

PREPARED BY AND RETURN TO:

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Tampa, Florida 33602

DECLARATION OF COVENANTS AND RESTRICTIONS

THIS DECLARATION OF COVENANTS AND RESTRICTIONS (this “**Declaration**”) is made and executed this 11 day of January, 2024, by KH CW Lake Harris LLC, a Florida limited liability company (the “**Declarant**”).

WITNESSETH

WHEREAS, the Declarant is the owner of the Property (as described herein and defined below);

WHEREAS, Section 22.15(5) of Lake County Code of Ordinances, as amended (the “**Ordinance**”) provides the development of dwelling units in subdivisions that are housing for Older Persons, in compliance with the terms and provisions of the Federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968, and as amended by the Fair Housing Amendments Act of 1988, the Housing of Older Persons Act of 1995, 42 U.S.C. SS 3601-19 and Section 760.29, Florida Statutes (2022) (collectively, the “**Acts**”), is exempt from the payment of educational system impact fees;

WHEREAS, it is the intent of the Declarant to place restrictions and limitations of record on the Property and to limit the use for which it is intended so as to qualify for exemption from the payment of Educational System Impact Fees (as defined herein) under the Ordinance, and from school concurrency requirements; and

WHEREAS, it is the intent of the Declarant that the single family residential project known as “CRESSWIND AT LAKE HARRIS” to be constructed on the Property (the “**Community**”) be designated and operated as a community for Older Persons (as defined herein) in compliance with the terms and provisions of the Acts to meet the social and physical needs of persons fifty-five (55) years of age or older.

NOW, THEREFORE, the Declarant does hereby declare that the Property is hereby restricted as follows, and all of which restrictions and limitations are intended to be and shall be taken as a consideration for any lease or deed of conveyance hereafter made, and one of the express conditions thereof, and that said restrictions and limitations are intended to be, and shall be taken as covenants that run with the land, and shall be as follows:

1. **Incorporation of Recitals.** The foregoing recitals are true and correct and incorporated by this reference as if fully set forth herein.
2. **Definitions.** As used in this Declaration, the following terms are defined as follows:
 - (a) **"Educational System Impact Fees"** shall mean and refer to educational system impact fees assessed under the Ordinance.
 - (b) **"Older Persons"** shall mean persons fifty-five (55) years of age and older.
 - (c) **"Owner"** shall mean and refer to one or more persons or entities who hold the record title to the Property, but excluding in all cases any party holding an interest merely as security for the performance of an obligation.
 - (d) **"Permanent Resident"** shall mean a person who stays overnight in a residence located within the Community for more than twenty-one (21) days in any sixty (60) day period or more than thirty (30) days in any twelve (12) month period.
 - (e) **"Property"** shall mean and refer to the real property located in Lake County, Florida, described on Exhibit "A" attached hereto and incorporated herein by this reference.
3. **Use Restrictions and Restrictive Covenants.** The Declarant hereby declares that the Property shall be held, maintained, transferred, sold, conveyed and owned subject to the following covenants and restrictions:
 - (a) **Prohibition Against Minors.** In no event shall any person under the age of eighteen (18) years of age reside within any dwelling unit on the Property as a Permanent Resident.
 - (b) **Community for Older Persons.** At least eighty percent (80%) of the occupied dwelling units within the Property shall be occupied by at least one (1) person fifty-five (55) years of age or older. The Declarant and Owner(s) will operate the Community as a community for Older Persons in compliance with the terms and provisions of 24 C.F.R. 100.305, 100.306 and 100.307 and all other applicable provisions of the Acts. Incidental to such operation as a community for Older Persons, each Owner shall comply with all requirements pursuant to the Acts, as applicable.
4. **Covenants and Restrictions Running With Land.** This Declaration shall run with and bind the Property for a period of thirty (30) years from the date that this Declaration is recorded in the Public Records of Lake County, Florida.
5. **Construction.** The provisions of this Declaration shall be liberally construed to effectuate its purpose of prohibiting persons under eighteen (18) years of age from residing within the Community or on the Property as Permanent Residents.

6. Designation. The Community is hereby designated as a community for Older Persons in compliance with the terms and provisions of the Acts.
7. Benefitted Parties. The covenants and restrictions established herein shall be for the benefit of the Declarant and the School Board of Lake County, Florida, subject to and in accordance with the terms and conditions hereof, and no third party beneficiary rights are created or inferred except as specifically provided herein.
8. Modification. The terms of this Declaration are not subject to revocation or amendment for a period of thirty (30) years from the date of recording in the Public Records of Lake County, Florida. Any amendment which would allow a person under the age of eighteen (18) to occupy any dwelling on the Property must be provided to the Lake County Attorney's Office with written notice thirty (30) days prior to making any such amendment.
9. Failure to Enforce. Failure to enforce any of the covenants and restrictions contained herein may result in Educational System Impact Fees becoming immediately due in full for all lots within the Property. In the event that Educational System Impact Fees become due and payable for failure to enforce the covenants and restrictions herein, Lake County shall provide written notice to each Owner. Upon failure of an Owner to pay the Educational System Impact Fees for failure to enforce the covenants and restrictions herein within thirty (30) days of the date of notice, a notice of lien shall be served advising the Owner that Lake County shall file a claim of lien. Once recorded, the claim of lien may be foreclosed as provided for in Chapter 170, Florida Statutes, Chapter 173, Florida Statutes, or any other applicable law. Upon recordation, the lien for unpaid Educational System Impact Fees shall be coequal with a lien for state, county, special district, and municipal taxes and is superior in dignity to any subsequently filed liens.
10. Governing Law. This Declaration shall be governed by the laws of the State of Florida and exclusive venue shall be in Lake County, Florida.

[Signature Page Follows]

IN WITNESS WHEREOF, the Declarant has executed this Declaration as of the day and year first written above.

WITNESSES:

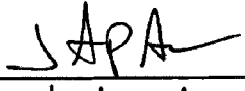
Signed, sealed, and delivered
in the presence of:


Print Name: Norah Allen
Address: 1 Orange Ave
Winter Garden, FL 34787


Print Name: Thomas Bliven
Address: 17125 Wingspread Loop
Winter Garden, FL 34787

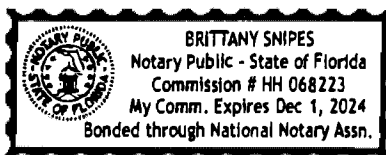
"Declarant"

KH CW Lake Harris LLC, a Florida
limited liability company

By: 
Name: Dustin Allen
Title: Authorized Signatory

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me by means of ☒ physical presence
or ☐ online notarization this 11th day of January, 2024, by
Dustin Allen as authorized signer of KH CW Lake Harris LLC, a Florida
limited liability company, on behalf of the company, who ☒ is personally known to me or ☐ has
produced _____ as identification.



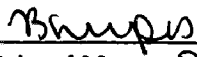

Printed Name: Brittany Snipes
Notary Public, State of Florida
Commission No. HH068223
My commission expires: 12-1-24

EXHIBIT "A"**Legal Description****CRESSWIND PHASE 1
DESCRIPTION**

BEING A REPLAT OF A PORTION OF WEBLEY'S SUBDIVISION AS RECORDED IN PLAT BOOK 1, PAGE 22, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, AND A PORTION OF SECTIONS 35 AND 36, TOWNSHIP 19 SOUTH, RANGE 25 EAST, ALL LYING IN THE CITY OF TAVARES, LAKE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 35; THENCE N00°37'54"E ALONG THE EAST LINE OF SAID SECTION 35 FOR 409.00 FEET; THENCE DEPARTING SAID EAST LINE, N89°12'23"W FOR 10.04 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N89°12'23"W FOR 2321.92 FEET TO THE EASTERLY LINE OF A REPLAT OF THE PENINSULA, AS RECORDED IN PLAT BOOK 36, PAGES 32 THROUGH 34, INCLUSIVE, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING TEN (10) COURSES: N10°56'26"W FOR 75.30 FEET TO A POINT ON A NON TANGENT CIRCULAR CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 50.00 FEET; THENCE FROM A RADIAL LINE WHICH BEARS S10°56'26"E, RUN NORTHEASTERLY, NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 160°31'44" FOR A DISTANCE OF 140.09 FEET TO THE POINT OF REVERSE CIRCULAR CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70°31'44" FOR A DISTANCE OF 30.77 FEET TO THE POINT OF TANGENCY; THENCE N10°56'26"W FOR 50.08 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 775.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE 16°46'39" FOR A DISTANCE OF 226.94 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 725.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°31'03" FOR A DISTANCE OF 19.20 FEET TO A POINT OF NON TANGENT; THENCE N86°22'26"E FOR 125.00 FEET; THENCE N18°24'02"W FOR 30.44 FEET; THENCE N82°45'04"E FOR 40.13 FEET; THENCE N13°04'06"W ALONG SAID EASTERLY LINE OF SAID REPLAT AND ITS NORTHERLY PROJECTION FOR 140.89 FEET; THENCE N90°00'00"E FOR 121.07 FEET TO A POINT ON A NON TANGENT CIRCULAR CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 455.00 FEET; THENCE FROM A RADIAL LINE WHICH BEARS N77°23'14"E, RUN SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°37'03" FOR A DISTANCE OF 44.61 FEET TO THE POINT OF TANGENCY; THENCE S06°59'43"E FOR 296.87 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 260.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 82°12'39" FOR A DISTANCE OF 373.06 FEET TO THE POINT OF TANGENCY; THENCE S89°12'23"E FOR 404.27 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 310.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°52'35" FOR A DISTANCE OF 486.28 FEET TO THE POINT OF TANGENCY; THENCE N00°55'02"E FOR 599.90 FEET; THENCE N17°12'30"W ALONG A RADIAL LINE, FOR 60.00 FEET TO A POINT ON A NON TANGENT CIRCULAR CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1311.85 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°56'42" FOR A DISTANCE OF 67.43 FEET TO A POINT ON A NON TANGENT LINE; THENCE N14°15'48"W FOR 130.00 FEET; THENCE N16°59'17"W FOR 139.24 FEET TO A POINT ON A NON TANGENT CIRCULAR CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 402.00 FEET; THENCE FROM A RADIAL LINE WHICH BEARS S60°00'28"E, RUN NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51°25'43" FOR A DISTANCE OF 360.83 FEET TO THE POINT OF TANGENCY; THENCE N21°26'10"W FOR 762.66 FEET TO THE POINT OF

CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 192.00 FEET; THENCE NORTHWESTERLY, WESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 180°06'51" FOR A DISTANCE OF 603.57 FEET TO THE POINT OF TANGENCY; THENCE S21°33'01"E FOR 57.87 FEET; THENCE S68°26'59"W FOR 88.06 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 413.47 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 20°26'39" FOR A DISTANCE OF 147.53 FEET TO THE POINT OF TANGENCY; THENCE S88°53'38"W FOR 11.61 FEET; THENCE N00°43'03"W FOR 44.63 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 90.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°18'21" FOR A DISTANCE OF 36.61 FEET TO THE POINT OF TANGENCY; THENCE N22°35'18"E FOR 114.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 520.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°28'07" FOR A DISTANCE OF 249.30 FEET TO THE POINT OF TANGENCY; THENCE N04°52'49"W FOR 62.76 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 40.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 61°05'06" FOR A DISTANCE OF 42.65 FEET TO THE POINT OF TANGENCY; THENCE N56°12'17"E FOR 152.02 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 340.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°06'49" FOR A DISTANCE OF 178.70 FEET TO THE POINT OF TANGENCY; THENCE N86°19'06"E FOR 108.55 FEET; THENCE N01°12'10"E FOR 130.47 FEET; THENCE N03°40'54"W FOR 60.00 FEET; THENCE S86°19'06"W FOR 75.36 FEET; THENCE N03°40'54"W FOR 130.00 FEET; THENCE S86°19'06"W FOR 44.30 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 660.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19°05'41" FOR A DISTANCE OF 219.95 FEET TO A POINT OF NON TANGENT; THENCE N22°33'42"W FOR 602 FEET, MORE OR LESS, TO THE WATERS EDGE FOR LAKE HARRIS; THENCE EASTERLY ALONG THE EDGE OF WATER FOR SAID LAKE HARRIS FOR 1071 FEET, MORE OR LESS, TO A POINT ON SAID EDGE OF WATER; THENCE S33°17'34"W FOR 197 FEET, MORE OR LESS; THENCE S37°35'34"E FOR 44.17 FEET TO A POINT ON A NON TANGENT CIRCULAR CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 60.00 FEET; THENCE FROM A RADIAL LINE WHICH BEARS N37°35'34"W, RUN SOUTHWESTERLY, SOUTHEASTERLY AND NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 182°00'35" FOR A DISTANCE OF 190.60 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 72°53'43" FOR A DISTANCE OF 31.81 FEET TO THE POINT OF TANGENCY; THENCE S56°42'26"E FOR 28.88 FEET; THENCE N33°17'34"E FOR 60.00 FEET; THENCE S56°42'26"E FOR 110.00 FEET; THENCE S33°17'34"W FOR 60.00 FEET TO A POINT ON A NON TANGENT CIRCULAR CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE FROM A RADIAL LINE WHICH BEARS N33°17'34"E, RUN WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00" FOR A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THENCE S33°17'34"W FOR 73.43 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 530.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 05°21'58" FOR A DISTANCE OF 49.64 FEET TO A POINT OF NON TANGENT; THENCE S56°42'26"E FOR 130.46 FEET TO A POINT ON A NON TANGENT CIRCULAR CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 660.00 FEET; THENCE FROM A RADIAL LINE WHICH BEARS S52°24'01"E, RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°00'57" FOR A DISTANCE OF 345.76 FEET TO A POINT OF NON TANGENT; THENCE N22°23'04"W FOR 130.00 FEET TO A POINT ON A NON TANGENT CIRCULAR CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 530.00 FEET; THENCE FROM A RADIAL LINE WHICH BEARS S22°23'04"E, RUN WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°53'55" FOR A DISTANCE OF 91.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY

ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 76°18'41" FOR A DISTANCE OF 33.30 FEET TO THE POINT OF TANGENCY; THENCE S01°12'10"W FOR 6.32 FEET; THENCE S88°47'50"E FOR 130.00 FEET; THENCE S01°12'10"W FOR 141.40 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 268.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°38'20" FOR A DISTANCE OF 105.89 FEET TO THE POINT OF TANGENCY; THENCE S21°26'10"E FOR 362.64 FEET; THENCE N68°26'59"E FOR 92.57 FEET; THENCE S21°33'01"E FOR 60.00 FEET; THENCE S18°10'34"E FOR 722.03 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 398.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 39°15'14" FOR A DISTANCE OF 272.67 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 588.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°32'49" FOR A DISTANCE OF 241.65 FEET TO A POINT ON A NON TANGENT CIRCULAR CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 1200.00 FEET; THENCE FROM A RADIAL LINE WHICH BEARS N03°34'31"W, RUN EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°57'22" FOR A DISTANCE OF 480.79 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°39'34" FOR A DISTANCE OF 39.56 FEET TO THE POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 437.09 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°42'48" FOR A DISTANCE OF 20.70 FEET TO THE POINT OF TANGENCY; THENCE N21°27'03"E FOR 13.87 FEET; THENCE S68°32'57"E FOR 60.00 FEET TO A POINT ON A NON TANGENT CIRCULAR CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE FROM A RADIAL LINE WHICH BEARS N68°32'58"W, RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°57'33" FOR A DISTANCE OF 39.25 FEET TO THE POINT OF TANGENCY; THENCE S68°30'30"E FOR 426.94 FEET; THENCE S47°32'10"E FOR 30.90 FEET TO A POINT ON A NON TANGENT CIRCULAR CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 248.00 FEET (SAID POINT ALSO BEING ON THE NORTHERLY MAINTAINED RIGHT OF WAY LINE FOR WOODLEA ROAD AND LANE PARK ROAD AS SHOWN ON RIGHT OF WAY MAINTENANCE MAP BOOK 9, PAGES 89 THROUGH 94, INCLUSIVE, AS RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA); THENCE ALONG THE SAID NORTHERLY AND WESTERLY MAINTAINED RIGHT OF WAY LINE THE FOLLOWING FOUR (4) COURSES: FROM A RADIAL LINE WHICH BEARS N15°41'08"W, RUN ALONG THE ARC OF SAID CURVE AND SAID MAINTAINED RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 27°34'08" FOR A DISTANCE OF 119.33 FEET TO THE POINT OF TANGENCY; THENCE S46°44'44"W FOR 20.81 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 352.21 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 46°09'07" FOR A DISTANCE OF 283.71 FEET TO THE POINT OF TANGENCY; THENCE S00°35'37"W FOR 577.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 72.00 ACRES, MORE OR LESS.