



NEIGHBORHOOD DEVELOPMENT SERVICES DEPARTMENT
Planning Division

STAFF REPORT

**Heron Creek Town Center North F/K/A Phase 2 Plat
(PLF 16-061)**

The platting of a ±42.78-acre parcel that is identified as part of Tract B of the Heron Creek Development of Regional Impact. The plat encompasses 8 lots that may be used for a variety of uses, a private street network that will connect the lots both internally and externally, and all utilities that will be needed, as approved previously in SCP 14-109.

To: Jonathan Lewis, ICMA-RC, City Manager
Thru: Scott Williams, Neighborhood Development Services Director
Thru: Michele Norton, AICP, Planning Manager
From: Christopher Whittaker, AICP, Project Planner *CFW*
Date: September 13, 2016

I. GENERAL INFORMATION

Project: Petition No. PLF 16-061, Heron Creek Town Center F/K/A/ Phase 2
Request: To recommend approval of PLF 16-061, Heron Creek Town Center F/K/A Phase 2 by the North Port City Commission
Applicant: Matthew J. Morris, P.E. (**Exhibit A-1, Affidavit**)
Owner(s): Marsh Creek Holdings, LTD (**Exhibit A-2, Warranty Deed**)
Location: At the Northeast intersection of Price and Sumter Boulevards, bounded on the north by City Center Boulevard and to the east by the Blue Ridge Waterway
Property Size: ± 42.78 acres

II. BACKGROUND

In 1998, The Southwest Florida Regional Planning Council approved the then Marsh Creek Development of Regional Impact (DRI). Subsequent to this, additional lands were purchased by the Owner and the DRI was subsequently renamed to Heron Creek. During this period, a ±200-acre area at the corner of Sumter and Price Boulevards was identified as the site of a future town center, encompassing government offices (in the City Center complex that includes City

Hall, the George Mullen Center, the City's Police and Fire headquarters and the City's post office), office, retail, and residential uses.

In 2001, the first phase of the Heron Creek Towne Center (the Publix shopping plaza on the southwest corner of the Towne Center) was approved by the City. The development of this area set a precedent for City and Heron Creek that was utilized in the development of the Heron Creek Pattern Book in 2002 (Updated in 2015.) The Pattern Book provides a guide for the form, shape, and design of development that takes place within the Towne Centre.

The proposed plat depicts the subdivision of the northeastern ±42.78-acre section of the Heron Creek Towne Center into eight parcels that will house a variety of commercial, residential, and office uses, three roadways, including an extension of Main Street from Price Boulevard to City Center Boulevard, and a master stormwater pond for the proposed development. At present, there is a Circle K store that is proposed for Lot 1 (the corner of Sumter and Price) that is under Staff Development Review. At present, all of the infrastructure for the proposed use is in the early stages of installation in accordance with the approved infrastructure plan (INF 14-122.) This process includes the clearing of lots 1-7 and the area for the stormwater pond and roadways to install both infrastructure related to the proposed development and additional infrastructure that will be part of citywide reclaimed water and data networks. All infrastructure related to Phase 1, or lots 1-3 (the construction of Grand Venture Drive and the first block of Center View Drive; sewer and water lines for phase 1, the wastewater pump station that will serve the development, and the master stormwater facility on the eastern end of the development) will be constructed in accordance with the previously cited infrastructure plan. The remaining development, including the construction of N. Main Street, and the remaining section of Centerview and all infrastructure associated with the remaining parcels, will take place as Phase 2. As part of Phase 2, a replat may be required that will provide a named street with access to Lot 7. Alternatively, the applicant may choose to combine either lots 6 and 7 or lots 7 and 8 based on market demand.

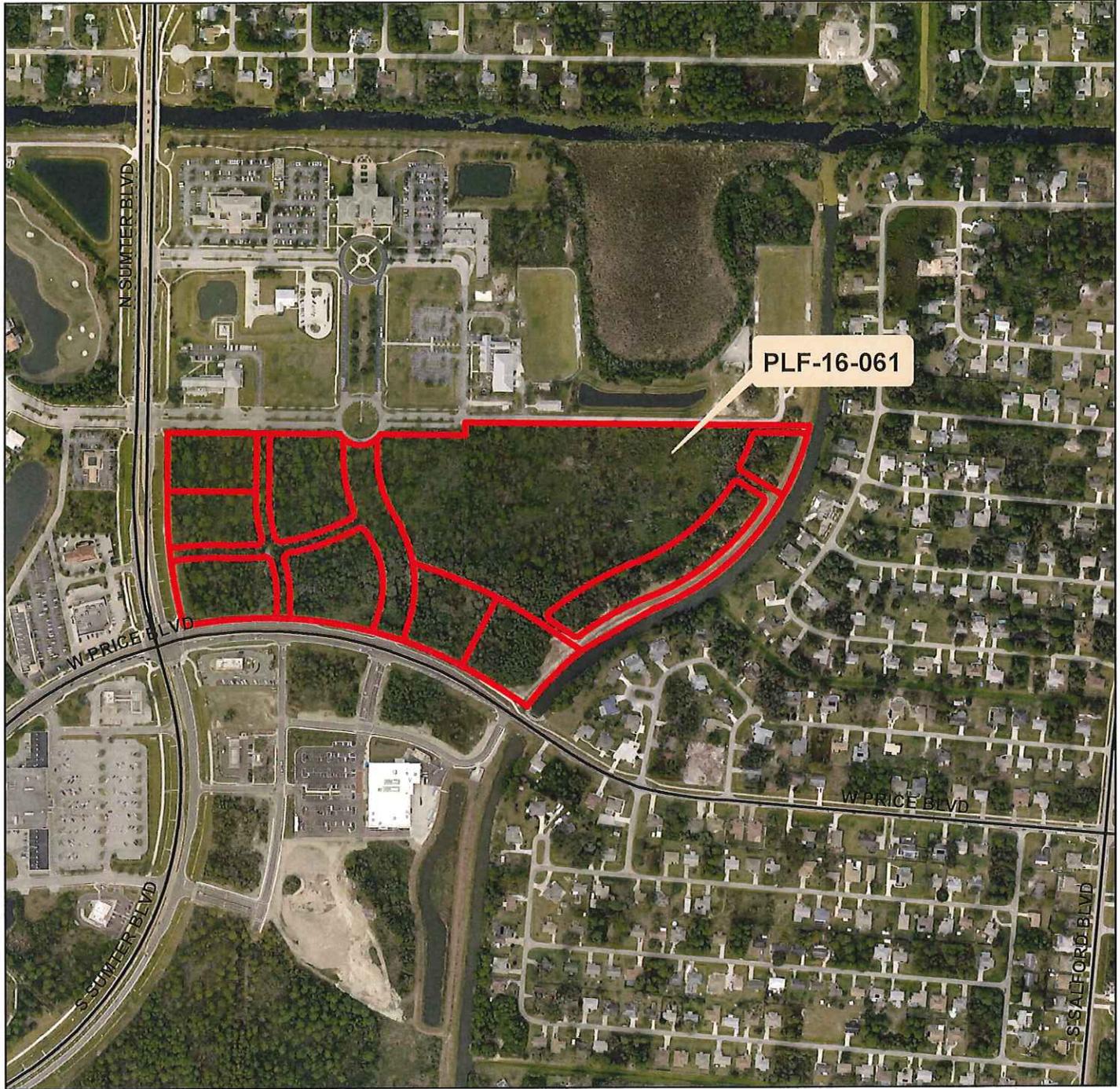
The subdivision and platting of the subject parcel is in accordance with the Heron Creek Development of Regional Impact and all modifications to this document. All development on the site will meet the standards set forth in the Unified Land Development Code and the Heron Creek Pattern Book. The City Surveyor has approved the proposed plat.

At the regular meeting on August 18, 2016, the Planning and Zoning Advisory Board in a unanimous 4-0 vote (3 members absent) to recommend approval by the City Commission.

At the regular meeting of the North Port City Commission on September 13, 2016, the City Commission, in a unanimous 5-0 vote, tabled discussion on the item until a future date due to no representative from the applicant or owner being present.

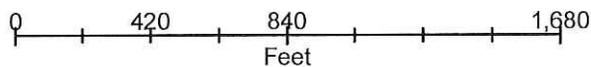
AERIAL

PLF-16-061 Heron Creek Town Center North



Legend

-  PLF-16-061
-  City Boundary



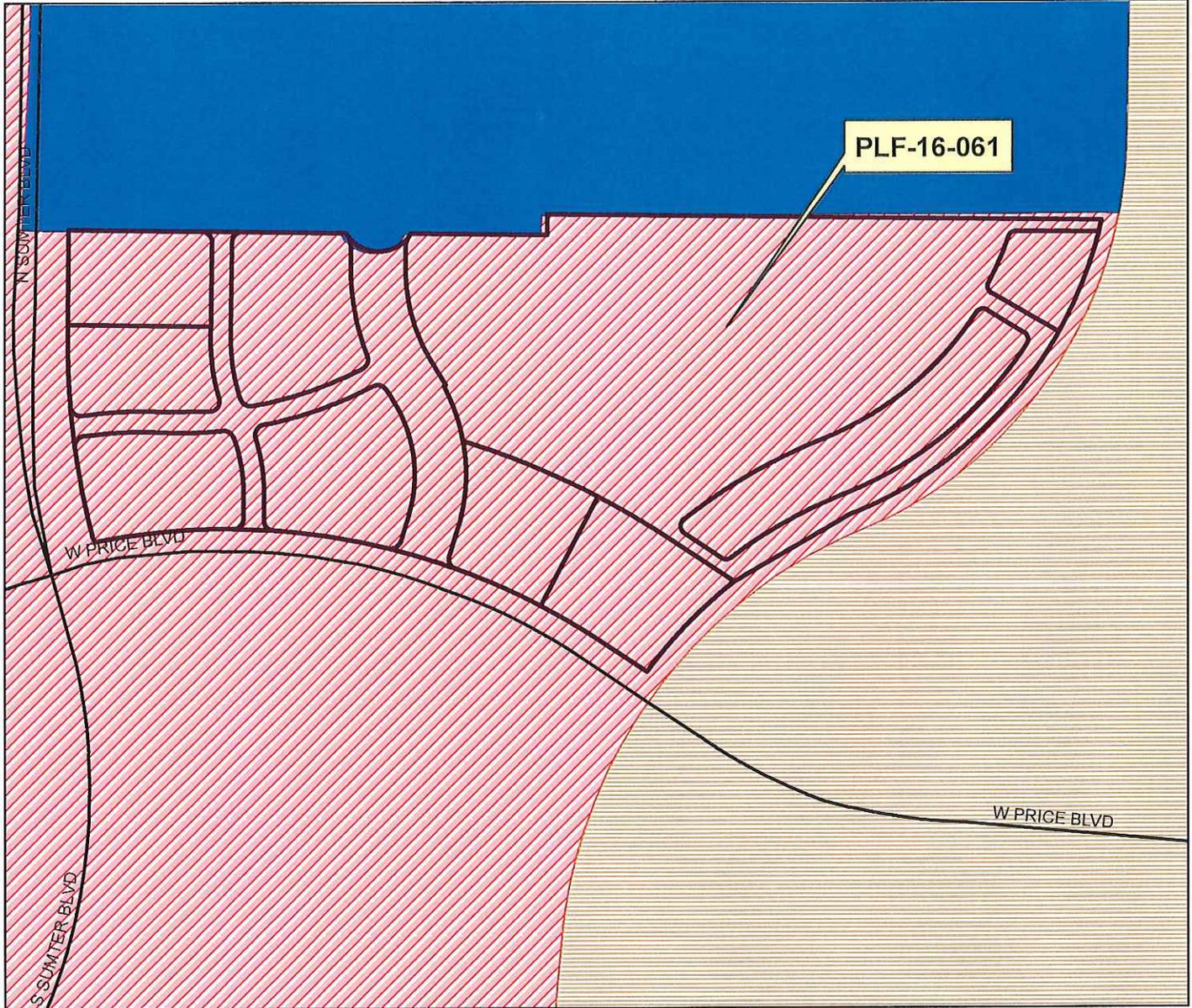
Prepared by NDS/Planning Division
June 7, 2016

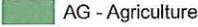
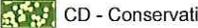
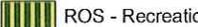
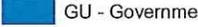
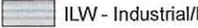
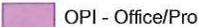
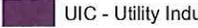
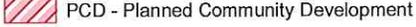
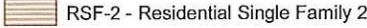
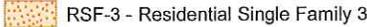
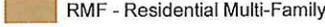
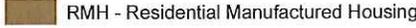
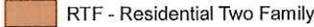
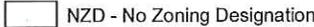
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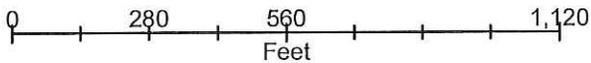
CURRENT ZONING

PLF-16-061 Heron Creek Town Center North

'PCD - Planned Community Development'



Zoning Classifications		
	AC-7 - Activity Center 7	 AG - Agriculture
	CLR - Commercial Redevelopment Low Impact	 CD - Conservation District
	V - Village	 ROS - Recreation/Open Space
	CGS - Commercial General S	 GU - Government Use
	NC-HI - Neighborhood Commercial-High Intensity	 ILW - Industrial/Light Warehouse
	NC-LI - Neighborhood Commercial-Low Intensity	 CG - Commercial General
	ComRec - Commercial/Recreation	 OPI - Office/Professional/Institutional
		 UIC - Utility Industrial Corridor
		 PCD - Planned Community Development
		 RSF-2 - Residential Single Family 2
		 RSF-3 - Residential Single Family 3
		 RMF - Residential Multi-Family
		 RMH - Residential Manufactured Housing
		 RTF - Residential Two Family
		 NZD - No Zoning Designation
		 PLF-16-061



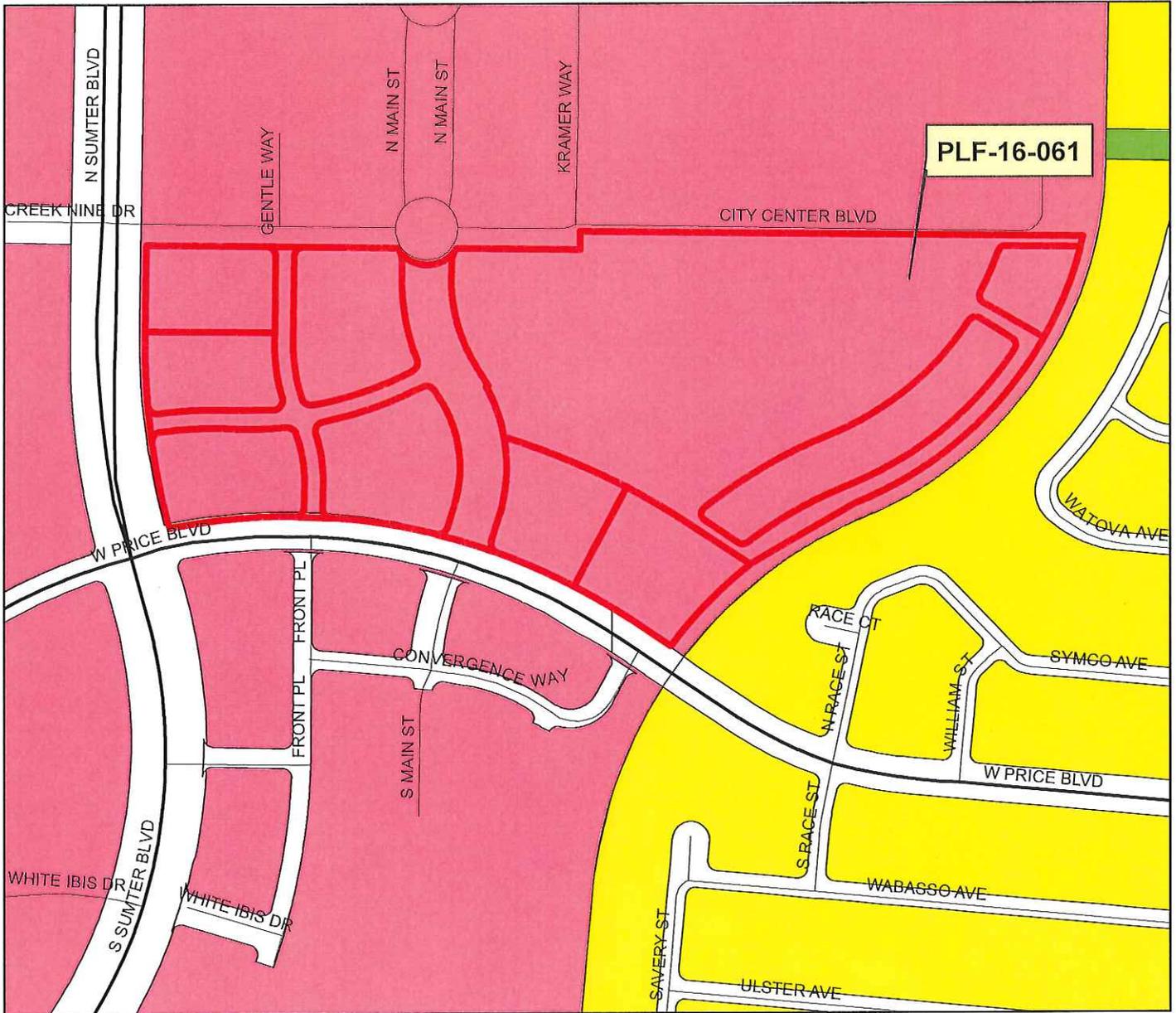
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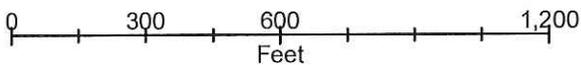
NOTE: THIS MAP CANNOT BE CORRECTLY INTERPRETED INDEPENDENTLY OF THE CITY OF NORTH PORT COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 97-27, AS SAME MAY BE AMENDED FROM TIME TO TIME.

FUTURE LAND USE

PLF-16-061 Heron Creek Town Center North



- | | |
|--|--|
|  AGRICULTURAL, ESTATES |  UTILITY INDUSTRIAL CORRIDOR |
|  LOW DENSITY RESIDENTIAL |  CONSERVATION (TDR SENDING ZONE) |
|  MEDIUM DENSITY RESIDENTIAL |  RECREATION/OPEN SPACE (TDR SENDING ZONE) |
|  HIGH DENSITY RESIDENTIAL |  PUBLIC |
|  PROFESSIONAL OFFICE |  ACTIVITY CENTER (TDR RECEIVING ZONE - EXCEPT AC-3) |
|  COMMERCIAL |  VILLAGE |
|  INDUSTRIAL |  PLF-16-061 |

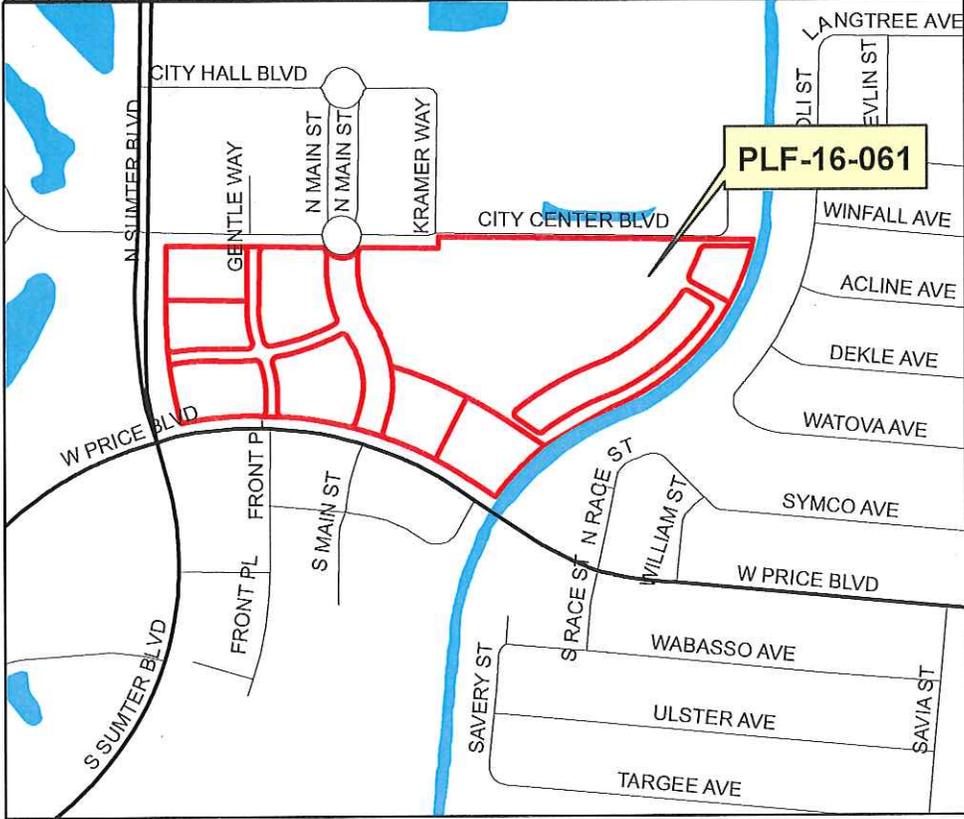
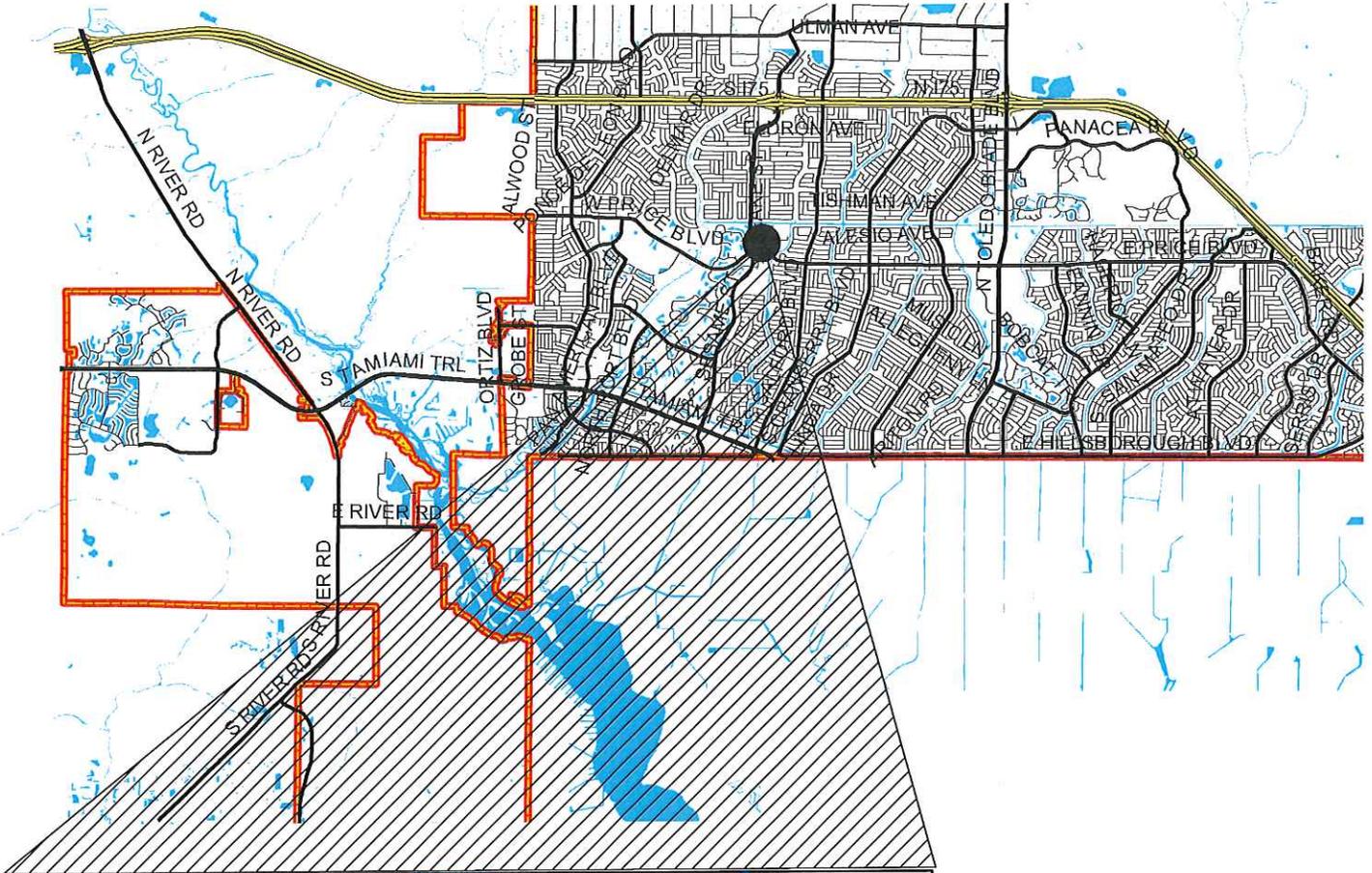


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City of North Port Location Map PLF-16-061 Heron Creek Town Center North



Prepared by NDS/Planning Division
June 7, 2016

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III. STAFF RECOMMENDATION

Staff recommends that the City Commission Approve PLF 16-061 by the North Port City Commission.

Planning and Zoning Advisory Board

At the regular meeting on August 18, 2016, the Planning and Zoning Advisory Board in a unanimous 4-0 vote (3 members absent) to recommend approval by the City Commission.

ALTERNATIVES

1. Deny the request.
2. Continue the item for further discussion.

IV. SITE INFORMATION

Land Use

Adopted Future Land Use Map Designation: Activity Center

Adopted Zoning Map Designation: PCD-Planned Community Development. Approved uses are for a mix of commercial retail, office, and residential uses.

Existing Land Use(s): Vacant

Surrounding Land Uses:

Direction	Existing Land Uses	Future Land Use Map Designation	Zoning Map Designation
North	Government uses	Government	GU-Government Use
South	Heron Creek Towne Center Retail	Activity Center	PCD-Planned Community Development
West	Heron Creek Towne Center Retail	Activity Center	PCD-Planned Community Development
East	Residential	Residential	RSF-2 Residential Single Family 2.

Services and Facilities

Potable Water or Well: To be provided by North Port Utilities

Sanitary Sewer or Septic: To be provided by North Port Utilities

Transportation: Sumter Boulevard, Price Boulevard, and Sarasota County Area Transit routes 90 and 28

Environmental

Conservation: An environmental survey was performed for the site in 2014 and 2016. The applicant proposes to mitigate for the disturbance of a wetland by placing a mitigation area to the north of the stormwater pond on Tract C.

Flood Zone: Zone X

Fiscal Impact

Not Applicable

No Impact

Fiscal Impact Confirmed

The site has been previously designated for commercial uses. The proposed plat will allow for the formal subdivision of the subject property into eight (8) commercial lots. Any fiscal impact will take place at the time of the development of individual parcels. Since the subject parcel is part of a development of regional impact and would have development on each of the individual parcels, any fiscal impact has been previously identified as part of the Development of Regional Impact process.

V. STAFF ANALYSIS

The proposed plat (Exhibit B) is the subdivision of the northeastern ±42.78-acre section of the Heron Creek Towne Center into eight parcels that will house a variety of commercial, residential, and office uses, three roadways, including an extension of Main Street from Price Boulevard to City Center Boulevard, and a master stormwater pond for the proposed development. At present, there is a Circle K store that is proposed for Lot 1 (the corner of Sumter and Price) that is under Staff Development Review. At present, all of the infrastructure for the proposed use is in the early stages of installation in accordance with the approved infrastructure plan (INF 14-122.) This process includes the clearing of lots 1-7 and the area for the stormwater pond and roadways to install both infrastructure related to the proposed development and additional infrastructure that will be part of citywide reclaimed water and data networks. All infrastructure related to Phase 1, or lots 1-3 (the construction of Grand Venture Drive and the first block of Center View Drive; sewer and water lines for phase 1, the wastewater pump station that will serve the development, and the master stormwater facility on the eastern end of the development) will be constructed in accordance with the previously cited infrastructure plan. The remaining development, including the construction of N. Main

Street, and the remaining section of Centerview and all infrastructure associated with the remaining parcels, will take place as phase 2.

The subdivision and platting of the subject parcel is in accordance with the Heron Creek Development of Regional Impact and all modifications to this document. All development on the site will meet the standards set forth in the Unified Land Development Code and the Heron Creek Pattern Book.

Relevant Policies from the City's Comprehensive Plan:

Future Land Use Element

GOAL 2: To promote an intensive mixture of employment, goods and services, and residential uses in Activity Centers; to promote a wide variety of residential and employment alternatives; to achieve the highest standards of quality in the urban environment; and to provide a balanced and healthy tax base.

Policy 2.2.1: AC#2 (Town Center) - This Activity Center shall be established to provide for governmental, low, medium and high residential densities, offices, commercial and medical facilities. Buildings shall be encouraged to abut or be placed very near sidewalks within this area.

Policy 2.2.2: AC#2 - This Activity Center will be pedestrian oriented with the mixture of commercial/office with residential uses, de-emphasis on the vehicular traffic, and emphasis on sidewalks, street tree landscaping and pedestrian oriented signs and street designs that incorporate traffic calming techniques.

Policy 2.2.3: AC# 2 - To strengthen connectivity of adjacent neighborhoods to the east of AC 2, pedestrian facilities shall be considered.

Policy 2.9: The City's Land Development Code shall be amended by 2010 to encourage concentrated development in Activity Centers. Activity Centers shall be so located and designed as to create vibrant urban areas, promote convenience for people and reduce travel distance and energy consumption. The determination of the incentives and bonuses shall be made at the master plan review and on a case by case basis.

Policy 2.17: A Planned Community Development (PCD) Zoning District shall be amended which applies to the activity centers identified on the Future Land Use Map, or other unplatted areas. The PCD zoning district shall establish standards for types, sizes, densities and intensities of mixed land uses, based upon sound planning principles, soils, topography and other natural limitations, and consistent with the cumulative goals, objectives, and policies contained within this Comprehensive Plan, and as appropriate, the Development of Regional Impact process

Policy 2.21: To protect or mitigate the impact of Activity Center development upon viable wetlands or wetland systems, the City shall, at the time of initiation of PCD

rezoning and approval of the Development Concept Plan, work with the Applicant(s) to place the development in locations to ensure that incompatible uses are located outside of, and at the appropriate distance away from, the wetlands. The type, intensity, extent, distribution and location of allowable land uses and the types, values, functions, sizes, conditions, and locations of wetlands are land use factors which shall be considered when directing incompatible land uses away from wetlands. All proposed developments shall comply with, or exceed, the criteria for wetland protection of all appropriate local, state, or federal regulatory agencies. When no reasonable alternatives to avoid wetland impacts exist, mitigation shall be considered as one of the means to compensate for loss of wetland functions.

Policy 2.24: Due to the fiscal importance of Activity Centers to the City's overall financial sustainability the geographic size of the Activity Centers shall not be decreased. In addition, any change of land use in the Activity Centers that does not further the financial sustainability of the City shall be prohibited. Land use changes for more residential use than is already permitted within the Activity Centers shall be prohibited, with the exception of projects that include loft apartments or similar mixed uses that provide low income housing.

VI. REVIEW PROCESS

The proposed plat has been reviewed by the City Staff and the City Surveyor and is in compliance with all local regulations.

VII. PUBLIC HEARING SCHEDULE

**Planning and Zoning Advisory Board
Public Hearing**

August 18, 2016
9:00 AM or as soon thereafter

**City Commission 1st Reading
Public Hearing**

September 13, 2016
10:00 AM or as soon thereafter



AFFIDAVIT

I (the undersigned), J. Michael Hartenstine being first duly sworn, depose and say that I am the owner, 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 understand this application must be complete and accurate before the hearing can be advertised, and that I am authorized to sign the application by the owner or owners. 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 11th day of MARCH, 2016

[Signature]
Signature of Applicant or Authorized Agent

J. Michael Hartenstine, Vice President of General Partners
Print Name and Title

STATE OF FLORIDA COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this 11th day of MARCH, 2016, by J. Michael Hartenstine who is personally known to me or has produced

_____ as identification, and who did/did not take an oath.

[Signature]
Signature - Notary Public



**AFFIDAVIT
AUTHORIZATION FOR AGENT/APPLICANT**

I (we), _____, property owner(s), hereby authorize MORRIS ENGINEERING & CONSULTING, LLC to act as Agent/Applicant on our behalf to apply for this petition on the property described as (legal description) SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

Signature of Owner Date

STATE OF FLORIDA COUNTY OF SARASOTA

The foregoing instrument was acknowledged by me this _____ day of MARCH, 2016, by _____ who is personally known to me or has produced

_____ as identification, and who did not take an oath. (Place Notary Seal Below)

Signature - Notary Public

File No: 17607

Recording: \$26.50
Doc. Stamps: \$34,873.30



OFFICIAL RECORDS
BOOK 2805
PAGE 2043

This Instrument Prepared by and Return To:

James L. Cottrell
Cottrell, Warchol, Merchant & Heldreth
Post Office Box 767
Cape Coral, Florida 33910
RECORDER'S BOX #95

Receipt #: 0000004000059-01
Doc Stamp-Deed: 34873.30
Karen E. Rushing, Sarasota Co.
By: *[Signature]* D.C.

Grantee S.S. No.:
Name: Marsh Creek Holdings, Ltd.

Strap #: 0977-00-1000
0979-00-1000

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WARRANTY DEED

This Indenture made this 21st day of December, 1995 BETWEEN DENNIS J. FULLENKAMP, Individually and as Trustee, of the County of Lee, State of Florida, grantor, and MARSH CREEK HOLDINGS, LTD., a Florida Limited Partnership, whose post office address is c/o Dieter Gebhard, Kerkring, Barberio & Company, 1858 Ringling Blvd., Sarasota, Florida 34236 of the County of Sarasota, State of Florida, grantee.

WITNESSETH. That said grantor, for and in consideration of the sum of TEN AND NO/100'S (\$10.00) Dollars and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantee and grantee's heirs and assigns forever the following described land situate, lying and being in SARASOTA County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject to the matters set forth on Exhibit "B" attached hereto and made a part hereof and taxes for the current year and all subsequent years. This property is not now, nor has it ever been, the homestead property of the grantor, nor has it ever been contiguous to the homestead property of the grantor.

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

"Grantor" and "grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]

Print name: _____

[Signature]

Print name: _____

[Signature]

DENNIS J. FULLENKAMP, Individually and as Trustee

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me by DENNIS J. FULLENKAMP, Individually and as Trustee, who is personally known to me or who has produced _____ as identification and who did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 21st day of December, 1995.

[Signature]
Notary Public
Print Name: _____

Commission Expires: _____

(NOTARY SEAL)

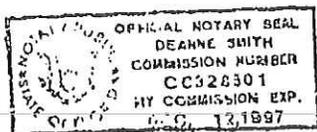


EXHIBIT "A"

DESCRIPTION OF REAL ESTATE:

TRACT "A": A portion of Section 21, Township 39 South, Range 21 East, Sarasota County, Florida, more particularly described as follows:

Commencing at the Northwest corner of the Fifty-Sixth Addition to Port Charlotte Subdivision, per plat thereof, recorded in Plat Book 28, Pages 50 and 50-A, Public Records of Sarasota County, Florida, said corner also being on the centerline of the Snover Waterway (200' wide), as shown on the Plat of the Eighteenth Addition to Port Charlotte Subdivision, per plat thereof recorded in Plat Book 14, Pages 6, 6-A through 6-V, Public Records of Sarasota County, Florida; thence S.00° 43'08"W. along the Westerly Boundary Line of said Fifty-Sixth Addition to Port Charlotte Subdivision also being the Westerly Right-of-Way Line of Sumter Boulevard (200' wide) a distance of 100.00 feet to the POINT OF BEGINNING; at the intersection of said Right-of-Way Line with the South Line of said Snover Waterway; thence along said Westerly Right-of-Way Line of Sumter Boulevard the following two courses; S.00° 43'08"W., a distance of 1346.71 feet to the point of curvature of a 2100.00 foot radius curve to the left, with the center point bearing S.89°16'52"E.; thence Southerly along the arc of said curve, through a central angle of 15°16'04", a distance of 559.59 feet to an intersection with the Northerly Right-of-Way Line of Price Boulevard, with said point also being a point of reverse curvature of a 25.00 radius curve to the right, with the center point bearing S.75°27'04"W.; thence along the said Northerly Right-of-Way Line of Price Boulevard (100' wide) the following four courses; Southwesterly along the arc of said curve, through a central angle of 85°42'32", a distance of 37.40 feet to a point of reverse curvature of a 1650.00 foot radius curve to the left, with the center point bearing S.18°50'24"E.; thence Southwesterly along the arc of said curve, through a central angle of 22°20'06", a distance of 643.20 feet to a point of tangency; thence S.48°49'30"W., a distance of 408.66 feet to the point of curvature of a 1950.00 foot radius curve to the right, with the center point bearing N.41°10'30"W.; thence Westerly along the arc of said curve, through a central angle of 71°11'22", a distance of 2422.85 feet; thence leaving said Northerly Right-of-Way Line of Price Boulevard N.29°59'32"E., a distance of 1198.77 feet; thence N.15°00'00"W., a distance of 1800.00 feet to the South Line of the aforesaid Snover Waterway (O.R. Book 1941, Page 6); thence along said South Line, S.89°16'51"E., a distance of 2953.00 feet to the Point of Beginning.

Containing 170.30 Acres, more or less.

DESCRIPTION OF REAL ESTATE:

TRACT "B": A portion of Sections 21 and 22, Township 39 South, Range 21 East, Sarasota County, Florida, more particularly described as follows:

Commencing at the Northeast corner of the Fifty-Sixth Addition to Port Charlotte Subdivision, per plat thereof, recorded in Plat Book 28, Pages 50 and 50-A, Public Records of Sarasota County, Florida, said corner also being on the centerline of the Snover Waterway as shown on the Plat of the Eighteenth Addition to Port Charlotte Subdivision, per plat thereof, recorded in Plat Book 14, Pages 6, 6-A through 6-V, Public Records of Sarasota County, Florida; thence S.00°43'08"W., along the Easterly Boundary Line of said Fifty-Sixth Addition to Port Charlotte Subdivision, also being the Easterly Right-of-Way Line of Sumter Boulevard (200' wide) a distance of 700.00 feet to the POINT OF BEGINNING; thence leaving the said Westerly Right-of-Way Line, S.89°16'51"E., a distance of 606.00 feet, thence N.00°43'09"E., a distance of 600.00 feet to the Southerly Right-of-Way Line of the Snover Waterway (O.R. Book 1941, Page 6); thence S.89°16'51"E. along said Southerly Right-of-Way Line, a distance of 880.95 feet to the Northwesterly corner of North Port Water Control District property (O.R. Book 2357, Page 382); thence leaving said Southerly Right-of-Way Line, and along the Westerly Boundary Line of the said North Port Water Control District Property, S.00°43'09"W., a measured distance of 1052.76 feet (Deed 1050.00') to the Southwest corner of said North Port Water Control District property; thence along the Southerly Boundary of said North Port Water Control District property S.89°16'51"E., a distance of 1028.67 feet to the Westerly Boundary Line of the Blueridge Waterway (100 feet wide) (O.R. Book 1941, Page 6), said point also being a point on the arc of a 1000.00 foot radius curve with the center point of said curve bearing N.77°26'14"W.; thence along the Westerly Right-of-Way Line of said Blueridge Waterway the following two courses; Southwesterly along the arc of said curve, through a central angle of 55°49'01", a distance of 974.19 feet to a point of reverse curvature of a 1150.00 foot radius curve to the left, with the center point bearing S.21°37'14"E.; thence Southwesterly along the arc of said curve, through a central angle of 32°16'11", a distance of 647.69 feet to the intersection of said Westerly Right-of-Way Line with the Northerly Right-of-Way Line of Price Boulevard (100' wide); thence along the Northerly Right-of-Way Line of said Price Boulevard the following three courses; N.56°24'18"W., a distance of 131.21 feet to the point of curvature of a 1650.00 foot radius curve to the left, with the center point bearing S.33°35'42"W., thence along the arc of said curve, through a central angle of 43°52'31", a distance of 1263.51 feet to a point of reverse curvature of a 25.00 foot radius curve to the right with the center point bearing N.10°16'49"W.; thence along the arc of said curve through a central angle of 85°43'55", a distance of 37.41 feet to a point in the aforesaid Easterly Right-of-Way Line of Sumter Boulevard and the Easterly Boundary Line of the aforesaid Fifty-Sixth Addition to Port Charlotte Subdivision, said point is also the point of compound curvature of a 1900.00 foot radius curve to the right, with the center point bearing N.75°27'06"E.; thence along the said Easterly Right-of-Way Line for the following two courses; Northerly along the arc of said curve through a central angle of 15°16'02", a distance of 506.28 feet to the point of tangency; thence N.00°43'08"E. a distance of 746.71 feet to the Point of Beginning.

Containing 72.12 Acres, more or less.

DESCRIPTION OF REAL ESTATE:

TRACT "C": A portion of Sections 21 and 28, Township 39 South, Range 21 East, Sarasota County, Florida, more particularly described as follows:

Beginning at a concrete monument at the Northwest corner of the Right-of-Way of North Port Boulevard as shown on the Plat of the Fifty-Sixth Addition to Port Charlotte Subdivision, per plat thereof Recorded in Plat Book 28, Pages 50 and 50-A, Public Records of Sarasota County, Florida, thence S.82°01'05"W. (S.82°00'00"W. Plat bearing) along the Northerly Right-of-Way of said North Port Boulevard (Myakkahatchee Boulevard) as shown on the Plat of the Fifty-Second Addition to Port Charlotte Subdivision per plat thereof recorded in Plat Book 21 Pages 13, 13-A through 13-NN, Public Records of Sarasota County, Florida, a distance of 947.20 feet (946.95 feet plat distance) to a concrete monument at the Southeast corner of Block 2653 in said Fifty-Second Addition to Port Charlotte Subdivision; thence leaving said Northerly Right-of-Way Line and along the Northeasterly Boundary Line of said Block 2653 the following four courses; N.08°00'00"W., a distance of 955.00 feet; thence S.82°00'00"W., a distance of 365.00 feet; thence N.08°00'00"W., a distance of 630.90 feet; thence S.82°00'00"W., a distance of 150.00 feet; thence leaving said Boundary Line, N.29°59'32"E., a distance of 1080.80 feet to the Southerly Right-of-Way Line of Price Boulevard (100' Wide); thence along said Southerly Right-of-Way Line the following five courses; S.59°55'11"E., a distance of 23.99 feet to the point of curvature of a 2050.00 foot radius curve to the left with the center point bearing N.30°04'49"E.; thence Easterly along the arc of said curve, through a central angle of 71°15'19", a distance of 2549.46 feet to a point of tangency; thence N.48°49'30"E., a distance of 408.68 feet to the point of curvature of a 1550 foot radius curve to the right, with the center point bearing S.41°10'30"E.; thence Northeasterly along the arc of said curve, through a central angle of 22°06'43", a distance of 598.19 feet to a point of compound curvature of a 25 foot radius curve to the right with the center point bearing S.19°03'47"E., thence Easterly and Southerly along the arc of said curve through a central angle of 90°27'50", a distance of 39.47 feet to a point on the Westerly Right-of-Way Line of Sumter Boulevard as shown on the aforesaid Plat of the Fifty-Sixth Addition to Port Charlotte Subdivision, said point also being a point of reverse curvature of a 2100.00 foot radius curve to the left, with the center point bearing N.71°24'03"E.; thence along said Westerly Right-of-Way Line of Sumter Boulevard the following four courses; Southerly, along the arc of said curve through a central angle of 00°13'14", a distance of 8.09 feet to a point of reverse curvature of a 1300.00 foot radius curve to the right, with the center point bearing S.71°10'49"W.; thence Southerly along the arc of said curve, through a central angle of 77°57'00", a distance of 1768.63 feet to a point of reverse curvature of a 1600.00 foot radius curve to the left, with the center point bearing S.30°52'11"E.; thence Southwesterly along the arc of said curve through a central angle of 59°57'23", a distance of 1674.30 feet to a point of reverse curvature of a 50.11 foot radius curve to the right, with the center point bearing S.89°10'26"W.; thence Southwesterly along the arc of said curve through a central angle of 86°32'36", a distance of 75.69 feet to the aforesaid Northerly Right-of-Way Line of North Port Boulevard; thence along the said Northerly Right-of-Way Line the following three courses; S.85°43'11"W., a distance of 208.42 feet to the point of curvature of a 2750.00 foot radius curve to the left, with the center point bearing S.04°16'49"E.; thence Southwesterly along the arc of said curve, through a central angle of 03°42'20", a distance of 177.85 feet to a point of tangency; thence S.82°00'51"W., a distance of 355.73 feet to the Point of Beginning.

Containing 140.58 Acres, more or less.

DESCRIPTION OF REAL ESTATE:

TRACT "D": A portion of Sections 21 and 22, Township 39 South, Range 21 East, Sarasota County, Florida, more particularly described as follows:

Commencing at the Northeasterly corner of the Fifty-Second Addition to Port Charlotte Subdivision per plat thereof recorded in Plat Book 21, Pages 13, 13-A through 13-NN, Public Records of Sarasota County, Florida, said corner also being on the centerline of the Blueridge Waterway (100' wide)(O.R. Book 1941, Page 6); thence leaving the said centerline and along the Northerly Boundary Line of the said Fifty-Second Addition to Port Charlotte Subdivision, N.84°56'11"W., a distance of 50.00 feet to the POINT OF BEGINNING, said point also being on the Westerly Right-of-Way Line of the said Blueridge Waterway; thence leaving said Westerly Right-of-Way Line and along the Northerly Boundary Line of said Fifty-Second Addition the following three courses; N.84°56'11"W., a distance of 1375.64 feet to the point of curvature of 400 foot radius curve to the right, with the center point bearing N.05°03'49"E., thence along the arc of said curve, through a central angle of 29°49'49", a distance of 208.26 feet to a point of tangency; thence N.55°06'22"W., a distance of 442.85 feet to a corner on the Boundary Line of the Fifty-Sixth Addition to Port Charlotte Subdivision, per plat thereof recorded in Plat Book 28, Pages 50 and 50-A, Public Records of Sarasota County, Florida, said point is also on the arc of a 2350.00 foot radius nontangent curve with the center point bearing N.55°05'20"W.; thence Southwesterly along the Westerly Boundary Line of Tract "D" as platted in said Fifty-Sixth Addition and the arc of said curve, through a central angle of 10°06'22", a distance of 414.51 feet to a point on the Easterly Right-of-Way Line of Sumter Boulevard (200' wide) as platted in said Fifty-Sixth Addition with said point also being on the arc of a 1400.00 foot radius nontangent curve with the center point bearing S.73°36'02"E.; thence Northeasterly along said Easterly Right-of-Way Line, the following three courses; along the arc of said curve, through a central angle of 42°43'51" a distance of 1044.11 feet to a point of reverse curvature of a 1500.00 foot radius curve to the left, with the center point bearing N.30°52'11"W.; thence along the arc of said curve through a central angle of 77°31'15", a distance of 2029.49 feet to a point of reverse curvature of a 25.00 foot radius curve to the right, with the center point bearing N.71°36'34"E., thence along the arc of said curve through a central angle of 98°45'30", a distance of 43.09 feet along the Southerly Right-of-Way Line of Price Boulevard (100' wide), to a point of compound curvature of a 1550.00 foot radius curve to the right with the center point bearing S.09°37'56"E., thence along the said Southerly Right-of-Way Line for the following two courses; along the arc of said curve through a central angle of 43°13'39", a distance of 1169.42 feet to a point of tangency; thence S.56°24'18"E., a distance of 131.17 feet to a point on the aforesaid Westerly Right-of-Way Line of the Blueridge Waterway, said point also being on the arc of a 1150.00 foot radius curve, with the center point bearing S.58°52'26"E.; thence along said Westerly Right-of-Way Line the following two courses; Southwesterly along the arc of said curve through a central angle of 26°04'14", a distance of 523.27 feet to a point of tangency; thence S.05°03'20"W. a distance of 1932.28 feet to the Point of Beginning.

Containing 83.90 Acres, more or less.

EXHIBIT "B"

1. Grant of Temporary Easement to Atlantic Gulf Communities Corporation recorded in Official Record Book 2542, page 1611, Public Records of Sarasota County, Florida.

2. Easements and Dedications to the North Port Water Control District in Official Records Book 1886, page 1823, Official Records Book 1886, page 1825, Official Records Book 1941, page 6 and Official Records Book 1941, page 16 and Legislative Enactments dissolving this District and transferring the assets to the North Port Road and Drainage District recorded in Official Records Book 2666, page 606, and Official Records Book 2666, page 612, Public Records of Sarasota County, Florida.

3. Grant of Easement to Church Extension Investors Fund, Inc., recorded in Official Records Book 1988, page 2394, Public Records of Sarasota County, Florida.

4. Mortgage in favor of Atlantic Gulf Communities Corporation recorded in Official Records Book 2542, page 1588, as modified by Agreement recorded in Official Records Book 2586, page 1022, and assigned to Chemical Bank by instruments recorded in Official Records Book 2542, page 1599, Official Records Book 2542, page 1603, and Official Records Book 2542, page 1607, Public Records of Sarasota County, Florida.

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SARASOTA COUNTY
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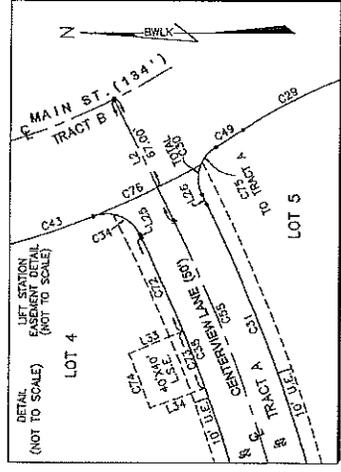
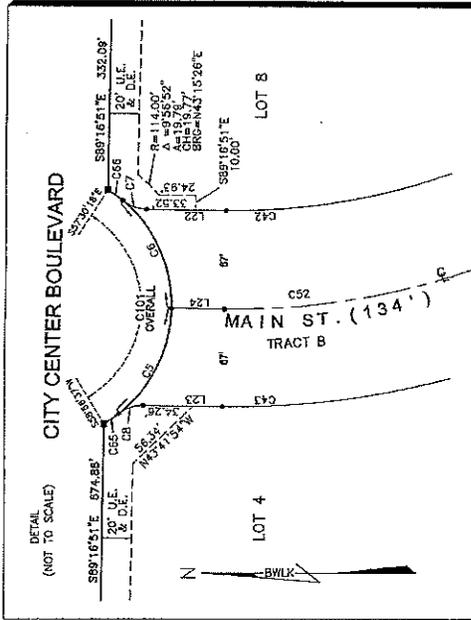
HERON CREEK TOWN CENTER NORTH

A SUBDIVISION LYING IN SECTIONS 21 & 22, TOWNSHIP 39 SOUTH, RANGE 21 EAST,
CITY OF NORTH PORT, SARASOTA COUNTY, FLORIDA

PLAT BOOK PAGE

SHEET 5 OF 5

THIS INSTRUMENT PREPARED BY:
BEAN, WHITAKER, LUTZ & KAREH, INC.
CONSULTING ENGINEERS AND SURVEYORS
13041 MCGREGOR BLVD. (239) 461-1331
FORT MIERS, FLORIDA 33919



CURVE	RADIUS	DELTA ANGLE	ARC	CHORD	LENGTH	CURVED	BEARINGS
C01	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C02	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C03	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C04	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C05	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C06	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C07	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C08	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C09	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C10	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C11	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C12	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C13	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C14	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C15	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C16	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C17	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C18	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C19	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C20	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C21	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
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C24	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C25	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C26	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
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C29	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C30	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
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C35	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C36	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C37	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C38	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C39	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C40	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C41	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C42	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°
C43	1500.00	157.1057°	268.295	534.767	534.767	157.1057°	157.1057°

LINE	BEARING	DISTANCE
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L3	S89°16'51"E	332.08'
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L7	S89°16'51"E	332.08'
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L100	S89°16'51"E	332.08'

