dictates) to address
17 remaining conditions needing completion to accommodate final plat recording activities for
18 the subject property and prepare the subject property for individual lot sales and home
19 construction. As a result of these negotiations, Applicant is requesting minor modifications
20 to the current Carriage Park PD pertaining to PD name change, setbacks, and minimum
21 square footage with the intent of keeping the remaining conditions in the original Carriage
22 Park PD Development Agreement intact. The application of Randall W. Stallard for rezoning
23 was heard by and before the City Commission on June 15, 2015 and July 06, 2015. Based on
24 the verified Application and other supporting documents, maps, charts, overlays, other
25 evidence and instruments; the advice, report, and recommendations of the Community
26 Development Department, and other Departments and agencies of DeLand, Florida; and the

1 testimony adduced and evidence received at the Public Hearing on that Application by the
2 Planning Board on May 20, 2015 and otherwise having been fully advised, the City
3 Commission made the findings and determinations as follows:

4

GENERAL FINDINGS

- 1
- 2
- 3 A. That an application of Randall W. Stallard was duly and properly filed herein on
- 4 April 17, 2015, as required by law.
- 5
- 6 B. That all fees and costs which are by law, regulation, or Ordinance required to be
- 7 borne and paid by the Applicant, have been paid.
- 8
- 9 C. That the Applicant is the contract purchaser of a (20 +/-) acre parcel of land
- 10 which is situated in DeLand, Florida. This parcel of land is described more
- 11 particularly in the survey and legal description, a true copy of which is exhibited
- 12 hereto as Exhibit "A".
- 13
- 14 D. That the Applicant has complied with the concept plan provision as required by
- 15 Land Development Regulations Ordinance 2002-09, as amended, which was in
- 16 effect at the time the Carriage Park PD was approved and under which substantial
- 17 improvements completed, and Land Development Regulations Ordinance 2013-11,
- 18 as amended.
- 19
- 20 E. That the Applicant has complied with the "Due Public Notice" requirements of
- 21 the City Commission, Land Development Regulations Ordinance #2002-09, as
- 22 amended.
- 23
- 24 F. That the owner of the property, DAVID L. THOMAS TRUSTEE OF THE HOWARD
- 25 RING 2005 TRUST DATED 9/21/2005, agrees with the provisions of the
- 26 Development Agreement.
- 27
- 28

FINDINGS REGARDING REZONING

A. That the Applicant has applied for a change of zoning from the present zoning classification of the parcel described in Exhibit "A" from Carriage Park PD to Parkmore Manor PD.

B. That the said rezoning from Carriage Park PD to Parkmore Manor PD is consistent with the City of Deland Comprehensive Plan Ordinance # 1990-04, as amended, and the intent and purpose of the City of DeLand Land Development Regulations Ordinance # 2002-09, as amended, which was in effect at the time Order and Resolution 2005-68 and incorporated Development Agreement was originally approved and under which substantial site improvements were completed, and as well with City of DeLand Land Development Regulations Ordinance # 2013-11, as amended, and that said rezoning does promote the public health, safety, morals, general welfare and orderly growth of the area affected by the rezoning request.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY OF DELAND, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE CITY COMMISSION CHAMBERS, 120 SOUTH FLORIDA AVENUE, DELAND, FLORIDA, THIS 6th DAY OF July, 2015, AS FOLLOWS:

A. That the Application of Randall W. Stallard for the rezoning of the subject parcel is hereby granted.

B. That the zoning classification of the subject parcel described in Exhibit "A" attached hereto is amended from Carriage Park PD to Parkmore Manor PD as described in Article VII of the Land Development Regulations Ordinance #2002-09, as amended, which was in effect at the time the Carriage Park PD was originally approved.

C. That the Official Zoning Map of the City of DeLand, is hereby amended to show the change of zoning to Parkmore Manor PD.

1 D. That the City of DeLand Land Development Regulations Ordinance #2002-09, as
2 amended, which was in effect at the time the original Development Agreement was
3 approved and under which substantial site improvements were completed, and the
4 City of Deland Land Development Regulations Ordinance 2013-11, are consistent with
5 the provisions of the Development Agreement as herein set forth in this Ordinance
6 and with respect to any conflict between Land Development Regulations Ordinance
7 #2013-11, as amended, and the "Development Agreement", the provisions of the
8 "Development Agreement" shall govern. Ordinance #2013-11, as amended, shall
9 govern with respect to any matter not covered by the "Development Agreement".
10 The City of DeLand will ensure overall compliance with this Ordinance. However, to
11 the extent that there are any conditions which exist in the existing site infrastructure,
12 which conditions complied with City of DeLand Development Regulations Ordinance
13 2002-09, as amended, which was in effect at the time Order and Resolution 2005-68
14 and incorporated Development Agreement were originally approved, and under which
15 substantial site improvements completed, but which do not comply with City of
16 DeLand Land Development Regulations Ordinance #2013-11, such existing conditions
17 will be deemed to be incorporated in and approved by the Development Agreement,
18 even if not expressly addressed in the Development Agreement, and other provision
19 of this Order and Resolution and incorporated Development Agreement
20 notwithstanding.

21
22 E. Unless otherwise provided herein, the City of DeLand Land Development
23 Regulations Ordinance #2013-11, as amended, shall apply to the PD in the same
24 manner as the R1-A zoning classification.

25
26 F. Nothing in this Ordinance shall abridge the requirements of any City of DeLand
27 Ordinance other than Ordinance 2013-11, as amended. Timing and review
28 procedures contained in this Order and Resolution may be modified to comply with
29 City of DeLand Development Regulations 2013-11, as amended. Further, nothing in
30 the Development Agreement is intended to abridge the requirements of Ordinance
31 2013-11, as amended, and any other City Ordinances.

DEVELOPMENT AGREEMENT

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A. Development Concept. The property shall be developed as a PD substantially in accordance with the Planned Development Plan. The Planned Development Plan shall govern the development of the property as a PD and shall regulate the future land use of this parcel.

1. Planned Development Plan. The Planned Development Plan shall consist of this Development Agreement and the Development Plan Map originally prepared by Bowyer-Singleton and Associates, which Development Map is hereby approved and incorporated in this Ordinance by reference as Exhibit "B". The Planned Development Plan shall be filed and retained for public inspection in the Planning Department and it shall constitute a supplement to the Official Zoning Map of the City of DeLand.

2. Amendments. All amendments of the Planned Development Plan, other than those deemed by the Planning Department to be minor amendments as set out in Ordinance 2013-11, as amended, shall require the review and recommendation of the Planning Board and action by the City Commission in the same manner as a rezoning of the parcel.

3. Subdivision Approval. The subdivision infrastructure has already been completed as set forth above, and any maintenance, "punch out" or other conditions that need to be addressed prior to recording of the final plat shall be addressed by a separate instrument.

B. Unified Ownership. The Applicant or his successors shall maintain unified ownership of the subject parcel until after recordation of the final plat.

C. Phases of Development. N/A

1 I. Access and Transportation System Improvements. All access and
2 transportation system improvements shall be provided in accordance with the Land
3 Development Regulations Ordinance No. 2013-11, as amended. The property shall have
4 its primary ingress and egress from Blue Lake Avenue, a Volusia County maintained
5 roadway. Emergency access will be provided through a gated connection to Astoria
6 Drive.

7
8 J. Internal Roadways. Internal right-of-ways will be 50' wide. All internal roads
9 will be dedicated to the city.

10
11 K. Building or Property Owners Association. It is the intent of the Applicant to
12 create a property owner's association. The charter and by-laws of said association and
13 any other agreements, covenants, easements or restrictions shall be furnished to the City
14 of DeLand at the time of creation. The Applicant shall be responsible for recording said
15 information in the Public Records of Volusia County, Florida. Also, the applicant shall
16 bear and pay all costs for recording all of the aforementioned documents.

17
18 With respect to the enforcement of said agreements, covenants, easements, or
19 restrictions entered into between the applicant and the owners or occupiers of property
20 within the Parkmore Manor PD, the City of DeLand shall only enforce the provisions of
21 the "Development Agreement" and City of DeLand Land Development Regulation
22 Ordinance No. 2013-11, as amended, whichever is applicable, and not the private
23 agreements entered into between the aforementioned parties.

24
25 L. Other. N/A

26
27 M. Reverter Provision N/A

28
29 N. Binding Effect of Plans: Recording: and Effective Date The Planned
30 Development Plan, including any and all amendments shall bind and inure to the benefit
31 of the Applicant and his successor in title or interest. The Parkmore Manor PD zoning,
32 provisions of the "Development Agreement", and all approved plans shall run with the
33 land and shall be administered in a manner consistent with Article 12 of the City of
34 DeLand Land Development Regulations Ordinance No. 2013-11, as amended.

1 This ordinance and all subsequent amendments shall be filed with the Clerk of the
2 Court and recorded within forty-five (45) days following execution of the document by the
3 City Commission, in the Official Records of Volusia County, Florida. One copy of the
4 document, bearing the book and page number of the Official Record in which the document
5 was recorded, shall be submitted to the Planning Department for placement in the public
6 file. The date of recording of this document shall constitute the effective date of the
7 Amendment to the Development Plan associated with the Parkmore Manor PD or its
8 subsequent amendments. The applicant shall pay all filing costs for recording documents.

9

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1 Executed by the City Commission, City of Deland, Florida, this ^{7th} 6 day of July
2 2015.

3 City Commission of DeLand, Florida

4 Michael Pleus
5 Michael Pleus
6 City Manager

Robert Apgar
7 Robert Apgar
8 Mayor

ATTEST
Julie A. Hennessy
9 Julie A. Hennessy, MMC
10 City Clerk - Auditor

11 STATE OF FLORIDA
12 CITY OF DELAND

13 The foregoing instrument was acknowledged before me this ^{6th} 6 day of
14 July 2015 by Michael Pleus and Robert Apgar, as City Manager and Mayor, City
15 of DeLand, respectively, on behalf of the City of DeLand, and who are personally known to
16 me.

Kendra R. Curry



KENDRA R. CURRY
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE099155
Expires 8/19/2015

22 WITNESSES:

RANDALL W. STALLARD

Adrienne Strickland
23 Adrienne Strickland

Randall W. Stallard

26 Sandy Fletcher
27 Sandy Fletcher

29 The foregoing instrument was acknowledged before me this 25 day of June
30 2015 by Randall W. Stallard, who is personally known to me or has produced
31 known as identification.

Adrienne Strickland

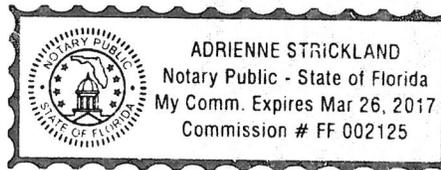


EXHIBIT "A"

EXHIBIT A

File: V:\2JW-J1\Survey\DGN-Geopak\Legal-Efird 12/13/2005, 10:20:03AM

DESCRIPTION:

A PORTION OF THE NORTH 1/2 OF SECTION 10, TOWNSHIP 17 SOUTH, RANGE 30, VOLUSIA COUNTY, FLORIDA, LYING SOUTHERLY AND WESTERLY OF THE BLUE LAKE AVENUE EXTENSION AND EASTERLY OF JACOBS DAIRY ROAD BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE N.W. CORNER OF EASTBROOK SUBDIVISION PHASE II, AS PER MAP RECORDED IN PLAT BOOK 48, PAGE 197, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE RUN N 00°41'39" W, ALONG THE EAST LINE OF THE S.E. 1/4 OF THE N.W. 1/4 OF SAID SECTION 10, A DISTANCE OF 384.94 FEET TO A 4X4 CONCRETE MONUMENT MARKING THE N.E. CORNER OF THE S.E. 1/4 OF THE N.W. 1/4 OF SAID SECTION 10; . THENCE RUN S 89°54'50" W, ALONG THE NORTH LINE OF THE S.E. 1/4 OF THE N.W. 1/4, A DISTANCE OF 555.21 FEET TO A 5/8" IR&C, LB #3019, AT THE EAST RIGHT OF WAY OF JACOBS DAIRY ROAD, (A 100' R/W) THENCE N 00°51'16" W, ALONG SAID EAST RIGHT OF WAY OF JACOBS DAIRY ROAD A DISTANCE OF 516.21 FEET TO A 4X4 CONCRETE MONUMENT, PLS #3254 & #4046; THENCE RUN N 44°14'00" E, A DISTANCE OF 28.21 FEET TO A 4X4 CONCRETE MONUMENT, PLS #3254 & #4046 ON THE SOUTHERLY RIGHT OF WAY LINE OF N. BLUE LAKE AVE. (A 100' R/W); THENCE RUN N 89°52'54" E, ALONG SAID SOUTHERLY RIGHT OF WAY, A DISTANCE OF 223.24 FEET TO A 4X4 CONCRETE MONUMENT, PLS #3254 & #4046, MARKING THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE RIGHT HAVING A RADIUS OF 1,150 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, PASSING THROUGH A CENTRAL ANGLE OF 58°10'04" AND HAVING AN ARC LENGTH OF 1167.50 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF S 61°02'04" E, 1118.01 FEET; THENCE DEPARTING SAID BLUE LAKE AVE., RUN S 00°06'16" E, A DISTANCE OF 478.94 FEET TO A 4X4 CONCRETE MONUMENT #3282 MARKING THE N.E. CORNER OF SAID EASTBROOK SUBDIVISION PHASE II, THENCE RUN S 89°57'18" W, ALONG THE NORTH LINE OF SAID EASTBROOK SUBDIVISION PHASE II, A DISTANCE OF 653.66 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 20.00 ACRES MORE OR LESS.

EXHIBIT "B"

