

RESOLUTION 2023- \\

RESOLUTION **PURSUANT** TO SECTION FLORIDA STATUTES (F.S.) AND 380.06(7). SECTION 3-9-10.1, DEVELOPMENT OF REGIONAL (DRI) DEVELOPMENT **ORDER** IMPACT (DO) **PROCESS** AND **PROCEDURE** AMENDMENT UNDER CHAPTER 3-9, ZONING, THE COUNTY'S LAND DEVELOPMENT REGULATION. AMENDING ORDER RESOLUTION DEVELOPMENT (DO). NUMBER 2022-083 AND RESOLUTION NUMBER 2023-091, FOR THE SANDHILL DEVELOPMENT OF REGIONAL IMPACT (DRI) TO 1) REVISE EXHIBIT E **EQUIVALENCY** MATRIX BY ADDING SELF-STORAGE/MINI-WAREHOUSE TO THIS MATRIX; 2) PURSUANT TO SECTION J(1)(K) OF THE SANDHILL DRI DO. TO USE THE REVISED EQUIVALENCY MATRIX BY EXCHANGING 7,639 SQUARE FEET OF COMMERCIAL USES (OUT OF 11,200 SQUARE FEET OF ENTITLEMENTS) FOR 109,000 SQUARE FEET OF MINI-WAREHOUSE ON PARCEL C-5A (OLD "C-4") OF TRACT 1 OF THE SANDHILL DRI, AND REDUCING THE TOTAL ENTITLEMENTS BY 3,561 SQUARE FEET OF COMMERCIAL AND 3) TO REVISE EXHIBIT B. MAP H NOTES #1 AND MAP H, EXHIBIT #2 NOTES; FOR 1.45± ACRES OF THE PROPERTY LOCATED AT 24200 CORPORATE COURT OR 720 J C CENTER COURT, IN THE PORT CHARLOTTE AREA; COMMISSION DISTRICT I; PETITION NO. 23LAD-00000-00002; APPLICANT: ENGLEWOOD **FLORIDA** STORAGE. LLC: PROVIDING FOR AN EFFECTIVE DATE. SANDHILL DRI IS LOCATED SOUTH OF THE DESOTO COUNTY LINE, NORTH OF RAMPART BOULEVARD. EAST OF LOVELAND BOULEVARD WEST OF THE DEEP CREEK AREA; SECTIONS 6&7, TOWNSHIP 40 SOUTH, AND RANGE 23 EAST, IN THE PORT CHARLOTTE AREA, CURRENTLY CONTAINING A TOTAL OF 713.12± ACRES.

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF # PAGE: 12

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RECITALS

WHEREAS, on February 17, 1981, the Board of County Commissioners of Charlotte County, Florida ("Board") approved and adopted a Development Order ("DO") for the Sandhill Development of Regional Impact (DRI) Planned Development (PD-80-4) (the "Sandhill DO"), pursuant to Section 380.06, Florida Statutes; and

WHEREAS, the Sandhill DRI is located south of the DeSoto County Line, north of Rampart Boulevard, east of Loveland Boulevard and west of the Deep Creek area; Sections 6 & 7, Township 40 South, and Range 23 East, in the Port Charlotte area, currently containing a total of 713.12± acres, and more particularly described in Exhibit "A" attached hereto and by this reference provided herein; and

WHEREAS, the Sandhill DO has been amended on numerous occasions since its initial adoption; and

WHEREAS, Englewood Florida Storage, LLC, is requesting an Amendment, 23LAD-00000-00002, to the Sandhill DRI DO to 1) revise Exhibit E Equivalency Matrix by adding Self-Storage/Mini-Warehouse to this matrix; 2) pursuant to Section J(1)(k) of the Sandhill DRI DO, to use the revised equivalency matrix by exchanging 7,639 square feet of commercial uses (out of 11,200 square feet of entitlements) for 109,000 square feet of mini-warehouse on Parcel C-5A (Old "C-4") of Tract 1 of the Sandhill DRI, and reducing the total entitlements by 3,561 square feet of commercial and 3) to revise Exhibit B, Map H Notes #1 and Map H, Exhibit #2 Notes; for 1.45± acres of the property located at 24200 Corporate Court or 720 J C Center Court, in the Port Charlotte area;, and more particularly described in Exhibit "B" attached hereto and by this reference provided herein; and

WHEREAS, the Board held a public hearing on July 11, 2023, in accordance with Section 380.06, Florida Statutes and Section 3-9-10.1, Development of Regional Impact Development Order Amendment Process and Procedure to consider both applications and adopted by motion Amendment 23LAD-00000-00002; and

WHEREAS, the adopted amendments will be incorporated into the Sandhill DRI DO pursuant to the terms described herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

1. The Sandhill DO's "Exhibit E: Equivalency Matrix" is hereby amended follows:

Exhibit E

EQUIVALENCY MATRIX

	110: General Light Industrial	220: Apartment Multi- family	820: Shopping Center	710: Office Building	210: Single Family Detached	310: Hotel	254: Assisted Living	151: Self- Storage/Mini- Warehouse
110: General Light Industrial		0.639 du/ksf	3.825 ksf/ksf	1.536 ksf/ksf	1.031 du/ksf	0.619 room/ksf	0.227 bed/ksf	0.268 ksf/ksf
220: Apartment Multi-family	1.565 ksf/du	1	5.984 ksf/du	2.403 ksf/du	1.613 du/du	0.968 room/du	0.355 bed/du	0.419 du/ksf
820: Shopping Center	0.261 ksf/ksf	0.167 du/ksf	1	0.402 ksf/ksf	0.270 du/ksf	0.162 room/ksf	0.059 bed/ksf	0.070 Ksf/ksf
710: Office Building	0.651 ksf/ksf	0.416 du/ksf	2.490 ksf/ksf	-	0.671 du/ksf	0.403 room/ksf	0.148 bed/ksf	0.174 <u>Ksf/ksf</u>
210: Single Family Detached	0.970 ksf/du	0.620 du/ksf	3.710 ksf/du	1.490 ksf/du	•	0.600 room/du	0.220 bed/du	0.260 du/ksf
310: Hotel	1.617 ksf/room	1.033 du/room	6.183 ksf/room	2.483 ksf/room	1.667 du/room	-	0.367 bed/room	0.433 Room/ksf
254: Assisted Living	4.409 ksf/bed	2.818 du/bed	16.864 ksf/bed	6.773 ksf/bed	4.545 du/bed	2.727 room/bed	-	1.182 Bed/ksf
151: Self- Storage/Mini- Warehouse	3.731 Ksf/ksf	2.38 ksf/du	14.269 ksf/ksf	5.731 ksf/ksf	3.846 ksf/du	2.307 ksf/room	0.846 ksf/bed	=

Land Use to be Increased

- Land use changes are based on the peak hour of adjacent street traffic, one hour between 4 and 5 PM_
 Equivalency factors are based on the ITE Trip Generation Manual 9th Edition, 2012 average rate for each land use.
 When increasing a land use, multiply by the value in the table. When decreasing a land use, divide by the value in the

<u>Examples:</u> Increase 50 single-family dwelling units by decreasing 13,500 SF of shopping center $(50 \times 0.270 = 13.5)$. Incease 10,000 SF of office building by decreasing 15,360 SF of light industrial $(10 \times 1.536 = 15.36)$. Decrease 15,000 SF. of shopping center by increasing 37,313 SF of office (15/0.402 = 37.313).

4. Any conversion to residential dwelling units above the maximum approved by the original Sandhill DRI DO, which is 2,626 density units, shall be subject to the Transfer Density Units (TDU) provisions set forth in the County's Comprehensive Plan.

2. The development rights within the Sandhill DRI are hereby amended follows:

Residential ***Commercial	193.61 acres 209.33 - <u>207.88</u> acres	3,171 units
	-	gross square feet
MinMini-Warehouse	1.45 <u>acres</u>	109,000 square feet
Hotel/Motel	•	397 units
*Research & Development	4.2 acres	42,000
·		gross square feet
**Park/Public/Semi-Public	44.3 acres	65,000
		gross square feet
Lake	61.4 acres	
Public	2.6 acres	
Mitigation	84.7 acres	
Preservation	6.55 acres	
Roads	37.9 acres	
Nursing Home/ACLF	19.56 acres	458 beds
Industrial	47.64 acres	365,000
Retail Parking Spaces		gross square feet 8,030

*261,000 gross square feet of the originally approved Research and Development gross square footage was analyzed as commercial retail for traffic purposes

**Building area only applies to Tract 2 Public/Semi-Public 24.78 acres for government offices

***On Parcel C-24 of Tract 2, 17,000 square feet of commercial and 120 hotel/motel units.

3. Amendments to "Exhibit B, Map H Notes #1 and Map H, Exhibit #2 Notes" are hereby amended follows:

	ĺ	Allocated	Allocated	Allocated	Allocated	Allocated	Allocated	Allocated
Tract	Parcel	Commercial (SF)	Park/Public/ Semi-Public (SF)	Research & Development (SF)	Residential	Assisted Living Area (beds)	Self- Storage/Mini- Warehouse (SF)	Hotel/Mote
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1	C-5C	54,000	<u> </u>	* * * · · · · · · · · · · · · · · · · ·	ag 1 f g g g k	and the streets		
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1	C-6	17,000		<u> </u>			1 21	400
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2	C-23	5,000	1					
2	C-24	17,000	. 0	0	0			120
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<u> </u>	C-16B/C/F &	1,300	1	***	erina. Negarina			
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3	CE-6 Mitigation	4,000	1	9.4	wide to a second	2 4 2 3	14.4 (4.2)	1 3 4

Exhibit B, Map H Notes #1 - Vested Rights As of 07/11/2023 (page 2)

			Exhibit b, Map I				N9/	
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	(Industrial):	365,000	a c	· · · · · · · · · · · · · · · · · · ·	r, ř	1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1		
	Calculated Totals							
	(Commercial):	1,608,763 <u>1,597,553</u>	65,000	42,000	3,171	458 (beds)	<u>109,000</u>	397

^{*}A total allocation of 344 units across both parcels (74 single-family residential units and 270 multi-family residential units).

Sandhill DRI Map H, Exhibit #2 Notes

Revision Notes:

- 1. July 2002 Revisions:
 - a. Tract 1: Revised Parcels, lakes & wetlands
 - b. Tract 3: Revised Parcel C-16 & removed wetland
 - c. Tract 4: Revised Parcel C-19 & increased wetland
- 2. January 2006 (NOPC-051283) Revisions:
 - a. Subdivided C-16, C-17, C-18, C-20, Newport Golf
- 3. January 2006 (NOPC-051284) Revisions:
 - a. Reallocated Commercial S.F. & residential units between existing tracts 1 & 4
 - i. Transferred 320 residential units from R-1 (Tract 1) to R-2 (Tract 4)
 - ii. Transferred 75,000 S.F. of commercial from R-2 (Tract 4) to C-21 & C-25 (Tract 1)
- 4. Added Parcel 5-19A
- 5. Add commercial parcel 5-19A
- 6. July 14, 2006 revise acreages
- 7. July 17, 2006 Revise acreages and 5-16
- 8. November 9, 2006 add S.F. to 5-19H
- 9. August 14, 2007 consolidation of resolutions
- 10. October 16, 2007 add 65,000 S.F. to Tract 2 Public/Semi-Public site
- 11. March 18, 2008 Revision to C-24, 30,400 SF to 17,000 SF & 120 hotel rooms
- 12. December 16, 2008 relocate mitigation area, allow access to Loveland, incorporate road improvement obligations
- 13. August 18, 2009 Correct scrivener's errors; reallocate dwelling units from 5-4 to R-5; remove portions of R-5 and 5-4 from Sandhill DRI and add to Victoria Estates DRI
- 14. December 9, 2014 Correct scrivener's errors; eliminate 84.09 acre golf course and replace with 6.48 acres and 43,000 SF of commercial, 19.56 acres and 458 ACLF beds; 47.64 acres and 430,000 SF of industrial; 16.35 acres and 26 multi-family units; the increased 26 dwelling units shall be transferred to the site through the County's Transfer of Density Units process according to the provisions set forth in the Transfer of Density Units Code; add equivalency matrix
- 15. June 13, 2017 Revision to C-21 and C-25 of Tract 1 by adding 375 multifamily units and eliminating 62,625 SF of commercial utilizing the equivalency matrix, retaining 150,000 SF of commercial development for future projects, and creating Parcel C-25A retaining 4,721 square feet of commercial development rights

- 16. March 27, 2018 Revision to C-19B of Tract 4 by adding 44 single-family residential units and eliminating 12,000 SF of commercial utilizing the equivalency matrix. Revision to R-2 of Tract 4 by adding 70 single-family residential units and reducing multi-family residential units from 320 units to 207 units, creating a total allocation of 321 units across both parcels
- 17. April 24, 2018 Revision to C-21 and C-25 of Tract 1 by adding 120 hotel rooms and reducing commercial square footage from 150,000 SF to 130,560 SF utilizing the equivalency matrix
- 18. February 26, 2019 Revision to 5-13 of Tract 5 by adding 83 hotel rooms and reducing commercial square footage from 67,300 SF to 53,854 SF utilizing the equivalency matrix
- 19. June 25, 2019 Revision to C-21 and C-25 of Tract 1 by increasing multifamily units from 375 to 521 and reducing commercial square footage from 130,560 SF to 106,178 SF utilizing the equivalency matrix
- 20. October 22, 2019 Revision to C-21, C-25, and C-1 of Tract 2 by reassigning 59,000 SF of Commercial from C-21 and C-25 to C-1 resulting in 47,178 SF on C-21 and C-25 and 100,000 SF on C-1
- 21. July 13, 2021 Revision to C-19B and R-2 of Tract 4 by adding 63 multifamily residential units and eliminating 40 single-family residential units utilizing the equivalency matrix, creating a total allocation of 344 units across both parcels
- 22. June 13, 2023 Revision to Parcel 5-10 of Tract 5 by adding 74 hotel rooms and eliminating 12,000 SF of commercial utilizing the equivalency matrix
- 23. Proposed Revision to Exhibit E Equivalency Matrix by adding Self-Storage/Mini-Warehouse to this matrix, and revision to Parcel C-5A (Old "C-4") of Tract 1 by adding 109,000 SF of mini-warehouse and eliminating 11,200 square feet SF of commercial utilizing the revised equivalency matrix

General Notes:

- 1. Roads and other improvements are conceptual
- 2. Wetlands shown are based on Southwest Florida Water Management District Master Drainage Permit (MSW 492947.049), as amended.
- 3. All parcels not included in the most recently approved substantial deviation (Resolution 92-285) were assigned to Tract 5.
- 4. This map and associated exhibits were revised by Charlotte County staff.

- 4. Amendment 23LAD-00000-00002 is hereby adopted.
- 5. All other terms and conditions of the Sandhill DO not amended by this resolution shall remain unchanged and in full force and effect.
- 6. Severability. If any section, subsection, clause, phrase, or provision of this Resolution is for any reason held invalid or unconstitutional by any court or body of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Resolution invalid or unconstitutional.
- 7. Effective Date. This revisions to the Sandhill Development of Regional Impact (DRI) Development Order, Petition Number 23LAD-00000-00002 shall become effective as provided by law.

PASSED AND DULY ADOPTED this 11th day of July, 2023.

BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY FLORIDA >>

William G. Truex

GPA08

ATTEST:

Roger D. Eaton, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners

Deputy Cler

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Janette S. Knowlton, County Attorney

/LR 2023-0256

Legal Description for the Sandhill DRI

EXHIBIT A

All of Section 6, Township 40 South, Hange 23 East, Charlotte County, Florida, LESS therefrom the following:

1. A parcel of land in said Section 6, Township 40 South, Range 23 East, being more particularly described as follows: Begin at the Hortheast corner of said Section 6, the same being the Mortheast corner of Lot 1, THE COUNTY, according to the Plat thereof as recorded in Plat Book 15, at Page 18A, of the Public Records of Charlotte County, Florida; thence 1889°30'39°N. [Bearings based on 0.0.T. Right-of-Way Maps for State Road Mo. 93 (1-75). Section 01075-24041 along the North line of Said Section 6 and along the North boundary of said plat of THE LINKS for 2551.15 feat; thence \$00°07'52°N along the West line of Lot 25 of THE LINKS subdivision and along its northerly extension for 320.00 feet to the Southwest corner of said Lot 25; thence \$89°30'39°E along the South boundary of the aforementioned plat of THE LINKS for 2561.22 feet to an intersection With the East line of the Mortheast 1/4 of said Section 5; thence Mo°16'25°E along the last described East line for 320.00 feet to the POHHT OF BEGINHING.

2. The existing right-of-ways Waltham deeded by tenarate instrument or

BEGINHING.
2. The existing right-of-ways (either deeded by separate instrument or dedicated by prescriptive rights) of interstate 75, Kings Highway, and Peachland Boulevard that Hes within the above mentioned Section 6. Subject to two existing florida Power and Light Easements recorded in Deed Book 6, Page 104, and Official Records Book 350, Page 128, both of the Public Records of Charlotte County, Florida.

The North 901.25 feet of Section 7, Township 40 South, Range 23 East, Charlotte County, Florida, bounded on the West by the B.O.T. Easterly Right-of-Way of Kings Highway and bounded on the East by the B.O.T. Westerly Right-of-Way of Interstate 75. as shown on the Right-of-Way Maps for State Road No. 93 (1-75). Section 01075-2404. Subject to maintained Right-of-Hays for Kings Highway and Peachland Boulevard. AND

AND
That portion of Section 7, Township AD South, Range 23 East, Charlotte County, Florida, lying West of Kings Highway and South of Peachland Boulevard, 'LESS the following described parcel: COMMENCE at the Southmest corner of Section 7, Township 40 South, Range 23 East; thence NO°12'18"E [Bearings based on D.D.T. Right-of-Hay Maps for State Road No. 93 (1-75), Section 01075-2404] along the West line of said Section 7 for 2971.01 feet; thence S89°47'42"E for 863.64 feet to the POINT OF BEGINNING of the herein described parcel; thence S2°27'18"H for 450.35 feet; thence S89°47'44"E for 401.03 feet to the centerline of Kings Highway; thence N8°36'56"E along the centerline of Kings Highway for 454.89 feet; (thence N8°34'42"H for 29.87 feet; thence N0°12'18"E for 571.24 feet; thence N89°47'42"H for 217.56 feet; thence S2°27'18"H for 571.58 feet to the POINT OF BEGINNING.)

AND
A parcel of land lying in Section 7, Township 40 South, Range 23 East, Charlotte County, Florida, more particularly described as follows: County, County, Florida, more particularly described as follows: County of Section 7, Township 40 South, Range 23 East, thence run SBS 40 SS E [Bearings based on P.O.T. Right-of-Way Maps for State Road No. 93 (1-75), Section 01075-24041 along the North line of said Section 7 for 1594.45 feet to a point of intersection with the Northerly Right-of-Way line of Peachland Boulevard as shown as the aforementioned Right-of-Way Maps, said point being the POINT OF BEGINNING



of the herein described parcel; thence continue \$89°40°59°E along the last of the herein described Korth'line for 296.33 feet to an intersection with the Westerly oescribed Korth'line for 196.33 feet; to an intersection with the Westerly Right-of-Way line of Kings Highway: thence along the Westerly Right-of-Way Right-of-Way line of Kings Highway for the following three (3) described courses: (1) line of Kings Highway for the following three (3) described courses: (1) \$36°54'32°M, for 44.03 feet; (2) \$53°05'20°E for 10.00 feet; (3) \$36°54'32°M for 120.00 feet; thence \$36°54'32°M for 205.01 feet; thence \$36°54'32°M for 10.00 feet to a point on a circular curve concave to the Southwest, said 10.00 feet to a point on a circular curve concave to the Southwest, said point bearing H36°54'32°E from the center of said curve; thence Horthwesterly-along the arc of said curve having a radius of 360.00 feet and a central angle of 5°50'00° for 42.93 feet to the POINT OF BEGINKING.

Commence at the Southwest corner of Section 7.
Tourship 40 South, Pange 23 East. Thence North 00° 04' 11" West,
along the West line of Section 7, 2,971.01 feet; Thence
North, 89° 55' 49" East. 863.64 feet to the Point of Beginning;
Thence North, 02° 10' 49" East, 571.68-feet; Thence North, 89° 55' 49"
East. 217.56 feet; Thence South, 00° 04' 11" East. 571.24 feet;
East. 217.56 feet; Thence South, 00° 04' 11" East. 571.24 feet;
Thence, South, 89° 55' 49" West, 240.00 feet to the Point of Beginning
and containing 3.00 acres, more or lass and subject to a 15.00 foot
side easement along the Westerly line thereof, as more particularly set
forth in that revised July 27, 1976, survey prepared by John C. Smith,
Certificate Number 235%.
Less and except:

THAT CERTAIN PARCEL OF LAND LYING IN SECTION 7, TOWNSHIP 40 SOUTH, RANGE 23 EAST, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 40 SOUTH, RANGE 23 EAST; THENCE S 89°20'10" E, ALONG THE SOUTH LINE OF SAID SECTION 7, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING;

22,

THENCE CONTINUES 89°20'10" E, ALONG SAID SOUTH LINE, A DISTANCE OF 482.57 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF KINGS HIGHWAY; THENCE N 18°16'41" E, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 645.79 FEET, THENCE N.53°28'53" W, LAVING SAID RIGHT-OF WAY LINE, A DISTANCE OF 356.03 FEET; THENCE N. 21:18:14". W, A DISTANCE OF 26.58 FEET; THENCE N. 89°20'10" W, A DISTANCE OF 69.75 FEET; THENCE N 47°04'08" W, A DISTANCE OF 26.21 FEET; THENCE N 00°37'29" E, A DISTANCE OF 119.38 FEET; THENCE S 89°22'31" E, A DISTANCE OF 65.00 FEET; THENCE N 00°37'29" E, A DISTANCE OF 161.86 FEET; THENCE S 89°18'10" E, A DISTANCE OF 489.36 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS POINT LIES N 73°51'18" W, A DISTANCE OF 3091.90 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 05"04"49" A DISTANCE OF 274.16 FEET TO A POINT OF NON-TANGENCY; THENCE N 79°23'08" W, A DISTANCE OF 54.37 FEET; THENCE'S 83°49'54" W, A DISTANCE OF 69.10 FEET; THENCE N 79°48'37" W, A DISTANCE OF 129.54 FEET; THENCE S 41°38'29" W, A DISTANCE OF 39.22 FEET; THENCE N 89°18'10" W, A DISTANCE OF 434.36 FEET; THENCE S 00°41'50" W, A DISTANCE OF 259.98 FEET; THENCE N 89°18'10" W, A DISTANCE OF 83,59 FEET; THENCE S 00°39'50" W, A DISTANCE OF 74.48 FEET; THENCE S 45"25'54" W, A DISTANCE OF 63.90 FEET; THENCE N 89°48'02" W, A DISTANCE OF 75.47 FEET TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY OF LOVELAND BOULEVARD; THENCE 5 00°11'58" W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1027 35 FEET TO THE POINT OF BEGINNING.

CONTAINING 748,523 SQUARE FEET (17.18 ACRES).

