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RECORD VERIFIED - BARBARA T. SCOTT, CLERK  
TAMMIE WHISENANT  
BY: JW D.C.

RESOLUTION  
NUMBER 90-286

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RECORDED  
CHARLOTTE COUNTY  
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A RESOLUTION APPROVING THE INCREMENTAL DEVELOPMENT ORDER FOR RIVERWOOD, A DEVELOPMENT OF REGIONAL IMPACT (INCREMENT I).

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

1. Pursuant to Section 380.06, Florida Statutes, the Board of County Commissioners of Charlotte County, Florida, has heard, at a public hearing convened on November 13, 1990, the application for development approval for Riverwood Development of Regional Impact, which consists of approximately 752 acres to be developed in the manner described in the application filed by Robert M. Taylor, Trustee, for said development.

2. The Board of County Commissioners of Charlotte County has considered the report and recommendations of the Southwest Florida Regional Planning Council, the Charlotte County staff, the documents and comments upon the record made before the Board of County Commissioners of Charlotte County, and hereby makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

A. The approximately 752 acre Increment One, more particularly described in the attached Exhibit A legal description will contain Residential, Open Space, Recreational and Commercial facilities along with a Utility Site, and Future Residential/Limited Development Areas.

The residential uses may contain up to 1,100 dwelling units including single family, multi-family, retirement/adult congregate living facilities, manufactured housing and mobile homes, seasonal/vacation units (which may be comparable to the multi-family units or as resort, hotel or bed and breakfast inn). Ancillary recreational and related small scale commercial uses may also take place in some residential tracts. Based upon peak hour trips, the multi-family units may be converted to single family units at a rate of .65 single family units per 1.0 multi-family units.

The Future Residential/Limited Development Area will be tracts presently prepared for future development by excavating lakes, filling, clearing, construction of road embankments and water management structures and incidental mitigation activities.

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The Open Space and Recreational areas will include wetland and upland reserves, lakes and an eighteen hole golf course with related clubhouse and recreational facilities, restaurant, lounge and pro-shops.

The Commercial areas will contain up to 140,000 s.f. of Commercial Retail and Office uses.

The Utility site will contain the wastewater treatment plant, golf course maintenance area, irrigation facilities, boat and recreational vehicle storage, and may contain a potable water supply tank.

B. The proposed development is not in an area designated as an Area of Critical State Concern pursuant to the provisions of Section 380.05, Florida Statutes.

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

D. Upon meeting the conditions contained herein, the development is consistent with the Charlotte County comprehensive plan and will be consistent with land development regulations at the time of development.

E. The development is consistent with the report and recommendations of the Southwest Florida Regional Planning Council submitted pursuant to Subsection 380.06(11), Florida Statutes.

F. The development is consistent with the State Comprehensive Plan.

## II. CONCLUSIONS OF LAW

The Development of Regional Impact Application for Incremental Development Approval (Increment I) submitted on behalf of the Applicant, MRP Land Trust by Robert M. Taylor, Trustee, is hereby ordered Approved subject to the following conditions, restrictions, and limitations [The term "applicant" or "Applicant" as used herein shall include any successor or management entity hereinafter assigned or succeeding to the rights or obligations under this development order]:

### A. CONDITIONS

#### 1. DRAINAGE/WATER QUALITY

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- a. As necessary, the Riverwood Increment I will obtain Southwest Florida Water Management District (SWFWMD) permits for conceptual approval and/or construction and operation of the surface water management system.
- b. All water retention/detention areas must meet SWFWMD criteria. Any areas which do not meet this criteria may not be used in the calculation of water quality or quantity volumes unless otherwise permitted under the appropriate SWFWMD regulations.
- c. The applicant shall confirm, to the satisfaction of the SWFWMD and the applicable federal, state, and local permitting agencies that the proposed water management system will not significantly adversely impact habitats of any species of special concern, threatened or endangered species occurring on-site, or that such impacts will be mitigated as deemed appropriate during the permitting process.
- d. If drain-down time frames set for the dry retention areas are of such duration that they result in mosquito breeding detrimental to the health, welfare, safety and quality of life of Riverwood and surrounding residents, as per Florida Statutes Chapter 380.021, or constitute a nuisance injurious to health, as per Florida Statutes Chapter 386.041(e), then those retention areas should be modified in a way which will abate the nuisance, or detrimental conditions consistent with SWFWMD regulations.
- e. All drainage swales and spreader-swales shall be finish-graded to levels such that no isolated pool of water will stand in any swale for more than 72 hours after a ten-year storm event.
- f. In order to assure unimpaired tidal flushing, no spoil pile or berm shall be constructed and no existing spoil pile, berm or excavation shall be allowed within the wetland reserve which spoil pile, berm or excavation detains or impounds water for more than 72 hours after high tide or a 10-year storm.
- g. At least once annually, the applicant, or the entity responsible for maintenance of the surface water management system, shall remove from all dry retention areas, swales and spreader swales, all plants of any species listed in the "Florida Prohibited Aquatic Plants" list published by the Florida Department of Natural Resources, Bureau of Aquatic Plant Management.

- h. Provisions for the drainage of off-site areas and outparcels that presently drain through Increment One site must be provided at the time of SWFWMD permit application.
- i. The applicant shall undertake a regularly scheduled vacuum sweeping of all commercial and office areas parking facilities, to be incorporated as a best management practice.
- j. In areas adjacent to retail and office uses the applicant shall provide pre-treatment of run off in accordance with the applicable criteria of the permitting agency in order to provide reasonable assurance that hazardous materials will not enter the stormwater management system.
- k. The operation of the Riverwood Surface Water Management System is dependent on the Myakka River for an outlet. Therefore, the water management plan shall demonstrate that the system is designed in accordance with existing SWFWMD permit design parameters for the adjacent portions of the Myakka River.
- l. The applicant shall cooperate with any on-going or future efforts by Charlotte County to establish a County-wide Watershed Basin Management Plan.
- m. Best Management Practices (BMP's) and monitoring and maintenance of the stormwater management system shall be implemented by the applicant in accordance with SWFWMD guidelines.
- n. The applicant shall designate a specific entity to manage and maintain the surface water management system. This entity may be a utility company, a homeowner's association or similar entity, or one of the entities described in the AMDA.
- o. Any business which might generate special or hazardous wastes, shall be responsible for the temporary storage and proper disposal of special or hazardous wastes generated by businesses within the parcel. These types of waste shall include any of those listed in the Charlotte County Hazardous Waste Assessment (Table III-2) prepared by the SWFRPC in July, 1985.

2. HURRICANE EVACUATION/FLOODPLAINS

- a. Mitigation for hurricane shelter impacts shall consist of funding for shuttering the Charlotte County Emergency Management Offices within the Charlotte County

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Administration Building by May 31, 1991. The amount of the funding shall be the acceptable low bid based upon the County's request for proposal developed in cooperation with the applicant.

b. Mitigation for hurricane evacuation route impacts shall be implementation of one of the following provisions:

1. Provision for the establishment and maintenance of a public information program within an existing homeowners association for the purpose of educating the development's residents regarding the potential hurricane threat; the need for timely evacuation in the event of an impending hurricane; the availability and location of hurricane shelters; and the identification of steps to minimize property damage and to protect human life. In order to use this mitigation option, the developer must develop a continuing hurricane awareness program and a hurricane evacuation plan. The hurricane evacuation plan shall address and include, at a minimum, the following items: operational procedures for the warning and notification of all residents and visitors prior to and during a hurricane watch and warning period; a public awareness program which addresses vulnerability, hurricane evacuation, hurricane shelter alternatives including hotels, friends residences and public hurricane shelter locations, and other protective actions which may be specific to the development; identification of who is responsible for implementing the plan; and other items as deemed appropriate. The plan shall be developed in coordination with local emergency management officials. In order to use this mitigation option, the final plan must be found sufficient by SWFRPC, DCA and Charlotte County and must address the recommendations provided by the reviewing agencies; or
2. Provision of roadway capacity improvements committed to by the developer above and beyond the improvements required by Rule 9J-2.0255, Florida Administrative Code; or
3. Provision of funds to be used for the purpose of procuring communications equipment which would upgrade the existing warning and notification capability of local emergency management officials. In order to use this mitigation option, the developer must obtain reasonable assurance from local emergency management officials regarding the provision's ability to reduce the development's hurricane evacuation impacts.

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3. TRANSPORTATION

- a. In addition to the other obligations specified in the Development Order, the Applicant, or his successor shall be required to construct, at no cost to Charlotte County, all site-related improvements deemed necessary by Charlotte County and the Florida Department of Transportation. Site-related improvements shall be those improvements deemed site-related at the time of construction under the definitions of the Impact Fee Ordinance, as may be amended. The Applicant's obligation shall include the full cost of design and engineering, drainage and utility relocation, dedication of right-of-way under the Applicant's ownership, construction of turn lanes, acceleration and deceleration lanes, construction inspection, contract administration, testing and signalization (as needed and warranted). The alignment, design, signalization, and construction schedule shall be approved by either the County Engineer and/or the Florida DOT, as appropriate.
- b. The Applicant or his successor shall submit an annual traffic monitoring report. The monitoring program shall be designed in cooperation with Charlotte County, the Southwest Florida Regional Planning Council and the Florida Department of Transportation. The annual monitoring report shall contain at a minimum AM and PM peak-hour, peak season traffic counts (with turning movements) and mutually agreed upon professionally acceptable level of service analyses at all project access points onto the roadway network and at the following intersections:

- SR 776/Cornelius Boulevard
- SR 776/Jacobs Street
- SR 776/Project Entrance East
- SR 776/Project Entrance West
- SR 776/David Boulevard
- SR 776/Marathon Boulevard
- SR 776/Oceanspray Boulevard
- SR 776/Sunnybrook Boulevard

In addition, peak season daily traffic counts and level of service calculations shall be submitted as part of the annual monitoring report for all project access roads and the roadway links listed below:

- SR 776

Cornelius Boulevard to Project Entrance  
Project Entrance to David Boulevard  
David Boulevard to CR 771  
CR 771 to Sunnybrook Boulevard  
Sunnybrook Boulevard to San Casa Road

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Riverwood shall submit the annual monitoring report to Charlotte County, the Southwest Florida Regional Planning Council and the Florida Department of Community Affairs for review. The first report shall be submitted one year after the issuance of the first construction permits for buildings within the Riverwood Increment I. Reports shall be submitted annually until project buildout. The purpose of the annual monitoring program is to:

1. Assist Charlotte County and FDOT in determining the proper timing of necessary roadway improvements.
2. Determine the existing levels of service on regional and local facilities.

It is recognized and understood that traffic counts may be obtained from original machine and manual peak hour counts, County traffic volume reports, Florida Department of Transportation, other ADA's and DRI's with similar monitoring requirements, and other generally acceptable sources.

- c. The SWFRPC transportation assessment for the Riverwood Master Development and the Riverwood Master Development Order identified a year 2004 Master Roadway Network (Exhibit 1) and the regionally and locally significant roads as shown in Exhibit 2. The SWFRPC transportation assessment of significant Increment I impacts determined that the following actions are needed coincident with development of the Riverwood Increment I if peak hour LOS "D" conditions (urban) or LOS "C" (rural) are to be maintained through buildout of Increment I on regional road segments and intersections:

<u>Roadway</u>	<u>Action</u>
<u>SR 776</u>	
- Cornelius Blvd. to San Casa Rd.	Reclassify to urban and/or LOS D

- d. In order to mitigate the transportation impacts on the regionally and locally significant roads as identified in Exhibit 2 for this increment and meet comprehensive plan concurrency requirements, the Applicant shall pay its proportionate share of offsite regionally and locally significant roadway and intersection improvements coincident with the impacts of the Increment I traffic. The proportionate share necessary to mitigate the impacts of Increment I has been identified in Exhibit 3 and is \$2,050,000. Compliance with the conditions of this development order satisfies the Applicant's traffic obligation under the Charlotte County Impact Fee

Ordinance and successor ordinances.

- e. Prior to the end of Increment I the following transportation network improvements shall be provided through a staged improvement approach. (The specifics of the Increment I Roadway Improvement Program are also identified in Exhibit 4, Capital Road Facilities Plan):

1. Accelerate SR 776 Planning/Design Effort

The Applicant shall participate financially by contributing \$300,000 with that amount going toward funding in total or in part the SR 776 Project Development and Environmental (PD & E) Study and/or roadway design plans and/or right of way acquisition. That PD & E study will encompass at a minimum that portion of SR 776 which the Applicant is obligated to widen as described in Condition e.4 and g.

2. Construct SR 776 Turn Lanes.

The applicant shall construct SR 776 turn lanes and signal to serve the project at the Project Entrance(s). This improvement is considered to be site related.

3. Provision of SR 776 Right-of-way.

The Applicant shall dedicate by deed 50 feet of SR 776 right-of-way on the Applicant's property along the Riverwood frontage needed for an ultimate six lane cross section. The value of this right-of-way will be based on fair market value as established by the average of two independent appraisals (one each from the County and the Applicant) to be conducted within 180 days of the date of this Development Order. The value of the right-of-way is estimated to be \$600,000. Either payment for, or credit for, that right-of-way value will be provided to the Applicant by the County at the time SR 776 is to be widened to four lanes as identified in Conditions e.4 and g. Said payment will be from funds provided to the County by FDOT for SR 776 if the County and FDOT enter into an agreement to provide said funds. If, before October, 1993, there is no such agreement between the County and FDOT that provides for payment for right-or-way dedication by Applicant before commencement of construction of the improvement in e.4, then the Applicant shall be credited for the value of the right-of-way against the proportionate share amount.

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4. Widen A Portion of SR 776.

The Applicant shall enter into a contract to design and widen from two to four lanes, that portion of SR 776 along Riverwood's frontage to just west of Cornelius Boulevard (i.e., approximately 1.0 miles - see Exhibit 6) or as far as the Applicant's remaining proportionate share amount of \$1,750,000 (adjusted for the actual value of right-of-way as described in e.3 above) will fund. The actual dollar amount and length of widening will be based on the value of the right-of-way dedication in e.3 above and whether FDOT provides right-of-way acquisition funds to Charlotte County for this right-of-way which will be used as provided in Section 3g. below or whether the Applicant receives credit for that right-of-way.

5. Provide Project Access Alternative to SR 776.

The Applicant shall provide a "backdoor" connection from Increment I at Brookville Avenue to allow an alternative Project traffic access to US 41 without having to use SR 776. This improvement is considered to be site related.

If other alternatives to the Capital Roads Facilities Plan shown on Exhibit 4 and described in this subsection are determined which would also adequately address the needs of the public and the Applicant consistent with the Charlotte County Comprehensive Plan, then amendments to this staged improvements program may be proposed following the appropriate procedures outlined in F.S. Chapter 380.

If, due to marketing reasons or other economic circumstances, it becomes financially unfeasible for the Applicant to proceed with the development as approved in Increment I on the schedule proposed, then the Applicant's obligations under subsection e.1, e.2, e.4 and e.5 shall be revised through the appropriate procedures outlined in F.S. Chapter 380 as long as the Applicant adequately mitigates the impacts of and meets the applicable conditions for development which has already occurred through the payment of equivalent impact fees.

- f. The Applicant shall work with the Florida DOT and Charlotte County and shall by no later than August, 1991, enter into an agreement, approved by the County, with a qualified engineering firm to undertake the PD & E study as identified in Condition e.1. In the event that the PD & E study costs less than the \$300,000 obligation of Condition e.1, the balance shall be used for additional

SR 776 design and widening per section e.4 above when the widening is performed. No building permits for any permanent residential, retail or office use of Increment I totaling more than the equivalent \$300,000 of roads impact fees will be issued as it relates to the PD & E study above.

- g. Upon dedication of the right of way (\$600,000 est.), and execution of the agreement for the PD & E Study (\$300,000 est.) per e.1 & 3 above, building permits shall be allowed to be issued for the equivalent of \$900,000 of roads impact fees or, up to 440 units, and 104,000 square feet of retail commercial and office as approved in the amended P.D.A., and an 18 hold golf course with related facilities.

Charlotte County will work with the Florida DOT so that the County is paid for that right-of-way at the time of or prior to any roadway widening obligations of the Applicant. The County shall, when paid by the Florida DOT, then apply that money towards the Applicant's right-of-way and the Applicant shall apply it toward the widening of SR 776 so that a total of \$1,750,000 is assigned to SR 776 widening. In the event that the Florida DOT does not pay Charlotte County for the identified right-of-way by October of 1993, the value of that right-of-way shall be applied as a credit against the \$2,050,000 proportionate share. The balance of the proportionate share [i.e., \$2,050,000-\$300,000 (PD & E) - \$600,000 (value of r.o.w.) = amt. to widen SR 776] shall go into widening of SR 776 to the extent that those monies will provide the required improvement (i.e., approximately from the south boundary of the project's frontage approximately to Jacobs Street).

- h. No building permits will be issued for development totaling more than the equivalent of \$900,000 worth of roads impact fees (i.e., that development beyond 440 residential units, and 104,000 square feet of commercial retail and office space, and an 18 hole golf course with related facilities, or a combination thereof) or after October, 1993, until the Applicant has provided to Charlotte County and the Florida DOT an acceptable final design for the widening of SR 776 as identified in Condition e.5. No building permits beyond those described in this section will be issued after December 31, 1993, until the Applicant has either paid to Charlotte County the balance of its proportionate share as set forth in 3.d, or has commenced construction of the widening of SR 776 as identified in Condition e.4, unless otherwise prevented or delayed as described in Condition i. No certificate of occupancy will be issued for the portion of Increment I beyond the golf course, 140,000 s.f. commercial area, and 800 residential units until the

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improvement identified in Condition e.4 is substantially completed or the proportionate share has been satisfied in full.

- i. Following completion and acceptance of the PD & E study, the Applicant will report to Charlotte County the status of the proposed roadway widening (as identified in Condition e.4 as to the availability of right of way, utility constraints and any other constraints or obstacles which are beyond the control of the Applicant and which would prevent the Applicant from initiating construction by December 31, 1993. In the event that the identified obstacles prohibit the Applicant from initiating construction per Condition e.4 and h, the Applicant shall, no later than October 1993, provide to Charlotte County and the Florida DOT a final design for the widening of SR 776 as identified in Condition e.4 and shall apply through the appropriate procedures in F.S. Chapter 380 for an extension of the time to comply with Condition e.4 until the identified problem is cured, or the Applicant shall pay to Charlotte County the balance of the proportionate share payment which shall be expeditiously applied by Charlotte County to the widening specified in Condition e.4 when the identified problem is cured. If the Applicant chooses to pay the balance of the proportionate share payment, then upon such payment Charlotte County will expeditiously pursue the necessary resolution of those right of way, utility or other constraints. Upon provision of the financial assurances for the identified sum, the Applicant shall have satisfied the obligations of Condition e.4, f, g, h and i and shall have satisfied concurrency obligations for the Increment I transportation impacts.

Dates and calendar days as may be identified and specified in the above transportation conditions are exclusive of public agency review periods including permit application review periods. Any delays due to public agency reviews shall be reflected in the actual dates and calendar days of this development order.

Provided that the obligations of Condition e, f, g, h and i have are satisfied per the identified conditions, Riverwood Increment I shall be concurrent for traffic purposes.

- j. Charlotte County will address the need for the improvements to the regionally and locally significant roadway network, other than the staged improvements identified in Exhibit 4, in the Capital Improvements Element of the Comprehensive Plan, as amended from time to time.
- k. If during development of Increment I any improvement to

a regionally significant road or intersection identified in the Capital Road Facilities Plan (Exhibit 4) as a requirement for Increment I is not commenced in accordance with the approved Capital Road Facilities Plan, construction of Riverwood shall stop at the end of this Increment.

1. If staged road/intersection improvements are required and later additional improvements are anticipated on State highways, then the Applicant (or local government as the case may be) shall forward to the Florida Department of Transportation, one or more typical cross section designs for each stage of the improvement prior to the improvement being implemented. The FDOT will be given an opportunity to review and comment upon the cross-sections, particularly on their suitability for future phased improvements, and shall forward their comments to the local government.
  
- m. If the private development roadway improvements outlined in Table C-4 of the SWFRPC Recommendations (included herein as Exhibit 5) are not in place by the year 1992, a substantial deviation determination shall be made pursuant to Florida Statutes Chapter 380.06.

If these private roadway improvement commitments as outlined in Table C-4 have not been met by the buildout date for Increment I, Riverwood shall not proceed beyond Increment I until such time as those commitments have been met or the purpose of those commitments demonstrated to be satisfied in an alternative manner.

If the next Increment AIDA is submitted to the SWFRPC before the buildingout date for Increment I, a reanalysis of the Increment I traffic will be required. This reanalysis, if required, shall be performed utilizing the most reliable methodology agreed upon by the Applicant, the County, FDOT and the Southwest Florida Regional Planning Council. A reanalysis of Increment I impacts shall be provided to Charlotte County, DCA, and the SWFRPC for review and comment.

#### 4. VEGETATION AND WILDLIFE

Construction and land clearing activity, outside the area approved for development pursuant to the amended Preliminary Development Agreement (PDA) shall be prohibited, until the following two actions are completed and the Increment I Master Development Plan (Map H) is revised, if necessary, consistent with the findings of:

- a. A detailed Gopher Tortoise survey and management plan, submitted to the SWFRPC, DCA and the FGFWFC, and

Charlotte County and approved through the issuance of the necessary permits from FGFWFC; and

- b. A Bald Eagle Management Plan submitted to SWFRPC and DCA, acceptable to the FGFWFC, and approved by Charlotte County through the appropriate F.S. Chapter 380 development order amendment procedures.

5. WATER SUPPLY

- a. Prior to the construction of buildings, the applicant shall sign a service availability agreement, for the provision of potable water for Riverwood Increment One, with either General Development Utilities, Inc., El Jobean Water Association, or Harbor Lakes Utilities, Inc, or the successor to said utilities, or other like utility.
- b. The applicant shall establish (or designate) a responsible entity for the nonpotable water supply and distribution system, prior to the construction of buildings outside of the amended PDA area.
- c. Prior to construction of buildings outside of the amended PDA area, the applicant should show verification, acceptable to the Southwest Florida Water Management District and Charlotte County, that adequate potable water capacity is available to serve Riverwood Increment I.
- d. The applicant shall acquire, as required by SWFWMD, a water use permit for withdrawals from groundwater, project lakes and/or other surface water bodies for irrigation or potable uses and for dewatering activities associated with the construction of project lakes, and/or road or building foundations.
- e. In areas of Increment I employing treated wastewater for irrigation purposes, the applicant shall ensure that on-site lakes and wetlands, and the Myakka River, are adequately buffered from possible effluent contamination, as required by the appropriate regulatory agencies.
- f. Water should not be used for the purpose of lot, driveway or street cleaning.
- g. Water conservation measures and practices should be utilized in Riverwood Increment I such as low water use plumbing fixtures, self-closing and/or metered water faucets, and other water conserving devices. Unless spray effluent is utilized for irrigation, landscape irrigation should be restricted to the hours of between 5:00 p.m. and 9:00 a.m. after the establishment of landscaping.

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- h. Riverwood Increment I shall utilize xeriscape principles in the design and maintenance of the project's landscaping.
- i. All construction plans, technical specifications, and proposed plats, if applicable, for the Riverwood Increment I Water Distribution System, shall be reviewed and approved by Charlotte County prior to commencement of construction.

6. WETLANDS

Construction and land clearing activity within any wetland areas outside of the Amended Preliminary Development Agreement (PDA) area shall be prohibited until the appropriate permits have been obtained for such areas and the following information for such areas has been submitted to the SWFRPC, DCA and Charlotte County:

- a. Identification of specific wetland areas to be impacted and an ecological assessment of their condition.
- b. Detailed description of wetland mitigation proposed to offset wetland impacts.

7. WASTEWATER MANAGEMENT

- a. The applicant shall provide assurances that needed wastewater treatment plant capacity shall be in place by buildout of Riverwood Increment I to service the Increment.
- b. The applicant shall provide assurance, for Riverwood Increment I, that nondomestic wastewater will be treated separately from domestic wastewater and handled in accordance with FDER criteria.
- c. Temporary septic tanks may be used for residential models, construction and sales offices. Unless otherwise specified in future increments, in commercial and marina portions of the project, septic tanks should not be allowed, except for construction of sales offices and model home centers due to the possibility of hazardous wastewater generation. Septic tanks shall not be allowed in any residential portions of the project, except for construction or sales offices which shall be connected to central treatment facilities prior to residential use.

8. ENERGY

The applicant is encouraged to incorporate the following energy conservation features where appropriate, into final site plans and architecture. These features may be implemented

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through appropriate deed restrictions and covenants in order to mitigate further energy impacts of the project. To the extent practicable the following shall be undertaken or incorporated into development plans:

- a. Provision of a bicycle/pedestrian system along Riverwood Drive and other collector roads within the project.
- b. Provision of bicycle racks or storage facilities in recreational, commercial and multi-family residential areas.
- c. Cooperation in the locating of bus stops, shelters, and other passenger and system accommodations for a transit system to serve the project area.
- d. Use of energy-efficient features in window design (e.g., tinting and exterior shading).
- e. Use of operable windows and ceiling fans.
- f. Installation of energy-efficient appliances and equipment.
- g. Prohibition of deed restrictions or covenants that would prevent or unnecessarily hamper energy conservation efforts. (e.g., building orientation, clotheslines, and solar water heating systems).
- h. Reduced coverage by asphalt, concrete, rock, and similar substances in streets, parking lots, and other areas to reduce local air temperatures and reflected light and heat.
- i. Installation of energy-efficient lighting for streets, parking areas, recreation areas, and other interior and exterior public areas.
- j. Selection of native plants, trees, and other vegetation and landscape design features that reduce requirements for water, fertilizer, maintenance, and other needs.
- k. Planting of native shade trees to provide reasonable shade for all recreation areas, streets, and parking areas.
- l. Placement of trees to provide needed shade in the warmer months while not overly reducing the benefits of sunlight in the cooler months.
- m. Orientation of structures, as possible, to reduce solar heat gain by walls and to utilize the natural cooling effects of the wind.

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- n. Provision for structural shading (e.g., trellises, awnings, and roof overhangs) wherever practical when natural shading cannot be used effectively.
- o. Inclusion of porch/patio areas in residential units.
- p. Consideration by the project architectural review committee(s) of energy conservation measures (both those noted here and others) to assist builders and residents in their efforts to achieve greater energy efficiency in the development.

9. GENERAL CONSIDERATIONS

- a. 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 outlined above are incorporated herein and officially adopted as conditions for approval.
- b. This Increment I is a single 5 year phase, as adjusted to the effective date of development order (i.e., after expiration of any appeal or appeal period). If development order conditions and applicant commitments incorporated within the development order to mitigate regional impacts are not carried out as indicated to the extent or in accord with the timing schedules specified within the development order and this phasing schedule, then this shall be presumed to be a substantial deviation for the affected regional issue.
- c. Pursuant to Chapter 380.06, the applicant may be subject to credit for contributions, construction, expansion, or acquisition of public facilities, if the developer is also subject by local ordinances to impact fees or exactions to meet the same needs. The local government and the developer may enter into a capital contribution front-ending agreement to reimburse the developer for voluntary contributions in excess of his fair share.
- d. Certain outparcels within the outside perimeter of Riverwood considered during review of the Riverwood Increment I project are not owned by the Applicant. Therefore, the Applicant shall either obtain the development rights to the parcels or indicate them as "outparcels" to the project. Because the entire area within the perimeter of the Riverwood boundary has already been extensively reviewed and inspected, subsequent acquisition of the "outparcels" shall not create a substantial deviation pursuant to Ch. 380 F.S.
- e. The Applicant will comply with all applicable local, codes, ordinances and regulations of Charlotte County to

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the extent not inconsistent with this D.O.

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

1. The County Administrator shall be the local official responsible for assuring compliance with this Development Order.

2. Wherever the term "applicant" or "Applicant" is used herein to refer to a condition or requirement which must be completed, the term shall include any successors or assigns or management entity hereinafter succeeding to the rights and obligations under this development order.

3. This Incremental Development Order shall remain in effect for a period of ten (10) years from the date of its rendition. In the event that significant physical development has not commenced within this time period, development approval will terminate and this development order shall no longer be effective. For purposes of this requirement, "significant physical development" does not include roads, drainage or landscaping but does include construction of buildings or installation of utilities and facilities such as sewer and water lines.

4. Pursuant to Section 380.06(15)(c)3, Charlotte County agrees that the Riverwood Increment I Development Order shall not be subject to downzoning, unit density reduction or intensely reduction for a period of five (5) years unless it can demonstrate that substantial changes have occurred in the conditions underlying the approval of this development order or that the development order was based on substantially inaccurate information provided by the developer or that the change is clearly established by Charlotte County to be essential to the public health, safety or welfare.

5. The applicant or its successor(s) in title to the subject property shall submit a report annually, commencing one year from the effective date (i.e., after expiration of any appeal or appeal period) of this development order, to Charlotte County, the Southwest Florida Regional Planning Council, and the Department of Community Affairs. This report will contain the information required in Section 9B-16.25, Florida Administrative Code. Failure to submit the annual report shall be governed by Subsection 380.06(16), Florida Statutes.

6. Subsequent requests for development permits shall not require further review pursuant to Section 380.06, Florida Statutes, unless it is found by Charlotte County, after due notice and hearing, that one or more of the following is present:

a. A substantial deviation from the terms or conditions of this development order, or other changes to the approved development plans which create a reasonable likelihood of adverse regional impacts or other regional impacts which were not evaluated

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in the review by the Southwest Florida Regional Planning Council, in which case Charlotte County shall take the appropriate action which may include ordering that an amendment to the DRI be filed before any further development may continue; or

b. An expiration of the period of effectiveness of this development order as provided herein, in which case Charlotte County shall order a termination of all development activity until such time as a new DRI Application for Development Approval has been submitted, reviewed and approved in accordance with Section 380.06, Florida Statutes.

7. The approval granted by this Development Order is limited. Such approval shall not be construed to obviate the duty of the applicant to comply with all other applicable local or state permitting procedures.

PASSED AND DULY ADOPTED this 13 day of November,

1990.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

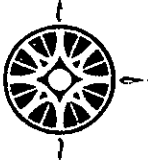
By Jack Lotz  
Jack Lotz, Chairman

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

By Diane Lemaster  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

Robert H. Berntsson  
Robert H. Berntsson  
Chief Assistant County Attorney



**WILSON • MILLER • BARTON • SOLL & PEEK, INC.**

ENGINEERS PLANNERS SURVEYORS  
LANDSCAPE ARCHITECTS ENVIRONMENTAL CONSULTANTS

4571 COLONIAL BLVD., FORT MYERS, FLORIDA 33912

(813) 939-1020 FAX (813) 939-7479

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**DESCRIPTION  
(NOT SURVEYED)**

All that part of Sections 17, 20, 21, 28 and 29, Township 40 South, Range 21 East, Charlotte County, Florida, also being, in part, those lands as described in Deeds recorded in O.R. Book 903 Pages 1729 through 1731, O.R. Book 999 Page 1854, O.R. Book 1014 Page 1891, also being all that part of those lands as described in O.R. 941 Pages 165 through 180, O.R. Book 941 Page 181, O.R. Book 941 Pages 183 through 185, O.R. Book 941 Pages 186 through 188, and O.R. Book 981 Pages 766 & 777 (all of the Public Records Charlotte County, Florida) lying within the herein described lands being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 17; thence N.89°27'35"E. along the North line of said Section 17, said line also being the South limit of PORT CHARLOTTE SUBDIVISION, Section 49, according to the Plat thereof as recorded in Plat Book 5, Pages 63-A through 63-E, Public Records of Charlotte County, Florida, a distance of 2683.48 feet to the Northwest corner of the Northeast Quarter of said Section 17; thence S.0°47'30"W. along the West line of the Northwest 1/4 of the Northeast 1/4 of said Section 17, said line also being the West limit of PORT CHARLOTTE SUBDIVISION, Section 61, according to the Plat thereof as recorded in Plat Book 5, Pages 75-A through 75-C, Public Records of Charlotte County, Florida, a distance of 1335.11 feet to the Southwest corner of the Northwest 1/4 of the Northeast 1/4 of said Section 17; thence S.89°40'23"E. along the South line of the Northwest 1/4 of the Northeast 1/4 of said Section 17, said line also being the South limit of said PORT CHARLOTTE SUBDIVISION, Section 61, a distance of 1323.43 feet to the Southeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 17; thence S.0°23'14"W. along the West line of the Southeast 1/4 of the Northeast 1/4 of said Section 17, said line also being the West limit of said PORT CHARLOTTE SUBDIVISION, Section 61, a distance of 1314.80 feet to the Southwest corner of the Southeast 1/4 of the Northeast 1/4 of said Section 17; thence S.0°52'20"W.

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along the West line of the East 1/2 of the Southeast 1/4 of said Section 17, said line also being the West limit of Plat of said PORT CHARLOTTE SUBDIVISION, Section 61, a distance of 932.90 feet to the POINT OF BEGINNING of the Parcel herein described; thence continue S.0°52'20"W. along said West line a distance of 1784.36 feet to the Southwest corner of the East 1/2 of the Southeast 1/4 of said Section 17; thence N.89°26'20"E. along the South line of said Section 17, said line also being the South limit of said PORT CHARLOTTE SUBDIVISION, Section 61, a distance of 1328.90 feet to the Southeast corner of said Section 17 and the Northwest corner of said Section 21; thence S.89°41'20"E. along the North line of said Section 21, a distance of 1955.50 feet to the Westerly boundary of those lands as described in Official Record Book 688, Page 215, Public Records of Charlotte County, Florida; thence S.00°49'28"W. along said boundary a distance of 825.10 feet; thence S.89°41'20"E. along said boundary a distance of 369.37 feet to the Westerly Right-of-Way line of Hamner Avenue (a 60' Right-of-Way) as shown on PLAN NO. 2 OF A PART OF WARD 7, EL JOBE-AN according to the Plat thereof as recorded in Plat Book 2, Page 48, Public Records of Charlotte County, Florida; thence continue S.89°41'20"E. a distance of 30.64 feet to the centerline of said Hamner Avenue; thence N.12°04'06"E. along said centerline a distance of 256.48 feet to the centerline of Colonial Avenue (a 60' Right-of-Way) as shown on said Plat; thence N.72°04'06"E. along said centerline a distance of 610.84 feet to the centerline of Ward Road (a 50' Right-of-Way) as shown on said Plat; thence N.12°04'06"E. along said centerline a distance of 390.95 feet to the North line of said Section 21; thence S.89°41'20"E. along said North Section line a distance of 2237.96 feet to the centerline of C.H. & N. Railroad Right-of-Way (abandoned) as shown on said PLAN NO. 2 OF A PART OF WARD 7, EL JOBE-AN; thence S.12°04'06"W. along said centerline a distance of 2490.78 feet to the Southerly Right-of-Way line of Lee Circle (a 100' Right-of-Way) as shown on said Plat and to a point on a curve; thence Westerly and Southwesterly along said Southerly Right-of-Way line 273.03 feet along the arc of a non-tangential circular curve concave to the Southeast, having a radius of 232.00 feet, through a central angle of 67°25'47" and being subtended by a chord which bears S.68°21'13"W. a distance of 257.55 feet to the Southerly

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Right-of-Way line of Rowe Avenue (a 60' Right-of-Way) as shown on said Plat and to a point on said curve; thence N.47°55'54"W. along said Southerly Right-of-Way line a distance of 1323.02 feet to the Southerly Right-of-Way line of Dade Avenue (a 60' Right-of-Way) as shown on said Plat; thence S.72°04'06"W. along said Southerly Right-of-Way line a distance of 1222.43 feet to a point on the Southeasterly projection of the Northerly Right-of-Way line of Lincoln Circle (a 100' Right-of-Way) as shown on said Plat; thence S.77°15'10"W. a distance of 332.00 feet to the radius point of Lincoln Circle; thence S.77°55'54"E. a distance of 125.10 feet; thence continue S.77°55'54"E. along the Northerly line of those lands as described in Official Record Book 981, Pages 776 and 777, Public Records of Charlotte County, Florida, a distance of 1204.90 feet to the Westerly Right-of-Way line of Southland Avenue (a 60' Right-of-Way); thence continue along the boundary of said described lands in the following six (6) described courses: 1) S.12°04'06"W. along said Westerly Right-of-Way line of Southland Avenue a distance of 2123.59 feet; 2) S.77°55'54"E. a distance of 30.00 feet; 3) Southeasterly 212.87 feet along the arc of a circular curve concave to the Southwest, having a radius of 232.00 feet, through a central angle of 52°34'13" and being subtended by a chord which bears S.51°38'48"E. a distance of 205.48 feet to an intersection with the Northerly Right-of-Way line of Russel Avenue extended; 4) N.72°04'06"E. along said extended Right-of-Way line a distance of,42.00 feet more or less to the ordinary low water line of a lake; 5) Meander Southerly, then Southwesterly along said low waterline 400 feet more or less to an intersection with Easterly Right-of-Way line of Southland Avenue extended; 6) S.12°04'06"W. along said Easterly Right-of-Way line extended a distance 100 feet more or less to an intersection of the Southerly boundary of Seminole Circle and the Easterly Right-of-Way line of Southland Avenue; thence N.18°58'35"W. for a distance of 409.04 feet; thence N.28°16'30"W. for a distance of 311.99 feet; thence N.47°47'21"W. for a distance of 583.75 feet; thence N.40°12'10"W. for a distance of 325.45 feet; thence S.59°15'41"W. for a distance of 148.11 feet; thence S.00°43'32"E. for a distance of 318.12 feet; thence S.05°13'04"W. for a distance of 482.59 feet; thence Southerly and Southeasterly 326.37 feet along the arc of a circular curve concave to the Northeast, having a radius of 400.00 feet, through a central angle of 46°44'59" and being

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subtended by a chord which bears S.18°09'26"E. for a distance of 317.40 feet; thence S.41°31'55"E. for a distance of 461.43 feet; thence S.22°55'11"E. for a distance of 791.69 feet to the Northerly most corner of Lot 470 as shown on PLAN NO. 2 OF A PART OF WARD TWO, EL JOBE-AN according to the Plat thereof as recorded in Plat Book 2, Page 43, Public Records of Charlotte County, Florida; thence S.42°04'06"W. along the Northwesterly line of Lot said 470, a Southwesterly prolongation of Lot 470 and the Northwesterly line of Lot 469, a distance of 260.00 feet; thence S.47°55'54"E. along the Southeasterly line of Lot 469 and 559 a distance of 125.50 feet to the Northerly Right-of-Way line of Weeksonia Avenue, all as shown on said Plat; thence S.72°04'06"W. along said northerly right-of-way line of Weeksonia Avenue for 734.39 feet; thence N.47°55'54"W. along the Northerly right-of-way line of Tampa Road as shown on said plat of PLAN NO. 2 OF A PART OF WARD TWO, EL JOBE-AN for a distance of 651.26 feet; thence continue N.47°55'54"W. for a distance of 138.56 feet to a line which lies 120 feet Northerly of and parallel with (as measured at right angles to) said Northerly Right-of-Way line of Tampa Road and a point herein after referred to as POINT "A"; thence along said parallel line S.72°04'06"W. for a distance of 1384.42 feet; thence N.23°36'43"W. for a distance of 546.23 feet; thence Northwesterly and Westerly 881.43 feet along the arc of a circular curve concave to the Southwest, having a radius of 600.00 feet, through a central angle of 84°10'12" and being subtended by a chord which bears N.65°41'49"W. for a distance of 804.28 feet; thence S.72°13'05"W. for a distance of 1231.22 feet; thence N.77°08'45"W. for a distance of 158.40 feet; thence N.52°59'39"W. for a distance of 205.37 feet; thence S.66°27'48"W. for a distance of 147.66 feet; thence S.28°56'43"W. for a distance of 240.52 feet; thence S.09°38'03"E. for a distance of 112.41 feet; thence S.45°46'10"E. for a distance of 262.27 feet; thence N.83°45'25"W. for a distance of 208.02 feet; thence N.72°06'52"W. for a distance of 206.33 feet; thence N.56°14'17"W. for a distance of 131.78 feet; thence N.19°44'44"E. for a distance of 102.44 feet; thence N.80°26'43"E. for a distance of 87.25 feet; thence N.06°31'57"E. for a distance of 125.81 feet; thence N.08°39'55"W. for a distance of 112.51 feet to the Mean High

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Water Line of the Myakka River; thence run Northerly along said Mean High Water Line for a distance of 22,644 feet more or less to a point; thence N.20°26'48"E. for a distance of 771.46 feet; thence N.41°49'59"E. for a distance of 1276.53 feet; thence N.22°57'15"E. for a distance of 576.54 feet to the Point of Beginning of the parcel herein described;

LESS AND EXCEPT the following described parcel of land;

COMMENCING at previously mentioned POINT "A"; thence N.60°26'12"W. for a distance of 458.48 feet to the POINT OF BEGINNING of the parcel herein described; thence N.72°45'39"W. for a distance of 959.38 feet; thence N.34°40'51"W. for a distance of 146.40 feet; thence N.22°59'37"E. for a distance of 789.55 feet; thence N.79°05'34"E. for a distance of 96.19 feet; thence N.31°38'26"E. for a distance of 78.83 feet; thence N.76°35'54"E. for a distance of 226.52 feet; thence S.04°12'01"W. for a distance of 191.82 feet; thence S.26°59'49"E. for a distance of 89.21 feet; thence S.74°44'38"E. for a distance of 238.21 feet; thence N.62°46'31"E. for a distance of 127.91 feet; thence S.19°20'46"E. for a distance of 360.95 feet; thence S.48°37'28"W. for a distance of 105.62 feet; thence S.01°16'36"W. for a distance of 360.01 feet; thence S.80°40'35"E. for a distance of 225.87 feet; thence S.57°08'03"W. for a distance of 345.49 feet to the Point of Beginning of the parcel herein described;

CONTAINING 21.37 acres more or less;

CONTAINING 690 net acres more or less;

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EXCEPTING THEREFROM the following;

Lots 816, 817, 831, 930, 931, 932, 967, 968, 969, and 1001, all being part of PLAN NO. 1 OF A PART OF WARD TWO EL JOBE-AN according to the Plat thereof as recorded in Plat Book 2, Page 39;

Lots 436 and 437, both being part of PLAN NO. 2 OF A PART OF WARD TWO EL JOBE-AN according to the Plat thereof as recorded in Plat Book 2, Page 43;

Lots 10, 11, 18, 19, 28, 29, 456, 464, 465, 466, 467, 584, 637, 638, 675 through 682, 792, 793, 829, 836, 837, 838, 851, 860, 861, 862, 863, 864, 865, and 866, all being part of PLAN NO 1. OF A PART OF WARD 3 EL JOBE-AN according to the Plat thereof as recorded in Plat Book 2, Page 42;

Lots 53, 94, 95, 96, 265 and 266, all being part of PLAN NO. 2 OF A PART OF WARD THREE EL JOBE-AN according to the Plat thereof as recorded in Plat Book 2, Page 46;

Lots 176, 194, 195, 200, 201, 617, 618, 719, 737, 738 739, and 754, all being part of PLAN OF WARD 4, CITY OF EL JOBE-AN, FLORIDA, according to the Plat thereof as recorded in Plat Book 1, Page 60;

Lots 301, 555, 676, 677, 1248, 1249 and 1743 all being part of PLAN OF WARD 6, CITY OF EL JOBE-AN, FLORIDA, according to the Plat thereof as recorded in Plat Book 1, Page 61;

all being of the Public Records of Charlotte County, Florida;

the parcel herein described being subject to easements, restrictions and reservations of record;

the parcel herein described also being subject to the following recorded Plats:

- PLAN NO. 1 OF A PART OF WARD TWO EL JOBE-AN (P.B. 2, P.39),
- PLAN NO. 2 OF A PART OF WARD TWO EL JOBE-AN (P.B. 2, P.43),
- PLAN NO. 1 OF A PART OF WARD 3 EL JOBE-AN (P.B. 2, P.42),
- PLAN NO. 2 OF A PART OF WARD THREE EL JOBE-AN (P.B. 2, P.46),
- PLAN OF WARD 4, CITY OF EL JOBE-AN, FLORIDA (P.B. 1, P.60),
- PLAN OF WARD 6 CITY OF EL JOBE-AN, FLORIDA (P.B. 1, P.61),

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PLAN NO. 1 OF A PART OF WARD SEVEN, EL JOBE-AN (P.B. 2, P.37); PLAN NO. 2 OF A PART OF WARD SEVEN, EL JOBE-AN (P.B.2, P.48); all being of the Public Records of Charlotte County, Florida;

Basis of bearings assumes the West Right-of-Way line of State Road 771 - EL JOBE-AN Road (130' R/W) being S.12°04'06"W. as shown on the State Right-of-Way Maps for State Road 771.

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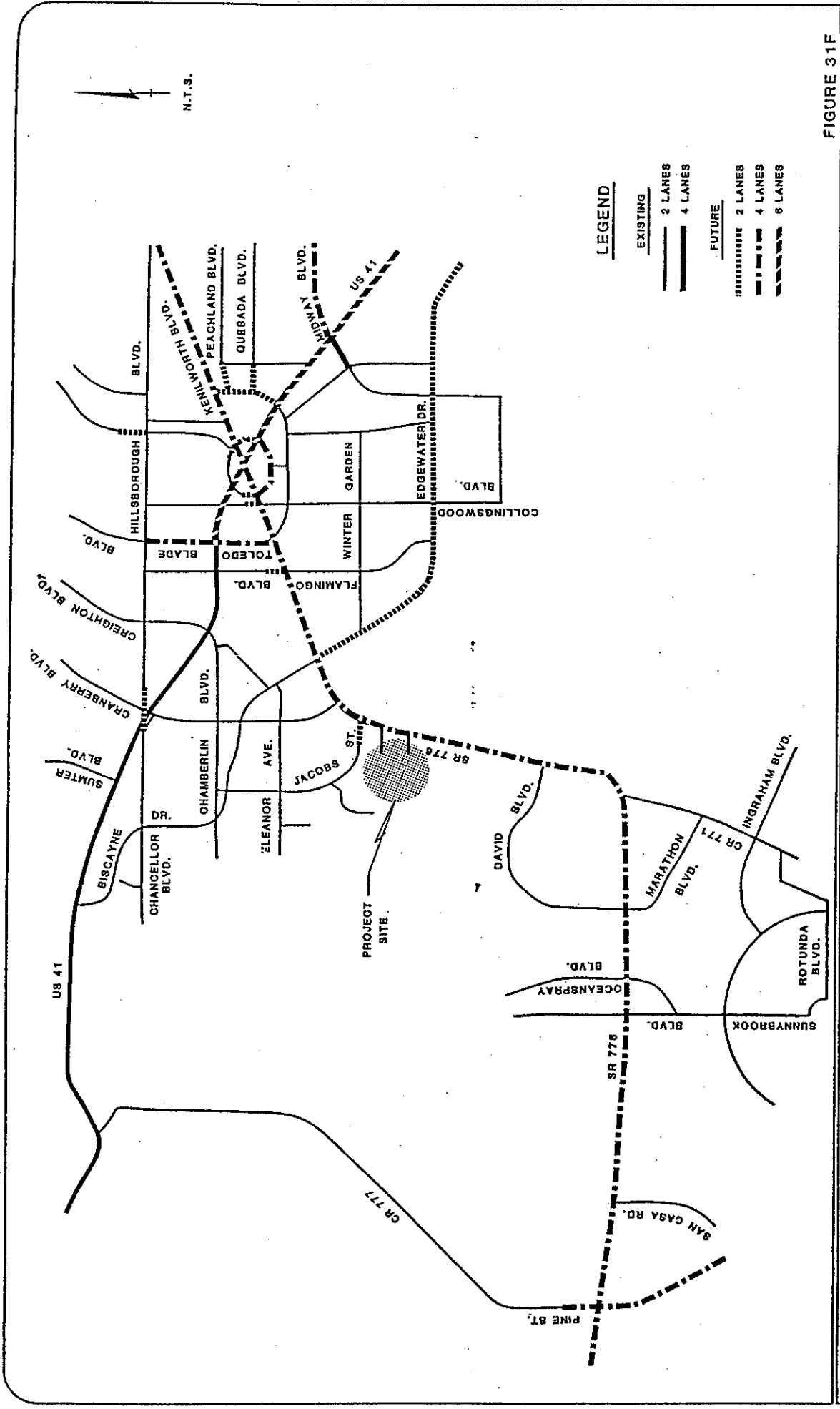


FIGURE 31F

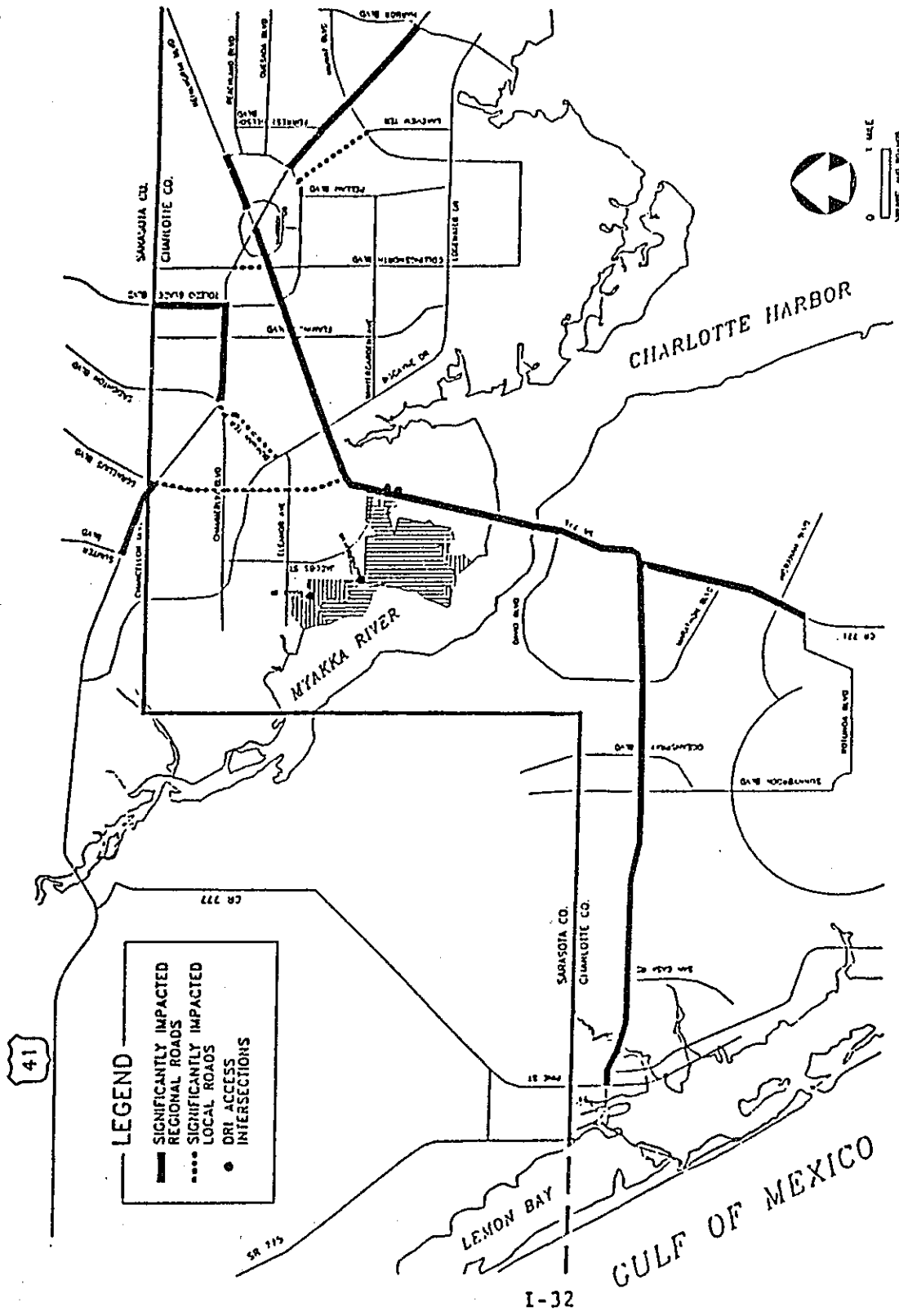
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MASTER ROADWAY NETWORK (YEAR 2004)

RIVERWOOD DRI



EXHIBIT 2



MAP F-2  
 RIVERWOOD AMDA  
 SIGNIFICANT TRAFFIC IMPACTS  
 BUILDING PAGE 11B  
 - 2004

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SOURCE: SWFRPO, STAFF ASSESSMENT.

PROPORTIONATE SHARE CALCULATION INCREMENT I

BEHAVIORAL CONDITIONS WITH PROJECT  
1974 FEAR HOUR, FEAR SEASON  
E/C METHOD

LINE	JUNEI	ROADWAY	FROM	TO	E/C # OF LANES	NEED # OF LANES	E/C THO-WAY SERVICE VOLUME # LOS C & LOS D	THO-WAY SERVICE VOLUME # LOS C & LOS D	THO-WAY SERVICE VOLUME # LOS C & LOS D	THO-WAY SERVICE VOLUME # LOS C & LOS D	THO-WAY SERVICE VOLUME INCREASE # LOS C & LOS D	PROJECT PROPORTIONATE SHARE # LOS C & LOS D	(1)	MILES	IMPROVEMENT COST PER IMPROVEMENT LANE MILE	(2)	ROAD	PROPORTIONATE SHARE DOLLARS # LOS C	ROAD COST	PROPORTIONATE SHARE DOLLARS # LOS C
T-1		U.S. 41	BISCAYNE	SURTER	4	4	4000	4000	4000	4000	0	-	-	2.0	1862,000	10	10	10		
T-2			CORNELIUS	CORNELIUS	4	4	4010	4010	4010	4010	0	-	-	1.2	1862,000	10	10	10		
T-3			CORNELIUS	CORNELIUS	4	5	3370	3350	3370	3350	0	-	-	1.5	1862,000	10	10	10		
T-4			CORNELIUS	FLAMINGO	4	4	2970	3120	2970	3120	0	-	-	0.9	1862,000	10	10	10		
T-5			FLAMINGO	TOLEDO BLADE	4	4	2970	3120	2970	3120	0	-	-	0.8	1862,000	10	10	10		
T-6			TOLEDO BLADE	MURDOCK	4	4	2970	3120	2970	3120	0	-	-	0.7	1862,000	10	10	10		
T-7			MURDOCK	SR 776	4	4	2970	3120	2970	3120	0	-	-	0.4	1862,000	10	10	10		
T-8			SR 776	MURDOCK	4	4	4000	4700	4000	4700	0	-	-	0.3	1862,000	10	10	10		
T-9			MURDOCK	TOLEDO BLADE	4	4	4400	4700	4400	4700	0	-	-	0.5	1862,000	10	10	10		
T-10			TOLEDO BLADE	FOREST NELSON	4	4	133	2830	3040	4480	1190	0.0944	0.0944	0.8	1862,000	11,431,000	10	10		
T-11			FOREST NELSON	ADWAY	4	4	125	2830	3040	4400	1190	0.0839	0.0839	0.5	1862,000	9114,000	10	10		
T-12			ADWAY	HARBOR	4	4	73	2900	2900	4440	1540	0.0723	0.0723	1.7	1862,000	13,274,000	10	10		
J-1		S.R. 776	US 41	MURDOCK	2	4	225	2970	3120	3120	0	-	-	0.1	1862,000	10	10	10		
J-2			MURDOCK	COLLINGSWOOD	2	4	255	2970	3120	3120	0	-	-	0.1	1862,000	10	10	10		
J-3			COLLINGSWOOD	TOLEDO BLADE	2	2	270	1490	1580	3350	1480	0.1667	0.1525	0.4	1862,000	1670,000	10	10		
J-4			TOLEDO BLADE	FLAMINGO	2	2	300	1490	1500	3170	1480	0.1786	0.1695	0.4	1862,000	11,034,000	10	10		
J-5			FLAMINGO	RISCAWNE	2	2	310	1490	1500	3170	1480	0.1845	0.1751	1.4	1862,000	42,327,000	10	10		
J-6			RISCAWNE	CORNELIUS	2	2	330	1490	1500	3170	1480	0.1944	0.1864	0.4	1862,000	1670,000	10	10		
J-7			CORNELIUS	JACOBS	2	2	425	770	1150	2400	1920	0.2214	0.2274	0.5	1862,000	1774,000	10	10		
J-8			JACOBS	PROJ. ENT(EE)	2	2	425	770	1150	2400	1920	0.2214	0.2274	0.2	1862,000	1345,000	10	10		
J-9			PROJ. ENT(EE)	PROJ. ENT(H)	2	2	425	770	1150	2400	1920	0.2214	0.2274	0.5	1862,000	1082,000	10	10		
J-10			PROJ. ENT(H)	BRIDGE	2	2	160	770	1150	2400	1920	0.0233	0.0291	1.1	1862,000	41,810,000	10	10		
J-10a			BRIDGE	BRIDGE	2	2	160	770	1150	2400	1920	0.0233	0.0291	0.3	18,762,000	43,381,000	10	10		
J-10b			BRIDGE	DAVID BLVD.	2	2	160	770	1150	2400	1920	0.0233	0.0291	0.4	1862,000	167,167	10	10		
J-11			DAVID BLVD.	CR 771	2	2	135	770	1150	2400	1920	0.0703	0.0754	1.3	1862,000	42,241,000	10	10		
J-12			CR 771	MARATHON	2	2	95	770	1150	2400	1920	0.0449	0.0463	1.0	1862,000	11,274,000	10	10		
J-13			MARATHON	OCEANSFRAT	2	2	4	90	770	1150	2400	0.0443	0.0473	1.7	1862,000	42,131,000	10	10		
J-14			OCEANSFRAT	SUMMITTRODE	2	2	4	85	770	1150	2400	0.0443	0.0473	0.5	1862,000	1882,000	10	10		
J-15			SUMMITTRODE	SAN CASA	2	2	4	40	770	1150	2400	0.0443	0.0473	2.8	1862,000	14,027,000	10	10		
J-16			SAN CASA	PINE ST	2	2	4	40	1390	1070	3120	0.0255	0.0242	1.5	1862,000	42,384,000	10	10		
EL-1		ELEANOR	JACOBS	WEST	2	2	0	620	770	420	0	-	-	0.5	1862,000	10	10	10		
EL-2			JACOBS	CORNELIUS	2	2	0	620	770	420	0	-	-	1.1	1862,000	10	10	10		
EL-3			CORNELIUS	RISCAWNE	2	2	0	620	770	420	0	-	-	0.4	1862,000	10	10	10		
S-1		C.R. 771	SR 776	MARATHON	2	2	30	770	1150	770	1150	0	-	1.2	1862,000	10	10	10		
S-2			MARATHON	JERMAN	2	2	20	770	1150	770	1150	0	-	0.5	1862,000	10	10	10		
S-3			JERMAN	BOUQUINA BLVD.	2	2	15	770	1150	770	1150	0	-	0.4	1862,000	10	10	10		
SS-1		SUMMITTRODE	SR 776	OCEANSFRAT	2	2	15	770	1150	770	1150	0	-	0.7	1862,000	10	10	10		
SS-2			OCEANSFRAT	BOTHUNA BLVD.	2	2	15	770	1150	770	1150	0	-	2.2	1862,000	10	10	10		
IR-1		LEHRLINDEN	US 41	MURDOCK	0	4	60	3170	3350	3170	3350	0	-	0.3	1862,000	10	10	10		
IR-2			MURDOCK	TOLEDO BLADE	0	0	40	0	0	1490	1580	0.0483	0.0480	0.5	1862,000	1882,000	10	10		
IR-3			TOLEDO BLADE	EAST	0	0	5	0	0	1490	1580	0.0034	0.0032	2.5	1862,000	14,379,000	10	10		
JR-1		JACOBS	CHAMBERLIN	RISCAWNE	2	2	0	770	1150	770	1150	0	-	0.1	1862,000	10	10	10		
JR-2			RISCAWNE	ELEANOR	2	2	0	770	1150	770	1150	0	-	0.8	1862,000	10	10	10		
JR-3			ELEANOR	REPREHNSON	2	2	0	770	1150	770	1150	0	-	0.8	1862,000	10	10	10		
JR-4			REPREHNSON	SOUTH	0	0	0	0	0	770	1150	0.0000	0.0000	5.0	1862,000	44,379,000	10	10		



EXHIBIT 4

RIVERWOOD INCREMENT 1

CAPITAL ROAD FACILITIES PLAN (1)

<u>Roadway</u>	<u>Improvement</u>	<u>Description</u>	<u>Responsible Entity</u>	<u>Estimated Cost</u>	<u>Funding Source</u>
STAGE 1 - YEAR 1					
SR 776	Planning/Design	Participate financially in the funding in total or in part of the SR 776 PD & E study and/or roadway design plans and/or right of way acquisition.	Riverwood Increment 1	\$ 300,000(2)	Riverwood
SR 776	Calculate Route Specific Service Volume	Identify specific SR 776 input values and recalculate capacity using those route specific values.	Charlotte County (Riverwood Increment 1 to provide technical input).	NA	Charlotte County
SR 776	Amend SR 776 Functional Classification	Revise rural/urban designation from Cornelius Boulevard to San Casa Road and adjust service volume and LOS standard accordingly.	Charlotte County (Riverwood Increment 1 to provide technical input).	NA	Charlotte County
SR 776	Construct Site Related Improvements	Construct SR 776 site related improvements including: Left Turn Lanes Right Turn Lanes Signal	Riverwood Increment 1	\$ 175,000 Site Related	Riverwood

<u>Roadway</u>	<u>Improvement</u>	<u>Description</u>	<u>Responsible Entity</u>	<u>Estimated Cost</u>	<u>Funding Source</u>
<u>STAGE 2 - YEAR 2</u>					
SR 776	SR 776 Right-of-Way	Dedicate 50 feet of SR 776 right of way on the Applicant's property along the Riverwood frontage needed for an ultimate six lane cross section. Payment for or credit for that right of way value will be provided at the time SR 776 is to be widened to four lanes. (1)	Riverwood Increment I	\$ 600,000	Riverwood
<u>STAGE 3 - YEAR 3</u>					
SR 776	Widen from 2 to 4 lanes	Widen or cause to be widened SR 776 from 2 to 4 lanes along the Project's frontage to just west of Cornelius Boulevard (approximately 1.0 miles or to that point to which \$1,750,000 will fund). (1)	Riverwood Increment I	\$ 1,750,000 (3)	Riverwood
<u>STAGE 4 - YEAR 4 TO 5</u>					
Brookville Avenue	Provide Alternate Access	Provide alternate access from Increment I at Brookville Avenue to allow alternate Project traffic access to US 41. (Twenty foot local road connection.)	Riverwood Increment I	\$ 50,000 Site Related	Riverwood

Footnotes:

- 1) See Riverwood Increment I Transportation Development Order conditions.
- 2) Maximum of \$300,000 provided for planning/design.
- 3) Reflects payment for right of way coincident with widening.

EXHIBIT 5

TABLE C-4

RIVERWOOD INCREMENT ONE

COMMITTED ROADWAY IMPROVEMENTS

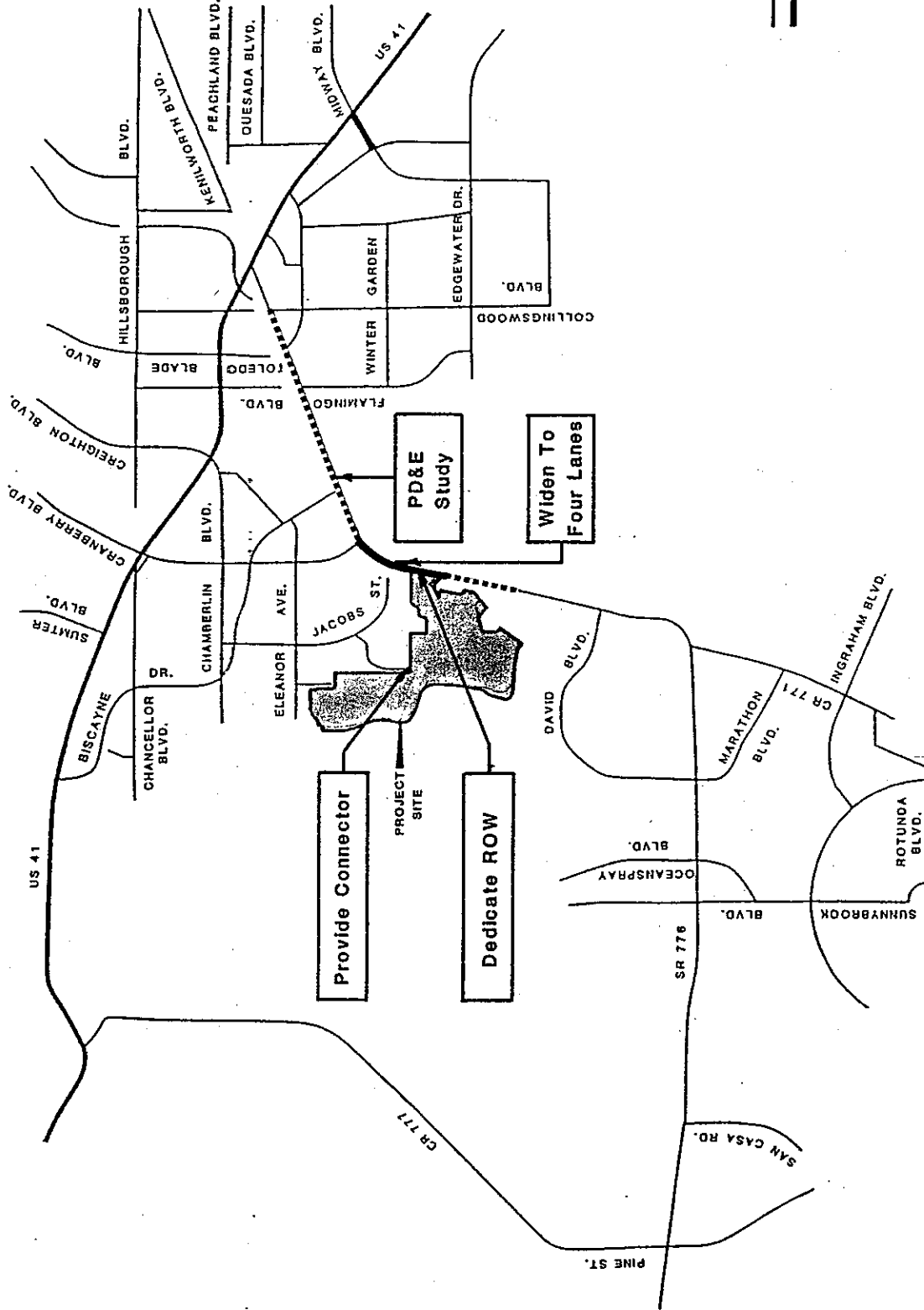
Roadway	Segment	From	To	Improvement	Responsible Party	Approximate Schedule
SR 776		U.S. 41	Collingswood	2 to 4 (1)	Private - Port Charlotte Town Center	Complete
U.S. 41		SR 776	Toledo Blade South	4 to 6	Private - Port Charlotte Town Center	Complete
Murdock Circle		U.S. 41	Piatti	2 to 4	Private - Port Charlotte Town Center	Complete
		Piatti Kennilworth	SR 776 U.S. 41	0 to 4 0 to 2	Private/Public (2) Private-Murdock Center	Complete Complete(3)
Kennilworth Boulevard		U.S. 41 Toledo Blade(4)	Murdock Circle Hillsborough	0 to 4 0 to 4	Private - GDC Charlotte County	Complete 1992
Hillsborough Extension		Loveland	Peachland	0 to 2	Charlotte County	1992
Toledo Blade		Quesada Kennilworth	U.S. 41 Quesada	0 to 2 0 to 2	Private-Murdock Center Private-Murdock Center	1991 1991
Edgewater		Olman Waterway Cousley	U.S. 41 Harbor	2 to 4 2 to 4	Charlotte County Charlotte County	1995 1995
Peachland		Forest Nelson	Toledo Blade	0 to 2	Private-Murdock Center	1991
Enterprise Drive		Market Circle	SR 776	0 to 2	Private - GDC	Complete
Kings Highway		Harborview	I-75	2 to 4	Charlotte County	1993
Toledo Blade		SR 776	Toledo Blade (N)	0 to 2	Private - GDC	1990
Collingswood Boulevard		SR 776	Collingswood Boulevard (N)	0 to 2	Private - GDC	Complete



Footnotes:

- 1) PD & E study is committed by Florida DOT for entire segment of SR 776.
- 2) First two lanes Port Charlotte Town Center, second two lanes Charlotte County.
- 3) Constructed as four lanes.
- 4) Riverwood assessed a proportionate share of that portion of Kennilworth Boulevard from Murdock Circle to Toledo Blade Boulevard and therefore that segment has been eliminated from the above table.

EXHIBIT 6



RIVERWOOD DRI TRANSPORTATION MITIGATION PLAN.

PAGE

RIVERWOOD DRI



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