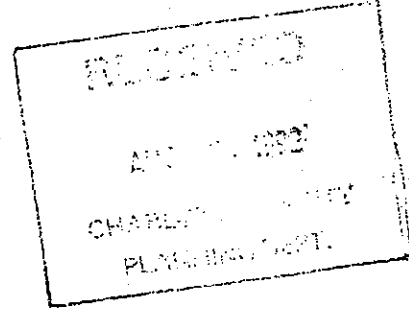


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R E S O L U T I O N  
NUMBER 92-146

A RESOLUTION AMENDING THE MASTER DEVELOPMENT ORDER FOR THE MURDOCK CENTER DEVELOPMENT OF REGIONAL IMPACT AS REPRESENTED BY RESOLUTION 87-48; AND AS AMENDED BY RESOLUTIONS 88-280, 89-142 AND 89-367; FINDING THAT THIS AMENDMENT DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION.

RECITALS

1. On March 3, 1987, the Charlotte County Board of County Commissioners passed and approved Resolution No. 87-48, constituting the Master Development Order for a development of regional impact (DRI) known as Murdock Center.

2. This Master Development Order, which contained the Conceptual Master Development Plan known as Map H, was amended by Resolutions 88-280, 89-142 and 89-367.

3. Atlantic Gulf Communities, Developer of the Murdock Center DRI, has requested that an additional amendment to the Master Development Order be considered by the Board of County Commissioners in order to amend the Conceptual Master Development Plan, Map H, which was submitted as part of the Application for Master Development Approval (AMDA), to allow for the conveyance of up to 150 feet of land adjacent to the Pellam Waterway between the Quesada Avenue extension and the railroad right-of-way (El Jobean R.O.W.) and to designate a strip of land 30 feet wide between Toledo Blade Boulevard and the Pellam Waterway as right-of-way for the extension of Quesada Avenue. The Developer also wishes to amend the Water Quality and Drainage section of this Master Development Order to allow the conveyance of land adjacent to

Barbara P. Scott, Clerk of the Circuit Court - Charlotte County  
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Pellam Waterway and similar conveyances of land on all waterways within the Murdock Center DRI.

4. The Charlotte County Planning and Zoning Board has considered the requested amendment and has found that pursuant to Section 380.06(19), Florida Statutes, it does not constitute a substantial deviation.

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

5. That the following language, contained in Exhibit 2, Section 7 a, Water Quality and Drainage Subpart A, Conditions for Development Approval, be included and made a part of the Master Development Order:

The conveyance of up to 150 feet of land adjacent to any waterway within the Murdock Center DRI to increase the said canal right-of-way shall be allowed if requested by Charlotte County and permitted by the Southwest Florida Water Management District, to be conveyed to Charlotte County for the purpose of increasing water quantity storage and maintaining water quality within the waterways. Charlotte County shall obtain all permits and/or permit modifications including modifications to the current Management of Surface Water (MSW) permit for the Murdock watershed. After the conveyance of land adjacent to the waterway, the Developer shall be required to prepare and submit a notification of change to amend the Master Development order and Incremental Development Order to reflect the change in land use on the AMDA, Map H, and Application for Development Approval (AIDA) Conceptual Master Development Plan.

Prior to commencement of construction on any of the waterways, the applicant shall, at a minimum, meet the conditions for vegetation and wildlife included in the Incremental Development Order in which said waterway is located.

6. That the Conceptual Master Development Plan, which is attached hereto as Exhibit A is amended to include the addition of 150 feet of land adjacent to the Pellam Waterway between the Quesada Avenue extension and the El Jobean right-of-way to increase the width of the waterway right-of-way and to include the addition of 30 feet of land between Toledo Blade Boulevard and the Pellam Waterway to create right-of-way for the extension of Quesada Avenue.

7. That Map H contained within Resolution 89-367 is hereby deleted in its entirety, and is replaced with the attached revised Map H (See Exhibit A).

8. That the Amendment incorporated herein does not constitute a substantial deviation of the Master Development Order.

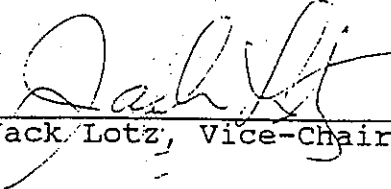
9. That all other terms and conditions of the Development Order as amended which are not affected by this resolution shall remain unchanged and in full force and effect.

10. That this resolution shall become effective immediately upon its adoption.

11. That the Clerk of Circuit Court is hereby directed to forward a certified copy of this resolution to Mr. Tom Beck, Bureau Chief, Florida Department of Community Affairs, 2740 Centerview Drive, Tallahassee, FL 32399-2100, and to Mr. Wayne E. Daltry, Executive Director, Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33918-3909.

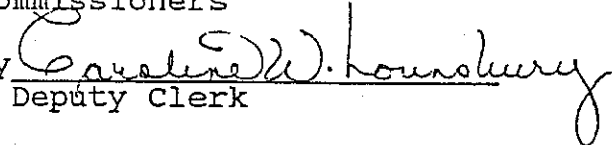
PASSED AND DULY ADOPTED this 14<sup>th</sup> day of July, 1992.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA


By   
Jack Lotz, Vice-Chairman

ATTEST:

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

By   
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
Beth A. Sullivan  
Assistant County Attorney

a:\res\amenddri  
July 13, 1992 mj

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