

CITY OF PORT ST. LUCIE, FL - CITY COUNCIL

COUNCIL ITEM 13A  
DATE 8/13/12

AGENDA ITEM REQUEST

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MEETING:                    REGULAR   X                      SPECIAL     

DATE:                        AUGUST 13, 2012

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ORDINANCE      RESOLUTION      MOTION   X   PUBLIC HEARING     

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ITEM:                    P12-069 Seasons @ Tradition  
                              Minor Site Plan Application

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**RECOMMENDED ACTION:**

On June 13, 2012, Site Plan Review Committee unanimously voted to recommend approval of this site plan application.

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**EXHIBITS:**

- A. Staff Report
- B. Support Materials

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**SUMMARY EXPLANATION/BACKGROUND INFORMATION:**

Designate lots 48 though 55 of Tradition Plat No. 22 as a sales center and corresponding model homes.

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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: 07/30/2012**



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

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**TO:** CITY COUNCIL - MEETING OF AUGUST 13, 2012

**FROM:** JOHN FINIZIO, PLANNER *J.F.*

**RE:** MINOR SITE PLAN APPLICATION (PROJECT NO. P12-069)  
SEASONS @ TRADITION/MODEL CENTER

**DATE:** JULY 30, 2012

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**APPLICANT:** Carnahan, Proctor, and Cross, Inc. The authorization letter is attached to the staff report.

**OWNER:** Avatar Seasons, LLC.

**LOCATION:** Located on the west side of Oak Tree Circle between Papaya Tree Ct. and Apple Blossom Tr.

**LEGAL DESCRIPTION:** Tradition Plat No. 22, Lots 48 through 55.

**SIZE:** 1.19 acres, or 51,961 square feet.

**EXISTING ZONING:** MPUD (Tradition Master Planned Unit Development).

**EXISTING USE:** Currently this is vacant land.

**SURROUNDING USES:** North = MPUD (Master Planned Unit Development) zoning, currently residential lots with existing homes, and vacant land identified as Water Management Tract 1. South = MPUD (Master Planned Unit Development) zoning, currently open space, identified as Open Space Tract 6, and residential lots which are currently being used as a parking lot. East = MPUD (Master Planned Unit Development) zoning, currently residential lots used as a parking lot. West = MPUD (Master Planned Unit Development) zoning, currently vacant identified as Water Management Tract 1.

**PROPOSED PROJECT:** Designate lots 48 though 55 of Tradition Plat No. 22 for a sales center and corresponding model homes.

## **IMPACTS AND FINDINGS:**

The project has been reviewed for compliance with Chapter 160, City Code, regarding provision of adequate public facilities and documented as follows:

**Sewer/Water Service:** Sewer/water will be provided by the City of Port St. Lucie Utilities. A developer's agreement with the City Utilities Department, that is consistent with the adopted level of service, is required prior to issuance of building permits.

**Transportation:** The staff review indicates that this project will generate approximately 90 daily vehicle trips (ITE, Land Use Code 210, Single Family Detached Housing) on the roads adjacent to the project (Apple Blossom Trail and Oak Tree Circle). Trip projections were calculated using the Institute of Transportation Engineers (ITE) "Trip Generation Manual, 8<sup>th</sup> Edition".

This project should not have an adverse effect on transportation level of service for the adjacent roadways. Roadway level-of-service and traffic conditions within Tradition are monitored through the Tradition Development of Regional Impact (DRI).

**Parks/Open Space:** As required in the Development Order for the Tradition DRI, a subdivision plat was submitted that included access and identification of a 100 acre property to the City of Port St. Lucie to be used as an active recreation park site.

**Stormwater:** The project includes a paving and drainage plan that is in compliance with the adopted level of service standard.

**Solid Waste:** Solid waste impacts are measured and planned based on population projections on an annual basis. There is adequate capacity available.

**Fire District:** The access location (external and internal) has been approved by the Fire District for safety purposes.

**Environmental:** There is no upland habitat preservation required for this property. The upland habitat preservation requirements for the Tradition DRI are addressed in the DRI development order.

**Architectural Design Standards:** This project is located in Tradition and is not subject to the City's design standards.

**Art in Public Places:** On July 10, 2012 the City of Port St. Lucie Public Art Advisory Board recommended approval for the payment of fee in lieu of artwork on site.

**Schools:** As identified in the Tradition Development Order; a plan for the provision of necessary school facilities concurrent with the development with the development of the residential portion of the Tradition DRI was submitted and approved by the City of Port

St. Lucie and the St. Lucie County School Board. School facilities are available to serve the projected demand in accordance with the approve plan.

**Other:** This project has also been reviewed for consistency with the Tradition D.R.I. for all Development Order requirements. There are no outstanding conditions that would prevent this project from moving forward.

Approval of this project is conditioned upon payment of all applicable impact fees, as provided in the Port St. Lucie Road, Parks and Recreation, Public Buildings and Law Enforcement Impact Fee Ordinances. Please note that additional impact fees may be due to St. Lucie County.

**RELATED PROJECTS:**

P12-067 Seasons @ Tradition/Model Center Subdivision Plan Application. This application will replat lots 48 through 55, Tradition Plat 22. The new plat will consist of 7 (seven) residential lots that will be used as a model home center for Avatar Seasons. This application is being reviewed concurrently with P12-068, Seasons @ Tradition Site Plat Application.

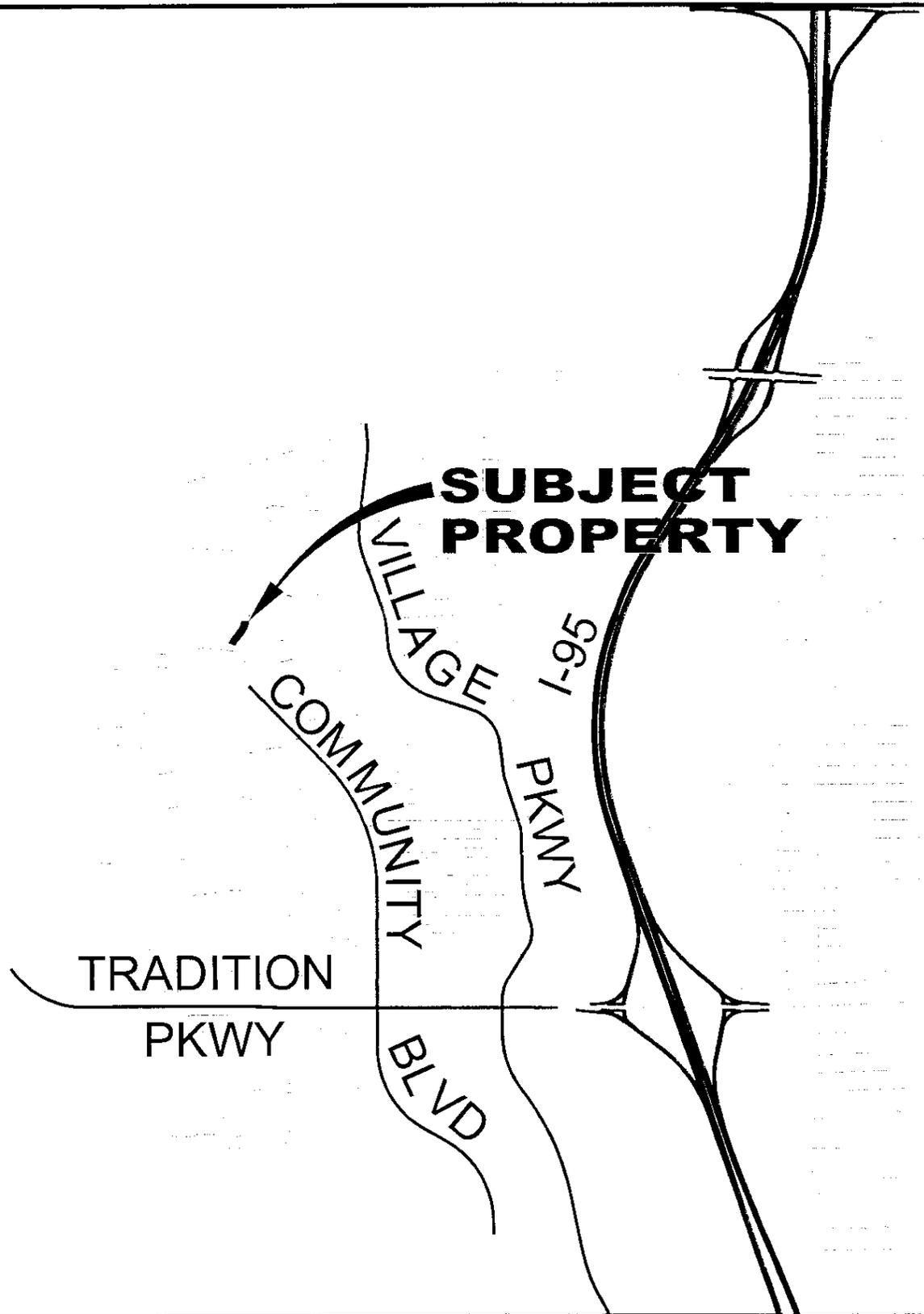
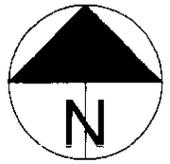
P12-068 Seasons @ Tradition PUD Concept Plan Amendment. This application consisted of identifying a new model center within the Seasons @ Tradition development with a temporary parking lot to service the model home row. This application was approved by the Site Plan Review Committee on June 13, 2012.

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**STAFF RECOMMENDATION:**

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the City's Land Development Regulations and policies of the Comprehensive Plan. The Site Plan Review Committee reviewed the request on June 13, 2012 and recommended approval.

# SITE LOCATION



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ 2012.DWG

SITE PLAN REVIEW  
TRADITION PLAT 22 - UNIT 1  
MODEL CENTER

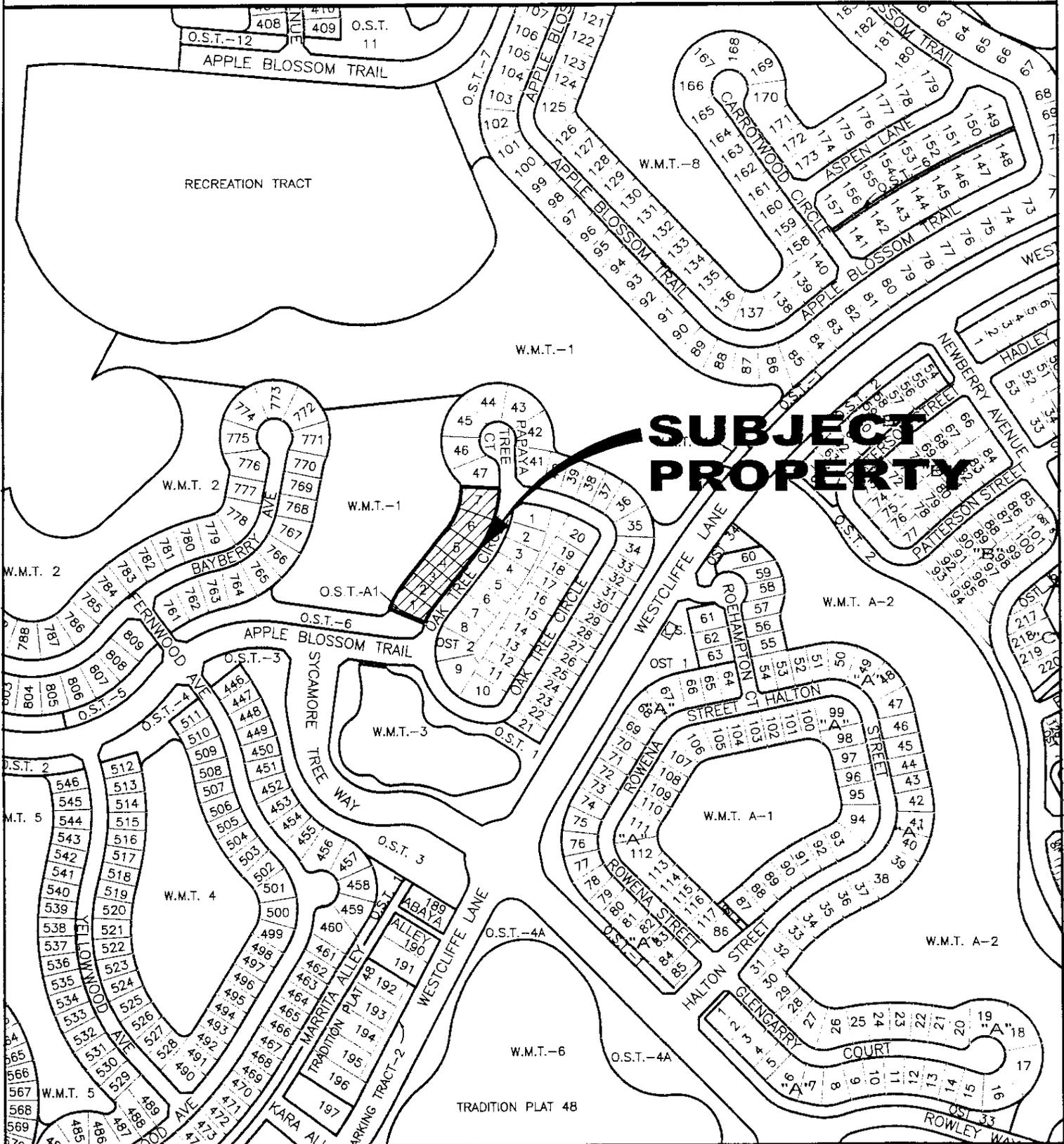
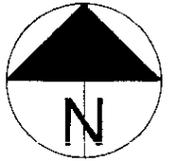
DATE: 6/7/2012

APPLICATION NUMBER:  
P12-069

CADD FILE NAME:  
P12-069L

SCALE: 1" = .5 MI

# SITE LOCATION



**SUBJECT  
PROPERTY**



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.  
Prepared by:  
M.I.S. DEPARTMENT

SITE PLAN REVIEW  
TRADITION PLAT 22 - UNIT 1  
MODEL CENTER

DATE:	6/7/2012
APPLICATION NUMBER:	P12-069
CADD FILE NAME:	P12-069M
SCALE:	1"=400'

# SITE LOCATION



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ 2012.DWG

SITE PLAN REVIEW  
TRADITION PLAT 22 - UNIT 1  
MODEL CENTER  
AERIAL DEC 2010

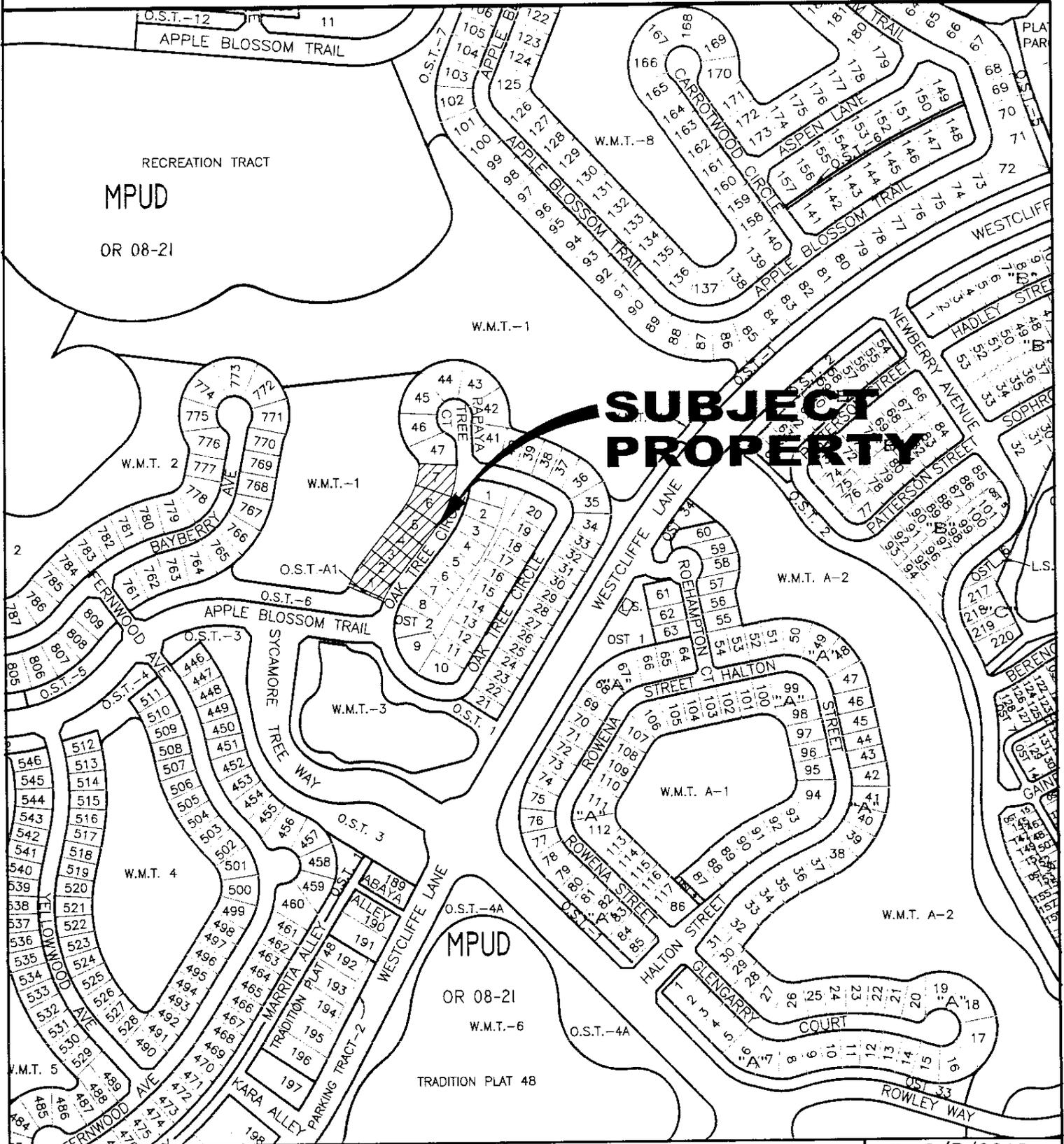
DATE: 6/6/2012

APPLICATION NUMBER:  
P12-069

CADD FILE NAME:  
P12-069A

SCALE: 1"=200'

# EXISTING ZONING



CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPT.

Prepared by:  
M.I.S. DEPARTMENT

PZ 2012.DWG

SITE PLAN REVIEW  
TRADITION PLAT 22 - UNIT 1  
MODEL CENTER

DATE: 6/7/2012

APPLICATION NUMBER:  
P12-069

CADD FILE NAME:  
P12-069M

SCALE: 1" = 400'

**APPLICATION FOR SITE PLAN REVIEW**

**ONLY COMPLETE SUBMISSIONS WILL BE PROCESSED**

CITY OF PORT ST. LUCIE  
PLANNING & ZONING DEPARTMENT  
(772) 871-5212 FAX: (772) 871-5124

P&Z File No. 912-069  
Fees (Nonrefundable) \$ 1,645.00 Arch.: \$ \_\_\_\_\_  
Receipt #'s: 11791

PRIMARY CONTACT EMAIL ADDRESS: xabier.guerricagoitia@carnahan-proctor.com

PROJECT NAME: SEASONS @ TRADITION PHASE 1 MODEL CENTER PLAT 22

LEGAL DESCRIPTION: SEE ATTACHED

LOCATION OF PROJECT SITE: OAK TREE CIRCLE

PROPERTY TAX I.D. NUMBER: \_\_\_\_\_

STATEMENT DESCRIBING IN DETAIL SEVEN (7) MODEL HOMES & PARKING LOT

THE CHARACTER AND INTENDED USE SINGLE FAMILY RESIDENTIAL  
OF THE DEVELOPMENT: \_\_\_\_\_

**RECEIVED**

GROSS SQ. FT. OF STRUCTURE (S): \_\_\_\_\_  
NUMBER OF DWELLING UNITS & DENSITY \_\_\_\_\_  
FOR MULTI-FAMILY PROJECTS: \_\_\_\_\_

**MAY 16 2012**

UTILITIES & SUPPLIER: CITY OF PORT ST. LUCIE

PLANNING DEPARTMENT  
CITY OF PORT ST. LUCIE, FL

GROSS ACREAGE & SQ. FT. OF SITE: 1.193 & 51,961 \*\*ESTIMATED NO. EMPLOYEES: 2

FUTURE LAND USE DESIGNATION: NCD ZONING DISTRICT: MPUD

OWNER(S) OF PROPERTY: AVATAR SEASONS, LLC  
Name, Address, Telephone & Fax No.: 395 VILLAGE DRIVE  
KISSIMMEE, FL 34759

APPLICANT OR AGENT OF OWNER: CARNAHAN PROCTOR CROSS, INC.  
Name, Address, Telephone & Fax No.: 604 COURTLAND STREET  
ORLANDO, FL 32804

PROJECT ARCHITECT/ENGINEER: CARNAHAN PROCTOR CROSS, INC.  
(Firm, Engineer Of Record, XABIER GUERRICAGOITIA, P.E.  
Florida Registration No., Contact 51951  
Person, Address, Phone & Fax No.) 604 COURTLAND STREET SUITE 101, ORLANDO, FL 32804

- I hereby authorize the above listed agent to represent me. I grant the planning department permission to access the property for inspection.  
- I fully understand that prior to the issuance of a building permit and the commencement of any development, all plans and detail plans must be reviewed and approved by the City pursuant to Sections 158.237 through 158.245, inclusive, of the zoning ordinance.  
\*When a corporation submits an application, it must be signed by an officer of the corporation. Corporation signatures must be accompanied with an approved resolution authorizing the individual to sign such applications.  
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.

Anthony Torzillo  
OWNER'S SIGNATURE

Anthony Torzillo  
HAND PRINT NAME

VICE PRESIDENT  
TITLE

5/15/2012  
DATE

Avatar Seasons, LLC  
395 Village Drive  
Kissimmee, FL 32819

City of Port St. Lucie  
Planning and Zoning  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984

**RE: Seasons at Tradition**

To Whom it May Concern:

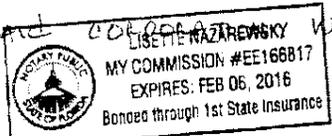
I hereby authorize Xabier Guericagoitia of Carnahan, Proctor and Cross, Inc. to act as agent on my behalf in the matter of permitting a Conceptual Site Plan Amendment, Engineering Site Plan and a Plat for the proposed model center at the Seasons at Tradition, specifically located in Tradition Plat No. 22.

As my agent Mr. Guericagoitia is authorized to sign applications and receive and respond to comments related to applications and approvals for the projects named above.

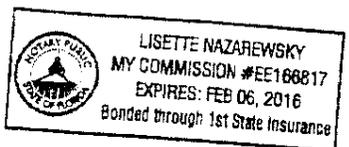
Sincerely,

  
Anthony Iorio  
Vice President  
Avatar Seasons, LLC

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME ON THIS 18<sup>th</sup> DAY OF MAY 2012 BY ANTHONY S. IORIO AS VICE PRESIDENT OF AVATAR SEASONS, LLC., A FLORIDA CORPORATION, ON BEHALF OF SAID CORPORATION WHO IS PERSONALLY KNOWN TO ME.



My Commission Expires:  
02/06/2016





NOTARY PUBLIC  
PRINT NAME: LISETTE NAZAREWSKY

STATE OF: FLORIDA  
COUNTY OF: POLK

UNANIMOUS WRITTEN CONSENT OF  
THE SOLE SHAREHOLDER  
OF  
SEASONS AT TRADITION RESIDENTS' ASSOCIATION, INC.

Effective July 27, 2012

The undersigned, being the sole shareholder (the "Sole Shareholder") of SEASONS AT TRADITION RESIDENTS' ASSOCIATION, INC., a Florida corporation (the "Company"), hereby takes the following action in lieu of holding a meeting, waive any notice and direct that this action be filed with the records of the Company.

**RESOLVED**, that Anthony S. Iorio is the Vice President of the Company and shall continue to hold said office until his successor is duly elected, qualified and seated or until his earlier resignation or removal.

**RESOLVED**, that Anthony S. Iorio as Vice President of the Company, be, and he hereby is, authorized to sign transactional documents, HUD-1 Settlement Statements and any and all deeds of conveyance on behalf of the Company in connection with real estate transactions, that the Company is a party to, including any and all documentation required by the City of Port St. Lucie.

**FURTHER RESOLVED**, that in addition to and without limiting the foregoing, the President, Executive Vice President, Secretary or Treasurer of the Company (each an "Authorized Executive Officer") be, and they hereby are, authorized to take, or cause to be taken, such further action, and to execute and deliver, or cause to be delivered, for and in the name and on behalf of the Company, all such instruments and documents as the Authorized Executive Officer may deem appropriate in order to effect the purpose or intent of the foregoing resolutions (as conclusively evidenced by the taking of such action or the execution and delivery of such instruments, as the case may be).

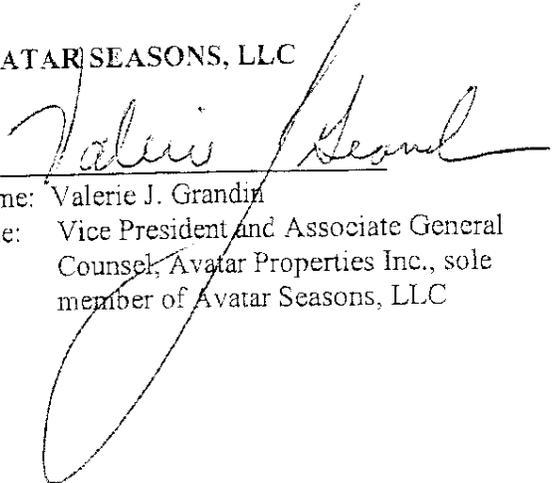
**FURTHER RESOLVED**, that this written consent may be executed in one or more counterparts and all of such counterparts shall collectively constitute an original consent, which may be evidenced by any one counterpart; and

**FURTHER RESOLVED**, that any party receiving an executed copy, a facsimile or an electronic transmission by e-mail, or similar medium in a PDF or comparable format which contains an electronic image of the document and requisite signatures of these resolutions may rely hereon.

*[Signatures on next page.]*

IN WITNESS WHEREOF, the undersigned being the Sole Shareholder of the Company, has executed this Unanimous Written Consent effective as of the date first written above.

AVATAR SEASONS, LLC

By: 

Name: Valerie J. Grandin

Title: Vice President and Associate General  
Counsel, Avatar Properties Inc., sole  
member of Avatar Seasons, LLC

PROPERTY RECORD CARD

Seasons at Tradition RA Inc Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: SW Oak Tree Cir  
 Sec/Town/Range: 4:37S:39E  
 Map ID: 43/04N  
 Zoning:

ParcelID: 4304-700-0010-000-7  
 Account #: 160211  
 Land Use: UNCLSFD ACRG  
 City/Cnty: Port St Lucie



Ownership and Mailing

Owner: Seasons at Tradition RA Inc  
 Address: 2200 W Cypress Creek Road  
 Fort Lauderdale FL 33309

Legal Description

TRADITION PLAT NO 22 (PB 46-18) OPEN SPACE TRACT 6 (1.06 AC) (OR 1958-1412: 2463-345: 2795-1134)

Sales Information

Date	Price	Code	Deed
4/27/2004	23353500	02	SP

Assessment 2011 Final	Total Land and Building
2011 Final: 0	Land Value: 0 Acres: 1.06
Assessed: 0	Building Value: 0
Ag.Credit: 0	Finished Area: 0 SqFt
Exempt:	
Taxable:	
Taxes: 0	

BUILDING INFORMATION

No Sketch  
 Available

No Image  
 Available

Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:	-	Frame:	-
Grade:	-	EffYrBlt:	-	PrimeWall:	-
StoryHght:	-	No.Units:	-	SecWall:	-

Interior Features

BedRooms:	0	Electric:	-	PrmintWall:	-
FullBath:	0	HeatType:	-	AvgHt/Ft:	-
1/2Bath:	0	HeatFuel:	-	Prm.Fiors:	-
%A/C:	0	%Heated:	0	%Sprinkled:	0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No. Land Use	Type	Measure	Depth
							1	9900-UNCLSFD ACRG	N -Acres	1.06

Land Information

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

PROPERTY RECORD CARD

Avatar Seasons LLC Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 9996 SW Oak Tree Cir  
 Sec/Town/Range: 4:37S:39E  
 Map ID: 43/04N  
 Zoning:

ParcelID: 4304-700-0065-000-7  
 Account #: 160153  
 Land Use: Vac Res  
 City/Cnty: Port St Lucie



Ownership and Mailing

Owner: Avatar Seasons LLC  
 Address: 395 Village Dr  
 Poinciana FL 34759-4010

Legal Description

TRADITION PLAT NO 22 (PB 46-18) LOT 55 (OR 3131-1673)

Sales Information

Date	Price	Code	Deed
9/22/2009	7250000	0205	SP
12/29/2008	23000000	03	CT
4/27/2004	23353500	02	SP

Assessment 2011 Final

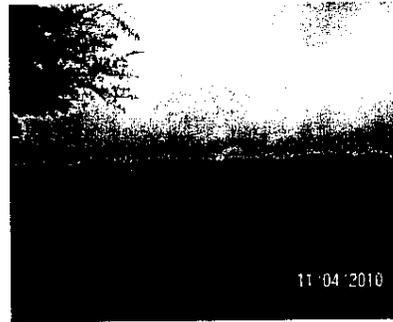
2011 Final:	9100
Assessed:	9100
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	225.46

Total Land and Building

Land Value:	9100	Acres:	0.16
Building Value:	0		
Finished Area:	0		SqFt

BUILDING INFORMATION

No Sketch  
 Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:	-	Frame:	-
Grade:	-	EffYrBlt:	-	PrimeWall:	-
StoryHght:	-	No.Units:	-	SecWall:	-

Interior Features

BedRooms:	0	Electric:	-	PrmIntWall:	-
FullBath:	0	HeatType:	-	AvgHt/Ft:	-
1/2Bath:	0	HeatFuel:	-	Prm.Flors:	-
%A/C:	0	%Heated:	0	%Sprinkled:	0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No. Land Use	Type	Measure	Depth
							1 0000-Vac Res	LFI -Site	1	

Land Information

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PROPERTY RECORD CARD

Avatar Seasons LLC Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 10000 SW Oak Tree Cir  
 Sec/Town/Range: 4:37S:39E  
 Map ID: 43/04N  
 Zoning:

ParcelID: 4304-700-0064-000-0  
 Account #: 160152  
 Land Use: Vac Res  
 City/Cnty: Port St Lucie



Ownership and Mailing

Legal Description

Owner: Avatar Seasons LLC  
 Address: 395 Village Dr  
 Poinciana FL 34759-4010

TRADITION PLAT NO 22 (PB 46-18) LOT 54 (OR 3131-1673)

Sales Information

Assessment 2011 Final

Total Land and Building

Date	Price	Code	Deed	Book/Page	2011 Final:	9100	Land Value:	9100 Acres: 0.14
9/22/2009	7250000	0205	SP	3131 / 1673	Assessed:	9100	Building Value:	0
12/29/2008	23000000	03	CT	3054 / 1826	Ag.Credit:	0	Finished Area:	0 SqFt
4/27/2004	23353500	02	SP	1958 / 1412	Exempt:			
					Taxable:			
					Taxes:	225.46		

BUILDING INFORMATION

No Sketch  
 Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:	-	Frame:	-
Grade:	-	EffYrBlt:	-	PrimeWall:	-
StoryHght:	-	No.Units:	-	SecWall:	-

Interior Features

BedRooms:	0	Electric:	-	PrmIntWall:	-
FullBath:	0	HeatType:	-	AvgHt/Ft:	-
1/2Bath:	0	HeatFuel:	-	Prm.Floors:	-
%A/C:	0	%Heated:	0	%Sprinkled:	0

Special Features and Yard Items

Land Information

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No. Land Use	Type	Measure	Depth
							1 0000-Vac Res	LFI-Site	1	

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PROPERTY RECORD CARD

Avatar Seasons LLC Record: 1 of 1

<<Prev Next>> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 10004 SW Oak Tree Cir  
 Sec/Town/Range: 4:37S:39E  
 Map ID: 43/04N  
 Zoning:

ParcelID: 4304-700-0063-000-3  
 Account #: 160151  
 Land Use: Vac Res  
 City/Cnty: Port St Lucie



Ownership and Mailing

Owner: Avatar Seasons LLC  
 Address: 395 Village Dr  
 Poinciana FL 34759-4010

Legal Description

TRADITION PLAT NO 22 (PB 46-18) LOT 53 (OR 3131-673)

Sales Information

Date	Price	Code	Deed	Book/Page
9/22/2009	7250000	0205	SP	3131 / 1673
12/29/2008	23000000	03	CT	3054 / 1826
4/27/2004	23353500	02	SP	1958 / 1412

Assessment 2011 Final

2011 Final: 9100  
 Assessed: 9100  
 Ag.Credit: 0  
 Exempt:  
 Taxable:  
 Taxes: 225.46

Total Land and Building

Land Value: 9100 Acres: 0.14  
 Building Value: 0  
 Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch  
 Available

No Image  
 Available

Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:	-	Frame:	-
Grade:	-	EffYrBlt:	-	PrimeWall:	-
StoryHght:	-	No.Units:	-	SecWall:	-

Interior Features

BedRooms:	0	Electric:	-	PrlmntWall:	-
FullBath:	0	HeatType:	-	AvgHt/Ft:	-
1/2Bath:	0	HeatFuel:	-	Prm.Flors:	-
%A/C:	0	%Heated:	0	%Sprinkled:	0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No. Land Use	Type	Measure	Depth
							1 0000-Vac Res	LFI -Site	1	

Land Information

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PROPERTY RECORD CARD

Avatar Seasons LLC Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 10008 SW Oak Tree Cir  
 Sec/Town/Range: 4:37S:39E  
 Map ID: 43/04N  
 Zoning:

ParcelID: 4304-700-0062-000-6  
 Account #: 160150  
 Land Use: Vac Res  
 City/Cnty: Port St Lucie



Ownership and Mailing

Owner: Avatar Seasons LLC  
 Address: 395 Village Dr  
 Poinciana FL 34759-4010

Legal Description

TRADITION PLAT NO 22 (PB 46-18) LOT 52 (OR 3131-1673)

Sales Information

Date	Price	Code	Deed
9/22/2009	7250000	0205	SP
12/29/2008	23000000	03	CT
4/27/2004	23353500	02	SP

Assessment 2011 Final

2011 Final:	9100
Assessed:	9100
Ag. Credit:	0
Exempt:	
Taxable:	
Taxes:	225.46

Total Land and Building

Land Value:	9100 Acres:	0.14
Building Value:		0
Finished Area:		0 SqFt

BUILDING INFORMATION

No Sketch  
 Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:	-	Frame:	-
Grade:	-	EffYrBlt:	-	PrimeWall:	-
StoryHght:	-	No.Units:	-	SecWall:	-

Interior Features

BedRooms:	0	Electric:	-	PrmIntWall:	-
FullBath:	0	HeatType:	-	AvgHt/Ft:	-
1/2Bath:	0	HeatFuel:	-	Prm.Flors:	-
%A/C:	0	%Heated:	0	%Sprinkled:	0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No. Land Use	Type	Measure	Depth
							1 0000-Vac Res	LF1 -Site	1	

Land Information

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PROPERTY RECORD CARD

Avatar Seasons LLC Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 10012 SW Oak Tree Cir  
 Sec/Town/Range: 4:37S:39E  
 Map ID: 43/04N  
 Zoning:

ParcelID: 4304-700-0061-000-9  
 Account #: 160149  
 Land Use: Vac Res  
 City/Cnty: Port St Lucie



Ownership and Mailing

Legal Description

Owner: Avatar Seasons LLC  
 Address: 395 Village Dr  
 Poinciana FL 34759-4010

TRADITION PLAT NO 22 (PB 46-18) LOT 51 (OR 3131-1673)

Sales Information

Assessment 2011 Final

Total Land and Building

Date	Price	Code	Deed	Book/Page	2011 Final:	9100	Land Value:	9100 Acres: 0.14
9/22/2009	7250000	0205	SP	3131 / 1673	Assessed:	9100	Building Value:	0
12/29/2008	23000000	03	CT	3054 / 1826	Ag.Credit:	0	Finished Area:	0 SqFt
4/27/2004	23353500	02	SP	1958 / 1412	Exempt:			
					Taxable:			
					Taxes:	225.46		

BUILDING INFORMATION

No Sketch  
 Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:	-	Frame:	-
Grade:	-	EffYrBlt:	-	PrimeWall:	-
StoryHght:	-	No.Units:	-	SecWall:	-

Interior Features

BedRooms:	0	Electric:	-	PrmIntWall:	-
FullBath:	0	HeatType:	-	AvgHt/Ft:	-
1/2Bath:	0	HeatFuel:	-	Prm.Flors:	-
%A/C:	0	%Heated:	0	%Sprinkled:	0

Special Features and Yard Items

Land Information

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No. Land Use	Type	Measure	Depth
							1 0000-Vac Res	LFI -Site	1	

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

PROPERTY RECORD CARD

Avatar Seasons LLC Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 10016 SW Oak Tree Cir  
 Sec/Town/Range: 4:37S:39E  
 Map ID: 43/04N  
 Zoning:

ParcelID: 4304-700-0060-000-2  
 Account #: 160148  
 Land Use: Vac Res  
 City/Cnty: Port St Lucie



Ownership and Mailing

Legal Description

Owner: Avatar Seasons LLC  
 Address: 395 Village Dr  
 Poinciana FL 34759-4010

TRADITION PLAT NO 22 (PB 46-18) LOT 50 (OR 3131-1673)

Sales Information

Assessment 2011 Final

Total Land and Building

Date	Price	Code	Deed	Book/Page	2011 Final	9100	Land Value:	9100 Acres: 0.16
9/22/2009	7250000	0205	SP	3131 / 1673	Assessed:	9100	Building Value:	0
12/29/2008	23000000	03	CT	3054 / 1826	Ag.Credit:	0	Finished Area:	0 SqFt
4/27/2004	23353500	02	SP	1958 / 1412	Exempt:			
					Taxable:			
					Taxes:	225.46		

BUILDING INFORMATION

No Sketch  
 Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:	-	Frame:	-
Grade:	-	EffYrBlt:	-	PrimeWall:	-
StoryHght:	-	No.Units:	-	SecWall:	-

Interior Features

BedRooms:	0	Electric:	-	PrmIntWall:	-
FullBath:	0	HeatType:	-	AvgHtFl:	-
1/2Bath:	0	HeatFuel:	-	Prm.Flors:	-
%A/C:	0	%Heated:	0	%Sprinkled:	0

Special Features and Yard Items

Land Information

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No. Land Use	Type	Measure	Depth
							1 0000-Vac Res	LFI -Site	1	

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

PROPERTY RECORD CARD

Avatar Seasons LLC Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 10020 SW Oak Tree Cir  
 Sec/Town/Range: 4:37S:39E  
 Map ID: 43/04N  
 Zoning:

ParcelID: 4304-700-0059-000-2  
 Account #: 160147  
 Land Use: Vac Res  
 City/Cnty: Port St Lucie



Ownership and Mailing

Owner: Avatar Seasons LLC  
 Address: 395 Village Dr  
 Poinciana FL 34759-4010

Legal Description

TRADITION PLAT NO 22 (PB 46-18) LOT 49 (OR 3131-1673)

Sales Information

Date	Price	Code	Deed
9/22/2009	7250000	0205	SP
12/29/2008	23000000	03	CT
4/27/2004	23353500	02	SP

Assessment 2011 Final

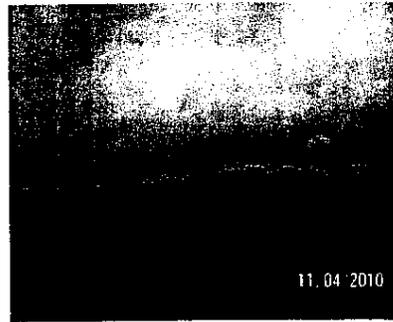
2011 Final: 9100  
 Assessed: 9100  
 Ag.Credit: 0  
 Exempt:  
 Taxable:  
 Taxes: 225.46

Total Land and Building

Land Value: 9100 Acres: 0.16  
 Building Value: 0  
 Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch  
 Available



Exterior Features

View: -	RoofCover: -	RoofStruct: -
ExtType: -	YearBlt: -	Frame: -
Grade: -	EffYrBlt: -	PrimeWall: -
StoryHght: -	No.Units: -	SecWall: -

Interior Features

BedRooms: 0	Electric: -	PmIntWall: -
FullBath: 0	HeatType: -	AvgHt/Ft: -
1/2Bath: 0	HeatFuel: -	Pm.Flors: -
%A/C: 0	%Heated: 0	%Sprinkled: 0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No. Land Use	Type	Measure	Depth
							1 0000-Vac Res	LFI -Site	1	

Land Information

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

PROPERTY RECORD CARD

Avatar Seasons LLC Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 10024 SW Oak Tree Cir  
 Sec/Town/Range: 4:37S:39E  
 Map ID: 43/04N  
 Zoning:

ParcelID: 4304-700-0058-000-5  
 Account #: 160146  
 Land Use: Vac Res  
 City/Cnty: Port St Lucie



Ownership and Mailing

Owner: Avatar Seasons LLC  
 Address: 395 Village Dr  
 Poinciana FL 34759-4010

Legal Description

TRADITION PLAT NO 22 (PB 46-18) LOT 48 (OR 3131-1673)

Sales Information

Date	Price	Code	Deed
9/22/2009	7250000	0205	SP
12/29/2008	23000000	03	CT
4/27/2004	23353500	02	SP

Book/Page	2011 Final:	Assessed:	Ag.Credit:	Exempt:	Taxable:	Taxes:
3131 / 1673	9100	9100	0			
3054 / 1826						
1958 / 1412						
					225.46	

Total Land and Building
Land Value: 9100 Acres: 0.16
Building Value: 0
Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch  
 Available



Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:	-	Frame:	-
Grade:	-	EffYrBlt:	-	PrimeWall:	-
StoryHght:	-	No.Units:	-	SecWall:	-

Interior Features

BedRooms:	0	Electric:	-	PmlntWall:	-
FullBath:	0	HeatType:	-	AvgHt/Ft:	-
1/2Bath:	0	HeatFuel:	-	Prm.Flors:	-
%A/C:	0	%Heated:	0	%Sprinkled:	0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No.	Land Use	Type	Measure	Depth
							1	0000-Vac Res	LFI -Site	1	

Land Information

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

Prepared by:  
Steven L. Daniels, Esq.  
Arnstein & Lehr LLP  
515 N. Flagler Drive, 6th Floor  
West Palm Beach, FL 33401

Folio Number:

(Space Above This Line For Recording Data)

**SPECIAL WARRANTY DEED**

This Special Warranty Deed made this 22 day of July, 2009 between OREO CORP., an Ohio Corporation which transacts business in Florida as "OREO CORP. of OHIO", whose post office address is Mailcode OH-01-27-0504, 127 Public Square, Cleveland, Ohio 44114-1306, Attention: Michael V. Lugli ("Grantor") and AVATAR SEASONS, LLC, a Florida limited liability company, whose address is 201 Alhambra Circle, 12<sup>th</sup> Floor, Coral Gables, Florida 33134 ("Grantee"):

(Whenever 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, trusts and trustees)

Witnesseth, that said Grantor, for and in consideration of the sum of TEN AND NO/100THS DOLLARS (\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in St. Lucie County, Florida, to-wit:

See Exhibit A attached hereto and incorporated herein. ("The Property")

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.

This conveyance is SUBJECT to matters set forth on Exhibit "B" attached hereto and incorporated herein.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that, subject to the matters set forth above, the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor but not otherwise.

8687515.1

COPY

In Witness Whereof, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]  
Signature of Witness  
Frank [unclear]  
Printed Name of Witness

[Signature]  
Signature of Witness  
MILUSKA FOWLER  
Printed Name of Witness

OREO CORP., an Ohio corporation which transacts business in Florida as "OREO CORP. OF OHIO"  
BY: [Signature]  
ARAMA POLANIAN, JR  
Printed Name  
Its: DESIGNATED SIGNER

BY: [Signature]  
BRADES BENJAMIN  
Printed Name  
Its: DESIGNATED SIGNER

Executed pursuant to authority contained in Certificate recorded of even date herewith.

STATE OF California ) ss:  
COUNTY OF Orange

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, the foregoing instrument was acknowledged before me by Aram A. Polanian Jr as Designated Signer of OREO Corp. an Ohio corporation, and by Braades Benjamin as Designated Signer of OREO Corp., an Ohio corporation, which transacts business in Florida as "OREO CORP. OF OHIO", who are  personally known to me or who have produced \_\_\_\_\_ as identification.

WITNESS my hand and official seal in the State and County last aforesaid this 17th day of September, 2009.

[Signature]  
Notary Public  
Christine J Flores  
Typed, printed or stamped name of Notary Public



5587515 1  
COPY

**Exhibit "A"**  
**Legal Description**

A PARCEL OF LAND LYING IN SECTIONS 4, 5, 8 AND 9, TOWNSHIP 37 SOUTH, RANGE 39 EAST, ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST ONE QUARTER CORNER OF SAID SECTION 4, SAID POINT ALSO LYING ON THE WEST LINE OF THE PLAT OF PORT ST. LUCIE SECTION THIRTY FIVE, RECORDED IN PLAT BOOK 15, PAGES 10, 10A THROUGH 10P, PUBLIC RECORDS OF SAID ST. LUCIE COUNTY; THENCE NORTH  $00^{\circ}35'12''$  EAST AS A BASIS OF BEARINGS ALONG THE EAST LINE OF SAID SECTION 4 AND THE SAID WEST LINE OF PORT ST. LUCIE SECTION THIRTY FIVE, A DISTANCE OF 2833.04 FEET TO THE NORTHEAST CORNER OF SAID SECTION 4 AND THE NORTHWEST CORNER OF SAID PLAT; THENCE SOUTH  $72^{\circ}10'58''$  WEST DEPARTING SAID CORNER, A DISTANCE OF 2776.65 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 1550.00 FEET AND TO THE POINT OF BEGINNING (THE RADIUS POINT OF SAID CURVE BEARS SOUTH  $06^{\circ}33'21''$  WEST FROM THIS POINT), THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $19^{\circ}19'18''$ , AN ARC DISTANCE OF 522.70 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE SOUTH  $64^{\circ}07'21''$  EAST ALONG SAID LINE, A DISTANCE OF 62.54 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 1465.00 FEET (THE RADIUS POINT OF SAID CURVE BEARS SOUTH  $85^{\circ}46'05''$  WEST FROM THIS POINT); THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $11^{\circ}16'33''$ , AN ARC DISTANCE OF 288.31 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE SOUTH  $07^{\circ}02'38''$  WEST ALONG SAID LINE, A DISTANCE OF 1147.21 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE EAST AND HAVING A RADIUS OF 1200.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $10^{\circ}12'14''$ , AN ARC DISTANCE OF 213.71 FEET TO A POINT OF RADIAL INTERSECTION WITH A LINE; THENCE SOUTH  $86^{\circ}50'24''$  WEST ALONG SAID LINE, A DISTANCE OF 34.53 FEET; THENCE SOUTH  $27^{\circ}42'24''$  WEST, A DISTANCE OF 53.20 FEET; THENCE SOUTH  $38^{\circ}38'24''$  WEST, A DISTANCE OF 37.98 FEET; THENCE SOUTH  $44^{\circ}31'27''$  WEST, A DISTANCE OF 95.92 FEET; THENCE SOUTH  $83^{\circ}17'42''$  WEST, A DISTANCE OF 34.91 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 1400.00 FEET (THE RADIUS POINT OF SAID CURVE BEARS NORTH  $81^{\circ}04'17''$  EAST FROM THIS POINT); THENCE SOUTHEASTERLY ALONG THE ARC OF SAID

COPY

CURVE, THROUGH A CENTRAL ANGLE OF  $11^{\circ}13'17''$ , AN ARC DISTANCE OF 274.19 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE SOUTH  $20^{\circ}08'59''$  EAST ALONG SAID LINE, A DISTANCE OF 224.12 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 2760.00 FEET (THE RADIUS POINT OF SAID CURVE BEARS SOUTH  $20^{\circ}16'26''$  EAST FROM THIS POINT); THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $37^{\circ}42'52''$ , AN ARC DISTANCE OF 1816.74 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE SOUTH  $32^{\circ}00'42''$  WEST ALONG SAID LINE, A DISTANCE OF 798.53 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 58.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $51^{\circ}22'15''$ , AN ARC DISTANCE OF 52.00 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 115.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF  $106^{\circ}52'20''$ , AN ARC DISTANCE OF 214.51 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 70.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $25^{\circ}43'50''$ , AN ARC DISTANCE OF 31.44 FEET TO A POINT OF COMPOUND CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 182.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $29^{\circ}46'14''$ , AN ARC DISTANCE OF 94.57 FEET TO A POINT OF RADIAL INTERSECTION WITH A LINE; THENCE NORTH  $57^{\circ}59'18''$  WEST ALONG SAID LINE, A DISTANCE OF 200.00 FEET; THENCE SOUTH  $32^{\circ}00'42''$  WEST, A DISTANCE OF 666.94 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 1270.00 FEET; THENCE SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $69^{\circ}12'41''$ , AN ARC DISTANCE OF 1534.12 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE NORTH  $78^{\circ}46'37''$  WEST ALONG SAID LINE, A DISTANCE OF 112.72 FEET TO A POINT OF CURVATURE WITH A CURVE CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 1430.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $19^{\circ}39'30''$ , AN ARC DISTANCE OF 490.63 FEET TO A POINT OF TANGENCY WITH A LINE; THENCE SOUTH  $81^{\circ}33'53''$  WEST ALONG SAID LINE, A DISTANCE OF 86.74; THENCE NORTH  $13^{\circ}12'00''$  WEST, A DISTANCE OF 1897.81 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF GROVE 3; THENCE CONTINUE NORTH  $13^{\circ}12'00''$  WEST DEPARTING SAID SOUTH LINE, A DISTANCE OF 2322.76 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID GROVE 3; THENCE NORTH  $74^{\circ}03'19''$  EAST ALONG SAID NORTH LINE, A DISTANCE OF 2476.84 FEET TO THE NORTHEAST CORNER OF SAID GROVE 3; THENCE NORTH  $13^{\circ}31'07''$  EAST DEPARTING THE BOUNDARY OF SAID GROVE 3, A DISTANCE OF 14.05 FEET;

COPY

THENCE NORTH 74°14'30" EAST, A DISTANCE OF 2543.44 FEET; THENCE NORTH 76°04'00" EAST, A DISTANCE OF 272.64 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

TRACTS O.S.T. 1 THROUGH O.S.T. 12, INCLUSIVE; TRACT PR-28; LOTS 56, 57, 60, 61, 63, 67, 113, 115, 116, 117, 118, 119, 120, 122, 127, 130, 138, 145, 151, 164, 165, 167, 168, 169, 171, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 207, 217, 218, 219, 220, 223, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 236, 237, 242, 247, 257, 258, 259, 265, 266, 267, 270, 271, 272, 273, 274, 277, 278, 285, 295, 296, 297, 306, 307, 308, 311, 316, 317, 321, 323, 324, 326, 327, 329, 336, 337, 338, 340, 352; TRADITION PLAT NO. 28, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 45, PAGES 24 THROUGH 38, INCLUSIVE, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. TRACTS O.S.T.-1 THROUGH O.S.T.-6, INCLUSIVE AND TRACT PR-13, TRADITION PLAT NO. 22, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, PAGES 18 THROUGH 23, INCLUSIVE, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. AND TRACTS O.S.T.-1 THROUGH O.S.T.-6, INCLUSIVE, AND TRACT PR-35, TRADITION PLAT NO. 35, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 52, PAGES 1 THROUGH 14, INCLUSIVE, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

ALSO LESS AND EXCEPT

ALL WATER MANAGEMENT TRACTS AS SHOWN ON THE FOLLOWING PLATS - TRADITION PLAT NO. 28, RECORDED IN PLAT BOOK 45, PAGE 24; TRADITION PLAT NO. 22, RECORDED IN PLAT BOOK 46, PAGE 18; TRADITION PLAT NO. 35, RECORDED IN PLAT BOOK 52, PAGE 1 AND TRADITION PLAT NO. 40, RECORDED IN PLAT BOOK 54, PAGE 1, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

ALSO DESCRIBED AS :

ALL OF TRADITION PLAT NO. 22, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, PAGES 18 THROUGH 23, INCLUSIVE, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS TRACTS O.S.T.-1 THROUGH O.S.T.-6, INCLUSIVE AND TRACT PR-13, AND ALL WATER MANAGEMENT TRACTS.

ALL OF TRADITION PLAT NO. 28, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 45, PAGES 24 THROUGH 38, INCLUSIVE, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS LOTS 56, 57, 60, 61, 63, 67, 113, 115, 116, 117, 118, 119, 120, 122, 127, 130, 138, 145, 151, 164,

COPY

165, 167, 168, 169, 171, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185,  
186, 207, 217, 218, 219, 220, 223, 225, 226, 227, 228, 229, 230, 231, 232, 233,  
234, 236, 237, 242, 247, 257, 258, 259, 265, 266, 267, 270, 271, 272, 273, 274,  
277, 278, 285, 295, 296, 297, 306, 307, 308, 311, 316, 317, 321, 323, 324, 326,  
327, 329, 336, 337, 338, 340, 352;  
TRACTS O.S.T. 1 THROUGH O.S.T. 12, INCLUSIVE, TRACT PR-28, AND ALL  
WATER MANAGEMENT TRACTS.

ALL OF TRADITION PLAT NO. 35, ACCORDING TO THE PLAT THEREOF, AS  
RECORDED IN PLAT BOOK 52, PAGES 1 THROUGH 14, INCLUSIVE, OF THE  
PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS TRACTS O.S.T.-1  
THROUGH O.S.T.-6, INCLUSIVE, AND TRACT PR-35, AND ALL OF WATER  
MANAGEMENT TRACTS.

ALL OF TRADITION PLAT NO. 40, ACCORDING TO THE PLAT THEREOF, AS  
RECORDED IN PLAT BOOK 54, PAGES 1 THROUGH 3, INCLUSIVE, OF THE  
PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, LESS ALL OF WATER  
MANAGEMENT TRACTS.

TOGETHER WITH PROPOSED PHASE 4 DESCRIBED AS FOLLOWS,: A PARCEL OF  
LAND LYING IN SECTIONS 4 AND 5, TOWNSHIP 37 SOUTH, RANGE 39 EAST,  
ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF TRADITION PLAT NUMBER  
28, RECORDED IN PLAT BOOK 45, PAGES 24 THROUGH 38 OF THE PUBLIC  
RECORDS OF SAID ST. LUCIE COUNTY, FLORIDA, FOR A POINT OF BEGINNING,  
AND RUNNING THENCE ALONG THE WESTERLY BOUNDS OF SAID TRADITION  
PLAT 28 THE FOLLOWING 13 COURSES AND DISTANCES;

1. SOUTH 15°52'47" EAST A DISTANCE OF 32.17 FEET;
2. SOUTH 15°56'41" EAST A DISTANCE OF 115.00 FEET;
3. SOUTH 74°03'19" WEST A DISTANCE OF 69.89 FEET;
4. SOUTH 15°56'41" EAST A DISTANCE OF 50.00 FEET;
5. NORTH 74°03'19" EAST A DISTANCE OF 20.00 FEET;
6. SOUTH 15°56'41" EAST A DISTANCE OF 115.00 FEET;
7. SOUTH 74°03'19" WEST A DISTANCE OF 23.07 FEET TO A POINT OF  
CURVATURE; THENCE
8. SOUTHWESTERLY ALONG A CURVE TO THE LEFT OF RADIUS 30.00 FEET,  
CENTRAL ANGLE 82°58'29", AN ARC DISTANCE OF 43.45 FEET TO A POINT OF  
REVERSE CURVATURE; THENCE
9. SOUTHERLY ALONG A CURVE TO THE  
RIGHT OF RADIUS 1140.00 FEET, CENTRAL ANGLE 07°10'36", AN ARC  
DISTANCE OF 142.79 FEET TO A POINT OF REVERSE CURVATURE; THENCE
10. SOUTHEASTERLY ALONG A CURVE TO THE LEFT OF RADIUS 610.00 FEET,  
CENTRAL ANGLE 32°13'10", AN ARC DISTANCE OF 343.02 FEET TO A POINT OF  
REVERSE CURVATURE; THENCE

11. SOUTHEASTERLY ALONG A CURVE TO THE RIGHT OF RADIUS 640.00 FEET, CENTRAL ANGLE 29°25'27" AN ARC DISTANCE OF 328.67 FEET TO A POINT OF REVERSE CURVATURE; THENCE

12. SOUTHEASTERLY ALONG A CURVE TO THE LEFT OF RADIUS 30.00 FEET, CENTRAL ANGLE 81°07'28" AN ARC DISTANCE OF 42.48 FEET TO A POINT OF TANGENCY; THENCE

13. SOUTH 04°20'16" WEST A DISTANCE OF 130.00 FEET TO A POINT IN THE NORTHERLY BOUNDS OF TRADITION PLAT NUMBER 40, RECORDED IN PLAT BOOK 54 AT PAGES 1 THROUGH 3 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE NORTH 85°39'44" WEST ALONG THE NORTHERLY BOUNDS THEREOF A DISTANCE OF 262.39 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG A CURVE TO THE LEFT OF RADIUS 760.00 FEET, CENTRAL ANGLE 15°14'57", AN ARC DISTANCE OF 202.27 FEET TO A POINT OF NON-RADIAL INTERSECTION WITH THE WESTERLY BOUNDS OF PLAT 40 REFERRED TO ABOVE, WHICH POINT BEARS NORTH 10°54'40" WEST FROM THE RADIUS POINT OF THE CURVE LAST ABOVE MENTIONED; THENCE ALONG THE BOUNDS OF SAID PLAT 40 THE FOLLOWING 5 COURSES AND DISTANCES;

1. SOUTH 04°13'06" WEST A DISTANCE OF 447.83 FEET; THENCE  
2. SOUTH 23°39'43" EAST A DISTANCE OF 75.02 FEET TO POINT OF CURVATURE; THENCE

3. SOUTHEASTERLY ALONG A CURVE TO THE LEFT OF RADIUS 500.00 FEET, CENTRAL ANGLE 45°16'55", AN ARC DISTANCE OF 395.16 FEET TO A POINT OF NON-RADIAL INTERSECTION WITH A LINE, WHICH POINT BEARS SOUTH 21°03'22" WEST FROM THE RADIUS POINT OF THE CURVE LAST ABOVE DESCRIBED; THENCE

4. SOUTH 28°31'20" WEST A DISTANCE OF 159.05 FEET TO A POINT OF NON-RADIAL INTERSECTION WITH A CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 37°39'32" EAST FROM THIS LAST DESCRIBED POINT;

5. THENCE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY ALONG A CURVE TO-RIGHT OF RADIUS 170.00 FEET, CENTRAL ANGLE 70°01'53", AN ARC DISTANCE OF 207.79 FEET TO POINT IN THE NORTHERLY BOUNDS OF TRADITION PLAT NUMBER 35, RECORDED IN PLAT BOOK 52 AT PAGES 1 THROUGH 14 OF THE PUBLIC RECORDS OF SAID ST. LUCIE COUNTY, FLORIDA; THENCE ALONG THE NORTHERLY BOUNDS OF SAID PLAT 35 THE FOLLOWING 14 COURSES AND DISTANCES;

1. SOUTHEASTERLY, SOUTHERLY AND SOUTHWESTERLY ALONG A CURVE TO THE RIGHT OF RADIUS 170.00 FEET, CENTRAL ANGLE 105°51'00", AN ARC DISTANCE OF 314.06 FEET TO A POINT OF TANGENCY;

2. THENCE SOUTH 48°13'21" WEST A DISTANCE OF 252.07 FEET TO A POINT OF CURVATURE; THENCE

3. SOUTHWESTERLY, WESTERLY AND NORTHWESTERLY ALONG A CURVE TO THE RIGHT OF RADIUS 170.00 FEET, CENTRAL ANGLE 125°11'43" AN ARC

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DISTANCE OF 371.46 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A LINE, WHICH POINT BEARS SOUTH 83°25'04" WEST FROM THE RADIUS POINT OF THE CURVE LAST ABOVE DESCRIBED; THENCE

4. SOUTH 72°15'58" WEST A DISTANCE OF 290.61 FEET TO A POINT OF CURVATURE; THENCE

5. SOUTHERLY ALONG A CURVE TO THE RIGHT OF RADIUS 75.00 FEET, CENTRAL ANGLE 104°32'02", AN ARC DISTANCE OF 5.93 FEET TO A POINT OF TANGENCY; THENCE

6. SOUTH 13°12'00" EAST A DISTANCE OF 26.32 FEET; THENCE

7. SOUTH 76°48'00" WEST A DISTANCE OF 297.60 FEET TO A POINT OF NON RADIAL INTERSECTION WITH A CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 86°17'18" WEST FROM THIS LAST DESCRIBED POINT; THENCE

8. SOUTHWESTERLY AND WESTERLY ALONG A CURVE TO THE RIGHT OF RADIUS 190.00 FEET, CENTRAL ANGLE 80°30'42", AN ARC DISTANCE OF 266.99 FEET TO A POINT OF TANGENCY; THENCE

9. SOUTH 76°48'00" WEST A DISTANCE OF 546.85 FEET TO A POINT OF CURVATURE; THENCE

10. SOUTHWESTERLY AND SOUTHERLY ALONG A CURVE TO THE LEFT OF RADIUS 30.00 FEET, CENTRAL ANGLE 90°00'00", AN ARC DISTANCE OF 47.12 FEET TO A POINT OF TANGENCY; THENCE

11. SOUTH 13°12'00" EAST A DISTANCE OF 39.58 FEET; THENCE

12. SOUTH 76°48'00" WEST A DISTANCE OF 165.00 FEET; THENCE

13. SOUTH 13°12'00" EAST A DISTANCE OF 11.77 FEET; THENCE

14. SOUTH 76°48'00" WEST A DISTANCE OF 135.00 FEET TO THE NORTHWEST CORNER OF THE ABOVE MENTIONED PLAT NUMBER 35; THENCE NORTH

13°12'00" WEST A DISTANCE OF 2549.61 FEET TO A POINT IN THE NORTHERLY BOUNDS OF GROVE 3 TRACT AS DESCRIBED IN OFFICIAL RECORDS BOOK 383 AT PAGE 1059, THENCE NORTH 74°03'19" EAST ALONG SAID NORTHERLY BOUNDS A DISTANCE OF 2476.84 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 13°31'07" EAST, DEPARTING SAID NORTHERLY BOUNDS, A DISTANCE OF 14.05 FEET; THENCE NORTH 74°14'30" EAST A DISTANCE OF 18.57 FEET TO POINT OF BEGINNING.

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## EXHIBIT "B"

### PERMITTED EXCEPTIONS

- COPY**
- (a) Provisions of the Plat of Tradition Plat No. 28, recorded in Plat Book 45, Page 24 of the Public Records of St. Lucie County, Florida.
  - (b) Provisions of the Plat of Tradition Plat No. 22, recorded in Plat Book 46, Page 18 of the Public Records of St. Lucie County, Florida.
  - (c) Provisions of the Plat of Tradition Plat No. 35, recorded in Plat Book 52, Page 1 of the Public Records of St. Lucie County, Florida.
  - (d) Provisions of the Plat of Tradition Plat No. 40, recorded in Plat Book 54, Page 1 of the Public Records of St. Lucie County, Florida.
  - (e) The terms, provisions and conditions contained in that certain Interlocal Agreement recorded in Book 1518, Page 2469, and District Development Interlocal Agreement recorded in Book 1525, Page 866.
  - (f) The terms, provisions and conditions contained in that certain Annexation and Development Agreement recorded in Book 1648, Page 2879.
  - (g) The terms, provisions and conditions contained in that certain Agreement to Dedicate-Community Infrastructure recorded in Book 1659, Page 2439.
  - (h) The terms, provisions and conditions contained in that certain Community Charter for Tradition recorded in Book 1700, Page 868, as affected by: Book 1965, Page 1624.
  - (i) The terms, provisions and conditions contained in Resolution 03-R67, Constituting a Development Order by the City of Port St. Lucie recorded as Exhibit "A" to the Notice of Adoption of the Development Order for the Tradition Development of Regional Impact recorded in Book 1810, Page 1990, as affected by: Book 1853, Page 2387.
  - (j) The terms, provisions and conditions contained in that certain Declaration of Consent to Imposition of Special Assessments recorded in Book 1861, Page 2114.
- COPY**

(k) Covenants, Conditions and Restrictions as set forth in Special Warranty Deed recorded in Book 1958, Page 1412, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

(l) Easement granted to Florida Power & Light Company by instrument recorded in Book 2350, Page 1753.

(m) Declaration of Restrictions and Protective Covenants for Seasons at Tradition, which contains provisions for a private charge or assessments, recorded in Book 2493, Page 1369, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

(n) The terms, provisions and conditions contained in that certain Notice of Establishment of the Tradition Community Development District No. 5 recorded in Book 2685, Page 699.

(o) The terms, provisions and conditions contained in that certain Access and Exclusive Utility Easement recorded in Book 2813, Page 2810.

(p) The terms, provisions and conditions contained in that certain Deed of Conservation Easement recorded in Book 3028, Page 2735.

(q) The terms, provisions and conditions contained in that certain Deed of Conservation Easement recorded in Book 3028, Page 2746.

(r) The terms, provisions and conditions contained in that certain Deed of Conservation Easement recorded in Book 3028, Page 2756 as recorded in Book 3029, Page 371.

(s) The terms, provisions and conditions contained in that certain Deed of Conservation Easement recorded in Book 3028, Page 2770.

(t) The lien of taxes and assessments for the year 2009 and all subsequent years, which are not yet due and payable.

(u) Easement Agreement by A. Duda & Sons to D & M Indian River Groves recorded in Book 383, Page 1074, as it relates to Exhibit "A" of said easement agreement.

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