

RESOLUTION NO. 11-R60

COUNCIL ITEM 11C  
DATE 9/26/11

**A RESOLUTION GRANTING A SPECIAL EXCEPTION USE PROVIDED FOR IN SECTION 158.124 (C) (14) TO ALLOW A DRIVE-THROUGH FACILITY FOR A CONVENIENCE STORE IN THE PUD ZONING DISTRICT FOR CULPEPPER AND TERPENING, INC., VERANDA PLAT NO. 1, TRACT A, P11-094; PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Port St. Lucie, Florida, has been requested by Culpepper and Terpening, Inc., to grant a special exception use of a drive-through facility for a convenience store on property presently zoned PUD; and legally described as Veranda Plat No. 1, Tract A; and

**WHEREAS**, the City Council determines that the granting of this special exception use is authorized by Section 158.255, et seq., and Section 158.124 (C) (14), Code of Ordinances, City of Port St. Lucie, and further that the granting of this special exception use will not adversely affect the public interest; and

**WHEREAS**, the subject application has been reviewed in accordance with Section 158.260, and meets the special exception use requirements as stipulated; and

**WHEREAS**, the Planning and Zoning Board on September 6, 2011 made a recommendation on P11-094.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Port St. Lucie as follows:

Section 1. That the City of Port St. Lucie hereby grants a special exception use to Culpepper and Terpening, Inc., P11-094, to allow a drive-through facility for a convenience store, pursuant to Section 158.255, et seq., and

**RESOLUTION NO. 11-R60**

Section 158.124 (C) (14), Code of Ordinances, City of Port St. Lucie, said special exception use is depicted on the conceptual plan which is hereby formally adopted and attached as Exhibit 'A', to be located south of Becker Road, west of Veranda Place, and legally described as Veranda Plat No. 1, Tract A.

Section 2. This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by the City Council of the City of Port St. Lucie, Florida, this 26<sup>th</sup> day of September, 2011.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

BY: \_\_\_\_\_  
JoAnn M. Faiella, Mayor

ATTEST:

\_\_\_\_\_  
Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Roger G. Orr, City Attorney

CITY OF PORT ST. LUCIE, FL - CITY COUNCIL

AGENDA ITEM REQUEST

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MEETING:                    REGULAR   X                      SPECIAL     

DATE:                        SEPTEMBER 26, 2011

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ORDINANCE      RESOLUTION   X   MOTION      PUBLIC HEARING   X  

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ITEM:                    P11-094 Veranda Falls Service Station Drive-Through  
                              Special Exception Use Application

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**RECOMMENDED ACTION:**

On September 6, 2011, the Planning and Zoning Board unanimously voted to recommend approval of this special use exception application.

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**EXHIBITS:**

- A. Resolution
  - B. Staff Report
  - C. Support Materials
- 

**SUMMARY EXPLANATION/BACKGROUND INFORMATION:**

To allow a drive-through facility in the CG (General Commercial) land use, as permitted per §158.124 (C) (14), and Section III of the St. Lucie Lands Plat No. 1 PUD.

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**IF PRESENTATION IS TO BE MADE, HOW MUCH TIME WILL BE REQUIRED?**

None.

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**SUBMITTING DEPARTMENT: PLANNING and ZONING      DATE: 09/12/2011**





**City of Port St. Lucie**  
**Planning and Zoning Department**  
**A City for All Ages**

**TO:** PLANNING AND ZONING BOARD - MEETING OF SEPTEMBER 6, 2011

**FROM:** JOHN FINIZIO, PLANNER *JF*

**RE:** SPECIAL EXCEPTION APPLICATION (PROJECT NO. P11-094)  
 VERANDA FALLS SERVICE STATION DRIVE-THROUGH

**DATE:** AUGUST 25, 2011

**APPLICANT:** Culpepper & Terpening, Inc. c/o Patrick J. Ferland, P.E. The authorization letter is attached to the staff report.

**OWNER:** St. Lucie Land Ltd. c/o Alex Muxo, VP.

**LOCATION:** South side of Becker Road, on the west side of Veranda Place.

**LEGAL DESCRIPTION:** Veranda Plat No. 1, Tract A.

**SIZE:** Tract A has a total area of 134 acres; this project will only develop 1.59 acres. This parcel will not have direct access to Becker Road.

**EXISTING ZONING:** PUD (Planned Unit Development), St. Lucie Land.

**EXISTING USE:** At this time, all of Tract A is currently vacant.

**PROPOSED USE:** To construct a convenience store with a drive-through facility, gas pumps, and car wash.

**REQUESTED SPECIAL EXCEPTION:** A drive-through facility for a proposed 3,702 square foot convenience store as permitted per §158.124 (C) (14) of the City's Zoning Code.

**SURROUNDING USES:** North = PUD (Tesoro and Tesoro Village), and CG zoning, with an existing fire station. South = C-23 Canal, and the Martin County line. East = PUD (Veranda), currently vacant. West = Florida's Turnpike, beyond which is RS-2 (Single Family Residential) zoning with residential lots.

**IMPACTS AND FINDINGS:**

**Evaluation of Special Exception Criteria (Section 158.260)**

(A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.

*Applicant:* "The proposed development is within the St. Lucie Land PUD Master Plan which has an approved PUD with multiple access points for good automobile and pedestrian access. The proposed driveways provide proper circulation for a drive-thru."

*Staff:* Agreed. The site has adequate access. There are a total of two access points for this site; main access point is via Veranda Place, a secondary access point will be off an access road that will be constructed as the site is developed. The access point on Veranda Place will be right in, right turn out only (a u-turn can be made at the round-about). The access road will have a full in/out. Therefore, the site will have a total of two (2) access points: both of these can be used for both ingress and egress.

Also note: as can be shown on the concept plan, pedestrian accessibility is also being addressed for this site. A sidewalk is being constructed along the access road, and a walkway will be connecting the existing sidewalk on Veranda Place with the proposed building. And as the total site undergoes further development, we will continue to encourage all of future development to be tied together for pedestrian accessibility.

(B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

*Applicant:* "As the Site Plan illustrates, adequate off-street parking and loading areas are provided, without creating undue noise, odor or other detrimental effects upon adjoining properties."

*Staff:* As per §158.221(C) of the City's Land Development Regulations, the attached concept plan shows adequate parking and loading areas for the proposed retail establishment. Staff believes that adhering to the City's landscape regulations will ensure that the site will not create any undue noise, glare, odor, or other detrimental effects on adjoining properties.

(C) Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

*Applicant:* "The utilities are located underground as part of the approved PUD. Infrastructure in conjunction with the proposed drive-thru is in place and adequate easements will be provided for utilities."

ITEM 7 (D)

Staff: *Agreed. There are adequate and properly located utilities to serve this development.*

(D) Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties.

Applicant: *"No additional buffering beyond that which is required is needed since the commercial areas are strategically located within the PUD and are part of an overall master plan. The location of the proposed drive-thru is typical for this type of commercial area within a PUD."*

Staff: *By conforming to city codes, staff believes that adequate screening and buffering will be achieved.*

(E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

Applicant: *"Proposed signage and lighting to serve the facility are shown on the Site Plan. The applicant controls all surrounding properties."*

Staff: *This site is located within the St. Lucie Lands Planned Unit Development (aka Veranda Falls). Veranda Falls already has a master sign program in place (P07-092), and all proposed signage will need to conform with the regulations as outlined in the Veranda Falls master sign program.*

*Lighting will be implemented in accordance with the proper zoning regulations, §158.221 (B) (7).*

(F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

Applicant: *"The drive-thru site is located within the overall St. Lucie Land PUD Master Plan. The uses are all listed in the PUD as "acceptable" uses and all yards and open space requirements are being met or exceeded."*

Staff: *As proposed, yards and open spaces are adequately addressed on the concept plan.*

(G) The use as proposed will be in conformance with all stated provisions and requirements of this chapter.

Applicant: *"The proposed use will comply with the land use and zoning and all pertinent land development codes as the final site plan is reviewed and approved."*

Staff: *This property is covered under the St. Lucie Land PUD. The future land use of this property is CG (General Commercial). The PUD (the first amendment was approved on October 13, 2008 (Ordinance 08-96)) identifies all permitted and special exception uses for the CG zoning district as being acceptable uses for this property (Section 3, Acceptable Uses).*

*Drive-through facilities are permitted as a special exception use in CG (General Commercial) Zoning District as identified in §158.124 (C) (14), and will conform to all provisions of the City's Land Development Regulations.*

(H) Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the City.

*Applicant: "The drive-thru will add to the convenience of the residences nearby. By meeting code requirements, it will have no negative impact on the health and safety of nearby residents."*

*Staff: By conforming to city codes, staff believes that a drive-through facility for a convenience store at this location will not impair the health, safety, welfare, or convenience of residents and workers in the city. As required in the Citywide Design Standards; the drive-through is not located between a primary collector/arterial and the building, it will be located at the back of the building (between the access road and the building).*

(I) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

*Applicant: "The Site Plan shows that the drive-thru faces an internal roadway and therefore neighboring residents will not incur the nuisance or hazard associated with vehicular movement, noise, fume generation. Vehicular movement has been planned to be efficiently utilized within the overall project and designed to meet or exceed all applicable standards. Further, this use is specifically noted in the PUD as an "acceptable" use and the applicant controls all surrounding property."*

*Staff: Agreed. By conforming to city codes, staff believes that a drive-through facility at this location will not constitute a nuisance or hazard for anyone using this facility.*

(J) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

*Applicant: "The proposed site is surrounded by properties with similar uses. An aerial and land use exhibit are included with the application to illustrate the compatibility and identify the surrounding uses."*

*Staff: Agreed. This property has a Future Land Use of CG (General Commercial), and is considered to be the location for future commercial*

ITEM 7 (D)

*development. The majority of the surrounding property is currently vacant, but it has commercial land use, and there are currently no residential uses in the immediate vicinity. Therefore, staff feels that the development is compatible with the permitted uses of the adjacent properties, and by conforming to all City Codes will not have any negative impacts on the surrounding area.*

(K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.

Staff: Acknowledged.

(L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

Staff: Public Art Advisory Board review is required.

Compatibility with special exception criteria: As identified in Section III (3), PUD Development Standards, Acceptable Uses, of the St. Lucie Land PUD document; permitted and special exception uses that are identified within the City of Port St. Lucie Zoning Code, Chapter 158 for the following Districts are deemed acceptable:

General Commercial	(CG)
Highway Commercial	(CH)
Service Commercial	(CS)
Warehouse Industrial	(WI)
Professional	(P)
Residential Districts	(RE)(RS-1-RS-3)(RM-5-RM-11)

This property has a Future Land Use of CG (General Commercial), and as outlined in §158.124 (C) (14), General Commercial Zoning District, Special Exception Uses, "Any use set forth in Subsection B: "Permitted Principal Uses and Structures" that includes drive-through service" may be permitted only following the review and specific approval by City Council.

This development is also located in an acknowledged commercial area within the Veranda Falls Development, and by meeting all City codes should be compatible with the surrounding environment.

Notice to Property Owners: On August 15, 2011, notice was sent to all property owners within a 300 foot radius.

**Related Projects:**

P08-156 St. Lucie Land, Ltd. - PUD Rezoning Application Amendment No. 1. This amendment made some revisions to the Master PUD Concept Plan, and clarified definitions in the PUD document. This application was approved by City Council on October 13, 2008.

P04-073 St. Lucie Land PUD Rezoning Application – created the development standards for the St. Lucie Land PUD. This application was approved by City Council on January 24, 2005.

P04-072 St. Lucie Lands Plat No. 1 Subdivision Plat Application – This application created two parcels for future development and access easements. This application was approved by City Council on October 10, 2005.

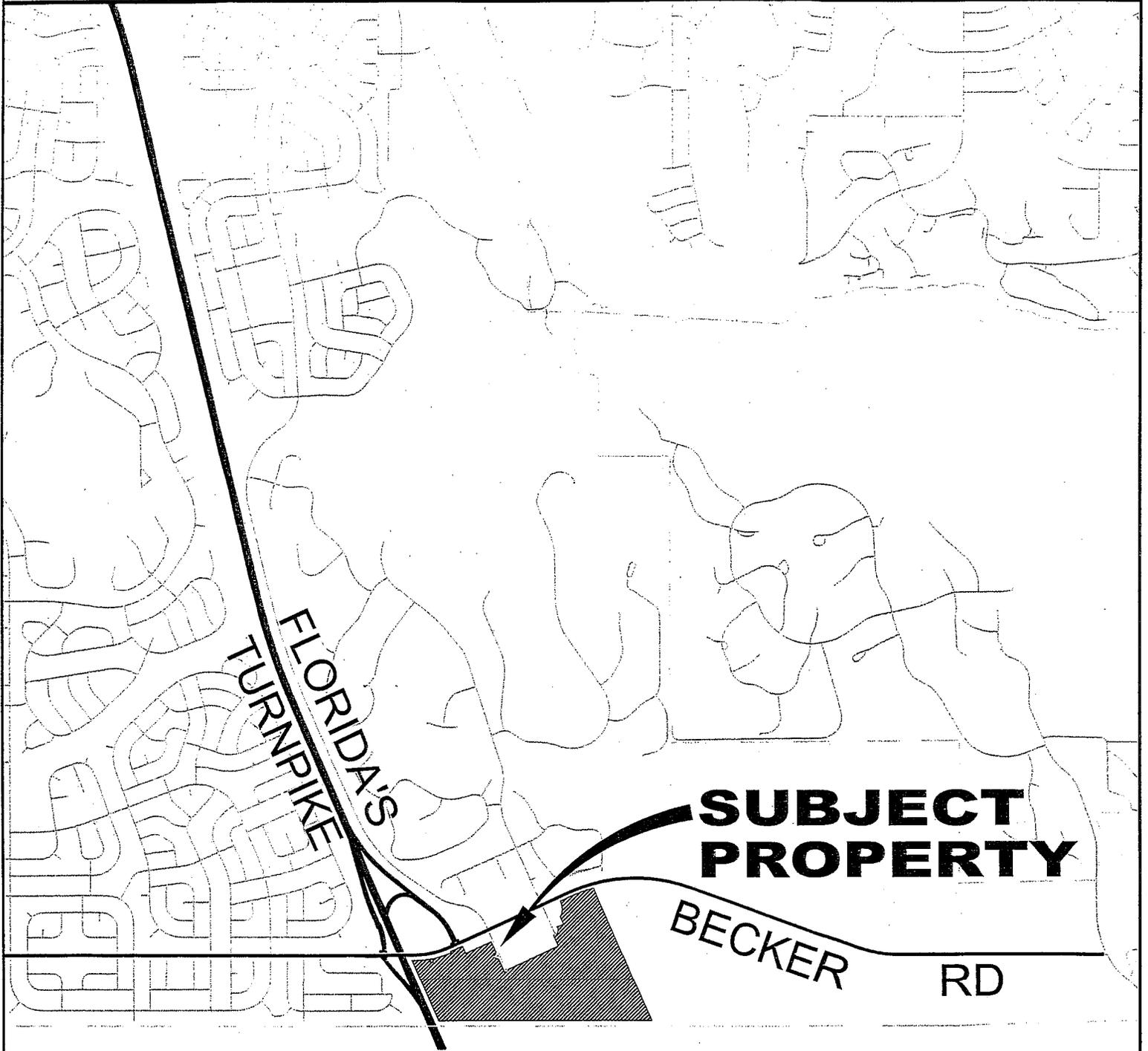
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**STAFF RECOMMENDATION:**

The Planning and Zoning Department staff finds the request to be consistent with special exception criteria as stipulated in Section 158.260 of the Zoning Code and recommends approval.

SPRC has reviewed the Special Exception concept plan on August 10, 2011 and recommended approval.

# SITE LOCATION



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ2011.DWG

SPECIAL EXCEPTION USE  
TRACT "A"  
VERANDA PLAT

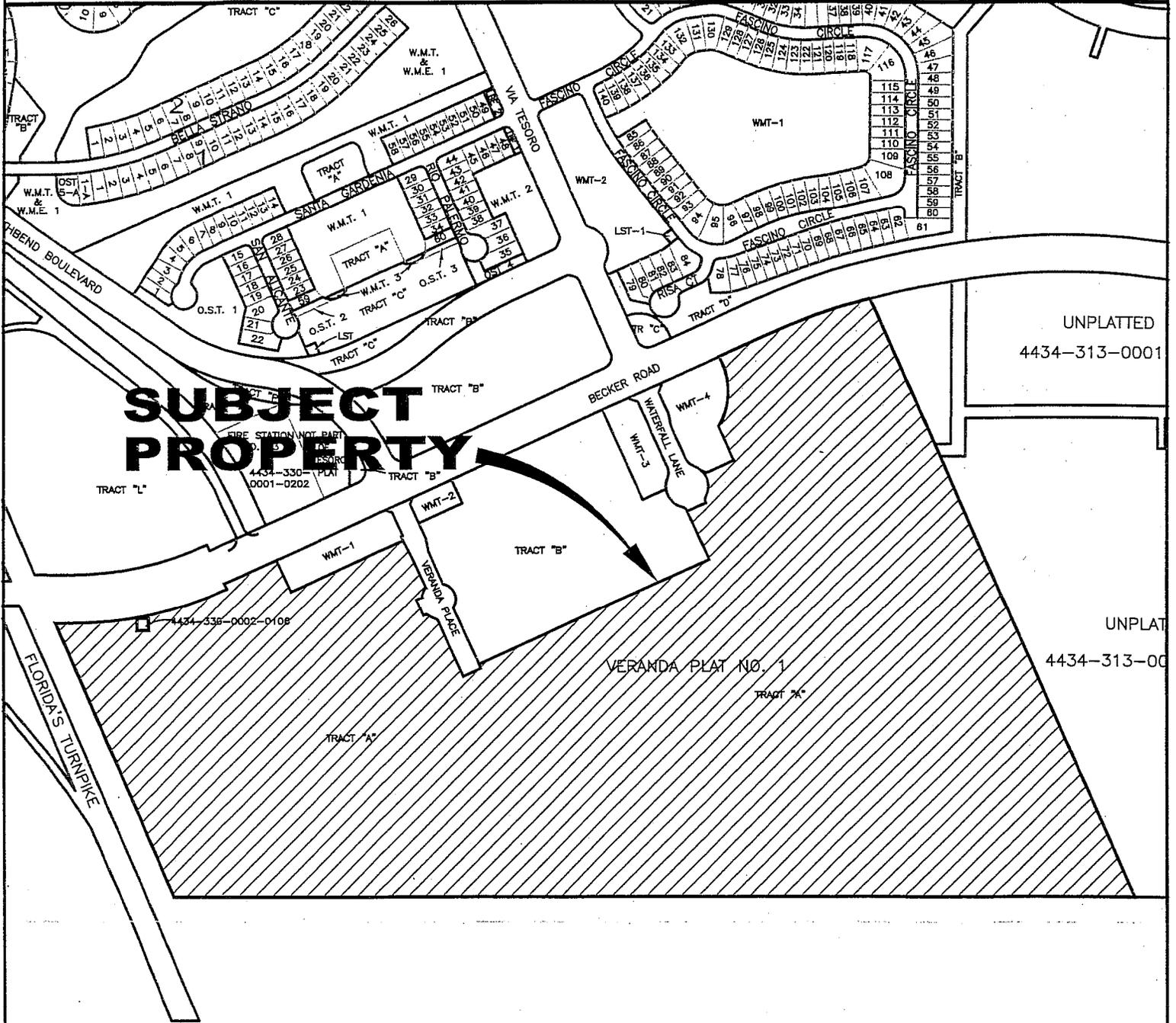
DATE: 7/28/2011

APPLICATION NUMBER:  
P11-094

CADD FILE NAME:  
P11-094

SCALE: 1" = .5 MI

# SITE LOCATION



**SUBJECT PROPERTY**



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT PZ2011.DWG

SPECIAL EXCEPTION USE  
TRACT "A"  
VERANDA PLAT

DATE: 7/28/2011

APPLICATION NUMBER:  
P11-094

CADD FILE NAME:  
P11-094M

SCALE: 1"=600'

# SITE LOCATION



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ2011.DWG

SPECIAL EXCEPTION USE

TRACT "A"

VERANDA PLAT

AERIAL JAN 2009

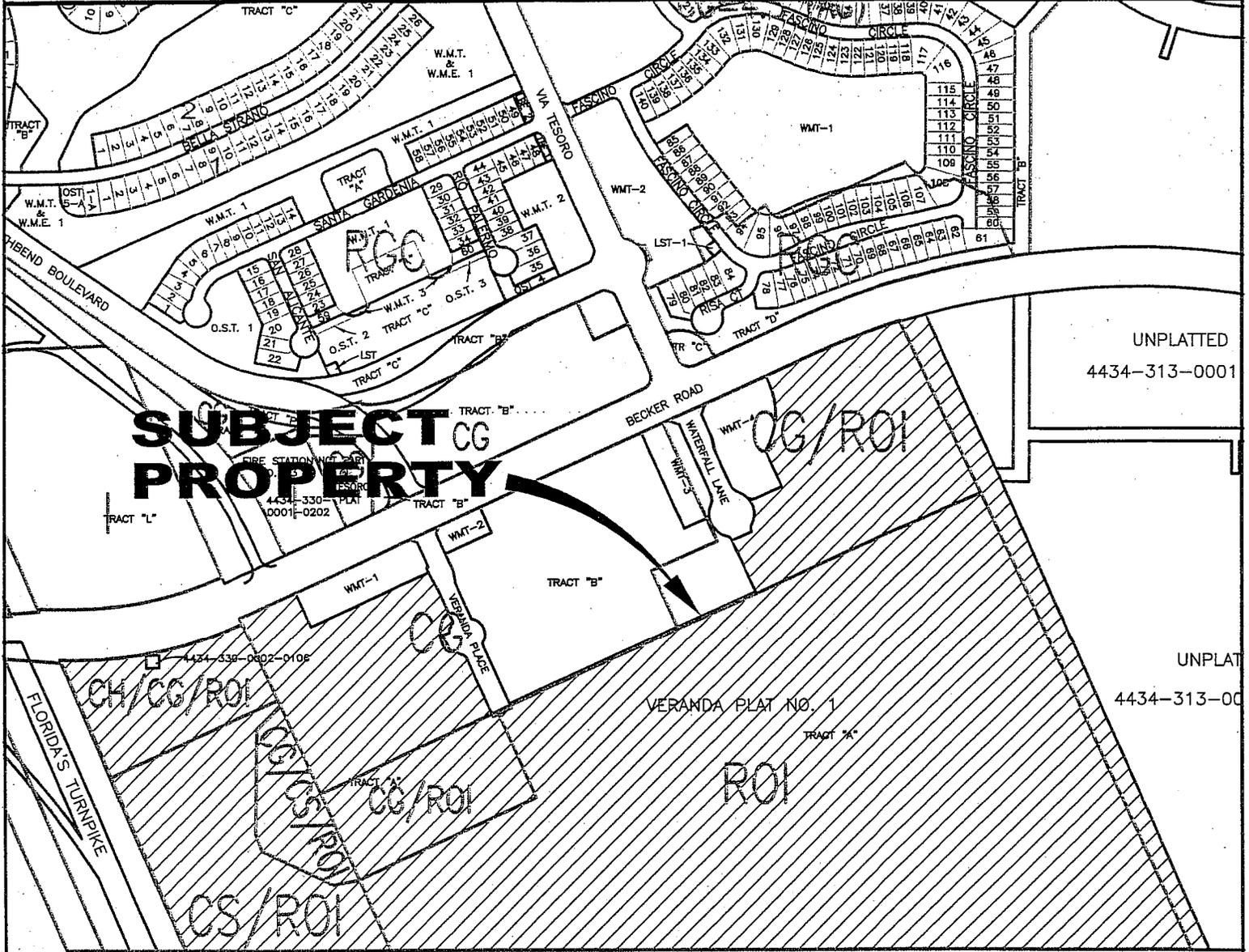
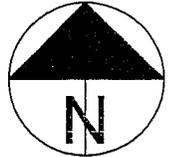
DATE: 7/28/2011

APPLICATION NUMBER:  
P11-094

CADD FILE NAME:  
P11-094A

SCALE: 1" = 600'

# FUTURE LAND USE



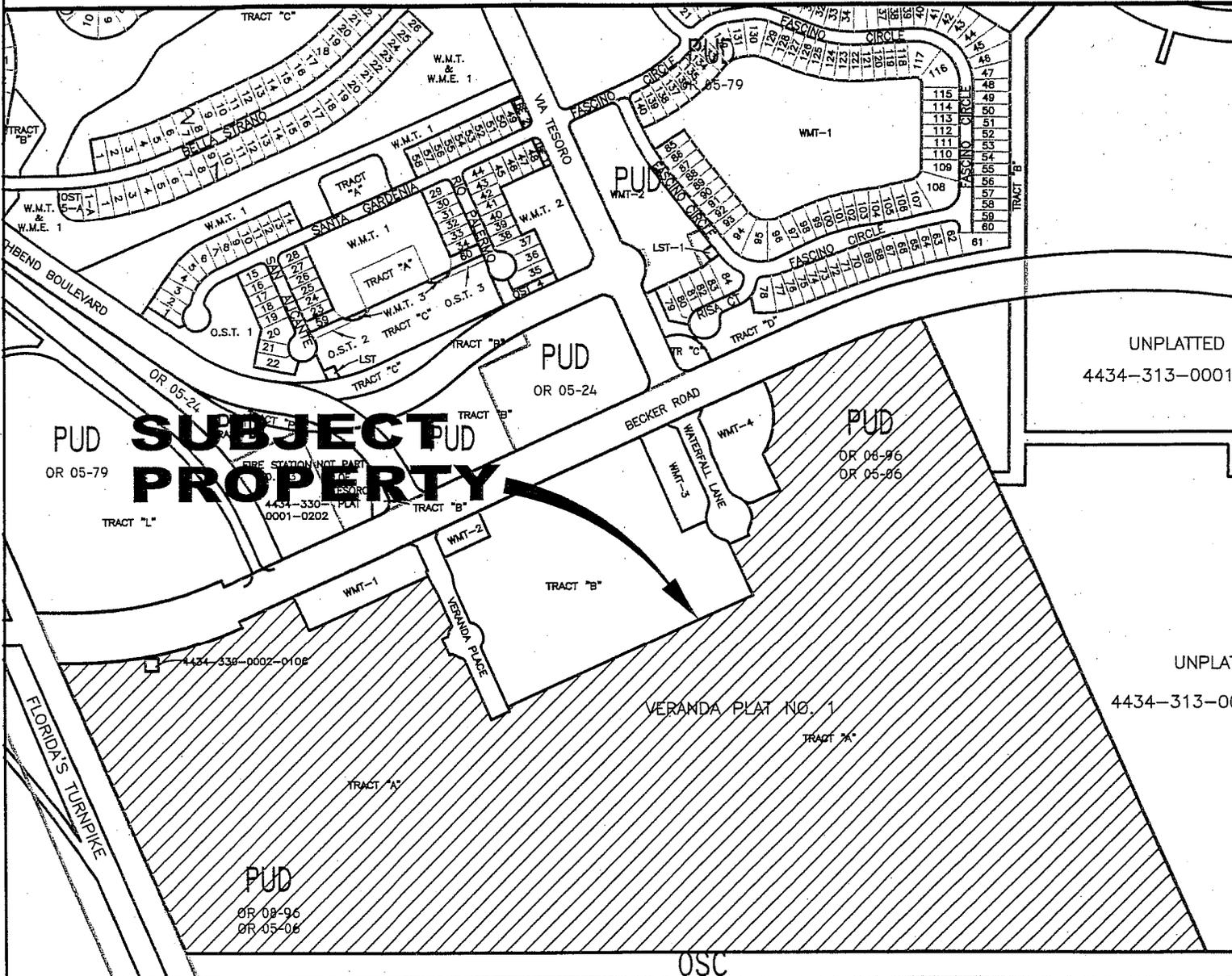
CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT PZ2011.DWG

SPECIAL EXCEPTION USE  
TRACT "A"  
VERANDA PLAT

DATE:	7/28/2011
APPLICATION NUMBER:	P11-094
CADD FILE NAME:	P11-094M
SCALE:	1"=600'

# EXISTING ZONING



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ2011.DWG

SPECIAL EXCEPTION USE  
TRACT "A"  
VERANDA PLAT

DATE: 7/28/2011

APPLICATION NUMBER:  
P11-094

CADD FILE NAME:  
P11-094M

SCALE: 1"=600'

**APPLICATION FOR SPECIAL EXCEPTION USE**

CITY OF PORT ST. LUCIE  
Planning & Zoning Department  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984  
(772)871-5212 FAX: (772)871-5124

**FOR OFFICE USE ONLY**

Planning Dept. P11-094  
Fee (Nonrefundable) \$ 2,115.00  
Receipt # 11189

Refer to "Fee Schedule" for application fee. Make check payable to the "City of Port St. Lucie". Fee is nonrefundable unless application is withdrawn prior to being scheduled for the Site Plan Review Committee meeting or advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g., warranty deed, affidavit), lease agreement (where applicable), approved Concept Plan or Approved Site Plan, and a statement addressing each of the attached criteria.**

**PRIMARY CONTACT EMAIL ADDRESS:** \_\_\_\_\_

**PROPERTY OWNER:**

Name: St. Lucie Land Ltd. c/o Alex Muxo, VP  
Address: 450 East Las Olas Blvd., Ft. Lauderdale, FL 33301  
Telephone No.: 954-627-5015 Fax No.: 954-712-1410

**APPLICANT (IF OTHER THAN OWNER, ATTACH AUTHORIZATION TO ACT AS AGENT):**

Name: Culpepper & Terpening, Inc. c/o Patrick J. Ferland, PE  
Address: 2980 South 25th St., Ft. Pierce, FL  
Telephone No.: 772-464-3537 Fax No.: 772-464-9497

**RECEIVED**

JUL 20 2011

**SUBJECT PROPERTY:**

Legal Description: See Survey  
Parcel I.D Number: 4434-701-0007-000-6  
Address: TBD (East of FL Turnpike, south of Becker Road) Bays: NA  
Development Name: Veranda Falls (Attach Sketch and/or Survey)  
Gross Leasable Area (sq. ft.): 1.59 ac/69,377 sf Assembly Area (sq. ft.): \_\_\_\_\_  
Current Zoning Classification: CG SEU Requested: Drive-thru

Please state, as detailed as possible, reasons for requesting proposed SEU (continue on separate sheet, if necessary):

The 1.59 acre subject property is within the 134 acre Tract A of Veranda Plat No. 1 which is part of the St. Lucie Land Plat No. 1 PUD. This application is to allow for a drive-thru which is an acceptable use with the PUD. Please see the attached responses to the Special Use Criteria for more information.

  
Signature of Applicant

ALEX MUXO JR.  
Hand Print Name

7/19/11  
Date

**NOTE:** Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted.  
H:\PZ\SHARED\APPLCTN\SEU\APPL (06/21/11)

### SPECIAL EXCEPTION USES

The Planning and Zoning Board, and Zoning Administrator, may authorize the special exception use from the provisions of § 158.260. In order to authorize any special exception use from the terms of this chapter, the Planning and Zoning Board, or Zoning Administrator, will consider the special exception criteria in § 158.260 and consider your responses to the following when making a determination.

(A) Please explain how adequate ingress and egress will be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow, and control, and access in case of fire or other emergency.

The proposed development is within the St. Lucie Land PUD Master Plan which has an approved PUD with multiple access points for good automobile and pedestrian access. The proposed driveways provide proper circulation for a drive thru.

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(B) Please explain how adequate off-street parking and loading areas will be provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.

As the Site Plan illustrates, adequate off-street parking and loading areas are provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.

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(C) Please explain how adequate and properly located utilities will be available or will be reasonably provided to serve the proposed development.

The utilities are located underground as part of the approved PUD. Infrastructure in conjunction with the proposed drive-thru is in place and adequate easements will be provided for utilities.

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(D) Please explain how additional buffering and screening, beyond that which is required by the code, will be required in order to protect and provide compatibility with adjoining properties.

No additional buffering beyond that which is required is needed since the commercial areas are strategically located within the PUD and are part of an overall master plan. The location of the proposed drive-thru is typical for this type of commercial area within a PUD.

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(E) Please explain how signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

Proposed signage and lighting to serve the facility are shown on the Site plan. The applicant controls all surrounding properties.

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(F) Please explain how yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

The drive-thru site is located within the overall St. Lucie Land PUD Master Plan. The uses are all listed in the PUD as "acceptable" uses and all yards and open space requirements are being met or exceeded.

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(G) Please explain how the use, as proposed, will be in conformance with all stated provisions and requirements of the City's Land Development Regulation.

The proposed use will comply with the land use and zoning and all pertinent land development codes as the final site plan is reviewed and approved.

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(H) Please explain how establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the city.

The drive-thru will add to the convenience of the residences nearby. By meeting code requirements, it will have no negative impact on the health and safety of nearby residents.

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(I) Please explain how the proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

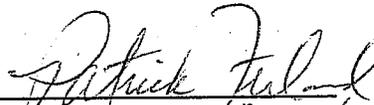
The Site plan shows that the drive-thru faces an internal roadway and therefore neighboring residents will not incur the nuisance or hazard associated with vehicular movement, noise, fume generation. Vehicular movement has been planned to be efficiently utilized within the overall project and designed to meet or exceed all applicable standards. Further, this use is specifically noted in the PUD as an "acceptable" use and the applicant controls all surrounding property.

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(J) Please explain how the use, as proposed for development, will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access, location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

The proposed site is surrounded by properties with similar uses. An aerial and land use exhibit are included with the application to illustrate the compatibility and identify the surrounding uses.

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Signature of Applicant *Agent*

Patrick J. Ferland, PE 7-20-11  
Hand Print Name Date

PLEASE NOTE:

(K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.

(L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

ST. LUCIE LAND LTD.  
450 East Las Olas Boulevard  
Suite 1500  
Fort Lauderdale, Florida 33301  
Phone (954) 627-5015

July 8, 2011

City of Port St. Lucie  
South Florida Water Management District  
Florida Dept of Environmental Protection

RE: Veranda Falls Service Station

Please be advised that St. Lucie Land Ltd. hereby authorizes Culpepper & Terpening, Inc. to act as its agents relative to the above referenced property and project.

Sincerely,

St. Lucie Land Ltd.

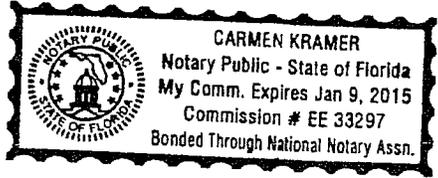
By:       ALEX MUXO JR.      VICE PRESIDENT      7/11/11  
Signature      Print name      Title      Date

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of JULY, 2011 by ALEX MUXO JR., as VICE PRESIDENT, who is personally known to me on behalf of ST. LUCIE LAND LTD. a Florida Corporation or LLC.

[Notary Seal or Stamp]

  
Notary Public-State of Florida



Print Name: CARMEN KRAMER  
My Commission Expires: 1/9/15

**2011 LIMITED PARTNERSHIP ANNUAL REPORT**

**FILED  
Apr 19, 2011  
Secretary of State**

DOCUMENT# A96000000646

Entity Name: ST. LUCIE LAND, LTD.

**Current Principal Place of Business:**

450 E. LAS OLAS BLVD, SUITE 1500  
FT. LAUDERDALE, FL 33301

**New Principal Place of Business:**

450 E LAS OLAS BLVD, STE 1500  
FT. LAUDERDALE, FL 33301

**Current Mailing Address:**

450 E. LAS OLAS BLVD, SUITE 1500  
FT. LAUDERDALE, FL 33301

**New Mailing Address:**

450 E LAS OLAS BLVD, STE 1500  
FT. LAUDERDALE, FL 33301

FEI Number: 65-0675026

FEI Number Applied For ( )

FEI Number Not Applicable ( )

Certificate of Status Desired ( )

**Name and Address of Current Registered Agent:**

SERVICE U.S.A., INC.  
450 E. LAS OLAS BLVD, STE 1500  
FT. LAUDERDALE, FL 33301 US

**Name and Address of New Registered Agent:**

SERVICE U.S.A., INC.  
450 E LAS OLAS BLVD, STE 1500  
FT. LAUDERDALE, FL 33301 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

\_\_\_\_\_  
Electronic Signature of Registered Agent

04/19/2011

\_\_\_\_\_  
Date

**GENERAL PARTNER INFORMATION:**

Document #: P96000029309  
Name: ST. LUCIE LAND CORP.  
Address: 450 EAST LAS OLAS BLVD., #1500  
City-St-Zip: FT. LAUDERDALE, FL 33301

**ADDRESS CHANGES ONLY:**

Address: 450 E LAS OLAS BLVD, STE 1500  
City-St-Zip: FT. LAUDERDALE, FL 33301

I hereby certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a General Partner of the limited partnership or the receiver or trustee empowered to execute this report as required by Chapter 620, Florida Statutes.

SIGNATURE: CRIS BRANDEN

\_\_\_\_\_  
Electronic Signature of Signing General Partner

VP

04/19/2011

\_\_\_\_\_  
Date

# 2011 FOR PROFIT CORPORATION ANNUAL REPORT

FILED  
Apr 19, 2011  
Secretary of State

DOCUMENT# P96000029309

Entity Name: ST. LUCIE LAND CORP.

**Current Principal Place of Business:**

450 EAST LAS OLAS BLVD.  
SUITE 1500  
FT. LAUDERDALE, FL 33301

**New Principal Place of Business:**

450 E LAS OLAS BLVD, STE 1500  
FT. LAUDERDALE, FL 33301

**Current Mailing Address:**

450 EAST LAS OLAS BLVD.  
SUITE 1500  
FT. LAUDERDALE, FL 33301

**New Mailing Address:**

450 E LAS OLAS BLVD, STE 1500  
FT. LAUDERDALE, FL 33301

FEI Number: 65-0675022

FEI Number Applied For ( )

FEI Number Not Applicable ( )

Certificate of Status Desired ( )

**Name and Address of Current Registered Agent:**

SERVICE U.S.A., INC.  
450 E. LAS OLAS BLVD.  
SUITE 1500  
FORT LAUDERDALE, FL 33301 US

**Name and Address of New Registered Agent:**

SERVICE U.S.A., INC.  
450 E LAS OLAS BLVD, STE 1500  
FORT LAUDERDALE, FL 33301 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: \_\_\_\_\_

Electronic Signature of Registered Agent

04/19/2011

Date

**OFFICERS AND DIRECTORS:**

Title: VT  
Name: BRANDEN, CRIS V  
Address: 450 E LAS OLAS BLVD, STE 1500  
City-St-Zip: FT. LAUDERDALE, FL 33301

Title: DP  
Name: HUIZENGA, H. WAYNE JR.  
Address: 450 E LAS OLAS BLVD, STE 1500  
City-St-Zip: FORT LAUDERDALE, FL 33301

Title: S  
Name: HANDLEY, RICHARD L  
Address: 450 E LAS OLAS BLVD, STE 1500  
City-St-Zip: FORT LAUDERDALE, FL 33301

Title: V  
Name: HENNINGER, ROBERT JR  
Address: 450 E LAS OLAS BLVD, STE 1500  
City-St-Zip: FORT LAUDERDALE, FL 33301

Title: V  
Name: MUXO, ALEX  
Address: 450 E LAS OLAS BLVD, SUITE 1500  
City-St-Zip: FORT LAUDERDALE, FL 33301

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: CRIS BRANDEN

Electronic Signature of Signing Officer or Director

VP

04/19/2011

Date

JoAnne Holman, Clerk of the Circuit Court - St. Lucie County  
File Number: 1464478 OR BOOK 1008 PAGE 0886  
Recorded: 04-09-96 11:12 A.M.

THIS INSTRUMENT PREPARED BY:

Eric A. Simon, Esquire  
Kopelowitz & Plafsky, P.A.  
750 Southeast Third Avenue  
Suite 100  
Fort Lauderdale, Florida 33316

\* Doc Assump: \$ 0.00  
\* Doc Tax : \$ 22812.30  
\* Int Tax : \$ 0.00

RETURN  
D:

PENINSULA STATE TITLE  
18401 MURDOCK CIRCLE  
PT. CHARLOTTE, FL 33948

**COPY**  
SPECIAL WARRANTY DEED

THIS WARRANTY DEED, made and entered into as of the 5 day of April, 1996, by ATLANTIC GULF COMMUNITIES CORPORATION, a Delaware corporation, whose address is 2601 South Bayshore Drive, Miami, Florida 33133-5461, hereinafter called the Grantor, to ST. LUCIE LAND, LTD., a Florida limited partnership, whose address is c/o Huizenga Holdings, Inc., 200 South Andrews Avenue, 6th Floor, One Blockbuster Boulevard, Fort Lauderdale, Florida 34990, hereinafter called the Grantee. Grantee's Tax Identification No.:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee all that certain land (the "Property") situate in St. Lucie County, Florida, vis:

See Exhibit "A" attached hereto

Property Appraiser's Identification Nos.:

This conveyance is subject to the following: (i) real estate taxes and assessments for the year 1996 and all subsequent years; (ii) All laws, ordinances, regulations, restrictions, prohibitions and other requirements imposed by governmental authority, including, but not limited to, all applicable building, zoning, land use and environmental ordinances and regulations; and (iii) the matters set forth on Exhibit "B" attached hereto and by this reference made a part hereof.

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

TO HAVE AND TO HOLD, THE SAME IN FEE SIMPLE FOREVER.

AND, except as set forth on Exhibit "A" attached hereto, the Grantor hereby covenants with said Grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever claiming by, through, or under Grantor, but none others; and that said land is free of all encumbrances except as above set forth.

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

WITNESSES:

[Signature]  
(1) Witness Signature

Eric A. Simon  
Type or Print Witness Name

[Signature]  
(2) Witness Signature

Simon Forsy  
Type or Print Witness Name

ATLANTIC GULF COMMUNITIES CORPORATION, a Delaware corporation

By: [Signature]

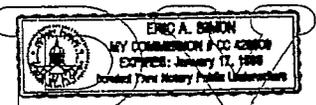
JAY C. FERTIG, Senior Vice President  
2601 South Bayshore Drive  
Miami, Florida 33133-5461

STATE OF FLORIDA )  
                                  ) ss:  
COUNTY OF DADE )

The foregoing instrument was acknowledged before this 5 day of April, 1996, by JAY C. FERTIG, Senior Vice President of Atlantic Gulf Communities Corporation, a Delaware corporation, on behalf of the corporation. He is personally known to me or has produced \_\_\_\_\_ as identification.

[Signature]  
NOTARY PUBLIC  
State of Florida

My Commission Expires:



COPY

COPY

COPY

EXHIBIT "A"

INCLUDED PROPERTY

The property described in this Exhibit "A" includes the following:

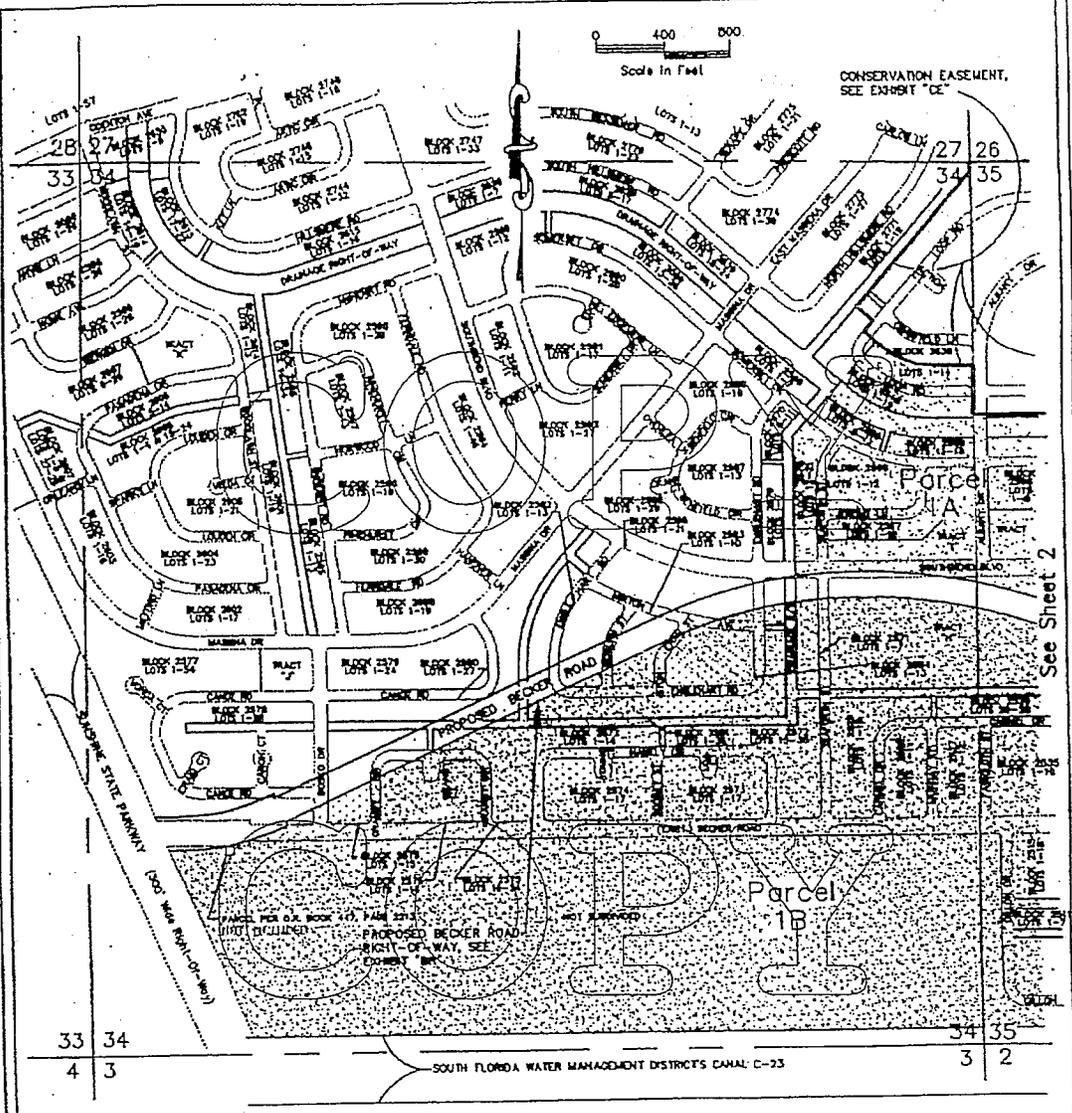
1. PARCEL 1A as described on Sheet 3 of the attached exhibit.
2. PARCEL 1B as described on Sheet 4 of the attached exhibit.
3. The "Conservation Easement Property" as described on Sheets 5-8 of the attached exhibit (labeled on the attached exhibit as Exhibit "CE").
4. Tract "F" of Port St. Lucie Section Thirty Eight, according to the Plat thereof recorded in Plat Book 15, at Page 29, of the Public Records of St. Lucie County, Florida. (Such Tract is included within this conveyance notwithstanding the fact that it is excepted from the legal description of PARCEL 1B as contained in the attached exhibit)

The property conveyed by this deed includes all road rights-of-way, drainage rights-of-way, and other dedicated rights-of-way or tracts within PARCEL 1A and PARCEL 1B, to the extent owned by Grantor, (including but not limited to any right of way for existing Becker Road as portrayed on the plat of Port St. Lucie Section Thirty Eight, recorded in Plat Book 15, at Page 29, of the Public Records of St. Lucie County, Florida, or as described in Deed Book 142, Page 513, and Deed Book 144, Page 501, of the Public Records of St. Lucie County, Florida) notwithstanding the fact that same are excepted from the legal description of PARCEL 1A and PARCEL 1B as contained in the attached exhibit, however Grantor does not warrant the title to same. Grantor hereby assigns to Grantee any reversionary or restrictive rights and any other interests or rights that Grantor may have in and to same.

EXCLUDED PROPERTY

The property described in this Exhibit "A" does not include the proposed right-of-way as described on Sheet 9 of the attached exhibit.

COPY



File: SOV-1AB.DWG

March 23, 1996

**SKETCH OF DESCRIPTION**  
 PREPARED FOR  
**SOVEREL MANAGEMENT, INC.**

**PARCELS 1A & 1B**  
 IN SECTION 34  
 TOWNSHIP 37 SOUTH, RANGE 40 EAST  
 ST. LUCIE COUNTY, FLORIDA

**CONSULTING ENGINEERS & LAND SURVEYORS**

**CULPERPER & TERPENING, INC.**

2980 South 25th Street  
 FORT PIERCE, FLORIDA 34982  
 (407) 464-3537

Sheet 1 of 11

ILLEGIBLE  
When Received For Filing

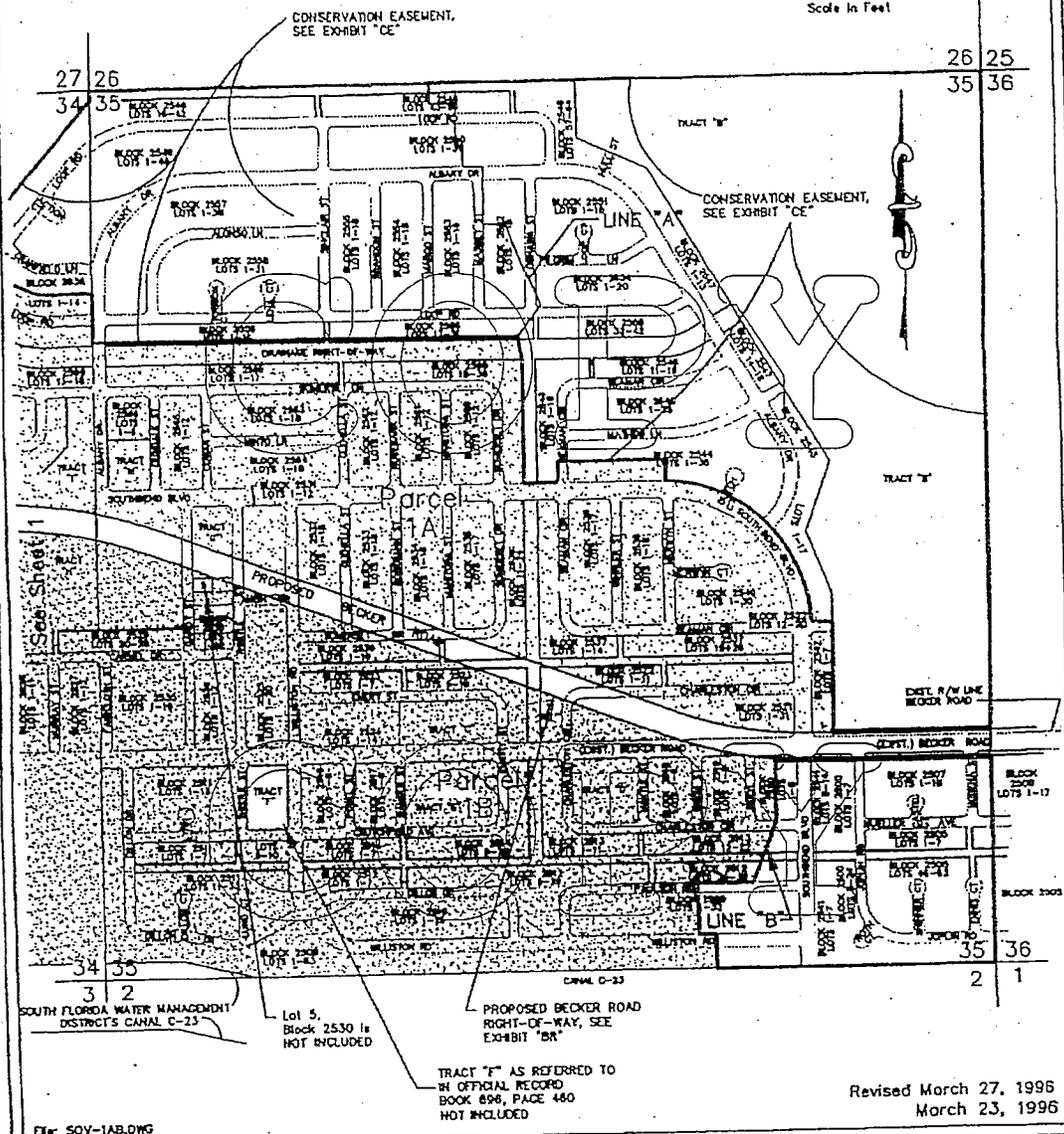
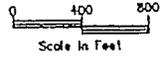


Fig. 50V-1AB.DWG

Revised March 27, 1996  
March 23, 1996

<p><b>SKETCH OF DESCRIPTION</b> PREPARED FOR <b>SOVEREL MANAGEMENT, INC.</b></p>		<p><b>CONSULTING ENGINEERS &amp; LAND SURVEYORS</b> 2980 South 25th Street FORT PIERCE, FLORIDA 34982 (407) 464-3537 Sheet 2 of 11</p>
<p><b>PARCELS 1A &amp; 1B</b> IN SECTION 35 TOWNSHIP 37 SOUTH RANGE 40 EAST ST. LUCIE COUNTY, FLORIDA</p>		

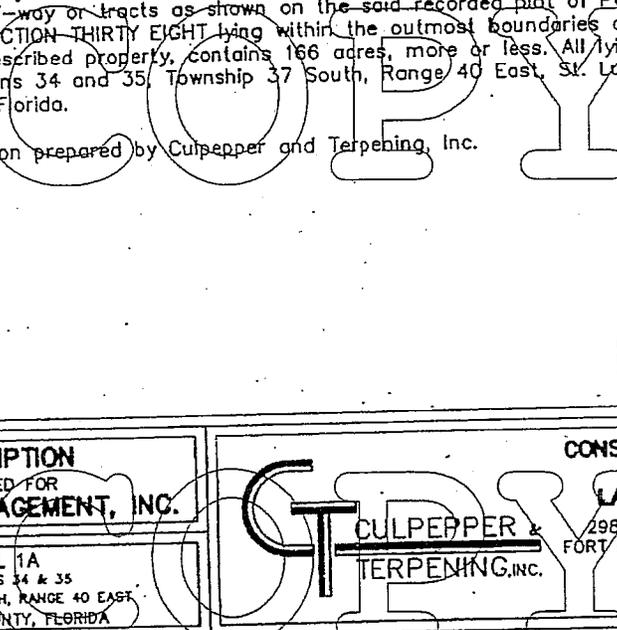
ILLEGIBLE  
When Received For Filing

**PARCEL 1A - DESCRIPTION**

All that part of the plat of PORT ST. LUCIE SECTION THIRTY EIGHT as recorded in Plat Book 15 at Page 29 of the Public Records of St. Lucie County, lying Southerly and Westerly of the Conservation Easement described on attached Exhibit "GE", and Westerly of the North 10 feet of the South 35 feet of TRACT "B" of said PORT ST. LUCIE SECTION THIRTY EIGHT and lying Northerly and Easterly of the 150 foot wide Proposed Right-Of-Way for Becker Road as described on attached Exhibit "BR", and lying Easterly of the Westerly line of that portion of Block 2570 comprising Lots 12 through 21 (and the Southerly extension thereof to the Northerly Proposed right-of-way line for Becker Road) as shown on said plat of PORT ST. LUCIE SECTION THIRTY EIGHT, and lying Easterly of the Westerly line of Lot 8 in Block 2569 (and the Northeasterly extension thereof to the Southerly line of the above referenced Conservation Easement) as shown on said plat of PORT ST. LUCIE SECTION THIRTY EIGHT, and lying East of a line connecting the Northerly most corner of that portion of said Block 2570 comprising Lots 12 through 21 with the Southwesterly corner of said Lot 8 in Block 2569, TOGETHER WITH the North 10 feet of the South 35 feet of said TRACT "B", LESS road rights-of-way, drainage rights-of-way and other dedicated rights-of-way or tracts as shown on the said recorded plat of PORT ST. LUCIE SECTION THIRTY EIGHT. The herein described parcel TOGETHER WITH all road rights-of-way, drainage rights-of-way and other dedicated rights-of-way or tracts as shown on the said recorded plat of PORT ST. LUCIE SECTION THIRTY EIGHT lying within the outmost boundaries of the above described property, contains 166 acres, more or less. All lying in Sections 34 and 35, Township 37 South, Range 40 East, St. Lucie County, Florida.

Description prepared by Culpepper and Terpening, Inc.

Revised March 29, 1996  
 Revised March 28, 1996  
 Revised March 26, 1996  
 March 23, 1996

<p><b>DESCRIPTION</b>          PREPARED FOR  <b>SOVEREL MANAGEMENT, INC.</b></p>	 <p><b>CULPEPPER &amp; TERPENING, INC.</b></p>	<p><b>CONSULTING ENGINEERS &amp; LAND SURVEYORS</b></p>
<p><b>PARCEL 1A</b>          IN SECTIONS 34 &amp; 35          TOWNSHIP 37 SOUTH, RANGE 40 EAST          ST. LUCIE COUNTY, FLORIDA</p>		<p>2980 South 25th Street          FORT PIERCE, FLORIDA 34982          (407) 464-3537          Sheet 3 of 11</p>

**PARCEL 1B - DESCRIPTION**

All that part of the South 1/2 of Section 34, Township 37 South, Range 40 East, St. Lucie County, Florida, and that portion of the plat of PORT ST. LUCIE SECTION THIRTY EIGHT as recorded in Plat Book 15 at Page 29 of the Public Records of St. Lucie County, lying Westerly of the Conservation Easement described on attached Exhibit "CE", and Westerly of Lot 5, Block 2529 of said PORT ST. LUCIE SECTION THIRTY EIGHT and lying Southerly of the Proposed Right-Of-Way for Becker Road as described on attached Exhibit "BR", and lying Easterly of the Easterly line of a 300 foot wide right-of-way for the Sunshine State Parkway, and lying North of the South Florida Water Management District's Canal number 23 (C-23), TOGETHER WITH that portion of the North 35 feet of the following: Lot 5, Block 2520 and Lot 14, Block 2541 and Lot 1, Block 2500 and Lots 1 through 7, Block 2507 and that portion of Lot 1, Block 2506 lying West of the East line of Section 35, Township 37 South, Range 40 East, lying South of the Proposed Right-Of-Way for Becker Road as described on attached Exhibit "BR"; LESS Tract "F" of said PORT ST. LUCIE SECTION THIRTY EIGHT (as conveyed in Official Record Book 696, Page 460 of the Public Records of St. Lucie County, Florida), also LESS Lot 5, Block 2530 and road rights-of-way, drainage rights-of-way and other dedicated rights-of-way or tracts as shown on the said recorded plat of PORT ST. LUCIE SECTION THIRTY EIGHT, also LESS that parcel of land described in Official Record Book 447, at page 2213 of the Public Records of St. Lucie County, Florida. The herein described parcel TOGETHER WITH all road rights-of-way drainage rights-of-way and other dedicated rights-of-way or tracts as shown on the said recorded plat of PORT ST. LUCIE SECTION THIRTY EIGHT lying within the outmost boundaries of the above described property, contains 376 acres, more or less. All lying in Sections 34 and 35, Township 37 South, Range 40 East, St. Lucie County, Florida.

Description prepared by Culpepper and Terpening, Inc.

Revised March 29, 1996  
 Revised March 28, 1996  
 Revised March 27, 1996  
 Revised March 26, 1996  
 March 23, 1996

<p><b>DESCRIPTION</b>                  PREPARED FOR  <b>SOVEREL MANAGEMENT, INC.</b></p>	<p><b>CONSULTING ENGINEERS &amp; LAND SURVEYORS</b></p>
<p><b>PARCEL 1B</b>                  IN SECTIONS 34 &amp; 35                  TOWNSHIP 37 SOUTH, RANGE 40 EAST                  ST. LUCIE COUNTY, FLORIDA</p>	<p><b>CULPPER &amp; TERPENING, INC.</b>                  2980 South 25th Street                  FORT PIERCE, FLORIDA 34982                  (407) 464-3537                  Sheet 4 of 11</p>

DESCRIPTION

All of the following described lands as shown on the plat of PORT ST. LUCIE SECTION THIRTY EIGHT as recorded in Plat Book 15 at Page 29 of the Public Records of St. Lucie County, Florida.

All of Blocks 2549, 2553, 2554, 2555, 2557, 2558; Lots 15 through 50, the South one half (1/2) of Lots 51 and 52, Block 2548; Lots 1 through 9 and Lots 22 through 31, Block 2550; Lots 1 through 6, and 18, Block 2552; The North 105.00 feet of Lots 1 through 30, Block 2556, Lots 1 through 6 Block 2636.

TOGETHER WITH

A portion of LOOP ROAD (North portion) bounded on the Southwest by the Northwestern prolongation of the Southwesterly line of Lot 1, Block 2636 and bounded on the East by the Southerly prolongation of the West line of Lot 53 of said Block 2548.

TOGETHER WITH

All of ACTION COURT, CRANFIELD LANE, SINCOUR STREET, BRANDON STREET, MARGO STREET, MASSEY STREET, LENA COURT, TOWSON COURT and ALONSO LANE.

TOGETHER WITH

A portion of LOOP ROAD (South portion) bounded on the East by the Southerly prolongation of the Easterly line of Lot 18, of said Block 2552 and bounded on the West by the Southerly prolongation of the Westerly line of Lot 1 of said Block 2557.

TOGETHER WITH

A portion of ALBANY DRIVE bounded on the South by a line parallel with and 20.00 feet North of the Westerly prolongation of the South line of Lot 1, of said Block 2556, and bounded on the East by the Northerly prolongation of the Easterly Right-of-Way line of MASSEY STREET.

TOGETHER WITH

All of Lot 17 of said Block 2552 and portions of Lots 13 through 16 of said Block 2552, a portion of Lot 20 of said Block 2634, a portion of Lot 31 of said Block 2556, a portion of OSHAWA STREET and a portion of said LOOP ROAD (South portion) lying Westerly of the following described LINE "A".

LINE "A":

Beginning at the Northeast corner of Lot 6 of said Block 2552; thence S23° 49' 14" E for 524.87 feet; thence S 37° 15' 22" W for 232.45 feet for the Point of Termination, said point also being a point on the East Line and 20.00 feet North of the Southeast corner of Lot 30 of said Block 2556.

TOGETHER WITH

A portion of that certain 60.00-foot wide Drainage Right-of-Way lying Northerly of and adjacent to said Block 2548, bounded on the West by the West line of Section 35, Township 37 South, Range 40 East and bounded on the East by the Northerly prolongation of the East line of Lot 30 of said Block 2548.

TOGETHER WITH

The North 105.00 feet of that certain 30.00 feet wide Drainage Right-of-Way lying between Lots 18 and 17 of said Block 2556.

TOGETHER WITH

All of that certain 30.00 feet wide Drainage Right-of-Way lying between Lots 42 and 43 of said Block 2548.

TOGETHER WITH

All of that certain 30.00 feet wide Drainage Right-of-Way lying between Lots 15 and 16 of said Block 2548.

(REV. 1 - MOD DESC (35') 2-6-95)

FILE 907-08109

EXHIBIT "CE" FOR DESCRIPTION OF PARCELS 1A & 1B

March 23, 1996

SKETCH OF DESCRIPTION  
PREPARED FOR  
SOVEREL MANAGEMENT, INC.

CONSERVATION EASEMENT  
SECTIONS 34 AND 35,  
TOWNSHIP 37 SOUTH, RANGE 40 EAST  
ST. LUCIE COUNTY, FLORIDA

CULPREPER &  
TERPENING, INC.

CONSULTING ENGINEERS  
&  
LAND SURVEYORS  
2980 South 25th Street  
FORT PIERCE, FLORIDA 34982  
(407) 464-3537  
Sheet 5 of 11

TOGETHER WITH

All of Blocks 2543, 2545, 2546, 2547, 2551; Lots 1 through 25, Block 2544; The North one half of Lots 51 and 52 and Lots 53 through 64, Block 2548; Lots 10 through 21, Block 2550; Lots 7 through 12 and the Northeast portion of Lots 13, 14, 15 and 16, lying Easterly of said LINE "A", Block 2552; that portion of OSHAWA Street lying Easterly of Line "A" and lying Southerly of the South Right-of-Way line of Albany Drive; The Southeast portion of Lot 31 lying Easterly of said LINE "A", and Lots 32 through 42, Block 2556; and that portion of TRACT "B" lying West of the East line of Section 35, LESS AND EXCEPT the South 35.00 feet of said Tract "B", lying contiguous to the North Right-of-Way line of Becker Road (a 100.00 foot Right-of-Way); and all of PILGRIM LANE, LOOP COURT, HULL STREET, MATHEW LANE AND DUTCH COURT.

TOGETHER WITH

That portion of LOOP ROAD (North Portion) lying East of the Southerly prolongation of the West line of said Lot 53, Block 2548, and lying North of the Northerly Right-of-Way line of ALBANY DRIVE.

TOGETHER WITH

That portion of ALBANY DRIVE lying East on the Northerly prolongation of the East Right-of-Way line of MASSEY STREET and lying Northeasterly of the Northeasterly Right-of-Way line of SOUTHBEND BOULEVARD.

TOGETHER WITH

That portion of LOOP ROAD (South portion) lying East of said LINE "A" and lying Southwesterly of the Southwesterly Right-of-Way line of said ALBANY ROAD.

TOGETHER WITH

That portion of SEAMAN CIRCLE lying Northerly of the Westerly prolongation of the North line of Lot 35, Block 2544 and lying Southwesterly of the Southwesterly Right-of-Way line of said ALBANY DRIVE.

TOGETHER WITH

All that certain DRAINAGE RIGHT-OF-WAY being bounded as follows: On the West by the Northerly prolongation of the East line of Lots 29 through 35, Block 2559, and the East line of said Lots 29 through 35, Block 2559; on the South by the North Right-of-Way line of SOUTHBEND BOULEVARD and the Northerly line of Lots 8 through 19, Block 2548; on the Northeast by the Southwesterly Right-of-Way line of ALBANY DRIVE; on the East by the West line of Lots 1 through 8, Block 2548; on the North by the South line of Lots 31 through 42 of Block 2556.

TOGETHER WITH

All that certain Drainage Right-of-Way lying between Lots 13 and 14, said Block 2547.

TOGETHER WITH

All that certain Drainage Right-of-Way lying between lots 56 and 57, of Block 2548.

TOGETHER WITH

All that certain DRAINAGE RIGHT-OF-WAY being bounded as follows: On the East by the West line of said Tract "B"; on the South by the North line of said Block 2548; on the North by the boundary line of said PORT ST. LUCIE SECTION THIRTY-EIGHT; on the West by the Northerly prolongation of the West line of said Lot 51, Block 2548.

File 10V-01210

EXHIBIT "CE" FOR DESCRIPTION OF PARCELS 1A & 1B

March 23, 1996

SKETCH OF DESCRIPTION  
PREPARED FOR  
SOVEREL MANAGEMENT, INC.

CONSERVATION EASEMENT  
SECTIONS 34 AND 35,  
TOWNSHIP 37 SOUTH, RANGE 40 EAST  
ST. LUCIE COUNTY, FLORIDA

CONSULTING ENGINEERS  
&  
LAND SURVEYORS

2980 South 25th Street  
FORT PIERCE, FLORIDA 34982  
(407) 464-3537

Sheet 6 of 11

CULPEPPER &  
TERPENING, INC.

TOGETHER WITH:  
All of Blocks 2507 and 2541, LESS AND EXCEPT the North 35.00 feet thereof, lying contiguous to the South Right-of-Way line of Becker Road (a 100.00 foot Right-of-Way); Lots 1 through 23, Block 2500 and that portion of Lot 24 of said Block 2500 lying West of the West line of Section 36, Township 37 South, Range 40 East; Lots 1 through 8 and Lots 45 through 52, Block 2505 and that portion of Lots 9, 42 through 45 lying West of the West line of said Section 36; that portion of Lots 1, 15, 16 and 17, Block 2508 lying west of the west line of said Section 36, LESS AND EXCEPT the North 35.00 feet of said Lot 1, lying contiguous to the South Right-of-Way line of Becker Road (a 100.00 foot Right-of-Way); Lots 58 through 63, Block 2508; Lots 10 through 23, Block 2509; Lot 22 and that portion of Lots 20 and 21, Block 2513 lying East of a line connecting the Southwest corner of Lot 8, Block 2520 with the Southeast corner of Lot 38, Block 2512 (LINE "B"); Lots 38 and 39, Block 2512 and that portion of Lot 37 of said Block 2512 lying East of said LINE "B"; Lots 5 through 8, Block 2520, LESS AND EXCEPT the North 35.00 feet of said Lot 5, lying contiguous to the South Right-of-Way line of Becker Road (a 100.00 foot Right-of-Way).

TOGETHER WITH  
All of ENNIS COURT, SKINNER COURT, ROTH COURT, CASTELL COURT, MODENA STREET, LESS AND EXCEPT the North 35.00 feet thereof, lying contiguous to the South Right-of-Way line of Becker Road (a 100.00 foot Right-of-Way); and that portion of CHARLESTON CIRCLE South of BECKER ROAD AND lying East of LINE "B" (as described above).

TOGETHER WITH  
That portion of SOUTHBEND BOULEVARD lying Southerly of the South Right-of-Way line of BECKER ROAD; LESS AND EXCEPT the North 35.00 feet thereof, lying contiguous to the South Right-of-Way line of Becker Road (a 100.00 foot Right-of-Way).

TOGETHER WITH  
That portion of PAULSON ROAD lying Easterly of the Northerly prolongation of the West line of Lot 10, Block 2509 and lying Westerly of the West Right-of-Way line of said SOUTHBEND BOULEVARD.

TOGETHER WITH  
That portion of WALLISTON ROAD lying Easterly of the Northerly prolongation of the West line of Lot 58, Block 2508 and lying Westerly of the West Right-of-Way line of said SOUTHBEND BOULEVARD.

TOGETHER WITH  
That portion of MUELLER AVENUE lying Westerly of the West line of said Section 36 and lying Easterly of the East Right-of-Way line of JOPLIN ROAD.

TOGETHER WITH  
That portion of JOPLIN ROAD lying Westerly of the West line of said Section 36 and lying Southerly of the South Right-of-Way line of BECKER ROAD, LESS AND EXCEPT the North 35.00 feet thereof, lying contiguous to the South Right-of-Way line of Becker Road (a 100.00 foot Right-of-Way).

TOGETHER WITH  
All that certain DRAINAGE RIGHT-OF-WAY being bounded as follows:  
On the East by the West line of said Section 36; on the North by the South line of Lots 1 through 9, Block 2505; on the South by the North line of Lots 45, 46, 53, 54, 55, and 62, Block 2505; and on the West by the East Right-of-Way line of JOPLIN ROAD.

TOGETHER WITH  
All that certain Drainage Right-of-Way lying between Lots 7 and 8, Block 2505.

The SOY-ORLAND  
EXHIBIT "CE" FOR DESCRIPTION OF PARCELS 1A & 1B  
March 23, 1996

<p>SKETCH OF DESCRIPTION PREPARED FOR <b>SOVEREL MANAGEMENT, INC.</b></p>	<p><b>CT</b> <b>CULPEPPER &amp; TERPENING, INC.</b></p>	<p>CONSULTING ENGINEERS &amp; LAND SURVEYORS 2980 South 25th Street FORT PIERCE, FLORIDA 34982 (407) 464-3537 Sheet 7 of 11</p>
<p>CONSERVATION EASEMENT SECTIONS 34 AND 35, TOWNSHIP 37 SOUTH, RANGE 40 EAST ST. LUCIE COUNTY, FLORIDA</p>		

TOGETHER WITH  
All that certain Drainage Right-of-Way lying between Lots 45 and, 46, of Block 2505.

TOGETHER WITH  
All that certain DRAINAGE RIGHT-OF-WAY being bounded as follows:  
On the North by the South line of Lot 7, Block 2500 and the South line of Lot 8, Block 2541; on the East  
by the West line of JOPLIN ROAD; on the West by the East Right-of-Way line of SOUTHBEND  
BOULEVARD; and on the South by the North line of Lot 8, Block 2500 and the North line of Lot 7,  
Block 2541.

TOGETHER WITH  
All that certain DRAINAGE RIGHT-OF-WAY being bounded as follows:  
On the East by the West Right-of-Way line of SOUTHBEND BOULEVARD; on the South by the North  
line of Lots 37 through 39, Block 2512; on the West by the said LINE "B" and on the North by the  
South line of Lots 20 through 22, Block 2513.

Said lands situate, lying and being in the City of Port St. Lucie, St. Lucie County, Florida and containing  
326.0 acres, more or less.

COPY

COPY

THE BUY-DRIVING

EXHIBIT "CE" FOR DESCRIPTION OF PARCELS 1A & 1B

March 23, 1996

<p><b>SKETCH OF DESCRIPTION</b> PREPARED FOR <b>SOVEREL MANAGEMENT, INC.</b></p>	<p><b>CONSULTING ENGINEERS &amp; LAND SURVEYORS</b> <b>CULPEPPER &amp; TERPENING, INC.</b> 2980 South 25th Street FORT PIERCE, FLORIDA 34982 (407) 464-3537 Sheet 8 of 11</p>
<p><b>CONSERVATION EASEMENT</b> SECTIONS 34 AND 35, TOWNSHIP 37 SOUTH, RANGE 40 EAST ST. LUCIE COUNTY, FLORIDA</p>	

COPY

DESCRIPTION

A parcel of land lying in Sections 34 and 35, Township 37 South, Range 40 East, St. Lucie County, Florida, being a strip of land of varying widths, the centerline and specific widths of which are as follows:

For a point of reference, Commence at the Intersection of the Easterly right-of-way line of the Sunshine State Parkway (a 300 foot right-of-way, a local tangent along said right-of-way line bears North 23°34'25" West) with the existing centerline of Becker Road (variable width right-of-way) as portrayed on the Plat of Port St. Lucie Section Thirty-Eight, as recorded in Plat Book 15, at pages 29, and 29A through 29X, of the Public Records of St. Lucie County, Florida; said point also being the Point of Beginning of the following described centerline and the beginning of a 200.00 foot wide strip; with the north and south limits of said 200.00 foot wide strip extended or trimmed to intersect the easterly right-of-way line of the Sunshine State Parkway; thence South 89°50'23" East, along the centerline of said 200.00 foot wide strip, a distance of 110.00 feet to a point of curvature of a curve concave to the northwest, having a radius of 1475.00 feet; thence easterly and northeasterly through a central angle of 24°31'00", an arc distance of 631.15 feet to a point of tangency, at which point the 200.00 foot wide strip terminates and a 150.00 foot wide strip begins; the centerline of said strip refers to a 150.00 foot wide parcel hereinafter; thence continuing along said centerline of that 150.00 foot wide strip, North 85°38'37" East, a distance of 2460.00 feet to a point of curvature of a curve concave to the south, having a radius of 3000.00 feet; thence northeasterly, easterly and southeasterly, through a central angle of 44°15'00", an arc distance of 2316.92 feet to a point of tangency; thence South 70°06'23" East, a distance of 3276.40 feet to a point of curvature of a curve concave to the northeast, having a radius of 2200.00 feet; thence southeasterly and easterly, through a central angle of 19°54'20", an arc distance of 764.32 feet to a point of tangency and the centerline of that 100 foot wide right-of-way for Becker Road as portrayed on said plat entitled Port St. Lucie Section Thirty-eight; thence North 89°59'17" East, along said centerline, a distance of 1083.99 feet to an intersection with the East line of Section 35, Township 37 South, Range 40 East, and the Point of Terminus of the following described centerline, with the north and south limits of said 150.00 foot wide strip extended or trimmed to intersect said east line of Section 35.

LESS AND EXCEPT

Any portion of the 157.50 foot and 100 foot wide right-of-way for Becker Road as portrayed on the plat entitled Port St. Lucie Section Thirty-Eight, as recorded in Plat Book 15, at pages 29, 29A through 29X of the Public Records of St. Lucie County, Florida, lying within the above-described strip.

LESS AND EXCEPT

Any portion of the 100 foot wide right-of-way for Becker Road as described in Deed Book 142, page 513, and Deed Book 144, page 501, of the Public Records of St. Lucie County, Florida, lying within the above-described strip.

Said land contains 40.7 acres, more or less.

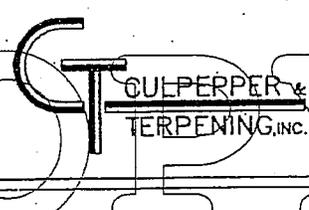
The 50V-DKLDWG

EXHIBIT "BR" FOR DESCRIPTION OF PARCELS 1A & 1B

March 23, 1996

SKETCH OF DESCRIPTION  
PREPARED FOR  
SOVEREL MANAGEMENT, INC.

PROPOSED RIGHT-OF-WAY  
BECKER ROAD  
SECTIONS 34 AND 35, TOWNSHIP 37 SOUTH, RANGE 40 EAST  
ST. LUCIE COUNTY, FLORIDA



CONSULTING ENGINEERS  
&  
LAND SURVEYORS

2980 South 25th Street  
FORT PIERCE, FLORIDA 34982  
(407) 464-3537

Sheet 9 of 11

OR. BOOK 1008 PAGE 0897





# COPY

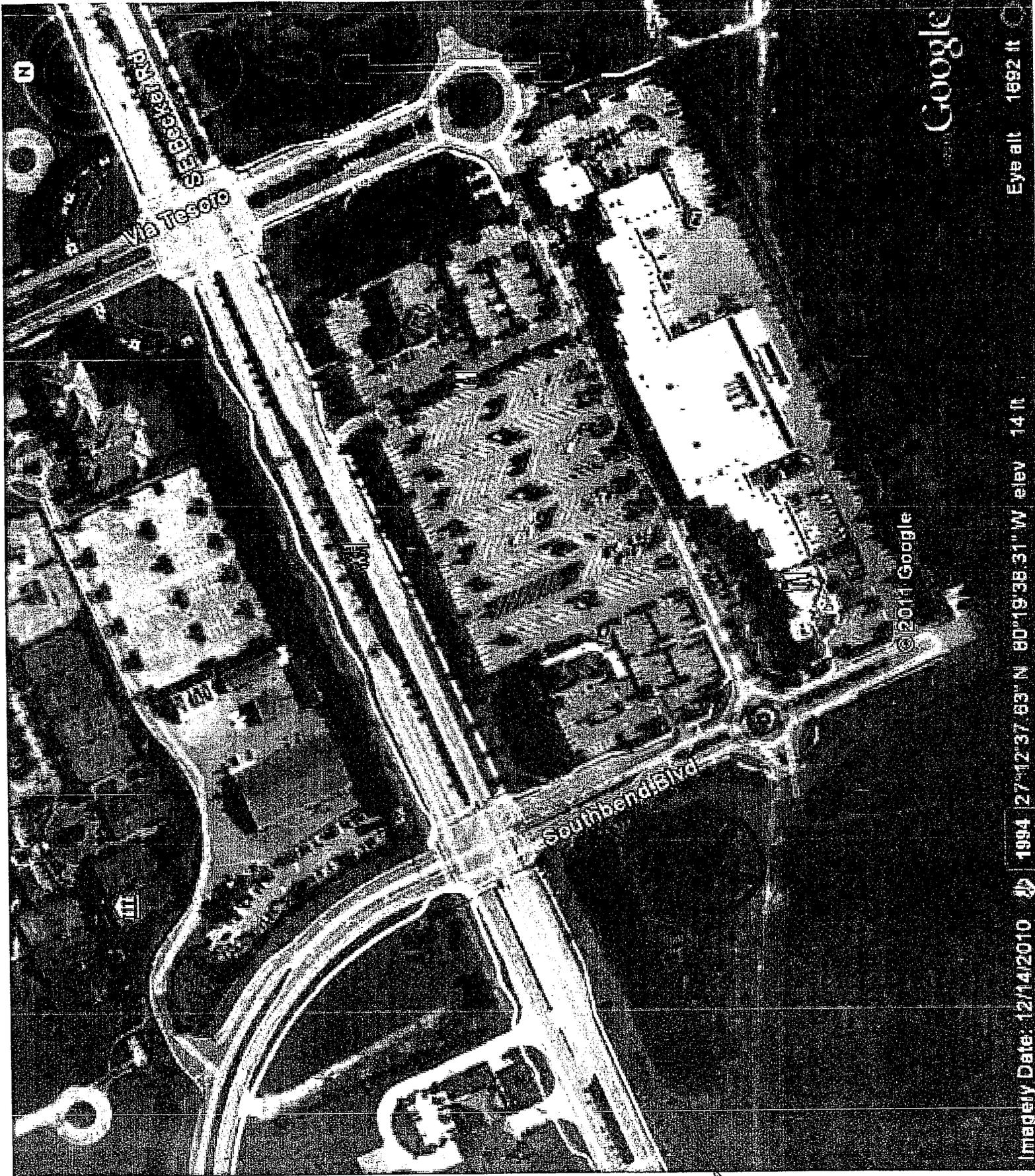
EXHIBIT B

## PERMITTED EXCEPTIONS

1. Taxes for the year 1996; taxes and assessments levied or assessed subsequent to the date hereof.
2. Easements contained in instruments recorded in Official Records Book 458, Page 2125; Official Records Book 459, Page 532; and Official Records Book 472, Page 2085.
3. Easements contained in instruments recorded in Official Records Book 482, Page 699 and Official Records Book 489, Page 2108.
4. Easements contained in instruments recorded in Official Records Book 498, Page 2515; Official Records Book 958, Page 1677; Official Records Book 958, Page 1637; and Official Records Book 462, Page 1815.
5. Assignment of Reversionary Rights recorded in Official Records Book 958, page 1617.
6. Subject to special assessments, if any, of the City of Port St. Lucie, assessed subsequent to the date hereof.
7. Assignment Agreement between General Development Corporation and Florida Power & Light Company assigning utility easements as shown on plats located in Port St. Lucie, recorded in Official Records Book 473, Page 1177.
8. Restrictions, conditions, reservations, easements, and other matters contained on the Plat of Port St. Lucie Section Thirty-Eight, as recorded in Plat Book 15, Pages 29, 29A through 29R.
9. Riparian and littoral rights are not insured.
10. Matters contained in survey prepared by Culpepper and Terpening, Inc. dated March 29, 1996, Job No. 2020.
11. Conservation Easement between Atlantic Gulf Communities Corporation, a Delaware corporation, and Florida Department of Environmental Protection, filed for record in Official Records Book 958, Page 1608.
12. Road Impact Fee Credit Agreement between St. Lucie County, Florida and Atlantic Gulf Communities Corporation for the Construction of a portion of Becker Road, filed for record in Official Records Book 990, Page 1568.

NOTE: All recording information pertains to the Public Records of St. Lucie County, Florida, unless otherwise indicated.

CR BOOK 1008 PAGE 0900



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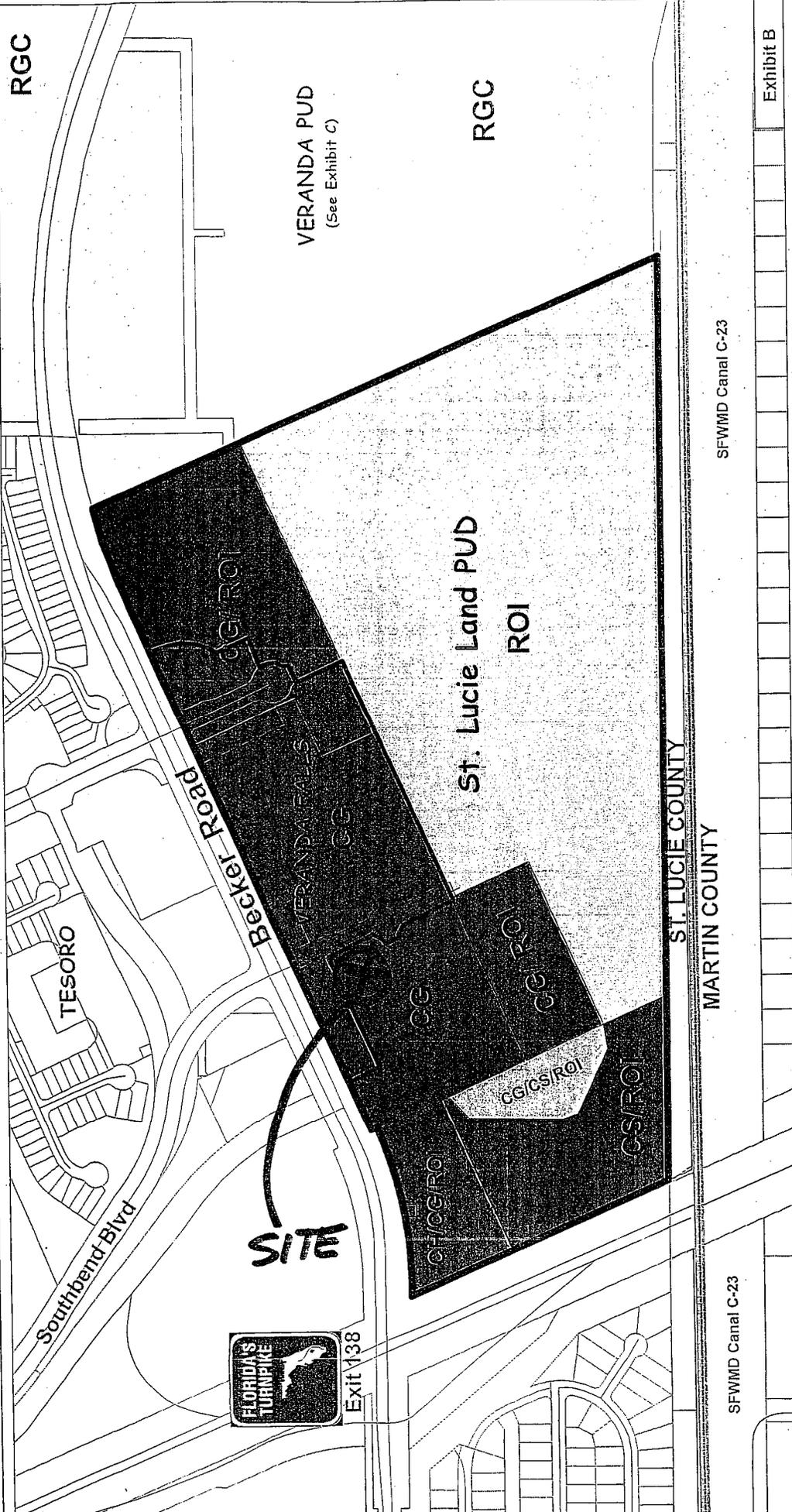
Imagery Date: 12/14/2010 1994 27°12'37.63" N 80°19'38.31" W elev 14 ft

SITE

RGC

VERANDA PUD  
(See Exhibit C)

RGC



SFWMD Canal C-23

ST. LUCIE COUNTY  
MARTIN COUNTY

Exhibit B



CULPEPPER & TERPENING, INC.  
CONSULTING ENGINEERS | LAND SURVEYORS  
REGISTERED PROFESSIONAL ENGINEERS - CIVIL ENGINEER, FL. 1988  
REGISTERED PROFESSIONAL SURVEYORS - FL. 1988  
CT Job #: 04-008-11

# St. Lucie Land PUD

## Future Land Use Designations



September 20, 2010

**City of Port St Lucie Future Land Use**

	St. Lucie Land PUD
	RGC
	ROI
	CS/ROI
	OSP
	CG
	CG/ROI
	CH/CG/ROI
	CG/CS/ROI

**NOTICE OF FORECLOSURE**

Ft. Lauderdale,  
Florida 33309  
Tel: (954) 453-0365  
Fax: (954) 771-6052  
Toll Free: 1-800-441-2439  
09-27962

Publish: September 16, 23, 2011  
2315576

IN THE CIRCUIT COURT OF THE 19TH JUDICIAL CIRCUIT, IN AND FOR ST. LUCIE COUNTY, FLORIDA CIVIL DIVISION CASE NO: 56-2009-CA-007595

BAC HOME LOANS SERVICING, L.P. F/K/A COUNTRY-WIDE HOME LOANS SERVICING, L.P. Plaintiff,

vs  
JOSE ULYSSE, CARINE ULYSSE; UNKNOWN TENANT(S); IN POSSESSION OF THE SUBJECT PROPERTY, Defendants.

**NOTICE OF FORECLOSURE SALE**

NOTICE IS HEREBY GIVEN pursuant to Final Judgment of Foreclosure dated the 26th day of August, 2011, and entered in Case No. 56-2009-CA-007595, of the Circuit Court of the 19TH Judicial Circuit in and for St. Lucie County, Florida, wherein BAC HOME LOANS SERVICING, L.P. F/K/A COUNTRYWIDE HOME LOANS SERVICING, L.P. is the Plaintiff and JOSE ULYSSE, CARINE ULYSSE and UNKNOWN TENANT(S) IN POSSESSION OF THE SUBJECT PROPERTY are defendants. The Clerk of this Court shall sell to the highest and best bidder for cash at the, at the Jury Assembly Room, St. Lucie County Court house, 218 South 2nd Street, Fort Pierce, Florida 34950, 11:00 AM on the 5th day of October, 2011, the following described property as set forth in said Final Judgment, to wit:

LOT 4, BLOCK 781, OF PORT ST. LUCIE SECTION EIGHTEEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 17, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

ANY PERSON CLAIMING AN INTEREST IN THE SURPLUS FROM THE SALE IF ANY OTHER THAN THE PROPERTY OWNER AS OF THE DATE OF THE LIS PENDENS MUST FILE A CLAIM WITHIN 60 DAYS AFTER THE SALE.

Notice to Persons with Disabilities: If you are a person with a disability who needs any accommo-

**NOTICE OF FORECLOSURE**

NOTICE OF FORECLOSURE SALE

NOTICE IS HEREBY GIVEN pursuant to a Final Judgment of Mortgage Foreclosure dated August 26, 2011 and entered in Case No. 56-2009-CA-005393 of the Circuit Court of the NINETEENTH Judicial Circuit in and for ST. LUCIE County, Florida wherein BANK OF AMERICA, N.A. is the Plaintiff and ARMANDO SOLARES TELMA SOLARES; PORTOFINO SHORES PROPERTY OWNERS ASSOCIATION, INC.; are the Defendants. The Clerk will sell to the highest and best bidder for cash at JURY ASSEMBLY ROOM, ST. LUCIE COUNTY COURT HOUSE, 218 SOUTH SECOND STREET, FORT PIERCE, FL 34950 at 11:00AM, on 10/04/2011, the following described property as set forth in said Final Judgment:

LOT 371, OF PORTOFINO SHORES-PHASE THREE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 43, PAGE 40, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

A/K/A 6136 SPRING LAKE TERRACE, FORT PIERCE, FL 34951

Any person claiming an interest in the surplus from the sale, if any, other than the property owner as of the date of the Lis-Pendens must file a claim within sixty (60) days after the sale.

By: Melissa N. Champagne  
Florida Bar No. 77395

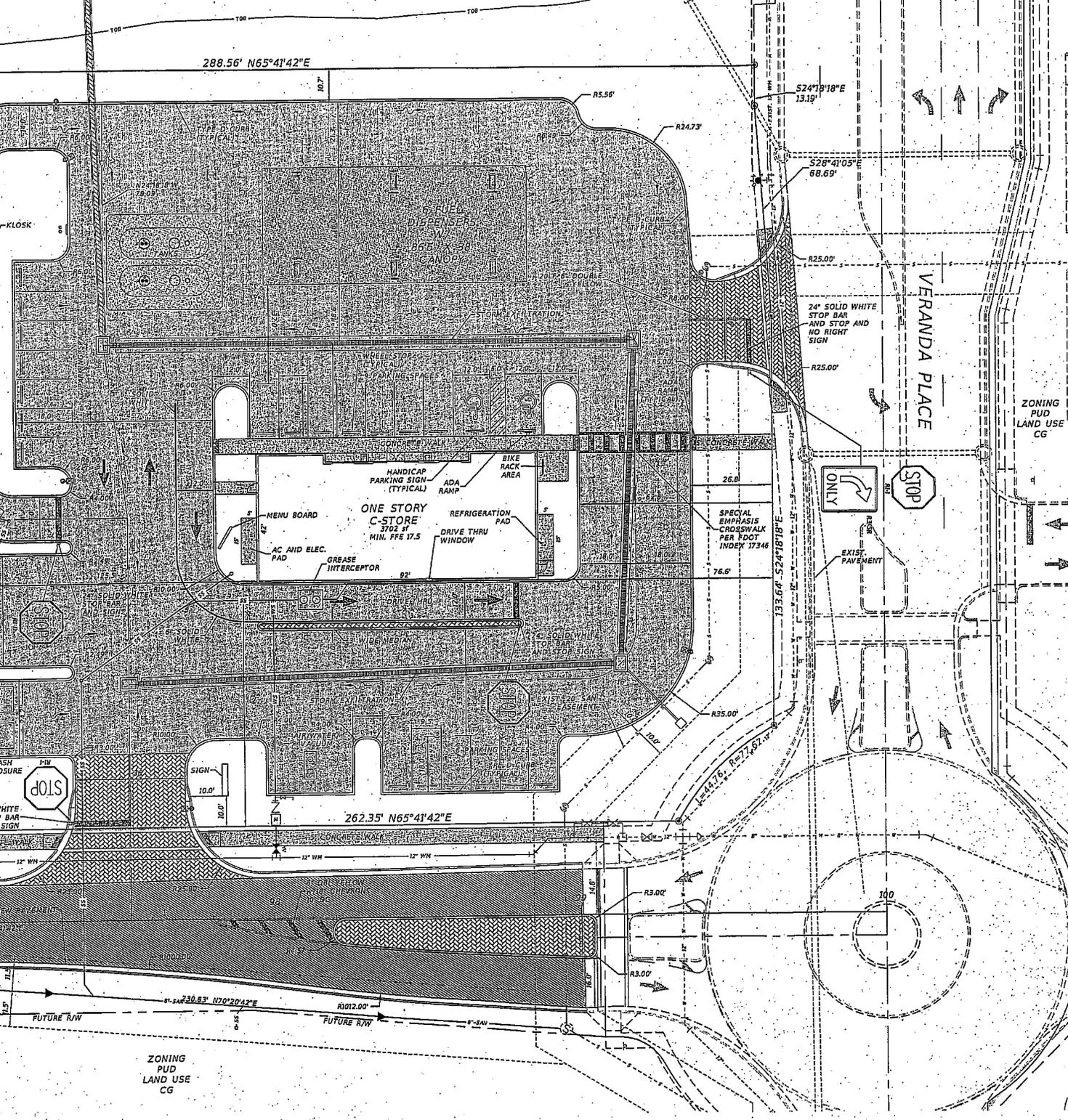
Florida Default Law Group, P.L.  
P.O. Box 25018  
Tampa, Florida 33622-5018  
(813) 251-4766  
F09028249

Notice to Persons with Disabilities:

If you are a person with a disability who needs any accommodation in order to participate in a proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Court Administration Department, 250 NW Country Club Drive Suite #217, Port St Lucie, FL 34986, (772) 807-4370 within 2 working days of the receipt of the notice of a proceeding to make arrangements. For hearing or voice impaired contact 1-800-955-8771.

Publish: September 16, 23, 2011  
2315632

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT IN AND FOR ST. LUCIE COUNTY, FLORIDA CIVIL ACTION



Fort Pierce, FL 34981  
 Phone: (772) 464-3537  
 Fax: (772) 464-9497

Engineer / Surveyor:  
 Pat Farland  
 Colquhoun & Torpington, Inc.  
 2000 South 20th Street  
 Fort Pierce, FL 34981  
 Phone: (772) 464-3537  
 Fax: (772) 464-9497

Architect:  
 Peter Dainler, LEED AP  
 Sites Architectural Group  
 201 E. Las Ocas Blvd. Fort Lauderdale FL 33301  
 Phone: (954) 827-9180

Environmental:  
 Ed Weinberg  
 EW Consultants, Inc.  
 2081 SE Ocean Blvd.  
 Suite 2b Stuart FL 34988  
 Phone: (772) 287-8771

- Project Name:** Veranda Falls Service Station
- Location:** Street address to be assigned East of FL Turnpike/South of Becker Road
- Project Description:** Gasoline service station with convenience store and car wash
- Sec/Town/Range:** Section 34/ Range 37S/ Township 40E
- Parcel ID Number:** 4434-701-007-000-6
- Site Area:** 1.64 Acres project site
- Zoning:** PUD
- Land Use:** CG
- Flood Zone:** Flood Zone "X" per F.I.R.M. Panel No. 121110D-005

10.) **Site Data:**

Subcategory (feet)	Required	Provided
Front	25	65
Rear	10	20
Side	10	10
Street	25	80
<b>Maximum Building Height (feet):</b>	75	

11.) **Site Coverage:**

	across	sq feet	percent of site
Buildings	0.11	4992	7.0%
Pavement	0.00	0	0.0%
Concrete	1.04	41159	57.0%
Canopy	0.00	3287	4.6%
Total Impervious	1.13	49437	68%
Pervious	0.61	22022	31%
<b>Totals</b>	<b>1.64</b>	<b>71529</b>	<b>100%</b>

12.) **Open Space:**

	acres	% site
Required Open Space	0.34	20%
Provided Open Space	0.51	31%

13.) **Development Schedule**

Start: October 2011      Complete: February 2012

14.) **Utility Services:**

Water Service	Port St. Lucie Utility Systems Dept.
Sewage Service	Port St. Lucie Utility Systems Dept.
Rio-Line Water	rio
Electric	FPL
Cable	Comcast
Gas	City Gas

15.) **Parking based on current parking standards:**

Convenience Store	1/200 sq ft	3701 / 200 = 18.5 spaces
Vehicle Service	3 spaces per service area	6 spaces provided at canopy
		3 x 3 = 9 - 6 = 3 spaces
<b>Parking required:</b>		21.5 spaces
<b>Parking provided:</b>		22 spaces

16.) **Site Drainage:** Water quality treatment will be provided by utilizing infiltration trench, prior to discharge to the existing master storm water system which provides attenuation.

17.) **Traffic Statement:** Traffic generation rates are based on ITE 8th Edition  
 Trip generation: Average daily traffic is based on the average rate of 152.84 trips per pump.  
 AM and PM peak hour trips are based on peak hour average rates and directional distributions given in the ITE manual.  
**Trip generation:**  
 Average Daily Traffic: 1834  
 AM Peak Hour: 80 VPH  
 PM Peak Hour: 83 VPH

These numbers reflect volumes entering and exiting the site, but do not reflect trip generations on the roadway system because of the pass-by nature of the facility.

18.) **Solid Waste:** Solid Waste receptacle has been provided for garbage and related activities in the form of separate dumpsters for each. Solid waste service provided by Waste Pro. Dumpsters will be enclosed.

19.) **Hazardous Materials:** All hazardous materials waste disposal shall comply with all federal and State and Local regulations.

20.) **Public water:** This Project is not within 1000 feet of any public water supply.

**Special Exemption Uses:**

Gasoline service station	P11-097
Convenience store	P11-085
Car Wash	P11-086
Drive Thru	P11-094

Basing a parcel  
 Page 08, Pub

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Containing 1.

**COUNCIL ITEM / DATE**  
 9/26/11

PLAN

ELEVATION

DUMPSTER ENCLOSURE