



MEMORANDUM

Date: 10-8-25

To: Honorable Board of County Commissioners

From: Jie Shao, AICP, MCP, Planner, Principal (see Exhibit 1 for professional qualifications)

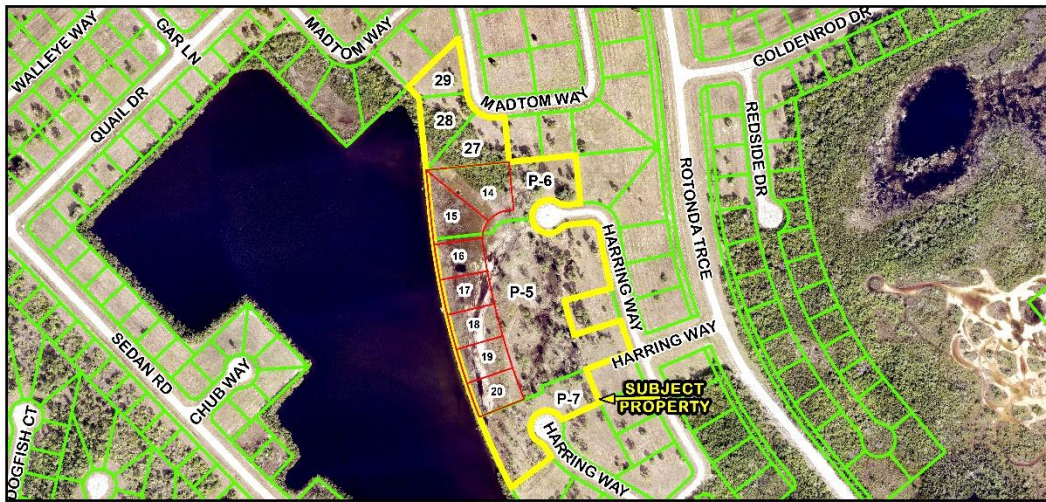
Subject: CSZ-25-17, an application to certify Sending Zones (SZs) for three parcels and three lots, in the West County area, certifying 42 units of transferrable density

Purpose of this Application

Petition CSZ-25-17 involves a request by Andress Family Florida LP & Andress Holdings LLC to certify Sending Zones (SZs), containing 9.52± acres. SZs include three parcels located at 12544, 12492, and 12472 Harring Way and three lots located at 13540, 13552, and 13564 Madtom Way, in the West County area and within Commission District III. If approved, the proposed SZs will certify 42 units of transferrable density, and a total of 15 units will be retained.



CSZ-25-17 Area Image



CSZ-25-17 Area Image

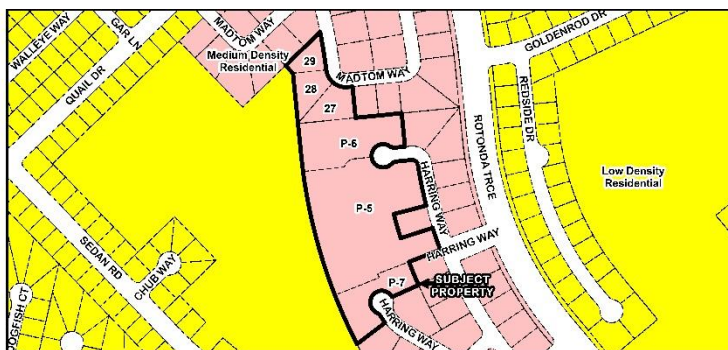
History of Subject Property

On June 14, 2016, the Board of County Commissioners (Board) approved a CSZ application via Resolution Number 2016-079 (Attachment 1) to certify a Sending Zone covering 15 lots located in the West County region in order to sever 55 density units. Lots 14-20 of which are part of the subject property for this CSZ application.

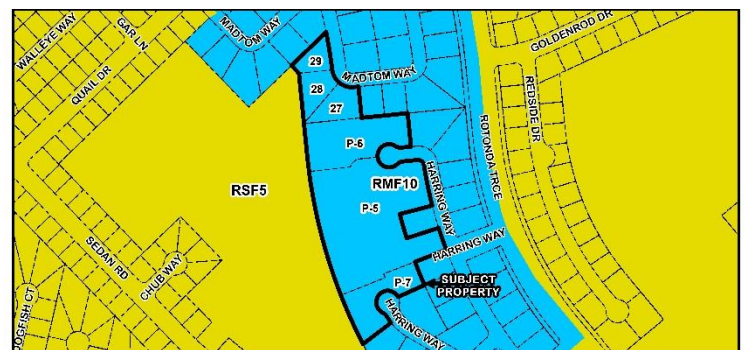
On September 26, 2023, the Board approved a Plat Vacation application via Resolution Number 2023-185 (Attachment 2) to vacate Lots 12 through 22 in Block 17, Lots 5 and 7 through 13 in Block 18, and a portion of the unpaved Harring Way and to create Parcels P5, P6 and P7, which are part of the subject property for this CSZ application. A restrictive covenant (Attachment 3) has been recorded in Charlotte County Clerk of Court by the applicant limiting the residential development rights for Parcels P5, P6 and P7 to a total of 43 density units.

Analysis

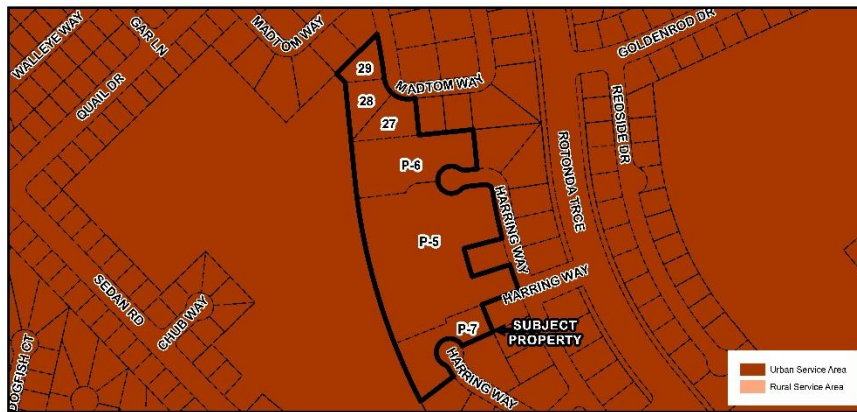
The subject property has a Future Land Use Map (FLUM) designation of Medium Density Residential (MDR) and is zoned Residential Multi-family -10 (RMF-10). The subject property is located within the Urban Service Area, as depicted on **FLUM Series Map #3: Service Area Delineation**.



CSZ-25-17 FLUM Designations



CSZ-25-17 Zoning Designations



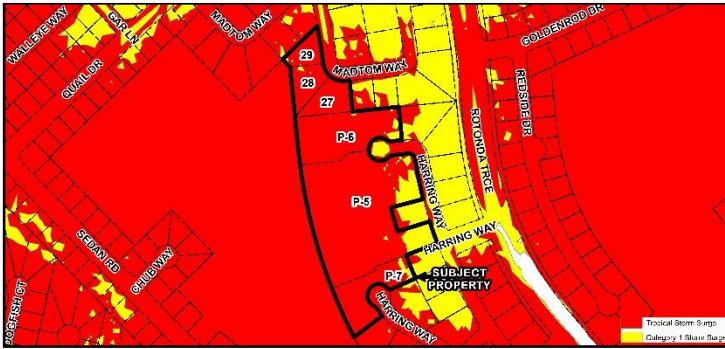
CSZ-25-17 Service Area Delineation

Base Density

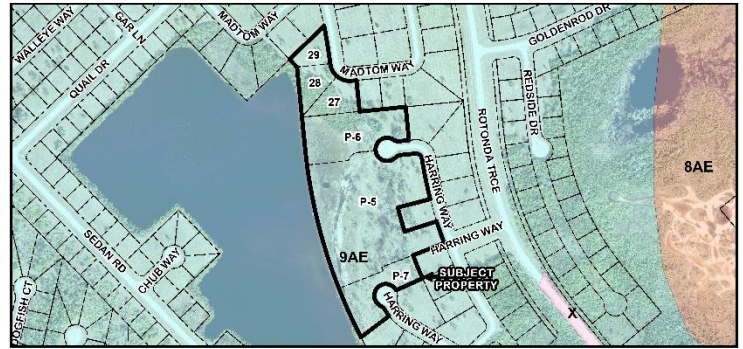
Short Legal	Address	Account Numbers	Acreage	Lots Subject to Conservation Easement	Current Base Density Units	Units to Be Retained	Units to Be Severed
ZZZ 054221 P5	12492 HARRING WAY	422105426003	5.03	Lots 16-20 (Prior to Plat Vacation)		6	
ZZZ 054221 P6	12544 HARRING WAY	422105405008	1.886364	Lots 14-15 (Prior to Plat Vacation)		3	
ZZZ 054221 P7	12472 HARRING WAY	422105405014	1.13905			3	
				Total Units for Parcel P5, P6, & P7	43	12	31
RVL 000 0016 0027	13540 MADTOM WAY	422105405005	1.472107			1	
RVL 000 0016 0028	13552 MADTOM WAY	422105405004				1	
RVL 000 0016 0029	13564 MADTOM WAY	422105401007				1	
		Total	9.527521	Total Units for Lots 27, 28, & 29	14	3	11
					Total Units	15	
						Total Units	42

The restrictive covenant (Attachment 3) as part of the approved Plat Vacation application limits the residential development rights for Parcels P5, P6 and P7 to a total of 43 density units. The total acreage for Lots 27 through 29 is approximately 1.47 acres; the base density for these three lots is 14 units (1.47X10 units per acres). Therefore, the base density for the property subject to this CSZ application is 57 units. The applicant is proposing to sever 42 density units. If the Board approves this request, a total of 15 units will be retained on property, and a new restrictive covenant is needed to limit the residential development rights up to 15 units for the property.

Approximately 0.79 acres of the subject property area is located within the Category 1 Storm surge of the Coastal High Hazard Area (CHHA), and the remaining property is located in the Tropical Storm surge of the CHHA. The entire property is located within FEMA Flood Zone 9AE.



CSZ-25-17 Coastal High Hazard Area



CSZ-25-17 Flood Zones (9AE Zone)

Consistency with the County's Comprehensive Plan and Section 3-9-150: Transfer of Density Units (TDU) of the Charlotte County Code of Laws and Ordinances

There are two documents that govern the Transfer of Density Units program. The first is the County's Comprehensive Plan, and the other is the Charlotte County Code of Laws and Ordinances, Section 3-9-150: Transfer of Density Units (TDU).

The criteria for SZs within the TDU program are established in **Future Land Use (FLU) Policy 1.2.9: TDU Sending Zones**. One of 11 criteria is:

"4. Land within the Coastal High Hazard Area (FLUM Series Map #14)."

This CSZ request is consistent with this policy and meets this specific criterion.

Public sanitary sewer service is available for this property, and the applicant has submitted a restrictive covenant to declare that a total of 15 residential development rights will be retained on the property, specifically:

Short Legal	Units to Be Retained
ZZZ 054221 P5	6
ZZZ 054221 P6	3
ZZZ 054221 P7	3
RVL 000 0016 0027	1
RVL 000 0016 0028	1
RVL 000 0016 0029	1

Therefore, this CSZ application is consistent with **FLU Policy 1.2.10: Restrictions on Sending Zones for item 4 under FLU Policy 1.2.9**, which specifically states that: *"If public potable water or sanitary sewer service is available, the sites shall be placed under a restrictive covenant and all density severed except that owners shall retain one unit of density per platted lot or parcel."*

Section 3-9-150(d)(1) of the Charlotte County Code of Laws and Ordinances further establishes criteria for qualifying as an SZ and states that *"to qualify as an SZ, the proposed SZ must contain at least one (1) density unit and it must comply with one (1) of the following"* criteria, including that: *It is located within the coastal high hazard area (CHHA).*" This CSZ request meets this TDU Code requirement. In addition, the submitted restrictive covenant is required by and consistent with Section 3-9-150(d)(3)f, which states that: *"If public potable water or sanitary sewer service is available, SZ sites shall be placed under a*

restrictive covenant and all density severed except that owners shall retain one (1) unit of density per platted lot or parcel."

Staff Summary:

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, this CSZ application is consistent with the intent and requirements of the County's TDU Program as established in the County's Comprehensive Plan and the County's Code of Laws and Ordinances, and other applicable guidelines.

Attachment 1
Resolution Number 2016-079

R E S O L U T I O N
NUMBER 2016 - 079

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, APPROVING A PETITION FOR CERTIFICATION OF A SENDING ZONE; FOR CALCULATION AND SEVERANCE OF DENSITY UNITS; PETITION CSZ-16-05-01, IN ACCORDANCE WITH CHAPTER 3-5, ARTICLE XX, CODE OF LAWS AND ORDINANCES, CHARLOTTE COUNTY, FLORIDA; APPROVING AND ACCEPTING A CONSERVATION EASEMENT; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, Chapter 3-5, Article XX, Code of Laws and Ordinances, Charlotte County, Florida (hereinafter "TDU Code"), establishes processes and requirements for approval of petitions for transfers of density units; and

WHEREAS, Section 3-5-429 of the TDU Code provides the procedures for a severance of density involving a Sending Zone, or SZ (as that term is defined in the TDU Code); and

WHEREAS, applicant, the Andress Family Florida Limited Partnership ("Applicant"), submitted Petition CSZ-16-05-01 for a Certification of a Sending Zone ("CSZ Petition") and for approval by the Board of County Commissioners of Charlotte County, Florida ("Board") to sever Fifty-Five (55) units of density from the property described in Exhibit "A" ("Sending Zone" or "SZ") which exhibit is attached hereto and incorporated herein by reference, in accordance with the provisions of the TDU Code; and

WHEREAS, the Applicant has submitted all of the information and documentation required for the approval of the CSZ Petition pursuant to Section 3-5-429 of

the TDU Code, including the Conservation Easement, attached hereto as Exhibit “B,” granting certain property rights for the Sending Zone from the SZ owner to Charlotte County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida (“Board”):

1. Petition CSZ-16-05-01 submitted by the Andress Family Florida Limited Partnership (“Applicant”) requesting the severance of Fifty-Five (55) units of density from the property described in Exhibit “A”, which exhibit is attached hereto and incorporated herein by reference, is hereby approved.

2. The Conservation Easement attached hereto as Exhibit “B” provided by the Applicant, granting certain property rights from the SZ owner to Charlotte County, is hereby approved and accepted by the Board.

3. As a condition of approval, the TDU Certificate shall not be issued until the assessed fee for the Capital Improvement Infrastructure charges within the Rotonda Villas/Springs Water and Wastewater Municipal Services Benefit Unit (MSBU) in the amount of \$9,829.16 has been paid in full.

4. The effective date of this Resolution shall be the date this Resolution and the documents required by Section 3-5-429 of the TDU Code are recorded and upon the Applicant’s compliance with all other requirements of Section 3-5, Article XX.

PASSED AND DULY ADOPTED this 14th day of June, 2016.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: Christopher G. Constance Vice Chairman
~~William G. True~~

ATTEST:

Barbara T. Scott, Clerk of Circuit
Court and Ex-officio Clerk to the
Board of County Commissioners

By: Michelle DiBerardino
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2015-3782

Lots 1, 2, 3, 4, 5, 14, 15, 16, 17, 18, 19, 20, 27, and 28, Block 17 ROTONDA VILLAS, a subdivision according to the plat thereof, recorded in Plat Book 12, Pages 1A through 1Z15, of the Public Records of Charlotte County, Florida and Lot 82, Block 97, ROTONDA SPRINGS, a subdivision according to the plat thereof, recorded in Plat Book 12, Page 5, of the Public Records of Charlotte County, Florida

This document prepared by and return to:
Robert H. Bernissou
Bernissou, Ittersagen, Gunderson & Wideikis, LLP
18401 Murdock Circle, Suite C
Port Charlotte, Florida 33948

CONSERVATION EASEMENT

THIS CONSERVATION EASEMENT is given this 10th day of May, 2016 by ANDRESS FAMILY FLORIDA LIMITED PARTNERSHIP, a Florida limited partnership ("Grantor") to CHARLOTTE COUNTY, a political subdivision of the State of Florida, whose mailing address is 18500 Murdock Circle, Port Charlotte, FL 33948 ("Grantee"). As used herein, the term Grantor shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the "Property" (as hereinafter defined) and the term Grantee shall include any successor or assignee of Grantee.

WITNESSETH

WHEREAS, the Grantor is the owner of certain lands situated in Charlotte County, Florida, and more specifically described in Exhibit A attached hereto and incorporated herein ("Property"); and

WHEREAS, Grantor intends to sever density units allocated to the Property pursuant to Section 3-5-431, at. Seq. of the Charlotte County Code (the "TDU Ordinance"); and

WHEREAS, the Grantor, in consideration of the density units from the Property and pursuant to the preservation requirements contained in the TDU Ordinance, is agreeable to granting and securing to the Grantee a perpetual conservation easement, as defined in Section 704.06, Florida Statutes, over the Property; and

NOW THEREFORE, in consideration of, and as an inducement to, Grantee severing density units from the Property, together with other good and valuable consideration, including the elimination of any Equivalent Residential Units assigned to the Property for municipal service benefit unit purposes pursuant to the Charlotte County Conservation Easement Program, the sufficiency and receipt of which is hereby acknowledged, Grantor hereby grants, conveys, creates and establishes a perpetual conservation easement for and in favor of the Grantee upon the Property which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever ("Conservation Easement").

The scope, nature and character of this Conservation Easement shall be as follows:

1. The recitals hereinabove set forth are true and correct and are hereby incorporated into and made a part of this Conservation Easement.

2. It is the purpose of this conservation easement to retain land or water areas predominantly in their natural, vegetative, hydrologic, scenic, open or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife.

To carry out this purpose, the following rights are conveyed to Grantee by this easement:

a. To enter upon the Property at reasonable times and with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this conservation easement and to enforce the restoration of such areas or features of the Property that may be damaged by inconsistent activity or use.

c. Grantee may enforce the terms of this Conservation Easement. If Grantee does not exercise its rights under this Conservation Easement, Grantee's forbearance shall not be construed to be a waiver by Grantee of such term, or of any subsequent breach of the same, or any other term of this Conservation Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver. Grantee shall not be obligated to Grantor, or to any other person or entity, to enforce the provisions of this Conservation Easement.

3. The following activities are prohibited in or on the Property:

a. Construction or placing of buildings, road signs, billboards or other advertising, utilities or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill or dumping or placing of trash, waste or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic nuisance vegetation;

d. Excavation, dredging, or removal of loam, peat, soil, gravel, rock or other material substances in such a manner as to affect the surface.

e. Surface use except for the purposes that permit the land or water area to remain predominantly in its natural condition;

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of any features or aspects of the Property having historical or archaeological significance.

4. The following rights are specifically reserved to the Grantor, its heirs, successors and assigns:

a. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and that are not inconsistent with the any County rule or criteria or with the intent and purposes of this Conservation Easement. Specifically, the Property may be maintained in its current condition.

5. No right of access by the general public to any portion of the Property is conveyed by this conservation easement.

6. Grantee shall not be responsible for the costs or liabilities related to the operation, upkeep or maintenance of the Property.

7. Any costs incurred in enforcing, judicially or otherwise, the terms, provisions and restrictions of this Conservation Easement shall be borne by and recoverable against the non-prevailing party in such proceedings.

8. Grantee will hold this Conservation Easement exclusively for conservation purposes. Grantee will not assign its rights and obligations under this Conservation Easement except to another organization qualified to hold such interests under the applicable state laws. No assignment shall be made unless prior written approval is given by the Grantor.

9. If any provision of this Conservation Easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this conservation easement shall not be affected thereby, as long as the purpose of this conservation easement is preserved.

10. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States

certified mail, return receipt requested, addressed to the appropriate party or successor in interest.

11. Grantor shall record this Conservation Easement in timely fashion in the Official Records of Charlotte, County Florida, and shall rerecord it at any time Grantee may require to preserve its rights. Grantor shall pay all recording costs and taxes necessary to record this Conservation Easement in the public records. Grantor will hold Grantee harmless from any recording costs or taxes necessary to record this Conservation Easement in the public records.

12. This Conservation Easement may be amended, altered, released or revoked only by written agreement between the parties hereto or their heirs, assigns or successors in interest, which shall be filed in the public records in Charlotte County, Florida.

13. Neither Grantor, nor any person or entity claiming by or through Grantor shall hold Grantee liable for any damage or injury to person or personal property which may occur on the Property.

14. Nothing contained in this Conservation Easement shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from natural causes beyond Grantor's control, including without limitation, fire, flood, storm and earth movement, or from any necessary action taken by Grantor under emergency conditions to prevent, abate or mitigate significant injury to the Property resulting from such causes

15. The covenants, terms, conditions, restrictions, and purpose imposed with this Conservation Easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property. The terms, conditions, restrictions and purpose of this Conservation Easement shall be referred to by Grantor in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Conservation Easement. Any future holder of the Grantor's interest in the Property shall be notified in writing by Grantor of this Conservation Easement.

16. Grantor hereby covenants with Grantee that Grantor 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 Conservation Easement; that Grantor has good right and lawful authority to convey this Conservation Easement; and that it hereby fully warrants and defends the title to the Conservation Easement hereby conveyed against the lawful claims of all persons whomsoever, excepting only the State of Florida.

(THIS SPACE INTENTIONALLY BLANK)

ANDRESS FAMILY FLORIDA
LIMITED PARTNERSHIP

Witness Signature: [Signature]
Witness Printed Name: Cindy Fezzell

Witness Signature: [Signature]
Witness Printed Name: Susan C. Rose

By: [Signature]
NOEL E. ANDRESS, as President of
CAPRI HOLDINGS INVESTMENT
INCORPORATED, as General Partner

STATE OF FLORIDA)
) ss.
COUNTY OF Lee)

The foregoing instrument was sworn to and acknowledged before me this 10 day of May, 2016, by NOEL E. ANDRESS, as President of CAPRI HOLDINGS INVESTMENT INCORPORATED, as General Partner of ANDRESS FAMILY FLORIDA LIMITED PARTNERSHIP who is personally known to me or who has produced personally known as identification and who did take an oath.

[Signature]
Notary Public, State of Florida
My Commission Expires: 5/17/2018

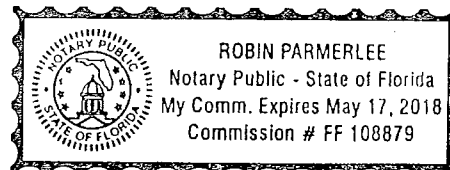


Exhibit A

Lots 1, 2, 3, 4, 5, 14, 15, 16, 17, 18, 19, 20, 27, and 28, Block 17 ROTONDA VILLAS, a subdivision according to the plat thereof, recorded in Plat Book 12, Pages 1A through 1Z15, of the Public Records of Charlotte County, Florida and Lot 82, Block 97, ROTONDA SPRINGS, a subdivision according to the plat thereof, recorded in Plat Book 12, Page 5, of the Public Records of Charlotte County, Florida

Attachment 2
Resolution Number 2023-185

CHG
BCC

RESOLUTION
NUMBER 2023 - 185

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, VACATING A PORTION OF THE ROTONDA VILLAS SUBDIVISION AND GENERALLY CONSISTING OF LOTS 12 THROUGH 22 IN BLOCK 17, LOTS 5 AND 7 THROUGH 13 IN BLOCK 18, AND A PORTION OF THE UNPAVED HARRING WAY, CONTAINING A TOTAL OF 354,742± SQUARE FEET OR 8.14± ACRES, AND GENERALLY LOCATED ALONG HARRING WAY, WEST OF ROTONDA TRACE, EAST OF SEDAN ROAD, AND SOUTH OF MADTOM WAY, IN THE PLACIDA AND THE WEST COUNTY AREA, AND LOCATED IN COMMISSION DISTRICT III; PROVIDING AN EFFECTIVE DATE;

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 13
INSTR #: 3323772 Doc Type: GOV
Recorded: 10/06/2023 at 01:20 PM
Rec. Fee: RECORDING \$112.00

RECITALS

WHEREAS, Andress Family Limited Partnership and Andress Holdings, LLC ("Petitioners"), have petitioned the Board of County Commissioners of Charlotte County, Florida ("Board"), pursuant to Section 177.101, Florida Statutes, to vacate a portion of the Rotonda Villas Subdivision generally consisting of Lots 12 through 22 in Block 17, Lots 5 and 7 through 13 in Block 18, and a portion of the unpaved Harring Way, containing 41,875± square feet or 0.96± acres, as recorded in Plat Book 12, Page 1, in the Public Records of Charlotte County, Florida; the total area to be vacated is 354,742± square feet or 8.14± acres and is generally located along Harring Way, west of Rotonda Trace, east of Sedan Road, and south of Madtom Way, in the Placida and the West County area, and more particularly described in Exhibit "A" attached hereto and by this reference provided herein; and

WHEREAS, the aforementioned lands are located in Commission District III and consist of approximately 8.14 acres more or less; and

WHEREAS, Section 177.101, Florida Statutes, authorizes the vacation of plats, either in whole or in part, including the vacation of streets therein, by the Board; and

WHEREAS, public notice of said application was published and evidence thereof given as required by law to the Board; and

WHEREAS, the application was heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based upon the findings and analysis provided by County

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Staff and the evidence presented to the P&Z Board, the P&Z Board recommended approval on August 14, 2023; and

WHEREAS, it has been shown by Petitioners on the application that Petitioners are the fee simple title owners of the property described above, on which property the plat sought to be vacated is located; and

WHEREAS, it is further determined that the plat vacation as petitioned for herein will not adversely affect the ownership or right of convenient access of persons owning other parts of the subdivision; and

WHEREAS, all state and county taxes due on the property which is the subject of the petition filed herein have been paid.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida ("Board"):

1. Based upon consideration of the evidence in support of the petition and the findings of this Board as set forth above, the Board does hereby vacate a portion of the Rotonda Villas Subdivision generally consisting of Lots 12 through 22 in Block 17, Lots 5 and 7 through 13 in Block 18, and a portion of the unpaved Haring Way, containing a total of 354,742± square feet or 8.14± acres, and generally located along Haring Way, west of Rotonda Trace, east of Sedan Road, and south of Madtom Way, in the Placida and the West County area, Charlotte County, Florida, Commission District III, and more particularly described in Exhibit "A" attached hereto and by this reference provided herein ("Property").

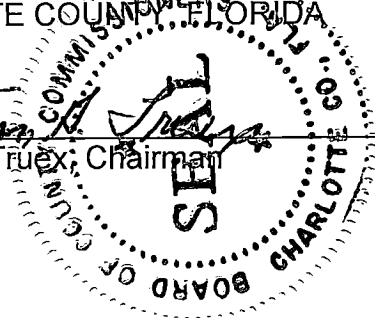
[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 26th day of September, 2023.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By:

William G. True
William G. True, Chairman



ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: Roger D. Eaton
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By:

Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2023-0420

LEGAL DESCRIPTION:

LOTS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 AND 22, BLOCK 17, ROTONDA VILLAS SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGES 1A-1Z15, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY FLORIDA.

ALONG WITH:

LOTS 5, 7, 8, 9, 10, 11, 12 AND 13, BLOCK 18, ROTONDA VILLAS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGES 1A-1Z15, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

ALONG WITH:

A PORTION OF HARRING WAY A 60 FOOT WIDE RIGHT-OF-WAY AS DEPICTED ON THE PLAT OF ROTONDA VILLAS SUBDIVISION, RECORDED IN PLAT BOOK 12, PAGES 1A-1Z15, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 12, BLOCK 17, SAID ROTONDA VILLAS SUBDIVISION; THENCE SOUTH $84^{\circ}00'00''$ WEST ALONG THE NORTHWEST RIGHT-OF-WAY OF HARRING WAY (60 FOOT WIDE), A DISTANCE OF 137.22 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH $84^{\circ}00'00''$ WEST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 80.39 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING AS ELEMENTS, A RADIUS OF 85.00 FEET, A CENTRAL ANGLE OF $92^{\circ}39'22''$, A CHORD BEARING OF SOUTH $37^{\circ}40'19''$ WEST, AND A CHORD LENGTH OF 122.96 FEET; THENCE ALONG THE ARC OF CURVE AND SAID HARRING WAY RIGHT-OF-WAY, A DISTANCE OF 137.46 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT HAVING AS ELEMENTS, A RADIUS OF 2,135.00 FEET, A CENTRAL ANGLE OF $14^{\circ}45'59''$, A CHORD BEARING OF SOUTH $16^{\circ}02'21''$ EAST AND A CHORD LENGTH OF 548.71 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY, A DISTANCE OF 550.23 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS, A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF $73^{\circ}44'37''$, A CHORD BEARING OF NORTH $66^{\circ}02'27''$ EAST AND A CHORD LENGTH OF 60.00 FEET; THENCE ALONG THE ARC OF SAID CURVE ACROSS SAID RIGHT-OF-WAY, A DISTANCE OF 64.35 FEET TO A POINT ON THE NORTHEAST RIGHT-OF-WAY OF SAID HARRING WAY, SAID POINT OF BEING

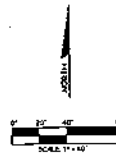


A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS, A RADIUS OF 2,075.00 FEET, A CENTRAL ANGLE OF $14^{\circ}45'03''$, A CHORD BEARING OF NORTH $16^{\circ}01'53''$ WEST AND A CHORD LENGTH OF 532.73 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY, A DISTANCE OF 534.21 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT HAVING AS ELEMENTS, A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF $92^{\circ}39'22''$, A CHORD BEARING OF NORTH $37^{\circ}40'19''$ EAST AND A CHORD LENGTH OF 36.17 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY, A DISTANCE OF 40.43 FEET TO THE POINT OF TANGENCY; THENCE NORTH $84^{\circ}00'00''$ EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 80.39 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS, A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF $73^{\circ}44'23''$, A CHORD BEARING OF NORTH $06^{\circ}00'00''$ WEST AND A CHORD LENGTH OF 60.00 FEET; THENCE ALONG SAID CURVE AND ACROSS SAID RIGHT OF WAY, A DISTANCE OF 64.35 FEET TO THE POINT OF BEGINNING.

CONTAINS 354,742 SQUARE FEET OR 8.14 ACRES MORE OR LESS

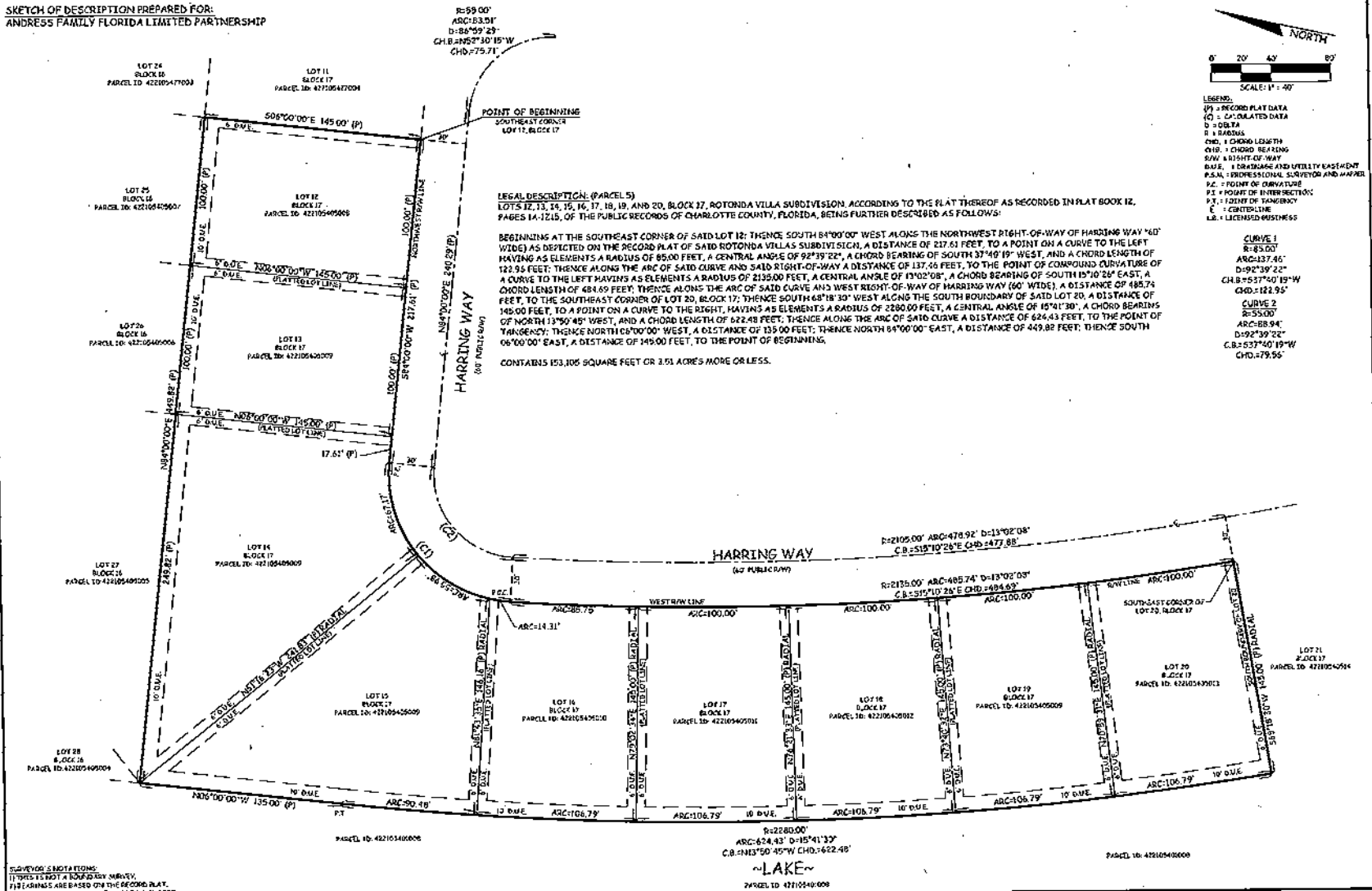


VICINITY MAP
NOT TO SCALE



LEGEND
 FEET
 1/4" = 100' (1:240)
 1/8" = 200' (1:480)
 1/16" = 400' (1:960)
 1/32" = 800' (1:960)
 1/64" = 1600' (1:960)
 1/128" = 3200' (1:960)
 1/256" = 6400' (1:960)
 1/512" = 12800' (1:960)
 1/1024" = 25600' (1:960)
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SKETCH OF DESCRIPTION PREPARED FOR:
ANDRESS FAMILY FLORIDA LIMITED PARTNERSHIP



REVISIONS NOTATIONS:
1) THIS IS NOT A BOUNDARY SURVEY.
2) BEARINGS ARE BASED ON THE RECORD PLAT.
3) DISTANCES ARE EXPRESSED IN DECIMAL FEET.

Gen³ LAND SURVEYING INC.

17805 TOLDO BLVD., SUITE 100, CHARLOTTE, NC 28245
404.429.6507 FAX 404.429.6508

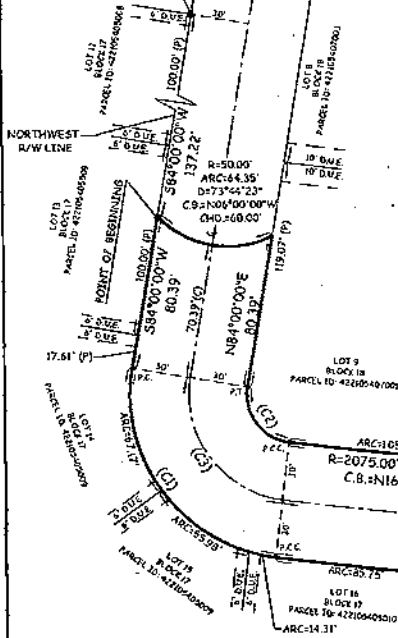
SKETCH OF DESCRIPTION

REVISION	DATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY PERSONAL SUPERVISION AND ACCORDS WITH THE STANDARDS OF PRACTICE FOR SURVEYING AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS INCORPORATED IN 1967, FLORIDA STATUTES CODE, CHAPTER 471, PART 1, SECTION 17.01, 17.02, 17.03, 17.04, 17.05, 17.06, 17.07, 17.08, 17.09, 17.10, 17.11, 17.12, 17.13, 17.14, 17.15, 17.16, 17.17, 17.18, 17.19, 17.20, 17.21, 17.22, 17.23, 17.24, 17.25, 17.26, 17.27, 17.28, 17.29, 17.30, 17.31, 17.32, 17.33, 17.34, 17.35, 17.36, 17.37, 17.38, 17.39, 17.40, 17.41, 17.42, 17.43, 17.44, 17.45, 17.46, 17.47, 17.48, 17.49, 17.50, 17.51, 17.52, 17.53, 17.54, 17.55, 17.56, 17.57, 17.58, 17.59, 17.60, 17.61, 17.62, 17.63, 17.64, 17.65, 17.66, 17.67, 17.68, 17.69, 17.70, 17.71, 17.72, 17.73, 17.74, 17.75, 17.76, 17.77, 17.78, 17.79, 17.80, 17.81, 17.82, 17.83, 17.84, 17.85, 17.86, 17.87, 17.88, 17.89, 17.90, 17.91, 17.92, 17.93, 17.94, 17.95, 17.96, 17.97, 17.98, 17.99, 18.00.

DATE OF SURVEY: 10/1/2024
DRAWN BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

SKETCH OF DESCRIPTION PREPARED FOR:
ANDRESS FAMILY FLORIDA LIMITED PARTNERSHIP
POINT OF COMMENCEMENT
SOUTHEAST CORNER
LOT 12, BLOCK 17



LEGAL DESCRIPTION

A PORTION OF HARRING WAY, A 60' WIDE RIGHT-OF-WAY AS DEPICTED ON THE PLAT OF ROTONDA VILLAS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGES 1A-1215, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 12, BLOCK 17, SAID ROTONDA VILLAS SUBDIVISION; THENCE SOUTH 84°00'00" WEST ALONG THE NORTHWEST RIGHT-OF-WAY OF SAID HARRING WAY (60' WIDE), A DISTANCE OF 137.22 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 84°00'00" WEST, A DISTANCE OF 80.39 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING AS ELEMENTS A RADIUS OF 85.00 FEET, A CENTRAL ANGLE OF 92°39'22". A CHORD BEARING OF SOUTH 37°40'19" WEST, AND A CHORD LENGTH OF 122.56 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 137.46 FEET, TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT HAVING AS ELEMENTS A RADIUS OF 215.00 FEET, A CENTRAL ANGLE OF 14°45'59". A CHORD BEARING OF SOUTH 10°32'21" EAST, AND A CHORD LENGTH OF 548.71 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 550.23 FEET, TO A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 73°44'23", A CHORD BEARING OF NORTH 66°02'27" EAST, AND A CHORD LENGTH OF 60.00 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 64.35 FEET TO A POINT ON THE NORTHEAST RIGHT-OF-WAY OF SAID HARRING WAY, SAID POINT BEING A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS A RADIUS OF 2075.00 FEET, A CENTRAL ANGLE OF 14°45'03", A CHORD BEARING OF NORTH 16°01'53" WEST, AND A CHORD LENGTH OF 532.73 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 534.21 FEET, TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT HAVING AS ELEMENTS A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 92°39'22", A CHORD BEARING OF NORTH 37°40'19" EAST, AND A CHORD LENGTH OF 34.17 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 40.43 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 84°00'00" EAST, A DISTANCE OF 80.39 FEET, TO A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 73°44'23", A CHORD BEARING OF NORTH 05°00'00" WEST, AND A CHORD LENGTH OF 60.00 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 64.35 FEET, TO THE POINT OF BEGINNING.

CONTAINS 41,875 SQUARE FEET OR 0.94 ACRES MORE OR LESS.

LEGEND:
(P) = RECORD PLAT DATA
(C) = CALCULATED DATA
D = DELTA
R = RADIUS
CHD = CHORD LENGTH
CHB = CHORD BEARING
R/W = RIGHT-OF-WAY
D.U.E. = DRAINAGE AND UTILITY EASEMENT
P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
P.C. = POINT OF CURVATURE
P.T. = POINT OF TANGENCY
P.C.C. = POINT OF COMPOUND CURVATURE
E = CENTERLINE
L.B. = LICENSED BUSINESS

CURVE 1	CURVE 2	CURVE 3
R=85.00'	R=25.00'	R=55.00'
ARC=137.46'	ARC=40.43'	ARC=68.94'
D=92°39'22"	D=92°39'22"	D=92°39'22"
CHB=537°40'19"W	CHB=N37°40'19"E	CHB=N37°40'19"E
CHD=122.56'	CHD=34.17'	CHD=79.55'

SURVEYOR'S NOTATIONS:
1) THIS IS NOT A BOUNDARY SURVEY.
2) BEARINGS ARE BASED ON THE RECORD PLAT.
3) DISTANCES ARE EXPRESSED IN DECIMAL FEET.

Gen³
LAND SURVEYING INC.

1740 E. CO. ROAD BLVD., SUITE B, P.O. BOX 677, FL 33548
info@gen3survey.com
(941) 427-4801 L.B. # 5140

REVISION:

DATE:

NOTE: THE UNDERSIGNED AND ALL LAND SURVEYING, INC. MAKE NO WARRANTIES, GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT-OF-WAYS, DEEDS, AGREEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS, EXCEPT AS NOTED OTHERWISE. DETERMINATION OF RECORDS FOR THE ABILITY OF LIABILITY TO USE THIS PLAT OF LAND FOR ANY PURPOSE IS NOT INCLUDED IN THIS SURVEY. THE SURVEY WAS MADE WITHOUT KNOWLEDGE OF A TITLE RELEVANT UNLESS NOTED OTHERWISE. THIS SURVEY IS NOT VALID UNLESS IT BEARS AN ORIGINAL SURVEYOR AND AN EMBOSSED SURVEYOR'S SEAL. ANY ADDITIONS AND/OR DELETIONS TO THIS SURVEY OR CORRECTIONS TO THIS SURVEY IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE UNDERSIGNED. THIS SURVEY IS PREPARED SPECIFICALLY FOR THE PARTY OR PARTIES LISTED ABOVE. USE OF THIS SURVEY BY OTHERS FOR LENDING, DESIGN, CONSTRUCTION, OR ANY OTHER PURPOSE WILL BE AT THE SOLE RISK OF THE USER. WHILE APPLICABLE, FLOOD ZONE INFORMATION HAS BEEN DETERMINED FROM THE FEMA FLOOD INSURANCE RATE MAP AS A COUNCIL TO THE CLIENT. IT IS THE RESPONSIBILITY OF THE CLIENT TO VERIFY THE FLOOD ZONE INFORMATION AND ANY APPLICABLE BASE FLOOD ELEVATION REQUIREMENTS WITH THE LOCAL GOVERNING BODY AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR A FINAL DETERMINATION WHERE APPLICABLE. SPOT ELEVATIONS AND TYPICAL LOCATIONS ARE APPROXIMATE UNLESS NOTED OTHERWISE. ONLY MEAN SEA LEVEL ELEVATIONS HAVE BEEN OBTAINED. TERRAIN MAY VARY GREATLY. THIS SURVEY IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS DESIGNED AND FOR WHICH IT WAS OBTAINED. THIS SURVEY IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS OBTAINED.

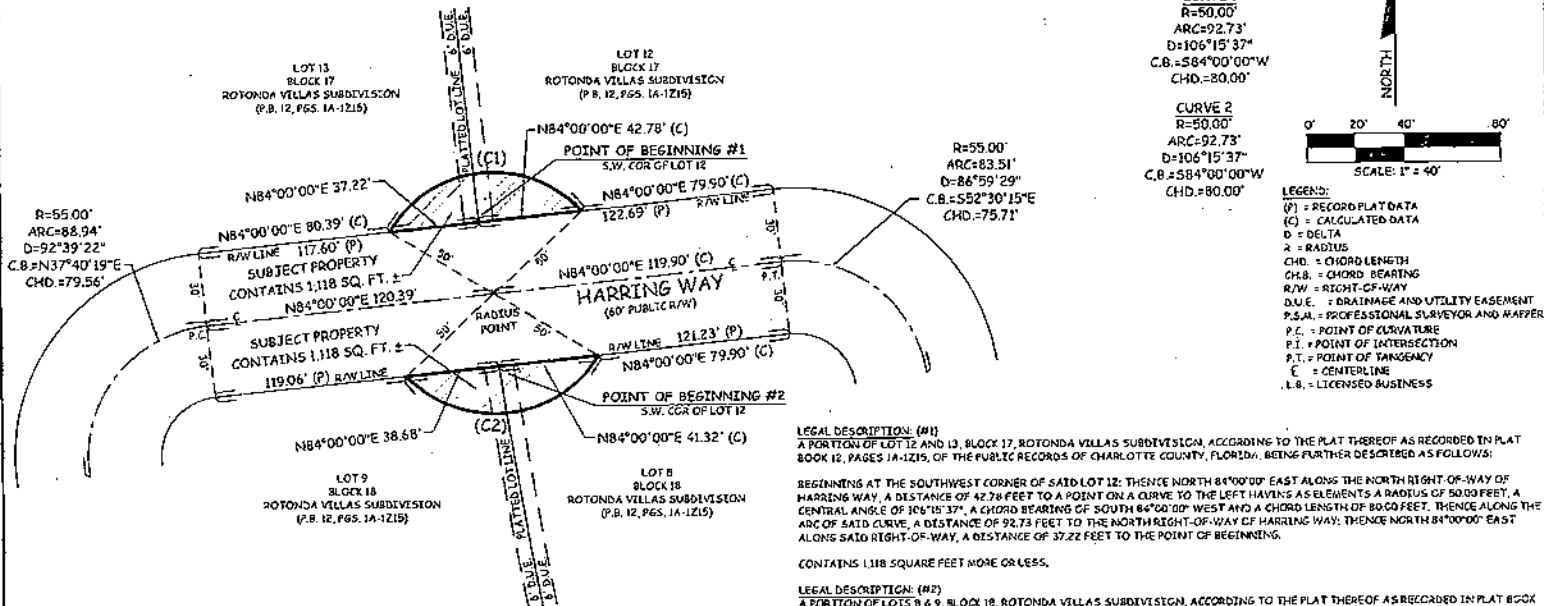
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYS AS SET FORTH IN THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS REGULATIONS, 65C-17, FLORIDA STATUTES, TITLE 463, PART 17, SECTION 17.02, FLORIDA STATUTES.

R.J. Strickland, Jr., P.S.M.
Florida Registration #6144
Digitally signed by R.J. Strickland, Jr., P.S.M., Florida Registration #6144
Date: 2023.03.31 14:10:07 -04'00'

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED VALID UNLESS THEY ARE SIGNED AND SEALED BY THE SURVEYOR. THIS SURVEY IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS OBTAINED.

23-17123

SKETCH OF DESCRIPTION PREPARED FOR:
ANDRESS FAMILY FLORIDA LIMITED PARTNERSHIP



LEGAL DESCRIPTION: (#1)
A PORTION OF LOT 12 AND 13, BLOCK 17, ROTONDA VILLAS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGES 1A-1Z15, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 12; THENCE NORTH 84°00'00" EAST ALONG THE NORTH RIGHT-OF-WAY OF HARRING WAY, A DISTANCE OF 42.78 FEET TO A POINT ON A CURVE TO THE LEFT HAVING AS ELEMENTS A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 106°15'37", A CHORD BEARING OF SOUTH 84°00'00" WEST AND A CHORD LENGTH OF 80.00 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 92.73 FEET TO THE NORTH RIGHT-OF-WAY OF HARRING WAY; THENCE NORTH 84°00'00" EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 37.22 FEET TO THE POINT OF BEGINNING.

CONTAINS 1,118 SQUARE FEET MORE OR LESS.

LEGAL DESCRIPTION: (#2)
A PORTION OF LOTS 8 & 9, BLOCK 18, ROTONDA VILLAS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGES 1A-1Z15, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 8; THENCE NORTH 84°00'00" EAST ALONG THE SOUTH RIGHT-OF-WAY OF HARRING WAY (60 FEET WIDE), A DISTANCE OF 41.32 FEET, TO A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 106°15'37", A CHORD BEARING OF SOUTH 84°00'00" WEST AND A CHORD LENGTH OF 80.00 FEET; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 92.73 FEET TO THE SOUTH RIGHT-OF-WAY OF HARRING WAY; THENCE NORTH 84°00'00" EAST, A DISTANCE OF 38.88 FEET TO THE POINT OF BEGINNING.

CONTAINS 1,118 SQUARE FEET MORE OR LESS.

SURVEYOR'S NOTATIONS:
1) THIS IS NOT A BOUNDARY SURVEY.
2) BEARINGS ARE BASED ON THE RECORD PLAT.
3) DISTANCES ARE EXPRESSED IN DECIMAL FEET.

Gen³
LAND SURVEYING INC.
1740 TOLDO ROAD BLVD, SUITE B, FORT CHARLOTTE, FL 33948
www.gen3survey.com
(941) 437-4800 L.B. #1440

REVISION	DATE	NOTE
		NOTE: THE UNDERSIGNED AND GEN ³ LAND SURVEYING, INC. MAKE NO WARRANTIES, GUARANTEES OR REPRESENTATIONS IN FURNISHING INFORMATION SHOWN HEREON PERTAINING TO ASSURANCE, ADJUST-OF-WAYS, SETBACK LINES, ADJACENT RESERVATIONS, AND OTHER ADJACENT MATTERS, EXCEPT PLATTED EASEMENTS WHERE APPLICABLE. DETERMINATION ON RESEARCH FOR THE ABILITY OR UNABILITY TO USE THIS PARCEL OF LAND FOR ANY PURPOSE IS NOT UNDERTAKEN BY THIS SURVEY. THE SURVEY HAS BEEN SHOWN AS SHOWN WITHOUT ANY REQUEST OF A TITLE REPORT, ACCESS, NOTED OTHERWISE. THIS SECTION IS NOT VALID UNLESS IT BEARS AN ORIGINAL SIGNATURE AND AN UNDESSSED SURVEYOR'S SEAL, ANY ADDITIONS AND/OR DELETIONS TO THIS SECTION OR DESTRUCTION OF THIS SECTION IS PROHIBITED. NO PART OF THE SURVEY CONSISTING OF THE UNDERSIGNED, THIS SURVEY IS PREPARED SPECIFICALLY FOR THE PARTY OR PARTIES LISTED ABOVE. USE OF THIS SURVEY BY OTHERS FOLLOWING, DESIGN, CONSTRUCTION, OR ANY OTHER REASON WILL BE AT THE SOLE RISK OF THE USER, WHERE APPLICABLE, FLOOD ZONE DETERMINATION HAS BEEN OBTAINED FROM THE FLOOD INSURANCE RATE MAPS AS A SOURCE BY THE CLIENT. IT IS THE RESPONSIBILITY OF THE CLIENT TO VERIFY THE FLOOD ZONE DETERMINATION AND ANY APPLICABLE BASE FLOOD ELEVATION REQUIREMENTS WITH THE LOCAL GOVERNING BODY AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR A FINAL DETERMINATION, WHERE APPLICABLE. SPOT ELEVATIONS AND THEIR LOCATIONS ARE, IN NO WAY, INTENDED TO BE USED FOR ANY PURPOSES. ONLY MEASURED ELEVATIONS HAVE BEEN OBTAINED. TOPOGRAPHY BETWEEN SPOT ELEVATIONS MAY VARY GREATLY. IT IS SHOWN AS COMBINED BY SPOT ELEVATIONS ARE TO BE USED FOR DESIGN AND EVALUATION OF TECHNICAL PURPOSES. ADDITIONAL TOPOGRAPHY MAY BE OBTAINED BY THE CLIENT.

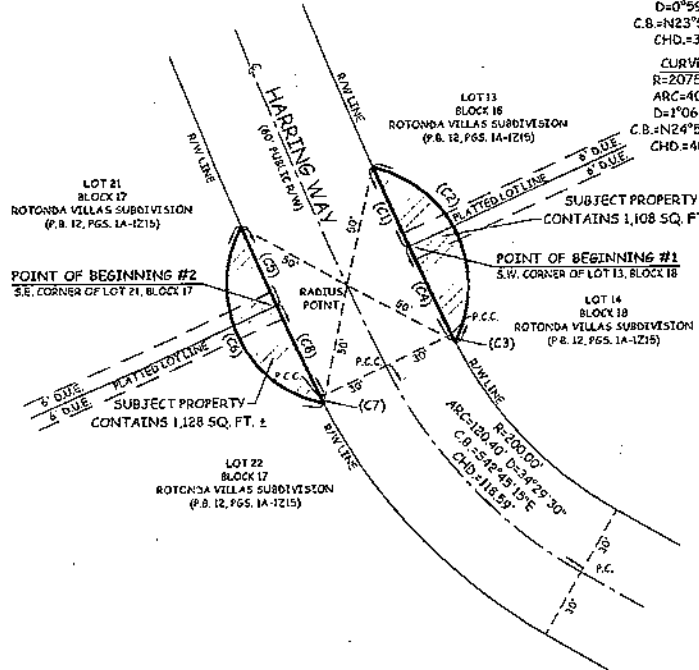
I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY PERSONAL SUPERVISION AND RESPONSIBILITY AND THAT I AM A LICENSED PROFESSIONAL SURVEYOR AND MAPPER IN THE STATE OF FLORIDA, AS SET FORTH IN THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5517, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.037, FLORIDA STATUTES.

R.J. Strickland, P.S.M.
Florida Registration #6144
Digitally signed by R.J. Strickland, Jr., P.S.M., Florida Registration #6144
Date: 2023.03.21 15:21:31 -04'00'

PRINTED COPIES OF THIS DOCUMENT ARE NOT OF RECORD. COPIES OF THIS DOCUMENT ARE NOT OF RECORD. COPIES OF THIS DOCUMENT ARE NOT OF RECORD.

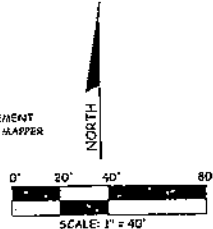
23-17126

SKETCH OF DESCRIPTION PREPARED FOR:
ADDRESS FAMILY FLORIDA LIMITED PARTNERSHIP



CURVE 1 R=2075.00' ARC=36.04' D=0°59'42" C.B.=N23°54'16"W CHD.=36.04'	CURVE 2 R=50.00' ARC=91.74' D=105°07'32" C.B.=S24°31'28"E CHD.=79.40'	CURVE 3 R=170.00' ARC=3.30' D=1°06'48" C.B.=N26°03'54"W CHD.=3.30'
CURVE 4 R=2075.00' ARC=40.07' D=1°06'23" C.B.=N24°57'18"W CHD.=40.07'	CURVE 5 R=2135.00' ARC=35.51' D=0°57'10" C.B.=N23°53'56"W CHD.=35.51'	CURVE 6 R=50.00' ARC=93.70' D=107°22'05" C.B.=S24°30'54"E CHD.=80.58'
CURVE 7 R=230.00' ARC=2.85' D=0°42'40" C.B.=N25°51'50"W CHD.=2.85'	CURVE 8 R=2135.00' ARC=42.22' D=1°07'59" C.B.=N24°56'30"W CHD.=42.22'	

LEGEND:
(P) = RECORD PLAT DATA
(C) = CALCULATED DATA
D = DELTA
R = RADIUS
CHD. = CHORD LENGTH
CHB. = CHORD BEARING
R/W = RIGHT-OF-WAY
D.U.E. = DRAINAGE AND UTILITY EASEMENT
P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
P.C. = POINT OF CURVATURE
P.I. = POINT OF INTERSECTION
P.T. = POINT OF TANGENCY
E = CENTERLINE
L.B. = LICENSED BUSINESS



SURVEYOR'S NOTATIONS:
1) THIS IS NOT A BOUNDARY SURVEY.
2) BEARINGS ARE BASED ON THE RECORD PLAT.
3) DISTANCES ARE EXPRESSED IN DECIMAL FEET.

Gen³ LAND SURVEYING INC.
17940 TOLDO BLVD. SUITE B FORT CHARLOTTE, FL 34686
407-990-1474
(941) 522-4501 L.B.# 8440

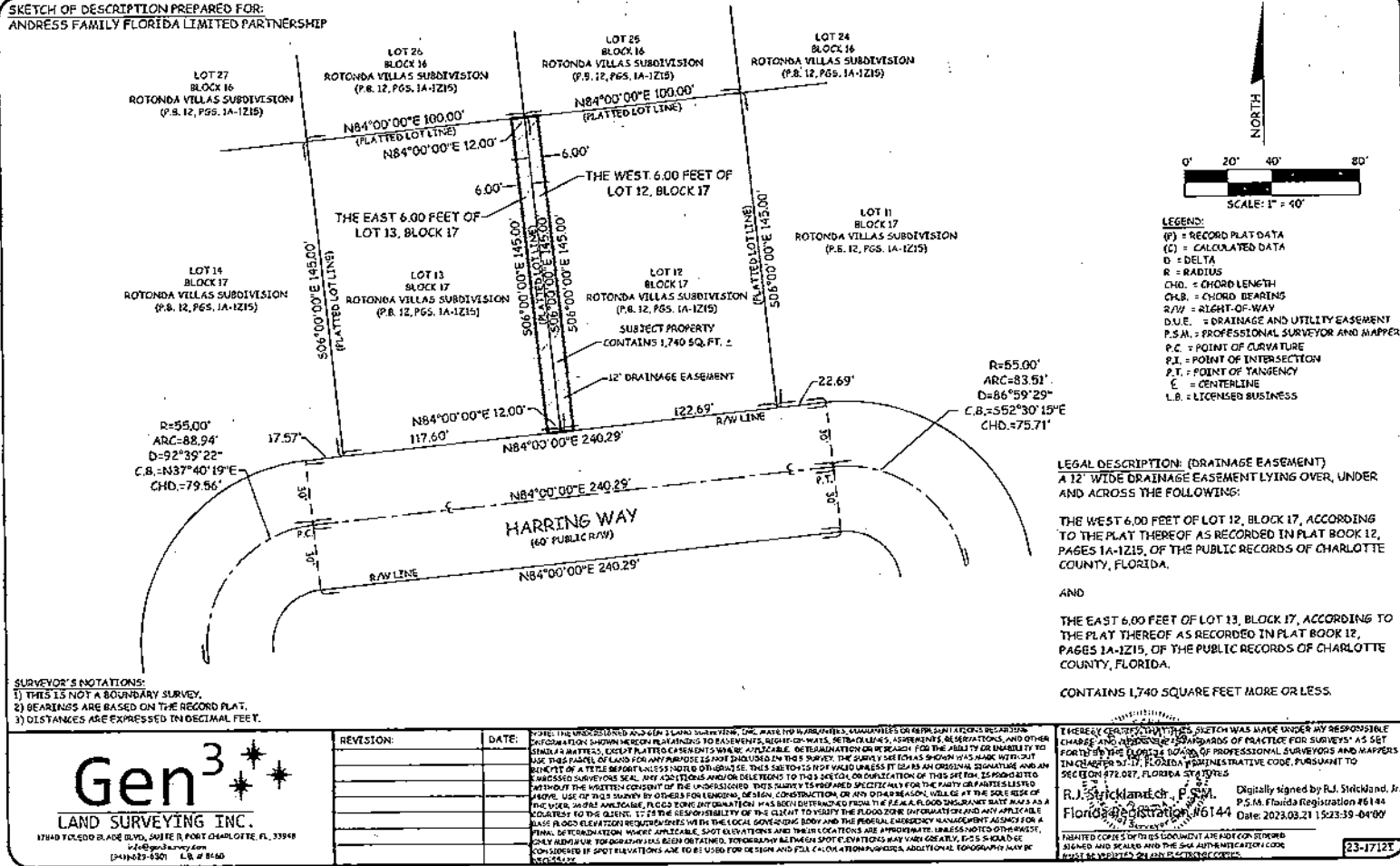
REVISION:	DATE:	NOTE:

LEGAL DESCRIPTION: #1
A PORTION OF LOTS 13 AND 14, BLOCK 18, ROTONDA VILLAS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGES 1A-1Z15, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 13, SAID POINT BEING A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS A RADIUS OF 2075.00 FEET, A CENTRAL ANGLE OF 0°05'41", A CHORD BEARING OF NORTH 23°54'16" WEST AND A CHORD LENGTH OF 36.04 FEET; THENCE ALONG THE ARC OF SAID CURVE AND THE EAST RIGHT-OF-WAY OF HARRING WAY (60 FEET WIDE) A DISTANCE OF 36.04 FEET TO A POINT OF CURVATURE TO THE RIGHT HAVING AS ELEMENTS A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 105°07'32", A CHORD BEARING OF SOUTH 24°31'28" EAST AND A CHORD LENGTH OF 79.40 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING AS ELEMENTS A RADIUS OF 170.00 FEET, A CENTRAL ANGLE OF 3.30 FEET; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING AS ELEMENTS A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 91.74 FEET TO THE EAST RIGHT-OF-WAY OF SAID HARRING WAY SAID POINT BEING A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS A RADIUS OF 2075.00 FEET, A CENTRAL ANGLE OF 01°06'48", A CHORD BEARING OF NORTH 26°03'54" WEST AND A CHORD LENGTH OF 3.30 FEET; THENCE ALONG THE ARC OF CURVE AND SAID RIGHT-OF-WAY, A DISTANCE OF 3.30 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING AS ELEMENTS A RADIUS OF 2075.00 FEET, A CENTRAL ANGLE OF 01°06'23", A CHORD BEARING OF NORTH 24°57'18" WEST AND A CHORD LENGTH OF 40.07 FEET; THENCE ALONG THE ARC OF CURVE AND SAID RIGHT-OF-WAY, A DISTANCE OF 40.07 FEET TO THE POINT OF BEGINNING.
CONTAINS 1,108 SQUARE FEET MORE OR LESS.

LEGAL DESCRIPTION: #2
A PORTION OF LOTS 21 AND 22, BLOCK 17, ROTONDA VILLAS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGES 1A-1Z15, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 21 SAID POINT BEING A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS A RADIUS OF 2135.00 FEET, A CENTRAL ANGLE OF 00°57'10", A CHORD BEARING OF NORTH 23°53'56" WEST AND A CHORD LENGTH OF 35.51 FEET; THENCE ALONG THE ARC OF SAID CURVE AND THE WEST RIGHT-OF-WAY OF HARRING WAY (60 FEET WIDE) A DISTANCE OF 35.51 FEET TO A POINT ON A CURVE TO THE LEFT HAVING AS ELEMENTS A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 107°22'05", A CHORD BEARING OF SOUTH 24°30'54" EAST AND A CHORD LENGTH OF 80.58 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 93.70 FEET TO THE WEST RIGHT-OF-WAY OF HARRING WAY SAID POINT BEING A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS A RADIUS OF 2135.00 FEET, A CENTRAL ANGLE OF 00°42'40", A CHORD BEARING OF NORTH 25°51'50" WEST AND A CHORD LENGTH OF 2.85 FEET; THENCE ALONG THE ARC OF CURVE AND SAID RIGHT-OF-WAY, A DISTANCE OF 2.85 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT, HAVING AS ELEMENTS A RADIUS OF 2135.00 FEET, A CENTRAL ANGLE OF 01°07'59", A CHORD BEARING OF NORTH 24°56'30" WEST AND A CHORD LENGTH OF 42.22 FEET; THENCE ALONG THE ARC OF CURVE AND SAID RIGHT-OF-WAY, A DISTANCE OF 42.22 FEET TO THE POINT OF BEGINNING.
CONTAINS 1,128 SQUARE FEET MORE OR LESS.

I HEREBY CERTIFY THAT THIS SKETCH WAS MADE UNDER MY RESPONSIBILITY AND ACCORDING TO THE STANDARDS OF PRACTICE FOR SURVEYS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 63-27, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 403.22, FLORIDA STATUTES.
R.J. Strickland, Jr., P.S.M.
Florida Registration #6144
Dated: 2023.03.31 15:22:41 -0400
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23-1712H

SKETCH OF DESCRIPTION PREPARED FOR:
ANDRESS FAMILY FLORIDA LIMITED PARTNERSHIP



SURVEYOR'S NOTATIONS:
1) THIS IS NOT A BOUNDARY SURVEY.
2) BEARINGS ARE BASED ON THE RECORD PLAT.
3) DISTANCES ARE EXPRESSED IN DECIMAL FEET.

Gen³

1744D TOLDO BLVD, SUITE B, PORT CHARLOTTE, FL 33948
info@gen3survey.com
(341) 629-6301 L.R. # 8460

[illegible]

THESE CERTIFICATES OF REGISTRATION WERE MADE UNDER RESPONSIBILITY
CHARGE AND RESPONSIBILITY OF THE SETTLER FOR SURVEYS AS SET
FORWARD BY THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS
IN GAINESVILLE, FLORIDA ADMINISTRATIVE CODE PURSUANT TO
SECTION 472.07, FLORIDA STATUTES

R.J. Strickland, Jr., F.S.M.
Florida Registration #6144

Digitally signed by R.J. Strickland, Jr.
P.S.M. Florida Registration #6144
Date: 2023.03.21 15:23:39 -0400

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SIGNED AND SEALED WITH A DIGITAL AUTHENTICATION CODE
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23-47123

Sun Newspapers
Legal Advertising
23170 Harborview Rd
Port Charlotte, FL 33980

10/06/23

**NOTICE OF ADOPTION OF
RESOLUTION**

Phone: (941) 206-1025 Email: legals@yoursun.com

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Board of County Commissioners of Charlotte County, Florida, in regular session assembled on the 26th day of September 2023, adopted a Resolution closing, vacating and abandoning the following described properties:

Acct#: 163352	Date: 10/06/23
	Ad Date: 10/05/23
	Class: 3138
	Ad ID: 3905964
RHIANNON MILLS	Ad Taker: MPRESCOTT
BOARD OF COUNTY COMMISSIONERS	Sales Person: 200
18500 MURDOCK CIR	Words: 737
PORT CHARLOTTE, FL 33948	Lines: 171
	Agate Lines: 192
Telephone: (941) 743-1374	Depth: 20.194
	Inserts: 1
	Description: PV-23-04-02

PV-23-04-02

The applicants, Address Family Limited Partnership and Andress Holdings, LLC, are requesting to vacate a portion of the Rotonda Villas Subdivision generally consisting of Lots 12 through 22 in Block 17, Lots 5 and 7 through 13 in Block 18, and a portion of the unpaved Harring Way, consisting of 41,875± square feet or 0.96± acres, as recorded in Plat Book 12, Page 1, in the Public Records of Charlotte County, Florida. The total area to be vacated is 354,742± square feet or 8.14± acres and is generally located along Harring Way, west of Rotonda Trace, east of Sedan Road and south of Matom Way, in the Placida and the West County area, and located in Commission District III.

Other Charges:	\$0.00	Gross:	\$277.26
Discount:	\$0.00		
Surcharge:	\$0.00	Paid Amount:	- \$0.00
Credits:	\$0.00		
Bill Depth:	20.194	Amount Due:	\$277.26

Publication	Start	Stop	Inserts	Cost
Charlotte Sun (CS)	10/05/23	10/05/23	1	\$277.26

Ad Note:

Customer Note:

DESCRIPTION:

LOTS 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 AND 22, BLOCK 17, ROTONDA VILLAS SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGES 1A-1Z15, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY FLORIDA.

ALONG WITH:

LOTS 5, 7, 8, 9, 10, 11, 12 AND 13, BLOCK 18, ROTONDA VILLAS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGES 1A-1Z15, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

ALONG WITH:

A PORTION OF HARRING WAY A 60 FOOT WIDE RIGHT-OF-WAY AS DEPICTED ON THE PLAT OF ROTONDA VILLAS SUBDIVISION, RECORDED IN PLAT BOOK 12, PAGES 1A-1Z15, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 12, BLOCK 17, SAID ROTONDA VILLAS SUBDIVISION; THENCE SOUTH 84°00'00" WEST ALONG THE NORTHWEST RIGHT-OF-WAY OF HARRING WAY (60 FOOT WIDE), A DISTANCE OF 137.22 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 84°00'00" WEST ALONG SAID

We Appreciate Your Business!
Thank You RHIANNON MILLS!

RIGHT-OF-WAY, A DISTANCE OF 80.39 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING AS ELEMENTS, A RADIUS OF 85.00 FEET, A CENTRAL ANGLE OF 92°39'22" A CHORD BEARING OF SOUTH 37°40'19" WEST, AND A CHORD LENGTH OF 122.96 FEET; THENCE ALONG THE ARC OF CURVE AND SAID HARRING WAY RIGHT-OF-WAY, A DISTANCE OF 137.46 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE LEFT HAVING AS ELEMENTS, A RADIUS OF 2,135.00 FEET, A CENTRAL ANGLE OF 14°45'59" A CHORD BEARING OF SOUTH 16°02'21" EAST AND A CHORD LENGTH OF 548.71 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY, A DISTANCE OF 550.23 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS, A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 73°44'37" A CHORD BEARING OF NORTH 66°02'27" EAST AND A CHORD LENGTH OF 60.00 FEET; THENCE ALONG THE ARC OF SAID CURVE ACROSS SAID RIGHT-OF-WAY, A DISTANCE OF 64.35 FEET TO A POINT ON THE NORTHEAST RIGHT-OF-WAY OF SAID HARRING WAY, SAID POINT OF BEING A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS, A RADIUS OF 2,075.00 FEET, A CENTRAL ANGLE OF 14°45'03" A CHORD BEARING OF NORTH 16°01'53" WEST AND A CHORD LENGTH OF 532.73 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY, A DISTANCE OF 534.21 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT HAVING AS ELEMENTS, A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 92°39'22" A CHORD BEARING OF NORTH 37°40'19" EAST AND A CHORD LENGTH OF 36.17 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY, A DISTANCE OF 40.43 FEET TO THE POINT OF TANGENCY; THENCE NORTH 84°00'00" EAST ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 80.39 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING AS ELEMENTS, A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 73°44'23" A CHORD BEARING OF NORTH 06°00'00" WEST AND A CHORD LENGTH OF 60.00 FEET; THENCE ALONG SAID CURVE AND ACROSS SAID RIGHT OF WAY, A DISTANCE OF 64.35 FEET TO THE POINT OF BEGINNING.

CONTAINS 354,742 SQUARE FEET OR 8.14 ACRES MORE OR LESS CONTAINS 354,742 SQUARE FEET OR 8.14 ACRES MORE OR LESS

Dated at Murdock, Charlotte County, Florida, the 26th day of September 2023.
BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA
/s/ William G. Truex, Chairman
Publish: 10/05/23
163352 3905964

Attachment 3
Recorded Restrictive Covenant

Document Prepared by and return to:
Robert H. Berntsson
Wideikis, Benedict & Berntsson, LLC
3195 S. Access Road
Englewood, FL 34224

RESTRICTIVE COVENANT

This Restrictive Covenant is made this 20 day of June, 2023, by ANDRESS FAMILY FLORIDA LIMITED PARTNERSHIP, a Florida limited partnership as to Lots 12-15, 21 and 22, Block 17 and Lot 13, Block 18 ROTONDA VILLAS, a subdivision according to the plat thereof, recorded in Plat Book 12, Pages 1A through 1Z15, of the Public Records of Charlotte County, Florida and, ANDRESS HOLDINGS, LLC, a Florida Limited Liability Company as to Lots 5 and 7-12, Block 18 ROTONDA VILLAS, a subdivision according to the plat thereof, recorded in Plat Book 12, Pages 1A through 1Z15, of the Public Records of Charlotte County, Florida, referred to as "OWNERS" of the "PROPERTY".

WHEREAS, OWNERS are the fee title OWNERS of the PROPERTY located in Charlotte County, Florida, as legally described above; and

WHEREAS, OWNERS hereby declare that OWNERS are 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 Covenant; that OWNERS have good, right and lawful authority to make this Covenant; and that OWNERS agree to fully warrant and defend this Covenant against the claims of all persons whomsoever; and

WHEREAS OWNERS have applied to Charlotte County for a partial vacation of the above referenced plat under Application PV-23-04-02; and

WHEREAS, Charlotte County has requested this Covenant be filed to reflect and restrict the total density of the PROPERTY; and

WHEREAS, OWNERS in fulfillment of that obligation, hereby place the following Restrictive Covenant on the use of the PROPERTY.

NOW, THEREFORE:

1. The recitals set forth above are true and correct and are incorporated into this Covenant.
2. OWNERS hereby declare that the PROPERTY shall be held, maintained, transferred, sold, conveyed and owned subject to the following restrictive covenant:

OWNERS hereby agree that FORTY-THREE (43) Density Units exist on the PROPERTY. Any future residential development of the PROPERTY shall be restricted by the provisions herein, and the base density, as such term is defined by Charlotte County Code, shall be limited to Forty-Three (43) density units.

3. That the Conservation Easement, recorded at OR Book 4092, Page 1413 is valid and remains in full force and affect, and that the legal description attached hereto as Exhibit A replaces that part of the legal description attached to said Conservation Easement as to Lots 14-20, Block 17 ROTONDA VILLAS, a subdivision according to the plat thereof, recorded in Plat Book 12, Pages 1A through 1Z15, of the Public Records of Charlotte County, Florida. Lots 14-20, Block 17 ROTONDA VILLAS contain approximately 2.85 acres and are restricted to zero residential units.
4. The remaining portion of the PROPERTY zoned Residential Multi-family 10 (RMF-10) contains approximately 4.33 acres with residential development rights of ten units per acre and is hereby restricted to a base density of forty-three dwelling units.
5. If the OWNERS wish to develop any portion of the PROPERTY outside of the Conservation Easement area, at a density above the base densities described herein, the OWNERS will be required to transfer density to the PROPERTY in accordance with the County's Land Development Regulations, Section 3-9-150: Transfer of Density Units, as may be amended, or by a legal means allowed under the County's Land Development Regulations in force at the time of application.
6. This Covenant shall be recorded in the Public Records of Charlotte County, Florida, and shall run with the PROPERTY, and be binding upon OWNERS and their heirs, successors and assigns, forever.
7. Charlotte County, through its Board of County Commissioners, its successors and assigns, is the beneficiary of this Covenant and Charlotte County may enforce this 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 Covenant.
8. This Covenant shall be amended only with the consent of Charlotte County, through its Board of County Commissioners. Amendments to this Covenant not receiving the consent of Charlotte County, through its Board of County Commissioners, shall be deemed void ab initio.
9. Any failure of Charlotte County to enforce this Covenant shall not be deemed a waiver of the right to do so thereafter.
10. This Covenant shall become effective upon recordation.
11. The signatories below acknowledge and agree that each is vested with legal authority to execute this covenant and to bind the PROPERTY to this covenant.

SIGNATURE PAGE TO FOLLOW

6. All other rights reasonably necessary or convenient for County's safe and efficient enjoyment of this Easement for the uses described herein.

Owner shall have the right to use and occupy the surface of the Easement Area for any purpose that is consistent with and that will not interfere with the rights and privileges granted to County herein.

This Easement shall be binding upon and shall inure to the benefit of the respective successors and assigns of the Owner and County.

WITNESS MY HAND AND SEAL on the date first above written.

Signed, sealed and delivered
In the presence of these
Witnesses:



Signature: Witness #1

Elsie Stearns

Printed Name: Witness #1



Signature: Witness #2

Lorain A. Rosner

Printed Name: Witness #2

OWNER



Signature

Noel Andress

Printed Name

239-994-0624

Phone Number

6-20-23

Date

STATE OF FLORIDA

COUNTY OF LEE

THE FOREGOING INSTRUMENT was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 20 day of June, 2023, by Noel Andress, as President of CAPRI HOLDINGS INVESTMENT INCORPORATED, as General Partner, who ☒ is personally known to me, or ☐ produced _____ as identification.

[AFFIX NOTARY SEAL]





Notary Public Signature

Elsie Stearns

Print Notary Name

My commission expires: 6-9-26

ANDRESS HOLDINGS, LLC, a Florida Limited Liability Company as to Lots 5 and 7-12, Block 18 ROTONDA VILLAS, a subdivision according to the plat thereof, recorded in Plat Book 12, Pages 1A through 1Z15, of the Public Records of Charlotte County, Florida.

ANDRESS HOLDINGS, LLC

Witness Signature: [Signature]

Witness Printed Name: Elsie Stearns

Witness Signature: [Signature]

Witness Printed Name: Lorin A. Rossner

By: [Signature]
NOEL ANDRESS, Managing Partner

STATE OF FLORIDA
COUNTY OF Lee

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 20 day of June, 2023 by Noel Andress, as Managing Partner of Andress Holdings, LLC who is personally known to me or who has produced _____ as identification.

[Signature]
Printed Name: Elsie Stearns

Notary Public

Serial Number

My Commission Expires:





Qualifications of Jie Shao

Position: Principal Planner

Years with Charlotte County: 21

Position Summary & Experience: I have worked as a Planner for Charlotte County Community Development Department since January 2004. My main duties include reviewing and making recommendations on plan amendments, zoning map changes and text amendments to the County's Comprehensive Plan, and amendments to the County's Land Development Regulations. I prepare and present staff reports and recommend actions to the Planning and Zoning Board and the Board of County Commissioners.

I evaluate Site Plan Review applications specifically related to development within Development of Regional Impacts for consistency with the County's Comprehensive Plan and Development Orders. I review all development within the Planned Development zoning district. I review applications for establishment of Community Development Districts, applications under the Transfer Density Units (TDU) program and track all TDUs.

In addition, I created the US 41 Zoning District Overlay Code in 2004. I worked with the planning Advisory Committee to successfully create the Little Gasparilla Island Community Plan in 2007 and also created the Little Gasparilla Island Zoning District Overlay Code and the Bridgeless Barrier Island Zoning District in 2013. As a project manager, I successfully completed the US 17 Corridor Planning Study in 2009-2010. I served as a liaison for the South Gulf Cove Advisory Committee and the Little Gasparilla Island Advisory Committee in 2006-2009. I hosted roundtable meetings to solicit public's input. As a team member, I revised and rewrote the County's Land Development Regulations in 2013-2014. Further, I worked on the County's Comprehensive Plan rewrite in 2009-2010, and EAR-based amendments for the County's Comprehensive Plan in 2007, 2014, and 2022.

Education:

- September 1997 to December 2001
University of Cincinnati; Cincinnati, Ohio; Obtained a M.S. degree in Community Planning
- September 1986 to July 1990
Chongqing University China; Obtained a B.S. degree in Architecture

Professional Associations and Certifications:

- AICP, American Association of Certified Planners since 2017
- American Planning Association (APA), Member since 2004

Related Past Experience:

- Planner, Architectural Graphics Designer, University Instructor in Architecture, Suzhou Planning Bureau/Institute of Urban Construction & Environmental Protection (1990-1994)

Exhibit 1

CHARLOTTE COUNTY

Location Map for CSZ-25-17



05/42/21 West County

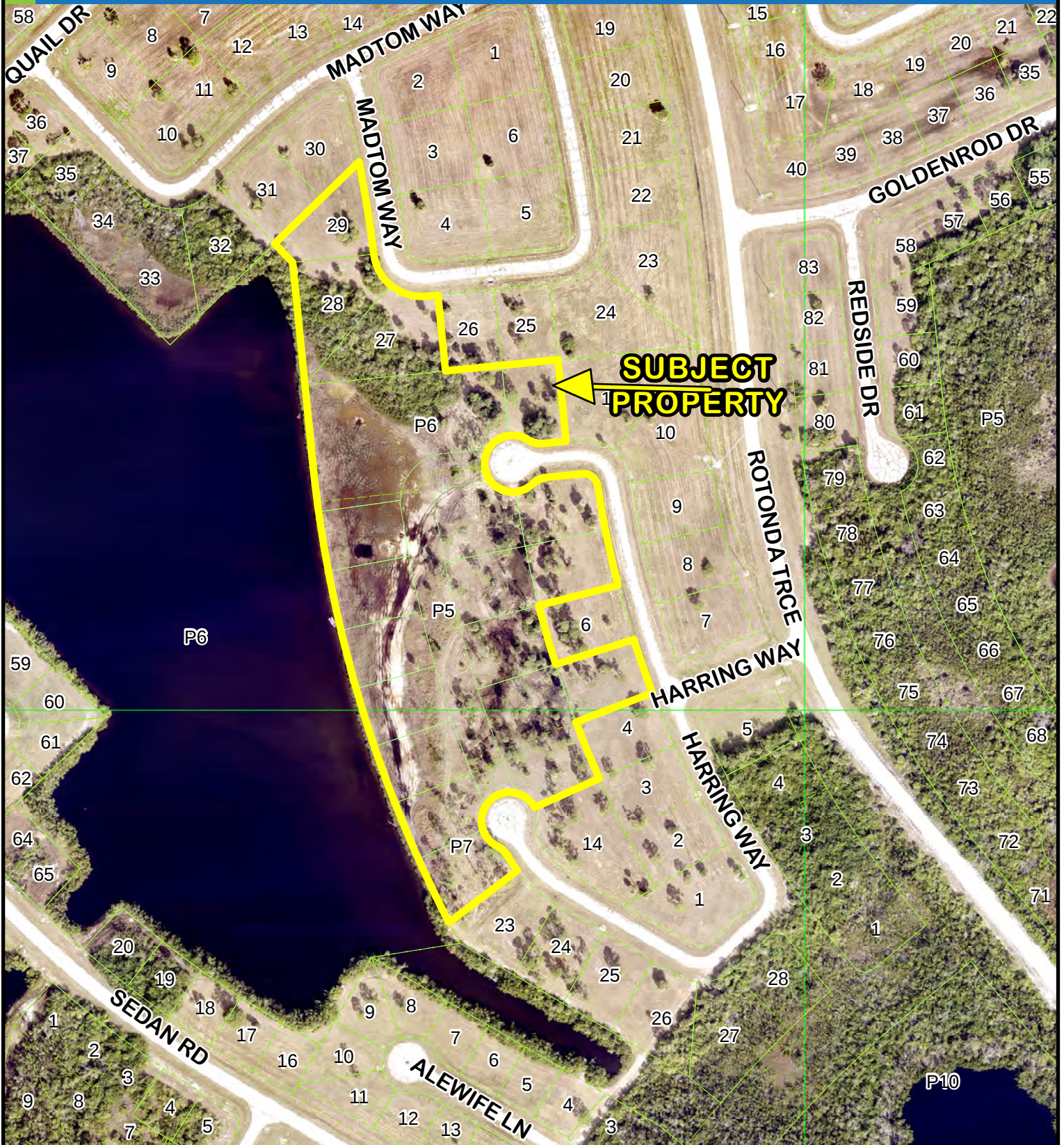
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CHARLOTTE COUNTY

Area Image for CSZ-25-17



05/42/21 West County



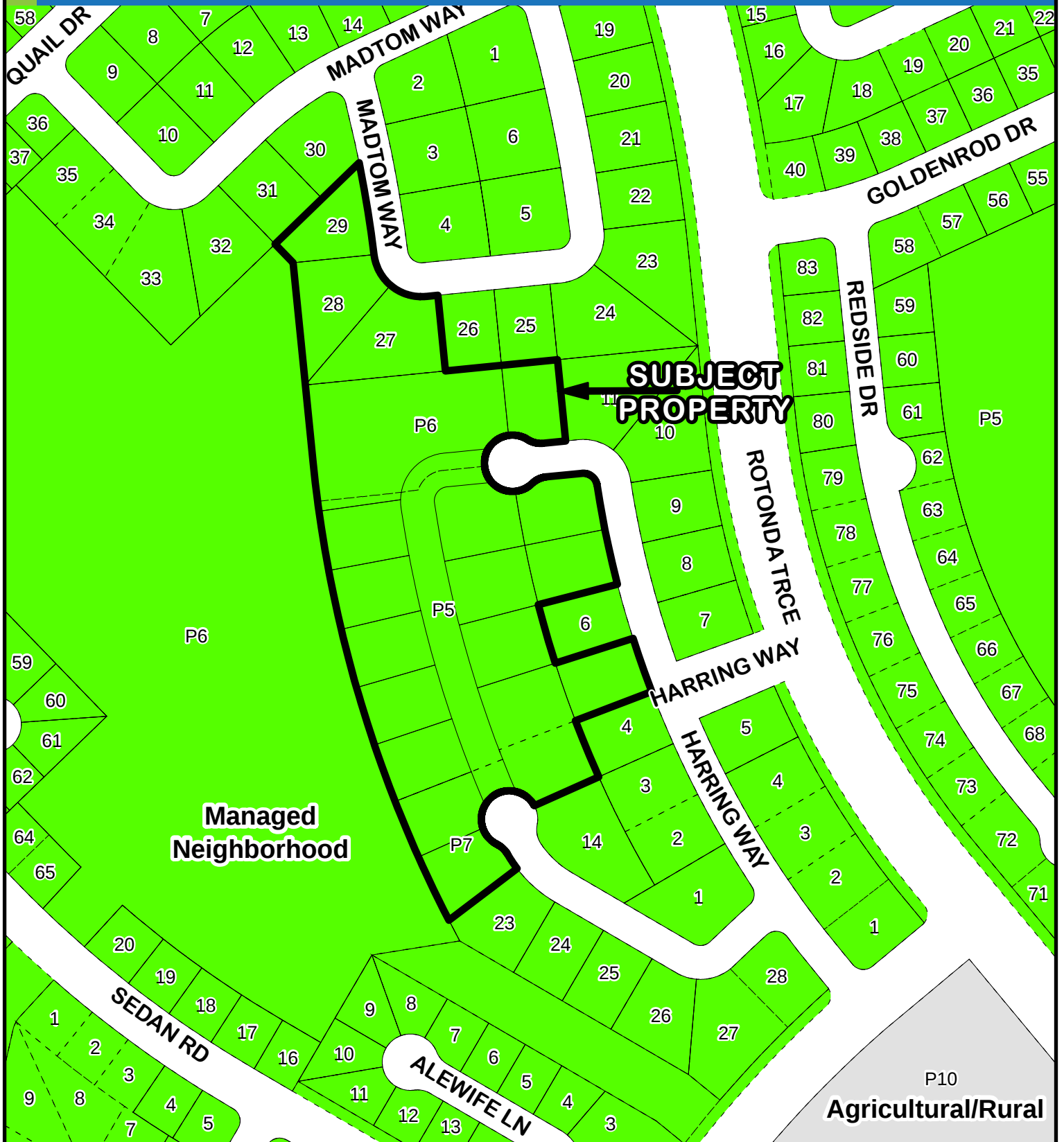
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CHARLOTTE COUNTY

Framework for CSZ-25-17



05/42/21 West County

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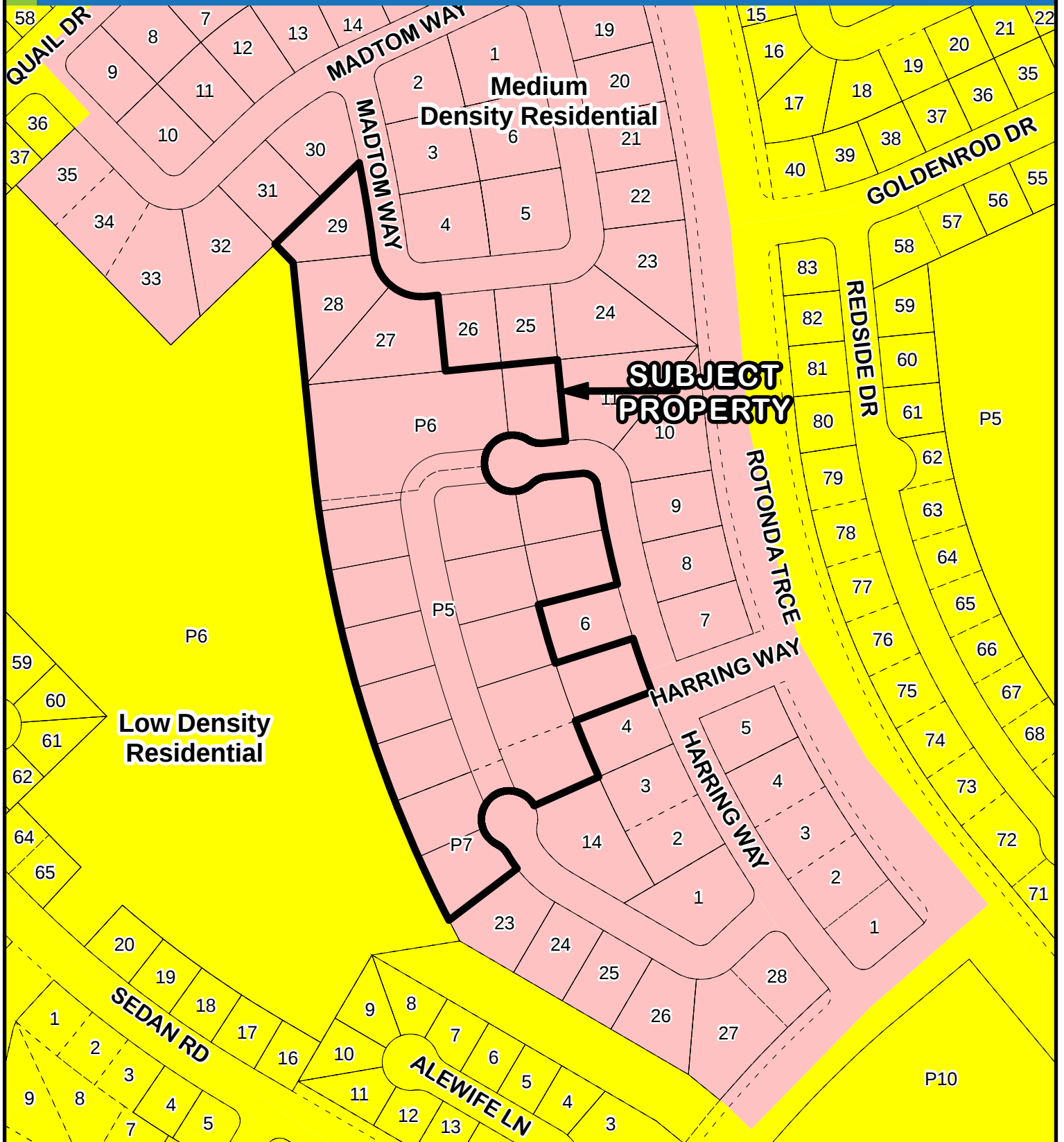
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(NOT TO SCALE)

CHARLOTTE COUNTY

FLUM Designations for CSZ-25-17



05/42/21 West County



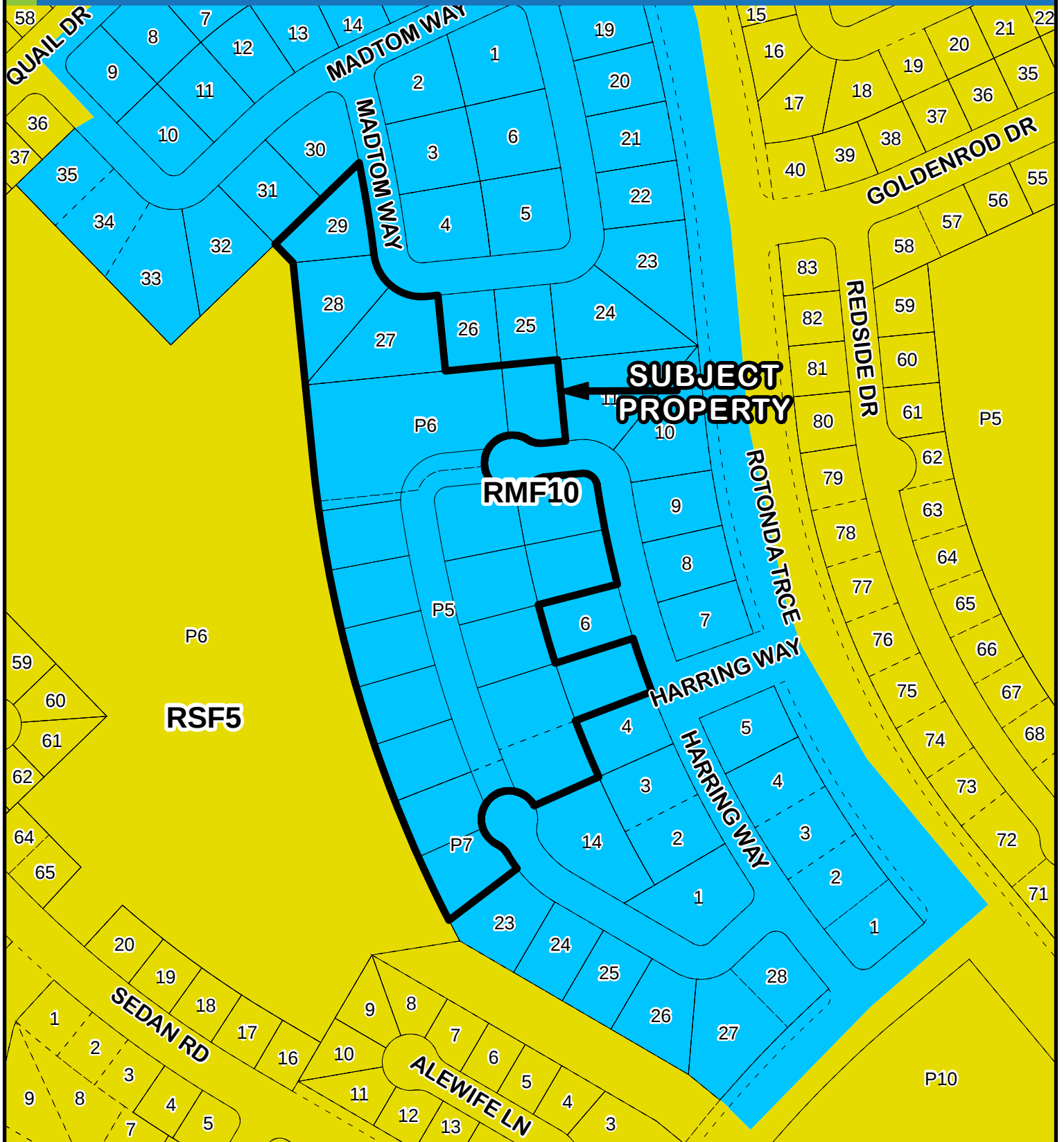
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CHARLOTTE COUNTY

Zoning Designations for CSZ-25-17



05/42/21 West County



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