

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: RULEMAKING TO)
ESTABLISH THE TUSCANY) Case No. 01-4559
COMMUNITY DEVELOPMENT DISTRICT.)
_____)

REPORT TO THE FLORIDA LAND AND WATER
ADJUDICATORY COMMISSION

Pursuant to Section 190.005(1)(d), Florida Statutes,
Donald R. Alexander, Administrative Law Judge, conducted a
public hearing on April 11, 2002, in Lecanto, Florida, for the
purpose of taking testimony and public comment and receiving
exhibits on the Petition of Beverly Hills Development
Corporation to establish the Tuscany Community Development
District.

APPEARANCES

For Petitioner: Daren L. Shippy, Esquire
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301-5925

Clark A. Stillwell, Esquire
Brannen, Stillwell & Perrin
320 Highway 41 South, Second Floor
Inverness, Florida 34450-4956

STATEMENT OF THE ISSUE

The issue is whether the establishment of the Tuscany
Community Development District meets the applicable criteria
set forth in Chapter 190, Florida Statutes.

PRELIMINARY STATEMENT

This case began on September 19, 2001, when Petitioner, Beverly Hills Development Corporation, requested the Florida Land and Water Adjudicatory Commission to adopt a rule to establish the Tuscany Community Development District. The proposed rule is attached to this Report as Appendix C. The matter was forwarded to the Division of Administrative Hearings on November 26, 2001, with a request that an Administrative Law Judge conduct a public hearing. By Notice of Hearing dated December 10, 2001, a public hearing was scheduled in Lecanto, Florida, on February 6, 2002. At the request of Petitioner, the public hearing was rescheduled to April 11, 2002, at the same location.

Petitioner presented five witnesses and offered into evidence Petitioner's Exhibits 1-14, which were admitted without objection. The names and addresses of the witnesses are listed in Appendix A attached to this Report, and the exhibits are listed in Appendix B. Six members of the public, including two Citrus County employees, presented public comment. Their names and addresses (if given) are also found in Appendix A attached to this Report. In addition, they offered two exhibits, which are listed in Appendix B. Finally, on June 19, 2002, a letter was filed by a member of the public who resides in Beverly Hills, Florida. Because the

record was closed on April 21, 2002, or ten days after the public hearing, the letter has not been considered in the preparation of this Report.

The Transcript of the local public hearing was filed with the Division of Administrative Hearings on May 29, 2002. The original Transcript and hearing exhibits are transmitted with this Report.

FINDINGS OF FACT

Based upon all of the evidence, the following findings of fact are determined:

A. Overview

1. In this proceeding, Petitioner, Beverly Hills Development Corporation, seeks the adoption of a rule by the Florida Land and Water Adjudicatory Commission (Commission) to establish a new community development district just northeast of Beverly Hills in Citrus County, Florida. The proposed name for the new District is the Tuscany Community Development District (the District).

2. The sole purpose of this proceeding was to consider the establishment of the District as proposed by Petitioner.

B. Summary of Evidence and Testimony

3. The evidence indicates that all of the statements contained in the Petition, as amended, are true and correct.

4. Edwin M. Bulleit, a certified public accountant with Prager, McCarthy and Sealy, testified that he and his attorney met individually with the different county commissioners for Citrus County regarding the proposed District, and although the commissioners had questions, they had no objections to the adoption of the proposed District. Mr. Bulleit further testified that he felt he adequately answered the questions of the commissioners.

5. Mr. Bulleit testified that a community development district is a mechanism to finance, plan, and manage public improvements. Witness Bulleit further testified that such a mechanism allows development to pay for itself.

6. Mr. Bulleit stated that in his experience, 80 to 90 percent of developments in Florida are pursuing community development-type financing. Mr. Bulleit further testified that community developments provide the opportunity for tax exempt financing, the benefits of which include (i) lower interest rates, which make the development more financially sound and lots within the community development district more affordable, and (ii) access to long-term, 30-year debt financing, which means the financing matches the long-term nature of the assets being financed.

7. Mr. Bulleit testified that a community development district may exercise certain powers subject to the regulatory

jurisdiction and permitting authority of all applicable governmental bodies, agencies, and special districts having authority with respect to the community development district.

8. Mr. Dale R. Miller, Vice-President of Petitioner, testified that Petitioner is a Florida corporation with offices in Beverly Hills, Florida. A certified copy of a Certificate of Active Status for Petitioner issued by the Florida Department of State was received into evidence as Exhibit 1.

9. Mr. Miller indicated that the land area to be served by the proposed District consists of two parcels of unimproved real property containing approximately 951.14 acres located in the existing Beverly Hills Development of Regional Impact (Beverly Hills Property) and 560 acres located outside the Beverly Hills Development of Regional Impact (King Land Trust Property) for a total acreage of approximately 1,511.14 acres. Mr. Miller also testified that the Beverly Hills Property and King Land Trust Property are contiguous (320 acres are adjacent to the east of the Beverly Hills Property, while 240 acres are adjacent to the south of the Beverly Hills Property). The conceptual development plan's allotted acreage for each land use was received into evidence as a part of Composite Exhibit 4. The proposed District is entirely within the territorial limits of Citrus County, Florida.

10. Mr. Miller further testified that the metes and bounds legal description of the external boundaries of the proposed District is as described in and attached to the Petition as Exhibit B and Exhibit B-1 and introduced into evidence at the hearing as a part of Composite Exhibit 4. Petitioner filed an amended Exhibit B to its Petition, which contained an amended legal description of the boundaries for the proposed District.

11. Mr. Miller indicated that the owners of the land to be included within the boundaries of the proposed District are Petitioner and William H. Cauthen, as Trustee of the King Land Trust, Inc. Mr. Miller further testified that the owners of the land to be included within the proposed District have consented to establishing the proposed District. The written consents of the owners of the land to be included in the proposed District were attached to the Petition as Exhibits C and C-1, and introduced into evidence at the hearing as a part of Composite Exhibit 4.

12. Mr. Miller testified that the five persons designated to serve as the initial members of the Board of Supervisors of the proposed District are: Ronald J. Collins, Dale R. Miller, Taylor Collins, Paul Buchanan, and John O'Kelley. The initial supervisors will serve on the Board of Supervisors until replaced by elected members as provided by

Section 190.006, Florida Statutes. All of the initial supervisors are residents of the State of Florida and citizens of the United States of America.

13. Mr. Miller also stated that the proposed timetables and related estimates of cost to construct the proposed District's services and facilities, based upon available data, were attached to the Petition as Exhibit D and received into evidence as a part of Composite Exhibit 4.

14. Mr. Miller testified that the Statement of Estimated Regulatory Costs (SERC) to establish the proposed District were attached to the Petition as Exhibit E and received into evidence as a part of Composite Exhibit 4.

15. The future general description, location, and extent of public and private uses of land proposed for the area within the proposed District will be incorporated into the adopted and approved Citrus County Comprehensive Plan. Also, the requested land use and zoning classifications permit the planned residential and commercial development to be located within the proposed District. Finally, for those portions of the proposed District situated within the Beverly Hills DRI, the proposed public and private uses of land are compatible with all development orders issued pursuant to the DRI process.

16. Mr. Miller testified that the proposed public and private uses of the land at issue were compatible with all of the development orders that have been issued pursuant to the development of regional impact process.

17. Gail Easley, a professional land planner with The Gail Easley Company, testified that she reviewed the Petition and its exhibits in conjunction with the State Comprehensive Plan and found that the proposed District will not be inconsistent with any applicable element or portion of the State Comprehensive Plan.

18. Ms. Easley also testified that she reviewed the Citrus County Comprehensive Plan, including the goals, objectives, and policies, as well as other materials, and found that the proposed District will not be inconsistent with any applicable element or portion of the Citrus County Comprehensive Plan.

19. Ms. Easley further stated that the area of land within the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional interrelated community.

20. Witnesses Bulleit, Miller, and Easley each testified that the proposed District is the best alternative available for delivering community development services and facilities to the area that will be served by the proposed District.

21. Witnesses Bulleit and Miller testified that establishing the District will promote development of the land within the District by providing for a more efficient use of its resources.

22. Mr. Miller testified that the community development services and facilities of the District will be compatible with the capacity and uses of existing and local regional community development services and facilities.

23. Mr. Miller also stated that the District provides a perpetual entity capable of making reasonable provisions for the operation and maintenance of the District's services and facilities.

24. Mr. Miller further testified that there is no real property located within the external boundaries of the District that is not going to be included within the District.

25. Witnesses Bulleit and Easley testified that the area that will be served by the proposed District is amenable to separate special-district government.

26. Louis G. Badami, Director of Utilities for Citrus County, testified that the District would be compatible with the capacity and uses of the existing local and regional water and sewer facilities, including those of Citrus County and Rolling Oaks Utilities, Inc. (Rolling Oaks). The latter utility is privately owned and provides water and wastewater

service in an area adjacent to the District. Mr. Badami's testimony focused only on the water and wastewater service territories of Citrus County and Rolling Oaks. More specifically, he went on record as opposing a request to expand the present service territory of Rolling Oaks. He further testified that if the District was merely a funding mechanism to construct and install utilities and there was no expansion of Rolling Oaks' service territory without following applicable rules and regulations, he would recommend to Citrus County that it not oppose the District.

27. Robert A. Knight, Director of Utility Regulation for Citrus County, testified that he was not testifying for or against the proposed District, but rather only about a legal matter regarding the ability of Rolling Oaks to serve the proposed District. In this regard, Mr. Knight did not object to approval of the proposed District in light of the stipulation by Petitioner's representative at the public hearing that Rolling Oaks would follow applicable rules and regulations with respect to expanding its service territory.

28. Four members of the general public provided comment and asked questions concerning the consumption of water and the nature of the expected development within the proposed District. They are concerned that given the present supply of water in Citrus County, there may not be sufficient water from

existing wells to serve the hundreds of new homes that will be built in the District.

CONCLUSIONS OF LAW

29. The Division of Administrative Hearings has jurisdiction over this matter pursuant to Chapters 120 and 190, Florida Statutes.

30. The proceeding and local public hearing were properly noticed pursuant to Section 190.005, Florida Statutes, by publication of an advertisement in a newspaper of general circulation in Citrus County once each week for the four consecutive weeks immediately prior to the local public hearing.

31. Petitioner has met the requirements of Section 190.005, Florida Statutes, with respect to submitting the Petition and satisfying the filing fee requirements.

32. Petitioner bears the burden of establishing that the Petition meets the relevant statutory criteria set forth in Section 190.005(1)(e), Florida Statutes. Petitioner has met that burden.

33. All portions of the Petition and other submittals have been completed and filed as required by law.

34. All statements contained within the Petition, as amended or supplemented at the local public hearing, are true and correct.

35. The proposed District will not be inconsistent with any applicable element or portion of the State Comprehensive Plan.

36. The proposed District will not be inconsistent with any applicable element or portion of the Citrus County Comprehensive Plan.

37. The area of land within the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional interrelated community.

38. The proposed District is the best alternative available for delivering community development services and facilities to the area that will be served by the proposed District.

39. The community development services and facilities of the proposed District will be compatible with the capacity and uses of existing local and regional community development services and facilities, including water and wastewater facilities.

40. The area that will be served by the proposed District is amenable to separate special-district government.

41. The Commission is not the forum to consider or modify the existing service territory of Rolling Oaks; therefore, that issue is not germane to this proceeding.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is

RECOMMENDED that the Florida Land and Water Adjudicatory Commission, pursuant to Chapters 120 and 190, Florida Statutes, and Chapter 42-1, Florida Administrative Code, establish the Tuscany Community Development District, as requested by Petitioner, by formal adoption of the proposed rule attached to this Report as Appendix C.

DONE AND ENTERED this 25th day of June, 2002, in Tallahassee, Leon County, Florida.

DONALD R. ALEXANDER
Administrative Law Judge
Division of Administrative Hearings
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Filed with the Clerk of the
Division of Administrative Hearings
this 25th day of June, 2002.

COPIES FURNISHED:

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APPENDIX A

Petitioner's Witnesses at the Public Hearing

Edwin M. Bulleit
Prager, McCarthy and Sealy
4921 Bay Way Drive
Tampa, Florida 33629-4803

Dale R. Miller
Beverly Hills Development Corporation
3 Beverly Hills Boulevard
Beverly Hills, Florida 34465-3421

Gail Easley
The Gail Easley Company
34 Northeast Crystal Street
Crystal River, Florida 34428-3532

Robert A. Knight
Director of Utility Regulation
Citrus County
3600 Sovereign Avenue
Lecanto, Florida 34461-7727

Louis G. Badami
Director of Utilities
Citrus County
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Public Witnesses at Hearing

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Robert A. Knight
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3600 Sovereign Avenue
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John Chipurn
4311 North Mae West Way
Beverly Hills, Florida 34465-8747

Rodney Cole
(address not given)

Gilbert Buechly
106 South Jefferson
Beverly Hills, Florida 34465-3717

Don Jordon
(address not given)

APPENDIX B

List of Petitioner's Exhibits

1. Certificate of Active Status - Beverly Hills Development Corporation
2. Affidavit of Proof of Publication of Notice of Hearing for local newspaper of general circulation
3. Notice of Receipt of Petition published in Florida Administrative Weekly - March 22, 2002
4. Composite exhibit of all attachments to Petition
5. Composite exhibit of two aerial photographs of Proposed District and surrounding area
6. General area development plan/map of area to include Proposed District and surrounding areas
7. Curriculum Vitae of witness Easley
8. List of prior expert testimony of witness Easley
9. Deeds of properties to be included in Proposed District
10. Composite exhibit of all development orders for Beverly Hills Development of Regional Impact
11. Generalized future land use map for Citrus County
12. Land Development Code atlas
13. 1981 Master Development Plan for Beverly Hills Development of Regional Impact
14. Composite exhibit of map showing Citrus County water and wastewater facilities location and letter from witness Badami to counsel Shippy

Other Exhibits

1. Knight Exhibit No. 1 - Prepared testimony of Robert Knight
2. Chipurn Exhibit No. 1 - Newspaper article (April 6, 2002)

APPENDIX C

Text of Proposed Rule

CHAPTER 42 _____-1

TUSCANY COMMUNITY DEVELOPMENT DISTRICT

- 42 _____-1.001 Creation.
- 42 _____-1.002 Boundary.
- 42 _____-1.003 Supervisors.

42 _____-1.001 Creation. The Tuscany Community Development District is hereby established.

Specific Authority 120.53(1), 190.005 FS. Law Implemented 190.005 FS. History - New.

42 _____-1.002 Boundary. The boundaries of the District are as follows:

Parcel No. 1, being more particularly described as follows:

Commence at the most Northerly Corner of BEVERLY HILLS, UNIT 3A, according to the map or plat thereof recorded in Plat Book 5, page 1, public records of Citrus County, Florida, said point being on the Southeasterly right-of-way line of County Road No. 491 and being 50 feet from, measured at right angles to, the centerline of said County Road No. 491, thence S. 51⁰ 02' 53" E. along the Northeasterly line of said BEVERLY HILLS, UNIT 3A, a distance of 400 feet to the POINT OF BEGINNING, thence N. 38⁰ 56' 39" E. parallel to and 400 feet from, said Southeasterly right-of-way line, a distance of 4347.25 feet to the P.C. of a curve, concaved Northwesterly, having a central angle of 13⁰ 52' 45" and a radius of 6167.33 feet, thence Northeasterly along the arc of said curve, a distance of 1493.96 feet to the P.T. of said curve, thence N. 25⁰ 03' 54" E. parallel to and 400 feet from, said Southeasterly right-of-way line a distance of 1734.33 feet to a point on the boundary of lands described in Deed recorded in Official Record, Book 385, page 466, public records of Citrus County, Florida, thence S. 1⁰ 39' 30" E. along said boundary a distance of 836.98 feet to the SW Corner of said lands, thence N. 88⁰ 20' 30" E. along the South line of said lands, a distance of 1377.72 feet to the SE Corner of said lands, thence N. 1⁰ 39' 30" W. along the East line of said lands, a distance of 1200 feet to the NE Corner of said lands, thence S. 88⁰ 20' 30" W.

along the North line of said lands, a distance of 1306.83 feet to the SE Corner of lands described in Deed recorded in Official Record, Book 538, page 632, of said records, thence N. 25° 03' 54" E. along the East line of said lands, a distance of 190.26 feet to the NE Corner of said lands, said point being on the South line of lands described in Deed recorded in Official Record, Book 423, page 128, of said records, thence N. 88° 20' 30" E. along said South line a distance of 346.97 feet to the SE Corner of said lands, thence N. 1° 39' 30" W. along the East line of said lands a distance of 330.02 feet to the NE Corner of said lands, said point also being on the North line of Section 1, TOWNSHIP 18 SOUTH, RANGE 18 EAST, thence N. 88° 20' 30" E. along said North line a distance of 1869.43 feet to the NE Corner of said Section 1, said point also being the NW Corner of Section 6, TOWNSHIP 18, SOUTH, RANGE 19 EAST, thence N. 89° 28' 20" E. along the North line of said Section 6, a distance of 2636.38 feet to the NW Corner of the NE 1/4 of said Section 6, thence N. 89° 53' 45" E. along the North line of said Section 6, a distance of 2645.54 feet to the NE Corner of said Section 6, thence S. 0° 12' 24" E. along the East line of said Section 6, a distance of 1328.53 feet to the SE Corner of the N 2 of NE 1/4 of said Section 6, thence S. 89° 53' 40" W. along the South line of said N 2 of NE 1/4, a distance of 2646.85 feet to the SW Corner of said N 2 of NE 1/4, thence S. 0° 09' E. along the East line of the NW 1/4 of said Section 6, a distance of 1328.59 feet to the NE Corner of the SW 1/4 of said Section 6, thence S. 0° 03' 50" E. along the East line of said SW 1/4 a distance of 2648.43 feet to the SE Corner of said SW 1/4, said point also being the NE Corner of the NW 1/4 of Section 7, TOWNSHIP 18 SOUTH, RANGE 19 EAST, thence S. 0° 07' 56" E. along the East line of said NW 1/4 a distance of 2648.76 feet to the SE Corner of said NW 1/4, thence N. 89° 42' 40" W. along the South line of said NW 1/4, a distance of 2641.84 feet to the SW Corner of said NW 1/4, said point also being the SE Corner of the NE 1/4 of Section 12, TOWNSHIP 18 SOUTH, RANGE 18 EAST, thence S. 89° 23' 09" W. along the South line of said NE 1/4 a distance of 1315.58 feet to the NE Corner of the W 2 of SE 1/4 of said Section 12, thence S. 0° 09' 37" W. along the East line of said W 2 of SE 1/4, a distance of 2636.62 feet to the SE Corner of said W 2 of SE 1/4, thence S. 89° 28' 48" W. along the South line of said Section 12, a distance of 1302.33 feet, thence N. 2° 06' 48" W. 170 feet, thence S. 89° 28' 48" W. parallel to said South line, a distance of 690.91 feet to a point on a curve, concaved Westerly, having a central angle of 90° and a radius of 280 feet, thence Northwesterly along the arc of said curve a

distance of 246.92 feet to the P.T. of said curve (chord bearing and distance between said points being N. $25^{\circ} 46' 44''$ W. 238.99 feet), thence N. $51^{\circ} 02' 31''$ W. 2102.26 feet, thence N. $59^{\circ} 40' 08''$ W. 200 feet to the most Easterly Corner of lands described in Deed recorded in Official Record, Book 196, page 218, of said records, thence N. $51^{\circ} 02' 31''$ W. along the Northeasterly line of said lands, a distance of 449.63 feet to the most Northerly corner of said lands, said point being on the Southeasterly line of BEVERLY HILLS, UNIT NO. 3, according to the map or plat thereof recorded in Plat Book 4, page 123, public records of Citrus County, Florida, thence N. $38^{\circ} 58' 52''$ E. along the Southeasterly line of said BEVERLY HILLS, UNIT NO. 3, and along the Southeasterly line of BEVERLY HILLS, UNIT 3A, according to the map or plat thereof recorded in Plat Book 5, page 1, public records of Citrus County, Florida, a distance of 399.96 feet to the most Easterly corner of said BEVERLY HILLS, UNIT 3A, thence N. $51^{\circ} 02' 53''$ W. along the Northeasterly line of said BEVERLY HILLS, UNIT 3A, a distance of 1649.50 feet to the Point of Beginning;

AND,

Begin at the most Northerly Corner of BEVERLY HILLS, UNIT 3A, according to the map or plat thereof recorded in Plat Book 5, page 1, public records of Citrus County, Florida, said point being on the Southeasterly right-of-way line of County Road No. 491, and being 50 feet from, measured at right angles to, the centerline of said County Road No. 491, thence N. $38^{\circ} 56' 39''$ E. along said Southeasterly right-of-way line a distance of 4347.20 feet to the P.C. of a curve, concaved Northwesterly, having a central angle of $13^{\circ} 52' 45''$ and a radius of 5767.33 feet, thence Northeasterly along the arc of said curve a distance of 1397.06 feet to the P.T. of said curve, thence N. $25^{\circ} 03' 54''$ E. along said right-of-way line a distance of 1639.31 feet to the most Westerly Corner of lands described in Deed recorded in Official Record, Book 385, page 466, public records of Citrus County, Florida, thence N. $88^{\circ} 20' 30''$ E. along the boundary of said lands a distance of 400 feet, thence S. $1^{\circ} 39' 30''$ E. along the boundary of said lands a distance of 95.00 feet to a point that is 400 feet from, measured at right angles to, the Southeasterly right-of-way line of said County Road No. 491, thence S. $25^{\circ} 03' 54''$ W., parallel to said right-of-way line, a distance of 1734.33 feet to the P.C. of a curve, concaved Northwesterly, having a central angle of $13^{\circ} 52' 45''$ and a radius of 6167.33 feet, thence Southwesterly along the arc of said curve a distance of 1493.96 feet to the P.T. of said curve, thence S. $38^{\circ} 56' 39''$

W., parallel to and 400 feet from, said right-of-way line, a distance of 4347.25 feet to a point on the Northeasterly line of said BEVERLY HILLS, UNIT 3A, thence N. 51° 02' 53" W. along said Northeasterly line a distance of 400 feet to the Point of Beginning.

LESS AND EXCEPT lands in Warranty Deed from Beverly Hills Development Corporation, to Rolling Oaks Utilities, Inc., dated June 6th, 1986, filed August 18, 1986, and recorded in Official Record, Book 710, page 849, public records of Citrus County, Florida, being more particularly described as follows: Commence at the most Easterly Corner of BEVERLY HILLS, UNIT 3-A, according to the map or plat thereof recorded in Plat Book 5, page 1, public records of Citrus County, Florida, thence N. 51° 02' 53" W. along the Northeasterly line of said BEVERLY HILLS, UNIT 3-A, a distance of 289.49 feet, thence N. 38° 56' 39" E. 593.12 feet to the POINT OF BEGINNING, thence N. 75° 59' 21" W. 62.48 feet, thence North 155.26 feet, thence N. 13° 10' 38" E. 155.26 feet, thence N. 11° 58' 12" W. 405.23 feet, thence N. 24° E. 244.86 feet, thence N. 60° E. 268.59 feet, S. 66° E. 336.93 feet, thence N. 72° E. 126.01 feet, thence S. 78° 42' 12" E. 313.71 feet, thence S. 33° E. 317.81 feet, thence S. 11° 13' 17" E. 237.44 feet, thence S. 46° 05' 58" W. 238.07 feet, thence S. 67° 37' 34" W. 481.20 feet, thence S. 55° W. 268.27 feet, thence N. 75° 59' 21" W. 351.69 feet to the Point of Beginning,

AND, LESS AND EXCEPT NORTH FOREST RIDGE BOULEVARD, according to the map or plat thereof recorded in Plat Book 14, pages 29, 30 and 31, public records of Citrus County, Florida,

AND, LESS AND EXCEPT OAKWOOD VILLAGE OF BEVERLY HILLS PHASE ONE, according to the map or plat thereof recorded in Plat Book 14, pages 10 to 14 inclusive, public records of Citrus County, Florida,

AND, LESS AND EXCEPT OAKWOOD VILLAGE OF BEVERLY HILLS, PHASE 2, according to the map or plat thereof recorded in Plat Book 14, pages 15 to 18 inclusive, public records of Citrus County, Florida,

AND, LESS AND EXCEPT the N 2 and NE 1/4 of Section 6, TOWNSHIP 18 SOUTH, RANGE 19 EAST,

AND, LESS AND EXCEPT that portion of Section 1, TOWNSHIP 18 SOUTH, RANGE 18 EAST, that lies North of the North boundary and West of a Northerly projection of the Easterly boundary of

lands described in Official Record, Book 385, pages 466 and 467, public records of Citrus County, Florida.

AND,

LESS AND EXCEPT the lands in the attached legal descriptions, labeled as follows:

Golf Course
Greenside
Unit 10 Phase 1
Unit 10 Phase 2
Unit 11

Specific Authority 120.53(1), 190.005 FS. Law Implemented 190.004, 190.005 FS. History - New.

42 _____-1.003 Supervisors. The following five persons are designated as initial members of the Board of Supervisors: Ronald J. Collins, Dale R. Miller, Taylor Collins, Paul Buchanan, and John O'Kelley.

Specific Authority 120.53(1), 190.005 FS. Law Implemented 190.006(1) FS. History - New.