

September 29, 2023

State of Florida
400 S Monroe St,
Tallahassee, FL 32399, United States

RE: City of North Port Florida Comprehensive plan amendment CPAL-22-247

To whom it may concern,

Please find attached the presentation made by the aggrieved parties during the first hearing for this Comprehensive plan amendment. Attached is a spreadsheet with the Aggrieved parties' responses to the Comprehensive plan requirements and goals.

We have also attached The City of North Ports ordinance 2000-20A. This ordinance is regarding the annexation of the property in question. See Exhibit C in the Ordinance to reference the area of the Glawson/Carlton property. I have included a copy of Goal 3 in Chapter 2 on North Ports current Comprehensive plan. Per Chapter 2 of North Ports Comprehensive plan, Goal 3, Objective 9, Policy 9.14 No Public water or sewer service shall be provided to the Agricultural Estates portion of the Glawson/Carlton property. I have attached the City of North Ports Future Land use map to show that the Toledo Blade 320 project, or CPAL-22-247 is located in the Agricultural Estates portion of the land use map. Therefore, no water or sewer should be provided to this project.

Please consider our presentation as you review this request CPAL-22-247 to change the Comprehensive plan for North Port Florida. Please feel free to reach out to me if you have any further questions regarding the information I have provided to you. My email address is Ptokarz47@comcast.net. Thank you in advance for your time and consideration.

Sincerely,



Pamela Tokarz
Aggrieved Party

Ptokarz47@comcast.net

860-965-3749

Neighborhood Presentation

1st Agenda Item. ORDINANCE 2023-25 CPAL-22-247 Toledo Blade 320		
Approval to change the Future Land Use from Agricultural, Estates to Industrial and High Density Residential		
FLA. STAT. § 163.3184(3) Expedited State review process for adoption of comprehensive plan amendments		
The subject petition qualifies as a large-scale comprehensive plan amendment which utilizes the expedited review process for state agency review. The expedited review process requires city staff to transmit the application to the state for review by the applicable state agencies within ten (10) days of the first City Commission hearing. State agencies then review the application and either provide comments or issue a letter of no objection. The adoption hearing will be scheduled once the state review is complete.		
Comp Plan Requirements	Staff Response	
Future Land Use Element. - Goal 1		Aggrieved Parties Response
The first goal of the Future Land Use Element is to properly locate land uses so as to 'maximize the economic benefit and enjoyment of natural and man-made resources' while 'minimizing the threat to health, safety and welfare.'	Staff Findings and Conclusion: The applicant proposes to change the future land use from "Agricultural, Estates" to "Industrial" and "High Density Residential." The proposed FLU change will complement the adjacent AC and Village designations. The subject property is located on Toledo Blade Boulevard, a major collector street for the city, which will easily accommodate new traffic. Additionally, the property will be buffered from the adjacent, less intense uses across Toledo Blade. The reclassification to "Industrial" and "High Density Residential" has potential to increase the economic benefit of the property by providing tax revenue, jobs, and other similar benefits to existing and new residents in the area.	We don't agree with staff findings. How is changing the Future land use from Agricultural to Industrial and High Density Residential going to complement all of the surrounding properties for this project. They only reference the properties to the south. There are properties to the North and West that this project certainly will not complement. This development does not provide any connectivity with the adjacent properties. The Economic benefit of the Industrial property will be negated by the increase of high density residential being built on the other part of the project. They will be adding approximately 900 Residential Units. That will increase the need for City services by those residents. Staff's response does not prove how this project will minimize the threat to health, safety, and welfare to the area. How is it going to protect my safety with the increase in Traffic? How will it promote any health benefits? How will it protect my welfare with the increase in lighting, and noise from the Truck traffic. The fact that the front of the project along Toledo Blade will be a parking lot- how will that protect my home from flooding due to the water having no place to go because the storm drains are backed up.

Neighborhood Presentation

<p>Future Land Use Element - Policy 1.2</p>		<p>Aggrieved Parties Response</p>
<p>Expansion, reclassification, or replacement of land uses shall be compatible and consistent with the Future Land Use Map.</p>	<p>Staff Findings and Conclusion: The proposed "Industrial" and "High Density Residential" Future Land Use for the property would be consistent with the surrounding Future Land Uses: Sarasota County's Open Use Agricultural, which allows industrial uses (north), Village (south), and Village and Agricultural, Estates (east). Reclassifying the subject parcel's Future Land Use would make it more consistent with the surrounding zoning. "Village" zoning is the zoning that abuts the parcel the most and "Village" zoning allows all the uses that are being proposed with this CPAL.</p>	<p>We don't agree with Staff findings. Even though the Village zoning discription allows for up to 20% of the area to be Industrial, the project being built to the south has no Industrial in it. Per Section 124-76 of Sarasota County's Open Use Agricultural Zoning. Industrial is not a listed use, nor is High Density Residential. Per North Ports ULDC Section 53-25, and 53-26 Agricultural Zoning does not allow for Industrial uses, or High Density Residential either. So how does this project satisfy this Policy. Staff's response is only focused on the property to the south. It dose not take into consideration the properties to the North and West.</p>
<p>Future Land Use Element - Policy 4.12</p>		<p>Aggrieved Parties Response</p>
<p>The City shall preserve and promote community desired neighborhood character through subsequent zoning and land development regulation amendments.</p>	<p>Staff Findings and Conclusion: The FLU amendment would allow for cohesive development of the subject property and <u>adjacent AC and Village</u>. This amendment would allow more consistency with the neighboring "Village" FLU.</p>	<p>We don't agree with staff's findings. They say this Future land use change will make it more consistant with the property to the south. They do not take into consideration the other properties that surround the development. It does not meet those standards to be compatabile for the Agricultural Estates, and Walton perserve.</p>
<p>Future Land Use Element- Policy 5.5</p>		<p>Aggrieved Parties Response</p>
<p>Prior to any further development approval for properties located within the northeast quadrant of the City shall encourage an area wide quadrant plan that establishes the guidelines for the coordinated development of the quadrant.</p>	<p>Staff Findings and Conclusion: The reclassification of this property is requested in conjunction with a larger plan for the area. The city is extending City utilities to the area. Development of this property after the FLU amendment would be required to connect the city utilities, providing greater access to utilities in the city. The Toledo Blade 320 development will provide an opportunity for both "Industrial" and "High Density Residential" development and their uses to the area.</p>	<p>At the Planning and Zoning hearing for this project- Lori Barnes stated there is no Quadrant plan in place. If there is no plan in place how does this project meet the Land use element 5.5 for this proposal today.</p>

Neighborhood Presentation

Economic Development Element, - Policy 1.1.1		Aggrieved Parties Response
<p>The City will support the continuation and expansion of existing commercial and manufacturing enterprises at appropriate locations through technical assistance, the provision of incentives, and/or other appropriate strategies.</p>	<p>Staff Findings: The location of this proposed CPAL fits in perfect with the City of North Port's future plans for the area. The City was just recently awarded the Florida Job Growth Infrastructure Grant, which awarded the City up-to one million- six hundred ninety thousand dollars (\$1,690,000.00) for a utility extension north of 1-75 along Toledo Blade Boulevard. As part of the agreement, the City must certify that at least 1,947 new jobs have been created as a result of the grant project (DEO Agreement No. G0077, Pg. 22).</p>	<p>Was the Florida Job Growth grant only for Activity center 4. This project is not part of the Activity Center. How can this project satisfy the needs of the Grant by following the guidelines listed in it.</p>
	<p>Currently, there are no numbers on how many jobs will be created by this property's future land use change. However, it can be said that the proposed FLU change will allow uses that can contribute to the 1,947 required new jobs.</p>	



City of North Port

ORDINANCE NO. 2000-20A
(Annexation of a Portion of South Sarasota County)

AN ORDINANCE OF THE CITY OF NORTH PORT, FLORIDA, RELATING TO THE ANNEXATION OF CERTAIN TRACTS OF REAL PROPERTY IN THE UNINCORPORATED AREA OF SARASOTA COUNTY, FLORIDA; READOPTING ORDINANCE NO. 2000-20; PROVIDING FOR FINDINGS; PROVIDING FOR ANNEXATION; PROVIDING FOR CONDITIONS; PROVIDING FOR FILING OF ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA:

SECTION 1 - FINDINGS:

- 1.01 On July 6, 2000, a petition was received by the City of North Port Community Development Department for the annexation of certain real property to the City of North Port, Florida. A copy of said petition is attached hereto and incorporated herein as Exhibit "A".
- 1.02 Said petition bears the signatures of all owners of property in the area proposed to be annexed.
- 1.03 Notice of a public hearing before the North Port City Commission to consider annexation of the subject property was published once a week for two consecutive weeks in a newspaper published within the City of North Port.
- 1.04 The real property sought to be annexed is wholly located in an unincorporated area of Sarasota County, Florida.
- 1.05 The real property sought to be annexed is contiguous to the boundaries of the City of North Port (Exhibit C Map).

ORDINANCE NO. 2000-20A

- 1.06 The real property sought to be annexed is reasonably compact.
- 1.07 Rapid growth and population increase statewide and within the City's geographical limits has created a community demand for expansion.
- 1.08 Annexation of property is necessary to accommodate future growth of the City.
- 1.09 The City is equipped to supply municipal services to the additional annexed property.
- 1.10 Sufficient potable water and sanitary sewer/septic tank capacity exists to service the annexed property.
- 1.11 The annexation proposed by this Ordinance will not result in the creation of enclaves.
- 1.12 The City of North Port Planning and Zoning Advisory Board, designated as the City of North Port Local Planning Agency, held a duly noticed public hearing on October 19, 2000, at which time all interested parties had an opportunity to appear and be heard regarding the annexation of the real property identified herein.
- 1.13 The Local Planning Agency found the petition filed in this matter to be consistent with Section 171.044, Florida Statutes, and that such annexation is deemed to be in the best public interest of the residents and property owners of the area to be annexed and of the City of North Port as a whole.
- 1.14 The staff report/memo for CPA-00-111 contains additional data and analysis and is incorporated herein by reference. The information, testimony and exhibits presented to the Planning and Zoning Advisory Board on August 17, 2000 and October 19, 2000 and presented to the City Commission on September 11, 2000 and September 25, 2000 are incorporated herein by reference.
- 1.15 The public notice requirements of Section 171.044(2) and Section 166.041 Florida Statutes have been complied with.

ORDINANCE NO. 2000-20A

- 1.16 Voluntary annexation of the real property described in the petition attached as Exhibit "A" is authorized pursuant to Section 171.044, Florida Statutes.

SECTION 2 READOPTION OF ORDINANCE NO. 2000-20

- 2.01 This ordinance readopts Ordinance No. 2000-20 in its entirety including all public records submitted prior to, or on the dates of the previous public hearings as stated in Section 1.14 above.

SECTION 3- ANNEXATION:

- 3.01 The City of North Port, Florida, does hereby annex and incorporate within the corporate boundaries of the City of North Port the real property described in the legal description attached hereto and incorporated herein as Exhibit "B".
- 3.02 The corporate limits of the City of North Port, Florida are hereby extended and increased to include and embrace the real property described in Section 2.01 herein, consisting of 9,252 acres and such real property is hereby declared to be a part of the City of North Port, Florida.
- 3.03.1 The annexation of the property described in Section 2.01 herein shall be subject to the agreement and payment by the petitioners of all costs including, but not limited to, public advertising and notice requirements, necessitated by such annexation. Costs associated with any Comprehensive Plan amendment necessitated by the annexation shall also be paid by the petitioners.

SECTION 4 - FILING OF ORDINANCE:

- 4.01.1 Upon adoption of this Ordinance, within seven days, the City Clerk is directed to cause a copy of this Ordinance to be filed with the Chief Administrative Officer of Sarasota County, with the Clerk of the Circuit Court in and for Sarasota County, Florida, and with the Florida Department of State. The cost for such filing shall be paid by the petitioners.

SECTION 5 - SEVERABILITY:

5.01.1 If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 6 - CONFLICTS:

6.01.1 In the event of any conflict between the provisions of this Ordinance and any other ordinance or portions thereof, the provisions of this Ordinance shall prevail to the extent of such conflict.

SECTION 7 - EFFECTIVE DATE:

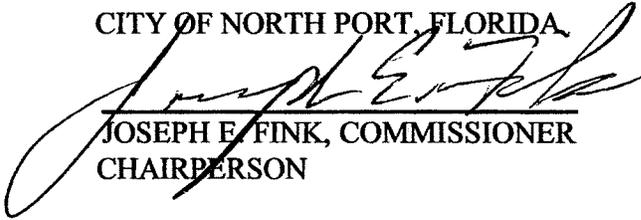
7.01 This Ordinance shall become effective immediately upon the adoption of the associated Comprehensive Plan amendments by the City Commission.

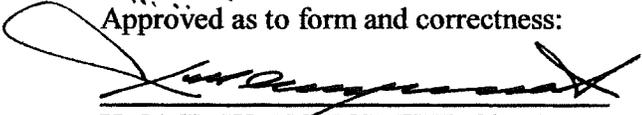
Read by title only on first reading in public session this 16th day of October, 2000.

PASSED AND ADOPTED on the second and final reading in public session this 30th day of October, 2000.

ATTEST:

DORIS J. BRIGGS, City Clerk

CITY OF NORTH PORT, FLORIDA

JOSEPH E. FINK, COMMISSIONER
CHAIRPERSON

Approved as to form and correctness:

H. JACK KLINGENSMITH, City Attorney

City of North Port

Community Development Department

EXHIBIT "A"

FAX: (941) 423-3179

(941) 423-3144

E-MAIL: *npplanning@acun.com*

APPLICATION FOR:
VOLUNTARY ANNEXATION REQUEST

Date Application Accepted: 7/14/00 Accepted by: [Signature] File # : ANX - 00 - 110
(To be completed by Community Development Department)

Information to be Submitted with Application

In order that this application be processed in a timely manner, the correct and complete information is necessary. Errors in the completed application may result in delays with required public hearings. Unless otherwise noted, Community Development Staff is available to assist in completing this application. All data and exhibits submitted in connection with the filing of this application become a permanent part of the public record. Any exhibits submitted should be page size 8 1/2" x 11" – or for items larger than standard page size – fourteen folded copies must be submitted with the filing.

1. Applicant Information

Name of Applicant (Agent): Robert H. Berntsson, Esq.
Street Address: 18401 Murdock Circle
City: Port Charlotte State: FL Zip Code: 33948
Telephone # : (941) 627-1000 FAX # : (941) 255-0684
E-Mail: rberntsson@bmilaw.com

2. Property Owner (if different from applicant)

Name of Property Owner: See Exhibit "G"
Street Address: _____
City: _____ State: _____ Zip Code : _____
Telephone # : _____ FAX # : _____
E-Mail: _____

3. Property Description

Parcel I.D. No.(s) 1. Multiple - See Exhibit "H"
Legal: Addition _____ Block _____ Lot(s) _____ Tract or Parcel 1-A, 1-B, 2, 3, 4, per survey
Sections 1-6, 10-14 and Parts of Sections 7, 8, 9, 15 and 16 Township 39S Range 22E
Acreage 9,193.92 acres +/-
Street Address N/A

4. Purpose of Application:

Please briefly state what the intended use of the property will be, or why you are making this application (e.g. to develop vacant property, to change land uses to one not currently permitted, to correct a land use violation).

Over 9,000 acres is requested to be annexed to allow for future development and the expansion of the City's tax base.

5. Survey Sketch:

For platted lots, provide a copy of the survey sketch and legal description (including acreage) on a 8 1/2" x 11" size paper **OR**

If the subject property is unplatted, submit a folded survey that is **signed and sealed** by a registered land surveyor that contains a surveyor's sketch and an accurate legal description (including acreage) of the property.

6. Provide a copy of the most Current Deed or Title Policy on the subject property to demonstrate proof of ownership.

7. Environmental Assessment Survey:

Provide a copy of a Phase I - Environmental Assessment Survey. The survey shall be **signed and sealed** by a Professional Environmental Consultant and include the date of assessment.

8. Provide an Area Map which clearly depicts property under consideration.

9. Development Concept Plan (if applicable): Provide a copy of a Development Concept Plan if a Planned Community Development zoning district is be requested.

10. Is property designated a "Future Annexation Area" on the City of North Port's Community Concept Map: Yes: X No:

11. Adopted Future Land Use Map Designation: Sarasota County Rural
See Sarasota County or Charlotte County Comprehensive Plan

12. Existing Zoning District: Sarasota County "OUR" Open Use Rural
See Sarasota County or Charlotte County Zoning Code

13. Proposed Future Land Use Map Designation: AC-4 and Agricultural, Estates and Recreation/Open Space

14. Proposed Zoning District: PCD (future) and AG

15. Is property located near a Gateway? No: Yes: X
(distance) Adjacent to I-75/Toledo Blade Boulevard

16. Existing Land Use (e.g. house, commercial structure, vacant): Existing excavation, farming, cattle, hunting, and other agricultural uses.

17. Surrounding existing and uses of adjacent properties

North: Sarasota County Preservation Lands.

South: I-75

East: DeSoto County Preservation Lands

West: Vacant and Residential (North Port Estates)

18. List the Roadways immediately serving the site:

Choctaw Blvd.

Yorkshire Street

19. List Roadways serving this site with existing or anticipated Curb-cuts (driveways):

Choctaw Boulevard, Yorkshire Street

20. Nearest a.) Traffic Control Light: US 41/Toledo Blade Boulevard Feet,

and/or b.) Stop Sign: Adjacent on Choctaw Feet

21. Nearest Fire Hydrant: South of I-75 Feet

22. How will Potable Water service be provided?

Private Well: (AG Lands) and

North Port Utilities: (AC Lands) North Port Utilities are aware of the application

(Please provide a letter from the service provider stating that the proposed development is within their service area and that they have adequate capacity to serve the proposed development). Please contact North Port Utilities (941) 426-9500

23. How will Sanitary Sewer service be provided?

Private Septic System:(AG Lands)

North Port Utilities: (AC Lands) (Please provide a letter from the service provider stating that the proposed development is within their service area and that they have adequate capacity to serve the proposed development). Please contact North Port Utilities (941) 426-9500

24. Are there any known Historical or Archaeological sites on the property?

If unsure, please contact Sarasota County - Division of Historical Resources (941) 316-1115

No: Yes: Please describe: _____

25. What FEMA flood zone is the property located in? No special flood hazard area

26. Is the property subject to localized flooding or standing water?

No: Yes: Please describe: In wetland and depressed areas, seasonal and localized standing water.

27. Is the property within a County recognized Conservation Restricted Overlay Zone?

No: Yes: If yes, which type

28. Does the property contain any plant or animal species with special status, or rare, threatened, or endangered species of special concern? (e.g. Mangrove, Heritage Trees, Gopher Tortoise, Scrub Jay, Indigo Snake, Golden Polypody, Bald Eagle, Florida Coontie).
If unsure, please refer to the Phase I, Environmental Assessment

No: ___ Yes: X Please indicate which ones:

See Environmental Report, Exhibit C

29. Environment (Please check ALL the habitats found on the property)

If unsure, please refer to the Phase I, Environmental Assessment

<u>X</u> Canal (fresh water)	___ Mangrove Swamps	___ Turkey Oak Ridges
___ Canal (salt water)	<u>X</u> Marshes and Sloughs	<u>X</u> Wetland Heads
___ Coastal Hammock	<u>X</u> Mesic Hammocks	<u>X</u> Wet Prairies
___ Coastal Streams	<u>X</u> Pine Flatwoods	___ Xeric Hammocks
<u>X</u> Freshwater Swamps	___ Scrubby Flatwoods	<u>X</u> Other
___ Indian Mounds	___ Tidal Marshes	(please explain below)

See Environmental Report, Exhibit C

30. How will listed species (question 28) or habitats (question 29) be protected or managed?
See Environmental Report, Exhibit C

32. Additional Information

Please attach (and list below) any additional information, sketches, concept plans, etc., on paper size 8 1/2" x 11" which you believe will help support or clarify this petition.

LIST OF ATTACHMENTS

Exhibit A: Survey Sketch

Exhibit B: Current Deed or Title Policy

Exhibit C: Environmental Assessment Survey

Exhibit D: Area Map

Exhibit E: ~~Development Concept Plan~~ (if applicable for a PCD rezoning) N/A

Exhibit F: Narrative

Exhibit G: List of Owners

Exhibit H: Parcel I.D. Nos.

Exhibit I: _____

AFFIDAVIT

I, **Robert H. Berntsson**, being first duly sworn, depose and say that I am (we are) the owner(s), attorney, attorney-in-fact, agent, lessee or representative of the owner(s) of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my (our) knowledge and belief. I (we) understand this application must be complete and accurate before the hearing can be advertised. I (we) further permit the undersigned agent to act as our representative in any manner regarding this petition. I (we) authorize City staff to visit the site as necessary for proper review of this petition. *If there are any special conditions such as locked gates, restricted hours, guard dogs, etc., please provide the name and telephone number of the individual who can allow access.*

Sworn and subscribed before me this 22nd day of June, 2000,

Robert H. Berntsson
Signature of Applicant or Authorized Agent

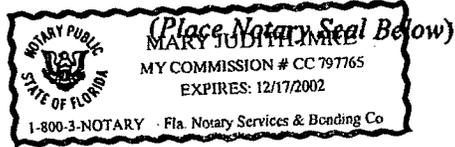
Print Name and Title

STATE OF FLORIDA , COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this 22nd day of June, 2000, by Robert Berntsson (Applicant Name) who is personally known to me or has produced _____ as identification,

and who did / did not (circle one) take an oath.

Mary Judith Ornel
Signature - Notary Public



OWNER'S AUTHORIZATION

Lee F. Pallardy, III, Managing Member of I (we) Northport Commercial Interchange, LLC, hereby give permission to Robert H. Berntsson, Esq. to apply for this petition. Northport Commercial Interchange, LLC

By [Signature]
Signature of First Owner

Signature of Second Owner (if applicable)

If more than two owners, separate forms must be submitted.

Lee F. Pallardy, III, Managing Member

STATE OF FLORIDA , COUNTY OF SARASOTA Hillsborough

The foregoing instrument was acknowledged by me this 20 day of June, 2000, by Lee F. Pallardy, III, Managing Member of Northport Commercial Interchange, LLC (Applicant Name) who is personally known to me or has produced (personally known) as identification,

and who did / did not (circle one) take an oath.

(Place Notary Seal Below)

Rancine M. Crisler
Signature - Notary Public
Rancine M. Crisler



Rancine M. Crisler
MY COMMISSION # CC614990 EXPIRES
March 9, 2001
BONDED THRU TROY FAIR INSURANCE, INC.

AFFIDAVIT

I, **Robert H. Berntsson**, being first duly sworn, depose and say that I am (we are) the owner(s), attorney, attorney-in-fact, agent, lessee or representative of the owner(s) of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my (our) knowledge and belief. I (we) understand this application must be complete and accurate before the hearing can be advertised. I (we) further permit the undersigned agent to act as our representative in any manner regarding this petition. I (we) authorize City staff to visit the site as necessary for proper review of this petition. *If there are any special conditions such as locked gates, restricted hours, guard dogs, etc., please provide the name and telephone number of the individual who can allow access.*

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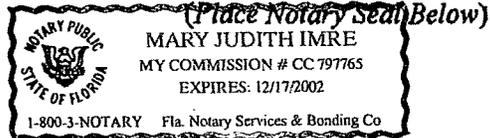
[Signature]
Signature of Applicant or Authorized Agent

Print Name and Title

STATE OF FLORIDA, COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this 22nd day of June, 2000, by Robert Berntsson (Applicant Name) who is personally known to me or has produced _____ as identification, and who did / did not (circle one) take an oath.

[Signature]
Signature - (Notary) Public



OWNER'S AUTHORIZATION

Lee F. Pallardy, III, Managing Member of I (we) Northport Materials, LLC hereby give permission to **Robert H. Berntsson, Esq.** to apply for this petition. Northport Materials, LLC

By: [Signature]
Signature of First Owner

Signature of Second Owner (if applicable)

If more than two owners, separate forms must be submitted.

Lee F. Pallardy, III, Managing Member

STATE OF FLORIDA, COUNTY OF SARASOTA HILLSBOROUGH

The foregoing instrument was acknowledged by me this 20 day of June, 2000, by Lee F. Pallardy, III, Managing Member of Northport Materials, LLC (Applicant Name) who is personally known to me or has produced (personally known) as identification, and who did / did not (circle one) take an oath. (Place Notary Seal Below)

[Signature]
Signature - Notary Public
Rancine M. Crisler



Rancine M. Crisler
MY COMMISSION # CC614990 EXPIRES
March 9, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

AFFIDAVIT

I, **Robert H. Berntsson**, being first duly sworn, depose and say that I am (we are) the owner(s), attorney, attorney-in-fact, agent, lessee or representative of the owner(s) of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my (our) knowledge and belief. I (we) understand this application must be complete and accurate before the hearing can be advertised. I (we) further permit the undersigned agent to act as our representative in any manner regarding this petition. I (we) authorize City staff to visit the site as necessary for proper review of this petition. *If there are any special conditions such as locked gates, restricted hours, guard dogs, etc., please provide the name and telephone number of the individual who can allow access.*

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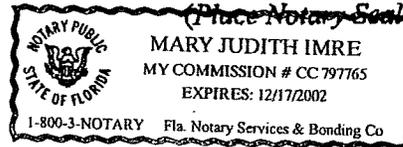
Robert H. Berntsson
Signature of Applicant or Authorized Agent

Print Name and Title

STATE OF FLORIDA, COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this 22nd day of June, 2000, by Robert Berntsson (Applicant Name) who is personally known to me or has produced _____ as identification, and who did / did not (circle one) take an oath.

Mary Judith Imre
Signature - Notary Public



OWNER'S AUTHORIZATION

Lee F. Pallardy, III, President of I (we) Davis Sarasota, LLC hereby give permission to Robert H. Berntsson, Esq. to apply for this petition. Davis Sarasota, LLC

By: [Signature]
Signature of First Owner

Signature of Second Owner (if applicable)

If more than two owners, separate forms must be submitted.

STATE OF FLORIDA, COUNTY OF ~~SARASOTA~~ HILLSBOROUGH

The foregoing instrument was acknowledged by me this 20th day of June, 2000, by Lee F. Pallardy, III, President of Davis Sarasota, LLC (Applicant Name) who is personally known to me or has produced (personally known) as identification, and who did / did not (circle one) take an oath. *(Place Notary Seal Below)*

[Signature]
Signature - Notary Public

Rancine M. Crisler



Rancine M. Crisler
MY COMMISSION # CC614990 EXPIRES
March 9, 2001
BONDED THRU TROY FAIN INSURANCE, INC.

AFFIDAVIT

I, Robert H. Berntsson, being first duly sworn, depose and say that I am (we are) the owner(s), attorney, attorney-in-fact, agent, lessee or representative of the owner(s) of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my (our) knowledge and belief. I (we) understand this application must be complete and accurate before the hearing can be advertised. I (we) further permit the undersigned agent to act as our representative in any manner regarding this petition. I (we) authorize City staff to visit the site as necessary for proper review of this petition. If there are any special conditions such as locked gates, restricted hours, guard dogs, etc., please provide the name and telephone number of the individual who can allow access.

Sworn and subscribed before me this 22nd day of June, 2000,

[Signature]
Signature of Applicant or Authorized Agent

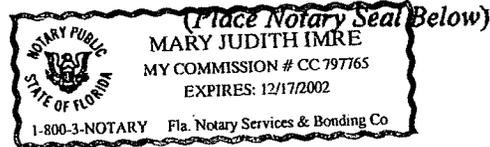
Print Name and Title

STATE OF FLORIDA, COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this 22nd day of June, 2000, by Robert Berntsson (Applicant Name) who is personally known to me or has produced _____ as identification,

and who did / did not (circle one) take an oath.

[Signature]
Signature - Notary Public



OWNER'S AUTHORIZATION

I (we) Lee F. Pallardy, III, Managing Member of Pallardy Sarasota, LLC hereby give permission to Robert H. Berntsson, Esq. to apply for this petition. Pallardy Sarasota, LLC

By [Signature]
Signature of First Owner

Signature of Second Owner (if applicable)

If more than two owners, separate forms must be submitted.

Lee F. Pallardy, III, Managing Member

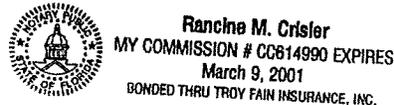
STATE OF FLORIDA, COUNTY OF SARASOTA Hillsborough

The foregoing instrument was acknowledged by me this 20th day of June, 2000, by Lee F. Pallardy, III, Managing Member of Pallardy Sarasota LLC (Applicant Name) who is personally known to me or has produced _____ (personally known) as identification,

and who did / did not (circle one) take an oath.

(Place Notary Seal Below)

[Signature]
Signature - Notary Public
Rancine M. Crisler



AFFIDAVIT

I, Robert H. Berntsson, being first duly sworn, depose and say that I am (we are) the owner(s), attorney, attorney-in-fact, agent, lessee or representative of the owner(s) of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my (our) knowledge and belief. I (we) understand this application must be complete and accurate before the hearing can be advertised. I (we) further permit the undersigned agent to act as our representative in any manner regarding this petition. I (we) authorize City staff to visit the site as necessary for proper review of this petition. If there are any special conditions such as locked gates, restricted hours, guard dogs, etc., please provide the name and telephone number of the individual who can allow access.

Sworn and subscribed before me this 22nd day of June, 2000,

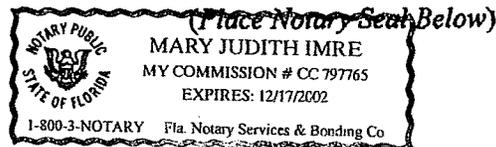
[Signature] Signature of Applicant or Authorized Agent Print Name and Title

STATE OF FLORIDA, COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this 22nd day of June, 2000, by Robert Berntsson (Applicant Name) who is personally known to me or has produced _____ as identification,

and who did / did not (circle one) take an oath.

[Signature] Signature - Notary Public



OWNER'S AUTHORIZATION

C. Dennis Carlton, Managing Member of Carlton Sarasota, LLC I (we) _____ hereby give permission to Robert H. Berntsson, Esq. to apply for this petition. Carlton Sarasota, LLC

By [Signature] Signature of First Owner Signature of Second Owner (if applicable)

If more than two owners, separate forms must be submitted. C. Dennis Carlton, Managing Member

STATE OF FLORIDA, COUNTY OF SARASOTA/ HILLSBOROUGH

The foregoing instrument was acknowledged by me this 21st day of June, 2000, C. Dennis Carlton, Managing Member of Carlton Sarasota, LLC (Applicant Name) who is personally known to me or has produced _____ (personally known) as identification, and who did / did not (circle one) take an oath. (Place Notary Seal Below)

[Signature] Signature - Notary Public Rancine M. Crisler



Rancine M. Crisler MY COMMISSION # CC614990 EXPIRES March 9, 2001 BONDED THRU TROY FAIR INSURANCE, INC.

AFFIDAVIT

I, Robert H. Berntsson, being first duly sworn, depose and say that I am (we are) the owner(s), attorney, attorney-in-fact, agent, lessee or representative of the owner(s) of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementing matter attached to and made a part of the application are honest and true to the best of my (our) knowledge and belief. I (we) understand this application must be complete and accurate before the hearing can be advertised. I (we) further permit the undersigned agent to act as our representative in any manner regarding this petition. I (we) authorize City staff to visit the site as necessary for proper review of this petition. If there are any special conditions such as locked gates, restricted hours, guard dogs, etc., please provide the name and telephone number of the individual who can allow access.

Sworn and subscribed before me this 22nd day of June, 2000.

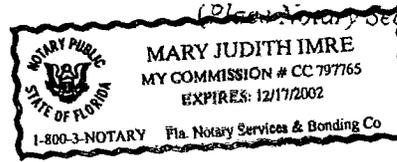
Robert H. Berntsson
Signature of Applicant or Authorized Agent

Print Name and Title

STATE OF FLORIDA, COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this 22nd day of June, 2000, by Robert Berntsson (Applicant Name) who is personally known to me or has produced _____ as identification, and who did / did not (circle one) take an oath.

Mary Judith Imre
Signature of Notary Public



OWNER'S AUTHORIZATION

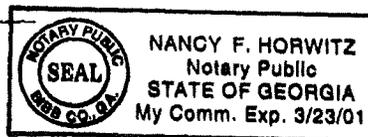
I (we) Glawson Investments Corp. hereby give permission to Robert H. Berntsson, Esq. to apply for this petition.

By: W. C. Glawson, Jr. Signature of First Owner President
Signature of Second Owner (if applicable)
If more than two owners, separate forms must be submitted.

GEORGIA BIBB:
STATE OF ~~FLORIDA~~, COUNTY OF ~~SARASOTA~~

The foregoing instrument was acknowledged by me this 22 day of June, 2000, by W. C. Glawson, Jr. (Applicant Name) who is personally known to me or has produced _____ as identification, and who did / did not (circle one) take an oath.

Nancy F. Horwitz
Signature - Notary Public



*Replaced
11-6-00*

EXHIBIT "B"

ALL THAT PART OF SECTION 7, LYING NORTH OF THE RIGHT-OF-WAY FOR INTERSTATE HIGHWAY 75, IN TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 7; THENCE S.00°31'30"W., (GRID BEARING, FLORIDA TRANSVERSE MERCATOR, WEST ZONE) ALONG THE WEST LINE OF SAID SECTION 7 A DISTANCE OF 1168.58 FEET TO AN INTERSECTION WITH THE MOST NORTHERLY, RIGHT-OF-WAY LINE FOR THE TOLEDO BLADE BLVD., I-75 INTERCHANGE, WITH SAID POINT OF INTERSECTION BEARING N.00°31'30"E., A DISTANCE OF 1518.41 FEET FROM THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 7; THENCE S.89°28'30"E. ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 100.00 FEET TO THE BEGINNING OF THE LIMITED ACCESS RIGHT-OF-WAY LINE FOR INTERSTATE HIGHWAY 75; THENCE ALONG THE EASTERLY, NORTHERLY AND NORTHEASTERLY, LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID INTERSTATE HIGHWAY 75, THE FOLLOWING 10 COURSES MEASURED BETWEEN FOUND FDOT IRON ROD RIGHT-OF-WAY MARKERS, (1); THENCE S.00°31'30"W., A DISTANCE OF 197.89 FEET (2); THENCE S.07°46'49"E., A DISTANCE OF 103.36 FEET (3); THENCE S.02°27'30"E., A DISTANCE OF 500.80 FEET (4); THENCE S.18°43'13"E., A DISTANCE OF 201.37 FEET (5); THENCE S.56°59'14"E., A DISTANCE OF 201.63 FEET (6); THENCE S.76°20'06"E., A DISTANCE OF 227.61 FEET (7); THENCE S.79°19'14"E., A DISTANCE OF 700.98 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING: A RADIUS OF 3180.05 FEET, A CENTRAL ANGLE OF 05°53'42", A CHORD BEARING OF S.82°16'04"E. AND A CHORD LENGTH OF 327.04 FEET (8); THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 327.18 FEET TO THE POINT OF TANGENCY OF SAID CURVE (9); THENCE S.85°12'55"E., A DISTANCE OF 519.10 FEET (10); THENCE S.89°12'13"E., A DISTANCE OF 3134.47 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID SECTION 7; THENCE N.01°04'23"E., ALONG SAID EAST LINE OF SECTION 7, A DISTANCE OF 2325.50 FEET TO THE NORTHEAST CORNER OF SAID SECTION 7; THENCE N.87°10'58"W., ALONG THE NORTH LINE OF SAID SECTION 7, A DISTANCE OF 5292.12 FEET TO THE NORTHWEST CORNER OF SECTION 7 AND THE POINT OF BEGINNING.

Tract 4
233610

ALL OF SECTIONS 1, 2, 11, 12, 13, 14 AND A PORTION OF SECTIONS 9, 10, 15 AND 16, TOWNSHIP 39 SOUTH, RANGE 22 EAST, SARASOTA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 9, TOWNSHIP 39 SOUTH, RANGE 22 EAST ALSO BEING THE NORTHWEST CORNER OF SECTION 10; THENCE N.89°56'00"W., (GRID BEARING, FLORIDA TRANSVERSE MERCATOR, WEST ZONE) ALONG THE NORTH LINE OF SAID SECTION 9, A DISTANCE OF 324.51 FEET TO A POINT IN THE ALDERMAN SLOUGH; THENCE FOLLOWING SAID ALDERMAN SLOUGH IN A SOUTHERLY DIRECTION, THE FOLLOWING COURSES: S.18°25'53"W., THROUGH SECTION 9 A DISTANCE OF 85.39 FEET; THENCE S.27°12'16"E., A DISTANCE OF 517.18 FEET; THENCE S.57°39'41"E., A DISTANCE OF 124.04 FEET TO A POINT ON THE WEST LINE OF SECTION 10, BEARING S.00°58'09"W., A DISTANCE OF 607.04 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 10; THENCE S.57°39'41"E., THROUGH SECTION 10 A DISTANCE OF 63.21 FEET; THENCE S.10°12'48"E., A DISTANCE OF 555.38 FEET; THENCE S.07°21'16"E., A DISTANCE OF 672.34 FEET; THENCE S.10°44'03"E., A DISTANCE OF 651.24 FEET; THENCE S.10°36'13"W., A DISTANCE OF 530.75 FEET; THENCE S.01°14'47"W., A DISTANCE OF 820.24 FEET; THENCE S.03°22'21"E., A DISTANCE OF 253.99 FEET; THENCE S.06°05'01"E., A DISTANCE OF 925.01 FEET; THENCE S.12°02'12"E., A DISTANCE OF 324.13 FEET TO A POINT ON THE NORTH LINE OF SECTION 15, BEARING S.89°40'03"E., A DISTANCE OF 536.06 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 15; THENCE THROUGH SECTION 15, S.12°02'12"E., A DISTANCE OF 127.44 FEET; THENCE S.09°19'36"E., A DISTANCE OF 688.68 FEET; THENCE S.04°17'39"E., A DISTANCE OF 145.23 FEET; THENCE S.11°04'54"E., A DISTANCE OF 278.80 FEET; THENCE S.18°24'37"W., A DISTANCE OF 118.03 FEET; THENCE S.27°30'33"W., A DISTANCE OF 170.26 FEET; THENCE S.05°11'15"E., A DISTANCE OF 86.33 FEET; THENCE S.07°05'59"W., A DISTANCE OF 206.26 FEET; THENCE S.03°47'11"E., A DISTANCE OF 108.15 FEET; THENCE S.15°38'29"W., A DISTANCE OF 229.08 FEET; THENCE S.11°11'29"W., A DISTANCE OF 651.33 FEET; THENCE S.04°17'53"W., A DISTANCE OF 74.25 FEET; THENCE S.16°13'07"W., A DISTANCE OF 79.94 FEET; THENCE S.06°56'07"W., A DISTANCE OF 292.06 FEET; THENCE S.19°33'24"W., A DISTANCE OF 62.42 FEET; THENCE S.51°48'15"W., A DISTANCE OF 177.50 FEET; THENCE S.35°17'02"W., A DISTANCE OF 182.82 FEET; THENCE S.51°44'00"W., A DISTANCE OF 129.18 FEET TO A POINT ON THE EAST LINE OF SECTION 16, BEARING N.00°16'13"E., A DISTANCE OF 1734.15 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE S.51°44'00"W. THROUGH SECTION 16, A DISTANCE OF 18.84 FEET; THENCE S.35°17'35"W., A DISTANCE OF 203.28 FEET TO A POINT ON THE NORTHERLY LIMITED ACCESS RIGHT-OF-WAY LINE FOR INTERSTATE HIGHWAY #75; THENCE S.44°57'25"E., ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 186.37 FEET TO A POINT ON THE WEST LINE OF SECTION 15, BEARING N.00°06'13"E., A DISTANCE OF 1424.68 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 15, THENCE S.44°57'25"E. ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 2023.63 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SECTION 15, BEARING S.89°42'25"E. A DISTANCE OF 1432.44 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE S.89°42'25"E., ALONG THE SOUTH LINE OF SAID SECTION 15 A DISTANCE OF 3869.24 FEET TO THE SOUTHWEST CORNER OF SECTION 14; THENCE S.89°42'24"E., ALONG THE SOUTH LINE OF SAID SECTION 14 A DISTANCE OF 5321.72 FEET TO THE SOUTHWEST CORNER OF SECTION 13; THENCE S.89°42'24"E., ALONG THE SOUTH LINE OF SAID SECTION 13 A DISTANCE OF 5413.63 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 13 AND THE EAST RANGE LINE OF SAID TOWNSHIP 39 SOUTH, RANGE 22 EAST; THENCE N.00°14'50"E., ALONG THE EAST LINE OF SAID SECTION 13 A DISTANCE OF 5325.52 FEET TO THE SOUTHEAST CORNER OF SECTION 12; THENCE N.00°14'45"E., ALONG THE EAST LINE OF SAID SECTION 12 A DISTANCE OF 5324.68 FEET TO THE SOUTHEAST CORNER OF SECTION 1; THENCE N.00°14'30"E., ALONG THE EAST LINE OF SAID SECTION 1 A DISTANCE OF 5324.24 FEET TO THE NORTHEAST CORNER OF SAID SECTION 1 AND THE NORTHEAST CORNER OF TOWNSHIP 39 SOUTH, RANGE 22 EAST; THENCE N.89°44'59"W.,

ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1 A DISTANCE OF 2655.22 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE N.89°44'46"W., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 2655.22 FEET TO THE NORTHEAST CORNER OF SECTION 2; THENCE N.89°44'34"W., ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2 A DISTANCE OF 2655.22 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE N.89°44'21"W., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 2655.22 FEET TO THE NORTHWEST CORNER OF SECTION 2; THENCE S.00°36'54"W., ALONG THE WEST LINE OF SAID SECTION 2, A DISTANCE OF 5309.42 FEET TO THE NORTHEAST CORNER OF SECTION 10; THENCE N.89°54'41"W., ALONG THE NORTH LINE OF SAID SECTION 10, A DISTANCE OF 5327.75 FEET TO THE NORTHWEST CORNER OF SECTION 10 AND THE POINT OF BEGINNING.

Tract 1-B
233606

ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1 A DISTANCE OF 2655.22 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 1; THENCE N.89°44'46"W., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 2655.22 FEET TO THE NORTHEAST CORNER OF SECTION 2; THENCE N.89°44'34"W., ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 2 A DISTANCE OF 2655.22 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 2; THENCE N.89°44'21"W., ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 2655.22 FEET TO THE NORTHWEST CORNER OF SECTION 2; THENCE S.00°36'54"W., ALONG THE WEST LINE OF SAID SECTION 2, A DISTANCE OF 5309.42 FEET TO THE NORTHEAST CORNER OF SECTION 10; THENCE N.89°54'41"W., ALONG THE NORTH LINE OF SAID SECTION 10, A DISTANCE OF 5327.75 FEET TO THE NORTHWEST CORNER OF SECTION 10 AND THE POINT OF BEGINNING.

Tract 1-B
233606

EXHIBIT "B"

PERMITTED EXCEPTIONS
(NORTHPORT MATERIALS)

1. Limited Access Right of Way recorded in O.R. Book 1147, Page 1943 and O.R. Book 1114, Page 1543 of the Public Records of Sarasota County, Florida (Sections 9).
2. Right of Way Agreement with Florida Power & Light Company recorded in Deed Book 352, Page 307, as supplemented in O.R. Book 19, Page 515, and partially released by Quit Claim Deed in O. R. Book 1017, Page 2025, Public Records of Sarasota County, Florida (Sections 4, 5, 6, 9, and 10).
3. Right of Way Agreement with Florida Power & Light Company recorded in O. R. Book 1011, Page 1123 and Official Records Instrument Number 1999163586 of the Public Records of Sarasota County, Florida (Sections 5, 6, and 9).
4. Easement Agreement between MCK Farms, LTD and Peace River/Manasota Regional Water Supply Authority as recorded in Official Records Instrument Number 1999158305 of the Public Records of Sarasota County, Florida (as to 5,6 and 9).
5. Tenants in possession pursuant to written Leases as Tenants only.

#233616

This Instrument Prepared By and Return To:
E. Ralph Tirabassi, Esq.
Ferguson, Skipper, Shaw, Keyser,
Baron & Tirabassi, P.A.
PO Box 3018
Sarasota, Florida 34236
File No.: 8521/15903

Grantee #1 Tax ID # _____
Grantee #2 Tax ID # _____

PARCEL ID # _____

GENERAL WARRANTY DEED

This Warranty Deed is made by MCK FARMS, LTD., a Florida Limited Partnership, hereinafter referred to as Grantor, whose address is 1768 Jose Gaspar Drive, Boca Grande, Florida 33921 and GLAWSON INVESTMENTS CORP., a Georgia Corporation hereinafter referred to as Grantee, whose address is 1111 Orange Street, Suite 101, Macon, Georgia 31201. (The terms "Grantor" and "Grantee" include all the parties in each capacity to this instrument and their respective heirs, personal representatives, successors and assigns).

Grantor, in consideration of \$10.00 and other valuable consideration, receipt of which is hereby acknowledged, hereby conveys to Grantee the following described real property in Sarasota County, Florida:

SEE EXHIBIT "A" ATTACHED HERETO

Subject to easements, reservations and restrictions of record, if any, zoning and governmental regulations, and taxes for 2000 and subsequent years, and the Permitted Exceptions listed on Exhibit "B" attached hereto.

Grantor hereby covenants with Grantee that Grantor is lawfully seized of the property in fee simple; that Grantor has good right and lawful authority to sell and convey the property; that Grantor hereby fully warrants the title to the property and will defend the title against the lawful claims of all persons whomsoever

and that the property is free of all encumbrances not set forth herein.

Executed on June 16, 2000.

WITNESSES:

MCK FARMS, LTD.,
A Florida Limited Partnership

By: George D Kelce
GEORGE D. KELCE
As Its: General Partner

[Signature]
Witness Signature

Print Name: George D Kelce

[Signature]
Witness Signature

Print Name: E. RALPH TIRABASSI

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me on this 16 day of June, 2000, by
GEORGE D. KELCE, as General Partner of MCK FARMS, LTD., a Florida Limited Partnership, on
behalf of the Partnership, who is(are)

personally known to me or

who has produced

_____ as identification.

[Signature]

Notary Public - State of

Name: E. RALPH TIRABASSI

Serial Number, if any: _____

My Commission Expires: _____

FNUSERSDMRFORM15429_1
233348

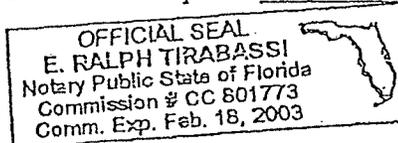


EXHIBIT "B"

PERMITTED EXCEPTIONS
(GLAWSON)

1. Limited Access Right of Way recorded in O.R. Book 1147, Page 1943 and O.R. Book 1114, Page 1543 of the Public Records of Sarasota County, Florida (Sections 9, 15 and 16).
2. Right of Way Agreement with Florida Power & Light Company recorded in Deed Book 352, Page 307, as supplemented in O.R. Book 19, Page 515, and partially released by Quit Claim Deed in O. R. Book 1017, Page 2025, Public Records of Sarasota County, Florida (Sections 10, 15 and 16).
3. Right of Way Agreement with Florida Power & Light Company recorded in O. R. Book 1011, Page 1123 and Official Records Instrument Number 1999163586 of the Public Records of Sarasota County, Florida (Sections 15 and 16).
4. Reservations of drainage rights, easements and minerals in recorded in Deed Book 10, Page 277 and Deed Book 10, Page 279 of the Public Records of Sarasota County, Florida (in Section 16).
5. Reservations in favor of the State of Florida, as set forth in the deed from the Trustees of the Internal Improvement Fund of the State of Florida, recorded in Deed Book 363, Page 65 and Deed Book 363, Page 67 of the Public Records of Sarasota County, Florida (in Section 16 only).
6. Oil, Gas and Mineral Reservations recorded in Deed Book 321, Page 104, as conveyed in O.R. Book 408, Page 300, O.R. Book 551, Page 448 and O.R. Book 1034, Page 679, Public Records of Sarasota county, Florida (Notice of Tax Deed Applications in O.R. Book 2761, Page 1754) (only as to Section 16).
7. Easement Agreement between MCK Farms, LTD and Peace River/Manasota Regional Water Supply Authority as recorded in Official Records Instrument Number 1999158305 of the Public Records of Sarasota County, Florida (Section 15 and 16)
8. Tenants in possession pursuant to written Leases as Tenants only.

This Instrument Prepared By and Return To.
E. Ralph Tirabassi, Esq.
Ferguson, Skipper, Shaw, Keyser,
Baron & Tirabassi, P.A.
PO Box 3018
Sarasota, Florida 34236
File No.: 8521/15903

Grantee #1 Tax ID # _____
Grantee #2 Tax ID # _____

PARCEL ID # _____

GENERAL WARRANTY DEED

This Warranty Deed is made by MCK FARMS, LTD., a Florida Limited Partnership, hereinafter referred to as Grantor, whose address is 1768 Jose Gaspar Drive, Boca Grande, Florida 33921 and NORTHPORT COMMERCIAL INTERCHANGE, L.L.C., a Florida Limited Liability Company, hereinafter referred to as Grantee, whose address is c/o Lee Pallardy, Inc., 609 East Jackson Street, Suite 200, Tampa, Florida 33602. (The terms "Grantor" and "Grantee" include all the parties in each capacity to this instrument and their respective heirs, personal representatives, successors and assigns).

Grantor, in consideration of \$10.00 and other valuable consideration, receipt of which is hereby acknowledged, hereby conveys to Grantee the following described real property in Sarasota County, Florida:

SEE EXHIBIT "A" ATTACHED HERETO

Subject to easements, reservations and restrictions of record, if any, zoning and governmental regulations, and taxes for 2000 and subsequent years, and the Permitted Exceptions listed on Exhibit "B" attached hereto.

Grantor hereby covenants with Grantee that Grantor is lawfully seized of the property in fee simple; that Grantor has good right and lawful authority to sell and convey the property; that Grantor hereby fully warrants the title to the property and will defend the title against the lawful claims of all persons whomsoever

and that the property is free of all encumbrances not set forth herein.

Executed on June 16, 2000.

WITNESSES:

MCK FARMS, LTD.,
A Florida Limited Partnership

By: George D. Kelce
GEORGE D. KELCE
As Its: General Partner

[Signature]
Witness Signature

Print Name: George D. Kelce

[Signature]
Witness Signature

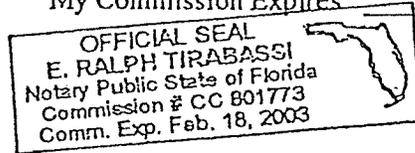
Print Name: E. RALPH TIRABASSI

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me on this 16 day of June, 2000, by
GEORGE D. KELCE, as General Partner of MCK FARMS, LTD., a Florida Limited Partnership, on
behalf of the Partnership, who is(are)

- personally known to me or
- who has produced _____ as identification.

[Signature]
Notary Public E. RALPH TIRABASSI
Name: _____
Serial Number, if any: _____
My Commission Expires: _____



FAUSERSVDMRFORM.SW429_1
231548

EXHIBIT "B"

PERMITTED EXCEPTIONS
(NORTHPORT COMMERCIAL)

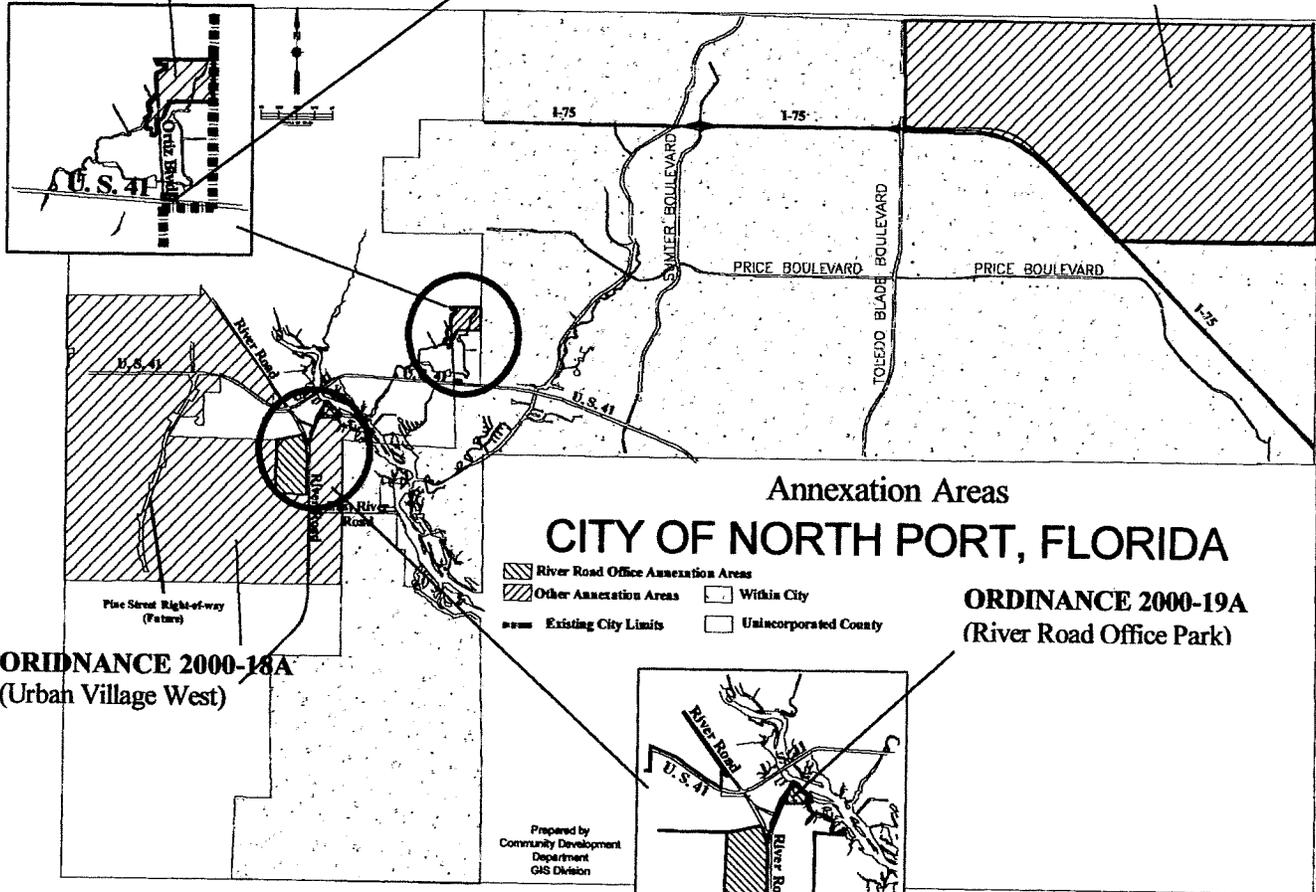
1. Easement in favor of Florida Power & Light Company recorded in O.R. Book 2865, Page 2603 of the Public Records of Sarasota County, Florida (Section 7 only).
2. Limited-Access Right of Way recorded in O.R. Book 1147, Page 1943 and O.R. Book 1114, Page 1543 of the Public Records of Sarasota County, Florida (Section 7)
3. Tenants in possession pursuant to written Leases as Tenants only.

#233616

ORDINANCE 2000-17A
(Golden Springs LLC)

ORDINANCE 2000-23A
(Golden Springs Office Park)

ORDINANCE 2000-20A
(Glawson/ Carlton)



ORDINANCE 2000-18A
(Urban Village West)

ORDINANCE 2000-19A
(River Road Office Park)

GOAL 3: At the time of build out, the City shall serve all developed residential, commercial, and industrial areas with potable water and sanitary sewer in order to maintain the adopted level of service standards, based upon the City's population, excluding the Agricultural/Residential Estates area, Myakka State Forest, and other conservation/open space areas.

Objective 8: In order to encourage a compact pattern of development and orderly growth which efficiently utilizes existing services, facilities and infrastructure, the City shall establish a utility extension program to guide potable water and sanitary sewer line extension decisions.

Policy 8.1: In order to continue an orderly and compact urban growth pattern, potable water and sanitary sewer line extensions or improvements shall be based upon the following criteria:

- Location within the Urban Service Area Boundary

- Increase efficiency and effectiveness to new and existing residential, commercial, and industrial developments by looping both water and sewer lines;
- To protect the health and safety of residents;
- To implement economic development strategies or other public goals; and
- Extending water and sewer concurrently where feasible, with water as primary consideration due to health and conservation purposes.

Policy 8.2: Concurrent with the Utility Master Plan(s), the City shall research ways for increasing revenues in order to facilitate the improvement and extension of the City's potable water and sanitary sewer system.

Policy 8.3: The City shall update the Utility Master Plan(s), which guides the funding, improvements, and extensions of the City's potable water and sanitary sewer systems at least every three to five years. The Master Plan(s) shall be developed by City staff and necessary consultants in close coordination with the City's Planning and Zoning Advisory Board (Local Planning Agency) and the Utility Advisory Board. As these Master Plans are updated this Comprehensive Plan will be amended to reflect those changes.

Policy 8.4: There are specific parcels identified by Utility Map 4.1, on Price Boulevard and Raintree Boulevard outside the USB, that, and upon development, must connect with City Water. Those parcels are specifically identified in Future Land Use Map series, Urban Service Boundary Area Map 2-9.

-RESOURCES-

Objective 9: The FLUM shall reflect the policy direction found within the chapters of the Comprehensive Plan, and shall coordinate land use categories with soil and topographic characteristics, the protection of historic, archeological and natural resources, existing land uses, forms of development and the availability of public facilities.

Policy 9.1: Areas designated on the Future Land Use Map as Conservation or Recreation/Open Space use shall limit development as follows:

- a. All development shall be subject to environmental performance standards which would prevent adverse environmental impacts and are adopted in the land development regulations.
- b. Recreational development must be compatible with the surrounding environment and shall be subject to performance standards adopted in the land development regulations.
- c. All applications for development approval shall continue to be subject to site plan review.
- d. Septic tanks and water wells shall be strictly regulated.
- e. FEMA/FIRM/SWFWMD elevation regulations shall be strictly enforced.
- f. Maximum limits shall be established for impervious surfaces.
- g. Natural vegetative communities shall be maintained.
- h. Densities and intensities of land use shall be limited.

Policy 9.2: Areas designated on the Future Land Use Map as Conservation or Recreation/Open Space including, but not limited to, Little Salt Spring, the archaic Indian burial ground and the Atwater Archeological site, shall continue to be TDR sending zones.

Policy 9.3: The City shall, per the Unified Land Development Code regulate proposals for development within the designated riverine floodplains identified on FEMA 100-year floodplain maps. These amendments should ensure that significant alteration of the functions of the floodplain will not occur, the proposed development is consistent with performance standards regulating development, or takes advantage of any incentives, if appropriate.

Policy 9.4: The developer/owner of any site, except single-family residential, shall be responsible to meet stormwater regulations and other appropriate regulations, as applicable.

Policy 9.5: The City land development regulations, consistent with F.S. Chapter 163.3202(1), shall address and regulate activities having the potential to degrade water quality, or impact future and existing wellfields.

Policy 9.6: Extraction of natural resources shall be permitted as a conditional/special exception use only where compatible with existing and proposed land uses.

Policy 9.7: Where conservation through land development regulation is not sufficient, land acquisition alternatives shall be pursued through City applications to available State and Federal grant programs and utilization of any other appropriate innovative financing mechanisms.

Policy 9.8: Zoning and Land Development Regulations, consistent with F.S. 163.3202 (1), shall be revised to maintain the character of agricultural lands within the Estates area of the City.

Policy 9.9: Historic resources shall be protected through application requests to the National Register of Historic Places by the City for designation as historic sites by the state or the county, and consistent with State law and criteria as established by the Florida Department of State, Division of Historical Resources, for resources listed on the Florida Master Site Files.

Policy 9.10: By 2020, a list of designated historic resources shall be submitted to the U.S. Department of Interior for inclusion in the National Register of Historic Places provided the policy is funded by a grant or other private funding source(s).

Policy 9.11: North Port shall continue, with the assistance of archaeologists, to identify significant historic resources including unmarked human burials which are in need of protection, provided the policy is funded by a grant or other private funding source(s).

Policy 9.12: Within the jurisdictional wetlands located in the Agricultural Estates portion of the Glawson/Carlton property, no intensive agricultural activities shall be permitted. Prohibited activities include, but are not limited to, dairy and hog farms, large scale poultry farming, citrus groves, and crop farming. Small private gardens, the grazing of cattle, the cultivation of poultry for personal use, and equestrian activities will be permitted pursuant to approval by the appropriate local and state review agencies.

Policy 9.13: Within the Agricultural Estates portion of the Glawson/Carlton property development setbacks from jurisdictional wetlands shall equal, or exceed (as directed by state or federal environmental agencies), the setback guidelines required by state and federal environmental agencies.

 **Policy 9.14:** No public water or sewer service shall be provided to the Agricultural Estates portion of the Glawson/Carlton property.

Policy 9.15: Environmental studies/reports required by state and federal agencies to obtain development approval for activities that may impact protected wildlife or environmentally significant portions of the Glawson/Carlton property shall be submitted to the City along with any approved permits issued by the agencies.

Policy 9.16: For housing, land clearing within the Agricultural Estates portion of the Glawson/Carlton property area shall be a minimum of 50 feet around the structure for fire protection.

Policy 9.17: All landscaping within the Agricultural Estates portion of the Glawson/Carlton property shall consist of trees and plants indigenous to Southwest Florida.

Policy 9.18: Within the Glawson/Carlton annexation properties, until such time as development of a particular parcel commences all current uses, including borrow pits, sod farming and hunting shall continue to be permitted on site, provided the particular parcel remains a minimum of forty (40) acres.

Policy 9.19: Development which affects the designated “wild and scenic protection zone” of the Myakka River shall meet standards which conform to, or are more stringent than, standards developed pursuant to Section 258.501, Florida Statutes, the “Myakka River Wild and Scenic River Designation and Preservation Act”, including standards found in the Myakka Wild and Scenic Management Plan accepted by the Governor and Cabinet on May 22, 1990. All necessary “Myakka River Permits” shall be secured from the Florida Department of Environmental Protection prior to the approval of any development permit by the City of North Port, as applicable.

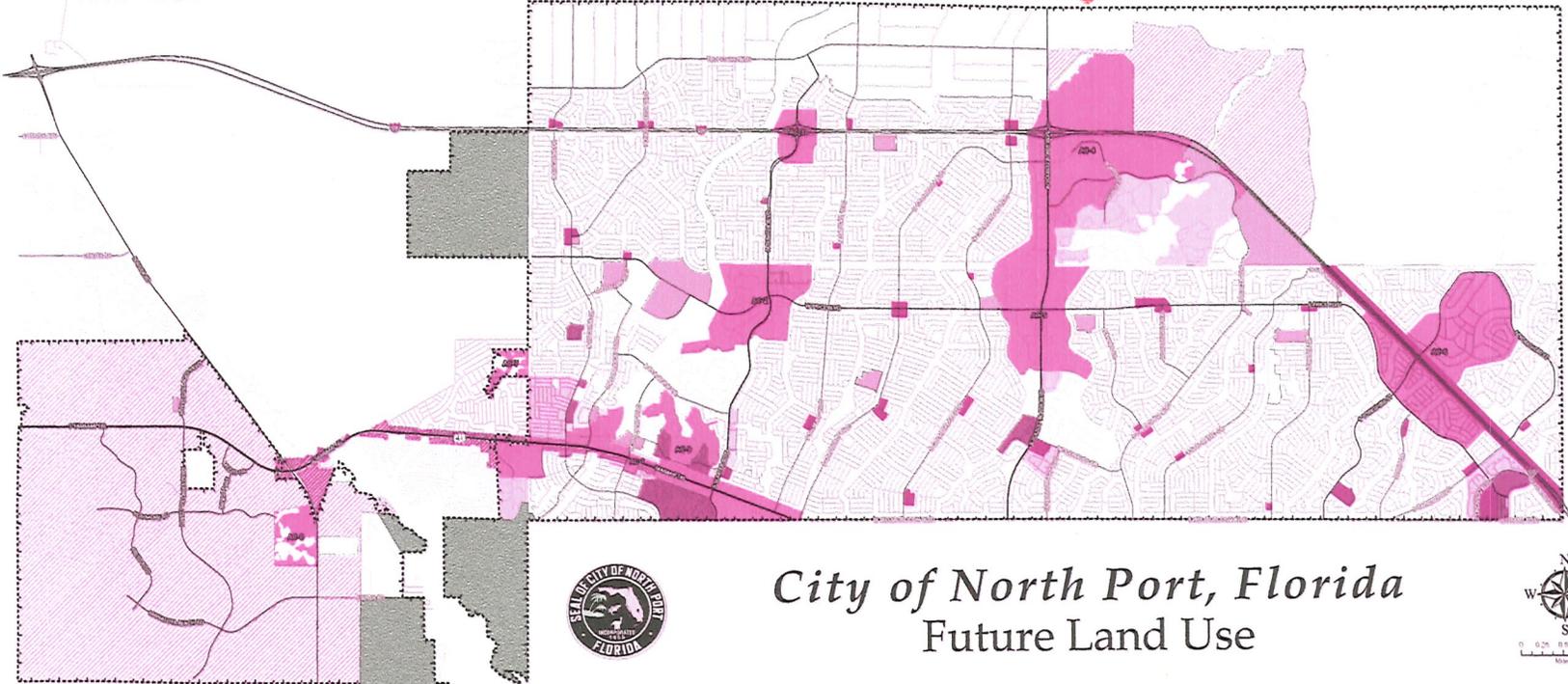
Policy 9.20: “Green Design” – The City shall reduce the negative impact of public and private buildings on the environment, and potential negative impacts to building occupants, by amending the Unified Land Development Code, where applicable, and utilizing the City’s site and development process to promote site and green building design and construction practices which include, but are not limited to, the following activities/actions:

- a. Promote sustainable site planning,
- b. Safeguard water and water efficiency,
- c. Encourage energy efficiency,
- d. Encourage conservation of materials and resources, including the reuse of materials when possible; and,
- e. Promote indoor environmental quality through the use of non-toxic materials and the provision of adequate ventilation.

Policy 9.21: The City shall plan, design, construct, manage, renovate, commission, and maintain its facilities and buildings to be sustainable. It is the City’s intent that all public buildings conform to the highest rating system feasible, as established by the Florida Green Building Coalition (FGBC), Leadership in Energy and Environmental design (LEED), or other applicable performance criteria.

Policy 9.22: The City shall continue to coordinate disposal of dredge spoil, as necessary, with Charlotte County.

Project location



City of North Port, Florida Future Land Use



- Future Land Use**
- ACTIVITY CENTER (TDR RECEIVING ZONE - EXCEPT AC-3)
 - AGRICULTURAL, ESTATES
 - COMMERCIAL
 - CONSERVATION (TDR SENDING ZONE)
 - HIGH DENSITY RESIDENTIAL
 - INDUSTRIAL
 - LOW DENSITY RESIDENTIAL
 - MEDIUM DENSITY RESIDENTIAL
 - PROFESSIONAL OFFICE
 - PUBLIC
 - RECREATION/OPEN SPACE (TDR SENDING ZONE)
 - UTILITY INDUSTRIAL CORRIDOR
 - VILLAGE
 - Future Annexation Area

- City of North Port**
- City Boundary
- Streets**
- Primary Arterial
 - Arterial
 - Collector
 - Local
 - Private

Disclaimer: This map is for reference purposes only and is not to be construed as a legal document. Any reliance on the information contained herein is at the user's risk. The City of North Port and its agents assume no responsibility for any use of the information contained herein or any loss resulting therefrom.



Aggrieved Party Tokarz
Presentation

City of North Port

Planning and Zoning Department

4970 City Hall Boulevard
North Port, Florida 34286-3103
(941) 429-7155

skiones@cityofnorthport.com

FAX: (941) 429-7164

Memorandum

To : City Commission

Via : Steven S. Crowell, Jr., City Manager
Dan Schult, Assistant City Manager

From : Samuel K. Jones, Planning Director

Date : April 11, 2008

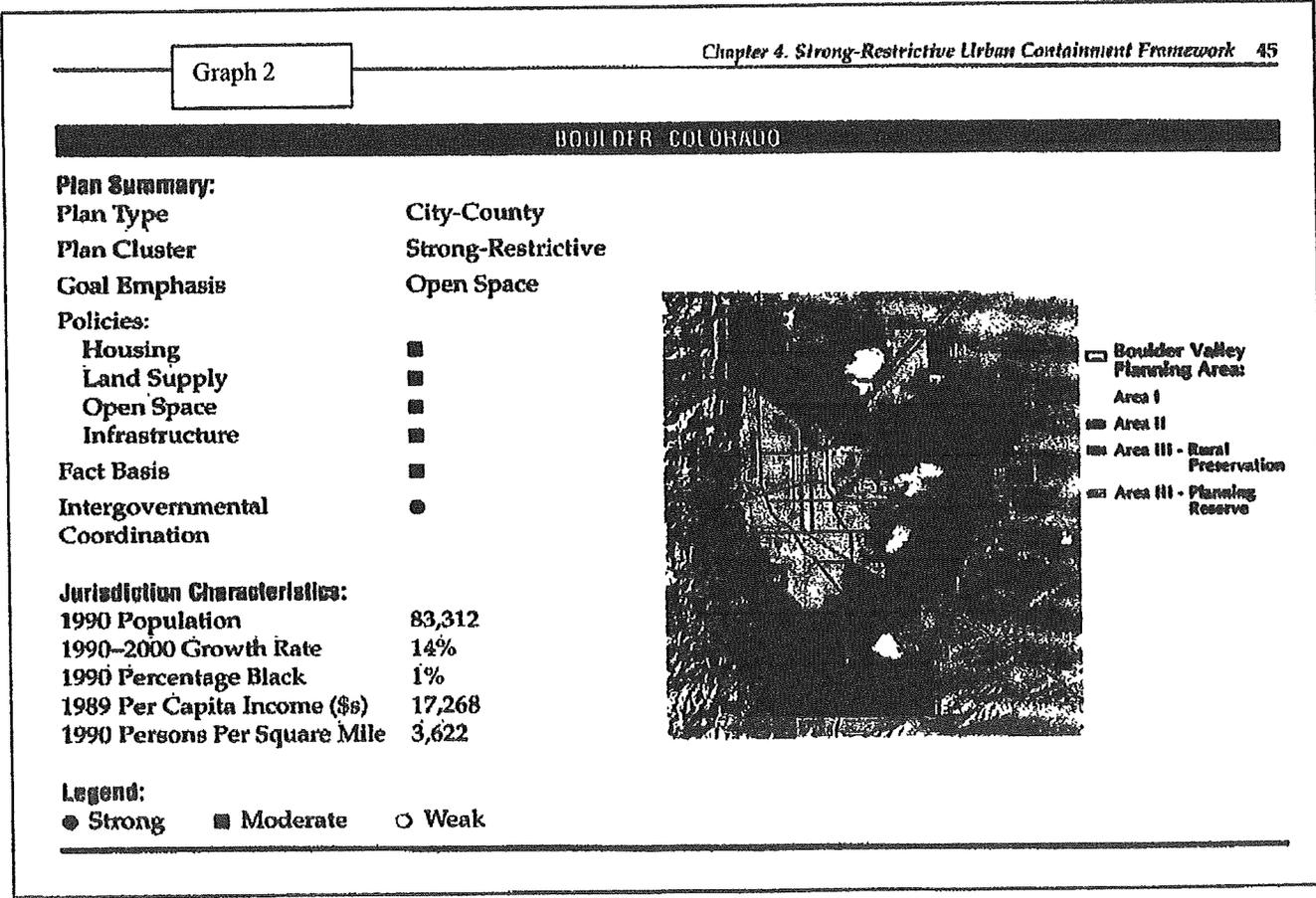
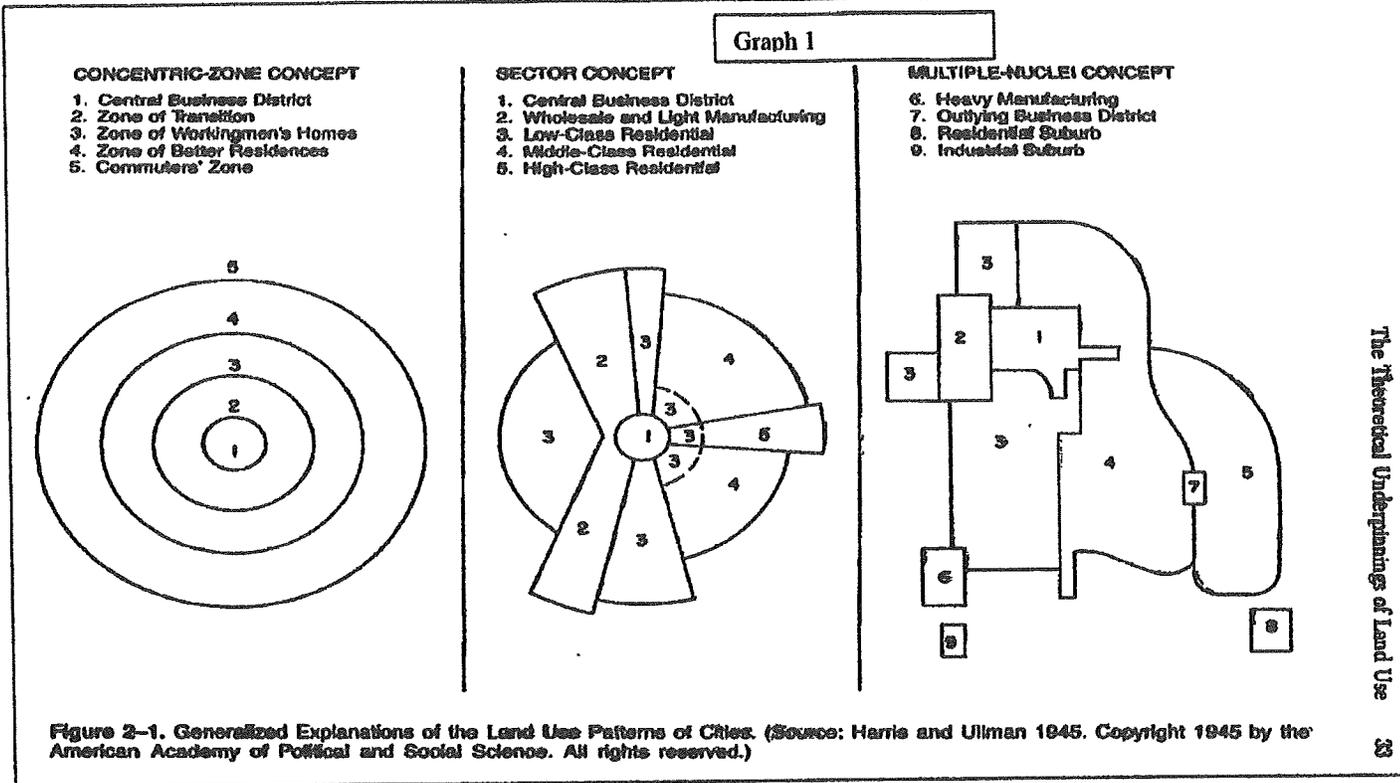
Subject : Isles of Athena

The purpose of this memo is to address the operative question: should the City change its vision for the property located in the northeastern corner of the City (AKA Isles of Athena)? To assist the Commission in answering the question, the following presents a short history of the Kelce annexation and related comprehensive plan amendment, comparison of the Isle of Athena (IOA) vision to the adopted City vision, and if the Commission decides to change the vision what goals, objectives and policies will need to be made to the Comprehensive Plan.

The Kelce Ranch was annexed and the City's Comprehensive Plan was amended in 2000. The City's vision for the Kelce Ranch as established in 2000 is well grounded in planning theory and achievement of City goals while using a professionally accepted approach to the natural and physical opportunities/challenges inherent in the site such as the environmental systems and existing borrow pits. The following will explain how and why the existing city vision was established.

During the review and approval process of the application, the general planning theory of 'concentric zones' was applied. This theory is applicable to large areas such as the 9,000 acre Kelce Ranch Comprehensive Plan amendment. Graph 1 below describes this concept. Basically, the center zone 1 is the highest intensity and the outer zone 5 is the lowest intensity. This theory was first developed in 1925 and more information can be found in Urban Land Use Planning, by F. Stuart Chapin Jr. and Edward J. Kaiser on pages 32 - 34.

This theory has been applied in a number of communities. A good example is Boulder, Colorado. As Graph 2 shows, the higher intensities are in the center of the urban area and the intensities decrease the further one travels from the center. Further information can be found in the American Planning Association, Planning Advisory Service Report Number 520, on page 45. (Note: Boulder is an example of the theory's application).



Applicants Narrative 2000

**NARRATIVE
VOLUNTARY ANNEXATION AND
COMPREHENSIVE PLAN AMENDMENT APPLICATIONS**

The applicants seek to annex approximately 9,200 acres of land from the Sarasota County into the City of North Port. Approximately 6,900 acres are requested to be given an Agricultural Estates Future Land Use designation with the remaining 2,300 to be designated as Activity Zone. A small area is also requested to be designated Recreation/Open Space. The applicants are seeking the Annexation and Future Land Use designation for Parcels 2, 3, and 4 and the Annexation, Future Land Use Designation, and Zoning Map Amendment, along with a Waiver for Parcels 1-A and 1-B.

The property is located in the northeast quadrant of the I-75/Toledo Blade Boulevard Interchange. The Activity zone acreage will allow for additional Commercial, Office Industrial and Residential uses in this growing hub of the City of North Port. The Agricultural uses will provide an appropriate transition from the higher intensity Activity Center to the Preserve lands in unincorporated Sarasota County and DeSoto County to the north and east, as well as the North Port Estates area to the west. The applicants will work with the staff to insure orderly development with no negative impacts to the surrounding City of North Port residents and property owners.

The subject property was designated by the City of North Port as a future annexation area. The applicants are confident that the City's study of proposed annexations will show this to be a positive step for the City of North Port expanding the tax base and economic development activities for the City.

The applicants respectfully request approval of the appropriate Annexation, Future Land Use, Zoning Map Amendment, and Waiver applications.

Dated: June 23, 2000

Respectfully submitted,



Robert H. Berntsson

