



**Dunedin, FL  
City Charter**



13. MICRO-PROCESSOR  
SOLUTIONS

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**\*Editor's note**—Printed herein is the Charter of the City of Dunedin, as adopted by Ordinance No. 95-19 on 4-18-1996, and by referendum on 2-11-1997. Amendments to the Charter are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original Charter. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes have been used. Additions made for clarity are indicated by brackets.

**State law reference**—Procedure to amend Charter see F.S. § 166.031.

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## ORDINANCE NO. 95-19

AN ORDINANCE OF THE CITY OF DUNEDIN, FLORIDA, SUBMITTING TO THE ELECTORS OF THE CITY OF DUNEDIN A PROPOSED AMENDMENT TO THE CITY CHARTER, SAID AMENDMENT AMENDING THE CHARTER IN ITS ENTIRETY; PROVIDING FOR THE ELIMINATION OF UNNECESSARY PROVISIONS OR PROVISIONS COVERED BY STATE STATUTE; RETAINING THE EXISTING COMMISSION/MANAGER FORM OF GOVERNMENT; CREATING A BOARD OF FINANCE; ELIMINATING DETAILED BUDGET LANGUAGE; DEFINING THE DUTIES OF THE CITY AUDITOR; CHANGING THE TWO-THIRDS VOTE REQUIREMENT TO FOUR-FIFTHS VOTE REQUIREMENT WHERE IT OCCURS; TRANSFERRING ELECTION PROCEDURES TO A MANDATORY ORDINANCE; PRESERVING PROVISIONS REGARDING INITIATIVE, REFERENDUM, AND RECALL; CLARIFYING THE DUTIES OF CERTAIN CHARTER OFFICIALS; PROVIDING THAT CERTAIN ACTIVITIES PREVIOUSLY IN THE CHARTER WILL BE PROVIDED FOR IN ORDINANCE FORM; CHANGING THE TITLE OF THE MAYOR/COMMISSIONER TO THAT OF MAYOR; ELIMINATING CERTAIN UNNECESSARY LANGUAGE AND LANGUAGE THAT IS DUPLICATIVE OF STATE STATUTES; MAKING CERTAIN OTHER MINOR CHANGES; REORGANIZING PREVIOUS CHARTER PROVISIONS; RENUMBERING AND REFORMATTING CERTAIN CHARTER PROVISIONS; PROVIDING FOR A REFERENDUM ELECTION FOR THE CONSIDERATION OF SAID AMENDMENT TO THE CITY CHARTER TO BE HELD ON FEBRUARY 11, 1997; PROVIDING FOR ORDINANCES TO BE PRESERVED; PROVIDING FOR THE RIGHTS OF OFFICERS, EMPLOYEES; PROVIDING FOR PENDING MATTERS; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Section 6.02 of the present City Charter, the City Commission appointed a Charter Review Committee from the City electors to review the existing City Charter; and

WHEREAS, following extensive review of the present City Charter by the Charter Review Committee and public hearings on the desirability of changes to the City Charter, it is deemed desirable by the City Commission of the City of Dunedin that the present City Charter be amended in its entirety to provide the citizens and the City officials of the City of Dunedin with a simplified and well organized City Charter while retaining the basic City Manager/Commission form of government; now therefore,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

**Section 1:** That an amendment to the City Charter of the City of Dunedin, that amendment amending the entire Charter with the exception of that part describing the boundaries of the municipality, be proposed to the electors of the City of Dunedin at a referendum election to be held as part of the general election on February 11, 1997 as said amended Charter is more specifically set forth in Section 2 hereunder.

**Section 2:** That the City Charter of the City of Dunedin, Florida be amended in its entirety with the exception of that part describing the boundaries of said municipality, said amended Charter to read as follows:

## DUNEDIN CITY CHARTER

### ARTICLE I. CREATION AND POWERS\*

#### Section 1.01. Creation and Powers.

The City of Dunedin is created and shall have all governmental, corporate and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services and may exercise any power for municipal purposes except as otherwise provided by law.

\*State law reference—Municipal home rule powers act, F.S. ch. 166.

### **Section 1.02. Acquisition and Disposal of Property; Eminent Domain.**

The City shall have the power to acquire by purchase, gift, devise, condemnation or otherwise, property real or personal, or any estate or interest therein, within or without the City, and for any of the purposes of the City, and to improve, sell, lease, mortgage, pledge or otherwise dispose of the same or any part thereof, provided that the purchase or sale of any real property shall require the affirmative vote of four-fifths (4/5) of the full City Commission.

Notwithstanding any other provisions of this Charter or other law providing for the use of the power of eminent domain, the City shall not use the power of eminent domain to take private property for the purpose of making the property so taken available for a private commercial, financial, retail or industrial enterprise. The city may only use the power of eminent domain to take private property if such property is to be owned by the City and used for a public purpose. (Ord. No. 2005-48, § 1, 12-15-2005)

### **Section 1.03. Construction.**

The powers of the City shall be construed liberally, limited only by the Florida State Constitution, General Law, and specific limitations contained herein. Special acts pertaining to the jurisdiction and exercise of powers by this City shall be considered amendments to this Charter, and pursuant to the provisions adopted for incorporation of other charter amendments, shall be incorporated as official amendments to the Charter.

### **Sec. 1.04. Sale of City-Owned Recreational or Open Space Land.**

Municipally owned real property which is used as a City marina or which is identified as recreation/open space on the City's Regulatory Land Use Plan Map as of January 1, 2006, or is so designated at any time thereafter, may not be sold, donated or otherwise transferred or conveyed without prior approval by a referendum election of qualified electors of the City which has been approved and submitted to said electors by unanimous vote of the City Commission; except that the City Commission may grant leases, licenses,

easements and other rights for the use of publicly owned property for a term of years appropriate for the public purpose served. No right-of-way or easement or other ownership in lands that provide public access to St. Joseph's Sound or other waters of the State of Florida shall be vacated, conveyed or otherwise terminated in any manner whatsoever except following referendum approval by the electors of the City of Dunedin, unless such lands are vacated or conveyed in exchange for equal or better lands giving such access. (Ord. No. 2005-48, § 2, 12-15-2005)

## **ARTICLE II. CORPORATE LIMITS**

### **Section 2.01. Description of Corporate Limits.**

The Corporate Limits of the City shall be as described in Appendix A to this Charter and shall be modified from time to time in accordance with law.

## **ARTICLE III. CITY COMMISSION**

### **Section 3.01. City Commission.**

There shall be a City Commission composed of a Mayor and four Commissioners elected by the electors of the City. The City Commission shall constitute the governing and legislative body with powers as hereinafter provided to pass ordinances, adopt resolutions, review, amend when necessary, and approve the budget, and appropriate all monies of the City. (Funds shall only be expended in accordance with the approved annual municipal budget). It shall also appoint the Charter Officials and exercise the powers as hereinafter provided. It is responsible to the electorate for the proper conduct of all municipal operations. It shall appoint and give direction to a qualified, professional chief executive officer who shall be known as the City Manager.

### **Section 3.02. Holding Other Office.**

No member of the Commission, during the term for which he has been elected or appointed or for one (1) year thereafter, shall be eligible to

hold any office, position or employment in the City which carries compensation other than on the Commission.

**State law reference**—Code of ethics, F.S. § 112.311 et seq.

### **Section 3.03. Qualifications.**

Any elector of the City who is a resident of the City, having physically resided therein for a period of at least one (1) year immediately prior to the time of qualifying and who has met the requirements of Article V of this Charter shall be eligible to hold the office of Mayor or Commissioner. Except as otherwise provided herein, the City Commission shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office.

### **Section 3.04. Salary and Expenses.**

The salary of the City Commission shall be established in recognition of the principle that the service of the Mayor and Commissioners is a matter of public service to the community and is not actual compensation for services rendered. The annual salary of the City Commission shall be determined by ordinance. The Mayor and Commissioners shall also receive their actual and necessary expenses incurred in the performance of their duties of office as provided by resolution. All expenses shall be itemized, or the per diem and traveling expenses applicable to State employees shall be used.

(Ord. No. 07-21, §§ 1, 2, 10-18-2007, Ref. of 3-11-2008)

**Note**—Formerly § 3.05.

### **Section 3.05. Mayor and Vice-Mayor.**

The Mayor shall preside at meetings of the City Commission, shall be recognized as head of City government for all ceremonial purposes, by the Governor for the purposes of military law, for service of process, execution of contracts, deeds and other documents and as the City Official designated to represent the City in all agreements with other governmental entities or certifications to other governmental entities, but shall have no administrative duties, except as required to carry out the responsibilities herein. The City Commission shall select from among its

elected members a Vice-Mayor. Selection of the Vice-Mayor shall be done annually at the first regular meeting of the City Commission in December. The selection of the Vice-Mayor shall be done on a rotating basis unless there are extenuating circumstances. The Vice-Mayor shall act as Mayor during the absence or the inability of the Mayor to perform the duties of the office of the Mayor.

(Ord. No. 2005-48, § 4, 12-15-2005; Ord. No. 07-21, § 2, 10-18-2007, Ref. of 3-11-2008; Ord. No. 12-16, § 1, 5-17-2012, Ref. of 11-6-2012; Ord. No. 17-23, § 1, 7-27-2017)

**Note**—Formerly § 3.06.

### **Section 3.06. Vacancies; Forfeiture of Office; Filling of Vacancies.**

(a) *Vacancies.* The office of a City Commission member shall become vacant upon death, resignation, removal from office in any manner authorized by law; or forfeiture of his office, such forfeiture to be declared by a majority vote of the remaining City Commission Members.

(b) *Forfeiture of Office.* A City Commission member shall forfeit the office if such Commissioner:

- (1) Violates a provision of the City Charter regarding the conduct of the office. In order for this provision to be effective, the City Commission must determine that such violation by the affected City Commission Member was intentional, willful, flagrant or continuous.
- (2) Lacks at any time during the term of office any qualification for the office prescribed by this Charter or by law.
- (3) Is convicted of a crime involving moral turpitude. For the purposes of this section, "convicted" means a determination of guilt that is the result of a plea or trial, regardless of whether the adjudication is withheld.
- (4) Fails to attend three (3) consecutive regular meetings of the City Commission unless such absence is excused by the City Commission.

- (5) Fails to attend eight (8) regular meetings during a twelve-month period whether excused or not.

(c) *Public Hearing.* A member charged with conduct constituting grounds for forfeiture of his office shall be entitled to a public hearing before the City Commission on demand and official notice of such hearing shall be published in a newspaper of general circulation in the City at least one (1) week in advance of the hearing. After due notice has been given to the affected City Commission member, the remaining City Commission members shall conduct a public hearing to determine and declare whether or not forfeiture of office exists. In conducting this hearing, the City Commission may appoint a hearing officer to conduct the hearing, or the Mayor may act as the chairperson. The affected City Commission Member and/or the individuals requesting the forfeiture shall be allowed to present oral and documentary evidence, submit memorandums of fact and law in support of their positions, present evidence, examine and cross-examine witnesses, including the affected City Commission Member, and may be represented by counsel. The chairperson of the meeting shall maintain decorum and rule on matters of law, procedure and/or evidence during the hearing. Upon submission of all the evidence by those individuals requesting the forfeiture and/or the affected City Commission Member, the remaining Commission Members shall determine whether or not a forfeiture of office exists. In order for a forfeiture to exist, not less than three (3) City Commission Members must vote in favor of and declare that a forfeiture of office exists.

(d) *Filling of vacancies.* A vacancy in the City Commission in either the office of Mayor or Commissioner shall be filled by majority vote of the remaining members of the City Commission within thirty (30) days of the vacancy, and the person so appointed shall serve as Mayor or commissioner, as appropriate, until his or her successor has assumed office. Any person appointed to fill such vacancy shall possess all of the qualifications required of a Mayor or Commissioner by this Charter and by law. At the next regular election, as provided in Section 5.03, a special ballot shall be voted upon to elect

a Mayor or Commissioner to serve any remainder of the unexpired term of office filled by vote of the City Commission; except that, if no regular election, pursuant to Section 5.03, is to be conducted within the City within 360 days from the date of the vacancy, the City Commission shall call a special election to be held within one hundred eighty (180) days of the date of the vacancy to fill such vacancy. Upon failure of the City Commission to fill such vacancy as aforesaid, the Governor shall make such appointment.

One of the remaining members of the City Commission may be appointed to fill the office of Mayor if such appointment is conditional upon the resignation of such Commissioner from office prior to the effective date of such appointment. The office of the Commissioner so appointed shall then become vacant and shall be filled as is otherwise set forth herein. The Commissioner so appointed as Mayor shall serve until such vacancy is filled at a regular election or special election as set forth above and his or her successor has assumed office. No voting conflict shall exist for a remaining member of the City Commission to vote for himself or herself for appointment as Mayor. The presence of a quorum shall not be affected by the remaining members of the City Commission considering a remaining member for appointment as Mayor.

(Ord. No. 02-43, § 2, 12-19-2002; Ord. No. 07-21, §§ 2, 3, 10-18-2007, Ref. of 3-11-2008; Ord. No. 12-17, § 1, 5-17-2012, Ref. of 11-6-2012; Ord. No. 17-24, § 1, 7-27-2017)

**Note**—Formerly § 3.07.

### **Section 3.07. Charter Officials.**

The following Charter Officials shall be appointed by the City Commission and they shall serve at the pleasure of the Commission and for such compensation as may be set by the City Commission:

- (a) The City Manager;
- (b) The City Clerk;
- (c) The City Attorney; (and)
- (d) The City Auditor.

(Ord. No. 07-21, § 2, 10-18-2007, Ref. of 3-11-2008)

**Note**—Formerly § 3.08.

### Section 3.08. Procedure.

(a) *Meetings.* The City Commission shall meet regularly twice a month unless the Commission determines that any particular meeting should be canceled. The Commission shall, however, meet at least once each month.

Special meetings shall be held on the call of the Mayor, City Manager, or any two (2) members of the City Commission and, whenever practicable, upon no less than forty eight (48) hours' notice to each member and to the public. All meetings shall be public.

(b) *Rules and Agenda.* The City Commission shall determine its own rules and order of business.

(c) *Voting.* Voting on ordinances and resolutions shall be by roll call and shall be recorded in the minutes. A majority of the City Commission shall constitute a quorum; but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the City Commission. No action of the City Commission, except as otherwise provided in the preceding sentence and in Section 3.07, shall be valid or binding unless adopted by the affirmative vote of the majority of a quorum present.

(Ord. No. 07-21, § 2, 10-18-2007, Ref. of 3-11-2008; Ord. No. 12-21, § 1, 5-17-2012, Ref. of 11-6-2012; Ord. No. 17-25, § 1, 7-27-2017)

**Note**—Formerly § 3.09.

### Section 3.09. Disaster Emergencies.

To meet a public emergency affecting life, health, property or the public peace, and when fewer than four (4) Commissioners may be assembled for the purpose of a special meeting, and a disaster emergency has occurred or is imminent and it is necessary to provide for legally enforceable regulations on an emergency basis, the Mayor, or in absence of the Mayor, the Vice-Mayor, shall have the power to issue executive orders, proclamations and regulations and amend or rescind them, and such executive orders, proclamations and regulations shall have the full force and effect of law.

Such executive orders, proclamations and regulations shall continue for no longer than ten (10) days or until such time as at least four (4) members of the City Commission may be assembled. In the event that four (4) members of the City Commission may not be assembled at the expiration of the ten-day period, then such executive orders, proclamations and regulations may be renewed for a like period by the Mayor or Vice-Mayor until such time as such assembly is possible.

A quorum of the City Commission may by resolution terminate a state of disaster emergency at any time and rescind any previously issued executive orders, proclamations or regulations. All executive orders, proclamations or regulations issued under this section shall indicate the nature of the disaster, the area or areas threatened, and the conditions which have brought it about. Such orders, proclamations or regulations shall be promptly disseminated by means calculated to bring the contents to the attention of the general public.

A "disaster emergency" shall be deemed to be any matter imminently threatening the public health, safety or welfare in the nature of flooding, hurricane, public riot, chemical discharge or similar physical, natural or public safety circumstances. In the issuance of orders, proclamations and regulations, the Mayor shall have the power to exercise the police powers constitutionally and statutorily available to municipalities as are necessary to protect the public health, safety and welfare, unless such powers shall have been preempted to the office of the Governor. Nothing contained herein shall limit, modify or abridge the authority of the Governor of Florida to exercise any power vested in him by the Statutes or common law of the State.

(Ord. No. 07-21, § 2, 10-18-2007, Ref. of 3-11-2008)

**Note**—Formerly § 3.10.

**State law reference**—Emergency management, F.S. ch. 252.

## ARTICLE IV. ADMINISTRATION

### Section 4.01. City Manager.

As the Chief Executive Officer of the City, the City Manager shall have sole responsibility for

the appointment and removal of all City employees, the management and supervision of all City departments, and shall see that all laws, provisions of this Charter and acts of the City Commission, subject to the enforcement or administration by the Manager, or by employees under the supervision and control of the Manager, are faithfully executed.

The City Manager shall be appointed by the City Commission for an indefinite term by a four-fifths vote of the City Commission. The City Manager may be removed by a four-fifths vote of the City Commission. The compensation of the City Manager shall be determined by the City Commission.

The City Manager shall file a letter with the City Commission designating a qualified administrative person to exercise the powers and duties of the City Manager during any extended absence or disability. The City Commission may revoke such designation at any time and appoint another person to serve until the Manager returns or the disability shall cease.

Except as provided herein, neither the City Commission nor any member of the City Commission shall, in any manner, dictate the appointment or removal of any employee whom the City Manager is empowered to appoint. However, the City Commission or any member may express its views and fully and freely discuss with the City Manager anything pertaining to the appointment or removal of any employee. The City Manager shall take direction only from the City Commission and not from an individual member of the Commission.

Except for the purpose of formal inquiries or investigation, the City Commission shall deal with City employees who are subject to direction and supervision of the City Manager solely through the City Manager. Members of the City Commission shall be entitled to request information from Department Heads directly. The City Manager may direct employees to fully and freely discuss matters requested by the City Commission, or any member thereof, with the City Commission or such member.

The City Manager shall prepare and submit to the City Commission an annual budget and capital program and, after approval of the City Commission, administer the same.

Any other duties of the City Manager shall be as provided by the City Commission by ordinance, resolution, or specific direction.

The power and authority of the City Manager is expressly limited to that herein described and the City Manager shall enter into no agreements, negotiations or other arrangements with any groups, organizations, governmental bodies or individuals requiring policy making decisions by the City Commission without the prior knowledge and approval of that body.

#### **Section 4.02. City Clerk.**

The City Clerk shall be custodian of all records, documents, and papers of the City and shall be responsible for all City of Dunedin records and shall coordinate these duties with the City Manager:

- (A) Give notice of Commission Meetings.
- (B) Attest all contracts and agreements to which the City is a party.
- (C) Supervise the City Elections.
- (D) Administer oaths as necessary.
- (E) Perform such other duties as may be required by the City Commission as well as other duties as required by the laws of Florida.
- (F) Supervise all City Clerk Department personnel.
- (G) Be custodian of the City Seal.

The City Clerk shall be appointed by the City Commission by a four-fifths vote of the City Commission. The City Clerk may be removed by a four-fifths vote of the City Commission. The compensation of the City Clerk shall be determined by the City Commission. (Ord. No. 12-18, § 1, 5-17-2012, Ref. of 11-6-2012)

**Section 4.03. City Attorney.**

The City Attorney shall advise the City in all legal matters and shall perform any other duties prescribed by the Charter or by General law or by the City Commission; the City Attorney shall be an attorney admitted to and having authority to practice in all courts of the State.

**Section 4.04. City Auditor.**

The City Auditor shall conduct an annual audit as required by Florida Statutes of the City's departments and operations and shall report the findings of the audit to the City Commission. The City Auditor shall be a Florida licensed certified public accountant. The City Auditor shall also, at the request of the City Commission, make such other assignments, audits, analyses and studies as may be required by the City Commission.

**Section 4.05. Board of Finance.**

There shall be a Board of Finance appointed by the City Commission to act without financial compensation in an advisory capacity to the City Commission and the City Manager on all facets of the financial affairs of the City of Dunedin. The City Commission shall, by Ordinance, provide for the number of members, procedures and rules of the Board.

**Section 4.06. Personnel System.**

All appointments and promotions of City employees except those specifically exempted by ordinance, shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence and to this end, the Commission shall, establish personnel procedures and rules.

**ARTICLE V. ELECTIONS\*****Section 5.01. Electors.**

All persons qualified to vote as an elector of this State, under the Constitution and Statutes

\*State law reference—Florida election code, F.S. chs. 97—106.

of the State of Florida, who reside within the corporate boundaries of the City of Dunedin, and who are duly registered on the registration books of Pinellas County shall be qualified electors of the City of Dunedin in all elections except as otherwise provided by law.

**Editor's note**—Ord. No. 17-26, § 1, adopted July 27, 2017 renamed § 5.01 from elections to electors.

**Section 5.02. Nonpartisan Elections.**

All nominations and elections for the City Commission shall be conducted without regard for or designation of political party affiliation.

**Section 5.03 Elections.**

The regular election of Mayor and Commissioners shall be held on the first Tuesday following the first Monday in November of every year in which an election is held in the manner provided in Article V of this Charter and shall be for four (4) year terms.

In one election, the qualified electors shall elect two (2) Commissioners; in the following even numbered year election the qualified electors shall elect a Mayor and two (2) Commissioners, and thereafter, elections will fall on even numbered years.

Future elections shall be held in the same sequence. Candidates for the office of City Commissioner shall qualify for a single numbered specific seat.

In the first year in which an election (i.e. March 8, 2011) for Commissioners is held, the qualified electors shall elect two (2) Commissioners, one for seat two (2) and one for seat four (4) to serve for a term of three (3) years; and thereafter seats two (2) and four (4) shall serve for a term of four (4) years.

In the following election (i.e. November 6, 2012), the qualified electors shall elect a Mayor and two (2) Commissioners, one for seat one (1) and one for seat three (3) to serve for a term of four (4) years.

The candidate receiving the highest number of votes for the numbered seat shall be declared elected, if otherwise qualified.

The candidates so elected shall assume their offices at a Special City Commission meeting on the second Monday following the election.

No person shall be eligible as a candidate for Mayor who has been elected to two (2) consecutive full four year terms as Mayor immediately preceding the general election for Mayor; and no person shall be eligible as a candidate for Commissioner who has been elected to two (2) consecutive full four year terms as Commissioner without waiting until the next election (i.e. sit out for two years to become eligible.)

Any Commissioner who has served for two (2) consecutive full four year terms as Commissioner will be eligible as a candidate for the next Mayoral election.

The Mayor, after two consecutive full four year terms as Mayor, will not be eligible to run for Commissioner without waiting until the next election.

(Ord. No. 07-21, §§ 1, 2, 10-18-2007, Ref. of 3-11-2008; Ord. No. 10-09, § 1, 6-3-2010, Ref. of 11-2-2010; Ord. No. 11-46, § 1, 12-15-2011; Ord. No. 12-19, § 1, 5-17-2012, Ref. of 11-6-2012; Ord. No. 14-08, § 1, 4-3-2014)

**Note**—Formerly § 3.04.

#### **Section 5.04. Election Ordinance.**

The City Commission shall, by City Ordinance, define and describe the voter and candidates qualifications, rules and methods of conducting elections within the City of Dunedin.

#### **Section 5.05. Candidates.**

Candidates shall comply with all applicable provisions of State Election Law, the City Charter and City Ordinances, the requirements for candidacy qualification, conduct of the election campaign and campaign financing, and compliance with the State candidate financial disclosure requirements.

#### **Section 5.06. Initiative Ordinance.**

The qualified voters of the City shall have power to propose ordinances to the City Commission provided that such power shall not extend to the budget or capital program or any ordinance

relating to appropriation of money, levy of taxes or salaries of City employees. If the City Commission fails to adopt the proposed ordinance or an agreeable modification thereof, the voters shall have the power to adopt or reject it at a City election.

#### **Section 5.07. Referendum Ordinance.**

The qualified voters of the City shall have the power to require reconsideration by the City Commission of any adopted ordinance. If the City Commission fails to repeal an ordinance so reconsidered, the voters may approve or reject it at a City election. However, such power of reconsideration shall not extend to the budget or capital program or any emergency ordinance or ordinance relating to appropriation of money, levy of taxes or salaries of City employees.

#### **Section 5.08. Recall.**

The qualified voters of the City shall have the power to remove from office any elected official of the City in accordance with General Law.

#### **Section 5.09. Initiative and Referendum Ordinance Proceedings.**

Any five (5) qualified voters may commence initiative or referendum proceedings by filing an affidavit with the City Clerk, stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed ordinance to be voted upon. Promptly after the affidavit of the petitioners' committee is filed, the Clerk may, at the committee's request, issue the appropriate petition blanks to the petitioners' committee.

(a) *Petitions:*

- (1) *Number of Signatures.* Initiative or referendum ordinance petitions must be signed by qualified voters of the City equal in number to at least fifteen percent (15%) of the total number of qualified voters registered to vote at the last regular City election.

- (2) *Form and Content.* All papers [pages] of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink or indelible pencil and shall be followed by the address of the person signing. Petitions shall contain or have attached thereto throughout their circulation, the full text of the ordinance proposed or sought to be reconsidered.
- (3) *Affidavit of Circulator.* Each paper [page] of a petition shall have attached to it when filed, an affidavit executed by the circulator thereof stating that the circulator personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in the circulator's presence, that the circulator believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or sought to be reconsidered.
- (4) *Time for Filing Referendum Petitions.* Referendum petitions must be filed within sixty (60) days after adoption by the City Commission of the ordinance sought to be reconsidered.

(b) *Procedure After Filing:*

- (1) *Certificate of Clerk; Amendment of Petition.* Within ten (10) days after the petition is filed, the City Clerk or other official designated by the City Commission shall complete a certificate as to its sufficiency; if insufficient, specify the particulars wherein it is defective and promptly send a copy of the certificate to the petitioners' committee by registered mail. The only grounds for insufficiency is failure to comply with subsection (a), or subject matter limitations set forth in Sections 5.05 and 5.06. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the Clerk or other official designated

by the City Commission within two (2) days after receiving the copy of the certificate of insufficiency and files a supplementary petition with additional signatures within (10) days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of subsection 2 and 3 of subsection (a) and, within five (5) days after it is filed the Clerk or other official designated by the Commission shall complete a certificate as to the sufficiency of the petition as amended and send a copy of such certificate to the petitioners' committee by registered mail as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request City Commission review within the time required, the Clerk or other official designated by the City Commission shall promptly present the certificate to the City Commission and the certificate shall then be a final determination as to the sufficiency of the petition. The City Clerk shall be paid by the petitioners' committee the amount set by the County Supervisor of Elections for verification of the names on the petition.

- (2) *City Commission Review.* If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient, the committee may, within two (2) days after receiving the copy of such certificate, file a request that it be reviewed by the City Commission. The City Commission shall review the certificate at its next meeting following the filing of such request and approve or disapprove it, and the City Commission's determination shall then be a final determination as to the sufficiency of the petition.

(Ord. No. 07-21, § 4, 10-18-2007, Ref. of 3-11-2008)

### Section 5.10. Action on Petition.

(a) *Action by Commission.* When an initiative or referendum petition has been finally determined sufficient, the City Commission shall promptly consider adoption of the proposed initiative ordinance or reconsider the referred ordinance by voting its repeal. If the City Commission fails to adopt a proposed initiative ordinance without any change in substance within sixty (60) days or fails to repeal the referred ordinance within sixty (60) days after the date the petition was determined sufficient, it shall submit the proposed or referred ordinance to the voters of the City.

(b) *Submission to Voters.* The election on a proposed or referred ordinance shall be held not less than ninety (90) days and not later than one hundred fifty (150) days from the date that the petition was determined sufficient. If no regular City election is to be held within the period prescribed in this subsection, the City Commission shall provide for a special election; otherwise, the vote shall be held at the same time as such regular election, except that the City Commission may in its discretion provide for a special election at an earlier date within the prescribed period. Copies of the proposed or referred ordinance shall be made available at the polls.

(c) *Withdrawal of Petitions.* An initiative or referendum petition may be withdrawn at any time prior to the fifteenth (15th) day preceding the day scheduled for a vote of the City by filing with the City Clerk or other official designated by the City Commission a request for withdrawal signed by at least four (4) members of the petitioners' committee. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

(Ord. No. 12-20, § 1, 5-17-2012, Ref. of 11-6-2012)

### Section 5.11. Results of Election.

(a) *Initiative.* If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the manner as ordinances of the same kind adopted by the City

Commission. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

(b) *Referendum.* If a majority of the qualified electors voting on a referred ordinance vote against it, it shall be considered repealed effective upon certification of the election results.

## ARTICLE VI. GENERAL PROVISIONS

### Section 6.01. Charter Amendment.

This Charter may be amended as provided by General Law of Florida.

**State law reference**—Procedure for amending Charter, F.S. § 166.031.

### Section 6.02. Charter Review.

At least once every five (5) years, the City Commission shall appoint a committee from the City electors to review the City Charter.

### Section 6.03. Ordinance Review.

At least once every five (5) years, the City Commission shall appoint a committee from the City electors to review the City ordinances.

### Section 6.04. Standards of Ethics.

All elected officials and employees of the City shall be subject to the standards of conduct for public officers and employees set by General Law. In addition, the City Commission shall, by ordinance, establish a code of ethics for elected officials and employees of the City which may be supplemental to General Law, but in no case may an ordinance diminish the provisions of General Law.

(Ord. No. 17-27, § 1, 7-27-2017)

### Section 6.05. Penalties.

Violations of ordinances shall be punishable in accordance with the uniform fines and penalties set by General Law or ordinance.

**ARTICLE VII. TRANSITION SCHEDULE****Section 7.01. Ordinances Preserved.**

All ordinances in effect upon the adoption of this Charter, to the extent not inconsistent with it, shall remain in force until repealed or changed as provided herein.

**Section 7.02. Rights of Employees.**

Nothing in this Charter except as otherwise specifically provided shall affect or impair the rights or privileges of persons who are City employees at the time of adoption. Elected officers shall continue to hold their offices and discharge the duties thereof until their successors are elected.

**Section 7.03. Pending Matters.**

All rights, claims, actions, orders, contracts and legal or administrative proceedings involving the City shall continue except as modified pursuant to the provisions of this Charter.

**Section 7.04. Schedule.**

(a) This Charter shall be in full force and effect upon approval by majority vote of the electors voting in an election to be held on February 11, 1997 and upon being filed with the Secretary of State.

**Section 3:** This Ordinance shall become effective immediately upon its final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF DUNEDIN, FLORIDA, THIS 18TH DAY OF APRIL, 1996.

/s/ Tom Anderson  
Mayor/Commission

ATTEST:

/s/ Sandra L. Woodall  
City Clerk

PASSED ON FIRST READING: March 21, 1996

PASSED ON SECOND READING: April 18,  
1996

[APPENDIX A];  
EXHIBIT "A"

THE CORPORATE AREA OF THE CITY OF DUNEDIN, FLORIDA, as of September 1, 2011 being all those lands and waters situated and lying in Pinellas County, Florida, and enclosed by the boundary hereinafter described in various terms and wherever in said description reference is made to a land by Parcel number, that Parcel and that number are those Parcels and numbers as shown and given on the official maps and rolls of the Property Appraiser of Pinellas County, Florida, said boundary is more particularly described as follows:

BEGIN at the southwest corner of Section 35, Township 28 South, Range 15 East, Pinellas County, Florida;

- 1 Thence easterly along the south line of Section 35, Township 28 South, Range 15 East to a point on the southerly projection of the east boundary line of Union Square Subdivision as recorded in Plat Book 91, Page 73, Public Records of Pinellas County, Florida, in said Section 35;
- 2 Thence northerly along the east boundary line of said Union Square Subdivision to the northeast corner of Lot 11 of said Union Square Subdivision;
- 3 Thence westerly along said north boundary line of said Union Square Subdivision and its extension thereof to the east boundary line of the west half of the southwest quarter of the southeast quarter of Section 35, Township 28 South, Range 15 East;
- 4 Thence northerly along said east boundary line to the south boundary line of the northwest quarter of the southeast quarter of said Section 35, said point is also the northwest corner of Parcel 35/28/15/00000/430/0200;
- 5 Thence easterly along the south boundary line of the northwest quarter of the southeast quarter of said Section 35 to the southeast corner of said northwest quarter of the southeast quarter of said

Section 35, said point is also the northeast corner of Parcel 35/28/15/00000/430/0100;

- 6 Thence southerly along the west boundary line of the southeast quarter of the southeast quarter of said Section 35 to the south boundary line of the southeast quarter of the southeast quarter of said Section 35;
- 7 Thence easterly along said south boundary line 333.91 feet, or to the southeast corner of the west half of the southwest quarter of the southeast quarter of the southeast quarter of said Section 35;
- 8 Thence northerly along the east boundary line of the west half of the of the southwest quarter of the southeast quarter of the southeast quarter of said Section 35, 33.00 feet to a point on the north right-of-way line of Union Street;
- 9 Thence easterly 951.71 feet along the said north right-of-way line of Union Street to the west right-of-way line of Keene Road, said line being 50.00 feet west of the east boundary line of the southeast quarter of said Section 35;
- 10 Thence northerly along the west right-of-way line of Keene Road to the south boundary line of the north half of the southeast quarter of the southeast quarter of Section 35;
- 11 Thence easterly along aforesaid south line 50.0 feet to the east boundary line of the southeast quarter of said Section 35;
- 12 Thence continue easterly along the south boundary line of the north half of the southwest quarter of the southwest quarter of Section 36, Township 28 South, Range 15 East to the east right-of-way line of Keene Road (County Road No. 1), wheresoever found;
- 13 Thence northerly along the east right-of-way line of Keene Road (County Road No. 1), wheresoever found, to the east-west centerline of said Section 36;

- 14 Thence continue northerly along the east right-of-way line of Keene Road (County



- Road No. 1), wheresoever found, 1,316.67 feet to the south line of the entrance road of the Dunedin Cemetery;
- 15 Thence easterly 397.00 feet to the west boundary line of the Dunedin Cemetery;
- 16 Thence southerly along the west boundary line of the Dunedin Cemetery, 180.92 feet to the south line of the said cemetery;
- 17 Thence easterly along the said south boundary line, 891.00 feet to the east boundary line of the said cemetery;
- 18 Thence northerly along the said east boundary line, 411.77 feet to the north boundary line of said cemetery, also being a point on the south boundary of Weathersfield Subdivision as recorded in Plat Book 99, Page(s) 53-58, Public Records of Pinellas County, Florida;
- 19 Thence easterly South 89°38'36" East, 3.65 feet MOL along said south boundary line to the southeast corner of said Weathersfield Subdivision, also being the southeast corner of Lot 31;
- 20 Thence northerly North 00°05'47" West, 63.18 feet along the east boundary line of said Weathersfield Subdivision;
- 21 Thence northwesterly North 16°50'25" West, 191.72 feet along the east boundary line of said Weathersfield Subdivision;
- 22 Thence northwesterly North 08°12'11" West, 101.03 feet along the east boundary line of said Weathersfield Subdivision;
- 23 Thence northeasterly North 06°12'42" East, 100.59 feet along the east boundary line of said Weathersfield Subdivision;
- 24 Thence northeasterly North 18°52'14" East, 72.93 feet along the east boundary line of said Weathersfield Subdivision;
- 25 Thence northeasterly North 30°48'16" East, 1253.01 feet along the east boundary line of said Weathersfield Subdivision;
- 26 Thence northeasterly North 06°12'17" East, 303.11 feet along the east boundary line of said Weathersfield Subdivision;
- 27 Thence northwesterly North 49°11'58" West, 305.26 feet along the east boundary line of said Weathersfield Subdivision;
- 28 Thence northeasterly North 41°16'43" East, 528.90 feet along the east boundary line of said Weathersfield Subdivision to the northeast corner of Lot 56, said corner also being a point on the south boundary line of Parcel 25/28/15/00000/310/0600 in the northeast quarter of the southwest quarter of Section 25, Township 28 South, Range 15 East;
- 29 Thence easterly along the south boundary line of said Parcel 25/28/15/00000/310/0600 a distance of 564.81 feet, more or less, to the southeast corner of the northeast quarter of the southwest quarter of said Section 25, also being the northwest corner of Lot 219 Barrington Hills Subdivision as recorded in Plat Book 70, Page 57, Public Records of Pinellas County, Florida;
- 30 Thence easterly along the north boundary line of Lots 219,218 and 217 of said Barrington Hills Subdivision a distance of 330.66 feet to the southwest corner of Lot 22 of said Barrington Hills Subdivision;
- 31 Thence northerly along the west boundary line of said Barrington Hills Subdivision to the northwest corner of said Barrington Hills Subdivision also being a point on the south right-of-way line of State Road No. 580, wheresoever found;
- 32 Thence easterly along the south right-of-way line of State Road No. 580, wheresoever found, to the northwest corner of Lot 10, Block A, Lofty Pine Estates 1st Addition Subdivision as recorded in Plat Book 45, Page 56, Public Records of Pinellas County, Florida;
- 33 Thence southerly along the west boundary line of said Lot 10 to a point on the south boundary line of Block A of said Lofty Pine Estates 1st Addition Subdivision, said point also being the southwest corner of said Lot 10;

- 34 Thence easterly along the south boundary line of said Block A to the southwest corner of Lot 8, Block A, of said Lofty Pine Estates 1st Addition Subdivision;
- 35 Thence southerly along the west boundary line of Lot 8, Block B, of said Lofty Pine Estates 1st Addition Subdivision to the north right-of-way line of Palmwood Drive, a platted road;
- 36 Thence easterly with said north right-of-way of Palmwood Drive to the southeast corner of Lot 7, Block B, of said Lofty Pine Estates 1st Addition Subdivision;
- 37 Thence northerly along the east boundary line of said Lot 7, Block B, to the northeast corner of Lot 7, Block A, as the same and being a point on the south right-of-way line of State Road No. 580, wheresoever found;
- 38 Thence easterly with the south right-of-way line of State Road No. 580, wheresoever found, to the west boundary line of Lot 5, Block A, of said Lofty Pine Estates 1st Addition Subdivision;
- 39 Thence southerly with the west boundary line of said Lot 5, Block A, to the southwest corner of said Lot 5, said point being a point on the south boundary line of Block A;
- 40 Thence easterly to the northwest corner of Lot 4, Block B, Lofty Pine Estates Subdivision as recorded in Plat Book 45, Page 55, Public Records of Pinellas County, Florida;
- 41 Thence southerly along the west boundary line of said Lot 4 to the north right-of-way line of Palmwood Drive, a platted public road;
- 42 Thence easterly with said north right-of-way line of Palmwood Drive to a point on the west right-of-way line of Belcher Road (County Road No. 501), wheresoever found;
- 43 Thence southerly along said west right-of-way line of Belcher Road (County Road No. 501), wheresoever found, to the northeast property corner of Lot 1, Block C, of said Lofty Pine Estates Subdivision;
- 44 Thence westerly along the north boundary line of said Lot 1, Block C, to the northwest corner of Lot 1;
- 45 Thence southerly along the west boundary line of Lots 1 thru 12, Block C, of said Lofty Pine Estates Subdivision to the southwest property corner of said Lot 12;
- 46 Thence easterly along the south boundary line of said Lot 12 to the southeast corner of Lot 12 also being a point on the westerly right-of-way line of said Belcher Road (County Road No. 501);
- 47 Thence southerly with said west right-of-way line of Belcher Road (County Road No. 501) to a point on the south boundary line of the northeast quarter of the southeast quarter of Section 25, Township 28 South, Range 15 East also being the southeast corner of Lot 1, Block H, of said Lofty Pine Estates Subdivision;
- 48 Thence easterly along the south boundary line of said northeast quarter to a point on the range line separating Range 15 and Range 16, also being a point on the west boundary line of Section 30, Township 28 South, Range 16 East;
- 49 Thence northerly along said range line to a point 396.00 feet south of the north boundary line of said southwest quarter of Section 30, Township 28 South, Range 16 East, said point being on the westerly extension of the southerly boundary line of Parcel 30/28/16/00000/320/0200;
- 50 Thence easterly into Range 16 along the extension of said southerly boundary line of Parcel 30/28/16/00000/320/0200 and its south boundary line to the southeasterly corner of said Parcel 30/28/16/00000/320/0200 in said southwest quarter of Section 30;
- 51 Thence northerly along the east line of said Parcel 30/28/16/00000/320/0200 to a point on the south right-of-way line of State Road No. 580, wheresoever found;

- 52 Thence easterly along the south right-of-way line of State Road No. 580, wheresoever found, to a point on the west right-of-way line of U.S. Highway 19 (State Road No. 55) in and near the center of Section 30, Township 28 South, Range 16 East, Pinellas County, Florida;
- 53 Thence northerly along the west right-of-way line of U.S. Highway 19 (State Road No. 55) to a point on the north right-of-way line of State Road No. 580, wheresoever found;
- 54 Thence westerly according to and along the north right-of-way line of State Road No. 580, wheresoever found, to the east right-of-way line of Belcher Road (County Road No. 501) in Section 30, Township 28 South, Range 16 East;
- 55 Thence northerly according to and along the east right-of-way line of Belcher Road (County Road No. 501), wheresoever found, to the south right-of-way line of public roadway identified as Evans Road as shown in the plat of Belle Haven Unit B Subdivision as recorded in Plat Book 25, Page 60, Public Records of Pinellas County, Florida;
- 56 Thence easterly along the south right-of-way line of said Evans Road, wheresoever found, to a point on the west right-of-way line of U.S. Highway 19 (State Road No. 55), wheresoever found;
- 57 Thence northerly along the west right-of-way line of U.S. Highway 19 (State Road No. 55) to the north right-of-way line of Evans Road, wheresoever found;
- 58 Thence westerly along the north right-of-way line of said Evans Road, wheresoever found, to the southwest property corner of Sub Parcel 2 of Lot 9, of said Belle Haven Unit B Subdivision;
- 59 Thence northerly along the west boundary line of said sub parcel 2 of Lot 9 of Belle Haven Unit B Subdivision to the northwest corner of Lot 1 of said Belle Haven Unit B Subdivision, said corner being a point on the north boundary line of Section 30, Township 28 South, Range 16 East, Pinellas County, Florida;
- 60 Thence easterly North 89°55'52" East, 560 feet to the northeast corner of said Lot 1, being a point on the west right-of-way line of U.S. Highway 19 (State Road No. 55), wheresoever found;
- 61 Thence northerly along said west right-of-way line of U.S. Highway 19 (State Road No. 55) a distance of 764.71 feet to the northeast corner of Lot 1, Belle Haven Unit C Subdivision as recorded in Plat Book 28, Page 25, Public Records of Pinellas County, Florida, 100 feet west of, and parallel to, the north-south centerline of Section 19, Township 28 South, Range 16 East;
- 62 Thence westerly South 89°50'06" West, 697.03 feet along the westerly projection of said Lot 1 to a point on the easterly boundary of Lot 5, Wilshire Estates II Subdivision as recorded in Plat Book 77, Page 03, Public Records of Pinellas County, Florida;
- 63 Thence southerly South 17°30'00" East, 197.21 feet along said east boundary of Wilshire Estates II Subdivision;
- 64 Thence southerly South 08°59'00" West, 110.67 feet along said east boundary of Wilshire Estates II Subdivision;
- 65 Thence southerly South 22°20'00" East, 145.00 feet along said east boundary of Wilshire Estates II Subdivision to a point on the north boundary line of the south quarter of the southeast quarter of the southwest quarter of Section 19, Township 28 South, Range 16 East;
- 66 Thence westerly South 89°52'59" West 32.46 feet along said north boundary line;
- 67 Thence southerly South 22°20'00" East, 80.00 feet along said east boundary of Wilshire Estates II Subdivision;
- 68 Thence southerly South 01°52'00" East 215.00 feet along said east boundary of Wilshire Estates II Subdivision;

- 69 Thence southerly South  $06^{\circ}48'43''$  East, 43.19 feet to the southeast corner of said Wilshire Estates II Subdivision, said point being on the north boundary line of Section 30, Township 28 South, Range 16 East;
- 70 Thence westerly along the north boundary line of said Section 30 to the northwest corner of Parcel 30/28/16/00000/220/0400, said corner also being the northeast corner of Tract "A" as shown in the plat of Belle Haven Unit B Replat Subdivision as recorded in Plat Book 27, Page 12, Public Records, Pinellas County, Florida;
- 71 Thence southerly along the west boundary line of said Parcel 30/28/16/00000/220/0400 in said Section 30 to the northeast corner of Lot 35 in Belle Haven Unit B Subdivision as recorded in Plat Book 25, Page 60, Public Records, Pinellas County, Florida;
- 72 Thence westerly along the north boundary line of Lot 35 in said Belle Haven Unit B Subdivision to a point on the east right-of-way line of Belcher Road (County Road No. 501), wheresoever found;
- 73 Thence northerly according to and along the east right-of-way line of Belcher Road (County Road No. 501), wheresoever found, to the southwest corner of Lot 20, Highland Woods 3, as recorded in Plat Book 131, Page(s) 19-20, public records of Pinellas County, Florida;
- 74 Thence along the south boundary line of said Highland Woods 3,  $N88^{\circ}36'04''E$ , 654.07 feet to a point on the south boundary line of Lot 11, said Highland Woods 3; said point also being the southwest corner of Lot 31, Highland Woods 2, as recorded in Plat Book 128, page(s) 33-34, public records of Pinellas County, Florida;
- 75 Thence continue along the south line of said Highland Woods 2,  $N88^{\circ}40'44''E$ , 675.74 feet;
- 76 Thence continue along said south line of said Highland Woods 2,  $S89^{\circ}22'17''E$ , 32.10 feet;
- 77 Thence continue along said south line of Highland Woods 2,  $N88^{\circ}42'47''E$ , 440.70 feet to the southeast corner of Lot 15, of said Highland Woods 2, also being the southwest corner of Covered Bridge Townhomes as recorded in Plat Book 128, Page(s) 96-97, public records of Pinellas County, Florida;
- 78 Thence continue along the southerly boundary line of said Covered Bridge Townhomes,  $N88^{\circ}42'47''E$ , 576.47 feet to the southeast corner of said Covered Bridge Townhomes, also being the southwest corner of property appraiser's parcel number 18/28/16/00000/340/1200;
- 79 Thence continue along the southerly boundary line of said property appraiser's parcel number 18/28/16/00000/340/1200,  $N88^{\circ}42'47''E$ , 300.04 feet to the west line of U.S. Highway 19, also being the southeast corner of said parcel;
- 80 Thence along said west line of said U.S. Highway 19,  $N01^{\circ}47'30''W$ , 328.49 feet also being the easterly boundary line of said parcel;
- 81 Thence leaving said west line of U.S. Highway 19,  $S88^{\circ}48'26''W$ , 300.04 feet;
- 82 Thence northerly  $N01^{\circ}47'46''W$ , 298.96 feet to a point on the southerly right-of-way line of Congress Avenue;
- 83 Thence westerly along said right-of-way line of Congress Avenue,  $S88^{\circ}55'09''W$ , 27.00 feet to the northwest corner of said parcel also being the northeast corner of said Covered Bridge Townhomes;
- 84 Thence continue westerly along said right-of-way line of Congress Avenue,  $S88^{\circ}55'09''W$ , 594.29 feet to the northwest corner of said Covered Bridge Townhomes also being the northeast corner of said Highland Woods 2;
- 85 Thence continue westerly along said right-of-way line of Congress Avenue, also being the northerly boundary line of said Highland Woods 2,  $S88^{\circ}55'09''W$ , 387.89 feet;

- 86 Thence continue westerly along said right-of-way line of Congress Avenue, S88°56'48"W, 32.80 feet to the westerly right-of-way line of Fisher Road;
- 87 Thence northerly along said westerly right-of-way line of Fisher Road, N01°03'12"W, 29.45 feet to a point on the east boundary of lot 4, of said Highland Woods 2, also being the southeast corner of Tract "A" according to the plat of Highland Woods Replat of Lots 44,45,46, 47,48,49 and 50 as recorded in Plat Book 125, Page(s) 85-86, public records of Pinellas County, Florida;
- 88 Thence continue northerly along said right-of-way line of Fisher Road, N01°11'00"W, 164.90 feet to the northeast corner of Lot 48 said Highland Woods Replat;
- 89 Thence westerly along the northerly boundary line of said Highland Woods Replat, S88°59'57"W, 315.00 feet to the northwest corner of Lot 44; also being the northeast corner of Lot 43, Highland Woods as recorded in Plat Book 122, Page(s) 65-66, public records of Pinellas County, Florida;
- 90 Thence continue westerly along the north line of lots 43 thru 40 and a portion of Lot 39, of said Highland Woods, S88°59'57"W, 354.86 feet to a point on the easterly line of Lot 29 of said Highland Woods;
- 91 Thence northerly along said boundary of Highland Woods, N00°45'33"W, 165.97 feet;
- 92 Thence continue northerly along said boundary of Highland Woods, N00°47'06"W, 331.78 feet;
- 93 Thence continue northerly along, N01°07'25"W, 166.40 feet to the northeast corner of Lot 20 said Highland Woods;
- 94 Thence westerly along the northerly boundary of said Highland Woods, S89°12'47"W, 649.36 feet to the easterly right-of-way line of Belcher Road (County Road No. 501), also being the northwest corner of Lot 12 of said Highland Woods;
- 95 Thence northerly according to and along the east right-of-way line of Belcher Road (County Road No. 501), wheresoever found, to the south right-of-way line of Curlew Road (State Road No. 586), wheresoever found, in Section 18, Township 28 South, Range 16 East, Pinellas County, Florida;
- 96 Thence easterly according to and along the south right-of-way line of Curlew Road (State Road No. 586), wheresoever found, to a point on the west right-of-way line of U.S. Highway 19 (State Road No. 55);
- 97 Thence northerly along the west right-of-way of U.S. Highway 19 State Road No. 55), wheresoever found, to the north right-of-way line of Curlew Road (State Road No. 586);
- 98 Thence westerly according to and along the north right-of-way line of Curlew Road (State Road No. 586), wheresoever found, to the northwest corner of the intersection of Curlew Road (State Road No. 586) and County Road No. 1, wheresoever found;
- 99 Thence northerly along the west right-of-way line of County Road No. 1, wheresoever found, in Section 13, Township 28 South, Range 15 East, Pinellas County, Florida, to the southeast corner of Parcel 13/28/15/00000/220/0300, said corner being on the south boundary line of the northwest quarter of the northwest quarter, all in Section 13;
- 100 Thence westerly along the south boundary line of Parcel 13/28/15/00000/220/0300 to the southwest corner of said Parcel 13/28/15/00000/220/0300 also being the southwest corner of the northwest quarter of the northwest quarter of said Section 13;
- 101 Thence northerly along the west boundary of the northwest quarter of the northwest quarter of the said Section 13 to the northwest corner of Parcel 13/28/15/00000/220/0300;
- 102 Thence easterly along the north boundary line of said Parcel 13/28/15/00000/220/0300 and its easterly extension to the centerline of County Road No. 1 all in Section 13;

- 103 Thence northerly along the centerline of County Road No. 1 to the northeast corner of Section 14, Township 28 South, Range 15 East;
- 104 Thence westerly along the north boundary of said Section 14 to the northwest corner of the northeast quarter of said Section 14 also being the northeast corner of Parcel 14/28/15/00000/210/0100;
- 105 Thence southerly along the north-south centerline of said Section 14 a distance of 668.15 more or less to the southeast corner of Parcel 14/28/15/00000/210/0100 in said Section 14;
- 106 Thence North 88°49'16" West along the south boundary line of said Parcel 14/28/15/00000/210/0100 in said Section 14 a distance of 670.22 feet to the southwest corner of said Parcel 14/28/15/00000/210/0100 in said Section 14;
- 107 Thence North 00°19'03" West a distance of 668.77 feet along the west boundary line of said Parcel 14/28/15/00000/210/0100 to a point on the north boundary line of said Section 14;
- 108 Thence westerly along the north boundary line of said Section 14 to the northwest corner of said Section 14, Township 28 South, Range 15 East, Pinellas County, Florida;
- 109 Thence continue westerly along the prolongation of the north boundary line of the northwest quarter of said Section 14 a distance of 4880.77 feet to a point on the centerline of the Intracoastal Waterway in St. Joseph Sound, Pinellas County, Florida;
- 110 Thence northerly along the centerline of said Intracoastal Waterway a distance of 80.41 feet to a point of intersection of centerlines of said Intracoastal Waterway;
- 111 Thence North 27°08'05" West along the centerline of said Intracoastal Waterway a distance of 4539.01 feet to a point of intersection of centerlines of said Intracoastal Waterway;
- 112 Thence North 16°52'44" West along the centerline of said Intracoastal Waterway to a point in the parallel of latitude at Latitude 28°06'00" North in Pinellas County, Florida;
- 113 Thence westerly along said Parallel 28°06'00" North into and through the waters of the Gulf of Mexico to the territorial limits of the State of Florida;
- 114 Thence southerly along the west boundary line of said territorial limits of the State of Florida through the waters of the Gulf of Mexico to a point due west of a point lying 50 feet north of the mean low tide line on the most northerly point of Clearwater Beach Island;
- 115 Thence east along the parallel of latitude to a point lying 50 feet due north of the mean low tide line on the most northerly point of said Clearwater Beach Island;
- 116 Thence meandering in the easterly and southeasterly directions along a line lying 50 feet northerly and northeasterly of the mean low tide line around the north end of Clearwater Beach Island to a point of tangency of said meander tangent upon that straight line which passes 50 feet easterly of the mean low tide line at the north end of Clearwater Beach Island and continue to 50 feet northerly of the mean low tide line at the most northerly point of Moonshine Island;
- 117 Thence meander easterly, southerly, and then westerly around Moonshine Island along a line 50 feet northerly of the mean low tide line of the most southerly point of Moonshine Island;
- 118 Thence south-southeasterly along a straight line last described above through the waters of Clearwater Harbor to the southwest corner of the southeast quarter of the southeast quarter of said fractional Section 32;
- 119 Thence easterly along the south boundary line of the Township 28 South, Range 15 East to the southwest corner of Section

35, Township 28 South, Range 15 East, Pinellas County, Florida, to the POINT OF BEGINNING;

#### EXCLUDED TRACT A

Commence at the northeast corner of Section 35, Township 28 South, Range 15 East, as the POINT OF BEGINNING;

Thence westerly along the north boundary line of the northeast quarter of said Section 35 to a point on the northerly projection of the westerly boundary line of Wooded Acres Subdivision as recorded in Plat Book 77, Page 81, Public Records of Pinellas County, Florida;

Thence southerly along the west boundary line to the southwest corner of Lot 9, of said Wooded Acres Subdivision, also being a point on the north boundary line of Coastal Highlands Subdivision as recorded in Plat Book 91, Page 87, Public Records of Pinellas County, Florida;

Thence westerly along the north boundary line of said Coastal Highlands Subdivision to the northwest corner of Lot 20, said Coastal Highlands Subdivision, all in said Section 35;

Thence southerly along the west boundary line to the southwest corner of Lot 18, of said Coastal Highlands Subdivision, also being a point on the north boundary line of Scotsdale Unit 2 Subdivision as recorded in Plat Book 73, Page 53, Public Records of Pinellas County, Florida, said line also being the north line of the southwest quarter of the northeast quarter of said Section 35;

Thence westerly along the north boundary of the southwest quarter of the northeast quarter of said Section 35, 354.94 feet along the north boundary line of "Scotsdale Park" as recorded in Official Record Book 4984, Page(s) 1354-1356, public records of Pinellas County, Florida, also being the northeast corner of Parcel 35/28/15/00000/130/0100 as described in Official Record Book 16582, Page(s) 896-899, public records of Pinellas County, Florida;

Thence continue westerly along the north boundary of said Parcel 35/28/15/00000/130/0100, 338.50 feet to the northwest corner of said Parcel 35/28/15/00000/130/0100;

Thence southerly along the west boundary of said Parcel 35/28/15/00000/130/0100, 321.41 feet to the southwest corner of said Parcel 35/28/15/00000/130/0100, also being the southeast corner of Parcel 35/28/15/00000/130/0200;

Thence westerly along the south boundary of said Parcel 35/28/15/00000/130/0200, 338.88 feet to the southwest corner of said Parcel 35/28/15/00000/130/0200, also being a point on the east boundary line of Patricia Estates Subdivision as recorded in Plat Book 54, Page(s) 38 and 39 of the Public Records of Pinellas County, all in said Section 35;

Thence northerly along the east boundary of said Patricia Estates Subdivision, to the northeast corner Tract B of said Patricia Estates Subdivision;

Thence westerly along the north boundary line of said Patricia Estates Subdivision, a distance of 150.00 feet to a point, said point being the southeast corner of Parcel 35/28/15/00000/120/0810 in said Section 35;

Thence northerly along the west boundary line of said Parcel 35/28/15/00000/120/0810 a distance of 104.56 feet to a point on the south boundary line of Parcel 35/28/15/00000/120/0700, all in said Section 35;

Thence easterly along said south boundary line of Parcel 35/28/15/00000/120/0700, a distance of 12.50 feet to the southeast corner of said Parcel 35/28/15/00000/120/0700 in Section 35;

Thence northerly and parallel to the north-south centerline of Section 35, Township 28 South, Range 15 East, a distance of 710.00 feet to a point on the south boundary line of Parcel 35/28/15/00000/120/0300 in said Section 35;

Thence easterly along the south boundary line of Parcel 35/28/15/00000/120/0300, a distance of 12.5 feet, more or less, to the property corner of said Parcel 35/28/15/00000/120/0300;

Thence northerly along the boundary line of said Parcel 35/28/15/00000/120/0300, a distance of 175.0 feet, more or less, to the property corner of said Parcel 35/28/15/00000/120/0300;

Thence easterly along the southerly boundary line of said Parcel 35/28/15/00000/120/0300, a

distance of 375.0 feet more or less, to the southeast corner of said Parcel 35/28/15/00000/120/0300 in said Section 35;

Thence northerly along the easterly boundary line of said Parcel 35/28/15/00000/120/0300, a distance of 350.0 feet more or less, to a point on the south boundary line of Section 26, Township 28 South, Range 15 East, Pinellas County, Florida;

Thence easterly along the south boundary line of said Section 26, a distance of 114.83 feet to the southeast corner of the southwest quarter of the southwest quarter of the southeast quarter of said Section 26;

Thence northerly along the ten acre line being in some parts the centerline of Lake Haven Road, a distance of 50.00 feet to a point on the projection of the northerly right-of-way line of Virginia Street in said Section 26;

Thence easterly with said north right-of-way line of Virginia Street to a point 680.00 feet west of the east line of the southeast  $\frac{1}{4}$  of Section 26, Township 28 South, Range 15 East;

Thence leaving said right-of-way line, North  $00^{\circ}48'06''$  West, 200.36 feet along a line being 680.00 feet M.O.L. westerly of and parallel with the east line of said southeast quarter;

Thence North  $40^{\circ}48'06''$  West, 286.48 feet;

Thence North  $21^{\circ}51'12''$  West, 656.59 feet to a point, being 1100 feet M.O.L. westerly of the aforesaid east line;

Thence North  $00^{\circ}48'06''$  West 300.00 feet along a line, being 1100 feet M.O.L. westerly of and parallel with said east line, to a point on the north line of the southeast  $\frac{1}{4}$  of said southeast  $\frac{1}{4}$ ;

Thence South  $88^{\circ}59'56''$  East along the aforesaid north line of the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$ , to the northeast corner of the said southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$ ;

Thence South  $00^{\circ}48'06''$  East along the east line of said southeast  $\frac{1}{4}$ , to the southeast corner of said Section 26, also being the northeast corner of said Section 35, the POINT OF BEGINNING;

Also, the right-of-way shown as Virginia Street, Keene Road and Treemont Way according to the plat of Wooded Acres Subdivision as recorded in Plat Book 77, Page 81, Public Records of Pinellas County, Florida;

Also, a portion of the right-of-way of Keene Road being further described as:

A part of the northeast quarter of the northeast quarter of Section 35, Township 28 South, Range 15 East, more particularly described as follows: From the northeast corner of said Section 35, run along the east boundary thereof, South  $0^{\circ}03'03''$  East, 895.33 feet to the POINT OF BEGINNING;

From the point of beginning continue South  $0^{\circ}03'03''$  East, 336.00 feet to a point 100 feet north of the southeast corner of the northeast quarter of the southeast quarter;

Thence South  $87^{\circ}01'18''$  West, 50.07 feet;

Thence North  $0^{\circ}03'03''$  West, 334.65 feet;

Thence North  $85^{\circ}28'29''$  East, 50.15 feet to the POINT OF BEGINNING;

#### EXCLUDED TRACT A-1

Parcel 13/28/15/00000/310/0600 lying south of Curlew Road (State Road No. 586) right-of-way, wheresoever found; all in the northeast quarter of the southwest quarter of Section 13, Township 28 South, Range 15 East;

#### EXCLUDED TRACT A-2

Proceed from the intersection of the west right-of-way line of Belcher Road (County Road No. 501), wheresoever found, and the north boundary line of the south half of the southeast quarter of Section 13, Township 28 South, Range 15 East, Pinellas County, Florida, as the POINT OF BEGINNING;

Thence westerly along said north boundary line of the south half of the southeast quarter of said Section 13 to the southeast corner of Parcel 13/28/15/00000/420/0500;

Thence northerly along the east boundary line of said Parcel 13/28/15/00000/420/0500 to the northeast corner of said Parcel 13/28/15/00000/420/0500;

Thence westerly along the north boundary line of said Parcel 13/28/15/00000/420/0500 to the northwest corner of said Parcel 13/28/15/00000/420/0500, a point on the north-south centerline of said Section 13;

Thence northerly along the said north-south centerline of said Section 13 to the northwest corner of Parcel 13/28/15/00000/420/0300, a point on the south right-of-way of Curlew Road (State Road No. 586), wheresoever found;

Thence easterly along the south right-of-way of said Curlew Road (State Road 586), wheresoever found, to a point on the west right-of-way of Belcher Road (County Road No. 501), wheresoever found;

Thence southerly along the west right-of-way line of said Belcher Road (County Road No. 501) to the north boundary line of the south half of the southeast quarter of said Section 13, the POINT OF BEGINNING;

#### EXCLUDED TRACT B-1

Lots 6 through 10 of Dunedin Ridge Subdivision as recorded in Plat Book 28, Page 79, Public Records of Pinellas County, Florida;

Also, Lots 37 and 38 of Dunedin Ridge First Addition Subdivision as recorded in Plat Book 30, Page 48, Public Records of Pinellas County, Florida;

Also, Parcel 13/28/15/00000/320/0110 in the northwest quarter of the southwest quarter of Section 13, Township 28 South, Range 16 East being more particularly described as follows:

Commencing at the Northeast corner of the Northwest quarter of the Southwest quarter of said Section 13;

Thence along the East Line of said NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 13 and a portion of the centerline of County Road No. 1 on an assumed bearing of South  $00^{\circ}19'03''$  East a distance of 619.80 feet;

Thence South  $80^{\circ}40'57''$  West, a distance of 20.00 feet to the POINT OF BEGINNING on the westerly maintained right-of-way line of County Road No. 1 per the "MAINTAINED RIGHT-OF-WAY MAP OF

COUNTY ROAD NO. 1" as recorded in Plat Book "B" at pages 36 through 39 inclusive in the Public Records of Pinellas County, Florida;

Thence along said westerly right-of-way line, South  $00^{\circ}19'03''$  East, a distance of 124.11 feet;

Thence continue along said westerly right-of-way line South  $00^{\circ}04'32''$  West, a distance of 583.03 feet to the South boundary line as described in O. R. #1605-151 of said Public Records;

Thence along said South line, North  $89^{\circ}39'01''$  West, a distance of 192.00 feet;

Thence North  $00^{\circ}19'03''$  West, a distance of 190.00 feet;

Thence South  $89^{\circ}39'01''$  East, a distance of 166.00 feet;

Thence North  $00^{\circ}19'03''$  West, a distance of 292.71 feet;

Thence South  $68^{\circ}21'53''$  West, a distance of 107.35 feet;

Thence North  $35^{\circ}32'17''$  West a distance of 48.48 feet to the northwesterly boundary line, described in O. R. #1605-151;

Thence along said northwest line North  $29^{\circ}28'21''$  East, a distance of 257.55 feet to the north boundary line in said O. R. #1605-151;

Thence along said north boundary line, North  $89^{\circ}40'57''$  East, a distance of 30.00 feet to the POINT OF BEGINNING.

#### EXCLUDED TRACT D-1

Lots 1 through 6, Lot 8 and the public right-of-way of Bogie Lane, Golf View Estates Unit 1 Subdivision, as recorded in Plat Book 44, Page 60, Public Records of Pinellas County, Florida in Section 14, Township 28 South, Range 15 East;

Lots 9, 10, 12, 41, 45, 47, 49 through 51, 56 and 61 through 65, Golf View Estates Unit 2 Subdivision, as recorded on Plat Book 49, Page 10, Public Records of Pinellas County, Florida, in Section 14, Township 28 South, Range 15 East;

Also, Parcel 14/28/15/00000/240/0100;

#### EXCLUDED TRACT I-1

Parcel 26/28/15/00000/140/0200 in the southeast quarter of the northeast quarter of Section 26, Township 28 South, Range 15 East, Pinellas County, Florida;

#### EXCLUDED TRACT M

Lots 17 through 19 all in A-Unit and Lots 22 through 26, all in B-Unit, Richland Subdivision as recorded in Plat Book 11, Page 19, Public Records of Pinellas County, Florida;

#### EXCLUDED TRACT N

Lot 2 and that part of Lot 3 described as follows: Beginning at the southeast corner of said Lot 3, run thence northerly along the easterly boundary of said Lot 3, a distance of 18.0 feet; thence run westerly to a point on the westerly boundary of said Lot 3 located a distance of 5.2 feet northerly from the southwest corner of said Lot 3; run thence to southwest corner of said Lot 3; run thence along southerly boundary of said Lot 3 to the Point of Beginning, L. B. Skinner Resubdivision of Lots 3 and 4 as recorded in Plat Book 11, Page 87, Public Records of Pinellas County, Florida.

Also, Lots 14 and 15, L. B. Skinner Resubdivision of Lots 3 and 4 as recorded in Plat Book 11, Page 87, Public Records of Pinellas County, Florida.

Also, Parcel 27/28/15/62910/002/0010 and Lots 55 and 56, Block B, Oakland Subdivision No. 2 as recorded in Plat Book 9, Page 34, Public Records of Pinellas County, Florida; less the easterly 29.75 feet of the southerly 12.6 feet of said Lot 55, all in Block B of said Oakland Subdivision No. 2;

Also, Parcel 27/28/15/62910/003/0030 and Lots 10 through 14, Block C, Oakland Subdivision No. 2 as recorded in Plat Book 9, Page 34, Public Records of Pinellas County, Florida;

Also, Parcels 27/28/15/00000/140/0200, 27/28/15/00000/140/0300, 27/28/15/00000/140/0400, 27/28/15/00000/140/0600, 27/28/15/00000/140/0700 and 27/28/15/00000/140/0900 all in the

southeast quarter of the northeast quarter of Section 27, Township 28 South, Range 15 East;

Also, the remaining portion of Orange Avenue right-of-way lying north of the westerly projection of the northerly line of Lot 35, Block C, of said Oakland Subdivision No. 2;

LESS and EXCEPT a portion of Lots 1 and 2, Block B, of said Oakland Subdivision No. 2, being further described as follows: Begin at the northeast corner of said Lot 1 as the POINT OF BEGINNING; Thence South 15°13'45" West along the east boundary line of said Lots 1 and 2 a distance of 51.00 feet; Thence North 75°55'33" West a distance of 45.55 feet; Thence northeasterly a distance of 52.56 feet; Thence South 75°55'33" East along the north boundary line of said Lot 1 a distance of 59.36 feet to the POINT OF BEGINNING;

LESS and EXCEPT all of Lot 1 and that portion of Lot 2, Block C, said Oakland Subdivision No. 2, being further described as follows: Begin at the northeast corner of said Lot 2 as the POINT OF BEGINNING; Thence South along the east boundary line of said Lot 2 a distance of 19.56 feet; Thence North 75°55'33" West a distance of 65.15 feet; Thence North 15°13'45" East along the west boundary line of said Lot 2 a distance of 9.58 feet; Thence South 84°48'05" East along the north boundary line of said Lot 2 a distance of 60.92 feet to the POINT OF BEGINNING;

#### EXCLUDED TRACT S

Proceed from that point on the north right-of-way line of State Road No. 580, wheresoever found, which lies on the east boundary line of the southwest quarter of the northeast quarter of Section 26, Township 28 South, Range 15 East, Pinellas County, Florida, said point is also the southwest corner of Parcel 26/28/15/00000/140/1000, as the POINT OF BEGINNING;

Thence northerly along the westerly boundary line of Parcels 26/28/15/00000/140/1000, 26/28/15/00000/140/1010, 26/28/15/00000/140/0900, 26/28/15/00000/140/0800 and 26/28/15/00000/140/0700 to the northwest corner of Parcel 26/28/

15/00000/140/0700, also being the westerly boundary line of the southeast quarter of the northeast quarter of said Section 26;

Thence easterly along the north boundary line of said Parcel 26/28/15/00000/140/0700 to the northeast corner of said Parcel 26/28/15/00000/140/0700 in said Section 26;

Thence southerly along the easterly boundary line of said Parcels 26/28/15/00000/140/0700, 26/28/15/00000/140/0800, 26/28/15/00000/140/0900, 26/28/15/00000/140/1010 and 26/28/15/00000/140/1000 to the southeast corner of Parcel 26/28/15/00000/140/1000, also being a point on the north right-of-way line of State Road No. 580, wheresoever found;

Thence westerly along the north right-of-way line of State Road No. 580, wheresoever found, to the southwest corner of said Parcel 26/28/15/00000/140/1000, the POINT OF BEGINNING;

#### EXCLUDED TRACT S-1

Lots 3 through 5 and Lots 7 through 10, J.B. Quattlebaum's Addition Subdivision as recorded in Plat Book 15, Page 99, Public Records of Pinellas County, Florida;

#### EXCLUDED TRACT U

Lots 32 and 33, Belle Haven Unit B Subdivision as recorded in Plat Book 25, Page 60, Public Records of Pinellas County, Florida;

#### EXCLUDED TRACT V

All of New Athens City Subdivision as recorded in Plat Book 55, Page 57, Public Records of Pinellas County, Florida;

All of New Athens City 1st Addition Subdivision as recorded in Plat Book 62, Page 50, Public Records of Pinellas County, Florida;

Lots 17, 18, and east 235 feet of Lot 19, Pinellas Groves Subdivision as recorded in Plat Book 3, Page 15, Public Records of Pinellas County, Florida lying in the southeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 24, Township 28 South, Range 15 East;

The right-of-way of Solon Ave lying south of said New Athens City Subdivision and New

Athens City 1st Addition in northeast  $\frac{1}{4}$  of southeast  $\frac{1}{4}$  of said Section 24, Township 28 South, Range 15 East;

The right-of-way of Solon Ave lying north of said Lots 17, 18, and east 235 feet of Lot 19, Pinellas Groves Subdivision in southeast  $\frac{1}{4}$  of southeast  $\frac{1}{4}$  of said Section 24, Township 28 South, Range 15 East;

#### EXCLUDED TRACT W

Proceed from the northeast corner of the northwest quarter of the northeast quarter of Section 24, Township 28 South, Range 15 East as the POINT OF BEGINNING;

Thence southerly along the east boundary line of said northeast quarter to the southeast corner of Parcel 24/28/15/00000/120/0100;

Thence westerly along the south boundary line of Parcels 24/28/15/00000/120/0100, 24/28/15/00000/120/0200 and 24/28/15/00000/120/0300 to the northwest corner of Parcel 24/28/15/00000/120/0320 in said Section 24;

Thence southerly along the west boundary line of said Parcel 24/28/15/00000/120/0320 and Parcel 24/28/15/00000/120/0330 to the southwest corner of said Parcel 24/28/15/00000/120/0330, said corner being on the north boundary line of Parcel 24/28/15/00000/120/0520, all being in said Section 24;

Thence easterly along the north boundary line of said Parcel 24/28/15/00000/120/0520 and Parcel 24/28/15/00000/120/0500 to the northeast corner of said Parcel 24/28/15/00000/120/0500, also being a point on the north-south centerline of said northeast quarter of Section 24;

Thence southerly along the north-south centerline of said northeast quarter of Section 24, also being the west right-of-way line of Brady Drive (County Road No. 97-A) to the southeast corner of said Parcel 24/28/15/00000/120/0500, also being a point on the easterly extension of the north boundary line of Indian Creek Subdivision as recorded in Plat Book 99, Page 84, Public Records of Pinellas County, Florida;

Thence westerly along the north boundary line of said Indian Creek Subdivision to the northwest corner of Lot 8, said Indian Creek Subdivision;

Thence southerly along the west boundary line of said Indian Creek Subdivision to the southwest corner of Lot 9, said Indian Creek Subdivision;

Thence easterly along the south boundary line of said Indian Creek Subdivision to the northwest corner of Lot 6, Lynnwood Unit One Subdivision as recorded in Plat Book 78, Page 98, Public Records of Pinellas County, Florida;

Thence southerly along the west boundary line of said Lynnwood Unit One Subdivision to the southwest corner of Lot 5, said corner also being the southeast corner of Parcel 24/28/15/00000/130/0200;

Thence westerly along the south boundary line of said Parcel 24/28/15/00000/130/0200 to the southwest corner of said Parcel 24/28/15/00000/130/0200;

Thence northerly along the west boundary line of said Parcel 24/28/15/00000/130/0200 to the southeast corner of Parcel 24/28/15/00000/240/0220;

Thence westerly along the south boundary line of said Parcel 24/28/15/00000/240/0220 and its westerly extension to a point on the west boundary line of the southeast quarter of the northwest quarter of Section 24, Township 28 South, Range 15 East;

Thence northerly along said westerly boundary line of the southeast quarter of the northwest quarter of the said Section 24 to the northeast corner of the southwest quarter of the northwest quarter of said Section 24;

Thence westerly along the north boundary line of the southwest quarter of the northwest quarter of the said Section 24 to a point on the east right-of-way line of County Road No. 1, wheresoever found;

Thence northerly along the easterly right-of-way line extended of said County Road No. 1 to the southwest corner of Parcel 24/28/15/00000/220/1500;

Thence easterly along the south boundary line of said Parcel 24/28/15/00000/220/1500 to the southeast corner of said Parcel 24/28/15/00000/220/1500, being a point on the west right-of-way line of Garrison Road (County Road No. 36), wheresoever found;

Thence northerly along the east boundary line of said Parcel 24/28/15/00000/220/1500 to the northeast corner of said Parcel 24/28/15/00000/220/1500;

Thence westerly along the north boundary line of said Parcel 24/28/15/00000/220/1500 to the east right-of-way line of County Road No. 1, wheresoever found;

Thence northerly along the east right-of-way line of County Road No. 1, wheresoever found, to the northwest corner of Parcel 24/28/15/00000/220/2600 in said Section 24, also being a point on the south boundary line of Grovewood of Dunedin Subdivision, as recorded in Plat Book 67, Page 74, public records of Pinellas County, Florida;

Thence easterly along the south boundary line of said Grovewood of Dunedin Subdivision to the southeast corner of said plat of Grovewood of Dunedin Subdivision, also being a point on the 40 acre line;

Thence southerly along said 40 acre line to a point lying west of the southwest corner of Parcel 24/28/15/00000/210/0100;

Thence leaving said 40 acre line, run easterly along the extension of the southerly boundary line of said Parcel 24/28/15/00000/210/0100 to the southeast corner of said parcel;

Thence run northerly along the easterly boundary of said Parcel 24/28/15/00000/210/0100 to the northeast corner of said parcel, also being a point on the south boundary of Lot 3, Spanish Manor Subdivision, as recorded in Plat Book 78, Page 10, public records of Pinellas County, Florida;

Thence easterly along the south line of said Spanish Manor Subdivision to the southeast corner of said Spanish Manor Subdivision, also being the southwest corner of Parcel 24/28/15/00000/120/0440;

Thence continue easterly along the south boundary line of Parcel 24/28/15/00000/120/0440 and Parcel 24/28/15/00000/120/0410 to the southeast corner of said Parcel 24/28/15/00000/120/0410;

Thence northerly along the east line of said Parcel 24/28/15/00000/120/0410, and parcels 24/28/15/00000/120/0460 and 24/28/15/00000/120/0400 and its northerly extension to a point on the north boundary line of the northeast quarter of said Section 24;

Thence easterly along the north boundary line of the northeast quarter of said northeast quarter to the northeast corner of said northeast quarter, the POINT OF BEGINNING;

Less and except Parcel 24/28/15/00000/240/0610, being further described as: being a parcel of land in Section 24, Township 28 South, Range 15 East, Pinellas County, Florida, more particularly described as follows:

Commencing from the northwest corner of the southeast  $\frac{1}{4}$  of the northwest  $\frac{1}{4}$  of Section 24, Township 28 South, Range 15 East, Pinellas County, Florida;

Thence along the 40 acre line South  $00^{\circ}22'13''$  East, a distance of 289.37 feet;

Thence departing said 40 acre line sad running South  $89^{\circ}30'45''$  East, a distance of 40.00 fact to a point on the easterly right-of-way line of Garrison Road, said point being the POINT OF BEGINNING;

Thence continue South  $89^{\circ}30'45''$  East, a distance of 210.00 feet to the beginning of a curve;

Thence 65.47 feet with the arc of said curve concave northwesterly having a radius of 88.41 feet and subtended by a chord bearing North  $69^{\circ}16'16''$  East, a chord distance of 63.99 feet to the curve's end;

Thence departing said curve North  $89^{\circ}05'47''$  East, a distance of 205.91 feet;

Thence South  $00^{\circ}23'28''$  East, a distance of 183.20 feet;

Thence North  $89^{\circ}30'45''$  West, a distance of 476.05 feet to the easterly right-of-way line of said Garrison Road;

Thence with said Easterly right-of-way line North  $00^{\circ}22'13''$  West, a distance of 154.66 feet to the POINT OF BEGINNING;

Less and except Parcel 24/28/15/00000/240/0500 being further described as follows:

Commence at the northwest corner of the southeast quarter of the northwest quarter of Section 24, Township 28 South, Range 15 East, Pinellas County, Florida;

Thence South  $00^{\circ}46'35''$  East, along the west boundary of said southeast quarter, a distance at 105.19 feet to a point;

Thence South  $89^{\circ}56'16''$  East, 33.00 feet to the POINT OF BEGINNING;

Thence South  $89^{\circ}56'16''$  East, 217.04 feet to a point;

Thence South  $00^{\circ}46'36''$  East, 124.13 feet to a point;

Thence South  $00^{\circ}46'42''$  East, 60.37 feet to a point;

Thence South  $89^{\circ}58'42''$  West, 210.04 feet to a point, said point being on the east right-of-way line of Garrison Road;

Thence North  $00^{\circ}46'35''$  West, along said east right-of-way line 60.37 feet to a point;

Thence North  $89^{\circ}58'02''$  West, 7.00 feet to a point;

Thence North  $00^{\circ}46'35''$  West, 124.24 feet to the POINT OF BEGINNING;

#### EXCLUDED TRACT W-1

Proceed from the northwest corner of the southeast quarter of the northeast quarter of Section 24, Township 28 South, Range 15 East, also being the northwest corner of Spanish Acres Subdivision as recorded in Plat Book 70, Page 95, Public Records of Pinellas County, Florida, as the POINT OF BEGINNING;

Thence easterly along the north boundary of said Spanish Acres Subdivision to a point on the west right-of-way line of Belcher Road (County Road No. 501), wheresoever found;

Thence southerly along said west right-of-way line of Belcher Road (County Road No. 501), wheresoever found, to a point on the south boundary of the northeast quarter of Section 24, Township 28 South, Range 15 East, 50 feet west of the southeast corner of northeast quarter of said Section 24;

Thence westerly along the south boundary of the northeast quarter of said Section 24 to the southwest corner of the southeast quarter of the northeast quarter of said Section 24;

Thence northerly along the west boundary of the southeast quarter of the northeast quarter of said Section 24 to the northwest corner of the southeast quarter of the northeast quarter of said Section 24, the POINT OF BEGINNING;

LESS and EXCEPT Lot 39 and the west 179.94 feet of the easterly 229.94 feet of the southerly 50.00 feet of southeast quarter of the northeast quarter of Section 24, Township 28 South, Range 15 East;

#### EXCLUDED TRACT W-2

The northerly 33.00 feet of the northeast quarter of the northwest quarter of said Section 24, Township 28 South, Range 15 East;

Also, a portion of the northwest quarter of the northwest quarter of Section 24, Township 28 South, Range 15 East being further described as;

Commence at the northeast corner of said northwest quarter as the POINT OF BEGINNING;

Thence southerly along the east boundary of said northwest quarter, South 00°26'22" East, 20.00 feet;

Thence westerly, South 89°40'39" West, 30.85 feet;

Thence southwesterly, South 69°34'12" West, 60.18 feet;

Thence northeasterly along the extension of the easterly right-of-way of County

Road #1, North 09°54'59" East, 41.91 feet more or less to a point on the north boundary line of said northwest quarter;

Thence along said north boundary line of said northwest quarter, South 89°40'39" East, 79.88 feet more or less to the northeast corner of said northwest quarter, the POINT OF BEGINNING;

#### EXCLUDED TRACT W-3

Parcel 24/28/15/00000/120/0800, being further described as;

The southerly 30.00 feet of the easterly 30.00 feet of the northwest quarter of the northeast quarter of Section 24, Township 28 South, Range 15 East;

#### EXCLUDED TRACT X

The northwest quarter of the northeast quarter of the southeast quarter of Section 23, Township 28 South, Range 15 East, Pinellas County, Florida;

#### EXCLUDED TRACT X-1

Parcel 24/28/15/00000/230/0600 in the southwest quarter of the northwest quarter of said Section 24;

Also Parcel 24/28/15/00000/240/0800 in the northwest quarter of said Section 24;

#### EXCLUDED TRACT Y

Proceed from the southwest corner of Parcel 24/28/15/00000/220/1800 in the northwest quarter of the northwest quarter of Section 24, Township 28 South, Range 15 East as the POINT OF BEGINNING;

Thence northerly along the east boundary line of said Parcels 24/28/15/00000/220/1800, 24/28/15/00000/220/1900 and 24/28/15/00000/220/2500 to the northwest corner of said Parcel 24/28/15/00000/220/2500, also being the northeast corner of Lot 14, in Fairway Heights Subdivision, as recorded in Plat Book 71, Page 50, Public Records of Pinellas County, Florida and being a point on the south boundary line of

Lot 22, Grovewood Of Dunedin, as recorded in Plat Book 67, Page 74, Public Records of Pinellas County, Florida;

Thence easterly along the south boundary line of said Grovewood of Dunedin Subdivision to a point on the west right-of-way line of County Road No. 1, wheresoever found;

Thence southerly according to and along the west right-of-way line of County Road No. 1, wheresoever found, to the northeast corner of Parcel 24/28/15/00000/220/2100;

Thence westerly along the north boundary line of said Parcel 24/28/15/00000/220/2100 and Parcel 24/28/15/00000/220/2000 to the northwest corner of said Parcel 24/28/15/00000/220/2000;

Thence southerly along the west boundary line of said Parcel 24/28/15/00000/220/2000 to the southwest corner of said Parcel 24/28/15/00000/220/2000 also being a point on the north boundary of Parcel 24/28/15/00000/220/1810;

Thence easterly along the south boundary line of said Parcels 24/28/15/00000/220/2000 and 24/28/15/00000/220/2100 to the west right-of-way line of County Road No. 1, wheresoever found, also being the northeast corner of said Parcel 24/28/15/00000/220/1810;

Thence southerly according to and along the west right-of-way line of County Road No. 1, wheresoever found, to the southeast corner of said Parcel 24/28/15/00000/220/1810;

Thence westerly along the south boundary line of said Parcel 24/28/15/00000/220/1810 to the southwest corner of said Parcel 24/28/15/00000/220/1800, the POINT OF BEGINNING;

#### EXCLUDED TRACT Y-1

Parcel 25/28/15/00000/420/0300 in the northwest quarter of the southeast quarter of Section 25, Township 28 South, Range 15 East;

#### EXCLUDED TRACT Z

Parcel 24/28/15/00000/220/0300 and 24/28/15/00000/220/0800 in the northwest quarter of the

northwest quarter of Section 24, Township 28 South, Range 15 East, Pinellas County, Florida;  
(Ord. No. 97-33, 12-11-1997; Ord. No. 11-28, § 1, 10-20-2011)

