

**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**

Application No.: PDD-2021-01174
Application Name: Johns West PUD
Control No./Name: 2021-00073 (Johns West PUD)
Applicant: G. L. Acquisitions, LLC
 Johns Houston, LTD
 E. F. Johns, LTD
Owners: Johns Houston, LTD
 E. F. John, LTD
Agent: G.L. Homes - Gladys DiGirolamo
Telephone No.: (954) 753-1730
Project Manager: Imene Haddad, Senior Site Planner

TITLE: an Official Zoning Map Amendment **REQUEST:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to Planned Unit Development (PUD) Zoning District

APPLICATION SUMMARY: Proposed is an Official Zoning Map Amendment for the Johns West Planned Unit Development (PUD). The site is currently used for agricultural production. The Applicant proposes to rezone 259.52-acres from AR to PUD.

The Applicant is proposing a total of 679 units within seven Residential pods (A through G) as indicated on the Preliminary Master Plan (PMP). The 679 units are distributed within the pods as follows:

- Pod A: 99 Detached Zero Lot Line (ZLL) units;
- Pod B: 56 Detached Zero Lot Line (ZLL) units;
- Pod C: 111 Detached Zero Lot Line (ZLL) units;
- Pod D: 97 Detached Zero Lot Line (ZLL) units;
- Pod E: 119 Detached Single Family (SF) units;
- Pod F: 123 Detached Zero Lot Line (ZLL) units and
- Pod G: 74 Detached Zero Lot Line (ZLL) units.

The PMP also indicates 102.88-acres Open Space that will include a 7.17-acres Recreation Pod, a 0.5 acres Preserve Area, and 56.21-acres Lake Tracts. A total of two access points are proposed, one from Lyons Road and one from State Road 7.

SITE DATA:

Location:	East of State Road 7, approximately 0.25 miles north of Glades Road.
Property Control Number(s):	00-42-43-27-05-077-0061; 00-42-43-27-05-077-0561 00-42-43-27-05-077-0562; 00-42-43-27-05-077-0411
Existing Future Land Use Designation:	Low Residential (LR-3)
Proposed Future Land Use Designation:	No change
Existing Zoning District:	Agricultural Residential (AR) Zoning District
Proposed Zoning District:	Planned Unit Development (PUD) Zoning District
Total Acreage:	259.52-acres
Affected Acreage:	259.52-acres
Tier:	Urban/Suburban
Overlay District:	N/A
Neighborhood Plan:	N/A
CCRT Area:	N/A
Municipalities within 1 Mile:	N/A
Future Annexation Area:	N/A

RECOMMENDATION: Staff recommends approval of the request subject to the Conditions of Approval as indicted in Exhibit C.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received no contacts from the public regarding this application.

PROJECT HISTORY: The subject site currently exists as farmland and has no prior public hearing approvals.

SURROUNDING LAND USES:

NORTH:

FLU Designation: Low Residential (LR-3)
Zoning District: Residential Transitional (RT)
Supporting: Residential (Brentwood Place, Control No. 1980-00009)

SOUTH:

FLU Designation: High Residential (HR-8)
Zoning District: Residential Planned Unit Development (PUD)
Supporting: Residential (Promenade at Boca, Control No. 1995-00088)

FLU Designation: Commercial Low-Office, with an underlying MR-5 (CL-O/5)
Zoning District: Multiple Use Planned Development District (MUPD)
Supporting: Commercial (Glades Medical Center, Control No. 1995-00002)

FLU Designation: Commercial High, with an underlying LR-3 (CH/3)
Zoning District: General Commercial (CG)
Supporting: Commercial (Shadow wood Square, Control No. 1973-00043)

FLU Designation: Medium Residential (MR-5)
Zoning District: Residential Planned Unit Development (PUD)
Supporting: Residential (West Boca Estate, Control No. 1982-00174)

EAST:

FLU Designation: Institutional and Public Facilities (INST)
Zoning District: Single Family Residential
Supporting: Institutional and Public Civic (Palm Beach County School Board, Control No. 1988-00128)

WEST (across State Road 7/US 411):

FLU Designation: Low Residential (LR-3)
Zoning District: Residential Transitional
Supporting: Residential (Mission Bay, Control No. 1984-00099)

FLU Designation: Commercial Low (CL)
Zoning District: Multiple Use Planned Development (MUPD)
Supporting: Commercial (Mission Bay Corporate Park, Control No. 1996-00007)

FLU Designation: Low Residential (LR-3)
Zoning District: Planned Unit Development (PUD)
Supporting: Residential (Boca Greens PUD, Control No. 1977-00013)

FINDINGS:

Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

When considering a Development Order application for a Rezoning to a PDD or a TDD, a Conditional Use, excluding Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF), or a Development Order Amendment, the BCC and ZC shall utilize the Standards a – h listed in Article 2.B.7.B, Standards. The Standards and Staff Analyses are indicated below. A Conditional Use, Rezoning to PDD or TDD, or Development Order Amendment that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

a. **Consistency with the Plan** – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

PLANNING DIVISION COMMENTS:

○ *Consistency with the Comprehensive Plan:* The proposed use or amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

○ *Relevant Comprehensive Plan Policies:* The Comprehensive Plan’s Transportation Element in Policies 1.4-g and 1.4-l, provide the framework for requiring new development proposals to develop and connect to existing and proposed street network systems. They read as follows:

Policy 1.4-g: *The County shall reduce the need for widening major and minor thoroughfares by encouraging the placement of a well inter-connected system of streets. Where an interconnected system becomes possible, care should be given to a community's quality of life, the amount of through-traffic, the impacts on safety, and overall security.*

Policy 1.4-i: *The County shall encourage new developments to include: 1) an interconnected system of streets in their development plans which consider appropriate adjacent parcels with potential for future compatible developments; 2) stub streets that connect to adjacent undeveloped parcels with a potential for future developments; and 3) stub streets that tie into existing adjacent stub streets.*

The request contains historic Palm Beach Farms platted 30-foot rights of way (ROW) that bisect the overall site demonstrating a long-term intent to provide a future ROW network in the area. The current site plan has a main east-west spine road connecting to State Road 7 (US 441) and Lyons Road, with an additional connection to the south along the old Palm Beach Farms ROW, to 95th Avenue South. The provision of these connections further the intent of the historic platted ROW and are consistent with the above policies.

○ *Density and Workforce Housing Program (WHP):* The Planning Division reviewed the request for 679 residential units on the subject 259.52-acres utilizing the Low Residential, 3 units per acre (LR-3) land use designation, with no density bonus units requested. The site could yield a maximum of 779 dwelling units (3 du/ac x 259.52 ac = 778.56 or 779 rounded up). The request for a total of 679 units is below the maximum available units. The total units with the required Workforce Housing obligation was calculated utilizing the LR-3 Future Land Use designation and Limited Incentive Development Option as follows:

<u>Standard, Max & Bonus Density:</u>	<u>Workforce Housing (WHP):</u>
519.04 Standard units	12.98 WHP units (2.5%)
<u>159.96 Maximum units</u>	<u>12.80 WHP units (8%)</u>
679 units total	25.78 or 26 required WHP (rounded up)

○ *Workforce Housing (WHP) Program:* The WHP has both a mandatory and a voluntary component. This program requires that a percentage of units in new residential developments of 10 or more units be provided as workforce housing, affordable to income-qualified households having 60 to 140% of area Median Family Income (MFI). The program is applicable in the Urban/Suburban Tier of the unincorporated County and in other areas where required by conditions of approval. The program’s optional component allows for a density bonus in exchange for a portion of the additional units being dedicated as workforce housing.

Per the WHP requirements, the request is obligated to designate, and deed restrict a minimum of 26 units as Workforce Housing. The Applicant is choosing to provide the units offsite utilizing the Exchange Builder Option. The Applicant has indicated that no specific builder has been contracted at this time, therefore a surety, or guarantee, equal to 100% of the In Lieu Fee is required to be posted prior to the release of the 1st Building Permit. The Guarantee equates to \$3,285,360 (26WHP X \$126,360 for single family = \$3,285,360 total in-

lieu fee). If no builder is engaged by the release of 25% (170th) Building Permit, the County will cash the surety.

- *Workforce Housing (WHP) Program Pricing & Income Categories:* The subject request was submitted June 28, 2021, when the 2020 price schedule was still in effect. In Palm Beach County, the 2020 area Median Family Income (MFI) is \$79,100 for a family of four (per HUD). The following are the current sales and rental prices per income category for 2020 in Palm Beach County. The income categories are the same for both programs. These homes cannot be sold or rented at a higher rate than the designated price, as adjusted annually.

- *WHP Sales Prices:* The sales prices are based on US HUD annual median income figure.

WHP Income Category			2020 (WHP) Sales Prices
Low	60 -80%) of MFI	\$47,460 - \$63,280	\$166,110
Moderate 1	>80 -100%) of MFI	>\$63,280 - \$79,100	\$213,570
Moderate 2	>100 -120%) of MFI	>\$79,100 - \$94,920	\$261,030

- *WHP Rental Prices:* The WHP rents are based on the annual Florida Housing Finance Corporation (FHFC) Multi-Family Rental Figures, adjusted for number of bedrooms and any Utility Allowances are applied against gross maximum rent. WHP prices are set annually, based on the provisions of Article 5.G.1.A.3.c.2 of the Unified Land Development Code reflected below, and the following:

WHP Income Category			1 BR	2 BR	3BR	4BR
Low	60-70% of MFI	\$47,460 - \$55,370	\$ 988 - 1,153	\$1,186 - \$1,384	\$1,370 - \$1,598	\$1,528 - \$1,783
	>70-80% of MFI	>\$55,370 - \$63,280	\$1,153 - \$1,318	\$1,384 - \$1,582	\$1,598 - \$1,827	\$1,783 - \$2,038
Moderate 1	>80-90% of MFI	>\$63,280 - \$71,190	\$1,183 - \$1,483	\$1,582 - \$1,780	\$1,827 - \$2,056	\$2,038 - \$2,293
	>90-100% of MFI	>\$71,190 - \$79,100	\$1,483 - \$1,648	\$1,780 - \$1,978	\$2,056 - \$2,284	\$2,293 - \$2,548
Moderate 2	>100-110% of MFI	>\$79,100 - \$87,010	\$1,648 - \$1,813	\$1,978 - \$2,176	\$2,284 - \$2,512	\$2,548 - \$2,803
	>110-120% of MFI	>\$87,010 - \$94,920	\$1,813 - \$1,977	\$2,176 - \$2,373	\$2,512 - \$2,740	\$2,803 - \$3,057
Middle	>120-130% of MFI	>\$94,920 - \$102,830	\$1,977 - \$2,142	\$2,373 - \$2,571	\$2,740 - \$2,969	\$3,057 - \$3,312
	>130-140% of MFI	\$102,830 - \$110,740	\$2,142 - \$2,306	\$2,571 - \$2,768	\$2,969 - \$3,197	\$3,312 - \$3,566

- *Special Overlay District/ Neighborhood Plan/Planning Study Area:* The property is not located within any Special Overlay District, Neighborhood Plan or Planning Study Area as identified within the Comprehensive Plan.

b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

- *Property Development Regulations:* The proposed request is to rezone the site to a PUD Zoning District. In order to rezone to a PUD, the site must provide for a minimum of 200 units and 50 acres. Additionally, the development must provide for a minimum 40% open space, with the remaining 60% being development area. The site proposes a total of 102.88 acres of open space, exceeding the 40% Open Space requirement in Table 3.E.2.C, PUD Land Use Mix by 0.43-acres. The 256.13 acres Development Area contains both Residential and Recreation Pods which meet the requirements pursuant to Table 3.E.2.D, PUD Property

Development Regulations. The Applicant is proposing to utilize the cash out option for the 5.19-acre Civic Pod, subject to Board approval.

○ *Exemplary Design:* A rezoning to a PUD Zoning district shall only be granted to a project that exceeds the goals, policies and objectives in the Plan and the minimum requirements of this code, and the design objectives and performance standards. This includes but is not limited to sustainability, trip reduction, cross access, buffering, aesthetics, creative design, vegetation preservation, recreational opportunities, mix of uses, mix of units, safety and affordable housing. The Applicant proposes the following to satisfy the exemplary design criteria:

- The proposed overall density for the Johns West development will be 2.62 units per acre which is consistent with neighboring developments. In addition, the Applicant has indicated that 73% of the total units will be situated on a lake. Many of the lakes within the community will attract a great diversity of wildlife.
- A recreation parcel of 7-acres is indicated on PMP-1 (Figure 4), which exceeds Code requirements by approximately 50% as only 4.07-acres of recreational area is required.
- The site design includes sidewalks and pedestrian pathways that encourage pedestrian circulation within the community to a centrally located Recreation area.

○ *Performance Standards and Design Objectives:* The proposed development is subject to the PDD Design Objectives and Performance Standards pursuant to Art. 3.E.1.C., PDD Objective and Standards, along with the Art. 3.E.2.A.B Objectives and Standards for a PUD. The Applicant has met and exceeded these requirements by providing:

- A development that is predominantly residential;
- A continuous non-vehicular circulation system throughout the development and to Lyons Road;
- Establishing Code required landscape buffers along all adjacent perimeters to buffer existing development from the proposed development;
- Decorative pavers are to be provided at the entrance to the development;
- A fountain will be provided within Lake Parcel 1 near the entrance of the development and a condition of approval was added to require a second fountain;
- A focal point will be provided at the terminus of 15% of streets within the project, and
- The proposed development provide a mix of two housing types including 119 Detached Single Family Units and 560 Detached Zero Lot Line Units.

The proposed 679 unit residential development, with proposed 7.17-acre recreation areas may be improved to be in line with the purpose and intent of the code and required performance standards:

- Proximity to Other Uses:* None of the pods within the proposed development include a density greater than five dwelling units per acre. Therefore the residential pods are not required to be within a proximity of a neighborhood park.
- Focal Points:* There are 22 streets within the community. A focal point is required at the terminus of 15 percent of the streets. The Preliminary Master Plan and Street Layout Plan show four focal points including one fountain within the entrance.
- Neighborhood Park:* The project does not require a neighborhood park as the density within the proposed development is less than five dwelling units per acres.
- Decorative Street Lighting:* Decorative street lighting is provided at both entrances of the development.
- Decorative Paving:* Decorative paving are provided at the development entrances and within the recreation pod as required.
- Fountain:* One fountain is proposed within Lake 1 at the entrance. Staff has added a condition to require an additional fountain.
- Benches or Play Structures:* Benches will be provided along the pedestrian pathway adjacent to the spine road within some of the focal points and along the pathway around the recreation pod per code requirement.
- Interspersed Housing:* The Applicant is choosing to provide the Workforce housing units offsite utilizing the Exchange Builder Option to meet this requirement.

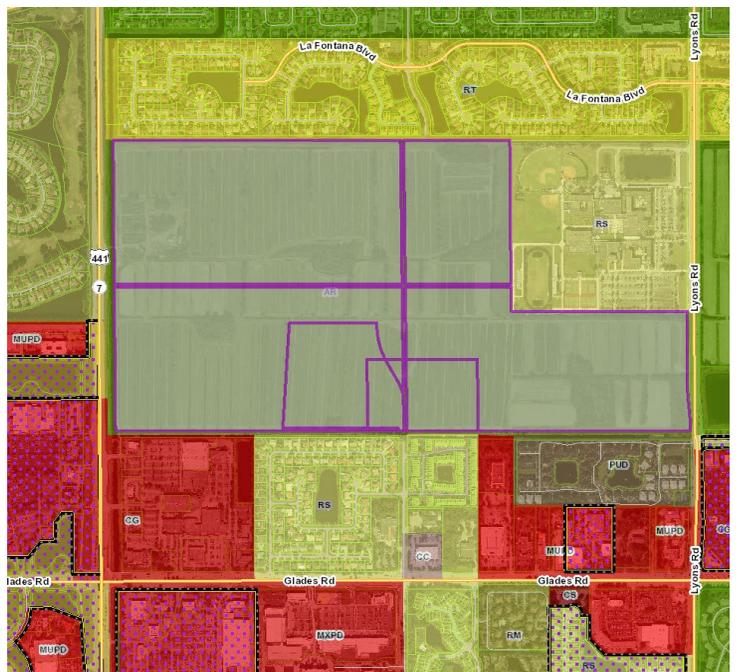
- i. **Pedestrian Circulation System:** An interconnected pedestrian sidewalk, path, or trail system are required linking pods to recreation amenities within the development. The Street Layout Plan includes sidewalks on both sides of each 50 foot Right-of-Way and spinal road. In addition, a five foot sidewalk is provided on one side of each 40 foot wide residential access street and the perimeter of the recreation pod.

Landscape/Buffering: The required 8 ft. Compatibility buffer is provided along the northern property line where the development abuts the Brentwood Place residential development. All required buffering along the southern property line is provided per Art.7.C.2.C of the ULDC. The south buffer is adjacent to a variety of uses and therefore buffering requirements vary from an 8 ft. Compatibility buffer to 15' incompatibility buffer. A 20-foot wide Right-of-Way (R-O-W) buffer is provided along the east property line adjacent to Lyons Road and another a 20 ft. wide R-O-W buffer is provided along the west property line adjacent to State Road 7.

- o **Signs:** The Preliminary Master Sign Plan (PSMP) (Figure 7) proposes two Project Entrance Signs for the Lyons Road entrance to the development. Eight On-site entrance signs are proposed for the individual pods and recreation parcel. All signage will be Code-compliant per Art. 8.G.2.C.A Entrance Signs, and Art.8.G.3.D.B.C On-site Directional Signs.

c. Compatibility with Surrounding Uses – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

The site design will be compatible and generally consistent with all surrounding uses. Directly north of the subject site is the existing residential development known as the Brentwood Place community within the Residential Transitional District (Brentwood Place, Control No 1980-0009). To the south of the development are residential and commercial uses including the Promenade at Boca Planned Unit development to the southeast of the development, The Glades Medical Center and the Shadow Wood Center Commercial development. The Lyons Road corridor consist of mainly single family residential communities as seen in the aerial to the right. The proposed Single-Family development is generally consistent with the overall land uses within the vicinity of the subject area.



To the east of the development is the Olympics Heights Community High School (Palm Beach County School Board, Control No. 1988-00128). This is an institutional use and the proposed development will have no impact on this use.

d. Design Minimizes Adverse Impact – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

The proposed development will have minimal impacts on neighboring lands. As previously described, the subject site is a contiguous development to a number of other Residential Developments that are to the north, south and east of the subject site along Lyons Road and State Road 7. The proposal for 679 Single Family and Zero Lot Line homes are consistent with the development pattern in the area (see Standard e., Development Patterns). The PMP indicates a number of site features that will provide visual buffering to the neighboring developments. Along the north property line, the Applicant is proposing to provide an 8 ft. compatibility buffer. The buffer is adjacent to L-44 LWDD canal providing a 100 ft. between proposed and existing residential homes. The significant distance between the two

developments as well as the existing and proposed buffers will reduce significantly any potential impacts to existing homeowners.

Along Lyons Road, the Applicant is providing a 20 ft. R-O-W buffer. The proposed buffer will reduce visual impacts from Lyons Road and existing development to the east. The southern property line is boarded by a 20 ft. overall LWDD L-45 Canal and will maintain required buffering between 8 ft. and 20 ft. as required per code. The west property line will maintain a 20 ft. wide R-O-W buffer.

e. Design Minimizes Environmental Impact – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

VEGETATION PROTECTION: The site is an existing agriculture use (i.e., row crops) with some areas that are SFWMD jurisdictional wetlands. There are native vegetation species (Pines, Oaks, Strangler Figs, Sabal Palms, etc.) that exist on the site. Native vegetation that cannot be preserved in place are being either relocated or mitigated. Most of the native vegetation is located within the jurisdictional wetlands and along canal embankments throughout the site since most of the land area was utilized for agriculture. Generally, ERM does not have jurisdiction to regulate native species within wetlands.

In regard to the vegetation growing along the canals, the slash pines are particularly difficult to save in place given their location, sensitive root system, and their elevations relative to the proposed elevation. All native vegetation that are relocatable (e.g., sabal palms, live oaks and strangler figs) are being relocated elsewhere on site. A notable specimen is Tree #178, a 36 inch Ficus Aurea that has a symmetrical and sprawling canopy. The Applicant is proposing a voluntary preserve that is to be located in the Southeast corner of the site. Through coordination with ERM, it is the Applicant's intent to consolidate the mature native vegetation throughout the site (including some species within the wetlands) to create a habitat that will ultimately be between one-half and one acre in size. Some of the cypress trees located in the Southeast-most cypress head are being relocated to the aforementioned preserve. Historical aeriels indicate that the cypress trees in the aforementioned cypress head have been in existence since before 1940 (i.e., our oldest historical aerial that showed the trees). In addition, the Applicant has agreed to consolidate the littoral planting for Lake #1 to a single shelf adjacent to the preserve area.

SITE CONTAMINATION: As with other Agricultural Uses, there are potential contaminants on the site. A Phase II Environment Audit will be required during the DRO process and ERM will confirm that the Applicant is coordinating with FDEP, if necessary.

WELLFIELD PROTECTION ZONE: The property is not located within a Wellfield Protection Zone.

IRRIGATION CONSERVATION CONCERNS AND SURFACE WATER: All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Water and Irrigation Conservation Ordinance No. 93 3. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93 15.

f. Development Patterns – *The proposed use or amendment will result in a logical, orderly and timely development pattern.*

The proposed rezoning will result in a logical, orderly and timely development pattern. The location of the proposed PUD development has frontage on Lyons Road and State Road 7 which makes it ideal for this type of residential development. The Applicant states that there are multiple residential communities within the vicinity of the proposed project. The project will provide lower density within the area. The Applicant's justification statement also states

that the proposed location of the new development provides contiguity of housing options within the Lyons Road corridor north of Glades road, which is within proximity of the commercial uses located at State Road 7 and Glades Road, a major commercial hub.

g. Adequate Public Facilities – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

ENGINEERING COMMENTS:

The proposed 679 single family dwelling unit residential development is expected to generate 6,790 net daily trips, 502 net AM peak hour trips, and 639 net PM peak hour trips. The build out of the project is expected to happen by 2026.

Some of the significantly impacted roadways and intersections have background deficiencies, without the project traffic. As per the State Proportionate Share legislation, the developer will not be responsible to make any improvements to those deficient roadways and intersections for project approval.

Traffic study was done with several alternative access options, e.g., a directional only (no lefts out from the development), full median opening on SR-7 access, and an access through 95th Ave S. Overall TPS conclusions were the same for all the above alternatives considered, though some site related improvements were specific to each of the alternatives.

ADJACENT ROADWAY LEVEL OF SERVICE (PM PEAK)

Segment: SR-7 from Glades Rd to Kimberly Blvd

Existing count: Northbound=2034, Southbound=2068

Background growth: Northbound=556, Southbound=615

Project Trips: Northbound=60, Southbound=60

Total Traffic: Northbound=2650, Southbound=2743

Present laneage: 3 in each direction

Assured laneage: 3 in each direction

LOS "D" capacity: 2940 per direction

Projected level of service: LOS D or better in each direction.

Segment: Lyons Rd from Glades Rd to Kimberly Blvd

Existing count: Northbound=1697, Southbound=1749

Background growth: Northbound=256, Southbound=283

Project Trips: Northbound=181, Southbound=106

Total Traffic: Northbound=2134, Southbound=2138

Present laneage: 3 in each direction

Assured laneage: 3 in each direction

LOS "D" capacity: 2940 per direction

Projected level of service: LOS D or better in each direction

The Property Owner shall dedicate ROW and configure the property into a legal lot of record prior to the issuance of the building permit.

The Property Owner shall install landscaping within the medians of Lyons Road and State Road 7 along the project frontage in accordance with OTIS.

PALM BEACH COUNTY HEALTH DEPARTMENT:

This project has met the requirements of the Florida Department of Health

FIRE PROTECTION:

Staff has reviewed this application and have no comment.

SCHOOL IMPACTS:

In accordance with the adopted Coordinated Planning Interlocal Agreement, a School Capacity Availability Determination (SCAD) for a maximum of 679 residential units had been approved on September 16, 2021 (SCAD Case #21082301Z). The subject property is located in SAC 311D.

This project is estimated to generate approximately two hundred and forty-nine (249) public school students. The schools currently serving this project area are: Sunrise Park Elementary School, Eagles Landing Middle School and Olympic Heights Community High School.

The School Capacity Availability Determination (SCAD) analysis for this application has determined that the proposal would exacerbate capacity deficiencies at the District elementary, middle and high school levels. The additional one hundred and six (106) elementary school students generated by this proposal will increase the utilization percentage of Sunrise Park Elementary School to 139%. The additional fifty-nine (59) middle school students generated by this proposal will increase the utilization percentage of Eagles Landing Middle School to 145%. The additional eighty-four (84) high school students generated by this proposal will increase the utilization percentage of Olympic Heights Community High School to 123%.

The revised Preliminary Master Plan (dated 9/013/21) shows two (2) 10 ft. by 15 ft. public school bus shelter locations. A bus shelter condition of approval has been applied to this request.

PARKS AND RECREATION:

Project proposes 679 dwelling units requiring 4.07-acres of onsite recreation, 7.00 net acres are provided, therefore the recreation requirement is satisfied.

h. Changed Conditions or Circumstances – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

The Applicant’s Justification Statement indicates that the rezoning of the lands associated with the proposed Johns West PUD is due to the ability of the contract purchaser to acquire the overall property from the Johns Family in order to continue to aggregate lands for development within the unincorporated Palm Beach County. The proposed Rezoning application is within an area that is prime for residential construction as roads, utilities, and amenities such as shopping, medical, schools, and recreation are already in place.

CONCLUSION: Staff have evaluated the standards listed under Article 2.B. and determined that there is a balance between the need for change and the potential impacts generated by this change. Therefore, Staff is recommending approval of the request, subject to the Conditions of Approval in Exhibits C.

CONDITIONS OF APPROVAL

EXHIBIT C: PDD- Residential Planned Development District

ALL PETITIONS

1. The approved Preliminary Master Plan is dated November 08, 2021. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: MONITORING - Zoning)

ENGINEERING

1. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2026, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. Prior to issuance of the first building permit for a residential unit for sale, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. The platting of this property may be phased in accordance with a phasing plan acceptable to the Office of the County Engineer and approved by the Development Review Officer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety. (BLDGPM: MONITORING - Engineering)

3. Prior to the issuance of the first building permit for a residential unit for sale or within ninety (90) days of a request by the County Engineer, whichever shall occur first, the Property Owner shall provide to Palm Beach County Right of Way Section of Roadway Production Division by warranty deed additional right of way for the construction of a right turn lane on Lyons Road at the project's entrance road. This right of way shall be a minimum of 280 feet in storage length, a minimum of thirteen feet in width and a taper length of 50 feet, or as approved by the County Engineer. Additional width may be required to accommodate paved shoulders. The right of way shall continue across the project entrance. This additional right of way shall be free of all encumbrances and encroachments and shall include Corner Clips where appropriate, as determined by the County Engineer. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. The Property Owner shall not record the required right of way or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDGPM/ONGOING: MONITORING - Engineering)

4. The Property Owner shall construct a right turn lane north approach on Lyons Road at the project entrance road.

Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit for residential units for sale. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the entire condition shall be considered satisfied. (BLDGPMT: MONITORING - Engineering)

b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering)

5. The Property Owner shall construct a

i. left turn lane north approach on State Road 7 at the project's entrance road.

ii. right turn lane south approach on State Road 7 at the project's entrance road.

Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from the Florida Department of Transportation for this construction shall be obtained prior to the issuance of the first building permit for residential units for sale. (BLDGPMT: MONITORING - Engineering)

b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering)

6. The Property Owner shall modify the existing left turn lane south approach on Lyons Road at the Project entrance road and the directional median opening as approved by the County Engineer. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required for improvements identified above shall be obtained from Palm Beach County prior to the issuance of the first Building Permit for a residential unit for sale. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the condition shall be considered satisfied. (BLDGPMT: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering)

7. Landscape Within the Median of Lyons Road

The Property Owner shall design, install, and perpetually maintain median landscape within the median of all abutting right of way of Lyons Road. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioner's approval. Median landscaping installed by the Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph c and d below.

a. The necessary permit(s) for this landscaping and irrigation shall be applied for from Palm Beach County Land Development prior to the issuance of the first building permit for a residential unit for sale. (BLDGPMT: MONITORING - Engineering)

b. All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy. (BLDGPMT/CO: MONITORING - Engineering)

c. At Property Owner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the Property Owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the Property Owner. The Property Owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into

conformance with OTIS standards by the Property Owner. (ONGOING: ENGINEERING - Engineering)

d. Alternately, at the option of the Property Owner or if the construction of the required landscape and irrigation is not possible due to physical constraints, the Property Owner may make a contribution to the County's Only Trees Irrigation and Sod, (OTIS) program, unincorporated thoroughfare beautification program prior to the issuance of the first Building Permit for a residential unit for sale. This payment option is only available if the roadway segment is included in the County's current OTIS Master Plan and shall be based on the project's front footage along Lyons Road. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (BLDGPM: ENGINEERING - Engineering)

8. As a condition for access approval by the FDOT, the Property Owner shall extend the south approach left turn lane on SR-7 at Kimberly Blvd to 435 ft, inclusive of taper, or as approved by the FDOT, if full access on SR-7 is not approved by the FDOT. If project access is also provided through 95th Ave S, the FDOT may waive this lane extension requirement and this condition will be considered satisfied by providing a letter from the FDOT to the Traffic and Land Development Divisions, approving such waiver.

This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from FDOT for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering)

9. The Property Owner shall: i) restripe the south approach U-turn lane on Lyons Rd at the project entrance to a standard left turn lane ii) construct a south approach left turn lane on Lyons Rd at Broad St, as approved by the County Engineer, if project access through 95th Ave S is not constructed iii) extend the west approach left turn lane on Glades Rd at 95th Ave to the maximum extent feasible if project access through 95th Ave is constructed iv) extend the north approach left turn lane on 95th Ave S at Glades Rd to 375 ft plus 50 ft taper, or as approved by the County Engineer if project access through 95th Ave S is constructed.

The above construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering)

10. The Property Owner shall fund the cost of partial signal installation, if warranted, as determined by the County Engineer at project entrance on Lyons Rd. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition. This signal surety shall only be required to be posted if no project access is provided through 95th Ave S.

a. No Building Permits shall be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPM: MONITORING - Engineering)

b. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies. In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has

been provided to the Traffic Division by the new Property Owner. (ONGOING: ENGINEERING - Engineering)

11. NOISE MITIGATION

a. Prior to DRO certification of the Master Plan, the Property Owner shall submit to the Palm Beach County Engineering Department and Zoning Division a detailed noise analysis acceptable to the Florida Department of Transportation. This noise study shall be in accordance with Florida State Statutes Chapter 335 as outlined in FDOT Project Development and Environmental Manual, Chapter 17. Any required mitigation as a result of the anticipated noise, such as a sound wall and landscape buffer, shall be shown on the Preliminary Development Plan for this site subject to the approval of the County Engineer and Zoning Division. (DRO: ENGINEERING - Engineering)

b. Construction of any required sound walls and landscape buffers as outlined in the Noise Analysis shall be completed prior to the issuance of the first certificate of occupancy. (BLDGPM/CO: MONITORING - Engineering)

ENVIRONMENTAL

1. Prior to final approval by the Development Review Officer, the Plans shall be revised to identify a preserve area that is consistent with the area shown and described in the recorded conservation easement, which shall be reviewed and approved by the Department of Environmental Resources Management. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

2. Prior to Final Approval by the Development Review Officer, a Phase II Environmental Site Assessment shall be submitted to the Department of Environmental Resources Management (ERM) If the results of the Phase II Environmental Site Assessment indicate areas of on-site contamination, the project shall be referred to the Florida Department of Environmental Protection (FDEP) for the development of a mitigation plan and to oversee the remediation on the site. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

PLANNED DEVELOPMENT

1. Prior to Final Approval by the Development Review Officer, the Preliminary Master Plan shall be revised to indicate a minimum of two (2) water fountains as a focal feature within lake tract. The location of each fountain shall be subject to review and approval by the Zoning Division. (DRO: ZONING - Zoning) (ONGOING: ZONING - Zoning)

PLANNING

1. The subject request for 679 units with a 26 unit Workforce Housing Program (WHP) obligation was calculated based on Limited Incentive Development Option with the WHP units to be provided off-site utilizing the Exchange Builder option. No density bonus programs were utilized. Should any change occur to the calculation, the site shall require resubmittal and recalculation in whatever process it originated. (ONGOING: PLANNING - Planning)

2. The minimum exchange price for the Exchange Builder shall be 80 percent of the applicable in-lieu fee in effect at the time of the Development Order for subject development which equates to \$2,628,288 (26WHP X \$126,360 for single family = \$3,285,360 total in-lieu fee X 0.80 = \$2,628,288 total exchange price for Exchange Builder). (ONGOING: PLANNING - Planning)

3. Prior to the issuance of the first Residential Building Permit, the Property Owner shall record in the public records of Palm Beach County a Declaration of Restrictive Covenants, in a form acceptable to the Palm Beach County Attorney. The site plan shall also be modified to include the OR Book and Page of the recorded document and provide a copy of the revised site plan to Planning. (BLDGPM/CO: MONITORING - Planning)

4. Prior to the issuance of the first Residential Building Permit, the Property Owner shall identify whether an Exchange Builder has been engaged.

(1) If an Exchange Builder is engaged, the Property Owner shall submit all of the required documentation as described in Art. 5.G.1.C.4.b.2)d)(1). regarding utilization of the Exchange Builder options, with prior approval by the County Attorney and Planning; or

(2) If No Exchange Builder has been engaged, the Property owner shall provide a guarantee acceptable to Palm Beach County and approved by the County Attorney's Office, for an amount equal to 100 percent of the in-lieu fee. The Guarantee, at 100% of the In-Lieu Fee, equates to \$3,285,360 (26WHP X \$126,360 for single family = \$3,285,360 total in-lieu fee).

(BLDGPM: MONITORING - Planning)

5. Prior to issuance of no more than 25 percent (170) of the Building Permits in the subject development, if No Exchange Builder has been engaged, the Developer of the subject development shall have the option to replace the guarantee provided at first Building Permit with items meeting the requirements of Art. 5.G.1.C.4.b.2)d)(1). If, at 25 percent of Building Permits, the required information has not been provided or is not approved by the County Administrator or designee, the Developer may pay the full in-lieu fees of \$3,285,360 (26WHP X \$126,360 for single family = \$3,285,360 total in-lieu fee), and if not Palm Beach County shall file a claim against the guarantee for 100 percent of the in-lieu fees. Prepayment of the in-lieu fee by the Developer shall not be allowed. (BLDGPM: MONITORING - Planning)

6. Per Art. 5.G.1.C.4.b.; Any required WHP units to be provided offsite as rentals, the WHP obligation is shall be 1.5 times the obligation. All applicable plans and documents shall be updated to reflect the final disposition. (ONGOING: PLANNING - Planning)

SCHOOL BOARD

1. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

"NOTICE TO PARENTS OF SCHOOL AGE CHILDREN"

School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and, by direction of the Superintendent, public school attendance zones are subject to change. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD - School Board)

2. Prior to the issuance of the first Certificate of Occupancy (CO), the 10' by 15' school bus shelter by the Lyons Road entrance shall be constructed by the Property Owner in a location and manner acceptable to the Palm Beach County School Board. Provisions for the bus shelter shall include, at a minimum, a covered area, continuous paved pedestrian and bicycle access from the subject property or use, to the shelter. Maintenance of the bus shelter shall be the responsibility of the residential Property Owner. (CO: MONITORING - School Board)

3. Prior to the issuance of the 400th residential Certificate of Occupancy (CO), the 10' by 15' school bus shelter between POD C and POD F shall be constructed by the Property Owner in a location and manner acceptable to the Palm Beach County School Board. Provisions for the bus shelter shall include, at a minimum, a covered area, continuous paved pedestrian and bicycle access from the subject property or use, to the shelter. Maintenance of the bus shelter shall be the responsibility of the residential Property Owner. (CO: MONITORING - School Board)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: ZONING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

Figure 1 - Land Use Map

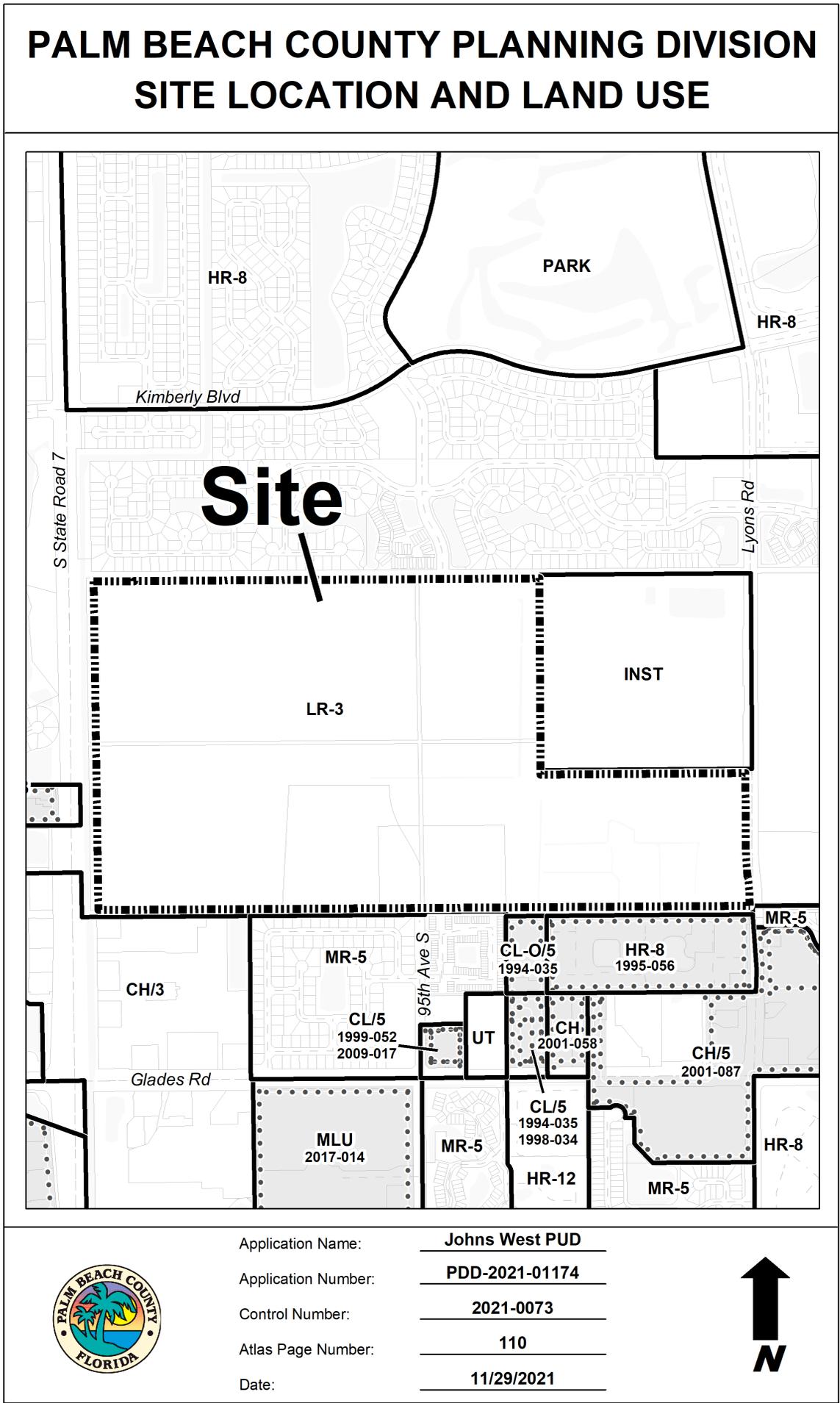


Figure 2- Zoning Map

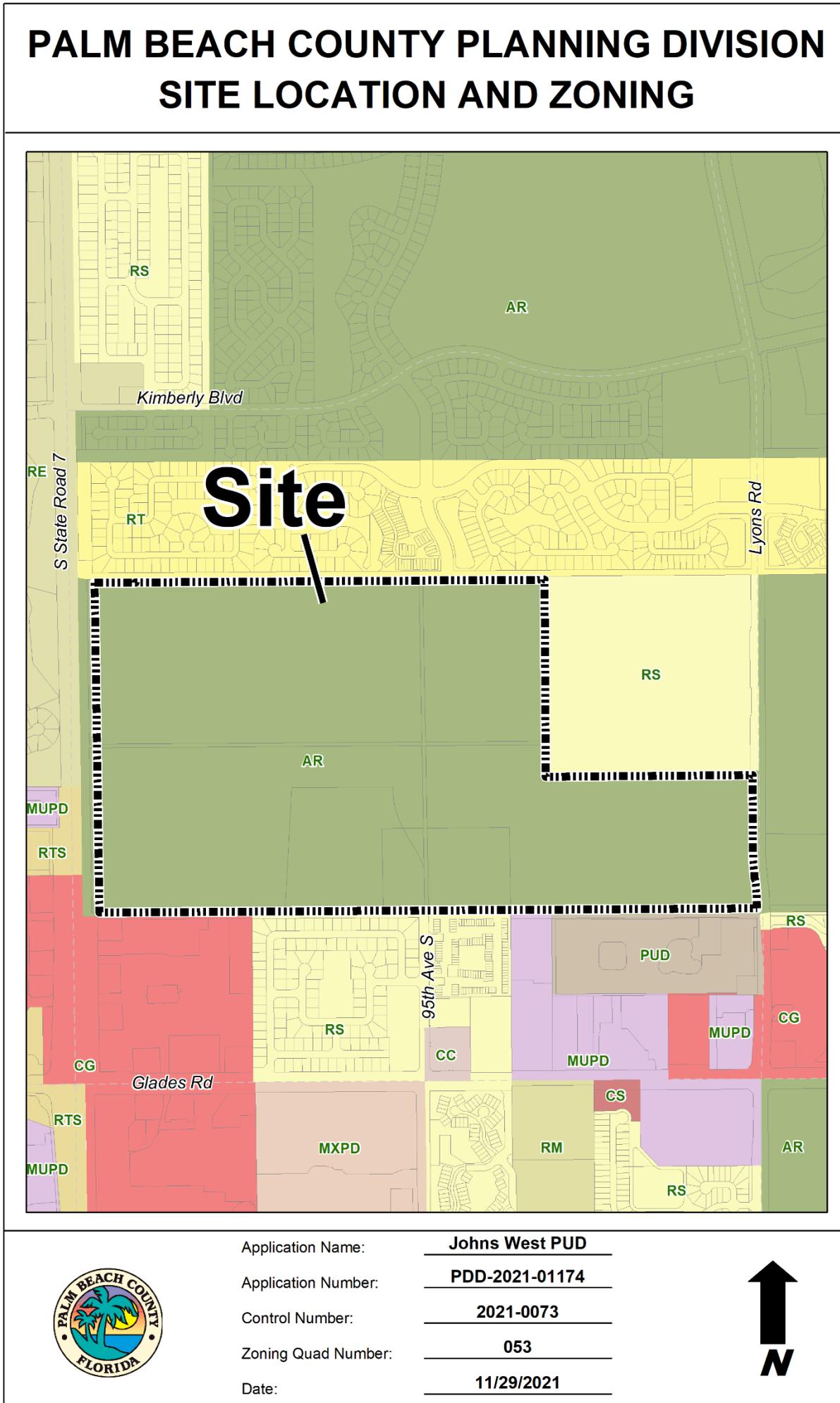
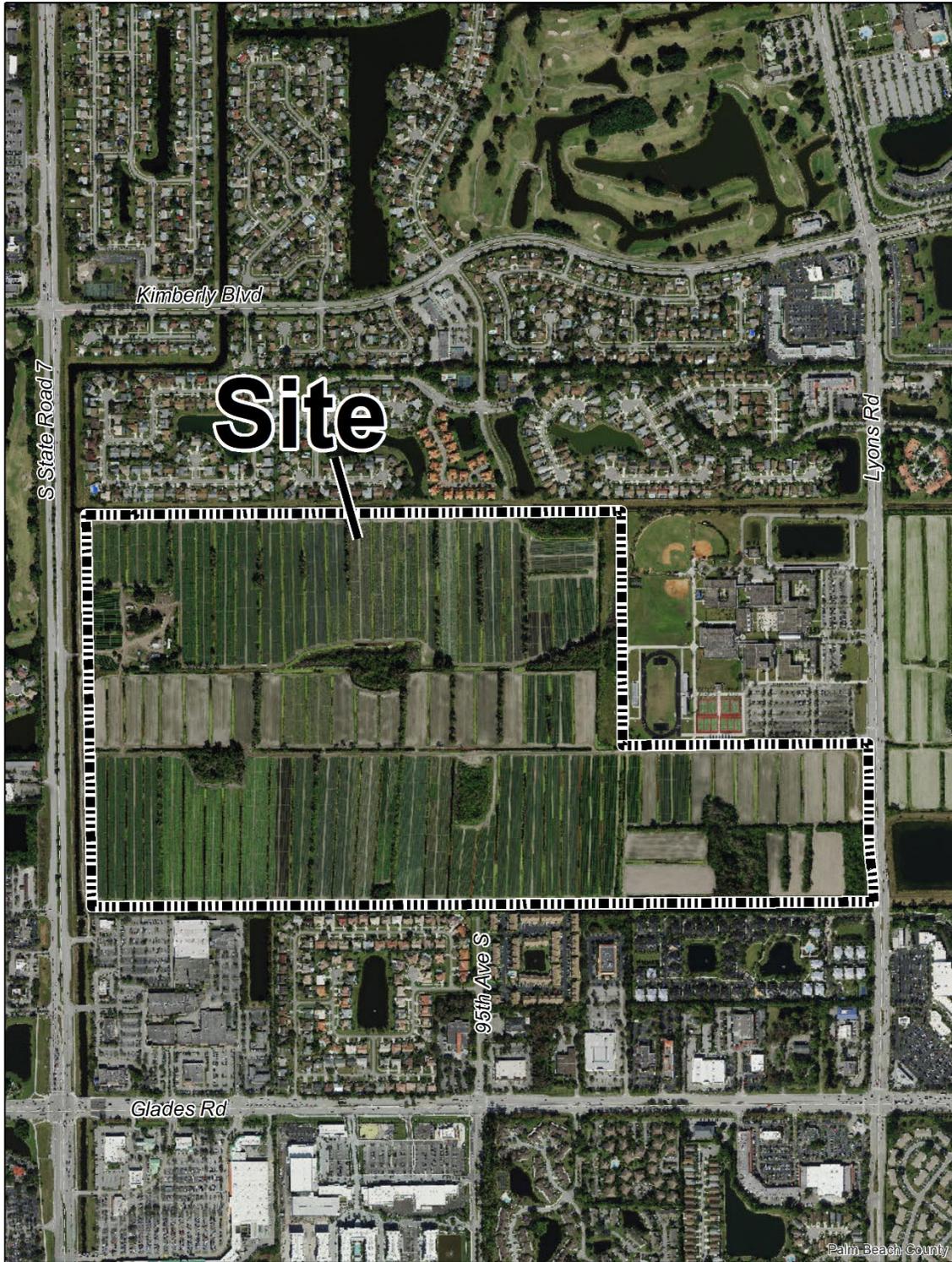


Figure 3 – Aerial

PALM BEACH COUNTY PLANNING DIVISION SITE LOCATION



Application Name:	<u>Johns West PUD</u>
Application Number:	<u>PDD-2021-01174</u>
Control Number:	<u>2021-0073</u>
Atlas Page Number:	<u>110</u>
Date:	<u>11/29/2021</u>

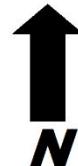


Figure 5 – Preliminary Master Plan (PMP-2 of 2), dated November 8, 2021

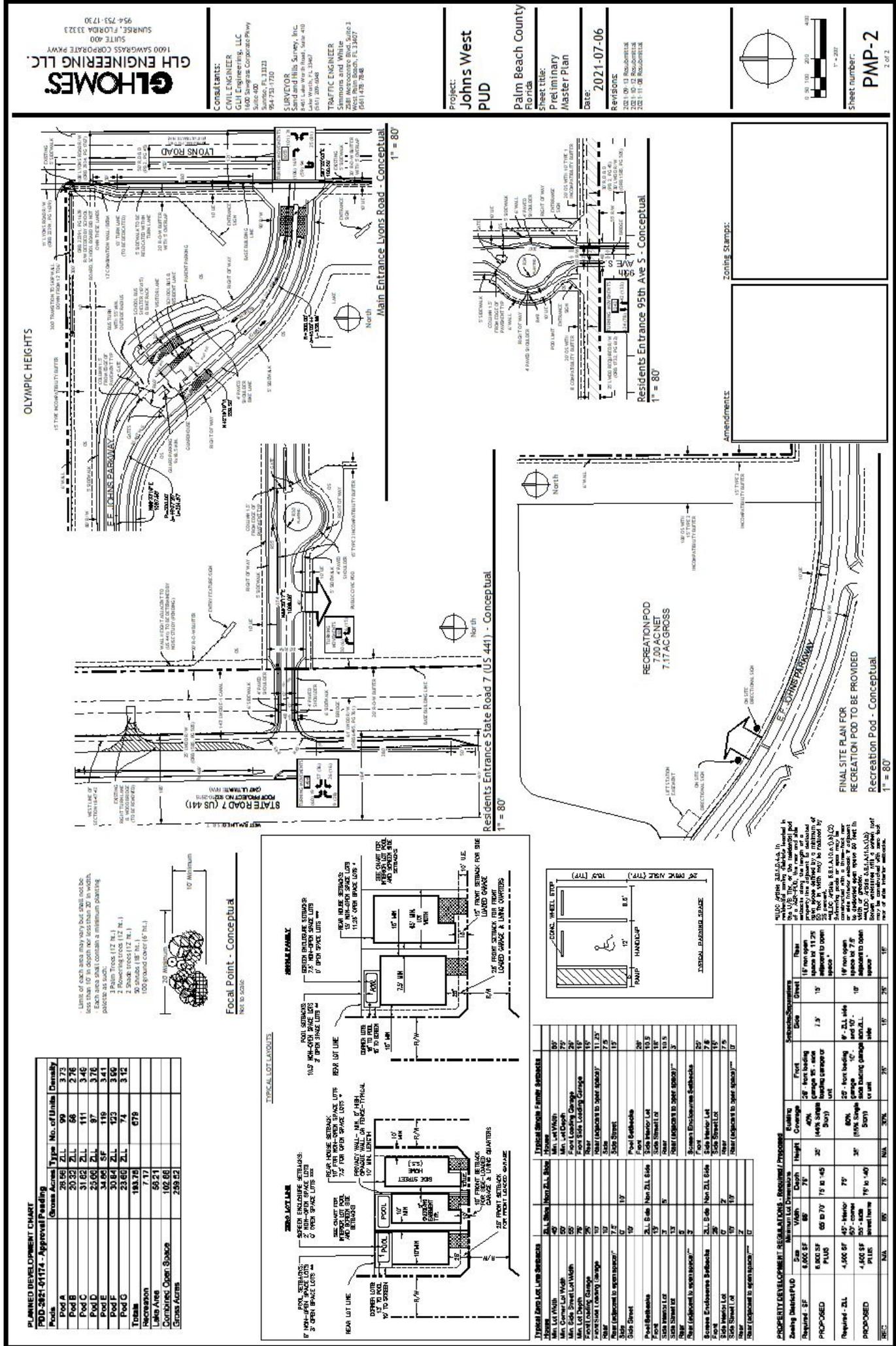


Figure 6 – Preliminary Street Landscape Plan (PSLP), dated October 12, 2021

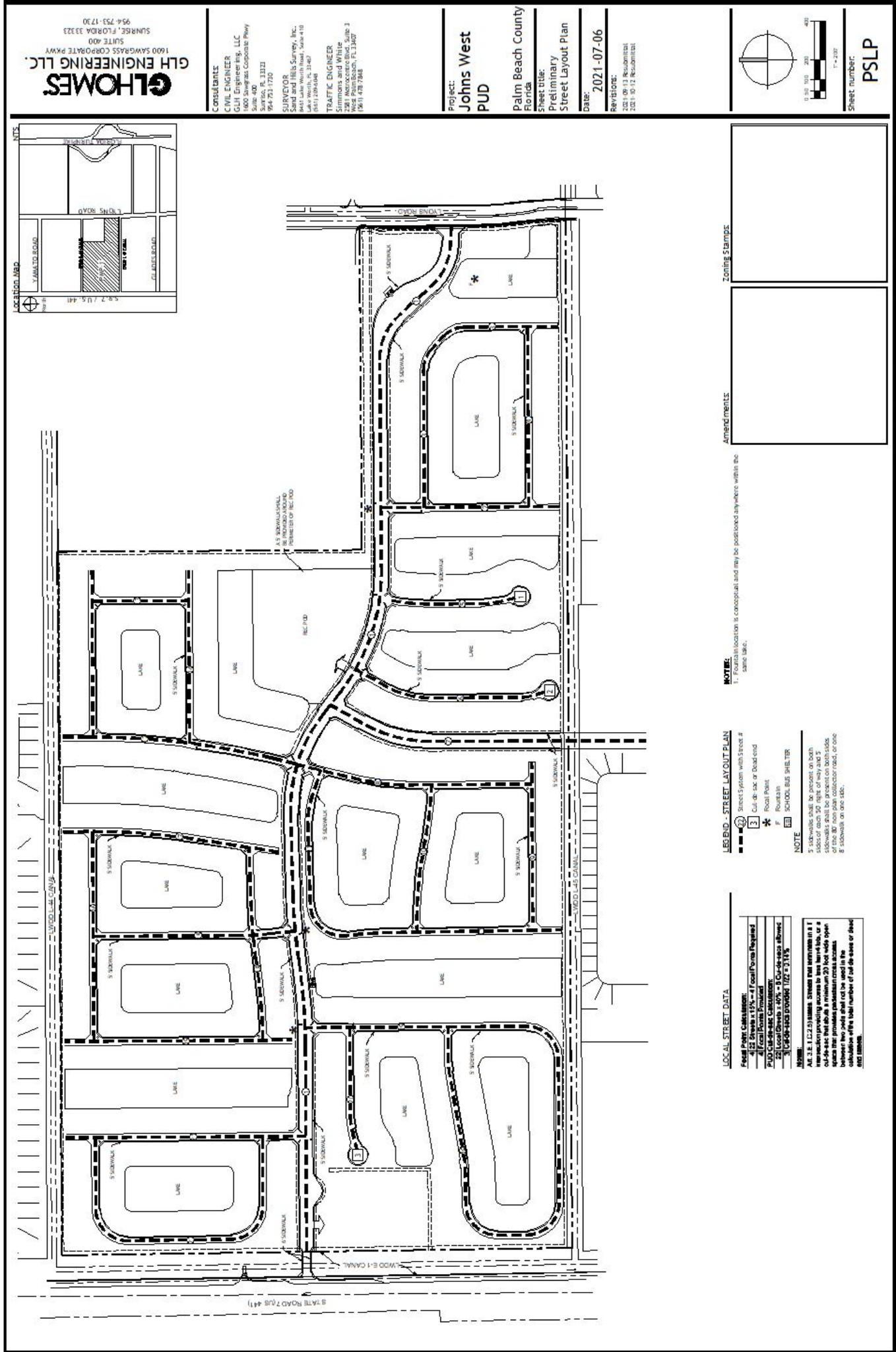


Figure 9 – Preliminary Regulating Plan (PRP-2 of 8), dated June 24, 2021

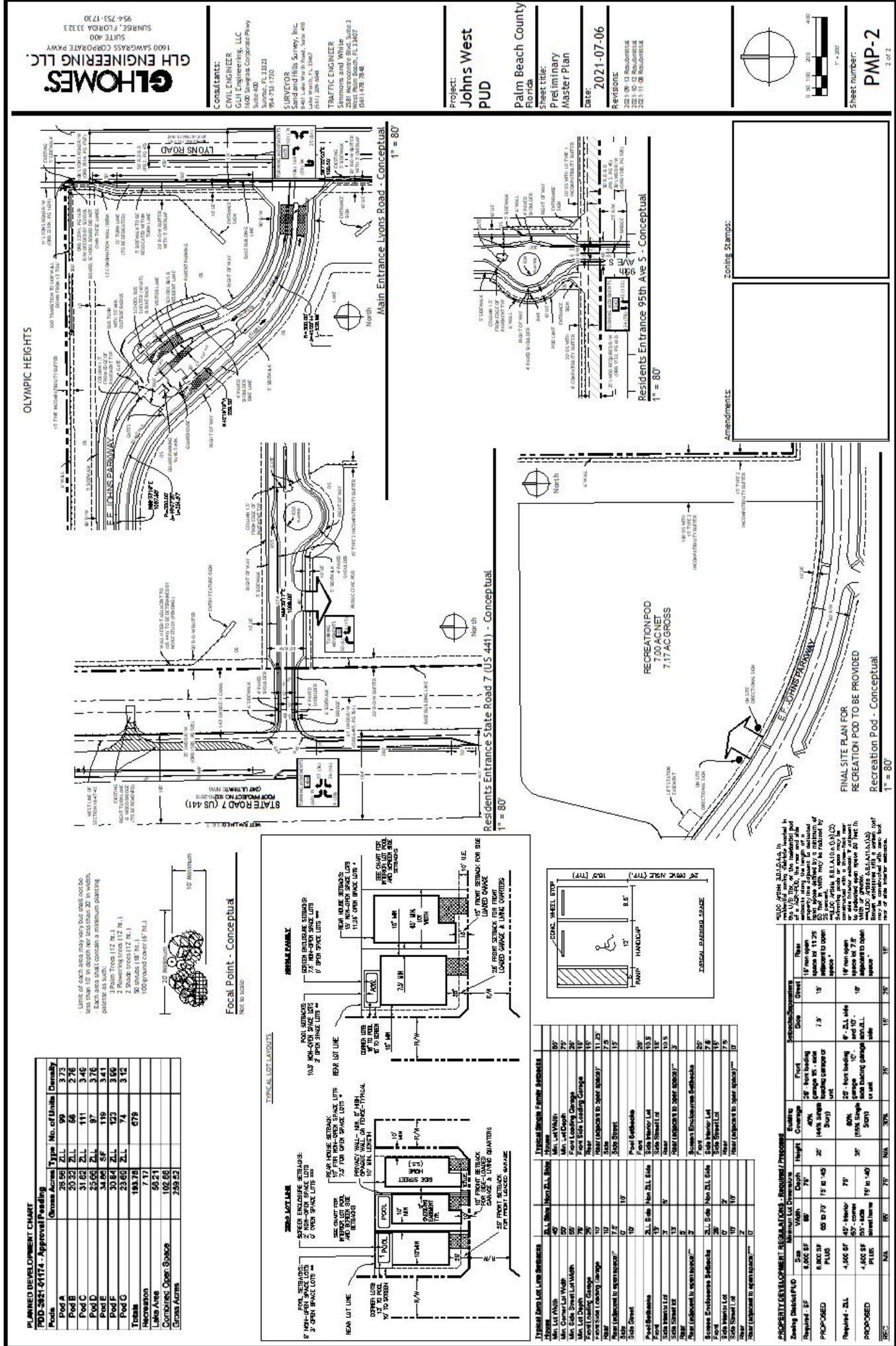


Exhibit D – Disclosure of Ownership

PALM BEACH COUNTY - ZONING DIVISION

FORM # 08

DISCLOSURE OF OWNERSHIP INTERESTS - APPLICANT

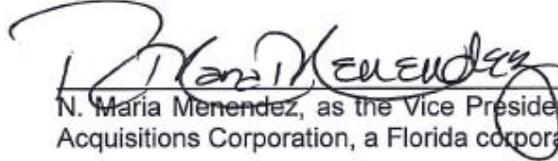
TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE
DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, this day personally appeared N. Maria Menendez, hereinafter referred to as "Affiant," as the Vice President of G.L. Acquisitions Corporation, a Florida corporation, who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the Vice President of G.L. Acquisitions Corporation, a Florida corporation (the "Applicant"). Applicant seeks Comprehensive Plan amendment or Development Order approval for the real property legally described on the attached Exhibit "A" (the "Property").
2. Affiant's address is 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and, to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.


 N. Maria Menendez, as the Vice President of G.L. Acquisitions Corporation, a Florida corporation

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 30th day of June 2021, by N. Maria Menendez, as the Vice President of G.L. Acquisitions Corporation, a Florida corporation, who is personally known to me or who has produced _____ as identification and who did take an oath.


 Notary Public
JEFFREY A SPEVACEK
 (Print Notary Name)

NOTARY PUBLIC
 State of Florida at Large
 My Commission Expires: _____

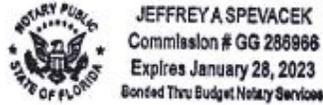


EXHIBIT "A"

PROPERTY

DESCRIPTION: (JOHNS WEST PARCEL)

ALL OF TRACTS 2 THROUGH 31 INCLUSIVE AND ALL OF TRACTS 34 THROUGH 63, INCLUSIVE AND THOSE PORTIONS OF TRACTS 1, 32, 33 AND 64, BLOCK 77, PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF LYONS ROAD, ACCORDING TO OFFICIAL RECORDS BOOK 2934, PAGE 1767, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING:

THE NORTH 30.00 FEET OF SAID TRACT 1, THE NORTH 26.40 FEET OF SAID TRACTS 2 THROUGH 8, INCLUSIVE, THE NORTH 28.00 FEET OF SAID TRACT 9, THE NORTH 27.72 FEET OF SAID TRACT 10, THE NORTH 28.00 FEET OF SAID TRACT 11, THE NORTH 27.72 FEET OF SAID TRACTS 12, 13, 14 AND 15, THE NORTH 28.97 FEET OF SAID TRACT 16 AND THE WEST 60.72 FEET OF SAID TRACTS 16, 17, 48 AND 49.

TOGETHER WITH THAT ROAD, DYKE & DITCH RESERVATION 30 FEET IN WIDTH LYING SOUTH OF SAID TRACTS 17 THROUGH 32 AND NORTH OF SAID TRACTS 33 THROUGH 48, SAID BLOCK 77, LESS AND EXCEPT THE WESTERLY 60.72 FEET THEREOF, ALSO LESS AND EXCEPT THE EASTERLY 29.00 FEET THEREOF.

TOGETHER WITH THAT ROAD, DYKE & DITCH RESERVATION 30 FEET IN WIDTH LYING EAST OF SAID TRACTS 9, 24, 31 AND 56 AND WEST OF SAID TRACTS 8, 25, 40 AND 57, SAID BLOCK 77, LESS AND EXCEPT THE NORTH 26.40 FEET OF THE EAST 15.00 FEET THEREOF, ALSO LESS AND EXCEPT THE NORTH 28.00 FEET OF THE WEST 15.00 FEET THEREOF.

ALSO, LESS AND EXCEPT THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 5773, PAGE 1000, SAID PUBLIC RECORDS AND DESCRIBED AS FOLLOWS:

BEING 60.938 ACRES OF LAND IN, OUT OF, AND A PART OF TRACTS 1, 2, 3, 4, 5, 6, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 AND 38 TOGETHER WITH A 30 FOOT PLATTED STREET, ALL LOCATED IN BLOCK 77, PALM BEACH FARMS PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OR PALM BEACH COUNTY, FLORIDA, SAID 60.938 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF LYONS ROAD AND THE SOUTH RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT DITCH L-44, SAID POINT BEING 30.0 FEET SOUTH OF THE NORTH LINE OF THE HERETOFORE MENTIONED TRACT 1 AND SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED 60.938 ACRES OF LAND.

THENCE, SOUTH 00°02'05" WEST ALONG AND WITH THE WEST RIGHT-OF-WAY LINE OF SAID LYONS ROAD FOR A DISTANCE OF 1570.33 FEET TO A POINT 15.0 FEET MORE OR LESS NORTH OF AN EXTENSION OF THE TOP OF BANK OF AN EAST-WEST DRAINAGE AND IRRIGATION CANAL.

THENCE, NORTH 89°41'53" WEST ALONG A LINE 15.0 FEET MORE OR LESS NORTH OF AND PARALLEL WITH THE TOP OF BANK OF SAID EAST-WEST DRAINAGE AND IRRIGATION CANAL FOR A DISTANCE OF 1662.92 FEET TO A POINT.

THENCE, NORTH 00°02'05" EAST PARALLEL WITH SAID WEST RIGHT-OF-WAY LINE OF LYONS ROAD FOR A DISTANCE OF 1603.07 FEET, TO A POINT ON THE

SOUTH RIGHT-OF-WAY LINE OF HERETOFORE MENTIONED LAKE WORTH DRAINAGE DISTRICT DITCH L-44, SAID POINT ALSO BEING ON THE NORTH LINE OF SAID BLOCK 77.

THENCE EAST ALONG AND WITH SAID SOUTH RIGHT-OF-WAY LINE, SAME BEING THE SAID NORTH LINE OF SAID BLOCK 77 FOR A DISTANCE OF 1361.94 FEET, TO A POINT.

THENCE, SOUTH ALONG AND WITH A WEST LINE OF SAID RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT DITCH L-44 FOR A DISTANCE OF 30.00 FEET TO A POINT.

THENCE, EAST ALONG AND WITH SAID SOUTH RIGHT-OF-WAY LINE FOR A DISTANCE OF 301.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 60.938 ACRES OF LAND.

ALSO, LESS AND EXCEPT ALL EXISTING LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY.

CONTAINING A TOTAL OF 259.515 ACRES, MORE OR LESS.

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE
DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Daniel F. Johns and Dixie J. Houston, hereinafter collectively referred to as "Affiant," each as Manager of Johns Family Holdings, L.L.C., a Florida limited liability company, the general partner of E.F. Johns, Ltd., a Florida limited partnership, who being by me first duly sworn, under oath, deposes and states as follows:

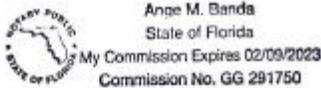
1. Affiant is each the Manager of Johns Family Holdings, L.L.C., a Florida limited liability company, the general partner of E.F. Johns, Ltd., a Florida limited partnership, that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 132 Intracoastal Circle, Tequesta, Florida 33469.
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Daniel F. Johns 6/22/21

Daniel F. Johns, as Manager of Johns Family Holdings, L.L.C., a Florida limited liability company, the general partner of E.F. Johns, Ltd., a Florida limited partnership, Affiant

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 22ND day of JUNE, 2021, by Daniel F. Johns, as Manager of Johns Family Holdings, L.L.C., a Florida limited liability company, the general partner of E.F. Johns, Ltd., a Florida limited partnership, who is personally known to me or who has produced FLDL: J520-166-51-381-0 as identification and who did take an oath. exp. 10/21/2025



Ange M. Banda
Notary Public

ANGE M. BANDA
(Print Notary Name)

NOTARY PUBLIC
State of Florida at Large
My Commission Expires: 02/09/2023

EXHIBIT "A"**PROPERTY****LEGAL DESCRIPTION:**

ALL OF TRACTS 2 THROUGH 31 INCLUSIVE AND ALL OF TRACTS 34 THROUGH 63, INCLUSIVE AND THOSE PORTIONS OF TRACTS 1, 32, 33 AND 64, BLOCK 77, PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF LYONS ROAD, ACCORDING TO OFFICIAL RECORDS BOOK 2934, PAGE 1767, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING:

THE NORTH 30.00 FEET OF SAID TRACT 1, THE NORTH 26.40 FEET OF SAID TRACTS 2 THROUGH 8, INCLUSIVE, THE NORTH 28.00 FEET OF SAID TRACT 9, THE NORTH 27.72 FEET OF SAID TRACT 10, THE NORTH 28.00 FEET OF SAID TRACT 11, THE NORTH 27.72 FEET OF SAID TRACTS 12, 13, 14 AND 15, THE NORTH 28.97 FEET OF SAID TRACT 16 AND THE WEST 60.72 FEET OF SAID TRACTS 16, 17, 48 AND 49.

TOGETHER WITH THAT ROAD, DYKE & DITCH RESERVATION 30 FEET IN WIDTH LYING SOUTH OF SAID TRACTS 17 THROUGH 32 AND NORTH OF SAID TRACTS 33 THROUGH 48, SAID BLOCK 77, LESS AND EXCEPT THE WESTERLY 60.72 FEET THEREOF, ALSO LESS AND EXCEPT THE EASTERLY 29.00 FEET THEREOF.

TOGETHER WITH THAT ROAD, DYKE & DITCH RESERVATION 30 FEET IN WIDTH LYING EAST OF SAID TRACTS 9, 24, 31 AND 56 AND WEST OF SAID TRACTS 8, 25, 40 AND 57, SAID BLOCK 77, LESS AND EXCEPT THE NORTH 26.40 FEET OF THE EAST 15.00 FEET THEREOF, ALSO LESS AND EXCEPT THE NORTH 28.00 FEET OF THE WEST 15.00 FEET THEREOF.

ALSO, LESS AND EXCEPT THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 5773, PAGE 1000, SAID PUBLIC RECORDS AND DESCRIBED AS FOLLOWS:

BEING 60.938 ACRES OF LAND IN, OUT OF, AND A PART OF TRACTS 1, 2, 3, 4, 5, 6, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 AND 38 TOGETHER WITH A 30 FOOT PLATTED STREET, ALL LOCATED IN BLOCK 77, PALM BEACH FARMS PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID 60.938 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF LYONS ROAD AND THE SOUTH RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT DITCH L-44, SAID POINT BEING 30.0 FEET SOUTH OF THE NORTH LINE OF THE HERETOFORE MENTIONED TRACT 1 AND SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED 60.938 ACRES OF LAND.

THENCE, SOUTH 00°02'05" WEST ALONG AND WITH THE WEST RIGHT-OF-WAY LINE OF SAID LYONS ROAD FOR A DISTANCE OF 1570.33 FEET TO A POINT 15.0 FEET MORE OR LESS NORTH OF AN EXTENSION OF THE TOP OF BANK OF AN EAST-WEST DRAINAGE AND IRRIGATION CANAL.

THENCE, NORTH 89°41'53" WEST ALONG A LINE 15.0 FEET MORE OR LESS NORTH OF AND PARALLEL WITH THE TOP OF BANK OF SAID EAST-WEST DRAINAGE AND IRRIGATION CANAL FOR A DISTANCE OF 1662.92 FEET TO A POINT.

THENCE, NORTH 00°02'05" EAST PARALLEL WITH SAID WEST RIGHT-OF-WAY LINE OF LYONS ROAD FOR A DISTANCE OF 1603.07 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HERETOFORE MENTIONED LAKE WORTH DRAINAGE DISTRICT DITCH L-44, SAID POINT ALSO BEING ON THE NORTH LINE OF SAID BLOCK 77.

THENCE EAST ALONG AND WITH SAID SOUTH RIGHT-OF-WAY LINE, SAME BEING THE SAID NORTH LINE OF SAID BLOCK 77 FOR A DISTANCE OF 1361.94 FEET, TO A POINT.

THENCE, SOUTH ALONG AND WITH A WEST LINE OF SAID RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT DITCH L-44 FOR A DISTANCE OF 30.00 FEET TO A POINT.

THENCE, EAST ALONG AND WITH SAID SOUTH RIGHT-OF-WAY LINE FOR A DISTANCE OF 301.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 60.938 ACRES OF LAND.

ALSO, LESS AND EXCEPT ALL EXISTING LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY, CONTAINING A TOTAL OF 259.515 ACRES, MORE OR LESS.

SOUTH RIGHT-OF-WAY LINE OF HERETOFORE MENTIONED LAKE WORTH DRAINAGE DISTRICT DITCH L-44, SAID POINT ALSO BEING ON THE NORTH LINE OF SAID BLOCK 77.

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ALSO, LESS AND EXCEPT ALL EXISTING LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY.

CONTAINING A TOTAL OF 259.515 ACRES, MORE OR LESS.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Dixie Johns Houston	132 Intracoastal Circle, Tequesta, FL 33469
Daniel Franklin Johns	6400 West Highway 316, Reddick, FL 32689
Daniel Flinton Johns	705 S.W. C.R. 721, Okeechobee, FL 34974
Joseph Roy Johns	1105 Weber Street, Orlando, FL 32803
Tia Lynn Johns	410 Evermia Street, Apt. 605, West Palm Beach, FL 33401
David Earl Houston	103 Benjamin Drive, Eufaula, AL 36027
Jennifer Jay Houston	131 Brookwood Drive, Eufaula, AL 36027
Christopher Lee Newton	106 Lamar Lane, Dothan, AL 36305

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Daniel F. Johns and Dixie J. Houston, hereinafter collectively referred to as "Affiant," each as Manager of Rangeline 400, LLC, a Florida limited liability company, the general partner of Johns Houston, Ltd., a Florida limited partnership, who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is each the Manager of Rangeline 400, LLC, a Florida limited liability company, the general partner of Johns Houston, Ltd., a Florida limited partnership, that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 132 Intracoastal Circle, Tequesta, Florida 33469.
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

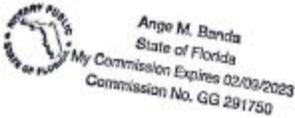
FURTHER AFFIANT SAYETH NAUGHT.

Daniel F. Johns 6/22/21

Daniel F. Johns, as Manager of Rangeline 400, LLC, a Florida limited liability company, the general partner of Johns Houston, Ltd., a Florida limited partnership, Affiant

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 22ND day of JUNE, 2021, by Daniel F. Johns, as Manager of Rangeline 400, LLC, a Florida limited liability company, the general partner of Johns Houston, Ltd., a Florida limited partnership, who is personally known to me or who has produced FLDLT520-Not-51-381-0 as identification and who did take an oath. exp. 10/21/2025

Ange M. Banda
Notary Public



ANGE M. BANDA
(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 02/09/2023

Dixie J. Houston

Dixie J. Houston, as Manager of Rangeline 400, LLC, a Florida limited liability company, the general partner of Johns Houston, Ltd., a Florida limited partnership, Affiant

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 26th day of June, 2021, by Dixie J. Houston, as Manager of Rangeline 400, LLC, a Florida limited liability company, the general partner of Johns Houston, Ltd., a Florida limited partnership, who is personally known to me or who has produced drivers license as identification and who did take an oath.



Gilda R. Oldham
Notary Public

GILDA R. OLDHAM

(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 7/26/2024

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