

Office of Planning and Development
Tom Deardorff, AICP, Director

Land Development Division



330 West Church Street
P.O. Box 9005, Drawer GM 03
Bartow, FL 33831-9005
(863)534-6792
Fax (863)534-6407
www.polk-county.net

Board of County Commissioners

AGENDA FOR DEVELOPMENT REVIEW COMMITTEE

DATE: August 05, 2015
TO: Development Review Committee Members
FROM: John M. Bohde, AICP, Director
Tom Pierce, Sr, Development Review Specialist
SUBJECT: Meeting Schedule for August 20, 2015

The Development Review Committee will meet on **Thursday, August 20, 2015 IN THE LAND DEVELOPMENT DIVISION (PLANNING CONFERENCE ROOM 2ND FLOOR)**

LEVEL 1 PRE-APPLICATION REQUESTS WILL START AT 8:30 A.M.

ALL OTHER LEVELS OF REVIEW WILL BE SCHEDULED BY APPOINTMENT.

Please bring all case files and pertinent information on the cases listed in the attached agenda to the meeting.

If you have any questions, please contact my office at (863) 534-6792.

MC/BG

Attachments: Pre-Application Request



www.polk-county.net

PRE-APPLICATION CONFERENCE

\$100.00 FEE

Growth Management Department
Land Development Division
 330 W. Church St.
 P.O. Box 9005, Drawer TS05
 Bartow, FL 33831-9005
 (863)534-6792
 SUNCOM 569-6792
 FAX (863) 534-6407

The cut-off for this application is every Wednesday at 3:00PM to be heard at the next available Development Review Committee (DRC) meeting. DRC meetings are held every Thursday. This application will be heard approximately two weeks after submittal.

Appointment Date and Time: 8/20/15 Project Number (For office use only) 58098

David Norris/Westwood MBC (863) 299-1048
 APPLICANT/PROJECT NAME PHONE FAX

112 Coleman Road, Winter Haven, FL 33880 d.norris@earthlink.net
 MAILING ADDRESS E-mail Address

David Norris, David Norris Engineering (863) 299-1048 (863) 291-4305
 CONTACT PERSON (if different from applicant) PHONE FAX

112 Coleman Road, Winter Haven, FL 33880 d.norris@earthlink.net
 MAILING ADDRESS E-mail Address

Application Requirements (must be attached and submitted in 8 1/2" x 11" only)

- Project Narrative (ie: Number of dwelling units or square footage)
- Aerial with site identified
- Site Plan
- Location Map (vicinity map)
- Confirm the Land Use District and Development Area on the bottom part of this page.

Amendment Type Text Amendment Map Amendment

Acres 1.78

Tax Identification Number

	Section-Township-Range	-	Subdivision #	-	Parcel #
Parcel ID Number(s): (18 digits)	S 24 T 28 R 25	-	351000	-	006050
	S 24 T 28 R 25	-	351000	-	006140
	S T R	-		-	

Current Land Use District Residential Medium (RM)

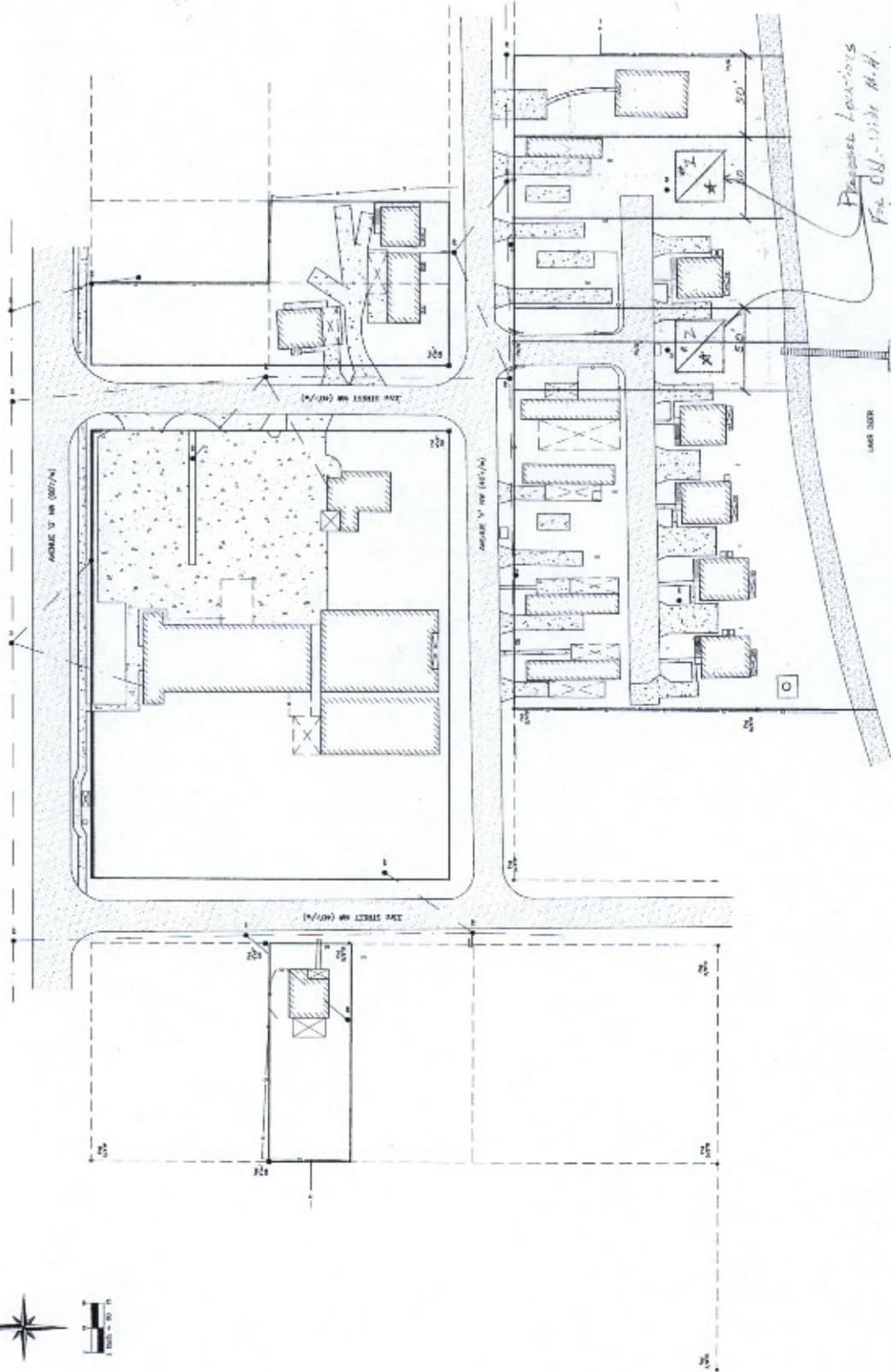
Current Development Area Urban Growth Area (UGA)

Note: Pre-application forms will not be accepted without the required attachments and the requested information provided.

PROJECT NARRATIVE

Residential properties are owned by Westwood Missionary Baptist Church. The church would like to move (2) double-wide mobile homes onto (2) of the lots.

WESTWOOD MISSIONARY BAPTIST CHURCH



*Proposed Lavatories
From Old - inside N.A.
(#1 in top priority)*

DOUGLAS S. GIPSON
 ARCHITECT
 600 West 17th Street, Suite 100
 Minneapolis, MN 55411
 Phone: 612-338-1111
 Fax: 612-338-1112
 E-mail: dgipson@gipson.com

Project: Westwood Missionary Baptist Church
 Date: 10/15/03
 Scale: 1/8" = 1'-0"



Project Site

Map data ©2015 Google 500 ft

Google

655

655

City Electric Supply

County Sheriff & Trap Club

American Spirit Rd

Spirit Lake Rd

Spirit Lake Rd

Carpenter Contractors of America

Nexttran Truck Center

The Shallow Grave

RidgePoint Church

Tim's Guns & Range

Recker Hwy

36th St NW

35th St NW

34th St NW

Avenue G NW

Ave F NW

Ave E NW

Ave D NW

Ave C NW

Avenue G NW

Ave F NW

Ave E NW

Ave D NW

Ave C NW

Parakee Ave

Ave I NW

Ave J NW

Woodhill Rd

Ave K NW

32nd St NW

33rd St NW

Inwood Baptist Church

31st St NW

30th St NW

29th St NW

28th St NW

Ave J NW

Ave K NW

26th St NW

25th St NW

24th St NW

23rd St NW

21st St NW

Ave H N

Lake Camf

24th St SW

24th St NW

22nd St NW

Howard W Ave

Ave B SW

Lake Hoy

Ave A SW

W Central Ave

Ave A NW

Avenue B NW

Ave C NW

Ave D NW

Ave E NW

Ave F NW

Avenue G NW

W Banana Boat

Avenue G NW

Ave I NW

27th St NW

28th St NW

26th St NW

Ave J NW

Ave K NW

23rd St NW

24th St NW

25th St NW

Howard W Ave

Ave B SW

W Central Ave

Ave A NW

Avenue B NW

Ave C NW

Ave D NW

Ave E NW

Ave F NW

Avenue G NW

W Banana Boat

Avenue G NW

Ave I NW

27th St NW

28th St NW

26th St NW

Ave J NW

Ave K NW

23rd St NW

24th St NW

25th St NW

Howard W Ave

Ave B SW

W Central Ave

Ave A NW

Avenue B NW

Ave C NW

Ave D NW

Ave E NW

Ave F NW

Avenue G NW

W Banana Boat

Avenue G NW

Ave I NW

27th St NW

28th St NW

26th St NW

Ave J NW

Ave K NW

23rd St NW

24th St NW

25th St NW

Howard W Ave

Ave B SW

W Central Ave

Ave A NW

Avenue B NW

Ave C NW

Ave D NW

Ave E NW

Ave F NW

Avenue G NW

W Banana Boat

Avenue G NW

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27th St NW

28th St NW

26th St NW

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23rd St NW

24th St NW

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Howard W Ave

Ave B SW

W Central Ave

Ave A NW

Avenue B NW

Ave C NW

Ave D NW

Ave E NW

Ave F NW

Avenue G NW

W Banana Boat

Avenue G NW

Ave I NW

27th St NW

28th St NW

26th St NW

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23rd St NW

24th St NW

25th St NW

Howard W Ave

Ave B SW

W Central Ave

Ave A NW

Avenue B NW

Ave C NW

Ave D NW

Ave E NW

Ave F NW

Avenue G NW

W Banana Boat

Avenue G NW

Ave I NW

27th St NW

28th St NW

26th St NW

Ave J NW

Ave K NW

23rd St NW

24th St NW

25th St NW

Howard W Ave

Ave B SW

W Central Ave

Ave A NW

Avenue B NW

Ave C NW

Ave D NW

Ave E NW

Ave F NW

Avenue G NW

W Banana Boat

Avenue G NW

Ave I NW

27th St NW

28th St NW

26th St NW

Ave J NW

Ave K NW

23rd St NW

24th St NW

25th St NW

Howard W Ave

Ave B SW

W Central Ave

Ave A NW

Avenue B NW

Ave C NW

Ave D NW

Ave E NW

Ave F NW

Avenue G NW

W Banana Boat

Avenue G NW

Ave I NW

27th St NW

28th St NW

26th St NW

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25th St NW

Howard W Ave

Ave B SW

W Central Ave

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Avenue G NW

W Banana Boat

Avenue G NW

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27th St NW

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26th St NW

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Howard W Ave

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Howard W Ave

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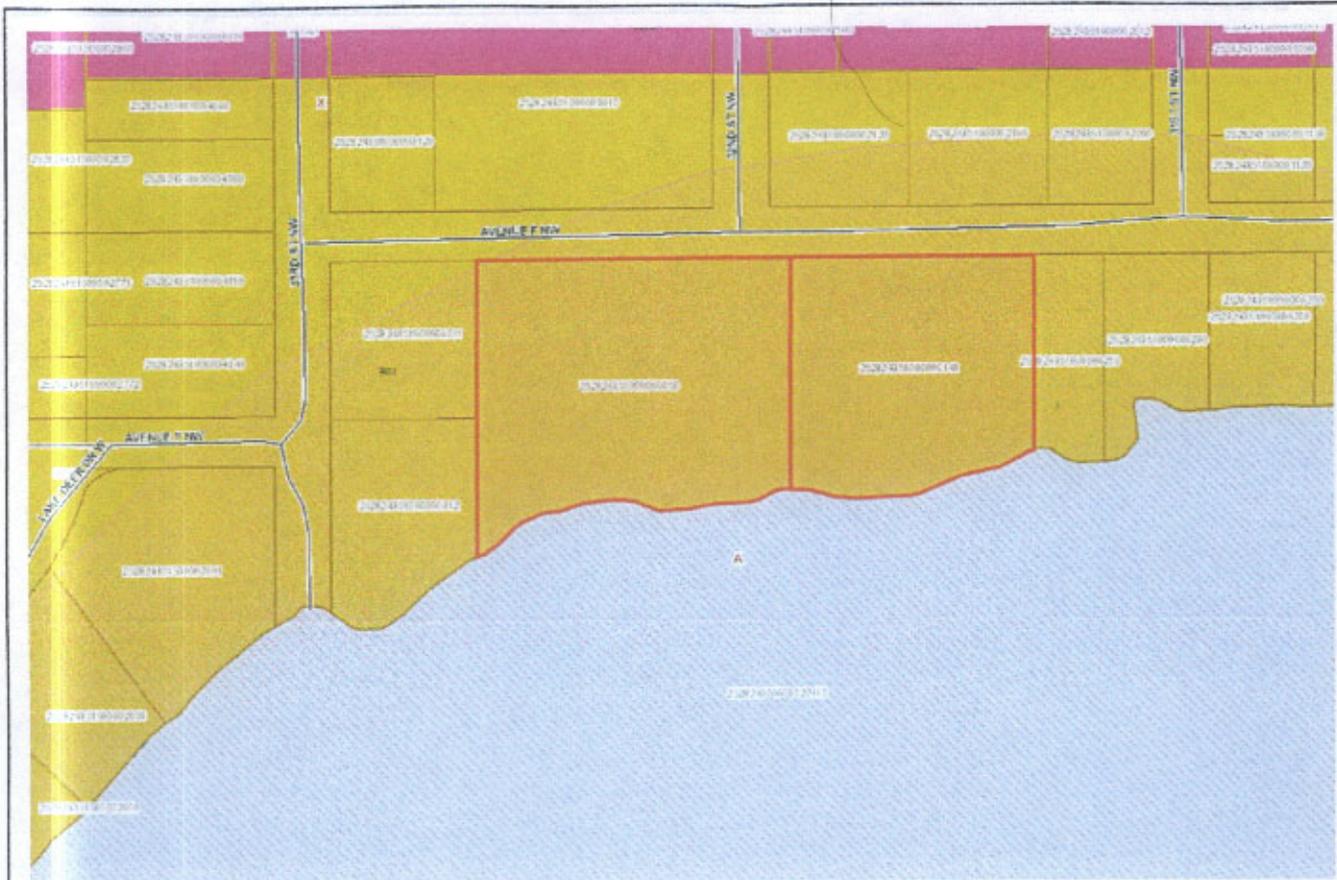
27th St NW

28th St NW

26th St NW

Ave J NW

Ave K NW



Landuse

Future Land Use (FLU) District: **RM**
 Development Area: **UGA (Urban Growth Areas)**
 Selected Area Plan (SAP): **No**
 Green Swamp Area of Critical State Concern (ACSC): **No**
 Green Swamp Special Protection Area (SPA): **No**

Flood Information:

FEMA Floodway: **No**
 FEMA 100-year Floodzone: **A**
 Wetlands: **No**

Zoning

Planned Development: **No**
 Planned Unit Development(PUD): **No**
 Suburban Planned Developments (SPD): **No**
 Conditional Use (CU):

Service Districts

Impact Fee District: **D,CENTRAL**
 Utilities Service Area (water): **, Winter Haven,**



Report for Parcel ID:
252824351000006140

+ - 6150

THE COLINAS GROUP, INC.
ENGINEERING AND ENVIRONMENTAL CONSULTANTS

July 28, 2015

Polk County
Community Services Department
Development Services Division
330 West Church Street
Bartow, FL 33830

RECEIVED
JUL 30 2015
LAND
DEVELOPMENT

Attention: Ms. Rita Karacson

Re: Time Extension Request - Level 2 Non-Residential Application Package
Gator Mine - Craig Groves - Project Number 49550
for CEMEX Construction Materials Florida, LLC

Dear Ms. Karacson:

Please find attached pages 1 through 3 of the Level 2 Non-Residential Review Application package for the Cemex Construction Materials Florida, LLC., Gator Mine - Craig Groves Extension. The application is to extend the expiration date for Project 49550 from September 9, 2015 to September 8, 2016. The existing Gator Sand Mine is operated by CEMEX Construction Materials Florida, LLC., and consists of +/- 2,547.2 acres within Polk County, Florida. CEMEX extended the mining operations in 2009. The extended project is known as Craig Groves Extension.

In a March 26, 2013 letter from Polk County to Mr. Jack Brandon, Esq., of Peterson & Myers, P.A., the County outlined expiration dates after time extensions under SB 360, SB 1752, Executive Orders 12-140, 12-192, 12-217, 12-199, and 12-240. The first paragraph on page 2 of the letter states "*A new provision that was added to the Land Development Code is the ability to apply for a one year administrative extension that requires approval by the Development Review Committee. This extension requires an application and applicable fees. Consequently, these projects could potentially be granted one additional year from the new expiration date. This one year application for extension would have to be applied for prior to the actual expiration date.*" CEMEX is requesting an additional one (1) year extension due because economic conditions have not been in favor of beginning mining in the project.

Pages 1 through 3 of the Level 2 Non-Residential Review Application Package in Attachment 1. A letter of authorization is contained in Attachment 2. Payment of the \$200.00 application fee has been made on line. Attachment 2 contains a letter from Polk County providing extension dates granted in reference to SB 360, SB 1752, Executive Orders 12-140, 12-192, 12-217, 12-199, and 12-240.

* * * *

If you have any questions concerning this application, please call.

Yours very truly,
THE COLINAS GROUP, INC.
ENGINEERING AND ENVIRONMENTAL CONSULTANTS

Mark Stephens The Colinas Group, Inc.
19000 Mark Stephens, The Colinas Group, Inc.
www.colinasgroup.com, LLC
Phone: 352.372.1511 FAX: 352.372.1511

Mark R. Stephens, P.G., P.E.
Principal Consultant

attachments

cc: Mr. James Mott - Environmental Manager - Cemex Construction Materials Florida, LLC.
Mr. Matt Mouncey - Environmental Director - CEMEX Construction Materials Florida, LLC.

ATTACHMENT 1
LEVEL 2 NON-RESIDENTIAL DEVELOPMENT REVIEW APPLICATION
PACKAGE



www.polk-county.net

LEVEL 2 DEVELOPMENT REVIEW APPLICATION

Office of Planning and Development
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6449
FAX (863) 534-5908

TYPE OF APPLICATION

Residential
 Non Residential
 Minor Modification to CU/PD/PUD

	Owner	Applicant	Contact Person
Name	CEMEX Construction Materials Florida, LLC	CEMEX Construction Materials Florida, LLC.	James Mott
Work Number	863-422-1171, ext 252	863-422-1171, ext 252	863-422-1171, ext 252
Fax Number	863-422-8610	863-422-8610	863-422-8610
Mailing Address	100 Lem Carnes Road Davenport, FL 33837	100 Lem Carnes Road Davenport, FL 33837	100 Lem Carnes Road Davenport, FL 33837
Email	jamesd.mott@cemex.com	jamesd.mott@cemex.com	jamesd.mott@cemex.com

	Range - Township - Section	Subdivision #	Parcel #
Parcel ID Number(s):	R 26 T 25 S 33	See	attach
	R 26 T 25 S 34	-	-
	R 26 T 26 S	-	-
	R 26 T 26 S	-	-

(Include others on a separate attachment)

Location of Property with Cross Roads:

Approximately three miles east of US Highway 27 on Dean Still Road.

Property Description

Official County Future Land Use Designation: CORE

Development of Regional Impact: NA
(Name and Phase of DRI)

Selected Area Plan: NA
(Name of SAP)

Green Swamp Area of Critical State Concern: NA
(Name of Special Protection Area)

Note: If in Green Swamp Complete the "Notice to Owner of Property Located within the Green Swamp Area of Critical State Concern."

Is this a Redevelopment Yes No

This Project IS or IS NOT a PUD/PD _____
(Project number required if this project is a PUD/PD)

This Project IS or IS NOT a CUP/CU CU 03-14 _____
(Project number required if this project is a CUP/CU)

What other local, state, or federal permits are required prior to construction for this project?

All state and federal permits required for this project have been obtained.

Have you been denied a permit or approval by a Local, State or Federal Agency for this project?

Yes No If yes, which agency denied approval? _____

Name of Water Provider: Not applicable

Name of Wastewater Provider: Not applicable

Residential

Affordable Housing Yes No

Property Size: NA Square Feet

NA Acres

Single Family Lots: # NA

Townhouses: NA # of Buildings

Non Residential

Building: NA Square Feet

Multi Family: # NA Units
(Condos; Apartment Complex; Quadplex)

NA # of Units

NA # of Units

NA # of Units

Description of Proposed Activity or Use: (Please provide a detailed description of the project, quantifying intensity such as number of units, employees, seats, beds, rooms, children, holes of golf, pumps, vehicle repair bays, etc.)

In a March 26, 2013 letter from Polk County to Mr. Jack Brandon, Esq., of Peterson & Myers, P.A., the County outlined expiration dates after time extensions under SB 360, SB 1752, Executive Orders 12-140, 12-192, 12-217, 12-199, and 12-240. CEMEX is requesting an additional one (1) year extension due because economic conditions have not been in favor of beginning mining in the project. The application is to extend the expiration date for Project 49550 from September 9, 2015 to September 8, 2016.

The existing Gator Sand Mine is operated by CEMEX Construction Materials Florida, LLC., and consists of +/- 2,547.2 acres within Polk County, Florida. CEMEX extended the mining operations in 2009. The extended project is known as Craig Groves Extension.

TYPE OF LEVEL 2 REVIEW

(Check the appropriate boxes)

Residential Review Non Residential Review Waiver Security Residences

RESIDENTIAL REVIEW FEES

(Fill out the appropriate Per Lot information)

Residential Review (Base Fee) \$850.00 \$25.00 Per Lot _____ # x \$25.00 = \$0.00

Residential Inspection (Base Fee) \$1,250.00 \$30.00 Per Lot _____ # x \$30.00 = \$0.00

Final Inspection Fee After Level 2 Review \$500.00

NON RESIDENTIAL REVIEW FEES

(Check the appropriate box)

Base Fee (Structures 30,000 square feet or greater) \$1,250.00
Inspection Fees due at Level 2 Approval \$800.00

Base Fee (Structures greater than 5,000 square feet but less than 30,000 square feet) \$850.00
Inspection Fees due at Level 2 Approval \$400.00

Base Fee (Structures up to 5,000 square feet or less) \$400.00
Inspection Fees Due at Level 2 Approval \$200.00

Final Inspection Fee Due at Final Walk Through for Non-Residential Projects \$500.00

OTHER FEES ASSOCIATED WITH A LEVEL 2 REVIEW

(Check the appropriate boxes)

Initial Operating Permit (Disposal Yard, Limerock Mine, Sand Mine) \$500.00

Minor Traffic Study w/ Concurrency Application \$50.00

Major Traffic Study w/ Concurrency Application \$400.00

Flood Plain Management Review (Minor) \$200.00

Flood Plain Management Review (Minor Modification) \$100.00

Flood Plain Management Review (Major) \$500.00

Flood Plain Management Review (Major Modification) \$250.00

Security Residence \$100.00

Waiver \$100.00

Non-Residential Driveway Permit \$400.00

Minor Modification to a Planned Development \$500.00

PARCEL ID NUMBERS
GATOR SAND MINE
FOR
CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC.

Section(s) 33, 34
Township 25 S
Range 26 E

Section(s) 03, 04 and 09
Township 26 S
Range 26 E

Tax Parcel Identification Number:

Tax Parcel Identification Number:

262533-000000-012010,
262533-000000-012020,
262533-000000-012030,
262534-000000-024010,
262534-000000-024020,
262534-000000-024030,

262603-000000-013010,
262603-000000-013020,
262603-000000-013030,
262604-000000-011010,
262604-000000-011020,
262604-000000-011030,
262609-000000-011010,
262609-000000-011020,
262609-000000-011030

ATTACHMENT 2
AUGUST 26, 2013 LETTER

Growth Management Department

Land Development Division
Chandra Frederick, AICP, Director



Board of County Commissioners

330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
SUNCOM 569-6792
Fax 863-534-6407

August 26, 2013

Mr. Jack Brandon, Esq.
Peterson & Myers, P.A.
130 East Central Avenue
P.O. Box 1079
Lake Wales, FL 33859-1079

Re: Gator Mine-Craig Groves – Polk Co. Project # 49550
Dude Ranch Road – Polk Co. Project # 53853
Lake Wales South – Polk Co. Project # 53918
Lake Wales Fuel Island & Plant Upgrade – Polk Co. Project # 53517

Mr. Brandon:

This letter is in response to a received letter dated November 16, 2012, inquiring of an extension and new expiration dates for the above CEMEX projects. The specific inquiries of your November 16, 2012 letter was an extension related to Executive Order(s) 12-199 and 12-240 (Tropical Storm Isaac) and Executive Order(s) 12-140, 12-192 and 12-217 (Tropical Storm Debby) applied to the CEMEX projects listed above.

The tables below outline the Original Expiration of all the subject projects requesting extensions. They also show the extension request for Senate Bill (SB) 1752 and the Land Development Code text amendment 09T-22 (SB 360) in which these projects were extended for a total of four (4) years. The additional tables below show the extension request for Tropical Storms Debbie and Isaac.

Project	Original Expiration Date	New Expiration Date per SB 360 & SB 1752	New Expiration Date per HB 7207
Gator Mine-Craig Groves – 49550	March 18, 2012	Not Eligible	March 18, 2014
Dude Ranch Rd -53853	October 2, 2012	Not Eligible	October 2, 2014
Lake Wales South - 53918	October 2, 2012	Not Eligible	October 2, 2014
L. W. Plant Upgrade -53517	November 5, 2011	November 5, 2013	November 5, 2015

Tropical Storm Debby – Executive Order(s) 12-140, 12-192 & 12-217

Project	Previous Expiration Date	Length of Extension (6 months plus tolling period)	New Expiration Date
Gator Mine-Craig Groves – 49550	March 18, 2014	86 days plus 6 mos.	December 13, 2014
Dude Ranch Rd -53853	October 2, 2014	86 days plus 6 mos.	June 27, 2015
Lake Wales South - 53918	October 2, 2014	86 days plus 6 mos.	June 27, 2015
L. W. Plant Upgrade -53517	November 5, 2015	86 days plus 6 mos.	July 30, 2016

Tropical Storm Isaac – Executive Order (s) 12-199 & 12-240

Project	Previous Expiration Date	Length of Extension (6 months plus tolling period)	New Expiration Date
Gator Mine-Craig Groves – 49550	December 13, 2014	88 days plus 6 mos.	September 09, 2015
Dude Ranch Rd -53853	June 27, 2015	88 days plus 6 mos.	March 25, 2016
Lake Wales South - 53918	June 27, 2015	88 days plus 6 mos.	March 25, 2016
L. W. Plant Upgrade -53517	July 30, 2016	88 days plus 6 mos.	April 28, 2017

A new provision that was added to the Land Development Code is the ability to apply for a one year administrative extension that requires approval by the Development Review Committee. This extension requires an application and applicable fees. Consequently, these projects could potentially be granted one additional year from the new expiration date. This one year application for extension would have to be applied for prior to the actual expiration date.

I trust this provides you with the information you were seeking. If you have any questions or require any further information please contact me at (863) 534-6794 or at ritakaracson@polk-county.net

Sincerely:



Rita Karacson, CPS, CPM
Development Plans Coordinator
Land Development Division



November 18, 2008

TO WHOM IT MAY CONCERN:

This letter is authorization for James Mott (an employee of Cemex -Florida Region) as my agent, to sign permit applications to construct, maintain or operate pollution sources belonging to Cemex Construction Materials, Florida, LLC.

Sincerely,

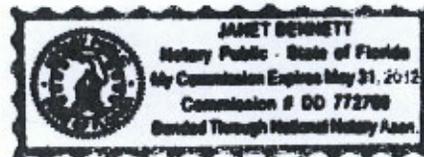
Peter Lyons – Vice President
Planning -Cemex Florida Region
1501 Belvedere Road
West Palm Beach, Fl 33406
(800) 226-5521

STATE OF FLORIDA
COUNTY OF PALM BEACH

Subscribed and sworn to before me this 19 day of NOV., 08 by Peter Lyons,
personally known to me to be Vice President of Cemex Florida Region. He did not take
an oath.

Notary Public In and For
Said County and State

STAMP/SEAL:



PETERSON & MYERS, P.A.

ATTORNEYS AT LAW • SINCE 1948

Project = 48685

WINTER HAVEN
(863) 294-3360
FAX (863) 299-5436

RECEIVED

JUL 31 2015

LAND DEVELOPMENT
DIVISION

P.O. Box 1079
LAKE WALES, FLORIDA 33859-1079

100 WEST STUART AVENUE
LAKE WALES, FLORIDA 33853
(863) 676-7611 OR (863) 683-8942
FAX (863) 676-0643

www.PetersonMyers.com

Senders Email Address: ballen@petersonmyers.com

LAKELAND
(863) 683-6511 OR (863) 676-6934
FAX (863) 682-8031

July 28, 2015

Via Email Address: JohnBohde@polk-county.net

Mr. John M. Bohde, Director
Land Development
P.O. Box 9005
Drawer GM03
Bartow, FL 33831-9005

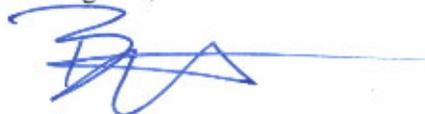
Re: Request for 1 Year Extension Pursuant to LDC 906 (G)(2)
Project Number: CU 01-01M

Dear John:

On behalf of C.C. Calhoun, Inc. and Clay Cut, LLC, Peterson & Myers, P.A. is submitting this request for a one (1) year extension to the conditions of approval of an existing 58+/- acre sand mine (#CU 01-01M). According to condition #9 of CU 01-01M, the current approval expires on October 10, 2015, unless a sufficient application is submitted prior to expiration. Consistent with the existing approvals and Section 906 (G)(2) of the LDC, we are requesting condition #9 to be modified and CU 01-01M be extended until October 10, 2016.

Please find enclosed a copy of the existing conditions of approval for #CU 01-01M, warranty deeds for C.C. Calhoun, Inc. and Clay Cut, LLC, and this firm's check for the application fee. Please contact me at the above number or by email at ballen@petersonmyers.com to schedule the DRC meeting. In the meantime, please let me know if you have any questions or comments on this matter.

Regards,



Bart Allen

JBA/db
Enclosure

c: C. C. Calhoun, Inc.
Clay Cut, LLC

M. DAVID ALEXANDER, III
JOHN B. ALLEN
PHILIP O. ALLEN
KEVIN A. ASHLEY
JACK P. BRANDON
JOSHUA K. BROWN
DEBRA L. CLINE

J. DAVIS CONNOR
DAVID G. FISHER
JOHN R. GRIFFITH
DAVID E. GRISHAM
WILLIAM H. HARRELL
TIMOTHY E. KILEY
KEVIN C. KNOWLTON

DAVID A. MILLER
CHRIS M. MORRISON
CORNEAL B. MYERS
E. BLAKE PAUL
ROBERT E. PUTERBAUGH
THOMAS B. PUTNAM, JR.
DEBORAH A. RUSTER

STEPHEN R. SENN
LOUISE W. SPIVEY
MATTHEW J. VAUGHN
KEITH H. WADSWORTH



INSTR # 2014190956
BK 9380 Pgs 0960-0962 PG(s)3
11/10/2014 12:05:54 PM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 27.00
DEED DOC 2,089.50

THIS INSTRUMENT PREPARED BY
& RETURN TO:
Robert O. Sammons
Floyd, Sammons & Spanjers, P.A.
1556 Sixth Street SE
Winter Haven, FL 33880
Attorney for Grantor

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made the 10 day of November, A.D. 2014 by **C. C. Calhoun, Inc.** a Florida corporation, of P.O. Box 1877, Dundee, Florida 33838, hereinafter referred to as grantor, and **Clay Cut, LLC, a Florida limited liability company**, of P.O. Box 1877, Dundee, Florida 33838, hereinafter referred to as grantee:

WITNESSETH: That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Polk** County Florida, viz:

See Exhibit A, attached hereto and made a part hereof.

Tax Identification Numbers: 032827-000000-042000 and 032827-000000-044040

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the grantor hereby warrants the title to said land to the extent that grantor will defend the same against the lawful claims of all persons whomsoever claiming through or under grantor but no others. The grantor affirmatively notifies the grantee that the property is subject to the following matters, against which this warranty does not apply:

1. Taxes for the year 2014 and subsequent years
2. Restrictions and easements of record, which are not reimposed hereby.
3. Grantor hereby retains ownership of the dirt, soil, and minerals found above-ground and below-ground on the land described in this deed (the "Property") and the full rights to mine them.
4. Grantor reserves an easement over and across the Property to mine the Property, as well as the right to ingress and egress over and across the Property to carry out mining operations to the fullest extent. During the time that mining is underway, Grantor shall have the right to exclusive possession of the Property.
5. Rights of Polk County, a political subdivision of the State of Florida to a portion of the land conveyed pursuant to that deed dated December 6, 2006 and recorded in

CC

O.R. Book 7314 at page 2166 of the Public Records of Polk County, Florida. (All possible rights of reversion if Bannan Loop Road is vacated are conveyed hereby).

- 6. Grantor reserves the right and an easement to operate the property for agricultural purposes until such time that the mining of the property makes such other uses impractical.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Witnesses as to grantor:

C. C. Calhoun, Inc.

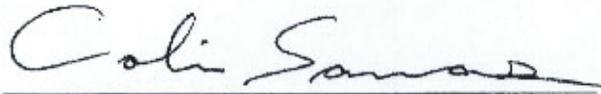


(signature)

print name: Robert O. Sammons

by:

 (president)
Charles M. Carnes, president



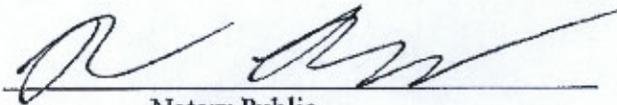
(signature)

print name: Colin Sammons

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 5 day of November, 2014 by Charles M. Carnes, as president of C. C. Calhoun, Inc. on behalf of said corporation who is personally known to me and who did take an oath.

My Commission Expires:



Notary Public,
print name:



ROBERT O. SAMMONS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE155674
Expires 1/12/2016

Exhibit A

The SE 1/4 of the SW 1/4 AND the East 1/2 of the SW 1/4 of the SW 1/4 , Section 3, Township 28 South, Range 27 East, Polk County, Florida, and that part of Section 3 described as follows: Commencing at the SW corner of said Section 3; run thence North 1196.47 feet to an iron rod and the Point of Beginning; thence continue North 123.15 feet to a railroad spike; thence run East 663.42 feet to a concrete marker; thence run South 123.15 to an iron rod; thence run West 663.42 feet to the Point of Beginning,

LESS AND EXCEPT the following: (1) The South 692 feet of the West 126 feet of the East 1/2 of the SW 1/4 of the SW 1/4; (2) The East 95.65 feet of the West 884.65 feet of the South 692 feet of the SW 1/4 of the SW 1/4; (3) The North 70 feet of the South 762 feet of the East 221.65 feet of the West 885.07 feet of the SW 1/4 of the SW 1/4, all of Section 3, Township 28 South, Range 27 East, Polk County, Florida.

AND LESS THE FOLLOWING DESCRIBED PROPERTY:

Begin at the NW corner of the SW 1/4 of the SW 1/4 of Section 3, Township 28 South, Range 27 East, Polk County, Florida and run S. 89° 45'37" E. along the North boundary of said SW 1/4 of the SW 1/4, 40.00 feet; thence S 00°13'48" W. parallel with the West Boundary of said SW 1/4 of the SW 1/4, 123.36 feet; thence N. 89° 46'46" W., 40.00 feet to the West boundary of said SW 1/4 of the SW 1/4; thence N. 00° 13'48" E., along said West boundary 123.37 feet to the Point of Beginning, LESS existing county maintained road right of way as recorded in Map Book 1, Pages 14 through 17 of the Public Records of Polk County, Florida.

(The description is from deed at OR 6251 at page 317)

V:\CLOSINGS\Clay Cut from Calhoun and Wills\Pit 4120141104 Special Warranty Deed Calhoun to Clay Cut.wpd

Trinkle, Swanson, Byrd & Coton, P.A.
Post Office Box T T
Plant City, FL 33564-9040

INSTR # 2005140220
BK 06251 PGS 0317-0318 PG(s)2
RECORDED 06/15/2005 12:45:34 PM
RICHARD M WEISS, CLERK OF COURT
POLK COUNTY
DEED DOC 9,166.50
RECORDING FEES 18.50
RECORDED BY T Reed

Prepared by and return to:

Robert S. Trinkle
Attorney at Law
Trinkle, Swanson, Byrd & Coton, P.A.
121 North Collins Street
Plant City, FL 33563
813-752-6133
File Number: U0118

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 10th day of June, 2005 between Surratt Grove Company, a Florida corporation whose post office address is P.O. Box 1118, Plant City, FL 33564-1118, grantor, and C. C. Calhoun, Inc., a Florida corporation whose post office address is P.O. Box 1877, Dundee, FL 33838, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Polk County, Florida to-wit:

The SE 1/4 of the SW 1/4 AND the East 1/2 of the SW 1/4 of the SW 1/4, Section 3, Township 28 South, Range 27 East, Polk county, Florida, and that part of Section 3 described as follows: Commencing at the SW corner of said Section 3; run thence North 1196.47 feet to an iron rod and the Point of Beginning; thence continue North 123.15 feet to a railroad spike; thence run East 663.42 feet to a concrete marker; thence run South 123.15 to an iron rod; thence run West 663.42 feet to the Point of Beginning, LESS AND EXCEPT the following: (1) The South 692 feet of the West 126 feet of the East 1/2 of the SW 1/4 of the SW 1/4; (2) The East 95.65 feet of the West 884.65 feet of the South 692 feet of the SW 1/4 of the SW 1/4; (3) The North 70 feet of the South 762 feet of the East 221.65 feet of the West 885.07 feet of the SW 1/4 of the SW 1/4, all of Section 3, Township 28 South, Range 27 East, Polk County, Florida

AND ALSO LESS THE FOLLOWING DESCRIBED PROPERTY:

Begin at the NW corner of the SW 1/4 of the SW 1/4 of Section 3, Township 28 South, Range 27 East, Polk County, Florida and run S. 89° 45'37" E. along the North boundary of said SW 1/4 of the SW 1/4, 40.00 feet; thence S 00°13'48" W. parallel with the West Boundary of said SW 1/4 of the SW 1/4, 123.36 feet; thence N. 89° 46'46" W., 40.00 feet to the West boundary of said SW 1/4 of the SW 1/4; thence N. 00° 13'48" E., along said West boundary 123.37 feet to the Point of Beginning, LESS existing county maintained road right of way as recorded in Map Book 1, Pages 14 through 17 of the Public Records of Polk County, Florida.

Parcel Identification Number: 032827-000000-042000

Subject to taxes for 2005 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2004**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Sandra A. Carter
Witness Name: SANDRA A. CARTER
Ken A. Gross
Witness Name: Ken A. Gross

Surratt Grove Company, a Florida corporation

By: [Signature] (V. Pres.)
Edward M. Verner, Vice President
P.O. Box 1118
Plant City, FL 33564-1118

(Corporate Seal)



State of Florida
County of Hillsborough

The foregoing instrument was acknowledged before me this 10th day of June, 2005 by Edward M. Verner, Vice President of Surratt Grove Company, a Florida corporation, on behalf of the corporation. He/she is personally known to me or has produced a driver's license as identification.

[Notary Seal]

SANDRA A. CARTER
Notary Public, State of Florida
My comm. exp. Jan. 2, 2009
Comm. No. DD 382661

Sandra A. Carter
Notary Public
Printed Name: Sandra A Carter
My Commission Expires: Jan 2, 2009

GROWTH MANAGEMENT DEPARTMENT

LAND DEVELOPMENT DIVISION
Mark A. Cunningham, Director



330 West Church Street
Post Office Box 9005
Drawer GM03
Bartow, Florida 33831-9005
Phone: (863) 534-6792
Fax: (863) 534-6407

Board of County Commissioners

January 10, 2007

C. C. Calhoun, Inc.
P.o. Box 1877
Dundee, Fl 33838

RE: Case File: #CU 01-01M/Surratt Cu
Project Number: #48685
Request: CU to modify the conditions of approval of an existing sand mine on 58 +/- acres.

Dear Gentlemen:

This is to officially notify you of the action taken by the Planning Commissions on Tuesday, November 14, 2006, regarding the above captioned request for a Level 3 Conditional Use, on 58.00 +/- Acres.

The Planning Commission, voted 7/0 to approve the request with the following conditions:

- 1 The applicant shall file an Annual report with the Land Development Division demonstrating compliance with all of the Conditions of Approval. This report shall be presented to the Planning Commission and will be due on the 14th of November of each year.
- 2 This mine shall access Detour Road only. No other access shall be provided unless a major modification to the site plan is requested.
- 3 The applicant shall install a Type "C" Buffer, extending from the southwestern corner of the site, for the entire southern boundary, except bypassing the existing vegetative tree area. This buffer shall also include an earthen berm wall not less than 15 feet in height along the entire southern boundary, except bypassing the existing vegetative tree area. This buffer and berm combination shall be installed prior to the start of construction of any adjoining approved residential development; on the property line abutting said development.
- 4 The applicant shall install a Type "A" Buffer where indicated on the site plan. These buffers shall be installed prior to the start of construction of any adjoining approved residential development; on the property line abutting said development.
- 5 Site mining and reclamation shall be consistent with the schedule provided on the binding site plan. If any alterations are needed, the applicant shall request these changes consistent with Section 906 of the Land Development Code.
- 6 No loading, unloading, or excavating of material shall occur between the hours of 7:00 p.m. and 6:30 a.m. Trucks shall not arrive at the site earlier than 6:00 a.m. but may arrive between 6:00 a.m. and 6:30 a.m. to prepare for material loading and other mining activities. Parking of trucks or equipment is prohibited within the right-of-way. The Director of Growth Management may grant exceptions to the hours of operation for limited periods of time to accommodate documented public safety emergencies.

- 7 The applicant shall be responsible to inspect adjacent roadway conditions for material spillage and provide for its clean-up and removal at least once a day for each day of operation.
- 8 The applicant shall submit a revised binding site plan reflecting all conditions of approval herein prior to Level 2 Review approval.
- 9 All mining operation shall expire October 10, 2015 unless a sufficient application for a major modification is submitted prior to the end of business on October 10, 2015.
- 10 Final site reclamation shall be completed, consistent with the approved reclamation plan, within one year of either mining completion or expiration, whichever comes first.
- 11 The prior Conditions of Approval for CU 01-01 are superseded by the actions of the Planning Commission on November 14, 2006 in adopting these recommendations.
- 12 A sufficient application for Level 2 Review approval shall be submitted no later than November 14, 2009; otherwise, the Conditional Use Modification approval will be null and void.

GENERAL NOTES

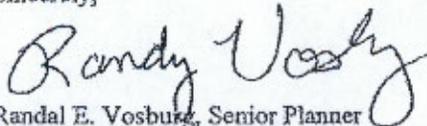
NOTE: Approval of this project shall not constitute a waiver or variance from any applicable development regulations unless specifically noted in the conditions of approval and consistent with LDC Section 930.D.

NOTE: All written commitments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such commitments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

The official Board action is reflected in the minutes subsequently reviewed and adopted by the Board. Any conflicts between the restatement of the Board's action contained herein and the approved minutes of the Board shall be reconciled by utilizing the Board approved minutes.

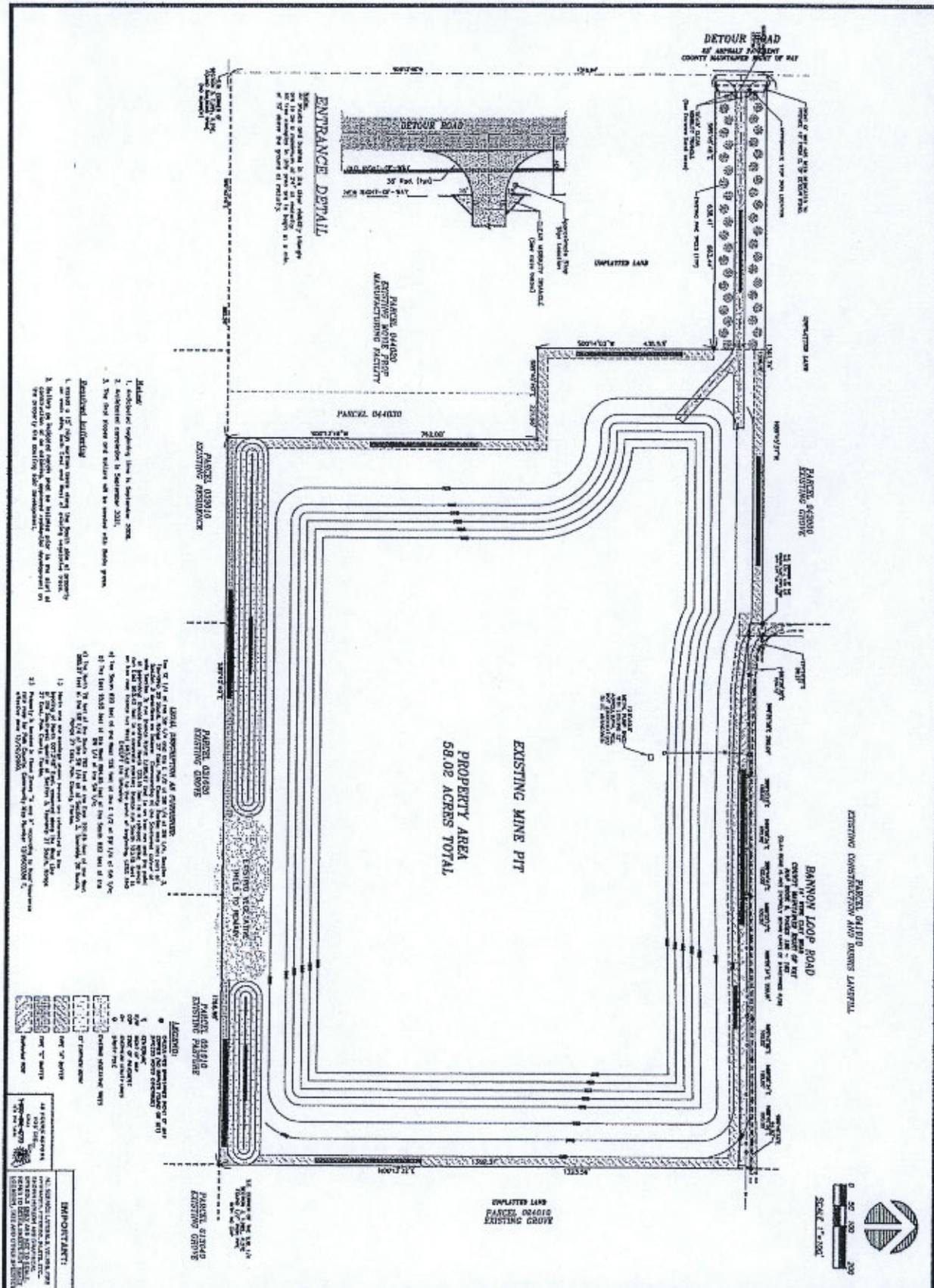
For further information, please call (863) 534-6792.

Sincerely,



Randal E. Vosburg, Senior Planner
Planning Commission Coordinator

cc: County Attorney (Anne Gibson) Traffic Engineering(Doyle Lasseter/TS04)
County Engineer (Ron Terrell/GM03) Fire Marshal (George Foster/GM02)
Utilities Administration (Dale Leon/ES04) Natural Resources (Phil Irvan/ES02)
Code Enforcement (Sherry Tillis/CS03) Street Addressing (Marleen Riddle/PS06)
Case File
David Carter
Jack Brandon



Site Layout

CC Calhoun Surratt Pit

DAVID C. CARTER
 Consulting Engineers, LLC
 577 So. RL NW, Winter Haven FL 33981
 (850) 294-5855 • FAX (850) 294-7400
 E-mail: dcarter@ccce.com

NO.	DATE	APPR.	REVISIONS

APPROVED: _____

DATE: _____

OWNER AUTHORIZATION LETTER

Polk County
Land Development Division
P.O. Box 9005
Drawer GM03
Bartow, FL 33831-9005

I, Laurence Cahoon, am the authorized representative of C.C. Calhoun, LLC and Clay Cut, Inc., which are the owner of the parcels subject to CU 01-01M

I have reviewed the request for a one year extension to CU 01-01M for the above-reference parcels and hereby consent and authorize Polk County to proceed with the land use approvals as discussed in the application. .

By. C.C. Calhoun, Inc.

Laurence W. Cahoon
Laurence Cahoon, Vice President/Director

Date: 7/29/15

By. Clay Cut, LLC

Laurence W. Cahoon
Laurence Cahoon, Member/Manager

Date: 7/29/15