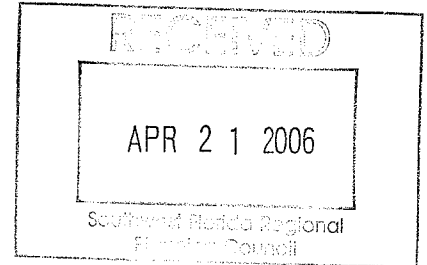


**BARBARA T. SCOTT
CLERK OF THE CIRCUIT COURT**



COMMISSION MINUTES

April 20, 2006



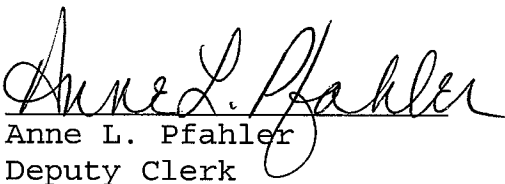
DRI Coordinator
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Ft. Myers, FL 33901

We are forwarding a certified copy of Resolution #2006-055 as required within the Resolution per item 7, on page 5. This Resolution was approved by the Board of Charlotte County Commissioners on Tuesday, February 14, 2006.

If you have any questions, please contact me directly at (941) 743-1539.

Sincerely,

BARBARA T. SCOTT
CLERK OF THE CIRCUIT COURT

By: 
Anne L. Pfahler
Deputy Clerk

Enclosure (1)
BTS/alp

RESOLUTION
2006- 055

A RESOLUTION AMENDING RESOLUTION 87-48, AS AMENDED BY VARIOUS RESOLUTIONS APPROVING THE DEVELOPMENT ORDER FOR MURDOCK CENTER, A DEVELOPMENT OF REGIONAL IMPACT (DRI); AMENDING INCREMENTS I, II, III, AND IV WITHIN THE MURDOCK CENTER DRI, AS AMENDED; PROVIDING FOR UNIFORMITY IN DEVELOPMENT BUILD-OUT DATES AND PROVIDING FOR THE EXTENSION OF BUILD-OUT DATES TO MARCH 1, 2012; PROVIDING FOR BIENNIAL MONITORING REPORTS; PROVIDING FOR THE INCORPORATION OF THE DELETION OF SEVEN (7) ACRES FROM THE AMDA; FINDING THAT THIS AMENDMENT DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on March 3, 1987, the Board of County Commissioners of Charlotte County, Florida ("Board") approved and adopted Resolution 87-48, constituting a Master Development Order for the Murdock Center Development of Regional Impact ("Master Development Order"), pursuant to Section 380.06 Florida Statutes, consisting of approximately 646 acres located near the intersection of U.S. 41 and S.R. 776 in Charlotte County; and

WHEREAS, the Master Development Order adopted by Resolution 87-48 was amended by various resolutions including, but not limited to, Resolution 88-280 on December 13, 1988; Resolution 89-142 on July 11, 1989; Resolution 89-367 on December 20, 1989; Resolution 92-146 on July 14, 1992; Resolution 92-170B on August 18, 1992; Resolution 93-189 on October 12, 1993; and Resolution 94-102 on June 21, 1994; and

CERTIFIED TRUE COPY
OF THE ORIGINAL
BARBARA T. SCOTT
CLERK OF THE CIRCUIT COURT
CHARLOTTE COUNTY, FLORIDA
BY: *Anna S. Bahler*
DEPUTY CLERK

WHEREAS, the Board adopted Resolution 88-83 on June 14, 1988, constituting the Murdock Center Increment I Development Order ("Increment I Development Order"); and

WHEREAS, the Increment I Development Order adopted by Resolution 88-83 was amended by various resolutions including, but not limited to, Resolution 89-35 on February 15, 1989; Resolution 89-143 on July 11, 1989; Resolution 89-368 on December 20, 1989; Resolution 92-147 on July 14, 1992; Resolution 92-170-A on August 18, 1992; Resolution 2003-053 on April 8, 2003; Resolution 2004-019 on February 10, 2004; and Resolution 2004-049 on March 9, 2004; and

WHEREAS, Resolution 2004-049 deleted seven (7) acres from the Increment I Development Order, but did not specifically amend the Master Development Order to reflect the deletion; and

WHEREAS, the Board adopted Resolution 87-274 on November 10, 1987, constituting the Murdock Center Increment II Development Order ("Increment II Development Order"); and

WHEREAS, the Increment II Development Order adopted by Resolution 87-274 was amended by various resolutions including, but not limited to, Resolution 88-281 on December 13, 1988; Resolution 91-274 on October 29, 1991; Resolution 92-255 on November 3, 1992; Resolution 93-67 on May 11, 1993; Resolution 961234A0 on December 17, 1996; Resolution 2001-027 on February 13, 2001; and Resolution 2003-049 on March 11, 2003; and

WHEREAS, the Board adopted Resolution 93-188 on October 12, 1993, constituting the Murdock Center Increment III Development Order (“Increment III Development Order”); and

WHEREAS, the Increment III Development Order adopted by Resolution 93-188 was amended by various resolutions including, but not limited to, Resolution 94-96 on June 14, 1994; and Resolution 2000-090 on August 8, 2000; and

WHEREAS, the Board adopted Resolution 961231A0 on July 22, 1996, constituting the Murdock Center Increment IV Development Order (“Increment IV Development Order”); and

WHEREAS, the Increment IV Development Order adopted by Resolution 961231A0 was amended by various resolutions including, but not limited to, Resolution 961231AA on March 16, 1999; and

WHEREAS, the Southwest Florida Regional Planning Council reviewed and considered the amendments to the Master Development Order, the Increment I Development Order, the Increment II Development Order, the Increment III Development Order, and the Increment IV Development Order requested by ALM Management Corporation and recommended acceptance of the proposed development order language finding that the extension of the build-out date to March 1, 2012 is a proposed change which “either individually or cumulatively with other changes” does not constitute a substantial deviation under Section 380.06(19)(c), F.S., and shall not cause a reasonable likelihood of additional regional impacts on regional resources or facilities: and

WHEREAS, the Board has reviewed and considered the amendments to the Master Development Order, the Increment I Development Order, the Increment II Development Order, the Increment III Development Order, and the Increment IV Development Order requested by ALM Management Corporation, and finds that the amendments are consistent with the Charlotte County Comprehensive Plan, the previously approved Master and Incremental Development Orders, and also finds that the extension of the build-out date is not presumed to create a substantial deviation under the standards set forth under Section 380.06(19)(c), F.S.

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

1. The Master Development Order, the Increment I Development Order, the Increment II Development Order, the Increment III Development Order, and the Increment IV Development Order are hereby amended to extend the build-out date to March 1, 2012.

2. The Master Development Order, the Increment I Development Order, the Increment II Development Order, the Increment III Development Order, and the Increment IV Development Order shall forever maintain a uniform build-out date.

3. The amendments incorporated herein do not constitute a substantial deviation to the conditions of the Master Development Order, the Increment I Development Order, the Increment II Development Order, the Increment III Development Order, and/or the Increment IV Development Order.

4. The annual reporting required under the Master Development Order and all Incremental Development Orders is hereby changed to biennial reporting, pursuant to the requirements of Chapter 380.06(18), Florida Statutes, and procedures established by the Southwest Florida Regional Planning Council (SWFRPC), with the first report due on or before November 1, 2007.


5. The Master Development Order is hereby amended to incorporate the deletion of the seven (7) acres deleted from the Increment I Development Order through Resolution 2004-049.

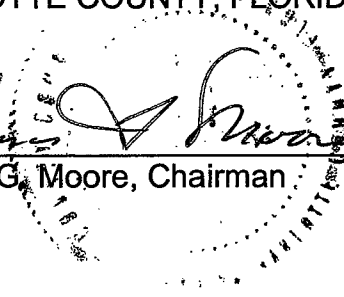
6. All other terms and conditions of the Master Development Order, the Increment I Development Order, the Increment II Development Order, the Increment III Development Order, and the Increment IV Development Order not affected by this resolution shall remain unchanged and in full force and effect.

7. The Clerk of the Circuit Court is hereby directed to forward a certified copy of this resolution and its attachments to the Florida Department of Community Affairs, Community Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, to DRI Coordinator, Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, Florida 33901, to DRI Coordinator, Charlotte County Community Development, 18500 Murdock Circle, Port Charlotte, Florida 33498.

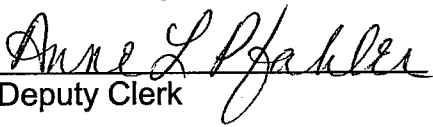
PASSED AND DULY ADOPTED this 18 day of April, 2006.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

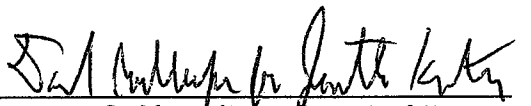
By: 
Thomas G. Moore, Chairman



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:

By: 
Janette S. Knowlton, County Attorney

RB
LR 2006-218