



St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500
On the Internet at www.sjrwmd.com.

September 15, 2008

ANP-1, LLC
Attn: Dilipkumar Patel
Post Office Box 1499
Umatilla, FL 32784-1499

Subject: Transfer of an Environmental Resource Permit
Permit Number: 40-069-105368-2
Project Name: The Four Corners Centre (fka Village Centre)
Original Permit Issued: May 22, 2008 (Permitted as 40-069-105368-1)

The District has received a copy of the Warranty Deed naming ANP-1, LLC as the owner of the parcel of property formerly owned by Harkins Development Corporation.

The above referenced permit is hereby transferred to ANP-1, LLC. As the new permit holder, you are required to comply with all the conditions as noted in the permit. If you have any questions concerning the conditions of your permit, please contact **Bill Carlie**, Compliance Manager, in the Altamonte Springs Service Center at 4007-659-4800.

Thank you for your cooperation with this matter. If you have any questions or if the District can be of further assistance, please do not hesitate to contact us.

Sincerely,

for
Gloria R. Lewis, Director
Division of Permit Data Services

Enclosures: Permit with conditions

cc: District Permit File
Bill Carlie, Compliance Manager, Altamonte Springs Service Center
Harkins Development Corp., 3525 W. Lake Mary Blvd., Suite 306, Lake Mary, FL 32746

GOVERNING BOARD

David G. Graham, CHAIRMAN
JACKSONVILLE

Susan N. Hughes, VICE CHAIRMAN
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ENTERPRISE

Arlen N. Jumper
FORT McCOY

Hans G. Tanzler III
JACKSONVILLE

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
Post Office Box 1429
Palatka, Florida 32178-1429

PERMIT NO.: 40-069-105368-2

ORIGINAL PERMIT ISSUED: May 22, 2008

TRANSFER PERMIT ISSUED: September 15, 2008

PROJECT NAME: The Four Corners Centre

A PERMIT AUTHORIZING:

Construction and operation of a surface water management system for a 3.00-acre commercial development known as The Four Corners Centre (fka Village Centre).

LOCATION:

Section: 35
Lake County

Township: 18 South

Range: 26 East

ISSUED TO:

ANP-1, LLC
Post Office Box 1499
Umatilla, FL 32784-1499

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to permittee any property rights nor any rights of privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

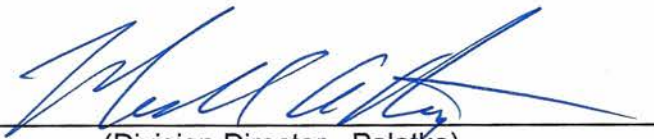
This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated May 22, 2008

AUTHORIZED BY: St. Johns River Water Management District
Department of Resource Management

By: _____



(Division Director - Palatka)

Michael Register

40C-1.612 TRANSFER OF OWNERSHIP OF PERMIT

- (1) Transfer of Permitted Facility. Within (30) days of any sale, conveyance, or other transfer of a facility, system, or well permitted by the District, the existing permittee must notify the District, in writing, of such transfer, giving the name and address of the transferee and providing a copy of the instrument effectuating the transfer.
- (2) Transfer of Interest in Real Property. Within 30 days of any transfer of ownership or control of the real property at which any permitted facility, system, consumptive use, or activity is located the permittee must notify the District, in writing, of the transfer, giving the name and address of the new owner or person in control and providing a copy of the instrument effectuating the transfer.
- (3) Transfer of Permit. To transfer a permit, the permittee must provide the information required in subsections (1) and (2), together with a written statement from the proposed transferee that it will bound by all terms and conditions of the permit. Additionally, where applicable, the transferee must demonstrate that it is capable of constructing, operating and maintaining the permitted facility, system, consumptive use, well or activity. Once the required information has been provided, the District may transfer the permit to the transferee.

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 40-069-105368-2
ANP-1, LLC
ORIGINAL PERMIT DATED MAY 22, 2008
TRANSFER PERMIT DATED SEPTEMBER 15, 2008

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.
4. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
5. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
6. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40C-4.900(3) indicating the actual start date and the expected completion date.
7. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40C-4.900(4). These forms shall be submitted during June of each year.
8. For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of the Applicant's Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation

either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

9. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by the portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to local government or other responsible entity.
10. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing As Built Certification Form 40C-1.181(13) or 40C-1.181(14) supplied with this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings:
 1. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
 2. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
 3. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine state-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
 4. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
 5. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
 6. Existing water elevation(s) and the date determined; and Elevation and location of benchmark(s) for the survey.

11. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of general condition 9 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to section 7.1 of the Applicant's Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.
12. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior implementation so that a determination can be made whether a permit modification is required.
13. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and chapter 40C-4 or chapter 40C-40, F.A.C.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under rule 40C-1.1006, F.A.C., provides otherwise.
16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of rule 40C-1.612, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
20. This permit for construction will expire five years from the date of issuance.
21. At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediment must be removed from the storage area prior to final grading and

stabilization.

22. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.
23. Prior to construction, the permittee must clearly designate the limits of construction on-site. The permittee must advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
24. The proposed surface water management system shall be constructed in accordance with the plans received by the District on April 25, 2008 and amended Sheet C4 of the plans, received by the District on May 21, 2008.
25. The operation and maintenance entity shall inspect the stormwater or surface water management system once within two years after the completion of construction and every two years thereafter to determine if the system is functioning as designed and permitted. The operation and maintenance entity must maintain a record of each required inspection, including the date of the inspection, the name, address, and telephone number of the inspector, and whether the system was functioning as designed and permitted, and make such record available for inspection upon request by the District during normal business hours.

If at any time the system is not functioning as designed and permitted, then within 14 days the entity shall submit an Exceptions Report on form number 40C-42.900(6), Exceptions Report for Stormwater Management Systems Out of Compliance.

26. The operation and maintenance entity shall perform a minimum of one field infiltration test in each retention pond within one year, three years, and five years following permit expiration. Results of each test shall be submitted to the District within 30 days of the testing. If at any time the system is not functioning as designed and permitted, then within 14 days, the entity shall submit an Exceptions Report to the Altamonte Springs Service Center on form number 40C-42.900(6), Exceptions Report for Stormwater Management Systems Out of Compliance.
27. The plantings on the eastern project boundary must be done in accordance with Sheet C3, received by the District on March 28, 2008.



St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500

On the Internet at www.sjrwmd.com.

May 22, 2008

Harkins Development Corp
3525 W Lake Mary Blvd Suite 306
Lake Mary, FL 32746

SUBJECT: Permit Number 40-069-105368-1
The Four Corners Centre (fka Village Centre)

Dear Sir/Madam:

Enclosed is your general permit as authorized by the staff of the St. Johns River Water Management District on May 22, 2008.

This permit is a legal document and should be kept with your other important documents. The attached MSSW/Stormwater As-Built Certification Form should be filled in and returned to the Palatka office within thirty days after the work is completed. By so doing, you will enable us to schedule a prompt inspection of the permitted activity.

In addition to the MSSW/Stormwater As-Built Certification Form, your permit also contains conditions which require submittal of additional information. All information submitted as compliance to permit conditions must be submitted to the Palatka office address.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction for this work.

Please be advised that the District has not published a notice in the newspaper advising the public that it is issuing a permit for this proposed project. Publication, using the District form, notifies members of the public (third parties) of their rights to challenge the issuance of the general permit. If proper notice is given by publication, third parties have a 21-day time limit on the time they have to file a petition opposing the issuance of the permit. If you do not publish, a party's right to challenge the issuance of the general permit extends for an indefinite period of time. If you wish to have certainty that the period for filing such a challenge is closed, then you may publish, at your own expense, such a notice in a newspaper of general circulation. A copy of the form of the notice and a list of newspapers of general circulation is attached for your use.

In the event you sell your property, the permit will be transferred to the new owner, if we are notified by you within thirty days of the sale and if you provide the information required by 40C-1.612, F.A.C. Please assist us in this matter so as to maintain a valid permit for the new property owner.

GOVERNING BOARD

David G. Graham, CHAIRMAN JACKSONVILLE	Susan N. Hughes, VICE CHAIRMAN PONTE VEDRA	Ann T. Moore, SECRETARY BUNNELL	W. Leonard Wood, TREASURER FERNANDINA BEACH
Douglas C. Bournique VERO BEACH	Michael Ertel OWIEDO	Hersey "Herky" Huffman ENTERPRISE	Arlen N. Jumper FORT McCOY
			Hans G. Tanzler III JACKSONVILLE

Thank you for your cooperation, and if this office can be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Marianella Pacheco', with a large, stylized initial 'M'.

Marianella Pacheco
Regulatory Info Mgmt Spec II
Division of Regulatory Information Management

Enclosures: Permit with As-built Certification Form
Notice of Rights
List of Newspapers for Publication

cc: District Permit File

Agent: Harkins Development Corp
3525 W Lake Mary Blvd Suite 306
Lake Mary, FL 32746

Consultant: Bio-Tech Consulting, Inc.
2002 E. Robinson St
Orlando, FL 32803

Consultant: BJM Associates Inc
631 N Wymore Rd, Suite 230
Maitland, FL 32751

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

**Post Office Box 1429
Palatka, Florida 32178-1429**

PERMIT NO. 40-069-105368-1

DATE ISSUED: May 22, 2008

PROJECT NAME: The Four Corners Centre (fka Village Centre)

A PERMIT AUTHORIZING:

Construction and operation of a Surface Water Management System for a 3.00-acre commercial development known as The Four Corners Centre (fka Village Centre).

LOCATION:

Section(s): 35

Township(s): 18S

Range(s): 26E

Lake County

Harkins Development Corp
3525 W Lake Mary Blvd Suite 306
Lake Mary, FL 32746

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

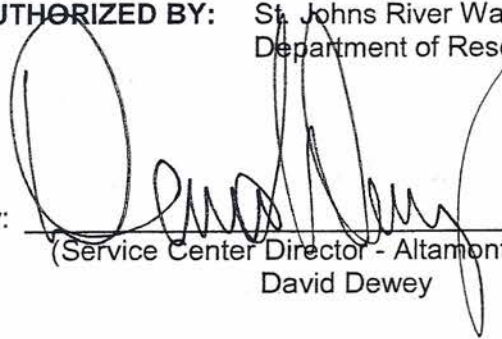
This permit does not convey to permittee any property rights nor any rights of privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

PERMIT IS CONDITIONED UPON:

See conditions on attached "Exhibit A", dated May 22, 2008

AUTHORIZED BY: St. Johns River Water Management District
Department of Resource Management

By: 

(Service Center Director - Altamonte Springs)
David Dewey

"EXHIBIT A"
CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 40-069-105368-1
HARKINS DEVELOPMENT CORP
DATED MAY 22, 2008

1. All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.
4. Prior to and during construction, the permittee shall implement and maintain all erosion and sediment control measures (best management practices) required to retain sediment on-site and to prevent violations of state water quality standards. All practices must be in accordance with the guidelines and specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988), which are incorporated by reference, unless a project specific erosion and sediment control plan is approved as part of the permit, in which case the practices must be in accordance with the plan. If site specific conditions require additional measures during any phase of construction or operation to prevent erosion or control sediment, beyond those specified in the erosion and sediment control plan, the permittee shall implement additional best management practices as necessary, in accordance with the specifications in chapter 6 of the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation 1988). The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
5. Stabilization measures shall be initiated for erosion and sediment control on disturbed areas as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 7 days after the construction activity in that portion of the site has temporarily or permanently ceased.
6. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District a Construction Commencement Notice Form No. 40C-4.900(3) indicating the actual start date and the expected completion date.
7. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40C-4.900(4). These forms shall be submitted during June of each year.
8. For those systems which will be operated or maintained by an entity which will require an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the system, such easement or deed restriction, together with any other final operation or maintenance documents as are required by subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of the Applicant's Handbook will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or the Clerk of the Circuit Court must be so recorded prior

to lot or unit sales within the project served by the system, or upon completion of construction of the system, whichever occurs first. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system.

9. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by the portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to local government or other responsible entity.
10. Within 30 days after completion of construction of the permitted system, or independent portion of the system, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing As Built Certification Form 40C-1.181(13) or 40C-1.181(14) supplied with this permit. When the completed system differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed form shall serve to notify the District that the system is ready for inspection. The statement of completion and certification shall be based on on-site observation of construction (conducted by the registered professional engineer, or other appropriate individual as authorized by law, or under his or her direct supervision) or review of as-built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As-built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor. The following information, at a minimum, shall be verified on the as-built drawings:
 1. Dimensions and elevations of all discharge structures including all weirs, slots, gates, pumps, pipes, and oil and grease skimmers;
 2. Locations, dimensions, and elevations of all filter, exfiltration, or underdrain systems including cleanouts, pipes, connections to control structures, and points of discharge to the receiving waters;
 3. Dimensions, elevations, contours, or cross-sections of all treatment storage areas sufficient to determine state-storage relationships of the storage area and the permanent pool depth and volume below the control elevation for normally wet systems, when appropriate;
 4. Dimensions, elevations, contours, final grades, or cross-sections of the system to determine flow directions and conveyance of runoff to the treatment system;
 5. Dimensions, elevations, contours, final grades, or cross-sections of all conveyance systems utilized to convey off-site runoff around the system;
 6. Existing water elevation(s) and the date determined; and Elevation and location of benchmark(s) for the survey.

11. The operation phase of this permit shall not become effective until the permittee has complied with the requirements of general condition 9 above, the District determines the system to be in compliance with the permitted plans, and the entity approved by the District in accordance with subsections 7.1.1 through 7.1.4 of the Applicant's Handbook: Management and Storage of Surface Waters, accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such an approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible approved operation and maintenance entity, if different from the permittee. Until the permit is transferred pursuant to section 7.1 of the Applicant's Handbook: Management and Storage of Surface Waters, the permittee shall be liable for compliance with the terms of the permit.
12. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior implementation so that a determination can be made whether a permit modification is required.
13. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and chapter 40C-4 or chapter 40C-40, F.A.C.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the activities authorized by the permit or any use of the permitted system.
15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under rule 40C-1.1006, F.A.C., provides otherwise.
16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted system or the real property at which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of rule 40C-1.612, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.
20. This permit for construction will expire five years from the date of issuance.
21. All wetland areas or water bodies that are outside the specific limits of construction authorized by this permit must be protected from erosion, siltation, scouring or excess turbidity, and dewatering.

22. Prior to construction, the permittee must clearly designate the limits of construction on-site. The permittee must advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
23. At a minimum, all retention and detention storage areas must be excavated to rough grade prior to building construction or placement of impervious surface within the area to be served by those facilities. To prevent reduction in storage volume and percolation rates, all accumulated sediment must be removed from the storage area prior to final grading and stabilization.
24. The proposed surface water management system shall be constructed in accordance with the plans received by the District on April 25, 2008 and amended Sheet C4 of the plans, received by the District on May 21, 2008.
25. The operation and maintenance entity shall inspect the stormwater or surface water management system once within two years after the completion of construction and every two years thereafter to determine if the system is functioning as designed and permitted. The operation and maintenance entity must maintain a record of each required inspection, including the date of the inspection, the name, address, and telephone number of the inspector, and whether the system was functioning as designed and permitted, and make such record available for inspection upon request by the District during normal business hours.

If at any time the system is not functioning as designed and permitted, then within 14 days the entity shall submit an Exceptions Report on form number 40C-42.900(6), Exceptions Report for Stormwater Management Systems Out of Compliance.
26. The operation and maintenance entity shall perform a minimum of one field infiltration test in each retention pond within one year, three years, and five years following permit expiration. Results of each test shall be submitted to the District within 30 days of the testing. If at any time the system is not functioning as designed and permitted, then within 14 days, the entity shall submit an Exceptions Report to the Altamonte Springs Service Center on form number 40C-42.900(6), Exceptions Report for Stormwater Management Systems Out of Compliance.
27. The plantings on the eastern project boundary must be done in accordance with Sheet C3, received by the District on March 28, 2008.

Notice Of Rights

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwm.com, within twenty-six (26) days of the District depositing notice of District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing notice of District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 5 below. Mediation pursuant to Section 120.573, Florida Statutes, is not available.
2. If the Governing Board takes action that substantially differs from the notice of District decision, a person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District, but this request for administrative hearing shall only address the substantial deviation. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) at the office of the District Clerk at the mail/street address or email address described in paragraph no. 1 above, within twenty-six (26) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice), within twenty-one (21) days of the District emailing the notice of final District decision (for those persons to whom the District emails actual notice), or within twenty-one (21) days of newspaper publication of the notice of final District decision (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. Mediation pursuant to Section 120.573, Florida Statutes, is not available.
3. A person whose substantial interests are or may be affected has the right to a formal administrative hearing pursuant to Sections 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must also comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

Notice Of Rights

5. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida. Petitions received by the District Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
7. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
8. A person with a legal or equitable interest in real property who believes that a District permitting action is unreasonable or will unfairly burden the use of their property, has the right to, within 30 days of receipt of the notice of District decision regarding a permit application, apply for a special magistrate proceeding under Section 70.51, Florida Statutes, by filing a written request for relief at the Office of the District Clerk located at District Headquarters, P. O. Box 1429, Palatka, FL 32178-1429 (4049 Reid St., Palatka, FL 32177). A request for relief must contain the information listed in Subsection 70.51(6), Florida Statutes. Requests for relief received by the District Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day.
9. A timely filed request for relief under Section 70.51, Florida Statutes, tolls the time to request an administrative hearing under paragraph nos. 1 or 2 above. (Paragraph 70.51(10)(b), Florida Statutes). However, the filing of a request for an administrative hearing under paragraph nos. 1 or 2 above waives the right to a special magistrate proceeding. (Subsection 70.51(10)(b), Florida Statutes).
10. Failure to file a request for relief within the requisite time frame shall constitute a waiver of the right to a special magistrate proceeding. (Subsection 70.51(3), Florida Statutes).

Notice Of Rights

11. Any person whose substantial interests are or may be affected who claims that final action of the District constitutes an unconstitutional taking of property without just compensation may seek review of the action in circuit court pursuant to Section 373.617, Florida Statutes, and the Florida Rules of Civil Procedures, by filing an action in circuit court within 90 days of rendering of the final District action, (Section 373.617, Florida Statutes).
12. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action.
13. A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, Florida Statutes, may seek review of the order pursuant to Section 373.114, Florida Statutes, by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy on the Florida Department of Environmental Protection and any person named in the order within 20 days of the rendering of the District order.
14. A District action is considered rendered, as referred to in paragraph nos. 11, 12, and 13 above, after it is signed on behalf of the District, and is filed by the District Clerk.
15. Failure to observe the relevant time frames for filing a petition for judicial review as described in paragraph nos. 11 and 12 above, or for Commission review as described in paragraph no. 13 above, will result in waiver of that right to review.

Notice Of Rights

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing Notice of Rights has been sent by U.S. Mail to:

Harkins Development Corp
3525 W Lake Mary Blvd Suite 306
Lake Mary, FL 32746

At 4:00 p.m. this 22nd day of May, 2008.

Gloria Lewis

Division of Regulatory Information Management
Gloria Lewis, Director

St. Johns River Water Management District
Post Office Box 1429
Palatka, FL 32178-1429
(386) 329-4152
Permit Number: 40-069-105368-1

Affidavit of Publication Daily Commercial

Leesburg, Lake County, Florida

Case No. _____

STATE OF FLORIDA
COUNTY OF LAKE

Before the undersigned authority personally appeared Melanie Randall who on oath says that she is the Classified Manager of the Daily Commercial, a daily newspaper published at Leesburg in Lake County, Florida, that the attached copy of advertisement, being

_____ 91202
in the matter of Agency Action

in the _____ Court,

was inserted in said newspaper in the issues of _____

May 28, 2008

Affiant further says that the said Daily Commercial is a newspaper published in said Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each day and has been entered as second class matter at the post office in Leesburg in said Lake County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

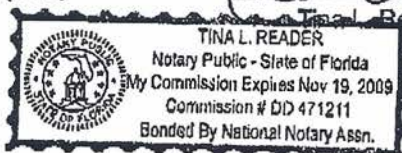
Signed Melanie Randall
Melanie Randall, Classified Manager

Sworn to and subscribed before me this 2 day of

June, 2008, by Melanie Randall,

Classified Manager, who is personally known to me.

(Seal)



Attach No

NOTICE OF AGENCY ACTION
TAKEN BY THE ST. JOHNS
RIVER WATER MANAGEMENT
DISTRICT

Notice is given that the
following permit was issued on
5/22/08:

Harkins Development
Corporation, 3525 W. Lake
Mary Blvd., Suite #308, Lake
Mary, FL 32746, permit # 40-
059-105368-1. The project is
located in Lake County,
Section 35, Township 16
South, Range 26 East. The
permit authorizes A SURFACE
WATER MANAGEMENT
SYSTEM ON 3 ACRES TO
SERVE as a STORMWATER
MANAGEMENT SYSTEM with
stormwater treatment by
retention known as The Four
Corners Centre (aka Village
Centre). The receiving water-
body is Trout Lake.

The file(s) containing the
application for the above listed
permit is available for
inspection Monday through
Friday except for legal
holidays, 8:00 a.m. to 5:00
p.m. at the St. Johns River
Water Management District
(District) Headquarters, 4049
Reld Street, Palatka, FL
32178-1429. A person whose
substantial interests are
affected by the District
permitting decision may
petition for an administrative
hearing in accordance with
sections 120.569 and 120.57,
Florida Statutes, or may
choose to pursue mediation as
an alternative remedy under
section 120.573, Florida
Statutes, before the deadline
for filing a petition. Choosing a
mediation will not adversely
affect the right to a hearing if
mediation does not result in a
settlement. The procedures for
pursuing mediation are set
forth in section 120.573,
Florida Statutes, and rules 28-
106.111 and 28-108.401-
404 Florida Administrative
Code. Petitions must comply
with the requirements of
Florida Administrative Code,
Chapter 28-106 and be filed
within twenty-one (21) days of
publication of this notice or
within twenty-six (26) days of
the District depositing notice of
this intent in the mail for those
persons to whom the District
mailed actual notice. Failure to
file a petition within this time
period shall constitute a waiver
of any right(s) such person(s)
may have to request an
administrative determination
(hearing) under sections
120.569 and 120.57, F.S.,
concerning the subject permit.
Petitions that are not filed in
accordance with the above
provisions are subject to
dismissal.

Because the administrative
hearing process is designed to
formulate final agency action,
the filing of a petition means
that the District's final action
may be different from the
position taken by it in this
notice of intent. Persons
whose substantial interests will
be affected by any such final
decision of the District on the
applicant have the right to
petition to become a party to
the proceeding, in accordance
with the requirements set forth
above.

Att No.: 91202
May 28, 2008

Leslie

From: Nipe, Frances [NipeF@ci.eustis.fl.us]
Sent: Tuesday, July 22, 2008 10:46 AM
To: Leslie S. Campione
Cc: Kramer, Dianne
Subject: RE: Four Corners project

Leslie,

Dianne Kramer, Director of Development Services, and I reviewed the previous Land Development Regulations and the newly adopted Land Development Regulations. Section 102-3 (c) (2) (former code) states that the final site plan (development permit) is valid for one year. Sec. 102-14 (a) (new code) states that the site plan is valid for one year.

Therefore the property owner has one year before the site plan expires. After that time, the owner would need to submit revised plans that meet the current Land Development Regulations.

Please call me or e-mail me if you have any additional questions.

Thanks.

From: Leslie S. Campione [mailto:campionelaw@comcast.net]
Sent: Monday, July 21, 2008 3:43 PM
To: Nipe, Frances
Cc: Kramer, Dianne
Subject: RE: Four Corners project

Frances: As you know, I am representing a client that is in the process of purchasing the above-referenced site and will close on this on August 6th. We are concerned that we will not be able to have anything ready in time to pull a building permit within 6 months and know that it will be necessary to request a 12 month extension. During our conversation, you indicated that the 12 month extension could only be granted if the initial approval met the most current "Code." While I understand that many sections and provisions in the LDRs were affected by the adoption of new LDRs last week, I believe that this site plan is consistent with those new provisions (although the sections may have been changed). My client has asked that I obtain a determination as to whether this site plan will be able to qualify for a 12 month extension despite the adoption of the "new" LDRs last Thursday. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Leslie

Leslie Campione, P.A.

342 east fifth avenue
 mount dora, fl 32757
 (t) 352.383.9020
 (f) 352.383.4654
campionelaw@comcast.net

From: Nipe, Frances [mailto:NipeF@ci.eustis.fl.us]

7/22/2008

Development Processing Section
315 W. Main Street, Room 511
P.O. Box 7800
Tavares, FL 32778
Phone: (352) 343-9855 Ext. 5402
Email: kwright@lakecountyfl.gov



Go Green: Please do not print this e-mail unless you really need to.

Please note: Florida has a very broad public records law. Most written communication to or from government officials regarding government/public business is public record available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

7/15/2008

Nipe, Frances

From: Lynch, Seth [SLynch@lakecountyfl.gov]
Sent: Monday, July 14, 2008 11:15 AM
To: Lynch, Seth; Nipe, Frances
Cc: Pluta, Ross; Johnson, Jeff; martinbj@bjmassociates.com
Subject: RE: Four Corners Center - Final Site Plan

Frances,

Lake County Public Works has no comments for the Four Corners Center site plan. The applicant/owner will be required to submit a Driveway Connection Permit application to Lake County before construction of the site. The offsite road improvements for CR 44 will be handled through the driveway connection permit. The proposed connection location for the site is sufficient.

If you have any questions please let me know.
Thanks,

Seth Lynch
Lake County Public Works Department
Engineering Division
Development Review Engineering
437 Ardice Avenue
Eustis, FL 32726
352. 483. 9052
slynch@lakecountyfl.gov

Please note: Florida has a very broad public records law. Most written communication to or from government officials regarding government/public business is public record available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

From: Lynch, Seth
Sent: Friday, July 11, 2008 8:28 AM
To: 'Nipe, Frances'
Cc: Pluta, Ross; Johnson, Jeff
Subject: RE: Four Corners Centre - Final Site Plan

Frances,

The County has the following comments for the Four Corner Center site plan for the City of Eustis. The access to the site for the proposed Four Corners Center from CR 44 is in a sufficient location. The developer/engineer will need to provide clear details of the offsite road improvements through the County Driveway Permit. The turn lane/road design as shown on sheet C4A of the site plan for Four Corners Center will need to be addressed to meet County Standards. These details that need to be worked through for the offsite road improvements can be handled through the County Driveway Permit. The County will need to meet with BJM Associates to work through the details for the offsite road improvements. The County has no issue with the location to where Four Corners Center is proposed to access off of CR 44.

If you have any questions please let me know.
Thanks,

Seth Lynch
Lake County Public Works Department
Engineering Division
Development Review Engineering
437 Ardice Avenue
Eustis, FL 32726
352. 483. 9052
slynch@lakecountyfl.gov

Sent: Friday, July 18, 2008 5:37 PM

To: Leslie S. Campione

Subject: Four Corners project

Leslie,

As you requested, I am attaching to this e-mail their comment from Lake County Public Works regarding the Driveway Permit.

I will e-mail Dianne Kramer regarding your question about applying for an extension.

Thanks.

7/22/2008



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION
FROM: PAUL A. BERG, CITY MANAGER
DATE: JUNE 12, 2008
RE: EXPLANATION OF RESOLUTION NO. 08-43

A. Introduction: Resolution #08-43 approves the Preliminary Site Plan for Four Corners Centre.

B. Recommendation: The administration recommends approval of Resolution #08-43.

C. Background: The applicant proposes construction of a single story retail and financial institution center with four buildings totaling 15,675 sq. ft. on a 3.0 acre parcel located east of the intersection of CR 44 and N. State Road 19. The property has a land use designation of Mixed Commercial/Residential (MCR) which permits retail and financial institution activity. Other pertinent information is as follows:

1. Site Characteristics:

- The property surrounding the site has the same land use designation of MCR. The wooded parcel immediately east of the site was recently donated to Trout Lake Nature Center; the Winn-Dixie development is located west and south of the site; and the area north of the site, across CR 44, is vacant.
- According to the Environmental Assessment submitted by the applicant, the soil is eureka loamy fine sand which has a high water table of 0-12 inches for the months of June to October. The property consists of "Hardwood-Conifer Mixed" and "Ditches" land use cover. The site is heavily wooded with live oak, slash pine, laurel oak, water oak, sabal palm, and saltbush. The ditches that traverse the site provide drainage for the high water table. In addition, the assessment stated that there are no endangered species, threatened species, or species of special concern on the property.

- The site is outside of the Wekiva protection area, but the St. John's Water Management District requires additional water quality treatment for the stormwater management system in this area to improve the water quality for Trout Lake.
- The southwest portion of the property is in the 100 year flood zone.
- In order to develop the site, the drainage must be corrected by removing the clay layer of soil and replacing it with five to six feet of fill. The finished grade will be well above the flood line. The site preparation will require the unavoidable loss of most of the trees on site.

2. Proposed Development:

- In addition to the four proposed buildings, the project includes paved parking, wet and dry stormwater retention facilities, irrigation, and landscaping.
- The City of Eustis will provide water and sewer service. The applicant estimates usage of 2,008 gallons per day of potable water and 1,721 gallons per day of wastewater. Capacity is currently available. ✓
- Off-site improvements include turn lanes on CR 44.
- A public sidewalk is included on the plan and connects to the public sidewalk in front of the Winn Dixie Shopping Center.
- The plan includes the preservation of 14 trees.
- The site development will fill the existing ditches and the stormwater management system will include compensating storage for the flood zone.
- A three foot, segmented retaining wall extends along the majority of the eastern boundary.

3. Code Considerations:

- The Preliminary Site Plan meets the requirements of the existing Land Development Regulations and Ordinance 07-10.
- these* 3. The floor area ratio (FAR) is .13 and Code allows a FAR of .25. The proposed open space percentage is 43% and the minimum requirement is 25%. The impervious area percentage is 57% and the maximum permitted is 75%.
- The plan adheres to Florida Friendly Principles by specifying native trees and shrubs and other drought tolerant species, the use of shrubs and groundcovers to replace sod, and low volume emitters to irrigate shrubs and groundcovers.
- A five foot wide planting area forms a green space around the buildings. Landscaped buffers include a 30 wide foot buffer along the street frontage, a 5'-10' buffer on the east side, and a 4'6" to 15' foot wide buffer on the west.
- The traffic study estimates an additional 2,501 trips per day and 249 new p.m. peak hour trips. The MPO reviewed the traffic study and identified several necessary revisions to the Traffic Study to confirm that the project meets concurrency. These issues must be resolved prior to Final Plan approval.

- There are some apparently conflicting requirements in Section 115-10 of the Land Development Regulations regarding tree preservation for this site. The site is small (3 acres) and it is the last parcel in the southeast portion of the intersection that is available for commercial development. If the site were larger, more accommodations could be made for the natural features of the land, but the size of this site limits the development options.
 - Section 115-10B states that "Trees may be removed for construction purposes where all reasonable alternatives are exhausted for relocating the specific construction", but Section 115-8 (e) states that "Trees and vegetative groundcover shall be preserved or enhanced in development areas exceeding 10 percent slope or within the 100-year floodway". This particular site cannot be developed without impacting the 100 year floodway and the required drainage improvements would jeopardize the survival of existing trees other than those that have been identified for preservation.
 - Section 115-10E.4 states that "a tree removal permit shall be issued, if the following condition exists;
 - 4. Property Use. Tree location restricts reasonable use for the property consistent with all other applicable city, county, and state codes, statutes and/or ordinances; and design modifications are not practical or reasonable."
 - ✓ The proposed development is consistent with this section of the code, so a permit should be issued regardless of the provision in Section 115-8 (e).
 - Section 115-10 states that "the removal/replacement of trees that are 24" DBH or greater is strongly discouraged." Four large oaks and approximately 10 large pine trees meet this criterion and are scheduled for removal.

Alternatives:

1. Approve the resolution as presented.
2. Deny the resolution.

D. Discussion of Alternatives:

1. Alternative 1 approves the resolution including the following conditions:
 - The applicant shall revise the traffic study to meet the requirements as identified by the Lake Sumter MPO.
 - The applicant shall submit a Final Plan that includes the following:
 - a. Parking space dimensions.

- b. Notation on the plan that utility boxes are to be screened with 24" hedges.
- c. Relocation of the isolation valve on the west side of the project and identification as a tapping valve at the wet tap.
- d. Notation that the fire line design, installation, and testing shall be performed by a certified fire line contractor.
- e. Notation that the contractor shall maintain all FDEP separation requirements between the water, sewer, and storm lines.
- f. Notation that all utilities outside the utility easement shall be privately owned and maintained.
- g. Notation that all utility construction shall meet City of Eustis construction specifications.
- h. Relocation of "no parking" signs to pavement edges, painted white with red letters stating "emergency access, do not block". (Lane delineators may be used to prevent through traffic other than during emergencies.)
- i. Notation that the utility provider for potable water, reclaimed water, and sanitary sewer is the City of Eustis.
- j. Notation that utility lines (i.e. water, sewer, and/or reclaimed) crossing state and county roads shall be in accordance with state and county standards respectively.
- The applicant shall meet all concurrency requirements prior to issuance of building permits.
- City staff shall issue a tree removal permit consistent with the approved site plan.

Advantages:

- The property owner may move forward with development of the property.
- The property will be developed according to the City's Land Development Regulations.
- The development of this site will provide economic development for the City.

Disadvantages:

- The development will generate some traffic impact on the local road system.
- A majority of the trees will be removed from the site.

2. Alternative 2 denies the resolution.

Advantages:

- There will be no increased impact to the transportation systems and other public services.
- The vegetative community will remain intact.

Disadvantages:

- The property owner will not be able to develop according to the submitted site plan and the designated land use.
- The City will lose an opportunity for economic growth.

E. Budget / Staff Impact: There would be no direct costs to the City associated with the action other than providing standard City services to the development. There would be no additional staff time beyond the normal plan review process and building inspection.

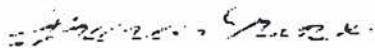
F. Community Input: The proper legal advertisements have been placed in the newspaper. Bernie Yokel, Board Member for Trout Lake Nature Center, met with staff to review the plans and inquire about a buffer between this property and the adjacent property to the east (new Trout Lake Nature Center property with a land use classification of MCR). There have been no written letters of support or opposition.

Reviewed by:



Dianne Kramer, Director, Development Services

Prepared by:



Frances Nipe, Interim Planning & Code Enforcement Manager, Development Services

Attachments: Resolution 08-43, location map, advertisement, aerial, site plan, landscape plan, and building elevations.

Affidavit of Publication

Daily Commercial

Leesburg, Lake County, Florida

Case No. _____

STATE OF FLORIDA
COUNTY OF LAKE

Before the undersigned authority personally appeared Melanie Randall who on oath says that she is the Classified Manager of the Daily Commercial, a daily newspaper published at Leesburg in Lake County, Florida, that the attached copy of advertisement, being

_____ 100676
in the matter of Agency Action

in the _____ Court,

was inserted in said newspaper in the issues of _____
July 19, 2008

Affiant further says that the said Daily Commercial is a newspaper published in said Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each day and has been entered as second class matter at the post office in Leesburg in said Lake County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Signed

Melanie Randall

Melanie Randall, Classified Manager

Sworn to and subscribed before me this 22 day of

July, 2008, by Melanie Randall,

Classified Manager, who is personally known to me.

(Seal)

Kerri McCowan
Kerri McCowan, Notary Public

KERRI MCCOWAN

Notary Public - State of Florida

My Commission Expires Jun 11, 2012

Commission # DD 796862

Bonded Through National Notary Assn.

NOTICE OF AGENCY ACTION TAKEN BY THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

Notice is given that the following permit was issued on May 22, 2008:

Harkins Development Corp.,
3525 W. Lake Mary Blvd.,
Suite 306, Lake Mary, FL
32746. Permit # 40-069-
105368-1. The project is
located in Lake County,
Section 35, Township 18
South, Range 26 East. The
permit authorizes A SURFACE
WATER MANAGEMENT
SYSTEM ON 3.00 ACRES TO
SERVE The Four Corners
Centre formerly known as
Village Centre. The receiving
water body is Trout Lake.

The file(s) containing the application for the above listed permit is available for inspection Monday through Friday except for legal holidays, 8:00 a.m. to 5:00 p.m. at the St. Johns River Water Management District (District) Headquarters, 4049 Reid Street, Palatka, FL 32178-1429. A person whose substantial interests are affected by the District permitting decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57, Florida Statutes, or may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes, before the deadline for filing a petition. Choosing a mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth in section 120.573, Florida Statutes, and rules 28-106.111 and 28-106.401-404 Florida Administrative Code. Petitions must comply with the requirements of Florida Administrative Code Chapter 28-106 and be filed within twenty-one (21) days of publication of this notice or within twenty-six (26) days of the District depositing notice of this intent in the mail for those persons to whom the District mails actual notice. Failure to file a petition within this time period shall constitute a waiver of any right(s) such person(s) may have to request an administrative determination (hearing) under sections 120.569 and 120.57, F.S., concerning the subject permit. Petitions that are not filed in accordance with the above provisions are subject to dismissal.

Ad No.: 100676
July 19, 2008

Cheryl Nelson

From: limitedonline@dos.state.fl.us
Sent: Friday, July 25, 2008 9:05 AM
To: CNELSON.CAMPIONELAW@COMCAST.NET
Subject: Corporate Filing - 700133280297

The Articles of Organization for ANP-1, LLC were filed electronically on July 24, 2008, effective July 21, 2008, as verified by the letter and authentication number shown below and were assigned document number L08000071327. Please refer to this number whenever corresponding with this office.

Electronic filing and certification is provided for in section 15.16, Florida Statutes and has the same legal effect as any other filing or certificate.

A limited liability company annual report/uniform business report will be due this office between January 1 and May 1 of the year following the calendar year of the file/effective date. A Federal Employer Identification (FEI) number may be required before this report can be filed. Please apply NOW with the Internal Revenue Service by calling 1-800-829-4933 and requesting form SS-4.

Please be aware if the limited liability company address changes, it is the responsibility of the limited liability company to notify this office.

Should you have any questions regarding this matter, please contact this office at the address given below.

Gina McLeod
Regulatory Specialist II
Registration Section

~~~Division of Corporations - P.O. Box 6327 - Tallahassee, FL  
32314

Letter Number: 080725090524-700133280297

Please take a few minutes to provide feedback on the quality of service you received from our staff. The Florida Department of State values your feedback as a customer. Kurt Browning, Florida's Secretary of State, is committed to continuously assessing and improving the level and quality of services provided to you. Simply click on the link to the "DOS Customer Satisfaction Survey." Thank you in advance for your participation.

DOS Customer Satisfaction Survey:

<http://survey.dos.state.fl.us/index.aspx?email=LimitedOnline@dos.state.fl.us>