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RESOLUTION
NUMBER 2018 - 038

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 380.06, FLORIDA STATUTES, AMENDING THE MASTER DEVELOPMENT ORDER (MDO) FOR THE RIVERWOOD DEVELOPMENT OF REGIONAL IMPACT (DRI) TO EXTEND THE BUILDOUT DATE TO NOVEMBER 11, 2025; FOR PROPERTY LOCATED GENERALLY EAST OF THE MYAKKA RIVER AND NORTH OF S.R. 776 (SECTION 29, TOWNSHIP 40 SOUTH, RANGE 21 EAST), CONTAINING 1,288 ACRES MORE OR LESS, IN THE EL JOBEAN AREA OF CHARLOTTE COUNTY; COMMISSION DISTRICT IV; PETITION NOPC-17-12-44; APPLICANT: RIVERWOOD COMMUNITY DEVELOPMENT DISTRICT; PROVIDING AN EFFECTIVE DATE.

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4297 PAGE 1146 PAGE 1 OF 13
INSTR # 2599845 Doc Type: GOV
Recorded: 3/29/2018 at 9:46 AM
Rec. Fee: RECORDING \$112.00
Cashier By: BARBARAR

RECITALS

WHEREAS, on November 13, 1990, the Board of County Commissioners ("Board") adopted Resolution 90-285, approving a development known as Riverwood Development of Regional Impact; and

WHEREAS, there have been several amendments to the Master Development Order (MDO) since the Board's initial adoption of the original; and

WHEREAS, on October 22, 1991, the Board adopted Resolution 91-267 to incorporate "the Bald Eagle Habitat Management" as Exhibit C to the MDO; and

WHEREAS, on May 11, 1993, the Board adopted Resolution 93-61 to correct a scrivener's error; and

WHEREAS, on July 29, 1997, the Board adopted Resolution 97-086AD to add 22.6 acres to the DRI; and

WHEREAS, on March 22, 2011, the Board adopted Resolution Number 2011-023 to extend the buildout date of the MDO to November 12, 2013; and

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WHEREAS, on April 24, 2012, the Board adopted Resolution Number 2012-024 to extend the buildout date of the MDO to September 16, 2018; and

WHEREAS, Resolution 2012-024 provided that the buildout date of the Riverwood Increment One and Increment Two DRI Development Orders was November 11, 2016, which has expired; and

WHEREAS, the buildout date of the Riverwood Increment One and Increment Two DRI Development Orders must be extended to allow the property owners within the DRI to apply for site plan and building permit review for expansion of their Activity Center; and

WHEREAS, the Riverwood Community Development District has requested that amendments to the buildout date for the MDO be considered by the Board; and

WHEREAS, section 380.06(19)(c), Fla. Stat., provides that “[a]n extension of the date of buildout of a development, or any phase thereof, by more than 7 years is presumed to create a substantial deviation subject to further development-of-regional-impact review”; and

WHEREAS, section 380.06(19)(c)1, Fla. Stat., provides that “[a]n extension of the date of buildout, or any phase thereof, of more than 5 years but not more than 7 years is presumed not to create a substantial deviation; ...[t]he extension of the date of buildout of an areawide development of regional impact by more than 5 years but less than 10 years is presumed not to create a substantial deviation; ...[t]hese presumptions may be rebutted by clear and convincing evidence at the public hearing held by the local government; and, [a]n extension of 5 years or less is not a substantial deviation”; and

WHEREAS, the Riverwood Community District has provided clear and convincing evidence that their request does not constitute a substantial deviation; and

WHEREAS, the Board has considered the amendments requested by the Riverwood Community District and finds that, pursuant to Chapter 380.06(19)(c), Fla. Stat., it does not constitute a substantial deviation.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida, that Resolution 2012-024 is hereby amended to extend the buildout date of Riverwood Development of Regional Impact Master Development Order to November 11, 2025.

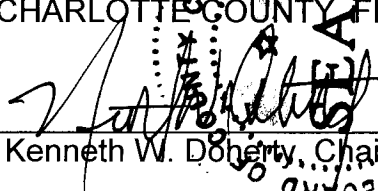
This Resolution shall become effective as provided by law.

County Staff is hereby directed to forward a copy of the certified Resolution to the Department of Economic Opportunity, Division of Community Development, 107 East Madison Street, Tallahassee, Florida 32399, and to the Executive Director, Southwest Florida Regional Planning Council.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 27th day of March, 2018.

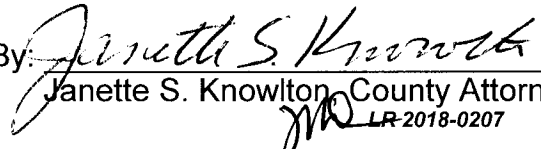
BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: 
Kenneth W. Doherty, Chairman

ATTEST:
Roger D. Eaton, Clerk of the 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
LR-2018-0207



WILSON, MILLER, BARTON & PEEK, INC.

Engineers, Planners, Surveyors, Landscape Architects, Environmental Consultants & Construction Managers
4571 Colonial Boulevard, Fort Myers, Florida 33912 • (813) 939-1020 Fax (813) 939-7479

OR BOOK 1549 PAGE 0577

RIVERWOOD: D.R.I. PERIMETER
W.O.: 855/1634
REF: D-855-12
DATE: 11-1-90
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EXHIBIT "A.1" DESCRIPTION (NOT SURVEYED)

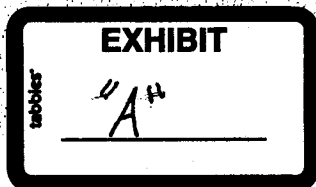
All that part of Sections 17, 20, 21, 28 and 29, Township 40 South, Range 21 East, Charlotte County, Florida, also being, those lands as described in Deeds recorded in O.R. Book 903 Pages 1729 through 1731, O.R. Book 941 Page 164, O.R. Book 941 Pages 165 through 180, and Pages 186 through 188, O.R. Book 941 Page 181, and O.R. Book 941 Pages 183 through 185, O.R. Book 981 Pages 776 and 777, O.R. Book 999 Page 1854; O.R. Book 1014 Page 1891 (all of the Public Records Charlotte County, Florida) all 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 172.00 feet more or less to the centerline of a creek and the POINT OF BEGINNING of the parcel herein described; thence continue S.0°47'30"W. along said West line of the Northwest 1/4 of the Northeast 1/4 of said Section 17, a distance of 1163.11 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

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(Continued on Page 2)

Raymond W. Miller, P.E. • William L. Barton, P.E. • Thomas R. Peck, P.E., P.L.S. • Wilbur M. Christiansen, Jr., P.L.S. • Clifford H. Schneider, P.E.
Alan D. Reynolds, A.I.C.P. • Arlen D. White, A.I.C.P. • Gary L. Dancs, C.P.A. • Fernin A. Diaz, P.E. • John E. Bourwell, P.L.S. • Thomas R. Nichols, P.E.
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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. 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 2717.26 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

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S.68°21'13"W. a distance of 257.55 feet to the Southerly 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 seven (7) 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) S.72°04'06"W. 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; 7) S.12°04'06"W. along said Easterly Right-of-Way line a distance of 210.24 feet; thence N.77°55'54"W. a distance of 60.00 feet to the Westerly Right-of-Way line of Southland Avenue; thence S.12°04'06"W. along said westerly right-of-way line a distance of 861.93 feet to the Northeasterly line of Lot 556 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

(Continued on Page 4)

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Records of Charlotte County, Florida; thence N.47°55'54"W. along the Northeasterly line of Lot 556, and Lot 470 a distance of 125.49 feet; thence S.42°04'06"W. along the Northwesterly line of Lot 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 S.72°04'06"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 685.90 feet; thence along the platted rights of way and lot lines as shown on 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, Public Records of Charlotte County, Florida, for the following five (5) described courses: 1) S.12°04'06"W. along the westerly right-of-way line of Tampa Road for a distance of 685.90 feet; 2) S.47°55'54"E. along the southerly right-of-way line of Tampa Road for a distance of 292.95 feet; 3) S.42°04'06"W. along the northwesterly line of Lots 916, 928, 941, 959 and their southwesterly prolongations for a distance of 565.42 feet to the southwesterly right-of-way line of Jamaica Way; thence S.44°04'55"E. along said right-of-way line for a distance of 37.94 feet; thence S.46°06'25"W. along the northwesterly line of Lot 995 and its southwesterly prolongation for a distance of 334.02 feet to the Mean High Water Line of the Myakka River; thence run Northerly along said Mean High Water Line for a distance of 38,375 feet more or less to a point on the centerline of a creek; thence meander N.41°27'35"E. along the centerline of said creek for a distance of 1100.00 feet more or less; thence continue to meander N.89°27'35"E. along said centerline for a distance of 1500.00 feet more or less to the Point of Beginning of the parcel herein described;

CONTAINING 1123 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, 687, 688, 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)
- PLAN NO. 1 OF A PART OF WARD SEVEN, EL JOBE-AN (P.B. 2, P.37);

(Continued on Page 6)

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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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TOGETHER WITH:

All that part of Section 28, Township 40 South, Range 21 East, Charlotte County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of said Section 28, thence S.89°46'08"E. along the North line of said Section 1913.63 feet to a point on a curve; thence Southeasterly 335.61 feet along the arc of a non-tangential circular curve concave to the Northeast, point bearing S.26°20'38"W. from the radius of said curve, having a radius 750.00 feet, through a central angle of 25°38'19" and being subtended by a chord which bears S.76°28'31"E. 332.82 feet; thence S.37°15'00"E. for 723.83 feet; thence S.21°04'06"W. 100.00 feet; thence N.47°55'54"W. 125.49 feet; thence S.42°04'06"W. 260.00 feet; thence S.47°55'54"E. 125.50 feet; thence S.72°04'06"W. 734.39 feet to the Point of Beginning;

thence continue S.72°04'06"W. 57.74 feet; thence S.17°55'54"E. 60.00 feet; thence S.12°04'06"W. 558.88 feet; thence N.47°55'54"W. 380.78 feet to a point on a curve; thence Southwesterly, Northwesterly and Northeasterly 971.80 feet along the arc of a circular curve concave to the Northeast, point bearing S.55°21'41"E. from the radius point of said curve; having a radius of 232.00 feet, through a central angle of 240°00'00" and being subtended by a chord which bears N.25°21'41"W. 401.84 feet; thence N.12°04'06"E. 265.31 feet; thence S.77°55'54"E. 60.00 feet; thence S.47°55'54"E. 71.70 feet N.42°04'06"E. 150.00 feet; thence S.47°55'54"E. 458.31 feet to the Point of Beginning.

parcel contains 10.53 acres, more or less;

subject to easements, restrictions, reservations and rights-of-way of record;

(continued on page 8)

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RIVERWOOD DRI PERIMETER

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TOGETHERWITH:

All that part of Section 28, Township 40 South, Range 21 East, Charlotte County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of said Section 21, thence S.89°46'08"E. along the North line of said Section 1913.63 feet to a point on a curve; thence Southeasterly 335.61 feet along the arc of a non-tangential circular curve concave to the Northeast, point bearing S.26°20'38"W. from the radius of said curve, having a radius 750.00 feet, through a central angle of 25°38'19" and being subtended by a chord which bears S.76°28'31"E. 332.82 feet; thence S.37°15'00"E. for 723.83 feet, thence S.47°04'06"W. 100.00 feet; thence N.47°55'54"W. 125.49 feet; thence S.42°04'06"W. 260.00 feet; thence S.47°55'54"E. 125.50 feet; thence S.72°04'06"W. 734.39 feet; thence N.47°55'54"W. 458.31 feet to the Point of Beginning; thence S.42°04'06"E. 150.00 feet; thence N.47°55'54"W. 71.70 feet; thence N.77°55'54"W. 60.00 feet; thence S.12°04'06"W. 265.31 feet to a point on a curve; thence Southwesterly 668.68 feet along the arc of a circular curve concave to the Southeast, point bearing N.04°38'19"E. from the radius point of said curve, having a radius of 232.00 feet, through a central angle of 165°08'26" and being subtended by a chord which bears S.12°04'06"W. 460.10 feet; thence S.12°04'06"W. 438.52 feet; thence N.47°55'54"W. 651.26 feet; thence N.12°04'06"E. 685.90 feet; thence N.72°04'06"E. 685.90 feet; thence S.47°55'54"E. 192.95 feet to the Point of Beginning.

parcel contains 12.12 acres, more or less;

EXCEPTING THEREFROM the following

Lots 976, 977, 978 and 979 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;

(Continued on Page 9)

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ALSO TOGETHER WITH the following

Lot 969, 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, 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;

Lot 851, 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;

Lot 301, PLAN OF WARD 6, CITY OF EL JOBE-AN, FLORIDA, according to the Plat thereof as recorded in Plat Book 1, Page 61;

subject to easements, restrictions, reservations and rights-of-way of record;

Prepared by:

WILSON, MILLER, BARTON & PEEK, INC.

Alan W. Sadowski 4-24-97
Alan W. Sadowski, Professional Surveyor & Mapper Date
Florida Registration No. 4800

Not valid unless embossed with the Professional's seal.

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MAINTAINED IN THE
REPRODUCTION AT THE TIME
OF IMAGING.