

PREPARED BY AND RETURN TO:

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FIFTH AMENDMENT TO AMENDED DRI DEVELOPMENT ORDER

**PROJECT: SEMORAN COMMERCENTER
THE CITY OF ORLANDO
DEVELOPMENT ORDER**

THIS FIFTH AMENDEMNT TO THE DRI DEVELOPMENT ORDER (the “Fifth Amendment”) is adopted this ___ day of _____, 2016 by THE CITY OF ORLANDO, a body politic of the State of Florida (hereinafter referred to as “the CITY”).

WHEREAS, the City previously adopted that certain DRI Development Order dated June 16, 1986, and recorded in the Official Records Book 3800, Page 2762, Public Records of Orange County, Florida; and

WHEREAS, the City previously adopted a First Amendment to Semoran Commercenter DRI Development Order on March 6, 1995, and recorded in Official Records Book 4889, page 3528, Public Records of Orange County, Florida; and

WHEREAS, the City previously adopted a Second Amendment to Amended and Restated DRI Development Order on January 25, 1999, and recorded in Official Records Book 5724, page 2966, Public Records of Orange County, Florida; and

WHEREAS, the City previously adopted a Third Amendment to Amended and Restated DRI Development Order on October 25, 2004, and recorded in Official Records Book 7716, page 656, Public Records of Orange County, Florida; and

WHEREAS, the City previously adopted a Fourth Amendment to Amended and Restated DRI Development Order on April 7, 2008, and recorded in Official Records Book 9715, page 4131, Public Records of Orange County ; and

WHEREAS, the DRI Development Order and all amendments thereto hereinabove referenced shall hereinafter be collectively referred to as the “DRI Development Order”; and

WHEREAS, Omega Land Development Corp., a Florida corporation whose address is 5532 Butler National Drive, Orlando, Florida 32812 (hereinafter referred to as “Omega”) has heretofore filed a Notice of Proposed Change (“NOPC”) to the aforementioned Development of Regional Impact Order requesting that property known and designated as Lot 1, SEMORAN COMMERCENTER, according to the Plat thereof as recorded in Plat Book 21, Pages 93-95, of the Public Records of Orange County, Florida. TOGETHER WITH: Lot 1, SEMORAN COMMERCENTER PHASE 2, according to the Plat thereof as recorded in Plat Book 34, Page

121, of the Public Records of Orange County, Florida, consisting of 18.63 acres be removed from the existing Semoran Commercenter DRI Development Order and any amendments thereto; and

WHEREAS, the NOPC is consistent with the adopted Growth Management Plan of the City and the Orlando Land Development Code; and

WHEREAS, the City has determined the NOPC proposed by Omega does not constitute a substantial deviation under Chapters 163, 187, and 380, Fla. Stat.; and

WHEREAS, the State of Florida Department of Economic Opportunity and the East Central Florida Regional Planning Council have not objected to the NOPC; and

WHEREAS, the City and Omega desire to further amend the DRI Development Order, as amended, to remove the aforementioned subject property

NOW, THEREFORE, IT IS HEREBY ORDERED AND RESOLVED by the City Council of the City of Orlando that:

1. The DRI Development Order be further amended and modified to remove the following property from said DRI Development Order: Lot 1, SEMORAN COMMERCENTER, according to the Plat thereof as recorded in Plat Book 21, Pages 93-95, of the Public Records of Orange County, Florida. TOGETHER WITH: Lot 1, SEMORAN COMMERCENTER PHASE 2, according to the Plat thereof as recorded in Plat Book 34, Page 121, of the Public Records of Orange County, Florida.

[Signatures on Next Page]

ADOPTED THIS ____ DAY OF _____, 2016

ATTEST:

CITY OF ORLANDO:

By: _____
Name: _____
Title: City Clerk, Orlando, Florida
Date: _____, 2016

By: _____
Name: Buddy Dyer
Title: Mayor, Orlando, Florida
Date: _____, 2016

APPROVED AS TO FORM AND LEGALITY for use and reliance by the City of Orlando, Florida only:

By: _____
Name: _____
Title: Assistant City Attorney
Date: _____, 2016

OMEGA LAND DEVELOPMENT CORP.

By: _____
Name: Henry Nieves
Title: President
Date: _____, 2016

[CORPORATE SEAL]