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RESOLUTION

NUMBER 2009-166

REVISED AND RESTATED RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, ADOPTING AN INCREMENTAL DEVELOPMENT ORDER FOR INCREMENT II OF THE MURDOCK CENTER DEVELOPMENT OF REGIONAL IMPACT (DRI)

WHEREAS, the Incremental Development Order for the Murdock Center Development of Regional Impact Increment II was approved by Resolution 87-274 and there have been several amendments approved, and

WHEREAS, the Incremental Development Order for Increment II has been modified by Resolutions 88-281 on December 13, 1998; 91-274 on October 29, 1991; 92-255 on November 3, 1992; 93-67 on May 11, 1993; 96-23-4A0 on December 17, 1996; 2001-027 on February 16, 2001; 2003-049 on March 13, 2003; 2006-055 on April 20, 2006.

WHEREAS, it is desired to incorporate all of the changes previously approved, along with the current NOPC request, into one restated Resolution, as follows:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA:

Section 1. Findings of Fact and Conclusions of Law.

The Board of County Commissioner of Charlotte County, Florida ("Board"), hereby makes the following findings of fact and conclusions of law:

1.1 On September 18, 1985, General Development Corporation submitted an Application for Master Development Approval (AMDA) dated August, 1985 for the Murdock Center Development of Regional Impact, to Charlotte County and the Southwest Florida Regional Planning Council (SWFRPC) pursuant to Chapter 380.06(21), Florida Statutes.

1.2 On March 3, 1987, the Board passed and duly adopted the Master Development Order for the Murdock Center DRI (Resolution 87-48).

1.3 On June 5, 1987, the Edward J. DeBartolo Corporation hereafter referred to as DeBartolo, or applicant, submitted an Application for Incremental Development Approval (AIDA) to Charlotte County and the SWFRPC for Incremental II of the Murdock Center, hereafter referred to as Increment II.

1.4 Increment II encompasses approximately 132 acres, located at the intersection of US 41 and SR 776, and is more specifically described in Exhibits 1 and



2. The 132 acres are owned of record by Palm Beach Mall, Inc., a wholly owned subsidiary of DeBartolo.

1.5 The review of Increment II has been carried out according to and in compliance with Chapter 380, Florida Statutes and the Master Development Order for the Murdock Center DRI.

1.6 All public hearings related to Increment II have been duly advertised in compliance with Chapter 380.06(11), Florida Statutes, the Charlotte County Zoning Regulations and all other applicable laws and regulations.

1.7 On October 26, 1987, the Charlotte County Planning and Zoning Board held a public hearing on Increment II, and received pertinent evidence, including the SWFRPC report and recommendations, and recommended to the Board that Increment II be approved subject to conditions.

1.8 On November 10, 1987, the Board held a public hearing on Increment II and received and considered all pertinent evidence related to Increment II, including the SWFRPC report and recommendations and the recommendation of the Planning and Zoning Board.

1.9 It is the purpose and intent of this Incremental Development Order to specify the conditions and stipulations under which Charlotte County grants approval to Increment II, and to identify issues which might result in the declaration of a substantial deviation and/or the revocation of a building permit or certificate of occupancy.

1.10 Increment II is not located in an area of critical state concern, designated pursuant to the provisions of Chapter 380.05, Florida Statutes.

1.11 The proposed development does not unreasonably interfere with the achievement of the objectives of any adopted state land development plan applicable to the area.

1.12 The proposed development is consistent with the Charlotte County Comprehensive Plan.

1.13 The proposed development is in all material aspects consistent with the report and recommendations of the SWFRPC, submitted pursuant to Chapter 380.06(12), Florida Statutes.

1.14 The conditions or requirements of this Incremental Development Order shall not be affected by change of ownership, but, instead shall run with the land.

1.15 DeBartolo shall be eligible for credit for contributions, construction, expansion or acquisition of public facilities over and above the proportional share outlined by this Incremental Development Order, as provided by law.

1.16 Pursuant to Condition 1.A.12 and 1.A.14, of Exhibit 2 of the Master Development Order, Increment II is subject to development design standards which are attached as Exhibit 4. These design standards may be amended administratively by the Design Standard Review Board. These design standards have been approved and are hereby found to be more restrictive than the Charlotte County Subdivision Regulations and shall supercede the Subdivision Regulations and platting requirements contained therein, if a conflict exists.

1.17 Pursuant to Condition 1.A.13 of Exhibit 2 of the Master Development Order, a Design Standard Review Board was designated by Charlotte County and General Development Corporation.

1.18 Pursuant to Condition 1.A.17 of Exhibit 2 of the Master Development Order, a Capital Facilities Plan has been submitted to, and is hereby approved by, Charlotte County and is included in this Incremental Development Order as Exhibit 5 and is incorporated as a condition of development approval.

1.19 Pursuant to Condition 8.A.1 of Exhibit 2 of the Master Development Order, General Development Corporation has submitted a central water system report for the entire General Development Utilities service area to Charlotte County and the SWFRPC.

1.20 Pursuant to Condition 20.A.2 of Exhibit 2 of the Master Development Order, General Development Corporation has submitted to Charlotte County for its approval a Road Network Master Plan for the Murdock Center DRI and on November 10, 1987 entered into a right-of-way agreement with Charlotte County which provides for the timely transfer of the necessary right-of-way to provide for the road network.

1.21 Pursuant to Condition 20.A.14 of Exhibit 2 of the Master Development Order, DeBartolo has submitted to the Florida Department of Transportation typical cross-section designs for the proposed improvements to impacted state highways as identified in Condition K.11 of Exhibit 3.

1.22 Pursuant to Condition 20.A.21 of Exhibit 2 of the Master Development Order, DeBartolo has provided to Charlotte County, and the SWFRPC, documentation indicating that their proportional share responsibilities required to mitigate the impacts of Increment II outside the legal limits of Charlotte County have been adequately addressed. Pursuant to the recommendations of the SWFRPC staff, a proportional share of needed regional roadway improvements in Sarasota County was calculated in Exhibit 6 and included in the applicant's total proportional share. Although this proportional share will be "pipelined" into regional roadway improvements in Charlotte County, this shall be deemed to fully mitigate the applicant's transportation impacts outside the legal limits of Charlotte County.

1.23 Pursuant to the Section 20.A.4 of Exhibit 2 of the Master Development Order based on the AMDA applicant's initial analysis of buildout in year 2005, Murdock Center was projected to utilize 5 percent or more of the level of service "C" capacity on the regionally significant road segments shown on Exhibit B within Exhibit 2 of the MDO. The AIDA applicant has shown impacts on these regionally significant road segments, for which a service deficiency is also projected, and has specified the AIDA applicant's proportional share of required road and intersection improvements as shown in Exhibit 6.

1.24 Pursuant to Section 20.A.6 of Exhibit 2 of the Master Development Order, the CZ-2 portion of the Murdock Center DRI, as outlined in Map H of the AMDA, has been submitted as one increment of the DRI, and is to be developed as a regional mall site to a minimum of 400,000 square feet by 1990.

1.25 Pursuant to Section 20.A.8 of Exhibit 2 of the Master Development Order, in order to determine the proportional share that the Increment contributes to the total transportation impacts forecasted for Murdock Center, the AIDA applicant has, for transportation purposes, specified two phases of development with end years of 1990 and December 30, 1995 and an analysis of the 2005 Murdock Center buildout. (as amended by Resolution 93-67)

1.26 Pursuant to Section 20.A.9 of Exhibit 2 of the Master Development Order, the AIDA applicant has identified the Increment's transportation impacts on regionally significant roads, and scheduled with the appropriate governmental agency those road and intersection improvements needed during each five year phase to maintain LOS "C" on a peak season average daily basis, or applicable level of service policy in effect at that time for the agency having jurisdiction over the particular roadway in question. The level of service policy utilized is consistent with that prescribed in the Murdock Center Traffic Report, February 1987.

1.27 Pursuant to Section 20.A.11 of Exhibit 2 of the Master Development Order, a new interchange on I-75 at Raintree Blvd has not been included in the analysis of the transportation impacts of any AIDA.

1.28 Pursuant to Section 20.A.13 of Exhibit 2 of the Master Development Order, the AIDA applicant has specifically addressed DRI Question 31.E. to the satisfaction of the review agencies.

1.29 Pursuant to Section 20.A.15 of Exhibit 2 of the Master Development Order, based upon Charlotte County's analysis of buildout in year 2005, Murdock Center was projected to utilize 5 percent or more of the level of service "C" capacity on the locally significant road segments, shown on Exhibit C within Exhibit 2 of the MDO. The AIDA applicant has shown impacts on these locally significant road segments for which a service deficiency is projected and has specified the AIDA applicant's proportional share of required road and intersection improvements as shown in Exhibit 6.

1.30 Pursuant to Section 20.A.17 of Exhibit 2 of the Master Development Order, the AIDA applicant has identified the Increment's local transportation impacts on locally significant roads and scheduled with the appropriate governmental agency those local road and intersection improvements needed during each five year phase to maintain LOS "C" on a peak season average daily basis, or applicable Charlotte County level of service policy in effect at that time. The level of service policy utilized is consistent with that prescribed in the Murdock Center Traffic Report, February, 1987.

1.31 Pursuant to Section 20.A.19 of Exhibit 2 of the Master Development Order, Charlotte County's analysis of the transportation impacts of the Murdock Center AMDA is contained in the Murdock Center Traffic Report (February 1, 1987), prepared by the Charlotte County Public Works Department. The AIDA applicant has fully updated and used this study as the basis for analyzing the Increment's traffic impacts.

Section 2. Incorporation of Associated Documents by Reference

2.1 In construing and enforcing the provisions of the documents incorporated in this Incremental Development Order by sub-section 2.1, the following shall apply:

a. The most recent response shall control over any previous response, where a conflict exists. Otherwise the responses shall be considered cumulative.

b. All information, commitments, or impact mitigating provisions included in said documents, which are inconsistent with any or all of the specific conditions set forth in this resolution and the exhibits attached hereto, shall be deemed superceded and not applicable.

c. Nothing contained in said documents shall be construed to create or assign any financial responsibility to Charlotte County.

Only those financial obligations expressly undertaken by Charlotte County within this Incremental Development Order shall be considered binding upon the County, except as generally provided by law.

Section 3 Approval of Increment II of the Murdock Center DRI with Conditions.

3.1 The AIDA for Increment II of the Murdock Center DRI, as modified in accordance with Section 2, is hereby approved, subject to compliance with the conditions contained in this Incremental Development Order and the Master Development Order.

3.2 The Charlotte County Growth Management Director, or his designee, is hereby designated as the local monitoring official responsible for receiving and monitoring annual reports required by Chapter 380, Florida Statutes. Additional reports,

required as a condition of this Incremental Development Order, shall be submitted for review and approval, to the governmental entity designated as appropriate by the specific condition.

3.3 Unless specifically provided for in Exhibit 3, any change proposed for Increment II, as amended herein, shall be submitted to the Board of County Commissioners for a determination as to whether such change constitutes a substantial deviation and, therefore, requires further review, pursuant to Section 380.06, Florida Statutes.

Section 4. Annual Report Requirements

4.1

The annual reporting required under the Master Development Order and all Incremental Development Orders is hereby changed to biennial reporting, pursuant to the requirements of Chapter 380.06(18), Florida Statutes and procedures established by the Southwest Florida Regional Planning Council (SWFRPC), with the first report due on or before November 1, 2007.

4.2 The annual report shall contain:

a. Changes in any portion of the development plan, as outlined in the AIDA for the report year and anticipated for the following year;

b. Identification of tracts of land that have been sold by DeBartolo to a separate entity or developer, and a listing of the new land owners or their agents, along with a disclosure concerning responsibilities for meeting conditions of this Incremental Development Order that run with the land;

c. Identification and intended uses of land purchases, leases, or options by DeBartolo adjacent to the DRI site, since the Incremental Development Order was adopted;

d. An assessment of the development's and local government's compliance with the conditions of approval contained in this Incremental Development Order;

e. Requests for substantial deviation determinations that were filed in the reporting year and are anticipated to be filed during the following year;

f. Annual monitoring reports that shall include:

1. An update showing the consistency and compliance of Increment II with the Capital Facilities Plan required by Condition #A.17 of the General Conditions of Exhibit 2 of the Master Development Order.

In addition, the update shall include an update and assessment of road construction and traffic improvements mandated as a condition of development approval in this Incremental Development Order.

2. A fiscal impact analysis for the Increment II project to date, based on the most current version of the fiscal impact model used for the AIDA. Input data for the model must be the most current available. The analysis must include both direct and indirect impacts.

3. A report on the wastewater management status of the area within Increment II.

g. All other requirements as specified by the SWFRPC;

h. A statement that all persons have been sent copies of the annual report in conformance with Chapter 380.06(18), Florida Statutes; and

i. A copy of any notice of the adoption of a Development Order, or modification of an adopted Development Order, that was recorded by the Applicant pursuant to Chapter 380.06(15)(f).

4.3 If the local government does not receive the annual report, containing the required information, or receives notification that the SWFRPC, and/or DCA has not received the report, the Charlotte County Planning Department shall request in writing that DeBartolo submit the report within 30 days. The failure to submit the report within 30 days from receipt of notice, shall result in the suspension of the development order until such time as an acceptable Annual Report is submitted to the required parties.

Section 5. Enforcement

5.1 All conditions, restrictions, requirements, commitments and impact mitigation provisions contained, or incorporated by reference, in this Incremental Development Order may be enforced by action at law or equity.

5.2 Definitions contained in Chapter 380, Florida Statutes, shall control in the interpretation of this Incremental Development Order, unless specifically defined within this Incremental Development Order.

5.3 The obligation of this Incremental Development Order shall run with the land. All successors or assigns shall provide Charlotte County, SWFRPC and DCA with a report which addresses the ownership of the land and outlines responsibilities assumed by the new owner, if any, in meeting the conditions required by this Incremental Development Order, within thirty (30) days of title change.

Section 6. Severability

If any section, subsection, sentence, clause, phrase or part of this Incremental Development Order is, for any reason, held or declared to be invalid, inoperative or void, the remaining portion of the order shall remain valid and continue in full force and effect.

Section 7. Commencement of Development.

7.1 In the event that DeBartolo fails to commence significant physical development within five (5) years from the effective date of this Incremental Development Order, the development shall be subject to further consideration pursuant to Section 380.06, Florida Statutes and shall be presumed to be in substantial deviation from the terms and conditions of the AIDA. Significant physical development shall mean site preparation work for any portion of Phase I.

Any appeal of this Incremental Development Order, or regulatory agency action, which by denial of an application for permit, prohibits or delays development, shall during the pendency of any appeal of this Incremental Development Order, or of regulating agency permit denial, toll the running of the five (5) year commencement of development time.

7.2 The buildout date for Increment II is extended to March 1, 2012 an eighteen year period. The Master Development Order, the Increment I Development Order, the Increment II Development Order, the Increment III Development Order, and the Increment IV Development Order shall forever maintain a uniform build-out date.

Section 8. Vesting.

8.1 Charlotte County agrees that Increment II shall not be subject to down-zoning, unless it can demonstrate that substantial changes in the conditions underlying the approval of the Incremental Development order have occurred or this Incremental Development Order was based on substantially inaccurate information provided by DeBartolo or that the change is clearly established by Charlotte County after due notice and public hearing, to be essential to the public health, safety or welfare.

Section 9. Resolution as Development Order.

9.1 This Resolution, and its accompanying exhibits and references, shall be deemed the Incremental Development Order required pursuant to Section 380.06, Florida Statutes for Increment II of the Murdock Center DRI.

9.2 Notice of the adoption of this Incremental Development Order shall be recorded by DeBartolo in accordance with Chapter 380.06(15) (f), Florida Statutes.

Section 10. Effective Date

The effective date of this Incremental Development Order shall be the date of transmittal of the approved development order to all parties, as defined by Rule 9J-2.025(6), F.A.C. and Section 380.07(2), Florida Statutes. Any appeal of this Incremental Development Order shall, during the pendency of such appeal, stay the effective date of this Incremental Development Order.

Section 11. Relationship to Other Regulations

This Incremental Development Order shall not be construed as an agreement on the part of Charlotte County to exempt DeBartolo or its successors and assigns, from the operation of any ordinance or other governmental regulation now in effect or hereafter adopted, except as provided for in Section 8 of this Resolution.

Section 12. NOPC Changes Approved.

Revised Map H attached hereto is hereby adopted. In addition, Section 6.4 of Exhibit 4, Design Standards is hereby deleted in its entirety.

PASSED AND DULY ADOPTED this 17 of March, 2009.

BOARD OF COUNTY COMMISSIONERS OF
CHARLOTTE COUNTY, FLORIDA

By: Patricia M. Duffy
Patricia M. Duffy, Chair

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

By: Anne L. Pfahler
Deputy Clerk

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney LR 09-130
RB

EXHIBIT 1

LEGAL DESCRIPTION

GR 947 PG 1415

Exhibit 1

LEGAL DESCRIPTION - HALL PARCEL

A parcel of land lying in Section 7, Township 40 South, Range 22 East, Charlotte County, Florida, described as follows:

Commencing at the Southwest corner of said Section 7, run thence N. 0°05'44" E. along the West line of said Section 7, a distance of 40.00 feet to a point on the Northerly Right-of-Way line of TALLEDO BLADE BOULEVARD, the same as shown and described in Official Records Book 451, Pages 106 through 109, and on the Plat of "PORT CHARLOTTE SUBDIVISION SECTION NINETEEN", recorded in Plat Book 7, pages 594 and 598 of the Public Records of Charlotte County, Florida; thence S. 89°58'20" E. along said Right-of-Way line a distance of 1559.93 feet to the Point of Curvature of a circular curve, concave Northerly, having a radius of 1602.15 feet and a central angle of 13°44'34"; thence Easterly along the arc of said curve a distance of 384.29 feet to the Point of Reverse Curvature of a circular curve, concave Southerly, having a radius of 1681.38 feet and a central angle of 12°44'34"; thence Easterly along the arc of said curve a distance of 403.29 feet to the Point of Tangency of said curve; thence S. 89°58'20" E. along said Northerly Right-of-Way line, a distance of 49.73 feet to a point lying on the Northerly extension of the centerline of COURTLAND WATERWAY, as shown on said Plat of "PORT CHARLOTTE SUBDIVISION SECTION NINETEEN"; thence N. 0°09'16" W. along the centerline of said COURTLAND WATERWAY extended Northerly a distance of 1120.00 feet to the Point of Beginning of the lands herein described, said point being Point "A"; thence S. 89°50'44" W. 50.00 feet to the Point of Curvature of a circular curve, concave Northeasterly and having a radius of 2600.00 feet; thence Westerly and Northeasterly along the arc of said curve, through a central angle of 15°31'56" to a distance of 704.83 feet to the Point of Compound Curvature with a circular curve, concave Northeasterly and having a radius of 900.00 feet; thence Northwesterly along the arc of said curve, through a central angle of 74°13'25" a distance of 1173.76 feet to the Point of Tangency; thence N. 00°06'05" E. 288.89 feet to the Point of Curvature of a circular curve, concave Southwesterly and having a radius of 25.00 feet; thence Northwesterly along the arc of said curve through a central angle of 68°59'47" a distance of 30.105 feet to a point on the Southwesterly Right-of-Way line of State Road No. 776, formerly State Road No. 771 as described in Official Records Book 82, Page 527 of the Public Records of DeDe County, Florida; thence Northwesterly along the arc of said curve, through a central angle of 3°31'11" a distance of 700.87 feet to the Point of Tangency; thence N. 72°37'03" E. 479.49 feet to the Point of Curvature of a circular curve, concave Northwesterly and having a radius of 11509.16 feet; thence Northwesterly along the arc of said curve through a central angle of 1°29'16" a distance of 298.85 feet to Point "B" being a point of intersection with the centerline of a 140 foot canal and maintenance easement; thence continue along the arc of said curve, and along said Right-of-Way line 491.05 feet to the point of intersection with the Southwesterly Right-of-Way line of U.S. Highway No. 41; thence S. 62°52'14" E. along said Southwesterly Right-of-Way line a distance of 1648.60 feet to the Point of Curvature of a circular curve, concave Westerly having a radius of 25.00 feet and a central angle of 90°00'00"; thence Southerly along the arc of said curve a distance of 39.27 feet to the Point of Compound Curvature of a circular curve, concave Northwesterly, having a radius of 900.00 feet and a central angle of 21°00'00"; thence Southwesterly along the arc of said curve a distance of 329.87 feet to the Point of Tangency of said curve; thence S. 48°07'46" W. a distance of 679.46 feet to the Point of Curvature of a circular curve, concave Northwesterly, having a radius of 2200.00 feet and a central angle of 41°42'58"; thence Southwesterly along the arc of said curve a distance of 1601.78 feet to the Point of Tangency; thence S. 89°50'44" W. a distance of 179.06 feet to the Point of Beginning.

(Containing 5,141,101 square feet or 118.02 Acres, more or less.)

Reserving to General Development Corporation, its successors and assigns, an easement for construction and maintenance of a canal and drainage facilities, 140.00 feet in width, the centerline of which is described as follows: beginning at Point "A", described above, run thence N. 0°09'16" W. along the Northerly extension of the aforementioned COURTLAND WATERWAY a distance of 1492.56 feet; thence N. 3°47'09" E. a distance of 248.51 feet to Point "B", described above, and the end of the centerline of said easement.

Containing 243,756 square feet or 5.60 Acres, more or less.

Net area exclusive of easements is 4,897,466 square feet

RECORDER'S MEMO
THE WRITING/TYPING AND PRINTING WAS
UNSATISFACTORY FOR REPRODUCTION AT
THE TIME OF MICRO FILMING.

91H1 QD 745 80

PORT CHARLOTTE SQUARE
STORMWATER MANAGEMENT PARCEL
14.40 ACRES

OR 947 PG 1417

A parcel of land lying in Section 7, Township 40 South, Range 22 East, Charlotte County, Florida, further described as follows:

Commencing at the point of intersection of the east line of said Section 7 and the north right-of-way line of Toledo Blade Boulevard, according to the Plat of Port Charlotte Subdivision Section Ninety, recorded in Plat Book 7, Pages 59A and 59B of the Public Records of Charlotte County, Florida; thence N 89° 58' 20" W along said right-of-way line, a distance of 279.00 feet to a point; thence N 00° 04' 48" W, a distance of 209.00 feet to a point on the west right-of-way line of Pellam Waterway; thence S 89° 58' 20" E, a distance of 209.00 feet to a point on the west right-of-way line of Pellam Waterway; thence N 00° 04' 48" W, along said west right-of-way line, a distance of 225.76 feet to the principal point and place of beginning of the following description:

Thence S 89° 55' 12" W, a distance of 897.69 feet to a point; thence N 00° 04' 48" W, a distance of 420.00 feet to a point; thence N 29° 14' 01" E, a distance of 405.00 feet to a point; thence N 60° 45' 59" W, a distance of 640.53 feet to a point on the easterly right-of-way line of Murdock Circle; thence along said easterly right-of-way line, 79.75 feet along a curve to the left, having a radius of 2350.00 feet and a central angle of 1° 56' 40" to a point; thence S 60° 45' 59" E, a distance of 1373.43 feet to a point on the west right-of-way line of Pellam Waterway; thence S 0° 04' 48" E, along said west right-of-way line, a distance of 466.45 feet to the principal point and place of beginning and containing 14.40 acres of land, more or less. -

EXHIBIT 2
PROJECT SUMMARY

OR 947 PG 1418

Exhibit 2

APPLICANT INFORMATION AND DEVELOPMENT SUMMARY

Applicant Information

Project: Port Charlotte Town Center
Murdock Center Increment II

Applicant: Dick A. Greco, Vice Pres.
Edward J. DeBartolo Corp.
7620 Market Street
Youngstown, OH 44512

Date on which DRI-AIDA received: June 5, 1987

Date on which DRI-AIDA elected not
to supply further information: August 26, 1987
Date Supplemental Information Submitted: August 31, 1987
Date on which local public hearing
notice was received: September 3, 1987

County Public Hearing Date: November 10, 1987

Type of Development: Regional Mall

Location of Development: Charlotte County

DRI Threshold: 400,000 gross square feet/
40 acres/2,500 parking spaces

OR 947 PG 1419

DEVELOPMENT SUMMARY (Upon Completion)

Total Commercial Area: 1,364,000 gross leasable
square feet

Total Acres: 132.4 acres

Water Management: 14.40 acres

Estimated Average Potable Water
Demand:* 179,000 gallons per day

Estimated Average Non-Potable
Water Demand:* 98,000 gallons per day

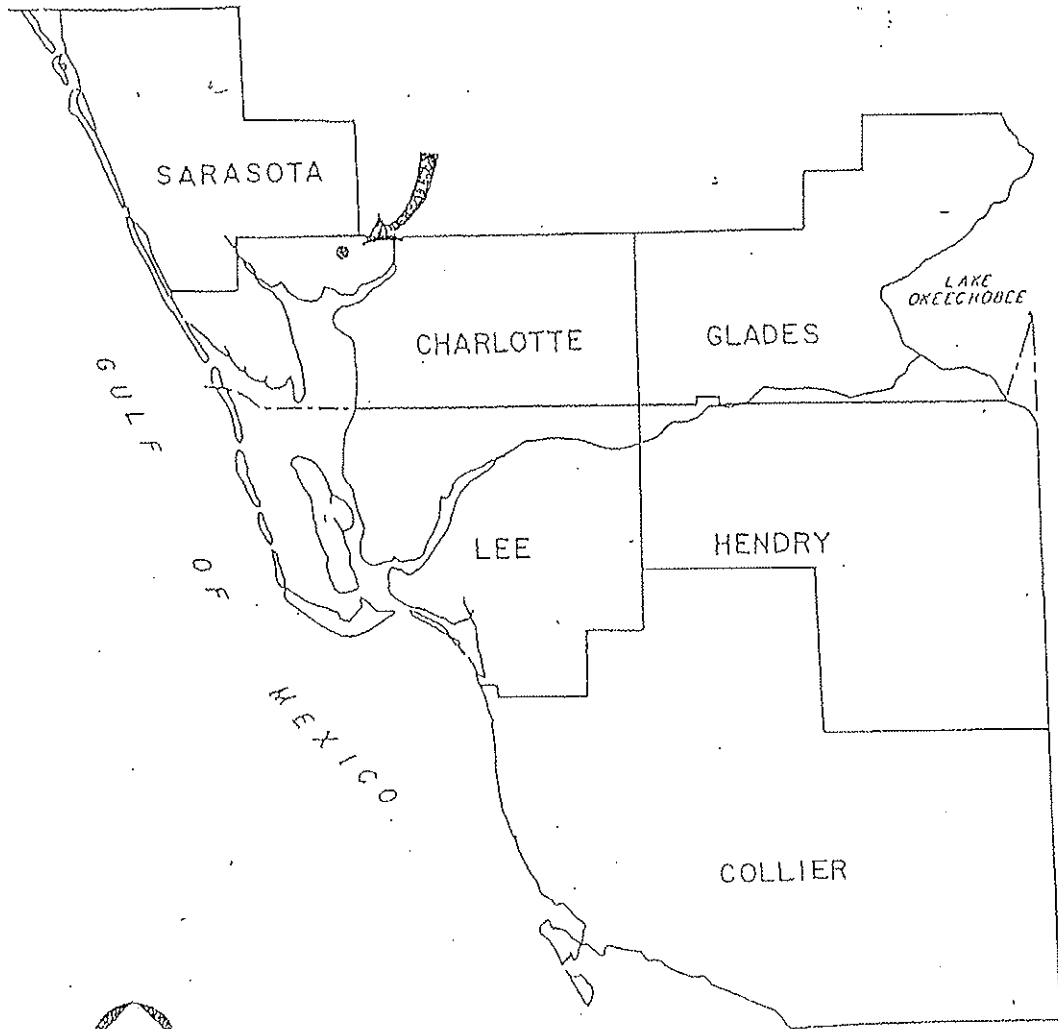
Estimated Solid Waste Generation:* 7.00 tons per day

Regional Roads Impacted: SR 776, US 41 and Toledo
Blade Boulevard

Project Construction Period: 8 years
1987 - 1995 in 2 phases

* At buildout

OR 947 PG 1420

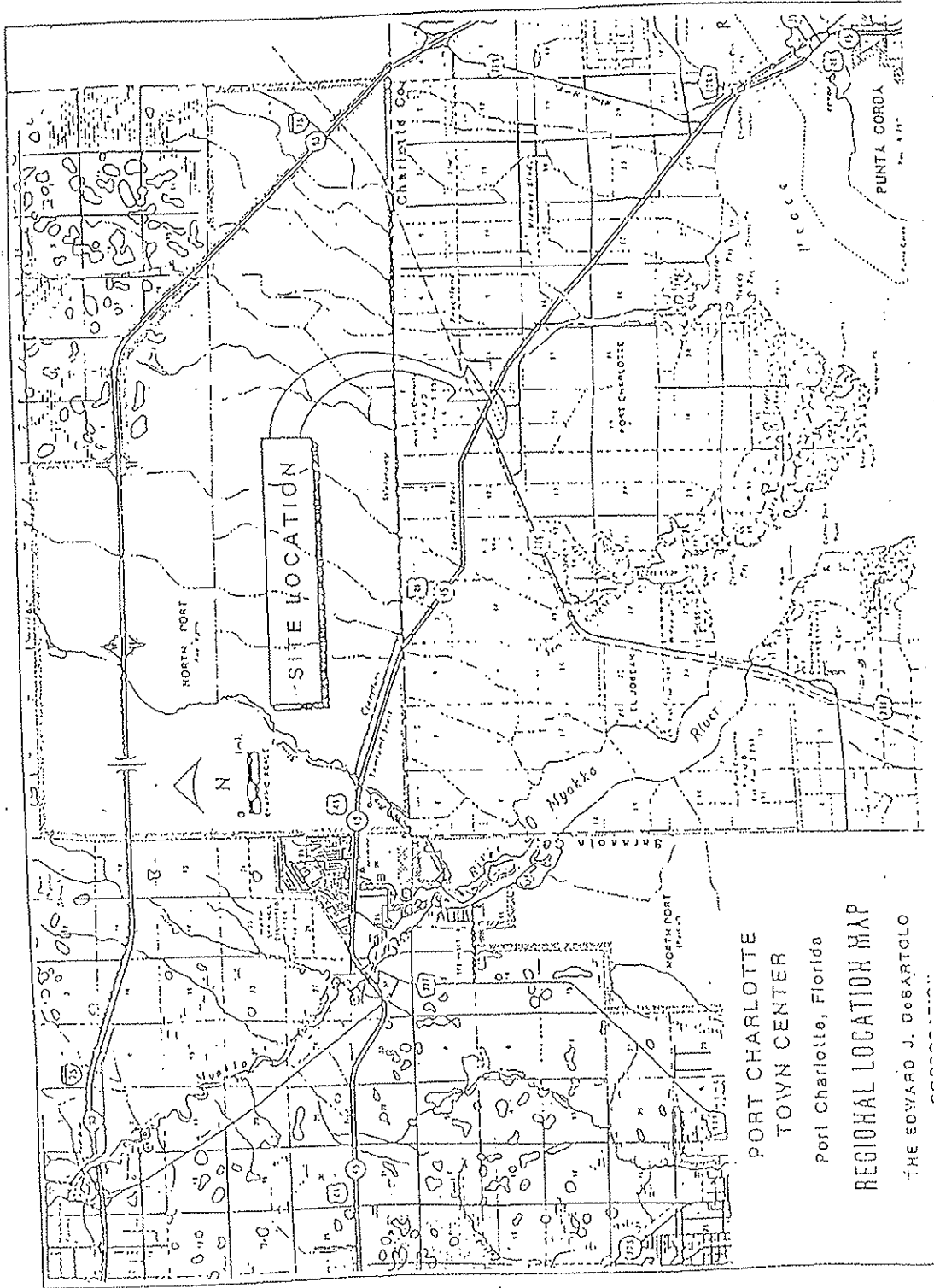


0 5 10 15 20 25 MILES
SWFRPC

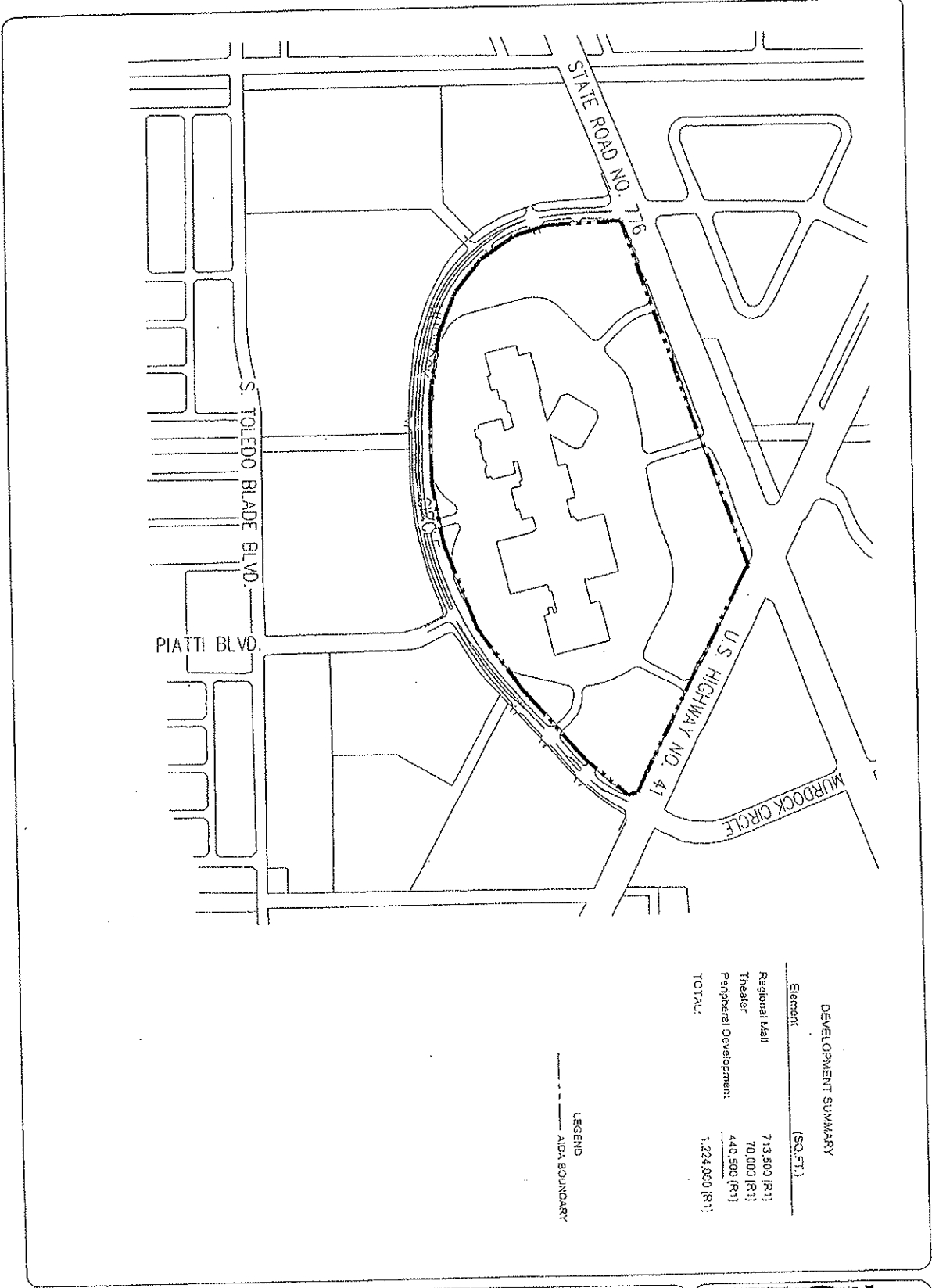
PORT CHARLOTTE TOWN CENTER
MURDOCK CENTER INCREMENT II
SOUTHWEST FLORIDA REGION

RECORDER'S MERO
THE WRITING/TYPING AND PRINTING WAS
UNSATISFACTORY FOR REPRODUCTION AT
THE TIME OF MICRO FILMING.

OR 947 PG 1421



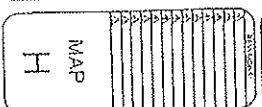
PORT CHARLOTTE
TOWN CENTER
Port Charlotte, Florida
REGIONAL LOCATION MAP
THE EDWARD J. DEBARTOLO



DEVELOPMENT SUMMARY

Element	(SQ.FT.)
Regional Mall	713,500 (R-1)
Theater	70,000 (R-1)
Peripheral Development	440,500 (R-1)
TOTAL	1,224,000 (R-1)

LEGEND
 - - - - - AIDA BOUNDARY



MURDOCK CENTER
 AIDA: INCREMENT II

TSI
 TRANSMAS INC.
 11240 82nd St.
 Omaha, NE 68148
 Phone No. (402) 426-2600
 Fax No. (402) 426-2600
 E-Mail: tsi@tsi.com

OR 947 PG 1424

EXHIBIT #3

CONDITIONS OF
DEVELOPMENT APPROVAL

Exhibit 3

EXHIBIT 3

CONDITIONS OF DEVELOPMENT APPROVAL
FOR MURDOCK CENTER INCREMENT II

A. GENERAL CONDITIONS

1. All commitments and impact mitigating actions provided by the applicant within the Application for Incremental Development Approval (and supplementary documents), that are not in conflict with specific conditions for project approval, are officially adopted as conditions for approval, unless otherwise stated herein.
2. The applicant shall submit an annual report on Increment II to Charlotte County, the Southwest Florida Regional Planning Council, the Department of Community Affairs and all affected permitting agencies, as required in Subsection 380.06(18), Florida Statutes. The contents of this report shall be as outlined in Section 4 of the accompanying Resolution.
3. The development buildout date presented within the AIDA shall be incorporated as a condition of approval. If development buildout date extends beyond five (5) years of that indicated in the AIDA, then this shall be presumed to be a substantial deviation.
4. The development phasing schedule presented in the AIDA is incorporated as a condition of approval. If development order conditions and applicant commitments, incorporated within this Incremental Development Order to mitigate impacts, are not carried out as indicated to the extent or in accord with the timing schedules specified, then this shall require a substantial deviation determination pursuant to Chapter 380, Florida Statutes.
5. DeBartolo shall be allowed, after prior approval by the Charlotte County Board of County Commissioners, to initiate construction on specific sites or tracts in a later phase before the date scheduled for beginning that phase, provided that all necessary roads, drainage facilities, and utilities are available to serve the site.
6. All applicable Charlotte County ordinances and resolutions shall be followed by the applicant, and/or developer. In the event that a particular standard or practice is not specified within an adopted County regulation, the "Best Management Practices (BMPs)", "Best Available Control Technologies" and similar development standards referenced in the conditions for development approval shall be utilized.
7. The Capital Facilities Plan submitted by the applicant (Exhibit 5) is hereby approved, deemed consistent with the Master Development Order and incorporated into this development order. The plan shall be implemented to the extent practicable by means of the conditions of this development order, Charlotte County capital improvements programming, the Charlotte County budgeting process and other means, as appropriate.
8. DeBartolo shall be eligible for credit or reimbursement for contributions, construction, expansion or acquisition of public facilities beyond that which is determined by this Incremental Development Order to be DeBartolo's proportional share contribution.
9. Only those financial obligations expressly undertaken by Charlotte County within this Incremental Development Order shall be considered binding upon the County, except as generally provided by law.

OR 947 PG 1425

B. AIR QUALITY

1. During construction operations, road grading and land clearing of all phases of Increment II, DeBartolo is responsible for the use of suitable dust control measures to control airborne dust particles.

OR 947 PG 1426

C. DRAINAGE/WATER QUALITY

1. DeBartolo shall obtain all applicable Southwest Florida Water Management District (SWFWMD), Florida Department of Environmental Regulation (FDER) and Charlotte County permits.
2. If a water quality sampling, maintenance and monitoring program is required as a condition of state and regional agency permit issuance, then the results of this program are to be submitted with the annual report required by Section 4 of the accompanying resolution.

D. WASTEWATER MANAGEMENT

1. The applicant agrees that any hazardous wastewater will be treated separately from everyday wastewater and dealt with according to FDER criteria.
2. There shall be no on-site treatment or disposal of wastewater.
3. There shall be no use of septic tanks within Increment II.

E. WATER SUPPLY

1. The applicant agrees to investigate the use of treated spray effluent as a method of meeting the non-potable demand for Increment II.
2. Water conservation measures as described within the Water Conservation Act (Section 553.14, Florida Statutes) must be utilized.
3. Prior to construction of each approved phase, the developer should show verification acceptable to the SWFWMD that adequate water and wastewater facilities are available for that respective portion of construction.
4. The lowest quality of water practicable should be utilized for all non-potable water use.

F. SOLID WASTE

1. There shall be no on-site disposal of solid waste.

G. ENERGY

1. The applicant shall implement the energy conservation plan which was submitted as part of this ADA, and, to the extent possible in implementing the energy conservation plan, shall comply with the energy conservation conditions outlined in Section 4.A. of Exhibit 2 of the Master Development order.

H. HURRICANE EXCAVATION

1. The applicant will provide for the distribution of public service information dealing with hurricane evacuation.
2. The applicant shall meet with County Disaster Preparedness officials to discuss use of the site as a potential staging area for evacuation.

I. FIRE PROTECTION

1. The regional mall portion of Increment II will be fully sprinklered.

2. Portable extinguishers will be placed throughout the project, as required by code.

J. VEGETATION AND WILDLIFE

1. The applicant agrees to make every effort to locate the prickly pear cactus prior to the commencement of construction. The applicant must then notify the appropriate agencies to provide an opportunity to re-locate the threatened species prior to commencement of construction activities.
2. The existing on-site vegetation to be preserved will include primarily specimen trees (usually eight (8) inches or greater in diameter and/or those identified for preservation on the tree survey submitted to the County and the SWPRPC dated August 11, 1987) and possibly some of the ground cover in their immediate environs.
3. The peripheral development areas will be restricted to selective clearing consistent with Development Review Committee site plan approval until they are ready for development in accordance with the project's required design standards.

K. TRANSPORTATION

1. From a period of one (1) year after the date of approval of this Incremental Development Order, all new improvements to the roadways shown on Exhibit 8 shall be constructed in accordance with the most current adopted design standards of Charlotte County, and the FDOT Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways ("Green Book") in effect at the time of the approval of this Development Order.
2. If the Kenilworth Boulevard/Hillsborough Boulevard connector, from U.S. 41 to King's Highway, is not completed open to traffic by 1990 as at least a two-lane facility, pursuant to the schedule outlined in the Kenilworth Boulevard Agreement between Charlotte County and General Development Corporation, dated June 7, 1988, then the proportional share analysis of the AIDA and related proportional share contribution, in the amount of \$135,877 shall be made by the AIDA applicant to Charlotte County. This proportional share contribution shall be eligible for credit or reimbursement, from road impact fee receipts, to the AIDA applicant should GDC, the County, or others construct the roadway at a later date.
3. The AIDA applicant's proportional share of off-site regionally significant roadway improvements which are required as a result of Increment II traffic, is shown in Exhibit 6.
4. If during development of Increment II any improvement to a regionally significant road or intersection identified in the approved Capital Facilities Plan (Exhibit 5) as a requirement for Increment II is not constructed in accordance with the approved Capital Facilities Plan, and if the applicant is responsible for the construction of the improvement, construction within Increment II shall immediately cease.
5. The AIDA applicant's proportional share of off-site, locally significant roadway improvements, which are required as a result of Increment II traffic, is shown in Exhibit 6.
6. If during development of Increment II any improvement to a locally significant road or intersection identified in the approved Capital Facilities Plan (Exhibit 5) as a requirement for Increment II is not constructed in accordance with the approved Capital Facilities Plan, and if the applicant is responsible for the construction of the improvement, construction within Increment II shall immediately cease.
7. Prior to the issuance of any building permits for Increment II, the applicant shall, subject to approval by Charlotte County, either pay or provide appropriate financial assurance acceptable to Charlotte County for the appropriate proportional share costs for those roadway and intersection improvements necessitated by that phase of development, or bond and begin construction of

OR 947 PG 1427

appropriate improvements identified by Charlotte County, so long as the improvements to be constructed are estimated by Charlotte County, in accordance with the methods in the Charlotte County Subdivision Regulations, to be equal in cost to the established proportional share for that phase. In the event that the applicant is required to construct appropriate improvements which are estimated to cost less than the established proportional share for that phase of development, the difference between the estimated cost and the established proportional share, shall be paid to Charlotte County.

8. The applicant's proportional share of specific improvement costs shown in Exhibit 6, was calculated consistent with the methodology outlined in the Murdock Center Traffic Report, dated February, 1987. Based on this procedure, the applicant's proportional share is identified as \$2,119,712.00.
9. In consideration of the applicant's proportional share amount identified above, Charlotte County and the applicant agree to utilize a "pipeline" approach to fully mitigate the transportation impacts of Increment II, pursuant to 9J-2.0255 F.A.C.
10. The roadway improvements to be constructed by Charlotte County under the "pipelining" approach are shown in Exhibit 8 and are more specifically described as follows:
 - a) U.S. 41 - Improve from 4-lane divided to 6-lane divided from S.R. 776 to Toledo Blade Boulevard south;
 - b) S.R. 776 - Improve from 2-lanes to 4-lanes divided from U.S. 41 to Collingswood Boulevard;
 - c) Murdock Circle - Improve from 2-lanes to 4-lanes divided from U.S. 41 to Piatti Drive;
 - d) Murdock Circle - Construct 2 lanes from Piatti Drive to S.R. 776.
11. The "pipelined" roadway improvements listed above must be substantially completed prior to the mall opening, in accordance with the Development Agreement between the applicant and Charlotte County.
12. The proportional share for which the applicant is responsible was based on estimated costs of road improvements and rights of way, as depicted in Exhibit 6. After completion of construction of the "pipelined" improvements (Exhibit 8), the applicant and Charlotte County shall determine the actual costs of construction of those "pipelined" improvements, excluding costs of right-of-way acquisition. The pertinent costs include preliminary engineering, construction engineering, inspection, construction costs and utility relocation. In no event shall any on-site improvements be included in the construction costs of the "pipelined" improvements.
13. The estimated cost of construction for the "pipelined" improvements is \$3,024,392.00. If the actual construction costs of the "pipelined" improvements exceed \$3,024,392.00, the applicant shall pay its proportional share (the methodology for which is established in Condition 8) of the amount by which actual costs of construction exceed \$3,024,392.00. The applicant's proportional share of the "pipelined" improvements shall be determined based upon the percentages contained in Exhibit 6 which pertain to the "pipelined" improvements.
14. Except as provided in Condition 13, the applicant shall be eligible for credit or reimbursement of all sums in excess of \$2,119,712.00 expended pursuant to Conditions 8, 9, 10 and 12.

OR 947 PG 1428

15. As provided in Condition 14 above, DeBartolo shall be eligible for credits or reimbursement from Charlotte County from road impact fee receipts or other sources of revenue approved by the Board of County Commissioners of those costs in excess of its proportional share. Credits shall be based upon the Charlotte County Impact Fee Ordinance (Ordinance 86-28), as amended from time to time, and in accordance with Florida Statutes Section 380.06 (16) (1986). DeBartolo reserves the right to assign all or any part of its credits and/or reimbursement to any tract, lot or parcel or to any developer, purchaser or lessee within the area located north of the Peace River and east of the Myakka River. DeBartolo shall notify the county in writing of any assignment so made.

Applicant shall initially be eligible for credits upon awarding the contracts for construction of "pipelined" improvements in an amount not exceeding that determined by subtracting from the contract price, the applicant's proportional share. Subsequently, upon completion of the determination of the actual costs of construction pursuant to Condition 12 above, the applicant shall be eligible for credits, if any, in an amount determined by subtracting from the actual costs of construction, the applicant's total proportional share and any credits previously utilized by applicant or assigned to others. The applicant shall, in no event, be entitled to credits for its proportional share of those costs of construction in excess of \$3,024,392.00. (See Condition 13.) Conversely, those excess amounts (less the applicant's proportional share) shall be eligible for credit or reimbursement.

Reimbursement, if any, shall be determined at the time of determination of the actual costs of construction pursuant to Condition 13 above.

16. All necessary access-related intersection improvements, as identified in the AIDA and supporting documents, are the responsibility of the applicant. These improvements shall include turn lanes, acceleration, deceleration and signalization at site access points A through E, as identified on Map J-6, as revised in the AIDA sufficiency response. The extent of these improvements will be determined by the appropriate permitting agency.
17. Subsequent changes in the legal descriptions (Exhibit 1) of applicant's mall site and adjacent rights-of-way resulting from the acquisition of additional rights-of-way for construction of "pipeline" improvements required by this Development Order, shall not constitute substantial deviations from this Order unless they constitute substantial deviations under the criteria set forth in Florida Statutes Section 380.06(19)(1986).
18. The County will address needed improvements to the Regional roadway network, other than "pipeline" improvements identified in Exhibit 6, in the Capital Improvements Element of the Comprehensive Plan to be submitted to the Department of Community Affairs in June of 1988.

OR 947 PG 1429

EXHIBIT 4

Design Standards

OR 947 PG 1430

Exhibit 4

CGW/wp3-12/18/86;1/23/86/4;12/29/86-3;5/5/87-3;5/8/87/1;
 5/20/87/6;6/1/87/6;7/23/87/6;7/24/87/5;8/4/7/5;8/10/87/1;
 8/11/87-3;8/12/87/1;8/14/87/1;8/28/87/4;8/31/87/5;9/4/87/1;
 9/16/87/6;9/28/87/6

PORT CHARLOTTE TOWN CENTER
 (INCREMENT II)
 DESIGN STANDARDS

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1. GENERAL LIMITATIONS

1.1 Applicability

1.1.1 The submittal of this document is required as part of the Murdock Center AMDA ADA Development Order per Exhibit 2, Item 2. The applicability of these standards is limited to the Increment II project area. The lands included in the Increment II project area are as described in the Increment II ADA-DRI.

1.2 Approval

1.2.1 Charlotte County hereby agrees that this document shall stand approved by the Public Works Department and the Planning Department upon issuance of a letter of approval by each department.

2. BUILDING REQUIREMENTS

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2.1 Design

2.1.1 New designs and remodeling of future buildings will strive to achieve a total unification of the commercial area through continuity of materials, colors, and landscaping.

2.2 Setbacks

2.2.1 There will be a minimum twenty-five (25) foot front and rear building setback from the perimeter property line (as associated to public R.O.W.).

2.2.2 There will be a minimum twenty (20) foot side building setback from the perimeter property lines (as associated with public R.O.W.).

2.2.3 There will be a zero (0) foot setback between Mall department stores and interior small shops associated with the Mall.

2.2.4 In the case of the existence of a side street, there will be a minimum twenty-five (25) foot building setback from the perimeter property line (as associated with public R.O.W.).

2.2.5 There will be a minimum five (5) foot setback from perimeter property line (as associated with parking lot).

- 2.3 Lot Coverage
- 2.3.1 Maximum allowed building coverage will be forty percent (40%).
- 2.3.2 There will be no floor area ratio (FAR) requirements.
- 2.3.3 Maximum allowable height will be 60' to the roof line or top of parapet wall (does not include mechanical equipment enclosures and/or cooling equipment screen).

OR 947 PG 1433

2.4 Open Space

- 2.4.1 Developer shall provide a minimum of 12% open space (692,081 s.f.) for the total development project (132.4A). This shall be accomplished thru the utilization of the retention pond (627,264 s.f.) and conservation areas on the mall site as they relate to the preservation of existing oaks and pine trees. For the purpose of meeting the 12% requirement, no open space will be necessary or required for the subsequent development of peripheral parcels. However, this shall not be construed to relieve any peripheral development from other requirements contained in this document.
- 2.4.2 In regard to the above, if later dedication of the retention facility is necessary, the open space utilized for the retention facility will continue to contribute to satisfy the open space requirements of the total project.

3. PARKING REQUIREMENTS

The actual number of parking spaces associated with various land uses is set forth in the County's land development regulations. The standards that follow are limited to the design quality of required parking areas.

3.1 Parking Areas.

- 3.1.1 Designated parking spaces for the handicapped shall be a minimum of 2% of the total number of spaces. With all fractions being rounded up to the next number of spaces.
- 3.1.2 There shall be no on-street parking areas within public R.O.W.
- 3.1.3 The parking spaces for the regional mall site shall be a minimum of 8.5 feet in width and 19 feet in length (minimum parking bay size shall be 60', 57' for head-in parking at islands), with the exception being handicapped spaces which will be a minimum of

12 feet in width and 18 feet in length (See attached Exhibit A and B). Parking spaces for the peripheral uses shall be subject to the above, however, if other parking configurations are used, the dimensional requirements thereof shall be subject to current ULI standards.

3.1.4 Lighting of parking areas shall conform to those standards set forth in Section 6.

3.2 Parking Area Landscaping. OR 947 PG 1434

3.2.1 Parking area landscaping shall be included in the landscape plan required by Section 6.

3.2.2 Landscaping shall be interspersed within the paved area (from site curbs to curb line at building sidewalks) at a minimum of 7% of the paved area. However, if it is necessary to preserve trees within the parking fields and additional landscape area is necessary, developer will be allowed to reduce the amount of R.O.W. landscape buffer area (see Section 6.4.18), however, in no case shall the width of buffering be less than 5'.

3.2.3 For each 250 square feet of landscaped area, or portion thereof, one tree shall be provided. Developer shall be allowed appropriate credits against the planting requirements as noted in Section 6.

3.3 Bicycle Access and Parking (for regional mall site only)

3.3.1 The mall development internal design shall accommodate bicycle access between Murdock Circle and the primary mall public entrance (located along Murdock Circle).

3.3.2 Adequate and secure bicycle racks shall be provided at the primary public entrance located along Murdock Circle.

3.3.3 There shall be 1 bicycle stall for each 40,000 square feet of gross leasable floor space. All fractions shall be rounded up to the next number of stalls.

3.3.4 Bicycle parking shall be located as close to the desired destinations as possible without interfering with pedestrian traffic.

3.3.5 The parking device selected shall have no protruding bars that could trip or injure the cyclist or pedestrian.

- 3.3.6 The parking device selected shall be easy to operate, and understandable to children, as well as adults.
- 3.3.7 The parking device selected shall be reasonably compatible with all bike frames.
- 3.3.8 Bicycle parking devices shall be spaced so that the use of one does not interfere with adjacent bicycles. The separation distance for most devices is approximately 22 to 24 inches.
- 3.3.9 Bicycle parking areas shall be well lit for theft protection and safety. Follow lighting requirements given in Section 6.

3.4 Loading and Solid Waste (for regional mall only)

- 3.4.1 Loading berths shall be provided based on the following table of standards. One of the required berths is for trash collection purposes.

<u>Commercial</u>	<u>Minimum Berths Required</u>
0 to 50,000 sq. ft.	1
50,001 to 100,000 sq. ft.	2
100,001 to 250,000 sq. ft.	3
Each additional 200,000 sq. ft.	1 for each

- 3.4.2 All loading berths and associated maneuvering areas must be off-street. These areas must be buffered from pedestrian ways and adjacent uses, in the manner provided for in Section 6.
- 3.4.3 Loading areas shall in no way impede the flow of traffic.
- 3.4.4 Loading berths shall be designed to accommodate a WB-50 design vehicle.
- 3.4.5 The loading berth designated for trash collection shall be 12 feet in width and 50 feet in length. Actual concrete pad shall be a minimum 10' x 30' x 6" thick with 6 x 6 mesh.
- 3.4.6 Individual berths must be a minimum of 12 feet in width, with a minimum, overhead clearance of 15 feet.

3.5 Transit Facilities.

- 3.5.1 A minimum of 1 transit area shall be planned and designated for all commercial buildings with over 250,000 gross square feet of floor space.
- 3.5.2 The transit area shall be located in close proximity of the building entrance.

- 3.5.3 Transit locations shall include sufficient space for transit vehicles to load and unload passengers without interrupting the flow of other vehicular traffic.
4. PEDESTRIAN FACILITIES (for regional mall and peripheral sites)
- 4.1 Sidewalks.
- 4.1.1 Sidewalks shall be constructed of either concrete or masonry. Concrete walks shall be 4" poured slab with a non-slip or textured (stamped, etc.) finish.
- 4.1.2 Sidewalks shall not exceed a slope of 8%.
- 4.1.3 All sidewalks shall have the minimum 4' width.
- 4.1.4 Depressed curbs shall be provided and conveniently located for handicapped and bicycle access.
5. ROADWAY DESIGN WITHIN PUBLIC R.O.W. OR 947 PG 1436
- 5.1 Streets.
- 5.1.1 Conformance.
The arrangement and extent of width, grade and location of streets shall conform to current F.D.O.T. standards.
- 5.1.2 Median openings.
There will be no more than one median opening per 660 feet (centerline to centerline) of frontage on arterial streets (US 41 and 776), and no more than one per 440 feet (centerline to centerline) of frontage on collector streets (Murdock Circle). Further, there will be no access drives within 150 feet (centerline to centerline) of any intersection with an arterial or collector street. The number of drives will be limited to those as shown on the attached Exhibit A-1.
- 5.1.3 Crosswalks. Crosswalks will be allowed only at signalized intersections and median openings.
- 5.1.4 Traffic Control Devices.
The developer will submit to the Public Works Department, for their review and comment, a traffic control plan. This plan will show all needed traffic control devices in conformance with the current Manual of Uniform Traffic Control Devices.
- 5.1.5 Following plan approval, the developer will construct all traffic control devices, as shown in the plan, to

the satisfaction of the Public Works Director or his designee.

5.2 Bicycle Lanes on Public R.O.W.

5.2.1 Developer shall identify bicycle lanes and/or sidewalks as being provided "by others" as part of the Development Plan Review and Design Review Board process.

5.2.2 Developer shall submit roadway design drawings to the county for their use in preparing conceptual designs for the right-of-way. Developer will work with Charlotte County to accommodate the interface of these improvements.

5.2.3 Bicycle lanes within public right-of-way shall meet FDOT standards.

6. SITE DESIGN

OR 947 PG 1437

6.1 Exterior Lighting.

6.1.1 There shall be a site lighting plan submitted with the final plans.

6.1.2 The following minimum requirements shall be followed by all sites (based on recommended standards of the Illuminating Engineer Society):

<u>Commercial sites</u>	<u>Average Foot Candle</u>
Area	
Parking Lot	1.0
Pedestrian ways	1.0
Driveways	1.2
Building entrance	5.0
General grounds	1.0

6.1.3 To assure uniformity, all sites will maintain a lighting ratio of 4:1 as recommended by the Illuminating Engineering Society.

6.1.4 All lighting shall be directed away from residential areas and streets to the greatest extent possible.

6.2 Non-Traffic Control Signage.

6.2.1 One temporary "for sale" sign shall be allowed for each peripheral parcel plus one additional sign when parcel abuts two or more rights-of-way. Sign face shall be limited to 8' x 16' and shall be no more than 24' in height. Developer shall have the right to relocate these signs as necessary to accommodate

subsequent land sales. Developer will maintain sign and appurtenances during term of use.

- 6.2.2 Two temporary "construction" signs shall be allowed for the mall development. Total sign face size shall be no more than one thousand (1,000) square feet. Height shall be no more than twenty-four (24) feet. Developer shall have the right to relocate said sign as necessary to accommodate subsequent land sales. Actual location to be determined by Developer.
- 6.2.3 One temporary "construction" sign shall be allowed for each individual developer of the peripheral properties. Sign face shall be no more than five hundred (500) square feet and shall be no more than twenty (20) feet in height. Actual location to be determined by developer.
- 6.2.4 One permanent freestanding pylon sign shall be allowed at each entry drive for the regional mall. This sign shall be set back 25' from the right-of-way property line and its height shall not exceed 30'. Sign shall have four (4) faces and each face shall be no more than 10' in width. Each face shall have no more than three hundred (300) square feet of area.
- 6.2.5 One permanent directional sign for the regional mall shall be allowed at the terminus of each major access drive located within a landscape/planter island. Sign shall be set back 3' from the curb line and height shall not exceed 12'. Actual width of sign shall not exceed 8'. Face shall be no larger than ninety-six (96) square feet.
- 6.2.6 Each department store shall be allowed one "typical" major wall sign on each major facade. In addition, the two department stores fronting El Jobean Rd./S.R. 776 shall be allowed one additional sign which will be located above the opposite mall entrance which fronts Murdock Circle. In the case where an unusually long facade is required two "typical" signs shall be allowed on same facade. Each store shall be allowed smaller "typical" directional signs for customer service oriented operations.
- 6.2.7 County shall not have jurisdiction over interior signs related to the mall concourse.
- 6.2.8 One sign on the mall exterior shall be allowed for each small shop tenant having an exterior exposure and/or entrance. Said signs shall be no more than 36" in height and width shall be limited to entire portion of the frontage less 1' from lease line.

OR 947 PG 1433

- 6.2.9 One exterior mall entrance sign shall be allowed for the regional mall at each pedestrian mall entrance (see also 6.2.6).
- 6.2.10 One placard sign shall be allowed on every light pole (each side) for the regional mall. Sign shall have a maximum height of 2' and width of 3'. Each will be color coded and numbered to denote parking areas. Signs shall be placed a minimum of 12' above ground.
- 6.2.11 One permanent freestanding pylon sign shall be allowed for each public R.O.W. frontage for each peripheral development parcel. Maximum height shall be twenty (20) feet in height and shall have a maximum area of three hundred (300) square feet on any one face.
- 6.2.12 One "typical" wall sign for each individual peripheral tenant shall be allowed for each major exposed facade. Signs for small shop tenants shall meet those requirements in 6.2.8. Larger stores and national chain uses shall meet those requirements in 6.2.6.
- 6.2.13 Sign placement, form, character, and size shall be tastefully designed to be compatible with the overall composition.
- 6.2.14 All signs shall be designed to meet building code requirements for wind design.
- 6.2.15 There shall be no advertising, flashing, rotating or moving signs or markers of any type.
- 6.2.16 There shall be no signs painted on the exterior surface of any buildings (except those on windows and doors). In addition there shall be no signs which are constructed of or made up on cloth material, paper, or cardboard.
- 6.2.17 No mobile signs are allowable.
- 6.2.18 No sign shall be within 8 feet of the edge of pavement along driveways except directional signs as noted in 6.2.5.
- 6.2.19 No sign shall be allowed that will impede the sight distance, and/or safe flow of traffic. No non-traffic control signage shall be permitted within public right-of-way.
- 6.2.20 All lighting of signs shall be indirect and subdued.

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6.3 Traffic Control Signage:

6.3.1 All traffic control signs must conform to the standards set forth in the Manual of Uniform Traffic Control Devices:

Accepted and Approved
this _____ day of 1987

Kurt Larsen 10/2/87
Kurt Larsen
Director of Planning
Charlotte County

Accepted and Approved
this _____ day of 1987

Gene Middaugh 10-1-87
Gene Middaugh
Director of Public Works
Charlotte County

Accepted and Approved this
_____ day of 1987

PALM BEACH MALL, INC.
BY: EDWARD J. DeBARTOLO
CORPORATION, Agent

By: David H. Curl
David H. Curl
Executive Vice President
(Authorized Agent)

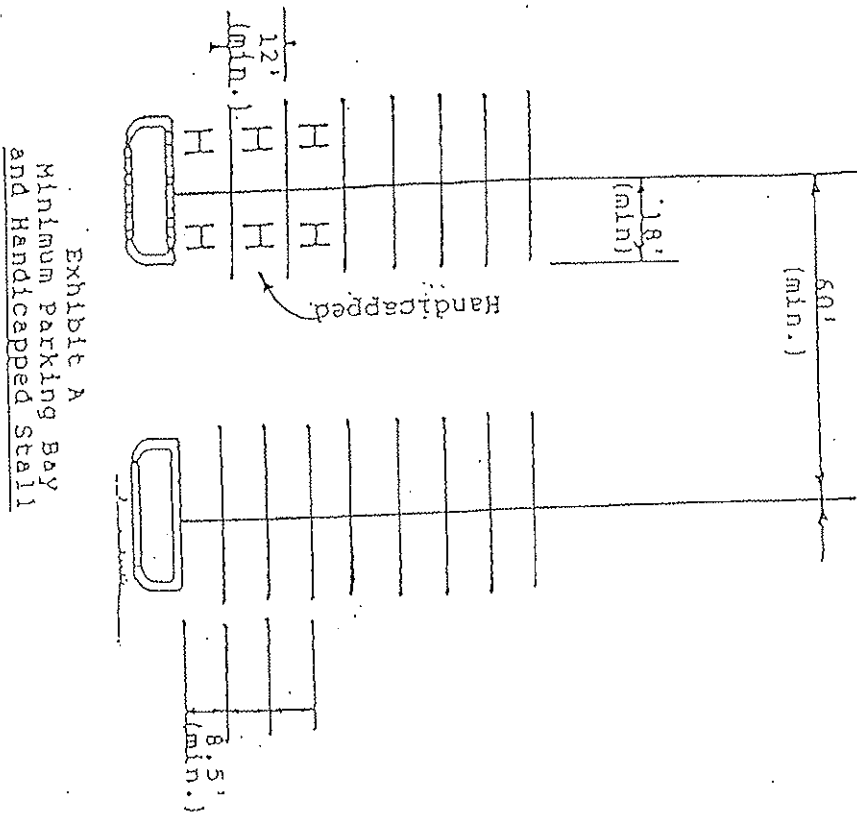


Exhibit A
Minimum Parking Bay
and Handicapped Stall

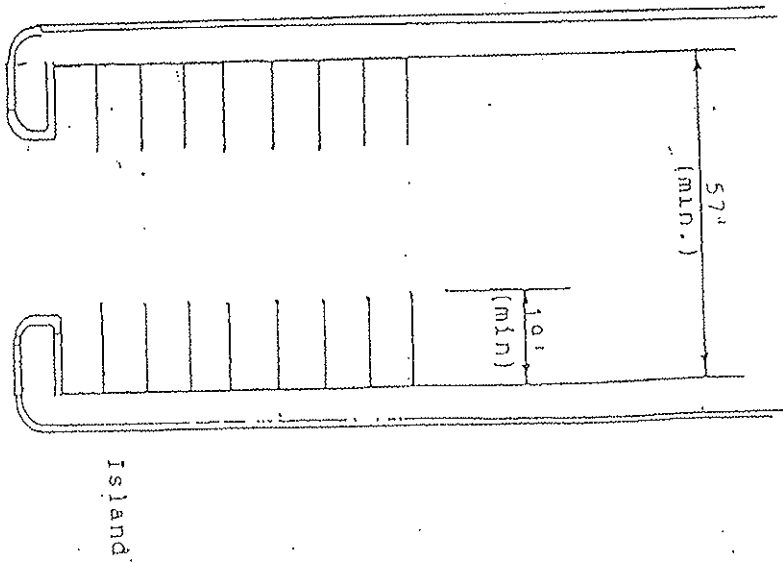
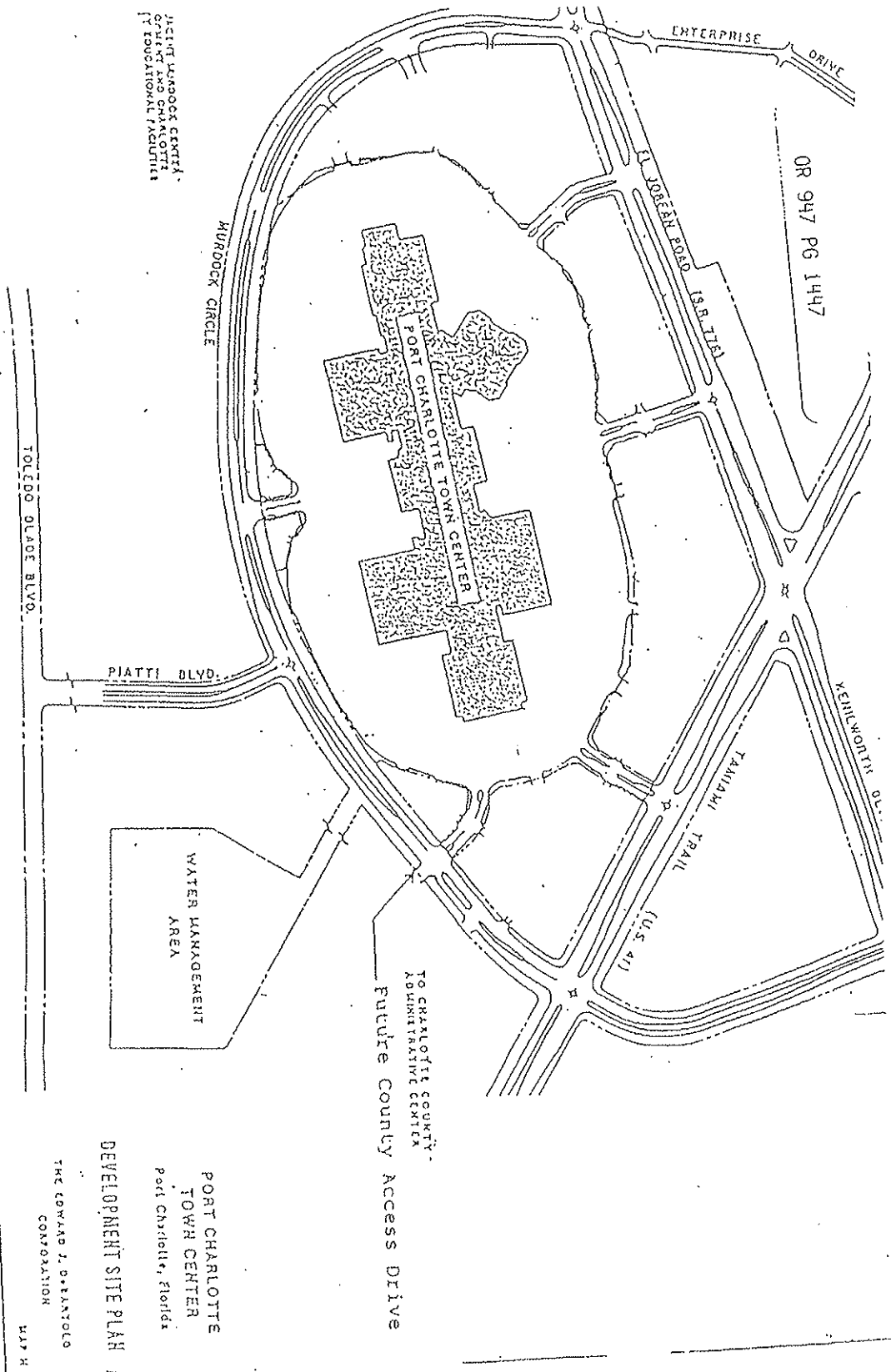


Exhibit B
Minimum Bay for
Head-in Parking



PLANNING MURDOCK CENTER
 COUNTY AND CHARLOTTE
 EDUCATIONAL FACILITIES

SPECIAL NOTE: This exhibit is intended to replicate SP-1 dated 9/16/87, which was conditionally approved by the Design Review Board on 9/24/87. If any conflicts

July 23, 1987
 "Exhibit C"

PORT CHARLOTTE
 TOWN CENTER
 Port Charlotte, Florida
 DEVELOPMENT SITE PLAN

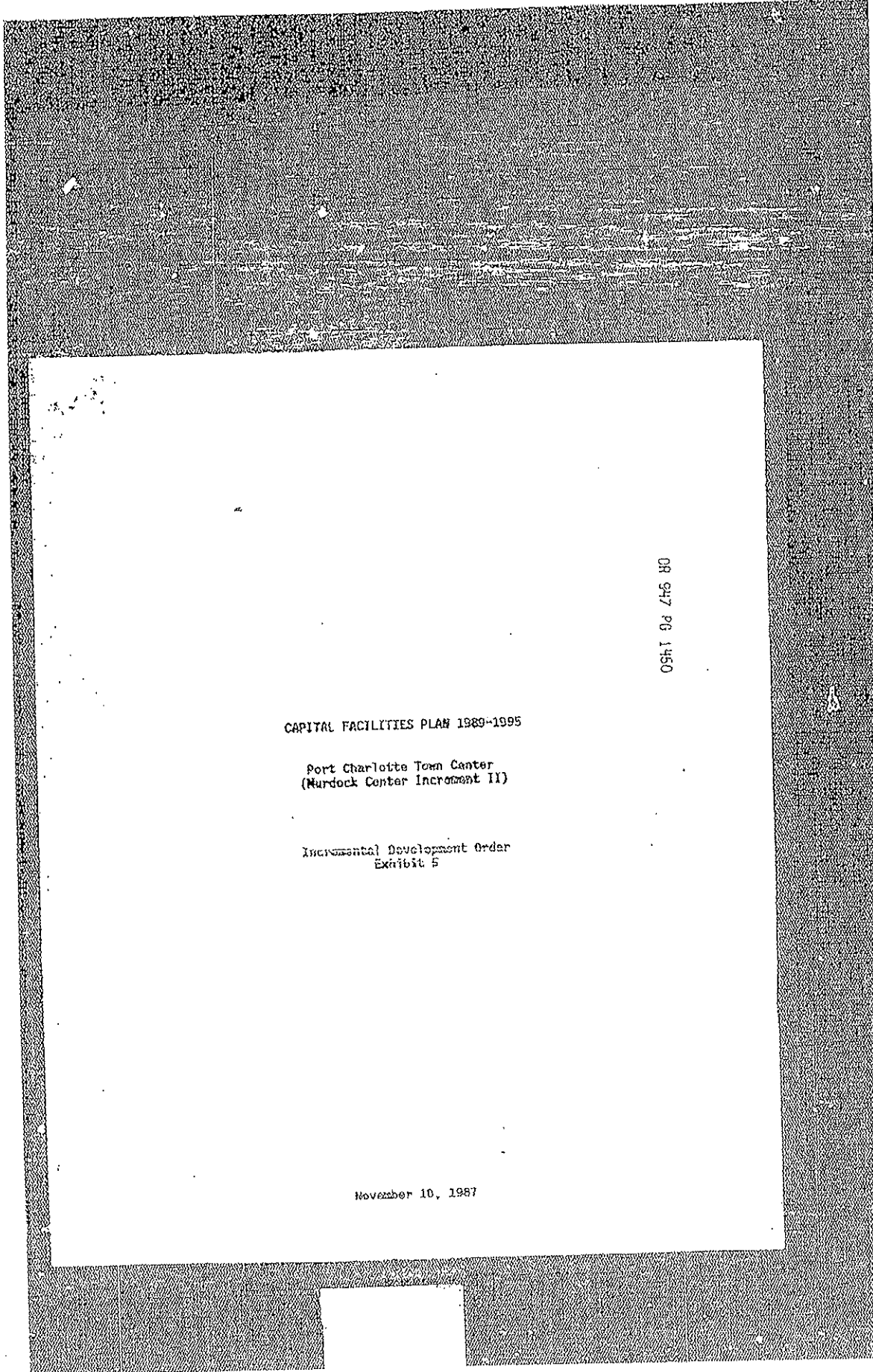
THE CONRAD J. DELAYTOLA
 CORPORATION
 247 N

RECORDER'S MEMO
 THE WRITING/TYPING AND PRINTING WAS
 UNSATISFACTORY FOR REPRODUCTION AT
 THE TIME OF RECORDING

OR 947 PG 1449

EXHIBIT 5
CAPITAL FACILITIES PLAN

Exhibit 5



08 947 PG 1450

CAPITAL FACILITIES PLAN 1989-1995

Port Charlotte Town Center
(Murdock Center Increment II)

Incremental Development Order
Exhibit 5

November 10, 1987

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APPENDIX A

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CAPITAL FACILITIES PLAN 1989-1995

PORT CHARLOTTE TOWN CENTER
(Murdock Center Increment II)

INTRODUCTION

The Murdock Center Increment II Capital Facilities Plan has been prepared to meet the requirements of General Condition No. 17, Exhibit 2, of the Master Development Order (MDO) for Murdock Center. The entire text of this Condition is included in Appendix A. The basic elements of the plan must address the provision of the following public facilities and services deemed necessary to serve and mitigate the impacts of the development during the first phase or five-year period, whichever is the lesser time frame. The identified services to be addressed for Increment II are:

OR 947 PG 1452

1. Transportation
2. Fire Protection and Emergency Medical Service
3. Police Protection
4. Solid Waste
5. Bicycle and Pedestrian Paths

For each of the above capital facilities improvement areas, the plan will address each of the following elements:

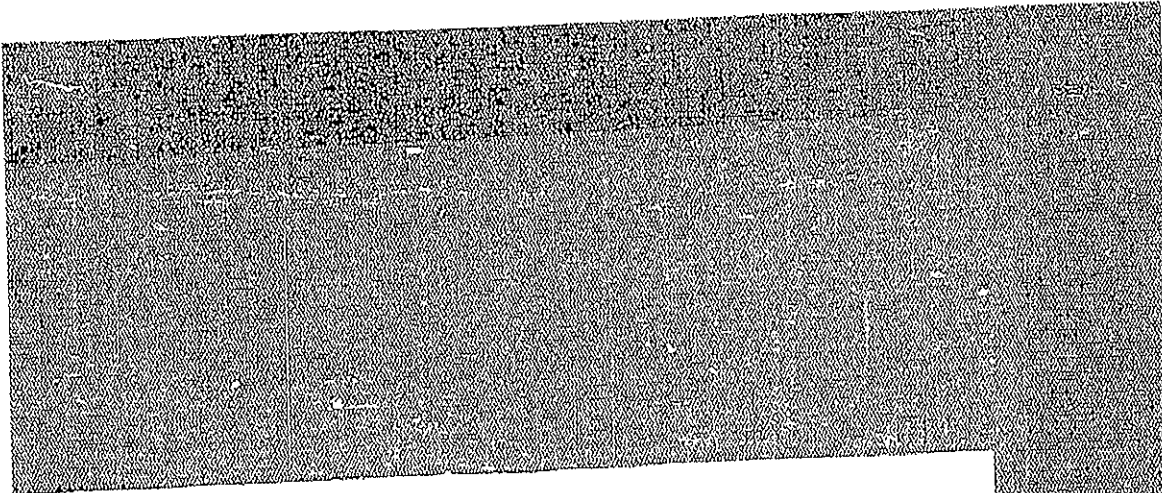
- A. Needed facilities or capital improvements.
- B. Timing for construction or acquisition.

- C. Cost estimates.
- D. Funding responsibilities and crediting procedures.
- E. Funding sources and their limitations.
- F. Implementation methods.
- G. Consistency with plans prepared pursuant to this condition for other increments of Murdock Center if applicable.
- H. A general procedure of costs and funds accounting to address any discrepancies between improvement estimates and actual costs.

OR 947 PG 1453

Since this plan will be the first Capital Facilities Plan submitted for Murdock Center, the requirements of Element G., above (Consistency with Other Plans Prepared Pursuant to This Condition) would not be applicable. The following sections set forth the functional aspects of the required plan. In each area, plan requirements are related to existing plans, studies, and stated needs of the agencies providing the required services or improvements.

Although the MDD only requires that this plan provide for the first phase or five year period, whichever is less; the applicant has elected to design a plan which would provide for the capital facilities needs of Port Charlotte Town Center from opening in 1989 through its planned buildout in 1995 or a seven year period. In this manner the applicant and the County will be able to plan for all facilities needed to serve the total increment II development. This approach has also been selected to provide consistency with the applicant's decision to utilize the "pipeline" option provided in the SWFRPC's recommendations as a means of mitigating the total transportation impacts of Port Charlotte Town Center



1. TRANSPORTATION

A. Needed Facilities or Capital Improvements

Based on the information presented in the Application for Master Development Approval (AMDA) and the MDO, a series of regionally and locally significant roadways will be impacted over the sixteen year buildout of Murdock Center (1989-2005). The proposed 2005 Charlotte County Roadway Network for the Murdock Center area is identified in MDO Exhibit A. The significant regional and local roadways impacted by Murdock Center development are identified in MDO Exhibits B and C respectively. Copies of these Exhibits are included in Appendix A for reference purposes. The improvement needs addressed in this plan are intended to be compatible with the identified network and to serve as a guide for implementation of improvements as the various elements of Murdock Center are constructed.

OR 917 PG 14F4

In the AIDA for Port Charlotte Town Center, a number of roadway and intersection improvements were identified based on estimates of transportation impacts anticipated as a result of the proposed shopping center, growth in background traffic, and other increments of Murdock Center. In accordance with the procedure outlined in the recommendation of the Development of Regional Impact Assessment Report for Port Charlotte Town Center, Murdock Center Increment 11 adopted by the Southwest Florida Regional Planning Council on October 15, 1987, "needed" improvements in this Plan have been identified based on the level of service policies of the agencies having jurisdiction over the impacted roadways. These level of service standards are presented in Table 1.1.

The transportation improvements to regionally and locally significant roadways necessary to serve the total or composite traffic estimated to be generated by the projected growth depicted in the AIDA are outlined in Exhibit 6 of the Incremental Development Order for Port Charlotte Town Center.

B. Timing for Construction or Acquisition

The full schedule of improvements identified in A., above, are recommended only if all development assumed to be in place actually occurs. However, certain other improvements are necessary to provide access to and to mitigate the direct impacts of Increment II development through 1995. For purposes of this Plan it is essential to establish appropriate procedures to insure that necessary improvements, hereinafter referred to as "required" improvements, including right of way acquisition and roadway construction are completed concurrent with approved development. Those improvements identified as "recommended" improvements which are those necessary to serve total traffic including other projected growth and future development should be in place by 1995 unless the traffic monitoring provisions of the MDO and IDD indicate that alternative timing or improvements would more effectively meet County and Regional transportation goals.

1. Required Improvements

The improvements identified in this sub-section include all improvements necessary to mitigate the total transportation impacts of Increment II in accordance with the procedures set forth in the Florida Department of Community Affairs Transportation Rule 9J-2.0255, site access improvements and all right of way necessary to accommodate these improvements and site access requirements. These required improvements and right of way needs are listed in Table 1.2 and IDD Condition K.10. A graphic representation is provided in IDD Exhibit B.

2. Needed Improvements

The improvements identified in this sub-section include all improvements necessary over and above the Required improvements necessary to accommodate the combined transportation impacts of Increment II, projected growth in background traffic volumes and Phases I and II of Increment I of Murdock Center projected to be

CR 947 PG 1455

completed by 1995. It is noted that the Increment I schedule may vary based on the AIDA now under review. Those improvements are listed in Tables 1.3. These recommended improvements should be committed for construction at the time that traffic monitoring as required by the MDO indicates that an applicable level of service standard will be exceeded; or, as a result of other incremental approvals their status is changed to that of a Required improvement for that increment.

C. Cost Estimates

OR 947 PG 1456

The estimated costs of Required and Needed improvements are listed in Tables 1.4 and 1.5, respectively. These estimates are based on the cost factors provided in the Proportionate Share Analysis for Port Charlotte Town Center included in Appendix B.

D. Funding Responsibilities and Crediting Procedures

1. Funding Responsibilities

The AIDA applicant or his successors shall be responsible to fully fund or construct, subject to applicable credit provisions, all improvements identified as being the applicant's responsibility in Incremental Development Order Condition K.10. Charlotte County shall be responsible to fund, either through County resources identified in this Plan, or other sources such as impact fees, development exactions or state or federal matching funds which may be available, all other identified improvements needed to maintain the level of service standards set forth in sub-section A., above.

2. Crediting Procedures

The Increment II applicant shall be eligible for credits or reimbursement from Charlotte County Impact Fee proceeds or other sources as identified by the County for all costs for

transportation improvements funded by the applicant which exceed the total proportionate share for Increment II. For purposes of this sub-section, the total cost shall be calculated based on the actual cost to design, permit, and construct those improvements other than site access improvements, identified as the pipelined improvements in Incremental Development Order Condition K.10. Actual costs may include but are not limited to the cost or documented value of:

- Roadway design including pavement, grading, drainage, signing, striping, signalization, and utility adjustment or relocation.
- Permits required by regional or state agencies such as the Florida DER and Southwest Florida Water Management District.
- Roadway construction including the actual contract cost plus construction administration, inspection, supervision and testing services required to complete identified improvements.
- The documented value of right of way dedicated to complete regional roadway improvements.

OR 947 PG 1467

Right of way dedication by the AIDA applicant to construct regional and locally significant roadway improvements identified in this Plan shall be eligible for credit as provided for in the IDO. Right of way dedication for all lands not under the control of the AIDA applicant shall be granted in accordance with the Right Of Way Reservation and Transfer Agreement required by MDD condition 20.A.2.

E. Funding Sources and Limitations

The funding sources available to implement this Capital Facilities Plan include revenues generated from the following sources:

Local Sources

- Development Exactions (Proportionate Share)
- Ad Valorem Property Taxes
- Personal Property Taxes
- Lease Taxes
- User Charges and Fees
- Miscellaneous Taxes (fines, forfeitures, permits, licenses, etc.)
- Charlotte County Impact Fees

OR 947 PG 1458

Optional Local Sources

- Existing County Gas Tax
- Optional 5th and 6th cent gas tax
- Tourist Development Tax

State Sources

- Sales Tax
- Revenue sharing trust fund
- Motor fuel tax
- Mobile home, vehicle and motor boat licensing

Anticipated revenues generated as a direct result of completion of Port Charlotte Town Center are listed in Tables 1.6 and 1.7. These revenues are in addition to the proportional share amount listed in IDO Condition K.8 and Exhibit G.

F. Implementation Methods

As recommended in the MDO, the applicant's responsibilities under this Plan will be implemented to the extent possible through Incremental Development Order Conditions. The county's responsibilities for improvements to the regional and local roads identified in MDO Exhibits A & B should be implemented to the extent possible through commitment of

revenues generated by Murdock Center development. For improvements beyond the limits of the network defined in the MOO, the County should address needed improvements, other than the pipeline improvements identified in Exhibit 6, necessary to meet the County's desired level of service standards in the Capital Improvements Element of the Comprehensive Plan.

QR 947 PG 1459

Alternatives available for the financing of improvements include but are not limited to:

- Revenue bond financing supported by existing local option gas taxes
- Special taxing districts
- Tax increment financing districts
- Florida DOT or federal aid primary funding.

Based on the revenue sources outlined in E. above, the County should first identify those sources from which revenues will be designated to establish a trust fund to be used for implementation of this Capital Facilities Plan. The list of Recommended improvements should then be prioritized on the basis of projected need as follows:

- Priority I - Improvements needed to meet County commitments in any incremental development order or to correct existing service level deficiencies.
- Priority II - Improvements needed to mitigate future service level deficiencies as additional increments of Murdock Center are approved.
- Priority III- improvements which would enhance capacity or provide relief to existing facilities through the construction of alternative routes.

G. Consistency With Capital Facilities Plans for Other Increments

Since this is the first plan submitted for Murdock Center, this requirement is not applicable at this time.

H. Cost and Funds Accounting Procedures

OR 947 PG 1460

Prior to the issuance of building permits for each phase of development the applicant shall, subject to approval by Charlotte County, either pay or provide appropriate financial assurance acceptable to Charlotte County for the appropriate proportional share for those roadway and intersection improvements necessitated by that phase of development, or bond and commit to a schedule for completion of the improvements identified by Charlotte County.

For purposes of this section Charlotte county shall utilize the cost estimating procedures set forth in the Charlotte County Subdivision regulations to determine if the proposed improvements are estimated to be equal to or exceed the established proportional share for that phase of development.

If the actual cost of improvements constructed exceeds the estimated cost, the applicant shall be eligible for a credit or reimbursement of the cost over and above his proportional share subject to the provisions of the Incremental Development Order.

TABLE 1.1

Level of Service Standards for
Use in Port Charlotte Town Center
Capital Facilities Plan

1. Regional Roadways Under the Jurisdiction of the Florida Department of Transportation:

* Peak Hour - LOS C average day design hour

2. Local Roads under the Jurisdiction of Charlotte County:

* Daily - LOS C average annual daily traffic
* Peak Hour - LOS D peak season, peak hour
(Murdock Center Traffic Report)

3. Florida Department of Community Affairs:

* Peak Hour - LOS D average day (DCA Rule 9j -2.0255)

4. SWFRPC:

* Daily - LOS C average annual daily traffic

OR 947 PG 1461

TABLE 1.2

Required Roadway Improvements*

1. US 41 - Improve from 4 lane to 6 lane divided from SR 776 south to Toledo Blade Blvd.
2. SR 776 - Improve from 2 lane to 4 lane divided from US 41 to Collingswood Blvd.
3. Murdock Circle - Improve from 2 lanes to 4 lane divided from US 41 to Piatti Drive.
4. Murdock Circle - Construct 2 lanes from Piatti Drive to SR 776.
5. Access Improvements at Access Drives A through E including signalization subject to FOOT approval.

* Includes Transitions Beyond Intersections

Right of Way Requirements

1. US 41 - None
2. SR 776 - US 41 to Collingswood Blvd. Expand existing 100 foot right-of-way to minimum 140' up to a maximum of 200' in the vicinity of US 41.
3. Murdock Circle - Expand existing 75' right-of-way between US 41 and Piatti Drive to 150'.
- Provide new 150' right-of-way from Piatti Drive to SR 776.

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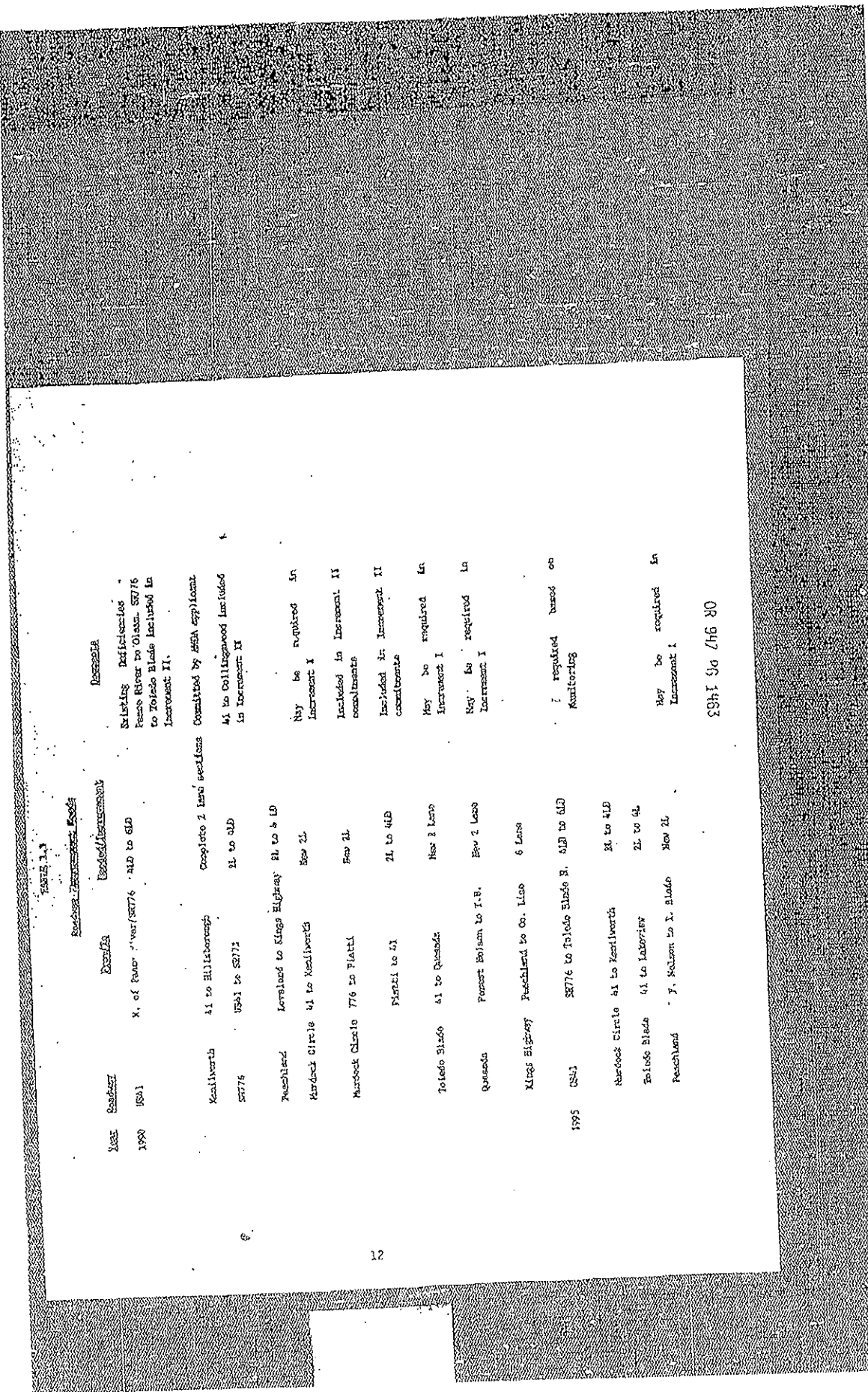


TABLE 1.3
 Proposed Incremental Road

Year	Location	Length/Increment	Remarks
1990	USA1	X. of Peace Hwy (SR776) 41D to 61D	Existing Deficiencies Peace River to Oklawaha SR776 to Toledo Blade Included in Increment II.
	Keelworth	41 to Hilltopways	Committed by AHA application
	SR776	USA1 to SR776	41 to Collingwood Included in Increment II
	Peachland	Levaland to Kings Highway 41 to 41D	May be required in Increment I
	Harlock Circle	41 to Keelworth Hwy 41	Included in Increment II commitments
	Harlock Circle	776 to Flatl	Included in Increment II commitments
	Toledo Blade	41 to 41D	May be required in Increment I
	Quasda	Forest Highway to I.R. Hwy 1 Lane	May be required in Increment I
	Kings Highway	Peachland to Co. Line 6 Lane	May be required in Increment I
1995	USA1	SR776 to Toledo Blade B. 61D to 61D	Required based on Monitoring
	Harlock Circle	41 to Keelworth	May be required in Increment I
	Toledo Blade	41 to Laboratory	
	Peachland	J. Keelworth to I. Blade Hwy 2L	

OR 947 06 1483

TABLE 1.4

Estimated Costs of Required Improvements

<u>Roadway</u>	<u>Segment</u>	<u>Estimated Cost (Includes R/W)</u>
US41	SR776 to Toledo Blade (S)	1,295,000.00
SR776	US41 to Collingswood	1,081,204.00
Murdock Circle	SR776 to US41	<u>1,055,637.00</u>
	TOTAL:	\$3,362,021.00

OR 907 PG 1404

TABLE 1.5

Estimated Cost of Needed Improvements

US41	N. of Peace River to Toledo Blade (S)	\$15,705,000.00
US41	SR776 to Toledo Blade (N)	1,680,000.00
SR776	Collingswood to SR771	11,108,792.00
Murdock Circle	U.S. 41 to Kenilworth (4 Lane)	429,121.00
Peachland	Hills. ext. to Kings Highway	276,700.00
Peachland	F. Nelson to Toledo Blade	678,012.00
Toledo Blade	U.S. 41 to Lakoview	514,945.00
Quezada	F. Nelson to Toledo Blade	649,275.00
Kings Highway	Peachland to County Line	3,833,012.00
Kenilworth	U.S. 41 to Hillsborough	<u>284,026.00</u>
		35,060,881.00

TABLE 1.6
ECONOMIC BENEFITS OF PORT CHARLOTTE TOWN CENTER TO THE CHARLOTTE COUNTY AREA

Year	Perk Estate Tax	Personal Property Tax	Sales Tax*	Lease Tax	Total	Cumulative Total
1987	\$42,219	\$0	\$0	\$0	\$42,219	\$42,219
1988	\$42,219	\$0	\$0	\$0	\$42,219	\$84,438
1989	1764,951	\$0	\$0	\$19,970	\$1,784,921	\$3,629,359
1990	1273,860	\$159,945	\$595,669	\$28,541	\$1,958,015	\$5,587,374
1991	1280,126	\$191,934	\$707,596	\$28,541	\$2,208,197	\$7,795,571
1992	1292,762	\$223,923	\$819,786	\$28,541	\$2,365,012	\$10,160,583
1993	1302,784	\$255,911	\$995,172	\$28,541	\$2,582,408	\$12,742,991
1994	1315,207	\$287,506	\$1,179,242	\$28,541	\$2,810,501	\$15,553,492
1995	1324,484	\$319,889	\$1,363,298	\$28,541	\$3,051,212	\$18,604,704
1996	1325,585	\$319,889	\$1,427,748	\$28,541	\$3,111,763	\$21,716,467
1997	1531,400	\$319,889	\$1,554,379	\$28,541	\$3,454,209	\$25,170,676
1998	1550,967	\$319,889	\$1,694,139	\$28,541	\$3,653,536	\$28,824,212
1999	1571,317	\$319,889	\$1,815,090	\$28,541	\$3,974,837	\$32,799,049
2000	1592,481	\$319,889	\$1,927,935	\$28,541	\$4,318,846	\$37,117,895
2001	1614,492	\$319,889	\$2,034,151	\$28,541	\$4,697,073	\$41,814,968
2002	1637,383	\$319,889	\$2,229,511	\$28,541	\$5,125,324	\$46,940,292
2003	1661,189	\$319,889	\$2,362,507	\$28,541	\$5,602,126	\$52,542,418
2004	1685,948	\$319,889	\$2,504,757	\$28,541	\$6,139,135	\$58,681,553
2005	1711,697	\$319,889	\$2,650,613	\$28,541	\$6,730,740	\$65,412,293
Total Taxes 1987-2005	\$18,379,084	\$4,635,395	\$25,852,075	\$476,629	\$49,343,183	\$114,751,476

* 1/2 cent only

QR 947 PG 1465

PAGE #1

TABLE 1.7
FORT CHARLOTTE MASTER ECONOMIC BENEFITS WORKSHEET

1	2	3	4	5	6	7	8	9
REAL ESTATE TAX	County Millage *	School Bond Millage *	School District Millage *	Light District *	Swamp Rate *	Development Authority Rate *	Water Millage *	
Year	3.7294	0.1282	1.5900	0.5136	0.3300	0.1163	6.3775	
1987	\$6,620,000	\$835	\$9,930	\$3,400	\$2,185	\$1,180	\$42,719	
1988	\$6,549,000	\$835	\$9,930	\$3,400	\$2,185	\$1,180	\$42,719	
1989	\$4,544,680	\$5,743	\$62,317	\$21,337	\$2,185	\$7,437	\$26,495	
1990	\$2,941,667	\$5,419	\$64,413	\$22,055	\$14,711	\$7,656	\$23,860	
1991	\$4,594,584	\$5,603	\$69,592	\$22,801	\$14,650	\$7,916	\$25,126	
1992	\$5,905,515	\$5,793	\$69,858	\$23,577	\$15,149	\$8,185	\$26,762	
1993	\$7,476,936	\$5,992	\$71,215	\$24,394	\$15,667	\$8,465	\$30,270	
1994	\$9,111,213	\$6,199	\$73,667	\$25,224	\$16,207	\$8,757	\$33,207	
1995	\$7,537,352	\$6,185	\$73,667	\$25,224	\$16,207	\$8,757	\$33,207	
1996	\$9,574,046	\$6,747	\$76,523	\$26,523	\$17,431	\$9,325	\$36,494	
1997	\$9,325,208	\$10,516	\$120,561	\$41,280	\$22,497	\$14,331	\$52,365	
1998	\$6,572,376	\$10,803	\$124,586	\$42,795	\$22,497	\$14,487	\$53,400	
1999	\$9,583,271	\$11,305	\$129,589	\$44,371	\$23,509	\$15,404	\$56,957	
2000	\$9,901,802	\$11,724	\$134,575	\$46,010	\$23,562	\$15,973	\$57,137	
2001	\$9,855,874	\$12,160	\$139,553	\$47,714	\$24,568	\$16,564	\$59,241	
2002	\$9,942,397	\$12,613	\$144,530	\$49,487	\$25,562	\$17,160	\$61,442	
2003	\$10,515,293	\$13,064	\$149,514	\$51,390	\$26,562	\$17,760	\$63,783	
2004	\$10,557,505	\$13,574	\$155,513	\$53,268	\$27,562	\$18,360	\$66,189	
2005	\$11,595,005	\$14,152	\$161,513	\$55,242	\$28,562	\$18,960	\$68,648	
Total	\$4,899,875	\$165,808	\$1,970,776	\$674,794	\$433,571	\$234,760	\$1,379,094	

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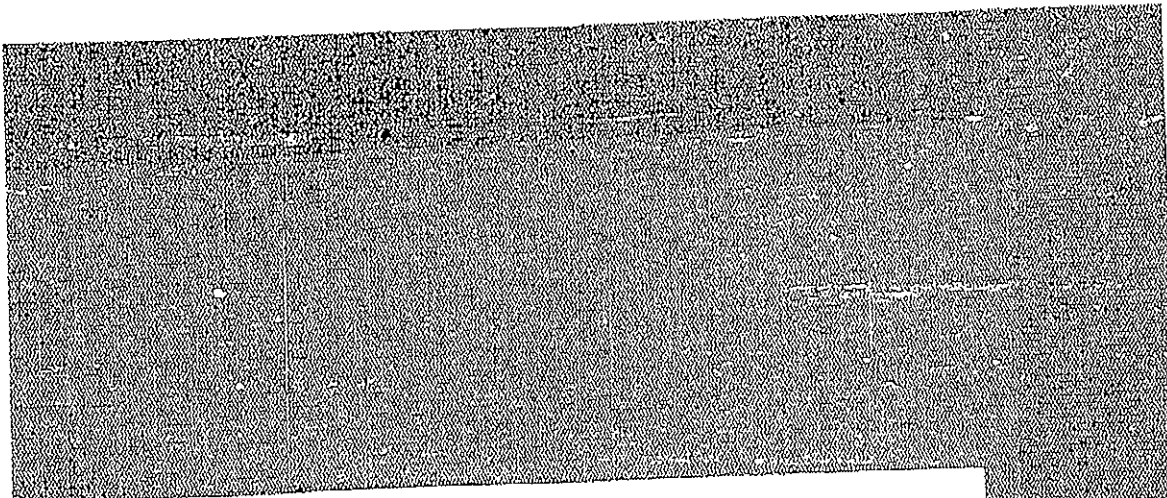


TABLE 1.8

Recommended Roadway Improvements
Implementation Schedule

US 41 - Toledo Blade to Peace River

1988

- * Begin planning for improvement from 4 lane divided to 6 lane divided within this section. Coordinate with FDOT to establish planning and environmental documentation requirements to insure that any activities undertaken by the County maintain eligibility for State and Federal funding.

1989

- * Provide funding for corridor planning and environmental studies if no other funding sources are identified and begin " " studies.

1992

- * Complete PD&E studies and request FDOT to advance funding priorities for US41 Construction to complete 6 laning from Peace to Toledo Blade No. by the year 2000.

1990-1995

- * In conjunction with above, designate US41 improvements as a priority 1 project direct development exactions, impact fees or other funds as may be applicable to construction of as much of the proposed improvement as possible.

SR776 - Collingswood Blvd. to SR 771

1988

- * Begin planning for improvement from 2 lane to 4 lane divided within this section. Coordinate with FDOT to establish planning and environmental requirements.

- * Review existing intersection operations and identify opportunities for capacity enhancement via improved turn lanes or signalization.

1989

- * Provide funding for corridor planning and environmental studies if no other funding source are available.

OR 947 PG 1467

* Request that FDOT consider advancing priorities for improvements based on County's commitment to fund planning and environmental studies.

1991

* Complete PD&E studies and request that FDOT advance funding priorities to provide for completion of improvements by the year 2000.

1990-1995

* In conjunction with above, designate SR776 improvements as a priority 1 project and direct development exactions, impact fees or other funds as may be applicable to construction of as much of the proposed improvement as possible.

Kings Highway - Peachland to I-75

1990-1995

Provide Monitoring of traffic volumes to determine timing of improvement requirements

Charlotte County Roads

Peachland - Loveland to I-75

Toledo Blada - US41 to Quesada

Quesada - Forest Nelson to Toledo Blada

Murdock Circle - US41 to Kanilworth

For these county roads, installation of improvements should be scheduled in conjunction with development in adjacent areas as appropriate. Implementation may be as a result of other Incremental Development Orders. Subdivision approval or direct funding from impact fee receipts subject to approval of the board of County Commissioners.

NOTES

1. The above schedule is based on information available at this time and is designed to be compatible with and provide for enhancement and extension of improvements committed in the Incremental Development Order. Changes in priority or improvement requirements may be necessary as a result of future development approvals.
2. This schedule may require modification as a result of the adoption of a county wide Capital Facilities Plan in 1988.
3. Adoption of a New Comprehensive Plan as required by CH. 163 F.S. may also alter the schedule or improvement needs depicted in this plan.

CH 917 PG 1468

2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE

A. Hooded Facilities or Capital Improvements

As a result of review of the AIDA for Increment II, the Charlotte County Fire-Rescue Department identified certain fire protection facilities and personnel needs which would be required as a result of the combined impacts of Increment II and other growth elements included in the analysis. These overall needs are identified in the comments received from the Fire-Rescue Department in their memorandum of June 25, 1987, included in the July 1987 Sufficiency Report. It is noted that the funding of personnel positions listed in this memo is beyond the scope of this plan and that such funding would be provided through the County's normal budget procedures.

CR 947 PG 1469

B. Timing for Construction or Acquisition

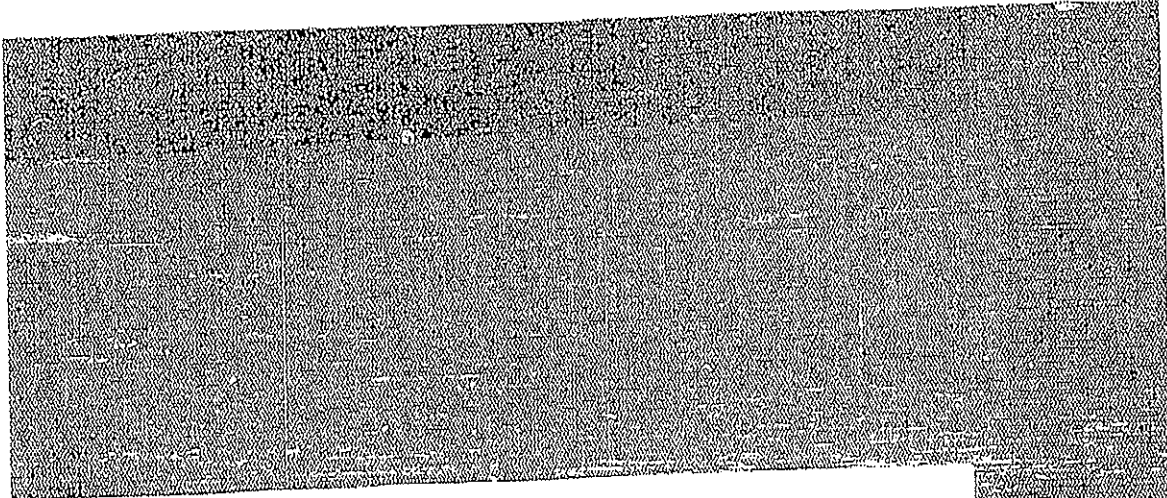
The Board of County Commissioners shall determine any equipment needs, required to serve Increment II and budget appropriate funds to allow for acquisition of needed equipment prior to 120 days before opening of Port Charlotte Town Center.

C. Cost Estimates

The cost of the equipment identified above shall be determined by the Fire-Rescue Department subject to the approval of the Board of County Commissioners.

D. Funding Responsibilities and Crediting Procedures

Since the equipment to be provided will serve to enhance the Department's existing fire fighting capability and will also serve other projected growth, and the applicant's project will contribute tax revenues far in excess of its actual demands for fire protection services, the funding of additional equipment is appropriately a County responsibility. Accordingly, the County Commission should direct the budgeting of an appropriate amount in its 1989-1990 budget to be utilized for acquisition of the identified equipment.



E. Funding Sources and Their Limitations

Funding sources available to meet the needs identified in this section include Charlotte County tax revenues and creditable or reimbursable front end contributions by the applicant. The County's funding ability is limited according to approved millage rates.

F. Implementation Methods

OR 947 PG 1470

The County should determine equipment needs and funding requirements during 1988 and provide for funding in 1989 to allow for acquisition as called for in B., above.

G. Not Applicable

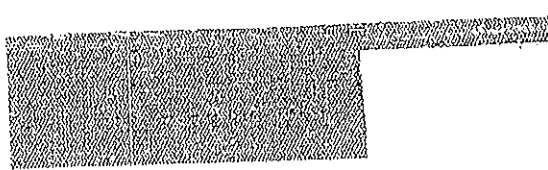
H. Not Applicable

3. POLICE PROTECTION

A. Needed Facilities or Capital Improvements

The capital facilities needs of the Sheriff's Department are presented in their memorandum of June 12, 1987, included in the AIDA Sufficiency Report and Appendix A of this plan. However, since the Charlotte County Impact Fee Ordinance provides an impact fee for the Sheriff's Department, it is not necessary for the applicant or the County to devise a separate proportionate share contribution or other funding provisions. As provided in the Impact Fee Ordinance, the applicant shall pay the appropriate impact fee and the County shall fund the needed facilities as required.

B. Not Applicable



C. Cost Estimates

The total Sheriff's Department Impact Fee attributable to Port Charlotte Town Center would be \$145,948.00.

D. Not Applicable

E. Not Applicable

OR 947 PG 1471

F. Implementation Methods

For purposes of this Plan, the Sheriff's Department portion of the Charlotte County Impact Fee shall be collected in the following manner:

1. For all major department stores and peripheral development sites, the impact fee shall be paid on a square foot basis at the time of Building Permit issuance
2. For all mall center section leased space, the impact fee shall be paid on a square foot basis at the time of Building Permit issuance of occupancy for leasehold improvements or finishing of the leased space by the tenant.

G. Not Applicable

H. Not Applicable

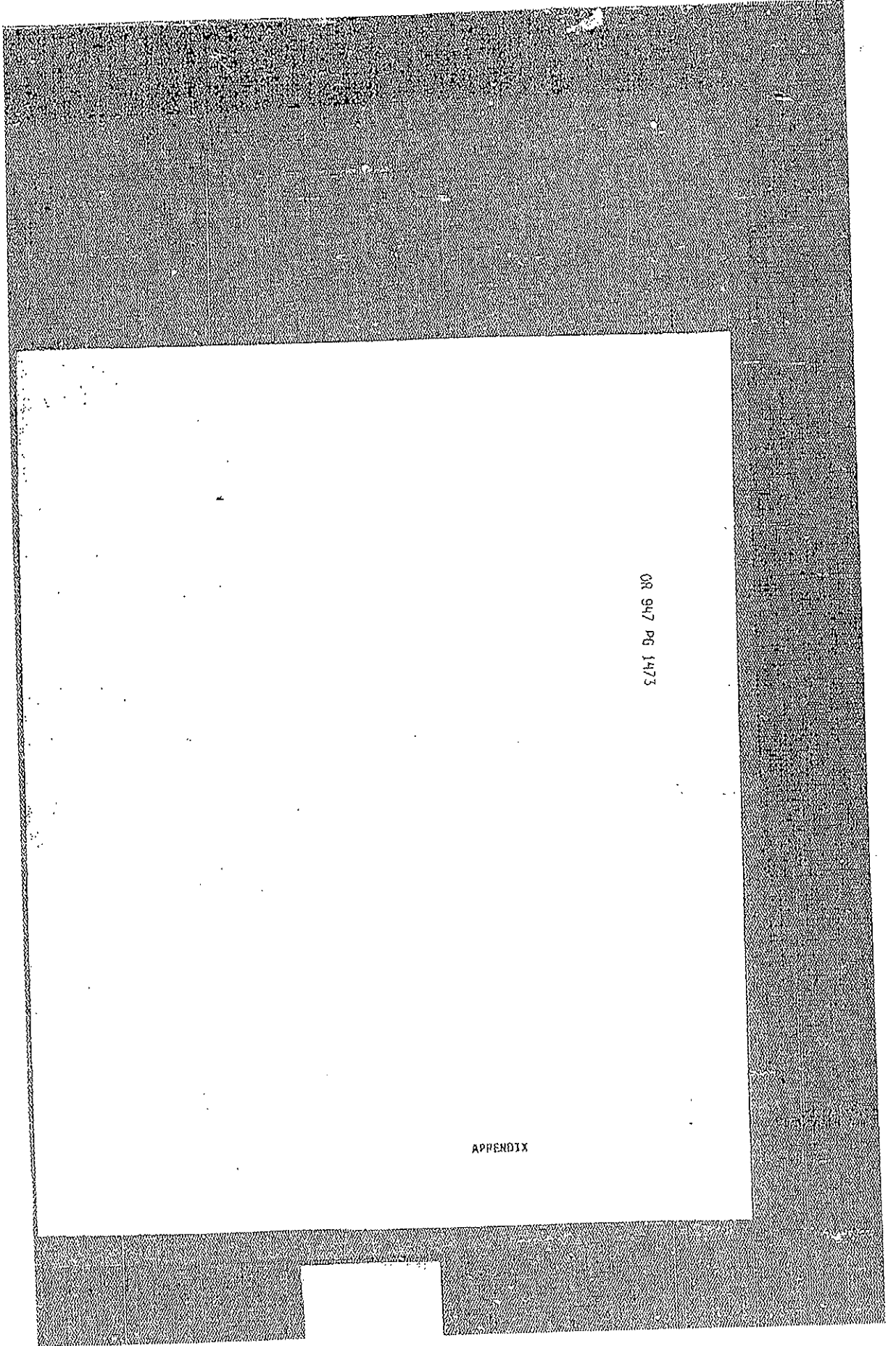
4. SOLID WASTE

In review of the AIDA for Port Charlotte Town Center, neither Charlotte County nor the franchised solid waste contractor identified any need for expansion of solid waste facilities as a result of development of Port Charlotte Town Center. A letter to this effect from the franchised contractors included in Appendix A. Based on these conditions, it is not necessary for this Capital Facilities Plan to address the need for funding any additional solid waste service or capacity.

5. BICYCLE AND PEDESTRIAN PATHS

The Fort Charlotte Town Center property is located within the boundaries of an existing Municipal Services taxing unit which provides for the funding of Bicycle Facilities within the boundaries of the district. Based on this existing funding mechanism to which the applicant will contribute, it is not necessary to include separate requirements for bicycle path funding within this Capital Facilities Plan. It is noted that the applicant will provide a bicycle path from the public roadway to the bicycle parking facilities to be located adjacent to the proposed Mall development.

OR 947 PG 1472



08 947 PG 1473

APPENDIX

stringent applicable standard shall apply to development occurring subsequent to adoption of such standard.

16. All standards and methodologies, to be applicable to an AIDA, shall be agreed upon in writing prior to the issuance of an Incremental Development Order. Where possible, these will be determined at the pre-application conference for each AIDA.

17. Prior to the issuance of a development order for any increment of Murdock Center, the AIDA applicant shall submit to Charlotte County for its approval a Capital Facilities Plan. The plan shall address the provision of the following public facilities and services deemed necessary to serve and mitigate the impact of the development during the first phase or five-year period, whichever is the lesser (interregional roadways and interconnections identified on Exhibits B and C (regionally and locally significant roads impacted by the Murdock Center development); fire protection; police protection; emergency medical services; solid waste; parks; bicycle paths; and, pedestrian paths.

The contents of said plan shall include, but not be limited to, the following elements:

- A. Needed facilities or capital improvements.
- B. Timing for construction or acquisition.
- C. Cost estimates.
- D. Funding responsibilities and financing procedures.
- E. Funding sources and cost limitations.
- F. Implementation methods.
- G. Consistency with plans prepared pursuant to this condition for other increments of Murdock Center, if applicable.
- H. A general procedure of costs and funds accounting to address any discrepancies between improvement estimates and actual costs.

The plan shall be implemented to the extent practicable by means of conditions to the development order for each increment. Charlotte County capital improvements programming, the Charlotte County budgeting process, and other means, as appropriate, shall be a new plan prepared and submitted for each subsequent phase or five-year period whichever is the lesser timeframe, through buildout of the increment.

No building permits shall be issued for a phase if a Capital Facilities Plan is not approved by Charlotte County for that particular phase.

Charlotte County shall provide assistance and respond to requests for information within 30 days to the AIDA Applicant for preparation of the Capital Facilities Plans required by this condition. Such assistance shall include, but not be limited to, information concerning:

- A. Timing of facilities and capital improvements needs.
- B. Current service standards.
- C. Current facility types and design standards.

CR 947 PG 1474

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- D. Cost estimates for facilities.
- E. County budget processes.

18. The Applicant shall be eligible for credit for contributions, construction, expansion, or acquisition of public facilities, as provided by law. Each Incremental Development Order shall specify the procedure by which the local government will provide credit towards local impact fees or exactions, if such credit is required by Section 200.06(16), Florida Statutes, or other applicable law.

19. Nothing contained within this Master Development Order shall be construed to create or assign any financial responsibility to Charlotte County.

Only those financial obligations expressly undertaken by Charlotte County within the subsequent Incremental Development Orders shall be considered binding upon the County, except as generally provided by law.

B. Issues Subject to Further Review in AIDA's

In all subsequent AIDA's the Applicant, or his agent, shall respond to the following general questions as required in the AIDA Questionnaire (Form DSP-BLWM-11-76):

- | | | |
|-------------|-------|-----------------------------|
| Question(s) | 1 | Statement of Intent |
| | 2,3,4 | Applicant Information |
| | 2,4,7 | Development Information |
| | 2,4 | Permit Information |
| | 2,4 | Statement of Purpose |
| | 11 | Justification |
| | 11 | Maps |
| | 11 | General Project Description |

2. Air Quality

A. Conditions for Development Approval

1. During construction operations, road grading, and land clearing of all incremental phases of the Burnaby Center DR, the developer shall employ suitable dust control measures to control airborne dust particles.

B. Issues Subject to Further Review in AIDA's

SURFPC Regulations (Rules 68-70.16 P.A.C.)

None

Regional and Local Information Requirements

1. In the event that future AIDA's contain potential point sources of air pollution, as defined by Florida Department of Environmental Regulation rules, then Question No. 13 of DSP-BLWM-11-76 shall be answered in full.

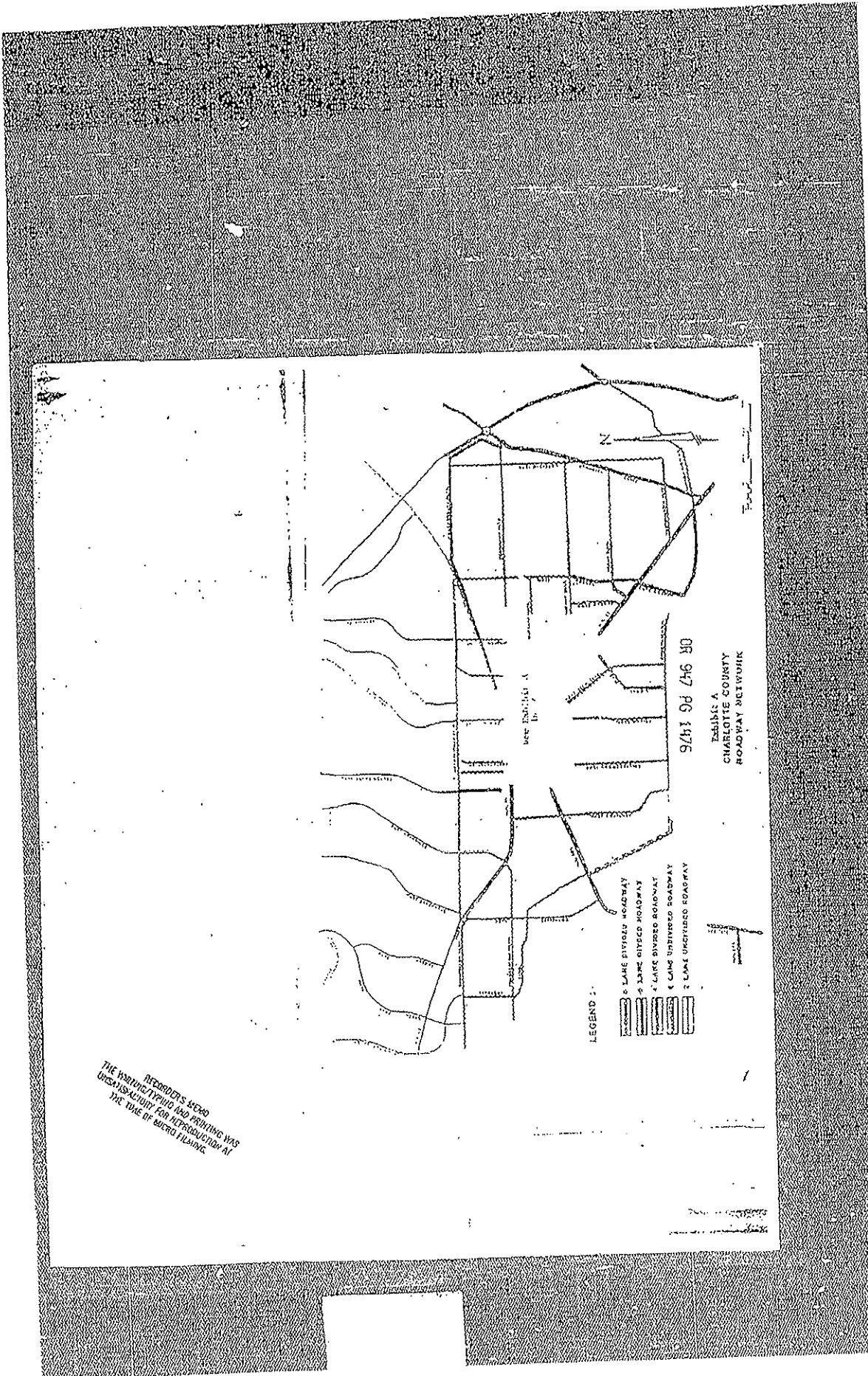
3. Land/Soils

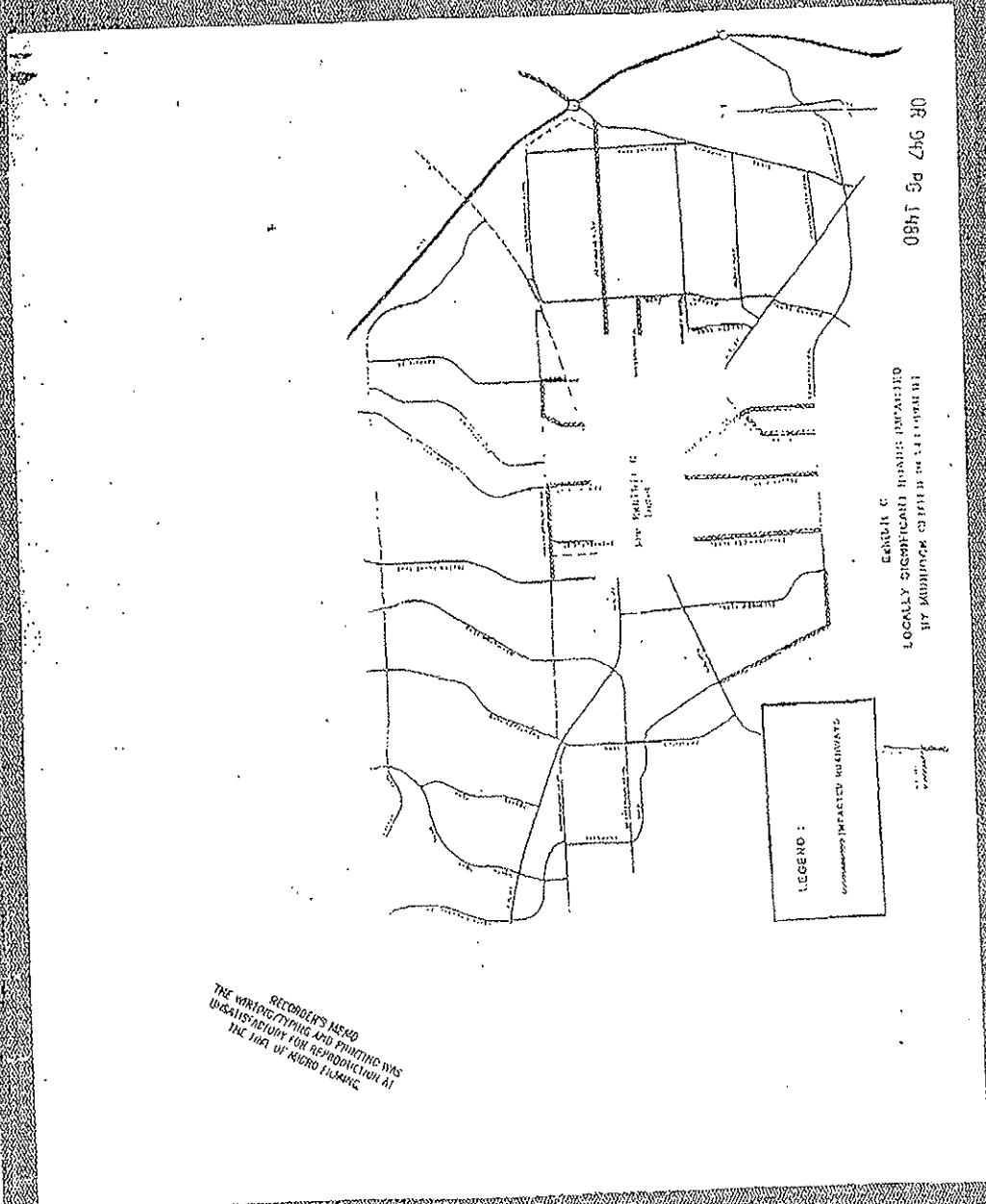
A. Conditions for Development Approval

1. During construction activities within Jurdoct Centrt, the AIDA applicant shall employ Best Management Practices (BMP's) for erosion and sedimentation control. The implementation of these practices shall be reviewed by appropriate Charlotte County departments.

CR 947 PG 1475

RECORDERS MEMO
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CHARLOTTE COUNTY SHERIFF'S OFFICE

GLEN E. SAPP, SHERIFF

RECEIVEDS HEAD
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THE USE OF MICRO FILMING

June 12, 1987

OR 947 PG 1982

TO: Kevin Graco
FROM: Captain John Davenport
RE: DRI on Port Charlotte Town Center

RECEIVED
JUN 15 1987
CHARLOTTE COUNTY
PLANNING

Dear Kevin:

I have read the DRI report on the Port Charlotte Town Center prepared by Heiner Engineering Sciences, Inc. for The Edward J. DeBartolo Corp.

I do have some concerns in reference to this report in reference to the impact it will certainly have on the Sheriff's Office in trying to provide proper police protection.

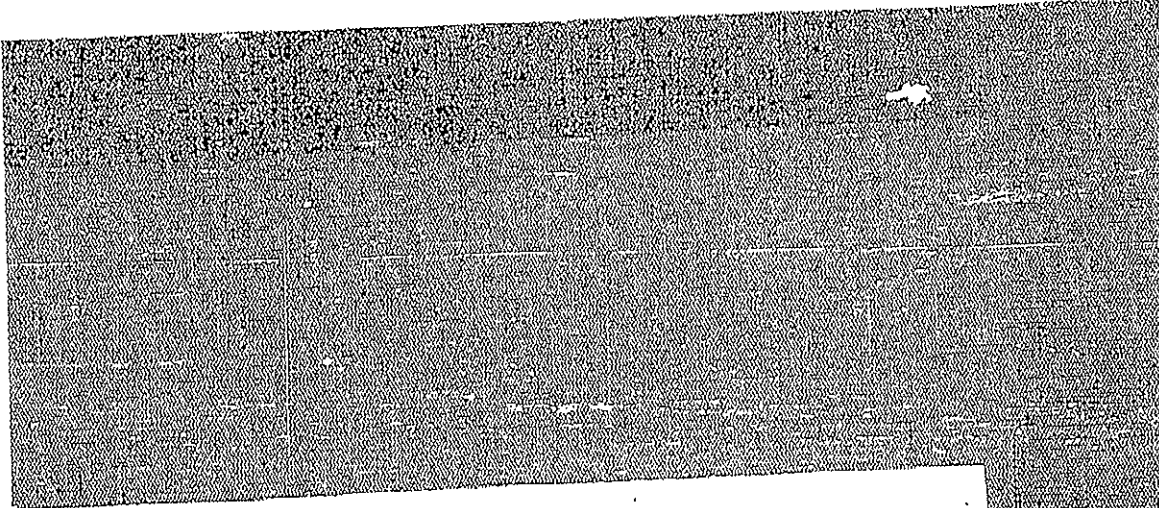
The report indicates on page 20-3 that 2,171 full-time jobs will be available during the first initial period of operation with a total of 3,956 full-time jobs filled by 1995. This will require additional manpower to provide services.

A major concern that this department has is the traffic problem that will certainly accompany this type of project. As you are aware 776 is a two lane highway that is in need of becoming a four lane highway to handle the additional load it will see, not only due to the Mall, but the Stadium traffic as well. Due to the probable increase in traffic, the Sheriff's Office will need a minimum of three additional traffic officers to handle the traffic this project will generate.

With a major Mall such as this there will certainly be an impact in our Detective Division to handle the increase in criminal investigations that will come about from the businesses. We will see a definite increase in both crimes against property as well as crime against persons. Although the report states that the Mall will have its own security service, this type of service cannot investigate crimes. They will be limited in their authority, thus placing the burden on the Sheriff's Office to investigate crimes that occur. Additional Detectives will be needed to handle the workload.

On page 20-15 it states that there will be \$513,970 in additional ad valorem tax generated from this project which should more than offset the services needed. We want to make sure that this tax as well as impact fees are properly distributed to offset the costs for services.

11f-30



In conclusion I would like to indicate that in our estimation, based on the information given in the report, the Sheriff's Office will need the following manpower increases to properly provide police services for this project;

Two additional Road Deputies will be needed during the first initial phase of the project (1989), with an additional two Road Deputies needed by the completion of the project (1995).

Two additional Traffic Officers will be needed during the completion of the initial phase of the project, with an additional Traffic Officer added at the completion of the project.

Two additional Detectives will be needed at the completion of the initial phase of the project, with two additional Detectives added at the completion of the project.

Total manpower impact: 11 Officers

CR 94 3 1483

I would be glad to discuss this with you at your convenience if you wish. A major project such as this will have a definite impact upon all services. Proper care needs to be exercised in making sure these services are met with proper manpower and equipment needs. Each of the Officers indicated will also have to be equipped properly, which includes vehicles. Please feel free to contact me if any further information is needed.

Sincerely:

Captain John Davenport
Commander of Administration

PROPERTY OF THE SHERIFF'S OFFICE
DO NOT REMOVE FROM THIS FILE OR DESTROY



COUNTY OF CHARLOTTE

CHARLOTTE COUNTY FIRE - RESCUE DEPARTMENT

2031 Tamiami Trail
Port Charlotte, FL 33952
025-4203
"A Few Serving Many"

RECEIVED
JUN 29 1987
CHARLOTTE COUNTY
PLANNING

TO: Kurt Larson, Director of Planning
THRU: Ronald F. Devine, Director, Public Safety
FROM: Robert J. Land, Chief
SUBJECT: Herdcock Center Increment II (Regional Mall Project)
DATE: June 25, 1987

OR - PG 1484

In response to the request of Greiner Engineering Sciences, Inc. of April 3, 1987, fire protection is provided by the Charlotte County Fire/Rescue Department. Initial response would be from our stations 1 and 2. Station 2 is located on Collingswood Boulevard within 3/4 of a mile from the mall site. The response time would be in the area of 2 minutes. Station 1 would be the second unit to arrive. From their location at Easy Street and U.S. 41 they would arrive in approximately 4 minutes. Should additional equipment and personnel be required, station 3, located at Rt. 776 and Woodstock Road would respond. Their response time would be in the area of 5-6 minutes.

In reviewing these increments we find our concerns are the same as they were in April of 1986. Since our response of April, 1986 the Port Charlotte-Charlotte Harbor Fire Control District has been consolidated into the Charlotte County Fire/Rescue Department. Station 2 located on Collingswood Boulevard now houses a Class "A" pumper and manning has been increased to two (2) personnel on duty. At this time we feel the following should be addressed by the developer due to the impact upon the department.

- A. An additional six (6) personnel will be needed at the Collingswood station. This would bring manning up to four (4) firefighters around the clock.
- B. An engine rated at 1500 C.F.H. should be in place when construction starts.
- C. An aerial truck with pump and water tank will be needed and should be obtained before the mall is 25% completed.

RECORDS SECTION
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Kurt Larson
June 25, 1987
Page 2

D. The existing fire station is not large enough to house the equipment mentioned above. An addition will be needed, and should be completed prior to the project being 50% completed.

E. The developer should present to the department a means of providing the needed for personnel and equipment. This plan should not have any impact on the current residents of the community.

Should you have any questions or need additional information please feel free to contact us.

OR 947 PG 1485

RJL:cj



COUNTY OF CHARLOTTE

EMERGENCY MEDICAL SERVICES
22429 Edgewater Dr.
Charlotte Harbor, FL 33950
813-627-1188



OR 947 PG 1486

TO: Ron Davina, Director of Public Safety

FROM: Don Lundy, Director of EMS *DL*

DATE: June 11, 1987

SUBJECT: Murdock Center Increment II (Regional Mutl Project)

I am in receipt and have reviewed the above material.

There is no section dealing with Emergency Medical Services, other than a small mention under the Fire Department's section.

I presently see no problem with providing EMS service to this area. Presently, we will be able to respond a two person paramedic unit within 1-2 minutes, utilizing the unit at the Collingswood station.

The Fire Department would provide ELS back-up in the case of a catastrophic medical or trauma case.

If you have any other questions, please feel free to contact me.

RECEIVED

JUN 15 1987

CHARLOTTE COUNTY

PLANNING



CHARLOTTE COUNTY
MOSQUITO CONTROL

P.O. BOX 1054

PUNTA GORDA, FLORIDA 33951-1054

TELEPHONE: 813-639-1340
813-637-2285

June 24, 1987

MCB7-173

MEMORANDUM

OR 947 PG 1487

TO: Kevin Gracie
Planning Department

THROUGH: Gene McDough *GM*
Acting Director of Public Works

FROM: Robert V. Ward
Director of Mosquito Control

SUBJECT: Murdock Center - Increment II

I basically find that I have my usual question with regard to the generation of solid waste from the proposed facility: If the cumulative effect of this proposed project will impact the solid waste volumes to an extent greater than the 15% per year projected as normal growth, either by itself or in conjunction effect with other projects, then it will indeed have an effect upon the solid waste disposal operation. Should its effect be within the 15%, then no significant effect would be noted.

Robert V. Ward
Robert V. Ward
Director
Charlotte County Mosquito Control

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EXHIBIT 6

Required Transportation
Improvements/Proportionate Share

OR 947 PG 1488

Exhibit 6

EXHIBIT 6.

MURDOCK IMPROVEMENT #11. PROPORTIONAL SHARE CALCULATION

ROADWAY	SEGMENT	LENGTH IN MILES	1986 EXIST. LANES	PROJECT NEEDED LANES	TOTAL COSTS OF IMPROVEMENTS	X PROJECT TRAFFIC SHARE	INCREMENT #1 PROPORTIONAL SHARE	REMARKS
U.S. 41	County Line to Cornelius Blvd	0.10	4	4	\$0	5.63%	\$0	
	Cornelius Blvd to Toledo Blade Blvd	2.83	4	4	\$0	11.14%	\$0	
	Toledo Blade Blvd to Murdock Circle North	0.70	4	5	\$1,520,000	14.36%	\$150,777	
	Murdock Circle North to S.R. 776	0.42	4	5	\$630,000	16.18%	\$181,561	
	S.R. 776 to Murdock Circle South	0.54	4	6	\$510,000	16.55%	\$86,445	PIPELINE IMPROVEMENT
	Murdock Circle South to Toledo Blade Blvd	0.49	4	6	\$735,000	14.78%	\$128,681	PIPELINE IMPROVEMENT
	Toledo Blade South to Forrest Nelson Blvd	0.83	4	5	\$1,245,000	10.57%	\$131,567	
	Forrest Nelson Blvd to Midway Blvd	0.52	4	6	\$795,000	9.06%	\$72,199	
	Midway Blvd to Olean Blvd	1.14	4	6	\$1,710,000	13.93%	\$236,101	
	Olean Blvd to Clemey Blvd	1.00	4	5	\$1,500,000	6.21%	\$53,170	
	Clemey Blvd to Harbervien Blvd	1.20	4	6	\$1,800,000	5.53%	\$39,500	
	Harbervien Blvd to Kings Highway	0.25	4	5	\$375,000	4.13%	\$15,478	
	Kings Highway to Peace River	0.75	4	5	\$1,125,000	2.73%	\$30,722	

OR 947 PC 1489

EXHIBIT-6 MURDOCK-INCREMENT-II, PROPORTIONAL SHARE CALCULATION									
2005									
WITH									
1986 PROJECT COSTS OF IMPROVEMENTS									
TRAFFIC SHARE									
ROADWAY	SEGMENT	LENGTH IN MILES	EXIST. LANES	NEEDED LANES	TOTAL COSTS OF IMPROVEMENTS	% PROJECT TRAFFIC SHARE	INCREMENT II	PROPORTIONAL	REMARKS
	North Murdock Circle								
	North Murdock Circle to Toledo Blade Blvd	0.52	0	4	\$714,515	13.53%	\$0		Not an Increment II Commitment
	Toledo Blade Blvd to Toledo Blade Blvd	0.75	4	4	\$0	17.48%	\$0		Not an Increment II Commitment
	Santa Maria St.								
	Santa Maria St. to ...	0.66	4	4	\$0	17.54%	\$0		Not an Increment II Commitment
	Atwater St.								
	Atwater St. to ...	1.13	0	4	\$1,515,030	18.92%	\$0		Not an Increment II Commitment
	Hillsborough Blvd								
	Hillsborough Blvd to ... (approx. 1/2 exists)	1.12	2	2	\$0	18.00%	\$0		In Sarasota County
	Price Blvd								
	Price Blvd to ...	1.00	2	2	\$0	4.20%	\$0		In Sarasota County
	County Line								
	Hillsborough Ext. to ...	0.13	2	5	\$278,700	1.53%	\$4,270		
	Kings Highway								
	Hillsborough Ext to ...	2.67	2	2	\$0	0.17%	\$0		
	Harbor Blvd								
	Harbor Blvd to ...	1.82	2	2	\$0	2.45%	\$0		
	Atwater St.								
	Atwater St. to ...	0.55	2	2	\$0	2.98%	\$0		
	Forrest Nelson Blvd								
	Forrest Nelson Blvd to ...	0.79	0	2	\$678,011	4.24%	\$28,757		
	Toledo Blade Blvd								
	Forrest Nelson Blvd to ...	0.41	2	4	\$703,758	17.18%	\$120,906		PIPELINE IMPROVEMENT
	U.S. 41 to ...	0.41	2	4	\$377,826	15.45%	\$58,349		PIPELINE IMPROVEMENT
	Murdock Circle								
	Murdock Circle to ...	0.22	2	4	\$377,826	15.45%	\$58,349		PIPELINE IMPROVEMENT
	Collingswood Blvd								
	Collingswood Blvd to ...	0.39	2	4	\$659,429	13.47%	\$90,154		
	Toledo Blade Blvd								
	Toledo Blade Blvd to ...	0.60	2	4	\$1,025,890	10.43%	\$107,397		
	Flamingo Blvd								
	Flamingo Blvd to ...	1.75	2	4	\$2,003,847	8.56%	\$257,001		

EXHIBIT-6 MURDOCK INCREMENT II, PROPORTIONAL SHARE CALCULATION

ROADWAY	SEGMENT	LENGTH IN MILES	1986 PROJECT EXIST. LANES	NEEDED LANES	TOTAL COSTS OF IMPROVEMENTS	% PROJECT TRAFFIC	INCREMENT II PROPORTIONAL SHARE	REMARKS
	Cornelius Blvd to Jacobs St.	0.45	2	4	\$643,154	7.44%	\$47,845	
	Jacobs St. to Myakka River	1.75	2	4	\$2,581,153	5.22%	\$128,821	
	Myakka River Bridge	0.25	2	4	\$3,214,000	5.22%	\$167,849	
	Myakka River to S.R. 771	1.90	2	4	\$3,251,320	5.32%	\$170,320	
	Murdock Circle S.R. 775 to Plattl Drive	0.53	0	2	\$454,866	47.40%	\$215,688	Site Related Contra. PIPELINE IMPROVEMENT
	Plattl Drive to U.S. 41	0.35	2	4	\$600,769	49.55%	\$297,681	Site Related Contra. PIPELINE IMPROVEMENT
	U.S. 41 to Kenilworth Blvd	0.25	0	4	\$429,121	20.33%	\$87,252	
	Prineville St. to Overbrook St.	0.46	2	2	\$0	7.45%	\$0	
	Overbrook Street to U.S. 41	0.23	2	2	\$0	0.00%	\$0	
	U.S. 41 to S.R. 776	0.35	2	2	\$0	5.03%	\$0	
	Plattl Drive	0.19	2	2	\$0	30.10%	\$0	
	Murdock Circle to Toledo Blade Blvd	2.20	2	4	\$3,144,307	1.75%	\$55,025	In Sarasota County
	Toledo Blade	1.75 to Price Blvd	2	4	\$4,001,845	6.36%	\$254,517	In Sarasota County
	Price Blvd to Hillsborough Blvd	2.80	2	4	\$0	3.51%	\$0	
	Hillsborough Blvd to U.S. 41	1.00	2	2	\$0	1.74%	\$0	
	U.S. 41 to S.R. 775	0.73	2	2	\$0	1.26%	\$12,346	Subject To Monitoring
	S.R. 776 to Collinswood Blvd.	0.57	2	4	\$978,556	1.26%	\$12,346	Subject To Monitoring

EXHIBIT 6									
MURDOCK INCREMENT II PROPORTIONAL SHARE CALCULATION									
ROADWAY	SEGMENT	LENGTH IN MILES	1966 PROJECT EXIST. LANES	NEEDED LANES	TOTAL COSTS OF IMPROVEMENTS	% PROJECT TRAFFIC SHARE	INCREMENT II PROPORTIONAL SHARE	REMARKS	
	Piatti Drive	0.30	2	4	\$514,945	17.83%	\$91,637	Subject to Monitoring	
	Piatti Drive to Pellam Blvd.	0.19	2	4	\$226,152	7.32%	\$17,359	Subject to Monitoring	
	Pellam Drive to Lakeview Blvd.	0.35	2	4	\$514,523	17.24%	\$261,943		
	Lakeview Blvd. to U.S. 41	0.26	0	4	\$446,285	15.88%	\$25,252		
	U.S. 41 to Quesada Ave.	0.35	0	0	50	0.00%	50		
	Quesada Ave. to Peachland Blvd.	0.11	0	2	\$94,407	4.06%	\$3,620		
	Peachland Blvd. to Kenilworth Blvd.	0.42	2	2	50	37.77%	50		
	Collingswood S.R. 776 to Rowland	1.08	2	2	50	23.68%	50		
	Toledo Blade Blvd. to Winter Garden Ave.	1.01	2	2	50	19.20%	50		
	Winter Garden Ave. to Edgewater Drive	0.35	2	2	50	10.47%	50		
	Pellam Blvd. to Toledo Blade Blvd.	1.70	2	2	50	14.56%	50		
	Morrison Ave. to Edgewater Drive	0.65	2	2	50	8.93%	50		
	Lakeview Squireland	0.59	2	2	50	4.45%	50		
	Rock Creek Dr. to Midway Blvd.	1.15	2	2	50	5.89%	50		
	Midway Blvd. to Edgewater Drive	1.26	2	2	50	2.75%	50		
	Lakeview Blvd. to Edgewater Drive	2.75	0	2	\$2,560,166	2.13%	50	Not an Increment II Commitment	
	Edgewater Dr. S.P. 776 to								

EXHIBIT 7

DELETED

OR 947 PG 1495

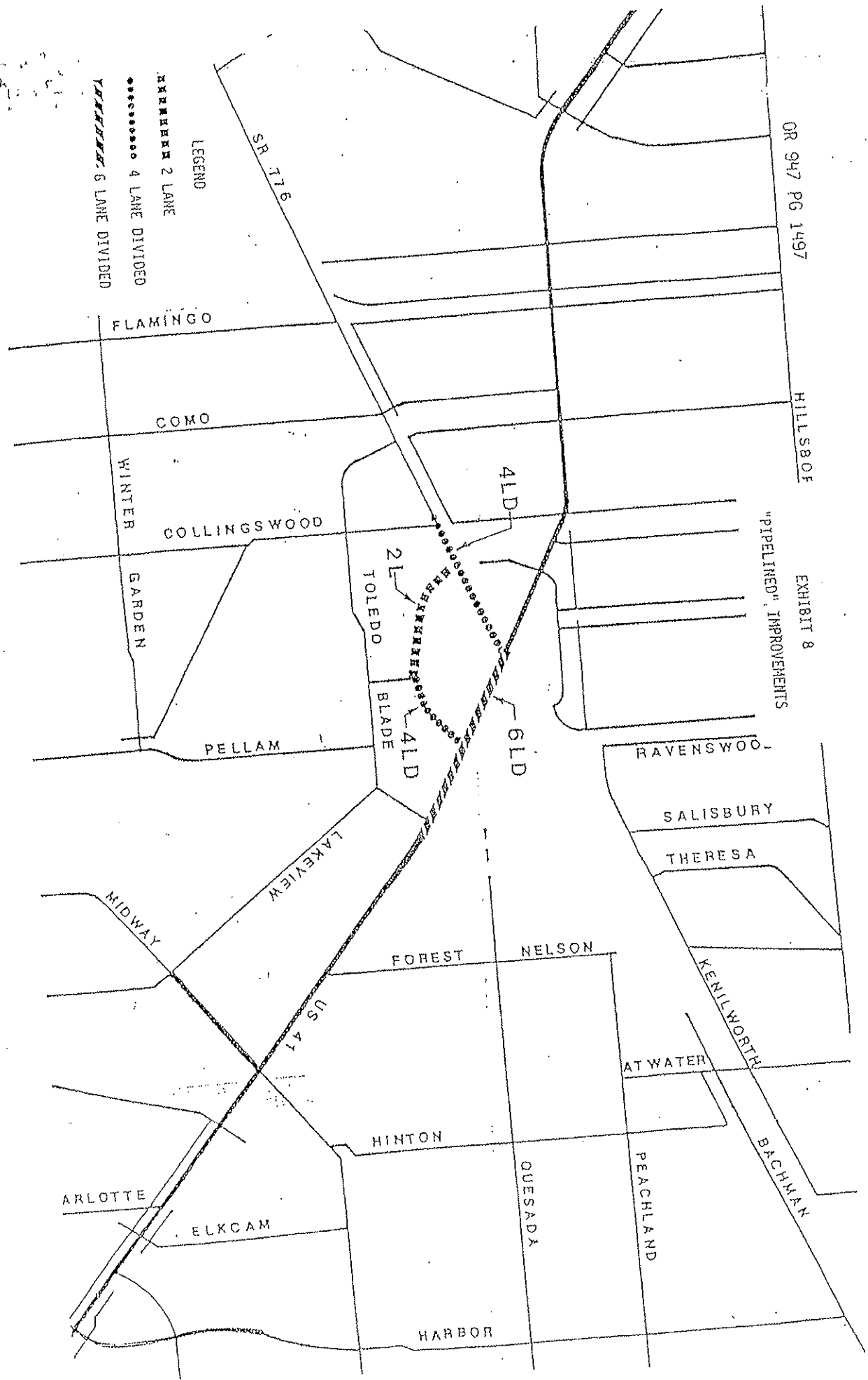
Exhibit 7

EXHIBIT 8
"PIPELINED" IMPROVEMENTS

OR 947 PG 1496

Exhibit 8

"PIPELINED" IMPROVEMENTS



LEGEND

- 2 LANE
- 4 LANE DIVIDED
- 6 LANE DIVIDED

20

