



**APPLICATION—CITY PLAN BOARD  
Planning & Development Services**

| <i>OFFICE USE ONLY</i>                                     |                   |
|--|-------------------|
| Petition No. _____   | Fee: \$ _____     |
| 1 <sup>st</sup> Step Mtg Date: _____                       | EZ Fee: \$ _____  |
| Tax Map No. _____  | Receipt No. _____ |
| Account No. 001-660-6680-3401 [ ]                          |                   |
| Account No. 001-660-6680-1124 (Enterprise Zone) [ ]        |                   |
| Account No. 001-660-6680-1125 (Enterprise Zone Credit) [ ] |                   |

| Owner(s) of Record (please print)  |
|--|
| Name: City of Gainesville  |
| Address: 300 E. University Avenue, Mail Stn. 48<br>Gainesville, FL 32601 |
| Phone: 352-334-2205  |
| (Additional owners may be listed at end of applic.)                      |

| Applicant(s)/Agent(s), if different |
|-------------------------------------|
| Same as Owner                       |
|                                     |
|                                     |
|                                     |
|                                     |

*Note: It is recommended that anyone intending to file a petition for amendments to the future land use map or zoning map atlas, meet with the Department of Community Development prior to filing the petition in order to discuss the proposed amendment and petition process. Failure to answer all questions will result in the application being returned to the applicant.*

**REQUEST**

**Check applicable request(s) below:**

|                                |                                |                                     |
|--------------------------------|--------------------------------|-------------------------------------|
| <b>Future Land Use Map</b> [X] | <b>Zoning Map</b> [X]          | <b>Master Flood Control Map</b> [ ] |
| Present designation: County Ag | Present designation: County Ag | <b>Other</b> [ ] Specify:           |
| Requested designation: PF      | Requested designation: PS      |                                     |

**INFORMATION ON PROPERTY**

|   |
|---|
| 1. Street address: No address – Property located immediately north and east of Deerhaven plant.   |
| 2. Map no(s): N/A   |
| 3. Tax parcel no(s): 05882-004-000, 05883-000-000, 05884-000-000, 05943-000-000, 05943-001-000, 05946-003-000, 05946-004-000, 05973-001-000, 05974-000-000, 05864-001-000, 05869-001-000, 05869-002-000, 05868-001-000, 05868-099-000, 05871-003-000 and 05871-002-000  |
| 4. Size of property: <u>Approx. 2,286.79 acre(s)</u><br><i>All requests for a land use or zoning change for property of less than 3 acres are encouraged to submit a market analysis or assessment, at a minimum, justifying the need for the use and the population to be served. All proposals for property of 3 acres or more must be accompanied by a market analysis report.</i> |

**Certified Cashier's Receipt:**

5. Legal description (attach as separate document, using the following guidelines):
- a. Submit on 8 ½ x 11 in. sheet of paper, separate from any other information.
  - b. May not be included as part of a Purchase Agreement, Contract for Sale, Lease Agreement, Transfer of Title, Warranty Deed, Notice of Ad Valorem Taxes, Print-outs from Property Appraiser's Office, etc.
  - c. Must correctly describe the property being submitted for the petition.
  - d. Must fully describe directions, distances and angles. Examples are: North 20 deg. West 340 feet (not abbreviated as N 20 deg. W 340'); Right-of-Way (not abbreviated as R/W); Plat Book (not abbreviated as PB); Official Records Book 1, page 32 (not abbreviated as OR 1/32); Section 1, Township 9 South, Range 20 East (not abbreviated as S1-T9S-R20E).

6. **INFORMATION CONCERNING ALL REQUESTS FOR LAND USE AND/OR ZONING CHANGES** (NOTE: *All development associated with rezonings and/or land use changes must meet adopted level of service standards and is subject to applicable concurrency requirements.*)

A. What are the existing surrounding land uses?

North

**Please see the attached Justification Report**

South

**Please see the attached Justification Report**

East

**Please see the attached Justification Report**

West

**Please see the attached Justification Report**

B. Are there other properties or vacant buildings within ½ mile of the site that have the proper land use and/or zoning for your intended use of this site?

NO  X

YES \_\_\_\_ If yes, please explain why the other properties cannot accommodate the proposed use?

C. If the request involves nonresidential development adjacent to existing or future residential, what are the impacts of the proposed use of the property on the following:

Residential streets

**Please see the attached Justification Report**

Noise and lighting

**Please see the attached Justification Report**

D. Will the proposed use of the property be impacted by any creeks, lakes, wetlands, native vegetation, greenways, floodplains, or other environmental factors or by property adjacent to the subject property?

NO \_\_\_ YES X (If yes, please explain below)

**Please see the attached Justification Report**

E. Does this request involve either or both of the following?

a. Property in a historic district or property containing historic structures?

NO X YES \_\_\_

b. Property with archaeological resources deemed significant by the State?

NO X YES \_\_\_

F. Which of the following best describes the type of development pattern your development will promote? (please explain the impact of the proposed change on the community):

Redevelopment \_\_\_  
Activity Center \_\_\_  
Strip Commercial \_\_\_

Urban Infill \_\_\_  
Urban Fringe X  
Traditional Neighborhood \_\_\_

Explanation of how the proposed development will contribute to the community.

**Please see the attached Justification Report**

G. What are the potential long-term economic benefits (wages, jobs & tax base)?

**Please see the attached Justification Report**

H. What impact will the proposed change have on level of service standards?

Roadways

**Please see the attached Justification Report**

Recreation

**Please see the attached Justification Report**

Water and Wastewater

**Please see the attached Justification Report**

Solid Waste

**Please see the attached Justification Report**

Mass Transit

**Please see the attached Justification Report**

I. Is the location of the proposed site accessible by transit, bikeways or pedestrian facilities?

NO  X

YES      (please explain)

**Please see the attached Justification Report**

CERTIFICATION

The undersigned has read the above application and is familiar with the information submitted. It is agreed and understood that the undersigned will be held responsible for its accuracy. The undersigned hereby attests to the fact that the parcel number(s) and legal description(s) shown in questions 3 and 5 is/are the true and proper identification of the area for which the petition is being submitted. Signatures of all owners or their agent are required on this form. Signatures by other than the owner(s) will be accepted only with notarized proof of authorization by the owner(s).

| Owner of Record |   |
|-----------------|---|
| Name:           | City of Gainesville   |
| Address:        | c/o Gainesville Regional Utilities<br>301 SE 4 <sup>th</sup> Avenue, Sta. A130<br>Gainesville, FL 32601 |
| Phone:          | 352-393-1232  |
| Signature:      | <i>Katy &amp; Vile 6/11/14</i>  |

| Owner of Record |                                |
|-----------------|--------------------------------|
| Name:           |                                |
| Address:        |                                |
| Phone:          | Fax:                           |
| Signature:      | <i>Katy &amp; Vile 6/11/14</i> |

| Owner of Record |      |
|-----------------|------|
| Name:           |      |
| Address:        |      |
| Phone:          | Fax: |
| Signature:      |      |

| Owner of Record |      |
|-----------------|------|
| Name:           |      |
| Address:        |      |
| Phone:          | Fax: |
| Signature:      |      |

No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant, at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form.

To meet with staff to discuss the proposal, please call (352) 334-5022 or 334-5023 for an appointment.



*Clay Sweger*  
 \_\_\_\_\_  
 Owner/Agent Signature  
 6/12/14  
 \_\_\_\_\_  
 Date

STATE OF FLORIDA  
COUNTY OF Alachua

Sworn to and subscribed before me this 12<sup>th</sup> day of June 2014, by (Name)  
Clay Sweger

*Brenna Kathleen French*  
 \_\_\_\_\_  
 Signature – Notary Public

Personally Known  OR Produced Identification \_\_\_\_\_ (Type) \_\_\_\_\_

Certified Cashier's Receipt:

|                                      |
|--------------------------------------|
| OFFICE USE ONLY                      |
| Petition No. _____                   |
| Fee: \$ _____                        |
| <b>Account No. 001-660-6680-4063</b> |

**CHECK ONE:**

**Basic**       **Level 1**       **Level 2**      **Submittal:**  **1st**  **2nd**  **3rd**

**Basic Environmental Review – FEE: \$0**  
**Level 1 Environmental Review – Submit environmental studies with application – FEE: \$500**  
**Level 2 Environmental Review – Submit mitigation and/or management plan – FEE: \$2,000**  
 (The environmental review fee includes a maximum of three reviews within 2 years per project.)

| Owner(s) of Record (please print)                     | Applicant(s)/Agent(s) (please print) |
|---|--------------------------------------|
| Name: City of Gainesville                             | Same as Owner                        |
| Address: 300 E. University Avenue, Mail Stn. 48       |                                      |
| Gainesville, FL 32601                                 |                                      |
|   |                                      |
| Phone: 334-2205                                       |                                      |
| <i>(If additional owners, please include on back)</i> |                                      |

**PROJECT INFORMATION**

|  |  |
|--|--|
| <b>Project Name</b>  | GRU Deerhaven Annexation Properties - Land Use Change / Rezoning                         |
| <b>Check all regulated resources that apply to this development application:</b> |  |
| Regulated Surface Waters & Wetlands (LDC 30-300)                                 | <input checked="" type="checkbox"/> Surface Waters and/or Wetlands                       |
| Regulated Parks & Conservation Areas (LDC 30-307)                                | <input type="checkbox"/> Nature Park and Public Conservation/Preservation Areas District |
| Regulated Natural & Archaeological Resources (LDC 30-310)                        | <input checked="" type="checkbox"/> Floridan Aquifer High Recharge Area                  |
|  | <input type="checkbox"/> Significant Natural Communities                                 |
|  | <input type="checkbox"/> Listed Species  |
|  | <input checked="" type="checkbox"/> Strategic Ecosystems                                 |
|  | <input type="checkbox"/> Significant Archaeological Resources                            |
|  | <input type="checkbox"/> Significant Geological Resource Features                        |

I certify that the above statements are correct and true to the best of my knowledge.

  
Applicant's signature

6/16/14  
Date

***Land Use Change & Rezoning Justification Report***  
***Deerhaven Annexation Properties***



**Prepared for Submittal to:**

City of Gainesville

**Prepared by:**

eda engineers-surveyors-planners, inc.

**Agents for:**

Gainesville Regional Utilities

*September 15, 2014*

**Table of Contents**

|   |    |
|---|----|
| Project Background                                | 1  |
| Statement of Proposed Change                      | 3  |
| Existing Future Land Use and Zoning               | 5  |
| Proposed Future Land Use and Zoning               | 6  |
| Responses to Application Questions                | 14 |
| A. Surrounding Land Uses                          | 14 |
| B. Adjacent Land Use                              | 14 |
| C. Development Impacts                            | 15 |
| a. Impact on Residential Streets                  | 15 |
| b. Impact on Noise and Lighting                   | 15 |
| D. Environmental Features                         | 15 |
| E. Historic Resources                             | 15 |
| F. Development Pattern and Community Contribution | 16 |
| G. Long-Term Economic Benefits                    | 16 |
| H. Level of Services Standards                    | 16 |
| a. Roadways                                       | 16 |
| b. Recreation                                     | 17 |
| c. Water and Wastewater                           | 17 |
| d. Solid Waste                                    | 18 |
| e. Mass Transit                                   | 18 |
| f. Schools  | 18 |
| I. Site Accessibility                             | 18 |
| Comprehensive Plan Consistency                    | 18 |
| Conclusion  | 26 |

**List of Figures**

|  |    |
|--|----|
| Figure 1: Aerial Photo   | 1  |
| Figure 2: Parcel Acquisition Map   | 2  |
| Figure 3: Existing Future Land Use Map                                       | 5  |
| Figure 4: Existing Zoning Map  | 6  |
| Figure 5: Proposed Future Land Use Map                                       | 6  |
| Figure 6: Proposed Zoning Map  | 7  |
| Figure 7: Surrounding Property Uses, Future Land Use and Zoning Designations | 14 |
| Figure 8: Maximum Developable Land Scenario                                  | 16 |
| Figure 9: Estimated Trip Generation  | 17 |
| Figure 10: Potable Water   | 17 |
| Figure 11: Wastewater Flow   | 18 |

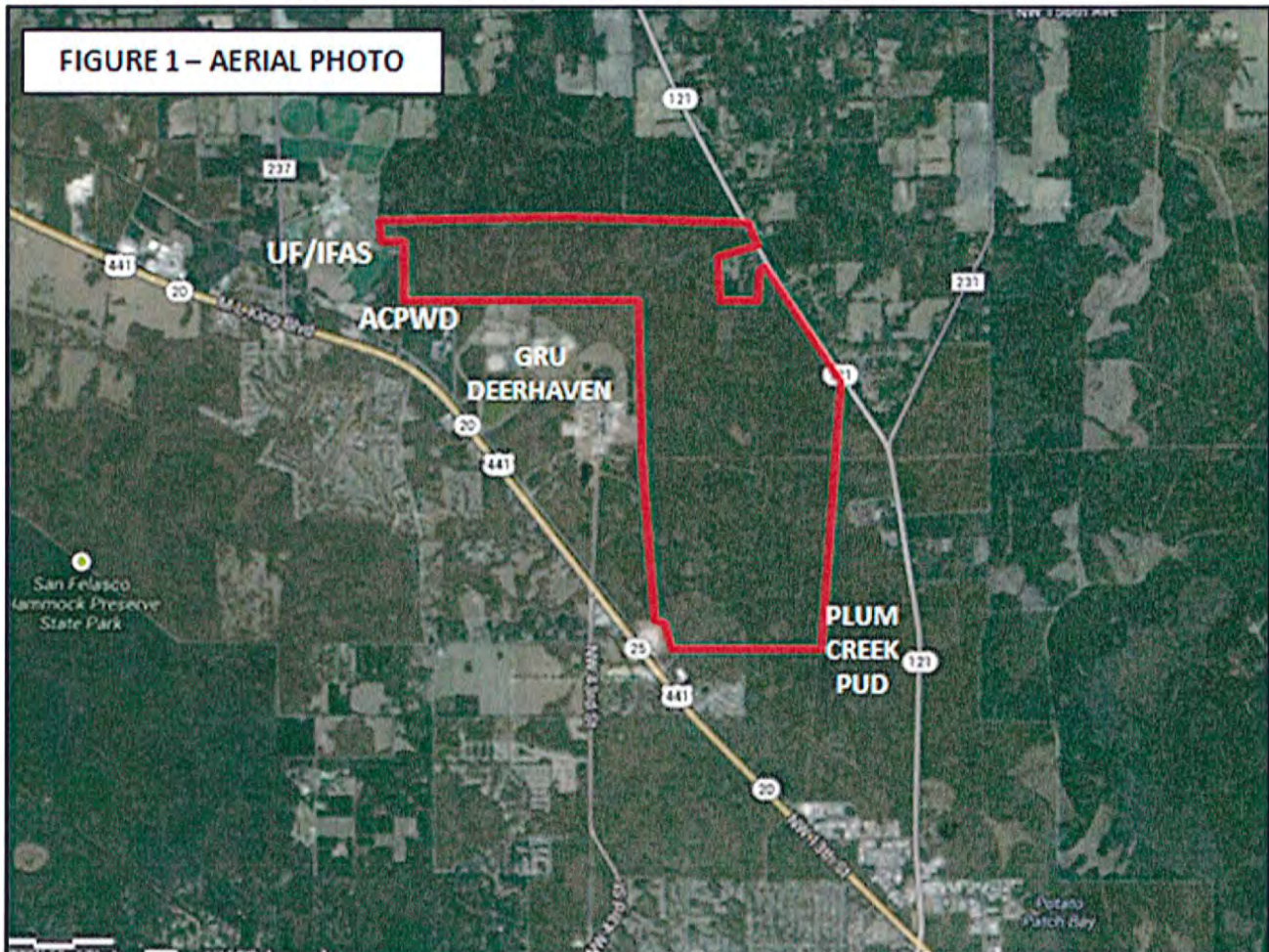
**List of Attachments**

|              |  |
|--------------|--|
| Attachment 1 | Legal Description & Legal Sketch (for proposed land use and zoning change) |
| Attachment 2 | Deed Information   |
| Attachment 3 | Conceptual Site Map  |
| Attachment 4 | Environmental Report – Ecosystem Research Corporation (dated June, 2014)   |



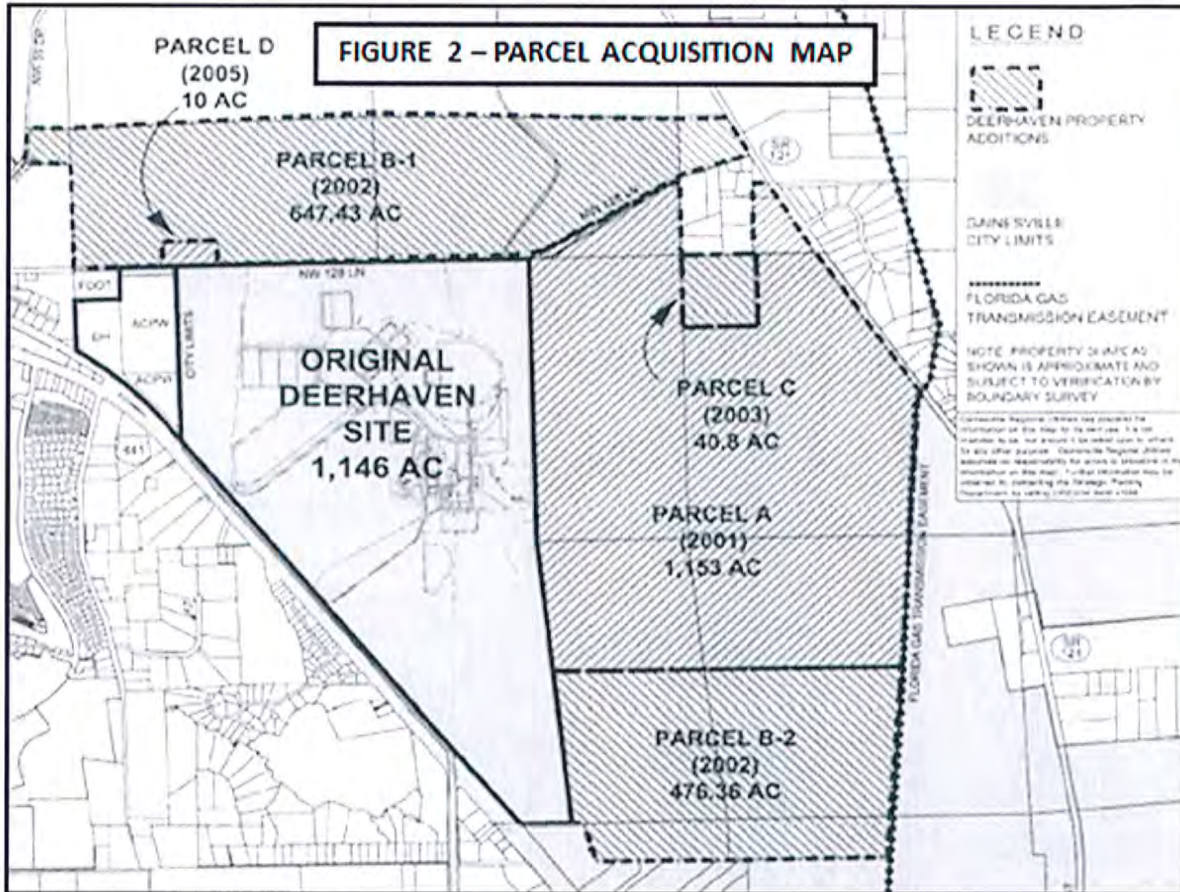
**Project Background**

Gainesville Regional Utilities proposes a Large Scale Comprehensive Plan Amendment (land use change) and rezoning for lands abutting the Deerhaven Generating Station. The property proposed for amendment is approximately 2,286.79 acres in size and includes Alachua County parcel numbers 05882-004-000, 05883-000-000, 05884-000-000, 05943-000-000, 05943-001-000, 05946-003-000, 05946-004-000, 05973-001-000, 05974-000-000, 05864-001-000, 05869-001-000, 05869-002-000, 05868-001-000, 05868-099-000, 05871-003-000 and 05871-002-000. The following aerial photo (Figure 1) indicates the project limits:



PB-14-73 LUC

The subject property encompasses approximately 2,300(+/-) acres and was purchased by the City of Gainesville incrementally in 2001, 2002, 2003 and 2005, as indicated on the following exhibit:



Subsequent to the purchase of the land by the City in 2007, a majority of the subject property was then annexed into the City of Gainesville (with 2 remnant portions being annexed in 2013). However, the property has an Alachua County future land use and zoning designation of Agriculture. As required per Comprehensive Plan Future Land Use Element Policy 4.4.1, an appropriate city future land use designation must be assigned to all properties that are annexed into the City of Gainesville. Therefore, this application proposes a change in the future land use change designation from Alachua County 'Rural/Agriculture' to City of Gainesville Public and Institutional Facilities and zoning from Alachua County Agriculture zoning to Public Services and Operations.

As this property is owned by the City and maintained by GRU and lies immediately abutting other GRU maintained land, this property would allow for future expansion area for the Deerhaven Generating Station, if the need should ever arise in the near or distant future, thereby providing a service to the citizens of Gainesville and customers of GRU. The appropriate future land use and zoning designation for the property to allow this is Public and Institutional Facilities and Public Services and Operations, which is identified in the City of Gainesville Comprehensive Plan as the appropriate designation for utility facilities and associated activities.

The previous property owners have planted and harvested pine timber since the early 1900's on-site and the area is currently actively managed for timber and is in planted pines. Therefore, the past and current silvicultural activities have altered the entire site from its historical habitat. It should also be noted that Plum Creek Timberlands still owns timber rights on the subject property that would allow them to harvest timber in the future.

Regarding on-site environmental features, GRU retained Ecosystem Research Corporation to prepare an environmental assessment provide an analysis of the site which provides an overall look at the resources that area existing on the property. The ERC report is included as an exhibit with this application and shall serve as the baseline for protection of on-site environmentally sensitive features as they relate to any future development (if any) that may be proposed on the property. Approximately 950 acres of wetlands exist on the subject property and the assessment categorizes the wetlands into several categories, based on size and quality. Stringent environmental protection standards are presently codified in the Land Development Code to protect these sensitive areas and are restated in the proposed Public Services and Operations zoning ordinance. GRU representatives believe that the revised land use and zoning change application strikes a balance between establishing appropriate environmental protection measures and allowing for the potential expansion of necessary city utility uses in the future.

### **Statement of Proposed Change**

---

The site currently has a Future Land Use (FLU) and zoning designation of Agriculture (County designation). An appropriate City future land use and zoning designation has never been applied since these were annexed into the City between the years of 2007-2013. Therefore, GRU seeks to amend the land use and zoning on the subject property from County Agriculture to City Public and Institutional Facilities / Public Services and Operations for lands abutting the Deerhaven Generating Station that presently serves the residents of the City of Gainesville and parts of unincorporated Alachua County. Specifically, the applicant requests the Public and Institutional Facilities / Public Services and Operations designations to provide an appropriate City land use and zoning designation for the publically owned land and include a list of permitted uses and development regulation. Future activities will include a combination of silvicultural activities, potential construction of utility facilities and select conservation areas. No development activity is proposed as part of this application and future development shall be subject to the appropriate development review process as outlined in the LDC.

The request is to apply a Public and Institutional Facilities (PF) future land use designation and Public Services and Operations (PS) zoning district to the subject property, which abuts the GRU Deerhaven Generating Station which presently has the same PF and PS land use and zoning designations. The Public Services and Operations zoning designation states that *'the PS district is intended to accommodate utilities and public facilities, at appropriate locations, necessary to serve the public.'* This application proposes a zoning district with a set of specific future permitted uses on the subject property with accompanying development standards.

Specifically, the following standards shall apply to the Public Services and Operations zoning ordinance and shall be applicable to this property:

**Permitted Uses:**

The following standards shall apply to the Public Services and Operations district zoning ordinance and shall be applicable to this property:

1. Electric power generating plants and ancillary systems and buildings as required for steam and combustion turbines, solar photovoltaic arrays, fuel cells, energy storage systems and other technologies as required to produce and manage electric power for retail consumption using fossil and renewable energy sources. Ancillary systems include water treatment and stormwater management, cooling systems, air emission controls, electric substations and transmission facilities, security management, water management and storage facilities, warehousing and maintenance facilities.
2. Green industries that assist in reducing society's reliance on fossil fuels, that would benefit from the availability of waste heat or by-products of power generation, or which may have by-products that are beneficial to the production of electricity. Examples could include but are not limited to: a facility using steam and electricity to produce ethanol from cellulosic materials, whose waste by-products are able to be dewatered and used as a fuel; a facility that would sequester and compress carbon dioxide for a variety of industrial and food-use applications; or a facility to make ice from steam.
3. Fuel and chemical transportation, loading, storage and handling systems as required for power generation or the management of power generation by-products, including rail and truck conveyance, unloading and loading facilities, conveyor belts, pipelines and metering stations.
4. Long-term storage and disposal of power generation by-products.
5. Communications towers and facilities in accordance with the provisions of the wireless communication facilities and antenna regulations of the land development code. Monopole towers shall be permitted in this PS zoning district, and monopole towers must meet the provisions of the wireless communication facilities and antenna regulations of the land development code.
6. Timber planting and harvesting.
7. Wildlife management.
8. Training areas for municipal police and fire agencies.
9. Outdoor storage, as defined in the Land Development Code and in accordance with the requirements for specially regulated uses in the Land Development Code.
10. Any accessory uses customarily and clearly incidental to any permitted principal use.

**Development Standards For Future Development:**

1. The subject property shall maintain a minimum 50 foot building setback from all property lines abutting a property with a different owner. No setback is required along property lines where adjacent properties are owned by the City of Gainesville and maintained by Gainesville Regional Utilities.

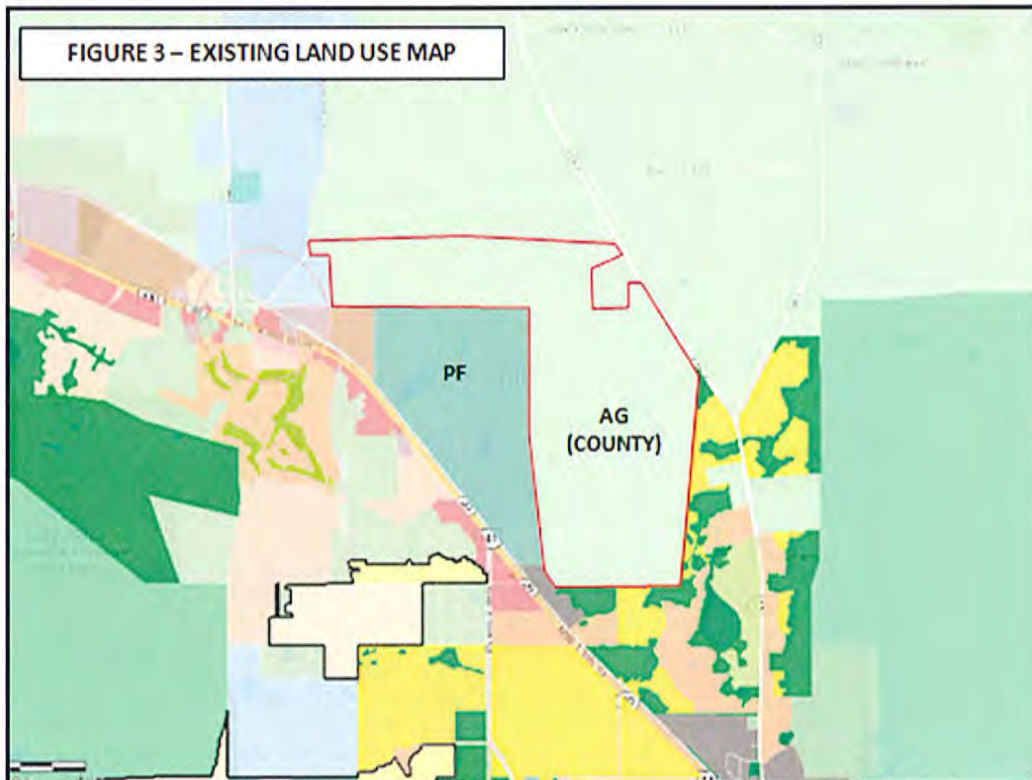
PB-14-73 LUC

2. Development plan review shall be required for all future site improvements and any development activity according to criteria outlined in the City of Gainesville Land Development Code.
3. All future development activity shall occur in compliance with the applicable development standards and dimensional requirements as indicated in the applicable sections of the Land Development Code.
4. Any future development activity shall be directed away from environmentally sensitive areas to the greatest extent possible. In addition, all development in and around these environmentally sensitive areas shall comply with the natural and archaeological resource protection standards and wetlands and surface water protection standards outlined in the Land Development Code.
5. Existing internal roads may continue to be utilized and improved for non-public use.
6. A 100 foot landscape buffer shall be applied along the common property line between the subject property and the Plum Creek PUD.
7. Upon submission of the first application for a non-exempt development activity on the GRU Deerhaven planning parcel, GRU may submit a proposal for alternate compliance to meet the provisions of the natural and archeological resources section of the Land Development Code. The alternate compliance proposal shall meet all the requirements as specified in the Land Development Code and may include a phased approach as it pertains to the implementation of conservation management areas (CMA's).

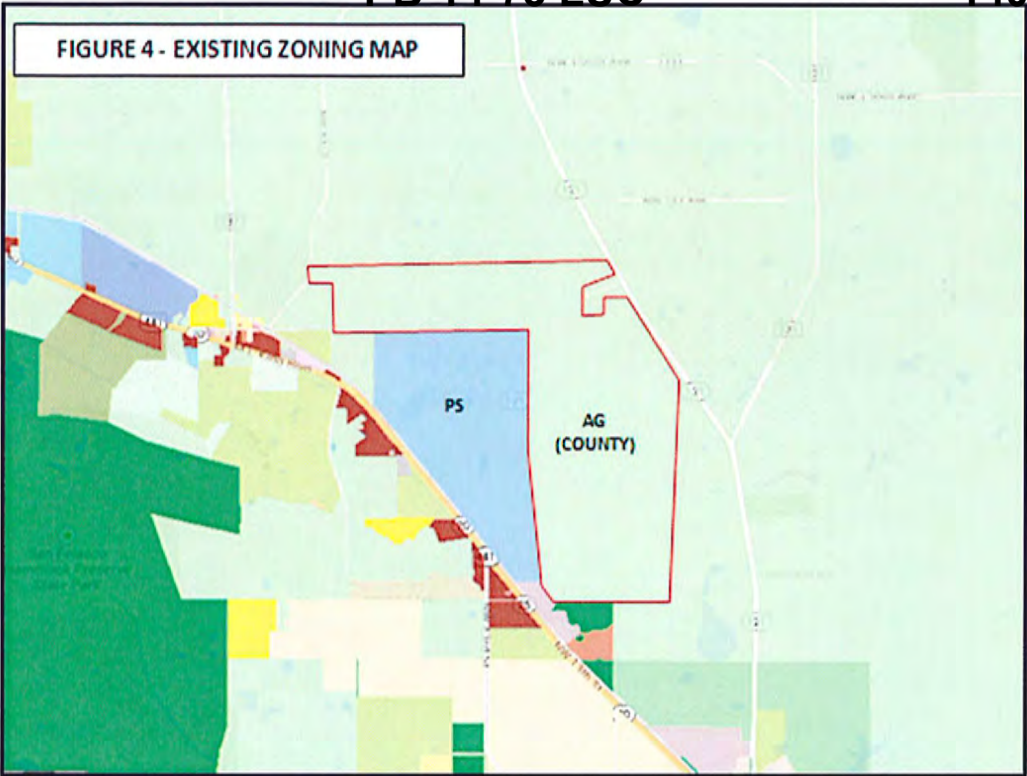
**Existing Future Land Use and Zoning**

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The current FLU of the site is Agriculture (County designation) and the zoning is Agriculture (County designation), as indicated on Figures 3 & 4:

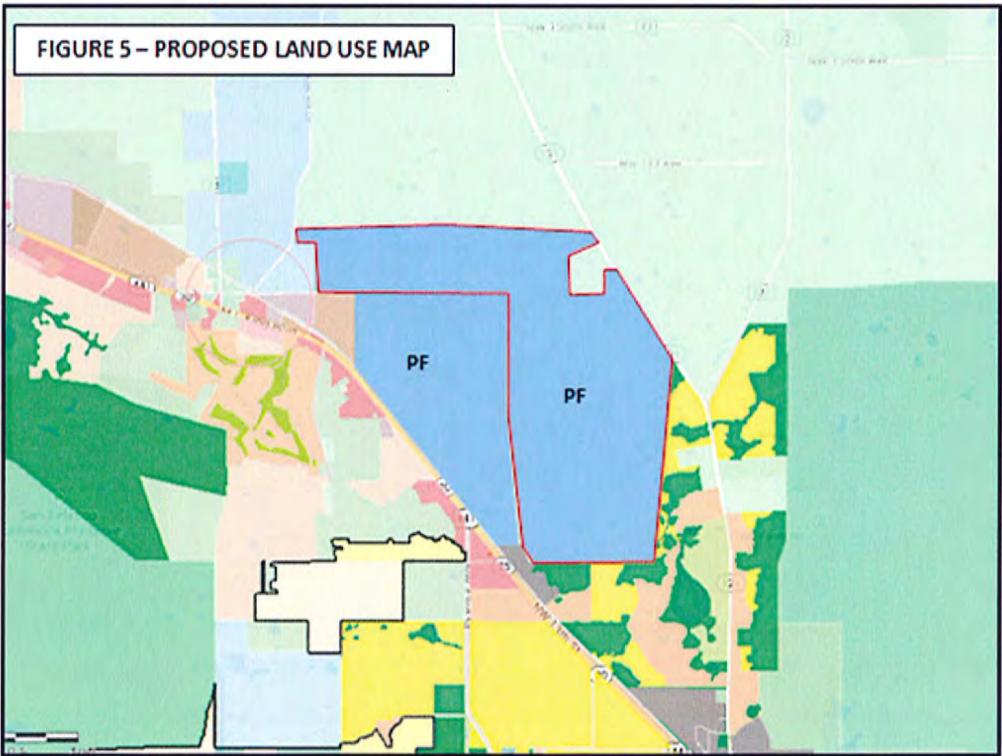


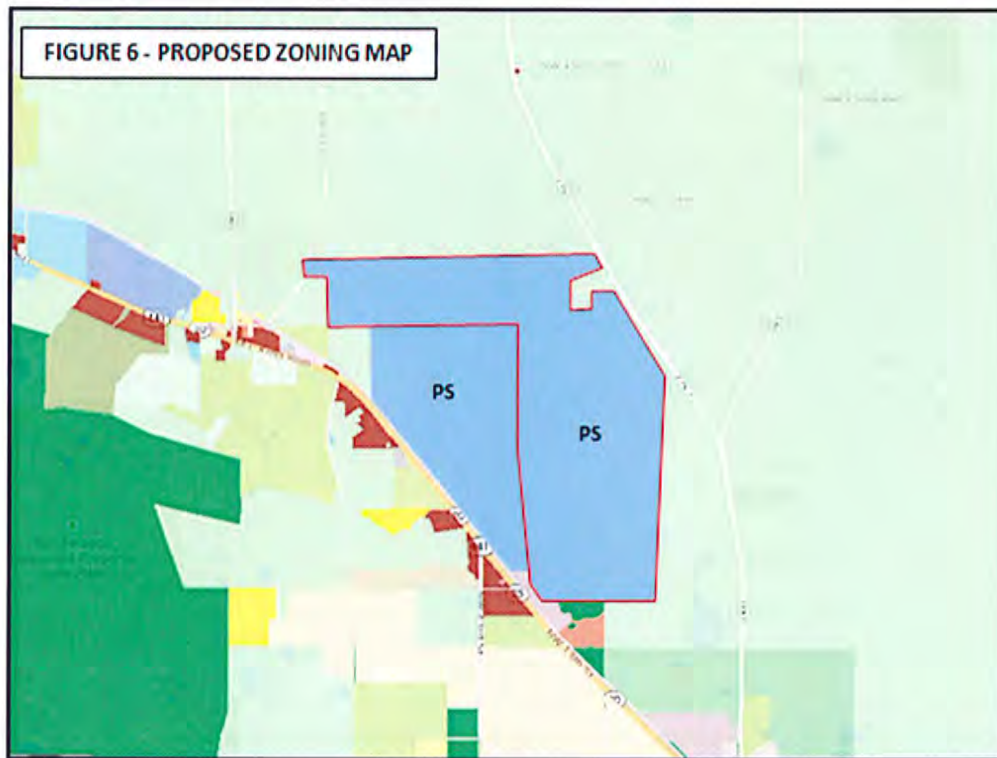
PB-14-73 LUC



**Proposed Future Land Use and Zoning**

The proposal will amend the future land use map to Public and Institutional Facilities (PF) and zoning map to Public Services and Operations (PS), as indicated in Figures 5 & 6 below:





Section 30-75 of the City of Gainesville Land Development Code defines the purpose, objectives and permitted uses for the Public Services and Operations zoning district. This code citation is listed below in italics and the consistency statement to each section is described below.

*Sec. 30-75. Public Services and Operations district*

*(a) Purpose. The PS district is established for the purpose of identifying and providing suitable locations for the necessary public and private utility and recreation activities that serve and are used directly by the public for their own benefit and are necessary to the normal conduct of the community's activities. This district may be isolated and surrounded by any other zoning district compatible with the intended use of the facility.*

Consistency: As indicated throughout this report, this property is owned by the City of Gainesville and maintained by GRU as a suitable location for a public utility facility. The facility will serve the public and shall maintain adequate buffers and setbacks from any abutting use if development activity is proposed in the future.

*(b) Objectives. The provisions of this district are intended to:*

*(1) Accommodate utilities, recreation and public facilities, at appropriate locations, necessary to serve the public.*

Consistency: The proposed land use change to Public and Institutional Facilities and zoning change to Public Services and Operations will serve the public by establishing future permitted uses and development regulations for the subject property,

The proposed location of the Public and Institutional Facilities/Public Services and Operations designations is appropriate, as indicated in this report. The property is owned by the City of Gainesville and is abutting the Deerhaven Generating Station on two sides, thereby allowing for GRU to continue maintaining this land as part of the overall GRU operation in the area. In addition, the PF/PS designations will allow for future permitted uses that will allow for some expansion of utility uses on the subject property in years to come. This future expansion potential of utility uses serves the public interest as it is the obligation of the GRU as the City utility to provide all necessary services to its customer base. Reserving land area for expansion over the next 50-100 years works toward that goal.

(2) *Ensure public awareness of the location of existing or potential utilities, recreation and public facilities*

Consistency: The proposed land use and zoning change to Public and Institutional Facilities and Public Services and Operations will make clear that the subject property is publically owned and maintained and is reserved for future use by the City utility for activities serving the public interest.

(3) *Allow, through the rezoning process, public review of specific utility, recreation and public facility uses to ensure locations compatible with surrounding activities;*

Consistency: Regarding public review, the proposed land use and zoning amendment shall be processed through the standard City review process which includes a staff review, Plan Board hearing and City Commission hearings. Notification to the public will also occur in the form of posted signs on-site, mailed notice to nearby property owners and advertisements placed in the Gainesville Sun. In addition, at such time that any development activity is proposed, the same notifications and hearings will occur to review and discuss the specific proposal at this time. As stated before, there is no proposed development at this time.

(4) *Ensure, by requiring development plan review where necessary, that such uses are designed to minimize negative impacts on surrounding properties.*

Consistency: No development is proposed as part of this land use and zoning amendment application. However, any future development activity on the site would be subject to the standard City development review process to ensure that the project meets all applicable City requirements and minimizes negative impacts on surrounding properties.

*Sec. 30-75(c) Uses permitted by right. The specific use(s) permitted on the subject property shall be specified as a part of the ordinance which places this classification on a particular area of ground....*

Consistency: As indicated above, the PF land use and PS zoning district is intended to provide an appropriate zoning designation to allow the future placement of public facilities that will provide enhanced services to the general public. This zoning designation should only be permitted in locations that are compatible with the surrounding area and also have adequate public facilities to serve the site (i.e. utilities, roads, etc.). This report (and stated list of proposed uses) serves to provide evidence that this is an appropriate location for such a zoning district.

(d) *Uses by special use permit.*

(1) *Food distribution center for the needy in accordance with article VI.*



**PB-14-73 LUC**

(2) *Residences for destitute people in accordance with article VI.*

Consistency: These activities are not proposed and therefore are not applicable.

(e) *Dimensional requirements. All principal and accessory structures shall be located and constructed in accordance with the following requirements:*

(1) *Office and administrative activities:*

- a. *Minimum lot area: 10,000 square feet.*
- b. *Minimum lot width at minimum building front yard setback: 100 feet.*
- c. *Minimum yard setbacks:*

- 1. *Front: Ten feet.*
- 2. *Side, street: Ten feet.*
- 3. *Side, interior: Zero feet.*

*Except where the side yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: 20 feet or the 60-degree angle of light obstruction, whichever is greater.*

- 4. *Rear: Zero feet.*

*Except where the rear yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: Twenty feet or 60-degree angle of light obstruction, whichever is greater.*

Consistency: The subject property will not include any freestanding office or administrative buildings and therefore, these dimensional requirements are not applicable.

(2) *All intensive recreation uses (fairgrounds, stadia, community assembly buildings, performing arts halls, arenas, etc.):*

- a. *Minimum lot size: One acre.*
- b. *Minimum yard setbacks:*

- 1. *Front: Twenty-five feet.*
- 2. *Side, interior: Twenty feet.*

*Except where the side yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: Fifty feet or 45-degree angle of light obstruction, whichever is greater.*

- 3. *Side, street: Twenty feet.*

- 4. *Rear: Zero feet.*

*Except where the rear yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: Fifty feet or 45-degree angle of light obstruction, whichever is greater.*

**Consistency:** The subject property will not include any intensive recreation buildings and therefore, these dimensional requirements are not applicable.

(3) All other uses: As specified in the rezoning ordinance.

**Consistency:** The zoning amendment proposes that the subject property shall maintain a minimum 50 foot building setback along all property lines with different ownership. No building setback is required along the property lines abutting property that is owned by the City of Gainesville.

*(f) Additional requirements.*

*(1) General conditions. All structures and uses within this district shall also comply with the applicable requirements and conditions of article IX.*

**Consistency:** While no development activity is proposed as part of this submittal, any future on-site development will be required to comply with the applicable requirements found in Article IX, which include development standards related to parking, access, signage, lighting, etc.

*(2) Development plan approval. Preliminary and final development plan approval in accordance with article VII shall be required for all development. In addition to the review criteria listed in article VII, the following criteria shall also apply:*

**Consistency:** While no development activity is proposed as part of this submittal, any future on-site development will be required to submit a full preliminary and final development plan application which will provide all technical details required in the City code. This development plan will be reviewed by staff and will be subject to approval by the Development Review Board or Plan Board.

*a. Site suitability.*

*1. The site shall be suitable to the use proposed. Adequate land area should be provided for the current development, as well as any anticipated expansion.*

**Consistency:** This 2,300(+/-) acre property contains adequate area to serve multiple purposes, including; allowing for expansion area for Gainesville Regional Utilities in the future, establishing environmental protection areas (at the time of future development activity) and providing ample separation area between adjacent uses.

*2. The site shall be adequately served by water and wastewater facilities.*

**Consistency:** No development is proposed as part of this land use change and rezoning. However, any future development on-site would connect to the existing centralized potable water and wastewater facilities located on the adjacent Deerhaven Generating Station property.

**PB-14-73 LUC**

3. *Transportation facilities available to the site shall be appropriate to the use. Large scale uses or those generating large volumes of traffic should be located on arterial or major collector streets as shown in the comprehensive plan.*

Consistency: The subject property has direct access to S.R. 121 and US Highway 441 (via Deerhaven property), both categorized as arterial roads.

4. *The site shall be suitable for the use proposed without hazard to persons or property from the probability of flooding, soil erosion or other hazards.*

Consistency: A portion of the subject property contains FEMA-designated "Special Flood Hazard Areas" (SFHAs) subject to inundation by the 1% annual chance of flood, which must be factored when considering on-site development. All future development within these areas will be at least 1.0 feet higher than the FIRM base flood plain elevation. Any development within the SFHAs will require flood compensation, which will be incorporated with the proposed stormwater facilities. Any proposed on-site stormwater facilities must be reviewed and approved by the jurisdictional agencies.

*b. Site design.*

1. *Building scale and massing shall relate to that of adjacent buildings to the extent practical.*

Consistency: There are no existing buildings on the project site and very few in relation to the project site and therefore, this provision is not particularly applicable. However, it should be noted that all buildings will be located internal to the project and proper setbacks and buffers will exist along the property boundaries.

2. *Public developments shall be exemplary in their use of signage and landscaping and in the preservation of existing trees.*

Consistency: No development activity is proposed as part of this land use change and zoning application. However, any proposed signage and landscaping will be reviewed and permitted through the appropriate development review process and shall be required to comply with all applicable requirements in the LDC. As indicated over the years, GRU has been committed to the management of a healthy pine forest on the property through responsible silviculture activities overseen by an in-house arborist.

3. *Pedestrian areas shall be separated from vehicular areas wherever possible. Traffic circulation should be safe, convenient and designed according to sound engineering practices.*

Consistency: If any development activity were to occur on the property in the future, appropriate pedestrian areas would be provided as part of such proposal. However, it should be noted that this facility is not open to the general public and only City & GRU personnel and authorized individuals have legal access to the property.

4. *The design of the site and facilities shall promote energy conservation through proper solar access, shading and other measures, where appropriate.*

Consistency: GRU values "green" innovations to conserve energy and water as demonstrated through existing activities on the adjacent Deerhaven Generating Station and programs that they support. If future

development were to occur on the subject property, site design would certainly include appropriate energy conservation measures.

*5. Appropriate access for emergency vehicles, garbage trucks and other service vehicles shall be provided.*

Consistency: The subject property has direct access to several public roads, including NW 128<sup>th</sup> Lane (bisecting the property running east-west), NW 59<sup>th</sup> Drive (northwest corner of property, S.R. 121 to the east and US 441 (via the Deerhaven Generating property).

*6. All site elements shall be designed to protect natural and community resources, such as wildlife habitats, historic structures and ecologically sensitive areas.*

Consistency: No development is proposed as part of this zoning amendment. However, any future development activity shall be sensitive to the protection of natural and community resources. All future development shall be directed away from any existing natural resource and wetland areas to the greatest extent possible and development in and around wetland areas shall comply with the criteria outlined in LDC Subdivision III (Surface Waters and Wetlands).

*c. External compatibility.*

*1. Buffering and screening of public service facilities shall be provided commensurate with the facility's degree of impact and incompatibility with surrounding developments.*

Consistency: Any future development shall meet or exceed the minimum buffering standards outlined in the Land Development Code.

*2. Electrical transformers and other utility equipment shall be screened from public view.*

Consistency: All electrical transformers and utility equipment will be screened from public view.

*3. Site illumination and public address systems, particularly for recreation areas, shall be designed so as to create no interference with the privacy of adjoining properties.*

Consistency: Any future site illumination and public address systems shall be designed so as to create no interference with the privacy of adjoining properties.

*4. Adverse impacts on adjacent properties, such as noise, smoke, glare and odor, shall be mitigated through site design. Where necessary, building construction methods or mechanical equipment should also be utilized to mitigate these adverse impacts.*

Consistency: Any future development shall properly mitigate adverse impacts on adjacent properties, such as noise, smoke, glare and odor. It should be noted that the proposed Conceptual Site Map does include a 100-foot wide landscape buffer between the subject property and the Plum Creek PUD.

*(3) Parking. Any development within any PS district shall comply with the parking requirements as set forth in article IX.*

Consistency: Any future development shall provide the appropriate amount of parking in compliance with the LDC requirements.

*(4) Landscaping. Any development within any PS district shall comply with the landscaping requirements is set forth in article VIII.*

Consistency: Any future development shall comply with the landscaping requirements found in the LDC.

*(5) Street signs. In order to receive and maintain a valid certificate of occupancy within all PS districts, the sign requirements shall be complied with as set forth in article IX.*

Consistency: Any proposed signage on the subject property shall comply with the applicable City code requirements.

*(6) Flood control. Prior to the issuance of a building permit in any PS district, the provisions of the flood control ordinance, article VIII, shall be complied with where applicable.*

Consistency: A portion of the subject property contains FEMA-designated "Special Flood Hazard Areas" (SFHAs) subject to inundation by the 1% annual chance of flood, which must be factored when considering on-site development. All future development within these areas will be at least 1.0 feet higher than the FIRM base flood plain elevation. Any development within the SFHAs will require flood compensation, which will be incorporated with the proposed stormwater facilities. Any proposed on-site stormwater facilities must be reviewed and approved by the jurisdictional agencies.

*(7) Preliminary development plan in conjunction with rezoning.*

*a. Intent. A preliminary development plan is intended to help further the purpose of this district by providing the plan board and city commission with additional information on site-specific conditions which will assist the city plan board and city commission in their decision-making process relating to the accommodation of the proposed use(s) at appropriate locations necessary to serve the public; the assurance of public awareness of the proposed location of potential public facilities, utilities and recreation; and the assurance that the conditions placed upon the rezoning are designed to minimize any potential negative impacts on surrounding properties.*

Consistency: As there is no proposed development on the subject property at this time, a preliminary development plan has not been included in this zoning amendment application. However, a Conceptual Site Map is included to illustrate the general location of major existing and future uses. In addition, at the time that GRU does propose a new facility, a preliminary and final development plan will be prepared and submitted to the City of Gainesville to demonstrate compliance with the applicable sections of the LDC.

*b. Approval process. The plan board shall recommend to the city commission whether a preliminary development plan is required before the property is rezoned or the uses permitted on the property are changed. The city commission may require such development plan, or those specific items or portions of a preliminary development plan that the city commission deems necessary, to be included as part of any petition to rezone property to this classification or to change the permitted uses on the property if the newly permitted use has not been previously approved. Should the city commission deem such a plan is needed in order to judge*

*whether the proposed use can be accommodated on the site without detriment to the health, safety and general welfare of surrounding properties the development plan shall meet the requirements of article VII.*

**Consistency:** The concept plan submitted as part of this rezoning application is not a development plan for any proposed development activity. However, this exhibit does provide the Plan Board and City Commission a clear picture of the general location of the proposed permitted uses and development regulations that will apply at such time when/if development occurs.

**Responses to Application Questions**

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**A&B. Surrounding/Adjacent Land Uses**

LDC Sec. 30-75(b)(3) states that through the rezoning process, there shall be *‘public review of specific utility, recreation and public facility to ensure locations compatible with surrounding activities.’*

The following land uses currently exist on the adjacent properties:

**North:** To the north of the parcel exists a large tract of undeveloped land owned by Plum Creek that is used for silvicultural pursuits. NW 128<sup>th</sup> Lane is also located within the northern portion of the subject property.

**East:** To the east of the subject property is land owned by Plum Creek, which is presently used as silviculture and proposed to be a mixed-use PUD. In addition, large lot vacant and residential lots are located east of the subject property.

**South:** To the south of the subject property north of US Highway 441 is Griffis Lumber and land owned by Plum Creek, currently used for silviculture and proposed as a future mixed-use PUD

**West:** To the west of the parcel is the existing Deerhaven Generating Station and NW 59<sup>th</sup> Drive.

Upon analyzing these existing land use pattern, the proposed land use and zoning change to PF/PS will not negatively affect the nature of the existing development pattern in the area. Further, due to the sparse development in the immediate area and the large size of the subject property, the facility will continue to not have any substantial visual, noise or any other type of impact on the area. Due to the large size of the subject property, there will be adequate space to provide significant vegetative buffering on all sides of the property to provide a visual and sound buffer from the adjacent properties. Therefore, it appears that the subject property is compatible with the existing surrounding uses and shall not create an adverse impact.

*Figure 7: Surrounding Property Uses, Future Land Use and Zoning Designations*

| Direction | FLU Designation            | Zoning               | Existing Use   |
|-----------|----------------------------|----------------------|----------------|
| North     | Rural Agriculture (County) | Agriculture (County) | Silviculture   |
| South     | Industrial                 | I-2                  | Griffis Lumber |
|           | Planned Use District       | Agriculture (County) | Silviculture   |

|      |   |  |  |
|------|---|--|--|
| East | Rural Agriculture (County)<br><br>Planned Use District                    | Agriculture (County)<br><br>Agriculture (County)           | Large Lot Residential / Vacant & Agriculture<br><br>Silviculture |
| West | Public and Institutional Facilities<br><br>UF Campus Master Plan (County) | Public Services and Operations<br><br>Agriculture (County) | GRU Deerhaven Generating Station<br><br>UF / IFAS Dairy Unit     |

**C. Development Impacts**

**a. Impact to Residential Streets**

The proposed land use and zoning amendment will not affect any residential streets, as there are very few residential properties located in the immediate area.

**b. Impact on Noise and Lighting**

No residential uses exist in the immediate area. The property is surrounded to the north of the parcel exists a large tract of undeveloped land owned by Plum Creek that is used for silviculture. To the south and east is land owned by Plum Creek, which is presently used as silviculture and proposed to be a mixed-use PUD. In addition, large lot vacant and residential lots are located east of the subject property. To the south of the subject property north of US Highway 441 is Griffis Lumber and to the west of the parcel is the existing Deerhaven Generating Station and NW 59<sup>th</sup> Drive. Due to the sparse development in the immediate area and the large size of the subject property, the facility will continue to not have any substantial visual, noise or any other type of impact on the area. There is adequate space to provide significant vegetative buffering on all sides of the property to provide a visual and sound buffer from the adjacent properties. A proposed 100' landscape buffer along the border of the Plum Creek property will help mitigate any noise and lighting impacts.

**D. Environmental Resources**

There are environmental resources located on the subject property, as indicated in the environmental assessment report prepared by Ecosystem Research Corporation (ERC), dated June 8, 2014 (Attachment 3). While no development activity is proposed as part of this land use and zoning change proposal, a baseline of protection for all on-site resources is included in Condition 4 in Development Standards, stating; *Any future development activity shall be directed away from environmentally sensitive areas to the greatest extent possible. In addition, all development in and around these environmentally sensitive areas shall comply with the natural and archaeological resource protection standards and wetlands protection standards outlined in the Land Development Code.* The ERC Report will serve as an environmental master plan for the subject property in years to come and will be the starting point for any more detailed environmental review that would accompany any proposed on-site development.

**E. Historic Resources**

The project area does not contain any known historic structures or any identified archaeological resources deemed significant by the state.

**PB-14-73 LUC**

**F. Development Pattern and Community Contribution**

The subject property is located along the urban fringe of Gainesville. The proposed land use and zoning of Public and Institutional Facilities and Public Services and Operations for the subject property, in conjunction with the Deerhaven Generating Station, will directly contribute to the community by allocating properly-zoned area to provide essential urban services to the residents in and around Gainesville. The set of permitted uses for the Public Services and Operations zoning district will allow for the potential future use of the subject property as expansion area for Gainesville Regional Utilities (if needed), thus supporting GRU’s mission of providing service to its customers.

**G. Long-Term Economic Benefits**

The proposed land use and zoning change applications to Public and Institutional Facilities and Public Services and Operations will provide a long-term benefit to the City of Gainesville. The use of the subject property as a reserve / potential expansion area for the City’s utility provider will have long-term economic benefits to the citizens of Gainesville. While the use of this land as a City-owned utility does not itself increase the tax base, it does allow additional land area for area for the utility provider to continue to provide essential city services over the next 50-100 years, which supports overall economic prosperity and economic development opportunities.

**H. Level of Services Standards**

The proposed change in future land use and zoning will amend lands abutting the Deerhaven Generating Station. The property proposed for amendment is approximately 2,286.79 acres. The proposal will amend the future land use map from Agriculture (County designation) to Public and Institutional Facilities (PF) and zoning map from Agriculture (County designation) to Public Services and Operations (PS). A closer look at the subject property will indicate that a significant portion of the property will ultimately be appropriate for development due to various environmental protection regulations, as summarized in *Figure 8* below:

*Figure 8: Maximum Developable Land Scenario*

| Total Land  | Wetlands  | 50% Upland Set Aside | Disaggregation Factor (30%) | Developable Land |
|-------------|-----------|----------------------|-----------------------------|------------------|
| 2,287 Acres | 950 Acres | 669 Acres            | 201 Acres                   | 467 Acres        |

This acreage total is similar in size to the developed area constituting the existing Deerhaven Generating Station located on the adjacent parcel. Assuming that a maximum development scenario would include the construction of a new power plant on the subject property, this would generate impacts similar to the existing plant, which according to Gainesville Regional Utilities, has 100 employees working on-site.

**a. Roadways**

No development activity is proposed as part of the proposed land use and zoning change application stage. However, any future development on-site shall require development plan review by the City and at that time, a detailed traffic analysis including trip generation, trip distribution, proposed road improvements, etc. would occur and must demonstrate compliance with the applicable concurrency regulations at that time. It also should also be noted that any road improvements will be in accordance with the permitting requirements as determined by the City of Gainesville Public Works Department, Alachua County and Florida Department of Transportation, as necessary.



The project is located within the Transportation Concurrency Exception Area (TCEA) Zone E of the City's Transportation Mobility Program Area (TMPA), which is intended to promote and enhance:

- Urban Redevelopment
- Infill Development
- A variety of transportation choices and opportunities including automotive, pedestrian, bicycle and transit
- The City's economic viability
- Desirable urban design and form
- A mix of residential and non-residential uses
- Streetscaping/landscaping of roadways within the City
- Pedestrian and bicyclist comfort, safety and convenience

Development within Zone E is not required to meet Level of Service standards for concurrency but will be required to comply with Policies 1.1.4 of the Comprehensive Plan Concurrency Management Element.

As previously stated, no development is proposed for the subject property at this time. However, trip generation estimates for the proposed change is presented in *Figure 9* below, based on a potential development scenario outlined in *Figure 8*.

*Figure 9: Estimated Trip Generation*

| Proposed Traffic Demand – Utilities (ITE 170) |                        |       |                                |     |                                 |     |
|---|------------------------|-------|--------------------------------|-----|---------------------------------|-----|
| Units: 100 Employees                          |                        |       |                                |     |                                 |     |
| Category                                      | Rate<br>(Per Employee) | Trips | Directional<br>Distribution In |     | Directional Distribution<br>Out |     |
| AM Peak                                       | 0.76                   | 76    | 0.15                           | 11  | 0.85                            | 65  |
| Average Daily Total                           | 10.753 x AM Peak       | 817   | 0.5                            | 409 | 0.5                             | 408 |

1-All trips calculated using the ITE 9<sup>th</sup> Edition

**b. Recreation**

The proposed land use and zoning change will not allow residential development and therefore, no impacts to the recreation level of service shall occur as a result of this application.

**c. Water and Wastewater**

The property can be served with both water and wastewater by Gainesville Regional Utilities via existing systems located at the adjacent Deerhaven Generating Station. No development activity is proposed as part of the proposed land use and zoning application. However, the scenario below factors a possible future development scenario. Development of the site is not expected to adversely impact the level of service.

*Figure 10: Potable Water*

| Developmental Scenario | Use     | Size          | Rate                | Total (gpd) |
|------------------------|---------|---------------|---------------------|-------------|
| 100 Employees          | Utility | 100 Employees | 25 gpd per employee | 2,500 gpd   |

Figure 11: Wastewater Flow

| Developmental Scenario | Use     | Size          | Rate                | Total (gpd) |
|------------------------|---------|---------------|---------------------|-------------|
| 100 Employees          | Utility | 100 Employees | 25 gpd per employee | 2,500 gpd   |

**d. Solid Waste**

Solid waste will not exceed Gainesville’s established Level of Service Standard of 0.655 tons of solid waste per capita per year disposed (3.6 pounds solid waste per capita per day disposed). Collection of solid waste will not exceed Gainesville’s established Level of Service Standard of 1.07 tons of solid waste per capita per year collected (5.9 pounds of solid waste per capita per day collected).

**e. Mass Transit**

The subject property is located in an area with no mass transit service currently available to serve the subject property.

**f. Schools**

The proposed land use and zoning change will not allow residential development and therefore, no impacts to the public school level of service shall occur as a result of this application.

**l. Site Accessibility**

The subject property has direct access to several public roads, including NW 128<sup>th</sup> Lane (bisecting the property running east-west), NW 59<sup>th</sup> Drive (northwest corner of property running north-south), S.R. 121 to the east and US 441 (via the Deerhaven Generating property) to the south.

**Comprehensive Plan Consistency**

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The proposed Public and Institutional Facilities (PF) future land use and Public Services and Operations (PS) zoning designations are consistent with the City’s Comprehensive Plan. The following objectives and policies are applicable to the proposed PF & PS designations:

**Objective 3.3**

*Provide adequate land for utility facilities*

**Policy 3.3.1**

*The City shall coordinate with public and private utilities to ensure that adequate land is available for utility facilities.*

*Provide adequate land for utility facilities and that utility facilities be available concurrent with the impacts of development...*

Consistency: As discussed throughout this report, the City of Gainesville, through Gainesville Regional Utilities, requests this land use and zoning change to Public and Institutional Facilities and Public Services and

**PB-14-73 LUC**

Operations in order to allocate additional land to serve the City's utility which in turn will serve the needs of the City's residents over the long-term.

**Objective 4.1**

*The City shall establish land use designations that allow sufficient acreage for residential, commercial, mixed use, office, industrial, education, agricultural, recreation, conservation, public facility and institutional uses at appropriate locations to meet the needs of the proposed population and that allow flexibility for the City to consider unique, innovative, and carefully construed proposals that are in keeping with the surrounding character and environmental conditions of specific sites.*

Consistency: The proposed land use and zoning of Public and Institutional Facilities and Public Services and Operations for the subject property, in conjunction with the adjacent Deerhaven Generating Station, will directly contribute to the community by allocating properly-zoned area to provide essential urban services to the residents in and around Gainesville. The set of permitted uses for the Public Services and Operations zoning district will allow for the potential future use of the subject property as expansion area for Gainesville Regional Utilities (if needed), thus supporting GRU's mission of providing service to its customers.

This 2,300 acre property contains adequate area to serve multiple purposes, including; allowing for expansion area for Gainesville Regional Utilities in the future, establishing environmental protection areas (at the time of future development activity) and providing ample separation area between adjacent uses.

**Policy 4.1.1**

*Land use categories on the Future Land Use Map shall be defined as follows:*

*Public and Institutional Facilities*

*This category identifies lands used for: administrative, operational, and utility governmental functions; private utilities; cemeteries; and public-private partnerships or other legal arrangements where the land title is vested in a government and the use(s) serves a public purpose. Maximum lot coverage in this category shall not exceed 80 percent, except in urban core areas where lot coverage is not limited.*

Consistency: The proposed location of the Public and Institutional Facilities/Public Services and Operations designations is appropriate, as indicated in this report. The property is owned by the City of Gainesville and is abutting the Deerhaven Generating Station on two sides, thereby allowing for GRU to continue maintaining this land as part of the overall GRU operation in the area. In addition, the PF/PS designations will allow for future permitted uses that will allow for some expansion of utility uses on the subject property in years to come. This future expansion potential of utility uses serves the public interest as it is the obligation of the GRU as the City utility to provide all necessary services to its customer base. Reserving land area for expansion over the next 50-100 years works toward that goal.

**Policy 4.1.3**

*The City will review proposed changes to the Future Land Use Map by considering factors such as, but not limited to, the following:*

1. *Consistency with the Comprehensive Plan;*

**PB-14-73 LUC**

Consistency: The proposed land use and zoning change is consistent with the City Comprehensive Plan. An analysis of consistency is included in this report under the section titled; 'Comprehensive Plan Consistency.'

*2. Compatibility and surrounding land uses;*

Consistency: The property is surrounded to the north of the parcel exists a large tract of undeveloped land owned by Plum Creek that is used for silviculture. To the south and east is land owned by Plum Creek, which is presently used for silviculture and proposed to be a mixed-use PUD. In addition, large lot vacant and residential lots are located east of the subject property. To the south of the subject property north of US Highway 441 is Griffis Lumber and to the west of the parcel is the existing Deerhaven Generating Station and NW 59<sup>th</sup> Drive. Due to the sparse development in the immediate area and the large size of the subject property, the facility will continue to not have any substantial impact on the area. There is adequate space to provide significant vegetative buffering on all sides of the property to provide a visual and sound buffer from the adjacent properties when future development occurs on the site.

*3. Environmental impacts and constraints;*

Consistency: No development is proposed as part of this zoning amendment. However, any future development activity shall be sensitive to the protection of natural and community resources. All future development shall be directed away from any existing natural resource and wetland areas to the greatest extent possible and development in and around wetland areas shall comply with the criteria outlined in LDC Subdivision III (Surface Waters and Wetlands).

*4. Support for urban infill and/or redevelopment;*

Consistency: The subject property is located along the urban fringe of Gainesville. It is not located in an urban area and has not previously been developed.

*5. Impacts on affordable housing;*

Consistency: The proposed land use and zoning change will not allow residential development and does not include any current plans for development. This proposal will not have any impact on affordable housing.

*6. Impacts on the transportation system;*

Consistency: No development activity is proposed as part of the proposed land use and zoning change application stage. However, any future development on-site shall require development plan review by the City and at that time, a detailed traffic analysis would occur and must demonstrate compliance with the applicable concurrency regulations at that time.

*7. An analysis of the availability of facilities and services;*

Consistency: The proposed land use and zoning change shall not result in any public facilities exceeding the adopted level of service. See the section within this report titled; 'Level of Service Standards' for the detailed analysis.

*8. Need for the additional acreage in the proposed future land use category;*

Consistency: The proposed location of the Public and Institutional Facilities/Public Services and Operations designations is appropriate, as indicated in this report. The property is owned by the City of Gainesville and is abutting the Deerhaven Generating Station on two sides, thereby allowing GRU to continue maintaining this land as part of the overall GRU operation in the area. In addition, the PF/PS designations will allow for future permitted uses that will allow for some expansion of utility uses on the subject property in years to come. This future expansion potential of utility uses serves the public interest as it is the obligation of the GRU as the City utility to provide all necessary services to its customer base. Reserving land area for expansion over the next 50-100 years works toward that goal.

9. *Discouragement of urban sprawl as defined in Section 163.3164, F.S., and consistent with the requirements of Subsection 163.3177(6)(a)9., F.S.;*

Consistency: A review of Sec. 163.3177(6)(a)9, F.S., is included below:

**163.3177 Required and optional elements of comprehensive plan; studies and surveys.—**

*(6) In addition to the requirements of subsections (1)-(5), the comprehensive plan shall include the following elements:*

*(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. The approximate acreage and the general range of density or intensity of use shall be provided for the gross land area included in each existing land use category. The element shall establish the long-term end toward which land use programs and activities are ultimately directed.*

*9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.*

*a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:*

*(l) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.*

Consistency: The proposed land use and zoning change to Public and Institutional Facilities and Public Services and Operations does not promote low intensity, low density or single use development. Rather, the permitted uses in the Public Services and Operations zoning will allow GRU to provide centralized utility services to the City of Gainesville which promotes urban development, urban infill and a healthy mix of land uses within the urbanized portion of the County.

PB-14-73 LUC

*(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.*

Consistency: The proposed land use and zoning change to Public and Institutional Facilities and Public Services and Operations does not promote urban development to occur in rural areas. Rather, the proposed Public Services and Operations zoning designation will provide long-term support GRU's mission of providing centralized services to the City of Gainesville and the urbanized portion of unincorporated Alachua County.

*(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.*

Consistency: The proposed Public and Institutional Facilities and Public Services and Operations designations do not promote radial, strip isolated or ribbon patterns. In fact, these designations do not allow for any private development to occur on the subject property.

*(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.*

Consistency: The proposed Public Services and Operations zoning ordinance will include specific reference to the stringent environmental protection standards found in the City of Gainesville Land Development Code. Specifically, Condition 4 of the "Development Standards" for this property's Public Services and Operations zoning district reads as follows:

*Any future development activity shall be directed away from environmentally sensitive areas to the greatest extent possible. In addition, all development in and around these environmentally sensitive areas shall comply with the natural and archaeological resource protection standards and wetlands protection standards outlined in the Land Development Code.*

*(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.*

Consistency: The proposed land use and zoning change to PF/PS includes silviculture as a permitted use (as it is presently permitted on site on adjacent lands) and therefore, preserves the agricultural nature of the area and will not result in any negative impacts on agricultural areas in the vicinity.

**PB-14-73 LUC**

*(VI) Fails to maximize use of existing public facilities and services.*

Consistency: The proposed land use and zoning change to Public and Institutional Facilities and Public Services and Operations allows for the subject property to be zoned with Public Services and Operations, which allows utility uses that support the existing public facilities and related services located on the adjacent property.

*(VII) Fails to maximize use of future public facilities and services.*

Consistency: The proposed land use and zoning change to Public and Institutional Facilities and Public Services and Operations allows for the subject property to be allocated for additional lands to be used for future utility uses that support public facilities and related services.

*(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.*

Consistency: The proposed Public and Institutional Facilities and Public Services and Operations designations promote efficient and cost-effective provision and extension of public utility infrastructure and services. By placing the PF/PS designations on land which is owned by the City and is abutting the Deerhaven Generating Station on two sides, the City utility provider (GRU) will be afforded the opportunity to reserve land for future utility infrastructure needs in a strategic and efficient location.

*(IX) Fails to provide a clear separation between rural and urban uses.*

Consistency: The proposed Public and Institutional Facilities and Public Services and Operations designations provide a clear separation between rural and urban uses. This is so because the utility uses that are permitted on the property will allow GRU to continue their mission into the future, which is to provide centralized, urban utility services to the City of Gainesville and not the rural portions of the County.

*(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.*

Consistency: The proposed land use and zoning change does not discourage or inhibit infill development or redevelopment. In fact, the allocation of this land into Public and Institutional Facilities/Public Services and Operations will allow for additional land to be utilized by the City utility (GRU) to serve future growth within the urbanized portions of the City of Gainesville.

PB-14-73 LUC

*(XI) Fails to encourage a functional mix of uses.*

Consistency: The proposed Public and Institutional Facilities zoning designation proposes a list of allowable uses that are functional and symbiotic. The uses include continued use of the land for agricultural pursuits (primarily silvicultural) and also provides the opportunity for the City utility provider to utilize portions of the land for utility-related uses that will serve the public.

*(XII) Results in poor accessibility among linked or related land uses.*

Consistency: The subject property has good accessibility to public roads on multiple sides, including State Road 121, NW 128<sup>th</sup> Lane, NW 59<sup>th</sup> Drive and US 441 (via the GRU Deerhaven property). In addition, the subject property abuts the existing GRU Deerhaven property, which shares a common land use and zoning designation of Public and Institutional Facilities and Public Services and Operations, common owner (City of Gainesville / GRU) and common land use (same list of permitted uses).

*(XIII) Results in the loss of significant amounts of functional open space.*

Consistency: The proposed land use and zoning change will not result in a loss of functional open space. The current use of the land is agriculture-based silviculture uses and is not open to the public and therefore, not currently functional open space.

*b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:*

*(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.*

Consistency: The proposed Public and Institutional Facilities/Public Services and Operations designations supports economic development and continued growth in the urbanized portions of Gainesville in the coming decades by reserving strategic areas for expansion of the City's utility infrastructure. This expansion (if needed in the future) will be done in concert with the latest environmental protection standards codified in the City of Gainesville Land Development Code. These standards have also been stated in Condition 4 of the 'Development Standards' for the proposed Public Services and Operations zoning, as illustrated below:

*4. Any future development activity shall be directed away from environmentally sensitive areas to the greatest extent possible. In addition, all development in and around these environmentally sensitive areas*



**PB-14-73 LUC**

*shall comply with the natural and archaeological resource protection standards and wetlands protection standards outlined in the Land Development Code.*

*(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.*

Consistency: The proposed Public and Institutional Facilities and Public Services and Operations designations promote efficient and cost-effective provision and extension of public utility infrastructure and services. By placing the PF/PS designations on land which is owned by the City and is abutting the Deerhaven Generating Station on two sides, the City utility provider (GRU) will be afforded the opportunity to reserve land for future utility infrastructure needs in a strategic and efficient location.

*(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.*

Consistency: This provision is related to residential development and is not directly applicable. However, it should be stated that the proposed Public and Institutional Facilities/Public Services and Operations designations will allow for future utility operations that will support continued growth in the urbanized portions of Gainesville in the coming decades, thereby promoting these planning principles.

*(IV) Promotes conservation of water and energy.*

Consistency: The proposed Public and Institutional Facilities and Public Services and Operations designations will support GRU to provide utility services to the urbanized portion of Gainesville, thereby reducing sprawl and wasteful allocation of resources, including water use via wells and non-centralized systems and more costly energy service to remote areas.

*(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.*

Consistency: The proposed land use and zoning change to PF/PS includes silviculture as a permitted use (as it is presently permitted on site) and therefore, preserves the existing agricultural nature of the area and will not result in any negative impacts on agricultural areas in the vicinity.

*(VI) Preserves open space and natural lands and provides for public open space and recreation needs.*

Consistency: The subject property presently does not provide any public open space or recreation area. Regarding natural lands, the property presently is utilized for commercial silvicultural practices and therefore,

**PB-14-73 LUC**

no lands remain in their natural state. However, it is anticipated that over time, the subject property with Public and Institutional Facilities & Public Services and Operations designations could reduce the commercial silvicultural practices and therefore create opportunity to restore environmentally sensitive areas back to a natural state.

*(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.*

Consistency: The proposed Public and Institutional Facilities and Public Services and Operations designations on the subject property will support both residential and non-residential development in the future by allocating land for the growth and expansion of GRU facilities in order to serve the increased demand in decades to come.

*(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s.163.3164.*

Consistency: As stated previously in this report, the proposed Public and Institutional Facilities and Public Services and Operations designations support GRU's mission to provide utility services to the Gainesville urbanized area. Allocating this land for future utility use thereby supports more compact, urban development by helping ensure that GRU has the necessary assets to continue serving its customers for decades to come.

*10. Need for job creation, capital investment, and economic development to strengthen and diversify the City's economy; and*

Consistency: The proposed land use and zoning of Public and Institutional Facilities and Public Services and Operations for the subject property, in conjunction with the adjacent Deerhaven Generating Station, will directly contribute to the community by allocating properly-zoned area to provide essential urban services to the residents in and around Gainesville. The set of permitted uses for the Public Services and Operations zoning district will allow for the potential future use of the subject property as expansion area for Gainesville Regional Utilities (if needed), thus supporting GRU's mission of providing service to its customers.

*11. Need to modify land use categories and development patterns within antiquated subdivisions as defined in Section 163.3164, F.S.*

Consistency: The subject property does not include any antiquated subdivisions as defined in Section 163.3164, F.S. The property was previously zoned for Agricultural use.

**Conclusion**

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As this property is owned by the City and maintained by GRU and lies immediately abutting other GRU maintained land, this property would allow for future expansion area for the Deerhaven Generating Station, if

**PB-14-73 LUC**

the need should ever arise in the near or distant future, thereby providing a service to the citizens of Gainesville and customers of GRU. The appropriate future land use and zoning designation for the property to allow this is Public and Institutional Facilities and Public Services and Operations, which is identified in the City of Gainesville Comprehensive Plan as the appropriate designation for utility facilities and associated activities. GRU representatives believe that the revised land use and zoning change application strikes a balance between establishing appropriate environmental protection measures and allowing for the potential expansion of necessary city utility uses in the future.

The proposed land use change and rezoning applications are appropriate for this property and are compatible with the City's Comprehensive Plan and Land Development Code. According to the Future Land Use Element Policy 4.1.3, the City will review proposed changes to the Future Land Use Map by considering several factors, including consistency with the Comprehensive Plan, the overall compatibility of the proposal; surrounding land uses; environmental impacts and constraints; whether the change promotes urban infill and adequate transportation and public facilities are available. As demonstrated in this report, the proposed uses permitted within the Public Services and Operations zoning are compatible with the existing surrounding land use development patterns, establishes environmental protection areas (at the time of future development activity), provides ample separation area between adjacent uses and supports urbanized growth and development within the City of Gainesville by allocating area for future utility operations, if needed by the City.

**Attachment 1**

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**Legal Description & Legal Sketch (for proposed land use and zoning change)**



engineers • surveyors • planners, inc.

PB-14-73 LUC

Exhibit C-1  
140379E

## LEGAL DESCRIPTIONS – GRU DEERHAVEN ANNEXATION PROPERTIES

### PARCEL A

A tract of land situated in Sections 23, 24, 25, 26, 35 and 36, Township 8 South, Range 19 East, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at a 4"x4" concrete monument and cap stamped GFY LB021 at the Northwest corner of the aforementioned Section 25, Township 8 South, Range 19 East for the POINT OF BEGINNING and run S.01°25'27"E., along the West line of the N. 1/2 of Government Lot 4 of said Section 25, a distance of 1331.68 feet to a 4.5"x4.5" concrete monument with no identification at the Southwest corner of said N. 1/2 of Government Lot 4; thence run N.89°08'55"E., along the South line of said N. 1/2 of Government Lot 4, a distance of 1333.43 feet to a 4.5"x4.5" concrete monument with no identification at the Southeast corner of said N. 1/2 of Government Lot 4; thence run N.01°24'31"W., along the East line of said N. 1/2 of Government Lot 4, a distance of 1334.49 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Southwest corner of the S. E. 1/4 of the S. W. 1/4 of the aforementioned Section 24; thence run N.01°01'01"W., along the West line of said S. E. 1/4 of the S. W. 1/4, a distance of 1037.49 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.87°00'38"E., a distance of 397.37 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Westerly right of way line of State Road No. 121 (120' right of way), said right of way line being a curve concave Northeasterly, said curve having a radius of 11519.16 feet; thence run Southeasterly, along said right of way line, with said curve, through an arc angle of 04°47'26", an arc distance of 963.15 feet (chord bearing and distance of S.33°18'54"E., 962.87 feet respectively) to a 5/8" steel rod and cap stamped FlaDOT at the end of said curve; thence run S.35°42'37"E., continuing along said right of way line, a distance of 3449.99 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the intersection with the Easterly right of way line of the Florida Gas Transmission Easement (50 foot right of way) as described in Official Records Book 48, page 205 of the Public Records of Alachua County, Florida; thence run S.35°54'37"W., along said Easterly right of way line, a distance of 78.17 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.03°23'37"W., continuing along said Easterly right of way line, a distance of 5109.87 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.89°11'51"W., a distance of 6155.66 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the West line of the E. 1/2 of the aforementioned Section 35; thence run N.06°43'55"W., along said West line, a distance of 2476.71 feet to a 4"x4" concrete monument and cap stamped McGriff Co. #509 at the Southwest corner of the E. 1/2 of the aforementioned Section 26; thence run N.01°29'21"W., along the West line of said E. 1/2 of Section 26, a distance of 5294.42 feet to a 4"x4" concrete monument and cap stamped McGriff Co. at the Northwest corner of said E. 1/2 of Section 26; thence continue

N.01°29'21"W., a distance of 35.60 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Southerly maintained right of way line of County Road N. W. 128th Lane (50' wide maintained right of way), said right of way line being a curve concave Northwesterly, said curve having a radius of 1145.92 feet; thence run Northeasterly, along said right of way line, with said curve, through an arc angle of 23°52'03", an arc distance of 477.35 feet (chord bearing and distance of N.70°42'38"E., 473.91 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run N.58°46'37"E., continuing along said right of way line, a distance of 2158.05 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the beginning of a curve concave Southeasterly, said curve having a radius of 1145.92 feet; thence run Northeasterly, along said right of way line, with said curve, through an arc angle of 11°44'45", an arc distance of 234.92 feet (chord bearing and distance of N.64°39'00"E., 234.51 feet respectively) to a 1/2" steel rod and cap stamped GFY LB021 at the end of said curve; thence run N.70°31'22"E., continuing along said right of way line, a distance of 156.66 feet to a 4"x4" concrete monument and cap stamped PRM 2115 on the East line of the aforementioned Section 23; thence run S.01°02'09"E., along said East line, a distance of 1398.79 feet to the POINT OF BEGINNING.

#### PARCEL B-1

A tract of land situated in Sections 21, 22, 23 and 24, Township 8 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at a 4"x4" concrete monument and cap stamped McGriff Co. at the Southeast corner of the W. 1/2 of the aforementioned Section 23, Township 8 South, Range 19 East for a point of reference and run N.01°29'21"W., a distance of 85.87 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Northerly maintained right of way line of County Road N. W. 128th Lane (50 foot maintained right of way) and the POINT OF BEGINNING; thence run Westerly, along said right of way line, with a curve concave Northerly and having a radius of 1095.92 feet, through an arc angle of 05°41'40", an arc distance of 108.92 feet (chord bearing and distance of S.85°13'22"W., 108.88 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run S.88°04'12"W., along said Northerly right of way line, a distance of 2569.62 feet to a 1/2" steel rod and cap stamped GFY LB021 on the West line of said Section 23; thence continue S.88°04'12"W., along said right of way line, into the aforementioned Section 22, a distance of 2832.53 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence continue S.88°04'12"W., along said right of way line, a distance of 968.36 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence continue S.88°04'12"W., along said right of way line, a distance of 1559.14 feet to a 4"x4" concrete monument with no identification, said concrete monument being the Southwest corner of said Section 22; thence run N.01°49'14"W., along the West line of said Section 22, a distance of 2010.26 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Southeast corner of the N. 1/4 of the S. E. 1/4 of the aforementioned Section 21; thence run S.89°51'02"W., along the South line of said N. 1/4 of the S. E. 1/4 of Section 21, a distance of 861.59 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Easterly right of way line of County Road N. W. 59th Drive (80 foot right of way); thence run Northerly, along said Easterly right of way line, with a curve concave Westerly and having a radius of 677.29 feet, through an arc angle of 24°49'35", an arc distance of 293.47 feet (chord bearing and distance of N.15°11'21"E., 291.18 feet respectively) to a 4"x4" concrete monument and cap stamped GFY

LB021 at the end of said curve; thence run N.02°46'33"E., along said right of way line, a distance of 396.52 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the North line of said S. E. 1/4 of Section 21; thence run S.89°36'37"E., along said North line, a distance of 744.82 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the 1/4 section corner of the West line of the aforementioned Section 22; thence run N.86°57'27"E., along the North line of the S. 1/2 of said Section 22, a distance of 5364.16 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the 1/4 section corner of the West line of the aforementioned Section 23; thence run S.88°44'09"E., along the North line of the S. 1/2 of said Section 23, a distance of 5395.83 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the 1/4 section corner of the West line of the aforementioned Section 24; thence run N.88°17'15"E., along the North line of the S. 1/2 of said Section 24, a distance of 846.24 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Westerly right of way line of State Road No. 121 (120 foot right of way); thence run S.30°02'35"E., along said Westerly right of way line, a distance of 835.90 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the intersection with the aforementioned Northerly maintained right of way line of County Road N. W. 128th Lane; thence run S.70°31'22"W., along said Northerly right of way line, into said Section 23, a distance of 1492.77 feet to a 1/2" steel rod and cap stamped GFY LB021 at the beginning of a curve concave Southeasterly and having a radius of 1195.92 feet; thence run Southwesterly, along said right of way line, with said curve, through an arc angle of 11°44'45", an arc distance of 245.17 feet (chord bearing and distance of S.64°39'00"W., 244.74 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run S.58°46'37"W., along said right of way line, a distance of 2158.05 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the beginning of a curve concave Northerly, said curve having a radius of 1095.92 feet; thence run Southwesterly, along said right of way line, with said curve, through an arc angle of 23°35'55", an arc distance of 451.38 feet (chord bearing and distance of S.70°34'34"W., 448.20 feet respectively) to the POINT OF BEGINNING.

TOGETHER WITH:

A strip of land situated in Sections 22 and 23, Township 8 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

BEGIN at a 4"x4" concrete monument and cap stamped McGriff Co. at the Southeast corner of the W. 1/2 of the aforementioned Section 23, Township 8 South, Range 19 East and run N.01°29'21"W., a distance of 35.60 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Southerly maintained right of way line of County Road N. W. 128th Lane (50 foot maintained right of way); thence run Westerly, along said right of way line, with a curve concave Northerly and having a radius of 1145.92 feet, through an arc angle of 05°25'33", an arc distance of 108.52 feet (chord bearing and distance of S.85°21'26"W., 108.48 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run S.88°04'12"W., along said Northerly right of way line, a distance of 3135.59 feet into the aforementioned Section 22, to a 4"x4" concrete monument and cap stamped GFY LB021 at the intersection of said right of way line with the South line of said Section 22; thence run N.88°40'03"E., along said South line of Section 22, a distance of 565.83 feet to a 4"x4" concrete monument and cap stamped N.T.&P. Co. at the Southwest corner of said Section 23; thence run

N.88°35'44"E., along the South line of said Section 23, a distance of 2677.98 feet to the POINT OF BEGINNING.

#### PARCEL B-2

A tract of land situated in Sections 35 and 36, Township 8 South, Range 19 East, and in Fractional Sections 1 and 2, Outside the Arredondo Grant, Township 9 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at a 4"x4" concrete monument and cap stamped McGriff Co. RLS 509 at the Northwest corner of the E. 1/2 of the aforementioned Section 35, Township 8 South, Range 19 East for a point of reference and run S.06°43'55"E., along the West line of said E. 1/2 of Section 35, a distance of 2476.71 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Southwest corner of the lands described in deed recorded in Official Records Book 2400, page 1034 of the Public Records of Alachua County, Florida, and the POINT OF BEGINNING; thence continue S.06°43'55"E., along said West line of the E. 1/2, a distance of 2873.98 feet to a 4"x4" concrete monument and cap stamped McGriff Co. at the Southwest corner of said E. 1/2 of Section 35; thence run N.89°32'46"E., along the North line of the aforementioned Fractional Section 2, a distance of 197.05 feet to a 4"x4" concrete monument and cap stamped N.T.&P. Co. at the Northeasterly corner of the Griffis Lumber, Inc. lands as described in Official Records Book 1942, page 445 of said Public Records; thence run S.22°44'25"E., a distance of 231.87 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.22°55'18"E., a distance of 218.40 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.20°17'27"E., a distance of 253.45 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.64°28'27"E., a distance of 152.77 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the monumented north line of the CHARLES G. WOODBRIDGE UNRECORDED PLAT BY ROBERT E. HARDEE, SURVEYOR, DATED MARCH 1, 1927, being the North line of the Arredondo Grant as monumented; thence run N.89°23'03"E., along said North line, a distance of 1032.26 feet to an old 4"x4" concrete monument with no identification at the corner of Lots 4 and 5 of said unrecorded plat; thence run S.89°57'35"E., along said North line, a distance of 943.29 feet to an old 4"x4" concrete monument with no identification at the corner of Lots 5 and 6 of said unrecorded plat; thence run N.89°02'04"E., along said North line, a distance of 532.77 feet to a 4"x4" concrete monument and cap stamped N.T.&P. Co. at the Northeast corner of Fractional Section 2, Inside the Arredondo Grant, Township 9 South, Range 19 East; thence run N.89°01'39"E., along said North line of the Arredondo Grant, a distance of 2499.64 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the intersection with the Easterly right of way line of The Florida Gas Transmission Easement (50 foot right of way) as described in Official Records Book 48, page 205 of said Public Records; thence run N.03°23'37"E., along said Easterly right of way line, a distance of 3601.84 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Southeast corner of the aforementioned lands described in Official Records Book 2400, page 1034 of said Public Records; thence run S.89°11'51"W., along the South line of said lands, a distance of 6155.66 feet to the POINT OF BEGINNING.

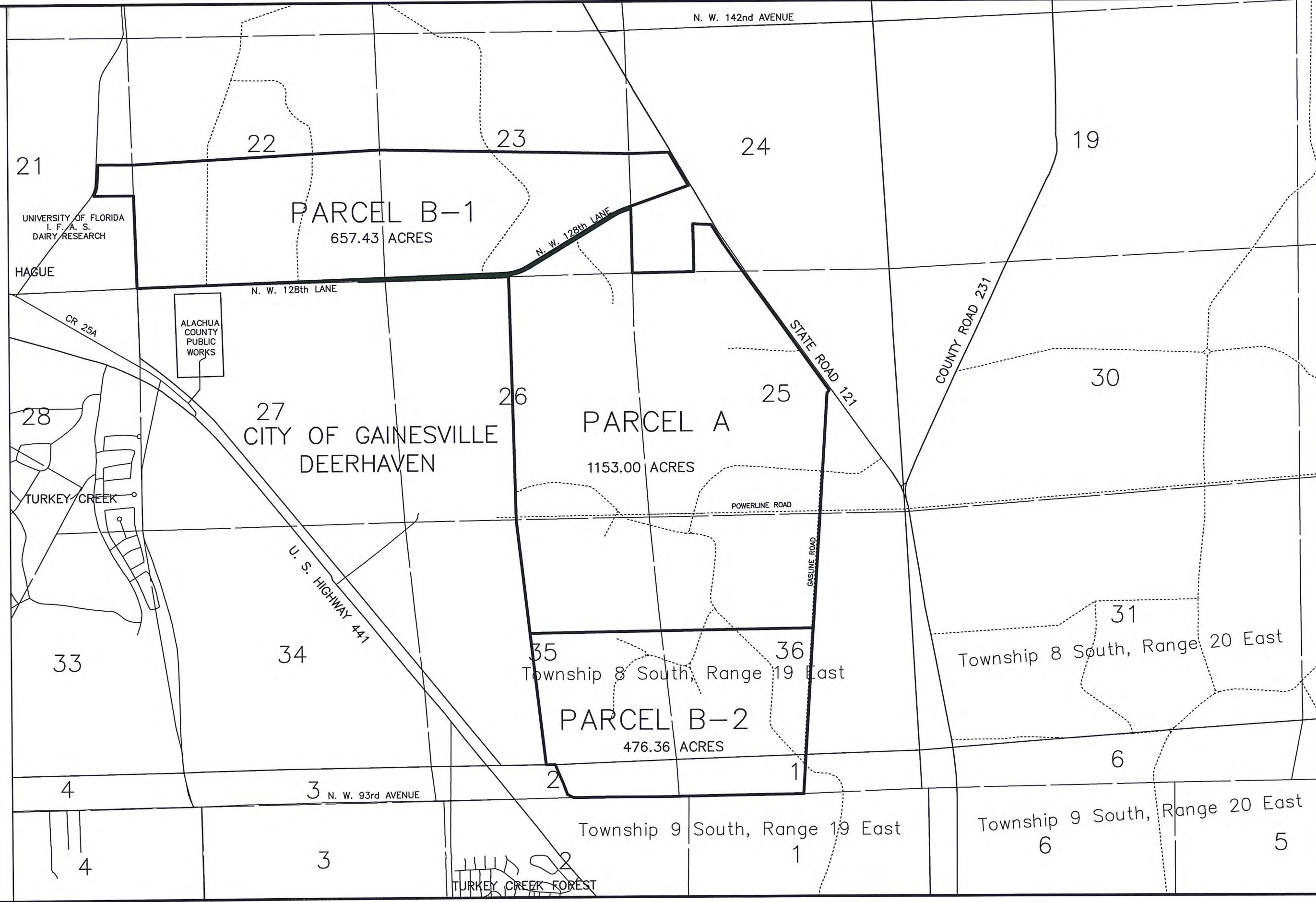
All of the above described lands contain a net area of 2286.79 acres more or less.

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GRU Deerhaven Annexation Properties  
Legal Sketch



**Attachment 2**

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**GRU Deerhaven Annexation Properties – Deed Information**

| <u>Official Record</u> | <u>Parcel Number(s)</u>   |
|------------------------|---|
| 2400 / 1034            | 05882-004-000, 05884-000-000, 05943-001-000, 05946-003-000 & 05871-002-000, 05869-001-000                               |
| 2579 / 5               | 05943-000-000, 05946-004-000, 05973-001-000, 05974-000-000, 05864-001-000, 05869-002-000, 05868-001-000 & 05871-003-000 |
| 2599 / 585             | 05883-000-000   |
| 3283 / 472             | 05868-099-000   |

PB-14-73 LUC

ACAC # 011146

28.50  
8878.10

**THIS INSTRUMENT PREPARED BY:**  
Elizabeth U. Fee, Division Counsel  
Plum Creek Timberlands, L.P.  
100 Peachtree Street, N.E., Suite 2650  
Atlanta, Georgia 30303  
File No. 560-5.01-1130

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 1795655 6 PGS  
2001 NOV 16 11:44 AM BK 2400 PG 1034  
J. K. "BUDDY" IRBY  
CLERK OF CIRCUIT COURT  
ALACHUA COUNTY, FLORIDA  
CLERK3 Receipt#073341  
Doc Stamp-Deed: 8,878.10  
By: Sandra M. Marcella D.C.

**AFTER RECORDING RETURN TO:**  
Gainesville Regional Utilities  
Post Office Box 147117, Station A-130  
Gainesville, Florida 32614-7117  
Attn: Real Estate Division

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED**, made effective the 13th day of November, 2001, by and between **PLUM CREEK TIMBERLANDS, L.P.**, a Delaware limited partnership, whose address is 999 Third Avenue, Suite 2300, Seattle, Washington 98104 ("Grantor"), and in favor of **CITY OF GAINESVILLE, FLORIDA**, a municipal corporation, whose address is Post Office Box 490, Gainesville, Florida 32601 ("Grantee"):

**WITNESSETH:**

That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations to said Grantor in hand paid by said Grantee, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's successors and assigns forever, land situate, lying and being in Alachua County, Florida, being more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof (the "Real Property").

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**RESERVING** unto Grantor, its successors and assigns, all timber now or hereafter located on the Real Property in perpetuity, together with certain timber rights and rights to manage the Real Property, as more fully described and limited in Exhibit "B" attached hereto and by this reference made a part hereof.

**TO HAVE AND TO HOLD**, the same in fee simple forever.

**AND** the Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Real Property in fee simple; that Grantor has good right and lawful authority to sell and convey said Real Property; that Grantor hereby warrants the title to said Real Property and will defend the same against the lawful claims of all persons claiming by, through, or under the said Grantor; and that said Real Property is free of all encumbrances made by Grantor; provided,

however, that this conveyance and the warranties contained herein are made expressly subject to restrictions and easements of record, if any, but this reference shall not act to reimpose same, and those matters described in Exhibit "C" attached hereto and made a part hereof.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

PLUM CREEK TIMBERLANDS, L.P., a Delaware limited partnership

BY: Plum Creek Timber I, L.L.C., Its General Partner

By: Michael J. Covey  
Michael J. Covey  
Executive Vice President



Kristan W. Inman  
Print Name: Kristan W. Inman

Marlyn M. S.  
Print Name: Marlyn Minor

STATE OF GEORGIA

COUNTY OF FULTON

The foregoing instrument was sworn to, subscribed and acknowledged before me this 13th day of November, 2001, by MICHAEL J. COVEY, as Executive Vice President of Plum Creek Timber I, L.L.C., a Delaware limited liability company, on behalf of the company, who is personally known to me or who produced \_\_\_\_\_ as identification.

Loris A. Jakielski  
Notary Public  
Print Name: Loris A. Jakielski  
My Commission Expires: February 8, 2005

## EXHIBIT "A"

A tract of land situated in Sections 23, 24, 25, 26, 35 and 36, Township 8 South, Range 19 East, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at a 4"x4" concrete monument and cap stamped GFY LB021 at the Northwest corner of the aforementioned Section 25, Township 8 South, Range 19 East for the POINT OF BEGINNING and run S.01°25'27"E., along the West line of the N. 1/2 of Government Lot 4 of said Section 25, a distance of 1331.68 feet to a 4.5"x4.5" concrete monument with no identification at the Southwest corner of said N. 1/2 of Government Lot 4; thence run N.89°08'55"E., along the South line of said N. 1/2 of Government Lot 4, a distance of 1333.43 feet to a 4.5"x4.5" concrete monument with no identification at the Southeast corner of said N. 1/2 of Government Lot 4; thence run N.01°24'31"W., along the East line of said N. 1/2 of Government Lot 4, a distance of 1334.49 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Southwest corner of the S. E. 1/4 of the S. W. 1/4 of the aforementioned Section 24; thence run N.01°01'01"W., along the West line of said S. E. 1/4 of the S. W. 1/4, a distance of 1037.49 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.87°00'38"E., a distance of 397.37 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Westerly right of way line of State Road No. 121 (120' right of way), said right of way line being a curve concave Northeasterly, said curve having a radius of 11519.16 feet; thence run Southeasterly, along said right of way line, with said curve, through an arc angle of 04°47'26", an arc distance of 963.15 feet (chord bearing and distance of S.33°18'54"E., 962.87 feet respectively) to a 5/8" steel rod and cap stamped FlaDOT at the end of said curve; thence run S.35°42'37"E., continuing along said right of way line, a distance of 3449.99 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the intersection with the Easterly right of way line of the Florida Gas Transmission Easement (50 foot right of way) as described in Official Records Book 48, page 205 of the Public Records of Alachua County, Florida; thence run S.35°54'37"W., along said Easterly right of way line, a distance of 78.17 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.03°23'37"W., continuing along said Easterly right of way line, a distance of 5109.87 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.89°11'51"W., a distance of 6155.66 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the West line of the E. 1/2 of the aforementioned Section 35; thence run N.06°43'55"W., along said West line, a distance of 2476.71 feet to a 4"x4" concrete monument and cap stamped McGriff Co. #509 at the Southwest corner of the E. 1/2 of the aforementioned Section 26; thence run N.01°29'21"W., along the West line of said E. 1/2 of Section 26, a distance of 5294.42 feet to a 4"x4" concrete monument and cap stamped McGriff Co. at the Northwest corner of said E. 1/2 of Section 26; thence continue N.01°29'21"W., a distance of 35.60 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Southerly maintained right of way line of County Road N. W. 128th Lane (50' wide maintained right of way), said right of way line being a curve concave Northwesterly, said curve having a radius of 1145.92 feet; thence run Northeasterly, along said right of way line, with said curve, through an arc angle of 23°52'03", an arc distance of 477.35 feet (chord bearing and distance of N.70°42'38"E., 473.91 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run N.58°46'37"E., continuing along said right of way line, a distance of 2158.05 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the beginning of a curve concave Southeasterly, said curve having a radius of 1145.92 feet; thence run Northeasterly, along said right of way line, with said curve, through an arc angle of 11°44'45", an arc distance of 234.92 feet (chord bearing and distance of N.64°39'00"E., 234.51 feet respectively) to a 1/2" steel rod and cap stamped GFY LB021 at the end of said curve; thence run N.70°31'22"E., continuing along said right of way line, a distance of 156.66 feet to a 4"x4" concrete monument and cap stamped PRM 2115 on the East line of the aforementioned Section 23; thence run S.01°02'09"E., along said East line, a distance of 1398.79 feet to the POINT OF BEGINNING.

**EXHIBIT "B"**

Grantor reserves unto itself and its successors and assigns, all timber now or hereafter located on the Real Property in perpetuity (the "Reserved Timber").

Grantor further reserves unto itself and its successors and assigns, the right to manage the Real Property, the rights to plant, manage, conduct silvicultural enhancements (including intermediate thinnings), harvest and remove the Reserved Timber, together with full rights of ingress and egress to the Real Property (the Reserved Timber and such rights collectively the "Grantor's Reserved Rights"), subject to the following limitations and restrictions:

1. Grantor shall give Grantee annual notification of the schedules for any silvicultural enhancement operations and harvesting of the Reserved Timber. Said notice should be sent to Gainesville Regional Utilities, P.O. Box 147117, Station A-130, Gainesville, FL 32614-7117, Attn: Real Estate Division, with a copy to: Gainesville Regional Utilities, Vegetation Management Department, Attn. Utility Forester, P.O. Box 147117, Sta. S150, Gainesville, FL 32614-7117. Grantor shall have the right from time to time to enter the Real Property as may be reasonably necessary to conduct silvicultural enhancement operations and harvest the Reserved Timber.
2. In exercising Grantor's Reserved Rights, Grantor shall not damage any improvements on the Real Property and shall exercise good forestry management and practices as identified in the Florida Division of Forestry Silviculture Best Management Practices Manual, 1993, or such later edition as may be in effect.
3. Notwithstanding anything contained herein to the contrary, Grantee's rights to occupy and utilize the Real Property, or any part thereof, shall be superior to Grantor's Reserved Rights. In the event that Grantee's use of the Real Property should ever conflict with Grantor's management and harvest of the Reserved Timber, Grantee and Grantor shall use reasonable efforts to resolve the conflict in a manner that (i) will not unreasonably interfere with the Grantee's use of the Real Property, (ii) will permit Grantor to harvest as much of the Reserved Timber as is possible, and (iii) compensate Grantor for the loss of the use of the Real Property or portion thereof for the purpose of growing and harvesting timber as set forth under the terms of Paragraph 17 of the Option to Purchase Land dated September 20, 2001, between NPC Timber, Inc., as Grantor (predecessor to Grantor herein), and City of Gainesville, Florida, as Grantee.
4. Grantor shall strictly enforce the terms and conditions of the existing hunting lease with Rocky Creek Hunting Club. Grantor shall provide Grantee a copy of the lease renewal documents annually, including certificate of liability insurance. Grantor may not enter into any additional leases without prior written consent of Grantee.

Grantee shall have the right to secure the release of certain portions of the Real Property from Grantor's Reserved Rights (a "Release") for the purpose of developing the Real Property for Grantee's use, under the following terms and conditions:

1. To exercise its rights under this paragraph, Grantee must provide Grantor with a survey plat of the area Grantee intends to have released (a "Release Area") and have said site staked out on the ground for Grantor's inspection at least twelve (12) months before Grantee secures the release of the Timber Rights on this portion of the Real Property.
2. During the 12-month period following receipt of said survey plat, Grantor shall have the right to harvest all merchantable timber within the Release Area. Merchantable timber for the purposes of this paragraph is as follows: Planted Pine Timber greater than 16 years of age; and all Natural Timber (Pine, Cypress and Hardwood) greater than 25 years of age. Following the expiration of the 12-month period, Grantee shall pay Grantor compensation for the Grantor's Reserved Rights within the Release Area as set forth under the terms of Paragraph 17 of the Option to Purchase Land dated September 20, 2001, between NPC Timber, Inc., as Grantor (predecessor to Grantor herein), and City of Gainesville, Florida, as Grantee.
3. Release Areas will be contiguous to property ownership boundaries existing at the time of the Release and shall contain a minimum of forty (40) acres (with the exception of smaller areas to be cleared for easements).
4. In exercising Grantee's rights under this paragraph, Grantee shall not damage any unreleased Timber on the remaining Real Property.

Should Grantor desire to sell Grantor's Reserved Rights, Grantor shall first offer the same to Grantee for the same price and on the same terms as Grantor has received in a bona fide offer to purchase. After receipt of a notice of intent to sell in writing from Grantor, Grantee shall have ninety (90) days to accept or reject the offer. If Grantee elects to purchase the Grantor's Reserved Rights, the transaction shall close on the date as set forth in the offer or thirty (30) days from Grantee's acceptance, whichever is later. If Grantee shall fail, neglect or refuse to purchase Grantor's Reserved Rights within said ninety (90) day period, Grantor shall be free to sell Grantor's Reserved Rights to a third party. Notwithstanding anything contained herein to the contrary, Grantor may at any time and without prior notice to Grantee (a) sell or convey Grantor's Reserved Rights to one or more affiliated corporations or entities, and (b) enter into timber deeds and timber sale agreements conveying rights to Reserved Timber, provided that the duration of each such timber deed or timber sale agreement is less than (5) years.

**EXHIBIT "C"**

- (a) liens for taxes and assessments for 2001 and subsequent years;
- (b) all land use (including environmental and wetlands), building and zoning laws, regulations, codes and ordinances affecting the Real Property;
- (c) any rights of the United States of America, the State of Florida or others in the use and continuous flow of any brooks, streams or other natural water courses or water bodies within, crossing or abutting the Real Property, including, without limitation, riparian rights and navigational servitudes;
- (d) title to that portion of the Real Property, if any, lying below the mean high water mark of abutting tidal waters;
- (e) all easements, rights-of-way, licenses and other such similar encumbrances of record;
- (f) all existing public roads and streets and all railroad and utility lines, pipelines, service lines and facilities;
- (g) all encroachments, overlaps, boundary line disputes, shortages in area, cemeteries and burial grounds and other matters not of record which would be disclosed by an accurate survey or inspection of the Real Property;
- (h) prior reservations or conveyances of mineral rights or mineral leases of every kind and character; and
- (i) any loss or claim due to lack of access to any portion of the Real Property.



**THIS INSTRUMENT PREPARED BY:**

Elizabeth U. Fee  
Plum Creek Timber Company, Inc.  
One Concourse Parkway, Suite 755  
Atlanta, Georgia 30328  
File No. 560-9.10-0060

Doc Stamp-Deed: \$0.70



2573983

6 PGS

**AFTER RECORDING RETURN TO:**

Alachua County Public Works  
P.O. Box 1188  
Gainesville, Florida 32602-1188

STATE OF FLORIDA

COUNTY OF ALACHUA

**QUITCLAIM DEED**

THIS INDENTURE, made this 1st day of March, 2010, by PLUM CREEK  
TIMBERLANDS, L.P., a Delaware limited partnership, and having a place of business at One  
Concourse Parkway, Suite 755, Atlanta, Georgia 30328, hereinafter called the "Grantor", to  
ALACHUA COUNTY, a political subdivision of the State of Florida, whose mailing address is  
P.O. Box 1188, Gainesville, Florida 32602-1188, hereinafter called the "Grantee":

**WITNESSETH:**

That Grantor, for and in consideration of the sum of Ten and No/100 Dollars  
(\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby  
acknowledged, by these presents does remise, release and quitclaim unto the Grantee, its  
successors and assigns, all right, title and interest of Grantor in and to the tract of land situate in  
Alachua County, Florida, described in Exhibit A hereto and made a part hereof by reference.

TO HAVE AND TO HOLD the same together with all and singular the  
appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title,  
interest, lien, equity and claim whatsoever of the Grantor, either in law or equity, to the only  
proper use, benefit and behoof of the Grantee forever.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered  
in the presence of:

PLUM CREEK TIMBERLANDS, L.P.  
By: Plum Creek Timber I, L.L.C.,  
its General Partner

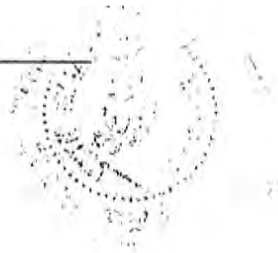
Annette Jones  
Witness  
Annette Jones  
Print Name

By: James A. Kilberg  
James A. Kilberg  
Senior Vice President – Real Estate  
and Land Management

ATTEST:

Connie Duke  
Witness  
Connie Duke  
Print Name

By: Elizabeth U. Fee  
Elizabeth U. Fee  
Assistant Secretary



(CORPORATE SEAL)

STATE OF GEORGIA  
COUNTY OF FULTON

The foregoing instrument was acknowledged before me this 1st day of March, 2010, by James A. Kilberg, Senior Vice President – Real Estate and Land Management of Plum Creek Timber I, L.L.C., general partner of Plum Creek Timberlands, L.P., the limited partnership that executed the within and foregoing instrument. He is personally known to me and did not take an oath.

Lorja A. Jakielski  
Lorja A. Jakielski  
Notary Public

INSTRUMENT # 2573983 6 PGS

My Commission Expires: February 8, 2013

(NOTARIAL SEAL)



This page has been added to the Quit-Claim Deed from Plum Creek Timberlands, L.P. to Alachua County, Florida in order to reflect the Alachua County Board of County Commissioners acceptance.

At a meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2010 the Board of County Commissioners authorized the acceptance of this instrument of conveyance and authorized the Chair to execute this acceptance.

\_\_\_\_\_  
CYNTHIA MOORE CHESTNUT, CHAIR,  
ALACHUA COUNTY BOARD OF COUNTY COMMISSIONERS

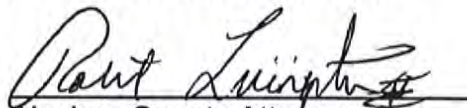
Executed on this \_\_\_\_\_ day of \_\_\_\_\_, 2010

ATTEST:

INSTRUMENT # 2573983 6 PGS

\_\_\_\_\_  
J. K. Irby, Clerk

APPROVED AS TO FORM

  
Alachua County Attorney

## Exhibit "A"

County Road NW 128<sup>th</sup> Lane

That part of Sections 22, 23 and 24, Township 8 South, Range 19 East, Alachua County, Florida and is more particularly described as follows:

Commence at a 4"x 4" concrete monument and cap stamped McGriff Co. that marks the Southeast corner of the West ½ of said Section 23 for a Point of Reference; thence North 01 deg. 29 min. 21 sec. West, a distance of 35.60 feet to a 4"x 4" concrete monument and cap stamped GFY LB021 at an intersection with the southerly right of way line of County Road NW 128<sup>th</sup> Lane (50.0 foot right of way by maintenance) and being the Point of Beginning; thence Westerly along the said southerly right of way line and along the arc of a curve concave to the north, having a radius of 1145.92 feet and a arc angle 05 deg. 25 min. 33 sec., an arc distance of 108.52 feet to the end of said curve (having a chord of South 85 deg. 21 min. 26 sec. West, 108.48 feet); thence South 88 deg. 04 min. 12 sec. West along the said southerly right of way line, a distance of 3135.59 feet to a 4" x 4" concrete monument and cap stamped GFY LB021 at an intersection with the south line of said Section 22; thence South 88 deg. 40 min. 03 sec. West along the said south line of Section 22, a distance of 4794.32 feet to a 4" x 4" concrete monument with no identification that marks the Southwest corner of said Section 22 at an intersection with the north right of way line of said County Road NW 128<sup>th</sup> Lane (50.0 foot right of way by maintenance); thence North 88 deg. 04 min. 12 sec. East along the said north right of way line, a distance of 5360.03 feet to a ½" steel rod and cap stamped GFY LB021 that marks an intersection with the east line of said Section 22 (said ½" steel rod lies North 01 deg. 45 min. 37 sec. West, a distance of 55.90 feet from the Southwest corner of said Section 22); thence North 88 deg. 04 min. 12 sec. East along the said north right of way line, a distance of 2569.62 feet to a 4" x 4" concrete monument and cap stamped GFY LB021 that marks the beginning of a curve concave to the north, having a radius of 1095.92 feet and a arc angle of 05 deg. 41 min. 40 sec.; thence Easterly along the said north right of way line and along the arc of the said curve, an arc distance of 108.92 feet (having a chord of North 85 deg. 13 min. 22

sec. East, 108.88 feet) to a 4" x 4" concrete monument and cap stamped GFY LB021 (said monument lies North 01 deg. 29 min. 21 sec. West, a distance of 85.87 feet from the said Southeast corner of the West ½ of Section 23); thence continue Easterly along the said north right of way line and along the arc of the said curve, through an arc angle of 23 deg. 35 min. 55 sec., an arc distance of 451.38 feet (having a chord of North 70 deg. 34 min 34 sec. East, 448.20 feet) to a 4" x 4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence North 58 deg. 46 min. 37 sec. East along the said northerly right of way line, a distance of 2158.05 feet to a 4" x 4" concrete monument and cap stamped GFY LB021 that marks the beginning of a curve concave southerly, having a radius of 1195.92 feet and a arc angle of 11 deg. 44 min. 45 sec.; thence Northeasterly along the arc of the said curve and along the said northerly right of way line, an arc distance of 245.17 feet (having a chord of North 64 deg. 39 min. 00 sec. East, 244.74 feet) to a 1/2 steel rod and cap stamped GFY LB021 at the end of said curve; thence North 70 deg. 31 min. 22. sec. East along the said northerly right of way line, a distance of 1492.77 feet to a 4" x 4" concrete monument and cap stamped GFY LB021 at an intersection with the westerly right of way line of State Road No. 121 (120.0 foot right of way); thence South 30 deg. 02 min. 35 sec. East along the said westerly right of way line, a distance of 50.86 feet to an intersection with the said southerly right of way line of County Road NW 128<sup>th</sup> Lane (50.0 foot right of way by maintenance); thence South 70 deg. 31 min. 22 sec. West along the said southerly right of way line and also being along the northerly property line of tax parcels 05878-001-000, 05878-002-000, 05878-000-000, 05878-001-002 and 05878-001-001, a distance of 1346.33 feet to a 4" x 4" concrete monument and cap stamped PRM 2115 that marks an intersection with the east line of said Section 23; thence continue South 70 deg. 31 min. 22 sec. West along the said southerly right of way line, a distance of 156.66 feet to a 5/8" steel rod and cap GFY stamped LB021 that marks the beginning of a curve concave southerly, having a radius of 1145.92 feet and a arc angle of 11 deg. 44 min. 45 sec.; thence Southwesterly along the arc of the said curve and along the said southerly right of way line, an arc distance of 234.92 feet (having a chord of South 64 deg. 39 min. 00 sec. West, 234.51 feet) to a 4" x 4" concrete monument and cap stamped GFY LB021 at the end of the said curve; thence South 58 deg. 46 min. 37 sec.

West along the said southerly right of way line, a distance of 2158.05 feet to a 4" x 4" concrete monument and cap stamped GFY LB021 that marks the beginning of a curve concave to the north, having a radius of 1145.92 feet and a arc angle of 23 deg. 52 min. 03 sec.; thence Southwesterly along the arc of the said curve and along the said southerly right of way line, an arc distance of 477.35 feet (having a chord of South 70 deg. 42 min. 38 sec. west, 473.91 feet) to the said Point of Beginning (said point being a 4" x 4" concrete monument and cap stamped GFY LB021).

INSTRUMENT # 2573983 6 PGS

ACAC# 1094-132792

PB-14-73 LUC

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 1896070 9 PGS  
2002 DEC 30 02:02 PM BK 2579 PG 5

**THIS INSTRUMENT PREPARED BY:**

Elizabeth U. Fee, Division Counsel  
Plum Creek Timberlands, L.P.  
100 Peachtree Street, N.E., Suite 2650  
Atlanta, Georgia 30303  
File No. 560-5.02-3570

J. K. "BUDDY" IRBY  
CLERK OF CIRCUIT COURT  
ALACHUA COUNTY, FLORIDA  
CLERK12 Receipt#120874

Doc Stamp-Deed: 0.70  
By: *[Signature]* D.C.

**AFTER RECORDING RETURN TO:**

Gainesville Regional Utilities  
Post Office Box 147117, Station A-130  
Gainesville, Florida 32614-7117  
Attn: Real Estate Division

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED**, made effective the 19th day of December, 2002, by and between **PLUM CREEK TIMBERLANDS, L.P.**, a Delaware limited partnership, whose address is 999 Third Avenue, Suite 2300, Seattle, Washington 98104 ("Grantor"), to and in favor of **CITY OF GAINESVILLE, FLORIDA**, a municipal corporation, whose address is Post Office Box 490, Gainesville, Florida 32601 ("Grantee"):

**WITNESSETH:**

That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations to said Grantor in hand paid by said Grantee, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's successors and assigns forever, land situate, lying and being in Alachua County, Florida, being more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof (the "Real Property").

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**RESERVING** unto Grantor, its successors and assigns, all timber now or hereafter located on the Real Property in perpetuity, together with certain timber rights and rights to manage the Real Property, as more fully described and limited in Exhibit "B" attached hereto and by this reference made a part hereof.

**TO HAVE AND TO HOLD**, the same in fee simple forever.

**AND** the Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Real Property in fee simple; that Grantor has good right and lawful authority to sell and convey said Real Property; that Grantor hereby warrants the title to said Real Property and will defend the same against the lawful claims of all persons claiming by, through, or under the said Grantor; and that said Real Property is free of all encumbrances made by Grantor; provided,

however, that this conveyance and the warranties contained herein are made expressly subject to restrictions and easements of record, if any, but this reference shall not act to reimpose same, and those matters described in Exhibit "C" attached hereto and made a part hereof.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of:

PLUM CREEK TIMBERLANDS, L.P., a Delaware limited partnership

BY: Plum Creek Timber I, L.L.C., Its General Partner

By: Michael J. Covey Michael J. Covey Executive Vice President

Marlyn Minor Print Name: Marlyn Minor

Dennis R. Taylor Print Name: Dennis R. Taylor



STATE OF GEORGIA

COUNTY OF FULTON

The foregoing instrument was sworn to, subscribed and acknowledged before me this 19th day of December, 2002, by MICHAEL J. COVEY, Executive Vice President of Plum Creek Timber I, L.L.C., a Delaware limited liability company, the general partner of PLUM CREEK TIMBERLANDS, L.P., a Delaware limited liability partnership, on behalf of the partnership, who is personally known to me or who produced \_\_\_\_\_ as identification.

Loris A. Jakielski Notary Public

Print Name: Loris A. Jakielski My Commission Expires: February 8, 2005



## EXHIBIT "A"

PARCEL B-1

A tract of land situated in Sections 21, 22, 23 and 24, Township 8 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at a 4"x4" concrete monument and cap stamped McGriff Co. at the Southeast corner of the W. 1/2 of the aforementioned Section 23, Township 8 South, Range 19 East for a point of reference and run N.01°29'21"W., a distance of 85.87 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Northerly maintained right of way line of County Road N. W. 128th Lane (50 foot maintained right of way) and the POINT OF BEGINNING; thence run Westerly, along said right of way line, with a curve concave Northerly and having a radius of 1095.92 feet, through an arc angle of 05°41'40", an arc distance of 108.92 feet (chord bearing and distance of S.85°13'22"W., 108.88 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run S.88°04'12"W., along said Northerly right of way line, a distance of 2569.62 feet to a 1/2" steel rod and cap stamped GFY LB021 on the West line of said Section 23; thence continue S.88°04'12"W., along said right of way line, into the aforementioned Section 22, a distance of 2832.53 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence continue S.88°04'12"W., along said right of way line, a distance of 968.36 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence continue S.88°04'12"W., along said right of way line, a distance of 1559.14 feet to a 4"x4" concrete monument with no identification, said concrete monument being the Southwest corner of said Section 22; thence run N.01°49'14"W., along the West line of said Section 22, a distance of 2010.26 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Southeast corner of the N. 1/4 of the S. E. 1/4 of the aforementioned Section 21; thence run S.89°51'02"W., along the South line of said N. 1/4 of the S. E. 1/4 of Section 21, a distance of 861.59 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Easterly right of way line of County Road N. W. 59th Drive (80 foot right of way); thence run Northerly, along said Easterly right of way line, with a curve concave Westerly and having a radius of 677.29 feet, through an arc angle of 24°49'35", an arc distance of 293.47 feet (chord bearing and distance of N.15°11'21"E., 291.18 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run N.02°46'33"E., along said right of way line, a distance of 396.52 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the North line of said S. E. 1/4 of Section 21; thence run S.89°36'37"E., along said North line, a distance of 744.82 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the 1/4 section corner of the West line of the aforementioned Section 22; thence run N.86°57'27"E., along the North line of the S. 1/2 of said Section 22, a distance of 5364.16 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the 1/4 section corner of the West line of the aforementioned Section 23; thence run S.88°44'09"E., along the North line of the S. 1/2 of said Section 23, a distance of 5395.83 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the 1/4 section corner of the West line of the aforementioned Section 24; thence run N.88°17'15"E., along the

North line of the S. 1/2 of said Section 24, a distance of 846.24 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Westerly right of way line of State Road No. 121 (120 foot right of way); thence run S.30°02'35"E., along said Westerly right of way line, a distance of 835.90 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the intersection with the aforementioned Northerly maintained right of way line of County Road N. W. 128th Lane; thence run S.70°31'22"W., along said Northerly right of way line, into said Section 23, a distance of 1492.77 feet to a 1/2" steel rod and cap stamped GFY LB021 at the beginning of a curve concave Southeasterly and having a radius of 1195.92 feet; thence run Southwesterly, along said right of way line, with said curve, through an arc angle of 11°44'45", an arc distance of 245.17 feet (chord bearing and distance of S.64°39'00"W., 244.74 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run S.58°46'37"W., along said right of way line, a distance of 2158.05 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the beginning of a curve concave Northerly, said curve having a radius of 1095.92 feet; thence run Southwesterly, along said right of way line, with said curve, through an arc angle of 23°35'55", an arc distance of 451.38 feet (chord bearing and distance of S.70°34'34"W., 448.20 feet respectively) to the POINT OF BEGINNING.

LESS AND EXCEPT the lands described in and conveyed by Special Warranty Deed recorded in Official Records Book 1666, page 513 of the Public Records of Alachua County, Florida, being described as follows:

A parcel of land in Section 22, Township 8 South, Range 19 East, Alachua County, Florida, more particularly described as follows: Commence on the South line of said Section 22, at a point 1,556.38 feet Easterly from the Southwest corner thereof; thence North 02°06'49" East, 37.00 feet to a point on the Northerly right-of-way line of a County Grade Road, and the Point of Beginning; thence North 88°57'14" East along said Northerly right-of-way line a distance of 968.00 feet; thence North 02°06'49" East, 450.68 feet; thence South 88°57'14" West, 968.00 feet; thence South 02°06'49" West, 450.68 feet to the Point of Beginning.

TOGETHER WITH:

A strip of land situated in Sections 22 and 23, Township 8 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

BEGIN at a 4"x4" concrete monument and cap stamped McGriff Co. at the Southeast corner of the W. 1/2 of the aforementioned Section 23, Township 8 South, Range 19 East and run N.01°29'21"W., a distance of 35.60 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the Southerly maintained right of way line of County Road N. W. 128th Lane (50 foot maintained right of way); thence run Westerly, along said right of way line, with a curve concave Northerly and having a radius of 1145.92 feet, through an arc angle of 05°25'33", an arc distance of 108.52 feet (chord bearing and distance of S.85°21'26"W., 108.48 feet respectively) to a 4"x4" concrete monument and cap stamped GFY LB021 at the end of said curve; thence run S.88°04'12"W., along said Northerly right of way line, a distance of 3135.59 feet into the aforementioned Section 22, to a

4"x4" concrete monument and cap stamped GFY LB021 at the intersection of said right of way line with the South line of said Section 22; thence run N.88°40'03"E., along said South line of Section 22, a distance of 565.83 feet to a 4"x4" concrete monument and cap stamped N.T.&P. Co. at the Southwest corner of said Section 23; thence run N.88°35'44"E., along the South line of said Section 23, a distance of 2677.98 feet to the POINT OF BEGINNING.

#### PARCEL B-2

A tract of land situated in Sections 35 and 36, Township 8 South, Range 19 East, and in Fractional Sections 1 and 2, outside the Arredondo Grant, Township 9 South, Range 19 East, Alachua County, Florida, being more particularly described as follows:

Commence at a 4"x4" concrete monument and cap stamped McGriff Co. RLS 509 at the Northwest corner of the E. 1/2 of the aforementioned Section 35, Township 8 South, Range 19 East for a point of reference and run S.06°43'55"E., along the West line of said E. 1/2 of Section 35, a distance of 2476.71 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Southwest corner of the lands described in deed recorded in Official Records Book 2400, page 1034 of the Public Records of Alachua County, Florida, and the POINT OF BEGINNING; thence continue S.06°43'55"E., along said West line of the E. 1/2, a distance of 2873.98 feet to a 4"x4" concrete monument and cap stamped McGriff Co. at the Southwest corner of said E. 1/2 of Section 35; thence run N.89°32'46"E., along the North line of the aforementioned Fractional Section 2, a distance of 197.05 feet to a 4"x4" concrete monument and cap stamped N.T.&P. Co. at the Northeasterly corner of the Griffis Lumber, Inc. lands as described in Official Records Book 1942, page 445 of said Public Records; thence run S.22°44'25"E., a distance of 231.87 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.22°55'18"E., a distance of 218.40 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.20°17'27"E., a distance of 253.45 feet to a 4"x4" concrete monument and cap stamped GFY LB021; thence run S.64°28'27"E., a distance of 152.77 feet to a 4"x4" concrete monument and cap stamped GFY LB021 on the monumented north line of the CHARLES G. WOODBRIDGE UNRECORDED PLAT BY ROBERT E. HARDEE, SURVEYOR, DATED MARCH 1, 1927, being the North line of the Arredondo Grant as monumented; thence run N.89°23'03"E., along said North line, a distance of 1032.26 feet to an old 4"x4" concrete monument with no identification at the corner of Lots 4 and 5 of said unrecorded plat; thence run S.89°57'35"E., along said North line, a distance of 943.29 feet to an old 4"x4" concrete monument with no identification at the corner of Lots 5 and 6 of said unrecorded plat; thence run N.89°02'04"E., along said North line, a distance of 532.77 feet to a 4"x4" concrete monument and cap stamped N.T.&P. Co. at the Northeast corner of Fractional Section 2, Inside the Arredondo Grant, Township 9 South, Range 19 East; thence run N.89°01'39"E., along said North line of the Arredondo Grant, a distance of 2499.64 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the intersection with the Easterly right of way line of The Florida Gas Transmission Easement (50 foot right of way) as described in Official Records Book 48, page 205 of said Public Records; thence

run N.03°23'37"E., along said Easterly right of way line, a distance of 3601.84 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Southeast corner of the aforementioned lands described in Official Records Book 2400, page 1034 of said Public Records; thence run S.89°11'51"W., along the South line of said lands, a distance of 6155.66 feet to the POINT OF BEGINNING.

All of the above described PARCELS B-1 and B-2 contain a net area of 1,123.79 acres more or less.

**EXHIBIT "B"**

Grantor reserves unto itself and its successors and assigns, all timber now or hereafter located on the Real Property in perpetuity (the "Reserved Timber").

Grantor further reserves unto itself and its successors and assigns, the right to manage the Real Property, the rights to plant, manage, conduct silvicultural enhancements (including intermediate thinnings), harvest and remove the Reserved Timber, together with full rights of ingress and egress to the Real Property (the Reserved Timber and such rights collectively the "Grantor's Reserved Rights"), subject to the following limitations and restrictions:

1. Grantor shall give Grantee annual notification of the schedules for any silvicultural enhancement operations and harvesting of the Reserved Timber. Said notice should be sent to Gainesville Regional Utilities, P.O. Box 147117, Station A-130, Gainesville, FL 32614-7117, Attn: Real Estate Division, with a copy to: Gainesville Regional Utilities, Vegetation Management Department, Attn. Utility Forester, P.O. Box 147117, Sta. S150, Gainesville, FL 32614-7117. Grantor shall have the right from time to time to enter the Real Property as may be reasonably necessary to conduct silvicultural enhancement operations and harvest the Reserved Timber.
2. In exercising Grantor's Reserved Rights, Grantor shall not damage any improvements on the Real Property and shall exercise good forestry management and practices as identified in the Florida Division of Forestry Silviculture Best Management Practices Manual, 1993, or such later edition as may be in effect.
3. Notwithstanding anything contained herein to the contrary, Grantee's rights to occupy and utilize the Real Property, or any part thereof, shall be superior to Grantor's Reserved Rights. In the event that Grantee's use of the Real Property should ever conflict with Grantor's management and harvest of the Reserved Timber, Grantee and Grantor shall use reasonable efforts to resolve the conflict in a manner that (i) will not unreasonably interfere with the Grantee's use of the Real Property, (ii) will permit Grantor to harvest as much of the Reserved Timber as is possible, and (iii) compensate Grantor for the loss of the use of the Real Property or portion thereof for the purpose of growing and harvesting timber as set forth under the terms of Paragraph 17 of the Option to Purchase Land dated September 20, 2001, between NPC Timber, Inc., as Grantor (predecessor to Grantor herein), and City of Gainesville, Florida, as Grantee.
4. Grantor shall strictly enforce the terms and conditions of the existing hunting lease with Rocky Creek Hunting Club. Grantor shall provide Grantee a copy of the lease renewal documents annually, including certificate of liability insurance. Grantor may not enter into any additional leases without prior written consent of Grantee.

Grantee shall have the right to secure the release of certain portions of the Real Property from Grantor's Reserved Rights (a "Release") for the purpose of developing the Real Property for Grantee's use, under the following terms and conditions:

1. To exercise its rights under this paragraph, Grantee must provide Grantor with a survey plat of the area Grantee intends to have released (a "Release Area") and have said site staked out on the ground for Grantor's inspection at least twelve (12) months before Grantee secures the release of the Timber Rights on this portion of the Real Property.
2. During the 12-month period following receipt of said survey plat, Grantor shall have the right to harvest all merchantable timber within the Release Area. Merchantable timber for the purposes of this paragraph is as follows: Planted Pine Timber greater than 16 years of age; and all Natural Timber (Pine, Cypress and Hardwood) greater than 25 years of age. Following the expiration of the 12-month period, Grantee shall pay Grantor compensation for the Grantor's Reserved Rights within the Release Area as set forth under the terms of Paragraph 17 of the Option to Purchase Land dated September 20, 2001, between NPC Timber, Inc., as Grantor (predecessor to Grantor herein), and City of Gainesville, Florida, as Grantee.
3. Release Areas will be contiguous to property ownership boundaries existing at the time of the Release and shall contain a minimum of forty (40) acres (with the exception of smaller areas to be cleared for easements).
4. In exercising Grantee's rights under this paragraph, Grantee shall not damage any unreleased Timber on the remaining Real Property.

Should Grantor desire to sell Grantor's Reserved Rights, Grantor shall first offer the same to Grantee for the same price and on the same terms as Grantor has received in a bona fide offer to purchase. After receipt of a notice of intent to sell in writing from Grantor, Grantee shall have ninety (90) days to accept or reject the offer. If Grantee elects to purchase the Grantor's Reserved Rights, the transaction shall close on the date as set forth in the offer or thirty (30) days from Grantee's acceptance, whichever is later. If Grantee shall fail, neglect or refuse to purchase Grantor's Reserved Rights within said ninety (90) day period, Grantor shall be free to sell Grantor's Reserved Rights to a third party. Notwithstanding anything contained herein to the contrary, Grantor may at any time and without prior notice to Grantee (a) sell or convey Grantor's Reserved Rights to one or more affiliated corporations or entities, and (b) enter into timber deeds and timber sale agreements conveying rights to Reserved Timber, provided that the duration of each such timber deed or timber sale agreement is less than (5) years.

**EXHIBIT "C"**

- (a) liens for taxes and assessments for 2002 and subsequent years;
- (b) all land use (including environmental and wetlands), building and zoning laws, regulations, codes and ordinances affecting the Real Property;
- (c) any rights of the United States of America, the State of Florida or others in the use and continuous flow of any brooks, streams or other natural water courses or water bodies within, crossing or abutting the Real Property, including, without limitation, riparian rights and navigational servitudes;
- (d) title to that portion of the Real Property, if any, lying below the mean high water mark of abutting tidal waters;
- (e) all easements, rights-of-way, licenses and other such similar encumbrances of record;
- (f) all existing public roads and streets and all railroad and utility lines, pipelines, service lines and facilities;
- (g) all encroachments, overlaps, boundary line disputes, shortages in area, cemeteries and burial grounds and other matters not of record which would be disclosed by an accurate survey or inspection of the Real Property;
- (h) prior reservations or conveyances of mineral rights or mineral leases of every kind and character; and
- (i) any loss or claim due to lack of access to any portion of the Real Property.

PB-14-73 LUC

RECORDED IN OFFICIAL INSTRUMENT # 1905121 2 PGS

2003 FEB 05 08:43 AM BK 2599 PG 585

J. K. "BUDDY" IRBY CLERK OF CIRCUIT COURT ALACHUA COUNTY, FLORIDA CLERK1 Receipt#125392

Doc Stamp-Deed: 999.60

By: Sandra L. Lopez D.C.

Return To/Prepared By: Sandra Strickland, Employee of NORTH CENTRAL TITLE, INC. 7412 State Road 21 Keystone Heights, FL 32656 03K-3028

WARRANTY DEED

THIS DEED made on this 4th day of February, 2003, by and between Woodpile Acres Land and Investment Corp., a Florida Corporation, whose mailing address is P. O. Box 2103, Lake City, Florida 32056, as Grantor, and The City of Gainesville, Florida, a Florida Municipal Corporation, whose mailing address is P. O. Box 490, Gainesville, Florida 32602, as Grantee,

Grantor, for good and valuable consideration, hereby grants, bargains, conveys and sells to Grantee, the real property located in the County of Alachua, State of Florida, to-wit:

(A parcel of land located in the N 1/4 of Government Lot 4 of Section 25, Township 8 South, Range 19 East, Alachua County, Florida, being more particularly described in Schedule "A" attached hereto and incorporated herein by reference)

TPN: 05883-000-000

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. TO HAVE AND HOLD, the same in fee simple forever. AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except Easements and Restrictions of Record and taxes accruing subsequent to December 31, 2002.

IN WITNESS WHEREOF, the Grantor has hereunto signed and sealed these presents the day and year first above written. Signed, sealed and delivered in the presence of:

Woodpile Acres Land and Investment Corp., a Florida Corporation

Signature of 1st Witness: Marcia G. Lee; Printed Name of 1st Witness: Marcia G. Lee; Signature of 2nd Witness: Joyce Smith; Printed Name of 2nd Witness: Joyce Smith

By: Mildred M. Johns as President

STATE OF FLORIDA COUNTY OF CLAY

I HEREBY CERTIFY that on this day, before me, an officer duly qualified to take acknowledgments, personally appeared Mildred M. Johns as president of Woodpile Acres Land and Investment Corp., a Florida Corporation, who produced a Florida Driver's License as identification and who executed the foregoing instrument and acknowledged before me the execution of same.

WITNESS my hand and official seal in the County and State last aforesaid this 4th day of February, 2003.

(Notarial Seal) OFFICIAL NOTARY SEAL MARCIA G LEE COMMISSION NUMBER DD077158 MY COMMISSION EXPIRES DEC 14, 2005

Signature of Notary Public: Marcia G. Lee; Notary Public, State of Florida; My Commission Expires:



Schedule "A"

**LEGAL DESCRIPTION**

A tract of land situated in the N. 1/2 of Government Lot 4 of Section 25 Township 8 South, Range 19 East, Alachua County, Florida, said tract of land being more particularly described as follows:

Commence at a 4"x4" concrete monument and cap stamped GFY LB021 at the Northwest corner of the aforementioned Section 25, Township 8 South, Range 19 East for the POINT OF BEGINNING and run S.01°25'27"E., along the West line of said Section 25, a distance of 1331.68 feet to a 4.5"x4.5" concrete monument with no identification at the Southwest corner of the aforementioned N. 1/2 of Government Lot 4; thence run N.89°08'55"E., along the South line of said N. 1/2 of Government Lot 4, a distance of 1333.43 feet to a 4.5"x4.5" concrete monument with no identification at the Southeast corner of said N. 1/2 of Government Lot 4; thence run N.01°24'31"W., along the East line of said Government Lot 4, a distance of 1334.49 feet to a 4"x4" concrete monument and cap stamped GFY LB021 at the Northeast corner of said Government Lot 4; thence run S.89°01'41"W., along the North line of said Section 25, a distance of 601.15 feet to a 1/2" steel rod and cap stamped LS1824 at the Southwest corner of the land as described in deed recorded in Official Records Book 2489, page 1238 of the Public Records of Alachua County, Florida; thence run S.01°45'37"E., a distance of 5.73 feet to a 5/8" steel rod and cap stamped LB6995 at the Southeast corner of Parcel D as described in deed recorded in Official Records Book 2482, page 153 of said Public Records; thence run N.88°56'13"W., along the South line of said Parcel D, a distance of 161.39 feet to a 1/2" steel rod and cap stamped GFY LB021 at the intersection of said South line of Parcel D with said North line of Section 25; thence run S.89°01'41"W., along said North line of Section 25, a distance of 571.40 feet to the POINT OF BEGINNING.

TOGETHER WITH a 40' wide easement for ingress, egress and public utilities as described in Deed recorded in O.R. Book 2482, Page 153, of the public records of Alachua County, Florida.

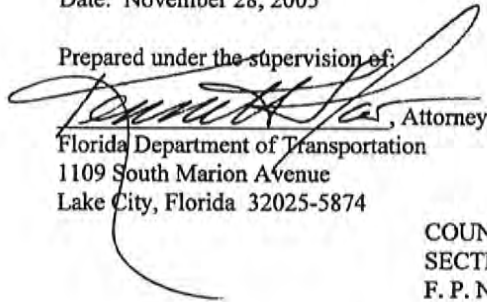
PB-14-73 LUC

RECORDED IN OFFICIAL RECORDS  
INSTRUMENT # 2200155 3 PGS

2005 DEC 21 11:09 AM BK 3283 PG 472  
J. K. "BUDDY" IRBY  
CLERK OF CIRCUIT COURT  
ALACHUA COUNTY, FLORIDA  
CLERK10 Receipt#265373

Date: November 28, 2005

Prepared under the supervision of:

 Attorney  
Florida Department of Transportation  
1109 South Marion Avenue  
Lake City, Florida 32025-5874



2200155

COUNTY OF : Alachua  
SECTION : 26000-9245 (00000-9245)(26530)  
F. P. NO. :  
STATE ROAD NO. : 121  
PARCEL NO. : 900.1  
GRU FILE NO. : U-PA-4-05  
TAX PARCEL ID : 05868-099-000

**QUIT CLAIM DEED**

THIS INDENTURE, MADE THIS 16<sup>th</sup> day of December,  
20 05, by and between the STATE OF FLORIDA, by and through the STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION, 1109 South Marion Avenue, Lake City, Florida  
32025-5874, as the First Party, and **CITY OF GAINESVILLE, FLORIDA, a municipal  
corporation**, Post Office Box 490, Gainesville, Florida 32602-0490, as the Second Party.

**WITNESSETH**

WHEREAS, said land hereinafter described was heretofore acquired for state highway  
purposes; and

WHEREAS, said land is no longer required by such purposes, and the First Party,  
by action of the District Secretary, District Two, Florida Department of Transportation  
on 11-17-2005, pursuant to the provisions of Section 337.25, Florida Statutes has agreed  
to quitclaim the land hereinafter described to the Second Party;

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the First Party  
for and in consideration of the premises and the sum of One Dollar and other valuable considerations  
to it paid by the Second Party, the receipt of which is hereby acknowledged, does hereby remise,  
release and quitclaim unto the Second Party, and assigns, forever, all the right, title and interest of  
the State of Florida and/or the State of Florida Department of Transportation to the property  
described on Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD, the said premises and the appurtenances thereof unto the  
Second Party.

COUNTY OF : Alachua  
SECTION : 26000-9245 (00000-9245)(26530)  
F. P. NO. :  
STATE ROAD NO. : 121  
PARCEL NO. : 900.1  
GRU FILE NO. : U-PA-4-05

THIS CONVEYANCE IS made subject to any unpaid taxes, assessments, liens, or encumbrances.

IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be signed in the name of the State of Florida and in the name of the State of Florida Department of Transportation by its District Secretary, District Two, and its seal to be hereunto affixed, attested by its Executive Secretary, District Two, on the date first above written.

Signed, sealed and delivered in our presence as witnesses:

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
BY: [Signature]  
Charles W. Baldwin, P.E.  
District Secretary  
District Two

[Signature]

Witness: Carol Reeves  
Print Name: Carol Reeves

[Signature]

Witness: Rhonda Harrington  
Print Name: Rhonda Harrington

ATTEST: [Signature]  
Print Name: Lisa Lambert  
Executive Secretary  
District Two



STATE OF Florida  
COUNTY OF Columbia

The foregoing instrument was acknowledged before me this 16 day of December 2005, by CHARLES W. BALDWIN, P.E., District Secretary, District Two, and Lisa Lambert Executive Secretary, District Two, for the State of Florida Department of Transportation, respectively, and who are personally known to me to be the persons described in and who executed the foregoing instrument.

[Signature]  
Print Name: Anna S. Hiss  
Notary Public  
My Commission Expires: March 31, 2007



INSTRUMENT # 2200155  
3 PGS

COUNTY OF : Alachua  
SECTION : 26000-9245 (00000-9245)(26530)  
F. P. NO. :  
STATE ROAD NO. : 121  
PARCEL NO. : 900.1  
GRU FILE NO. : U-PA-4-05

**EXHIBIT "A"**

"SECTION 26000-9245(00000-9245)(26530) STATE ROAD NO. 121 ALACHUA COUNTY

PARCEL NUMBER 900 FEE SIMPLE RIGHT-OF-WAY  
MAINTENANCE BORROW PIT NO. 9245

A parcel of land in Section 22, Township 8 South, Range 19 East, Alachua County, Florida, more particularly described as follows:

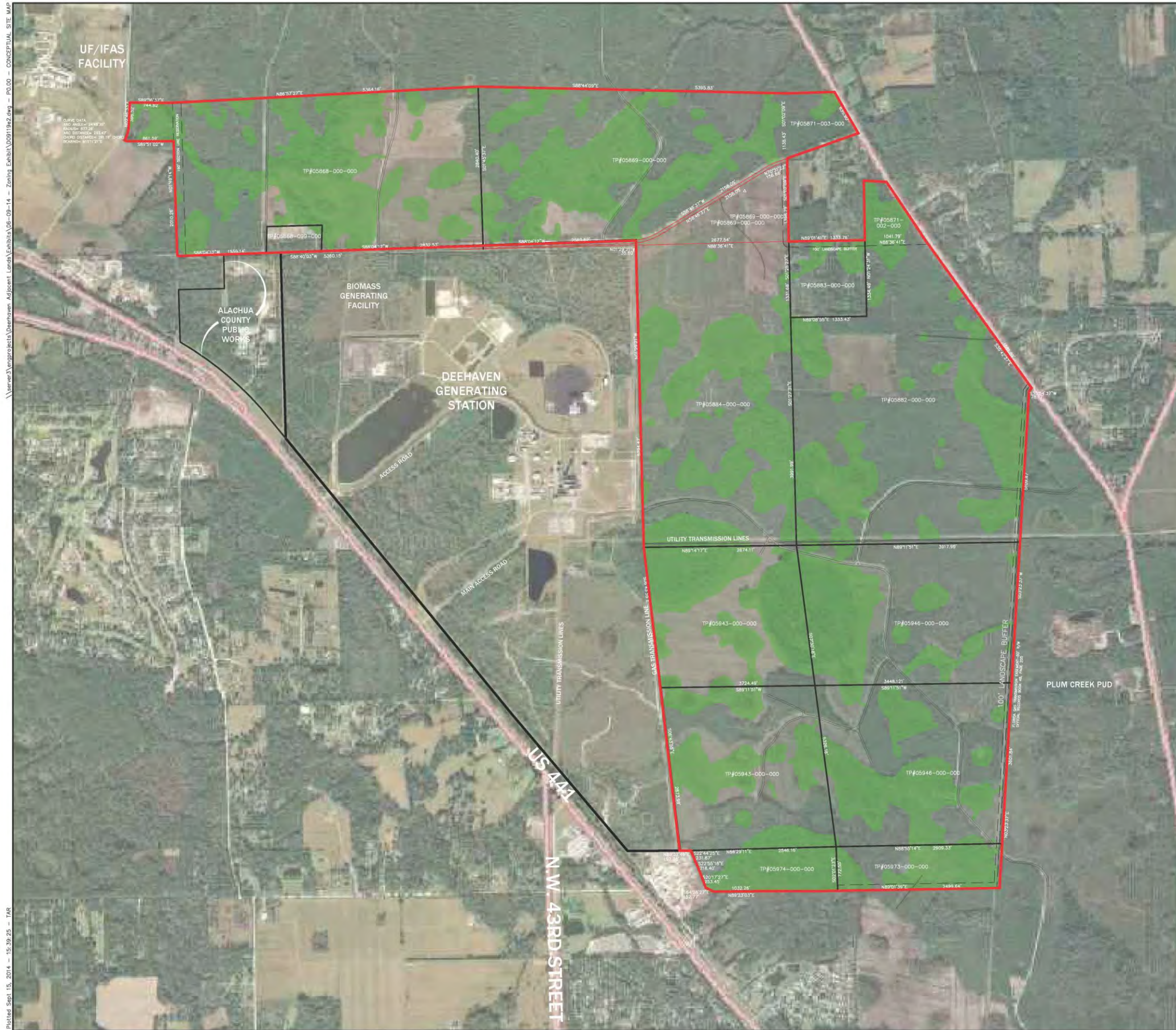
Commence on the South line of said Section 22, at a point 1,556.38 feet Easterly from the Southwest corner thereof; thence North 02°06'49" East, 37.00 feet to a point on the Northerly right-of-way line of a County Grade Road, and the Point of Beginning; thence North 88°57'14" East along said Northerly right-of-way line a distance of 968.00 feet; thence North 02°06'49" East, 450.68 feet; thence South 88°57'14" West, 968.00 feet; thence South 02°06'49" West, 450.68 feet to the Point of Beginning.

Containing 10.00 Acres, more or less."

**Attachment 3**

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**Conceptual Site Map**



**GAINESVILLE REGIONAL UTILITIES  
DEERHAVEN ANNEXATION AREA**

PROPOSED PUBLIC SERVICES AND OPERATIONS ZONING DISTRICT ±2,286.79 Ac.

**PERMITTED USES:**  
THE FOLLOWING STANDARDS SHALL APPLY TO THE PUBLIC SERVICES AND OPERATIONS (PS) DISTRICT ZONING ORDINANCE AND SHALL BE APPLICABLE TO THIS PROPERTY.

1. ELECTRIC POWER GENERATING PLANTS AND ANCILLARY SYSTEMS AND BUILDINGS AS REQUIRED FOR STEAM AND COMBUSTION TURBINES, SOLAR PHOTOVOLTAIC ARRAYS, FUEL CELLS, ENERGY STORAGE SYSTEMS AND OTHER TECHNOLOGIES AS REQUIRED TO PRODUCE AND MANAGE ELECTRIC POWER FOR RETAIL CONSUMPTION USING FOSSIL AND RENEWABLE ENERGY SOURCES. ANCILLARY SYSTEMS INCLUDE WATER TREATMENT AND STORMWATER MANAGEMENT, COOLING SYSTEMS, AIR EMISSION CONTROLS, ELECTRIC SUBSTATIONS AND TRANSMISSION FACILITIES, SECURITY MANAGEMENT, WATER MANAGEMENT AND STORAGE FACILITIES, WAREHOUSING AND MAINTENANCE FACILITIES.
2. GREEN INDUSTRIES THAT ASSIST IN REDUCING SOCIETY'S RELIANCE ON FOSSIL FUELS, THAT WOULD BENEFIT FROM THE AVAILABILITY OF WASTE HEAT OR BY-PRODUCTS OF POWER GENERATION, OR WHICH MAY HAVE BY-PRODUCTS THAT ARE BENEFICIAL TO THE PRODUCTION OF ELECTRICITY. EXAMPLES COULD INCLUDE BUT ARE NOT LIMITED TO: A FACILITY USING STEAM AND ELECTRICITY TO PRODUCE ETHANOL FROM CELLULOSIC MATERIALS, WHOSE WASTE BY-PRODUCTS ARE ABLE TO BE DEWATERED AND USED AS A FUEL; A FACILITY THAT WOULD SEQUESTER AND COMPRESS CARBON DIOXIDE FOR A VARIETY OF INDUSTRIAL AND FOOD-USE APPLICATIONS; OR A FACILITY TO MAKE ICE FROM STEAM.
3. FUEL AND CHEMICAL TRANSPORTATION, LOADING, STORAGE AND HANDLING SYSTEMS AS REQUIRED FOR POWER GENERATION OR THE MANAGEMENT OF POWER GENERATION BY-PRODUCTS, INCLUDING RAIL AND TRUCK CONVEYANCE, UNLOADING AND LOADING FACILITIES, CONVEYOR BELTS, PIPELINES AND METERING STATIONS.
4. LONG-TERM STORAGE AND DISPOSAL OF POWER GENERATION BY-PRODUCTS.
5. COMMUNICATIONS TOWERS AND FACILITIES IN ACCORDANCE WITH THE PROVISIONS OF THE WIRELESS COMMUNICATIONS FACILITIES AND ANTENNA REGULATIONS OF THE LAND DEVELOPMENT CODE. MONOPOLE TOWERS SHALL BE PERMITTED IN THIS PS ZONING DISTRICT AND SHALL MEET THE PROVISIONS OF THE WIRELESS COMMUNICATIONS FACILITIES AND ANTENNA REGULATIONS OF THE LAND DEVELOPMENT CODE.
6. TIMBER PLANTING AND HARVESTING.
7. WILDLIFE MANAGEMENT.
8. TRAINING AREAS FOR MUNICIPAL POLICE AND FIRE AGENCIES.
9. OUTDOOR STORAGE, AS DEFINED IN THE LAND DEVELOPMENT CODE AND IN ACCORDANCE WITH THE REQUIREMENTS FOR SPECIALLY REGULATED USES IN THE LAND DEVELOPMENT CODE.
10. ANY ACCESSORY USES CUSTOMARILY AND CLEARLY INCIDENTAL TO ANY PERMITTED PRINCIPAL USE.

**DEVELOPMENT STANDARDS**

1. THE SUBJECT PROPERTY SHALL MAINTAIN A MINIMUM 50 FOOT BUILDING SETBACK FROM ALL PROPERTY LINES ABUTTING A PROPERTY WITH A DIFFERENT OWNER. NO SETBACK IS REQUIRED ALONG PROPERTY LINES WHERE ADJACENT PROPERTIES ARE OWNED BY THE CITY OF GAINESVILLE AND MAINTAINED BY GAINESVILLE REGIONAL UTILITIES.
2. DEVELOPMENT PLAN REVIEW SHALL BE REQUIRED FOR ALL FUTURE SITE IMPROVEMENTS AND ANY DEVELOPMENT ACTIVITY ACCORDING TO CRITERIA OUTLINED IN THE CITY OF GAINESVILLE LAND DEVELOPMENT CODE.
3. ALL FUTURE DEVELOPMENT ACTIVITY SHALL OCCUR IN COMPLIANCE WITH THE APPLICABLE DEVELOPMENT STANDARDS AND DIMENSIONAL REQUIREMENTS AS INDICATED IN THE APPLICABLE SECTIONS OF THE LAND DEVELOPMENT CODE.
4. ANY FUTURE DEVELOPMENT ACTIVITY SHALL BE DIRECTED AWAY FROM ENVIRONMENTALLY SENSITIVE AREAS TO THE GREATEST EXTENT POSSIBLE. IN ADDITION, ALL DEVELOPMENT IN AND AROUND THESE ENVIRONMENTALLY SENSITIVE AREAS SHALL COMPLY WITH THE NATURAL AND ARCHAEOLOGICAL RESOURCE PROTECTION STANDARDS AND WETLANDS PROTECTION STANDARDS OUTLINED IN THE LAND DEVELOPMENT CODE.
5. EXISTING INTERNAL ROADS MAY CONTINUE TO BE UTILIZED AND IMPROVED FOR NON-PUBLIC USE.
6. A 100 FOOT LANDSCAPE BUFFER SHALL BE APPLIED ALONG THE COMMON PROPERTY LINE BETWEEN THE SUBJECT PROPERTY AND THE PLUM CREEK PUD.
7. UPON SUBMISSION OF THE FIRST APPLICATION FOR A NON-EXEMPT DEVELOPMENT ACTIVITY ON THE GRU DEERHAVEN PLANNING PARCEL, GRU MAY SUBMIT A PROPOSAL FOR ALTERNATIVE COMPLIANCE TO MEET THE PROVISIONS OF THE NATURAL AND ARCHAEOLOGICAL RESOURCES SECTION OF THE LAND DEVELOPMENT CODE. THE ALTERNATIVE COMPLIANCE PROPOSAL SHALL MEET ALL THE REQUIREMENTS AS SPECIFIED IN THE LAND DEVELOPMENT CODE AND MAY INCLUDE A PHASED APPROACH AS IT PERTAIN TO THE IMPLEMENTATION OF CONSERVATION MANAGEMENT AREAS (CMAs).

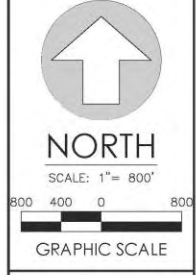
**LEGEND**

|   |                   |                    |
|---|-------------------|--------------------|
| <span style="display: inline-block; width: 20px; height: 10px; background-color: #90EE90; border: 1px solid black;"></span> | WETLANDS:         | 946.59 Ac. (40.8X) |
| <span style="display: inline-block; width: 20px; border-bottom: 2px solid red;"></span>                                     | PROPERTY BOUNDARY |                    |

**NOTES:**

1. THE WETLANDS INDICATED ON THIS EXHIBIT ARE PRELIMINARY AND ARE IDENTIFIED IN THE NATURAL AREAS RESOURCE ASSESSMENT PREPARED BY ERC (DATED JUNE 8, 2014)
2. THIS EXHIBIT DOES NOT IDENTIFY OTHER REGULATED NATURAL RESOURCES THAT MAY EXIST ON SITE.

|     |      |         |
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| No. | Date | Comment |
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GRU DEERHAVEN ANNEXATION AREA  
CITY OF GAINESVILLE, FLORIDA  
PUBLIC SERVICES ZONING PLAN  
CONCEPTUAL SITE MAP

|                    |                |
|--------------------|----------------|
| Project Name:      | ZONING         |
| Design: GDS        | Drawn: TMB/MAB |
| Project No: 09-119 | Date: 9/15/14  |

Sheet No.: P0.00

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 \\larners3\proj\projects\Deerhaven\_Annexation\09-14 - Zoning Exhibit\091192.dwg - P0.00 - CONCEPTUAL SITE MAP