



AGENDA
CITY COMMISSION
CITY HALL COMMISSION CHAMBERS
300 W. Plant Street

WORKSHOP **October 22, 2015** **5:30 p.m.**
Ethics, Public Records, and Sunshine Law by City Attorney Kurt Ardaman

REGULAR MEETING **6:30 p.m.**

CALL TO ORDER

Determination of a Quorum

Opening Invocation and Pledge of Allegiance

1. **APPROVAL OF MINUTES**

Regular Meeting of October 8, 2015

2. **PRESENTATION**

Proclamation 15-08 declaring November 8th to 14th, 2015 as the Week of the Family to be accepted by Elizabeth Rahter – Mayor Rees

3. **REGULAR BUSINESS**

A. Recommendation to approve purchasing two 2016 solid waste automated side load trucks from Nextran Truck Center under the Florida Sheriff Association State Contract for a total purchase price of \$533,937.80 – Assistant City Manager of Public Services – Cochran

B. Recommendation to approve bids and award contract for Project #11-008 Woodlark Water Treatment Plant Ground Storage Tank Addition to Crom Corporation, Inc., for \$1,401,851.00, which includes a 10% contingency - Assistant City Manager of Public Services – Cochran

C. Recommendation to approve Final Plat for Oakland Park Phase 3 **with conditions in staff report** – Community Development Manager Pash

4. **MATTERS FROM PUBLIC** (*Limited to 3 minutes per speaker*)

5. **MATTERS FROM CITY ATTORNEY** – Kurt Ardaman

6. **MATTERS FROM CITY MANAGER** – Mike Bollhoefer

A. Presentation on special events

7. **MATTERS FROM MAYOR AND COMMISSIONERS**

ADJOURN to Part II Workshop on Ethics, Public Records, and Sunshine Law from 5:30 to 6:30 p.m. and a Regular Meeting on November 12, 2015 at 6:30 p.m. in City Hall Commission Chambers, 300 W. Plant Street, 1st floor

NOTICES:

In accordance with Florida Statutes 286.0105, if any person decides to appeal any decision made by said body with respect to any matter considered at such meeting, he/she will need a record of the proceedings and, for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City of Winter Garden does not prepare or provide such record.

Any opening invocation that is offered before the official start of the Commission meeting shall be the voluntary offering of a private person, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Commission or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Commission meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Commission Chambers or exit the City Commission Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance. (Reference Resolution 15-04)

	Those needing assistance to participate in any of these proceedings should contact the City Clerk's Office at least 48 hours in advance of the meeting (407) 656-4111 x2254.		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained at the meeting from the Information Technology Department (407) 656-4111 x5455.
---	--	---	--



CITY OF WINTER GARDEN

CITY COMMISSION REGULAR MEETING MINUTES

October 8, 2015

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Rees at 6:30 p.m. at City Hall, 300 West Plant Street, Winter Garden, Florida. An Opening Invocation and Pledge of Allegiance were given.

Present: Mayor John Rees, Commissioners Bob Buchanan, Kent Makin, Robert Olszewski and Colin Sharman

Also Present: City Manager Mike Bollhoefer, City Attorney Kurt Ardaman, City Clerk Kathy Golden, Assistant City Manager - Administrative Services Frank Gilbert, Economic Development Director Tanja Gerhartz, Finance Director Laura Zielonka, Fire Chief Matt McGrew, Police Chief George Brennan, and Community Development Manager Stephen Pash

1. **APPROVAL OF MINUTES**

Motion by Commissioner Buchanan to approve budget hearings and regular meeting minutes of September 24, 2015 as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0.

2. **SECOND READING AND PUBLIC HEARING OF PROPOSED ORDINANCES**

A. **Ordinance 15-61:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS APPROXIMATELY 0.23 ± ACRES LOCATED AT NORTH WEST CROWN POINT ROAD ON THE EAST SIDE OF NORTH WEST CROWN POINT ROAD NORTH OF MACY DU LANE AND SOUTH OF EAST FULLERS CROSS ROAD INTO THE CITY OF WINTER GARDEN FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

B. **Ordinance 15-62:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE WINTER GARDEN COMPREHENSIVE PLAN BY CHANGING THE LAND USE DESIGNATION OF REAL PROPERTY GENERALLY DESCRIBED AS 0.23 ± ACRES LOCATED AT NORTH WEST CROWN POINT ROAD ON THE EAST SIDE OF NORTH WEST CROWN POINT ROAD NORTH OF MACY DU LANE AND SOUTH OF EAST FULLERS CROSS ROAD FROM ORANGE COUNTY LOW DENSITY RESIDENTIAL TO CITY LOW DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

C. **Ordinance 15-63:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING APPROXIMATELY 0.23 ± ACRES LOCATED AT NORTH

WEST CROWN POINT ROAD ON THE EAST SIDE OF NORTH WEST CROWN POINT ROAD NORTH OF MACY DU LANE AND SOUTH OF EAST FULLERS CROSS ROAD FROM ORANGE COUNTY A-1 AGRICULTURAL DISTRICT TO CITY R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Ardaman read Ordinances 15-61, 15-62, and 15-63 by title only. Community Development Manager Pash stated that this is a voluntary annexation requested by the owners in order to receive City services. Staff has reviewed this item and recommends approval of all three ordinances.

Mayor Rees opened the public hearing; hearing and seeing none, he closed the public hearing.

Motion by Commissioner Makin to adopt Ordinance 15-61, 15-62, and 15-63. Seconded by Commissioner Buchanan and carried unanimously 5-0.

3. **REGULAR BUSINESS**

A. **Recommendation to approve Developer's Agreement for 420 Roper Road (Sonata West Orange Campus)**

Community Development Manager Pash stated that this developer's agreement outlines the access easements, utility requirements, and their fair share of costs for the traffic light installed at Roper Road and Daniels Road, as well as traffic impact fees. It has been reviewed by staff and the City Attorney; approval is recommended.

Mayor Rees sought clarification regarding the difference between the traffic study the City would have been done versus the alternate traffic study the City accepted. Mr. Pash responded that a review was done against other municipalities, Orlando and Winter Springs, and the proposed impact fees being used are greater than both of theirs.

Motion by Commissioner Olszewski to approve the Developer's Agreement for 420 Roper Road (Sonata West Orange Campus) as submitted. Seconded by Commissioner Makin and carried unanimously 5-0.

B. **Recommendation to approve Binding Lot Agreement for 420 Roper Road (Sonata West Orange Campus)**

Community Development Manager Pash stated that this agreement takes two adjacent neighboring lots and combines them with another lot owned by the Sonata project in order to develop the assisted living facility. Staff recommends approval.

Motion by Commissioner Buchanan to approve the binding lot agreement for 420 Roper Road as submitted. Seconded by Commissioner Sharman and carried unanimously 5-0.

C. **Recommendation to approve granting a drainage easement and temporary construction easement on City parcel 34-22-27-0000-00-042 to Mattamy Orlando, LLC (807 Avalon Road) for the purpose of obtaining a water district permit as part of building a new residential neighborhood**

Community Development Manager Pash stated that this is a drainage easement over an existing pond constructed by the City when the SunRidge Boulevard extension was done. Mattamy Homes is requesting the easement so that they can build Oxford Chase; an approved PUD previously known as the Sessions project. This easement is required by the St. Johns River Water Management District (SJRWMD). It is a temporary easement that when the plat is recorded, it reverts back to them (Mattamy Orlando, LLC) for them to maintain and will give the City the easement for storm drainage purposes. Staff recommends approval of this item.

Motion by Commissioner Sharman to approve granting a drainage easement and temporary construction easement on City parcel 34-22-27-0000-00-042 to Mattamy Orlando, LLC (807 Avalon Road) for the purpose of obtaining a water district permit as part of building a new residential neighborhood. Seconded by Commissioner Makin and carried unanimously 5-0.

D. **Recommendation to approve awarding four CDBG Housing Rehabilitation contracts (\$182,129) and one Replacement contract (\$100,210.78) to qualified low bidder Construction 360 contingent upon receiving Site Specific Release from the Department of Economic Opportunity**

Economic Development Director Gerhartz introduced the City's Housing Consultant, David Fox, to present this item.

Mr. Fox of Fred Fox Enterprises described the bids received on five homes under the Community Development Block Grant (CDBG) Housing Grant.

Mr. Fox noted that the low bidder for Mattie Wilson's home at 1015 Lincoln Terrace was Construction 360 as a replacement home at a cost of \$100,210.78 and gave a cost breakout. He noted that this amounts exceeds the \$75,000 limit set in the housing assistance plan (HAP) and advised that this should be noted in the motion for approval.

Mr. Fox noted that the low bidder on the four rehabs (*646 Bethune Avenue, 1100 E. Bay Street, 1040 Mildred Dixon Way, and 1046 Mildred Dixon Way*) was Construction 360. Mr. Fox recommended awarding the bids to Construction 360 on all five projects. They will be individual contracts.

Mayor Rees asked why no bids were received on the Boyd Street and Seminole Street addresses. Mr. Fox explained that both of those homes contain lead, which has to be addressed. He described the required testing and noted that the three homes should be ready for bids on October 20th.

Commissioner Sharman inquired about the rehabilitation and how in-depth it will be. Mr. Fox explained that all code violations have to be addressed, Section 8 Housing Standards, and other safety issues.

Motion by Commissioner Olszewski to approve awarding four CDBG housing rehabilitation contracts (\$182,129) and one replacement contract for \$100,210.78 that exceeds the \$75,000 limit, to qualified low bidder Construction 360 contingent upon receiving Site Specific Release from the Department of Economic Opportunity. Seconded by Commissioner Sharman and carried unanimously 5-0.

E. **Appointment to the Planning and Zoning Board to fill seat vacated by Eric Weiss (District 2); term expires October 30, 2017**

Commissioner Buchanan recommended appointing Christopher Lee to the Planning and Zoning Board and noted that Mr. Lee is a business owner as well as a resident for about 14 years.

Motion by Commissioner Buchanan to appoint Christopher Lee to the Planning and Zoning Board to fill seat vacated by Eric Weiss (District 2); term expires in October 2017. Seconded by Commissioner Sharman and carried unanimously 5-0.

4. **MATTERS FROM PUBLIC**

Charlie Mae Wilder, 813 E. Bay Street, Winter Garden, Florida, requested support from the City Commission for their 9th Annual Veterans and Family of Veterans' appreciation event. She requested a donation of \$200, as has been done in the past, which includes an advertisement inside the front cover of the program.

Motion by Commissioner Olszewski to approve donating \$200 to purchase the advertisement for the annual Veterans and Family of Veterans' Appreciation Event. Seconded by Commissioner Sharman and carried unanimously 5-0.

5. **MATTERS FROM CITY ATTORNEY** – There were no items.

6. **MATTERS FROM CITY MANAGER**

A. **Special Events Presentation**

City Manager Bollhoefer distributed guidelines currently used by staff for special events. He noted that more information would be brought back to the next meeting regarding more standards and rules the City would like to put in place for all future events. There was discussion on the quality, variety of vendors, and their placement during events.

• **Security Bars on Commercial Building Windows**

City Manager Bollhoefer asked the City Commission for direction on the subject of bars on windows and noted that he previously distributed example ordinances for review by the City Commission. If there were no objections by the City Commission, he will move forward on this item with the City Attorney to bring back to the City Commission.

- **Master Plan for State Road 429**

City Manager Bollhoefer stated that the master plan for State Road 429 was recently presented and asked if the City Commission had any questions or comments, to please bring them to him so that they could sit down and discuss them.

- **Car Show Update**

City Manager Bollhoefer stated that he has been working on this item and has met with someone who has taken the lead on this event. He found that 50 percent of the merchants like the idea of the Car Show and 50 percent found that it had a negative impact on their businesses. Mr. Bollhoefer stated that staff is working on some compromises going forward to alleviate some of the concerns of the 50 percent who do not want it. He has found that all of the merchants would like to have some type of event every third Saturday. For instance, there is the possibility of a golf cart drive-in movie night as well as a variety of events to benefit both residents and visitors.

- **Dillard Street Improvement Meeting**

Mr. Bollhoefer shared that the meeting Tuesday night with the consultant and business owners went well and they seem excited. The experts will be back Monday night, November 16th, 2015 at 6 or 6:30 p.m. to give a PowerPoint presentation on everything to date. The consultants have been very good about addressing everyone's concerns.

7. **MATTERS FROM MAYOR AND COMMISSIONERS**

Commissioner Sharman noted that while he was away on vacation he received a Google alert concerning our City Manager on the news addressing officers in our schools. He shared that he is looking forward to the MusicFest. He asked about the schedule for the start of the parking garage construction. City Manager Bollhoefer responded that the construction would start in April after the Bloom 'N Grow event.

Commissioner Olszewski voiced his excitement about the upcoming MusicFest and thanked the Mayor and City Commissioners for the additional \$200,000 towards the round-about project on Windermere and Roberson Road. He requested an update and City Manager Bollhoefer shared that there is hope it will be designed this year and constructed next summer.

City Manager Bollhoefer also shared that the traffic light at Avalon Road and Tilden Road would soon be activated.

Commissioner Buchanan shared that he is looking forward to MusicFest this weekend and as a Rotarian he would be helping with setting it up.

Commissioner Makin expressed that he also echoes the comments of everyone and looks forward to MusicFest this weekend.

Mayor Rees stated that he hopes to see everyone at the MusicFest.

The meeting adjourned at 7:02 p.m.

APPROVED:

Mayor John Rees

ATTEST:

City Clerk Kathy Golden, CMC

DRAFT



Proclamation

15-08

Whereas, the City of Winter Garden is blessed with a multitude of families – an essential part of the cultural, social, and spiritual fabric of our community; and

Whereas, the City of Winter Garden recognizes that strong families are at the center of strong communities; that children live better lives when their families are strong; and that families are strong when they live in communities that connect them to economic opportunities, social networks, and services; and

Whereas, everyone has a role to play in making families successful, including neighborhood organizations, businesses, non-profit agencies, policymakers, and families themselves; and

Whereas, during the week of Sunday, November 8 through Saturday, November 14, 2015, City of Winter Garden residents should take time to honor the importance of families and recommit to enhancing and extending the special connections that support and strengthen them throughout the year; and

Whereas, during this week, we urge the residents of the City of Winter Garden to join other agencies and organizations throughout the state to honor and celebrate our families;

Therefore, it is my great pleasure and privilege as the Mayor of the City of Winter Garden to hereby proclaim the week of Sunday, November 8 through Saturday, November 14, 2015, as

“WEEK OF THE FAMILY”

in the City of Winter Garden, and urge all citizens to share in this occasion.



In witness whereof, I have hereunto set my hand and caused the City Seal to be affixed this 22nd day of October, 2015.

John Rees
Mayor John Rees

Attest:

Kathy Golden
Kathy Golden, City Clerk



THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Don Cochran, Public Services

Via: City Manager Mike Bollhoefer

Date: October 9, 2015

Meeting Date: October 22, 2015

Subject: Approve Purchase of Two Solid Waste Automated Side Load Trucks

This is a piggyback purchase of the Florida Sheriff Association "FSA" State Contract Specification Number 15.

Purchase Amount is \$266,968.90 each

These trucks will be placed into primary daily service. This will allow older trucks (non-automated) requiring more maintenance to become secondary use backup trucks. This reduces the number of trucks in service daily requiring more than one operator and reduces labor costs.

Funding for this purchase was included in 2016 budget.

Recommended action:

Move to approve the purchase of Two (2) Solid Waste Automated Side Load Trucks from Nextran Truck Center per the FSA State Contract at a Total Purchase Price of \$533,937.80

Attachments/References:

Nextran Quotation

BUYER'S ORDER



Sold to: City of Winter Garden
 300 West Plant St.
 Winter Garden, FL 34787

Invoice Number:
 Date: October 5, 2015
 PO #:
 Salesman: Brian Carmody

Make	Year	Model	Type	VIN NUMBER	Amount
MACK	2016	LEU613	NEW	10673	\$ 267,214.40
Total Selling Price: \$					267,214.40

**IN ACCORDANCE WITH FLORIDA SHERIFFS STATE BID NO. 15-13-0904
 SPECIFICATION # 15, TANDEM AXLE REFUSE TRUCK, PAGE 610**

FSA TRUCK SPECIFICATION

ORDER CODE	OPTION	PRICE
SPEC #15	MACK MR SERIES	\$ 138,997.00
1001650	ENGINE UPGRADE 345HP	\$ 829.00
MRU66000	66,000 GVWR PACKAGE	\$ 698.00
FEPTO-pkg	FRONT ENGINE PTO	\$ 1,461.00
1442102	DUAL STEERING	\$ 4,599.00
9011359	(8) 315/80R22.5 TIRES	\$ 2,390.40
TOTAL CHASSIS	PRICE	\$ 148,974.40
NEW WAY BODY	31 YD SIDEWINDER	\$ 118,240.00
TOTAL	PRICE	\$ 267,214.40

Sub Total: \$	267,214.40
Insta Tag Fee: \$	-
Disposal Fee: \$	14.50
Tire Tax Credit \$	(260.00)
Sub Total: \$	<u>266,968.90</u>

PRICE OF ONE MACK LEU613 TRUCK WITH 31 YD NEW WAY SIDEWINDER BODY

P.O. AMOUNT DUE: \$ 266,968.90

P.O. #

Salesman Signature _____

Customer Signature _____

MV Registration#: MV12152
 Our Service Manager is Joe Ponder
 Our Parts Manager is Matt Lenhart
 Our Sales Manager is Barry Sessions

Feel free to call if you need any assistance!

2200 W. Landstreet Rd., Orlando, FL 32809
 Phone: 800-800-6225 Fax: 407-398-0297

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Don Cochran, Assistant City Manager – Public Services
Via: Mike Bollhoefer, City Manager
Date: October 15, 2015 **Meeting Date:** October 22, 2015
Subject: Approve bids and award contract for the Woodlark Water Treatment Plant 1.0 MG Ground Storage Tank Addition project
Issue: On October 1, 2015, the City of Winter Garden received the following bids from three (3) contractors for the Woodlark Water Treatment Plant 1.0 MG Ground Storage Tank Addition project:

Crom Corporation, Inc.	\$1,274,410.00
Close Construction, LLC	\$1,335,286.00
PreCon Corporation, Inc.	\$1,389,000.00

This tank will provide additional water storage for the southern area of the City.

The Crom Corporation, Inc., was the lowest responsible and responsive bidder with a bid of \$1,274,410.

Recommended Action:

Recommend approving the bids and awarding the contract for the Woodlark Water Treatment Plant 1.0 MG Ground Storage Tank Addition project to the Crom Corporation, Inc., with a bid of \$1,274,410.00, including a 10% contingency, bringing the total project amount to \$1,401,851.00.

Attachments/References:

- Engineer’s letter of recommendation and verified bid tabulation sheet



2301 Maitland Center Parkway Suite 300
Maitland, Florida 32751
tel: 407 660-2552
fax: 407 875-1161

October 6, 2015

Mr. Don Cochran
Assistant to the City Manager
Public Services
City of Winter Garden
300 West Plant Street
Winter Garden, Florida 34787

Subject: Water Treatment Plant No. 4 (Woodlark) 1.0 M GST Addition
City Project No. PS 11-008
CDM Smith Project No. 109978-83114

Dear Mr. Cochran:

CDM Smith reviewed the three (3) bids received at the bid opening of October 1, 2015, for the Water Treatment Plant No. 4 (Woodlark) 1.0 MG GST Addition project. We have prepared a bid tabulation and enclosed a copy for your reference. The Bidders are listed in the bid tabulation in numerical order based on the low bidder first.

The three bids received on the Project are as follows:

Bidder	Total Base Bid Item Nos. 1 through 6
1. Crom Corporation, Inc.	\$1,274,410
2. Close Construction, LLC.	\$1,335,286
3. PreCon Corporation, Inc.	\$1,389,000

The Engineer's Opinion of Probable Cost of construction was approximately \$1,200,000.

We have determined that all of the bids were mathematically correct. The copy of the bid we reviewed from the PreCon Corporation, Inc. did not have a copy of the Certificate of Insurance.

Each of the Bidders attached a bid bond in an amount of 5 percent of the Grand Total Base Bid. Each of the Bidders acknowledged receipt of the Addendum No. 1, issued on September 25, 2015.

As stated in the Instructions to Bidders, the contract shall be awarded, based upon the review of the bids, to the lowest responsive, responsible bidder to the City.



Mr. Don Cochran
October 6, 2015
Page 2

The low bidder, Crom Corporation, Inc., has successfully completed work for similar projects. CDM Smith also checked the references listed in the General Contractors Questionnaire (Section 00430) and received statements that the Crom Corporation, Inc. has completed the work performed for the references, satisfactorily and within the overall schedule and budget.

We have, therefore, determined that the Crom Corporation, Inc. is a responsible contractor, who, in our opinion, is capable of undertaking the work on the Water Treatment Plant No. 4 (Woodlark) 1.0 MG GST Addition project, in a satisfactory and timely manner.

Accordingly, we recommend the City award a construction contract to the low bidder, the Crom Corporation, Inc., in the amount of \$1,274,410 for the construction of the Water Treatment Plant No. 4 (Woodlark) 1.0 MG GST Addition.

Please contact this office if you have any questions or need further assistance.

Sincerely,

A handwritten signature in blue ink that reads 'David J. Prah'.

David J. Prah, P.E., BCEE
Project Manager
CDM Smith, Inc.

cc: Lena Rivera, P.E., D.WRE
John Healy, P.E.
Jason Mills, P.G.
Lee Wiseman, P.E., BCEE
Eric Grotke, P.E., BCEE

City of Winter Garden

Project #11-008-Woodlark Water Treatment Plant 1.0 MG Ground Storage Tank Addition

Verified Bid Tabulation Sheet - October 1, 2015; 2:00 PM

Engineers Opinion of Probable Construction Cost - \$1,200,000.00

Company Name, Street Address Contact, E-mail, Phone	Bid Amount	Addendum #1 Acknowledged	Bid Bond
Sawcross, Inc 10970 New Berlin Road Jacksonville, FL 32226-2270 Marie Baker marieb@sawcross.com (904) 751-7500			
The Crom Corporation 250 SW 36th Terrace Gainesville, Florida 32607 Gloria Zapata (gzapata@CromCorp.com) addendatbm@cromcorp.com 352.372.3436 (FedEx: 107129340)	1, 274, 410 ⁰⁰	✓	✓
Preload, LLC 4000 Tower Road Louisville, Kentucky 40219 Erika Napier Enapier@preload.com 502.962.2262			
Garney Companies, Inc. 370 East Crown Point Road Winter Garden, Florida 34787 Eric C. Wagner FLEstimating@Garney.com 407.877.5903 (FedEx: 104841414)			
Close Construction 301 NW 4th Avenue Okeechobee, Florida 34972 Chris Rossi ChrisRossi@closeconstruction.us 863.467.0831 (FedEx: 247369074)	1, 335, 286 ⁰⁰	✓	✓
Precon Corporation 115 S.W. 140th Terrace Newberry, Florida 32669 Mort Vineyard, P.E. t1m@precontanks.com 352.332.1200 (UPS: 3342E4)	1, 389, 000 ⁰⁰	✓	✓
Villages Constructions, Inc. 1410 Emerson Street Leesburg, Florida 34748 Craig vrcestimating@gmail.com 352.314.3625			
A. C. Schultes of Florida 11865 U.S. Highway 41 S Gibson, Florida 33534-5505 Estimating Department Kevin.acsfl@verizon.net 813.741.3010 (UPS: A9994E)			
SGS Contracting Services, LLC 14207 FL-45, High Springs, FL 32643 Seth Simmons Seth@sgscsi.com 352.745.6950			
Verified by: _____		Date: _____	

THE CITY OF WINTER GARDEN
CITY COMMISSION AGENDA ITEM

From: Steve Pash, Community Development Manager

Via: City Manager Mike Bollhoefer

Date: **October 15, 2015** **Meeting Date: October 22, 2015**

Subject: Final Plat
Oakland Park Phase 3 Plat (± 5.76 ACRES)

Issue:
Consideration of Final Plat of 16 lots on the ±5.76 acre property in the Oakland Park Subdivision. The Preliminary Plat for phase 3 was approved by the Planning and Zoning Board on July 7, 2014.

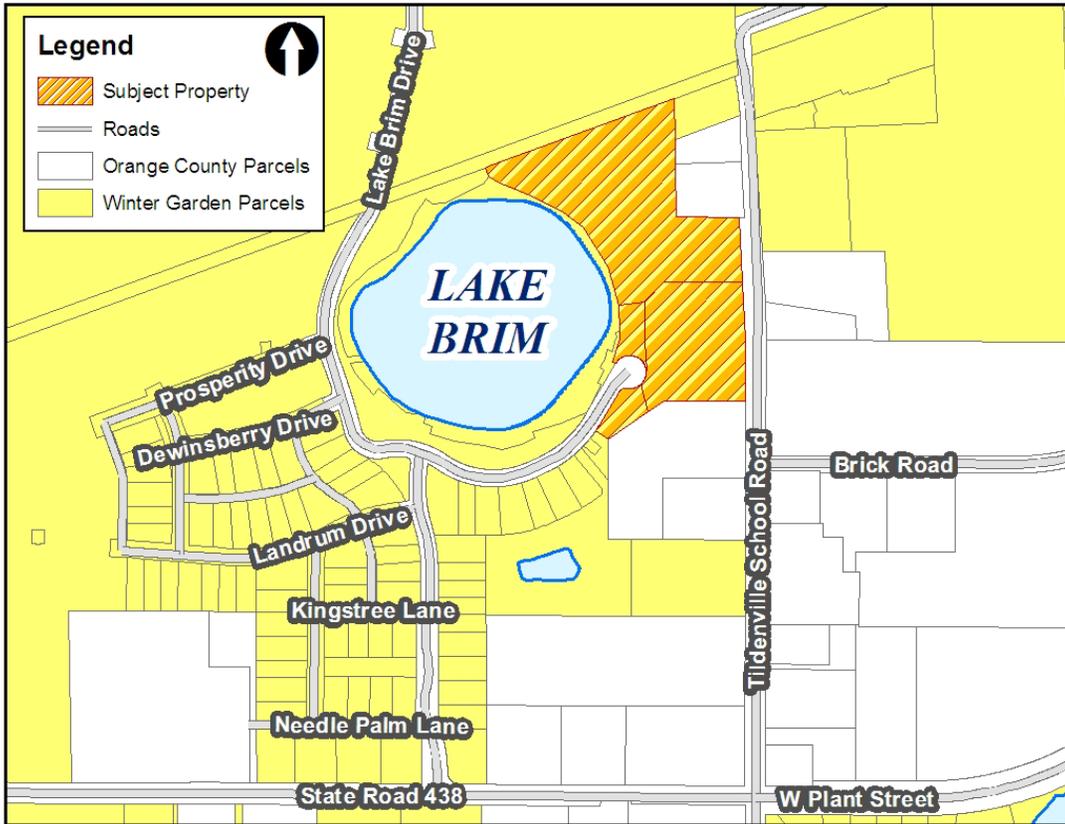
Discussion:
The applicant is developing Phase 3 of the Oakland Park Subdivision project for a total of 16 lots on ± 5.76 acres. The plat is consistent with the preliminary plat and the approved PUD.

Recommended Action:
Staff recommends approval of the Oakland Park Phase 3 Final Plat.
(See attached Staff Report dated 10/15/2015)

Attachments/References:
Location Map
Staff Report
Final Plat

LOCATION MAP

Oakland Park Phase 3



OAKLAND PARK UNIT 3

SHEET 1 OF 2

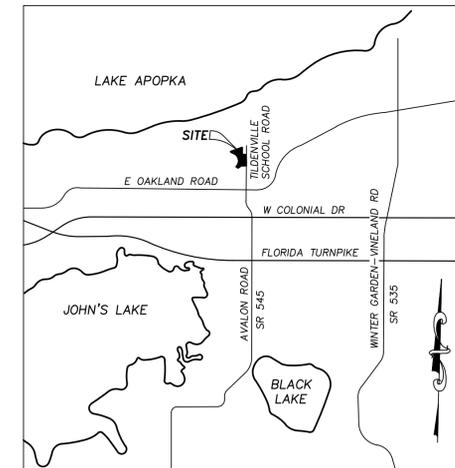
A REPLAT OF TRACTS F2, F3, F4 AND F5, OAKLAND PARK UNIT 1B-1A
PLAT BOOK 76, PAGES 8 THROUGH 10 AND A REPLAT OF A PORTION OF
TRACT F1, OAKLAND PARK UNIT 1A, PLAT BOOK 70, PAGES 33 THROUGH 39
SECTION 21, TOWNSHIP 22 SOUTH, RANGE 27 EAST
CITY OF WINTER GARDEN, ORANGE COUNTY, FLORIDA

PLAT NOTES:

- 1) BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF TRACT F5 AS BEING N04°38'42"W PER THE PLAT OF OAKLAND PARK UNIT 1B-1A.
- 2) AS INDICATED HEREON, (I) THE UTILITY EASEMENT PORTION OF THE NON-EXCLUSIVE TEN FOOT (10') UTILITY, DRAINAGE AND SIDEWALK ENCROACHMENT EASEMENT (UD&SEE) ALONG THE FRONT OF ALL LOTS AND TRACTS ABUTTING TRACT 1 (THE PRIVATE RIGHT-OF-WAY), (II) THE UTILITY EASEMENT PORTION OF THE NON-EXCLUSIVE DRAINAGE AND UTILITY EASEMENT (D&UE) IN TRACT 1 AND (III) THE NON-EXCLUSIVE TWENTY FOOT (20') UTILITY, DRAINAGE AND SIDEWALK ENCROACHMENT EASEMENT (UD&SEE) ALONG THE FRONT OF LOTS 218-220 ARE HEREBY DEDICATED TO THE CITY OF WINTER GARDEN AND TO THE PERPETUAL USE OF THE PUBLIC. THE CITY OF WINTER GARDEN SHALL ONLY BE RESPONSIBLE FOR THE MAINTENANCE OF UTILITY, DRAINAGE AND SIDEWALK IMPROVEMENTS IT ACCEPTS AND/OR INSTALLS WITHIN THE AFORESAID EASEMENT AREAS. NO UTILITIES, STRUCTURES OR OTHER IMPROVEMENTS SHALL BE PERMITTED TO CONFLICT OR INTERFERE WITH THE CITY OF WINTER GARDEN'S UTILITY, DRAINAGE AND SIDEWALK IMPROVEMENTS WITHIN SAID EASEMENT AREAS. THE CITY'S EASEMENT RIGHTS SHALL BE SUPERIOR TO ALL OTHERS. OTHER UTILITY SERVICE PROVIDERS' USE OF SAID EASEMENTS FOR UTILITY PURPOSES SHALL BE SUBJECT TO THE CITY OF WINTER GARDEN'S ORDINANCES, RULES AND REGULATIONS CONCERNING THE USE OF PUBLICLY DEDICATED UTILITY EASEMENTS. THE FEE SIMPLE OWNER(S) OF THEIR RESPECTIVE LOTS OR TRACTS ENCUMBERED BY THE AFORESAID EASEMENTS SHALL ONLY BE RESPONSIBLE FOR MAINTENANCE OF SOD AND GROUND COVER WITHIN SUCH EASEMENT AREAS.
- 3) THE FOLLOWING TRACTS SHALL BE CONVEYED TO THE OAKLAND PARK ASSOCIATION, INC. (THE "ASSOCIATION") IN FEE SIMPLE BY SEPARATE DEED UPON THE RECORDING OF THIS PLAT, AND SHALL THEREAFTER BE MAINTAINED BY THE ASSOCIATION AS REQUIRED BY CHAPTER 720 OF THE FLORIDA STATUTES FOR THE BENEFIT OF THE LOT OWNERS:
TRACT 1 (PRIVATE RIGHT-OF-WAY/DRAINAGE/UTILITY)
TRACT 2 (OPEN SPACE/PEDESTRIAN ACCESS/STORMWATER)
TRACT 3 (OPEN SPACE)
TRACTS 4 & 5 (OPEN SPACE/UTILITY/PEDESTRIAN ACCESS & DRAINAGE)
TRACT 6 (OPEN SPACE/UTILITY/STORMWATER/DRIVEWAY FOR LOTS 226-228)
- 4) PURSUANT TO SECTION 177.091 (28), FLORIDA STATUTES, AS AMENDED; ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS PARAGRAPH SHALL NOT APPLY TO THOSE DAMAGES OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
- 5) THE PROPERTY SHOWN HEREON IS SUBJECT TO THE TERMS AND CONDITIONS OF THAT CERTAIN AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OAKLAND PARK, AND THE ARTICLES OF INCORPORATION FOR THE OAKLAND PARK ASSOCIATION, INC., ALL OF THE FOREGOING OF WHICH ARE RECORDED IN OFFICIAL RECORDS BOOK 10236, PAGE 1901, INCLUSIVE, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AS SUPPLEMENTED AND/OR AMENDED (AS THE CASE MAY BE) BY (I) THAT CERTAIN FIRST SUPPLEMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OAKLAND PARK RECORDED IN OFFICIAL RECORDS BOOK 10249, PAGE 0580, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, (II) THAT CERTAIN SECOND SUPPLEMENT AND FIRST AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OAKLAND PARK RECORDED IN OFFICIAL RECORDS BOOK 10761, PAGE 9309, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND (III) THAT CERTAIN THIRD SUPPLEMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OAKLAND PARK RECORDED IN OFFICIAL RECORDS BOOK 10872, PAGE 1998, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.
- 6) THE LOTS WITHIN THIS SUBDIVISION ARE GOVERNED BY A MANDATORY HOMEOWNERS ASSOCIATION (I.E. OAKLAND PARK ASSOCIATION, INC.) REQUIRING THE PAYMENT OF FEES AND WITH THE POWER TO ASSESS THE LOTS. THE ASSOCIATION IS THE OWNER OF AND/OR RESPONSIBLE FOR THE MAINTENANCE, REPAIR, AND REPLACEMENT OF ALL PRIVATE AREAS, DRAINAGE SYSTEMS, INCLUDING WITHOUT LIMITATION, THE RETENTION/DETENTION AREAS AND UNDERDRAINS, COMMON PROPERTIES, PRIVATE ROADS, SCREENING WALLS, AND SUCH OTHER SUBDIVISION INFRASTRUCTURE NOT OTHERWISE DEDICATED TO THE PUBLIC USE OR THE CITY OF WINTER GARDEN, INCLUDING, WITHOUT LIMITATION, TRACTS 1 (PRIVATE RIGHT-OF-WAY/DRAINAGE/UTILITY), 2 (OPEN SPACE/STORMWATER), 3 (OPEN SPACE), 4 (OPEN SPACE/UTILITY/PEDESTRIAN ACCESS & DRAINAGE), 5 (OPEN SPACE/ UTILITY/PEDESTRIAN ACCESS & DRAINAGE) AND 6 (OPEN SPACE/STORMWATER/ DRIVEWAY FOR LOTS 226-228) AND THE IMPROVEMENTS THEREON. EVERY LOT OWNER WITHIN THIS SUBDIVISION IS REQUIRED TO BE A MEMBER OF THE ASSOCIATION AND IS SUBJECT TO ITS RULES AND REGULATIONS, INCLUDING, BUT NOT LIMITED TO THE CONDITIONS, COVENANTS, AND RESTRICTIONS PROVIDED FOR IN ITS DECLARATION, AND THE DEDICATIONS, RESTRICTIONS, AND RESERVATIONS, AS SET FORTH ON THIS PLAT. FAILURE TO PAY SUCH FEES OR ASSESSMENTS SHALL RESULT IN THE ATTACHMENT OF A LIEN ON THE PROPERTY OF THE OWNER WHICH FAILS TO PAY SUCH FEES OR ASSESSMENTS BY THE ASSOCIATION, WHICH MAY RESULT IN THE FORECLOSURE OF SAID PROPERTY.
- 7) THE CITY OF WINTER GARDEN SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ACCESS, MAINTAIN, REPAIR, REPLACE AND OTHERWISE CARE FOR OR CAUSE TO BE CARE FOR ANY AND ALL PRIVATE AREAS, INCLUDING WITHOUT LIMITATION, THE RETENTION/DETENTION AREAS AND UNDERDRAINS, COMMON PROPERTIES, PRIVATE ROADS, SCREENING WALLS, AND SUCH OTHER SUBDIVISION INFRASTRUCTURE NOT OTHERWISE DEDICATED TO THE PUBLIC USE OR THE CITY OF WINTER GARDEN, INCLUDING, WITHOUT LIMITATION, TRACTS 1 (PRIVATE RIGHT-OF-WAY/DRAINAGE/UTILITY), 2 (OPEN SPACE/STORMWATER), 3 (OPEN SPACE), 4 (OPEN SPACE/UTILITY/PEDESTRIAN ACCESS & DRAINAGE), 5 (OPEN SPACE/ UTILITY/PEDESTRIAN ACCESS & DRAINAGE) AND 6 (OPEN SPACE/STORMWATER/ DRIVEWAY FOR LOTS 226-228) AND THE IMPROVEMENTS THEREON. IN THE EVENT ANY OR ALL OF THE SAID AREAS, SYSTEMS, IMPROVEMENTS, PROPERTIES OR AREAS ARE NOT MAINTAINED, REPAIRED, OR REPLACED IN ACCORDANCE WITH THE STANDARDS OF THE CITY OF WINTER GARDEN CODE OF ORDINANCES, GOOD ENGINEERING PRACTICES, OR BECOME A NUISANCE OR IN THE EVENT THE CITY OF WINTER GARDEN EXERCISES ITS AFORESAID RIGHT, EACH OF THE LOT OWNERS OF THE SUBDIVISION ARE HEREBY ULTIMATELY RESPONSIBLE FOR PAYMENT OF THE COST OF MAINTENANCE, REPAIR, REPLACEMENT AND CARE PROVIDED BY THE CITY OF WINTER GARDEN OR ITS CONTRACTORS AND AGENTS, PLUS ADMINISTRATIVE COSTS AND ATTORNEYS' FEES AND COSTS INCURRED BY THE CITY OF WINTER GARDEN. IF SAID COSTS ARE NOT PAID WITHIN 15 DAYS OF INVOICING, THEN SAID COSTS SHALL CONSTITUTE A LIEN ON THE PROPERTY OF THE OWNERS WHICH FAIL TO PAY SUCH COSTS AND MAY BE ENFORCED, WITHOUT LIMITATION, BY FORECLOSURE, SPECIAL ASSESSMENTS, OR AS MAY OTHERWISE BE PERMITTED BY LAW. THIS RIGHT, AND THE CITY OF WINTER GARDEN'S EXERCISE OF SAID RIGHT, SHALL NOT IMPOSE ANY OBLIGATION ON THE CITY OF WINTER GARDEN TO MAINTAIN, REPAIR, REPLACE, OR OTHERWISE CARE FOR SAID PRIVATE AREAS, DRAINAGE SYSTEMS, INCLUDING WITHOUT LIMITATION, THE RETENTION/DETENTION AREAS AND UNDERDRAINS, COMMON PROPERTIES, PRIVATE ROADS, SCREENING WALLS, AND SUCH OTHER SUBDIVISION INFRASTRUCTURE NOT OTHERWISE DEDICATED TO THE PUBLIC USE OR THE CITY OF WINTER GARDEN, INCLUDING, WITHOUT LIMITATION, TRACTS 1 (PRIVATE RIGHT-OF-WAY/DRAINAGE/UTILITY), 2 (OPEN SPACE/STORMWATER), 3 (OPEN SPACE), 4 (OPEN SPACE/UTILITY/PEDESTRIAN ACCESS & DRAINAGE), 5 (OPEN SPACE/UTILITY/PEDESTRIAN ACCESS & DRAINAGE) AND 6 (OPEN SPACE/STORMWATER/DRIVEWAY FOR LOTS 226-228) AND THE IMPROVEMENTS THEREON.
- 8) THE ASSOCIATION, AS OWNER OF THE SUBDIVISION INFRASTRUCTURE NOT OTHERWISE DEDICATED TO THE PUBLIC USE OR THE CITY OF WINTER GARDEN, COMMON PROPERTIES, AND AMENITIES, AND THE INDIVIDUAL LOT OWNERS TO EXTENT OF THEIR INTEREST IN THE FOREGOING, SHALL RELEASE, DEFEND, INDEMNIFY AND HOLD THE CITY OF WINTER GARDEN, OTHER GOVERNMENTAL ENTITIES AND PUBLIC UTILITIES HARMLESS FROM ANY AND ALL COSTS, EXPENSES, SUITS, DEMANDS, LIABILITIES, DAMAGES, INJURIES (INCLUDING DEATH), OR OTHERWISE INCLUDING ATTORNEY'S FEES AND COSTS OF SUIT, IN CONNECTION WITH THE REASONABLE USE OF SAID SUBDIVISION INFRASTRUCTURE, COMMON AREAS, OR AMENITIES, OR SAID PARTIES' MAINTENANCE THEREOF, OR SAID PARTIES' EXERCISE OF RIGHTS PERMITTED IN THE DECLARATION OF THE ASSOCIATION, THIS PLAT, OR AS OTHERWISE PERMITTED BY LAW.
- 9) THE DRAINAGE EASEMENT PORTION OF THE NON-EXCLUSIVE TEN FOOT (10'), FIVE FOOT (5') AND TWO AND ONE HALF FOOT (2.5') DRAINAGE AND UTILITY EASEMENTS (D&UE) DEPICTED ALONG THE INTERIOR, SIDE AND REAR LOT LINES OF THIS PLAT, THE NON-EXCLUSIVE TEN FOOT (10') DRAINAGE EASEMENTS (DE) DEPICTED ALONG THE REAR LOT LINES OF LOTS 219-220 AND 224-227, AND THE NON-EXCLUSIVE FIFTEEN FOOT (15') DRAINAGE EASEMENT ALONG THE REAR OF LOTS 228-231 AND THE SIDE OF LOT 231 ARE PRIVATE AND ARE HEREBY DEDICATED TO THE ASSOCIATION. THE FEE SIMPLE OWNERS OF THEIR RESPECTIVE LOTS ENCUMBERED BY THE AFORESAID EASEMENTS SHALL BE RESPONSIBLE FOR MAINTAINING THE SOD AND GROUND COVER WITHIN THE EASEMENT AREAS, AND THE ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ANY WALES AND DRAINAGE IMPROVEMENTS INSTALLED WITHIN SUCH EASEMENT AREAS. THE ASSOCIATION SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO MAINTAIN THE SOD AND GROUND COVER IN SUCH EASEMENT AREAS IN THE EVENT ANY OR ALL OF SUCH SOD AND GROUND COVER ARE NOT BEING PROPERLY MAINTAINED BY THE FEE SIMPLE OWNERS OF THE RESPECTIVE LOTS.
- 10) THE UTILITY EASEMENT PORTION OF THE NON-EXCLUSIVE TEN FOOT (10'), FIVE FOOT (5') AND TWO AND ONE HALF FOOT (2.5') DRAINAGE AND UTILITY EASEMENTS (D&UE) DEPICTED ALONG THE INTERIOR, SIDE AND REAR LOT LINES, THE NON-EXCLUSIVE TEN FOOT (10') UTILITY EASEMENT (UE) DEPICTED ON THE REAR OF LOTS 227-231 IS HEREBY DEDICATED TO THE CITY OF WINTER GARDEN. FURTHER, A NON-EXCLUSIVE UTILITY EASEMENT RUNNING OVER, UNDER AND THROUGH TRACT 1 AND TRACT 5 IS HEREBY DEDICATED TO THE CITY OF WINTER GARDEN. THE CITY OF WINTER GARDEN SHALL ONLY BE RESPONSIBLE FOR THE MAINTENANCE OF UTILITY IMPROVEMENTS IT ACCEPTS AND/OR INSTALLS WITHIN THE AFORESAID EASEMENT AREAS.
- 11) THERE IS HEREBY GRANTED AND DEDICATED TO THE CITY OF WINTER GARDEN AND OTHER PUBLIC SERVICE AND EMERGENCY SERVICE PROVIDERS, A NON-EXCLUSIVE EASEMENT OVER AND THROUGH TRACT 1 (RIGHT-OF-WAY/DRAINAGE/UTILITY) AND ANY OTHER PRIVATELY OWNED INTERNAL ROADS, ALLEYS, PAVED AREAS AND SIDEWALKS FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS ACCESS FOR THE PURPOSE OF PROVIDING PUBLIC AND EMERGENCY SERVICES TO THE SUBDIVISION, INCLUDING BUT NOT LIMITED TO, POSTAL, FIRE PROTECTION, POLICE PROTECTION, EMERGENCY MEDICAL TRANSPORTATION, CODE ENFORCEMENT, GARBAGE, UTILITIES AND OTHER PUBLIC AND EMERGENCY SERVICES.
- 12) NO EASEMENT DEDICATED BY THIS PLAT, INCLUDING WITHOUT LIMITATION, TO THE CITY OF WINTER GARDEN, THE PUBLIC, OR TO ANY HOMEOWNERS ASSOCIATION, SHALL BE TERMINATED OR MODIFIED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE CITY OF WINTER GARDEN.

NOTICE: This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.

LOCATION MAP NOT TO SCALE



DESCRIPTION:

TRACTS F2, F3, F4 AND F5, OAKLAND PARK PHASE 1B-1A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 76, PAGES 8 THROUGH 10 AND A PORTION OF TRACT F1, OAKLAND PARK UNIT 1A, PLAT BOOK 70, PAGES 33 THROUGH 39, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF SECTION 21, TOWNSHIP 22 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, BEGINNING AT THE SOUTHEAST CORNER OF TRACT F4; THENCE RUN S88°26'26"W ALONG THE SOUTH LINE OF TRACT F4, 238.90 FEET; THENCE RUN S54°00'42"W, 194.34 FEET TO THE SOUTHEAST CORNER OF TRACT F2; THENCE RUN N57°39'28"W, 44.58 FEET TO THE SOUTHWEST CORNER OF TRACT F2 BEING A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST; THENCE RUN NORTHEASTERLY ALONG THE WEST LINE OF TRACT F2 AND SAID CURVE HAVING A CENTRAL ANGLE OF 3°27'23", A RADIUS OF 350.00 FEET, AN ARC LENGTH OF 21.11 FEET, A CHORD BEARING OF N30°36'51"E AND A CHORD DISTANCE OF 21.11 FEET; THENCE CONTINUE ALONG SAID WEST LINE N28°53'10"E, 97.13 FEET; THENCE RUN N61°06'50"W, 50.00 FEET TO THE WESTERLY LINE OF SAID TRACT F1; THENCE RUN N28°53'10"E ALONG SAID WESTERLY LINE, 77.57 FEET TO A POINT ON THE SOUTHERLY LINE OF TRACT F3; THENCE RUN N61°06'50"W, 9.49 FEET TO THE SOUTHWEST CORNER OF TRACT F3; THENCE RUN N14°20'32"E ALONG THE WEST LINE OF TRACT F3, 70.46 FEET; THENCE RUN N02°46'49"W, 97.58 FEET TO THE NORTHWEST CORNER OF TRACT F3; THENCE RUN THE FOLLOWING SEVEN (7) COURSES ALONG THE WEST LINE OF TRACT F5, N17°39'47"W, 114.07 FEET; THENCE RUN N33°22'02"W, 137.71 FEET; THENCE RUN N55°34'10"W, 74.03 FEET; THENCE RUN N64°54'26"W, 98.61 FEET; THENCE RUN N70°13'43"W, 106.91 FEET; THENCE RUN N60°58'36"W, 36.51 FEET; THENCE RUN N21°45'00"W, 27.84 FEET TO THE NORTHWEST CORNER OF TRACT F5; THENCE RUN N68°15'00"E ALONG THE NORTH LINE OF TRACT F5, 590.15 FEET TO THE NORTHERLY MOST CORNER OF TRACT F5; THENCE RUN S02°25'42"E ALONG THE EAST LINE OF TRACT F5, 344.09 FEET TO A NORTHERLY LINE OF TRACT F5; THENCE RUN N89°14'18"E ALONG SAID NORTHERLY LINE, 184.38 FEET TO THE EAST LINE OF TRACT F5 BEING THE WEST LINE OF TILDENVILLE SCHOOL ROAD; THENCE RUN THE FOLLOWING TWO (2) COURSES ALONG SAID LINE S04°38'42"E, 363.93 FEET; S01°39'53"E, 170.55 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 7.842 ACRES MORE OR LESS.

LEGEND

Δ	CENTRAL ANGLE	PC	POINT OF CURVATURE
R	RADIUS	PT	POINT OF TANGENCY
L	LENGTH	PI	POINT OF INTERSECTION
CH	CHORD	NT	NOT TANGENT
CB	CHORD BEARING	PB	POINT OF BEGINNING
OR	OFFICIAL RECORDS BOOK	PG	PAGE
DE	DRAINAGE EASEMENT	PB	PLAT BOOK
UE	UTILITY EASEMENT	PRC	POINT OF REVERSE CURVATURE
D&UE	DRAINAGE & UTILITY	PCC	POINT OF COMPOUND CURVATURE
UD&SEE	UTILITY, DRAINAGE & SIDEWALK ENCROACHMENT EASEMENT	R/W	RIGHT-OF-WAY
CCR	CERTIFIED CORNER RECORD	LB	LICENSED BUSINESS
		C	CENTERLINE

- DENOTES RECOVERED PERMANENT REFERENCE MONUMENT, A 4"x4" CONCRETE MONUMENT "PRM LB 68", UNLESS NOTED OTHERWISE.
- DENOTES RECOVERED PERMANENT REFERENCE MONUMENT, A 4"x4" CONCRETE MONUMENT "PRM LB 7274", UNLESS NOTED OTHERWISE.
- DENOTES SET PERMANENT REFERENCE POINT, A NAIL AND DISC STAMPED "PCP LB 7274", UNLESS NOTED OTHERWISE.

ALL LINES INTERSECTING CURVES ARE NON-RADIAL UNLESS OTHERWISE NOTED AS (R) = RADIAL.



32 W. PLANT STREET
WINTER GARDEN, FL 34787
Phone No. 407.905.8877
Fax No. 407.905.6232

CERTIFICATE OF AUTHORIZATION
LB 7274

PLAT
BOOK

PAGE

OAKLAND PARK UNIT 3 DEDICATION

KNOW ALL MEN BY THESE PRESENTS, LAKE APOPKA 2012, LLC, a Delaware limited company being the owner in fee simple of the lands described in the foregoing caption to this plat, hereby dedicates said lands and plat for the easements, rights, uses and purposes herein expressed including as set forth in the plat notes, and dedicates those utility easements shown hereon and the twenty foot (20') drainage and sidewalk encroachment easement along the front of lots 218-220 shown hereon to the City of Winter Garden and the perpetual use of the public.

IN WITNESS WHEREOF, the Owner has caused these presents to be signed and attested to by the officer named below and its corporate seal to be affixed hereto on _____.

Signed, sealed and delivered in the presence of
By: Lake Apopka 2012, LLC
a Delaware Limited Liability Company
Company 227 West Trade Street,
Suite 1000 Charlotte, North Carolina, 34786

Signature: _____
Print Name: _____
By: THOMAS D. CUNNINGHAM
VICE PRESIDENT

Signature: _____
Print Name: _____

STATE OF FLORIDA
COUNTY OF ORANGE
The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by THOMAS D. CUNNINGHAM, as Vice President for LAKE APOPKA 2012, LLC, a Delaware Limited Liability Company.

He
 is personally known to me or
 has produced _____ as identification.

IN WITNESS WHEREOF, I have hereto set my hand and seal on the above date.

Signature of Person Taking Acknowledgment

Print Name: _____
Notary Public
Serial No. (if any) _____
My Commission Expires: _____

CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY, that on _____ the foregoing plat was approved by the City Commission of Winter Garden, Florida

Mayor

Attest:

City Clerk

QUALIFICATION STATEMENT OF SURVEYOR AND MAPPER

KNOW ALL MEN BY THESE PRESENTS, This plat was prepared under the direction and supervision of the undersigned, a professional surveyor and mapper, and complies with all of the survey requirements of Chapter 177, Florida Statutes. The lands depicted herein are located in the City of Winter Garden, Orange County, Florida.

BISHMAN SURVEYING AND MAPPING, INC.
Certificate of Authorization Number LB 7274
32 W. Plant Street, Winter Garden, FL 34787

Date: _____
By: _____
Aron D. Bishman
Florida Registered Surveyor and Mapper
Certificate No. LS 5668

CERTIFICATE OF REVIEW BY CITY SURVEYOR

This plat has been reviewed for conformity with Chapter 177, Florida Statutes.

City Surveyor

Date

Printed name:

CERTIFICATE OF COUNTY COMPTROLLER

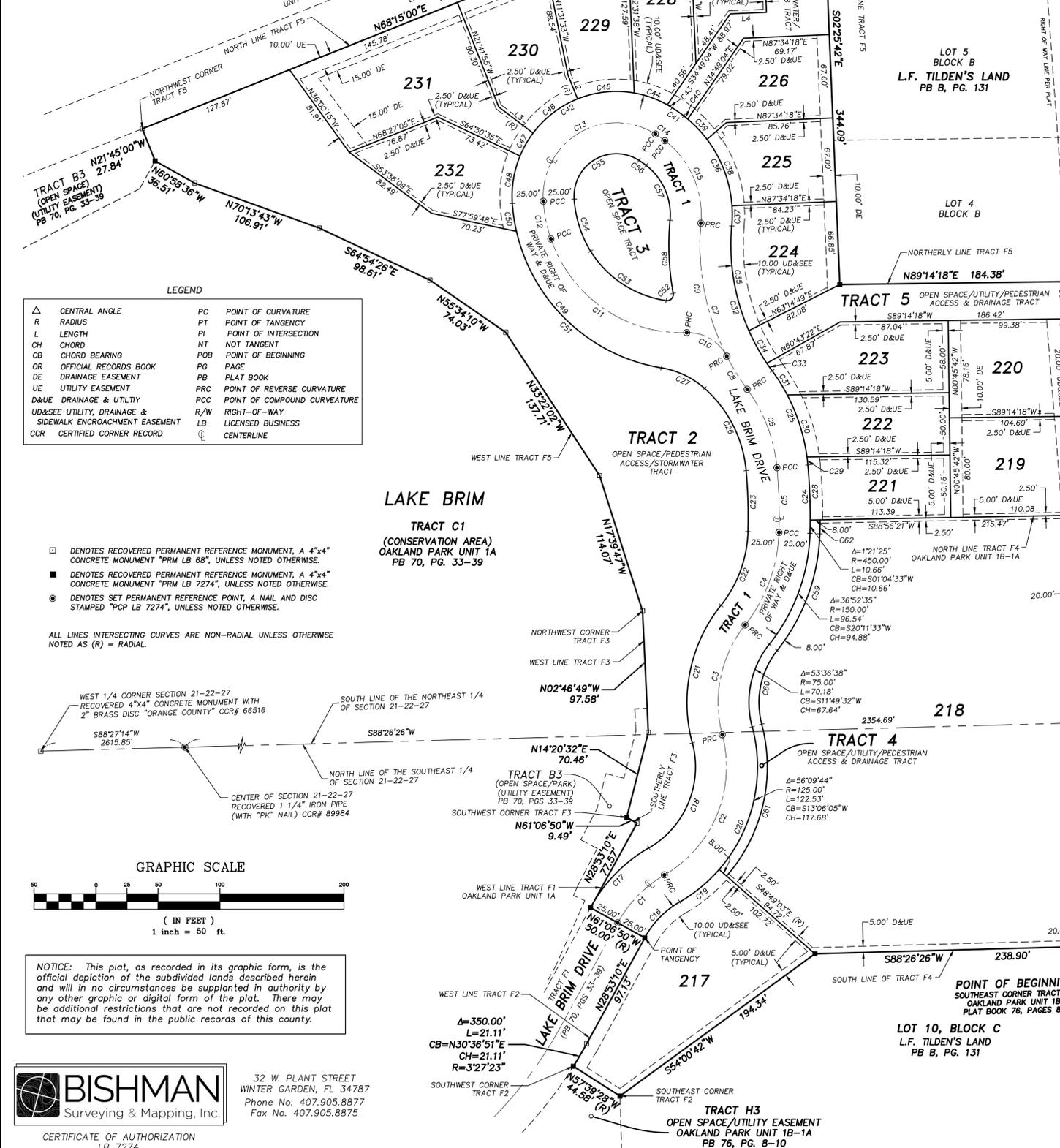
I HEREBY CERTIFY, that the foregoing plat was recorded in the Orange County Official Records on _____ as File No. _____

County Comptroller in and for Orange County, Florida

By: _____

OAKLAND PARK UNIT 3

A REPLAT OF TRACTS F2, F3, F4 AND F5, OAKLAND PARK UNIT 1B-1A PLAT BOOK 76, PAGES 8 THROUGH 10 AND A REPLAT OF A PORTION OF TRACT F1, OAKLAND PARK UNIT 1A, PLAT BOOK 70, PAGES 33 THROUGH 39 SECTION 21, TOWNSHIP 22 SOUTH, RANGE 27 EAST, CITY OF WINTER GARDEN, ORANGE COUNTY, FLORIDA

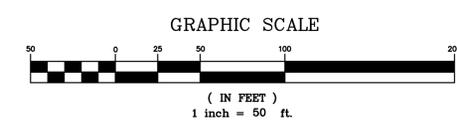
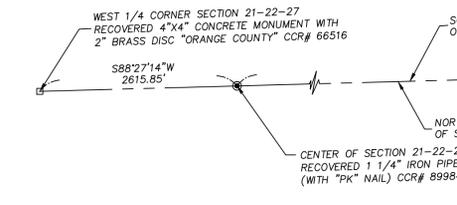


LEGEND

△	CENTRAL ANGLE	PC	POINT OF CURVATURE
R	RADIUS	PT	POINT OF TANGENCY
L	LENGTH	PI	POINT OF INTERSECTION
CH	CHORD	NT	NOT TANGENT
CB	CHORD BEARING	POB	POINT OF BEGINNING
OR	OFFICIAL RECORDS BOOK	PG	PAGE
DE	DRAINAGE EASEMENT	PB	PLAT BOOK
UE	UTILITY EASEMENT	PRC	POINT OF REVERSE CURVATURE
UD&UE	UTILITY, DRAINAGE & UTILITY	PCC	POINT OF COMPOUND CURVATURE
UD&SEE	UTILITY, DRAINAGE & SIDEWALK ENCROACHMENT EASEMENT	R/W	RIGHT-OF-WAY
CCR	CERTIFIED CORNER RECORD	LB	LICENSED BUSINESS
		CL	CENTERLINE

- DENOTES RECOVERED PERMANENT REFERENCE MONUMENT, A 4"x4" CONCRETE MONUMENT "PRM LB 68", UNLESS NOTED OTHERWISE.
- DENOTES RECOVERED PERMANENT REFERENCE MONUMENT, A 4"x4" CONCRETE MONUMENT "PRM LB 7274", UNLESS NOTED OTHERWISE.
- DENOTES SET PERMANENT REFERENCE POINT, A NAIL AND DISC STAMPED "PCP LB 7274", UNLESS NOTED OTHERWISE.

ALL LINES INTERSECTING CURVES ARE NON-RADIAL UNLESS OTHERWISE NOTED AS (R) = RADIAL.



NOTICE: This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county.

BISHMAN
Surveying & Mapping, Inc.

32 W. PLANT STREET
WINTER GARDEN, FL 34787
Phone No. 407.905.8877
Fax No. 407.905.8875

CERTIFICATE OF AUTHORIZATION
LB 7274

CURVE TABLE

CURVE	CENTRAL ANGLE	RADIUS	LENGTH	CHORD	CH. BEARING
C1	31°10'33"	100.00'	54.41'	53.74'	S44°28'26"W
C2	75°02'30"	100.00'	130.97'	121.81'	N22°32'28"E
C3	53°36'38"	100.00'	93.57'	90.19'	S11°49'32"W
C4	36°52'35"	125.00'	80.45'	79.07'	N20°11'33"E
C5	7°00'31"	425.00'	51.99'	51.96'	N01°45'00"W
C6	31°14'03"	125.00'	68.14'	67.30'	N20°52'17"W
C7	41°38'02"	195.00'	141.70'	138.60'	S15°40'18"E
C8	9°12'19"	195.00'	31.33'	31.30'	S33°53'08"E
C9	32°25'43"	195.00'	110.37'	108.90'	S11°04'08"E
C10	64°47'17"	35.00'	39.58'	37.50'	N59°40'39"W
C11	73°11'48"	111.50'	142.44'	132.95'	S55°28'23"E
C12	14°52'02"	119.00'	30.88'	30.79'	S11°26'28"E
C13	126°22'37"	59.00'	130.14'	105.31'	S59°10'52"W
C14	5°06'25"	104.00'	9.27'	9.27'	N55°04'37"W
C15	57°40'08"	75.00'	75.49'	72.34'	N23°41'21"W
C16	31°10'33"	75.00'	40.81'	40.31'	S44°28'26"W
C17	31°10'33"	125.00'	68.02'	67.18'	S44°28'26"W
C18	75°02'30"	75.00'	98.23'	91.36'	N22°32'28"E
C19	18°52'46"	125.00'	41.19'	41.00'	N50°37'20"E
C20	75°02'30"	125.00'	163.72'	152.26'	N22°32'28"E
C21	33°36'58"	125.00'	116.96'	112.74'	S11°49'32"W
C22	36°52'35"	100.00'	64.36'	63.26'	N20°11'33"E
C23	7°00'31"	400.00'	48.93'	48.90'	N01°45'00"W
C24	7°00'31"	450.00'	55.05'	55.01'	N01°45'00"W
C25	31°14'03"	150.00'	81.77'	80.76'	N20°52'17"W
C26	43°29'33"	100.00'	75.91'	74.10'	N27°00'02"W
C27	31°52'23"	70.00'	38.94'	38.44'	N64°40'59"W
C28	53°36'38"	450.00'	44.39'	44.37'	N22°52'42"W
C29	22°72'29"	150.00'	6.43'	6.43'	N06°29'00"W
C30	20°42'20"	150.00'	52.55'	52.28'	N17°44'54"W
C31	8°42'14"	150.00'	22.79'	22.77'	N32°08'12"W
C32	41°38'02"	170.00'	123.53'	120.83'	S15°40'18"E
C33	23°10'09"	170.00'	7.47'	7.47'	S55°13'44"E
C34	10°06'58"	170.00'	30.01'	29.98'	S28°54'40"E
C35	28°59'55"	170.00'	86.04'	85.13'	S09°21'41"E
C36	57°40'08"	100.00'	100.65'	96.46'	N23°41'21"W
C37	9°16'41"	100.00'	16.19'	16.18'	N00°30'23"E
C38	33°07'03"	100.00'	57.80'	57.00'	N20°41'29"W
C39	12°58'01"	100.00'	22.63'	22.58'	N43°44'01"W
C40	218°23'	100.00'	4.03'	4.02'	N51°22'13"W
C41	5°06'25"	129.00'	11.60'	11.49'	N55°04'37"W
C42	126°22'37"	84.00'	185.28'	149.94'	S59°10'52"W
C43	3°04'12"	84.00'	4.50'	4.50'	N59°09'56"W
C44	19°21'40"	84.00'	28.39'	28.25'	N70°22'52"W
C45	31°45'48"	84.00'	46.57'	46.57'	S84°03'24"W
C46	31°08'13"	84.00'	45.65'	45.09'	S52°36'23"W
C47	14°27'56"	84.00'	21.21'	21.15'	S29°48'18"W
C48	28°14'47"	84.00'	38.97'	38.62'	S09°16'57"W
C49	76°36'44"	144.00'	192.55'	178.52'	S42°18'49"E
C50	9°02'53"	144.00'	22.74'	22.72'	S08°31'54"E
C51	67°33'51"	144.00'	169.81'	160.14'	S46°50'15"E
C52	108°18'42"	5.00'	9.45'	8.11'	N43°59'25"E
C53	49°40'53"	86.50'	75.00'	72.68'	S67°00'48"E
C54	27°02'56"	94.00'	44.38'	43.97'	S17°31'55"E
C55	126°22'37"	34.00'	74.99'	60.69'	S59°10'52"W
C56	5°06'25"	79.00'	7.04'	7.04'	N55°04'37"W
C57	57°40'08"	50.00'	50.33'	48.23'	N23°41'21"W
C58	15°18'39"	220.00'	58.79'	58.62'	S02°30'36"E
C59	36°52'35"	158.00'	101.69'	99.94'	N20°11'33"E
C60	53°36'38"	67.00'	62.69'	60.43'	S11°49'32"W
C61	56°09'44"	133.00'	130.37'	125.21'	N13°06'05"E
C62	1°22'57"	458.00'	11.05'	11.05'	N01°03'47"E

LINE TABLE

LINE	BEARING	LENGTH
L1	N49°20'01"E	20.80'
L2	N21°49'30"W	20.82'
L3	N52°57'44"W	34.86'
L4	N87°34'18"E	29.32'

CITY OF WINTER GARDEN

Development Review Committee

300 West Plant Street - Winter Garden, Florida 34787-3011

(407) 656-4111 - FAX (407) 877-2363

STAFF REPORT

TO: STEVE PASH, COMMUNITY DEVELOPMENT MANAGER
FROM: DEVELOPMENT REVIEW COMMITTEE
DATE: OCTOBER 15, 2015
SUBJECT: OAKLAND PARK P.U.D. – LAKE APOPKA 2012, LLC (CRESCENT RESOURCES, LLC)
REVIEW OF REVISED FINAL PLAT - PHASE 3

ENGINEERING

We recommend approval, subject to approval from all other departments, and the following conditions and comments:

1. Final signed mylar, along with all other original executed documents, will be required prior to scheduling for the Planning & Zoning and City Commission meetings, after Staff approval.
2. Planning Department shall review plat for compliance with the PUD, Preliminary Plat, and Development Agreement, including minimum buildable lot sizes, lighting, etc.
3. Dedication (Sheet 1): Coordinate wording with City Attorney. Tracts (to HOA) shall be conveyed via fee simple warranty deed.
4. Tracts that contain required landscape buffers, drainage, walls (retaining or screen), community signage, etc. shall be so noted (i.e. Wall, landscape, and drainage easement), to be maintained by the HOA.
5. Transfer of all common areas, tracts, and rights-of-way to the HOA and the City shall take place prior to or with final plat recording (via deed). Draft quit claim deeds have been provided to the City Attorney and City's Reviewing Surveyor for review.
 - Add recording information at plat recording.
6. City Attorney shall review and approve the Dedication, HOA/CCR's, and Surveyors Notes for maintenance responsibilities and City's ability to lien individual lot owners if City performs maintenance, etc.
7. Maintenance Bond: A maintenance bond or letter of credit is required in the amount of **20%** of the cost of the improvements and shall comply with the City's ordinance concerning duration. Provide Design Engineer's certification, as backed up by the Contractor's final pay application, for determination of warranty amount. This item can be delayed until the improvements have been installed as a condition of issuing the Certificate of Completion. The form of the bond or letter of credit shall be approved by the City Attorney (see City website for form).
8. Performance Bond: The improvements are not completed. A Performance bond or letter of credit in the amount of **120%** of the cost of all incomplete improvements shall be provided to the City, based on the Design Engineer's certification, executed construction contract, and latest payment application. Performance Bond/LOC amount **shall include cost of street lighting from Duke Energy; street and regulatory signs, required landscaping, second lift of asphalt, walls, amenities, etc.** City Attorney shall approve the form of the bond or letter of credit prior to final plat recording. Final plat will not be forwarded to the City Commission for approval without performance bond. The form of the bond or letter of credit shall be approved by the City Attorney (see City website for form).

The Design Engineer has provided a certified breakdown of construction costs for this phase for determination of the performance bond amount for any incomplete items (streetlighting, street and regulatory signage, landscaping, irrigation, wall, amenities, etc.). Based on the certified cost to complete of \$415,613.50, the performance bond shall be in the amount of **\$498,736.20**, representing **120%** of the cost to complete. The original performance bond, #76122799, was submitted on 10/14/15 and is on file in the City Clerk's office.

9. The Certificate of Completion has not been issued for this phase. Upon completion of all improvements, the Design Engineer shall provide signed and sealed as-built record drawings (2 sets), electronic copies of record drawings (pdf and CAD), all permitting clearances, and a certification letter stating that all improvements have been completed in substantial compliance with the approved plans and specifications. Copies of all clearances, certifications, etc. from other permitting agencies shall be provided to the City.
10. Approval of Certificate of Completion will be contingent upon having all improvements, fire protection, street lighting, street signs and regulatory signage and striping installed, approved and accepted by the City of Winter Garden. Other than for model homes as specified in Code, no additional building permits and no certificates of occupancy will be issued for any structure until the Certificate of Completion for the infrastructure has been issued.
11. Sidewalks internal to the development shall be constructed adjacent to all lands not containing building lots prior to final acceptance. This shall include all stormwater, conservation, lift station, or recreation tracts, abutting roadways, pedestrian walkways, etc. Sidewalks external to the development shall be constructed upon final completion.
12. Streetlighting must be installed and operating as a condition of issuing the Certificate of Completion. Other than for model homes as specified in Code, no building permits or certificates of occupancy will be granted on any house until all of the above have been completed and accepted by the City and the Certificate of Completion has been issued.
13. Documentation that all outstanding fees owed the City for review by legal, surveying and engineering consultants shall be provided prior to final plat recording.
14. Design Engineer has provided certification that he has reviewed the plat and that it provides all necessary easements for drainage, access and utilities.
15. Additional comments may be generated at subsequent reviews.

END OF MEMORANDUM