

## Eres, Christian

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**From:** Marsha Witkowski <mhwitkowski@aol.com>  
**Sent:** Sunday, November 12, 2023 11:38 AM  
**To:** Eggers, Dave; Long, Janet C  
**Subject:** Rezoning File #23.1632A Case No. ZON-22-08 scheduled for Nov 14 meeting

**Categories:** UPLOADED, DOWNLOADED

**CAUTION:** *This message has originated from outside of the organization. Do not click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe.*

I urge you to vote No on this rezoning request. I live at 902 Gullane Drive located in the Villas of Cypress Run - West which is in very close proximity to this area. I am the current President of the HOA and a number of residents share concerns. The Hollins Creek floodplain bisects the property in the zoning request. Some of our Villas West homes abut the Hollins Creek floodplain. No studies have been done for this property to indicate if current underground systems can handle rain/storm run-off with less land available for drainage. Could this cause additional drainage/flooding into Hollins Creek causing a negative impact on those Villas West homes?? It seems that the Pinellas County Floodplain Management Program has not weighed in on this rezoning issue. Flood insurance costs are already at record highs.

Requested building heights of 35 feet are out of proportion with all of the existing structures in the general area, even those on the opposite side of the well traveled East Lake Road. At the size requested and no artistic rendering to show otherwise, it is a real concern that there will be two good size commercial looking buildings that stand out like a sore thumb in our tranquil residential community. One of these buildings will even stand out from East Lake Road. Intended use of these buildings will increase traffic on East Lake Drive, already a narrow road never intended for high use. Access to these building is also of concern especially the proposed building on the railroad property. As an example, will an easement eventually be granted to provide access from East Lake Road which will have an impact of owners who live in our East villas.

These few items alone can impact property values of our villas and need to be fully addressed prior to granting any approvals. We do, very much, want the golf club to be successful but not at the expense of the Villas West owners. With all of the unknowns regarding this property request, we just don't know what the effect will be. Your "No" vote would delay the matter to force clarifications and more details by the golf club.

Thank You  
Marsha Witkowski

## Eres, Christian

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**From:** Leslie Ingleman <inglemom@gmail.com>  
**Sent:** Saturday, November 11, 2023 4:00 PM  
**To:** Eggers, Dave  
**Subject:** File #23.1632A scheduled for November 14 meeting

**Categories:** UPLOADED, DOWNLOADED

**CAUTION:** *This message has originated from outside of the organization. Do not click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe.*

Dear Mr. Eggers,

I would appreciate your "No" vote on the zoning request for the above mentioned file on November 14th.

I am a resident of Cypress Run Villas West which is located directly across from the property that is being addressed in this zoning request. My main concern is the lack of specific construction details of the buildings proposed and the egress for this property. Two buildings could potentially be 3 stories in height (35 feet) which would be unsightly and out of character in this residential area which generally has large homes situated on 2 acre natural Florida lots. Currently there has not been clear, definite and detailed construction plans for what would be the true function of these buildings.

Please vote no until adequate information and building details are available to you.

Thank you for your attention to this matter.

Leslie Ingleman  
2601 Royal Liverpool Dr.  
Cypress Run Villas West





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**Jane Graham, Esq.**  
**737 Main Street, Suite 100**  
**Safety Harbor, FL 34695**  
**(727) 291-9526**

Pinellas County Board of County Commissioners  
315 Court Street  
Clearwater, FL 33756  
Via email: [zoning@pinellas.gov](mailto:zoning@pinellas.gov)

November 13, 2023

**Re: Opposition to Agenda Item #42: Case No. ZON-22-08 (Cypress Run of FL, LLC)**

Dear Commissioners,

I am writing on behalf of my client, Terri Whetzel, who lives and owns the property at 2545 Royal Liverpool Drive, Tarpon Springs, FL 34688 (“Whetzel Property”) in the Villas at Cypress Run. The Whetzel Property is within the Cypress Run RPD approximately 575 ft. away from the proposed rezoning site and Development Master Plan Modification for Agenda Item #42, Case No. ZON-22-8 (“Application”). My client objects to the Application based on: (1) Incompatibility with the size, scale, and context of the neighborhood; (2) failure to meet the criteria for rezoning under Section 138-241; (3) inconsistency with Plan Pinellas and in particular the East Lake overlay, and (4) failure to adequately account for buffering, drainage, or access. Additionally, the Development Master Plan modification is deficient on its face because it omits information relating to the lot dimensions, open space, and design, which is required under Section 138-263. It also proposes intrusive and out of scale uses and recreational uses prohibited by deed. Based on these failures and deficiencies, Ms. Whetzel respectfully requests denial of this Application. Attached you will find an Appendix with documents cited throughout this letter, with an index.

**I. Surrounding land use pattern, size, and scale of Cypress Run RPD**

The Cypress Run Residential Planned Development (“RPD”) plan was adopted in 1982 and contains single family homes and villas arranged around a golf course, totaling 164 dwelling units. (Appendix 4). The “Villas at Cypress Run-West,” where Ms. Whetzel lives, is configured in a heart shaped plat joined together by Royal Liverpool Drive, Guillane Boulevard., and St. Andrews Boulevard, which are walkable and pedestrian friendly. Plat Bk 87, Pg. 64. (Appendix 23). The villas are mostly grouped together in twos, with dimensions of 100.67 x 150.66 sq. ft. (75.33’ width per unit), with one group of three and one group of four, with dimensions totaling 114.50 x 212 sq. ft. (Lots 11-14 and Lots 19-22). (Appendix at 23).

**II. Development Master Plan Modification**

The Development Master Plan modification proposes to add three villas where the maintenance shed is located now, without specifying the dimensions or any details of the design.



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**Jane Graham, Esq.**  
**737 Main Street, Suite 100**  
**Safety Harbor, FL 34695**  
**(727) 291-9526**

Section 138-395 states,

The RPD district requires that the district be master planned as a creative, walkable and context-sensitive community that responds to the surrounding land use pattern and preserves unique natural features.

Here, the proposed trio of villas are not part of the existing Villas at Cypress Run plat and the Applicant has provided no explanation, connection, or context for how these three villas fit in the larger RPD. They are proposed within the existing golf course maintenance area (Tract 13), which has a single-story maintenance structure totaling no more than 4,000 sq. ft. and detached utility unit which is 288 sq. ft. (Property Appraiser at Appendix at 2). The 1982 RPD depicts a Pinellas County Sewer System Wastewater Treatment Plant on the eastern portion of Tract 13 (Appendix 4), which appears to have been abandoned sometime in the mid-1990's. *Compare* Google Earth images 1995 to 1998 and current Pinellas County GIS: (Appendix 5-7).

Additionally, the proposed multi-use building on Tract 13 has a footprint of 75 x 300 sq. ft, which is double the width of the villas grouped in twos. The maximum height proposed is 35 feet, meaning this building could be three stories, with 67,500 sq. ft. gross floor area. If built to these specifications, the larger building could stand up to three stories tall and be wider than any structure in Cypress Run or the immediate residential area. With 67,500 sq. ft. on 4.161 acres on Tract 13, the floor area ratio is 0.37, which is more than the 0.3 allowed for nonresidential use under the Residential Rural FLU plan category. Plan Pinellas, FLUM C&R 2. It is two stories higher than the surrounding villas and could tower over the surrounding trees acting as a buffer. This is in addition to the three proposed villas on the same tract. The building envelope on the railroad parcel is 70 x 250 sq. ft., is also wider than any surrounding structure.

Ms. Whetzel objects to the proposed structures as being out of context with the size, scale, and character of Cypress Run and the greater surrounding area in East Lake. There are no warehouse type buildings this size anywhere within the vicinity of this neighborhood. Note that in 2016, the Cypress Run Homeowners Association was party to a Declaration of Use restriction for a property on nearby East Lake Road which limited the building height to 30 ft. Off. Rec. Bk. 19267, pg. 1939. (Appendix at 41). Based on the size and scale within the Application, there is not adequate separation between the proposed structures from the surrounding residential uses.

Cypress Run is located in the East Lake Tarpon Community Overlay (LPA Report at 3 at Appendix 39), which provides:

POLICY ELT 1.3: All future development in East Lake Tarpon should be compatible with the community and fit within the community's characteristic land use types, density, height, and scale.



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**737 Main Street, Suite 100**  
**Safety Harbor, FL 34695**  
**(727) 291-9526**

POLICY ELT 1.4: Pinellas County will consider the residential and scenic use of East Lake Tarpon when making land use, zoning and conditional use decisions in the community to preserve the green space that helps define the quality of life.

Due to the large gap between existing and proposed land use and scale as described above, the proposed DMP is inconsistent with the Comprehensive Plan, which is a required criteria for a Type 3 approval. Section 138-241(a).

### **III. Rezoning**

The Applicant's Planning Report fails to explain how the Railroad Parcel fits into the context of the larger RPD, aside from being a vehicle to provide greater density, stating, "The development potential for the RPD will be increased from the current 164 units to 167 units, as a result of the density from the Railroad Property." (Tarapani Planning Report at 1). The stated purpose is to build a new building for maintenance, indoor recreational facilities, and self-storage for residents. (Planning Report at 1). However, recreational uses are expressly prohibited on the Railroad Parcel by deed. The September 10, 2021 Quitclaim Deed for the Railroad Parcel, as recorded in Pinellas County Official Records Bk. 21714, Pg. 56, states:

**Grantee acknowledges that the Premises conveyed hereunder has been historically used for railroad industrial operations and is being conveyed for use only as industrial or commercial property. Grantee, by acceptance of this deed, hereby covenants that it, its successors, heirs, legal representatives or assigns shall not use the Premises for any purpose other than industrial or commercial purposes and that the Premises will not be used for (a) any residential purpose of any kind or nature (residential use shall be defined broadly to include, without limitation, any use of the Premises by individuals or families for purposes of personal living, dwelling, or overnight accommodations, whether such uses are in single family residences, apartments, duplexes, or other multiple residential dwellings, trailers, trailer parks, camping sites, motels, hotels, or any other dwelling use of any kind), (b) any public or private school, day care, or any organized long term or short term child care of any kind. (c) any recreational purpose (recreational use shall be defined broadly to include, without limitation, use as a public park, hiking or biking trail, Athletic fields or courts, or public gathering place).**



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**Jane Graham, Esq.**  
**737 Main Street, Suite 100**  
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... By acceptance of this deed, Grantee further covenants that it. Its successors, heirs, legal representatives or assigns shall not use the groundwater underneath the premises for human consumption, irrigation, or other purposes.

(Appendix at 10)(emphasis added)

An RPD district is “intended to promote the health and well-being of residents by including facility-based and resource-based open space that encourages physical activity.” Section 138-395(C). However, placing a recreation facility on property historically used for railroad industrial operations where “any recreational purpose” is banned, presumptively due to environmental and health concerns, is clearly an incompatible use. Fla. Stat. §163.3164(9) defines “Compatibility” as condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition. Placing Cypress Run’s residents on land expressly prohibited for recreation based on its former use as a railroad industrial site impacts the quality, health, and safety of those within the existing RPD.

Additionally, while the RPD zoning district allows residential storage areas as an accessory residential use incidental to the primary residential use, (Section 138-395.2(3)), the size and scale of the buildings slated for “self-storage” in this Application are of such a high magnitude that it approaches commercial intrusion into the area, which is prohibited under Section 138-395(f). Residential accessory structures and uses must be subordinate in area, extent, and purpose to the primary residential structure and use served and (4) [are] located on the same lot as the primary residential structure and use, Section 138-3510(2)(4). Here, the area and extent of the two multi-use buildings are the size of self-storage warehouses, not incidental accessory structures. Also, because the accessory use must be located on the same lot as the primary residential structure and use, Building One can only support the three villas on the same lot and Building Two is inappropriate because there are no residential uses on the Railroad Parcel, and should not be built at all. Note that “self-storage” use as a primary use is not permitted under the Pinellas County table of permitted uses under Section 138-555, as it is listed as an industrial use not permitted in RPDs or in any residential area. Section 138-395.2.

#### **IV. Flooding and Drainage**

The Cypress Run Unit 2 Plat, Plat Book 87, Pg. 68 (Appendix 22) depicts Hollins Creek, a “natural area and drainage easement” running through Tract “K”, the current site of Tract 13. The Pinellas County Flood Hazard map depicts portions of Tract 13 and the Railroad parcel within to



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**Jane Graham, Esq.**  
**737 Main Street, Suite 100**  
**Safety Harbor, FL 34695**  
**(727) 291-9526**

100-year floodplain. (Appendix 32-34). A current FEMA Map shows that the parcel is within a regulatory floodway. (Appendix at 35-36). The Application proposes to add more than half a football field of a building in close proximity to a floodway, plus a 16-foot-wide concrete road within the floodway and drainage easement.

Ms. Whetzel and her neighbors have directly witnessed flooding on the golf course and adjoining roads, as shown in photos taken by Ms. Shelly Rogers while driving. (Appendix 37-38). The Applicant has the burden to prove with competent substantial evidence that the Application will not create drainage problems on the property or its surrounding properties, as required for a type 3 approval under Section 138-241(e) and to date. Nothing in the record supports this.

The following Plan Pinellas excerpts are relevant:

NRC STRATEGY 1.2.3.2, Direct incompatible land uses away from wetlands, wellfields and other natural resources.

NRC STRATEGY 3.3.1.1: Restrict (re)development in floodplains to maintain ecological character and natural function.

SWM STRATEGY 3.1.3.1: Discourage any proposed increase in density or impervious surface ratio within the 100-year floodplain, a repetitive loss area, or within an area of known flooding identified in an existing watershed plan, (Note: Increases in density or intensity are not permitted within the CSA in accordance with CM Policy 2.1.3) Any permitted increase must demonstrate: » How existing flooding issues will be resolved; and floodplain benefits will be realized;

SWM POLICY 3.1.5: Protect floodplains, floodways and other natural areas having functional hydrological characteristics to minimize adverse impacts on the natural system, public safety and investment and floodplain function and purpose.

### **V. Access**

Section 138-241(d) requires that the proposed use will not create other traffic problems. However, Applicant has not provided any information on traffic coming in and out of the new buildings or how the new traffic pattern may impact East Lake Drive. Section 138-241(c) requires that adequate drives, walkways, and parking are available. Again, no studies or information has been presented that shows how people will use the new golf cart path behind the villas or its impacts to the existing community.



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**Jane Graham, Esq.**  
**737 Main Street, Suite 100**  
**Safety Harbor, FL 34695**  
**(727) 291-9526**

## **VI. Facial Deficiencies of Application**

Section 138-263, LDC requires all new development master plans to include specific elements, including (3) an open space framework plan that corresponds with a table identifying open space and recreation uses to each tract, and (b) development parameters and guidelines, including lot dimension standards that address area, width, and depth, land uses and building types in the district, and other design requirements applicable to site development. The framework plan fails to include this information, rendering it deficient on its face. Appendix at 8. These omissions are especially relevant because an RPD is a “context-sensitive community that responds to the surrounding land use pattern and preserves unique natural features.” Section 138-395. Without this information, the Commission cannot fully evaluate this Application for impacts to the community.

Section 138-264(b)(2)(b) requires, “A landowner (or authorized agent) may only modify portions of the development master plan that are under their ownership.” Here, the application was submitted by Robert Warren on August 15, 2022, signed and notarized, who at the time did not provide any supporting documentation as to his status as an agent or owner. There is an “Action by Written Consent of the Members” of Cypress Run of Florida, LLC dated fourteen months later, October 4, 2023 authorizing Mr. Warren after the Application had already been considered by the DRC. This “Action” was not notarized and there were no witnesses. More importantly, the Railroad Parcel is owned by Cypress Run Railroad Property, LLC, which has not provided an Action for Written Consent to authorize Robert Warren to be their agent. There is no agent of record for the Railroad parcel.

## **VII. Conclusion**

The Application fails to meet the criteria for a Type 3 use, failing to be consistent with the Comprehensive Plan, failing to adequately separate the use and related structures, and not providing competent substantial evidence to show that the proposed use will not cause traffic or drainage problems. The Application is incompatible with the Cypress Run neighborhood due to its size, scale, and uses, and inconsistent with the East Lake overlay at large. There are also several glaring omissions in the application rendering it void. Ms. Whetzel respectfully urges you to deny this Application. Thank you for your consideration.

Sincerely,

Jane Graham, Esq., B.C.S.  
Sunshine City Law



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09-27-16-20197-000-0001

Compact Property Record Card

[Tax Estimator](#)

Updated November 3, 2023


[Email](#) [Print](#) [Radius Search](#) [FEMA/WLM](#)

Ownership/Mailing Address [Change Mailing Address](#)

CYPRESS RUN OF FL LLC  
2669 ST ANDREWS BLVD  
TARPON SPRINGS FL 34688-6310

Site Address

2669 ST ANDREWS BLVD  
(Unincorporated)



Property Use: 3855 (Regulation, PAR 3 Golf Course)    Current Tax District: EAST LAKE FIRE (ETF)    Total Heated SF: 19,777    Total Gross SF: 26,628

[click here to hide] Legal Description

CYPRESS RUN UNIT II LANDS AKA GOLF COURSE TRACTS H, I, J, K & L LESS THAT PART OF SD TRACT L FOR CYPRESS RUN UNIT III PER PLAT BK 146/77 & LESS THAT PART OF SD TRACT J ADJ TO LOTS 7 THRU 10 OF CYPRESS RUN-WEST CONDO PER O.R. 5853/1984 & LESS THAT PART OF SD TRACT J ADJ TO LOT 100 OF CYPRESS RUN UNIT II PER O.R. 6064/808 & LESS THAT PART OF SD TRACT H ADJ TO LOT 70 OF CYPRESS RUN UNIT II PER O.R. 17113/1053 TOGETHER WITH THAT PART OF TRACTS B, C & D OF CYPRESS RUN UNIT I LESS THAT PART OF SD TRACT C ADJ TO LOTS 57, 58 & 59 OF CYPRESS RUN UNIT I PER O.R.'S 15725/ 1457, 13779/902 & 6585/905 ALL BEING LESS AREAS OF HOLLINS CREEK & NATURAL AREA 2 PER PLATS 86/27 & 87/63 TOGETHER WITH CART PATHS & BRIDGES DESC IN O.R. 22040/2591 & LESS EAST & WEST ENTRANCE GATES DESC IN O.R. 22040/2580 (LYING IN SECS 3, 4, 9 & 10-27-16)

File for Homestead Exemption

Exemption	2024	2025
Homestead:	No	No
Government:	No	No
Institutional:	No	No
Historic:	No	No

2024 Parcel Use


Homestead Use Percentage: 0.00%

Non-Homestead Use Percentage: 100.00%

Classified Agricultural: No

Parcel Information

Latest Notice of Proposed Property Taxes (TRIM Notice)

Most Recent Recording	<a href="#">Sales Comparison</a>	<a href="#">Census Tract</a>	Evacuation Zone (NOT the same as a FEMA Flood Zone)	Flood Zone (NOT the same as your evacuation zone)	Plat Book/Page
22040/2591 	<a href="#">Sales Query</a>	121030273091	C	<a href="#">Current FEMA Maps</a>	87/65

2023 Final Value Information

Year	<a href="#">Just/Market Value</a>	<a href="#">Assessed Value / Non-HX Cap</a>	<a href="#">County Taxable Value</a>	<a href="#">School Taxable Value</a>	<a href="#">Municipal Taxable Value</a>
2023	\$1,925,531	\$1,827,571	\$1,827,571	\$1,925,531	\$1,827,571

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	<a href="#">Homestead Exemption</a>	<a href="#">Just/Market Value</a>	<a href="#">Assessed Value</a>	<a href="#">County Taxable Value</a>	<a href="#">School Taxable Value</a>	<a href="#">Municipal Taxable Value</a>
2022	No	\$1,663,628	\$1,663,628	\$1,663,628	\$1,663,628	\$1,663,628
2021	No	\$1,570,137	\$1,570,137	\$1,570,137	\$1,570,137	\$1,570,137
2020	No	\$1,513,770	\$1,513,770	\$1,513,770	\$1,513,770	\$1,513,770
2019	No	\$1,454,117	\$1,454,117	\$1,454,117	\$1,454,117	\$1,454,117
2018	No	\$1,380,392	\$1,380,392	\$1,380,392	\$1,380,392	\$1,380,392
2017	No	\$1,352,685	\$1,352,685	\$1,352,685	\$1,352,685	\$1,352,685
2016	No	\$1,296,577	\$1,296,577	\$1,296,577	\$1,296,577	\$1,296,577
2015	No	\$1,336,760	\$1,336,760	\$1,336,760	\$1,336,760	\$1,336,760
2014	No	\$1,332,301	\$1,332,301	\$1,332,301	\$1,332,301	\$1,332,301
2013	No	\$1,340,164	\$1,340,164	\$1,340,164	\$1,340,164	\$1,340,164
2012	No	\$1,360,523	\$1,360,523	\$1,360,523	\$1,360,523	\$1,360,523
2011	No	\$1,432,140	\$1,432,140	\$1,432,140	\$1,432,140	\$1,432,140
2010	No	\$1,842,143	\$1,842,143	\$1,842,143	\$1,842,143	\$1,842,143
2009	No	\$2,646,030	\$2,646,030	\$2,646,030	\$2,646,030	\$2,646,030
2008	No	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000
2007	No	\$4,200,000	\$4,200,000	\$4,200,000	N/A	\$4,200,000
2006	No	\$4,395,100	\$4,395,100	\$4,395,100	N/A	\$4,395,100
2005	No	\$3,699,000	\$3,699,000	\$3,699,000	N/A	\$3,699,000
2004	No	\$3,486,000	\$3,486,000	\$3,486,000	N/A	\$3,486,000
2003	No	\$3,392,200	\$3,392,200	\$3,392,200	N/A	\$3,392,200
2002	No	\$3,410,500	\$3,410,500	\$3,410,500	N/A	\$3,410,500
2001	No	\$3,147,200	\$3,147,200	\$3,147,200	N/A	\$3,147,200
2000	No	\$2,910,200	\$2,910,200	\$2,910,200	N/A	\$2,910,200
1999	No	\$2,897,800	\$2,897,800	\$2,897,800	N/A	\$2,897,800
1998	No	\$2,907,800	\$2,907,800	\$2,907,800	N/A	\$2,907,800
1997	No	\$2,630,700	\$2,630,700	\$2,630,700	N/A	\$2,630,700
1996	No	\$2,641,500	\$2,641,500	\$2,641,500	N/A	\$2,641,500

2023 Tax Information

2023 Tax Bill


2023 Final Millage Rate

Do not rely on current taxes as an estimate following a change in ownership. A significant change in taxable value may occur after a transfer due to a loss of exemptions, reset of the Save Our Homes or 10% Cap, and/or market conditions. Please use our new [Tax Estimator](#) to estimate taxes under new ownership.

Tax District: [ETF](#)

17.9419

Ranked Sales (What are Ranked Sales?) [See all transactions](#)

Sale Date	Book/Page	Price	Q/U	V/I
22 Dec 2009	16790 / 0151 	\$1,450,000	U	I

2023 Land Information

Seawall: No

Frontage:

View: None

1

1 of 3

11/3/2023, 4:04 PM



<a href="#">Land Use</a>	Land Size	Unit Value	Units	<a href="#">Total Adjustments</a>	<a href="#">Adjusted Value</a>	<a href="#">Method</a>
Wasteland/Marsh/Sand Dunes (96)	0x0	1000.00	69.0000	1.0000	\$69,000	AC
Golf Courses (38)	0x0	3000.00	97.0000	1.0000	\$291,000	AC

[click here to hide] 2024 Building 1 Structural Elements [Back to Top](#)

Site Address: 2669 ST ANDREWS BLVD

Building Type: **Recreational/Clubhouses**

Quality: **Average**

Foundation: **Continuous Footing**

Floor System: **Slab On Grade**

Exterior Wall: **Concrete Blk/Brick**

Roof Frame: **Gable Or Hip**

Roof Cover: **Cement Tile**

Stories: **2**

Living units: **0**

Floor Finish: **Carpet Combination**

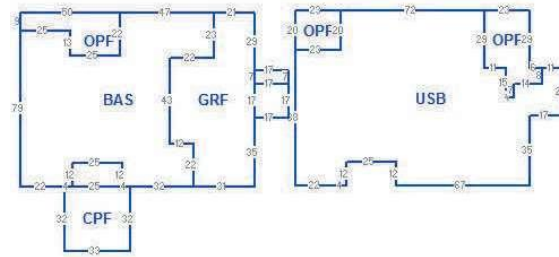
Interior Finish: **Dry Wall**

Fixtures: **34**

Year Built: **1985**

Effective Age: **31**

Cooling: **Heat & Cooling Pkg**



[Compact Property Record Card](#)

[Open plot in New Window](#)

#### Building 1 Sub Area Information

Description	<a href="#">Building Heated SF</a>	<a href="#">Gross Area SF</a>
<a href="#">Open Porch (OPF)</a>	0	2,493
<a href="#">Garage (GRF)</a>	0	3,014
<a href="#">Carport (CPF)</a>	0	1,056
<a href="#">Base (BAS)</a>	6,295	6,295
<a href="#">Utility Unfinished (UTU)</a>	289	289
<a href="#">Upper Story (USB)</a>	9,193	9,193
Total Building Heated SF: <b>15,777</b>		Total Gross SF: <b>22,340</b>

[click here to hide] 2024 Building 2 Structural Elements [Back to Top](#)

Site Address:

Building Type: **Pre-Engineered Metal**

Quality: **Average**

Foundation: **Continuous Footing**

Floor System: **Slab On Grade**

Exterior Wall: **Prefinished Metal**

Roof Frame: **Steel Truss & Purlins**

Roof Cover: **Corrugated Metal**

Stories: **1**

Living units: **0**

Floor Finish: **Concrete Finish**

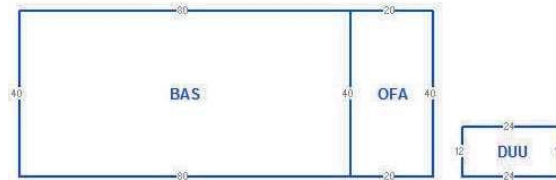
Interior Finish: **Unfinished**

Fixtures: **6**

Year Built: **1982**

Effective Age: **34**

Cooling: **Heat & Cooling Pkg**



[Compact Property Record Card](#)

[Open plot in New Window](#)

#### Building 2 Sub Area Information

Description	<a href="#">Building Heated SF</a>	<a href="#">Gross Area SF</a>
<a href="#">Detached Utility Unfinished (DUU)</a>	0	288
<a href="#">Office Average (OFA)</a>	800	800
<a href="#">Base (BAS)</a>	3,200	3,200
Total Building Heated SF: <b>4,000</b>		Total Gross SF: <b>4,288</b>

[click here to hide] 2024 Extra Features

Description	Value/Unit	Units	Total Value as New	Depreciated Value	Year
GOLF HOLE	\$85,000.00	18.00	\$1,530,000.00	\$1,071,000.00	1985
CANOPY	\$14.00	336.00	\$4,704.00	\$4,704.00	1993
SHED	\$38.00	3,000.00	\$114,000.00	\$45,600.00	1982
ELEV STOP	\$9,000.00	2.00	\$18,000.00	\$7,200.00	1985
CONC PAVE	\$12.00	4,900.00	\$58,800.00	\$58,800.00	0
ELEV PASS	\$55,000.00	1.00	\$55,000.00	\$22,000.00	1985
SHED	\$20.00	2,500.00	\$50,000.00	\$20,000.00	1998
ASPHALT	\$4.00	27,000.00	\$108,000.00	\$108,000.00	0
FENCE	\$22.00	47.00	\$1,034.00	\$414.00	1993
TENNISCT	\$40,000.00	2.00	\$80,000.00	\$32,000.00	1993

[click here to hide] Permit Data

Permit information is received from the County and Cities. This data may be incomplete and may exclude permits that do not result in field reviews (for example for water heater replacement permits). We are required to list all improvements, which may include unpermitted construction. Any questions regarding permits, or the status of non-permitted improvements, should be directed to the permitting jurisdiction in which the structure is located.

Permit Number	Description	Issue Date	Estimated Value
<a href="#">EBP-22-09749</a>	ROOF	26 May 2022	\$2,400
<a href="#">PER-H-CB18-05798</a>	HEAT/AIR	22 Jun 2018	\$7,000
<a href="#">PER-H-CB18-04236</a>	ADDITION/REMODEL/RENOVATION	05 Jun 2018	\$48,000
<a href="#">PER-H-CB18-00231</a>	TPP USE	13 Feb 2018	\$19,300
<a href="#">PER-H-CB18-00230</a>	DEMOLITION	13 Feb 2018	\$130,000
<a href="#">PER-H-CB18-00236</a>	DEMOLITION	13 Feb 2018	\$28,000
<a href="#">PER-H-CB18-00233</a>	TPP USE	13 Feb 2018	\$19,300
<a href="#">PER-H-CW18-01098</a>	ROOF	26 Jan 2018	\$82,850
<a href="#">PER-H-CB17-07666</a>	ROOF	06 Oct 2017	\$8,585
<a href="#">PER-H-CB15-03227</a>	MISCELLANEOUS	05 May 2015	\$7,500
<a href="#">PER-H-CB13-00443</a>	MISCELLANEOUS	22 Jan 2013	\$16,630
<a href="#">PER-H-CB275610</a>	ROOF	21 May 2003	\$8,226
<a href="#">PER-H-CB250702</a>	ROOF	05 Mar 2002	\$1,750
<a href="#">PER-H-CB175899</a>	BARN	13 Apr 1998	\$10,000



If you are experiencing issues with this map loading, you may need to clear your web browsing history, then close and restart your web browser.

[Interactive Map of this parcel](#)
[Map Legend](#)
[Sales Query](#)
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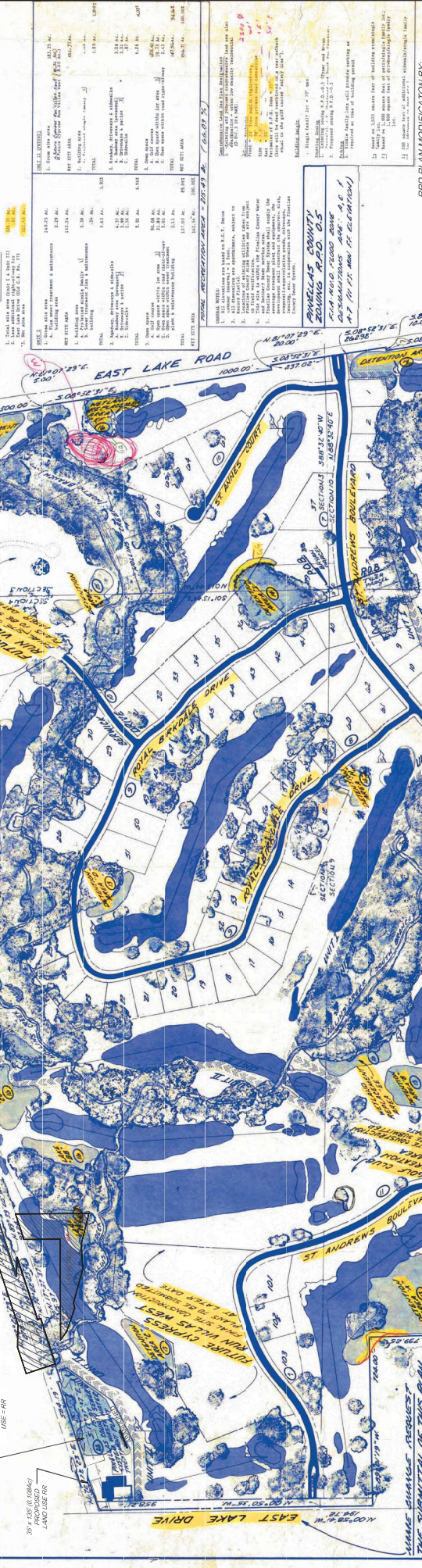
Summary of Development

Section	Final Site Plan	Final Subdivision Plat	Difference between Final Site Plan and Final Subdivision Plat
1	4 Lots Approved	4 Lots Approved	0
2	4 Lots Approved	4 Lots Approved	0
3	4 Lots Approved	4 Lots Approved	0
4	4 Lots Approved	4 Lots Approved	0
5	4 Lots Approved	4 Lots Approved	0
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Actual Number of Homes Constructed

Within Cypress Run with the following results:

- Units 1-100: 100 units constructed
- Units 101-150: 150 units constructed
- Units 151-200: 200 units constructed
- Units 201-250: 250 units constructed
- Units 251-300: 300 units constructed
- Units 301-350: 350 units constructed
- Units 351-400: 400 units constructed
- Units 401-450: 450 units constructed
- Units 451-500: 500 units constructed
- Units 501-550: 550 units constructed
- Units 551-600: 600 units constructed
- Units 601-650: 650 units constructed
- Units 651-700: 700 units constructed
- Units 701-750: 750 units constructed
- Units 751-800: 800 units constructed
- Units 801-850: 850 units constructed
- Units 851-900: 900 units constructed
- Units 901-950: 950 units constructed
- Units 951-1000: 1000 units constructed



**CUMBEY & FAIR, INC.**  
CONSULTING CIVIL ENGINEERS  
CERTIFICATE OF AUTHORIZATION #0000288  
LAND SURVEYS  
PLANNING  
CLAMART, FLORIDA 33511-790  
TAMPA  
(813) 224-4333

**REVISIONS/ADDITIONS**

NO.	DATE	DESCRIPTION
1	11/11/11	AS NOTED
2	11/11/11	AS NOTED
3	11/11/11	AS NOTED
4	11/11/11	AS NOTED
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100	11/11/11	AS NOTED

**KEY MAP / RPD PLAN**

**Cypress Run (Unit 1)**

**PREPARED FOR:** CUMBEY & FAIR, INC.  
**DATE:** 11/11/11  
**BY:** CUMBEY & FAIR, INC.  
**SCALE:** 1" = 100' (PLAN)  
**PROJECT:** CYPRESS RUN UNIT 1  
**LOCATION:** SECTION 34.04, TOWNSHIP 27 SOUTH, RANGE 16 EAST  
**CLIENT:** CUMBEY & FAIR, INC.  
**CONTACT:** CUMBEY & FAIR, INC.  
**PHONE:** (813) 224-4333  
**FAX:** (813) 224-4333  
**EMAIL:** CUMBEY & FAIR, INC.  
**WEBSITE:** CUMBEY & FAIR, INC.  
**ADDRESS:** CUMBEY & FAIR, INC.  
**CITY:** CUMBEY & FAIR, INC.  
**STATE:** CUMBEY & FAIR, INC.  
**COUNTRY:** CUMBEY & FAIR, INC.



Search

Royal Liverpool Drive, Tarpon Springs, FL

ex: Museums in New York, NY

Get Directions

History

Royal Liverpool Dr

My Places

Sightseeing Tour

Make sure 3D Buildings layer is checked

Temporary Places

Layers

Primary Database

Announcements

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Weather

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More

Terrain

1/1995

Hollin Creek



Image U.S. Geological Survey

Hollin Creek

Hollin Creek

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Royal Liverpool Drive, Tarpon Springs, FL  
lex: Museums in New York, NY

[Get Directions](#) [History](#)

 **Royal Liverpool Dr**

**Places**

- ☒ My Places
- ☒ Sightseeing Tour
- ☐ Make sure 3D Buildings layer is checked
- ☐ Temporary Places

**Layers**

- ☒ Primary Database
- ☒ Announcements
- ☒ Borders and Labels
- ☒ Places
- ☒ Roads
- ☒ 3D Buildings
- ☒ Weather
- ☒ Gallery
- ☒ More
- ☒ Terrain

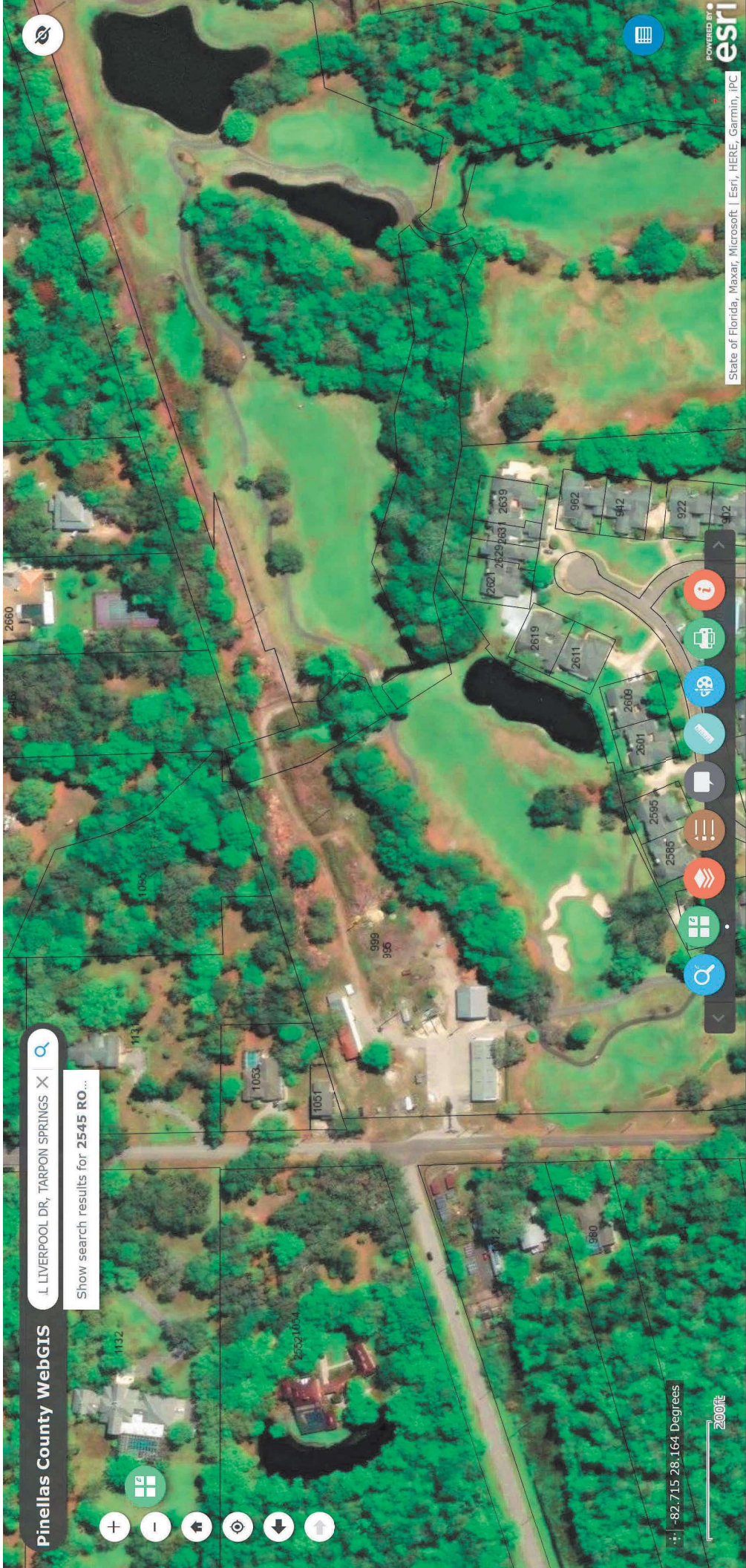


Image U.S. Geological Survey

Google Earth

Imagery Date: 12/30/1998 28°09'43.58" N 82°42'37.96" W elev 7 ft eye alt 1069 ft





Pinellas County WebGIS

L LIVERPOOL DR, TARPON SPRINGS X

Show search results for 2545 RO...



Latitude: -82.715 Longitude: 28.164 Degrees

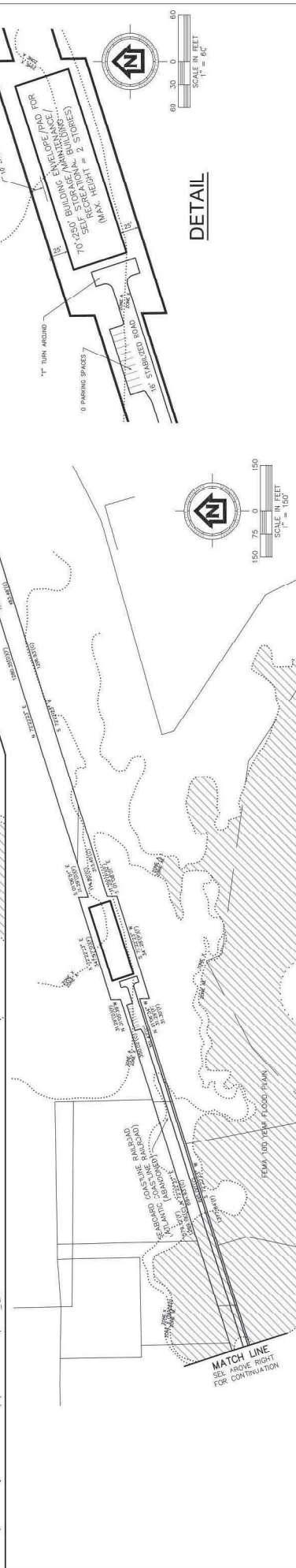
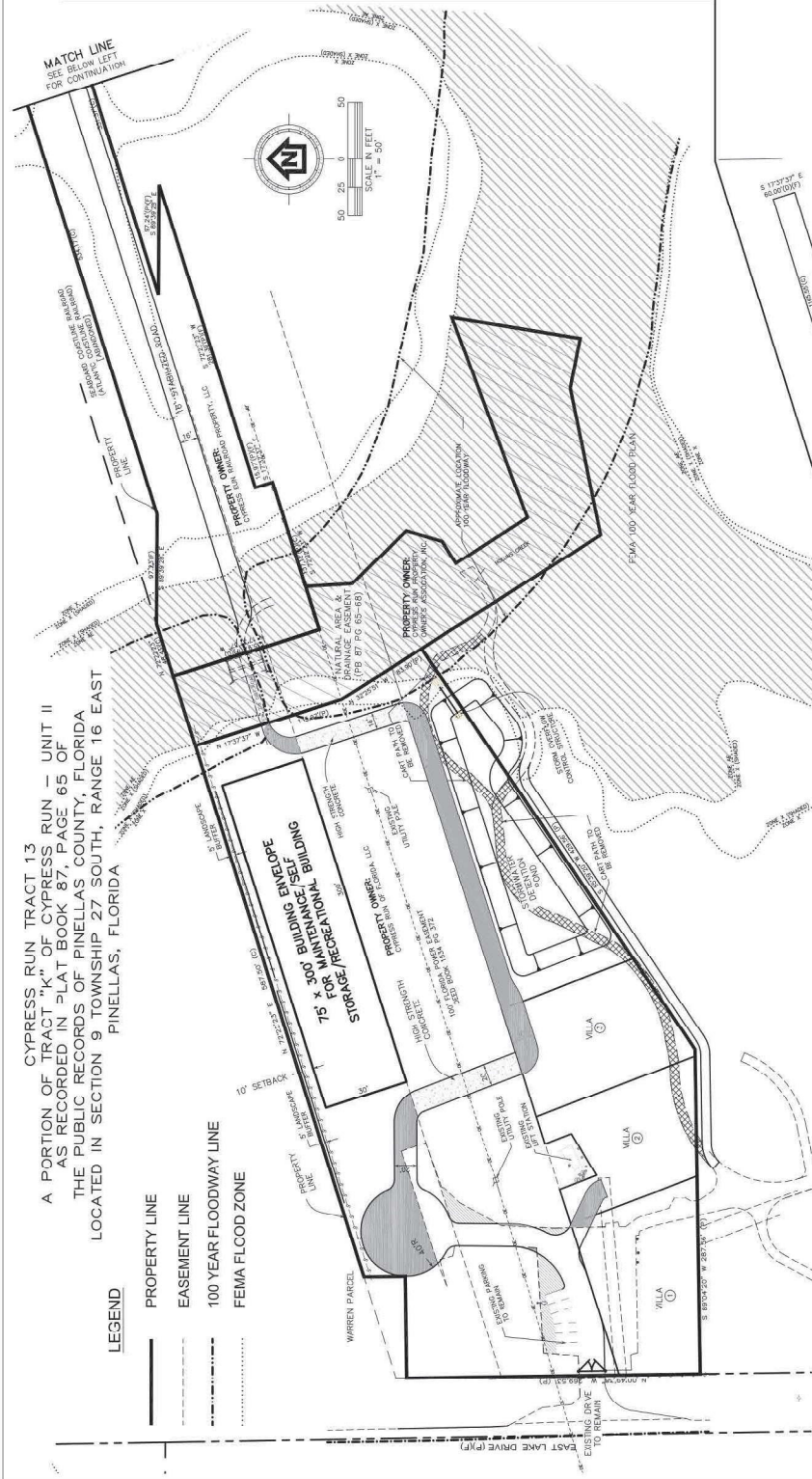
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R E V I S I O N S					F O R:			PROJECT	SHEET
BY	DATE	DESCRIPTION	BY	DATE	DESCRIPTION	CYPRESS RUN TRACT 13 & RAILROAD PARCEL			1 OF 5
MSD	7/9/23	REVISED LAYOUT				<div><div>CUMBEY &amp; FAIR, INC. CONSULTING CIVIL ENGINEERS CERTIFICATE OF AUTHORIZATION #0002108 ENGINEERING PLANNING LAND SURVEYS</div><div><div></div><div>CYPRESS RUN OF FLORIDA, LLC 2669 ST. ANDREWS BLVD. TARPON SPRINGS, FLORIDA 34688</div></div></div>			8
MSD	7/17/23	ASNOT THAT 100 YARD FLOOD PLAN BOUNDARY							
MSD	9/23/23	REVISED FENCE LINE PER BOUNDARY							
					2163 ENTERPRISE ROAD CLEARWATER TAMPA			FRAMEWORK PLAN MASTER PLAN	200002.07
					CLEARWATER (727) 797-8982 TAMPA (813) 223-4330				
					DRAWN BY: <u>PLS</u> DATE: <u>10/23</u> DESIGN BY: <u>PLS</u> DATE: <u>10/23</u> CHECK BY: <u>PLS</u> DATE: <u>10/23</u>				

This instrument prepared by  
or under the direction of:

Kim R. Bongiovanni  
Assistant General Counsel  
Law Department  
500 Water Street  
Jacksonville, Florida 32202

### QUITCLAIM DEED

THIS QUITCLAIM DEED, made this 10<sup>th</sup> day of September, 2021, between CSX TRANSPORTATION, INC., a Virginia corporation, whose mailing address is 500 Water Street, Jacksonville, Florida 32202, and whose Tax Identification Number is 54-6000720, hereinafter called "Grantor", and CYPRESS RUN RAILROAD PROPERTY, LLC, a Florida limited liability company, whose mailing address is 2669 St. Andrews Boulevard, Tarpon Springs, Florida 34688, hereinafter called "Grantee", WITNESSETH:

(Wherever used herein, the terms "Grantor" and "Grantee" may be construed in the singular or plural as the context may require or admit, and for purposes of exceptions, reservations and/or covenants, shall include the heirs, legal representatives and assigns of individuals or the successors and assigns of corporations.)

THAT Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), to it in hand paid by Grantee, the receipt of which is hereby acknowledged, does hereby RELEASE, REMISE and forever QUITCLAIM unto Grantee, its successors and assigns, all right, title and interest of Grantor, if any, in and to that certain tract or parcel of land situate, lying and being at Tarpon Springs, County of Pinellas, State of Florida and having a Tax Parcel Identification Number of 04 27 16 00000 410 0100, hereinafter designated "the Premises," more particularly described in Exhibit A, attached hereto and incorporated herein, and containing 5.46 acres, more or less.

EXCEPTING unto Grantor all mineral rights, if any, including but not limited to oil, gas and coal, and the constituents of each, underlying the Premises; and RESERVING the right for Grantor, its successors and assigns, to remove the same; HOWEVER, Grantor will not drill or permit drilling on the surface of the Premises without the prior written consent of Grantee, which consent shall not be unreasonably withheld.

TO HAVE AND TO HOLD the Premises, and all the estate, right, title, lien, interest and claim whatsoever of Grantor therein, either in law or equity, and all improvements thereon and appurtenances thereto, unto the proper use, benefit and enjoyment of Grantee, Grantee's heirs and assigns or successors and assigns, forever; SUBJECT to reservations, easements, covenants, restrictions and limitations of record or platted, all existing public utilities and roadways, and all



existing encroachments, ways and servitudes, howsoever created.

Grantee acknowledges that the Premises conveyed hereunder has been historically used for railroad industrial operations and is being conveyed for use only as industrial or commercial property. Grantee, by acceptance of this deed, hereby covenants that it, its successors, heirs, legal representatives or assigns shall not use the Premises for any purpose other than industrial or commercial purposes and that the Premises will not be used for (a) any residential purpose of any kind or nature (residential use shall be defined broadly to include, without limitation, any use of the Premises by individuals or families for purposes of personal living, dwelling, or overnight accommodations, whether such uses are in single family residences, apartments, duplexes, or other multiple residential dwellings, trailers, trailer parks, camping sites, motels, hotels, or any other dwelling use of any kind), (b) any public or private school, day care, or any organized long-term or short term child care of any kind, (c) any recreational purpose (recreational use shall be defined broadly to include, without limitation, use as a public park, hiking or biking trail, athletic fields or courts, or public gathering place), (d) any agricultural purpose that results in, or could potentially result in, the human consumption of crops or livestock raised on the property (agricultural purpose shall be defined broadly to include, without limitation, activities such as food crop production, dairy farming, livestock breeding and keeping, and cultivation of grazing land that would ultimately produce, or lead to the production of, a product that could be consumed by a human). By acceptance of this deed, Grantee further covenants that it, its successors, heirs, legal representatives or assigns shall not use the groundwater underneath the Premises for human consumption, irrigation, or other purposes.

Grantee, by acceptance of this deed, covenants and represents that Grantee owns property adjoining the Premises and has access to the Premises through Grantee's adjoining property or through other property not owned by Grantor. Grantee, on its behalf, its heirs, personal representatives, successors and assigns, releases Grantor, its successors and assigns, from any responsibility, obligation or liability to provide access to the Premises through land now owned or subsequently acquired by Grantor. Should Grantee ever convey the Premises, or any portion thereof, to a third party, Grantee will provide access to the Premises through Grantee's adjoining property or through other property not owned by Grantor.

Grantee acknowledges that this deed is made upon Grantee's solicitation and request, and was not in any way initiated by Grantor. Grantor does not represent or warrant to Grantee any ownership or estate in the Premises or any specific title or interest in the Premises, which constituted a strip of Grantor's former railroad operating property; and Grantee hereby releases Grantor, its officers and agents, from any claim or demand resulting from this deed, or from any failure of or defect in Grantee's title to the Premises.

Grantee hereby agrees, as additional consideration for the conveyance of the Premises, to defend, indemnify and hold Grantor harmless from and against any and all liability, loss, cost and/or expense, including reasonable attorney fees, arising out of or in connection with any and all suits or causes of actions instituted by third parties against Grantor or Grantee as a result of the conveyance of the Premises to Grantee or as a result of the failure of title to any portion of the

Premises.

Grantee and Grantor agree and acknowledge the covenants and easements contained in this Deed shall be covenants "in gross" and easements "in gross" which shall remain binding on Grantee, its successors, heirs, legal representatives and assigns regardless of whether Grantor continues to own property adjacent to the Premises. Grantee acknowledges Grantor will continue to have a substantial interest in enforcement of the said covenants and easements whether or not Grantor retains title to property adjacent to the Premises.

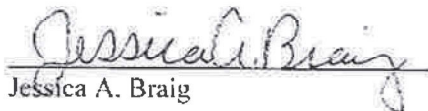
Said covenant(s) shall run with title to the Premises conveyed, and bind upon Grantee, Grantee's heirs, legal representatives and assigns, or corporate successors and assigns, and anyone claiming title to or holding Premises through Grantee.

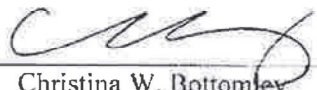
**REMAINDER OF PAGE INTENTIONALLY LEFT BLANK  
SIGNATURE PAGE TO FOLLOW**

IN WITNESS WHEREOF, CSX TRANSPORTATION, INC., pursuant to due corporate authority, has caused its name to be signed hereto by its officers hereunto duly authorized and its corporate seal, duly attested, to be hereunto affixed.


Signed, sealed and delivered  
in the presence of:

CSX TRANSPORTATION, INC.:

  
Jessica A. Braig

By:   
Name: Christina W. Bottomley  
Title: Head of Real Estate

  
Luis Vazquez

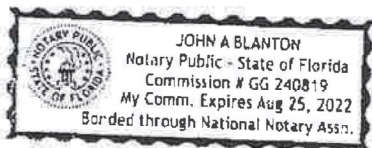
Attest  (SEAL)  
Secretary  
Print Name: Mark D. Austin

STATE OF FLORIDA       )  
   ) SS.  
 COUNTY OF DUVAL       )

I, John A. Blanton, a Notary Public of the State of Florida and the County of Duval, do certify that, on the date below, before me in said County came Christina W. Bottomley (X) to me known, and/or ( ) proven by satisfactory current evidence to be the person whose name is subscribed to the above instrument, who, being by me by means of (X) physical presence or ( ) online notarization first duly sworn, did make oath, acknowledge and say that: she is Head of Real Estate of CSX Transportation, Inc., the corporation described in and which executed said instrument; she is fully informed of the contents of the instrument; she knows the seal of said corporation; the seal affixed to said instrument is such seal: it was so affixed by authority of the Board of Directors of said corporation; she signed her name thereto for said corporation pursuant to Board authority; and instrument is the free act and deed of said corporation; and the conveyance herein is not part of a transaction, sale, lease, exchange or other transfer or conveyance of all or substantially all of the property and/or assets of the Grantor.

IN WITNESS WHEREOF, I hereunto set my hand and official seal, this 10 day of September, 2021.

My commission expires on: 8/25/2022 [Signature] (SEAL)  
 Notary Public  
 Print Name: John A. Blanton





**EXHIBIT A**

Description of property at: Tarpon Springs, Pinellas Co, FL  
To: Cypress Run Railroad Property, LLC  
CSXT Deed File No.: 2021-3323

**LEGAL DESCRIPTION – OVERALL:**

A PORTION OF THE ABANDONED CSX RAILROAD LOCATED IN SECTION 4, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE NORTHWESTERLY CORNER OF TRACT "K" OF CYPRESS RUN - UNIT II AS RECORDED IN PLAT BOOK 87, PAGE 65 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 72°22'23" EAST ALONG THE NORTHERLY LINE OF SAID TRACT "K", A DISTANCE OF 652.50 FEET TO A POINT ON THE NORTHERLY LINE OF THE SAID ABANDONED CSX RAILROAD RIGHT OF WAY AND THE **POINT OF BEGINNING**, THE NEXT SEVEN COURSES ARE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ABANDONED CSX RAILROAD; 1) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 48.43 FEET TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4; 2) THENCE SOUTH 89°39'28" EAST ALONG THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4, A DISTANCE OF 97.23 FEET; 3) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 1579.12 FEET; 4) THENCE NORTH 01°05'39" WEST, A DISTANCE OF 31.29 FEET; 5) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 347.57 FEET; 6) THENCE SOUTH 01°06'51" EAST, A DISTANCE OF 31.29 FEET; 7) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 1280.35 FEET; THENCE SOUTH 17°37'37" EAST, A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT "B" OF CYPRESS RUN - UNIT I AS RECORDED IN PLAT BOOK 86, PAGE 27 OF THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA, THE NEXT FIVE COURSES ARE ALONG THE NORTHERLY LINE OF SAID TRACT "B"; 1) THENCE SOUTH 72°22'23" WEST, A DISTANCE OF 1296.93 FEET; 2) THENCE SOUTH 01°08'01" EAST, A DISTANCE OF 31.29 FEET; 3) THENCE SOUTH 72°22'23" WEST, A DISTANCE OF 347.28 FEET; 4) THENCE NORTH 01°06'34" WEST, A DISTANCE OF 31.29 FEET; 5) THENCE SOUTH 72°22'23" WEST, A DISTANCE OF 499.17 FEET TO THE NORTHWESTERLY CORNER OF SAID TRACT "B", SAID POINT ALSO BEING THE NORTHEASTERLY CORNER OF TRACT "J" OF SAID CYPRESS RUN-UNIT II, THE NEXT FIVE COURSES ARE ALONG THE NORTHERLY LINE OF SAID TRACT "J"; 1) THENCE CONTINUE SOUTH 72°22'23" WEST, A DISTANCE OF 878.67 FEET TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4; 2) THENCE SOUTH 89°39'28" EAST ALONG THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4, A DISTANCE OF 97.24 FEET; 3) THENCE

SOUTH 72°22'23" WEST, A DISTANCE OF 281.30 FEET; 4) THENCE SOUTH 17°37'37" EAST, A DISTANCE OF 15.97 FEET; 5) THENCE SOUTH 72°22'23" WEST, A DISTANCE OF 137.12 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT "K"; THENCE NORTH 17°37'37" WEST ALONG THE EASTERLY LINE OF SAID TRACT "K", A DISTANCE OF 135.97 FEET TO THE **POINT OF BEGINNING**.

**CONTAINING 5.461 ACRES MORE OR LESS**

**LEGAL DESCRIPTION - ADDITIONAL PREMISE PARCEL 8 AND 9:**

A PORTION OF THE ABANDONED CSX RAILROAD LOCATED IN THE SW 1/4 OF SECTION 4, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE NORTHWESTERLY CORNER OF TRACT "K" OF CYPRESS RUN - UNIT II AS RECORDED IN PLAT BOOK 87, PAGE 65 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 72°22'23" EAST ALONG THE NORTHERLY LINE OF SAID TRACT "K", A DISTANCE OF 652.50 FEET TO A POINT ON THE NORTHERLY LINE OF THE SAID ABANDONED CSX RAILROAD RIGHT OF WAY AND THE **POINT OF BEGINNING**. THE NEXT THREE COURSES ARE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ABANDONED CSX RAILROAD; 1) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 48.43 FEET TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4; 2) THENCE SOUTH 89°39'28" EAST ALONG THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4, A DISTANCE OF 97.23 FEET; 3) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 534.17 FEET TO A POINT ON THE EAST LINE OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 4; THENCE SOUTH 01°06'36" EAST ALONG THE EAST LINE OF THE NE 1/4 OF THE SW 1/4 OF SAID SECTION 4, A DISTANCE OF 62.59 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT "J" OF SAID CYPRESS RUN - UNIT II, THE NEXT FIVE COURSES ARE ALONG THE NORTHERLY LINE OF SAID TRACT "J"; 1) THENCE SOUTH 72°22'23" WEST, A DISTANCE OF 331.37 FEET TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4; 2) THENCE SOUTH 89°39'28" EAST ALONG THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4, A DISTANCE OF 97.24 FEET; 3) THENCE SOUTH 72°22'23" WEST, A DISTANCE OF 281.30 FEET; 4) THENCE SOUTH 17°37'37" EAST, A DISTANCE OF 15.97 FEET; 5) THENCE SOUTH 72°22'23" WEST, A DISTANCE OF 137.12 FEET TO A POINT ON THE EASTERLY LINE OF SAID TRACT "K"; THENCE NORTH 17°37'37" WEST ALONG THE EASTERLY LINE OF SAID TRACT "K", A DISTANCE OF 135.97 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1.289 ACRES MORE OR LESS

LEGAL DESCRIPTION - PREMISE PARCEL 7:

A PORTION OF THE ABANDONED CSX RAILROAD LOCATED IN THE SW 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SECTION 4, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE NORTHWESTERLY CORNER OF TRACT "K" OF CYPRESS RUN - UNIT II AS RECORDED IN PLAT BOOK 87, PAGE 65 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 72°22'23" EAST ALONG THE NORTHERLY LINE OF SAID TRACT "K", A DISTANCE OF 652.50 FEET TO A POINT ON THE NORTHERLY LINE OF THE SAID ABANDONED CSX RAILROAD RIGHT OF WAY, THE NEXT THREE COURSES ARE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ABANDONED CSX RAILROAD; 1) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 48.43 FEET TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4; 2) THENCE SOUTH 89°39'28" EAST ALONG THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4, A DISTANCE OF 97.23 FEET; 3) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 534.17 FEET TO A POINT ON THE WEST LINE OF THE SW 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 4 AND THE **POINT OF BEGINNING**; THENCE CONTINUE NORTH 72°22'23" EAST ALONG THE NORTHERLY ABANDONED CSX RAILROAD RIGHT OF WAY, A DISTANCE OF 694.93 FEET TO A POINT ON THE EAST LINE OF THE SW 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 4; THENCE SOUTH 01°10'02" EAST ALONG THE EAST LINE OF THE SW 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 4, A DISTANCE OF 62.57 FEET TO A POINT ON THE NORTH LINE OF TRACT "B" OF CYPRESS RUN - UNIT I AS RECORDED IN PLAT BOOK 86, PAGE 27 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE SOUTH 72°22'23" WEST ALONG THE NORTH LINE OF SAID TRACT "B" AND TRACT "J" OF SAID CYPRESS RUN - UNIT II, A DISTANCE OF 695.00 FEET TO A POINT ON THE WEST LINE OF THE SW 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 4; THENCE NORTH 01°06'36" WEST ALONG THE WEST LINE OF THE SW 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 4, A DISTANCE OF 62.59 FEET AND THE **POINT OF BEGINNING**.

CONTAINING 0.957 ACRES MORE OR LESS

LEGAL DESCRIPTION - ADDITIONAL PREMISE PARCELS 4, 5 AND 6:

A PORTION OF THE ABANDONED CSX RAILROAD LOCATED IN THE SE 1/4 OF SECTION 4, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY,



FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE NORTHWESTERLY CORNER OF TRACT "K" OF CYPRESS RUN - UNIT II AS RECORDED IN PLAT BOOK 87, PAGE 65 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 72°22'23" EAST ALONG THE NORTHERLY LINE OF SAID TRACT "K", A DISTANCE OF 652.50 FEET TO A POINT ON THE NORTHERLY LINE OF THE SAID ABANDONED CSX RAILROAD RIGHT OF WAY, THE NEXT THREE COURSES ARE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ABANDONED CSX RAILROAD; 1) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 48.43 FEET TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4; 2) THENCE SOUTH 89°39'28" EAST ALONG THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4, A DISTANCE OF 97.23 FEET; 3) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 1229.10 FEET TO A POINT ON THE WEST LINE OF THE SE 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 4 AND THE **POINT OF BEGINNING**. THE NEXT FIVE COURSES ARE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ABANDONED CSX RAILROAD RIGHT OF WAY; 1) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 350.02 FEET; 2) THENCE NORTH 01°05'39" WEST, A DISTANCE OF 31.29 FEET; 3) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 347.57 FEET; 4) THENCE SOUTH 01°06'51" EAST, A DISTANCE OF 31.29 FEET; 5) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 114.80 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 4; THENCE SOUTH 89°23'17" EAST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 4, A DISTANCE 191.71 FEET TO A POINT ON THE NORTH LINE OF TRACT "B" OF CYPRESS RUN - UNIT I AS RECORDED IN PLAT BOOK 86, PAGE 27 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA THE NEXT FIVE COURSES ARE ALONG THE NORTH LINE OF SAID TRACT "B"; 1) THENCE SOUTH 72°22'23" WEST, A DISTANCE OF 313.45 FEET; 2) THENCE SOUTH 01°08'01" EAST, A DISTANCE OF 31.29 FEET; 3) THENCE SOUTH 72°22'23" WEST, A DISTANCE OF 347.28 FEET; 4) THENCE NORTH 01°06'34" WEST, A DISTANCE OF 31.29 FEET; 5) THENCE SOUTH 72°22'23" WEST, A DISTANCE OF 351.47 FEET TO A POINT ON THE WEST LINE OF THE SE 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 4; THENCE NORTH 01°10'02" WEST ALONG THE WEST LINE OF THE SE 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 4, A DISTANCE OF 62.57 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1.735 ACRES MORE OR LESS

LEGAL DESCRIPTION - PREMISE PARCEL 3:

A PORTION OF THE ABANDONED CSX RAILROAD LOCATED IN THE NORTH 1/2



OF THE NE 1/4 OF THE SE 1/4 OF SECTION 4, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE NORTHWESTERLY CORNER OF TRACT "K" OF CYPRESS RUN - UNIT II AS RECORDED IN PLAT BOOK 87, PAGE 65 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA; THENCE NORTH 72°22'23" EAST ALONG THE NORTHERLY LINE OF SAID TRACT "K". A DISTANCE OF 652.50 FEET TO A POINT ON THE NORTHERLY LINE OF THE SAID ABANDONED CSX RAILROAD RIGHT OF WAY, THE NEXT SEVEN COURSES ARE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ABANDONED CSX RAILROAD RIGHT OF WAY; 1) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 48.43 FEET TO A POINT ON THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4; 2) THENCE SOUTH 89°39'28" EAST ALONG THE NORTH LINE OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 4, A DISTANCE OF 97.23 FEET; 3) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 1579.12 FEET; 4) THENCE NORTH 01°05'39" WEST, A DISTANCE OF 31.29 FEET; 5) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 347.57 FEET; 6) THENCE SOUTH 01°06'51" EAST, A DISTANCE OF 31.29 FEET; 7) THENCE NORTH 72°22'23" EAST, A DISTANCE OF 114.80 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 4 AND THE **POINT OF BEGINNING**; THENCE CONTINUE NORTH 72°22'23" EAST, A DISTANCE OF 1165.55 FEET; THENCE SOUTH 17°37'37" EAST, A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTHERLY LINE OF TRACT "B" OF CYPRESS RUN - UNIT I AS RECORDED IN PLAT BOOK 86, PAGE 27 OF THE PUBLIC RECORDS OF PINELLAS COUNTY FLORIDA; THENCE SOUTH 72°22'23" WEST ALONG THE NORTH LINE OF THE OF SAID TRACT "B", A DISTANCE OF 983.48 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 4; THENCE NORTH 89°23'17" WEST ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 4, A DISTANCE OF 191.71 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 1.480 ACRES MORE OR LESS

# CYPRESS RUN ~ UNIT II

BEING A SUBDIVISION OF A PART OF THE W. 1/2 OF THE S.E. 1/4 AND A PART OF THE S.E. 1/4 OF THE S.W. 1/4 OF SECTION 4 AND A PART OF THE N.E. 1/4 AND A PART OF THE N.E. 1/4 OF THE N.W. 1/4 OF SECTION 9, ALL BEING IN TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA.

**DESCRIPTION:**

[illegible]

**CERTIFICATE OF APPROVAL OF COUNTY COMMISSION:**

STATE OF FLORIDA ) ss.  
COUNTY OF PINELLAS )  
PINELLAS, FLORIDA, THIS 20<sup>TH</sup> DAY OF  
DECEMBER, 1983.  
I, BARLENE E. DEWATER,  
COUNTY ENGINEER,  
DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN OFFICIALLY APPROVED  
FOR RECORD BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF  
PINELLAS, FLORIDA.  
ATTEST  
R. R. JAMES COUNTY ENGINEER  
Deborah J. Velez  
CHAIRMAN, BOARD OF COUNTY

DEPUTY CLERK  
CERTIFICATE OF APPROVAL OF COUNTY CLERK:

STATE OF FLORIDA } ss.  
COUNTY OF PINELLAS

I, KARLEEN F. DOBLAKER, CLERK OF THE CIRCUIT COURT OF PINELLAS COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT WAS BEEN EXAMINED AND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF THE STATUTES OF THE STATE OF FLORIDA PERTAINING TO MAPS AND PLATS AND THAT THIS PLAT WAS BEEN FILED IN PLAT BOOK 87, PAGE 65, 66, 67 & 68 OF THE PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THIS 21ST DAY OF DECEMBER, 1983, AT 2:02 p.m.

KARLEEN E DeBLAKER, CLERK,  
PINELLAS COUNTY, FLORIDA

BY: Devin Braggett  
DEPUTY CLERK

PREPARED BY:  
**LLOVERAS, BAUR & STEVENS**  
CONSULTING ENGINEERS - SURVIVORS  
COUNTRY VILLA PLAZA 3RD FL. HWY. 191  
CLEARWATER, FLORIDA 34615 19457

COMP. BY: FJZ  
DRAWN BY: JMW  
CHECKED BY: B.H.  
MAP/PHOTO BY: B.H.  
APPROVED BY: S.L.

**DEDICATION:**

**CYPRESS RUN GOLF CLUB, INC.**, A FLORIDA NON-PROFIT CORPORATION, HEREBY CERTIFIES THAT IT IS THE OWNER IN FEE SIMPLE OF THE LANDS DESCRIBED ON THIS PLAT AND THAT THERE ARE NO OTHER OUTSTANDING INTERESTS IN SAID LANDS. SAID LANDS ARE HEREBY PLATTED AS "CYPRESS RUN-UNIT II".

THE CYPRESS RUN PROPERTY OWNERS' ASSOCIATION, INC., JOINS IN THIS DEDICATION FOR THE PURPOSE OF WARRANTING THAT IT WILL MAINTAIN THE PRIVATE RIGHTS-OF-WAY, LOCAL DRAINAGE SYSTEMS AND APPURTENANCES AND NATURAL AREAS SITUATED WITHIN THIS PLAT.

THE AREAS LABELED TRACTS "H," "I," "J," "K," "L" ARE RETAINED BY CYPRESS RUN GOLF CLUB, INC.

[illegible]

THE PRIVATE RIGHTS OF MAN, PRIVATE EMBEZZLEMENTS AND NATURAL AREAS SHOWN ON THIS PLAT ARE FOR ACCESS, ADDRESS, EGRESS, AND REGISTRATION AND INCLUDING, BUT NOT LIMITED TO, PUBLIC AND PRIVATE UTILITIES AS NOTED HEREINAFTER, ORIGINALLY AND LOCALLY, AND MAJOR SYSTEMS AND APPLIANCE, POWER, TELEPHONE, POTABLE WATER SUPPLY, CARRY-TRAFFIC, POLICE AND FIRE PROTECTION, SANITARY SERVICES AND CABLE TELEVISION PURPOSES, AND ARE CREATED FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS AND TRACTS, AND CYPRESS RUN SOIL CLUB, INC., THEIR SUCCESSORS AND/OR ASSIGNS, AND NO RIGHTS ARE GRANTED TO THE PUBLIC IN GENERAL WITH REGARD THERETO, EXCEPT AS NOTED HEREINAFTER. THE OWNERSHIP, MAINTENANCE AND OPERATION OF THE FACILITIES WITHIN THE PRIVATE RIGHTS OF MAN/ NATURAL AREAS AND

THE FOLLOWING IS A SUMMARY OF THE AGREEMENTS MADE BY THE OWNERS OF THE LOTS AND TRACTS, AND CYRESS RUN GOLF CLUB, INC., THEIR SUCCESSORS AND/OR ASSIGNS:

THE USE AND BENEFIT OF THESE PRIVATE RIGHTS-OF-WAY AND PRIVATE EASEMENTS SHALL EXTEND AND INURE TO THE BENEFIT OF ALL LOCAL, STATE AND FEDERAL GOVERNMENTS, AGENCIES, AGENCIES AND THEIR DEPARTMENTS THEREOF AND SHALL ALSO EXTEND AND INURE TO ALL OTHER PERSONS WHOSE INTERESTS ARE AFFECTED BY THE GRANTING OF THESE PRIVATE RIGHTS-OF-WAY AND PRIVATE EASEMENTS AND DISBURSING THEREFOR. THE GRANTOR HEREBY CONFIRMS AND WARRANTS THAT THE GRANTOR HAS THE AUTHORITY TO GRANT THESE PRIVATE RIGHTS-OF-WAY AND PRIVATE EASEMENTS AND TO OBLIGATE ITSELF TO PROVIDE SOVEREIGNTY, MAINTENANCE AND OPERATION OF THE FACILITIES FOR THE LOTS AND TRACTS TO ACCESS, ADDRESS, CARRY, OWNERSHIP, MAINTENANCE AND OPERATION OF THE FACILITIES FOR THE LOTS AND TRACTS SHOWN ON THIS PLAT. THIS GRANT OF EASEMENT SHALL IN NO MANNER BE CONSTRUED AS PERMITTING ANY PERSON OR THE PROPERTY FOR OTHER THAN THE PURPOSES OF MAINTENANCE AND OPERATION OF SAID FACILITIES, OR AS PROVIDED HEREIN. THE GRANTOR HEREBY WARRANTS THAT THE GRANTOR HAS THE AUTHORITY TO GRANT THESE PRIVATE RIGHTS-OF-WAY AND PRIVATE EASEMENTS AND TO OBLIGATE ITSELF TO PROVIDE SOVEREIGNTY, MAINTENANCE AND OPERATION OF THE FACILITIES FOR THE LOTS AND TRACTS SHOWN ON THIS PLAT. THIS GRANT OF EASEMENT SHALL IN NO MANNER BE CONSTRUED AS PERMITTING ANY PERSON OR THE PROPERTY FOR OTHER THAN THE PURPOSES OF MAINTENANCE AND OPERATION OF SAID FACILITIES, OR AS PROVIDED HEREIN. THE GRANTOR HEREBY WARRANTS THAT THE GRANTOR HAS THE AUTHORITY TO GRANT THESE PRIVATE RIGHTS-OF-WAY AND PRIVATE EASEMENTS AND TO OBLIGATE ITSELF TO PROVIDE SOVEREIGNTY, MAINTENANCE AND OPERATION OF THE FACILITIES FOR THE LOTS AND TRACTS SHOWN ON THIS PLAT. THIS GRANT OF EASEMENT SHALL IN NO MANNER BE CONSTRUED AS PERMITTING ANY PERSON OR THE PROPERTY FOR OTHER THAN THE PURPOSES OF MAINTENANCE AND OPERATION OF SAID FACILITIES, OR AS PROVIDED HEREIN.

THE PARTIES JOINING HEREIN ARE:  
CYPRESS RUN GOLF CLUB, INC.  
A FLORIDA NON-PROFIT CORPORATION

Nancy A. Wolf  
WITNESS

Edward C. Davis

ATTEST: ROBERT A. SECRETARY

Nancy A. Wood

WITNESS 00  
J. H. V. S.

Deborah D. Carson  
WITNESS

## ACKNOWLEDGEMENT:

STATE OF FLORIDA } \$5.  
COUNTY OF PINELLAS }  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 22<sup>ND</sup> DAY OF  
NOVEMBER 1983, BY EDWARD HEVERMAN AND ROBERT A. FORLIZZO, AS  
PRESIDENT AND SECRETARY, RESPECTIVELY OF CYPRESS RUN GOLF CLUB, INC., A FLORIDA NON-PROFIT CORPORATION,  
(1 Jan 84 by Hecan)  
OF BEHALF OF THE CORPORATION.  
BY COMMISSION EXPIRES: NOVEMBER 3, 1986

## ACKNOWLEDGEMENT :


STATE OF FLORIDA } \$5.  
COUNTY OF SHELLEY }  
PRESIDENT AND SECRETARY  
OF THE CORPORATION.  
MY COMMISSION EXPIRES: NOVEMBER 3, 1986

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 22nd DAY OF NOVEMBER 1983, BY EDWARD HENRAN AND ROBERT A. FORRIZZO, PRESIDENT AND SECRETARY OF CYPRESS RUN PRO-SPORTY OWNERS' ASSOCIATION, INC., ON BEHALF OF SAID CORPORATION.

*William D. Jernan*

**SURVEYOR'S CERTIFICATE:**

I, SANTIAGO LLIVERAS, the undersigned registered survivor, HEREBY CERTIFY THAT ON DECEMBER 5<sup>TH</sup> 1963 A.D. THIS PROPERTY WAS SURVEYED, AND THAT THIS PLAT IS A TRUE REDEVELOPMENT OF THE LANDS DESCRIBED AND SHOWN AND THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED AS INDICATED HEREBY IN ACCORDANCE WITH THE STATUTES OF THE STATE OF FLORIDA THEREUNTO APPERTAINING.

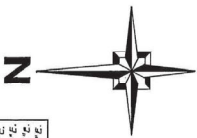
  
SANTIAGO LLOVERAS  
REG. FLORIDA LAND SURVEYOR NO. 1762



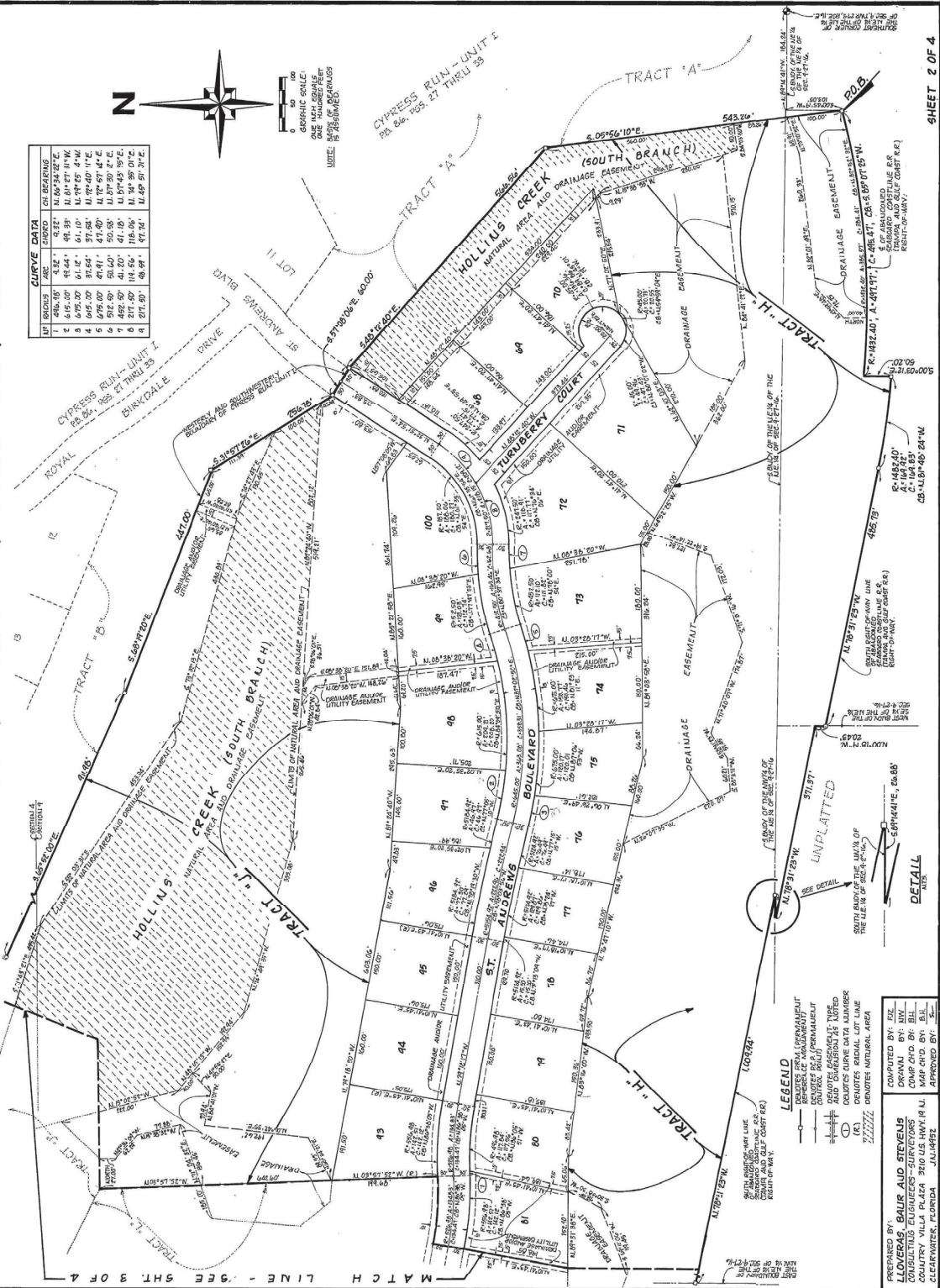
## CYPRESS RUN - UNIT II

BEING A SUBDIVISION OF A PART OF THE W. 1/2 OF THE SE. 1/4 AND A PART OF THE SE. 1/4 OF THE SW. 1/4 OF SECTION 4 AND A PART OF THE NE. 1/4 AND A PART OF THE NW. 1/4 OF SECTION 9, ALL BEING IN TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA.

CURVE DATA	ON BEARING
1. 486.10' 3.32°	N. 62° 54' 12" E.
2. 616.20' 94.44°	N. 61° 47' 11" W.
3. 616.20' 94.44°	N. 61° 47' 11" W.
4. 616.20' 94.44°	N. 61° 47' 11" W.
5. 616.20' 94.44°	N. 61° 47' 11" W.
6. 616.20' 94.44°	N. 61° 47' 11" W.
7. 616.20' 94.44°	N. 61° 47' 11" W.
8. 616.20' 94.44°	N. 61° 47' 11" W.
9. 616.20' 94.44°	N. 61° 47' 11" W.
10. 616.20' 94.44°	N. 61° 47' 11" W.
11. 616.20' 94.44°	N. 61° 47' 11" W.
12. 616.20' 94.44°	N. 61° 47' 11" W.
13. 616.20' 94.44°	N. 61° 47' 11" W.
14. 616.20' 94.44°	N. 61° 47' 11" W.
15. 616.20' 94.44°	N. 61° 47' 11" W.
16. 616.20' 94.44°	N. 61° 47' 11" W.
17. 616.20' 94.44°	N. 61° 47' 11" W.
18. 616.20' 94.44°	N. 61° 47' 11" W.
19. 616.20' 94.44°	N. 61° 47' 11" W.
20. 616.20' 94.44°	N. 61° 47' 11" W.
21. 616.20' 94.44°	N. 61° 47' 11" W.
22. 616.20' 94.44°	N. 61° 47' 11" W.
23. 616.20' 94.44°	N. 61° 47' 11" W.
24. 616.20' 94.44°	N. 61° 47' 11" W.
25. 616.20' 94.44°	N. 61° 47' 11" W.
26. 616.20' 94.44°	N. 61° 47' 11" W.
27. 616.20' 94.44°	N. 61° 47' 11" W.
28. 616.20' 94.44°	N. 61° 47' 11" W.
29. 616.20' 94.44°	N. 61° 47' 11" W.
30. 616.20' 94.44°	N. 61° 47' 11" W.
31. 616.20' 94.44°	N. 61° 47' 11" W.
32. 616.20' 94.44°	N. 61° 47' 11" W.
33. 616.20' 94.44°	N. 61° 47' 11" W.
34. 616.20' 94.44°	N. 61° 47' 11" W.
35. 616.20' 94.44°	N. 61° 47' 11" W.
36. 616.20' 94.44°	N. 61° 47' 11" W.
37. 616.20' 94.44°	N. 61° 47' 11" W.
38. 616.20' 94.44°	N. 61° 47' 11" W.
39. 616.20' 94.44°	N. 61° 47' 11" W.
40. 616.20' 94.44°	N. 61° 47' 11" W.
41. 616.20' 94.44°	N. 61° 47' 11" W.
42. 616.20' 94.44°	N. 61° 47' 11" W.
43. 616.20' 94.44°	N. 61° 47' 11" W.
44. 616.20' 94.44°	N. 61° 47' 11" W.
45. 616.20' 94.44°	N. 61° 47' 11" W.
46. 616.20' 94.44°	N. 61° 47' 11" W.
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71. 616.20' 94.44°	N. 61° 47' 11" W.
72. 616.20' 94.44°	N. 61° 47' 11" W.
73. 616.20' 94.44°	N. 61° 47' 11" W.
74. 616.20' 94.44°	N. 61° 47' 11" W.
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76. 616.20' 94.44°	N. 61° 47' 11" W.
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82. 616.20' 94.44°	N. 61° 47' 11" W.
83. 616.20' 94.44°	N. 61° 47' 11" W.
84. 616.20' 94.44°	N. 61° 47' 11" W.
85. 616.20' 94.44°	N. 61° 47' 11" W.
86. 616.20' 94.44°	N. 61° 47' 11" W.
87. 616.20' 94.44°	N. 61° 47' 11" W.
88. 616.20' 94.44°	N. 61° 47' 11" W.
89. 616.20' 94.44°	N. 61° 47' 11" W.
90. 616.20' 94.44°	N. 61° 47' 11" W.
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96. 616.20' 94.44°	N. 61° 47' 11" W.
97. 616.20' 94.44°	N. 61° 47' 11" W.
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99. 616.20' 94.44°	N. 61° 47' 11" W.
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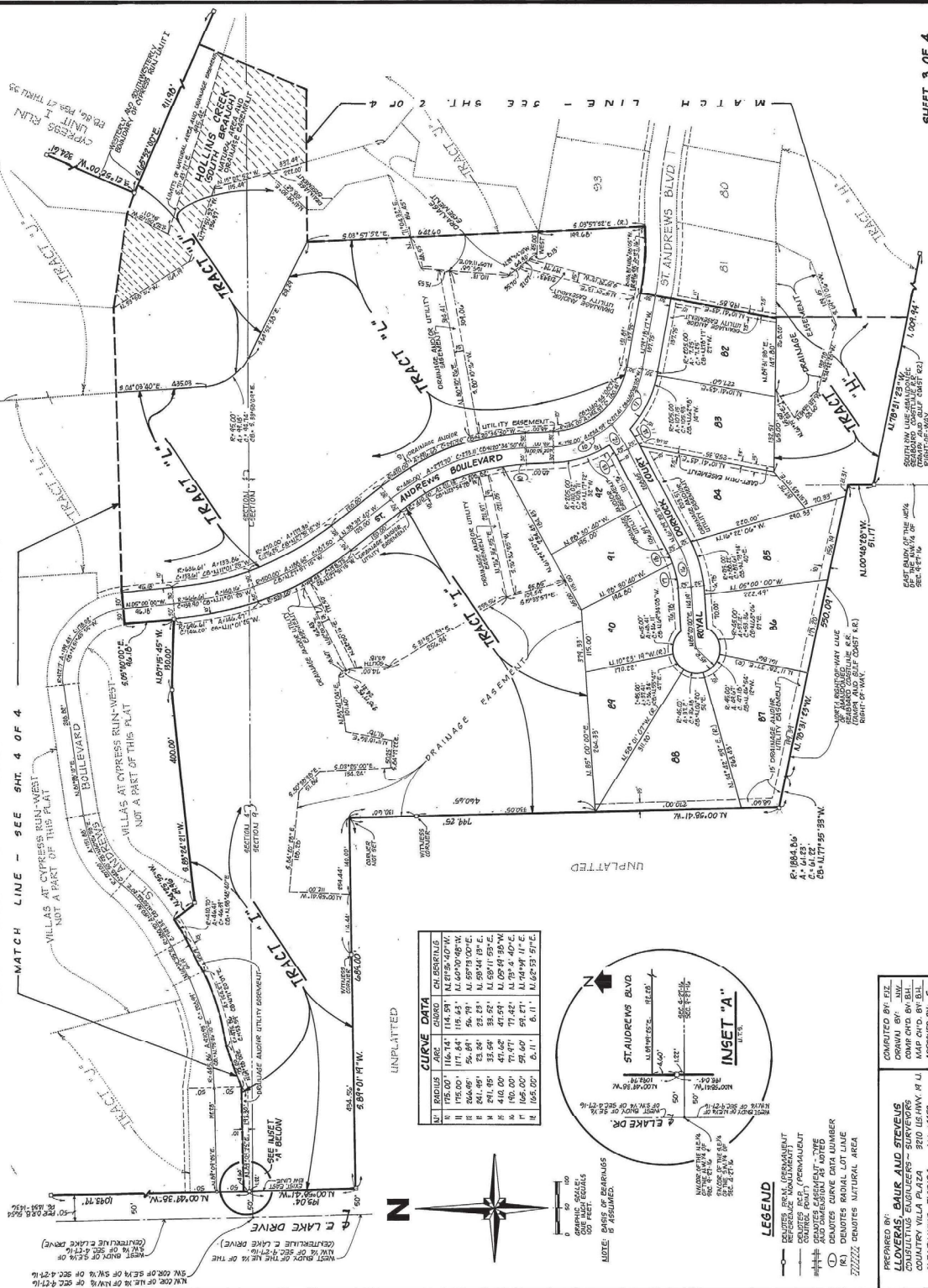


GRAPHIC SCALE:  
ONE INCH = 100 FEET  
UNIT: HORIZONTAL METERS



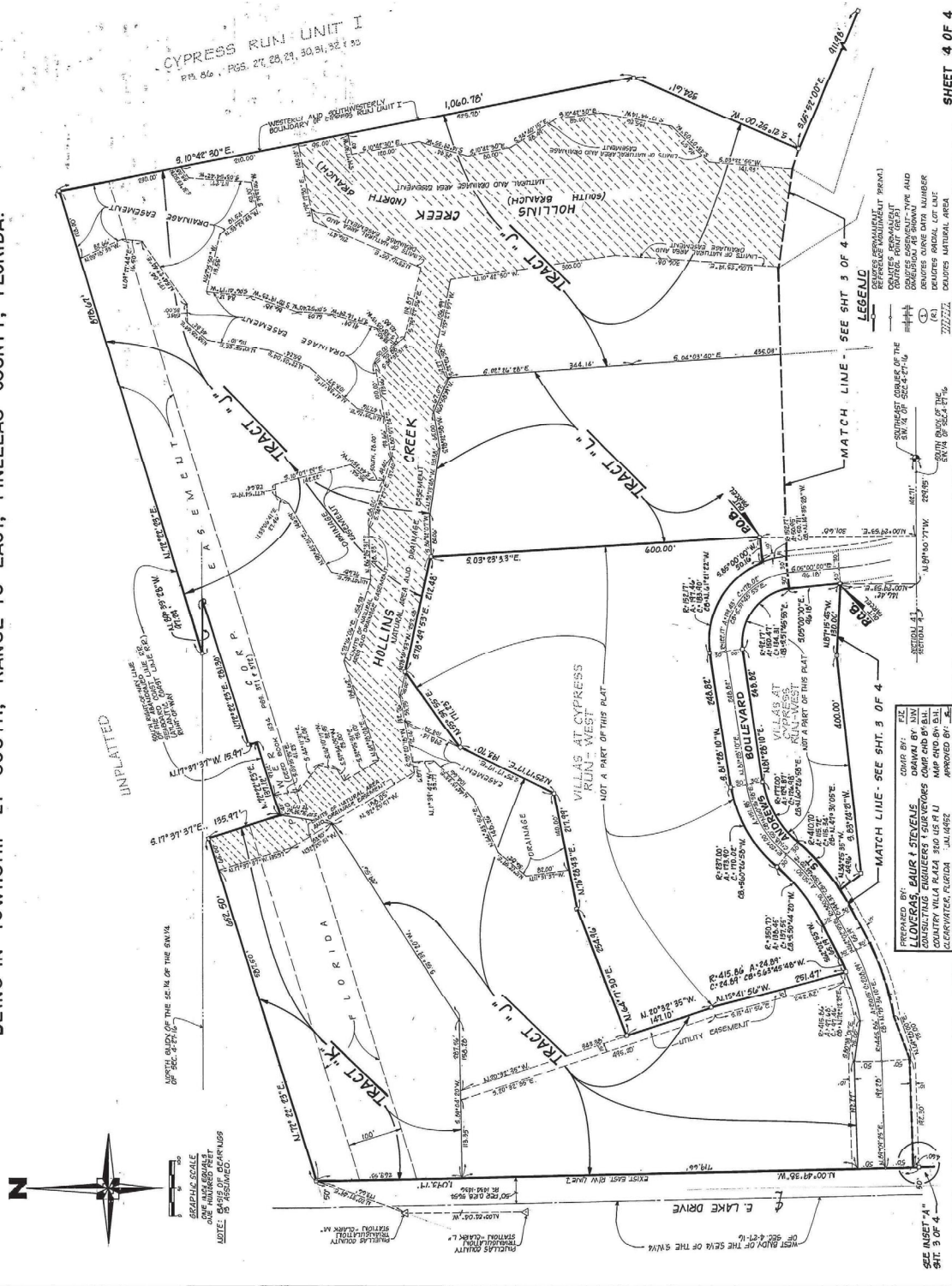
PREPARED BY: LLOVERAS, BAIR AND STEVENS  
COUNTRY VILLA PLAZA 310 US HWY 1 N.  
CLEARWATER, FLORIDA 34615  
COMPILED BY: LLOVERAS, BAIR AND STEVENS  
COUNTRY VILLA PLAZA 310 US HWY 1 N.  
CLEARWATER, FLORIDA 34615  
DRAWN BY: LLOVERAS, BAIR AND STEVENS  
COUNTRY VILLA PLAZA 310 US HWY 1 N.  
CLEARWATER, FLORIDA 34615  
CHECKED BY: LLOVERAS, BAIR AND STEVENS  
COUNTRY VILLA PLAZA 310 US HWY 1 N.  
CLEARWATER, FLORIDA 34615  
APPROVED BY: LLOVERAS, BAIR AND STEVENS  
COUNTRY VILLA PLAZA 310 US HWY 1 N.  
CLEARWATER, FLORIDA 34615

BEING A SUBDIVISION OF A PART OF THE W 1/2 OF THE SE 1/4 AND A PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 4, AND A PART OF THE NE 1/4 AND A PART OF THE NE 1/4 OF THE NW 1/4 OF SECTION 9, ALL BEING IN TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA.



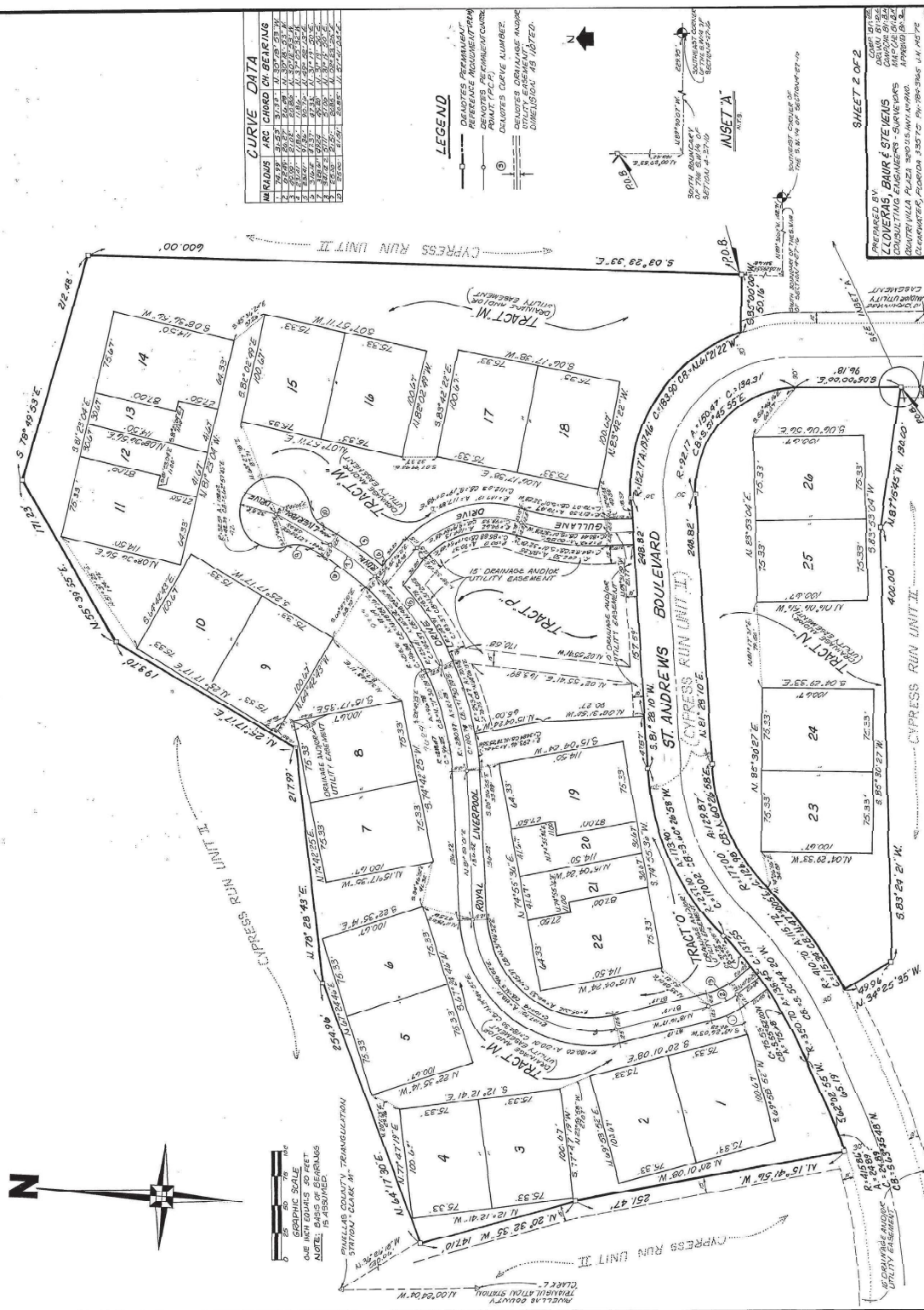


BEING A SUBDIVISION OF A PART OF THE W. 1/2 OF THE S.E. 1/4 AND A PART OF THE S.E. 1/4 OF THE S.W. 1/4 OF SECTION 4 AND A PART OF THE N.E. 1/4 AND A PART OF THE N.W. 1/4 OF SECTION 9, ALL BEING IN TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA.



GENERAL

BEING A SUBDIVISION OF A PART OF THE SE. 1/4 OF THE S.W. 1/4 OF SECTION 4, TOWNSHIP 27 SOUTH, RANGE 16 EAST, PINELLAS COUNTY, FLORIDA.





## Pinellas County Unincorporated - Zoning / Land Use Information Lookup

[illegible]





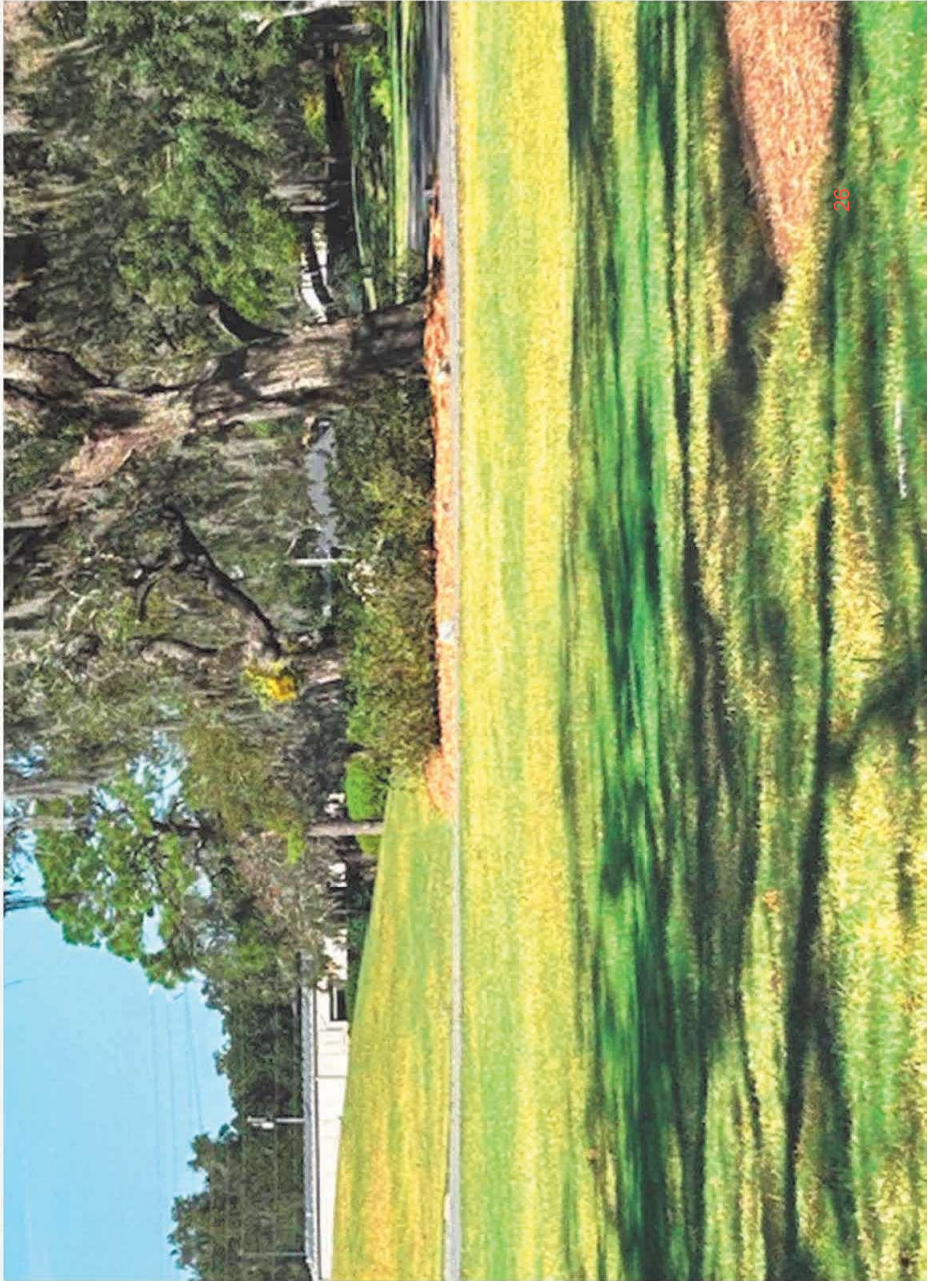
Data © 2010, NOAA, U.S. Navy, NGA, GEBCO  
Image Landsat / Copernicus

Guller Dr

Royal Liverpool Dr

Hotin Creek





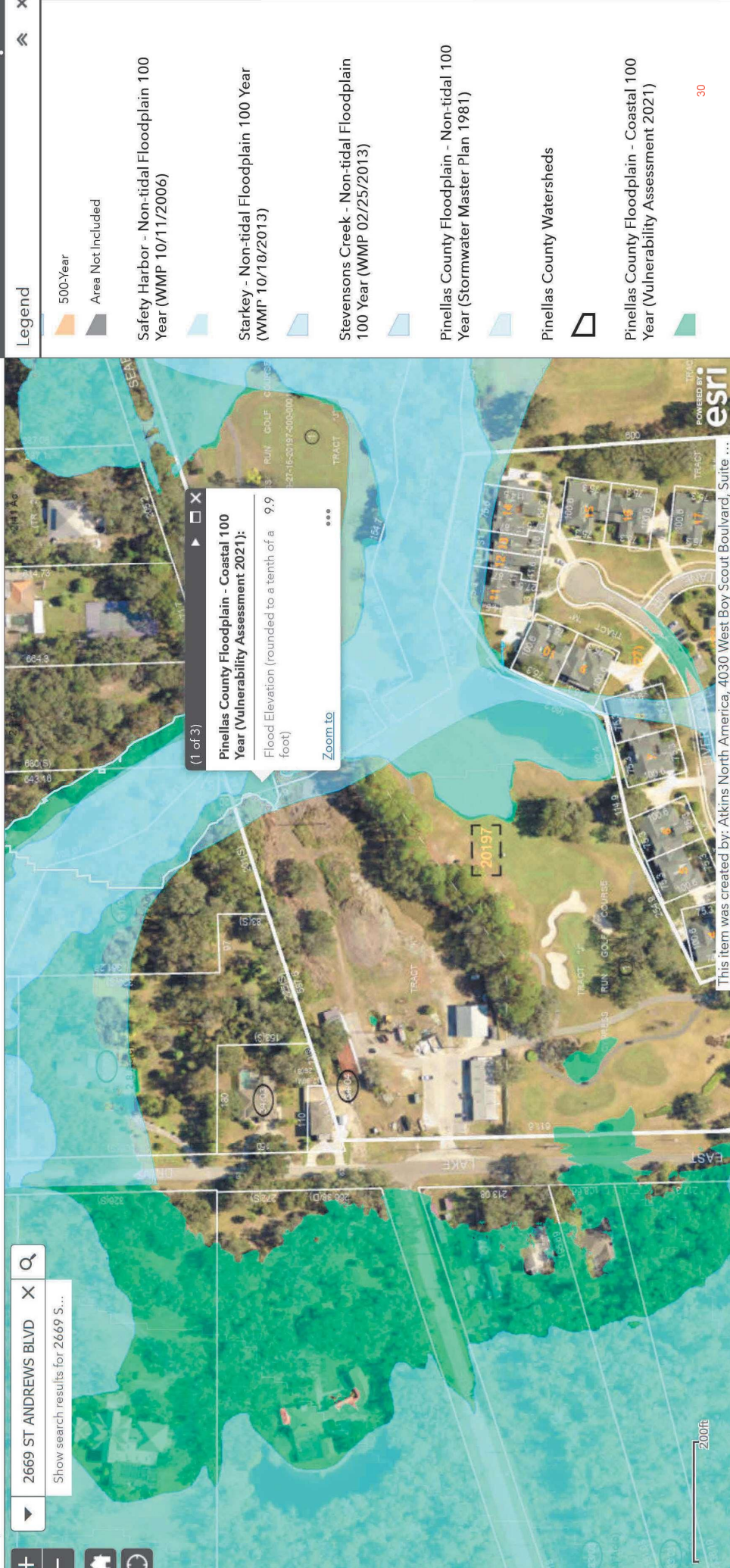




















# County Flood Hazard

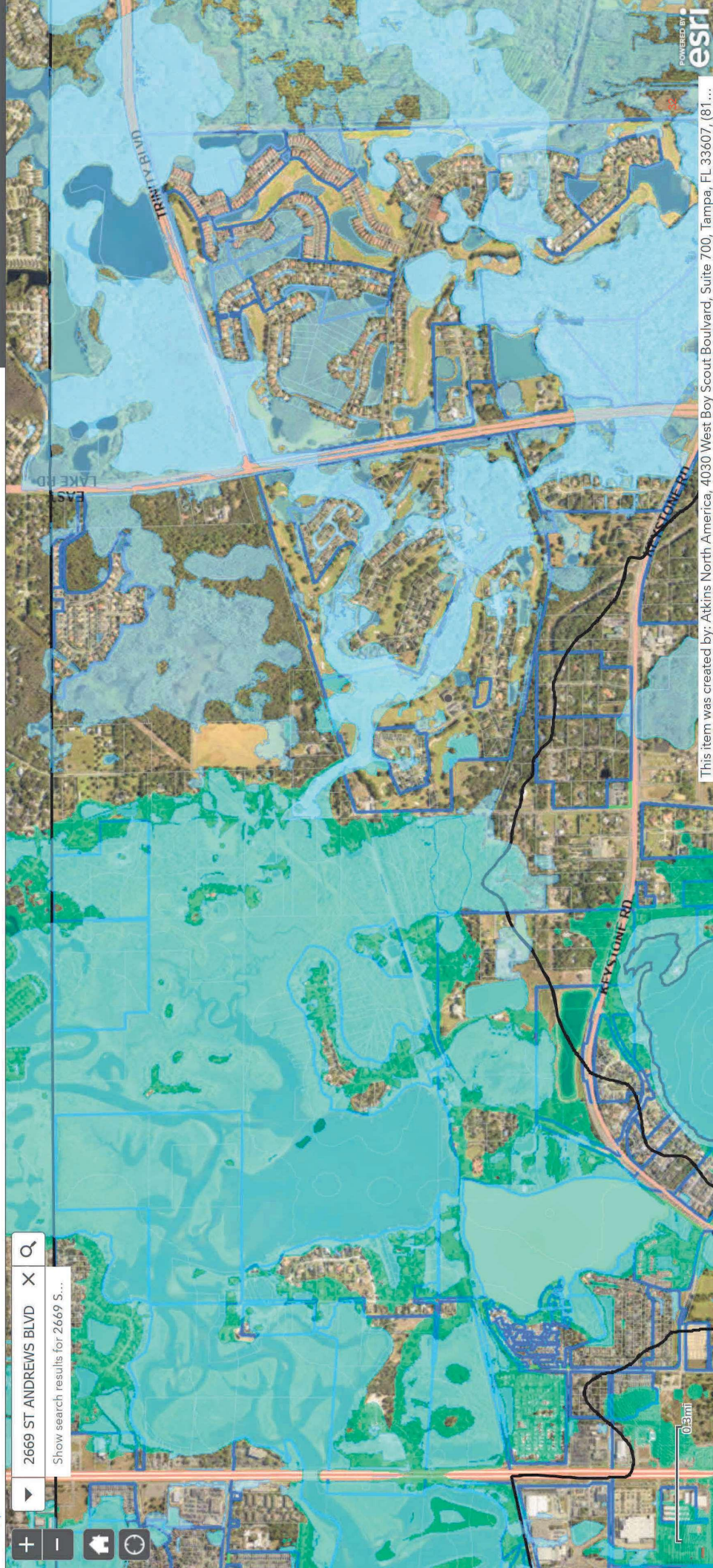
Powered by eGIS



2669 ST ANDREWS BLVD



Show search results for 2669 S...



0.3mi

KEYSTONE RD

KEYSTONE RD

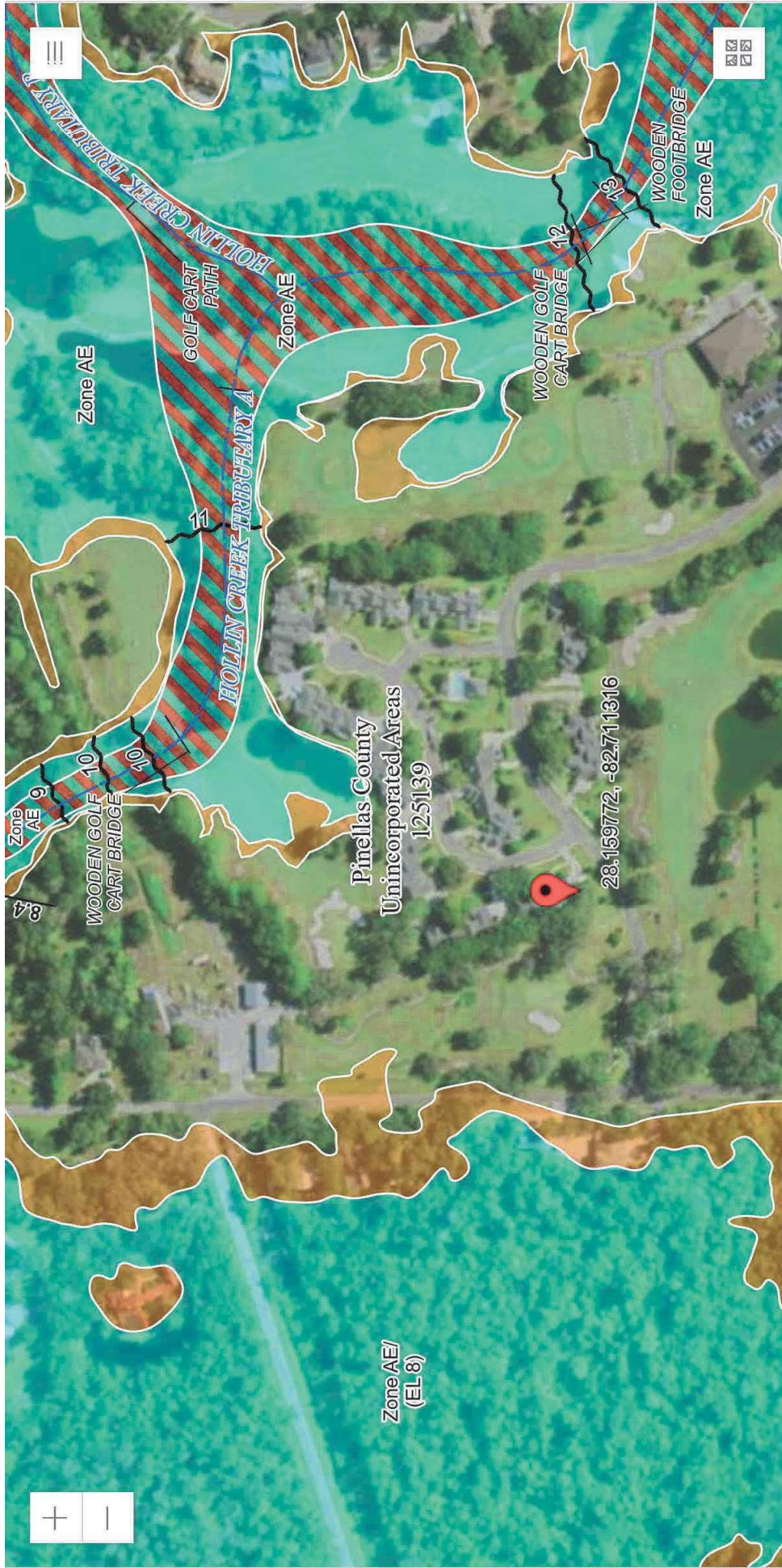
TRINITY BLVD

EAS LANE

This item was created by: Atkins North America, 4030 West Boy Scout Boulevard, Suite 700, Tampa, FL 33607, (81...

POWERED BY  
esri





Esri, USDA Farm Service Agency, Microsoft

Powered by Esri

**PIN**

Approximate location based on user input and does not represent an authoritative property location

**MAP PANELS**

Selected FloodMap Boundary

Digital Data Available

No Digital Data Available

Unmapped

Area of Minimal Flood Hazard Zone X

Effective LOMRS

Area of Undetermined Flood Hazard Zone D

Otherwise Protected Area

**SPECIAL FLOOD HAZARD AREAS**

Without Base Flood Elevation (BFE) Zone A, V, AH, AR

With BFE or Depth Regulatory Floodway Zone AE, AO, AH, VE, AR

0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee. See Notes, Zone X

Area with Flood Risk due to Levee Zone D

**OTHER AREAS OF FLOOD HAZARD**

**OTHER FEATURES**

**GENERAL STRUCTURES**

Cross Sections with 1% Annual Chance

Water Surface Elevation

Coastal Transect

Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transect Baseline

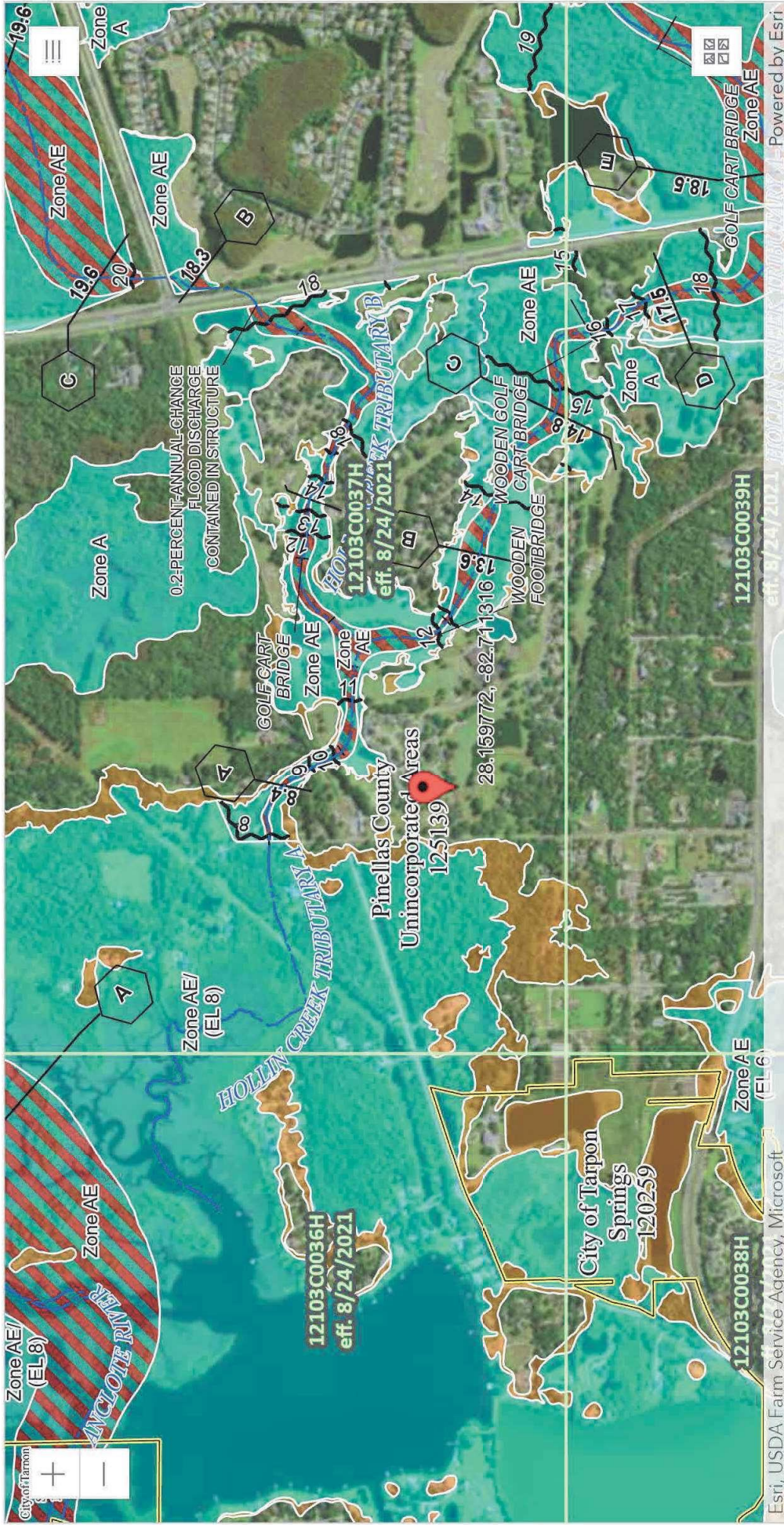
Profile Baseline

Hydrographic Feature

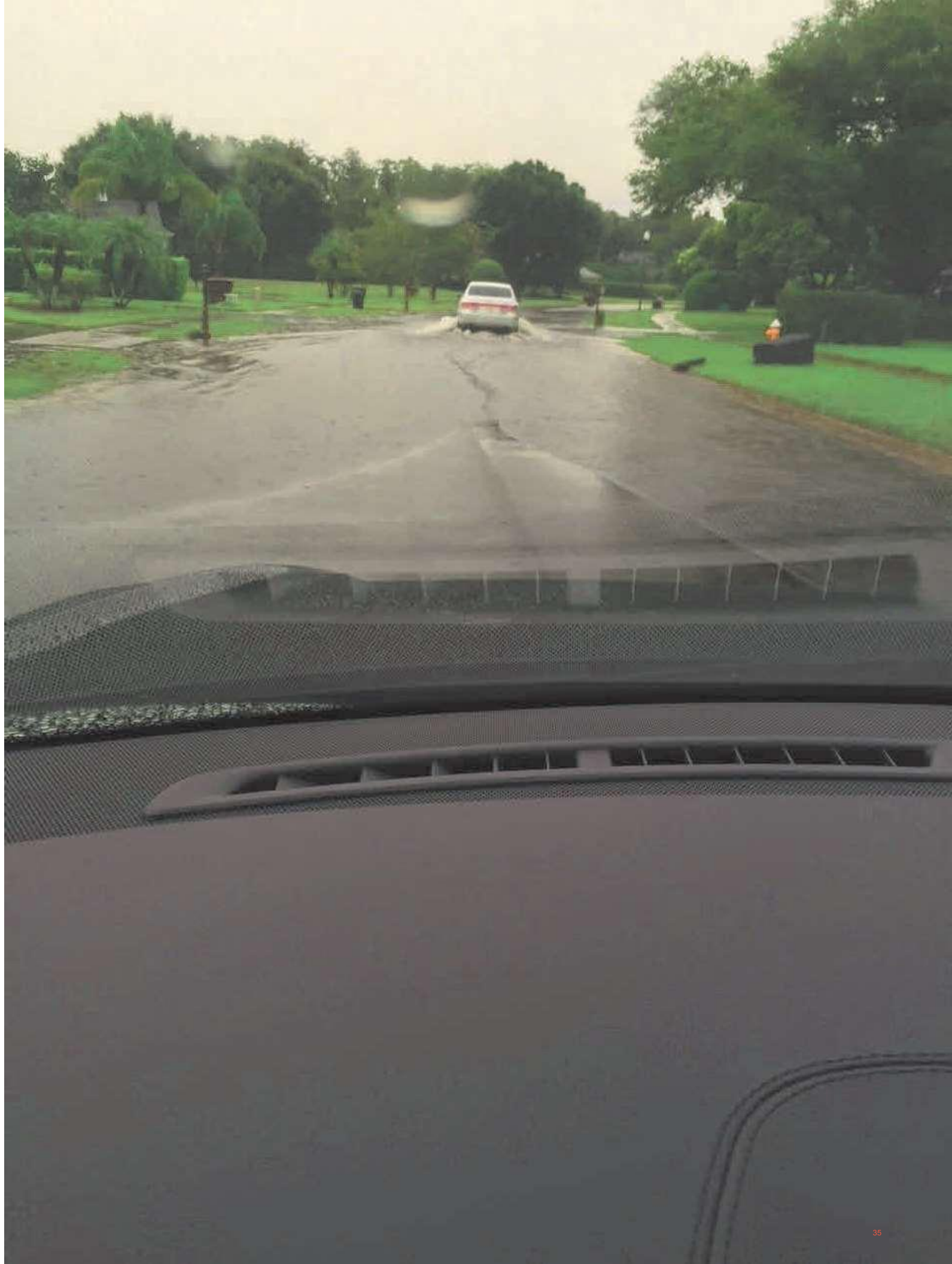
Channel, Culvert, or Storm Sewer

Levee, Dike, or Floodwall 33













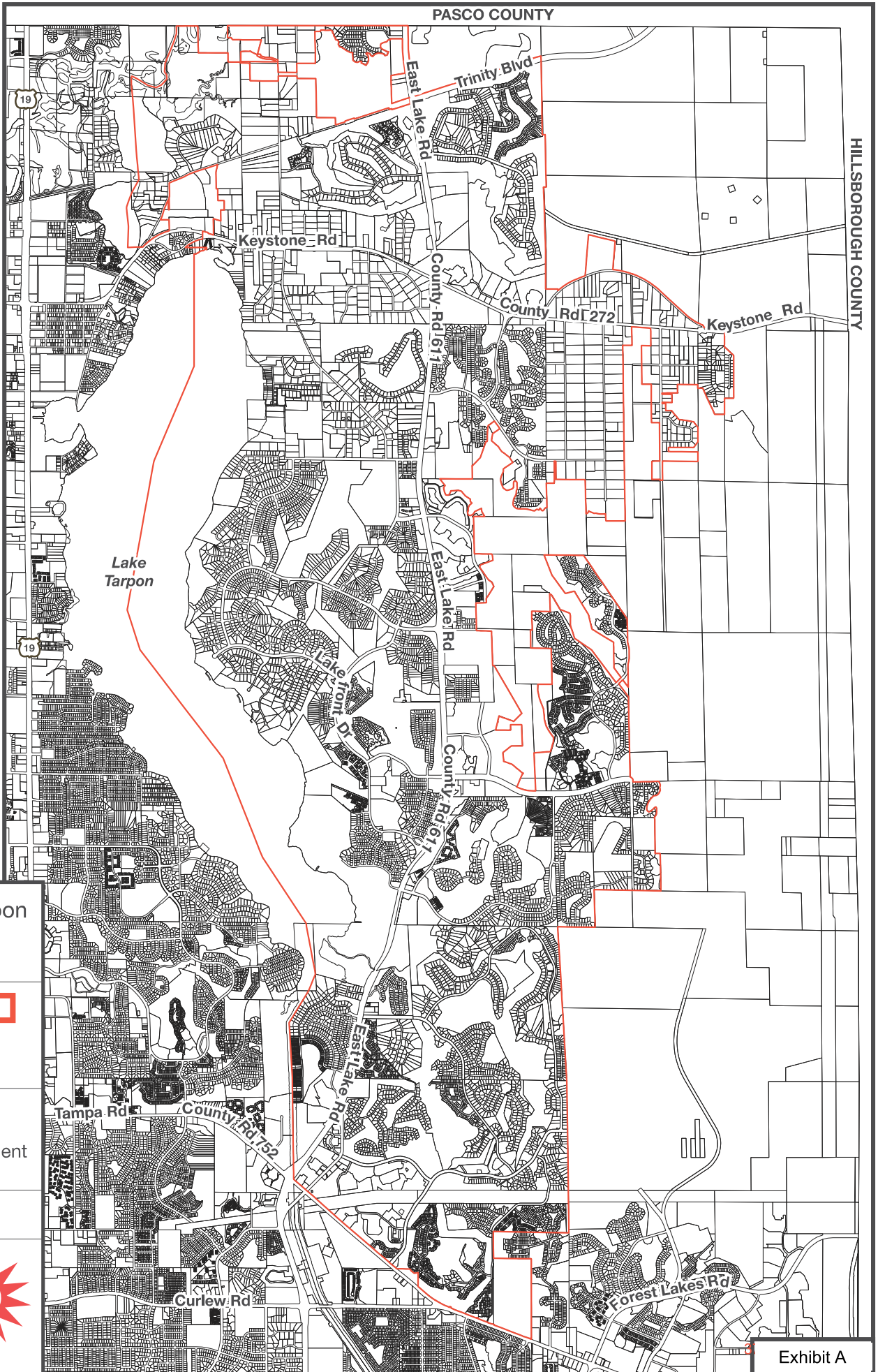
No portion of the Brooker Creek Preserve is included in the East Lake Tarpon Community Overlay.

# East Lake Tarpon Community Overlay



## Subject Area Exhibit A

Prepared by:  
Pinellas County  
Planning Department  
September 2011





PREPARED BY AND RETURN TO:

David R. Phillips, Esq.  
David R. Phillips, P.A.  
1314 S. Fort Harrison Avenue, Suite A  
Clearwater, FL 33756

4 of 6

### DECLARATION OF USE RESTRICTION

THIS **DECLARATION OF USE RESTRICTION** ("**Declaration**") is made as of the 13<sup>th</sup> day of July, 2016, by **SENIOR DEVELOPMENT PARTNERS, LLC**, a Florida limited liability company ("**Owner**"), whose mailing address is 535 South Hercules Avenue, Suite 201-B, Clearwater, Florida 33764, upon the following recitals of fact:

**WHEREAS**, Owner is the owner in fee simple of certain real property located in the County of Pinellas, State of Florida, which is more particularly described on **Exhibit "A"** attached hereto and incorporated herein by this reference ("**Property**"); and

**WHEREAS**, Owner, by this Declaration has agreed to encumber the Property with certain restrictive covenants benefitting Cypress Run Property Owners Association, Inc., a Florida non-profit corporation ("**Cypress Run HOA**") and Foxwood Estates Homeowner's Association, Inc., a Florida non-profit corporation ("**Foxwood HOA**"), all in accordance with the terms and conditions set forth below. Each of Cypress Run HOA and Foxwood HOA may be referred to herein as an "**Association**" and collectively, the "**Associations**".

**NOW, THEREFORE**, for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner declares:

1. **Recitals**. The statements contained in the recitals of fact set forth above are true and correct and are made a part of this Declaration by reference.

2. **Use Restriction**. Subject to the conditions and express limitations set forth herein, Owner hereby declares, establishes, creates, and grants for the benefit of Cypress Run HOA and Foxwood HOA, and any successor homeowner's association to either of them (such parties are hereinafter referred to individually as an "**Association Party**" and collectively, the "**Association Parties**"), and as a burden and restrictive covenant encumbering the Property, that the Property shall be developed and used as an independent living, assisted living, memory care or similar senior retirement residential facility, and for no other purpose ("**Use Restriction**"). Except as expressly set forth herein, the Use Restriction shall run with, bind, and encumber the Property and inure to the benefit of the Association Parties, or either of them, for a period of thirty (30) years from and after the date that this Declaration is recorded, at which time the Use Restriction shall automatically expire by its terms. After the expiration of such thirty (30)-year period and for a period of twenty (20) additional years, the sole obligation of Owner under this Declaration will be that Owner is required, prior to submitting any application to Pinellas County, Florida for a change in the use of the Property, to provide advance written notice (with supporting information) to the Associations of the intended

change in use. After the expiration of such additional twenty (20)-year period, this Declaration shall be of no further force or effect.

3. **Modification of Use Restriction.** Notwithstanding anything to the contrary in this Declaration or otherwise, the Use Restriction may be amended upon approval by the Associations (or their successors or assigns). Such approval shall not be unreasonably withheld, conditioned or delayed if, and only if, each of the following conditions is satisfied by Owner (or its successors or assigns) at the time of its request for amendment of the use of the Property (each a “**Request for Amendment**”): (i) the use requested by Owner has been or will be approved by the local government of Pinellas County, Florida, or other appropriate governmental authority having jurisdiction over the Property; (ii) the use requested by Owner would not reasonably be expected to generate a material increase in the number of traffic trips at the Property (as compared to the number of traffic trips generated by the use of the Property authorized herein); (iii) any new improvements proposed in the Request for Amendment will not exceed thirty feet (30') in building height and the architectural design of such improvements will be in keeping with the character of the East Lake Road Corridor Plan (or any successor plan), as adopted by Pinellas County and then in effect; (iv) any new improvements proposed in the Request for Amendment will provide for front buffer setbacks and a landscape buffer along the East Lake Road right-of-way frontage that complies in all respects with the requirements of the East Lake Road Corridor Plan (or any successor plan), as adopted by Pinellas County and then in effect; (v) any new improvements proposed in the Request for Amendment will include a concrete block/masonry wall along the easternmost boundary of the Property, and extend from the southeast line of the Property to the Foxwood HOA gate as it exists on the date hereof (or any successor gate if located in substantially the same location as such gate on the date hereof); (vi) any new improvements proposed in the Request for Amendment will include an opaque landscape buffer area at least twenty feet (20') in width along the easternmost boundary of the Property, which buffer will consist of not less than eight foot (8') tree plantings on fifteen foot (15') center and understory plantings between trees; (vii) the use requested by Owner shall not be for the operation of any assembling or manufacturing operation; any second-hand use store, government surplus store, flea market, salvage store, auction house, bowling alley, pool hall, skating rink, amusement arcade, adult book store, adult theatre, adult amusement facility, any facility selling or displaying pornographic materials, car wash or bingo parlor; any dumping, disposing, incineration or reduction of garbage (exclusive of garbage compactors or containers located near any building or otherwise on a parcel during construction); any central laundry, dry cleaning plant or laundromat (provided, however, this prohibition shall not be applicable to on-site service oriented to pickup and delivery by the ultimate consumer, including nominal supporting facilities); any mortuary; a gasoline station, convenience store or grocery store; or any drug or alcohol rehabilitation center, teen rehabilitation or residential facility or residential halfway house; and (viii) the use requested by Owner is then in keeping with the character of the East Lake Road Corridor Plan (or any successor plan), as adopted by Pinellas County and then in effect. Any Request for Amendment shall be in writing and delivered by Owner to each of the Associations and shall include Owner's requested use and information regarding the proposed improvements in order to assist the Associations in determining whether such proposed use and related improvements will comply with the conditions described in this Section. Each Association shall have thirty (30) days from the date of Owner's delivery of the Request for Amendment (together with a copy of this Declaration and other reasonably supporting information to enable the Associations to analyze the request for a change in use) to notify Owner in writing of the Association's decision to approve or reject the proposed use described in the Request for Amendment. If an Association has failed to respond to the Request for Amendment after such thirty (30)-day period, Owner shall be permitted to deliver a second notice of the Request for Amendment to the



unresponsive Association, and if such Association has failed to notify Owner in writing of the Association's decision to approve or reject the proposed use within fifteen (15) days from the date of Owner's delivery of such second notice, such failure to respond shall be deemed an approval by the unresponsive Association. In no event will Owner ever be required to send a Request for Amendment to each residential property owner in the Cypress Run and/or Foxwood Estates residential communities or to obtain the consent of such individual residential owners to a Request for Amendment.

4. **Covenant Running with Land.** The foregoing Use Restriction shall constitute a covenant running with the Property, and shall inure to the benefit of the Association Parties and be binding on the Property and all future owners of all or any portion of the Property.

5. **Notices.** Any notice given to a party must be in writing and delivered in accordance with this Section 5. All notices and other communications required or permitted to be given hereunder shall be in writing and shall be effective and deemed delivered, if served in person, when delivered or refused, if served by certified or registered mail, postage prepaid and return receipt requested, or the next succeeding business day after deposit with a responsible overnight delivery service similar to UPS and/or Federal Express. If the last day for giving notice or performing any act hereunder falls on a Saturday, Sunday, or day on which United States post offices are not open for the regular transaction of business, the time shall be extended to the next day that is not a Saturday, Sunday, or post office holiday. The parties hereby designate the following addresses for purposes of notice:

If to Owner:	Senior Development Partners, LLC 535 South Hercules Avenue, Suite 201-B Clearwater, Florida 33764 Attn: Blake Doganiero
With a copy to:	David R. Phillips, P.A. 601 Cleveland Street, Suite 501-4 Clearwater, Florida 33755 Attn: David R. Phillips, Esq.
If to Cypress Run HOA:	Cypress Run Property Owners Association, Inc. 905 East Martin Luther King, Jr. Drive, Suite 460 Tarpon Springs, Florida 34689 Attn: Property Manager
With a copy to:	any President and Secretary for the Cypress Run HOA listed on sunbiz.org (or any known successor database) at the time of the notice
If to Foxwood HOA:	Foxwood Estates Homeowner's Association, Inc. 4174 Woodlands Parkway Palm Harbor, Florida 34685 Attn: Property Manager

With a copy to:

any President and Secretary for the Foxwood HOA listed on sunbiz.org (or any known successor database) at the time of the notice

Any party may change its address for receiving notices and other communications under this Declaration only in accordance with the terms of this Section 5, and the addresses set forth above shall be deemed true and correct in the absence of any properly delivered notice of address change.

6. **Governing Law/Exclusive Venue.** This Agreement shall be construed and enforced in accordance with the laws of the State of Florida. The exclusive venue for any action arising hereunder shall be in the applicable court having jurisdiction in Pinellas County, Florida, and the parties each hereby waive any right to assert in any proceeding that venue is proper or more convenient in any court jurisdiction or venue other than Pinellas County, Florida.

7. **Enforcement.** In the event of any violation or threatened violation by an owner or Occupant of the Property or any portion thereof, of any of the terms, covenants and conditions of this Agreement, the Associations, or either of them, shall have the right, but not the obligation, to enjoin such violation or threatened violation in a court of competent jurisdiction in Pinellas County, Florida. The right of injunction shall be in addition to any and all other remedies under statute, at law or in equity or under this Declaration. For the purposes of this Declaration, the term "**Occupant**" shall mean any entity entitled to the occupancy and/or use of the Property by virtue of a lease, sublease, concession or similar arrangement.

8. **Attorneys' Fees.** The prevailing party in any litigation arising under or related to this Declaration shall be entitled to recover from the non-prevailing party all reasonable attorneys' fees, paralegal fees and costs incurred in connection with such litigation, or appeal or otherwise.

9. **Severability.** If any term or provision of this Declaration or the application thereof to any person or circumstances shall, to any extent, be invalid and unenforceable, the remainder of this Declaration or the application of such terms or provisions to persons or circumstances other than those as to which it is invalid or unenforceable shall not be affected thereby, and each term or provision of this Declaration shall be valid and shall be enforced to the fullest extent permitted by law.

10. **Entire Agreement; Modification.** This Declaration supersedes all prior understandings and agreements between the parties relative to the matters which are the subject of this Declaration prior to the date of its execution and all such prior understandings and agreements are merged into this Declaration and extinguished and terminated. Except as specifically set forth above, including the provisions for automatic termination, this Declaration may be modified only by an instrument executed by Owner and the Associations (or their respective successors or assigns) and recorded in the Public Records of Pinellas County, Florida.

11. **Mitigation Settlement Agreements.** Owner hereby agrees that it previously entered into (i) that certain Zoning & Development Mitigation Settlement Agreement effective as of August 27, 2015, as amended by First Amendment thereto dated as of April 4, 2016, with the Cypress Run HOA and (ii) that certain Zoning & Development Mitigation Settlement Agreement effective as of December 14, 2015, as amended by First Amendment thereto dated as of July 6, 2016, with the Foxwood HOA (collectively, the "**Mitigation Agreements**"). This Declaration is being executed



and recorded pursuant to certain terms and conditions set forth in the Mitigation Agreements and has been approved by each of the Associations. Any prospective purchaser of all or a portion of the Property should take notice of the existence of the Mitigation Agreements, and any owner of the Property shall be obligated to provide to a prospective purchaser a copy of the Mitigation Agreements.

**[SIGNATURE APPEARS ON THE FOLLOWING PAGE]**

IN WITNESS WHEREOF, the Owner has executed this Declaration as of the day and year first above written.

WITNESSES:

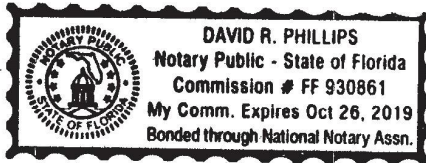
OWNER:

Hermogenes Torres Jr.  
 (Witness Signature)  
 Print Name: Hermogenes Torres Jr.  
David R. Phillips  
 (Witness Signature)  
 Print Name: David R. Phillips

SENIOR DEVELOPMENT PARTNERS, LLC, a Florida limited liability company  
 By: [Signature]  
William Blake Doganiero, Manager

STATE OF FLORIDA  
 COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 4th day of April, 2016, by **WILLIAM BLAKE DOGANIERO**, as the Manager of **SENIOR DEVELOPMENT PARTNERS, LLC**, a Florida limited liability company, on behalf of such company, who is personally known to me or who produced a \_\_\_\_\_ driver's license as identification.



[Signature]  
 Notary Public - (Signature)  
 Print Name: \_\_\_\_\_  
 My Commission Expires: \_\_\_\_\_



**EXHIBIT "A"**

**PROPERTY**

Lots 1 and 12, FOXWOOD ESTATES, according to the plat recorded in Plat Book 139, Pages 9 through 12, inclusive, of the Public Records of Pinellas County, Florida.

04-27-16-94156-000-0010

Compact Property Record Card

Tax Estimator

Updated November 11, 2023

Email Print

Radius Search

FEMA/WLM

Ownership/Mailing Address	Change Mailing Address	Site Address
WHETZEL, TERRI B TRE WHETZEL, TERRI B REV TRUST 2545 ROYAL LIVERPOOL DR TARPON SPRINGS FL 34688-6335		2545 ROYAL LIVERPOOL DR (Unincorporated)



Property Use: 0110 (Single Family Home)

Current Tax District: EAST LAKE FIRE (ETF) Total Living: SF: 2,932

Total Gross SF: 3,577

Total Living Units: 1

[click here to hide] Legal Description

VILLAS AT CYPRESS RUN-WEST LOT 1

Tax Estimator  <a href="#">File for Homestead Exemption</a>			2024 Parcel Use
Exemption	2024	2025	
Homestead:	Yes	Yes	* Assuming no ownership changes before Jan. 1
Government:	No	No	Homestead Use Percentage: 100.00%
Institutional:	No	No	Non-Homestead Use Percentage: 0.00%
Historic:	No	No	Classified Agricultural: No

Parcel Information Latest Notice of Proposed Property Taxes (TRIM Notice)

Most Recent Recording	Sales Comparison	Census Tract	Evacuation Zone (NOT the same as a FEMA Flood Zone)	Flood Zone (NOT the same as your evacuation zone)	Plat Book/Page
22521/0756 	\$572,900 <a href="#">Sales Query</a>	121030273091	C	Current FEMA Maps	87/63

2023 Final Value Information

Year	Just/Market Value	Assessed Value / SOH Cap	County Taxable Value	School Taxable Value	Municipal Taxable Value
2023	\$488,019	\$236,103	\$186,103	\$211,103	\$186,103

[click here to hide] Value History as Certified (yellow indicates correction on file)

Year	Homestead Exemption	Just/Market Value	Assessed Value	County Taxable Value	School Taxable Value	Municipal Taxable Value
2022	Yes	\$416,485	\$229,226	\$179,226	\$204,226	\$179,226
2021	Yes	\$360,396	\$222,550	\$172,550	\$197,550	\$172,550
2020	Yes	\$360,839	\$219,477	\$169,477	\$194,477	\$169,477
2019	Yes	\$349,581	\$214,543	\$164,543	\$189,543	\$164,543
2018	Yes	\$321,978	\$210,543	\$160,543	\$185,543	\$160,543
2017	Yes	\$315,171	\$206,213	\$156,213	\$181,213	\$156,213
2016	Yes	\$298,804	\$201,972	\$151,972	\$176,972	\$151,972
2015	Yes	\$280,760	\$200,568	\$150,568	\$175,568	\$150,568
2014	Yes	\$259,880	\$198,976	\$148,976	\$173,976	\$148,976
2013	Yes	\$219,733	\$196,035	\$146,035	\$171,035	\$146,035















### CERTIFICATION OF OWNERSHIP

I hereby certify that I have read and understand the contents of this application, and that this application together with all supplemental data and information is a true representation of the facts concerning this request, that this application is made with my approval, as owners and applicant, as evidenced by my signature appearing below. It is hereby acknowledged that the filing of this application does not constitute automatic approval of the request and further that if the request is approved, I will obtain all necessary permits and comply with all applicable orders, codes, conditions and rules and regulations pertaining to the use of the subject property, while under my ownership. I am aware that attendance by me or my authorized representative at all public hearings relative tot this request is required and that failure to attend may result in a denial of the request. It shall be my responsibility to determine time and location of all hearings.



Signature of Owner, Trustee, or  
Officer or Registered Agent of  
Corporation

Date: 8-15-2022

STATE OF FLORIDA, COUNTY OF PINELLAS Pasco

Before me this 15 day of August, 20 22

personally appeared Robert WARREN  
who, being duly sworn, deposes and says that the above is a true and correct certification.



(signature) NOTARY PUBLIC



(seal)

\*Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.

## DiNapoli, Francesca

---

**From:** McLaughlin, Karen  
**Sent:** Monday, November 13, 2023 4:19 PM  
**To:** Clerk Board Records  
**Subject:** FW: submission of Evidence for Agenda Item #42 Case No. ZON 22-08 Cypress Run/Terri Whetzel

**Importance:** High

**Categories:** Francesca

Good afternoon,

Please see the below message that was sent to planning/zoning at 4:02pm today. Please ensure that the link can be opened per the senders request.

Thank you,  
Karen McLaughlin

*Karen McLaughlin*

**Planning Analyst, Pinellas County Government**  
**Clearwater, FL**

**[kmclaughlin@pinellas.gov](mailto:kmclaughlin@pinellas.gov) & Office Phone (727) 464-3583**

**Please visit our webpages for current land use & zoning cases & Local Planning Agency dates and agendas. The links are below:**

**<https://pinellas.gov/active-land-use-zoning-and-type-3-cases/> and <https://pinellas.gov/boards-councils-and-committees/local-planning-agency/>**



*All government correspondence is subject to public records law*

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**From:** Zoning, Planning <zoning@pinellas.gov>  
**Sent:** Monday, November 13, 2023 4:07 PM  
**To:** McLaughlin, Karen <kmclaughlin@pinellas.gov>  
**Subject:** FW: submission of Evidence for Agenda Item #42 Case No. ZON 22-08 Cypress Run/Terri Whetzel

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**From:** Jane Graham <[jane@sunshinecitylaw.com](mailto:jane@sunshinecitylaw.com)>  
**Sent:** Monday, November 13, 2023 4:02 PM  
**To:** Zoning, Planning <[zoning@pinellas.gov](mailto:zoning@pinellas.gov)>; McAteer, Derrill L <[dmcateer@co.pinellas.fl.us](mailto:dmcateer@co.pinellas.fl.us)>; Sparrow, Robyn <[rosparrow@pinellas.gov](mailto:rosparrow@pinellas.gov)>  
**Cc:** Coffey, Amanda S <[acoffey@pinellas.gov](mailto:acoffey@pinellas.gov)>  
**Subject:** submission of Evidence for Agenda Item #42 Case No. ZON 22-08 Cypress Run/Terri Whetzel



**CAUTION:** *This message has originated from outside of the organization. Do not click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe.*

Good afternoon,

I am writing to submit a letter and supporting evidence into the record on behalf of my client Terri Whetzel for tomorrow's County Commission hearing, Item #42 Case No. ZON 22-08 Cypress Run. She is in opposition to this item.

Here is a link: [https://drive.google.com/file/d/1bz4tfG9Q7Mt\\_Ngszt0Bli9VralmwCPKa/view?usp=sharing](https://drive.google.com/file/d/1bz4tfG9Q7Mt_Ngszt0Bli9VralmwCPKa/view?usp=sharing)

Please confirm that the link works, and also please confirm that it will be entered into the record and provided to the Commissioners for review. I will be appearing in person tomorrow and will provide hard copies as well.

Thank you.

Sincerely,

Jane Graham, Esq.  
Florida Bar Board Certified Attorney in City, County, and Local Government Law  
Attorney and Founder  
Sunshine City Law  
737 Main Street, Suite 100  
Safety Harbor, FL 34695  
(727) 291-9526  
[jane@sunshinecitylaw.com](mailto:jane@sunshinecitylaw.com)  
[www.sunshinecitylaw.com](http://www.sunshinecitylaw.com)



## Eres, Christian

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**From:** Greenleaf, Kim  
**Sent:** Tuesday, November 14, 2023 2:24 PM  
**To:** BCC Agenda Comments  
**Subject:** 11/14th BCC meeting - agenda item #42 (Cypress Run)  
**Attachments:** Item #42, Case No. ZON-22-08 Cypress Run opposition letter and evidence

For the record....

**Kimberly H. Greenleaf**

**Executive Aide to Commissioner Dave Eggers**

Pinellas County Board of County Commissioners, District 4

315 Court Street, Fifth Floor

Clearwater, FL 33756

727-464-3276 office

[kgreenleaf@pinellas.gov](mailto:kgreenleaf@pinellas.gov)



## Eres, Christian

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**From:** Stillo, Tony  
**Sent:** Tuesday, November 14, 2023 12:44 PM  
**To:** BCC Agenda Comments  
**Subject:** FW: File #23.1632A scheduled for November 14 meeting

See below

Sincerely,

*Tony Stillo*

Executive Aide to Janet C. Long  
Chair, At-Large District 1  
Pinellas County Commission  
315 Court Street, 5<sup>th</sup> Floor  
Clearwater, Florida 33756  
(727) 464-3365  
[testillo@pinellas.gov](mailto:testillo@pinellas.gov)  
[www.pinellas.gov](http://www.pinellas.gov)

*All government correspondence is subject to the public record laws.*

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**From:** Leslie Ingleman <inglemom@gmail.com>  
**Sent:** Saturday, November 11, 2023 3:56 PM  
**To:** Long, Janet C <JanetCLong@pinellas.gov>  
**Subject:** File #23.1632A scheduled for November 14 meeting

**CAUTION:** *This message has originated from outside of the organization. Do not click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe.*

Dear Ms. Long

I would appreciate your "No" vote on the zoning request for the above mentioned file on November 14th.

I am a resident of Cypress Run Villas West which is located directly across from the property that is being addressed in this zoning request. My main concern is the lack of specific construction details of the buildings proposed and the egress for this property. Two buildings could potentially be 3 stories in height (35 feet) which would be unsightly and out of character in this residential area which generally has large homes situated on 2 acre natural Florida lots. Currently there has not been clear, definite and detailed construction plans for what would be the true function of these buildings.

Please vote no until adequate information and building details are available to you.

Thank you for your attention to this matter.

Leslie Ingleman  
2601 Royal Liverpool Dr.  
Cypress Run Villas West

## Eres, Christian

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**From:** Stillo, Tony  
**Sent:** Tuesday, November 14, 2023 12:43 PM  
**To:** BCC Agenda Comments  
**Subject:** FW: Rezoning File #23.1632A Case No. ZON-22-08 scheduled for Nov 14 meeting

See below.

Sincerely,

***Tony Stillo***

Executive Aide to Janet C. Long  
Chair, At-Large District 1  
Pinellas County Commission  
315 Court Street, 5<sup>th</sup> Floor  
Clearwater, Florida 33756  
(727) 464-3365  
[testillo@pinellas.gov](mailto:testillo@pinellas.gov)  
[www.pinellas.gov](http://www.pinellas.gov)

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**From:** Marsha Witkowski <mhwitkowski@aol.com>  
**Sent:** Sunday, November 12, 2023 11:38 AM  
**To:** Eggers, Dave <deggers@pinellas.gov>; Long, Janet C <JanetCLong@pinellas.gov>  
**Subject:** Rezoning File #23.1632A Case No. ZON-22-08 scheduled for Nov 14 meeting

**CAUTION:** *This message has originated from outside of the organization. Do not click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe.*

I urge you to vote No on this rezoning request. I live at 902 Gullane Drive located in the Villas of Cypress Run - West which is in very close proximity to this area. I am the current President of the HOA and a number of residents share concerns. The Hollins Creek floodplain bisects the property in the zoning request. Some of our Villas West homes abut the Hollins Creek floodplain. No studies have been done for this property to indicate if current underground systems can handle rain/storm run-off with less land available for drainage. Could this cause additional drainage/flooding into Hollins Creek causing a negative impact on those Villas West homes?? It seems that the Pinellas County Floodplain Management Program has not weighed in on this rezoning issue. Flood insurance costs are already at record highs.

Requested building heights of 35 feet are out of proportion with all of the existing structures in the general area, even those on the opposite side of the well traveled East Lake Road. At the size requested and no artistic rendering to show otherwise, it is a real concern that there will be two good size commercial looking buildings that stand out like a sore thumb in our tranquil residential community. One of these buildings will even stand out from East Lake Road. Intended use of these buildings will increase traffic on East Lake Drive, already a narrow road never intended for high use. Access to these building is also of concern especially the proposed building on the railroad property. As an example, will an easement eventually be granted to provide access from East Lake Road which will have an impact of owners who live in our East villas.



These few items alone can impact property values of our villas and need to be fully addressed prior to granting any approvals. We do, very much, want the golf club to be successful but not at the expense of the Villas West owners. With all of the unknowns regarding this property request, we just don't know what the effect will be. Your "No" vote would delay the matter to force clarifications and more details by the golf club.

Thank You  
Marsha Witkowski

## Eres, Christian

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**From:** Stillo, Tony  
**Sent:** Tuesday, November 14, 2023 10:26 AM  
**To:** BCC Agenda Comments  
**Subject:** FW: Item #42, Case No. ZON-22-08 Cypress Run opposition letter and evidence

See below.

Sincerely,

***Tony Stillo***

Executive Aide to Janet C. Long  
Chair, At-Large District 1  
Pinellas County Commission  
315 Court Street, 5<sup>th</sup> Floor  
Clearwater, Florida 33756  
(727) 464-3365  
[testillo@pinellas.gov](mailto:testillo@pinellas.gov)  
[www.pinellas.gov](http://www.pinellas.gov)

*All government correspondence is subject to the public record laws.*

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**From:** Jane Graham <jane@sunshinecitylaw.com>  
**Sent:** Tuesday, November 14, 2023 4:29 AM  
**To:** Long, Janet C <JanetCLong@pinellas.gov>  
**Subject:** Item #42, Case No. ZON-22-08 Cypress Run opposition letter and evidence

**CAUTION:** *This message has originated from outside of the organization. **Do not** click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe.*

Dear Chair Long,

I am writing on behalf of my client Terri Whetzel, who owns the property at 2545 Royal Liverpool Drive in the Villas at Cypress Run. Ms. Whetzel is in opposition to Item #42 Case No. ZON 22-08 Cypress Run. Here is a link to her letter in opposition with attached evidence, which has also been submitted to the record:  
[https://drive.google.com/file/d/1bz4tfG9Q7Mt\\_Ngszt0Bli9VralmwCPKa/view?usp=sharing](https://drive.google.com/file/d/1bz4tfG9Q7Mt_Ngszt0Bli9VralmwCPKa/view?usp=sharing)

I will appear on her behalf at the hearing and will present you a hard copy of this document. Since there is no digital presentation, I was advised by Board Records to email you directly.

Thank you for your consideration.

Sincerely,

Jane Graham, Esq.  
Florida Bar Board Certified Attorney in City, County, and Local Government Law



Attorney and Founder  
Sunshine City Law  
737 Main Street, Suite 100  
Safety Harbor, FL 34695  
(727) 291-9526  
[jane@sunshinecitylaw.com](mailto:jane@sunshinecitylaw.com)  
[www.sunshinecitylaw.com](http://www.sunshinecitylaw.com)



## Eres, Christian

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**From:** Jane Graham <jane@sunshinecitylaw.com>  
**Sent:** Tuesday, November 14, 2023 4:32 AM  
**To:** Eggers, Dave  
**Subject:** Item #42, Case No. ZON-22-08 Cypress Run opposition letter and evidence

**CAUTION:** *This message has originated from outside of the organization. Do not click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe.*

Dear Commissioner Eggers,

I am writing on behalf of my client Terri Whetzel, who owns the property at 2545 Royal Liverpool Drive in the Villas at Cypress Run. Ms. Whetzel is in opposition to Item #42 Case No. ZON 22-08 Cypress Run. Here is a link to her letter in opposition with attached evidence, which has also been submitted to the record:

[https://drive.google.com/file/d/1bz4tfG9Q7Mt\\_Ngszt0Bli9VralmwCPKa/view?usp=sharing](https://drive.google.com/file/d/1bz4tfG9Q7Mt_Ngszt0Bli9VralmwCPKa/view?usp=sharing)

I will appear on her behalf at the hearing and will present you a hard copy of this document. Since there is no digital presentation, I was advised by Board Records to email you directly.

Thank you for your consideration.

Sincerely,

Jane Graham, Esq.  
Florida Bar Board Certified Attorney in City, County, and Local Government Law  
Attorney and Founder  
Sunshine City Law  
737 Main Street, Suite 100  
Safety Harbor, FL 34695  
(727) 291-9526  
[jane@sunshinecitylaw.com](mailto:jane@sunshinecitylaw.com)  
[www.sunshinecitylaw.com](http://www.sunshinecitylaw.com)





**Correspondence received after DRC Packets were distributed to DRC Board Members.  
Case Number: ZON-22-08 (Cypress Run of FL, LLC)**

**From:** Terri Whetzel <[twhetzel@innovativecms.com](mailto:twhetzel@innovativecms.com)>

**Sent:** Friday, September 8, 2023 10:06 AM

**To:** Brinson, Ryan <[rbrinson@pinellas.gov](mailto:rbrinson@pinellas.gov)>

**Subject:** RE: Cypress Run Master Plan 1982

**CAUTION:** *This message has originated from outside of the organization. Do not click on links or open attachments unless you are expecting the correspondence from the sender and know the content is safe.* Good morning Mr. Brinson,

First and foremost, I wish to express my thanks for you giving me a call yesterday regarding the upcoming DRC public meeting for Case No. ZON-22-08. I would like to reiterate the important points of our conversation and the anticipation that you and your department will be instrumental in ensuring an effective and fair process:

- I retrieved the public notice for this meeting, which was dated August 30, 2023, from my mailbox during the late afternoon/early evening of Thursday, August 31, 2023. After examining the notice, I understood that any information I, or others, may like to provide for consideration by the DRC would need to be submitted the following day in order to comply with the 7-day advance submission requirement. Not only did the Labor Day Weekend interfere with and reduce the available time to respond, many Tarpon Springs residents and businesses were dealing with the aftermath flooding conditions of Idalia. I respectfully request, in the interest of fairness and due process, that this hearing be postponed or continued to the next DRC meeting date to allow for the submission of substantive and competent information to the DRC for consideration in accordance with the advance submission requirements.
- As we discussed, this zoning change is for the purpose of modifying a Development Master Plan on a Residential Planned Development to allow for an addition of acreage for the sole purpose of increasing the allowable number of units that can be built within Cypress Run. I believe that there may be errors in the calculation of allowable units. I would like to have the time necessary to review this issue further and request that the zoning department review this as well.
- Most importantly, I believe that "the cart has been placed before the horse" as the addition of acreage into Cypress Run requires a two-thirds (2/3) approval of the membership. This has not yet occurred. Should that super majority vote not be achieved, all of the work of those involved will be for naught. I believe common sense dictates that this approval be attained prior to any approval by the county. Any representation that sufficient members of Cypress Run support this plan, is not accurate. This vote, while not impossible, will be difficult to achieve even though the applicant is entitled to 25% of the total vote. Should the affirmative vote be attained, the county will be able to base a favorable decision supported by the membership of Cypress Run. Please see below the portion of the governing documents (*Amended and Restated Declaration of Covenants and Restrictions of Cypress Run*) which address this approval requirement.

**ARTICLE II**  
**Property Subject to This Declaration:**  
**Additions Thereto**

**Section 1. Existing Property.** The real property which has been conveyed and otherwise made subject to this Declaration, is located in the County of Pinellas and State of Florida, includes the property described in Schedule "A" annexed to the original Declaration of Covenants, which is incorporated herein, as well as all of the property shown and described in the following plats: Cypress Run Unit I – Plat Book 86, Pages 27 through 32; Cypress Run Unit II – Plat Book 87, Pages 65 through 68; Villas at Cypress Run – Plat Book 86, Pages 19 through 21; and Villas at Cypress Run West – Plat Book 87, Pages 63 through 64. Additionally, the Golf Course property, as described above in the definitions, and as may also have been described on Schedule "B" to the original Declaration of Covenants, is part of the existing property.

**Section 2. Additions to Existing Property.** Lands in addition to the Existing Property described above may hereafter become subject to this Declaration in the following manner:

**A. Additions Approved by Members.** Upon approval in writing by the Board of Directors and the members of the Association, pursuant to authorization of the vote of two-thirds (2/3) of its members, voting as provided in Section 3 of Article III hereof, and in the Articles of Incorporation of the Association, the Association and the owner of any property who desires to add such property to the scheme of this Declaration and subject such property to the jurisdiction of the Association, may file of record a Supplementary Declaration of Covenants and Restrictions. The voting rights and assessment obligations of all Owners will be adjusted accordingly.

Again, thank you for your time and consideration.

Respectfully,

***Terri B. Whetzel, CMCA, AMS***

Innovative Community Management Solutions, Inc.

600 East Tarpon Avenue

Tarpon Springs, FL 34689-4202

Voice: 727-938-3700

Email: [twhetzel@innovativecms.com](mailto:twhetzel@innovativecms.com)

Website: <http://www.innovativecms.com>

Note: This correspondence was sent via email to:

**Ryan A. Brinson, FRA-RA**  
**Principal Planner**

Housing and Community Development Department

[Tell us how we are doing!](#)

Phone (727) 464-5642

[rbrinson@pinellascounty.org](mailto:rbrinson@pinellascounty.org)