

REQUEST FOR RESCISSION
of
DEVELOPMENT ORDER
for
LEEVISTA CENTER DEVELOPMENT OF REGIONAL IMPACT

THIS REQUEST FOR RESCISSION OF DEVELOPMENT ORDER FOR LEEVISTA DEVELOPMENT OF REGIONAL IMPACT (this "Request") is submitted by Rebecca Wilson, Esq., c/o Lowndes Drosdick, Doster, Kantor & Reed, P.A., on behalf of LeeVista, Inc., a Florida corporation whose address is 6509 Hazeltine National Drive., Unit #6, Orlando, Florida ("LeeVista").

FACTUAL BACKGROUND

1. LeeVista is the Master Developer of that certain real property more particularly described on Exhibit "A" attached hereto (the "Property"). The Property is comprised of approximately 1,890 acres and is commonly known as the "LeeVista Center Development of Regional Impact" (the "LeeVista Center DRI").

2. The LeeVista DRI is more particularly described in that certain First Amended and Restated LeeVista Development of Regional Impact Development Order dated February 5, 2007 and recorded February 16, 2007 in Official Records Book 9117, Page 3236, as amended by that certain First Amendment to First Amended and Restated LeeVista Center Development of Regional Impact Development Order dated December 8, 2008 and recorded January 12, 2009 both in the Public Records of Orange County, Florida (together referred to as the "LeeVista Center Development Order").

3. The Development Order specifies the development program and the required mitigation for the development of the LeeVista Center DRI.

4. Pursuant to Section 380.06(29)(a), Florida Statutes, the City is a dense urban land area and is exempt from the development-of-regional-impact process described in Section 380.06 Florida Statutes; and pursuant to Section 380.06(29)(e), Florida Statutes, "any previously approved development of regional-impact development orders shall continue to be effective but the developer has the option to be governed by Section 380.115(l), Florida Statutes"

5. Section 380.115(l)(b), Florida Statutes, provides that "if requested by the developer or land owner, the development-of-regional-impact development order shall be rescinded by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development that existed on the date of rescission has been completed."

6. The LeeVista Center Development Order divides the proposed development into five phases based on average daily trips. It further divides Phase IV into six stages based on average daily trips.

7. LeeVista has completed the required mitigation for Phase I through Stage 2 of Phase IV of the LeeVista Center Development Order. In addition, LeeVista has also completed certain improvements set forth in Stages 4 and 5 of Phase IV.

8. The average daily trips created by the cumulative development within the DRI has not exceeded Stage 2 of Phase IV.

9. Accordingly, all required mitigation related to cumulative development has been completed.

10. LeeVista hereby requests that the City:

(a) Rescind the LeeVista Center Development Order; and

(b) Terminate and cancel the LeeVista Center DRI Development Order and record a certified copy of the Order of Rescission in the official records of Orange County, Florida; and

REQUEST FOR RESCISSION

11. Factual Background Incorporated. The facts set forth in the Factual Background above are true and correct and are hereby incorporated into this Request by this reference.

12. Existing Development. As of the date hereof, all required mitigation is in place related to the amount of development that exists on the date of rescission.

13. LeeVista Center DRI Rescission. Based on the information presented herein, LeeVista hereby request rescission of the LeeVista Center DRI Development Order.

14. Proposed Order Approving the Rescission of Development Order. Attached hereto as Exhibit "B" is a proposed form of Order Approving Rescission of the LeeVista Center DRI Development Order that the City may wish to use upon approval of this Request.

DATED this _____ day of _____, 2018.

Respectfully submitted,

Rebecca Wilson
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