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RESOLUTION  
NUMBER 2020 - 176

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 380.06(7), FLORIDA STATUTES (F.S.) AND SECTION 3-9-10.1, DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER (DO) AMENDMENT PROCESS AND PROCEDURE UNDER CHAPTER 3-9, ZONING, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA ("CODE"), AMENDING THE DEVELOPMENT ORDER (DO) FOR INCREMENT III OF THE MURDOCK CENTER DEVELOPMENT OF REGIONAL IMPACT (DRI) TO EXTEND THE BUILDOUT DATE OF THE DEVELOPMENT ORDER TO MARCH 15, 2025 AND THE EXPIRATION DATE OF THE DEVELOPMENT ORDER TO MARCH 15, 2027; FOR PROPERTIES WITHIN THIS INCREMENT CONTAINING 76± ACRES IN TWO NON-CONTIGUOUS PARCELS, IN THE PORT CHARLOTTE AREA; THE FIRST PARCEL GENERALLY LOCATED EAST OF COLLINGSWOOD BOULEVARD, SOUTHEAST OF S.R. 776, SOUTHWEST OF MURDOCK CIRCLE, WEST OF EDUCATION WAY, AND NORTH OF COCHRAN BOULEVARD; THE SECOND PARCEL GENERALLY LOCATED EAST OF EDUCATION WAY, SOUTHEAST OF MURDOCK CIRCLE, AND NORTHWEST OF COCHRAN BOULEVARD LOCATED AT THE INTERSECTION OF TAMiami TRAIL (U.S. 41) AND EL JOBEAN ROAD (S.R. 776); COMMISSION DISTRICT IV; PETITION NO. 20LAD-00000-00002; APPLICANT: ROBERT H. BERNTSSON; PROVIDING AN EFFECTIVE DATE.

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT  
OR BOOK: 4656 PAGE 2156 PAGE: 1 OF 12  
INSTR # 2869167 Doc. Type: GOV  
Recorded: 11/4 : 20 at 8:46 AM  
Rec. Fee: RECURDING \$103.50  
Cashier By: CARLENEG

RECITALS

WHEREAS, on March 3, 1987, the Murdock Center Master Development Order (MDO) was originally approved by the Board of County Commissioners of Charlotte County, Florida ("Board"); and

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WHEREAS, the MDO provides the framework for the overall development, which is a mixture of retail, office, and residential development. Using that framework, the area was sectioned out into four increments; and

WHEREAS, on October 12, 1993, the Increment III Development Order (DO) for the Murdock Center DRI was originally approved by the Board via Resolution Number 93-188; and

WHEREAS, Increment III is a mixed-use project which consists of two non-contiguous parcels containing approximately 76 acres; the first parcel is generally located east of Collingswood Boulevard, southeast of S.R. 776, southwest of Murdock Circle, west of Education Way, and north of Cochran Boulevard, and the second parcel is generally located east of Education Way, southeast of Murdock Circle, and northwest of Cochran Boulevard, as shown in Exhibit "A" attached hereto and by this reference provided herein; and

WHEREAS, Increment III includes improved commercial and institutional uses, such as Sam's Club, Murdock Surgery Center, and Murdock Circle Commercial Center, as well as a portion of Port Charlotte High School; residential development, such as Murdock Circle Apartment Homes and retirement homes; assisted living facilities, such as Village Place ALF and Consulate Health Care of Port Charlotte as well as a small portion of land that is still vacant for development; and

WHEREAS, on June 14, 1994, the Board approved Resolution Number 94-96 to correct the scrivener's errors in Resolution Number 93-188; and

WHEREAS, on August 8, 2000, the Board approved Resolution Number 2000-090 to extend the buildout date of this increment to October 1, 2003; and

WHEREAS, on April 18, 2006, the Board approved Resolution Number 2006-055 to extend the buildout date of this increment to March 1, 2012, to provide biennial monitoring reports, and to incorporate the deletion of 7 acres deleted from the Increment I DO through Resolution Number 2004-049; and

WHEREAS, on March 22, 2011, the Board approved Resolution Number 2011-023 to extend the buildout date of this increment to March 1, 2015; and

WHEREAS, the applicant, Robert H. Berntsson, is requesting an amendment to Increment III Development Order (DO) for the Murdock Center Development of Regional Impact (DRI) to extend the buildout date of this DO to March 15, 2025 and the expiration date of this DO to March 15, 2027; and

WHEREAS, the Charlotte County Planning and Zoning Board has reviewed and considered the report and held a public hearing to consider the amendment to the DO on September 14, 2020, recommending approval of the amendment; and

WHEREAS, on October 27, 2020, the Board, at a public hearing in accordance with Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, of the Code, considered the application for amendment to the DO for the Murdock Center Increment III submitted by Robert H. Berntsson, the documentary and oral evidence presented at the hearing before the Board, and the report and recommendation of the Charlotte County Planning and Zoning Board.

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

1. The Increment III Development Order (DO) for the Murdock Center DRI is hereby amended to extend the buildout date to March 15, 2025 and the expiration date to March 15, 2027.

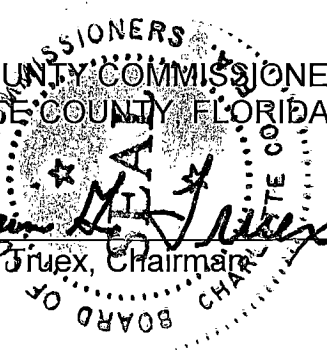
2. All other terms and conditions of the Development Order (DO) for the Increment III Development Order (DO) for the Murdock Center DRI not affected by this resolution shall remain unchanged and in full force and effect.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 27<sup>th</sup> day of October, 2020.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex  
William G. Truex, Chairman



ATTEST:  
Roger D. Eaton, Clerk of the Circuit Court  
and Ex-Officio Clerk of the  
Board of County Commissioners

By: Michelle Bearden  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By: Janette S. Knowlton  
Janette S. Knowlton, County Attorney  
LR2020-0459

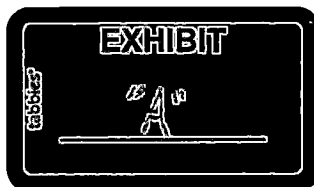
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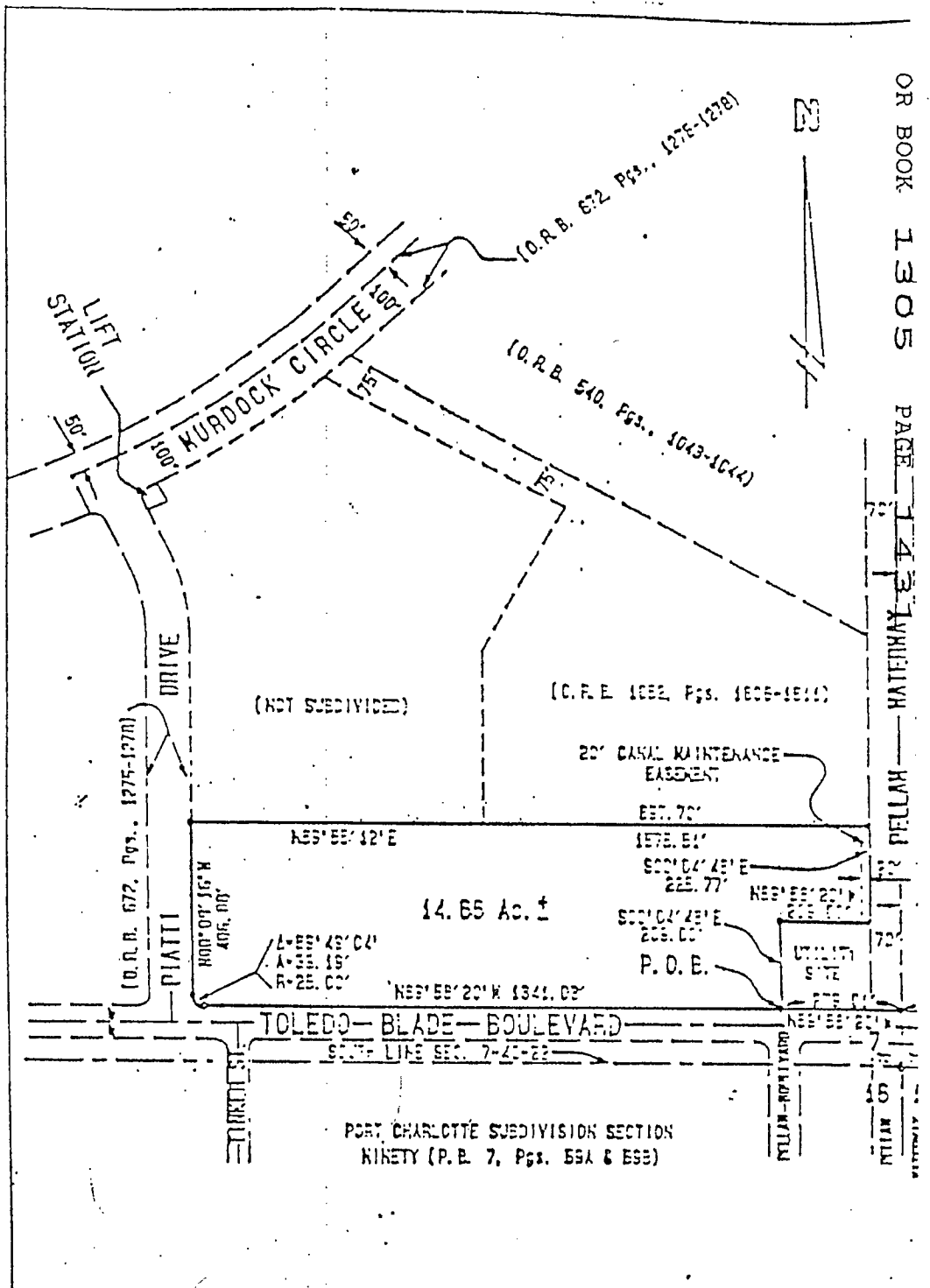
A parcel of land lying in Section 7, Township 40 South, Range 22 East, Charlotte County, Florida, further described as follows:

COMMENCING at the intersection of the East line of said Section 7 with 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 58A and 58B of the Public Records of Charlotte County, Florida; thence N89°58'20"W, along said North Right-of-Way line, a distance of 1620.03 feet to a point of curvature of a circular curve to the right having a radius of 25.00 feet and a central angle of 88°48'04", said point being also a point on the Public Right-of-Way (now known as PIATTI DRIVE) as shown, described and dedicated in Official Records Book 672, Pages 1275 through 1278 of the Public Records of Charlotte County, Florida; thence northwesterly along the arc of said curve and along said Public Right-of-Way a distance of 38.18 feet to a point of tangency; thence continue along said Public Right-of-Way the following courses and distances: N00°08'16"W a distance of 406.88 feet to the Point of Beginning; thence continue N00°08'16"W a distance of 446.28 feet to a point of curvature of a circular curve to the left having a radius of 500.00 feet and a central angle of 25°50'00"; thence northwesterly along the arc of said curve a distance of 225.44 feet to a point of tangency; thence N25°59'16"W, a distance of 102.08 feet; thence departing from said Public Right-of-Way, N64°00'44"E a distance of 50.00 feet; thence N25°22'33"W, radial to the next course for a distance of 50.00 feet to a point on a Public Right-of-Way (now known as KURDOCK CIRCLE as recorded in said Official Records Book 672 at Pages 1275 through 1278) and a point on the arc of a circular curve to the left having a radius of 2350.00 feet; thence northeasterly along the arc of said curve through a central angle of 11°33'04", a distance of 473.77 feet; thence departing from said Public Right-of-Way S50°45'48"E, non-radial to the last described course and parallel with and 75.00 feet southerly of, as measured at right angles to, the southwesterly line of the lands described in Official Records Book 540, Pages 1043 and 1044 of the Public Records of Charlotte County, Florida, a distance of 640.81 feet; thence S23°14'01"W a distance of 405.00 feet; thence S00°04'45"E a distance of 420.00 feet (the last mentioned three courses also being coincident with the westerly line of the lands described in Official Records Book 1052, Pages 1605 through 1611 of the Public Records of Charlotte County, Florida); thence S83°55'12"W a distance of 677.82 feet to the Point of Beginning.

Said lands situate, lying and being in Charlotte County, Florida and containing 16.65 acres, more or less.

The above subject to any easements and/or Rights-of-Way of Record.





This sketch is not a survey.  
 Void unless released by surveyor's seal.  
 Bearing based on East line of Section 7-40-22, S00°04'48"E.

Sheet 2

DATE	BY	REVISION
5/21/52	R.E.	CD NAME CHANGED
STANLEY E. SHALITA PROFESSIONAL LAND SURVEYOR NO. 2715 STATE OF FLORIDA		
DATE	BY	REVISION
FEB. 1952	R.E.	1-30'

SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
 A PORTION OF SECTION 7,  
 TOWNSHIP 40 S., RANGE 22 E.,  
 CHARLOTTE COUNTY, FLORIDA.

PIAT-72

LEGAL DESCRIPTION:

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

COMMENCING at the intersection of the East line of said Section 7 with 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 58A and 58B of the Public Records of Charlotte County, Florida; thence N88°58'20"W along said North Right-of-Way line, a distance of 278.01 feet to the Point of Beginning; thence continue N88°58'20"W, along said North Right-of-Way, a distance of 1341.03 feet to a point of curvature of a circular curve to the right having a radius of 25.00 feet and a central angle of 89°48'04", said point being also a point on the East line of a Public Right-of-Way (now known as PIATTI DRIVE) as shown, described and dedicated in Official Records Book 672, Pages 1275 through 1278 of the Public Records of Charlotte County, Florida; thence northwesterly along the arc of said curve and along said Public Right-of-Way a distance of 38.18 feet to a point of tangency; thence continue N00°08'18"W, along the East Right-of-Way line of said PIATTI DRIVE, a distance of 406.88 feet; thence N89°55'12"E, along the southerly line, and its westerly prolongation, of the lands described in Official Records Book 1052, Pages 1606 through 1611 of the Public Records of Charlotte County, Florida, a distance of 1575.61 feet to a point 70.00 feet West of the East line of said Section 7; thence S00°04'48"E, parallel with and 70.00 feet West of, as measured at right angles to, the East line of said Section 7, a distance of 225.77 feet; thence N88°58'20"W for 208.00 feet; thence S00°04'48"E for 208.00 feet to the Point of Beginning.

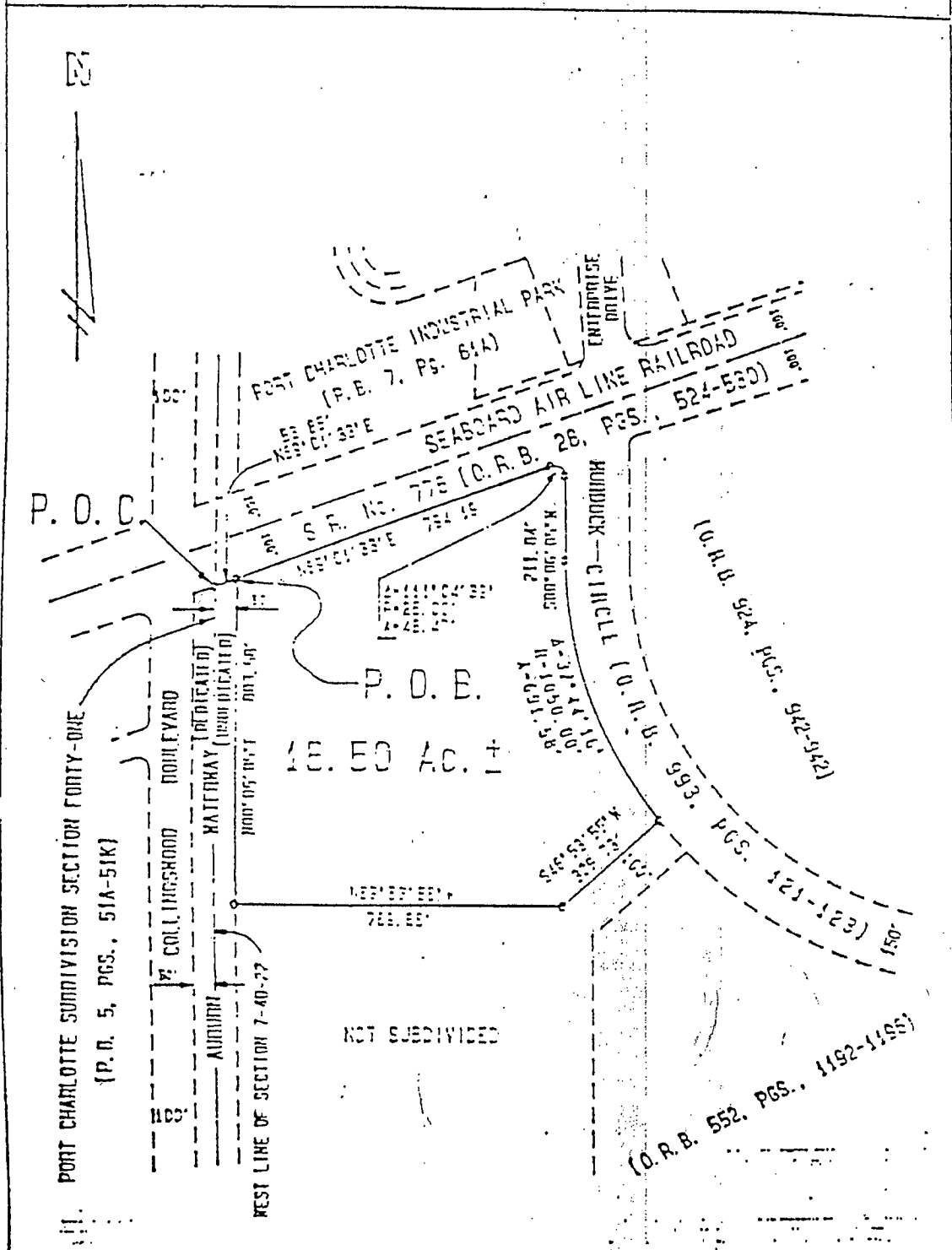
Reserving a canal maintenance easement over the East 20.00 feet of the above described parcel.

Said lands situate, lying and being in Charlotte County, Florida and containing 14.66 acres, more or less.

The above subject to any other easements, and/or Rights-of-Way of Record.

OR BOOK 1305 PAGE 1432





This sketch is not a survey.  
 Void unless witnessed by Surveyor's seal.  
 Bearing based on West line of Section 7-40-22 (P.B. 5, Pgs. 51A-51K)

Sheet 2 of 2

DATE	BY	REMARKS
7-11-97	M.F.	S.E. 1/4 ENLARGED TO 13.50 ACRES
STANLEY E. SHALITA		
PROFESSIONAL LAND SURVEYOR NO. 2721		
STATE OF FLORIDA		
DATE	APPROVED BY	DATE
8-1-97		8-1-97

SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
 A PORTION OF SECTION 7,  
 TOWNSHIP 40 S., RANGE 22 E.,  
 CHARLOTTE COUNTY  
 FLORIDA

MSL:LC

LEGAL DESCRIPTION

A portion of Section 7, Township 40 South, Range 22 East, Charlotte County, Florida, being more particularly described as follows:

COMMENCING at the intersection of the West line of said Section 7 with the Southerly Right-of-Way line of State Road No. 776 as described in Official Records Book 25 at Pages 524 through 530 of the Public Records of Charlotte County, Florida; thence N69°01'33"E for 58.85 feet to the POINT OF BEGINNING; thence continue N69°01'33"E a distance of 794.19 feet (the last mentioned two courses being coincident with the Southerly Right-of-Way line of said State Road No. 776) to a point of curvature of a circular curve to the right having a radius of 25.00 feet and a central angle of 111°04'32"; thence Easterly, Southeasterly and Southerly along the arc of said curve for a distance of 48.47 feet to a point of tangency; thence S00°08'05"W a distance of 211.84 feet to a point of curvature of a circular curve to the left having a radius of 1050.00 feet and a central angle of 37°44'16"; thence Southeasterly along the arc of said curve a distance of 691.55 feet (the last mentioned two courses being coincident with the Westerly Right-of-Way line of MURDOCK CIRCLE as described in Official Records Book 983 at Pages 121 through 123 of the Public Records of Charlotte County, Florida); thence S45°53'55"W, parallel with and 100.00 feet Northwesterly of, as measured at right angles to, the Northwesterly line of the lands described in Official Records Book 552 at Pages 1192 through 1195 of the Public Records of Charlotte County, Florida, a distance of 308.73 feet; thence N89°53'55"W a distance of 768.65 feet to a point 50.00 feet East of the West line of said Section 7; thence N00°06'05"E, parallel with and 50.00 feet East of, as measured at right angles to, the West line of said Section 7, for a distance of 806.55 feet, to the POINT OF BEGINNING.

Said lands situate, lying and being in Charlotte County, Florida and containing 15.50 acres, more or less.

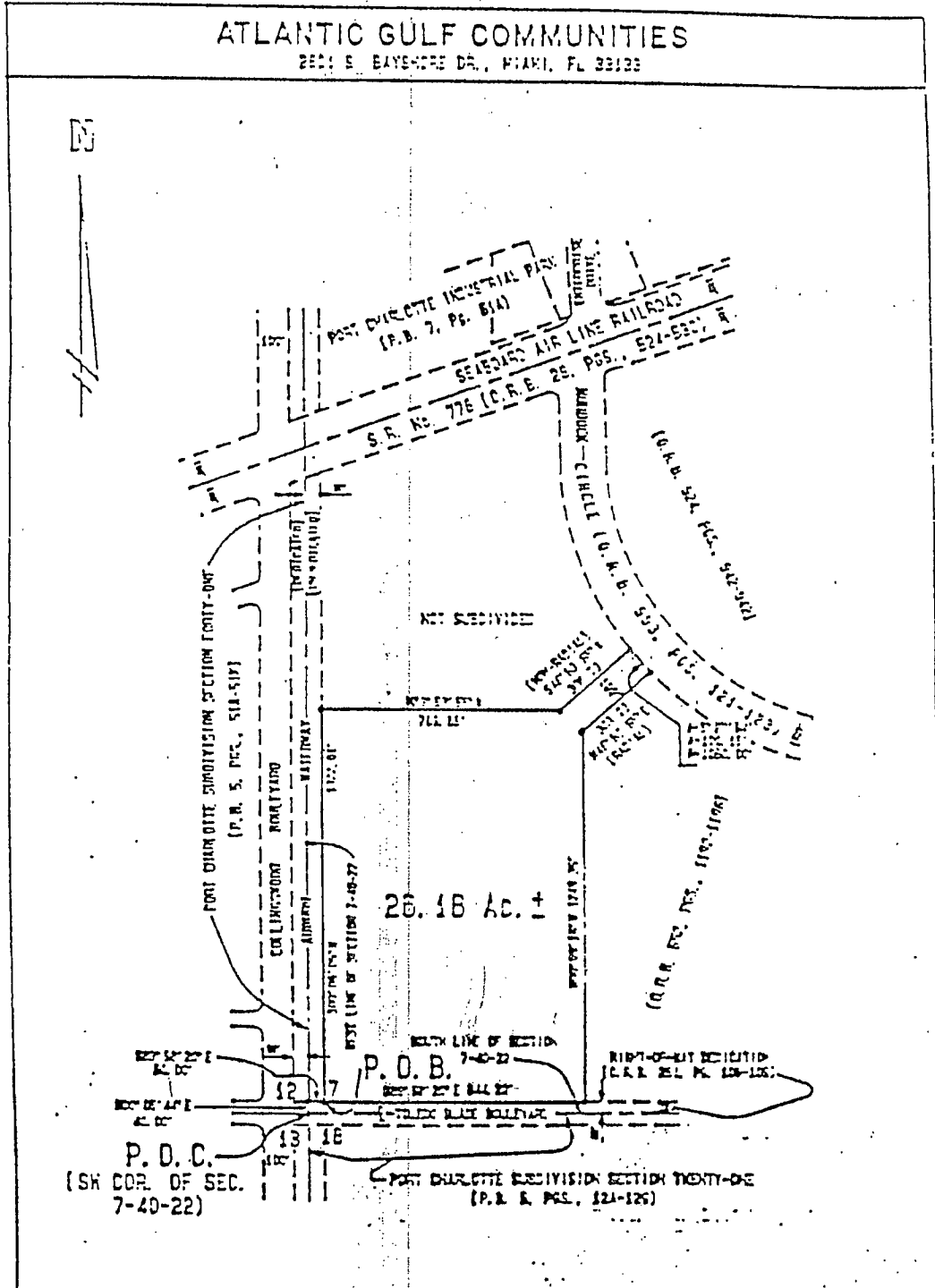
The above subject to easement and/or Right-of-Way of record.

OR BOOK 1305 PAGE 1434

# ATLANTIC GULF COMMUNITIES

2201 S. BAYSHORE DR., MIAMI, FL 33133

OR BOOK 1305 PAGE 1435



This sketch is not a survey.  
 Yield unless indicated by surveyor's seal.  
 Bearing based on best line of Section 7-40-22 (P.B. & PGS. 81A-81C)

Sheet 2 of 2

DATE	BY	REVISION
4-2-76	AF	CC NAME CHANGED
STANLEY B. SHALITA		
REGISTERED LICENSED SURVEYOR		
NO. OF P.	NO. OF B.	DATE OF SURV.
0	0	1-1-76

SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
 A PORTION OF SECTION 7,  
 TOWNSHIP 40 S., RANGE 22 E.,  
 CHARLOTTE COUNTY  
 FLORIDA

10/1/76

LEGAL DESCRIPTION

A portion of Section 7, Township 40 South, Range 22 East, Charlotte County, Florida, being more particularly described as follows:

COMMENCING at the Southwest corner of said Section 7; thence N00°05'44"E, along the West line of said Section 7, a distance of 49.00 feet to the northerly Right-of-Way line of TOLEDO BLADE BOULEVARD as described in Official Records Book 251 at Pages 108 through 109 of the Public Records of Charlotte County, Florida; thence S89°58'20"E, along the North Right-of-Way line of said TOLEDO BLADE BOULEVARD, for a distance of 50.00 feet to the Point of Beginning; thence continue S89°58'20"E, along the last described course, a distance of 844.22 feet to the westerly line of the lands described in Official Records Book 552 at Pages 1182 through 1195 of the Public Records of Charlotte County, Florida; thence N00°08'18"W for a distance of 1245.35 feet; thence N48°53'55"E, radial to the next described curve, a distance of 303.25 feet to a point on the arc of the next described curve to the right (the last mentioned two courses also being coincident with the westerly line of the said lands described in Official Records Book 552 at Pages 1182 through 1195), said point on the arc also being on the southerly Right-of-Way line of MURDOCK CIRCLE as described in Official Records Book 883 at Pages 121 through 123 of the Public Records of Charlotte County, Florida, said circular curve to the right having a radius of 1050.00 feet; thence northwesterly along the said southerly Right-of-Way line of MURDOCK CIRCLE and along the arc of said curve having a central angle of 05°27'54" for a distance of 100.15 feet; thence S48°53'55"W, parallel with and 100.00 feet northwesterly of, as measured at right angles to, the second to last described course, for a distance of 303.73 feet (non-radial to the last described curve); thence N89°53'55"W for a distance of 765.65 feet to a point 50.00 feet East of, as measured at right angles to, the West line of said Section 7; thence S00°08'05"W, parallel with and 50.00 feet East of, as measured at right angles to, the West line of said Section 7, for a distance of 1311.01 feet to the Point of Beginning.

Said lands situate, lying and being in Charlotte County, Florida, and containing 26.16 acres, more or less.

The above subject to any additional easements and/or Rights-of-Way of record.