ORDINANCE 2011- 45
LPA#11-7-2

Long and Scott Farms Family Limited Partnership and Long and Scott Farms, Inc.

FILED
2011 JUL 29 AM 9:45
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AMENDING THE LAKE COUNTY 2030 COMPREHENSIVE PLAN; AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT BY CREATING POLICY I-1.6.7, WHICH ALLOWS THE USE OF A PAVED AIRSTRIP ON SAID 700-ACRE PARCEL; AMENDING THE FUTURE LAND USE MAP BY EXCLUDING AREAS FROM THE YALAHA-LAKE APOPKA RURAL PROTECTION AREA; PROVIDING FOR PROOF OF PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Community Planning Act is set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, Chapter 125, Florida Statutes, Section 125.01(g), authorized the Board of County Commissioners of Lake County to prepare and enforce comprehensive plans for the development of the county; and

WHEREAS, Section 163.3184, Florida Statutes, sets forth the process for adoption of comprehensive plan amendments; and

WHEREAS, pursuant to Chapters 163 and 125, Florida Statutes, on the 25th day of May, 2010, the Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake County 2030 Comprehensive Plan Amendment; and

WHEREAS, on the 23rd day of July, 2010, the State of Florida Department of Community Affairs published a Notice of Intent finding the Lake County 2030 Comprehensive Plan Amendment "In Compliance" with Chapter 163, Florida Statutes; and

WHEREAS, on the 13th day of August, 2010, Long and Scott Farms Family Limited Partnership and Long and Scott Farms, Inc. filed a Petition for an Administrative Hearing challenging the adoption of Lake County Ordinance No. 2010-25 and the related Notice of Intent filed by the Department of Community Affairs; and

WHEREAS, on the 26th day of July, 2011, the State of Florida Department of Community Affairs, the Lake County Board of County Commissioners, the Long and Scott Farms Family Limited Partnership and Long and Scott Farms, Inc. did enter into a Compliance Agreement for DOAH Case Number 10-8958GM, as permitted by Section 163.3184(6), Florida Statutes; and

WHEREAS, on the 26th day of July, 2011, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners pursuant to Section 163.3184, Florida Statutes; and

WHEREAS, it serves the health, safety and general welfare of the residents of Lake County to adopt these amendments to the Lake County Comprehensive Plan;

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that:

Section 1. Comprehensive Plan Text Amendment. The following policy is created in the 2030 Comprehensive Plan:

Policy I-1.6.7 Specific Limitations on the Long and Scott Family Farms Property

In order to resolve all outstanding issues related to that portion of the DOAH Case No. 10-8958GM, challenging the Lake County Comprehensive Plan adopted on May 25, 2010 by Ordinance 2010-25 applicable to approximately 700 acres of land generally located east and southeast of County Road 48, legally described in Attachment 2 "Legal Description".

In addition to the uses included in Policy I-1.4.4 for the Rural Future Land Use Category, the property shall be allowed a paved airstrip.

Section 2. Future Land Use Map Amendment. The Yalaha-Lake Apopka Rural Protection Area is hereby amended to exclude the following area:

That portion of lands lying within Township 20 South, Range 26 East, Lake County, Florida, described as follows: all of Sections 36, 25, 24 and 13; all of Section 12 south of Lake Beauclair; all of Sections 11 and 14 lying east of Lake Beauclair Canal and north of CR 448.

Section 3. Advertisement. This Ordinance was advertised pursuant to Section 163.3184(11), Florida Statutes.

Section 4. Severability. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 5. Effective Date. This Ordinance shall become effective as provided for by law.

ENACTED this 26 day of July, 2011.

FILED with the Secretary of State July 29, 2011.

EFFECTIVE July 29, 2011

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

Jennifer Hill, Chairman
This 26 day of July, 2011.

ATTEST:

Neil Kelly, Clerk of the
Board of County Commissioners,
Lake County, Florida

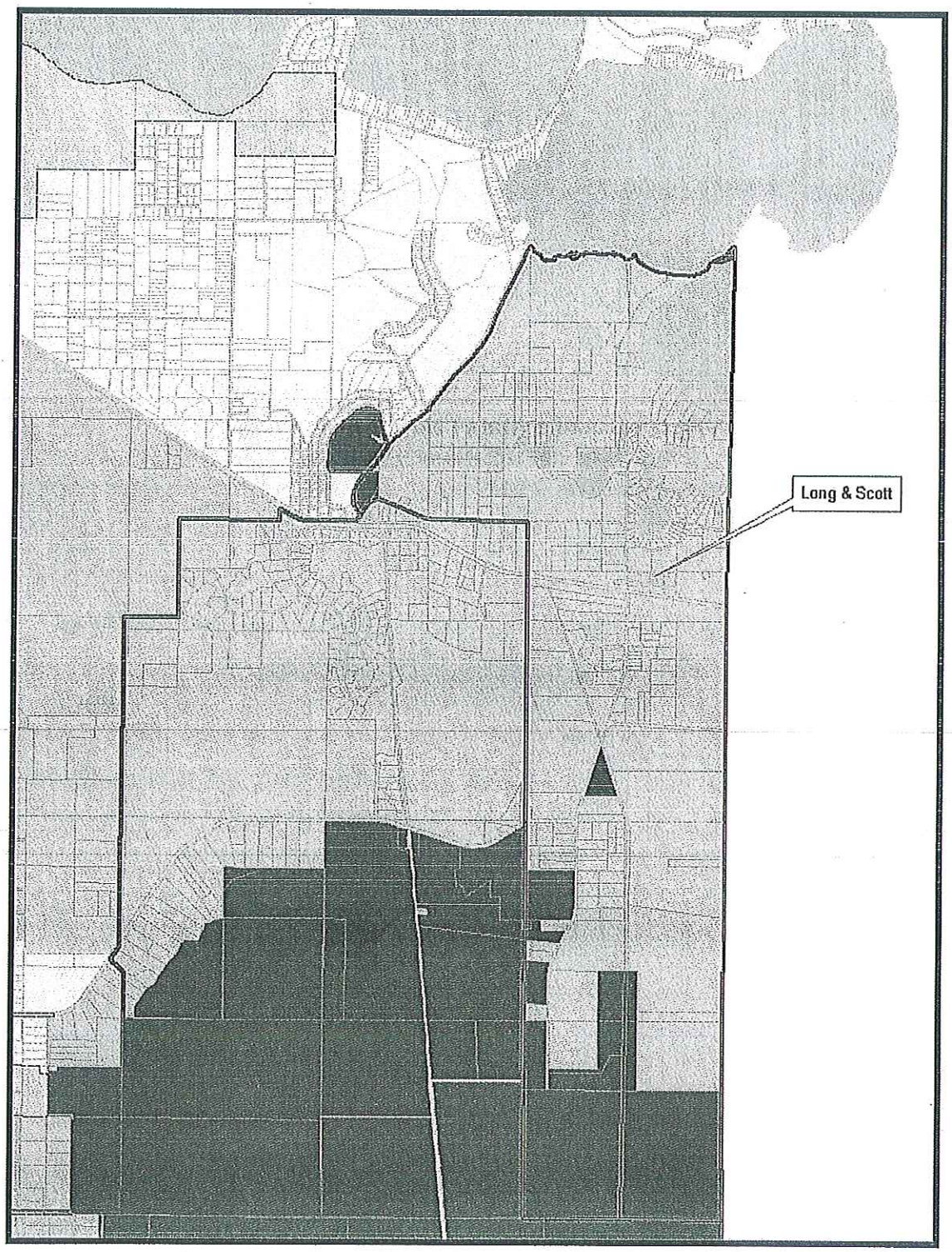
Approved as to form and legality:

Sanford A. Minkoff
County Attorney

EXHIBIT A

LPA#11-7-2

Long and Scott Farms Family Limited Partnership
and Long and Scott Farms, Inc.



Attachment 2
Legal Description
LPA#11-7-2
Long and Scott Farms Family Limited Partnership and Long and Scott Farms, Inc

LEGAL DESCRIPTIONS

PARCEL A (LAKE COUNTY PROPERTY):

PARCEL A-1

The North 545 feet of the Northeast 1/4 of the Northeast 1/4 of Section 24, Township 20 South, Range 26 East, in Lake County, Florida.

ALSO

From the Northeast corner of Section 24, Township 20 South, Range 26 East, in Lake County, Florida, run South 0°05' West along the East line of said Section 24 a distance of 545 feet for the point of beginning of this description. From said point of beginning, run thence South along the East line of said Section 24 a distance of 2314.04 feet to the North line of the right of way of County Road (Zellwood-Lake Jem Road); thence North 88°08' West along said right of way line 1327.0 feet; thence North 0°41' East 2227.05 feet; thence south 89°14' East 1321.73 feet to the point of beginning.

And,

That part of the S1/2 of Section 24, Township 20 South, Range 26 East, Lake County, Florida, lying east of State Road No. 448-A and South of Zellwood — Lake Jem Road, LESS that part lying East of State Road 448-A and West of the Seaboard Airline Railroad, and less and except right-of-way for Seaboard Airline Railroad.

And,

The NE 1/4 of Section 25, Township 20 South, Range 26 East, Lake County, Florida, and the North 529.73 feet of the SE 1/4 of Section 25, LESS right of way for railroad.

And, Less and Except therefrom any portion lying within lands conveyed in:

a. Book 1983, Page 1873 described as follows:

THAT PART OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 25 AND RUN N0°14'07"W ALONG THE EAST LINE OF SECTION 25 A DISTANCE OF 25.64 FEET; THENCE N01°30'05"W 2688.0 FEET TO THE WEST LINE OF SAID NORTHEAST 1/4 OF SECTION 25; THENCE S0°07'01E ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF SECTION 25 FOR 474.71 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4, THENCE S89°49'29"W ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 25 FOR 1322 FEET, MORE OR LESS, TO THE EASTERLY R/W OF STATE ROAD NO. 448-A. THENCE SOUTHERLY ALONG THE EASTERLY R/W OF STATE ROAD NO. 448-A TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 25. THENCE N89°48'14"E ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 A DISTANCE OF 1857.0 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 25, RUN THENCE S89°56'01"E 420.84 FEET TO A POINT THAT IS 300 FEET EASTERLY OF THE EAST R/W OF THE S.C.L. RAILROAD THENCE S0°25'32"W PARALLEL WITH THE SAID R/W OF THE S.C.L. RAILROAD, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SAID SECTION 25 FOR A POINT HEREBY DESIGNATED AT POINT "B". RETURN TO THE POINT OF BEGINNING AND RUN S0°20'29"W ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 25 A DISTANCE OF 2677.49 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 25, THENCE N89°50'15"W ALONG THE SOUTH LINE OF SAID SECTION 25 A DISTANCE OF 2245.44 FEET, MORE OR LESS TO THE AFORESAID DESIGNATED POINT "B" FOR A POINT OF TERMINUS. LESS THE SOUTH 278.30 FEET THEREOF.

- AND -

Attachment 2 Continued
Legal Description
LPA#11-7-2
Long and Scott Farms Family Limited Partnership and Long and Scott Farms, Inc

Parcel A.2:

THAT PART OF SECTION 26, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 26 AND RUN N0°14'57"W ALONG THE EAST LINE OF SECTION 26 A DISTANCE OF 25.62 FEET; THENCE N89°59'03"W 2655.03 FEET TO THE WEST LINE OF SAID NORTHEAST 1/4 OF SECTION 26; THENCE S0°07'01"E ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF SECTION 26 FOR 474.71 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4; THENCE S89°49'29"W ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 26 FOR 1322 FEET, MORE OR LESS, TO THE EASTERLY R/W OF STATE ROAD NO. 448-A; THENCE SOUTHERLY ALONG THE EASTERLY R/W OF STATE ROAD NO. 448-A TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26; THENCE N89°48'14"E ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 A DISTANCE OF 1937.0 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26, RUN THENCE S89°48'00"E 420.54 FEET TO A POINT THAT IS 300.00 FEET EASTERLY OF THE EAST R/W OF THE S.C.L. RAILROAD, THENCE S0°25'52"W PARALLEL WITH THE SAID R/W OF S.C.L. RAILROAD 1326.34 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SAID SECTION 26 FOR A POINT HEREBY DESIGNATED AS POINT "D", RETURN TO THE POINT OF BEGINNING AND RUN S0°20'20"W ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 26 A DISTANCE OF 2077.40 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 26; THENCE N89°50'15"W ALONG THE SOUTH LINE OF SAID SECTION 26 A DISTANCE OF 2245.44 FEET, MORE OR LESS, TO THE AFORESAID DESIGNATED POINT "D" FOR A POINT OF TERMINUS. LESS THE SOUTH 578 FEET THEREOF, AND LESS AND EXCEPT RIGHT-OF-WAY FOR A SEABOARD AIRLINE RAILROAD.

Parcel A.3

The South Half (S1/2) of the Southeast Quarter (SE1/4) of Section 26, Township 20 South, Range 26 East, Lake County, Florida, LESS: Begin at the Southwest corner of the Southwest Quarter (SW1/4) of the Southeast quarter (SE1/4) of Section 25, Township 20 South, Range 26 East, run thence North 0°16'40" East for 1327.87 feet to the Northwest corner of said Southwest Quarter (SW1/4) of Southeast Quarter (SE1/4) for 420.54 feet to a point that is 300 feet Easterly of the East R/W line of Seaboard Air Line Railroad, thence South 0°13'40" West parallel with said Seaboard Air Line Railroad for 1330.17 feet to the South line of said Section 25, run thence North 89°54' West along said South line for 408.75 feet to P.O.B.

Less and Except any portion lying within lands conveyed in Book 1664, Page 1673, described as follows:

THAT PART OF SECTION 26, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 26 AND RUN N0°14'57"W ALONG THE EAST LINE OF SECTION 26 A DISTANCE OF 25.62 FEET; THENCE N89°59'03"W 2655.03 FEET TO THE WEST LINE OF SAID NORTHEAST 1/4 OF SECTION 26; THENCE S0°07'01"E ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF SECTION 26 FOR 474.71 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4; THENCE S89°49'29"W ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 26 FOR 1322 FEET, MORE OR LESS TO THE EASTERLY R/W OF STATE ROAD NO. 448-A; THENCE SOUTHERLY ALONG THE EASTERLY R/W OF STATE ROAD NO. 448-A, THENCE SOUTHERLY ALONG THE EASTERLY R/W OF STATE ROAD NO. 448-A TO THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26; THENCE N89°48'14"W ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 A DISTANCE OF 1937.0 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 26, RUN THENCE S89°48'00"E 420.54 FEET TO A POINT THAT IS 300 FEET EASTERLY OF THE EAST R/W OF THE S.C.L. RAILROAD, THENCE S0°25'52"W PARALLEL WITH THE SAID R/W OF S.C.L. RAILROAD 1326.34 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SAID SECTION 26 FOR A POINT HEREBY DESIGNATED AS POINT "D", RETURN TO THE POINT OF BEGINNING AND RUN S0°20'20"W ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 26 A DISTANCE OF 2077.40 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 26, THENCE N89°50'15"W ALONG THE SOUTH LINE OF SAID SECTION 26 A DISTANCE OF 2245.44 FEET, MORE OR LESS, TO THE AFORESAID DESIGNATED POINT "D" FOR A POINT OF TERMINUS, LESS THE SOUTH 578.30 FEET THEREOF.

And,

That part of the Northeast Quarter (NE1/4) of Section 35, Township 20 South, Range 26 East, Lake County, Florida lying north of canal: Less: Begin at the Northeast corner of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 35, Township 20 South, Range 26 East; run thence South 89°24' East along the north line of said Section 35 for 400.75 feet to a point that is 350 feet Easterly of the East R/W line of Seaboard Air Line Railroad, run thence South 0°41'45" West, parallel to said Seaboard Air Line Railroad for 1855 feet, more or less, to the waters of McCrosdie's Canal; thence westerly along said with waters of said canal to a point of the West line of said Northeast Quarter (NE1/4) of Section 35 that is 1070 feet, more or less, South of P.O.B.A; run thence North 0°10'40" East to P.O.B.

Parcel A.4

That part of the SE 1/4 of Section 24, Township 20 South, Range 25 East, Lake County, Florida, lying East of State Road no. 448-A and West of the S.C.L. Railroad. LESS: The South 670 feet thereof when measured at right angles to the South Boundary of said Southwest Quarter; Less: The North 264.48 feet of the South 934.48 feet of the SW 1/4 of Section 24, Township 20 South, Range 25 East, Lake County, Florida, lying West of S.C.L. Railroad and East of State Road No. 448-A.