

ORDINANCE NO. 2018-17

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, ESTABLISHING THE EMERALD LAKES COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2017); NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR A LIMITATION ON CITY OBLIGATIONS AND ACCEPTANCE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Uniform Community Development Act of 1980, Chapter 190, *Florida Statutes* (hereinafter referred to as the "Act"), sets forth the exclusive and uniform method for establishing a community development district, and

WHEREAS, section 190.005(2) of the Act requires that a Petition for the Establishment of a Community Development District of less than 2,500 acres be filed by the petitioner with the municipality having jurisdiction over the majority of land in the area in which the district is to be located, and

WHEREAS, section 190.005(1)(a) of the Act requires that such petition contain certain information to be considered at a public hearing before the City Council of the City of Palm Bay, Florida ("City"), and

WHEREAS, Emerald Investment Holdings, LLC ("Petitioner"), having obtained written consent to the establishment of the Emerald Lakes Community Development District (the "District"), by the owners of one-hundred percent (100%) of the real property to be included in the District and having presented documents evidencing the control of the real property to be included in the District, has petitioned the City to adopt an ordinance establishing the District pursuant to the Act, and

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WHEREAS, the Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida and whose principal place of business is 605 South Fremont Avenue, Suite B, Tampa, Florida, 33606, and

WHEREAS, the Petition which was submitted to the City on April 4, 2018, has been determined to contain the requisite information as mandated by section 190.005(1)(a) of the Act, and

WHEREAS, all interested persons and affected units of general-purpose local government will be or have been afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the City on June 21, 2018, and

WHEREAS, on June 21, 2018, the City considered the record of the public hearing and the factors set forth in section 190.005(1)(e) of the Act, and upon such review, has determined that granting the Petition to establish the District is in the best interest of the City, and

WHEREAS, the establishment of the District shall not act to replace or amend any City or County land development approvals governing the land area to be included within the District, and

WHEREAS, all District roads, including any improvements to existing roads, shall be constructed to equal or exceed the applicable construction specifications of the City or the County, and

WHEREAS, it is believed that the establishment of the District will result in a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. RECITALS INCORPORATED.

The above recitals are true and correct and by this reference are incorporated herein.

SECTION 2. AUTHORITY.

This Ordinance is enacted in compliance with and pursuant to the Uniform Community Development District Act of 1980, codified in Chapter 190, *Florida Statutes*.

SECTION 3. FINDINGS OF FACT.

The City hereby finds and determines, pursuant to section 190.005(2) of the Act, based on the testimony and evidence presented before the City, and the record established at the public hearing that:

- A. All statements within the Petition are true and correct.
- B. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the State Comprehensive Plan, or the City of Palm Bay Comprehensive Plan.
- C. The area of land within the District, described in Exhibit "A", which is attached hereto and incorporated herein, is of a sufficient size, is sufficiently compact and is sufficiently contiguous to be developed as one functional interrelated community.
- D. The District is the best alternative available for delivering the community development services and facilities to the area that would be served by the District.
- E. The community development services and facilities of the District will

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not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

F. The area to be served by the District is amenable to separate special-district government.

SECTION 4. ESTABLISHMENT AND DISTRICT NAME.

There is hereby created a community development district situated entirely within the limits of the City, which District shall be known as the "Emerald Lakes Community Development District," and which shall be referred to in this Ordinance as the "District".

SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT.

The external boundaries of the District are described in Exhibit "A", and said boundaries encompass approximately 1,561 acres.

SECTION 6. DISTRICT POWERS AND FUNCTIONS.

The powers and functions of the District are described in the Act. The District is also authorized to exercise additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for parks and facilities for indoor and outdoor recreational, cultural, and educational uses as authorized and described in section 190.012(2)(a) of the Act; security powers in accordance with section 190.012(2)(d) of the Act; and all of the powers necessary, convenient, incidental, or proper in connection with any of the powers, duties, or purposes authorized by this Ordinance or the Act.

SECTION 7. BOARD OF SUPERVISORS.

The five persons designated to serve as initial members of the District's Board of Supervisors are as follows:

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Name: Alfredo Rodriguez-Walling
Address: 255 Alhambra Circle, Suite 1160
Coral Gables, Florida 33134

Name: David Kramer
Address: c/o 605 S. Fremont Avenue, Suite B
Tampa, Florida 33606

Name: Mel Scott
Address: 7175 Murrell Road
Viera, Florida 32940

Name: Duane "Rocky" Owen
Address: 5585 Alligator Lake Road
St. Cloud, Florida 34772

Name: A. Christopher Kasten
Address: 1020 Friendly Way Street
St. Petersburg, FL 33705

SECTION 8. NOTICE REQUIREMENTS.

Petitioner has caused a notice of a public hearing on the consideration of the Petition to be published in a newspaper of general circulation in the county and of general interest and readership in the community, at least once a week for four (4) consecutive weeks immediately prior to such hearing in compliance with the provisions of section 190.005(1)(d) of the Act.

SECTION 9. COMPLIANCE WITH ALL REMAINING PROVISIONS OF CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE PROVISIONS OF LAW.

Petitioner has complied with all remaining provisions of the Act and other provisions of law necessary for the establishment of the District.

SECTION 10. REPEAL OF ORDINANCE IN CONFLICT.

All other ordinances of the City or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

SECTION 11. LIMITATION ON CITY OBLIGATIONS AND ACCEPTANCE.

Nothing in this Ordinance shall be deemed as affirmative acceptance by the City of any financial, operational, maintenance, or any other responsibilities of the District, nor be deemed as affirmative acceptance of any proposed improvement.

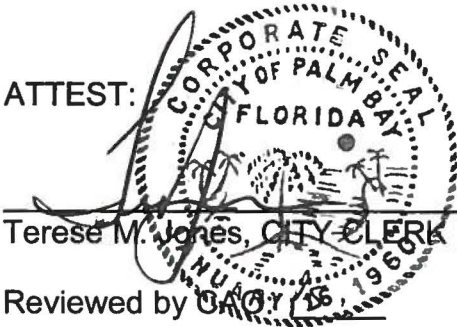
SECTION 12. SEVERABILITY.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

SECTION 13. EFFECTIVE DATE. The provisions within this ordinance shall take effect immediately upon the enactment date.

Read in title only at Meeting No. 2018-14, held on June 7, 2018; and read in title only and duly enacted at Meeting No. 2018-15, held on June 21, 2018.

ATTEST:


Terese M. Jones, CITY CLERK

Reviewed by GAOY/18


William Capote, MAYOR

THIS IS TO CERTIFY that the foregoing is a true and correct copy of the *Original* on file in the Office of *the City Clerk* of Palm Bay, Brevard County, Florida.

WITNESS my hand and the official seal of the City of Palm Bay, this *25th* day of *June*, 2018.


City Clerk, City of Palm Bay, Florida

EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION:

6 PARCELS OF LAND SITUATED IN SECTIONS 1, 2, 3, 10, 11 AND 12, TOWNSHIP 30 SOUTH, RANGE 37 EAST IN BREVARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY FLORIDA; THENCE RUN N89°55'05"E A DISTANCE OF 659.99; THENCE S01°06'06"E A DISTANCE OF 1280.53 FEET; THENCE S89°43'42"E A DISTANCE OF 329.77 FEET; THENCE RUN N01°05'23"W A DISTANCE OF 1282.56 FEET; THENCE RUN N89°55'05"E ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 3 A DISTANCE OF 1649.98 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 30 SOUTH, RANGE 37 EAST; THENCE RUN N89°55'18"E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 2 A DISTANCE OF 2555.70 FEET TO THE WEST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95; THENCE RUN S13°03'20"E ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 3500.33 FEET TO THE INTERSECTION WITH THE NORTH LINE OF INTERCHANGE PARCEL 101 DESCRIBED IN OFFICIAL RECORDS BOOK 7532, PAGE 2932 AND ST. JOHNS HERITAGE PARKWAY DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 171; THENCE RUN S09°03'35"E ALONG SAID NORTH LINE A DISTANCE OF 518.51 FEET; THENCE RUN S03°30'59"E A DISTANCE OF 168.84 FEET; THENCE RUN S00°29'36"E A DISTANCE OF 196.60 FEET; THENCE RUN S00°58'01"W A DISTANCE OF 157.82 FEET; THENCE RUN S08°52'16"W A DISTANCE OF 393.34 FEET; THENCE RUN S13°03'20"E A DISTANCE OF 313.63 FEET; THENCE RUN S31°56'46"W A DISTANCE OF 141.42 FEET; THENCE RUN S76°56'47"W A DISTANCE OF 2763.58 FEET TO A POINT OF INTERSECTION WITH A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1402.00 FEET: THENCE RUN NORTHWESTERLY A DISTANCE OF 1060.52 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°20'26" AND HAVING A CHORD WHICH BEARS N81°23'01"W A DISTANCE OF 1035.42 FEET TO A POINT OF INTERSECTION WITH A TANGENT LINE; THENCE RUN N59°42'48"W A DISTANCE OF 1081.00 FEET TO THE SOUTH LINE OF SAID SECTION 3; THENCE S89°42'39"E A DISTANCE OF 1369.88 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 30 SOUTH, RANGE 37 EAST; THENCE S89°42'59"E A DISTANCE OF 657.82 FEET; THENCE N01°00'06"W A DISTANCE OF 1300.35 FEET; THENCE N89°40'28"W A DISTANCE OF 658.49 FEET; THENCE N89°32'33"W A DISTANCE OF 1317.05 FEET; THENCE N01°04'42"W A DISTANCE OF 1304.74 FEET; THENCE N89°22'27"W A DISTANCE 1318.24 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 3; THENCE N01°07'32"W A DISTANCE OF 2552.94 FEET TO THE POINT OF BEGINNING.

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TOGETHER WITH:

PARCEL 2:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95 AND THE NORTH LINE OF THE SOTTILE CANAL (WIDTH VARIES); THENCE N89°40'36"W ALONG AFOREMENTIONED NORTH LINE A DISTANCE OF 6827.92 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF AFOREMENTIONED SECTION 10, TOWNSHIP 30 SOUTH, RANGE 37 EAST; THENCE N01°29'54"W ALONG SAID WEST LINE 2548.89 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 10; THENCE S89°42'39"E A DISTANCE OF 852.49 FEET TO A POINT OF INTERSECTION WITH A NON TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2798.00 FEET ON THE SOUTH RIGHT OF WAY LINE OF ST. JOHNS HERITAGE PARKWAY DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 171 AND INTERCHANGE PARCEL 101 DESCRIBED IN OFFICIAL RECORDS BOOK 7532, PAGE 2932; THENCE RUN SOUTHEASTERLY A DISTANCE OF 161.80 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°18'48" AND HAVING A CHORD WHICH BEARS S61°22'12"E A DISTANCE OF 161.78 FEET TO A POINT OF INTERSECTION WITH A TANGENT LINE; THENCE RUN S59°42'48"E A DISTANCE OF 1273.83 FEET TO A POINT OF INTERSECTION WITH A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1602.00 FEET; THENCE RUN SOUTHEASTERLY A DISTANCE OF 1211.81 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°20'26" AND HAVING A CHORD WHICH BEARS S81°23'01"E A DISTANCE OF 1183.12 FEET TO A POINT OF TANGENCY; THENCE RUN N76°56'47"E A DISTANCE OF 2776.03 FEET; THENCE RUN S58°03'06"E A DISTANCE OF 158.98 FEET; THENCE RUN S13°03'35"E A DISTANCE OF 103.60 FEET; THENCE RUN S27°21'19"E A DISTANCE OF 646.10 FEET; THENCE RUN S23°50'26"E A DISTANCE OF 174.39 FEET; THENCE RUN S13°03'35"E A DISTANCE OF 684.89 FEET; THENCE RUN N76°56'25"E A DISTANCE OF 75.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95; THENCE RUN S13°03'33"E A DISTANCE OF 763.16 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY FLORIDA; THENCE RUN S00°12'10"W A DISTANCE OF 5255.24 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF AFOREMENTIONED SECTION 1; THENCE RUN S01°39'31"E A DISTANCE OF 2240.34 FEET TO THE NORTH LINE OF THE SOTTILE CANAL (WIDTH VARIES); THENCE RUN S87°06'07"W ALONG THE NORTH LINE OF SAID CANAL A DISTANCE OF 95.39 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2900.00 FEET ON THE NORTH RIGHT OF WAY LINE OF ST. JOHNS HERITAGE PARKWAY DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 202; THENCE RUN NORTHWESTERLY A DISTANCE OF 162.03 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°12'04" AND HAVING A CHORD WHICH BEARS N03°15'34"W A DISTANCE 162.01 FEET; THENCE RUN N01°39'31"W A DISTANCE OF 1223.63 FEET TO A POINT OF INTERSECTION WITH A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1532.00 FEET; THENCE RUN NORTHWESTERLY A DISTANCE OF 2711.15 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 101°23'42" AND HAVING A CHORD WHICH BEARS N52°21'23"W FOR A

DISTANCE OF 2370.96 FEET TO A POINT OF TANGENCY; THENCE RUN S76°56'47"W A DISTANCE OF 595.55 FEET; THENCE RUN S85°19'23"W ALONG SAID NORTH RIGHT OF WAY LINE, ALSO THE NORTH LINE OF INTERCHANGE PARCEL 102 DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 103 A DISTANCE OF 307.45 FEET; THENCE RUN S80°45'39"W ALONG SAID NORTH LINE A DISTANCE OF 467.93 FEET; THENCE RUN N78°15'58"W A DISTANCE OF 398.01 FEET; THENCE RUN N36°19'13"W A DISTANCE OF 398.02 FEET; THENCE RUN N15°09'26"W A DISTANCE OF 1542.67 FEET; THENCE RUN S76°56'40"W A DISTANCE OF 11.84 FEET TO THE EAST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95; THENCE RUN N13°03'02"W ALONG THE AFOREMENTIONED EAST RIGHT OF WAY LINE A DISTANCE OF 3088.34 FEET; THENCE N89°55'28"E ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 30 SOUTH, RANGE 37 EAST, A DISTANCE OF 2419.70 FEET TO THE NORTHEAST CORNER OF AFOREMENTIONED SECTION 2; THENCE N89°58'04"E A DISTANCE OF 2637.51 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

BEGINNING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF INTERSTATE HIGHWAY NO. 95 AND THE NORTH LINE OF THE SOTTILE CANAL (WIDTH VARIES); THENCE RUN N13°03'35"W ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 1071.80 FEET TO THE HAUL ROUTE FROM BORROW PIT NO. 5; THENCE RUN S89°42'06"E A DISTANCE OF 1274.48 FEET; THENCE RUN N00°17'54"E A DISTANCE OF 800 FEET; THENCE RUN N89°42'06"W A DISTANCE OF 800 FEET; THENCE RUN S00°17'54"W A DISTANCE OF 750 FEET; THENCE RUN N89°42'06"W A DISTANCE OF 404.43 FEET TO THE SOUTH LINE OF INTERCHANGE PARCEL 102 DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 103; THENCE RUN N02°23'20"W ALONG SAID SOUTH LINE A DISTANCE OF 120.18 FEET; THENCE RUN N11°14'49"E A DISTANCE OF 352.17 FEET; THENCE RUN N18°00'57"E A DISTANCE OF 415.68 FEET; THENCE RUN N25°12'14"E A DISTANCE OF 130.81 FEET; THENCE RUN N13°33'28"E A DISTANCE OF 210.54 FEET; THENCE RUN N13°03'35"W A DISTANCE OF 240.15 FEET; THENCE RUN N31°57'06"E A DISTANCE OF 141.43 FEET; THENCE RUN N76°56'46"E A DISTANCE OF 760.74 FEET; THENCE RUN N76°56'48"E ALONG PREVIOUSLY MENTIONED SOUTH LINE, ALSO THE SOUTH RIGHT OF WAY LINE OF ST. JOHNS HERITAGE PARKWAY DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 202 A DISTANCE OF 455.97 FEET TO A POINT OF INTERSECTION WITH A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1332.00 FEET; THENCE RUN SOUTHEASTERLY A DISTANCE OF 2357.21 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 101°23'42" AND HAVING A CHORD WHICH BEARS S52°21'23"E A DISTANCE OF 2061.44 FEET; THENCE RUN S01°39'31"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 1223.63 FEET TO A POINT OF INTERSECTION WITH A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 3100.00 FEET; THENCE RUN SOUTHEASTERLY A DISTANCE OF 166.35 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°04'29" AND HAVING A CHORD WHICH BEARS S03°11'46"E A DISTANCE OF 166.33 FEET TO THE NORTH LINE OF AFOREMENTIONED SOTTILE CANAL; THENCE RUN S87°06'07" W ALONG SAID NORTH LINE A DISTANCE OF 284.41 FEET; THENCE RUN S83°04'26"W A DISTANCE OF 2084.05 FEET; THENCE RUN N89°19'58"W A DISTANCE OF 655.41 TO THE AFOREMENTIONED EAST RIGHT OF WAY LINE AND THE POINT OF BEGINNING.

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PARCEL 5:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY FLORIDA; THENCE RUN S89°49'46"E A DISTANCE OF 124.66 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE SOTTILE CANAL (WIDTH VARIES) AND POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE RUN N83°04'26"E ALONG SAID SOUTH LINE A DISTANCE OF 1824.85 FEET; THENCE RUN N87°06'07"E A DISTANCE OF 288.56 FEET TO THE WEST RIGHT OF WAY LINE OF ST. JOHNS HERITAGE PARKWAY DESCRIBED IN OFFICIAL RECORDS BOOK 7533, PAGE 202 AND A POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 3100.00 FEET; THENCE RUN SOUTHEASTERLY A DISTANCE OF 244.92 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°31'36" AND HAVING A CHORD WHICH BEARS S10°08'41"E A DISTANCE OF 244.85 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 12; THENCE RUN N89°49'46"W A DISTANCE OF 2142.86 FEET TO THE POINT OF BEGINNING.

PARCEL 6:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 30 SOUTH, RANGE 37 EAST, BREVARD COUNTY FLORIDA; THENCE RUN N89°49'46"W ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF AFOREMENTIONED SECTION 12 A DISTANCE OF 40.35 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2900.00 FEET; THENCE RUN NORTHWESTERLY A DISTANCE OF 256.38 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°03'55" AND HAVING A CHORD WHICH BEARS N10°45'31"W A DISTANCE OF 256.29 FEET TO THE SOUTH LINE OF THE SOTTILE CANAL (WIDTH VARIES); THENCE RUN N87°06'07"E ALONG SAID SOUTH LINE A DISTANCE OF 80.88 FEET TO THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 12; THENCE RUN S01°39'31"E A DISTANCE OF 256.11 FEET TO THE POINT OF BEGINNING.

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