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RESOLUTION
NUMBER 2009- 165

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

WHEREAS, the Incremental Development Order for the Murdock Center Development of Regional Impact, Increment I was approved by Resolution 88-83, and there have been several amendments approved, and

WHEREAS, the Incremental Development Order for Increment I has been modified by Resolution 89-35 on February 15, 1989; 89-143 on July 11, 1989; 89-368 on December 28, 1989; 90-82 on May 25, 1990; 92-147 on July 14, 1992; 92-170-A on August 18, 1992; 2003-053 on April 8, 2003; 2004-019 on February 10, 2004; 2004-049 on March 9, 2004 and 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 Commissioners of Charlotte County, Florida ("Board"), hereby makes the following findings of fact and conclusion of law:

1.1 On September 18, 1985, General Development Corporation, hereinafter referred to as General, or applicant, submitted an Application for Master Development Approval (AMDA) and an Application for Incremental Development Approval (AIDA), both 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 3810.06(21), Florida Statutes.

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

1.3 Increment I encompasses approximately 315 acres, generally located north of U.S. 41 and east of the Intersection of U.S. 41 and S.R. 776, and is more specifically described in Exhibits 1 and 2.

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
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CERTIFIED TRUE COPY
OF THE ORIGINAL
BARBARA T. SCOTT
CLERK OF THE CIRCUIT COURT
CHARLOTTE COUNTY, FLORIDA
BY: *[Signature]*
DEPUTY CLERK

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[Handwritten mark]

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

1.5 All public hearings related to Increment I 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.

1.6 On May 2, 1988, the Charlotte County Planning and Zoning Board held a public hearing on Increment I, and received pertinent evidence, including the SWFRPC report and recommendations, and recommended to the Board that Increment I be granted conditional approval.

1.7 On June 14, 1988, the Board held a public hearing on Increment I and received and considered all pertinent evidence related to Increment I, including the SWFRPC report and recommendations and the recommendations of the Planning and Zoning Board.

1.8 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 I, and to identify issues which might result in the declaration of a substantial deviation and/or the denial of a building permit or Certificate of Occupancy.

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

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

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

1.12 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.

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

1.14 General shall be eligible for credit or reimbursement 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.

1.15 Pursuant to Condition 1.A.12 and 1.A.14, of Exhibit 2 of the Master Development Order, Increment I is subject to development design standards which are

attached as Exhibit 4. These design standards have been approved and may be amended administratively by the Design Standard Review Board.

1.16 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 (Resolution 87-238).

1.17 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 Development Order as Exhibit 5 and is incorporated as a condition of development approval.

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

1.19 Pursuant to Condition 20.A.2 of Exhibit 2 of the Master Development Order, General has submitted to Charlotte County for its approval a Road Network Master Plan for the entire 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 necessary road improvements.

1.20 Pursuant to Condition 20.A.21 of Exhibit 2 of the Master Development Order, General has provided to Charlotte County and the SWFRPC, documentation indicating that their proportional share responsibilities required to mitigate the impacts of Increment I outside the legal limits of Charlotte County have been addressed.

1.21 Pursuant to Section 20.A.4 of Exhibit 2 of the Master Development Order based on the AMDA applicant's initial analysis of build-out 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 of the MDO. General has shown Increment I impacts on these regionally significant road segments, for which a service deficiency is also projected, and has specified the Increment I proportional share of required road and intersection improvements as shown in Exhibit 6.

1.22 Pursuant to Section 20.A.8 of Exhibit 2 of the Master Development Order, in order to determine the proportional share that Increment I contributed to the total transportation impacts forecasted for Murdock Center, General has, for transportation purposes, specified three phases of development with end years of 1990, 1995 and 2000 and an analysis of the 2005 Murdock Center build-out.

1.23 Pursuant to Section 20.A.9 of Exhibit 2 of the Master Development Order, General has identified the Increment I 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.

1.24 Pursuant to Section 20.A.11 of Exhibit 2 of the Master Development Order, a new interchange on I-75 at Raintree Boulevard has not been included in the analysis of the transportation impact of Increment I.

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

1.26 Pursuant to Section 20.A.15 of Exhibit 2 of the Master Development Order, based upon Charlotte County's analysis of build-out 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 of the MDO. General has shown Increment I impacts on these locally significant road segments for which a service deficiency is projected and has specified the Increment I proportional share of required road and intersection improvements as shown in Exhibit 6.

1.27 Pursuant to Section 20.A.17 of Exhibit 2 of the Master Development Order, General has identified the Increment I 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.

1.28 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. General has fully updated and used this methodology as the basis for analyzing the Increment I traffic impacts.

Section 2. Incorporation of Associated Documents by Reference.

2.1 The Application for Incremental Development Approval for Increment I is incorporated by reference into this Incremental Development Order.

The AIDA for Increment I, dated August, 1985 shall also comprise the sufficiency responses to the SWFRPC, dated May, 1986, September, 1986, February, 1987, October, 1987 and January, 1988.

2.2 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 superseded and not applicable.

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

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

3.1 The AIDA for Increment I 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 I, as amended herein, shall be submitted to the Board 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 this 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 General to a separate entity or developer, and a listing of the new land owners of 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 General 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 I with the Capital Facilities Plan required by Condition #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.

Additionally, the following shall be included in the annual report on a biennial basis:

2.

(as amended by Resolution 92-170-A)

(as amended by Resolution 92-170-A)

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 General submit the report within 30days. 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 Incremental Development Order shall remain valid and continue in full force and effect.

Section 7. Commencement of Development.

7.1 In the event that General 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 Increment I is planned to extend for a fifteen (15) year period. Failure to complete development within five (5) years of the projected date for completion of development of the last phase of Increment I shall constitute a presumption that a substantial deviation has occurred. The buildout date is extended to March 1, 2012. 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 I 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 General 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 I of the Murdock Center DRI.

9.2 Notice of the adoption of this Incremental Development Order shall be recorded by General 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 General or its successors and assigns, from the operation of any ordinance or other governmental regulation now in effect or hereinafter adopted, except as provided for in Section 8 of this Resolution.

Section 12. NOPC Changes Approved.

Revised Map H attached hereto is hereby adopted along with revised Murdock Increment I Land Uses Table. In addition, Sections 409, 410 and 411 of Exhibit 4, Design Standards are hereby deleted in their 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

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EXHIBIT 1

LEGAL DESCRIPTION

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Exhibit 1

MURDOCK CENTER INCREMENT I
LEGAL DESCRIPTION

PROPERTY MAP

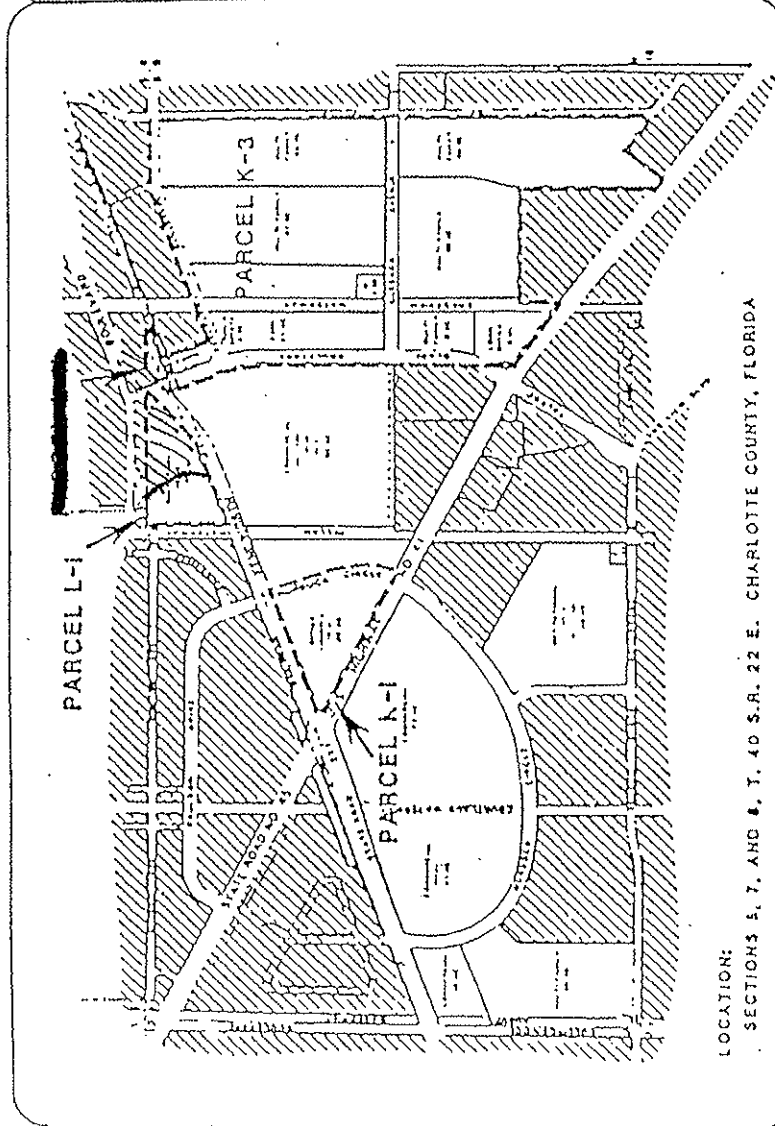
JULY 10, 1964

MURDOCK CENTER

PLANNING SERIES
MASTER LAND
USE PLAN

Source: Environmental Planning
and Research Dept.

DATE: 1964



LOCATION:
SECTIONS 5, 7, AND 8, T. 40 S. R. 22 E. CHARLOTTE COUNTY, FLORIDA

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OF 1100

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MURDOCK CENTER INCREMENT 1
LEGAL DESCRIPTION

PARCEL K-1

A parcel of land lying in Section 7, Township 40 South, Range 22 East, Charlotte County, Florida, being more particularly 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 59-A and 59-B of the Public Records of Charlotte County, Florida, run thence N. 0°04'48"W. along said East line of Section 7, a distance of 2311.41 feet to a point on the Northeastly Right-of-Way line of U.S. Highway No. 41; thence N. 62°52'14"W. along said Right-of-Way line a distance of 451.80 feet to the Point of Curvature of a 25.00 foot radius circular curve, concave Northeastly, said point being also the Point of Beginning; thence Northwestly along the arc of said curve, through a central angle of 90°00'00" for a distance of 39.27 feet to a Point of Tangency; thence N. 27°07'46"E., 98.41 feet to the Point of Curvature of a 800.00 foot radius circular curve, concave Westarly; thence Northeastly, Northerly and Northwestly along the arc of said curve, through a central angle of 48°06'00" for a distance of 503.70 feet to a Point of Tangency; thence N. 20°58'14"W., 744.50 feet to the Point of Curvature of a 25.00 foot radius circular curve, concave Southeastly; thence Northeastly along the arc of said curve, through a central angle of 90°00'00" for a distance of 39.27 feet to the Point of Tangency, said point being also a point on a line parallel with and 100.00 feet Southeast as measured at right angles of the Southeastly Right-of-Way line of the SEABOARD COAST LINE RAILROAD; thence S. 69°01'46"W. along said parallel line a distance of 1378.06 feet; thence S. 27°97'46"W., 76.78 feet to a point on the aforementioned Northeastly Right-of-Way line of U.S. Highway No. 41; thence along said Right-of-Way line S. 62°52'14"E. a distance of 1700.66 feet to the Point of Beginning.

Containing 24.90 Acres, more or less.

PARCEL K-3

A parcel of land lying in Sections 5, 8, and 17, all in Township 40 South, Range 22 East, Charlotte County, Florida, further described as follows:

Beginning at the intersection of the centerline of PEACHLAND BOULEVARD with the centerline of LION HEART WATERWAY, according to the plat of FIRST REPLAT IN PORT CHARLOTTE SUBDIVISION SECTION NINETY-SIX, recorded in Plat Book 15, PAGES 52-A through 52-F of the Public Records of Charlotte County, Florida; run thence S. 0°28'17"E. along the said centerline of LION HEART WATERWAY a distance of 2675.57 feet (shown S. 0°29'10"E., 2674.74 feet on said Replat) to its intersection with the centerline of Quexada Avenue as shown on said Replat, said point being also a point on the North line of the N.E. 1/4 of the S.E. 1/4 of said Section 8; thence N. 89°56'51"W. along said North line a distance of 50.00 feet; thence S. 0°28'17"E. a distance of 2657.77 feet to a point on the South line of said Section 8; thence N. 89°56'23"W. along said section line a distance of 22.06 feet thence S. 37°57'17"W. a distance of 44.90 feet to the Easterly point of a parcel described in Official Records Book 578, Pages 2058 and 2059 of the Public Records of Charlotte County, Florida; thence along the Northeastly boundary of said parcel N. 52°02'43"W. a distance of 411.24 feet (shown S. 52°02'15"E.) in said Official Records, thence S. 37°57'17"W. a distance of 508.06 feet (shown S. 37°57'09"W. in Official Records Book 578, Pages 2056 through 2059 of the Public Records of Charlotte County, Florida) to a point on the Northeastly Right-of-Way line of U.S.

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No. 41; thence N.52°02'43"W. along said Right-of-Way line a distance of 100.00 feet to a point on the West line of the N.E. 1/4 of the N.E. 1/4 of said Section 17; thence N.0°46'16"E. along said West line a distance of 122.37 feet to the Southwest corner of the S.E. 1/4 of the S.E. 1/4 of said Section 8; thence N.0°23'14"W. a distance of 1329.32 feet to the Southeast corner of the N.W. 1/4 of the S.E. 1/4 of said Section 8; thence N.89°35'01"W. a distance of 1321.39 feet to the Southwest corner of the N.W. 1/4 of the S.E. 1/4 of said Section 8; thence S.0°16'33"E. along the East line of the S.E. 1/4 of the S.W. 1/4 of Section 8, a distance of 418.72 feet to a point on the Northeastly Right-of-Way line of U.S. Highway No. 41; thence along said Right-of-Way line N.52°02'43"W. a distance of 264.34 feet to the Point of Curvature of a circular curve, concave Southwesterly having a radius of 6263.50 feet; thence Northwesterly along the arc of said curve through a central angle of 5°07'20" a distance of 559.98 feet to a point on the East line of the W. 1/2 of the N.E. 1/4 of the S.W. 1/4 of Section 8 as presently occupied; thence N.0°17'24"W. along said East line a distance of 1260.11 feet to the Northeast corner of said W. 1/2 of the N.E. 1/4 of the S.W. 1/4 of said Section 8; thence continue N.0°17'24"W., 1502.61 feet to the Point of Curvature of a 761.77 foot radius circular curve, concave Southwesterly; thence Northwesterly along the arc of said curve through a central angle of 20°40'50" for a distance of 274.96 feet to the Point of Tangency; thence N.20°58'14"W., 589.64 feet to a point on the Southeastly Right-of-Way line of the SEABOARD COAST LINE RAILROAD, thence N.69°01'46"E. along said Southeastly Right-of-Way line a distance of 333.76 feet; thence S.20°58'14"E. a distance of 449.64 feet; thence N.69°01'46"E. a distance of 1582.35 feet to the Point of Curvature of a circular curve, concave Southeastly having a radius of 2050.00 feet and a central angle of 21°05'26"; thence Northwesterly along the arc of said curve a distance of 734.60 feet to the Point of Tangency of said curve; thence S.89°52'48"E. a distance of 349.83 feet to a point on the centerline of LION HEART WATERWAY, as shown on the plat of the aforementioned FIRST REPLAT IN PORT CHARLOTTE SUBDIVISION SECTION NINETY-SIX; thence S.0°28'17"E. along said centerline of LION HEART WATERWAY (shown S.0°29'10"E. on said Replat) a distance of 50.00 feet to the Point of Beginning.

Containing 268.45 Acres, more or less.

Parcel L-1

A parcel of land lying in Section 8, Township 40 South, Range 22 East, being more particularly described as follows:

Beginning at the point of Intersection of the Easterly Right-of-Way line of Ravenswood Boulevard with the Northerly line of Section 8 (Southerly line of Section 5), according to the record plats of Port Charlotte Subdivision, Section Seventeen as recorded in Plat Book 5, Pages 5A through 6D, and Port Charlotte Subdivision, Section Thirty Four as recorded in Plat Book 5, Pages 38A through 38H, all of the Public records of Charlotte County, Florida; thence North 89°53'37" West, along the Northerly line of said Section 8 (being the Southerly limit of said record plats), a distance of 195.02 feet to the Easterly Right-of-Way line of Pellam Waterway according to the said plat of Port Charlotte Subdivision Section Seventeen; thence South 00°53'20" West along the Southerly extension of said Easterly line, a distance of 0.52 feet to the point of intersection with a line parallel with, and 100.00 feet Easterly of, as measured at right angles, the Westerly line of said Section 8; thence South 00°04'48" East along said parallel line, a distance of 869.43 feet to the Northerly Right-of-Way line of former Seaboard Airline Railroad; thence North 69°01'46" East along said Northerly line, a distance of 790.05 feet; thence North 24°35'41" West, a distance of 358.58 feet; thence North 48°10'50" West, a distance of 390.82 feet to the Northerly line of said Section 8; thence North 89°53'37" West along said Northerly line, a distance of 103.41 feet to the point of intersection with the said Easterly line of Ravenswood Boulevard and the Point of Beginning.

Said lands containing 10.02 acres, more or less.

Said lands situate, lying and being in Charlotte County, Florida.

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EXHIBIT 2

PROJECT SUMMARY

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Exhibit 2

APPLICANT INFORMATION AND DEVELOPMENT SUMMARY

Applicant Information

Project: Villages of Port Charlotte
Murdoch Center Increment I

Applicant: Mr. Calvin J. Landau
Assistant Vice President
Environmental Planning & Programs
General Development Corporation
111 South Bayshore Drive
Miami, FL 33131
(305) 350-1531

Date on which DRI-AIDA received: September 18, 1985

Date on which DRI-AIDA elected not to supply further information: February 12, 1988

County Public Hearing Date: May 17, 1988

Type of Development: Residential Units, office and commercial

Location of Development: Charlotte County

DRI Threshold: 750 Residential Units/
Commercial 400,000 gross sq.ft./
40 acres/2,500 parking spaces/
Office 300,000 sq.ft./20 acres

DEVELOPMENT SUMMARY (Upon Completion)

Total Commercial, Residential and Office: 92,500 sq.ft. of commercial;
2,975 multi-family units;
192,500 sq.ft. office

Total Acres: 315 acres

Population: 5,303

Estimated Average Potable and Non-Potable Water Demand:* .613 MGD

Estimated Average Sewage Generation:* .613 MGD

Estimated Solid Waste Generation:* 13.4 tons per day

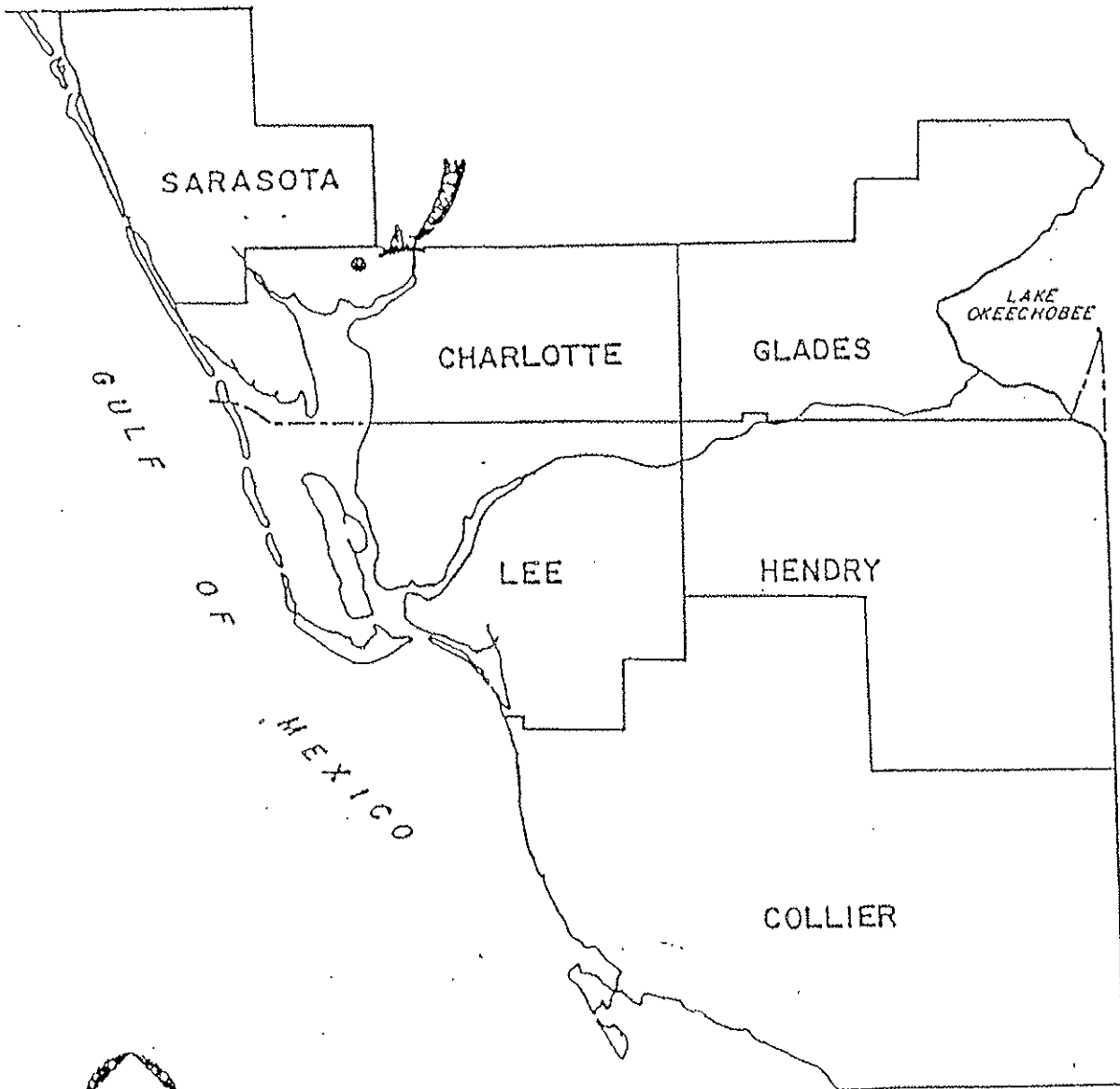
Major Roads Impacted: SR 776, US 41 Toledo Blade Blvd. and Kenilworth

Project Construction Period: 15 years
1985 - 2000 in 3 phases.

At buildout

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ANC
SWFRPC

MURDOCK CENTER INCREMENT I
SOUTHWEST FLORIDA REGION

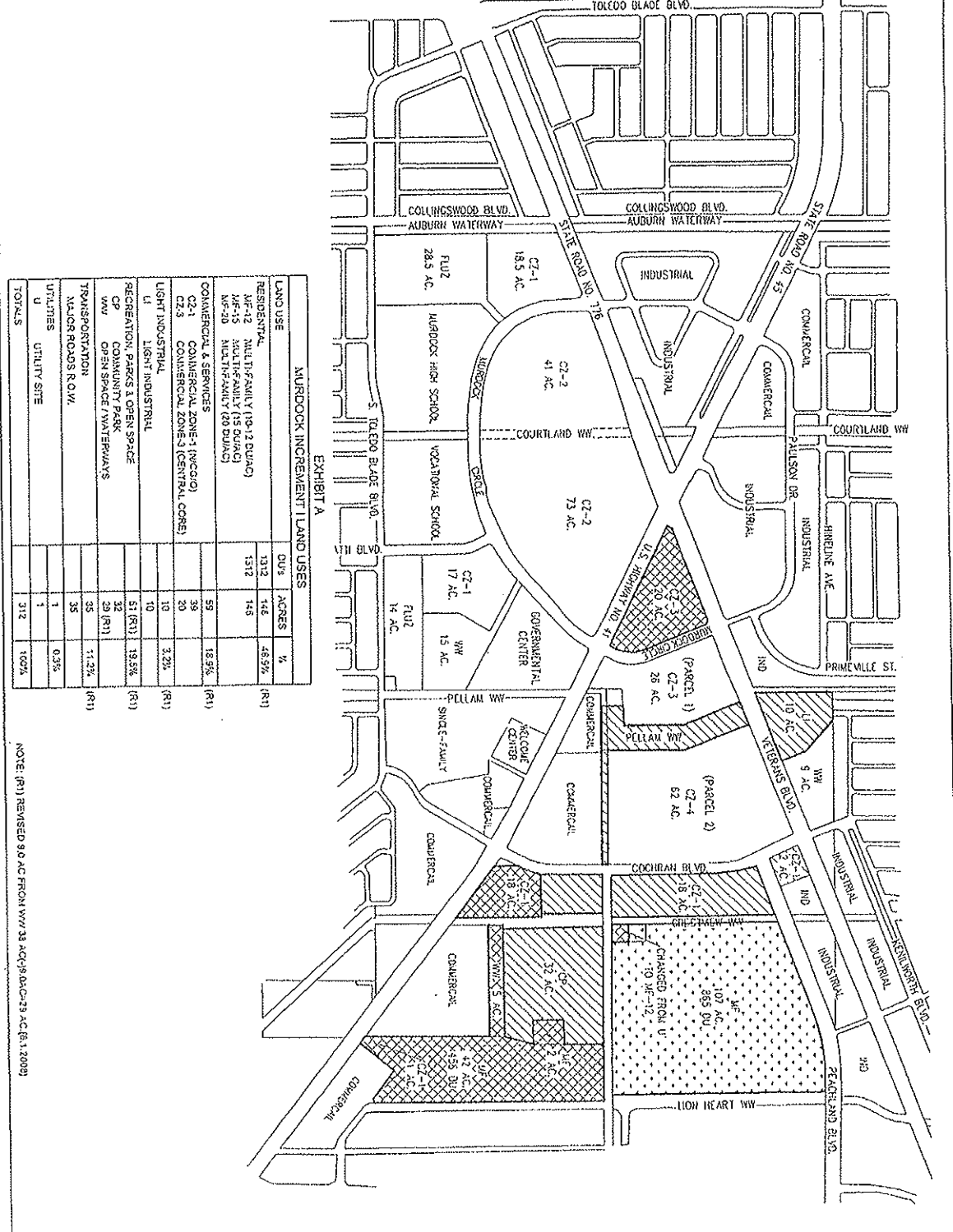
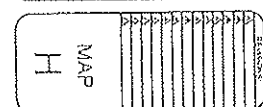


EXHIBIT A
MURDOCK INCREMENT I LAND USES

LAND USE	DU3	ACRES	%
RESIDENTIAL	1312	146	46.5%
MF-12 MULTIFAMILY (15 DU/AC)	1312	146	
MF-20 MULTIFAMILY (20 DU/AC)			
COMMERCIAL & SERVICES	59	18.5%	(R1)
C2-1 COMMERCIAL ZONE-1 (VECCO)	39		
C2-3 COMMERCIAL ZONE-3 (CENTRAL CORE)	20		
LIGHT INDUSTRIAL	10	3.2%	(R1)
L1 LIGHT INDUSTRIAL	10		
RECREATION PARKS & OPEN SPACE	51 (R1)	19.5%	(R1)
CD COMMUNITY PARK	32		
WW OPEN SPACE (WATERWAYS)	29 (R1)		
TRANSPORTATION	35	11.2%	(R1)
MAJOR ROADS R.O.W.	35		
UTILITIES	1	0.3%	
UTILITY SITE	1		
TOTALS	312	100%	

NOTE: (R1) REVISED 9.0 AC FROM WY 38 AC (9.0 AC @ 23 AC (R1, 2009)



MURDOCK CENTER AIDA: INCREMENT I

THOMAS & PHILLIPS, INC.
 2110 Centre Pointe Parkway, Unit 2
 Hunt, TN 37359
 Phone No. (615) 717-1000
 Fax No. (615) 717-1000
 Website: www.thomasandphillips.com

PROPOSED MURDOCK INCREMENT I LAND USES & PHASING								
LAND USE	PHASE I		PHASE II		PHASE III		TOTAL	
	ACRES	SF/DU	ACRES	SF/DU	ACRES	SF/DU	ACRES	SF/DU
RESIDENTIAL								
MF-12	44	456	0	0	102	856	145	1,312
MF-15	0	0	0	0	0	0	0	0
MF-20	0	0	0	0	0	0	0	0
SUB-TOTAL	44	456	0	0	102	856	145	1,312
COMMERCIAL								
CZ-1	12	0	27	0	0	0	39	0
RETAIL	0	108,000	0	219,000	0	0	0	327,000
OFFICE	0	0	0	0	0	0	0	0
CZ-3	20	0	0	0	0	0	20	0
RETAIL	0	200,000	0	0	0	0	0	200,000
OFFICE	0	0	0	0	0	0	0	0
SUB-TOTALS								
ACRES	32	0	27	0	0	0	59	0
RETAIL	0	308,000	0	219,000	0	0	0	527,000
OFFICE	0	0	0	0	0	0	0	0
LIGHT INDUSTRIAL	0	0	10	5,095 (R1)	0	0	0	5,095 (R1)
OTHERS								
PARK	0	0	32	0	0	0	32	0
OPEN SPACE / WW	7 (R1)	0	22	0	0	0	29(R1)	0
ROAD ROW	33	0	2	0	0	0	35	0
UTILITIES	1	0	0	0	0	0	1	0
TOTAL	117(R1)	0	93	0	102	0	312 (R1)	0

NOTE: (R1) REVISED 9.0AC FROM WW 16AC. (-)9.0 AC=7.0 AC.[8.1.2008]
94,905 SQ.FT. OF LIGHT INDUSTRIAL (TRANSFERED)

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EXHIBIT 3

CONDITIONS OF DEVELOPMENT APPROVAL

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Exhibit 3

EXHIBIT 3

CONDITIONS OF DEVELOPMENT APPROVAL
FOR MURDOCK CENTER INCREMENT I

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 I to Charlotte County, the Southwest Florida Regional Planning Council, the Department of Community Affairs and all affected permitting agencies, as required in Subsection 380.16(18), Florida Statutes. The contents of this report shall be as outlined in Section 4 of the accompanying Resolution.
3. The development build-out date presented within the AIDA shall be incorporated as a condition of approval. If development build-out 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. General 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. General 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 General'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.

B. AIR QUALITY

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

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C. DRAINAGE/WATER QUALITY

1. General shall obtain all applicable Southwest Florida Water Management District (SWFWMD), Florida Department of Environmental Regulation (FDER) and Charlotte County permits.
2. The results of any sampling or monitoring program implemented by the applicant, its successors or assigns, for pre- and post-construction water quality conditions as a requirement of any permit shall be submitted with the annual report for this Increment until build-out of the project. The entity responsible for providing on-going maintenance and complying with permit conditions, shall be specifically designated at the time of plat approval.
3. A regularly scheduled program of vacuum sweeping for all parking lot areas of all commercial portions of this AIDA shall be implemented as an additional best management practice (bmp) to help ensure acceptable stormwater run-off water quality.
4. The applicant shall coordinate with Charlotte County, FDER and the SWFWMD in the placement of a temporary storage and transfer facility for all special and hazardous waste generated by Increment I development.
5. All other commitments made by the applicant in either the Murdock Center AMDA or Increment I AIDA, or Sufficiency Round Information, not in conflict with the above recommendations, are incorporated as conditions for Development Order approval.

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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 I.

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 I.
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 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 during hurricane season.

2. Temporary shelter space shall be above the category 3 elevation either totally or through adequate space in common areas of the upper interior hallways of multi-story structures or similarly protected area containing no opening directly to the exterior.

3. The applicant shall meet with County Disaster Preparedness officials to discuss and identify appropriate hurricane mitigation measures to include, but not be limited to, using any common areas in the multi-story residential units/commercial/industrial/office buildings for suitable hurricane shelter.

I. Vegetation and Wildlife

1. A wildlife survey for Eastern Indigo snakes, gopher tortoises and Sherman's Fox squirrels must be performed by the applicant prior to ground-breaking and, depending on the survey results, the preservation of habitat or relocation of these species must be carried out.

2. A program for the on-going control and removal of nuisance exotic plants on-site must be instituted by the applicant.

3. The applicant is responsible for the preservation, or relocation of the nine plant species found on-site and listed in Table 18-2 of the AMDA.

4. The applicant must preserve any on-site palm hammocks.

J. Transportation

1. From a period of one (1) year after the effective date of this Incremental Development Order, all new improvements to the roadways shown on Exhibit 8 shall be constructed in accordance with the adopted design standards of Charlotte County and the FDOT Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Street and Highways ("Green Book") in effect on the effective date of this Development Order.

~~2. The applicant's total proportional share for roadway improvements to Kenilworth Boulevard between U.S. 41 and Hillsborough Boulevard (prior to gas tax and license credits), as shown in Exhibit 6, has been calculated for each link based on the following formula:~~

~~$$P.S. = (T.C.I.P. \times \frac{A-B}{A}) \times \% \text{ Project Traffic}$$~~

~~P.S. is the Murdock Increment 1 applicant's proportional share prior to gas tax and license credits for needed improvements to Kenilworth Boulevard.~~

~~T.C.I.P. is the total cost of the improvements needed for each segment of Kenilworth Boulevard shown in Exhibit 6.~~

~~A. is the total estimated cost of the entire Kenilworth corridor from U.S. 41 to King's Highway (\$10,912,016).~~

~~B. is the current cost of Kenilworth corridor improvements associated with the Villages of DeSoto DRI. (\$6,030,341).~~

~~# Project Traffic is the percentage of total traffic on a particular road link which has been identified by the traffic model as being attributed to Increment I, and as shown in Exhibit 6.~~

~~If the number of dwelling units in the Villages of DeSoto DRI is modified such that credits are granted to the applicant, thereby reducing the \$6,030,341 identified above as variable "B" by the amount of the credits, the Murdock Increment I applicant's proportional share, prior to gas tax and license credits, for roadway improvements to Kenilworth Boulevard will be recalculated in accordance with the above equation. In the recalculation, the new figure for the "B" variable would be the \$6,030,341 identified above, less any credits granted by the County against contributions made by the applicant related to the Villages of DeSoto DRI. Any increase in the applicant's proportional share resulting from the recalculation over that currently identified (\$212,339), shall be applied as a reduction to any credits due the applicant by the County within the mid-County Impact Fee District, then this amount of proportional share increase shall be paid to the County within ninety (90) days of the effective date of the amended Development Order for the Villages of DeSoto DRI, which results in a reduction of the approved number of dwelling units.~~

~~(see Exhibit 7 for an example of a recalculation scenario.) (as amended by Resolution 92-170-A)~~

3. The applicant's proportional share of off-site regionally significant roadway improvements which are required as a result of Increment I traffic, is shown in Exhibit 6.

4. If during development of Increment I any improvement to a regionally significant road or intersection identified in the approved Capital Facilities Plan (Exhibit 5) as a requirement for that phase of the Increment is not constructed in accordance with the approved Capital Facilities Plan, and that construction is not the responsibility of the applicant, construction of that Increment shall stop at the end of that phase of the Increment. However, if the applicant is responsible for the construction of the improvement, construction within Increment I shall immediately cease.

5. The applicant's proportional share of off-site, locally significant roadway improvements, which are required as a result of Increment I traffic, is shown in Exhibit 6.

6. If during development of Increment I any improvement to a locally significant road or intersection identified in the approved Capital Facilities Plan (Exhibit 5) as a requirement for that phase of the Increment is not constructed in accordance with the approved Capital Facilities Plan, and that construction is not the responsibility of the applicant, construction of that Increment shall stop at the end of that phase of the Increment. However, if the applicant is responsible for the construction of the improvement, construction within Increment I shall immediately cease.

7. ~~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 \$1,345,188.~~

a. The applicant's proportional share of specific improvements costs shown in the attached Exhibit D (previously referred to as Exhibit 6 in Resolution 88-83 and 89-368), was calculated consistent with the methodology outlined in the Murdock Center Traffic Report,

dated February, 1987. Based on this procedure, the applicant's revised Increment I proportionate share is identified as \$2,720,756.00 (as amended by Resolution 92-170-A)

8. 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 I, pursuant to 9J-2.0255 F.A.C.

9. The roadway improvements to be constructed by the applicant under the "pipelining" approach are shown in Exhibit 8 and are more specifically described as follows:

A. Toledo Blade Blvd.- design for a new 4-lane divided roadway and construct a new 2-lane roadway from U.S. 41 to Quesada Ave.

B. Toledo Blade Blvd.- design for a new 4-lane divided roadway and construct a new 2-lane roadway from Quesada Ave. to Kenilworth Blvd.

C. Peachland Blvd.- construct a new 2-lane roadway from Forrest Nelson Blvd. to Toledo Blade Blvd.

D. Murdock Circle.- design for a new 4-lane divided roadway and construct a new 2-lane roadway from U.S. 41 to Kenilworth Blvd.

The provision of the above referenced pipelined improvements by the applicant includes the provision of the rights-of-way associated with each of the roadway segments as identified in the agreement between Charlotte County and General Development Corporation dated November 10, 1987 (OR Book 950, Page 997). These rights-of-way shall be provided to the County by a warranty deed. The applicant has been credited for these rights-of-way in the proportionate share calculation. (amended by Resolution 89-368)

10. No building permits will be issued for portions of the increment lying east of Toledo Blade Blvd. until the applicant has provided financial assurance acceptable to Charlotte County and began construction of the "pipelined" improvements specified in Condition 9 (A), (B) and (C). No building permits will be issued for the portion of the increments lying west of Murdock Circle until the applicant has provided financial assurance acceptable to Charlotte County and began construction of the "pipelined" improvements specified in Condition 9 (D).

11. No Certificate of Occupancy will be issued for portions of the Increment lying East of Toledo Blade Blvd. until the "pipelined" improvements specified in Condition 9 (A), (B) and (C) above are substantially completed. No Certificates of Occupancy will be issued for the portion of the Increment lying West of Murdock Circle until the "pipelined" improvements specified in Condition 9 (D) is substantially completed.

12. If, for whatever reason, Charlotte County determines that it must construct any of the "pipelined" improvements listed above in Condition 9 instead of the applicant, then the applicant and Charlotte County must enter into an agreement which would provide for the payment to Charlotte County of that portion of the applicant's total proportional share which was to be dedicated to that particular "pipelined" improvement. This agreement must be entered into within thirty (30) days of the date that the Board of County Commissioners makes the determination that the County would make the road improvement, or no additional Certificates of Occupancy for Increment I will be issued.

13. ~~The estimated cost of construction for the "pipelined" improvement is \$1,519,090. Upon completion of the "pipelined" improvements by the applicant, the difference between the applicant's proportional share shall be credited or reimbursed as provided in Condition 14 below.~~

a. The estimateed costs of the "pipeline" contribution and previous case contribution is \$2,261,339.00. The difference between the applicant's revised Increment I proportionate share and previous pipeline and cash contributions is \$459,417.00, the new amount owed to the County.

b. The estimated cost of right-of-way acquisition for Quesada Boulevard shown in the attached Exhibit E, was calculated by costs determined by the impact fee ordinance, for right-of-way contemplated for Quesada Boulevard in the Murdock Center Road right-of-way Master Plan shown in the attached Exhibit F, for 9.789 acres of right-of-way shown in the attached Exhibit G Legal Description and Sketch. Based on this calculation \$326,532.00 of the applicant's (AGC) obligation will be met by deeding referenced right-of-way to the County (see attached Exhibit E).

c. AGC has \$257,875.00 worth of road impact fee credits that they were granted a few years ago, and which remain outstanding. AGC shall release \$132,885.00 worth of the impact fee credits to fulfill the balance of this proportionate share obligation. The Building Department shall amend their books to reflect \$124,990.00 worth of impact fee credits due AGC.

~~14. As provided in Condition 13 above, the applicant 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 estimated 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). The applicant 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 Rive. The applicant shall notify the county in writing of any assignment so made. (as amended by Resolution 92-170-A)~~

15. All necessary driveway access-related intersection improvements are the responsibility of the applicant. These improvements shall include turn lanes, acceleration, deceleration, and signalization at driveway access points. The number and location of those driveway access-related intersection improvements shall be determined by the appropriate permitting agency.

16. The County will address the need for the improvements to the Regional roadway network, other that "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.

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**EXHIBIT 4
DESIGN STANDARDS**

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Exhibit 4

1. GENERAL LIMITATIONS

A. Applicability

- 1) The submittal of this document is required as part of the Murdock Center AMDA Development Order, as shown on attached Exhibit 2, Item 2. The applicability of these standards is limited to the Increment I project area. The lands included in the Increment I project area are as described in Exhibit 1 of the Murdock Increment I DO.

B. Approval

- 1) Charlotte County hereby agrees that this document shall stand approved by both the Public Works and Planning Departments upon issuance of a letter of approval by each.
- 2) Pursuant to the Murdock Center AMDA Master Development Order Exhibit 2, Items 13(a) and 13(b), the "Design Standards Review Board" shall be responsible for the review of development site plans for consistency with these design standards.

C. Handout Materials

- 1) For all properties sold by General Development Corporation within Increment I, these design standards, referred to as "Owner Design Guidelines" will be distributed to the purchaser.

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Accepted and Approved
6/7, 1988

Mark Gumula
Mark Gumula
Director of Community Development
Charlotte County

Accepted and Approved
_____, 1988

Gene Hiddaugh 6/7/88
Gene Hiddaugh
Director of Public Works
Charlotte County

Accepted and Approved
16 June, 1988

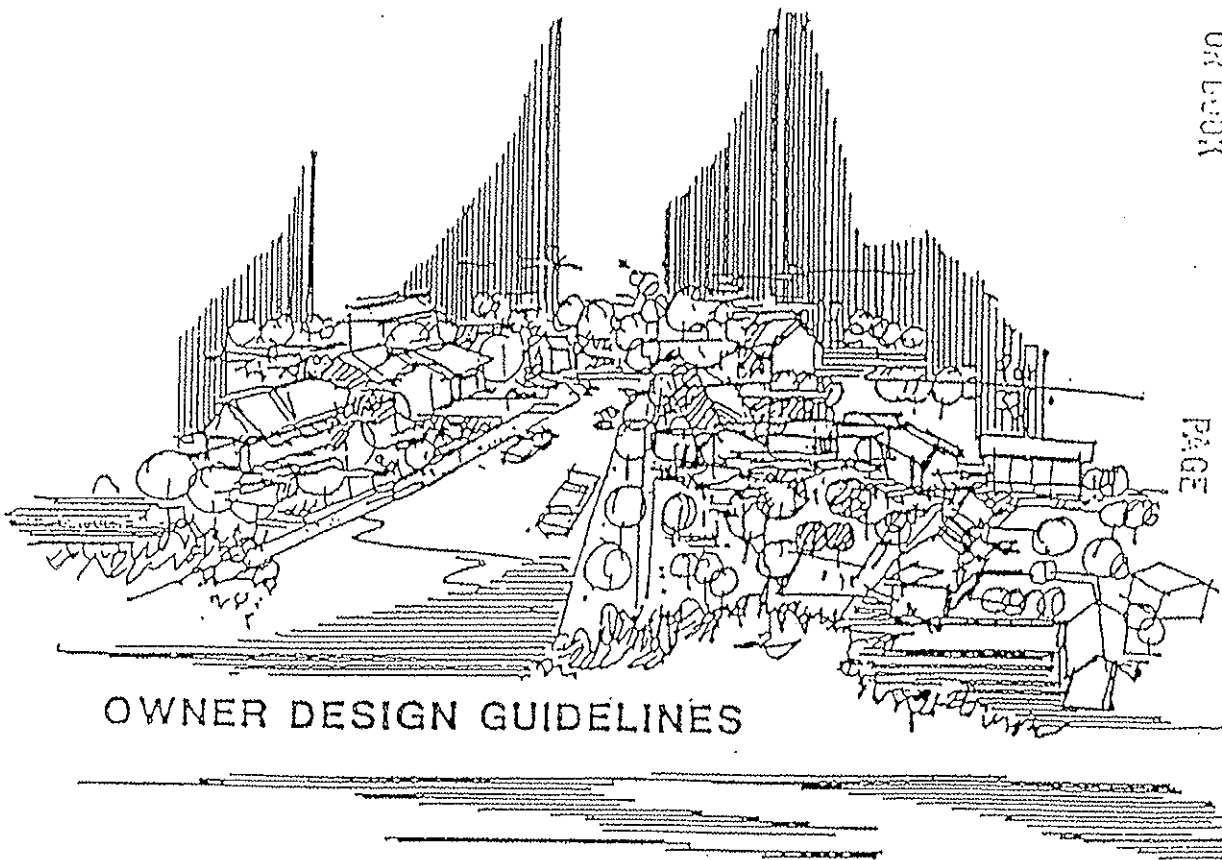
GENERAL DEVELOPMENT CORPORATION

BY: [Signature]

As 1/10 [Signature] V.P.

murdock

INCREMENT I



OWNER DESIGN GUIDELINES

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PREPARED BY:
 GENERAL DEVELOPMENT CORP.

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INTRODUCTION

This Handbook is intended to serve as Design Guidelines for the Murdock area of GENERAL DEVELOPMENT CORPORATION. It contains the necessary information to guide the Owner through the preparation of design, construction plans, and specifications to meet the design requirements of said areas and the pertinent governing authorities. This Handbook is prepared specifically for this project and it is suggested that it be reviewed thoroughly and plans be prepared accordingly since plan review will be based on its contents. All plans are reviewed exclusively at the GENERAL DEVELOPMENT CORPORATION office headquarters in Miami, Florida acting through the Environmental Review Committee.

All plans (2 sets of Preliminary Plans and 2 sets of Final Plans) should be addressed for review to:

Environmental Review Committee
c/o Chief Architect
General Development Corporation
1111 South Bayshore Drive
Miami, Florida 33131
Phone: 1-305-350-1468

Once received, plans will then be reviewed by our Chief Architect who will either approve, approve with modifications, or disapprove them. One set will be returned to the owner and another will be kept on file by the Environmental Control Committee of GENERAL DEVELOPMENT CORPORATION.

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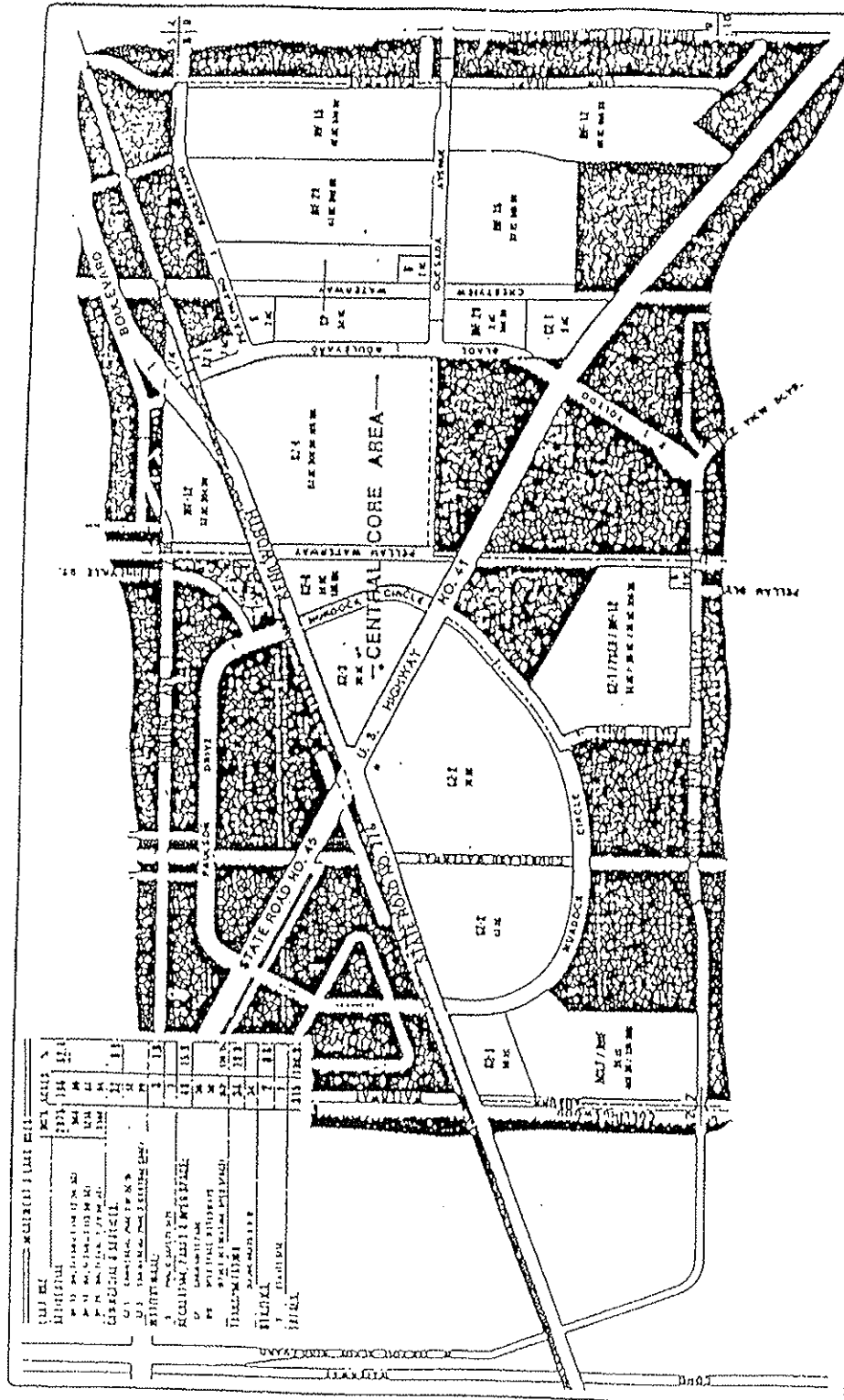
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MURDOCK CENTER
AIDA-INCREMENT I
 CONCEPTUAL MASTER DEVELOPMENT PLAN

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 MAP

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TITLE AND SCOPE

101 TITLE

101.1 This compilation of guidelines shall be known as The Owner Design Guidelines, hereinafter referred to as "Guidelines" for the Murdock commercial, business, and residential areas and will be referred to hereinafter as the "Areas."

102 PURPOSE

102.1 The purpose of these guidelines is to provide certain minimum standards, provisions and requirements for appropriate and acceptable design and minimum required criteria for tenants implementing new construction or rehabilitation within the Areas.

102.2 The suggestions, recommendations, and requirements expressed in these guidelines hinge upon final approval of plans by and at the discretion of GENERAL DEVELOPMENT CORPORATION's Project Development Department.

103 SCOPE

103.1 New buildings and structures hereafter erected within the Areas shall conform to the requirements of these guidelines.

103.2 Additions, alterations, repairs and changes of use in all buildings and structures shall conform to the requirements of these guidelines.

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104 MAINTENANCE OF BUILDINGS AND PROPERTY

104.1 Buildings:

All buildings and/or structures and all parts thereof shall be maintained during their lifetime in a safe condition and as per the local requirements of the Southern Standard Building Code, latest edition.

104.2 Property:

No debris or trash of any kind shall remain on any lot, or on a sidewalk or street contiguous thereto; no excess building material, storage shed or trash remain on such a lot, sidewalk or street. It is hereby made the duty of the Owner or his agent to remove or cause to be removed any and all of the above debris within 72 hours of notification by GENERAL DEVELOPMENT CORPORATION. Failure to comply with the request will cause removal of the debris by action of GENERAL DEVELOPMENT CORPORATION and all related costs will be charged to Owner.

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PROCESS

201 PROCESS FOR NEW CONSTRUCTION

- 201.1 Owner shall examine the enclosed material for items required for review on submitted plans and specifications.
- 201.2 Submit Preliminary Plans to the Chief Architect. Refer to the preliminary plan submission requirements.
- 201.3 After receipt of preliminary plan approval, prepare and submit complete plans and specifications to the Chief Architect for final approval. (Refer to 203 and 204.)
- A. Note: When submitting Preliminary Plans, Owner must send three (3) sets of blueprints. When submitting Construction Plans submit three (3) sets of plans.
- B. Note: Approval of Preliminary Plans shall not constitute guaranteed final approval at this time. At this time, comments will be made, which in turn shall be incorporated by the Owner into the final plans in pursuit of final approval.
- C. Note: Approval of all plans can be easily obtained by applying all requirements of this design Handbook to the plans and specifications.
- 201.4 The Chief Architect will release the plans submitted by the Owner for Building Permit by Owner after full plan review and approval by GENERAL DEVELOPMENT CORPORATION is accomplished.

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Note: Approval of Owner's plans and specifications by GENERAL DEVELOPMENT CORPORATION does not release the developer from fully complying with all applicable local codes and requirements. The GENERAL DEVELOPMENT CORPORATION review process is strictly for compliance with the Areas' design parameters.

201.5 Send all revisions to the plans and specifications to the Chief Architect for approval in accordance with the above outlined procedure. Should deviations from approved final plans become apparent during or after construction, without having been approved previously, these shall be subject to removal at Owner's expense.

201.6 Allow four (4) weeks time for processing and plan review.

201.7 The Owner may start construction proceedings upon written approval of the Construction Plans by the Chief Architect, and receipt of the required permits from municipal authorities having jurisdiction over the project.

202 PROCESS FOR REMODELING

202.1 Owners with intentions to remodel the exterior facade of a building or structure or portion of such must prepare and submit to the Chief Architect Remodeling Plans reflecting changes to be made on all phases of work for GENERAL DEVELOPMENT CORPORATION review and approval. A set of plans of the existing building

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must also be made part of the remodeling plans for proper coordination. In the event the Remodeling Work is only limited to painting, decorating, and general cleaning, the Chief Architect must be formally notified accordingly.

Remodeling Plans must include all applicable items outlined in this Handbook.

202.2 All local building codes, approvals and required permits will fully apply to any remodeling work.

202.3 One set of "Record Drawings" Plans reflecting any subsequent changes to initial plan must be sent to the Chief Architect immediately upon completion of remodeling work.

203 PRELIMINARY PLAN SUBMITTAL REQUIREMENTS

203.1 The Preliminary Plans must include but not be limited to the following:

A. Site Plan.

1. Setbacks, building location/footprint
2. Access/circulation
3. Parking and preliminary site engineering design (drainage, water and sewer)
4. Site lighting
5. Landscaping concept
6. Materials
7. Signage

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B. Elevations (facade).

1. Four (4) elevations
2. Materials/finishes
3. Colors
4. Signage

C. General.

1. All plans and elevations with major dimensions
2. Sections if necessary to explain the design
3. Sketchy or incomplete plans will not be reviewed

204 FINAL CONSTRUCTION PLANS SUBMITTAL REQUIREMENT

204.1 After receiving preliminary plan approval from the Chief Architect, the Owner can prepare and submit comprehensive construction plans and specifications which shall include but not be limited to the items listed:

1. Architectural construction plans.
 - a. Site plan
 - b. Floor plans
 - c. Elevations with finish notations
 - d. Finish schedules
2. Landscaping and irrigation plans.
3. Site engineering drawings.
 - a. Paving and drainage
 - b. Water and sewer
4. Specifications.

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301 NEW DESIGN

301.1 All new design will strive to achieve a pedestrian scale with type atmosphere and character. These elements are as follows:

1. Pitched roofs or pitched roofs for first story.
2. Brick or split block finishes on walls, stucco finishes, natural stone.
3. Wood accents.
4. Soft or "residential" type forms and massing, generally associated with 2- to 3-story height maximum.
5. Roofs with tile or wood shakes, shingles. All roof tile to be dimensioned tile, minimum weight 400 lbs.
6. Exterior colors associated with earthtones and the use of primary colors as an accent rather than as dominant color.
7. Storefronts that promote interaction between the building and the passerby. Solid bare walls confronting the pedestrian do not offer an inviting image unless they are punctured with storefront displays, seating, landscaping, or some other device that promotes the kind of interaction that is inviting or "friendly" to the pedestrian.

302 REMODELING

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302.1 All remodeling of future buildings will adapt to the new design guidelines specified in Section 301.

303 CONCEPT

303.1 The overriding concept is the total unification of the Area through the continuity of design in residential-type forms with warm materials and colors, extensive landscaping for shade and spaces, the connecting walkways, plazas, and the attention to detail in promoting and maintaining this concept.

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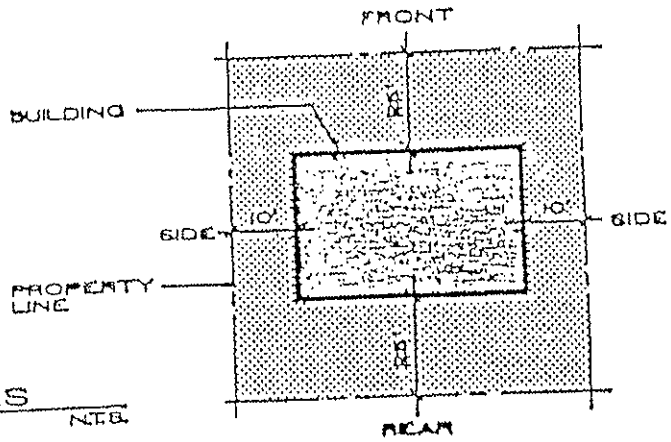
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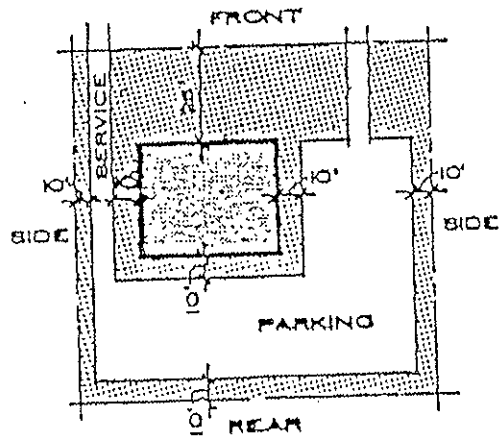
MINIMUM SETBACKS

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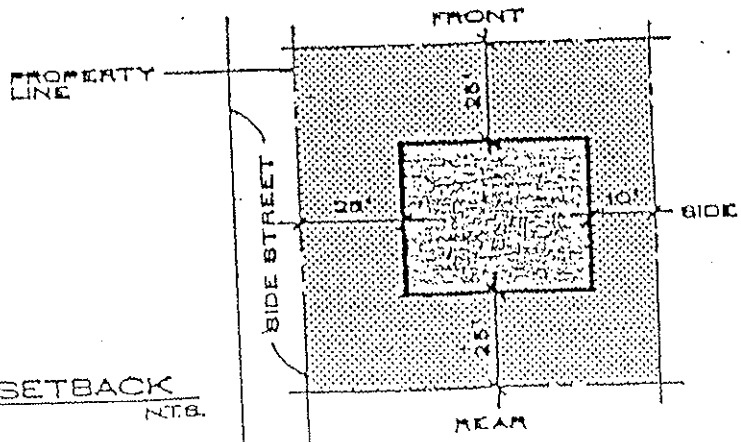
PARKING SETBACKS

NTB.



SIDE STREET SETBACK

NTB.



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SITE

400 ZONING

400.1 Existing zoning requirements will be considered, based on Charlotte County's Zoning Requirements. This will apply to any type of commercial, business, and/or residential uses.

401 SETBACKS (For commercial/business areas)

401.1 There will be a minimum (25) foot front and rear building setback from the property line.

401.2 There will be a minimum (10) foot building side setback at both sides of the building from the property line.

401.3 In the case of the existence of a side street, there will be a minimum (25) foot building setback from the side street.

401.4 There will be a minimum (10) foot setback from property line parking line.

401.5 There will be a minimum (10) foot building setback from drives and parking line.

NOTE: For residential areas, Charlotte County Zoning Regulations will apply.

402 PARKING

402.1 Required spaces will be as required in Charlotte County's Zoning Requirements.

402.2 Parking spaces will be (10) feet wide by (20) feet long with a (25) foot aisle width for commercial and

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business areas. For residential areas, (9) feet wide by (18) feet long parking spaces will only apply. All parking to be 90-degree parking. Spaces for the Handicapped as required by local code.

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403 LOT COVERAGE

- 403.1 Maximum allowed lot coverage by the building structure will be 40 percent. In no case shall the total impervious surface of the site exceed 85 percent.
- 403.2 There will be no floor area ratio (FAR) requirements
- 403.3 Maximum allowable height will be based on existing County zoning requirements.

404 SITE CONDITIONS

- 404.1 All tracts which have a drainage swale at the main entry side will require to have a vehicle or pedestrian crossing solution which will allow the drainage action to continue. This solution will be submitted to GENERAL DEVELOPMENT CORPORATION for approval and to pertinent government authorities.
- 404.2 Owner or Developer shall refer to subdivision plat for these tracts for any additional requirements, such as driveway locations, curbing, required permits.
- 404.3 Owner or Developer should inquire with the County regarding local requirements for submittals.

reviews, and special permits.

405 SERVICE DRIVES AND SERVICE AREAS

405.1 All service drives will have adequate circulation and turning radius.

405.2 Service areas will have effective visual buffers from public areas. These buffers can be accomplished only with the following methods:

A. Decorative masonry walls.

B. Extensive and dense landscaping with berms.

405.3 Trash and garbage dumpsters will be located within the service areas and not in public view.

406 PARKING LIGHTING

406.1 Lighting for parking areas will meet local code requirements and match existing parking lighting at the center.

406.2 There shall be a parking lot lighting plan with lighting areas indicated submitted with the preliminary plans.

407 SITE LIGHTING

407.1 Site lighting will be used as accent lighting for landscaping, building and pedestrian walkways. This lighting will be accomplished in a careful and sensitive manner to enhance the property. The scale of this lighting will be at pedestrian level.

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407.2 There shall be a site lighting plan submitted with the preliminary plans.

408 WALKWAYS AND PLAZAS

408.1 Exterior walkways and plaza areas will be constructed of 4-inch poured concrete slab with broom finish. Pavers will be used as accent areas, to create patterns or grids.

408.2 Public plazas and large walkways are recommended to promote pedestrian and outdoor activity. Sufficient shade trees and planting should be incorporated into the design of the plazas or walkways.

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BUILDING

500 INTRODUCTION

500.1 The following design guidelines pertain to specific items of a building or structure that give the character and the overall impression of the building and which must be constant and be maintained for the design continuity of all the buildings at the Areas.

501 ROOF AND ROOFING

The following items pertain to any system related to the roof.

501.1 The building(s) must carry the overriding and dominant characteristic of pitched roof(s) with a minimum slope of 5:12. The entire roof structure does not have to be composed of pitched roofs, however, all facades of the building or structure must have a pitched roof or the impression of such articulated into the design.

501.2 Finish materials for pitched roofs must be wood shakes or tiled roofs (clay or cement).

501.3 Mansard roofs characterized by steep lower slope and flatter upper portion ("Gambrel" roof) shall not be permitted.

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501.4 Roof top mechanical equipment must be so located to reduce or eliminate its visibility from street or sidewalk. All equipment will be decoratively shielded if it cannot be hidden from view. Decorative shielding must be composed of materials and colors compatible with the total materials, colors and design of the building.

501.5 Roof top signage shall not be permitted in commercial/business areas.

501.6 Flashing must be neat and properly installed.

Galvanized metal flashing will be painted to match color of fascia and will be kept in acceptable painted condition at all times.

501.7 Gutters and rainwater leaders will be exposed only if detailed properly to add character to the design. They must be painted to match fascia, wall or column. It is recommended that rainwater leaders are integral to the vertical element that they are attached to. Drainage from these rainwater leaders must be primarily direct into catchbasins. Drainage into pedestrian paths and secondarily into catchbasins shall not be permitted.

502 EXTERIOR HALLS

502.1 The following requirements apply to all exterior walls for all buildings or structures. All elements of all

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elevations shall complete a total and continuous design.

502.2 All materials must be in compliance with the Southern Standard Building Code.

502.3 Natural Materials.

Exterior wall finishes will be compatible in color, texture, and composition. Some of the recommended finishes are the following:

- A. Brick
- B. Natural Stone
- C. Split Block
- D. Painted Stucco
- E. Finished Block
- F. Tile

NOTE: Subject to approval by the Chief Architect, residential buildings may deviate from the list of materials above.

502.4 Wood will be used only as an accent element not as a major element of the exterior facade, except for residential buildings, and subject to approval by the Chief Architect of GENERAL DEVELOPMENT CORPORATION. All wood or wood siding will be pressure treated, finished, painted, stained or otherwise protected from the elements of nature.

503 STOREFRONT

503.1 Ground level commercial will require a minimum of 75

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- per cent of public facade to be of storefront display.
- 503.2 All storefront framing will be bronzed anodized aluminum. All exterior frames will be bronzed anodized aluminum.
- 503.3 All storefronts will be protected by a shaded permanent and continuous pedestrian walkway. (Refer to Section 504.)
- 503.4 All storefronts will have interior illumination for evening display.

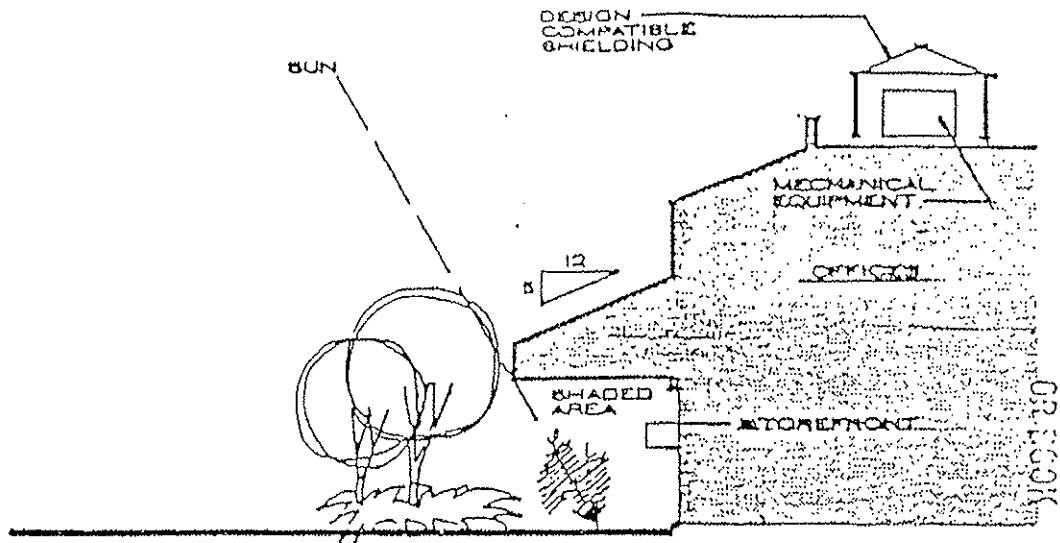
504 SHADE CANOPY

- 504.1 All storefronts require a permanent continuous pedestrian canopy, or breezeway which must be an integral part of the building's design.
- 504.2 It is recommended that pedestrian protection from the elements be a consideration for the total design concept. These canopies can be constructed from the following materials of systems:
1. Wood
 2. Vinyl or canvas
 3. Built-up Roofing
 4. Wood Shakes
- These canopies must be designed to complement the total building design.
- 504.3 No signage or graphics will be installed or applied on the canopies.
- 504.4 For vinyl canopies, the front valance shall not exceed

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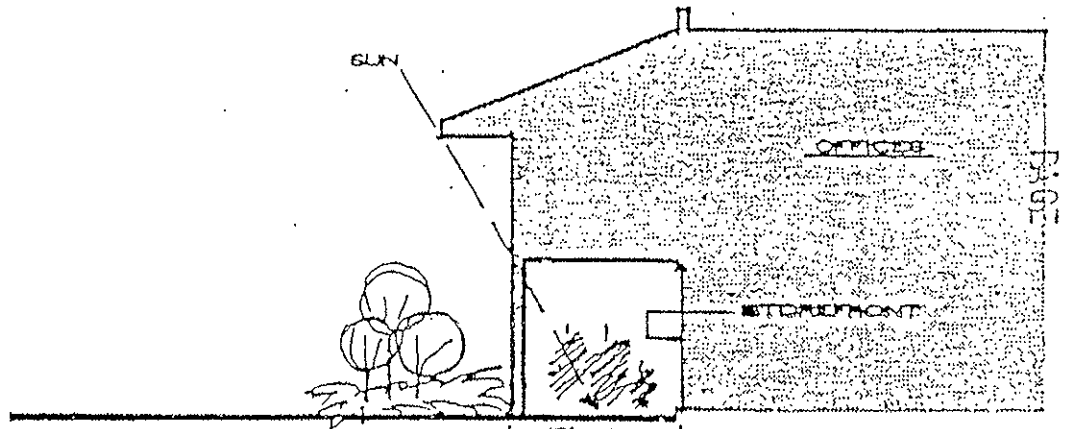
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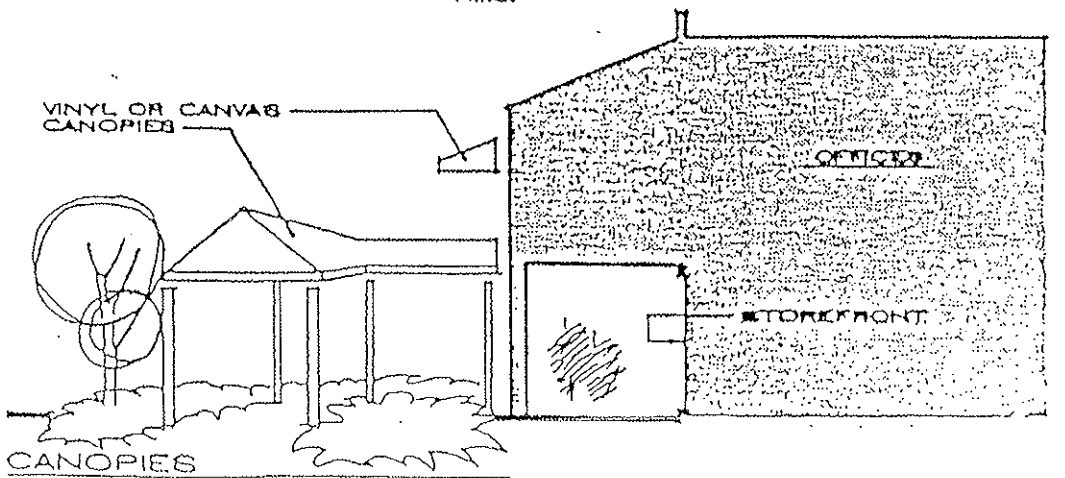
ROOF & ROOF LINE

NTS.



BREEZEWAY

NTS.



CANOPIES

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12 inches; solid colors only; stripping shall not be permitted except along valances. Recommended minimum height from paved surface to awning structure is 7'6".

505 PAINT

- 505.1 When finish materials for the exterior of the building require painting, the color selection shall be based on an earthtone as a base color and as necessary, a primary color for an accent color.
- 505.2 Color samples shall be submitted to the Chief Architect and color coordinated with the building elevation; show the proposed paint/color scheme for approval by GENERAL DEVELOPMENT CORPORATION.

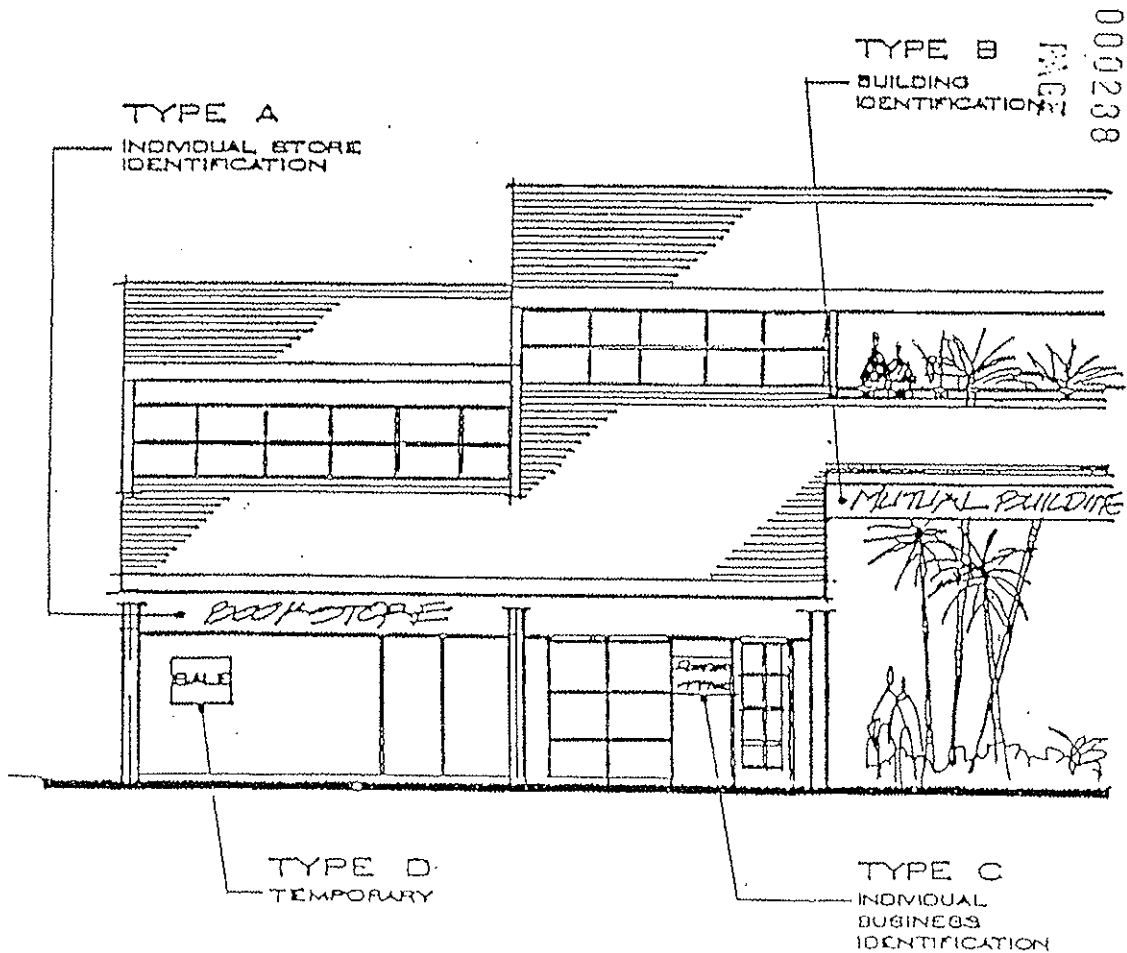
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SIGNAGE

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600 SIGNAGE

600.1 The different types of signage at the Commercial Areas will be classified as follows:

- A. Individual Store: For a commercial establishment; example, clothing store, restaurant, etc. To be viewed from a distance or moving in an automobile.
- B. Building: A building with a specific name to be viewed from a distance or moving in an automobile.
- C. Individual Business: For a professional office; example, doctor's office, accountant's office. To be viewed from a pedestrian vantage point.
- D. Temporary: Signage announcing a "sale" or any other signage of temporary nature. Used to attract attention of passersbys, pedestrian or automobiles.

600.2 All signage shall be subject to all applicable codes and other requirements including the Charlotte County sign ordinance.

600.3 The main identification sign for the individual store or building, type A and B, will be attached to the face of the building. This sign will not exceed (30) square feet of area, the total sign will not be more than (24) inches high, and the top of the sign shall not be more than (15) feet above the ground. No sign shall extend above the roof of any building.

600.4 Free-standing identification signage shall not be permitted.

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600.6 Materials used for the sign, sign design and location of the sign shall be submitted to the Chief Architect for review and approval. All signage must be compatible with the architecture and material of the building.

600.6 It is recommended that appropriate sight lines be carefully considered for signage location.

600.7 All signage, type A and B, shall be illuminated. Flashing or moving signs shall not be permitted.

600.8 Signage Type C shall not exceed 8 square feet in area and shall not be mounted on the roof or fascia of the building.

600.9 Signage type D shall not be mounted on storefront or outside the establishment, it must be mounted inside the establishment and 36 inches minimum distance from storefront.

601 ARCHITECTURAL DETAILS

601.1 Screen doors shall not be permitted.

601.2 Entrance doors shall be compatible with the building design and concept.

601.3 Security grills, bars, or pull-down shutters shall not be permitted.

601.4 All aspects of accessibility codes and local requirements for handicapped shall be incorporated fully into the site and building design.

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- 601.5 Solid, permanently enclosed or covered storefront shall not be permitted. In the event of a solid ground floor facade or storefront facing pedestrian traffic or the front facade of the building, the wall shall have decoration to reduce the impact of a solid wall on the pedestrian environment.
- 601.6 Wall-mounted air conditioning units shall not be permitted.
- 601.7 Signage for residential areas will be subject to the Charlotte County Sign Ordinance.

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MUROCK AREAS <u>OWNER DESIGN GUIDELINES</u> CHECKLIST A.	DATE _____ ORIGINAL SUBMISSION _____
	DATE _____ REVISED SUBMISSION _____
	PROJECT NAME: _____
	LOCATION: _____
	CONTACT NAME/PHONE NO: _____
NEW CONSTRUCTION: _____ REMODELING: _____	

PRELIMINARY PLAN SUBMITTAL

Required drawings: Siteplan, (4) elevations/(three sets blueprints).

1. SITE PLAN setbacks _____ bldg. locations _____ circulation _____ parking _____ drainage _____ water _____ sewer _____ site lighting _____ landscaping concept _____ materials _____ signage _____ site plan _____ concept statement _____	2. ELEVATIONS (4) elevations _____ materials and finishes _____ colors _____ signage _____ roof _____
	3. GENERAL major dimensions _____ proper identification _____ location sketch _____ building design _____ concept statement _____

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FINAL CONSTRUCTION PLANS SUBMITTAL

Required drawings: Architectural construction plans, landscaping and irrigation plans, site engineering specifications. (Three sets of blueprints and one set of specs.)

1. ARCHITECTURAL CONSTRUCTION PLANS site plan _____ floor plan _____ elevations _____ with materials _____ finish schedule _____	3. SITE ENGINEERING paving and drainage _____ water and sewer _____
2. LANDSCAPING & IRRIGATION PLANS plants _____ irrigation layout _____	4. SPECIFICATIONS one set of specifications _____

SUBMISSION FORMAT

- All drawings on 24" X 36" sheets.
- All drawings will have the required information as per the Owner Design Guidelines and this Checklist. Sketches or incomplete drawings will not be reviewed.

EXHIBIT 5
CAPITAL FACILITIES PLAN

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1.4 Estimated Cost of Required Improvements	11
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APPENDICES

- Appendix A - Master Development Order Condition
- Appendix B - Impact Fee Calculations

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CAPITAL FACILITIES PLAN 1986-1995

MURDOCK CENTER INCREMENT I

INTRODUCTION

The Murdock Center Increment I 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 I are:

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.
- H. A general procedure of costs and funds accounting to address any discrepancies between improvement estimates and actual costs.

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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. Previous Capital Facilities Plans approved include Murdock Center Increment II, approved November 10, 1987. This Murdock Center Increment I Plan has been prepared according to the same format, and is consistent with the requirements of Element G., above (Consistency with Other Plans Prepared Pursuant to This Condition).

Although the MDO 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 Increment I from 1989 through 1995 or a seven year period. In this manner the applicant and the County will be better able to plan for facilities needed to serve the Increment I development. This approach has also been selected to provide consistency with the applicant's decision to utilize the "pipeline" option provided in the Incremental Development Order for Port Charlotte Town Center (Increment II) as a means of mitigating the transportation impacts of Increment I.

For the purposes of this Capital Facilities Plan, the following rules of construction shall apply: All Tables referred to shall be inclusive within the Capital Facilities Plan, and may be subject to revision in future Capital Facilities Plans. Exhibits referred to shall be by their number (eg., Exhibit 8-Proportional Share Tables) contained as part of the Incremental Development Order for Murdock Center Increment I. Appendices referred to shall be inclusive within the Capital Facilities Plan, and be designated by a letter type (eg., Appendix A).

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 twenty year buildout of Murdock Center (1986-2005). 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.

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In the AIDA for Increment I, a number of roadway and intersection improvements were identified based on estimates of transportation impacts anticipated as a result of the proposed Increment I, growth in background traffic, and other Increments of Murdock Center. In accordance with Condition 20 of the Murdock Center Master Development Order, "recommended" 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 (Proportional Share Tables).

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 mitigate the direct impacts of Increment I 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.

Condition 11 in Exhibit 3 of the Incremental Development Order outlines that Murdock Circle, between US 41 and Kenilworth is to be substantially completed prior to the issuance of Certificates of Occupancy for that portion of the project lying west of Murdock Circle.

Condition 11 in Exhibit 3 also outlines that Toledo Blade, between US 41 and Kenilworth, and Peachland from Forrest Nelson to Toledo Blade, are to be substantially completed prior to the issuance of Certificates of Occupancy for those portions of the project lying east of Toledo Blade.

1. Required Improvements

The improvements identified in this sub-section include all improvements necessary to mitigate the total transportation impacts of Increment I through buildout in accordance with the procedures set forth in the Florida Department of Community Affairs Transportation Rule 9J-2.0255, site access

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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.

A graphic representation is provided in Exhibit 8.

2. Recommended 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 I, projected growth in background traffic volumes and other increments of Murdock Center. These improvements are listed in Table 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.

C. Cost Estimates

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 included in Exhibit 8 within the Increment I Development Order.

D. Funding Responsibilities and Crediting Procedures

1. Funding Responsibilities

The Increment I 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 the Incremental Development Order. Increment II funding responsibilities shall be as defined in that Increments Development Order, Resolution No. 87-274. 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

Upon completion of the "pipelined" roadway improvements the Increment I applicant shall be eligible for credits or reimbursement from Charlotte County for the difference

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between the estimated costs of the "pipelined" improvements (\$1,519,090) and the applicant's total proportionate share (\$1,345,128), as shown in Exhibit 6.

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

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 Increment I are listed in Tables 1.8. These revenues are in addition to the proportional share amount listed in the Proportional Share Tables (Exhibit 8).

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 MDO, the County should commit other available revenues to

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complete improvements necessary to meet the County's desired level of service standards.

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

This plan submitted for Murdock Center Increment I is consistent with capital facilities plans previously submitted for other Increments.

H. Cost and Funds Accounting Procedures

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, as outlined in B. above.

For purposes of this section Charlotte county shall utilize the cost estimating procedures set forth in

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Exhibit 8, proportional share tables for Increment I. The applicant and the County hereby agree that there shall be no 'after the fact accounting' for determination of actual costs of improvements to be constructed.

TABLE 1.1

Level of Service Standards for
Use in Murdock Center Increment I
Capital Facilities Plan

1. Regional Roadways Under the Jurisdiction of the Florida Department of Transportation:
 - * Peak Hour - LOS D average day design hour (Urbanized Area)
 - * Peak Hour - LOS C average day design hour (Rural Area)
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. SHERPC:
 - * Daily - LOS C average annual daily traffic

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TABLE 1.2

Required Roadway Improvements

1. Murdock Circle - Construct 2 lanes from US 41 to Kenilworth Boulevard.
2. Toledo Blade Boulevard - Construct 2 lanes from US 41 to Quesada Boulevard.
- Construct 2 lanes from Quesada Boulevard to Peachland Boulevard.
- Construct 2 lanes from Peachland Boulevard to Kenilworth Boulevard.
3. Peachland Boulevard - Construct 2 lanes from Toledo Blade Boulevard to Forrest Nelson Boulevard.

Right of Way Requirements

1. Murdock Circle - Provide new 140 ft. right of way from US 41 to Kenilworth Boulevard.
2. Toledo Blade Boulevard - Provide new 140 ft. right of way from US 41 to Quesada Boulevard.
- Provide new 140 ft. right of way from Quesada Boulevard to Peachland Boulevard.
- Provide new 140 ft. right of way from Peachland Boulevard to Kenilworth Boulevard.
3. Peachland Boulevard - Provide new 140 ft. right of way from Toledo Blade Boulevard to Forrest Nelson Boulevard.

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TABLE 1.3
AREAWIDE ROADWAY IMPROVEMENT NEEDS

YEAR	ROADWAY	FROM:	TO:	NEEDED IMPROVEMENT:	COMMENTS:
1990 -	US 41	Peace River	SR 776	4L (div) to 6L (div)	Existing deficiencies from Peace River to Olean, Toledo Blade to SR 776 improvements included in Inc. 11 Pipelining.
	Kenilworth	US 41	Hillsborough	Complete 2L roadway	County to construct, BDC to partially fund under Resolution 88-___.
	SR 775	US 41	SR 771	2L to 4L (div)	Existing deficiencies from US 41 to SR 771. US 41 to Collingswood improvements included in Inc. 11 Pipelining.
	Peachland	Loveland	Kings Highway	2L to 4L (div)	If required based on monitoring
	Hillsborough	Craighton	Cranberry	New 2L	
	Murdock Circle	US 41	Kenilworth	New 2L	Improvements included in Inc. 1 Pipelining.
		SR 774	Piatti	New 4L (div)	First 2L included in Inc. 11 Pipelining. Second 2L by County.
		Piatti	US 41	2L to 4L (div)	Improvements included in Inc. 11 Pipelining.
	Kings Highway	Peachland	County Line	2L to 6L (div)	If required based on monitoring
	Toledo Blade	Intersection at SR 774		New 2L	
	Collingswood	Intersection at SR 774		New 2L	
	Enterprise	Market	SR 774	New 2L	
1995 -	Toledo Blade	US 41	Lakeview	2L to 4L (div)	If required based on monitoring
		US 41	Quesda	New 2L	Improvements included in Inc. 1 Pipelining.
		Quesda	Peachland	New 2L	Improvements included in Inc. 1 Pipelining.

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TABLE 1.3
ARCADISE ROADWAY IMPROVEMENT NEEDS

YEAR	ROADWAY	FROM:	TO:	NEEDED IMPROVEMENT:	COMMENTS:
		Peachland	Kenilworth	New 2L	Improvements included in Inc. 1 Pipelining.
	Edgewater	Flamingo	SR 774	New 2L	
	Peachland	Toledo Blade	Forrest Nelson	New 2L	Improvements included in Inc. 1 Pipelining.
	Quesada	Toledo blade	Forrest Nelson	New 2L	County responsibility
2060 -	Toledo Blade	US 41	Quesada	2L to 4L (div)	
2005 -	Murdock Circle	US 41	Kenilworth	2L to 4L (div)	

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TABLE 1.4

Estimated Costs of Required Improvements

Roadway	Segment	Estimated Cost (Includes R/W where applicable)
Murdock Circle -	US 41 to Kenilworth Blvd. (4L)	429,121.00
Toledo Blade Boulevard -	US 41 to Quesada Boulevard. (4L)	446,285.00
	Quesada Boulevard to Peachland Boulevard. (2L)	308,967.00
	Peachland Boulevard to Kenilworth Boulevard. (2L)	94,407.00
Peachland Boulevard -	Toledo Blade Boulevard to Forrest Nelson Boulevard. (2L)	678,011.00
TOTAL:		\$1,956,791.00

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TABLE 1.5

Estimated Cost of Recommended Improvements

US41 N. of Peace River to Toledo Blade (S)	8,550,000.00
US41 SR776 to Toledo Blade (N)	1,680,000.00
SR778 Collingswood to SR771	14,322,793.00
Quesada - Toledo Blade to Forrest Nelson (2L)	549,275.00
Peachland Hillsborough Ext. to Kings Highway	278,700.00
Toledo Blade U.S. 41 to Lakeview	514,523.00
Kings Highway Peachland to County Line	3,833,012.00
Kenilworth U.S. 41 to Hillsborough	6,031,277.00
	\$35,759,580.00

TABLE 1.7

Recommended Roadway Improvements
Implementation Schedule

US 41 - Toledo Blade to Peace River

1989

* Begin planning for improvement from 4 lane divided to 8 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 studies are identified and begin PD&E studies.

1992

* Complete PD&E studies and request FDOT to advance funding priorities for US41 Construction to complete 8 laning from Peace to Toledo Blade No. by 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.

SR778 - 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.

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

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1991

Complete PD&R studies.

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

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 Increment II 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. Adoption of revision to the Comprehensive Plan as required by CH. 163 F.S. may also alter the schedule or improvement needs depicted in this plan.

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FIRE PROTECTION

A. Needed Facilities or Capital Improvements

As a result of review of the AIDA for Increment I, 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 I and other growth elements included in the analysis. These overall needs are identified in the comments received from the Fire-Rescue Department in their letter of July 30, 1984, included in the August 1985 Increment I AIDA. It is noted that the funding of personnel positions listed in this letter is beyond the scope of this Plan and that such funding would be provided through the County's normal budget procedures.

B. Timing for Construction or Acquisition

The Board of County Commissioners shall determine any equipment or facility needs required to serve Increment I and budget appropriate funds to allow for acquisition of needed equipment within 180 days after the approval of the Incremental Development Order for Murdock Center Increment I.

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 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 1988-1990 budget to be utilized for acquisition of the identified equipment. In addition, the AIDA applicant has reserved a three acre tract for purchase by the County if it is determined to be necessary under B above.

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.

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F. Implementation Methods

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

POLICE PROTECTION

A. Needed Facilities or Capital Improvements

The capital facilities needs of the Sheriff's Department are presented in their letter of August 13, 1984, included in the AIDA Sufficiency Report. 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

From the Murdock Center Increment I AIDA:

Commercial	-	92,500 s.f.
Office	-	192,500 s.f.
Residential	-	2,975 d.u.

From Table IV-1 of the Charlotte County Technical Memorandum dated December, 1985:

Sheriff's Capital Costs and Impact Fees -

Residential	-	\$ 6.00/d.u.
Retail	-	\$107.00/1000 s.f.
Office	-	\$149.00/1000 s.f.

The total Sheriff's Department Impact Fee attributable to Increment I would be \$47,986.00, as shown in Appendix A.

D. Not Applicable

K. Not Applicable

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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 residential dwelling units, the impact fee shall be paid on a per dwelling unit basis at either the time of issuance of building permit or Certificate of Occupancy for applicable units.
2. For all non-residential units, the impact fee shall be paid on a square foot basis at either the time of issuance of a building permit, or finishing of the leased space by the tenant and issuance of a Certificate of Occupancy.

G. Not Applicable

H. Not Applicable

SOLID WASTE

In review of the AIDA for Increment I, neither Charlotte County nor the franchised solid waste contractor identified any need for expansion of solid waste facilities as a result of development of Increment I. 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.

BICYCLE AND PEDESTRIAN PATHS

The Murdock Center Master Development Order, Exhibit 2 Condition 4(A)1. outlines that the County and the applicant shall cooperate in establishing an entity for the provision and operation of a bicycle and pedestrian path system. Murdock Center Increment I is partially 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 would contribute, it is not necessary to include separate requirements for bicycle path funding within this Capital Facilities Plan. It is noted that Charlotte County should consider expanding the boundaries of the existing MSTU to include all of the Murdock Center DRI. In that way, Charlotte County may better serve the needs of its constituency.

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APPENDICES

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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 impacts of the development during the first phase or five-year period, whichever is the lesser time frame: roadways and intersections identified on Exhibits B and C (intersections of arterial and collector roads with the regional and local roadways shown on these Exhibits should be considered at a minimum); fire protection; police protection; emergency medical service; solid waste; parks; bicycle paths; and, pedestrian paths.

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

- A. Needs, 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.

The plan shall be implemented to the extent practicable by means of conditions to the development order for that increment, Charlotte County capital improvements programming, the Charlotte County budgeting process, and other means, as appropriate. There shall be a new plan prepared and submitted for each subsequent phase or five-year period whichever is the lesser time frame, 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 applicants 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.
- D. Cost estimates for facilities.
- E. County budget processes.

APPENDIX A

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IMPACT COST INCURMENT
 IMPACT THE CALCULATIONS
 For 15, 1988

NO	DATE	DESCRIPTION	AMOUNT	CREDIT	DEBIT	BALANCE
1	12/31/87	Office (Square Feet)	4512		4512	4512
2	12/31/87	Office (Square Feet)	4512		4512	9024
3	12/31/87	Retail (Square Feet)	4512		4512	13536
TOTALS:						
						13536

- 1) Dates listed above are from the Technical Memorandum to the Florida to Calculate Impact Fees for Charlotte County, Florida, by Jara Henschler, dated December 1985, and revised April 24, 1986.
- 2) Full cost amount of capitalization including title for a 15% net working base.
- 3) Office square footage rate assumes all office is less than 100,000 sq. ft., facilities included.
- 4) All fee amounts are net, after 44 reduction.
- 5) The trade portion of the impact fee has been removed from this schedule, and has been replaced by the proportional share table as Exhibit 4.

APPENDIX B

Exhibit 6

Exhibit 6

EXHIBIT 6 - INCREMENT I PROPORTIONAL SHARE CALCULATION

ROAD	SEGMENT	LENGTH (MILES)	1986 LANES	2005 lanes IMPROVEMENT	COST OF IMPROVEMENT	PROJECT INCREMENT I TRAFFIC COST SHARE	PROJECT INCREMENT I COST SHARE	REMARKS
US 41	CO. LINE TO CORNELIUS	0.1	4	4	\$0	0.0230	\$0.00	
US 41	CORNELIUS TO TOL. BLD. N.	2.83	4	4	\$0	0.0507	\$0.00	
US 41	TOL. BLD. N. TO MUR. CIR. N.	0.7	4	6	\$1,147,241	0.0705	\$80,912.74	
US 41	MUR. CIR. N. TO SR 776	0.42	4	4	\$0	0.0856	\$0.00	
US 41	SR 776 TO MUR. CIR. S.	0.34	4	6	\$1,052,605	0.0932	\$98,087.58	ACTUAL COST
US 41	MUR. CIR. S. TO TOL. BLD. S.	0.49	4	6	\$831,839	0.0930	\$77,375.44	ACTUAL COST
US 41	TOL. BLD. S. TO FOR. NEL.	0.83	4	6	\$1,360,300	0.0800	\$108,882.86	
US 41	FOR. NEL. TO MIDWAY BLVD.	0.53	4	6	\$868,625	0.0565	\$49,099.33	
US 41	MIDWAY BLVD. TO OLEAN BLVD.	1.14	4	6	\$1,868,364	0.0397	\$74,129.82	
US 41	OLEAN BLVD. TO CONWAY BLVD.	1	4	6	\$1,638,916	0.0280	\$45,825.80	
US 41	CONWAY BLVD. TO HARBOVIEW	1.2	4	6	\$1,966,699	0.0232	\$45,568.24	
US 41	HARBOVIEW TO KINGS HIGHWAY	0.25	4	6	\$409,729	0.0181	\$7,400.45	
US 41	KINGS HIGHWAY TO PEACE RIVER	0.75	4	6	\$1,229,187	0.0111	\$13,682.45	
EL JOBEAN	PEACE RIVER US 41 TO	0.34	0	4	\$437,400	0.1472	\$64,376.12	ACTUAL COST
EL JOBEAN	MUR. CIR. N. TO TOL. BLD.	0.5	0	4	\$1,638,916	0.2536	\$415,575.85	
EL JOBEAN	TOL. BLD. TO SANTA MARTA	0.75	0	4	\$2,458,374	0.0748	\$183,819.72	
EL JOBEAN	SANTA MARTA TO ATWATER	0.66	0	2	\$1,081,585	0.0649	\$70,239.29	
EL JOBEAN	ATWATER TO HILLSBOROUGH	1.13	0	2	\$1,851,975	0.0620	\$114,822.45	

EXHIBIT 6 -- INCREMENT I PROPORTIONAL SHARE CALCULATION

PAULSON	OVERBROOK TO	0.23	2	2	\$0	0.0000	\$0.00
PAULSON	US 41	0.1	2	4	\$163,892	0.2700	\$44,243.15
ENTERPRISE	EL JOBEAN TO	0.36	2	2	\$0	0.0309	\$0.00
PIATTI	PRINEVILLE	0.19	2	2	\$0	0.1290	\$0.00
TOLEDO BLD.	SR 776	2.2	2	4	\$3,605,615	0.0091	\$32,646.41
TOLEDO BLD.	MUR. CIR. TO	2.8	2	4	\$4,588,965	0.0410	\$188,049.33
TOLEDO BLD.	TOL. BLD.	1	2	4	\$1,638,916	0.0527	\$86,330.86
TOLEDO BLD.	PRICE TO	0.73	2	2	\$0	0.0117	\$0.00
TOLEDO BLD.	HILLSBORO	0.57	2	2	\$0	0.0165	\$0.00
TOLEDO BLD.	TO US 41	0.66	2	2	\$0	0.0638	\$0.00
TOLEDO BLD.	SR 776 TO	0.3	2	2	\$0	0.0592	\$0.00
TOLEDO BLD.	COLLINGSWOOD	0.19	2	2	\$0	0.0621	\$0.00
TOLEDO BLD.	TO PIATTI	0.36	2	4	\$590,010	0.1249	\$73,698.61
TOLEDO BLD.	PELLAM TO	0.26	0	4	\$852,236	0.2708	\$230,825.39
TOLEDO BLD.	LAKEVIEW	0.36	0	2	\$590,010	0.0028	\$1,625.37
TOLEDO BLD.	TO US 41	0.11	0	2	\$180,281	0.2176	\$39,220.59
TOLEDO BLD.	QUESADA	0.42	2	2	\$0	0.0000	\$0.00
TOLEDO BLD.	EL JOBEAN	1.06	2	2	\$0	0.0455	\$0.00
TOLEDO BLD.	SR 776 TO	1.01	2	2	\$0	0.0578	\$0.00
COLLINGS-	TOL. BLD.						
WOOD	TOLEDO BLD.						
COLLINGS-	WINTERGARDEN						
WOOD	WINTERGARDEN						
COLLINGS-	TO EDGEWATER						
WOOD							

PIPELINED (2L)
PIPELINED
PIPELINED

EXHIBIT 6 -- INCREMENT I PROPORTIONAL SHARE CALCULATION

PELLAM	TOL. BLD TO	0.39	2	2	\$0	0.0866	\$0.00
PELLAM	MORRISON TO	1.7	2	2	\$0	0.0000	\$0.00
LAKEVIEW	EDGEWATER	0.65	2	4	\$1,065,295	0.1162	\$123,736.62
LAKEVIEW	TOL. BLD. TO	0.59	2	2	\$0	0.0559	\$0.00
LAKEVIEW	ROCK CREEK	1.15	2	2	\$0	0.0250	\$0.00
MIDWAY	TO MIDWAY	1.26	2	2	\$0	0.0507	\$0.00
EDGEWATER	EDGEWATER	2.75	0	2	\$4,507,019	0.0061	\$27,273.94
QUESADA	SR 776	0.64	0	2	\$1,048,906	0.1742	\$182,763.92
QUESADA	FLAMINGO	0.84	2	2	\$0	0.1075	\$0.00
QUESADA	TOL. BLD. TO	0.95	2	2	\$0	0.0524	\$0.00
AFWATER	FOR. NELSON	0.57	2	4	\$934,182	0.0082	\$7,657.23
FORREST NEL. US 41 TO	FOR. NEL. TO	0.75	2	2	\$0	0.0605	\$0.00
FORREST NEL. QUESADA TO	HINTON TO	0.52	2	2	\$0	0.0773	\$0.00
FORREST NEL. PEACHLAND TO	HINTON TO	0.38	0	2	\$622,788	0.0721	\$44,885.62
HERESA	HARBOR	0.89	2	2	\$0	0.0911	\$0.00
HILLSBORO	HILLSBORO TO	1.46	2	2	\$0	0.0138	\$0.00
HILLSBORO	EL JOBEAN	0.6	2	4	\$983,350	0.0459	\$45,133.68
PRINEVILLE	TOL. BLD. TO	1.23	2	2	\$0	0.1716	\$0.00
PRINEVILLE	PRINEVILLE	0.5	2	2	\$0	0.0814	\$0.00
KINGS HWY.	MUR. CIR. TO	0.2	2	8	\$983,350	0.0065	\$6,392.51
	HILLSBORO TO						
	PRICE						
	PEACHLAND TO						

EXHIBIT 6 - INCREMENT I PROPORTIONAL SHARE CALCULATION

I-75 KINGS HWY. I-75 TO COUNTY LINE	0.95	2	8	\$4,670,911	0.0057	\$26,794.50
<p>TOTAL PROPORTIONAL SHARE \$3,792,317.10 LESS SITE RELATED \$135,052.38 \$3,657,264.71 LESS GAS TAX & LICENSE CREDITS (27.27%) \$997,336.09 \$2,659,928.63 PLUS SITE RELATED \$135,052.38 SUB TOTAL \$2,794,981.01 LESS PRIOR CONTRIBUTIONS \$21,600.00 NET INCREMENT I PROPORTIONAL SHARE \$2,773,381.01</p>						
<p>EST. COST OF PIPELINED IMPROVEMENTS \$2,591,339.00 AS AGREED TO PREVIOUSLY (THIS INCLUDES ROW FOR TOL. BLD., AND PEACHLAND EXTENSIONS) PLUS ROW FOR MUR. CIR. PIPELINE \$118,300.00 TOTAL PIPELINE COST \$2,709,639.00 (INCLUDING PROVISION OF ROW) ADDITIONAL AMOUNT OWED TO COUNTY BY GDC \$63,742.01</p>						

MARSHALL CIRCLE (4541 70 ET JORDAN)
 TOLEDO BLADE (4541 70)
 PEACHLAND