

ing  
ALL

2003-082 + Agt 2003-032)

FILE 1049288 OR BK 02243 PG 0967 REC'D 06/09/2003 12:17:06 PM  
BARBARA T. SCOTT, CLERK, CHARLOTTE CO  
REC 19.50

RESOLUTION  
NUMBER 2003-082

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AND EX-OFFICIO AS THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AGENCY, CONFIRMING AND DETERMINING IN CONFORMANCE WITH SECTION 163.340(8), FLORIDA STATUTES, THAT THE COMMUNITY REDEVELOPMENT AREA LOCATED IN THE MURDOCK VILLAGE AREA OF CHARLOTTE COUNTY, FLORIDA, IS BLIGHTED; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Findings. It is hereby ascertained, determined, and declared that:

(A) Chapter 163, Part III, Florida Statutes (the "Community Redevelopment Act" or the "Act") provides that there exist in counties and municipalities in the State of Florida slum and blighted areas and that the prevention and elimination of such slum and blighted areas are a matter of state policy and state concern.

(B) The Act further provides that certain slum or blighted areas may require acquisition, clearance and disposition and that certain areas may be susceptible of conservation or rehabilitation such that the slum and blighted areas may be eliminated, remedied or prevented.

(C) The Act provides a mechanism by which counties may accomplish the redevelopment of slum and blighted areas and declares that such redevelopment serves a public purpose.

(D) On even date herewith, the Board of County Commissioners (the "Board") of Charlotte County (the "County") adopted Resolution Number 2003-081 which

IMAGED L.T.

minutes  
★  
4

designated a community redevelopment area in the Murdock Village area of the County (the "Redevelopment Area"), determined such Redevelopment Area to be a "blighted" area as provided for in Section 163.340, Florida Statutes, and established the Murdock Village Community Redevelopment Agency (the "Agency").

(E) The County is the only taxing authority (as such term is used in the Act) within the Redevelopment Area which is subject to the provisions of Section 163.387(2)(a), Florida Statutes.

(F) In order to comply with the last paragraph of Section 163.340(8), Florida Statutes, the Board desires to separately resolve that the Redevelopment Area is blighted and to direct and authorize entering into an interlocal agreement between the Board and the Agency which also confirms and agrees that the area is blighted.

Section 2. Determination of Blight. Within the Redevelopment Area, it is hereby determined that there exist:

(A) A substantial number of structures which include but are not limited to site improvements, subdivision infrastructure, roadways, buildings and other improvements arranged, built or constructed within the Redevelopment Area, and that such structures are physically and functionally deteriorated or are deteriorating in a manner which is leading to economic, physical and social distress; and the foregoing described structures, in their current condition, also present a threat to and endanger both life and property if not substantially repaired, retro-fitted, modified, rebuilt, or redeveloped;

(B) A predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;

(C) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the past five years;

(D) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

(E) Unsanitary or unsafe conditions;

(F) Deterioration of site or other improvements;

(G) Inadequate and outdated building density patterns; and

(H) A diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the Redevelopment Area.

Section 3. Effect of Adoption of Resolution.

(A) The adoption of this Resolution shall be liberally construed to comply with the provisions of the last paragraph of Section 163.304(8), Florida Statutes, and to specifically document by separate resolution that the Board has determined the Redevelopment Area to be blighted.

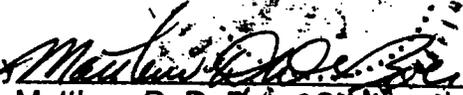
(B) If any one or more of the provisions of this Resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provisions shall be null and void and shall be deemed separate from the remaining provisions of this Resolution.

(C) All prior resolutions of the County inconsistent with the provisions of this Resolution are hereby modified, supplemented, and amended to conform with the provisions herein contained.

Section 4. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

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

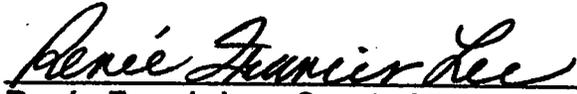
BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA, AND  
EX-OFFICIO AS THE MURDOCK VILLAGE  
COMMUNITY REDEVELOPMENT AGENCY

By   
Matthew D. DeBoer, Chair

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

By   
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
Renée Francis Lee, County Attorney and  
Ex-officio General Counsel to the Murdock  
Village Community Redevelopment Agency

p:\wpdata\public\jg\res\wmurdockcrabligh/LR2003-192/052703





(B) The Act further provides that certain slum or blighted areas may require acquisition, clearance and disposition and that certain areas may be susceptible of conservation or rehabilitation such that the slum and blighted areas may be eliminated, remedied or prevented.

(C) The Act provides a mechanism by which counties may accomplish the redevelopment of slum and blighted areas and declares that such redevelopment serves a public purpose.

(D) In addition to being knowledgeable about conditions in Charlotte County and the Redevelopment Area, the Board of County Commissioners of the County (the "Board") has considered both staff and public comment and input in addition to the data and analysis contained in the West Murdock Redevelopment Study Area Finding of Necessity Report, dated May 2003, prepared and presented to the Board by Real Estate Research Consultants.

(E) Pursuant to Resolution No. 2003-081 adopted May 27, 2003, the County identified and designated a community redevelopment area (the "Redevelopment Area"), determined that within the Redevelopment Area there exist several of the factors identified in Section 163.340(8), Florida Statutes, and created and established the Agency pursuant to Section 163.356, Florida Statutes.

(F) Specifically, the County and the Agency hereby agree, find, ratify and confirm that the following factors are present within the Redevelopment Area:

(1) A substantial number of structures which include but are not limited to site improvements, subdivision infrastructure, roadways, buildings and other improvements arranged, built or constructed within the Redevelopment Area, and that

such structures are physically and functionally deteriorated or are deteriorating in a manner which is leading to economic, physical and social distress; and the foregoing described structures, in their current condition, also present a threat to and endanger both life and property if not substantially repaired, retro-fitted, modified, rebuilt, or redeveloped;

(2) A predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;

(3) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the past five years;

(4) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

(5) Unsanitary or unsafe conditions;

(6) Deterioration of site or other improvements;

(7) Inadequate and outdated building density patterns; and

(8) A diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the Redevelopment Area.

(G) The Board and the Agency hereby find and determine the Redevelopment Area constitutes a "blighted area" (as such term is defined in the Act), and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, morals, or welfare of the citizens of the County.

Section 3. Agreement that Redevelopment Area is a Blighted Area.

(A) The County is the only taxing authority (as such term is used in the Act) within the Redevelopment Area which is subject to the provisions of Section 163.387(2)(a), Florida Statutes.

(B) Pursuant to Section 163.340(8), Florida Statutes, the County and the Agency have determined that one or more of the factors identified in Section 163.340(8)(a) through (n), Florida Statutes, are present in the Redevelopment Area and hereby agree, ratify and confirm that the Redevelopment Area is a blighted area.

Section 4. Interlocal Agreement; Filing Provisions. This Agreement shall be deemed to be an "interlocal agreement" within the meaning of the Florida Interlocal Cooperation Act of 1969, as amended. This Agreement shall be immediately filed in the Official Records of Charlotte County, Florida.

Section 5. Effective Date. This Interlocal Agreement shall take effect immediately upon its passage and adoption.

PASSED AND DULY ADOPTED this 27th of May 2003.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By Matthew D. DeBoer  
Matthew D. DeBoer, Chair

ATTEST:

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

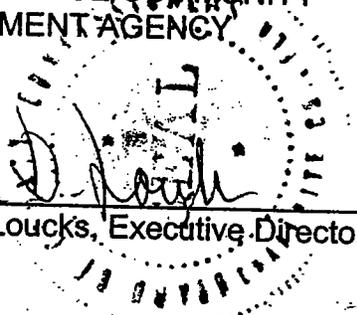
By Alison J. Rice  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

Renée Francis Lee  
Renée Francis Lee, County Attorney

MURDOCK VILLAGE COMMUNITY  
REDEVELOPMENT AGENCY

By: Bruce D. Loucks  
Bruce D. Loucks, Executive Director



ATTEST:  
Barbara T. Scott, Clerk of Circuit  
Court and ex-officio Clerk of the  
Agency

By: Barbara T. Scott  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

Renée Francis Lee  
Renée Francis Lee, as ex-officio General  
Counsel of the Agency

**EXHIBIT A**  
**REDEVELOPMENT AREA**

Description of the Community Redevelopment Area  
Located in the Unincorporated Murdock Village Area of Charlotte County, Florida

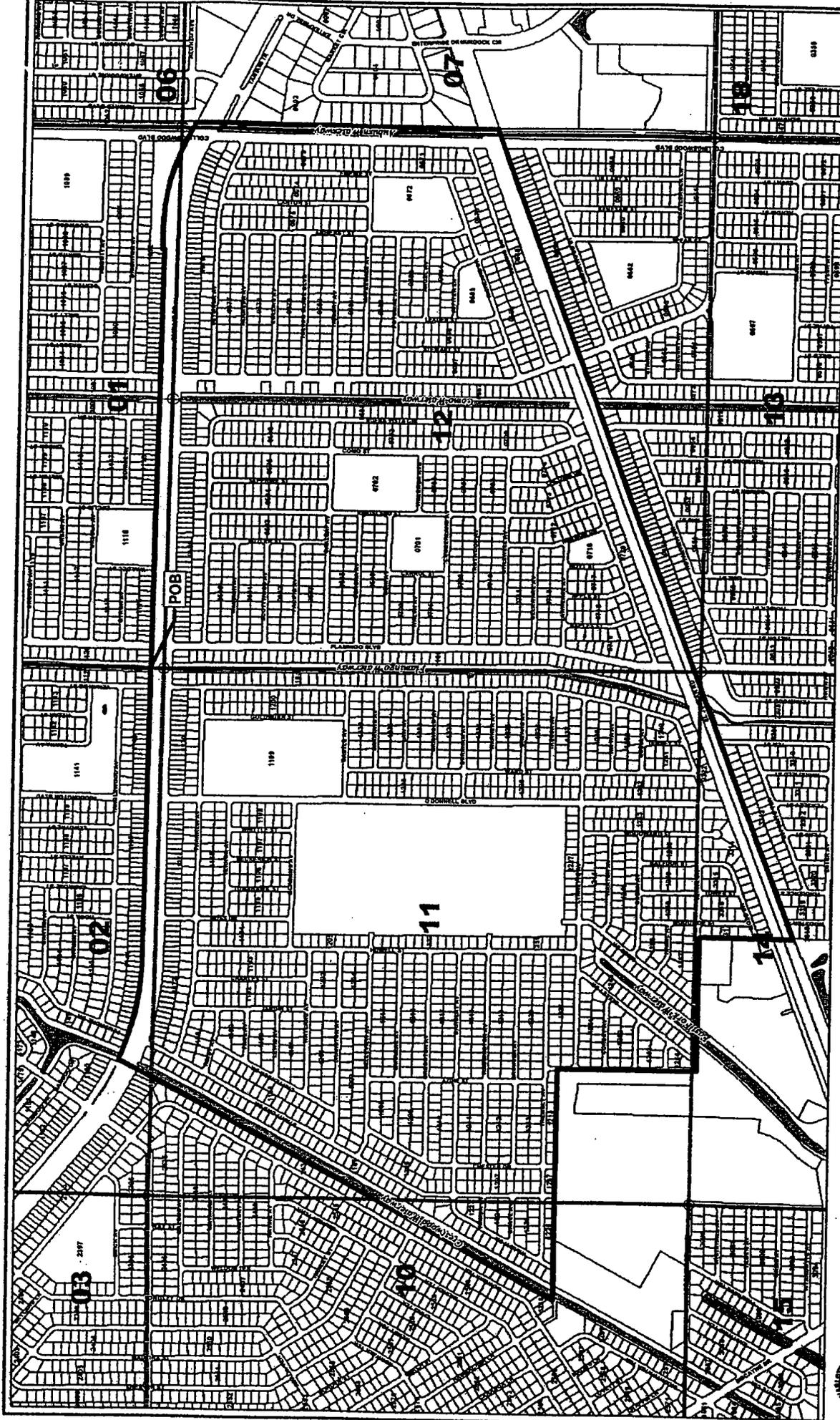
An area lying in Section 1, 2, 10, 11, 12 and 14, Township 40 South, Range 22 East, Charlotte County, Florida being more particularly described as follows:

Commencing at the Southeast section corner of Section 2, Township 40 South, Range 21 East; thence run north along the east section line of section 2 to the north right-of-way line of State Road 45 (200'- 255' ROW) (aka – U.S. 41 and Tamiami Trail) and the Point of Beginning:

From said Point of Beginning; thence run west and northwest along the north right-of-way line of State Road 45 (200' to 255' ROW) (aka – U.S. 41 and Tamiami Trail) to the west right-of-way line of the Crestwood Waterway (125' ROW); thence southwest along the west right-of-way line of the Crestwood Waterway to the extension of the south lot line of Tract H of Block 1187, Port Charlotte Subdivision Section 35 as recorded in Plat Book 5, Page 39 of the Official Records of Charlotte County, Florida, said line is also the south line of said subdivision; thence east along the south line of blocks 1187, 1226, 1247 & 1214 of said subdivision to the center line of the right-of-way of Orlando Street (50' ROW) (renamed Orchard Street), thence south along the centerline of Orchard Street to the intersection of the south right-of-way line of Jolan Avenue (50') (renamed Jenks Drive); thence east along the south right-of-way of Jenks Drive to the extension of the east line of Block 3317 of Port Charlotte Subdivision Section 46, as recorded in Plat Book 5, Page 57 of the Official Records of Charlotte County, Florida; thence south along the west line of said block extended to the intersection of said line with the south right-of-way line of State Road 776, (200' ROW), thence northeast along the south right-of-way of State Road 776 to the intersection with the east right-of-way line of the Auburn Waterway, (100' ROW); thence north along the east right-of-way of the Auburn Waterway to the intersection with the north right-of-way line of State Road 45 (200'- 255' ROW) (aka U.S. 41 and Tamiami Trail); thence northwest and west along said right-of-way to the Point of Beginning. Containing 1,197.8 Acres+/-

The Basis of Bearing of the description above is the east line of Section 2, Township 40 South, Range 21 East, in Port Charlotte Subdivision Section 30, as recorded in Plat Book 5 Page 23 of the Official Records of Charlotte County, Florida

A map of the legal description is attached hereto for illustrative purposes only.



# MURDOCK VILLAGE

## Sketch of Legal Description

1,000  
Feet



This map is a sketch of the legal description of the Murdock Village. It is not a final map and should not be used for legal purposes. The map is based on the information provided in the legal description and is subject to change. The map is not a warranty of accuracy and is provided as a service to the public. The map is not a guarantee of accuracy and is provided as a service to the public. The map is not a warranty of accuracy and is provided as a service to the public. The map is not a guarantee of accuracy and is provided as a service to the public.