

RECORDED

7/17/90

PAGE NO.

83-84

R-90-60

MINUTE BOOK NO.

40

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY ADOPTING AN AMENDMENT TO THE LEGAL DESCRIPTION OF THE DEVELOPMENT ORDER FOR THE WINGATE CREEK MINE, DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, the Wingate Creek Mine possesses an Amended Development of Regional Impact Development Order from Manatee County, R-88-236; and

WHEREAS, certain property within the Wingate Creek Mine described in R-88-236 has been sold to BB/Manatee Associates, a successor of Roger B. Broderick; and

WHEREAS, the Development Order specifies, in Section D, that the deletion of property can occur upon meeting certain conditions; and

WHEREAS, Manatee County has received a letter from the Florida Department of Natural Resources certifying that the owner of the property proposed for deletion has fully satisfied all applicable reclamation plans and conditions and the property has been released from the Reclamation Plan; and

WHEREAS, the Director of Public Works for Manatee County has certified that the owner of the property proposed for deletion has fully satisfied all applicable reclamation plans and conditions, and the property has been released from the Reclamation Plan; and

WHEREAS, the County has received a legal description, attached hereto as Exhibit "A", of the property proposed for deletion and has received a written request from the owner's attorney; and

WHEREAS, Manatee County has received a Mineral Right and Royalty Transfer from Nu-Gulf Industries, recorded in the Official Records of Manatee County at O. R. Book 1284, Page 2683.

NOW, THEREFORE, be it resolved by the Board of County Commissioners that:

1. The conditions specified in R-88-236 have been fulfilled for the deletion of the property described on Exhibit "A".

2. The Board hereby deletes the property described in Exhibit "A" from the Amended Development Order for Wingate Creek Mine Development of Regional Impact, the Master Mine Plan and the Operating Permit for Wingate Creek Mine and directs that it be reflected in the next annual report submitted pursuant to Subsection 380.06(18), Florida Statutes.

3. The deletion of property shall be effective as of January 19, 1990, the date of recording of the transfer of property to BB/Manatee Associates.

4. The Clerk of the Board of County Commissioners is directed to send certified copies of this Resolution to Roger B. Broderick, Hugh McGuire, Registered Agent for Nu-Gulf Industries, Tampa Bay Regional Planning Council and the Department of Community Affairs, within fifteen (15) days of its adoption.

ADOPTED with a quorum present and voting this the 17th day of July, 1990.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: *William H. Glass*

Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

EXHIBIT "A"

COMMENCE AT THE S.E. CORNER OF SECTION 36, TOWNSHIP 34 SOUTH, RANGE 21 EAST; THENCE N 00°31'38" E, ALONG THE EAST LINE OF SAID SECTION 36, 1550.00 FT.; THENCE N 09°28'22" W, PERPENDICULAR TO THE EAST LINE OF SAID SECTION 36, 99.97 FT. TO THE INTERSECTION WITH THE WEST R/W (200.0 FT. WIDE) OF STATE ROAD NO. 39 (SECTION 13170-2502), FOR A P.O.B.; THENCE CONTINUE N 09°28'22" W, 3400.00 FT.; THENCE S 00°31'38" W, PARALLEL TO THE EAST LINE OF SAID SECTION 36 AND SOUTHERLY EXTENSION THEREOF, 4000.00 FT.; THENCE S 09°28'22" E, PERPENDICULAR TO THE EAST LINE OF SAID SECTION 36 AND SOUTHERLY EXTENSION THEREOF, 1500.00 FT.; THENCE S 00°31'38" W, PARALLEL TO THE EAST LINE OF SAID SECTION 36 AND SOUTHERLY EXTENSION THEREOF, 600.00 FT.; THENCE S 85°12'02" E, 2140.71 FT. TO THE INTERSECTION WITH THE WEST R/W OF SAID STATE ROAD NO. 39, SAID POINT BEING ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES S 00°21'26" W, 5629.58 FT. AND HAVING A CHORD OF N 10°35'24" W, 186.13 FT.; THENCE NORTHERLY, ALONG SAID WEST R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°53'40", 186.14 FT. TO THE P.T. OF SAID CURVE; THENCE N 11°32'14" W, ALONG SAID WEST R/W, 100.00 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 5829.58 FT. AND A CHORD OF N 05°38'40" W, 1196.99 FT.; THENCE NORTHERLY, ALONG SAID WEST R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°47'07", 1199.10 FT. TO THE P.T. OF SAID CURVE; THENCE N 00°14'53" E, ALONG SAID WEST R/W, 1543.26 FT.; THENCE N 00°31'43" E, ALONG SAID WEST R/W, 1550.17 FT. TO THE P.O.B., BEING AND LYING IN SECTION 36, TOWNSHIP 34 SOUTH, RANGE 21 EAST AND SECTION 1, TOWNSHIP 35 SOUTH, RANGE 21 EAST, MANATEE COUNTY, FLORIDA.
CONTAINING 345.000 ACRES.

COMMENCE AT THE S.E. CORNER OF SECTION 1, TOWNSHIP 35 SOUTH, RANGE 21 EAST; THENCE N 00°14'53" E, ALONG THE EAST LINE OF SAID SECTION 1, 1364.84 FT. TO THE INTERSECTION WITH THE NORTH R/W (100.0 FT. WIDE) OF STATE ROAD NO. 64 (SECTION 1314-103) AND THE WEST R/W (200.0 FT. WIDE) OF STATE ROAD NO. 39 (SECTION 13170-2502), FOR P.O.B.; THENCE CONTINUE N 00°14'53" E, ALONG THE EAST LINE OF SAID SECTION 1 AND THE WEST R/W OF SAID STATE ROAD NO. 39, 549.57 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 5629.58 FT. AND CHORD OF N 04°41'50" W, 970.61 FT.; THENCE NORTHWESTERLY, ALONG SAID WEST R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 09°51'27", 971.82 FT.; THENCE N 85°12'02" W, 186.90 FT.; THENCE S 00°14'53" W, PARALLEL TO THE EAST LINE OF SAID SECTION 1, AND 270.0 FT. WESTERLY THEREFROM, 1534.24 FT. TO THE INTERSECTION WITH THE NORTH R/W OF SAID STATE ROAD NO. 64; THENCE N 09°38'42" E, ALONG THE SAID NORTH R/W, 270.00 FT. TO THE P.O.B., BEING AND LYING IN SECTION 1, TOWNSHIP 35 SOUTH, RANGE 21 EAST, MANATEE COUNTY, FLORIDA.
CONTAINING 8.823 ACRES.

FILED AND RECORDED
R.D. SHORE, CLERK
MANATEE COUNTY, FL.
Jan 19 1 18 PM '90