

RESOLUTION Z-20-06

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA FOR A SPECIAL EXCEPTION TO PERMIT A MAJOR UTILITY (SOLAR ARRAY AND ASSOCIATED DISTRIBUTION LINES) ON APPROXIMATELY 650.6 ACRES LOCATED IN AN 'A' (AGRICULTURE) DISTRICT WITH A RURAL/AGRICULTURE LAND USE DESIGNATION (ONE DWELLING UNIT PER FIVE ACRES). THE PROJECT IS LOCATED ON THE NORTHEAST CORNER OF SW 170TH STREET AND SW 95TH AVENUE ON PARCEL NUMBERS 04588-000-000, 04588-001-000, 04588-001-001 AND PORTIONS OF PARCELS 04595-000-000 AND 04631-000-000.

WHEREAS, Zoning Application ZOX-01-20, a request by Archer Solar Project LLC (Mark Dypiangco, Agent) on behalf of various owners for a special exception to permit a major utility (solar array and associated distribution lines) on approximately 650.6 acres located in an 'A' (Agriculture) district with a Rural/Agriculture land use designation (one dwelling unit per five acres). The project is located on the northeast corner of SW 170th Street and SW 95th Avenue on parcel numbers 04588-000-000, 04588-001-000, 04588-001-001 and portions of parcels 04595-000-000 and 04631-000-000 has been duly filed and was considered by the Alachua County Planning Commission at its regular meetings of August 19 and September 2, 2020 and;

WHEREAS, the Alachua County Board of County Commissioners considered this zoning item at its regular meeting of September 29, 2020;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Zoning Application ZOX-01-20, a request by Archer Solar Project LLC (Mark Dypiangco, Agent) on behalf of various owners for a special exception to permit a major

utility (solar array and associated distribution lines) on approximately 650.6 acres located in an 'A' (Agriculture) district with a Rural/Agriculture land use designation (one dwelling unit per five acres). The project is located on the northeast corner of SW 170th Street and SW 95th Avenue on parcel numbers 04588-000-000, 04588-001-000, 04588-001-001 and portions of parcels 04595-000-000 and 04631-000-000, as summarized in the attached exhibit, is hereby approved with the following conditions and bases:

Conditions

- 1) This special exception is granted to permit a solar photovoltaic facility on approximately 650 acres on parcel numbers 04588-000-000, 04588-001-000, 04588-001-001 and portions of parcels 04595-000-000 and 04631-000-000.
- 2) The applicant shall be required to maintain SW 170th Street from SW 95th Avenue north to SW 79th Place and SW 95th Avenue from SW 170th Street east to SW 154th Street during construction. The applicant shall notify the Public Works Department a minimum of five business days prior to the commencement of construction so that the Department can evaluate the condition of the roadway. The limits of maintenance may be amended if the County is provided with a specific haul route for delivery of materials necessary for construction. Prior to the final release of the site, the applicant shall restore this roadway to pre-existing conditions as determined by the Public Works Department.

- 3) A decommissioning plan for the site shall be submitted by the applicant and approved by the Development Review Committee (DRC) as part of Final Development Plan review.
- 4) A minimum 50-foot wide medium density buffer shall be provided around the entire site consisting of existing vegetation with additional planting as required by the DRC to meet buffer opacity requirements. Any fencing shall be erected interior to the buffer. Ongoing removal of invasive species shall take place within all buffer areas.
- 5) Inverters shall be set back a minimum of 350 feet from the parcel boundary.
- 6) Application of herbicides on the site shall follow best management practices. A plan for herbicide use shall be submitted for review and approval by Environmental Protection Department staff as part of the Development Plan Review process.

Bases

1. The stated goal of the energy element is to *reduce greenhouse gas emissions and fossil fuel consumption; mitigate the effects of rising energy costs and promote the long-term economic security of Alachua County through energy conservation, energy efficiency and renewable energy production*. Further, the strategy section to achieve these goals has three priorities, the third of which is to ***promote and invest in renewable energy production***. The present application will fulfill this goal by permitting the

placement of renewable energy production facilities within the County, consistent with the policies found elsewhere in the Element

2. OBJECTIVE 6.1 of the Energy Element states that Alachua County shall ***Encourage renewable energy production and a countywide system of distributed residential and commercial power generation.*** The present application for a solar array fulfills this objective by locating a commercial solar energy generation facility within the County. Such a facility will feed into the commercial grid and provide clean, renewable power while reducing dependency on non-renewable energy sources such as coal and oil. The proposed plant can provide power generation to users both within the County as well as surrounding areas. Duke Energy supplies the following local distributors and municipalities (Vanessa Goff email: 6/30/2020):

- Cities of Archer, High Springs, LaCrosse, Micanopy
- University of Florida
- Seminole Electric Co-op, Central Florida Electric Co-op, Clay Electric Co-op

3. Policy 5.1.1 of the Future Land Use Element (Institutional Uses) states that *Potential locations for major future institutional uses are identified on the Future Land Use Maps. Institutional uses may be allowed in other land use categories designated on the Future Land Use Map, and implemented in accordance with the guidance and policies within this Section 5.0., and within the Comprehensive Plan as a whole.* The proposed use as a solar array is identified in this section of the Future Land Use

Element as an institutional use (Policy 5.1.2(c) – Public Utility, Communications or Infrastructure Services). The location of this utility (in an area designated Rural/Agriculture on the Future Land Use Map) is appropriate in that the parcel in question meets the characteristics necessary for a major photovoltaic array. The site is adjacent to distribution facilities (there is an existing electrical substation nearby and transmission lines bisect the proposed array site); has ready access to roads needed to provide access to the site and has an orientation necessary to provide maximum exposure.

4. Policy 5.1.2 of the Future Land Use Element (Institutional Uses) identifies institutional and governmental uses in Alachua County. Specifically, **Policy 5.1.2(c)** states that public utilities and infrastructure services are considered institutional uses. The specific policy language for public utilities and infrastructure services is found in **Policy 5.5.1** of the Future Land Use Element. This language states that *Public utilities distribution facilities (electrical, gas, telephone, and cable) shall be located in common corridors where practical from an engineering and economic standpoint to reduce land costs and to minimize the impacts of exposing new land to such uses. The land development regulations shall specify the factors that would be applicable to the location of such utilities distribution facilities in common corridors to the extent such locational decisions are within the County's legal authority. Factors that shall be addressed in determining practicality include things such as compliance with federal, state and local codes, safety and maintenance requirements relating to horizontal and vertical separation of facilities, soil and subsurface conditions and structures, efficiency and sustainable delivery to the end user, and ability of different utility providers to secure necessary coordination with other providers in a timely manner.* The proposed utility is located near a common corridor (SW

170th Street and SW 95th Avenue). First Solar will be constructing a substation on property leased near the site for distribution of the generated electricity to a power grid that will feed into its larger network. It is therefore suited to feed into the existing power grid with minimal intrusion on the landscape.

5. Objective 5.5 of the FLUE states that *Infrastructure and utility structures, such as communication towers, personal wireless service facilities, radio and television antennas, water and sewer, and energy generation and distribution facilities shall be designed and located to eliminate or minimize adverse visual impacts on the landscape.*

The site plan proposed for this site indicates that a 50-foot wide vegetative buffer will be provided around the entire facility. The nature of the existing vegetation on the site is a mixture of native species and planted pines. In certain areas of the site, the planted pines will provide partial screening from visual impacts on the surrounding properties. If necessary, this buffer can be supplemented with additional planting needed to provide a more complete buffer if so condition by the special exception. In addition, there is a 100-foot wide setback beyond the buffer to the placement of the arrays. This will also serve to partially mitigate the visual impact of these arrays on surrounding properties.

6. Policy 5.2.1 provides location criteria for institutional uses. *The following criteria shall determine the appropriateness of potential institutional locations and uses requiring special use permits shall be demonstrated prior to establishing the institutional use:*

- a. *Optimum service area.*

The proposed solar array is considered an institutional use as defined in the Plan. The service area as such is regional in nature. In feeding into the electrical grid, the proposed Archer facility can provide power for an area within Alachua County as well as extending beyond Alachua County's borders.

b. Optimum operating size.

The proposed facility will produce 74.9 megawatts at full capacity. This is the output generated by a typical facility of this size. Due to the nature of surrounding development, a larger facility at this site is not possible. This size, however, is the nominal operating capacity for facilities of this nature and is typical of other solar arrays found elsewhere in north central Florida.

c. Access to clientele.

An existing substation facility and distribution lines are located in the area with the main power transmission line bisecting the project site. These will be used for distribution of generated electricity to the grid and then onto the customer base of the utility.

- d. *Compatibility of the scale and intensity of the use in relationship to surrounding uses, taking into account impacts such as, noise, lighting, visual effect, traffic generation, odors.*

The nature of the facility is such that adverse impacts as listed will be minimal. Noise generation at the site is primarily centered on the units known as inverters that are located throughout the site. This equipment is responsible from converting the DC current produced by the panels into AC current suitable for consumption. As the panels power up with the sun, these inverters switch on and, at full production, produce what can be described as a humming noise similar to an air conditioning unit operating. When evening arrives and the sun goes down, these units switch off and cease operation with darkness. There are no noise levels overnight. The placement of these inverters within the arrays themselves will help mitigate any noise. More importantly, distance and the provision for buffering at the property line will do much to offset any noise produced by these units.

Lighting at the site will be limited to security lighting at the substation facility. There will be no lighting of the arrays themselves. In addition, it is possible that a security light may be employed at the entrance(s) to the facilities.

The facility will produce no odors. Traffic generation will be from 3-5 cars a day (6-10 trips). As a means of comparison, a typical single-family residence will generate approximately 10 trips per day (I.T.E. Generation Manual, 8th Edition). Therefore, the traffic generated by this use will be no more than that of a single-family household in the area.

A buffer of 50 feet is being proposed for the entire site to mitigate visual impacts to surrounding residential uses.

e. Nature of service provision.

The proposed facility is being built to provide electrical power. The trend toward renewable energy sources and away from fossil fuels means that older plants that rely on coal or oil for their power source can gradually be decommissioned as more clean energy plants come online. The proposed plant is one in a series being built in North Central Florida to achieve this purpose. The placement of these facilities can be correlated to cell towers, where the infrastructure is being disbursed closer to the population that it serves.

f. Needs of the clientele.

The proposed facility is one of a series in North Central Florida being brought online to reduce emissions from fossil fuels. The site will supply the needs for customers in-county (proposed operation Duke Energy supplies energy to Gainesville Regional Utilities, Clay Electric and Florida Power as well as being the sole provider of electricity for local municipalities such the City of Newberry.

g. Availability and adequacy of public infrastructure to serve the particular use

Level of service standards found in the Plan will not be adversely impacted by this request. The nature of the facility does not impact recreation or schools, generates very small amounts of solid waste and represents little impact to local roads (approximately the same amount as a single-family residence. Public infrastructure will not be compromised by this request.

h. Preservation and strengthening of community and neighborhood character through design

A 50-foot wide medium density vegetative buffer is required as part of the conditions associated with the approval of this special exception. While such a buffer will use existing vegetation to the greatest extent possible, the Development Review Committee may,

upon review, require any additional planting necessary in order to ensure consistency with the opacity requirements of such a buffer as found in the Unified Land Development Code.

i. Consistency with the goals, objectives, and policies of the Conservation and Open Space Element

The proposed solar array is consistent with the Goals, Policies and Objectives of the COSE. Comments provided by the Environmental Protection Department (EPD) indicate that *the project area contains none of the following natural resources afforded special protection in the comprehensive plan and land development code: surface waters, wetlands, 100-year floodplains, strategic ecosystems, significant plant and wildlife habitat, listed species habitat, conservation/preservation/recreation lands, wellfield protection areas, or mineral resource areas*. Site resources identified via a professionally conducted Cultural Resources Assessment are being avoided per the development plan.

A number of state-regulated gopher tortoises have been observed within the project area, though not within high quality natural vegetative communities and not in population densities that would suggest designation of the pine plantation as “listed species

habitat.” There may be other species of state-regulated wildlife (e.g., gopher tortoise commensals, eastern indigo snakes, Florida pine snakes, southeastern fox squirrels, etc.) that have not yet been documented on the property. Potential impacts to all state-regulated wildlife species are subject to a permitting process administered by the Florida Fish and Wildlife Conservation Commission (FWC). Should the Special Exception be approved by the BoCC, staff will ensure appropriate coordination with the FWC during the development plan review process.

The project lies within a county-designated “high aquifer recharge area.” Should the Special Exception be approved, all relevant protective provisions of the Comprehensive Plan, land development regulations and environmental codes will be applied during the development plan review process.

7. Policy 7.1.2 of the Future Land Use Element states that: *Proposed changes in the zoning map shall consider:*

- a. consistency with the goals, objectives, policies and adopted maps of the Comprehensive Plan*

The proposed solar array is consistent with the Goals, Policies and Objectives of the Plan and ULDC. The Energy Element has as its stated goal the

promotion of alternative forms of energy within the County as well as the reduction of greenhouse gases. Both goals are achieved by the placement of a solar facility on this site, which is a renewable energy source that emits no greenhouse gases. Further, this public utility, as an institutional use identified in the Future Land Use Element of the Plan (Objective 5.5), is permitted in all land use categories per Policy 5.5.1(a) of the Plan. The proposed special exception associated with this request will not cause levels of service found in the Capital Improvements Element of the Plan to fall below adopted levels nor will public infrastructure such as schools and transportation corridors be adversely impacted by this request.

b. the availability and capacity of public facilities required to serve the development. When considering a rezoning, this includes availability and capacity of existing public facilities and timing of future facilities based on capital plans. Specific determinations for any exceptions to the requirement to connect to a centralized potable water and sanitary sewer system will be made at the stage of development plan review, as detailed in Policy 2.1 of the Potable Water and Sanitary Sewer Element.

Level of service standards found in the Plan will not be adversely impacted by this request. The nature of the facility does not impact recreation or schools, generates very small amounts of solid waste and represents little impact to local roads (approximately the same amount as a single-family residence). Public infrastructure will not be compromised by this request.

c. the relationship of the proposed development to existing development in the vicinity and considerations relating to environmental justice and redevelopment opportunities.

The proposed facility is the fourth proposed for placement in Alachua County. These facilities are spread across the county and are placed in proximity to the infrastructure that will enable the efficient distribution of the generated power. As such, they are typically placed anywhere where distribution lines already exist. In the case of the First Solar facility, a transmission line bisects the proposed array site and an existing Duke Energy substation is located close to the property.

The surrounding parcels have a similar land (Rural/Agriculture) and zoning district (Agriculture). Most lots are occupied by single family residences. The parcel where the arrays are proposed is undeveloped save for an existing cemetery (located on a separate but adjacent parcel). A similar facility was approved for eastern Alachua County in 2016 (same land use and zoning). That facility has been in operation for three years with no known impacts to surrounding development.

Solar energy is an alternate, renewable energy source that can be placed almost anywhere that meets the above criteria. As shown on the map below, previous solar facilities approved by the BoCC are not situated in any one area

of the county. Rather, they have been placed in areas whose location meets the previously mentioned thresholds. Beyond these factors, availability of land and a willing seller play a part in deciding final siting of such arrays within the County. As such, larger arrays, such as the one being proposed with this application, are not normally located within urbanized areas where scarcity of large tracts of land needed for such a project would render the project infeasible. Siting of the arrays is thus predicated on a set of factors that will optimize operation of the facility and not on surrounding population demographics.

d. those factors identified by law, including that as a general matter an applicant is not entitled to a particular density or intensity within the range of densities and intensities permitted by the Comprehensive Plan, given due consideration of legitimate public purposes relating to health, safety, and welfare.

The applicant is requesting a special exception for a public utility. No residential density is applicable. The special exception, if approved, will permit a solar array, consistent with the provisions of the Comprehensive Plan and ULDC relating to Institutional uses.

8. Sec. 402.113 of the ULDC states that *the Board of County Commissioners shall, as part of a decision to approve an application for special exception, make a finding that an application complies with both the general criteria and the review factors listed below.*

(a)The proposed use is consistent with the Comprehensive Plan and ULDC;

The proposed solar array is consistent with the Goals, Policies and Objectives of the Plan and ULDC. The Energy Element has as its stated goal the promotion of alternatives forms of energy within the County as well as the reduction of greenhouse gases. Both goals are achieved by the placement of a solar facility on this site, which is a renewable energy sources the emits no greenhouse gases. Further, this public utility, as an institutional use identified in the Future Land Use Element of the Plan (Objective 5.5), is permitted in all land use categories per Policy 5.5.1(a) of the Plan. The proposed special exception associated with this request will not cause levels of service found in the Capital Improvements Element of the Plan to fall below adopted levels nor will public infrastructure such as schools and transportation corridors be adversely impacted by this request.

(b)The proposed use is compatible with the existing land use pattern and future uses designated by the comprehensive plan;

Compatibility is defined as *a state in which two things are able to exist together without problems or conflict*. The provisions as outlined can result in a project that, while **different** than the uses surrounding it, is also compatible with those uses.

The proposed facility is a solar array. The land use for the site as well as all surrounding properties is Rural/Agriculture. The Comprehensive Plan recognizes that

certain uses or development may include uses with intensities or characteristics that differ with surrounding development. These are evaluated on a case-by-case basis to ensure that the size, extent and character of that use is compatible with surrounding uses. (Policy 7.1.17/FLUE). In cases such as these, this policy states that the ULDC shall provide for a process to evaluate these uses (special exception, special use permit or temporary use permit). A special exception can provide conditions or other mitigation in order to achieve compatibility with surrounding uses. In this case, a buffer and setback are being proposed to aid in mitigating visual impacts. The array will not generate odors nor cause traffic impacts to surrounding road facilities. Noise impacts as discussed can be mitigated through placement of inverters away from parcel boundaries and the provision of a vegetative buffer. In the case of the proposed request, staff is recommending a minimum 50-foot wide medium density vegetative buffer. This will consist, wherever possible, of existing vegetation on the site that can then be supplemented by additional planting as determined by the Development Review Committee to provide screening for surrounding properties and to help mitigate others impacts that may occur onsite.

(c) The proposed use shall not adversely affect the health, safety, and welfare of the public; and

The proposed array is the second large scale array proposed for Alachua County. A previously approved array for Florida Power and Light (FPL) has the same output capacity as the proposed Archer facility. Using this facility as a guidepost, it can be

concluded that the approval of these arrays will not impact the health, safety or welfare of the citizens of Alachua County. In addition, studies referenced as part of the background materials for this application show conclusively that solar arrays do not pose a health or safety, either for surrounding property owners or the public in general. The applicant has provided buffers to help mitigate visual impacts that may be perceived from the installation of the arrays on this site.

(d) Satisfactory provisions and arrangements have been made concerning the following matters, where applicable:

(1) Ingress and egress to the property and proposed structures thereon with particular reference to automotive, bicycle, and pedestrian safety and convenience, traffic flow and control and access in case of fire or catastrophe;

The applicant has shown that 2 ingress/egress points will be provided for this facility on their site plan. These will be used by maintenance workers to access the property on a regular basis. No public ingress/egress will be permitted to the property.

(2) Off-street parking and loading areas where required, with particular attention to item (1) above;

Limited off-street parking will be provided for workers per the Alachua County ULDC

(3) The noise, glare or odor effects of the special exception on surrounding properties;

The proposed array will have no odors. Planning staff has visited a similar site north of Alachua County and can confirm that no odors are emitted by such a proposed facility. The panels are glass-encased and by design any glare would be counter-productive to energy production. However, some reflection is present. A surrounding buffer of trees and 150-foot setback from property lines mitigates glare. In addition, the proposed panels are tracking. In other words, they move very slowly to maximize exposure to the sun. This can aid in mitigating the effects of glare as the panels optimize their exposure to ensure maximum efficiency.

Any noise emanating from a solar array is caused by the presence of inverters. These units are placed internal to the arrays and serve to convert DC power produced by the panels to AC current. At full capacity there is noise that can be equated to an outdoor air conditioner functioning. However, placement of these units amongst the arrays serves two purposes. The arrays help abate noise by acting as a physical barrier. Also, this adds distance to the property boundary and the mitigating effects of the buffer. Staff visits to an existing facility in Ft. White could not detect noise at the property boundary from that facility.

(4) Refuse and service areas, with particular reference to location, screening and items (1) and (2);

Refuse areas will be screened on site per the ULDC

(5) Utilities, with reference to location and availability;

The proposed facility is a solar facility generating electricity for public consumption.

(6) Screening and buffering with reference to type, dimensions and character;

A 50-foot wide medium density vegetative buffer consisting of existing vegetation will be provided per the site plan. Supplemental plantings will be provided as required by the Development Review Committee in order to ensure that buffering and screening requirements can be met or are in place.

(7) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety and compatibility with surrounding properties;

Any signage present at the site will be required to adhere to the sign code for rural agriculture land use/zoning as found in the ULDC.

(8) Required yards and other open space;

There is Conservation Open Space proposed to buffer a significant geologic feature. Non-conservation open space is not a requirement of non-residential development. Proposed buffers, setbacks and tree canopy protection areas will provide additional undeveloped greenspace.

(9) General compatibility with surrounding properties; and

The proposed facility is a solar array. The land use for the site as well as all surrounding properties is Rural/Agriculture. The Comprehensive Plan recognizes that certain uses or development may include uses with intensities or characteristics that differ with surrounding development. These are evaluated on a case-by-case basis to ensure that the size, extent and character of that use is compatible with surrounding uses. (Policy 7.1.17/FLUE). In cases such as these, this policy states that the ULDC shall provide for a process to evaluate these uses (special exception, special use permit or temporary use permit). A special exception can provide conditions or other mitigation in order to achieve compatibility with surrounding uses. In this case, a buffer and setback are being proposed to aid in mitigating visual impacts. The array will not generate odors nor cause traffic impacts to surrounding road facilities. Noise impacts as discussed are mitigated through placement of inverters away from parcel boundaries and the provision of a vegetative buffer.

Compatibility is defined as *a state in which two things are able to exist together without problems or conflict*. The provisions as outlined can result in a project that, while **different** than the uses surrounding it, is also compatible with those uses.

(10) Any special requirements set forth in this ULDC for the particular use involved.

The ULDC has been amended to address tree canopy retention requirements as related to solar arrays. Specifically, **Sec. 406.11(c)** exempts utility-scale solar facilities (> 5 megawatts) from the requirement that 30% of the site be under mature tree canopy within 20 years.

DULY ADOPTED in regular session this 29th day in September, A.D., 2020

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

Robert Hutchinson, Chair

ATTEST:

Jesse K. Irby, II, Clerk

APPROVED AS TO FORM

Alachua County Attorney

(SEAL)

DEPARTMENT APPROVAL

AS TO CORRECTNESS

Department of Growth Management
Authorized Designee

EXHIBIT A

The Land referred to herein below is situated in the County of Alachua, State of Florida, and is described as follows:

PARCEL "A" DAVIS DIVISION (WEST PORTION)

A PART OF LANDS DESCRIBED IN O.R. BOOK 2154, PAGE 2915, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, LYING IN SECTION 33, TOWNSHIP 10 SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE

PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST COMER OF SAID SECTION 33 AND RUN THENCE SOUTH 24°53'30" EAST, A DISTANCE OF 54.64 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD NO. 241 (A/K/A S.W. 170TH AVENUE) AND THE SOUTH RIGHT OF WAY LINE OF SW 79TH AVENUE (A/K/A COUNTY ROAD NO. 24) AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 02°06'09" EAST, ALONG SAID EAST RIGHT OF WAY LINE OF COUNTY ROAD NO. 241, A DISTANCE OF 152.07 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 11438.18 FEET, A CENTRAL ANGLE OF 02°25'44", AND A CHORD BEARING AND DISTANCE OF SOUTH 00°53'17" EAST 484.83 FEET; THENCE SOUTHERLY, ALONG SAID EAST RIGHT OF WAY LINE AND ALONG SAID CURVE, AN ARC DISTANCE OF 484.86 FEET TO THE END OF SAID CURVE; THENCE SOUTH 00°19'35" WEST, ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 397.23 FEET TO THE NORTHWEST COMER OF THE CEMETERY PARCEL PER O.R. BOOK 2037, PAGE 2450, SAID PUBLIC RECORDS; THENCE SOUTH 88°24'09" EAST, A DISTANCE OF 708.40 FEET TO THE NORTHEAST COMER OF SAID O.R. BOOK 2037, PAGE 2450; THENCE SOUTH 00°49'56" WEST, A DISTANCE OF 327.97 FEET TO THE SOUTHEAST COMER OF SAID O.R. BOOK 2037, PAGE 2450; THENCE NORTH 88°27'51" WEST, A DISTANCE OF 705.49 FEET TO THE SOUTHWEST COMER OF SAID O.R. BOOK 2037,

PAGE 2450 AND THE SAID EAST RIGHT OF WAY LINE OF COUNTY ROAD NO. 241; THENCE SOUTH 00°19'35" WEST, ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 3912.64 FEET TO THE NORTH RIGHT OF WAY LINE OF SW 95TH AVENUE (A/K/A PECAN ROAD AND A/K/A COUNTY ROAD NO. SW 22); THENCE NORTH 89°30'29" EAST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 2689.07 FEET; THENCE NORTH 00°18'32" WEST, A DISTANCE OF 5306.69 FEET TO THE SOUTH RIGHT OF WAY LINE OF SW 79TH AVENUE; THENCE SOUTH 88°49'22" WEST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2647.58 FEET TO THE SAID POINT OF BEGINNING.

PARCEL "B" DAVIS DIVISION (EAST PORTION)

A PART OF LANDS DESCRIBED IN O.R. BOOK 2154, PAGE 2915, OF THE PUBLIC RECORDS OF ALACHUA COUNTY, FLORIDA, LYING IN SECTION 33, TOWNSHIP 10

SOUTH, RANGE 18 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST COMER OF SAID SECTION 33 AND RUN THENCE NORTH 88°48'43" EAST, ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 2625.26 FEET TO THE NORTHEAST COMER OF THE NORTHWEST ONE QUARTER (NW 1/4) OF SAID SECTION; THENCE SOUTH 42°25'29" EAST, A DISTANCE OF 67.19 FEET TO THE SOUTH RIGHT OF WAY LINE OF SW 79TH AVENUE (A/K/A COUNTY ROAD NO. 24) AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 88°49'22" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 2580.58 FEET TO THE EAST LINE OF SAID SECTION; THENCE SOUTH 00°45'27" EAST, ALONG SAID EAST LINE A DISTANCE OF 5337.57 FEET TO THE NORTH RIGHT OF WAY LINE OF SW 95TH AVENUE

(A/K/A PECAN ROAD AND A/K/A COUNTY ROAD NO. SW 22); THENCE SOUTH 89°30'29" WEST, ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 2622.07 FEET; THENCE NORTH 00°18'32" WEST, A DISTANCE OF 5306.69 FEET TO THE SAID POINT OF BEGINNING.

APN 04588-001-000, 04588-001-001, and 04588-000-000,

Proposed Lease Area within MJH Inc. Parcel:

A part of lands described in Official Record Instrument Number 2901423, of the Public Records of Alachua County, Florida, lying in part of Government Lots 3 and 4 of Section 3, Township 11 South, Range 18 East, Alachua County, Florida, being more particularly described as follows:

BEGINNING at the Northwest corner of said Government Lot 3, said point also being the Northwest corner of said Section 3; thence North 89°44'53" East 150.15 feet, along the North line of said Government Lot 3 and the North line of said Section 3; thence South 02°47'18" East 1893.23 feet, parallel with the West line of said Government Lots 3 and 4, and parallel with the West line of said Section 3; thence North 88°57'10" East 400.18 feet, parallel with the South line of said Government Lot 4; thence South 02°47'18" East 590.85 feet, parallel with the West line of said Section 3; thence South 88°57'10" West 400.18 feet, parallel with the South line of said Government Lot 4; thence South 02°47'18" East 150.07 feet, parallel to said West line of Section 3 to the South line of said Government Lot 4; thence South 88°57'10" West 150.07 feet, along the South line of said Government Lot 4 to the Southwest corner of said Government Lot 4; thence North 02°47'18" West 2636.24 feet, along the West line of said Section 3 to the POINT OF BEGINNING.

Containing 14.50 acres, more or less. Subject to other easements or restrictions, if any.

Proposed Lease Area within R&C of Alachua County Inc. Parcel:

A part of lands described in Official Record Instrument Number 2901719, of the Public Records of Alachua County, Florida, lying in part of Government Lot 9 of Section 34, Township 10 South, Range 18 East, Alachua County, Florida, being more particularly described as follows:

BEGINNING at the Southwest corner of said Government Lot 9, said point also being the Southwest corner of said Section 34; thence North 00°45'20" West 145.20 feet, along the West line of said Government Lot 9 and the West line of said Section 34; thence North 89°44'53" East 150.01 feet, parallel to the South line of said Government Lot 9 and the South line of said Section 34; thence South 00°45'20" East 141.22 feet, parallel to said West line of Government Lot 9 and said West line of Section 34; thence South 02°47'18" East 3.98 feet, to said South line of Government Lot 9 and said South line of Section 34; thence South 89°44'53" West 150.15 feet, along said South line of Government Lot 9 and said South line of Section 34 to the POINT OF BEGINNING.

Containing 0.50 acres, more or less. Subject to other easements or restrictions, if any.