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RESOLUTION
2006- 043

A RESOLUTION AMENDING RESOLUTION 92-29, AS AMENDED BY RESOLUTIONS 93-244, 98-0370A0, 98-0372A0. 2004-050 and 2006-009 APPROVING THE DEVELOPMENT ORDER FOR TERN BAY, A DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR THE ELIMINATION OF PHASING; FINDING THAT THIS AMENDMENT DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on February 18, 1992, pursuant to Section 380.06 Florida Statutes, the Board of County Commissioners of Charlotte County, Florida ("Board") approved and adopted Resolution 92-29, constituting the Caliente Springs Development of Regional Impact Development Order; and

WHEREAS, on April 3, 1992, the State of Florida Department of Community Affairs ("DCA") filed an appeal of the Development Order reflected in Resolution 92-29; and

WHEREAS, the Board considered the reports and recommendations of the Southwest Florida Regional Planning Council, Charlotte County staff, the Planning and Zoning Board, and the Department of Community Affairs, and in order to reconcile the appeal, certain changes were made to Resolution 92-29 and pursuant to a Settlement Agreement, the Board adopted Resolution 93-244 on August 17, 1993, that was executed on December 14, 1993 ("the Development Order"); and

WHEREAS, the Board adopted Resolution 98-0370A0 on April 7, 1998 further amending Resolution 92-29, as amended by Resolution 93-244, to reflect the tolling of time during the pendency of the administrative proceedings; and

WHEREAS, the Board adopted Resolution 98-0372A0 on May 25, 1999, further amending Resolution 92-29, as amended by Resolution 93-244 and

BARBARA T. SCOTT, CLERK, CHARLOTTE COUNTY
OR BOOK 2940, PGS 966-970 15 pg(s)
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Resolution 93-0370A0, to extend the buildout dates for the Development Order by four years and three hundred sixty-four (364) days; and

WHEREAS, Resolution 92-29, as amended, required, prior to any onsite development, clearing of land or the receiving of any building permits for Phase I development within the Development of Regional Impact ("DRI"), demonstrations addressing potential impacts in the areas of drainage/water quality, hurricane evacuation, wastewater management, water supply, wetlands/vegetation and wildlife which demonstrations were to be part of a single, consolidated substantial deviation determination, presumed to create a substantial deviation; and

WHEREAS, Resolution 2004-050 adopted on March 9, 2004 amended the Development Order addressing the potential impacts to drainage/water quality, hurricane evacuation, wastewater management, water supply, wetlands/ vegetation and wildlife, adopting a revised Map H, changing the project name from "Caliente Springs" to "Tern Bay," changing the peak hour peak season traffic analysis methodology to 100th hour methodology in order to be consistent with Charlotte County concurrency management procedures, modifying the phasing schedule and extending the development time frames by two (2) years; and

WHEREAS, the Board adopted Resolution 2006-009 on January 17, 2006 amending Resolution 2004-050 to incorporate the terms of a Local Government Development Agreement pursuant to Florida Statutes Section 163.3220, setting forth the commitments by and between Tern Bay Development Co., LLC, a Florida limited liability company, and Charlotte County, a political subdivision of the State of Florida ("County") to provide the necessary improvements which ensures concurrency on all significantly impacted regional roads and intersections as identified in the Development Order; and

WHEREAS, Tern Bay, LLC is the successor to Tern Bay Development Co., LLC; and

WHEREAS, Tern Bay, LLC, and the Tern Bay Community Development District, a local unit of special-purpose government organized and existing under and pursuant to Chapter 190, Florida Statutes, as amended, are the owners of the Tern Bay DRI ("Developer"); and

WHEREAS, on January 27, 2004, the Board unanimously approved and adopted Resolution 2004-017 that recommended to the State of Florida ("State") approval of the Tern Bay Community Development District ("CDD"); and

WHEREAS, the CDD was established on September 15, 2004 which provides a financing entity for improvements that serve the Tern Bay DRI; and

WHEREAS, the Development Order provides for two (2) phases of development; and

WHEREAS, the conditions that must be met prior to the start of Phase II can be adequately addressed without the need to phase development within the DRI; and

WHEREAS, Developer submitted a Notice of Proposed Change ("NOPC") eliminating phasing and establishing conditions triggered by specifically identified development thresholds; and

WHEREAS, the Southwest Florida Regional Planning Council determined that the elimination of phasing does not appear to create a reasonable likelihood of additional regional impacts on regional resources or facilities; and

WHEREAS, the Charlotte County Planning and Zoning Board made a finding that eliminating phasing does not constitute a substantial deviation; and

WHEREAS, the Board has reviewed and considered the specifics of the phasing elimination, finds it consistent with the Charlotte County Comprehensive Plan and consistent with the previously approved Development Order for the Tern Bay DRI; and

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

1. Finding of Fact/Conclusion of Law of Resolution 93-244, as it amends Resolution 92-29, and as it has itself been amended by Resolutions 98-0370A0, 98-0372A0, 2004-050 and 2006-009 shall be amended to read as follows (additions are shown as underlined, deletions are shown as ~~stricken through~~,):

FINDING OF FACT/CONCLUSION OF LAW

A. The development is a mixed-use project with 1,810 residential dwelling units, 30,000 gross square feet of office space on 5 acres, 140,000 gross square feet of retail space on 15.7 acres with 710 parking spaces, a 250-room hotel, 865 acres of wetland preservation areas, a minimum of 205 acres of upland preservation areas and buffer areas subject to further additions, a project total of 295.0 acres of impervious surfaces leaving a project total of 1,483 acres of open space (all natural pervious and all vegetated pervious surfaces), and a sales and Community Development District (CDD) administration center and other amenities on 1,778 acres located in Southern Charlotte County between Burnt Store Road and Charlotte Harbor approximately three miles north of the Lee County line. The site will contain three nine hole golf courses on 215 acres, a maximum 20,000 gross square foot golf clubhouse with restaurants, an exercise area and 150 parking spaces, a maximum 7,500 gross square foot building(s) for a tennis clubhouse, fitness center and spa, eight tennis courts, swimming pools, bike and walk trails, a small fishing pier, canoe launch and docks, look out tower and approved governmental uses. Exhibit "A", revised and dated October 2003 is a copy of the approved and Revised Master Concept Plan, depicting all the above approved land uses.

The legal description of the property is described in Exhibit "B" which is attached hereto and made a part of this development order.

Approximately 865+/- acres of the site adjacent to Charlotte Harbor are considered saltwater wetlands and will be placed under a permanent conservation easement or else conveyed to the State of Florida. The development consists of approximately 205 acres of upland preservation

areas in the form of buffers, wetland tributaries (2) and golf course roughs and a minimum of 105 acres of lakes for water management.

Water and wastewater services are proposed to be provided by Charlotte County Utilities (CCU) or its successors and assigns. This utility currently has available permitted and planned additional capacity to serve the entire Tern Bay DRI development. The project is planned in ~~two~~ one phases, ~~each six years and 364 days~~, with buildout January 17, 2012. ~~Phase I buildout will be January 17, 2007 and Phase II buildout will be January 17, 2012; these~~ This dates ~~each~~ represents an extension to those dates reviewed in the ADA together with the time tolled during the pendency of administrative hearings (a period of 24 months and 18 days) and an extension of six (6) years and three hundred sixty-four (364) days granted for economic reasons and shall be considered cumulatively against any future proposed phase or project buildout date extensions for the purpose of calculating whether the statutory time frames are met or exceeded in paragraph 380.06(19)(c), F.S. The revised and updated phasing development schedule dated January 2006, is attached as Exhibit "C".

- I. The Tern Bay Site is located within the Urban Service Area (USA). Existing water and sewer lines serve adjacent properties and can be easily extended to serve Tern Bay. Tern Bay will provide a variety of housing types, commercial/retail space, activities and recreation opportunities commencing at the onset of ~~during Phase I~~ development that will make the USA a more self-reliant and successful USA.

2. Resolution 93-244, as it amends Resolution 92-29, and as it has itself been amended by Resolutions 98-0370A0, 98-0372A0, 2004-050 and 2006-009 shall be amended to read as follows (additions are shown as underlined, deletions are shown as ~~stricken through~~, the exhibits and some formal and formatting editions shown without indication of additions or deletions):

SPECIFIC CONDITIONS

1. DRAINAGE/WATER QUALITY

- s. Prior to any onsite development, clearing of land, or the receiving of any building permits for ~~Phase I~~ development, the applicant shall confirm, to the satisfaction of all Federal, State, and local review agencies, and the Southwest Florida Water Management District through the required permitting processes that the proposed water management system will not adversely impact habitats of any state or federally listed plant and/or animal species potentially occurring onsite,

or that such impacts will be mitigated to the benefit of onsite populations of those species.

4. Housing

- a. Either the applicant or owners of the commercial area shall undertake an affordable housing survey based on the methodology supplied by DCA and the SWFRPC. The survey shall be conducted on or before January 17, 2007 ~~the commencement of Phase II of the project~~ or before any commercial development is initiated other than the golf course, clubhouse and related amenities.

5. HURRICANE EVACUATION

- a. ~~Prior to 1996 or when Phase II~~ When construction plan approval is granted by Charlotte County for more than 993 residential units, a hurricane shelter mitigation plan, consistent with the provision of 9J-2.0256(5)(a)1-5, shall be required. The proposed mitigation plan shall be reviewed and approved by the Charlotte County Office of Emergency Management, the SWFRPC and the State Division of Emergency Management.
- c. Midrise condominiums within the 100-year floodplain shall be constructed on pilings and with parking beneath and shall be hardened in accordance with the Florida Building ~~Southern Building~~ Code for Charlotte County.
- d. Garden condominium and single family residences within the 100-year floodplain shall be constructed with reinforced stem-wall foundations which shall be resistant to flood erosion and shall be hardened in accordance with the Florida Building ~~Southern Building~~ Code for Charlotte County.
- h. As mitigation for ~~Phase I~~ hurricane shelter impacts, Tern Bay shall establish a community hurricane refuge for minimal category hurricanes at the on-site clubhouse and CDD administration building. A generator shall be installed to provide an alternative source of power at each of these on-site facilities. These generators shall be acquired prior to issuance of ~~Phase I~~ any construction permits for the clubhouse and CDD administration building.

6. TRANSPORTATION

- d. Developer's total proportionate share obligation from Tern Bay's anticipated traffic impacts based on the development parameters set forth in the Development Order is \$5,650,000.00 ("total proportionate

share" herein). The term "proportionate share" shall have the same meaning as in Rule 9J-2.045(1)(h), Florida Administrative Code except that construction cost shall not include the cost of sidewalks, bike lanes, wildlife crossings, utility relocation, improvement relocations on other private lands (e.g., mail boxes, driveways and trees), landscaping and other urban design elements.

Developer is obligated to pay Charlotte County road impact fees that offset the total proportionate share at the time building permits are issued in accordance with Section 3-3.5 of the Charlotte County Code of Ordinances, as may be amended. To the extent that building permits are issued for uses as described in the Development Order, the road impact fees shall serve as a credit toward the proportionate share for Tern Bay.

Developer shall fulfill its proportionate share payment to Charlotte County in accordance with Local Government Development Agreement Resolution No. 2005-005 ("Development Agreement" herein). Specifics of the Development Agreement are provided below:

1. The Burnt Store Road frontage between the northern and southern boundaries of Tern Bay of approximately 9,145 feet shall be improved as described herein. The Burnt Store Road frontage includes 5,250 feet ~~within Phase I~~ along the northern road frontage of the Tern Bay development ("Tern Bay Northern Road Phase I Frontage" herein) and 1,385 feet along the southern road frontage ~~within Phase II~~ of the Tern Bay development ("Tern Bay Southern Road Phase II Frontage" herein.) The remaining Burnt Store Road frontage of 2,510 feet consists of outparcels not owned by Tern Bay ("Outparcel Frontage" herein). Developer shall cooperate and assist Charlotte County in acquiring right-of-way for Outparcel Frontage consistent with the Development Agreement.
2. Developer will submit to Charlotte County design plans for a 60-foot two lane right-of-way along the Tern Bay Northern Road Phase I Frontage, Tern Bay Southern Road Phase II Frontage and the Outparcel Frontage (as defined herein as "Road Improvements"). The two new lanes will generally be constructed within the 60 feet of additional right-of-way dedicated to Charlotte County by Tern Bay (hereinafter the "Dedicated Right-of-Way") and shall become part of a four-lane divided right-of-way within Burnt Store Road. The Road Improvements shall include adequate turn lanes for the two principal Tern Bay entrances and appropriate four-lane to two-lane temporary transitions within the Dedicated Right-of-Way to the existing Burnt Store Road north and south of the Road Improvements. The design plans shall be consistent with Charlotte County standards for a rural four-lane arterial and are

subject to review and approval by the Charlotte County Public Works Division. All design costs will be paid by Developer.

3. Developer will prepare, submit and process all necessary permits for the Road Improvements. Developer will be identified as the applicant for all permits. All permit fees, application fees and other expenses will be paid for by Developer.
4. Upon completion of the Road Improvements, Developer will dedicate to Charlotte County 60 feet of right-of-way (width) along the Tern Bay Northern Road Phase I Frontage and the Tern Bay Southern Road Phase II Frontage, for a total area of approximately 9.14 acres (the "Dedicated Right-of-Way"). The value of the Dedicated Right-of-Way will be based on fair market value as described in the Development Agreement.
5. Construction of the Road Improvements shall proceed in phases. Commencement of the Road Improvements along the Tern Bay Northern Road Phase I Frontage shall be within 12 months of receipt of all necessary permits for the Road Improvements ~~or upon initiation of Tern Bay Phase I development, as such phase is defined in the Development Order, whichever is later.~~ Commencement of the Road Improvements along the Tern Bay Southern Road Phase II Frontage and the Outparcel Frontage shall be on or before January 17, 2007 ~~initiation of Tern Bay Phase II development, as such phase is defined in the Development Order~~ and subject to the acquisition by Charlotte County of sufficient right-of-way along the Outparcel Frontage. Developer shall pay all construction costs.
 - i. Based on the staff transportation assessment of significant project impacts, construction of the following transportation improvements shall be needed prior to, or coincident with, development of the Tern Bay DRI, if peak hour (100th hour) level of service "C" and "D" conditions are to be maintained through buildout (January 17, 2012) on regional road segments and intersections.

~~Phase I (January 17, 2007)~~

~~Burnt Store Road~~

~~— Notre Dame Boulevard to the — Widen to 4 lanes
— project entrance~~

~~Buildout (January 17, 2012)~~

~~Burnt Store Road~~

- Notre Dame Boulevard to the project entrance Widen to 4 lanes
- Project entrance to Zemel Rd. Widen to 4 lanes
- Zemel Road to the Burnt Store Marina entrance Widen to 4 lanes
- Burnt Store Marina entrance to SR 78*

* Included for monitoring purposes

9. WETLANDS/VEGETATION AND WILDLIFE

- c. The Coastal Conservation Area shall be considered as in perpetuity preservation areas and their development uses shall be restricted by a conservation easement to be conveyed to the State of Florida Department of Environmental Protection (herein "the State of Florida"). All remaining on-site wetland systems, other conservation and listed species preservation tracts, and mitigation areas shall be considered as in perpetuity preservation areas and their developmental uses shall be restricted by conservation easements to be conveyed to Charlotte County, the State of Florida, the Southwest Florida Water Management District or a qualified non-profit conservation organization (herein "grantee") that has both the dedication to conservation, and the resources to enforce the restrictions of the conservation easement. The conservation easements shall clearly designate the onsite preservation area as a perpetual easement area to be managed and retained in a natural state for the continued protection and sustainability of the species or natural or archaeological resources requiring preservation; shall prohibit all development and all activities inconsistent with the purpose of which the land is being preserved; shall name the State of Florida or grantee as a benefiting party; shall allow it or any of its designees access to the site upon request; shall provide the State of Florida or grantee with the right to require restoration and the right of enforcement; and shall be duly recorded in the Official Records of Charlotte County, Florida prior to any site clearing and prior to any construction permit issuance for the on-site development of the Tern Bay DRI.

Further, the Coastal Conservation Area, consisting of approximately 865 acres, shall be conveyed in fee simple ownership to the State of Florida for preservation as a park in perpetuity and consistent with the restrictions contained in Chapter 704.06, Florida Statutes, as may be amended. The State of Florida shall become the successor in interest of any recorded conservation easement on the subject lands and shall be responsible for performing all required maintenance at no cost to the Applicant or the Tern Bay Community Development District (CDD). The conveyance to the State of Florida shall occur ~~prior to commencement of Phase II for the Tern Bay development or not later than March 9, 2014 ten (10) years from the effective date of this revised Tern Bay Development Order, whichever occurs last.~~ All

accrued mitigation and any other credits granted either through agency action or interlocal agreement shall be retained by the Applicant. The Applicant or CDD, as appropriate, shall retain easements to ensure in perpetuity (1) access from Charlotte Harbor to the Tern Bay development, and (2) utilization of all permitted structures including but not limited to, canoe landings, picnic areas, nature and directional signage, and boardwalks, by Tern Bay residents and guests for recreational and environmental purposes. Further, the Applicant or CDD, as appropriate, shall impose a deed restriction requiring absolute, total and unchanged preservation of the viewshed from the Tern Bay development to Charlotte Harbor. This conveyance to the State of Florida shall be duly recorded in the Official Records of Charlotte County, Florida.

12. CONCEPT PLAN

- g. No certificates of occupancy shall be issued for greater than 993 residential units until at least 70,000 square feet of Commercial use is constructed within the Tern Bay DRI.

13. GENERAL CONSIDERATIONS

- b. ~~The development phasing schedule presented within the ADA and as adjusted to date of development order approval shall be incorporated as a condition of approval. Phase I buildout will be January 17, 2007 and Phase II b Buildout will be January 17, 2012; these dates each~~ This date represents a two year extension to those dates reviewed in the ADA, together with the time tolled during the pendency of administrative hearings (24 months and 18 days, and a combined extension of the buildout dates by six (6) years and three hundred sixty-four (364) days ~~for each phase~~, and shall be considered cumulatively against any future proposed phase or project buildout date extension for the purposes of calculating whether the statutory timeframes are met or exceeded in paragraph 38006(19)(c), F.S. If development order conditions and applicant commitments incorporated within the development order, ADA or sufficiency round responses 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.

14. FURTHER RESOLUTIONS

3. This development order shall remain in effect until January 1, 2013. In the event that significant physical development has not commenced by January 1, 2008, 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 Certificate of Occupancy of buildings or installation of utilities and facilities such as sewer and water lines to and within the project ~~and within Phase I.~~

3. Exhibit "C", entitled "Tern Bay DRI Revised Estimated Land Use Distribution" of Resolution 93-244, as it amends Resolution 92-29, and as it has itself been amended by Resolutions 98-0370A0, 98-0372A0, 2004-050 and 2006-009 is hereby deleted in its entirety and replaced by the Exhibit "C" attached hereto and incorporated herein by this reference.

4. The amendments incorporated herein do not constitute a substantial deviation to the conditions of the Development Order.

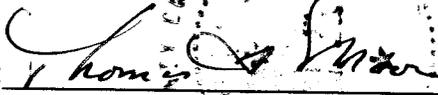
5. All other terms and conditions of the Development Order, not affected by this resolution, shall remain unchanged and in full force and effect.

6. 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 32399-2100, DRI Coordinator, Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, Florida 33901 and to DRI Coordinator, 18500 Murdock Circle, Port Charlotte, Florida 33948.

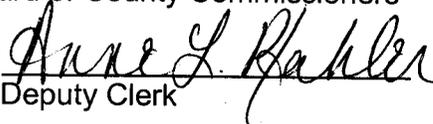
(SIGNATURE PAGE FOLLOWS)

PASSED AND DULY ADOPTED this 31 day of MARCH, 2006.

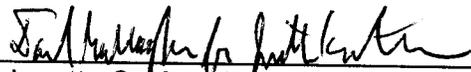
BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

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

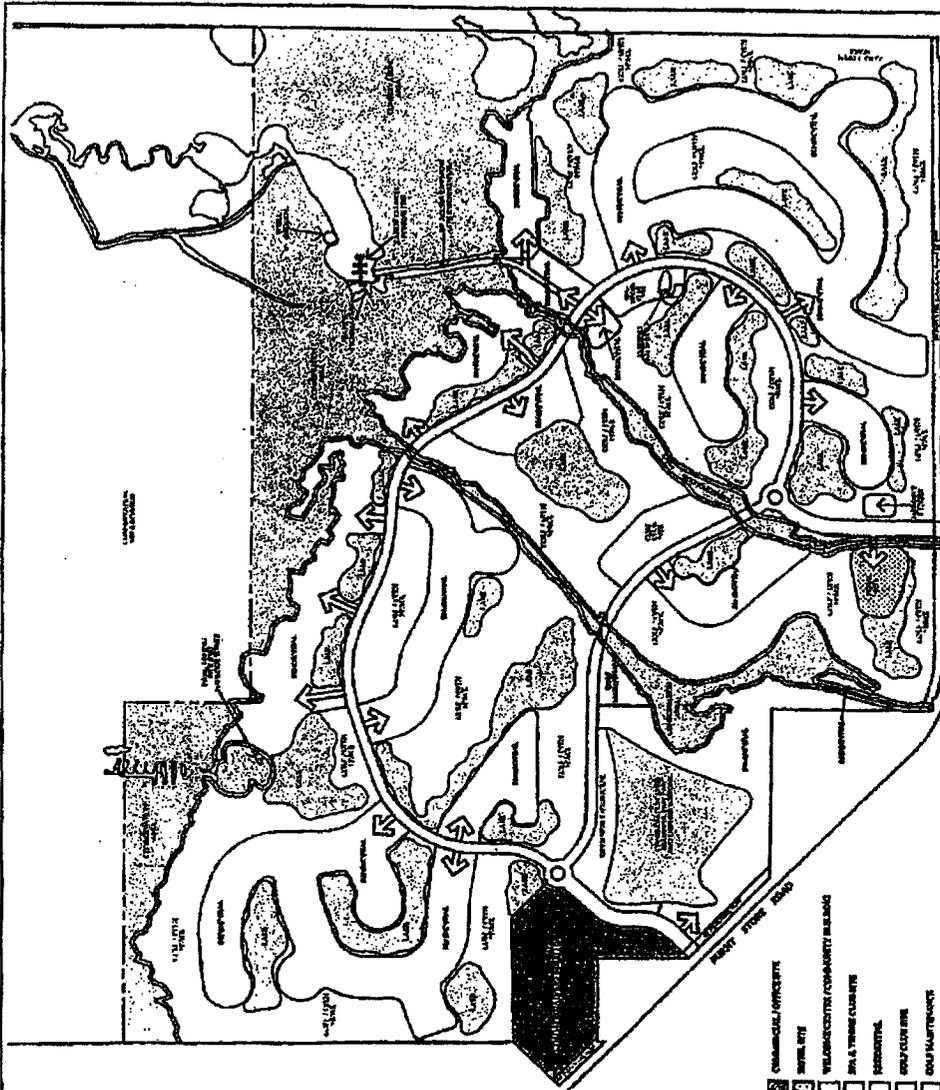
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: 
Janette S. Knowlton, County Attorney

RB
LR2006-209

EXHIBIT

"A"



REVISED
MAP H

Table Data	
Commercial Site	2578 AC
Hotel Site	4.59 AC
Wilson Center/Community Building	2072 AC
Residence	100 AC
Old Mill	22 AC
Site A/Twin Oaks Site	3.53 AC
Site B/Trinity	33.28 AC
Site C/Trinity	42.27 AC
Site D/Trinity	116.68 AC
Trail Development Area	2128 AC
Conservation Area	4002 AC
Trail Area	1,778 AC
Trail Residential Units	1,871 Units

Notes:

1. Minor adjustments may be proposed to the Land Use plan presented to Subcommittees 2002/2003, 2003/2004, 2004/2005.
2. Final site plans will be based on detailed site planning and preliminary engineering studies.
3. Final site plans will be based on detailed site planning and preliminary engineering studies.
4. Other sport areas to be proposed as possible high-tech recreation.

Final Development Objectives:

1. Develop a 211 acre hotel site with a total of 1,871 units of hotel and 1,871 units of residential units.
2. Develop a 211 acre hotel site with a total of 1,871 units of hotel and 1,871 units of residential units.
3. Develop a 211 acre hotel site with a total of 1,871 units of hotel and 1,871 units of residential units.
4. Develop a 211 acre hotel site with a total of 1,871 units of hotel and 1,871 units of residential units.
5. Develop a 211 acre hotel site with a total of 1,871 units of hotel and 1,871 units of residential units.

- COMMERCIAL OFFICES
- HOTEL SITE
- WILSON CENTER/COMMUNITY BUILDING
- SPA & TRAILS CLUBHOUSE
- RESIDENTIAL
- GOLF CLUB SITE
- GOLF MAINTENANCE
- SALES BUILDING
- AMTRONICAL SERVICE CENTER
- GOLF PRO SHOP/RESTAURANT
- CONSERVATION AREA
- LAKE

**TERN BAY
COUNTRY CLUB RESORT**

LAND USES

TERN BAY DEVELOPMENT COMPANY LLC

OCTOBER, 2003

Exhibit "B"

**Tern Bay DRI
Legal Description**

Tract 1

The NW ¼ of Section 20, Township 42 South, Range 23 East, LESS State Road Right of Way, Charlotte County, Florida.

Tract 2

The South ½ of the North ½ of the Southwest ¼ of the NE ¼ of Section 20, Township 42 South, Range 23 East, lying West of State Road Right of Way, Charlotte County, Florida.

Tract 3

A Triangular tract of land containing 3 acres more or less situated in the SW ¼ of Section 20, Township 42 South, Range 23 East, described as: Beginning at a point where the East-West centerline of said Section 20 intersects the Northwesterly Right of Way line of Burnt Store Road as the same was located prior to entry of Order of Taking on Condemnation Suit No. 68-346, heretofore pending in the circuit Court of Charlotte County, Florida, thence Southwesterly along said Northwesterly Right of Way line a distance of 500 feet; thence to the right at an angle of 90 degrees going Northwesterly 473 feet, more or less to the East-West centerline of said Section 20; thence Easterly along said East-West centerline 689 feet, more or less to the Point of Beginning, LESS State Road Right of Way, Charlotte County, Florida.

Tract 4

The N ½ of the N ½ of the SW ¼ of the NE ¼ of Section 20, Township 42 South, Range 23 East, lying West of State Road Right of Way, Charlotte County, Florida.

Tract 6

Section 17, LESS the North 100 feet thereof and LESS State Road Right of Way in Township 42 South, Range 23 East, Charlotte County, Florida.

Tract 8A

The East 950 feet of the NE 1/4 of the NE ½ of Section 19.

Tract 9

The NW ¼ of the NE ¼ of Section 20, Township 42 South, Range 23 East, Charlotte County, Florida.

All as delineated on revised Map H containing 913.55 acres more or less. and based on the survey prepared by Strayer Surveying and Mapping Inc dated 3.17.2003 for Tern Bay Development Co LLC. The corner monuments for Tract 9 were included.

Exhibit "C"
Tern Bay DRI
Revised and Updated Land Use Distribution, Dated January 2006

Land Use Type	Buildout Total
Single-family Residential	712 units
Multi-family Residential	1,098 units
Commercial	140,000 square feet
Office	30,000 square feet
Hotel	250 rooms
Golf Course	27 holes
Country Club	20,000 square feet
Spa and Tennis Club	7,500 square feet
Tennis Courts	8 courts
Welcome Center/Community Building	5,000 square feet

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

COMMISSION MINUTES



April 3, 2006

Mike Konefal, for
DRI Coordinator
18500 Murdock Circle
Port Charlotte, FL 33948

We are forwarding a certified copy of Resolution #2006-043 as required within the Resolution per item 14, number 6, on page 11. This Resolution was approved by the Board of Charlotte County Commissioners on Tuesday, March 21, 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

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

COMMISSION MINUTES



April 3, 2006

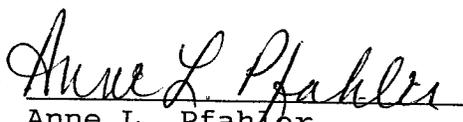
Florida Department of Community Affairs
Director of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, FL. 32399-2100

We are forwarding a certified copy of Resolution #2006-043 as required within the Resolution per item 14, number 6, on page 11. This Resolution was approved by the Board of Charlotte County Commissioners on Tuesday, March 21, 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

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

COMMISSION MINUTES



April 3, 2006

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

We are forwarding a certified copy of Resolution #2006-043 as required within the Resolution per item 14, number 6, on page 11. This Resolution was approved by the Board of Charlotte County Commissioners on Tuesday, March 21, 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
Anne L. Pfahler
Deputy Clerk

Enclosure (1)
BTS/alp

IMAGED
4-10-06
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