

Date: _____

Application #: _____

TDU Ordinance

Application to

Create Sending Zone Density Units from Your Property

Article XX., Sec. 3-5-425 to 3-5-435, County Code

Have you had a Pre-petition Meeting yet?

If NO, call the following number to schedule a meeting - 941-743-1242. A Pre-petition Meeting is required prior to submitting this application.

If YES, attach a copy of the letter from staff summarizing the meeting.

The County will only process this application if the applicant is also the owner of the Sending Zone (SZ) property. An affidavit from each owner of the property consenting to the application for certification is required. The affidavit form is attached to this application.

Submit one paper copy of the application and a disc containing a copy of the application in PDF format to the Growth Management Department. (Any changes or additions to the application will require you to resubmit the PDF document)

APPLICANT INFORMATION

Applicant's: (add an attachment to the application if there is more than one owner and include % interest of each owner)

Name: Sandra W. Welles Ranch, LLC

Mailing Address: 3779 SE CR 760

City: Arcadia

State: FL

Zip Code: 34266

Phone Number: 863-990-1890

Fax Number:

Agent's:

Name: Robert H. Berntsson

Mailing Address: 3195 S. Access Road

City: Englewood

State: FL

Zip Code: 34224

Phone Number: 941-627-1000 x 2009

Fax Number:

Engineer/Surveyor's:

Name: N/A

Mailing Address:

City:

State:

Zip Code:

Phone Number:

Fax Number:

PE#/PLS#

CHECKLIST

- ☒ An affidavit from the property owner(s) of the proposed SZ property – use attached affidavit
 - ☐ Consent form from the mortgage holder if the property is under mortgage
- ☒ A copy of the most current deed or title to the proposed SZ property
- ☒ Legal description of the proposed SZ, with acreages
- ☒ A signed and sealed survey illustrating boundaries and all existing easements of the proposed SZ - if the proposed SZ consists of platted lots and there are no fractions of a lot, then you may satisfy this requirement by submitting a copy of the most recent plat map with the lot(s) outlined (you must still indicate easements or other encumbrances on the copy of the plat).
- ☒ Maps indicating the location of the proposed SZ (to scale)
- ☒ An Ownership and Encumbrance Report or other document of title issued by an attorney or a title insurance company which must be dated no later than two months prior to submittal of this application.
- ☒ A draft Covenant* –
 - ☐ Management plan, if required (Subsection 3-5-432(c)),
- ☒ A narrative indicating the Base Density (see Section 3-5-427, definitions) of the SZ and describing how the calculation was derived, including an indication of how any Encumbrances as identified per Subsection 3-5-429(b)(2)(iv) affect this Base Density; a statement of the number Density Units requested to be transferred from the property and the number of Density Units requested to be retained.
- N/A ☐ If the property is located in the Coastal High Hazard Area, a boundary map of the property with the storm surge zones illustrated upon the map along with an indication of the acreage of each associated storm surge. If there are VE and AE flood zones, these shall also be illustrated on the map. Any Encumbrances must be subtracted from the whole.
- N/A ☐ If required, maps and surveys of the property illustrating the existing land cover using Level 3 Florida Land Use Cover and Forms Classification system, locations of heritage trees and listed flora a fauna species,.
- ☒ An application fee (\$655), made out to the Charlotte County Board of County Commissioners
- ☒ Pre-application letter

*The Covenant must be signed and notarized prior to the Board of County Commissioners (BCC) hearing. This is one of the standards for approval of the petition by the BCC. In the event the petition is approved, the petitioner is required to file the Covenant with the Clerk of the Circuit Court. The petitioner is required to pay the cost of the filing fee. A certified copy must be given to the TDU program administrator for scanning before you will receive your Certificate.

AFFIDAVIT

I, the undersigned, being first duly sworn, depose and say that I am the

☒ fee owner

☐ part owner (% of ownership -)

of the property described and which is the subject matter of this application; that I request to have Density Units severed from the property; that I consent to the County initiating and taking action to modify the FLUM designation, and/or Zoning District as appropriate to reflect the reduced density permitted on the proposed SZ; that I consent to a vacation of the plat, as necessary, and agree to supply a boundary survey and utility easements as required; 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 knowledge and belief. I understand this application must be complete and accurate before the hearing can be advertised. I acknowledge that all items listed in the application must be submitted concurrent at the time the County accepts the application.

STATE OF FLORIDA, COUNTY OF ~~CHARLOTTE~~ Desoto

The foregoing instrument was acknowledged before me this 29 day of August, 2025, by

Sandra W. Welles

who is personally known to me or has produced Driver License as identification and

who did/did not take an oath.

Amanda Carmona

Notary Public Signature

Sandra W. Welles

Signature of Applicant

Amanda Carmona

Notary Printed Signature

Sandra W. Welles

Printed Signature of Applicant

Notary

Title

3779 SE Co. Rd 760

Address

#HH570385

Commission Code

Arzadia, FL 31210

City, State, Zip

863-990-1890

Telephone Number



AMANDA CARMONA
Commission # HH 570385
Expires July 12, 2028

- Exhibit A-Del Verde Section R- Legal Descriptions and Parcel Identification Number

Parcel Identification Number 402536402001

Lots 1-15 and 17-35, Block 1, Del Verde, Section R, according to the plat thereof, recorded in Plat Book 1, Page 76, of the Public Records of Charlotte County, Florida; and

Lots 1-30, Block 2, Del Verde, Section R, according to the plat thereof, recorded in Plat Book 1, Page 76, of the Public Records of Charlotte County, Florida; and

Lots 1-7 and 10-23, Block 3, Del Verde, Section R, according to the plat thereof, recorded in Plat Book 1, Page 76, of the Public Records of Charlotte County; and

Lots 1-18, Block 4, Del Verde, Section R, according to the plat thereof, recorded in Plat Book 1, Page 76, of the Public Records of Charlotte County; and

Lots 1-33, Block 6, Del Verde, Section R, according to the plat thereof, recorded in Plat Book 1, Page 76, of the Public Records of Charlotte County, Florida; and

Lots 1-7 and 16-30, Block 7, Del Verde, Section R, according to the plat thereof, recorded in Plat Book 1, Page 76, of the Public Records of Charlotte County, Florida; and

Lots 1-26 and 28-35, Block 8, Del Verde, Section R, according to the plat thereof, recorded in Plat Book 1, Page 76, of the Public Records of Charlotte County, Florida; and

Lots 1-35, Block 9, Del Verde, Section R, according to the plat thereof, recorded in Plat Book 1, Page 76, of the Public Records of Charlotte County, Florida; and

Lots 5-30, Block 10, Del Verde, Section R, according to the plat thereof, recorded in Plat Book 1, Page 76, of the Public Records of Charlotte County, Florida; and

Lots 1-18, Block 11, Del Verde, Section R, according to the plat thereof, recorded in Plat Book 1, Page 76, of the Public Records of Charlotte County, Florida; and

Lots 1-18, along with a portion of Lots 19-33, Block 15, Del Verde, Section R, according to the plat thereof, recorded in Plat Book 1, Page 76, of the Public Records of Charlotte County, Florida; and

Lots 1-14 and 31-35, along with a portion of Lots 15-30, Block 16, Del Verde, Section R, according to the plat thereof, recorded in Plat Book 1, Page 76, of the Public Records of Charlotte County, Florida.



CSZ Pre-Application Acknowledgement

- Applicant: Sandra W. Welles Ranch LLC, 3779 SE County Road 760, Arcadia, FL 34266
- Date of Pre-app: June 30, 2025
- Property ID(s): 402536402001
- Property Address: These lots are generally located west of SR 31 and north of Bermont Road, in the East County area.
- Property Owner: Sandra W. Welles Ranch LLC, 3779 SE County Road 760, Arcadia, FL 34266
- Agent: Robert H. Berntsson, Esq.
- Area: 53.7 Acres
- Location: East County area
- FLUM designation: Resource Conservation
- Zoning: AG
- Estimated Base Density: 308
- Storm Surge Zone: Outside of CHHA
- FEMA Flood Zone: A & X
- Service Area: Rural Service Area
- Neighborhood Framework: Agricultural/Rural
- Are there submerged lands? No
- Other encumbrances: N/A
- Public utilities: None

- Sending Zone Qualifications:

- ☐ Managed Neighborhood (FLU Policy 1.2.9 criteria 1)

- ☒ **Rural Service Area (FLU Policy 1.2.9 criteria 2)**

- ☐ Bona fide agriculture

- ☒ **Substandard platted lots**

- ☒ Resource Conservation or Preservation FLUM (FLU Policy 1.2.9 criteria 3)

- ☐ **CHHA (FLU Policy 1.2.9 criteria 4)**

- ☐ Historical or Archaeological Resources (FLU Policy 1.2.9 criteria 5)

- ☐ **Environmentally Sensitive Resources (FLU Policy 1.2.9 criteria 5)**

- ☐ Prime Aquifer Recharge Area (FLU Policy 1.2.9 criteria 6)

- ☐ Watershed Overlay District (0.5-mile setback) (FLU Policy 1.2.9 criteria 7)

- ☐ Public Water System Wellhead Protection Area (FLU Policy 1.2.9 criteria 8)

- ☐ Wildlife Corridor Critical Linkage (FLU Policy 1.2.9 criteria 9)

- ☐ Building permit or CO has been issued (FLU Policy 1.2.9 criteria 10)

- ☐ Density Reduction (FLU Policy 1.2.9 criteria 11)

- Density Retained: 0

- Is FLUCCS mapping and species survey required? N/A

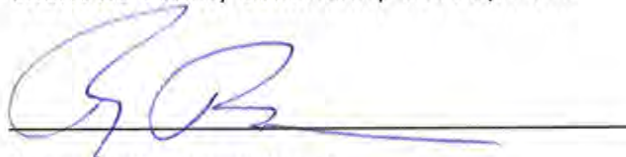
- Type of Covenant: Restrictive Covenant

- Plat: Del Verde Section R, Blocks 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 15 & 16

- Other Requirements: N/A

Jie Shao

Jie Shao, Planner Principal, AICP, MCP
Charlotte County Community Development



Property Owner or Agent

I hereby certify that the attached Plat is a true map of said land to the best of my knowledge and belief.



Sept. 1925.

WIDEIKIS, BENEDICT & BERNTSSON, LLC

THE BIG W LAW FIRM

ATTORNEYS AT LAW

JOHN L. WIDEIKIS
ROBERT C. BENEDICT
ROBERT H. BERNTSSON*^

3195 S. ACCESS ROAD
ENGLEWOOD, FLORIDA 34224
PHONE: (941) 627-1000
Reply to this office location
EMAIL: rberntsson@BigWLaw.com



PORT CHARLOTTE, FLORIDA
NORTH PORT, FLORIDA
BY APPOINTMENT ONLY

433 4th Street W., Unit #4
BOCA GRANDE, FLORIDA 33921
PHONE: (941) 964-1223

*Certified by the Florida Bar in City,
County and Local Government Law
2000-2021;
^Also admitted to New York Bar

August 28, 2025

Jie Shao, AICP, MCP
Planner, Principal
Charlotte County Community Development Department
18400 Murdock Circle
Port Charlotte, FL 33948

Re: Ownership letter for Parcel 402536402001

Dear Jie:

This letter will confirm my review of the public records, deeds, and other available information showing the title to the above referenced parcel is in the name of Sandra W. Welles Ranch, LLC.

Very truly yours,

Robert H. Berntsson

Robert H. Berntsson



CHARLOTTE COUNTY PROPERTY APPRAISER
PAUL L. POLK, CFA, AAS, RES.

Property Record Information for 402536402001

The Charlotte County Property Appraiser makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use, or its interpretation.

If a discrepancy is discovered in your property's records, or those of another, please bring it to our attention immediately.

Owner:

Property Location:

SANDRA W WELLES RANCH LLC
3779 SE COUNTY RD 760
ARCADIA, FL 34266

Property Address: 41150 BERMONT RD
Property City & Zip: PUNTA GORDA 33982
Business Name:

Ownership current through: 8/10/2025

General Parcel Information

Taxing District:	110
In City of Punta Gorda:	NO
Current Use:	GRAZINGLAND SOIL CAPABILITY CLASS IV
Future Land Use (Comp. Plan):	Resource Conservation
Zoning Code:	AG
Market Area / Neighborhood / Subneighborhood:	04/56/69000
Map Number:	7A36S
Section/Township/Range:	36-40-25
SOH Base Year:	
Waterfront:	NO

Sales Information

Date	Book/Page	Instrument Number	Selling Price	Sales code	Qualific
4/14/2009	3375/134	1840633	\$500	VACANT	
4/14/2009	3375/142	1840636	\$500	VACANT	
5/20/2008	3292/863	1765892	\$1,100	VACANT	
12/15/2005	2883/37	1499951	\$100	IMPR-MULTI	
12/1/1990	1143/562	1991114300562	\$100	VACANT	
12/1/1989	1076/1609	1989107601609	\$100	VACANT	
10/1/1980	645/1638	1980064501638	\$76,000	VACANT	

Click on the book/page or the instrument number to view transaction document images on the Clerk of the Circuit Court's web site.
Click on Qualification/Disqualification Code for a description of the code.
Codes are not available prior to 2003.

FEMA Flood Zone (Effective 12/15/2022)

Firm Panel	Floodway	SFHA	Flood Zone	FIPS	COBRA	Community	Base Flood Elevation (ft.)	Letter of Map Revision (LOMR)
0300G	OUT	IN	A	12015C	Outside of CBRA Zone	120061	See FIS	
0300G	OUT	OUT	X	12015C	Outside of CBRA Zone	120061	X Zone	

*If parcel has more than 1 flood zone, refer to the flood maps available on the GIS web site by clicking on View Map below. Flood term definitions.
For more information, please contact Building Construction Services at 941-743-1201.

2025 Preliminary Tax Roll Values, as of January 1, 2025

*Preliminary values within this box are NOT certified (final) values. Consequently, they can change periodically as records are updated. Notices of Proposed Property Taxes (TRIM Notice) are typically mailed mid-August and final values certified mid-October.

Value	County	City	School	Other
Preliminary Just Value (Just Value reflects 193.011 adjustment.):	\$427,550	\$427,550	\$427,550	\$427,550
Preliminary Assessed Value:	\$14,421	\$14,421	\$14,421	\$14,421
Preliminary Taxable Value:	\$14,421	\$14,421	\$14,421	\$14,421

Land Information

Line	Description	Land Use	Zoning	Unit Type	Units	Acreage	Land Value
1	DVL 00R 0000 0000 A	6300	<u>AG</u>	ACRE	80.342	80.342	\$401,710
2	DVL 00R 0000 0000	6300	<u>AG</u>	ACRE	20	20	\$100,000
3	DVL 00R 0021 0017	6300	<u>AG</u>	ACRE	0.129	0.129	\$645
4	DVL 00R 0028 0011	6300	<u>AG</u>	ACRE	0.129	0.129	\$645

*Land Value does not include 193.011 adjustment.

Land Value may be adjusted due to scrub jay habitat. You can access [the Board of County Commissioner's website](#) to determine if this parcel is within scrub jay habitat.
For more information on scrub jay habitat within Charlotte County, see the [County's Natural Resources web site](#).

Legal Description:

Short Legal: DVL 00R 0000 0000	Long Legal: DEL VERDE 100.6AC M/L ALL DEL VERDE SECTION R LESS BLK 1 LT 16 BLK 3 LTS 9 10 & 24-30 BLK 7 LTS 8-15 BLK 10 LTS 1-4 BLK 21 LTS 15-16 BLK 22 LTS 10-21 BLK 28 LTS 16-18 AND THOSE PORTIONS OF STREETS VACATED IN OR 583/1610 PROB77/145 & 150 DC350/409 404/5 416/490 493/729 499/555 583/1610 606/367 1076/1609 1143/562 2883/37 TD3292/863 TD3375/134 TD3375/142
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Data Last Updated: 8/28/2025- Printed On: 8/28/2025.

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THIS INSTRUMENT PREPARED BY
AND RETURN TO:

Eugene E. Waldron, Jr., Esquire

EUGENE E. WALDRON, JR., P.A.

124 North Brevard Avenue

Arcadia, Florida 34266

(863) 494-4323

Brown & Waldron
may

Grantee: **Sandra W. Welles Ranch, LLC** PARCEL NUMBER:
S.S.: _____

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED, executed this 15th day of December, 2005,
by **SANDRA W. WELLES**, a married woman, whose mailing address is P.O. Box 275, Boca
Grande, Florida 33921, party of the first part, and **Sandra W. Welles Ranch, LLC**, whose mailing
address is 3779 S.E. County Road 760, Arcadia, Florida 34266, party of the second part,

WITNESSETH, that the said first party, for and in consideration of the sum of \$10.00, in
hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise,
release and quit-claim unto the said second party forever, all the right, title, interest, claim and
demand which the said first party has in and to the following described lot, piece or parcel of land,
situate, lying and being in the County of Charlotte, State of Florida, to-wit:

SEE ATTACHED EXHIBIT "A"

**PARTY OF THE FIRST PART CERTIFIES THAT THE ABOVE-DESCRIBED
PROPERTY IS NOT HER HOMESTEAD NOR IS IT CONTIGUOUS TO HER
HOMESTEAD PROPERTY.**

**THIS INSTRUMENT WAS PREPARED FROM UNVERIFIED
INFORMATION. NO EXAMINATION OF THE TITLE WAS REQUESTED
OR MADE, AND THE SCRIVENER ASSUMES NO RESPONSIBILITY FOR
TITLE OR DESCRIPTION ERRORS.**

TO HAVE AND TO HOLD the same together with all the hereditaments and
appurtenances thereunto belonging or in anywise appertaining, to the said party of the second
part, its heirs and assigns forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:

Linda L. Quezada
LINDA L. QUEZADA, Witness
(Printed Name)

Sandra W. Welles
SANDRA W. WELLES

Anne-Marie Briggers
Anne-Marie Briggers, Witness
(Printed Name)

STATE OF FLORIDA
COUNTY OF DESOTO

The foregoing instrument was acknowledged before me this 15th day of December 2005, by **SANDRA W. WELLES**, who is personally known to me or who has produced _____ as identification.

Linda L. Quezada
LINDA L. QUEZADA, Notary Public
State of Florida at Large
Commission No. _____
My commission expires: _____



Linda L. Quezada
MY COMMISSION # DD144526 EXPIRES
November 30, 2006
BONDED THRU TROY FAIR INSURANCE, INC.

Exhibit "A"
Legal Description

Section A, Del Verde Subdivision in the NE $\frac{1}{4}$ of Section 25, Township 40 South, Range 25 East, Charlotte County, Florida, including Lot 20, Block 7; Lots 15 & 16, Block 9; Lots 22, 23, 24, 25 & 26, Block 10; Lots 4, 5, 6, 7, 8, and 9, Block 11; Lots 8 & 23, Block 15; Lots 28, 29, & 30, Block 19; Lot 28, Block 26; Lots 14 & 17, Block 29; and Lot 2, Block 31; LESS the following lots: Lot 4, Block 1; Lots 11, 12, 19, 20, 21 & 22, Block 2; Lots 9 & 10, Block 3; Lots 18-22, Block 4; Lots 5-10 and 26 & 27, Block 5; Lots 20 & 21, Block 6; Lot 1, Block 8; Lots 1, 2, 18-21, 29 & 30, Block 10; Lots 10, 11, 27 & 30, Block 11; Lots 1, 2, 5, 6, 12, 13, 14, 17, 29, Block 12; Lot 7, Block 14; Lots 4, 13, 20, 23, 24, 25, Block 16; Lots 10 & 20, Block 17; Lots 5, 17, 18 & 19, Block 18; Lots 4-8 and 12, Block 19; Lot 11, Block 20; Lot 6, Block 21; Lots 24, 26, 27, & 28, Block 23; Lot 3, Block 24; Lots 23-26, Block 25; Lots 6, 9 & 10, Block 26; Lots 3, 4 & 18-28, Block 27; Lots 4 & 10, Block 28; Lot 25, Block 31; Lot 13, Block 32; and

Section B, Del Verde Subdivision in the NW $\frac{1}{4}$ of Section 25, Township 40 South, Range 25 East, Charlotte County, Florida, including Lot 13, Block 4; Lot 21, Block 15; Lot 9, Block 16; and Lots 8 & 9, Block 31; LESS the following lots: Lots 15 & 30, Block 1; Lot 16, Block 2; Lots 10, 11, 19 & 30, Block 3; Lot 15, Block 4; Lots 7, 10, 12-18, 21, 24 & 25, Block 6; Lots 8, 9, 10, 16, 28, 29 & 30, Block 7; Lots 3, 5, 6, 16, 17 & 18, Block 8; Lot 7, Block 9; Lots 1-6, 13 & 14, Block 10; Lots 1-6, 13, 14, 17, 18 & 19, Block 11; Lots 5, 6, 12 & 23, Block 12; Lots 1, 2 & 3, Block 13; Lots 11-15, Block 14; Lots 1-9, 15 & 25-30, Block 15; Lots 2, 27, 28 & 29, Block 17; Lots 11, 13 & 22, Block 18; Lots 22, 23 & 24, Block 19; Lots 10, 11 & 26, Block 22; Lot 25, Block 25; Lot 19, Block 26; Lots 1, 4, 13-18 & 20-23, Block 27; Lots 16, 17, 18, Block 29; Lots 1-5 & 28-30, Block 31; and

Section F, Del Verde Subdivision in the SW $\frac{1}{4}$ of Section 25, Township 40 South, Range 25 East, Charlotte County, Florida, including Lot 28, Block 5; Lots 17 & 24, Block 9; Lot 21, Block 11; and Lot 22, Block 30; LESS the following lots: Lots 14 & 15, Block 1; Lot 6, Block 8; Lots 25 & 30, Block 9; Lots 3-12, Block 11; Lots 12-20, Block 12; Lots 6-9, Block 13; Lot 19, Block 16; Lots 3 & 7, Block 17; Lots 3-6, Block 18; Lot 28, Block 19; Lot 10, Block 24; Lots 20-22, Block 25; Lot 22, Block 27; Lot 25, Block 28; Lots 2 & 12, Block 29; and

Section G, Del Verde Subdivision in the SE $\frac{1}{4}$ of Section 25, Township 40 South, Range 25 East, Charlotte County, Florida, including Lots 1 through 30, Block 17; Lot 13, Block 18; Lots 20 & 21, Block 27; and Lots 27 & 28, Block 31; LESS the following lots: Lot 23, Block 3; Lots 21 & 22, Block 4; Lot 21, Block 5; Lot 13, Block 6; Lots 13, 25 & 26, Block 7; Lot 35, Block 9; Lot 7, Block 12; Lots 1-5, Block 13; Lots 1-5 & 19-21, Block 14; Lots 7-10, Block 19; Lot 22, Block 23; Lots 31-33, Block 24; Lots 8, 22, 27, 29 & 30, Block 25; Lot 5, Block 26; Lots 7-10, Block 28; Lots 16-19, Block 29; Lots 11-15, Block 30; Lots 22-26, Block 31; all Block 34; and

Section H, Del Verde Subdivision in the NE $\frac{1}{4}$ of Section 36, Township 40 South, Range 25 East, Charlotte County, Florida, including Lots 8 & 9, Block 1; Lot 25, Block 5; Lots 1, 2 & 3,

Block 7; Lot 3, Block 8; Lots 10 & 28, Block 12; Lot 12, Block 13; Lots 25 & 26, Block 16; Lots 11, 12, 13, 14, 15, 16, 17, 18, 19 & 20, Block 21; Lots 10, 15, 16 & 17, Block 24; Lots 8, 14, 15, 16, 17, 28, 29 & 30, Block 26; Lot 8, Block 27; Lots 1, 2, 3, 4 & 5, Block 28; and Lots 2 & 3, Block 30; LESS the road right-of-way and the following lots: Lots 10-13, 31 & 32, Block 1; Lots 1-3, 5 & 6, Block 2; Lots 1-5 & 28-30, Block 5; Lots 9, 10 & 20, Block 6; Lot 12, Block 7; Lot 8, Block 9; Lots 1 & 2, Block 10; Lots 20-22, 25 & 26, Block 11; Lots 13 & 14, Block 12; Lots 6-9, 14 & 15, Block 13; Lots 1-5, Block 14; Lot 39, Block 15; Lots 35-37, Block 17; Lots 22-24, 32 & 33, Block 18; Lots 20, 21, 35 & 36, Block 19; Lot 27, Block 20; Lot 26, Block 21; Lots 1 & 3-7, Block 24; Lots 9, 21 & 22, Block 26; Lots 6, 7 & 25, Block 27; Lots 29 & 30, Block 28; Lots 1-3, 21 & 22, Block 29; Lots 4, 9 & 10, Block 30; and those portions of streets vacated in OR Book 583, Page 1610; and

Section I of Del Verde Subdivision in the NW $\frac{1}{4}$ of Section 36, Township 40 South, Range 25 East, Charlotte County, Florida, including Lot 7, Block 13; Lot 3, Block 14; and Lot 42, Block 20; LESS road right-of-way and LESS the following lots: Lot 26, Block 5; Lot 30, Block 7; Lots 10-13 & 23-26, Block 9; Lot 15, Block 10; Lots 4-6 & 25, Block 11; Lots 1, 23 & 24, Block 17; Lots 22 & 29, Block 19; Lots 2-40, Block 20; Lots 23-25, Block 21; Lot 11, Block 24; Lots 8-18, Block 26; Lots 16-17, Block 31; and those portions of streets vacated in OR Book 583, Page 1610; and

Section O of Del Verde Subdivision in the SW $\frac{1}{4}$ of Section 36, Township 40 South, Range 25 East, Charlotte County, Florida, including Lots 7, 8, 9 & 10, Block 1; Lots 29 & 30, Block 7; Lot 25, Block 18; Lot 23, Block 19; Lot 18, Block 20; Lots 12 & 13, Block 24; Lots 6 & 7, Block 25; Lot 15, Block 27; and Lots 24 & 25, Block 28; LESS road right-of-way and LESS the following lots: Lot 15, Block 1; Lots 13 & 18, Block 2; Lots 1, 2, 22-24, Block 3; Lots 1, 2, 5, 6, 7, 22, 27, 28, 29 & 30, Block 4; Lots 11-15, Block 6; Lots 14 & 15, Block 7; Lots 16-21, Block 9; Lots 1-5 & 12-15, Block 10; Lot 22, Block 11; Lots 1, 2-19 & 23-33, Block 13; Lot 21, Block 14; Lots 4 & 27, Block 18; Lots 15 & 16, Block 20; Lots 16-24 & 27-30, Block 22; Lots 18 & 19, Block 23; Lots 8-10, Block 24; Lots 29 & 30, Block 25; Lot 30, Block 26; Lots 22 & 29-32, Block 28; Lots 29 & 32, Block 29; Lots 5 & 6, Block 32; and those portions of streets vacated in OR Book 583, page 1610; and

Section R of Del Verde Subdivision in the SE $\frac{1}{4}$ of Section 36, Township 40 South, Range 25 East, Charlotte County, Florida, including Lots 9 & 10, Block 2 and Lots 21 & 22, Block 10; LESS load right-of-way and LESS the following lots: Lot 16, Block 1; Lots 8, 9 & 24-30, Block 3; Lots 8-15, Block 7; Lots 1-4, Block 10; Lots 15-17, Block 21; Lots 10-21, Block 22; Lots 1, 2, 11, 16, 17 & 18, Block 28; and LESS the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ and LESS the South 100.03 feet of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 36, and LESS those portions of streets vacated in OR Book 583, page 1610.

Document prepared under the supervision of:
Charlotte County Attorney
18500 Murdock Circle
Port Charlotte, FL 33948

This instrument prepared by
and after recording return to:
Robert H. Berntsson
BIG W LAW
3195 S. Access Road
Englewood, FL 34224

SPACE ABOVE THIS LINE FOR RECORDING DATA

DECLARATION OF RESTRICTIVE COVENANT TO SEVER DENSITY

This Declaration of Restrictive Covenant is made this ____ day of _____, 2025, by Sandra W. Welles Ranch, LLC, whose address is 3779 SE CR 760, Arcadia, Florida 34266, hereinafter referred to as "Owner."

WHEREAS, Owner is the fee title owner of those certain real properties situated in Charlotte County, Florida, and legally described in Exhibit A, attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, Owner hereby declares that Owner is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of this Declaration; that Owner has good right and lawful authority to make this Declaration; and that Owner agrees to fully warrant and defend this Declaration against the claims of all persons whomsoever; and

WHEREAS, except as otherwise provided herein, Owner intends to sever the Density Units allocated to the Property pursuant to Section 3-9-150 of the Charlotte County Code of Laws and Ordinances (hereinafter referred to as the "TDU Ordinance"); and

WHEREAS, as defined by TDU Ordinance, a Density Unit is development right which equals one (1) increment of housing designed and intended for residential use by one (1) family, whether a single-family residence, mobile home or as part of a duplex, apartment or condominium project; and

WHEREAS, Owner has applied to Charlotte County to create Sending Zone Density Units from the Property; and

WHEREAS, the Property was qualified as Sending Zones under Petitions No. CSZ-____, CSZ-25-____, and CSZ-25-____, because it is located outside of the Urban Service Area, contains substandard platted lots, and is designated as Resource Conservation (RC) with AG zoning; and

WHEREAS, the Property is currently vacant; and

WHEREAS, a management plan is not required for the Property; and

WHEREAS, Owner intends to retain zero (0) Density Units on the Property; and

WHEREAS Owner has applied to Charlotte County for severance of all 653 of the Density Units allocated to the Property; and

WHEREAS, pursuant to the TDU Ordinance, a condition of the severance of Density Units of that Owner must provide a covenant imposing certain limitations upon the Property; and

WHEREAS, Owner, in fulfillment of that obligation, hereby places the following restrictive covenant on the use of the Property;

NOW, THEREFORE.

1. Recitals. The recitals set forth above are true and correct and are incorporated into this restrictive covenant.
2. Covenants. Owner hereby declares that the Property shall be held, maintained, transferred, sold, conveyed and owned subject to the following restrictive covenant:

Owner hereby agrees that zero (0) Density Units exist on the Property. Any future development of the Property shall be restricted by the provisions herein, and the Density, as such term is defined by Charlotte County Code, shall be limited to zero (0).

3. Except for the restrictive covenant described herein, Owner retains all zoning and land use rights afforded Owner pursuant to the Charlotte County Code, the Charlotte County Future Land Use Map and the Charlotte County Comprehensive Plan, as the same may exist from time to time, limited to the zoning designation of Agriculture (AG).
4. This Declaration of Restrictive Covenant shall be recorded in the Public Records of Charlotte County, Florida, and shall run with the Property, and be binding upon Owner and its heirs, successors and assigns.
5. Charlotte County, through its Board of County Commissioners, its successors and assigns, is the beneficiary of this restrictive covenant and Charlotte County may enforce this restrictive covenant by action at law or in equity against any person or persons, entity or entities, violating or attempting to violate the terms of this restrictive covenant.
6. This Declaration of Restrictive Covenant shall only be amended with the consent of Charlotte County, Florida, through its Board of County Commissioners.
7. Any failure of Charlotte County to enforce this restrictive covenant shall not be deemed a waiver of the right to do so thereafter.
8. This Declaration of Restrictive Covenant shall be recorded in the Public Records of Charlotte County, Florida, and shall become effective upon recordation.

[Signature page to follow.]

IN WITNESS WHEREOF, Owner has executed this Declaration of Restrictive Covenant as follows:

Signed, sealed and delivered in the presence of:

Sandra W. Welles Ranch, LLC

Witness #1 Signature

Printed Name: _____

Address: _____

Address 2: _____

By Sandra W. Welles, Managing Member

Witness #2 Signature

Printed Name: _____

Address: _____

Address 2: _____

STATE OF FLORIDA

COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2025, by Sandra W. Welles, as Managing Member on behalf of Sandra W. Welles Ranch, LLC. She is personally known to me or has produced _____ as identification and who did not take an oath.

Notary Signature

**EXHIBIT A – DEL VERDE –SECTION R LEGAL DESCRIPTIONS
PARCEL IDENTIFICATION NUMBER 402536402001**