Bradfordville Agreements Matrix*

Party	Agreement Condition (condition number)	Status
Bradfordville Phipps (B/P)		
	(4) Dismiss appeal pending in the First DCA, allowing the trial court's order in the Second Judicial Circuit to become final and non appealable.	Case over. Condition met.
	(8) Defend the Summary Judgement entered against third parties by the Circuit Court pending before the First DCA.	First DCA rendered decision in favor of Leon County, affirming the lower court's decision. Condition met.
	(10) If a variance is granted as specified in condition (17) allow up to 55% impervious in Phase B, and use Phase B for any of the zoning combinations specified in BC-1. The stormwater requirements are specified in this settlement agreement condition for Phase B, and the stormwater permits previously issued for Phase A will govern the stormwater management on these parcels.	No variance request received; however, on December 3, 2003, the project applicant notified GEM that multiple deviations from development standards would be sought through the Development Review Committee (DRC). The Site Plan was approved at the March 3, 2004 DRC Meeting.
	(11) B/P will, within six months of the agreement, submit to the County an application for construction of a spray irrigation system to be installed on "Public Property." Within six months of the County's approval of the application B/P will install the system. The County will operate the system as it deems necessary or desirable.	An Environmental Permit application to construct the irrigation system was issued on July 8, 2004. <u>Construction is complete, and "as-builts" have been approved.</u>
	(12) B/P will gift and convey to Leon County by special warranty deed the "Public Property." B/P in the permitting of the property can use the "Public Property" in computing their impervious and green space requirements.	Complete. Warranty deed recorded on June 17, 2005.

*Agreement condition language has been paraphrased. Settlement Agreement conditions that acknowledged support and did not require a specific action have been excluded from the matrix. Updates to the matrix have been underlined.

Bradfordville Agreements Matrix

Party	Agreement Condition (condition number)	Status
(B/P) continued	(14) The County has the right to improve the granted bicycle/pedestrian easement, but will take reasonable action to enforce the provisions of the easement limitations.	Complete. Easements recorded on June 17, 2005.
	(15) Allow B/P to relocate Ayavalla Drive as specified in this condition.	Complete
	(17) Acknowledge that B/P desires to construct a single structure on the northern portion of the site, which may exceed code parameters, but agree the B/P has the right to apply for a variance and that the application will be expeditiously processed, and given a full and impartial hearing. If the variance is not granted and becomes final and non appealable than the settlement agreement will become null and void.	Complete. Construction permits issued on June 21 and July 20, 2004. Construction of the store completed in July 2005.
	(18) Controlling provisions not withstanding any other provisions of the Agreement, that neither party will dismiss any pending litigation; that the effective date of the agreement will be the day after the variance in paragraph 17 becomes final and non appealable; that the conveyance of "Public Property" and the granting of easements will not be made until the effective date.	Complete.
	(20) In conjunction with B/P defend any contest of variances or approvals granted to B/P in relation to the referenced property.	The Site Plan was approved at the March 3, 2004 DRC Meeting, and associated permits issued on June 21 and July 20, 2004.
	(22) Diligently pursue the prompt resolution of Case No. 98-6337.	Case resolved with all parties.

Bradfordville Agreements Matrix

Party	Agreement Condition (condition number)	Status
Centerville Rural Community Association (CeRCA)		
	(2) Consider adoption of Land Development Regulations (LDR's) within ninety days of ratification of the agreement to designate Rural Roads in the Bradfordville Study Area (BSA) as specified in the agreement.	The Rural Roads Ordinance was adopted at the final Public Hearing on July 22, 2003.
	(3) Except for the Killearn Lakes DRI, all new development permitted after July 20, 2000 within the BSA that requires a Type A or higher review shall meet the stormwater treatments standards specified in Ordinance 00-31. All new impervious area for paved roads or new roads shall meet the requirements of 00-31.	Permitting review procedures implemented to ensure new development meets the specified requirements.
	(4) Consider adoption of LDR's to allow flexibility in meeting the stormwater treatment requirements for new residential subdivisions as specified in this part of the agreement.	Staff will develop LDR's for consideration by the Board. The Board authorized the County Attorney to address this issue at the August 30, 2005 meeting.
	(5) Require compliance with the rural residential overlay as defined in Figure 10 of the BSA for all new development.	Review procedures implemented to ensure new developments meet the specified requirements.
	(6) CeRCA will not challenge the development on the Bradfordville-Phipps property if it developed according to the May 8, 2002 Bradfordville Phipps/Leon County Settlement Agreement.	No formal challenges filed.

Bradfordville Agreements Matrix

Party	Agreement Condition (condition number)	Status
(CeRCA) continued	(7) Notify CeRCA 10 days prior to the BCC considering any amendments to the Bradfordville Sector Plan or any of the LDR's which implement the provisions.	CeRCA has been notified of all pending action concerning modifying the LDR's that affect the Bradfordville Sector Plan.
	(8) Pay CeRCA an amount not to exceed $150,000 for legal costs.	Complete
	(9) Not seek legal costs or fees in any case that CeRCA drops voluntarily or where the County is the prevailing party.	Cases dropped with prejudice. No legal fees sought other than those referenced in item eight above.
	(11) CeRCA will file a notice of voluntary dismissal in all cases it has filed against the County after the County adopts the LDR's as specified in condition (2) of the agreement.	CeRCA has filed proper notices to dismiss cases it is a sole party to, and also dismissed itself from the main injunction case.
	(12) The agreement shall be incorporated into a Court order in Case Number 97-2689.	The agreement has been incorporated into the Court order.
	(13) CeRCA will intervene on behalf of Leon County if any administrative challenge or lawsuit arises out of the adoption of LDR's associated with conditions (2) and (4) of this agreement.	There have been no challenges to the LDR's recently adopted pertaining to the Rural Road Designations.

Bradfordville Agreements Matrix

Party	Agreement Condition (condition number)	Status
Killearn Lakes Homeowners' Association (KLHA)		
	(3) Ensure that the stormwater standards in 00-30 and 00-31for facilities constructed after 7-20-00 that drain into the Killearn Lakes DRI meet the required standards.	Permitting review procedures implemented.
	(4a) Do not issue any development orders for new developments that have required SWF's that do not meet 00-31.	None issued.
	(4b) Oppose any existing or new stormwater management permit that seeks a variance from the stormwater requirements of 00-31 in areas that drain into Killearn Lakes.	No variances have been sought.
	(6a) If the Lauder tract is sold, ensure agreed upon deed restriction will be put in place ("vista shed" agreement, no towers, etc.).	Authorization to execute sale of property with Mr. Richard S. Kearney approved by the BCC at the May 27, 2003 meeting. Contract for purchase and sale of property executed on June 5, 2003. The site plan was approved with conditions at the November 5, 2003 DRC meeting. Closing occurred on January 13, 2004.

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Party	Agreement Condition (condition number)	Status
(KLHA) continued	(6b) If the Lauder Property is transferred, ensure agreed upon densities and land uses are adhered to.	Authorization to execute sale of property with Mr. Richard S. Kearney approved by the BCC at the May 27, 2003 meeting. Contract for purchase and sale of property executed on June 5, 2003. The site plan was approved with conditions at the November 5, 2003 DRC meeting. Closing occurred on January 13, 2004.
	(8) Consider at a Public Hearing the final peer review report of Phase II stormwater study within 30 days of receiving the final report.	Report accepted at Public Hearing on February 18, 2003.
	(9) Incorporate agreement into court order for case, and agree that the Court retains jurisdiction to enforce the provisions of the agreement.	Complete.
	(10) Pay the association $94,000.	Complete.

Bradfordville Agreements Matrix

Party	Agreement Condition (condition number)	Status
Lake Carolyn Estates Homeowners' Association (LCEHA)		
	(2) Dismiss all remaining lawsuits with prejudice, including case No. 98-6337, not challenge Bradfordville/Phipps Site Plan, and not seek future fees or costs with regard to all current pending litigation. Leon County will condition environmental permit to ensure that impervious surface allocations agreed to in the Bradfordville/Phipps settlement agreement are not exceeded.	Complete. Case dismissed, and environmental permit issued.
	(3) Leon County will pay up to $550,000 for the design, restoration, and stabilization of Lakes Anna, Carolyn and Jeff.	Funds accounted for in the FY 2005, 501- Insurance Services Fund, and a consultant has been retained by the LCHOA.
	(5) Leon County will ensure that the 4-inch stormwater quality standard or equivalent standard is met for all new non-exempt development in the sector plan within the referenced lake basins. After modifications, conduct semi-annual monitoring of pond # 6 to ensure permitted development is meeting the 4-inch standard. Perform corrective actions as necessary.	Modifications to pond # 6 are complete.
	(6) Implement Bradfordville Phase II Stormwater Study, dated January 2001.	The study findings are being implemented by Public Works. Kinhega Drive Drainage Improvements are complete, permits have been obtained for culvert replacement on Bradfordville Road, but required right of way has not been obtained.
	(7) Leon County will pay $99,900 within 30 days of executing agreement for legal fees.	Complete.

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Bradfordville Agreements Matrix

Party	Agreement Condition (condition number)	Status
Lake McBride Area Residents' Association (LMARA)		
	(1) Design all public SWF's for subsequent development pursuant to ERD standard as defined in ordinance 00-31.	No current public facilities are under design.
	(2) Contract with ERD or other agreed upon professional within 30 days to: • Develop a monitoring plan to ensure new development is meeting the standards of 00-31. • Perform a peer review and analysis to determine if existing land development patterns and proposed development when using pond # 4 will meet 00-31 requirements. • Determine if 00-31 standards will not be met, and recommend a plan to Leon County to correct the deficiencies. • Develop an emergency plan should pond # 4 and other McBride SWF's fail to meet 00-31. • Provide the President of the LMARA reasonable access to contracted professional and documents.	Complete. Board accepted the findings and staff's assessment at the July 13 and July 27, meetings.

Party	Agreement Condition (condition number)	Status
(LMARA) continued	(3) Provide quarterly water quality monitoring reports of Lake McBride, and do monthly testing. Make records available to the public.	Required monitoring being performed by McGlynn Laboratories as of 10-23-01. Reports have been submitted through August 2005.
	(4) Retrofit subsequently permitted ponds that do not meet standards as determined by ERD.	The report did not indicate that any ponds needed to be retrofitted.
	(5) Implement the Emergency Plan if needed.	Plan to be implemented by Public Works if necessary.
	(6) Pay LMARA $48,000.	Complete.
	(7) Conduct a study to determine the cause of an algae bloom on the southeast area of Lake McBride, or provide the results of a completed study to the LMARA.	Preliminary findings show the bloom was naturally occurring, and was not negatively affecting the lake. Final report delivered on August 11, 2003, confirmed preliminary findings. A copy of the report has been sent to Phil Speaks, Leann Jower, and Jack Conrad.

Bradfordville Agreements Matrix

Party	Agreement Condition (condition number)	Status
	(8) If the Lauder tract is sold, ensure agreed upon deed restriction will be put in place ("vista shed" agreement, no towers, etc.).	Authorization to execute sale of property with Mr. Richard S. Kearney approved by the BCC at the May 27, 2003 meeting. Contract for purchase and sale of property executed on June 5, 2003. The site plan was approved with conditions at the November 5, 2003 Development Review Committee meeting. Closing occurred on January 13, 2004.
(LMARA) continued	(9) If the Lauder Property is transferred, ensure agreed upon densities and land uses are adhered to.	Authorization to execute sale of property with Mr. Richard S. Kearney approved by the BCC at the May 27, 2003 meeting. Contract for purchase and sale of property executed on June 5, 2003. The site plan was approved with conditions at the November 5, 2003 Development Review Committee meeting. Closing occurred on January 13, 2004.
	(12) Dismiss case against Leon County with prejudice, and Leon County will not seek reimbursement of costs.	Complete.