

**SUBJECT AREA TO BE ADDRESSED:** This rule action eliminates a requirement that photos attached to posted licenses be less than 2 years old; the 2-year old requirement is inconsistent with statutory changes made in the 2010 session of the legislature.

**RULEMAKING AUTHORITY:** 497.380(10), 497.604(9)(c), 497.103(5), 497.103(1)(n) FS.

**LAW IMPLEMENTED:** 497.380(10), 497.604(9)(C), 497.380(15), 497.604(1) FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** June 29, 2011, 9:00 a.m.

**PLACE:** Room 332, Pepper Building, 111 W. Madison Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: LaTonya Bryant-Parker, at (850)413-4957 or LaTonya.Bryant-Parker@myfloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0361, (850)413-4984, shropshired@MyFloridaCFO.com. Direct any request for rule development workshop to Mr. Shropshire.

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

## Section II Proposed Rules

### DEPARTMENT OF STATE

#### Division of Elections

**RULE NO.:** 1S-2.017  
**RULE TITLE:** Reporting Requirements for Campaign Treasurer's Reports

**PURPOSE AND EFFECT:** The purpose of the amendments is to update the rule to reflect new filing specifications, to incorporate user guides, to update forms, and to delete rule language already contained in statute regarding the electronic

filing of campaign treasurer's reports. The amendments also delete contents about the State Matching Funds Program as they are now in Rule 1S-2.047, F.A.C.

**SUMMARY:** The rule provides the requirements for filing campaign finance reports with the Division of Elections through its electronic filing system.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. An SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 106.0705 FS.

**LAW IMPLEMENTED:** 106.04, 106.07, 106.0703, 106.0705, 106.29 FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):**

**DATE AND TIME:** July 6, 2011, 10:00 a.m.

**PLACE:** Room 307, R.A. Gray Building, Department of State, 500 S. Bronough Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eddie Phillips, Executive Assistant, Office of General Counsel, Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399-0250, telephone: (850)245-6536. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Gary J. Holland, Assistant General Counsel, Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399-0250, telephone: (850)245-6536

**THE FULL TEXT OF THE PROPOSED RULE IS:**

1S-2.017 Reporting Requirements for Campaign Treasurer's Reports.

(1) General Reporting Requirements.

(a) All ~~persons and political parties who file campaign treasurer's reports~~ filed with the Division of Elections (Division) must ~~file reports of contributions and expenditures as set forth in this rule.~~

(b) All campaign treasurer's reports filed with the Division of Elections shall be filed in electronic format by means of the internet by either keying in the detail data via the web pages or uploading an electronic file that meets the Division's of Election's file specifications, Form DS-DE 111, Campaign Finance Reporting File Specifications (version 05/23/11). All data submitted must comply with the instructions in Form DS-DE 110A, Candidate EFS User's Guide (eff. 01/11), DS-DE 110B, Political Committee EFS User's Guide (eff. 01/11), DS-DE 110C, Committee of Continuous Existence EFS User's Guide (eff. 05/11), or DS-DE 110D, Electioneering Communications Organization EFS User's Guide (eff. 03/11), as applicable on Form DS-DE 13A, Campaign Treasurer's Report Itemized Contributions and Fund Transfers (Eff. 01/05) and Form DS-DE 14B, Campaign Treasurer's Report Itemized Expenditures and Distributions (Eff. 01/05). Any amendment to a campaign treasurer's report that covered a reporting period prior to January 1, 2005 and that was not filed electronically, may be submitted in paper form on Form DS-DE 12, Campaign Treasurer's Report Summary (Eff. 08/04); Form DS-DE 13, Campaign Treasurer's Report Itemized Contributions (Eff. 08/03); Form DS-DE 14, Campaign Treasurer's Report Itemized Expenditures (Eff. 08/03); Form DS-DE 14A, Campaign Treasurer's Report Itemized Distributions (Eff. 08/03); and Form DS-DE 94, Campaign Treasurer's Report Itemized Fund Transfers (Eff. 08/03). Any amendment to a campaign treasurer's report that covered a reporting period filed prior to January 1, 2005 and that was filed by magnetic diskette, may be submitted on magnetic diskette and shall conform to Division specifications.

(b)(e) Prior to filing the first campaign treasurer's report in electronic format, each person or political party must obtain credentials for a secure sign-in to the Division's electronic filing system. Each person or political party is responsible for protecting the credentials from disclosure and is responsible for all filings using these credentials unless the person has notified the Division that his or her credentials have been compromised.

(c)(d) The Division shall issue credentials for a secure sign-in when a person or political party files a completed Form DS-DE 9, Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates (Eff. 10/10 08/03), incorporated by reference in Rule 1S-2.0001, F.A.C.; or a completed Form DS-DE 5, Statement of Organization of Political Committee (Eff. 06/11 08/03); or a completed Form DS-DE 103, Electioneering Communications Organization Statement of Organization (Eff. 06/11 08/04). The Division shall issue credentials for a secure sign-in upon request to candidates and their treasurers or deputy treasurers and to chairpersons, treasurers, and deputy treasurers of committees, organizations, and political parties.

(d)(e) Each individual who receives secure sign-in credentials will also furnish the Division with confidential personal information, which involves supplying the answer to a personal question relating to the particular individual, that shall be used by the Division to allow access by the individual in the event that credentials are forgotten or lost. Examples of confidential personal information shall include mother's maiden name, date of birth, child's name, pet's name, etc.

(f) Electronic reports are considered to be filed under oath by the person or political party filing the report and are subject to the fines and penalties in Sections 106.04(4)(d) and (8), 106.07(5) and (8), 106.0705, and 106.29(2) and (3), F.S., as applicable.

(e)(g) Electronic reports must be completed and filed through the Division's electronic filing system no later than midnight 12:00 p.m., Eastern Standard Time, of the due date. In the event that the electronic filing system is inoperable on the date a report is due, the report will be accepted as timely filed if filed no later than midnight 12:00 p.m., Eastern Standard Time, of the first business day the electronic filing system becomes operable again. No fine will be levied during the period the electronic filing system was inoperable.

(f)(h) A report shall be deemed filed through the electronic filing system upon the issuance of an electronic receipt indicating and verifying that the report was filed.

(2) State Matching Funds Program.

(a) Pursuant to Section 106.33, F.S., a candidate for the office of Governor or member of the Cabinet who desires to receive state matching funds shall, upon qualifying for office, file a request for such contributions with the Division on Form DS-DE 98, "Candidate for Governor or Cabinet Officer Request for Contributions (Eff. 1/02)".

(b) To be eligible to receive state matching funds, a candidate for Governor or member of the Cabinet must not be an unopposed candidate as defined in Section 106.011(15), F.S., and shall:

1. Agree to abide by the expenditure limits provided in Section 106.34, F.S.

2. Raise qualifying matching contributions as provided in Sections 106.33 and 106.35, F.S.

3. Retain copies of all checks received, in-kind documentation, credit or debit card receipts, if applicable, and, in the case of cash, copies of the accompanying deposit slips, and copies of cashiers checks. Each campaign treasurer shall submit copies of checks, in-kind documentation, credit or debit card receipts, deposit slips for cash contributions and copies of cashiers checks to the Division at each applicable reporting period; and

4. Submit to a post election audit of the campaign account and financial records by the Division. Surplus matching funds must be returned before the post election audit is conducted.

(c) State matching funds shall be distributed within 7 days after the close of qualifying and every 7 days thereafter, to eligible candidates. The first distribution shall be based on verified matching contributions as shown on quarterly reports, filed after September 1 of the calendar year prior to the election, through June 30 of the election year. Thereafter, distribution of funds will be based on weekly reports as provided by Section 106.07(1)(b), F.S. Each weekly distribution of funds will be based on the prior week's report as verified by the Division, if timely received; otherwise, the distribution will be made in the next applicable weekly cycle. The Division shall verify matching contributions contained in the reports with copies of checks, in-kind documentation, credit or debit card receipts, deposit slips for cash contributions and copies of cashier's checks which have been submitted by the candidates.

(d) For candidates who are eligible to receive state matching funds, a report is timely if it is received in the Division by 12:00 noon, Eastern Standard Time, on the date it is due. If a report is received after 12:00 noon, Eastern Standard Time, on the due date, such report will be deemed late for matching fund purposes and any eligible matching funds will be distributed in the next reporting cycle. If any fines are due for late filing they will be assessed pursuant to Section 106.07, F.S. For all other candidates, filing deadlines shall be as provided in Section 106.07, F.S.

(e) Reports filed by candidates requesting matching funds must include all information required by this rule and Sections 106.07 and 106.30-36, F.S. If information related to a matchable contribution is missing, incomplete or cannot be verified, no match will be made for that contribution and the candidate will be notified by the Division. However, upon supplying such missing or incomplete information and upon verification by the Division, matching funds will be provided on the next applicable cycle.

(f) If a candidate requesting matching funds submits a report and subsequently amends such report, any adjustment, up or down, to the candidate's distribution of funds will be made on the next weekly cycle occurring after receipt and review of the amended report. All amendments to reports must be submitted electronically to the Division.

(g) The Division shall record the time that reports are received from candidates requesting matching contributions and distribute funds on a first in, first out basis.

(h) An adverse decision regarding the distribution of matching funds may be appealed to the Florida Elections Commission, pursuant to Rule 2B-1.006, F.A.C.

(3) ~~Voluntary Expenditure Limits. Candidates not participating in public campaign finance who wish to voluntarily abide by the expenditure limits of Section 106.34, F.S., and the contribution limits on personal and party funds set forth in Section 106.33, F.S., shall file an irrevocable statement to this effect on Form DS-DE 90, "Irrevocable Statement to~~

~~Voluntarily Abide by the Expenditure and Contribution Limits on Personal and Party Funds (Eff. 12/93)", upon qualifying for office.~~

~~(2)(4) All forms and filing specifications contained in this rule are incorporated by reference and are available from the Division of Elections, Room 316, R.A. Gray Building, Tallahassee, Florida 32399-0250, from the Division's website at <http://election.dos.state.fl.us>, or by calling (850)245-6240.~~

~~Rulemaking Specific Authority 106.0705 106.35(1), (5), 106.0706 FS. Law Implemented 106.04, 106.07, 106.0703, 106.0705, 106.29, 106.30-36 FS. History--New 11-13-88, Formerly 1C-7.017, Amended 2-28-90, 9-5-93, 1-1-96, 3-5-96, 7-20-98, 7-31-02, 1-1-05, 6-2-05.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kristi Reid Bronson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jennifer Kennedy, Acting Director, Division of Elections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 19, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 25, 2011

## LAND AND WATER ADJUDICATORY COMMISSION

### Rivers Edge Community Development District

RULE NO.: 42FFF-1.002                      RULE TITLE: Boundary of Surviving District

PURPOSE AND EFFECT: A petition has been filed with the Commission requesting the merger of the Main Street Community Development District ("Main Street CDD") and the Rivers Edge Community Development District ("Rivers Edge CDD") (together, "Districts"). On June 16, 2010, the Main Street CDD and the Rivers Edge CDD each adopted resolutions authorizing the process necessary to accomplish the merger and approving a Merger Agreement. The Merger Agreement, among other things, provides for: the filing of a petition; the intent that Rivers Edge CDD remain as the surviving district; the proper allocation of the indebtedness; and the manner in which debt is to be retired. The merger agreements are contained as Exhibits 1A and 1B to the petition. Main Street CDD currently covers approximately 89.9 acres of land located entirely within St. Johns County, Florida. Rivers Edge CDD currently covers approximately 4,086.6 acres of land located entirely within St. Johns County, Florida. Main Street CDD and Rivers Edge CDD are generally located in the RiverTown Development of Regional Impact. A general location map is provided in Exhibit 3 to the petition. The current metes and bounds descriptions of the external boundaries of the CDDs are set forth in Exhibit 4 to the petition. After merger, the surviving district will encompass a total of approximately 4,176.5 acres. The approval of the

Merger Agreement and authorization to file the petition by the Districts' Board of Supervisors constitutes consent of all landowners within the Districts.

SUMMARY: Merger of the Main Street Community Development District and the Rivers Edge Community Development District.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. An SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, July 6, 2011, 2:00 p.m.

PLACE: Room 2107, The Capitol, Tallahassee, Florida 32399-0001

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two days before the workshop/meeting by contacting: Barbara Leighty, Executive Office of the Governor, Room 1801, The Capitol, Tallahassee, Florida 32399-001, telephone (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barbara Leighty, Executive Office of the Governor, Room 1801, The Capitol, Tallahassee, Florida 32399-0001, telephone (850)487-1884

THE FULL TEXT OF THE PROPOSED RULE IS:

42FFF-1.002 Boundary of Surviving District.

The boundaries of the Surviving District are as follows:

A parcel of land, being a portion of the Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East; together with a portion of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East; all in St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a POINT OF BEGINNING, BEGIN at the most Northeasterly corner of the plat BARTRAM PLANTATION PHASE TWO, as shown on the plat thereof, as recorded in

Map Book 46, pages 78 through 89 of the Public Records of said St. Johns County, Florida, said point also being on the Southerly Right of Way line of GREENBRIAR ROAD, (a Variable Width Public Road Right of Way, as per Right of Way Map prepared by St. Johns County Surveying and Mapping Program, dated April 19, 1999, formerly known as STATE ROAD No. 11 and/or BOMBING RANGE ROAD), and run thence, along the aforesaid Southerly Right of Way line of GREENBRIAR ROAD, the following three (3) Courses and Distances:

Course No. 1: South 77°13'29" East, a distance of 732.72 feet, to a point;

Course No. 2: South 12°21'44" West, a distance of 17.00 feet, to a point;

Course No. 3: South 77°13'29" East, a distance of 218.82 feet, to a point, on the Westerly boundary line of GREENBRIAR SECTION ONE, as shown on the plat thereof, recorded in Map Book 14, pages 58 and 58 of the Public Records of St. Johns County, Florida; run thence, along the Westerly boundary line of said GREENBRIAR SECTION ONE, the following two (2) Courses and Distances:

Course No. 1: South 35°18'11" West, a distance of 1,258.39 feet, to a point;

Course No. 2: South 00°00'46" West, along aforesaid Westerly boundary, and then along a Southerly prolongation thereof, a distance of 5,903.67 feet, to the monumented Southwest corner of those lands described and recorded in that instrument recorded in Official Records Book 702, page 995 of the Public Records of said St. Johns County, Florida; run thence, South 77°09'41" East, along the Southerly line of said lands described and recorded in Official Records Book 702, page 995, and then along the Southerly line of lands described and recorded in Official Records Book 702, page 992, all in the Public Records of said St. Johns County, Florida, a distance of 4,900.13 feet, to a point; run thence North 75°52'24" East, continuing along the aforesaid Southerly line of lands described and recorded in Official Records Book 702, page 992, and then along the Southerly line of lands described and recorded in Official Records Book 702, page 989 of the Public Records of said St. Johns County, Florida, a distance of 3,755.96 feet, to the Southeast corner of said lands described and recorded in Official Records Book 702, page 989 of the Public Records of said St. Johns County, Florida; run thence North 12°53'03" East, along the Easterly line of said lands described and recorded in Official Records Book 702, page 989 of the Public Records of said St. Johns County, Florida, a distance of 2,028.02 feet, to the Southerly line of lands described and recorded in Official Records Book 807, page 564 of the Public Records of said St. Johns County, Florida; run thence South 87°27'26" East, along the Southerly line of aforesaid lands, a distance of 3,744.64 feet, to a point on the Westerly line of those lands described and recorded in Official Records Book 1400, page 1204 of the Public Records of said St. Johns

County, Florida, and being the boundary line of BARTRAM TRAIL HIGH SCHOOL; run thence, along and around the boundaries of BARTRAM TRAIL HIGH SCHOOL, the following fifteen (15) Courses and Distances:

Course No. 1: South 46°48'23" West, a distance of 414.48 feet, to a point;

Course No. 2: South 22°50'52" West, a distance of 170.75 feet, to a point;

Course No. 3: South 29°41'23" East, a distance of 105.05 feet, to a point;

Course No. 4: South 43°43'33" East, a distance of 242.38 feet, to a point;

Course No. 5: South 06°15'54" East, a distance of 461.02 feet, to a point;

Course No. 6: South 24°04'44" West, a distance of 767.51 feet, to a point;

Course No. 7: South 50°01'20" East, a distance of 672.15 feet, to a point;

Course No. 8: North 83°31'47" East, a distance of 438.97 feet, to a point;

Course No. 9: South 37°49'12" East, a distance of 138.56 feet, to a point;

Course No. 10: South 66°18'34" East, a distance of 290.82 feet, to a point;

Course No.11: South 82°37'22" East, a distance of 375.87 feet, to a point;

Course No. 12: North 48°52'37" East, a distance of 831.78 feet, to a point;

Course No.13: North 49°06'30" East, a distance of 480.59 feet, to a point;

Course No. 14: North 27°50'21" East, a distance of 414.04 feet, to a point;

Course No. 15: North 29°55'50" West, a distance of 1,405.58 feet, to a point, lying on the Southerly line of the aforesaid lands, described and recorded in Official Records Book 807, page 564 of the Public Records of said St. Johns County; run thence, on the aforesaid Southerly line of said lands, the following two (2) Courses and Distances:

Course No. 1: South 87°27'26" East, a distance of 560.74 feet, to a point;

Course No. 2: South 87°17'21" East, a distance of 5,264.98 feet, to a point, on the Easterly monumented line of Section 39, the Francis P. Fatio Grant; run thence, along last said line, the following four (4) Courses and Distances:

Course No. 1: South 41°26'00" West (also being the Westerly line of Section 28) a distance of 6,287.87 feet, to a point, (a portion of this call is along the Westerly boundary line of WHITELOCK FARMS, as shown on the plat thereof, recorded in Map Book 37, pages 80 through 112 of the Public Records of said St. Johns County, Florida), said point being the intersection of Sections 28, 29 and 39;

Course No. 2: South 41°25'04" West (also being the Westerly boundary line of Tract "J", of aforesaid WHITELOCK FARMS, and the Westerly line of said Section 29) a distance of 2,321.16 feet, to a point;

Course No. 3: South 41°34'03" West (a portion of this call is along the Westerly boundary line of aforesaid WHITELOCK FARMS) a distance of 5,424.32 feet, to a point, at the intersection of Sections 39, 32 and 40;

Course No. 4: South 42°44'52" West (also being the Westerly line of said Section 40) a distance of 2,199.20 feet, to a point, on the Northeasterly Right of Way line of STATE ROAD No. 13 (a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785); run thence, along the aforesaid Northeasterly Right of Way line of STATE ROAD No. 13, the following two (2) Courses and Distances:

Course No. 1: run thence Northwesterly, along and around the arc of a curve, being concave Southwesterly, and having a radius of 22,968.28 feet, through a central angle of 00°20'02" to the left, an arc distance of 133.89 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 63°17'25" West, 133.89 feet;

Course No. 2: North 63°27'26" West, along last said tangency, a distance of 6144.14 feet; run thence North 26°42'01" East, departing said Northeasterly Right of Way line, a distance of 249.39 feet, to a point; run thence South 63°14'24" East, a distance of 120.00 feet, to a point; run thence North 26°42'01" East, a distance of 223.42 feet, to a point; run thence North 11°17'57" East, a distance of 176.08 feet, to a point; run thence Southeasterly, around and along the arc of a curve, being concave Northeasterly, and having a radius of 219.00 feet, through a central angle of 09°27'56" to the left, an arc distance of 36.18 feet to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 73°58'04" East, 36.14 feet; run thence South 78°42'03" East, along last said tangency, 264.08 feet the point of curvature of a curve leading Southeasterly; thence Easterly, around and along the arc of said curve, being concave Southwesterly, and having a radius of 531.00 feet, through a central angle of 15°24'03" to the right, an arc distance of 142.73 feet to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 71°00'01" East, 142.30 feet; run thence South 63°17'59" East, along last said tangency, a distance of 404.36 feet; run thence North 26°42'01" East, a distance of 827.49 feet, to the point of curvature of a curve leading Northerly; thence Northerly and Northwesterly, around and along the arc of said curve, being concave Westerly, and having a radius of 25.00 feet, through a central angle of 80°40'40" to the left, an arc distance of 35.20 feet, said arc being subtended by a chord bearing and distance of North 13°38'19" West, 32.37 feet to the point of reverse curvature of last said curve with a curve leading Northwesterly; thence

Northwesterly, around and along the arc of last said curve, being concave Northeasterly, and having a radius of 354.00 feet, through a central angle of 26°14'57" to the right, an arc distance of 162.18 feet to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 40°51'10" West, 160.77 feet; run thence North 27°43'42" West, along last said tangency, a distance of 45.05 feet, to a point; run thence South 62°16'18" West, a distance of 313.00 feet, to the point of curvature of a curve leading Westerly; thence Westerly, around and along the arc of said curve, being concave Northerly, and having a radius of 479.00 feet, through a central angle of 59°19'51" to the right, an arc distance of 496.01 feet, arc being subtended by a chord bearing and distance of North 88°03'46" West, 474.15 feet to the point of reverse curvature of last said curve with a curve leading Westerly; thence Westerly, around and along the arc of last said curve, being concave Southerly, and having a radius of 250.00 feet, through a central angle of 89°56'25" to the left, an arc distance of 392.44 feet to the end last said curve, said arc being subtended by a chord bearing and distance of South 76°37'57" West, 353.37 feet; run thence North 69°17'58" West, a distance of 265.03 feet; thence Southwesterly, around and along the arc of a curve, being concave Northwesterly, and having a radius of 500.00 feet, through a central angle of 09°47'49" to the right, an arc distance of 85.49 feet to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 25°34'49" West, 85.39 feet; run thence South 30°28'44" West, along last said tangency, a distance of 350.39 feet; run thence North 56°25'03" West, a distance of 314.88 feet; run thence South 45°28'44" West, a distance of 151.52 feet; run thence South 57°14'17" West, a distance of 100.62 feet; run thence South 53°38'43" West, a distance of 112.98 feet to a point situate on the Northeasterly Right of Way line of said STATE ROAD 13; run thence, along the Northeasterly Right of Way line of said STATE ROAD No. 13, the following seven (7) Courses and Distances:

Course No. 1: thence Northerly, around and along the arc of a curve, being concave Easterly, and having a radius of 1403.66 feet, through a central angle of 44°43'34" to the right, an arc distance of 1095.72 feet to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 06°47'20" West, 1068.12 feet;

Course No. 2: North 15°34'27" East, along last said tangency, a distance of 457.25 feet, to the point of curvature, of a curve leading northwesterly;

Course No. 3: thence Northwesterly, along and around the arc of a curve, being concave Southwesterly, and having a radius of 1,491.25 feet, through a central angle of 62°09'52" to the left, an arc distance of 1,617.97 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 15°30'29" West, 1,539.77 feet;

Course No. 4: North 46°35'25" West, along last said tangency, a distance of 1,725.01 feet, to the point of curvature, of a curve leading Westerly;

Course No. 5: thence Westerly, along and around the arc of a curve, being concave Southerly, and having a radius of 2,914.90 feet, through a central angle of 42°24'00" to the left, an arc distance of 2,157.08 feet, to the point of tangency of last said curve, last said arc being subtended by a chord bearing and distance of North 67°47'25" West 2,108.20 feet;

Course No. 6: North 88°59'25" West, along last said tangency, a distance of 2,754.72 feet, to the Point of Curvature, of a curve leading northwesterly;

Course No. 7: thence Northwesterly, along and around the arc of a curve, being concave Northeasterly, and having a radius of 1,382.69 feet, through a central angle of 08°42'40" to the right, an arc distance of 210.22 feet, to the Easterly line of lands described and recorded in Official Records Book 763, page 395 of the Public Records of said St. Johns County, Florida, last said arc being subtended by a chord bearing and distance of North 84°38'05" West, 210.02 feet; run thence North 39°27'48" East, along the aforesaid Easterly line of lands described and recorded in Official Records Book 763, page 395, and then along the Easterly line of lands described and recorded in Official Records Book 1106, page 977 of the Public Records of said St. Johns County, Florida, a distance of 648.38 feet, to the Northeast corner of said lands, described and recorded in Official Records Book 1106, page 977 of said Public Records; run thence North 51°41'45" West, along the Northerly line of last said lands, and then along the Northerly line of those lands described and recorded in Official Records Book 1156, page 464, and then Official Records Book 1370, page 122 of the Public Records of said St. Johns County, Florida, a distance of 1,332.26 feet, to the Northeast corner of those lands described and recorded in Official Records Book 1370, page 122 of the Public Records of St. Johns County, Florida; run thence South 89°24'8" West, along the Northerly line of last said lands, a distance of 515.25 feet, to the Easterly Right of Way line of aforesaid STATE ROAD No. 13; run thence, along the aforesaid Easterly Right of Way line of STATE ROAD No. 13, the following four (4) Courses and Distances:

Course No. 1: run thence Northerly, along and around the arc of a curve, being concave Easterly, and having a radius of 1,382.69 feet, through a central angle of 13°55'33" to the right, an arc distance of 336.07 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 05°13'52" East, 335.24 feet;

Course No. 2: North 12°11'31" East, along last said tangency, a distance of 1,169.27 feet, to the point of curvature, of a curve leading northerly;

Course No. 3: thence Northerly, along and around the arc of a curve, being concave Westerly, and having a radius of 2,914.89 feet, through a central angle of 20°40'00" to the left, an arc distance of 1,051.40 feet, to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 01°51'31" East, 1,045.71 feet;

Course No. 4: North 08°28'29" West, along last said tangency, a distance of 2,119.40 feet, to the Southerly line of those lands described and recorded in Official Records Book 878, page 1283 of the Public Records of said St. Johns County, Florida; run thence, along last said line, the following two (2) Courses and Distances:

Course No. 1: South 88°11'16" East, a distance of 288.50 feet, to a point;

Course No. 1: North 05°30'37" East, a distance of 227.90 feet, to a point; Course No. 2: North 54°15'52" East, a distance of 4,016.06 feet, to a point on the Northerly line of the HALLOWES TRACT (also being the Southerly line of the ST. ELMO TRACT, and the Southerly line of aforesaid BARTRAM PLANTATION PHASE TWO); run thence, South 89°20'59" East, along last said line, a distance of 883.58 feet, to a point; thence, departing from said Northerly line of the HALLOWES TRACT (also being the Southerly line of ST. ELMO TRACT) run the following thirteen Courses and Distances, along the Easterly boundary of the aforesaid plat of BARTRAM PLANTATION PHASE TWO:

Course No. 2: North 29°44'02" East, a distance of 230.63 feet, to a point;

Course No. 3: North 21°25'38" East, a distance of 43.96 feet, to a point;

Course No. 4: North 84°42'38" West, a distance of 65.01 feet, to a point;

Course No. 5: North 32°32'11" West, a distance of 98.40 feet, to a point;

Course No. 6: North 20°05'21" East, a distance of 79.61 feet, to a point;

Course No. 7: North 64°40'30" East, a distance of 36.01 feet, to a point;

Course No. 8: North 11°04'19" West, a distance of 167.86 feet, to a point;

Course No. 9: North 66°29'43" West, a distance of 51.93 feet, to a point;

Course No. 10: North 47°26'30" East, a distance of 103.39 feet, to a point;

Course No. 11: North 39°33'12" West, a distance of 99.33 feet, to a point;

Course No. 12: North 23°21'33" West, a distance of 92.86 feet, to a point;

Course No. 13: North 17°55'40" East, a distance of 203.96 feet, to a point, on the aforesaid Southerly Right of Way line of GREENBRIAR ROAD, and the POINT OF BEGINNING.

The lands thus described, contain 160,416,447 square feet, or 3,682.65 acres, more or less, in area.

TOGETHER WITH the following described parcel:

A parcel of land, being a portion of the Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East; together with a portion of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East; together with a portion of the Francis P. Fatio Grant, Section 43, Township 6 South, Range 27 East, all in St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a Point of Reference, commence at the intersection of Section 32, Section 40, the F.J. Fatio Grant, and Section 39, the Francis P. Fatio Grant, all in Township 5 South, Range 27 East, St. Johns County, Florida, and run thence South 42°44'52" West, along the monumented Easterly line of said Section 39, the Francis P. Fatio Grant, and then along a Southwesterly prolongation thereof, a distance of 2,199.20 feet, to the Northeasterly Right of Way line of STATE ROAD No. 13, ( a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785); continue thence South 42°44'52" West, along aforesaid prolongation, a distance of 104.15 feet, to the Southwesterly Right of Way line of said STATE ROAD No. 13, and the POINT OF BEGINNING.

From the POINT OF BEGINNING, thus described, run thence, along the Southwesterly Right of Way line of said STATE ROAD No. 13, the following two (2) Courses and Distances:

Course No. 1: run thence Northwesterly, along and around the arc of a curve, being concave Southwesterly, and having a radius of 22,868.28 feet, through a central angle of 00°15'41" to the left, an arc distance of 104.28 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 63°19'36" West, 104.28 feet;

Course No. 2: North 63°27'26" West, along last said tangency, a distance of 4312.27 feet; run thence South 26°32'34" West, departing said Southwesterly right of way line, a distance of 254.81 feet; run thence North 87°40'31" West, a distance of 740 feet, more or less to a point on the Northeasterly "Mean High Water Line," of the St. Johns River, (Elevation 1.07 feet, NGVD 1929, as per Bureau of Surveying and Mapping, Division of State Lands, Department of Environmental Protection Tide Interpolation Point, MHW Data ID 4486 and 4485, and then Elevation 1.06, NGVD 1929, as per MHW Data ID 4484); run thence Southeasterly, along the aforesaid "Mean High Water Line" of the St. Johns River, a distance of 5,300 feet, more or less, to a point which lies South 42°44'52" West, 1,053 feet, more or less, from the POINT OF BEGINNING; run thence North 42°44'52" East, a distance of 1,053 feet, more or less, to the aforesaid Southwesterly Right of Way line of STATE ROAD No. 13, and the POINT OF BEGINNING.

The lands thus described, contains 108.93 acres, more or less, in area.

TOGETHER WITH the following described parcel:

A parcel of land, being a portion of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East, St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a Point of Reference, commence at the intersection of Section 32, Section 40, the F.J. Fatio Grant, and Section 39, the Francis P. Fatio Grant, all in Township 5 South, Range 27 East, St. Johns County, Florida, and run thence South 42°44'52" West, along the monumented Easterly line of said Section 39, the Francis P. Fatio Grant, and then along a southwesterly prolongation thereof, a distance of 2,199.20 feet, to the Northeasterly Right of Way line of STATE ROAD No. 13, ( a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785); continue thence South 42°44'52" West, along aforesaid prolongation, a distance of 104.15 feet, to the Southwesterly Right of Way line of said STATE ROAD NO. 13; run thence, along the Southwesterly Right of Way line of said STATE ROAD No. 13, the following nine (9) Courses and Distances:

Course No. 1: run thence Northwesterly, along and around the arc of a curve, being concave Southwesterly, and having a radius of 22,868.28 feet, through a central angle of 00°15'41" to the left, an arc distance of 104.28 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 63°19'36" West, 104.28 feet;

Course No. 2: North 63°27'26" West, along last said tangency, a distance of 6,281.57 feet, to the point of curvature, of a curve leading northerly;

Course No. 3: thence Northerly, along and around the arc of a curve, being concave Northeasterly, and having a radius of 1,503.66 feet, through a central angle of 79°01'54" to the right, an arc distance of 2,074.09 feet, to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 23°56'30" West, 1,913.53 feet;

Course No. 4: North 15°34'27" East, along last said tangency, a distance of 457.25 feet, to the point of curvature, of a curve leading northwesterly and the POINT OF BEGINNING:

Course No. 5: thence Northwesterly, along and around the arc of a curve, being concave Southwesterly, and having a radius of 1,391.25 feet, through a central angle of 62°09'52" to the left, an arc distance of 1,509.47 feet, to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 15°30'29" West, 1,436.52 feet;

Course No. 6: North 46°35'25" West, along last said tangency, a distance of 1,725.01 feet, to the point of curvature, of a curve leading Westerly;

Course No. 7: thence Westerly, along and around the arc of a curve, being concave Southerly, and having a radius of 2,814.90 feet, through a central angle of 42°24'00" to the left,

an arc distance of 2,083.08 feet, to the point of tangency of last said curve, last said arc being subtended by a chord bearing and distance of North 67°47'25" West 2,035.87 feet;

Course No. 8: North 88°59'25" West, along last said tangency, a distance of 2,754.72 feet, to the point of curvature of a curve leading Westerly;

Course No. 9: thence Westerly, along and around the arc of a curve, being concave Northerly, and having a radius of 1482.69 feet, through a central angle of 10°53'45" to the right, an arc distance of 281.96 feet, to the point of tangency of last said curve, last said arc being subtended by a chord bearing and distance of North 83°32'33" West 281.53 feet, to the Northeasterly corner of Lot 22, REMINGTON PARK, as shown on the plat thereof, recorded in Map Book 7, page 1 of the Public Records of St. Johns County, Florida, thence South 40°31'00" West, along the Easterly line of said Lot 22, REMINGTON PARK, 749 feet, more or less, to a point on the Northeasterly "Mean High Water Line", of the St. Johns River (Elevation 1.07 feet, NGVD 1929, as per Bureau of Surveying and Mapping, Division of State Lands, Department of Environmental Protection Tide Interpolation Point, MHW Data ID 4486 and 4485, and then Elevation 1.06, NGVD 1929, as per MHW Data ID 4484); run thence Southerly, along the aforesaid "Mean High Water Line" of the St. Johns River, a distance of 2,330 feet, more or less, to a point on the Northwesterly boundary of those lands currently owned by John P. Hallows, Jr., et al (St. Johns County Property Appraiser PIN 000900 0000), as described and recorded in Official Records Book 107, page 495 of the Public Records of said St. Johns County; run thence, along the boundary lines of last said lands the following five (5) Courses and Distances:

Course No. 1: North 79°20'10" East, a distance of 390 feet, more or less, to a point;

Course No. 2: North 10°08'19" East, a distance of 636.87 feet, to a point;

Course No. 3: South 88°06'31" East, a distance of 581.67 feet, to a point;

Course No. 4: South 03°40'34" East, a distance of 742.73 feet, to a point;

Course No. 5: South 45°25'02" West, a distance of 874 feet, more or less, to a point on said Northeasterly "Mean High Water Line", of the St. Johns River run thence Easterly, Northerly and Southeasterly, along the aforesaid "Mean High Water Line" of the St. Johns River, a distance of 9,100 feet, more or less, to a point which lies South 87°27'59" West, 1,043 feet, more or less, from the POINT OF BEGINNING; run thence North 52°50'53" East, a distance of 525 feet, more or less, to a point; run thence South 78°19'23" East, a distance of 314.43 feet to a point; run thence South 56°39'18" East, a distance of 377.64 feet to the aforesaid Southwesterly Right of Way line of STATE ROAD No. 13, and the POINT OF BEGINNING.



The lands thus described, contain 295.02 acres, more or less, in area.

TOGETHER WITH

PARCEL I

A parcel of land, being a portion of the Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East; together with a portion of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East; all in St. Johns County, Florida, said parcel of land being more particularly described as follows: For a Point of Reference, commence at the intersection of Section 32, Section 40, the F.J. Fatio Grant, and Section 39, the Francis P. Fatio Grant, all in Township 5 South, Range 27 East, St. Johns County, Florida, and run thence South 42°44'52" West, along the monumented Easterly line of said Section 39, the Francis P. Fatio Grant, (also being the Westerly line of said Section 40) a distance of 2,199.20 feet, to the Northeasterly Right of Way line of STATE ROAD No. 13, ( a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785); run thence, along the aforesaid Northeasterly Right of Way line of STATE ROAD No. 13, the following two (2) Courses and Distances:

Course No. 1: run thence Northwesterly, along and around the arc of a curve, being concave Southwesterly, and having a radius of 22,968.28 feet, through a central angle of 00°20'02" to the left, an arc distance of 133.89 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 63°17'25" West, 133.89 feet;

Course No. 2: North 63°27'26" West, along last said tangency, a distance of 6144.14 feet to the POINT OF BEGINNING; run thence North 26°42'01" East, departing said Northeasterly Right of Way line, a distance of 249.39 feet, to a point; run thence South 63°14'24" East, a distance of 120.00 feet, to a point; run thence North 26°42'01" East, a distance of 223.42 feet, to a point; run thence North 11°17'57" East, a distance of 176.08 feet, to a point; run thence Southeasterly, around and along the arc of a curve, being concave Northeasterly, and having a radius of 219.00 feet, through a central angle of 09°27'56" to the left, an arc distance of 36.18 feet to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 73°58'04" East, 36.14 feet; run thence South 78°42'03" East, along last said tangency, 264.08 feet the point of curvature of a curve leading Southeasterly; thence Easterly, around and along the arc of said curve, being concave Southwesterly, and having a radius of 531.00 feet, through a central angle of 15°24'03" to the right, an arc distance of 142.73 feet to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 71°00'01" East, 142.30 feet; run thence South 63°17'59" East, along last said tangency, a distance of 404.36 feet; run thence North 26°42'01" East, a distance of 827.49 feet, to the point of curvature of a curve leading

Northerly; thence Northerly and Northwesterly, around and along the arc of said curve, being concave Westerly, and having a radius of 25.00 feet, through a central angle of 80°40'40" to the left, an arc distance of 35.20 feet, said arc being subtended by a chord bearing and distance of North 13°38'19" West, 32.37 feet to the point of reverse curvature of last said curve with a curve leading Northwesterly; thence Northwesterly, around and along the arc of last said curve, being concave Northeasterly, and having a radius of 354.00 feet, through a central angle of 26°14'57" to the right, an arc distance of 162.18 feet to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 40°51'10" West, 160.77 feet; run thence North 27°43'42" West, along last said tangency, a distance of 45.05 feet, to a point; run thence South 62°16'18" West, a distance of 313.00 feet, to the point of curvature of a curve leading Westerly; thence Westerly, around and along the arc of said curve, being concave Northerly, and having a radius of 479.00 feet, through a central angle of 59°19'51" to the right, an arc distance of 496.01 feet, arc being subtended by a chord bearing and distance of North 88°03'46" West, 474.15 feet to the point of reverse curvature of last said curve with a curve leading Westerly; thence Westerly, around and along the arc of last said curve, being concave Southerly, and having a radius of 250.00 feet, through a central angle of 89°56'25" to the left, an arc distance of 392.44 feet to the end last said curve, said arc being subtended by a chord bearing and distance of South 76°37'57" West, 353.37 feet; run thence North 69°17'58" West, a distance of 265.03 feet; thence Southwesterly, around and along the arc of a curve, being concave Northwesterly, and having a radius of 500.00 feet, through a central angle of 09°47'49" to the right, an arc distance of 85.49 feet to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 25°34'49" West, 85.39 feet; run thence South 30°28'44" West, along last said tangency, a distance of 350.39 feet; run thence North 56°25'03" West, a distance of 314.88 feet; run thence South 45°28'44" West, a distance of 151.52 feet; run thence South 57°14'17" West, a distance of 100.62 feet; run thence South 53°38'43" West, a distance of 112.98 feet to a point situate on the Northeasterly right of way line of said STATE ROAD 13; run thence, along said Northeasterly right of way line of said STATE ROAD No. 13, the following two (2) Courses and Distances: Course No. 1: thence Southeasterly, around and along the arc of a curve, being concave Northeasterly, and having a radius of 1403.66 feet, through a central angle of 34°18'20" to the left, an arc distance of 840.43 feet to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of South 46°18'17" East, 827.94 feet; Course No. 2: thence South 63°27'26" East, along last said tangency, a distance of 137.43 feet to the POINT OF BEGINNING.

The lands thus described, contains 1,327,284 square feet, or 30.47 acres, more or less, in area.

PARCEL 2A parcel of land, being a portion of the Francis P. Fatio Grant, Section 39, Township 5 South, Range 27 East; together with a portion of the Francis P. Fatio Grant, Section 44, Township 5 South, Range 26 East, all in St. Johns County, Florida, said parcel of land being more particularly described as follows:

For a Point of Reference, commence at the intersection of Section 32, Section 40, the F.J. Fatio Grant, and Section 39, the Francis P. Fatio Grant, all in Township 5 South, Range 27 East, St. Johns County, Florida, and run thence South 42°44'52" West, along the monumented Easterly line of said Section 39, the Francis P. Fatio Grant, and then along a southwesterly prolongation thereof, a distance of 2,199.20 feet, to the Northeasterly Right of Way line of STATE ROAD No. 13, (a 100 foot Public Road Right of Way, as per State of Florida, State Road Department Right of Way Map, Project 785); continue thence South 42°44'52" West, along aforesaid prolongation, a distance of 104.15 feet, to the Southwesterly Right of Way line of said STATE ROAD NO. 13; run thence, along the Southwesterly Right of Way line of said STATE ROAD No. 13, the following five (5) Courses and Distances:

Course No. 1: run thence Northwesterly, along and around the arc of a curve, being concave Southwesterly, and having a radius of 22,868.28 feet, through a central angle of 00°15'41" to the left, an arc distance of 104.28 feet, to the point of tangency of last said curve, said arc being subtended by a chord bearing and distance of North 63°19'36" West, 104.28 feet;

Course No. 2: North 62°27'26" West, along last said tangency, a distance of 4312.27 feet to the POINT OF BEGINNING.

Course No. 3: thence continue North 62°27'26" West, along last said tangency, a distance of 1969.29 feet, to the point of curvature, of a curve leading northerly;

Course No. 4: thence Northerly, along and around the arc of a curve, being concave Northeasterly, and having a radius of 1,503.66 feet, through a central angle of 79°01'54" to the left, an arc distance of 2,074.09 feet, to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North 23°56'30" West, 1,913.53 feet;

Course No. 5: North 15°34'27" East, along last said tangency, a distance of 457.25 feet; run thence North 56°39'18" West, departing said right of way line, a distance of 377.64 feet; run thence North 78°19'23" West, a distance of 314.43 feet; run thence South 52°50'53" West, a distance of 525 feet, more or less, to a point on the Northeasterly "Mean High Water Line", of the St. Johns River, (Elevation 1.07 feet, NGVD 1929, as per Bureau of Surveying and Mapping, Division of State Lands, Department of Environmental Protection Tide Interpolation Point, MHW Data ID 4486 and 4485, and then Elevation 1.06, NGVD 1929, as per MHW Data ID 4484); run thence Southeasterly, along the aforesaid "Mean High Water Line" of the St. Johns River, a distance of 4,430 feet, more or less to a point which lies South 76°56'58" West, 876 feet, more or less, from the POINT OF BEGINNING; run thence

South 87°40'31" East, a distance of 740 feet, more or less; run thence North 26°32'34" East, a distance of 254.81 feet to the aforesaid Southwesterly Right of Way line of STATE ROAD No. 13, and the POINT OF BEGINNING.

The lands thus described, contains 59.46 acres, more or less, in area.

Rulemaking Specific Authority 190.004, 190.005 FS. Law Implemented 190.004, 190.005, 190.046 FS. History--New 11-1-06, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry McDaniel, Secretary, Administration Commission  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Administration Commission  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 3, 2011  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 13, 2011

**LAND AND WATER ADJUDICATORY COMMISSION**

**Westchase Community Development District**

RULE NOS.:	RULE TITLES:
42000-1.001	Surviving District
42000-1.002	Boundary of Surviving District
42000-1.003	Supervisors of the Surviving District

PURPOSE AND EFFECT: A Petition has been filed with the Commission requesting the merger of the Westchase Community Development District ("Westchase CDD") and the Westchase East Community Development District ("Westchase East CDD"). On January 5, 2010, the Board of Supervisors for the Westchase CDD and the Westchase East CDD each adopted resolutions approving a merger agreement. The merger agreement, among other things, makes provision for the filing of a petition, the proper allocation of the indebtedness, and the manner in which debt is to be retired. The merger agreement is contained as Exhibit A to the Petition. Westchase CDD currently covers approximately 741 acres of land located entirely within Hillsborough County, Florida. Westchase East CDD currently covers approximately 972 acres of land located entirely within Hillsborough County, Florida. General location maps are contained as Exhibit 2 to the Petition. Pursuant to Section 190.046(3), F.S., the approval of a Merger Agreement and Petition by the Districts' Board of Supervisors constitutes consent of the landowners within the Districts. Westchase CDD will be the surviving District and the development plan that exists today will remain the same.

SUMMARY: Merger of the Westchase Community Development District and the Westchase East Community Development District.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of

\$200,000 in the aggregate within one year after the implementation of the rule. An SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Tuesday, July 12, 2011, 2:00 p.m.

PLACE: Room 2107, The Capitol, Tallahassee, Florida 32399-0001

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two days before the workshop/meeting by contacting: Barbara Leighty, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Leighty, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone: (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

#### WESTCHASE COMMUNITY DEVELOPMENT DISTRICT

##### 42000-1.001 Surviving District.

Westchase Community Development District and Westchase East Community Development District are hereby merged, with the surviving district being the Westchase Community Development District. The surviving district shall hereinafter be known as the Westchase Community Development District.

Rulemaking Authority 190.005, 190.046 FS. Law Implemented 190.004, 190.005, 190.046 FS. History—New \_\_\_\_\_.

##### 42000-1.002 Boundary of Surviving District.

The boundaries of the surviving Westchase Community Development District are as follows:

DESCRIPTION: (TRACT "A" – Community Development District boundary before less out parcels) a parcel of land lying in Sections 8, 16, 17, 19 & 20, Township 28 South, Range 17 East, Hillsborough County, Florida being more particularly described as follows:

BEGINNING at the Southwest corner of said Section 17, run thence along the Easterly boundary of TWIN BRANCH ACRES UNIT TWO according to the map or plat thereof as recorded in Plat Book 50, Page 67 of the Public Records of Hillsborough County, Florida, the Easterly boundary of TWIN BRANCH ACRES UNIT THREE according to the map or plat thereof as recorded in Plat Book 52, Page 21 of the Public Records of Hillsborough County, Florida, and the Easterly boundary of TWIN BRANCH ACRES UNIT FOUR, according to the map or plat thereof as recorded in Plat Book 53, Page 49 of the Public Records of Hillsborough County, Florida, said Easterly boundaries also being the West boundary of the said Section 17, N.00°41'44"E., 3957.56 feet; thence continue along said West boundary of Section 17, said West boundary also being the Easterly boundary of TWIN BRANCH ACRES UNIT FIVE, according to the map or plat thereof as recorded in Plat Book 55, Page 20 of the Public Records of Hillsborough County, Florida, N.00°43'45"E., 1373.07 feet to the Northwest corner of said Section 17; thence along the North boundary of the West 1/2 of said Section 17, S.88°50'00"E., 1309.20 feet; thence along the West boundary of the Southeast 1/4 of the Southwest 1/4 of the aforesaid Section 8, N.01°26'18"E., 1329.44 feet; thence along the North boundary of said Southeast 1/4 of the Southwest 1/4 of Section 8, S.88°48'06"E., 1312.36 feet to a point on the West boundary of the Southeast 1/4 of said Section 8, thence along said West boundary, N.01°34'30"E., 1328.84 feet; thence along the North boundary of said Southeast 1/4 of Section 8, S.89°29'25"E., 2694.72 feet; thence along the East boundary of said Southeast 1/4 of Section 8, S.01°02'58"W., 2644.25 feet to the Southeast corner of said Section 8, also being the Northwest corner of the aforesaid Section 16; thence along the North boundary of said Section 16, S.88°30'45"E., 300.00 feet; thence S.17°43'00"E., 516.28 feet; thence S.50°00'00"W., 550.35 feet; thence SOUTH, 300.00 feet; thence S.60°47'00"W., 350.00 feet; thence S.41°09'24"W., 156.46 feet; thence S.75°53'14"E., 1225.09 feet; thence S.01°29'15"W., 1929.71 feet; thence S.71°29'15"W., 3714.89 feet to a point on the West boundary of the East 1/2 of the aforesaid Section 17; thence along said West boundary, S.00°27'11"W., 434.11 feet to the Northeast corner of said Northwest 1/4 of Section 20; thence along the East boundary of the Northwest 1/4 of the aforesaid Section 20, S.00°01'03"E., 666.06 feet to a point on the North boundary of a 100.00 foot wide right-of-way for C.S.X. Transportation Inc.; thence along said North boundary, S.89°14'03"W., 3241.93 feet to a point on the Easterly boundary of the aforesaid TWIN BRANCH ACRES UNIT TWO; thence along said Easterly boundary the following two (2) courses: 1) N.00°00'02"E., 735.63 feet to a point on the North boundary of the aforesaid Section 19; 2) along the North boundary of said Section 19, S.89°10'54"E., 600.00 feet to the POINT OF BEGINNING.

Containing 897.454 acres, more or less.

LESS THE FOLLOWING DESCRIBED PARCEL:

WESTCHASE CLUBHOUSE SITE DESCRIPTION: A parcel of land lying in Sections 16 & 17, Township 28 South, Range 17 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

From the Southeast corner of said Section 17, run thence N.01°17'13"E., 2408.40 feet along the East boundary of said Section 17 to the POINT OF BEGINNING; thence WEST, 313.83 feet; thence S.72°36'13"W., 277.40 feet to a point of curvature; thence Northwesterly, 129.87 feet along the arc of a curve to the right having a radius of 100.00 feet and a central angle of 74°24'27" (chord bearing N.70°11'34"W., 120.93 feet) to a point of tangency; thence N.32°59'20"W., 306.27 feet to a point of curvature; thence Northwesterly, 34.24 feet along the arc of a curve to the left having a radius of 25.00 feet and a central angle of 78°27'47" (chord bearing N.72°13'13"W., 31.62 feet) to a point of cusp; thence Northeasterly, 118.75 feet along the arc of a curve to the left having a radius of 225.00 feet and a central angle of 30°14'23" (chord bearing N.53°25'42"E., 117.38 feet) to a point of cusp; thence Southeasterly, 33.73 feet along the arc of a curve to the left having a radius of 25.00 feet and a central angle of 77°18'30" (chord bearing S.00°20'45"E., 31.23 feet) to a point of tangency; thence S.39°00'00"E., 80.37 feet to a point of curvature; thence Southeasterly, 101.27 feet along the arc of a curve to the right having a radius of 213.00 feet and a central angle of 27°14'30" (chord bearing S.25°22'45"E., 100.32 feet) to a point of reverse curvature; thence Southeasterly, 135.08 feet along the arc of a curve to the left having a radius of 375.00 and a central angle of 20°38'17" (chord bearing S.22°04'38"E., 134.35 feet) to a point of compound curvature; thence Southeasterly, 65.45 feet along the arc of a curve to the left having a radius of 50.00 feet and a central angle of 75°00'00" (chord bearing S.69°53'47"E., 60.88 feet) to a point of tangency; thence N.72°36'13"E., 141.63 feet; thence N.04°58'00"E., 689.48 feet; thence N.43°54'00"E., 188.14 feet; thence S.48°42'00"E., 359.70 feet; thence S.31°10'00"E., 408.40 feet; thence S.58°50'00"W., 246.36 feet to a point on the aforesaid East boundary of Section 17; thence along said East boundary, S.01°17'13"W., 115.26 feet to the POINT OF BEGINNING.

Containing 9.227 acres, more or less.

ALSO LESS THE FOLLOWING DESCRIBED PARCEL:

WESTCHASE GOLF COURSE PARCEL "GC-1" DESCRIPTION: A parcel of land lying in Section 17, Township 28 South, Range 17 East, Hillsborough County, Florida, being more particularly described as follows:

From the Northeast corner of said Section 17, run thence along the North boundary of the East 1/2 of said Section 17, N.89°45'50"W., 2719.25 feet; thence along the West boundary of the East 1/2 of said Section 17, S.00°27'11"W., 1551.73 feet to the POINT OF BEGINNING; thence S.60°00'00"E., 237.65 feet; thence S.50°10'00"E., 720.00 feet; thence S.06°00'00"E.,

200.00 feet; thence S.25°39'06"E., 133.81 feet to a point on a curve; thence Southwesterly, 67.09 feet along the arc of a curve to the left having a radius of 325.00 feet and a central angle of 11°49'37" (chord bearing S.58°26'06"W., 66.97 feet); thence N.72°43'16"W., 514.58 feet; thence N.48°11'39"W., 278.92 feet; thence N.65°11'56"W., 125.95 feet; thence N.83°22'06"W., 125.95 feet; thence S.78°27'44"W., 125.95 feet; thence S.60°17'34"W., 125.95 feet; thence S.42°07'24"W., 125.95 feet; thence S.23°57'14"W., 125.95 feet; thence S.05°47'04"W., 125.95 feet; thence S.03°41'11"E., 113.81 feet; thence S.16°58'05"E., 25.88 feet; thence S.68°43'51"W., 106.80 feet; thence S.60°07'43"W., 106.80 feet; thence S.51°31'35"W., 106.80 feet; thence S.42°55'27"W., 106.80 feet; thence S.34°19'19"W., 106.80 feet; thence S.25°43'11"W., 106.80 feet; thence S.17°07'03"W., 106.80 feet; thence S.04°46'54"W., 303.46 feet; thence N.85°13'06"W., 117.72 feet to a point of curvature; thence Northwesterly, 71.98 feet along the arc of a curve to the left having a radius of 500.00 feet and a central angle of 08°14'54" (chord bearing N.89°20'33"W., 71.92 feet) to a point of tangency; thence S.86°32'00"W., 12.16 feet to a point of curvature; thence Northwesterly, 39.27 feet along the arc of a curve to the right having a radius of 25.00 feet and a central angle of 90°00'00" (chord bearing N.48°28'00"W., 35.36 feet) to a point of tangency; thence N.03°28'00"W., 655.61 feet to a point of curvature; thence Northeasterly, 1163.38 feet along the arc of a curve to the right having a radius of 1555.00 feet and a central angle of 42°51'58" (chord bearing N.17°57'59"E., 1136.44 feet) to a point of compound curvature; thence Northeasterly, 25.44 feet along the arc of a curve to the right having a radius of 1000.00 feet and a central angle of 01°27'27" (chord bearing N.40°07'42"E., 25.44 feet); thence S.73°50'00"E., 206.58 feet; thence N.72°00'00"E., 710.00 feet; thence S.60°00'00"E., 72.85 feet to the POINT OF BEGINNING.

Containing 37.072 acres, more or less.

ALSO LESS THAT PART OF THE FOLLOWING DESCRIBED PARCEL LYING WITHIN THE ABOVE DESCRIBED TRACT "A".

WESTCHASE GOLF COURSE PARCEL "GC-2" DESCRIPTION: A parcel of land lying in Sections 16 and 17, Township 28 South, Range 17 East, Hillsborough County, Florida, being more particularly described as follows:

From the Northeast corner of said Section 17, run thence along the North boundary of the East 1/2 of said Section 17, N.89°45'50"W., 2719.25 feet; thence along the West boundary of the East 1/2 of said Section 17, S.00°27'11"W., 3743.22 feet to the POINT OF BEGINNING; thence N.66°00'00"E., 122.31 feet; thence S.84°00'00"E., 450.00 feet; thence S.01°50'00"E., 134.00 feet; thence N.88°10'00"E., 185.00 feet; thence N.01°50'00"W., 38.20 feet to a point of curvature; thence Northeasterly, 136.16 feet along the arc of a curve to the right having a radius of 100.00 feet and a central angle of 78°01'00"

(chord bearing N.37°10'30"E., 125.89 feet) to a point of tangency; thence N.76°11'00"E., 117.78 feet; thence S.57°30'00"E., 130.00 feet; thence S.14°00'00"E., 67.33 feet; thence S.75°22'04"E., 635.13 feet; thence S.87°22'09"E., 242.95 feet; thence N.46°00'00"E., 150.02 feet; thence N.00°23'14"W., 179.14 feet; thence N.89°36'46"E., 108.00 feet to a point of curvature; thence Easterly, Northerly and Westerly 642.28 feet along the arc of a curve to the left having a radius of 200.00 feet and a central angle of 184°00'00" (chord bearing N.02°23'14"W., 399.76 feet) to a point of tangency; thence S.85°36'46"W., 404.54 feet; thence N.75°22'04"W., 232.57 feet; thence N.36°00'00"W., 290.00 feet; thence N.50°20'00"W., 231.83 feet; thence N.72°43'16"W., 335.08 feet; thence N.17°16'44"E., 90.00 feet; thence N.23°52'30"E., 81.06 feet; thence N.52°04'36"W., 130.00 feet to a point on a curve; thence Northeasterly, 268.66 feet along the arc of a curve to the right having a radius of 275.00 feet and a central angle of 55°58'26" (chord bearing N.65°54'37"E., 258.10 feet) to a point of tangency; thence S.86°06'10"E., 72.20 feet; thence S.03°53'50"W., 131.84 feet; thence S.86°06'10"E., 86.01 feet; thence S.61°50'51"E., 79.17 feet; thence S.51°56'08"E., 288.51 feet; thence S.71°30'00"E., 150.29 feet; thence N.01°31'08"W., 148.01 feet to a point on a curve; thence Northeasterly, 32.48 feet along the arc of a curve to the left having a radius of 150.00 feet and a central angle of 12°24'28" (chord bearing N.82°16'38"E., 32.42 feet) to a point of tangency; thence N.76°04'24"E., 139.81 feet to a point of curvature; thence Northeasterly, 29.55 feet along the arc of a curve to the left having a radius of 225.00 feet and a central angle of 07°31'31" (chord bearing N.72°18'39"E., 29.53 feet) to a point of reverse curvature; thence Southeasterly, 34.24 feet along the arc of a curve to the right having a radius of 25.00 and a central angle of 78°27'47" (chord bearing S.72°13'13"E., 31.62 feet) to point of tangency; thence S.32°59'20"E., 306.27 feet to a point of curvature; thence Southeasterly, 129.87 feet along the arc of a curve to the left having a radius of 100.00 feet and a central angle of 74°24'27" (chord bearing S.70°11'34"E., 120.93 feet) to a point of tangency; thence N.72°36'13"E., 277.40 feet; thence EAST, 313.83 feet to a point on the Easterly boundary of the aforesaid Section 17; thence along said Easterly boundary, N.01°17'13"E., 115.26 feet; thence N.58°50'00"E., 246.36 feet; thence N.31°10'00"W., 408.40 feet; thence N.48°42'00"W., 359.70 feet; thence S.43°54'00"W., 188.14 feet; thence S.04°58'00"W., 689.48 feet; thence S.72°36'13"W., 141.63 feet to a point of curvature; thence Northwesterly, 65.45 feet along the arc of a curve to the right having a radius of 50.00 feet and a central angle of 75°00'00" (chord bearing N.69°53'47"W., 60.88 feet) to a point of compound curvature; thence Northwesterly, 135.08 feet along the arc of a curve to the right having a radius of 375.00 feet and a central angle of 20°38'17" (chord bearing N.22°04'38"W., 134.35 feet) to a point of reverse curvature; thence Northwesterly, 101.27 feet along the arc of a curve to the left having a radius of 213.00 feet and a central angle of 27°14'30"

(chord bearing N.25°22'45"W., 100.32 feet) to a point of tangency; thence N.39°00'00"W., 80.37 feet to a point of curvature; thence Northerly, 33.73 feet along the arc of a curve to the right having a radius of 25.00 feet and a central angle of 77°18'30" (chord bearing N.00°20'45"W., 31.23 feet) to a point of reverse curvature; thence Northeasterly, 145.00 feet along the arc of a curve to the left having a radius of 225.00 feet and a central angle of 36°55'24" (chord bearing N.19°50'48"E., 142.50 feet) to a point of tangency; thence N.01°23'06"E., 151.02 feet to a point of curvature; thence Northeasterly, 352.47 feet along the arc of a curve to the right having a radius of 1065.00 feet and a central angle of 18°57'45" (chord bearing N.10°51'59"E., 350.86 feet); thence S.67°30'00"E., 136.89 feet; thence N.22°30'00"E., 177.23 feet; thence N.67°30'00"W., 128.77 feet to a point on a curve; thence Northeasterly, 209.18 feet along the arc of a curve to the right having a radius of 1065.00 feet and a central angle of 11°15'13" (chord bearing N.35°31'48"E., 208.84 feet) to a point of tangency; thence N.41°09'24"E., 16.95 feet to a point of curvature; thence Northeasterly, 38.65 feet along the arc of a curve to the right having a radius of 25.00 feet and a central angle of 88°34'05" (chord bearing N.85°26'27"E., 34.91 feet) to a point of reverse curvature; thence Southeasterly, 47.00 feet along the arc of a curve to the left having a radius of 2376.00 feet and a central angle of 01°08'00" (chord bearing S.50°50'31"E., 47.00 feet); thence S.57°11'16"E., 258.29 feet to a point on a curve; thence Southeasterly, 752.50 feet along the arc of a curve to the left having a radius of 2364.00 feet and a central angle of 18°14'17" (chord bearing S.66°46'05"E., 749.32 feet) to a point of tangency; thence S.75°53'14"E., 1596.65 feet to a point of curvature; thence Southeasterly, 743.33 feet along the arc of a curve to the right having a radius of 2436.00 feet and a central angle of 17°29'00" (chord bearing S.67°08'44"E., 740.44 feet) to a point of tangency; thence S.58°24'14"E., 701.00 feet; thence S.58°59'59"E., 347.56 feet to a point on a curve; thence Southeasterly, 71.35 feet along the arc of a curve to the left having a radius of 3876.00 feet and a central angle of 01°03'17" (chord bearing S.64°04'33"E., 71.35 feet) to a point of reverse curvature; thence Southeasterly, 38.89 feet along the arc of a curve to the right having a radius of 25.00 feet and a central angle of 89°07'07" (chord bearing S.20°02'37"E., 35.08 feet) to a point of tangency; thence S.24°30'56"W., 115.88 feet to a point of curvature; thence Southwesterly, 386.55 feet along the arc of a curve to the left having a radius of 835.00 feet and a central angle of 26°31'28" (chord bearing S.11°15'12"W., 383.11 feet) to a point of tangency; thence S.02°00'32"E., 245.39 feet to a point of curvature; thence Southwesterly, 472.42 feet along the arc of a curve to the right having a radius of 775.00 feet and a central angle of 34°55'34" (chord bearing S.15°27'15"W., 465.14 feet) to a point of tangency; thence S.32°55'02"W., 142.05 feet to a point of curvature; thence Southwesterly, 646.30 feet along the arc of a curve to the right having a radius of 620.00 feet and a central angle of 59°43'35" (chord bearing S.62°46'50"W.,

617.44 feet); thence S.00°19'58"W., 138.78 feet to a point of curvature; thence Southwesterly, 157.08 feet along the arc of a curve to the right having a radius of 100.00 feet and a central angle of 90°00'00" (chord bearing S.45°19'58"W., 141.42 feet) to a point of tangency; thence N.89°40'02"W., 180.00 feet; thence N.00°19'58"E., 120.00 feet; thence N.89°40'02"W., 160.00 feet; thence N.81°36'50"W., 314.00 feet; thence N.75°00'00"W., 360.47 feet; thence S.66°04'00"W., 277.87 feet; thence S.82°16'00"W., 150.05 feet; thence N.89°40'10"W., 403.20 feet; thence S.50°25'00"W., 160.00 feet; thence N.53°57'00"W., 453.47 feet; thence N.00°26'10"W., 179.49 feet; thence N.23°39'35"W., 164.39 feet; thence N.46°53'00"W., 158.86 feet to a point hereinafter referred to as POINT "A"; thence S.43°07'06"W., 79.51 feet to a point of curvature; thence Southwesterly, 114.59 feet along the arc of a curve to the right having a radius of 225.00 feet and a central angle of 29°10'52" (chord bearing S.57°42'32"W., 113.36 feet) to a point of tangency; thence S.72°17'58"W., 51.48 feet; thence N.17°42'00"W., 137.00 feet; thence N.84°48'46"W., 1641.93 feet; thence N.16°50'00"W., 450.00 feet; thence S.88°10'00"W., 380.00 feet; thence S.01°50'00"E., 199.47 feet; thence S.42°00'00"W., 174.18 feet; thence S.85°06'00"W., 761.45 feet; thence S.71°43'30"W., 140.00 feet; thence S.58°45'30"W., 160.00 feet; thence S.46°48'50"W., 395.00 feet; thence S.53°17'32"W., 76.72 feet; thence S.71°43'02"W., 140.76 feet; thence N.84°23'22"W., 140.76 feet; thence N.70°32'14"W., 77.71 feet to a point on a curve; thence Northeasterly, 616.83 feet along the arc of a curve to the left having a radius of 1825.00 feet and a central angle of 19°21'55" (chord bearing N06°12'57"E., 613.89 feet) to a point of tangency; thence N.03°28'00"W., 584.71 feet to a point of curvature; thence Northeasterly, 39.27 feet along the arc of a curve to the right having a radius of 25.00 feet and a central angle of 90°00'00" (chord bearing N.41°32'00"E., 35.36 feet) to a point of tangency; thence N.86°32'00"E., 146.52 feet to a point of curvature; thence Northeasterly, 46.67 feet along the arc of a curve to the right having a radius of 500.00 feet and a central angle of 05°20'54" (chord bearing N.89°12'27"E., 46.66 feet); thence S.04°46'54"W., 292.36 feet; thence S.29°39'08"E., 369.31 feet; thence N.66°00'00"E., 946.62 feet to the POINT OF BEGINNING.

Containing 280.395 acres, more or less, of which 105.091 acres, more or less, lies within the above described TRACT "A".

**ALSO LESS THE FOLLOWING DESCRIBED PARCEL:**  
**WESTCHASE SECTION "233" PARCEL "1"**  
**DESCRIPTION:** A parcel of land lying in Section 8, Township 28 South, Range 17 East, Hillsborough County, Florida, and being more particularly described as follows:

**BEGINNING** at the Northwest corner of the Southeast 1/4 of said Section 8, run thence along the North boundary of said Southeast 1/4 of Section 8, S.89°29'25"E., 637.18 feet to the Northwest corner of Parcel "A", as recorded in Official

Records Book 7531, Page 1307, Public Records of Hillsborough County, Florida; thence along the Northwesterly boundary of said PARCEL "A", the following two (2) courses: 1) S.48°35'52"W., 723.55 feet to a point of curvature; 2) Westerly, 57.34 feet along the arc of a curve to the right having a radius of 35.00 feet and a central angle of 93°52'01" (chord bearing N.84°28'08"W., 51.14 feet) to a point of tangency on the Easterly boundary of COUNTRYWAY BOULEVARD 4th EXTENSION, as recorded in Official Records Book 7531, Page 1307, Public Records of Hillsborough County, Florida; thence along said Easterly boundary the following two (2) courses: 1) N.37°32'07"W., 69.28 feet to a point of curvature; 2) Northwesterly, 20.78 feet along the arc of a curve to the right having a radius of 1950.00 feet and a central angle of 00°36'38" (chord bearing N.37°13'48"W., 20.78 feet) to a point on the West boundary of the aforesaid Southeast 1/4 of Section 8; thence along said West boundary, N.01°34'46"E., 407.93 feet to the POINT OF BEGINNING.

Containing 4.087 acres, more or less.

**ALSO LESS THE FOLLOWING DESCRIBED PARCEL:**  
**WESTCHASE SECTION "233" PARCEL "2"**  
**DESCRIPTION:** A parcel of land lying in Section 8, Township 28 South, Range 17 East, Hillsborough County, Florida, and being more particularly described as follows:

From the Northwest corner of the Southeast 1/4 of said Section 8, run thence along the North boundary of said Southeast 1/4 of Section 8, the following two (2) courses: 1) S.89°29'25"E., 822.81 feet to the Northeast corner of PARCEL "A", as recorded in Official Records Book 7531, Page 1307, Public Records of Hillsborough County, Florida, said point also being the POINT OF BEGINNING; 2) continue, S.89°29'25"E., 36.78 feet; thence S.35°19'55"W., 82.76 feet; thence S.12°41'41"W., 62.95 feet; thence S.46°50'08"E., 29.97 feet; thence S.16°03'45"W., 86.19 feet; thence S.30°19'13"W., 87.16 feet; thence S.42°30'19"W., 75.03 feet; thence S.48°24'30"W., 45.44 feet to a point on the Southerly boundary of the 30 foot wide HOUSTON TEXAS GAS AND OIL (Florida Gas Transmission) MAIN EASEMENT, as recorded in Official Records Book 256, Page 175, Public Records of Hillsborough County, Florida; thence along said Southerly boundary, S.86°55'09"W., 309.83 feet to a point on the Southeasterly boundary of the aforesaid PARCEL "A"; thence along said Southeasterly boundary, N.48°35'52"E., 619.87 feet to the POINT OF BEGINNING.

Containing 1.726 acres, more or less.

**ALSO LESS THE FOLLOWING DESCRIBED PARCEL:**  
**WESTCHASE ERLICH ROAD PARCEL "A"**  
**DESCRIPTION:** A parcel of land lying in Section 8, Township 28 South, Range 17 East, Hillsborough County, Florida, and being more particularly described as follows:

From the Northwest corner of the Southeast 1/4 of said Section 8, run thence along the West boundary of said Southeast 1/4 of Section 8, S.01°34'30"W., 408.14 feet; thence S.37°32'07"E.,

89.87 feet to a point of curvature, said point also being the POINT OF BEGINNING; thence Easterly, 57.34 feet along the arc of a curve to the left having a radius of 35.00 feet and a central angle of 93°52'01" (chord bearing S.84°28'08"E., 51.14 feet) to a point of tangency; thence N.48°35'52"E., 723.55 feet to a point on the North boundary of the aforesaid Southeast 1/4 of Section 8; thence along said North boundary, S.89°29'25"E., 185.63 feet; thence S.48°35'52"W., 874.80 feet to a point of curvature; thence Southerly, 52.62 feet along the arc of a curve to the left having a radius of 35.00 feet and a central angle of 86°07'59" (chord bearing S.05°31'52"W., 47.80 feet) to a point of cusp; thence N.37°32'07"W., 194.44 feet to the POINT OF BEGINNING.

Containing 2.387 acres, more or less.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

WESTCHASE SECTION "214" DESCRIPTION: A parcel of land lying in Section 17, Township 28 South, Range 17 East, Hillsborough County, Florida, and being more particularly described as follows:

From the Southeast corner of said Section 17, run thence along the East boundary of said Section 17, N.01°17'13"E., 2523.66 feet; thence N.58°50'00"E., 246.36 feet; thence N.31°10'00"W., 408.40 feet; thence N.48°42'00"W., 25.22 feet to a point on a curve, said point also being the POINT OF BEGINNING; thence Southwesterly, 132.81 feet along the arc of a curve to the left having a radius of 373.00 feet and a central angle of 20°24'02" (chord bearing S.37°52'07"W., 132.11 feet); thence N.68°20'00"W., 139.56 feet to a point on a curve; thence Southerly, 232.65 feet along the arc of said curve to the left having a radius of 512.00 feet and a central angle of 26°02'07" (chord bearing S.13°01'03"W., 230.66 feet) to a point of tangency; thence SOUTH, 102.00 feet; thence EAST, 15.06 feet to a point of curvature; thence Southeasterly, 4.71 feet along the arc of a curve to the right having a radius of 5.00 feet and a central angle of 54°00'00" (chord bearing S.63°00'00"E., 4.54 feet) to a point of tangency; thence S.36°00'00"E., 0.76 feet to a point of curvature; thence Southerly, 27.74 feet along the arc of a curve to the right having a radius of 20.00 feet and a central angle of 79°28'32" (chord bearing S.03°44'16"W., 25.57 feet) to a point of tangency, said point also being the Northerlymost corner of a PERPETUAL ACCESS EASEMENT, as recorded in Official Records Book 9667, Page 27, Public Records of Hillsborough County, Florida, and also being the Northerlymost corner of a PERPETUAL UTILITY EASEMENT, as recorded in Official Record Book 9667, Page 37, Public Records of Hillsborough County, Florida; thence along the Northerly boundaries of said PERPETUAL ACCESS EASEMENT and PERPETUAL UTILITY EASEMENT, S.43°28'32"W., 58.87 feet; thence N.46°31'28"W., 77.65 feet; thence WEST, 81.91 feet; thence

N.04°58'00"E., 483.99 feet; thence N.43°54'00"E., 188.14 feet; thence S.48°42'00"E., 334.48 feet to the POINT OF BEGINNING.

Containing 2.954 acres, more or less.

ALTOGETHER CONTAINING 740.818 ACRES, MORE OR LESS.

END OF DESCRIPTION OF FORMER WESTCHASE COMMUNITY DEVELOPMENT DISTRICT TOGETHER WITH:

DESCRIPTION OF FORMER WESTCHASE EAST COMMUNITY DEVELOPMENT DISTRICT

DESCRIPTION: A parcel of land lying in Sections 15, 16, 17, 20 and 21, Township 28 South, Range 17 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

BEGINNING at the Northeast corner of said Section 21, run thence along the East boundary of said Section 21, S.01°05'14"W., 459.89 feet; thence S.89°14'03"W., 7975.53 feet; thence N.00°01'03"W., 666.06 feet to a point on the South boundary of the aforesaid Section 17; thence along the East boundary of the Southwest 1/4 of said Section 17, N.00°27'11"E., 434.11 feet; thence N.71°29'15"E., 1575.79 feet; thence S.84°48'46"E., 1229.47 feet; thence N.60°56'55"E., 1195.58 feet; thence N.01°29'15"E., 863.45 feet; thence N.88°30'45"W., 246.54 feet; thence N.01°29'15"E., 1269.71 feet; thence S.77°00'00"E., 2005.13 feet; thence N.01°17'13"E., 1121.81 feet; thence WEST, 478.80 feet; thence N.01°29'15"E., 1009.77 feet to a point on the North boundary of the aforesaid Section 16; thence along said North boundary of Section 16, the following two (2) courses: 1) S.88°30'45"E., 325.16 feet; 2) S.89°35'59"E., 2644.04 feet to the Northwest corner of the aforesaid Section 15; thence along the North boundary of said Section 15, S.88°48'52"E., 1322.20 feet to a point on the East boundary of the West 1/2 of the Northwest 1/4 of said Section 15; thence along said East boundary of the West 1/2 of the Northwest 1/4 of Section 15, S.00°46'39"W., 2650.02 feet; thence along the North boundary of the Southwest 1/4 of said Section 15, S.89°07'44"E., 1105.25 feet; thence along the West boundary of the East 1/2 of the Northeast 1/4 of the Southwest 1/4 of said Section 15, S.01°09'09"W., 1321.32 feet; thence along the South boundary of said Northeast 1/4 of the Southwest 1/4 of Section 15, S.89°04'44"E., 225.00 feet; thence along the East boundary of the Northeast 1/4 of the Southeast 1/4 of said Section 15, N.01°09'09"E., 1021.51 feet; thence S.89°03'57"E., 798.61 feet; thence N.01°09'09"E., 300.00 feet to a point on the North boundary of said Southeast 1/4 of Section 15; thence along said North boundary of the Southeast 1/4 of Section 15, S.89°03'57"E., 852.89 feet; thence along the East boundary of the West 1/4 of the Northwest 1/4 of said Southeast 1/4 of Section 15, S.00°54'49"W., 928.94 feet; thence along the North boundary of the South 3/10 of the East 1/2 of the West 1/2 of the Northeast 1/4 of said Southeast

1/4 of Section 15, S.88°55'50"E., 331.08 feet; thence along the West boundary of the East 1/2 of said Northeast 1/4 of the Southeast 1/4 of Section 15, N.00°51'58"E., 929.72 feet to a point on the aforesaid North boundary of the Southeast 1/4 of Section 15; thence along said North boundary of the Southeast 1/4 of Section 15, S.89°03'56"E., 578.60 feet; thence along a line lying 82.00 feet West of and parallel with the East boundary of said Section 15, S.00°46'16"W., 1294.31 feet; thence S.00°13'48"E., 228.95 feet; thence along a line lying 78.00 West of and parallel with said East boundary of Section 15, S.00°46'16"W., 637.03 feet; thence along the North boundary of the South 500.00 feet of the East 1085.00 feet of said Section 15, N88°40'58"W., 1007.05 feet; thence along the West boundary of said South 500.00 feet of the East 1085.00 feet of Section 15, S.00°46'16"W., 500.04 feet to a point on the South boundary of said Section 15; thence along said South boundary of Section 15, N.88°40'58"W., 1575.06 feet; thence along a line lying 25.00 feet East of and parallel with the East boundary of a Tampa Electric Company Easement, as recorded in Official Record Book 1978, Page 95, Public Records of Hillsborough County, Florida, N.01°09'09"E., 1025.34 feet to a point on the South right-of-way line of Linebaugh Avenue, according to the plat of LINEBAUGH AVENUE 1ST EXTENSION, as recorded in Plat Book 70, Page 53, Public Records of Hillsborough County, Florida; thence along said South right-of-way line, S.80°40'00"W., 228.82 feet to a point on the West boundary of the aforesaid Tampa Electric Company Easement; thence along said West boundary of the Tampa Electric Company Easement, S.01°09'09"W., 984.44 feet to a point on the aforesaid South boundary of Section 15; thence along said South boundary of Section 15, N89°02'14"W., 2426.07 feet to the POINT OF BEGINNING. Containing 996.759 acres, more or less.

LESS THE FOLLOWING:

DESCRIPTION: A parcel of land lying in Section 16, Township 28 South, Range 17 East, Hillsborough County, Florida, said parcel being more particularly described as follows:

From the Southwest corner of said Section 16, run thence along the West boundary of Section 16, N.01°17'13"E., 846.94 feet; thence S.84°48'46"E., 61.34 feet to the POINT OF BEGINNING; thence N.60°56'55"E., 301.61 feet; thence S.30°00'00"W., 92.16 feet; thence S.46°53'00"E., 230.01 feet; thence N.43°07'00"E., 131.77 feet; thence S.51°10'00"E., 454.77 feet; thence S.71°40'00"E., 196.65 feet; thence N.88°00'00"E., 175.74 feet; thence N.72°00'00"E., 887.86 feet; thence S.34°05'28"E., 48.78 feet to a point of curvature; thence Southeasterly, 313.00 feet along the arc of a curve to the left having a radius of 780.00 feet and a central angle of 22°59'30" (chord bearing S.45°35'13"E., 310.90 feet) to a point of tangency; thence S.57°04'58"E., 229.48 feet to a point of curvature; thence Southeasterly, 227.73 feet along the arc of a curve to the left having a radius of 680.00 feet and a central

angle of 19°11'16" (chord bearing S.66°40'36"E., 226.66 feet); thence N.40°48'00"E., 719.79 feet; thence N.21°20'00"E., 692.50 feet; thence N.01°42'30"E., 214.46 feet; thence N.37°32'30"W., 214.46 feet; thence N.57°10'00"W., 1102.47 feet; thence N.77°00'00"W., 1092.91 feet; thence S.55°00'44"W., 173.49 feet; thence S.07°01'29"W., 448.56 feet; thence N.82°58'30"W., 31.68 feet; thence N.01°29'15"E., 99.93 feet; thence N.88°30'45"W., 246.54 feet; thence N.01°29'15"E., 831.11 feet to a point on the South right-of-way line of Linebaugh Avenue, according to the plat of LINEBAUGH AVENUE 1ST EXTENSION, as recorded in Plat Book 70, Page 53, Public Records of Hillsborough County, Florida; thence along said South right-of-way line, the following six (6) courses: 1) S.75°53'14"E., 1224.71 feet to a point of curvature; 2) Southeasterly, 743.33 feet along the arc of a curve to the right having a radius of 2436.00 feet and a central angle of 17°29'00" (chord bearing S.67°08'44"E., 740.44 feet) to a point of tangency; 3) S.58°24'14"E., 701.00 feet; 4) S.58°59'59"E., 347.56 feet to a point on a curve; 5) Southeasterly, 71.35 feet along the arc of a curve to the left having a radius of 3876.00 feet and a central angle of 01°03'17" (chord bearing S.64°04'33"E., 71.35 feet) to a point of reverse curvature; 6) Southerly, 38.89 feet along the arc of a curve to the right having a radius of 25.00 feet and a central angle of 89°07'07" (chord bearing S.20°02'37"E., 35.08 feet) to a point of tangency; thence S.24°30'56"W., 115.88 feet to a point of curvature; thence Southerly, 386.55 feet along the arc of a curve to the left having a radius of 835.00 feet and a central angle of 26°31'28" (chord bearing S.11°15'12"W., 383.11 feet) to a point of tangency; thence S.02°00'32"E., 245.39 feet to a point of curvature; thence Southerly, 472.42 feet along the arc of a curve to the right having a radius of 775.00 feet and a central angle of 34°55'34" (chord bearing S.15°27'15"W., 465.14 feet) to a point of tangency; thence S.32°55'02"W., 142.05 feet to a point of curvature; thence Southwesterly, 646.30 feet along the arc of a curve to the right having a radius of 620.00 feet and a central angle of 59°43'35" (chord bearing S.62°46'50"W., 617.44 feet); thence South 00°19'58"W., 138.78 feet to a point of curvature; thence Southwesterly 157.08 feet along the arc of a curve to the right having a radius of 100.00 feet and a central angle of 90°00'00" (chord bearing S.45°19'58"W., 141.42 feet); thence N.89°40'03"W., 180.00 feet; thence N.00°19'58"E., 120.00 feet; thence N.89°40'02"W., 160.00 feet; thence N.81°36'50"W., 314.00 feet; thence N.75°00'00"W., 360.47 feet; thence S66°04'00"W., 277.87 feet; thence S.82°16'00"W., 150.05 feet; thence N.89°40'10"W., 403.20 feet; thence S.50°25'00"W., 160.00 feet; thence N.53°57'00"W., 453.47 feet; thence N.00°26'10"W., 179.49 feet; thence N.23°39'35"W., 164.39 feet; thence N.46°53'00"W., 158.86 feet; thence S.43°07'06"W., 79.51 feet to a point of curvature; thence Southwesterly, 114.59 feet along the arc of a curve to the right having a radius of 225.00 feet and a central angle of



29°10'52" (chord bearing S.57°42'32"W., 113.36 feet) to a point of tangency; thence S.72°17'58"W., 51.48 feet; thence N.17°42'00"W., 137.00 feet to the POINT OF BEGINNING.

Containing 50.521 acres, more or less.

TOGETHER WITH THE FOLLOWING:

TAMPA ELECTRIC COMPANY SUB-STATION PROPERTY

SOUTH OF WESTCHASE

DESCRIPTION: A parcel of land lying in Section 22, Township 28 South, Range 17 East, Hillsborough County, Florida, and being more particularly described as follows:

BEGINNING at the Northwest corner of said Section 22, run thence along the North boundary of said Section 22, S.89°02'14"E., 1929.66 feet; thence S.00°57'46"W., 401.62 feet to a point on the North boundary of a 100 foot wide C.S.X. Transportation Inc. Railroad Right-of-Way; thence along said North boundary, S.89°14'03"W., 1931.54 feet to a point on the West boundary of the aforesaid Section 22; thence along said West boundary, N.01°05'14"E., 459.89 feet to the POINT OF BEGINNING.

Containing 19.087 acres, more or less.

ALSO TOGETHER WITH THE FOLLOWING:

WESTCHASE EAST COMMUNITY DEVELOPMENT DISTRICT ADDITION

CHARLES EMERY THOMAS and BETTY W. THOMAS

O.R. BOOK 4853, PAGE 1036

The North Seven Tenths (N 7/10) of the East Half (E 1/2) of the West Half (W 1/2) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section Fifteen (15), Township Twenty-eight (28) South, Range Seventeen (17) East, Hillsborough County, Florida; containing 7.055 acres, more or less; together with all other rights, privileges, easements and appurtenances thereunto belonging.

ALTOGETHER containing 972.380 acres, more or less.

END OF DESCRIPTION OF FORMER WESTCHASE EAST COMMUNITY DEVELOPMENT DISTRICT

TOTAL ACREAGE FOR ONE WESTCHASE CDD AFTER MERGER = 1713.198 AC

Rulemaking Authority 190.005, 190.046 FS. Law Implemented 190.004, 190.005, 190.046 FS. History—New \_\_\_\_\_.

42000-1.003 Supervisors of the Surviving District.

The following five persons are the members of the Board of Supervisors of the surviving Westchase Community Development District at the time of merger: Mark Ragusa, William Casale, Robert Argus, Joseph Lechman and Keith Heinemann.

Rulemaking Authority 190.005, 190.046 FS. Law Implemented 190.004, 190.005, 190.046 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry McDaniel, Secretary, Administration Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Administration Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 3, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 13, 2011

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**RULE NOS.: RULE TITLES:**

59-1.038 Authority

59-1.052 Maintenance of Records

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rulemaking is to repeal the rules as rules are redundant and do not serve any meaningful purpose.

**SUMMARY:** The rules are repealed as their text is duplicative of statute and serve no meaningful purpose.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. An SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 120.53(1)(c)5. FS.

**LAW IMPLEMENTED:** 119.021(3), 120.53(3) FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Richard J. Shoop, Agency Clerk, 2727 Mahan Drive, Mailstop 3, Tallahassee, Florida 32308

**THE FULL TEXT OF THE PROPOSED RULES IS:**

59-1.038 Authority.

Rulemaking Specific Authority 120.53(1)(c)5. FS. Law Implemented 120.53 FS. History—New 6-3-93, Repealed \_\_\_\_\_.

59-1.052 Maintenance of Records.

Rulemaking Specific Authority 120.53(1)(c)5. FS. Law Implemented 119.021(3), 120.53(3) FS. History—New 6-3-93, Repealed \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Richard J. Shoop, Agency Clerk

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Elizabeth Dudek, Secretary

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** May 4, 2011

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.071  
 RULE TITLE: Durable Medical Equipment and Medical Supply Services Provider Fee Schedules

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.071, F.A.C., is to incorporate by reference the Florida Medicaid Durable Medical Equipment and Supply Services Provider Fee Schedules, November 2010.

SUMMARY: The amendment updates Durable Medical Equipment (DME) and medical suppliers who provide services to Medicaid recipients.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. An SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, July 6, 2011, 2:30 p.m. – 3:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dan Gabric at the Bureau of Medicaid Services, (850)412-4209. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Gabric, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4209, e-mail: dan.gabric@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.071 Durable Medical Equipment and Medical Supply Services Provider Fee Schedules.

Medicaid durable medical equipment and medical supply providers and their billing agents who submit claims on their behalf must be in compliance with the provisions of the Florida Medicaid Durable Medical Equipment and Medical Supply Services Provider Fee Schedule for All Medicaid Recipients, ~~November 2010~~ ~~July 2007~~, and the Florida Medicaid Durable Medical Equipment and Medical Supply Services Provider Fee Schedule for Recipients Under Age 21, ~~November 2010~~ ~~July 2007~~, which are incorporated by reference. The fee schedules are available from the Medicaid fiscal agent's ~~Web~~ ~~web~~ site at [mymedicaid-florida.com](http://mymedicaid-florida.com). Select Public Information for Providers, then Provider Support, and then Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308 <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Fees.

Rulemaking Specific Authority 409.919 FS. Law Implemented ~~409.902~~, 409.906, ~~409.907~~, 409.908, ~~409.912~~, ~~409.913~~ FS. History–New 5-7-07, Amended 5-8-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dan Gabric

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 18, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 2010

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-13.015  
 RULE TITLE: Adult Cystic Fibrosis Waiver Services Procedure Codes and Fee Schedule

PURPOSE AND EFFECT: The purpose of Rule 59G-13.015, F.A.C., is to incorporate by reference the Adult Cystic Fibrosis Waiver Services Procedure Codes and Fee Schedule, March 2007. The fee schedule for the Adult Cystic Fibrosis (ACF) waiver will be a new, stand-alone rule.

SUMMARY: The fee schedule establishes a list of procedures and associated fees for services to be delivered by qualified providers to ACF waiver participants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of

\$200,000 in the aggregate within one year after the implementation of the rule. An SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 393.066, 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, July 7, 2011, 1:30 p.m. – 2:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Arlene Walker at the Bureau of Medicaid Services, (850)412-4270. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Arlene Walker, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4270, e-mail: arlene.walker@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.015 Adult Cystic Fibrosis Waiver Services Procedure Codes and Fee Schedule.

(1) This rule applies to all adult cystic fibrosis waiver services providers enrolled in the Medicaid program.

(2) All adult cystic fibrosis waiver services providers and their billing agents who submit claims on their behalf must be in compliance with the provisions of the Florida Medicaid Adult Cystic Fibrosis Procedure Codes and Fee Schedule, March 2007, which is incorporated by reference. The fee schedule is available from the Medicaid fiscal agent's Web site at [www.mymedicaid-florida.com](http://www.mymedicaid-florida.com). Select Public Information for Providers, then Provider Support, and then Fee Schedules. Paper copies of the fee schedule may be obtained by calling the Provider Contact Center at 1(800)289-7799 and selecting option 7.

Rulemaking Authority 409.919 FS. Law Implemented 393.066, 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Arlene Walker

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 28, 2010

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:

59G-13.131

RULE TITLE:

Traumatic Brain Injury and Spinal Cord Injury Waiver Services Fee Schedule

PURPOSE AND EFFECT: The proposed amendment to Rule 59G-13.131, F.A.C., incorporates by reference the Traumatic Brain Injury and Spinal Cord Injury Waiver Services Fee Schedule, July 2009. The revised fee schedule adds services specific to nursing home transition and increases the number of services from 12 to 14.

SUMMARY: The fee schedule is being changed to add two new services, transition case management and transition home modifications. These services are specific to nursing home transition activities and available only to those recipients who have transitioned on to the waiver from a nursing home placement. This rule is the stand alone rule for the Fee Schedule for services available under the Traumatic Brain Injury and Spinal Cord Injury (TBI/SCI) waiver.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. An SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, July 7, 2011, 2:30 p.m. – 3:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Arlene Walker at the Bureau of Medicaid Services, (850)412-4270. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Arlene Walker, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, e-mail: arlene.walker@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.131 Traumatic Brain Injury and Spinal Cord Injury Waiver Services Fee Schedule.

All traumatic brain and spinal cord injury waiver services providers and their billing agents who submit claims on their behalf must be in compliance with the provisions of the Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Services Fee Schedule, July 2009 ~~October 2007~~, which is incorporated by reference. The fee schedule is available from the Medicaid fiscal agent's Web site Portal at www.http://mymedicaid-florida.com. Select ~~Click on~~ Public Information for Providers, then ~~on~~ Provider Support, and then ~~on~~ Fee Schedules. Paper copies of the fee schedule may be obtained by calling the Provider Contact Center at 1(800)289-7799 and selecting option 7.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History--New 8-5-09, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Arlene Walker

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 16, 2010

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: 61G7-5.0033      RULE TITLE: Consolidated and Combined Financial Statements

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify which entities may file consolidated or combined financial statements.

SUMMARY: To clarify which entities may file consolidated or combined financial statements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule will not have an adverse impact on small business, nor will the proposed rule likely increase directly or indirectly regulatory costs, including transactional costs, in excess of \$200,000 in the aggregate within one year or \$1 million in the aggregate within 5 years after implementation of the rule. Therefore, it has been determined that the rule does not meet the threshold for ratification by the Legislature.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 468.522, 468.525(3)(e) FS.

LAW IMPLEMENTED: 468.525(3)(e) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 61G7-5.0033 follows. See Florida Administrative Code for present text.)

61G7-5.0033 Consolidated and Combined Financial Statements.

(1) All reviewed or audited financial statements submitted to the Department by Florida licensed employee leasing companies shall be presented in accordance with Generally Accepted Accounting Principles (GAAP), as defined by Rule 61H1-20.007, F.A.C.

(2) An employee leasing company or an employee leasing company group that is a subsidiary or a member of another entity that may otherwise be included in the consolidated financial statements of a parent or a controlling entity, may submit individual reviewed or audited financial statements to satisfy the filing requirements of Section 468.525(3)(e), F.S.

(3) An employee leasing company or an employee leasing company group may be included in the consolidated financial statements of a licensed or non-licensed parent or controlling entity to meet the requirements of Section 468.525(3)(e), F.S., as applicable, so long as there are Board-approved cross guarantees between the parent or controlling entity and all Florida-licensed employee leasing companies included in such statements.

(4) A Florida-licensed employee leasing company, employee leasing company group, employee leasing company groups, or any combination thereof, may submit combined audited or reviewed financial statements to meet the

requirements of Section 468.525(3)(e), F.S., as applicable, so long as there are Board-approved cross-guarantees between all employee leasing companies and all entities covered in the combined financial statement are Florida-licensed employee leasing companies. Other entities may not be included in combined financial statements.

Rulemaking Specific Authority 468.522, 468.525(3)(e) FS. Law Implemented 468.525(3)(e) FS. History--New 5-26-96, Amended 9-5-04, 11-9-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Employee Leasing Companies  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 15, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: 61G7-10.0012  
RULE TITLE: Workers' Compensation Liability Statement

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove duplicate information from the rule text which is already in the associated form.

SUMMARY: Duplicate information that is already in the associated form will be removed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule will not have an adverse impact on small business, nor will the proposed rule likely increase directly or indirectly regulatory costs, including transactional costs, in excess of \$200,000 in the aggregate within one year or \$1 million in the aggregate within 5 years after implementation of the rule. Therefore, it has been determined that the rule does not meet the threshold for ratification by the Legislature.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 F.S.

LAW IMPLEMENTED: 468.525(3)(e), 468.529 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-10.0012 Workers' Compensation Liability Statement.

Each audited or reviewed financial statement submitted to the Board pursuant to Section 468.525(3)(e), F.S., and Rules 61G7-5.0031 and 61G7-5.0032, F.A.C., shall include a statement, signed by the chief executive officer (CEO) and chief financial officer (CFO) of the employee leasing company as well as the independent certified public accountant (CPA) auditing or reviewing the financial statement, in substantially one of the following forms:

(1) For the period(s) represented in the attached financial statements, we had a guaranteed cost policy for workers' compensation provided by an admitted insurance carrier licensed to do business in the State of Florida. This policy does not have a deductible feature or other retention and is not subject to additional premium or assessment on the basis of claims and loss experience. We have no financial exposure to workers' compensation insurers with respect to policies covering prior periods. Thus, we have no additional liability for workers' compensation that must be presented on our financial statements.

Year End: \_\_\_\_\_  
Signed: \_\_\_\_\_  
CEO CFO  
Date: \_\_\_\_\_ Date: \_\_\_\_\_

~~Acknowledgment by independent accountants:  
We have examined the above assertion made by management of (employee leasing company) in connection with workers' compensation liability as of \_\_\_\_\_.  
Our examination was made in accordance with standards established by the American Institute of Certified Public Accountants and, accordingly, included such procedures as we considered necessary in the circumstances.  
In our opinion, the assertion represented by management referred to above fairly presents, in all material respects, the workers' compensation liability as of \_\_\_\_\_ in accordance with generally accepted accounting principles.~~

\_\_\_\_\_  
CPA Date  
Or, \_\_\_\_\_

(2) Workers' compensation constitutes a very significant cost in the operation of an employee leasing company. Many employee leasing companies choose to provide workers' compensation coverage through insurance arrangements that may involve certain retention of risks.

The determination of an appropriate accrual that adequately reflects the cost retained by the employee leasing company is essential to the fair representation of the employee leasing company's financial position and results of operation for the reporting period, in accordance with generally accepted accounting principles.

Ultimate costs for workers' compensation must include a reserve for loss development and a provision for incurred but not reported claims, as determined through the utilization of a variety of generally acceptable actuarial methodologies.

We hereby represent that our financial statements' accrual for workers' compensation is based upon a methodology that accounts for loss development and incurred but not reported claims for the period covered by the attached financial statements, and for all prior periods for which we may have continued financial exposure, as follows:

(a) through (c) No change.

(d) Through other methodologies described in detail on Exhibit A hereto, resulting in a loss development factor of \_\_\_\_\_, which our independent accountants consider adequate to enable them to express an opinion on the financial statements as required by Section 468.525(3)(e), F.S., and Rules 61G7-5.0031 and 61G7-5.0032, F.A.C.

Signed: \_\_\_\_\_ Year End: \_\_\_\_\_  
CEO CFO  
Date: \_\_\_\_\_ Date: \_\_\_\_\_

~~Acknowledgment by independent accountants:  
We have examined the above assertion made by management of (employee leasing company) in connection with the methodology used in determining workers' compensation liability as of \_\_\_\_\_. Our examination was made in accordance with standards established by the American Institute of Certified Public Accountants and, accordingly, included such procedures as we considered necessary in the circumstances.  
In our opinion, the assertion represented by management referred to above presents the methodology used in determining workers' compensation liability as of \_\_\_\_\_, which fairly presents, in all material respects, the workers' compensation liability in accordance with generally accepted accounting principles.~~

\_\_\_\_\_  
CPA Date

~~Rulemaking Specific Authority 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS. Law Implemented 468.525(3)(e), 468.529 FS. History--New 1-17-99, Amended \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Employee Leasing Companies  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 15, 2011

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Agency for Persons with Disabilities**

RULE NO.: 65G-4.0026  
RULE TITLE: Tier Waivers

PURPOSE AND EFFECT: To set a 45-day time limit for the Agency to review tier eligibility when a client requests additional services on the basis of a significant change in circumstances or on the basis that the change is necessary to avoid institutionalization and the requested services cause the clients cost plan to be over the current tier expenditure cap.

SUMMARY: This rule requires the Agency to review tier eligibility within 45 days when a client requests additional services on the basis of a significant change in circumstances or on the basis that the change is necessary to avoid institutionalization and the requested services cause the client's cost plan to be over the current tier expenditure cap.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. An SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 393.0661(3) FS.

LAW IMPLEMENTED: 393.0661(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: July 7, 2011, 2:00 p.m.

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by

contacting: Stephanie Rogers, Agency for Persons with Disabilities, 4030 Esplanade Way, Ste. 380, Tallahassee, Florida 32399, Phone: (850)414-6558. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marc Ito, Senior Attorney, Agency for Persons with Disabilities, 4030 Esplanade Way, Ste. 380, Tallahassee, Florida 32399, Email: marc\_ito@apd.state.fl.us, Phone: (850)922-2030

THE FULL TEXT OF THE PROPOSED RULE IS:

65G-4.0026 Tier Waivers.

(1) through (4) No change.

(5) Upon a client's request submitted by the waiver support coordinator, the Agency will review a client's tier eligibility when a client has a significant change in circumstance or condition that impacts on the client's health, safety, or welfare or when a change in the client's plan of care is required to avoid institutionalization. The information identifying and documenting a significant change in circumstance or condition that necessitates additional or different services must be submitted by the client's Waiver Support Coordinator to the appropriate Agency Area office for determination. The agency shall determine whether the client is eligible for a different tier ~~revision of the tier assignment is necessary~~ when the additional service has been determined medically necessary ~~approved~~ through the prior service authorization process.

(a) If a client has submitted a request pursuant to this subsection, the agency shall determine whether the client is eligible for a different tier within forty-five days of the agency's receiving notice of either of the following events.

1. an additional service is determined medically necessary through the prior service authorization process and such additional service causes the client's cost plan to be over the client's current tier cap; or

2. An additional service is determined medically necessary through the prior service authorization process and such additional service is not available under the client's current tier.

(b) The 45-day time limit in paragraph (a) shall not apply when unusual circumstances make it difficult or impossible for the agency to comply with the 45-day time limit. "Unusual circumstances" means an administrative or other emergency beyond the agency's control, but does not mean any delay caused by the agency's administrative procedures.

(6) through (7) No change.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History—New 3-7-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marc Ito, Senior Attorney, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, Email: marc\_ito@apd.state.fl.us, Phone: (850)922-2030

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Bryan Vaughan

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 1, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 2010

### Section III Notices of Changes, Corrections and Withdrawals

#### DEPARTMENT OF STATE

##### Division of Elections

RULE NO.:	RULE TITLE:
1S-2.041	FVRS Address and Eligibility Records Maintenance

##### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 44, November 6, 2009 and Notice of change published Vol. 37, No. 22, June 3, 2011 issue of the Florida Administrative Weekly.

The effective date of the rule is changed to August 1, 2011.

#### DEPARTMENT OF EDUCATION

##### State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.0902	Requirements for Identification, Eligibility Programmatic and Annual Assessments of English Language Learners
6A-6.09021	Annual English Language Proficiency Assessment for English Language Learners
6A-6.09022	Extension of Services in English for Speakers of Other Languages Program
6A-6.0903	Requirement for Classification, Reclassification, and Post Reclassification of English Language Learners
6A-6.09031	Post Reclassification of English Language Learners

##### NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 20, May 20, 2011 issue of the Florida Administrative Weekly. The State Board of