

By
BLC #714

RESOLUTION
NUMBER 2003-083

FILE 1047985 OR BK 02241 PG 0981 RECD 08/05/2003 03:12:01 PM
BARBARA T. SCOTT, CLERK, CHARLOTTE CO
REC 145:50

A RESOLUTION AMENDING RESOLUTION 2002-109, RESOLUTION 94-111 AND RESOLUTION 89-141, AMENDING THE DEVELOPMENT ORDER FOR VICTORIA ESTATES DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR A CHANGE FROM MOBILE HOME RESIDENTIAL UNITS TO CONVENTIONAL SITE BUILT UNITS ON A PORTION OF THE DEVELOPMENT; PROVIDING FOR ACCESS TO AND IMPROVEMENTS ON SUNCOAST BOULEVARD; PROVIDING FOR AN INCREASE IN THE RECREATION AREA AND REDISTRIBUTION OF A PORTION OF PREVIOUSLY DESIGNATED RECREATION AREA; FINDING THAT THIS AMENDMENT DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on July 11, 1989, the Board of County Commissioners of Charlotte County, Florida (herein "the Board"), approved Resolution 89-141, constituting a Development Order for the Victoria Estates Development of Regional Impact (herein "the Victoria Estates DRI"); and

WHEREAS, pursuant to Resolution 89-141, the Victoria Estates DRI consisted of two parcels known as Parcel A (301.26 acres) which was to contain a golf course, 370,000 square feet of commercial development on 30 acres, 1,100 residential mobile home units, and acreage for open space, active recreation, roadways, maintenance areas, a fire station, and lakes (herein "Parcel A"), and Parcel B (approximately 122.5 acres) which was to contain 600 residential mobile home units, and acreage for open space, roadways and lakes (herein "Parcel B" or "Tract B"); and

WHEREAS, on June 21, 1994, the Board approved Resolution 94-111 amending Resolution 89-141, extending the effective period of the Development Order for Victoria Estates DRI, amending the Proposed Land Use and Phasing Schedule, deleting the fire

IMAGED L.T.

minutes
★
32

station site requirement, and determining that such amendments did not constitute a substantial deviation of the previously approved Development Order; and

WHEREAS, on August 13, 2002, by adoption of Resolution 2002-109, the Board approved an amendment to the Development Order for Victoria Estates DRI, extending the effective period of the Development Order to December 30, 2004, amending the land use and phasing schedule, amending the amount of property subject to the Development Order, providing for the traffic monitoring on Suncoast Boulevard, and finding that those changes did not constitute a substantial deviation (such Development Order created by Resolution 89-141 as amended by Resolutions 94-111 and 2002-109 shall be herein referred to as "the Development Order" or "Victoria Estates DRI Development Order");

WHEREAS, NB/85 Associates and Wayne M. Ruben, owners of property in Parcel B, and Benderson Development Company, Inc., project developer, have requested that the Board consider additional amendments to the Development Order to change the existing 366 mobile home residential units to 205 conventional site built residential units, to establish access for Parcel B on Suncoast Boulevard, to provide for improvements to Suncoast Boulevard with a turn lane into the development proposed for Parcel B, to increase the recreation area on Parcel B, and to redistribute a portion of the previously designated recreation area; and

WHEREAS, the Board has reviewed and considered the requested amendment and finds that it is not inconsistent with the Charlotte County Comprehensive Plan or local land use regulations, or with the previously approved Development Order, and also finds that, pursuant to Section 380.06 (19), F.S., the amendments do not constitute a substantial deviation;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

1. The Proposed Land Use and Phasing Schedule contained in Attachment VI of Exhibit 3 of Resolution 89-141, as replaced by Exhibit "A" of Resolution 94-111, and as deleted in its entirety and replaced with the Land Use and Phasing Schedule attached to Resolution 2002-109 as Exhibits "A" and "B", is hereby amended as to Exhibit "B" to such Resolution 2002-109, concerning Parcel B (referred to as Tract "B" on such Exhibit), in that such Exhibit "B" to Resolution 2002-109 is hereby deleted in its entirety and replaced with the attached Exhibit "B", which is incorporated herein by this reference.

2. Map H1, containing the Master Phasing Plan, and consisting of Attachments VI A and VI B of Exhibit 3 of Resolution 89-141, and as deleted in its entirety and replaced with Map H-"A" and Map H-"B" attached to Resolution 2002-109, is hereby amended as to Map H-"B" to such Resolution 2002-109 in that such Map H-"B" is hereby deleted in its entirety and replaced with the attached map described as Exhibit H-B/Attachment VI-B, which is attached hereto and incorporated herein by this reference.

3. Section 4.a. of Exhibit 3 of Resolution 89-141 is hereby amended by the addition of the following language at the end of such Section 4.a. (additions underlined, deletions ~~stricken~~):

In addition to any other site-related or roadway improvements required by this section, the applicant or his successor shall build a deceleration and right turn lane from Suncoast Boulevard into the entrance of a proposed residential development on the Tract "B" property, in conjunction with the construction of such proposed residential development on Tract "B".

The remainder of Section 4.a. shall remain in full force and effect.

4. The amendments to the Development Order contained in this resolution do not constitute a substantial deviation to the conditions of the Victoria Estates DRI Development Order adopted by Resolution 89-141, as amended.

5. All other terms and conditions of the Victoria Estates DRI Development Order adopted by Resolution 89-141, as amended, not affected by this resolution, shall remain unchanged and in full force and effect.

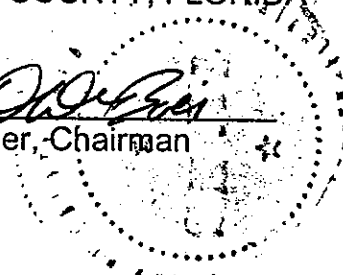
6. This resolution shall become effective immediately upon its adoption.

7. The Clerk of the Circuit Court is hereby directed to forward certified copies of this resolution to Department of Community Affairs, Community Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; and to Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4th Floor, North Fort Myers, Florida 33918-3909.

PASSED AND DULY ADOPTED this 27 day of May, 2003.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: Matthew D. DeBoer
Matthew D. DeBoer, Chairman



ATTEST:
Barbara T. Scott, Clerk of Circuit
Court and Ex-officio Clerk to the
Board of County Commissioners

By: Anne L. Plakke
Deputy Clerk

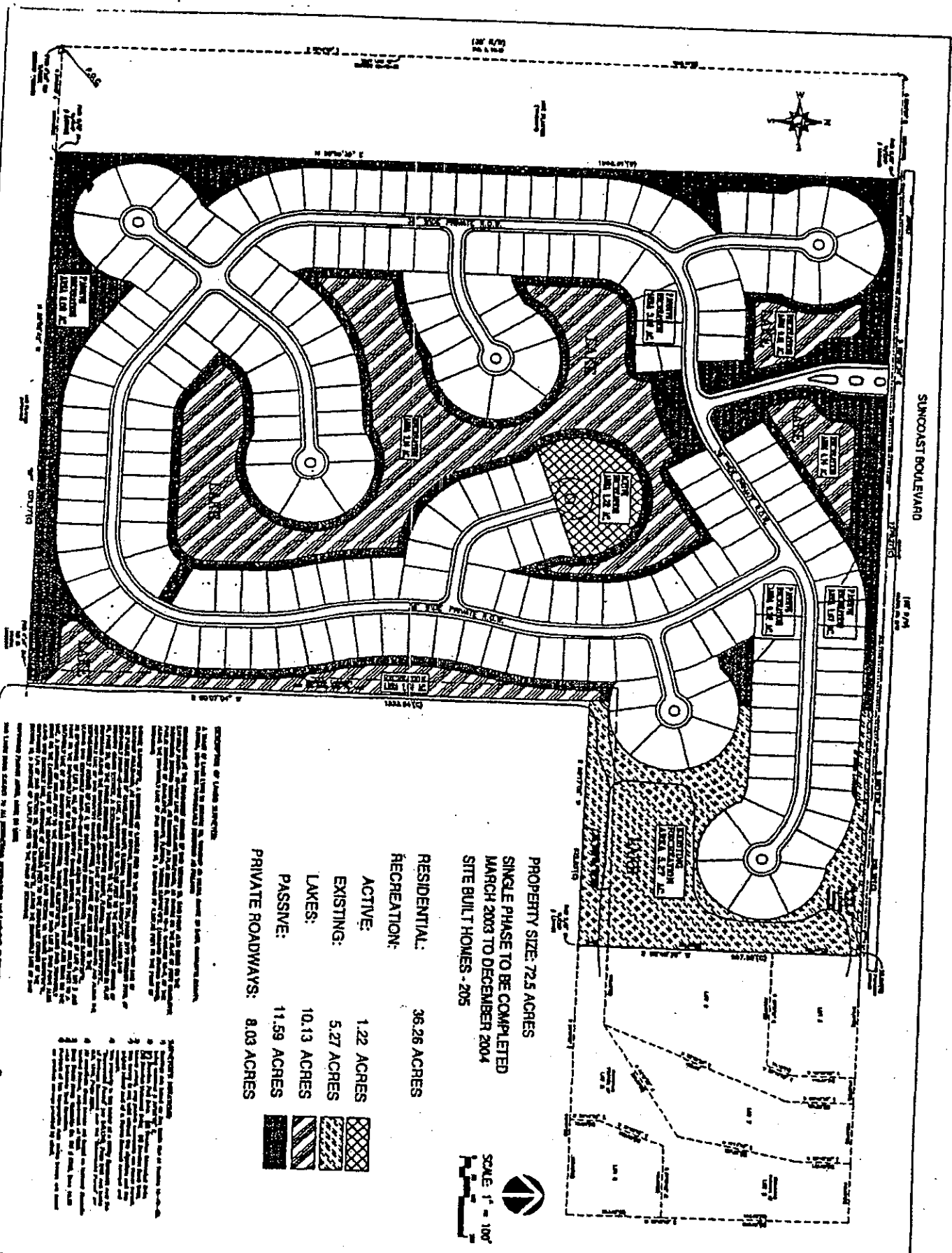
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Renée Francis Lee
Renée Francis Lee, County Attorney *ADD*

EXHIBIT "B"
VICTORIA ESTATES
LAND USE AND PHASING SCHEDULE
RESOLUTION 89-141
DATE DEVELOPMENT ORDER RECORDED: JULY 18, 1989
RESOLUTION 94-111, RECORDED JUNE 21, 1994
RESOLUTION 2002-109 RECORDED AUGUST 29, 2002
RESOLUTION 2003-_____

TRACT "B"
(72.5 acres remaining from the initial 122.5 acres)

	TO BE COMPLETED March 2003-December 2004
<u>Residential:</u> Conventional Site Built Homes (# of units)	36.26 Acres 205 Units
<u>Recreation:</u> Active: Existing: Lakes: Passive:	1.22 Acres 5.27 Acres 10.13 Acres 11.59 Acres
<u>Private</u> <u>Roadways</u>	8.03 Acres



SUNCOAST BOULEVARD

PROPERTY SIZE: 72.5 ACRES
 SINGLE PHASE TO BE COMPLETED
 MARCH 2003 TO DECEMBER 2004
 SITE BUILT HOMES - 205

RESIDENTIAL: 36.26 ACRES
 RECREATION: 1.22 ACRES
 ACTIVE: 5.27 ACRES
 EXISTING: 10.13 ACRES
 LAKES: 11.59 ACRES
 PASSIVE: 8.03 ACRES
 PRIVATE ROADWAYS: 8.03 ACRES

SCALE 1" = 100'

DESCRIPTION OF LAKES: The lakes shown on this plan are to be constructed in accordance with the specifications set forth in the attached schedule of conditions. The lakes are to be constructed in a manner that will provide for the maximum amount of water storage and will be subject to the approval of the local water management authority. The lakes are to be constructed in a manner that will provide for the maximum amount of water storage and will be subject to the approval of the local water management authority.

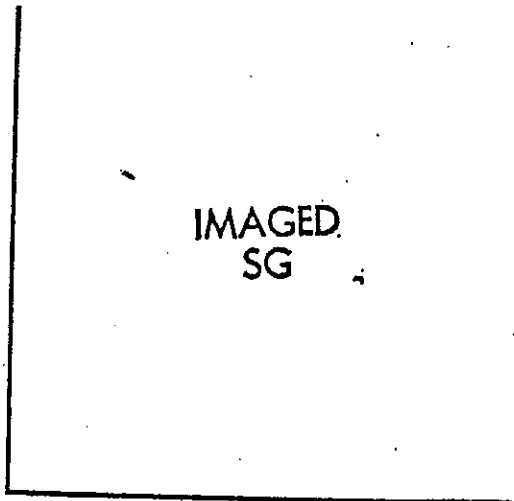
NOTES: 1. The site plan is based on the information provided by the applicant and is not to be used for any other purpose. 2. The site plan is subject to the approval of the local water management authority. 3. The site plan is subject to the approval of the local water management authority.

<p>Project 11989 Sheet 1</p>	<p>FOR NBS ASSOCIATES & WAYNE M. RUBEN BENDERSON DEVELOPMENT, INC. 9441 COOPER CREEK BOULEVARD UNIVERSITY PARK, FLORIDA 34201 Telephone No. (407) 259-8200 Fax No. (407) 259-7420</p>	<p>EXHIBIT H-8 ATTACHMENT VI-B VICTORIA ESTATES DRI CHARLOTTE COUNTY, FLORIDA</p>	<p>CHARLOTTE ENGINEERING & SURVEYING, INC. 2010 BROADWAY, SUITE 200 CHARLOTTE, NC 28202 Telephone: (704) 375-1100 Fax: (704) 375-1101 Website: www.charlotte-engineering.com</p>
---	---	--	---

Recording \$ 37.50
Document Tax \$ 66,500.00
Record Verified: ANDREA J WILLIAMS, D.C.

Prepared by AND RETURN TO:

ROBERT T. ROSEN, P.A.
Broad and Cassel
Barnett Bank Center ★
P.O. Box 4961
Orlando, Florida 32802-4961



IMAGED
SG

For Recording Purposes Only

SPECIAL WARRANTY DEED

THIS INDENTURE, made and executed the 15th day of June, 1995, by PORT CHARLOTTE REALTY HOLDING CORPORATION, a New York corporation, whose taxpayer identification number is 13-3590551 and whose address is 100 Broadway, 15th Floor, New York, New York 10005, hereinafter referred to as "Grantor," to NB/85 ASSOCIATES, a New York general partnership, and WAYNE M. RUBEN, as tenants in common, whose taxpayer identification numbers are 16-1357472 and 128-50-6539 and whose address is c/o Benderson Development Company, Inc., 570 Delaware Avenue, Buffalo, New York 14202, hereinafter called the "Grantee".

WITNESSETH:

THAT the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Charlotte County, Florida, to-wit:

See Exhibit "A" attached hereto and incorporated herein by this reference.

PARCEL IDENTIFICATION NUMBERS: 0078570-050030-5, 0071041-001000-0, 0070868-000000-4, 0070867-000000-5, 0078570-050085-9, 0078570-050020-7, 0078570-050040-3, 78570-050010-9, 71041-2000-6 and 0070867-000100-4

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

File: 361127 OR BOOK PAGE: 1408/0605
Recorded: 06/20/95 03: P.M.
Barbara T. Scott, Clerk of the Circuit Court - Charlotte County

OR BOOK 02241 PAGE 0995

AND the Grantor hereby covenants with said Grantee that Grantor will warrant and defend the property hereby conveyed against the lawful claims and demands of all persons claiming by, through, or under Grantor, but against none other and that the premises are free from all encumbrances except as set forth on Exhibit "B" attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, the said Grantor has signed and sealed the presents the day and year first above written.

Signed, sealed and delivered in the presence of:

GRANTOR

PORT CHARLOTTE REALTY HOLDING CORPORATION, a New York corporation

[Signature]
Print Name: Robert T. Rosen

By: [Signature]
Kenneth E. Cohen, Vice President

[Signature]
Print Name: ERIC L. KOLENACE

(CORPORATE SEAL)

STATE OF FLORIDA

COUNTY OF ORANGE

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, KENNETH E. COHEN, as Vice President of PORT CHARLOTTE REALTY HOLDING CORPORATION, a New York corporation, who is personally known to me or who has produced New York Drivers License as identification and who executed the foregoing instrument and he acknowledged before me that he executed the same for the purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this 15th day of June, 1995.

[Signature]
Print Name: _____
Notary Public
State of Florida at Large
My Commission Expires:
Commission #:



EXHIBIT "A"

LEGAL DESCRIPTION

Tract A (Mobile Home & Commercial Parcel)

Being a part of land Sections 7 and 8, Township 40 South, Range 23 East, Charlotte County, Florida, more particularly described as follows:

COMMENCE at a pipe filled with concrete found at the Southwest corner of the Southwest quarter of said Section 7; thence South $89^{\circ}35'48''$ East, along the Southerly line of said Section 7, a distance of 765.21 feet to the Easterly right-of-way line of Kings Highway as described within Official Records Book (ORB) 1042 on Page 1990 of the Public Records of Charlotte County, Florida; thence North $17^{\circ}56'42''$ East, along said Easterly right-of-way line, a distance of 83.90 feet to the intersection thereof with a line which is 80 feet Northerly of and parallel with the South line of said Section 7 (the new Northerly Right of Way Line of Rampart Boulevard as described within said ORB 1042, Page 1990) and the POINT OF BEGINNING:

thence South $89^{\circ}35'48''$ East, along said parallel line a distance of 4538.59 feet to the intersection thereof with the East Line of said Section 7; thence S. $00^{\circ}04'50''$ E. along the East Line of said Section 7 and the said Right of Way of Rampart Boulevard, a distance of 30.00 feet to the intersection thereof with the Westerly line of the lands described as Parcel 125 by Order of Taking dated July 21, 1976 recorded in Official Records Book 536 on Pages 185 and 186 of the Public Records of said county (the following 6 calls are along the lines of said lands described as Parcel 125); thence North $84^{\circ}02'15''$ East a distance of 437.05 feet to the limits of the Limited Access Right of Way per said ORB 0536 on Page 0185; thence North $84^{\circ}02'27''$ East along said Limited Access Right of Way, a distance of 50.28 feet; thence North $89^{\circ}55'37''$ East, along said Limited Access Right of Way, a distance of 403.85 feet; thence North $25^{\circ}41'58''$ West, along said Limited Access Right of Way, a distance of 218.25 feet to the Point of Curvature (PC) of a curve to the left having a central angle of $03^{\circ}14'55''$ and a radius of 22,800.99 feet; thence Northwesterly along the said Limited Access Right of Way and the last said curve's arc, a distance of 1,292.75 feet to the Point of Tangency (PT); thence North $28^{\circ}56'52''$ West along said Limited Access Right of Way, a distance of 1,691.13 feet; thence, leaving said Limited Access Right of Way, bear South $62^{\circ}05'14''$ West a distance of 196.03 feet; thence North $28^{\circ}56'52''$ West a distance of 206.51 feet; thence South $67^{\circ}07'58''$ West a distance of 501.16 feet; thence North $58^{\circ}36'15''$ West a distance of 468.58 feet; thence South $78^{\circ}30'10''$ West a distance of 211.31 feet; thence North $42^{\circ}40'19''$ West a

OR BOOK 1408 PAGE 0607

RE0923410005LEGAL1
950615

OR BOOK 02241 PAGE 0997

distance of 285.03 feet; thence South $17^{\circ}51'01''$ West a distance of 77.69 feet; thence North $81^{\circ}37'21''$ West a distance of 381.54 feet; thence South $08^{\circ}21'46''$ West a distance of 214.95 feet; thence North $75^{\circ}54'43''$ West a distance of 502.48 feet; thence North $08^{\circ}21'58''$ East a distance of 82.84 feet; thence North $81^{\circ}37'22''$ West a distance of 819.98 feet to the aforementioned Easterly Right-of-Way line of Kings Highway (the following 6 calls are along said Easterly right-of-way line); thence S. $04^{\circ}05'13''$ W, a distance of 0.18 feet; thence South $08^{\circ}22'34''$ West a distance of 400.00 feet; thence S. $02^{\circ}39'56''$ W, a distance of 100.50 feet; thence S. $08^{\circ}22'34''$ W, a distance of 1330.87 feet to the PC of a curve to the right having a central angle of $09^{\circ}34'08''$ and a radius of 2974.79 feet; thence Southwesterly along the arc a distance of 496.82 feet to the PT; thence South $17^{\circ}56'42''$ West a distance of 963.16 feet to the POINT OF BEGINNING.

Containing 293.26 acres more or less.

Tract B

A parcel of land lying in Section 18, Township 40 South, Range 23 East, Charlotte County, Florida, being more particularly described as follows:

From the Southwest corner of said Section 18, run North $00^{\circ}11'38''$ East along the West line of said Section 18 a distance of 1,037.60 feet; thence South $89^{\circ}04'36''$ East, a distance of 410.47 feet to the Point of Beginning. Thence continue South $89^{\circ}04'36''$ East, a distance of 908.67 feet; thence North $74^{\circ}06'33''$ East a distance of 254.18 feet; thence North $89^{\circ}59'41''$ East, a distance of 126.23 feet; thence South $14^{\circ}11'27''$ West, a distance of 118.74 feet; thence South $89^{\circ}04'36''$ East a distance of 997.93 feet to the East line of the Southwest quarter of said Section 18; thence North $00^{\circ}09'07''$ East along said East line a distance of 1,000.11 feet to the North line of the South half of the North half of the Southwest quarter of said Section 18; thence North $89^{\circ}07'31''$ West along said North line a distance of 2,247.61 feet; thence South $00^{\circ}11'38''$ West parallel with the West line of said Section 18 a distance of 958.19 feet to the Point of Beginning, less road right-of-way.

Tract C

The South half of the North half of the South half and the South half of the South half, all in the Southwest quarter of Section 18, Township 40 South, Range 23 East, Charlotte County, Florida, containing sixty (60) acres more or less,

AND

A parcel of land in the North half of the North half of the South half of the Southwest quarter of Section 18, Township 40 South, Range 23 East, Charlotte County, Florida, being more particularly described as follows:

Beginning at the Southwest corner of the North half of the North half of the South half of the Southwest quarter of said Section 18; thence North $0^{\circ}09'35''$ East, along the West line of the Southwest quarter of said Section 18, a distance of 40.0 feet; thence South $89^{\circ}06'39''$ East, along a line parallel with and 40 feet North of, as measured at right angles to, the South line of the North half of the North half of the South half of the Southwest quarter of said Section 18, a distance of 1319.14 feet; thence North $74^{\circ}04'30''$ East, a distance of 254.18 feet; thence North $89^{\circ}57'38''$ East, a distance of 126.23 feet; thence South $14^{\circ}09'24''$ West, a distance of 118.74 feet, to the South line of the North half of the North half of the South half of the Southwest quarter of said Section 18; thence North $89^{\circ}06'39''$ West, along said South line, a distance of 1660.91 feet to the Point of Beginning.

Tract D

Lots 1, 2, 3, and 4 and that part of Lot 8, being more particularly described as follows:

Take as a Point of Beginning the Southwest corner of Lot 8; thence North to the Southwest corner of Lot 1; thence East along the South lot line of Lots 1 and 2 to the Southeast corner of Lot 2; thence South $0^{\circ}09'07''$ West, 70 feet to the South lot line of Lot 8; thence West along the South lot line of Lot 8 to the Point of Beginning;

all in COUNTRY CHARM ESTATES, a Subdivision, according to the Plat thereof as recorded in Plat Book 16, Page 24, of the Public Records of Charlotte County, Florida.

BOOK 1408 PAGE 0609

RE09234\0005\LEGAL3
950615

DR BOOK 02241 PAGE 0999

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Real Estate Taxes for the year 1995. 1995 taxes became a lien on January 1, 1995, but are not yet due and payable until November 1, 1995.
2. Easement to Storer Cable TV of Florida, Inc. recorded in Official Records Book 989, Page 1027.
3. Developer's Agreement, dated October 25, 1988 between Charlotte County and H.K. Victoria Estates, Inc. recorded in Official Records Book 1003, Page 1560.
4. Notice of Preliminary Development Agreement recorded in Official Records Book 1008, Page 652.
5. Notice of Preliminary Development Agreement recorded in Official Records Book 1008, Page 652.
6. Utility Easement in favor of Untied Telephone System as recorded in Official Records Book 1032, Page 1416.
7. Utility Easement in favor of Storer Cable recorded in Official Records Book 1032, Page 1418.
8. Utility Easement in favor of Florida Power and Light Company recorded in Official Records Book 1032, Page 1422.
9. Resolution No. 89-141 of the Board of County Commissioners of Charlotte County, Florida relating to Development Order, recorded in Official Records Book 1049, Page 2095.
10. Utility Easement in favor of General Development Utilities, Inc. recorded in Official Records Book 1101, Page 1508.
11. Utility Easement in favor of General Development Utilities, Inc. recorded in Official Records Book 1115, Page 226.
12. Resolution No. 92-20 of the Board of County Commissioners of Charlotte County, Florida recorded in Official Records Book 1198, at Page 1917.

OR BOOK 1408 PAGE 0610

OR BOOK 02241 PAGE 1000

13. Resolution No. 94-111 of the Board of County Commissioners of Charlotte County, Florida recorded in Official Records Book 1351, at Page 200, amending Resolution No. 89-141.
14. Grant of Easement (Drainage Easement) from H.K. Victoria Estates, Inc., a Florida corporation, as Grantor, in favor of Port Charlotte Realty Holding Corporation, as Grantee, dated November 17, 1993, recorded on November 23, 1993, in Official Records Book 1310, at Page 2201.
15. Grant of Easement (Drainage Easement) from H.K. Victoria Estates, Inc., a Florida corporation, as Grantor, in favor of Port Charlotte Realty Holding Corporation, as Grantee, dated November 17, 1993, recorded on November 23, 1993, in Official Records Book 1310, at Page 2191.
16. Memorandum of Option and Assignment of Proceeds recorded January 3, 1994 in Official Records Book 1318, at Page 1743.
17. Memorandum of Agreement recorded April 17, 1994 in Official Records Book 1343 at Page 1781.
18. Easement to County of Charlotte recorded in Official Records Book 639, Page 1742, as to Tracts B & C.
19. Utility easement recorded in Official Records Book 776, Page 1456, as to Tract C.
20. Declaration of Restrictions recorded in Official Records Book 840, Page 1734; Amended in Official Records Book 934, Page 1839, which do not embody and are not accompanied by a right of reverter, as to Tract D.
21. Easement(s) of 10 feet along North side of Lots 1, 2, 3 & 4 reserved for utilities and drainage as shown on Plat of Country Charm Estates recorded in Plat Book 16, Page 24, as to Tract D.
22. Drainage easement of 70 feet as recorded in Official Records Book 865, Page 880, as to Tract D.
23. Easement recorded in Official Records Book 941, Page 712, as to Tract D.
24. Rights if any, of the property owners abutting the Lake in and to the waters of the Lake and in and to the bed thereof; also boating and fishing rights of property owners abutting the Lake or the stream of water leading thereto or therefrom. (As to Tracts "D" and "A").

OR BOOK 1408 PAGE 0611

OR BOOK 02241 PAGE 1001

25. Notice of Adoption of DRI Development Order Amendment for Victoria Estates DRI, filed in Official Records Book 1355, at Page 0783 of the Public Records of Charlotte County, Florida.
26. Any invalidity of or avoidance of the transfer of an interest in the insured premises pursuant to the provisions of the Bankruptcy Code or similar state insolvency or debtor and creditor law.
27. Any easements or rights of utility companies to lay, maintain, install and repair pipes, lines, poles, conduits, cable boxes and related equipment on, over and under the property, provided same would not prevent the existing use of the portion of the Property zoned "MHP" as a mobile home park.
28. Building and zoning restrictions, ordinances, and regulations affecting the Property adopted by the State, County or City in which the property lies or by any other governmental authority having jurisdiction thereof, and all amendments or additions thereto.
29. Real estate taxes and water and sewer charges, and interest and penalties thereon, subject to adjustment as hereinafter set forth.
30. The state of facts shown on the surveys of the Property previously delivered to Seller and prepared by Dufresne-Henry, Inc.
31. The Memorandum of Option between The Bank of Tokyo Trust Company ("BOTT") and Rampart Utilities, Inc. evidencing BOTT's option to purchase the utility facility owned and operated by Rampart Utilities, Inc.
32. All rights of tenants under the Leases.
33. The Notice of Intention to Acquire and Notice of Good Faith Negotiation Rights, dated January 3, 1995, issued by the Charlotte County Department of Public Works.
34. The Development Order for Victoria Estates Development of Regional Impact for the Property, as amended.
35. All terms and conditions contained in the Prospectus for the Victoria Estates Mobile Home Park, as amended.