

ORDINANCE 06-312

AN ORDINANCE OF THE CITY OF PARKER, FLORIDA, ESTABLISHING A REDEVELOPMENT TRUST FUND; PROVIDING FOR THE FUNDING OF A REDEVELOPMENT TRUST FUND FOR COMMUNITY REDEVELOPMENT WITHIN THE CITY OF PARKER COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR ADMINISTRATION OF THE REDEVELOPMENT TRUST FUND; DETERMINING THE TAX INCREMENT TO BE DEPOSITED IN THE REDEVELOPMENT TRUST FUND; ESTABLISHING THE BASE YEAR FOR DETERMINING ASSESSED VALUES OF PROPERTY IN THE COMMUNITY REDEVELOPMENT AREA FOR TAX INCREMENT PURPOSES; PROVIDING FOR THE ANNUAL APPROPRIATIONS OF THE TAX INCREMENT BY TAXING AUTHORITIES IN THE COMMUNITY REDEVELOPMENT AREA; APPOINTING THE GOVERNING BODY OF THE COMMUNITY REDEVELOPMENT AGENCY AS THE TRUSTEE OF THE REDEVELOPMENT TRUST FUND; EXEMPTING CERTAIN SPECIAL DISTRICTS FROM THE ANNUAL REQUIREMENT TO APPROPRIATE INCREMENT REVENUES TO THE REDEVELOPMENT TRUST FUND AND AUTHORIZING AND DIRECTING THE PREPARATION OF AN INTERLOCAL AGREEMENT IMPLEMENTING EACH SUCH EXEMPTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 06-251 adopted by the City Council of the City of Parker ("City Council") on May 22, 2006, the City Council expressed its intention to consider the creation of a community redevelopment area, authorized a study to consider whether a finding of necessity resolution should be adopted, and defined a proposed redevelopment study area within the City of Parker ("City"); and

WHEREAS, by Resolution No. 254 adopted by the City Council on December 18, 2006, it was determined that one or more blighted areas exist within Parker, Florida; and that the rehabilitation, conservation or redevelopment, or combination thereof, of such area is necessary in the interest of the health, safety, morals or welfare of the residents of the City; and

WHEREAS, the City Council on December 19, 2006 adopted Ordinance No. 06-311 creating the Community Redevelopment Agency of the

~~City of Parker, Florida naming the City Council as the Community~~  
Redevelopment Agency ("Agency"); and

WHEREAS, by Resolution No. 255 adopted by the City Council on December 19, 2006, the City Council adopted a community redevelopment plan ("Plan") for the community redevelopment area as fully described in the Resolution and in Exhibit "A" attached hereto and made a part hereof ("Community Redevelopment Area"); and

WHEREAS, in order to plan and implement the community redevelopment within the Community Redevelopment Area it is necessary that a redevelopment trust fund be established and created for said area as provided in Section 163.387, Florida Statutes (2006) ("Act"); and

WHEREAS, notice of the City Council's intention to create a redevelopment trust has been published in a local newspaper of general circulation and mailed to all "taxing authorities" (as hereinafter defined) in accordance with Section 163.346, Florida Statutes (2006);

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PARKER, FLORIDA, AS FOLLOWS:

**Section 1.** The City Council of the City has the authority to adopt this Ordinance pursuant to Article VII of the Constitution of the State of Florida and Chapters 163 and 166, Florida Statutes.

**Section 2.** There is hereby established and created, in accordance with the provisions of the Act, a Community Redevelopment Trust Fund ("Fund") for the Area, which Fund shall be utilized and expended for the purposes of and in accordance with the Plan, including any amendments or modifications thereto, including any "community redevelopment" as that term is defined in Section 163.340(9), Florida Statutes (2006), under the Plan.

**Section 3.** The monies to be allocated to and deposited into the Fund shall be used to finance "community redevelopment" within the Area according to tax increment revenues attributed to the Area, which shall be appropriated by the Agency. The Agency shall utilize the funds and revenues paid into and earned by the Fund for community redevelopment purposes as provided in the Plan and as permitted by law. The Fund shall exist for the duration of the "community redevelopment" undertaken by the Agency pursuant to the Plan to the extent permitted by the Act as stated in the Plan. Monies shall be held in the Fund by the City, for and on behalf of the Agency, and disbursed from the Fund as provided by the Agency.

**Section 4.** There shall be paid into the Fund each year by each of the "taxing authorities", as that term is defined in Section 163.340(24), Florida Statutes (2006) except for those special district exempted from such requirement, levying ad valorem taxes within the Community Redevelopment Area, a sum equal to ninety-five percent (95%) of the incremental increase in ad valorem taxes levied each year by that taxing authority, as calculated in accordance with Section 6 of this Ordinance and the Act, based on the base year established in Section 4 of this Ordinance (such annual sum being hereinafter referred to as the "tax increment").

**Section 5.** The most recent assessment roll used in connection with the taxation of property prior to the effective date of this Ordinance shall be the preliminary assessment roll of taxable real property in Bay County, Florida, prepared by the Property Appraiser of Bay County, Florida, and certified pursuant to Section 193.122, Florida State Statutes (2006) reflecting valuation of real property for purposes of ad valorem taxation as January 1, 2006 ("base year value") and all deposits into the Fund shall be in the amount of tax increment calculated as

provided in Section 6 hereof based upon the increases in valuation of taxable real property in the Area, prepared by the Property Appraiser of Bay County, Florida, filed with the Department of Revenue pursuant to Section 193.1142, Florida Statutes (2006).

**Section 6.** The annual funding of the Fund shall be in an amount not less than that increment in the income, proceeds, revenues, and funds of each taxing authority derived from or held in connection with the undertaking and carrying out of community redevelopment. Such increment shall be determined annually and shall be that amount equal to ninety-five (95%) the difference between:

(a) The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Area; and

(b) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the Area as shown upon the most recent assessment roll used in the connection with the taxation of such property by each taxing authority prior to the effective date of this Ordinance providing for the funding of the Fund.

**Section 7.** All taxing authorities shall annually appropriate to and cause to be deposited in the Fund the tax increment determined pursuant to the Act and Section 6 of this Ordinance at the beginning of each fiscal year thereof as provided in the Act. The obligation of each taxing authority to annually appropriate the tax increment for deposit in the Fund shall commence immediately upon the effective date of this Ordinance and continue to the extent permitted by the Act so long as any

~~indebtedness pledging "increment revenue" is to be paid and so long as the Plan is in effect.~~

**Section 8.** The Fund shall be established and maintained as a separate trust fund by the Agency so that the Fund may be promptly and effectively administered and utilized by the Agency expeditiously and without undue delay for its statutory purpose pursuant to the Plan.

**Section 9.** The governing body of the Agency shall be the trustee of the Fund and shall be responsible for the receipt, custody, disbursement, accountability, management, investment and proper application of all monies paid into the Fund.

**Section 10.** The Agency shall provide for an audit of the Fund each fiscal year and a report of such audit to be prepared by an independent certified public accountant or firm. Such report shall describe the amount and source of deposits into, and the amount and purpose of withdrawals from, the Fund during such fiscal year and the amount of principal and interest paid during such year on any indebtedness to which increment revenues are pledged and the remaining amount of the indebtedness. The Agency shall provide by registered mail a copy of the report to each taxing authority.

**Section 11.** Any and all ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed. If any of this Ordinance is held to be invalid or unenforceable for any reason, such holding shall not affect the validity or enforceability of the remainder of this Ordinance, which shall remain in full force and effect.

**Section 12.** The City Clerk of the City is hereby authorized and directed to send a certified copy of this Ordinance to each of the taxing authorities and to the Property Appraiser of Bay County, Florida.

~~Section 13.~~ This Ordinance shall take effect immediately upon its passage and adoption.

Passed, Approved and Adopted by the City Council of the City of Parker, Florida, at a meeting on this 19<sup>th</sup> day of December, 2006.

CITY OF PARKER

Brenda G. Hendricks  
Brenda G. Hendricks, as Mayor

ATTEST:

Ernest Browning  
~~Ernest Browning, as City Clerk~~  
Lou Bradford, Deputy City Clerk

Examined and approved by me, this 19th day of December, 2006.

Brenda G. Hendricks  
Brenda G. Hendricks, as Mayor

EXHIBIT "A"

LEGAL DESCRIPTION AND SKETCH OF DESCRIPTION  
PREPARED FOR  
CITY of PARKER  
COMMUNITY REDEVELOPMENT AGENCY  
BAY COUNTY, FLORIDA

LEGAL DESCRIPTION:

NORTH PARCEL, CITY of PARKER, C.R.A.

FOR A POINT OF BEGINNING: BEGN AT A POINT WHERE THE SOUTHERLY RIGHT-OF-WAY OF CHERRY STREET AND THE WESTERLY RIGHT-OF-WAY OF SOUTH TYNDALL PARKWAY INTERSECT; THENCE SOUTH ALONG SAID WESTERLY RIGHT-OF-WAY OF SOUTH TYNDALL PARKWAY TO THE RIGHT-OF-WAY INTERSECTION OF SOUTH TYNDALL PARKWAY AND THE NORTHERLY RIGHT-OF-WAY OF US BUSINESS HIGHWAY 98; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY OF BUSINESS HIGHWAY 98 TO A POINT INTERSECTING TO THE WESTERLY RIGHT-OF-WAY OF ARROW STREET; THENCE SOUTH ALONG SAID WESTERLY RIGHT-OF-WAY OF ARROW STREET TO THE NORTHERLY RIGHT-OF-WAY OF THIRD STREET; THENCE WEST ALONG SAID NORTHERLY RIGHT-OF-WAY OF THIRD STREET TO THE EASTERLY RIGHT-OF-WAY OF WEST STREET; THENCE NORTH ALONG SAID EASTERLY RIGHT-OF-WAY OF WEST STREET TO A POINT INTERSECTING THE NORTHWESTERLY RIGHT-OF-WAY OF ASTER STREET; THENCE IN A WESTERLY DIRECTION ACROSS SAID WEST STREET TO THE NORTHWESTERLY RIGHT-OF-WAY OF SAID ASTOR STREET; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY RIGHT-OF-WAY OF WEST STREET TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF PITTS AVENUE AND THE SOUTH EASTERLY CORNER OF THOSE LANDS DESCRIBED AND RECORDED OFFICIAL RECORDS BOOK 2081, PAGE 589; THENCE SOUTHWESTERLY ALONG THE SOUTH LINE OF LAST SAID LANDS TO THE INTERSECTION WITH THE MEAN HIGH WATER LINE OF EAST BAY; THENCE NORTHWESTERLY ALONG SAID MEAN HIGH WATER LINE OF EAST BAY TO A POINT PERPENDICULAR TO THE NORTHEAST CORNER AS THE PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1102, PAGE 1028; THENCE NORTHEASTERLY ACROSS SAID BUSINESS HIGHWAY 98 TO THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1102 PAGE 1028, THENCE ALONG THE NORTHERLY LINE OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1102 PAGE 1028, OFFICIAL RECORDS BOOK 2571 PAGE 589, OFFICIAL RECORDS BOOK 1965, PAGE 1273, TO THE ORDINARY HIGH WATERLINE OF MARTIN LAKE; THENCE IN A EASTERLY DIRECTION ALONG SAID ORDINARY LINE OF MARTIN LAKE TO THE NORTH EAST CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 2257, PAGE 444; THENCE SOUTH ALONG THE EAST LINE OF LAST SAID LANDS TO A POINT PERPENDICULAR TO THE SOUTHERLY RIGHT OF WAY OF LAKE DRIVE; THENCE EASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY OF LAKE DRIVE TO A POINT PERPENDICULAR TO THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 140, PAGE 27; THENCE ALONG THE WESTERLY LINE OF LAST SAID LANDS AND THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOKS, 2016, PAGE 315, OFFICIAL RECORDS BOOKS 1442, PAGE 1243, OFFICIAL RECORDS BOOKS 1394, PAGE 1010, OFFICIAL RECORDS BOOKS 1243, PAGE 69, OFFICIAL RECORDS BOOKS 1737, PAGE 692, TO THE SOUTHERLY RIGHT-OF-WAY OF TERI LANE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY OF TERI LANE TO A POINT PERPENDICULAR TO THE SOUTHEAST CORNER OF GILBERT LAKE ESTATES UNIT 1 AS RECORDED IN PLAT BOOK 12, PAGE 8; THENCE ALONG SAID PERPENDICULAR LINE AND THE EAST LINE OF SAID GILBERT LAKE ESTATES UNIT 1, LOTS 12, 11, 10, 9, 8, TO THE NORTHEAST CORNER OF SAID GILBERT LAKE ESTATES UNIT 1; THENCE ALONG THE NORTH LINE OF SAID GILBERT LAKE ESTATES UNIT 1, LOTS 7, 6, 5, 4, 3, 2, 1, TO THE EASTERLY RIGHT-OF-WAY OF SOUTH SENECA AVENUE; THENCE NORTH ALONG SAID SOUTH SENECA AVENUE TO A POINT INTERSECTING THE NORTHERLY RIGHT-OF-WAY OF KENDRICKS STREET; THENCE ALONG SAID PERPENDICULAR LINE AND SAID NORTHERLY RIGHT-OF-WAY OF KENDRICKS STREET TO A POINT INTERSECTING TO SAID NORTHERLY RIGHT-OF-WAY KENDRICKS STREET ON THE WESTERLY RIGHT-OF-WAY OF BOB LITTLE ROAD; THENCE SOUTH ALONG SAID RIGHT-OF-WAY OF BOB LITTLE ROAD TO THE NORTHERLY RIGHT-OF-WAY OF MEADOW STREET; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY OF MEADOW STREET TO THE EASTERLY RIGHT-OF-WAY OF NORTH LAKEWOOD DRIVE; THENCE NORTH ALONG SAID EASTERLY RIGHT-OF-WAY OF NORTH LAKEWOOD DRIVE TO THE NORTHWEST CORNER OF BLOCK 2, LAKEVIEW HEIGHTS SUBDIVISION, AS DESCRIBED AND RECORDED IN PLAT BOOK 8, PAGE 32; THENCE ALONG THE NORTH LINE OF SAID BLOCK 2, AND BLOCK 1, OF SAID LAKEVIEW HEIGHTS SUBDIVISION TO THE SOUTHWEST CORNER OF BLOCK 1, LAKEWOOD SUBDIVISION AS DESCRIBED AND RECORDED IN PLAT BOOK 8, PAGE 91; THENCE ALONG THE WEST LINE OF SAID BLOCK 1, LAKEWOOD SUBDIVISION TO THE SOUTHERLY RIGHT-OF-WAY OF SAID CHERRY STREET; THENCE EAST ALONG SAID RIGHT-OF-WAY OF CHERRY STREET TO THE POINT OF BEGINNING.

CONTAINING 383 ACRES, MORE OR LESS.

SOUTH PARCEL, CITY OF PARKER, C.R.A.

FOR A POINT OF BEGINNING: BEGN AT THE INTERSECTION OF THE MEAN HIGH WATER LINE FOR EAST BAY AND THE WESTERLY RIGHT-OF-WAY OF US HIGHWAY 98; THENCE SOUTH ALONG SAID WESTERLY RIGHT-OF-WAY OF US HIGHWAY 98 TO A POINT PERPENDICULAR TO THE SOUTHERLY RIGHT-OF-WAY OF SAID BAY DR; THENCE SOUTHEASTERLY ALONG SAID PERPENDICULAR LINE AND EASTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID MEY ROAD TO THE WESTERLY RIGHT-OF-WAY DONNA AVENUE; THENCE SOUTH ALONG SAID WESTERLY RIGHT-OF-WAY TO THE NORTH CORNER OF LOT 20, BAY FRONT UNIT 4 SUBDIVISION, AS DESCRIBED AND RECORDED IN PLAT BOOK 13, PAGE 75; THENCE CONTINUE ALONG A PROJECTED LINE THROUGH SAID LOT 20, SOUTHWEST CORNER LOT 19, LOT 17, LOT 16, OF SAID BAY FRONT UNIT 4 SUBDIVISION, TO THE SAID MEAN HIGH WATER LINE OF EAST BAY; THENCE SOUTHWESTERLY ALONG THE MEAN-HIGH WATER LINE; THENCE NORTHWESTERLY ALONG SAID MEAN HIGH WATER LINE; THENCE NORTHERLY AND EASTERLY ALONG SAID MEAN HIGH WATER LINE TO THE POINT OF BEGINNING.

CONTAINING 208 ACRES, MORE OR LESS.

REPORT:

- 1.) THIS MAP REFLECTS A LEGAL DESCRIPTION AND SKETCH OF DESCRIPTION. THIS IS NOT A BOUNDARY SURVEY AND SHOULD NOT BE RELIED UPON AS SUCH. NO FIELD WORK WAS PERFORMED FOR THE PREPARATION OF THIS MAP. NO FIELD WORK WAS PERFORMED FOR THE PREPARATION OF THIS LEGAL DESCRIPTION AND SKETCH OF DESCRIPTION. ALL LINENWORK SHOWN HEREON BASED UPON BAY COUNTY GIS DATA.
- 2.) SOURCES OF INFORMATION RELIED UPON FOR THE PREPARATION OF THIS LEGAL DESCRIPTION AND SKETCH OF DESCRIPTION INCLUDES THE FOLLOWING: DEEDS/PLATS; REFERENCED IN LEGAL DESCRIPTION
- 3.) THIS LEGAL DESCRIPTION AND SKETCH OF DESCRIPTION DOES NOT REFLECT RESEARCH BY DYER, RIDDLE, MILLS AND PRECOURT, INC., REGARDING TITLE OR EASEMENT, THERE MAY EXIST: DEEDS OF RECORD, UNRECORDED DEEDS, PLATS, UNRECORDED PLATS, EASEMENTS, RIGHTS-OF-WAYS, OR OTHER INSTRUMENTS THAT MAY AFFECT THIS PARCEL.
- 4.) NORTH DEPICTED HEREON IS ASSUMED.

THE LEGAL DESCRIPTION AND SKETCH OF DESCRIPTION DEPICTED HEREON WAS PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYORS AND MAPPERS AS DEFINED IN CHAPTER 61G17-06 OF THE FLORIDA ADMINISTRATIVE CODE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

DYER, RIDDLE, MILLS, AND PRECOURT, INC.  
CERTIFICATE OF AUTHORIZATION, LICENSED BUSINESS #2648  
100 BECKRICH ROAD - SUITE #120  
PANAMA CITY BEACH, FLORIDA 32407  
TELEPHONE: 850.236.4868  
WEB ADDRESS: <http://www.drmp.com>

Wm. DAVID McCRARY, Jr., P.L.S.  
PROFESSIONAL LAND SURVEYOR  
STATE OF FLORIDA - LICENSE #4853

NOVEMBER 29, 2006

DATE

THIS LEGAL DESCRIPTION & SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS, PLATS, REPORTS, OR OTHER DOCUMENTS BY OTHER THAN THE SIGNING PARTY OR PARTIES ARE PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

MAP OF DESCRIPTION

SHEET 1 OF 3

THIS IS NOT A SURVEY

DESCRIPTION ON SHEET 1 OF 3

PREPARED FOR:  
CITY OF PARKER, C.R.A.  
DATE: 11/29/06 SCALE: N/A  
PROJECT #: 06-0973.000  
DESIGN: J.A.P. CHECKED: W.D.M.

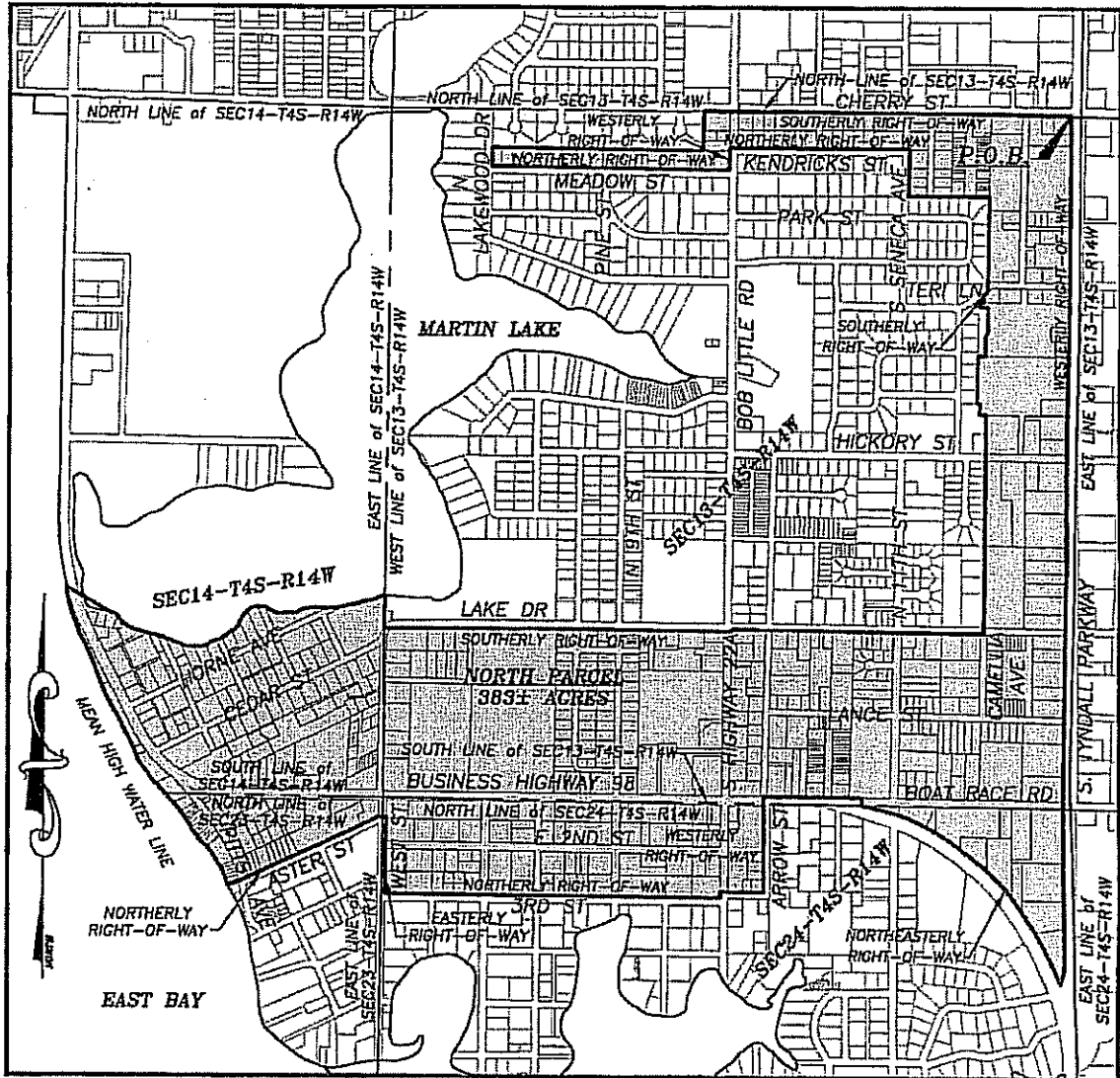
NOTES:




**DRMP**  
ENGINEERS - SURVEYORS - PLANNERS - SCIENTISTS

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**SKETCH AND LEGAL DESCRIPTION  
PREPARED FOR  
CITY of PARKER  
COMMUNITY REDEVELOPMENT AGENCY  
BAY COUNTY, FLORIDA**



**LEGEND AND ABBREVIATIONS**

- AVE AVENUE
- C.R.A. COMMUNITY REDEVELOPMENT AGENCY
- DR DRIVE
- E EAST
- LN LANE
- N NORTH
- P.O.B. POINT OF BEGINNING
- R RANGE
- RD ROAD
- S SOUTH
- SEC SECTION
- ST STREET
- T TOWNSHIP
- US UNITED STATES
- W WEST
- ± PLUS OR MINUS

**MAP OF DESCRIPTION**

**THIS IS NOT A SURVEY**

SHEET 2 OF 3

**DESCRIPTION ON SHEET 1 OF 3**

PREPARED FOR:  
CITY OF PARKER, C.R.A.

DATE: 11/29/06 SCALE: 1"=1100'

PROJECT #: 06-0973.000

DESIGN: J.A.P. CHECKED: W.D.M.

**GRAPHIC SCALE**



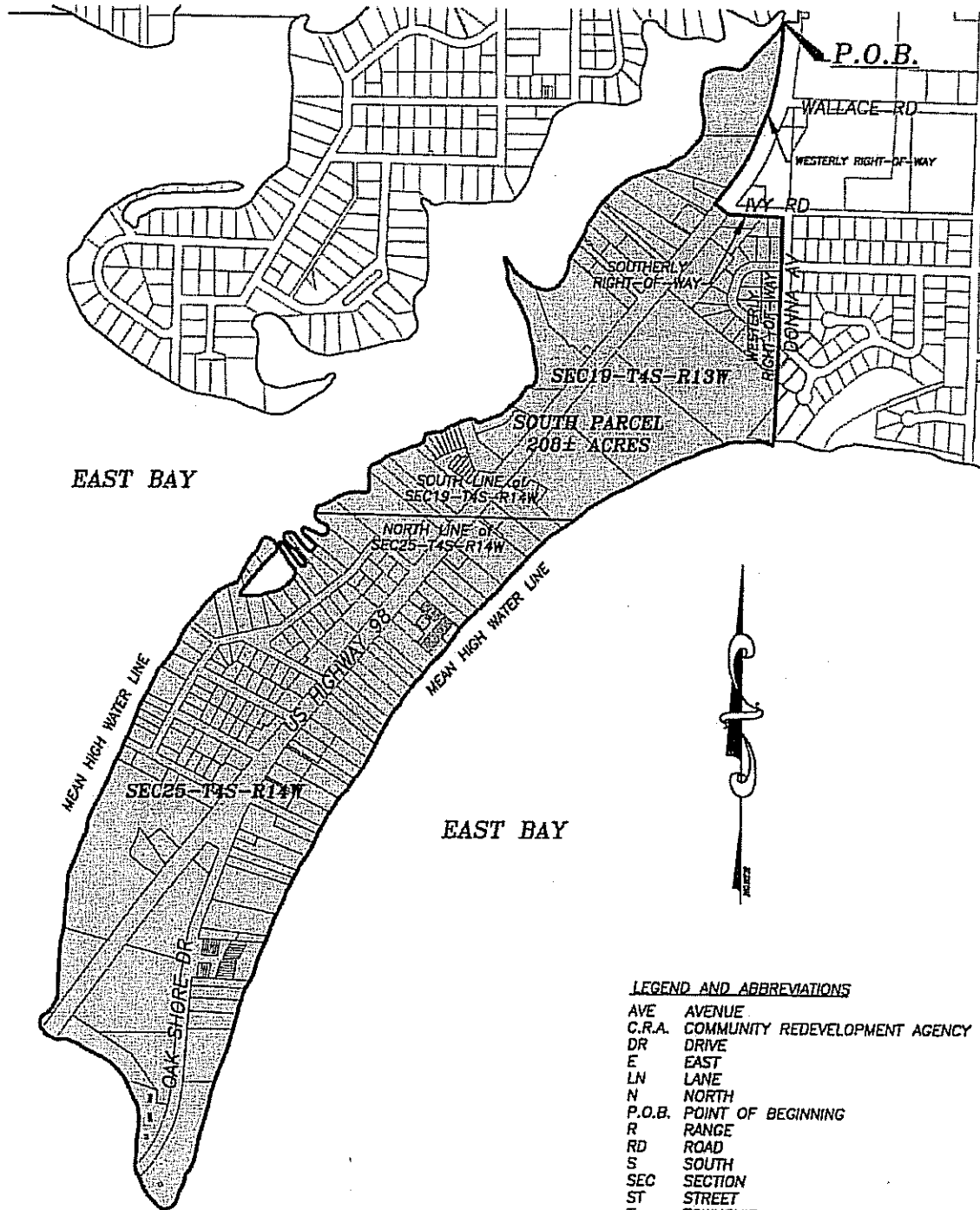
**1" = 1100'**



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**SKETCH AND LEGAL DESCRIPTION  
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CITY of PARKER  
COMMUNITY REDEVELOPMENT AGENCY  
BAY COUNTY, FLORIDA**



**LEGEND AND ABBREVIATIONS**

AVE	AVENUE
C.R.A.	COMMUNITY REDEVELOPMENT AGENCY
DR	DRIVE
E	EAST
LN	LANE
N	NORTH
P.O.B.	POINT OF BEGINNING
R	RANGE
RD	ROAD
S	SOUTH
SEC	SECTION
ST	STREET
T	TOWNSHIP
US	UNITED STATES
W	WEST
±	PLUS OR MINUS

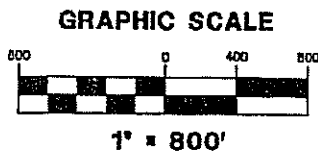
**MAP OF DESCRIPTION**

**THIS IS NOT A SURVEY**

SHEET 3 OF 3

**DESCRIPTION ON SHEET 1 OF 3**

PREPARED FOR:  
CITY OF PARKER, C.R.A.  
DATE: 11/29/06 SCALE: 1"=800'  
PROJECT #: 06-0973.000  
DESIGN: J.A.P. CHECKED: W.D.M.



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