



*Florida Department of Transportation*

RON DESANTIS  
GOVERNOR

801 N. Broadway Avenue  
Bartow, FL 33830

JARED W. PERDUE, P.E.  
SECRETARY

December 5, 2025

FP No.: N/A  
Item/Seg: 01050-2508  
Managing District: One  
Parcel No: 502  
SR No.: 776  
County: Charlotte

**MAINTENANCE DONATION**

**Biscayne Landings Homeowners Assoc., Inc.**

Atwell  
Attn: Heather Polito  
4161 Tamiami Trail Building 5, Unit 501  
Port Charlotte, FL 33952

Dear Ms. Polito:

Enclosed are the following documents with legal descriptions that are required to close the above referenced right of way donation.

- 1) Donation Letter
- 2) Closing Statement
- 3) Hazardous Waste Affidavit
- 4) Example of Recording Fee table (for your reference when submitting documents for recording)
- 5) Warranty Deed (Biscayne Homeowners Assoc. Inc.)
- 6) Subordination of Utility Interests (Charlotte County)
- 7) Subordination of Utility Interests (Florida Power & Light)
- 8) Subordination of Utility Interests (Hotwire Communications)

(Continued)

- Please use the documents provided by the Department as written and make no changes.
- Utility Easements - the owner is responsible for obtaining the release of all utility easements from the utility company.
- The property owner is required to attest that the property to be conveyed does not contain hazardous waste material. The individual executing the affidavit must be the same person authorized to convey the property.
- The property owner is responsible for ensuring all required documents have been properly executed.
- The Department's Real Estate Agent will contact the property owner to schedule a closing date once the enclosed documents have been received and approved.
- The property owner is responsible for payment of closing costs including recording fees, documentary stamps and the pro-ration of property taxes. The Department's Real Estate Agent will request a daily pro-ration amount directly from the Property Appraiser's office and will inform the property owner of all amounts due.

The closing will be handled by mail. On the scheduled day of closing, an updated title search will be conducted by the Department's Real Estate Agent. If no additional encumbrances are discovered, the documents will be recorded and the pro-rated property taxes will be paid. The owner will be sent a copy of the recorded Warranty Deed.

The Department's Real Estate Agent will notify the property owner and the Florida District Transportation Operations Department that the parcel closed and the permitting process may proceed.

If you have any further questions, please advise.

Sincerely,



Ray Fauble  
Consultant Acquisition Agent

/rf

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
DONATION OF PROPERTY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION**

ITEM/SEGMENT NO.:	01050-2508
MANAGING DISTRICT:	One
F.P. NO.:	N/A
STATE ROAD NO.:	776
COUNTY:	Charlotte
PARCEL NO.:	502
INTEREST CONVEYED:	Fee (Maintenance Donation)

This is to advise that the undersigned, as owner of the property or property interest AS MORE PARTICULARLY DESCRIBED ON Exhibit A is making a donation of said property or property interest to the State of Florida for the use and benefit of the Florida Department of Transportation regardless of said property or property interest's value.

The subject is free and clear of any encumbrances.

---

Owner's Signature  
Biscayne Landing Homeowners Association, Inc. A  
Florida Corporation

---

Type or Print Property Owner's Name

---

Street Address

---

City, State, Zip Code

---

Date

EXHIBIT "A"  
Page 1 of 2

F.P. NO. 1938061

Section 01050-2508

Parcel 502

That portion of Tract "P-1", Biscayne Landing II, a subdivision lying in Section 15, Township 40 South, Range 21 East, as per plat thereof recorded in Plat Book 25, Page 7A, Public Records of Charlotte County, Florida.

Being more particularly described as follows:

BEGIN at the intersection of the easterly existing right of way line of Biscayne Drive (per Port Charlotte Subdivision Section One Hundred, as per plat thereof recorded in Plat Book 13, Page 7A, Public Records of Charlotte County, Florida) and the northerly existing right of way line of State Road 776 (per Section 01050-2508), also being the southwest corner of said Tract "P-1"; thence along the westerly line of said Tract "P-1" and the said easterly existing right of way line, North 18°10'41" West a distance of 15.28 feet; thence North 69°03'02" East a distance of 360.57 feet; thence South 84°18'17" East a distance of 36.57 feet to said northerly existing right of way line; thence along said northerly existing right of way line, South 69°13'00" West a distance of 394.00 feet to the POINT OF BEGINNING.

Containing 5,964 square feet more or less.



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**CLOSING STATEMENT**

575-030-16  
 RIGHT OF WAY  
 OGC – 03/20

ITEM/SEGMENT NO.: 01050-2508  
 MANAGING DISTRICT: One  
 F.A.P. NO.: N/A  
 STATE ROAD NO.: 776  
 COUNTY: Charlotte  
 PARCEL NO.: 502

BUYER: STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

SELLER(S): Biscayne Landing Homeowners Association, Inc.

REAL PROPERTY DESCRIBED AS:

That portion of Tract "P-1", Biscayne Landing II, a subdivision lying, in Section 15, Township 40 South, Range 21 East, as per plat thereof recorded in PB 25 Pg 7A Public Records of Charlotte County, Florida

**Summary of Seller's Transaction**

**Credits**

Land	\$	_____
Improvements	\$	_____ 0.00
Real Estate Damages/Cost-to-Cure	\$	_____ 0.00
Personal Property	\$	_____
Business Damage	\$	_____
Attorney Fees	\$	_____ 0.00
Appraiser Fees	\$	_____
Other: I _____	\$	_____
<b>Total Credits</b>	\$	_____ 0.00

**Debits**

First Mortgage Payoff	\$	_____
First Mortgage Pre-Payment Penalty	\$	_____
Second Mortgage Payoff	\$	_____
Second Mortgage Pre-Payment Penalty	\$	_____
Attorney Fees	\$	_____
Appraiser Fees	\$	_____
Ad Valorem Taxes: _____	\$	_____
Other: _____	\$	_____
<b>Total Debits</b>	\$	_____ 0.00
<b>Credits Less Debits</b>	\$	_____ 0.00
<b>Amount Withheld</b>	\$	_____
<b>Amount Due to Seller at Closing</b>	\$	_____ 0.00

Warrant No.: \_\_\_\_\_

Received By: \_\_\_\_\_  
 Type or Print Name: Biscayne Landings Homeowner Assoc., Inc.

Date of Final Agency Acceptance: \_\_\_\_\_

Date of Closing: \_\_\_\_\_

Closing Agent: \_\_\_\_\_  
 Type or Print Name: Ray Fauble

EXHIBIT "A"  
Page 1 of 2

F.P. NO. 1938061

Section 01050-2508

Parcel 502

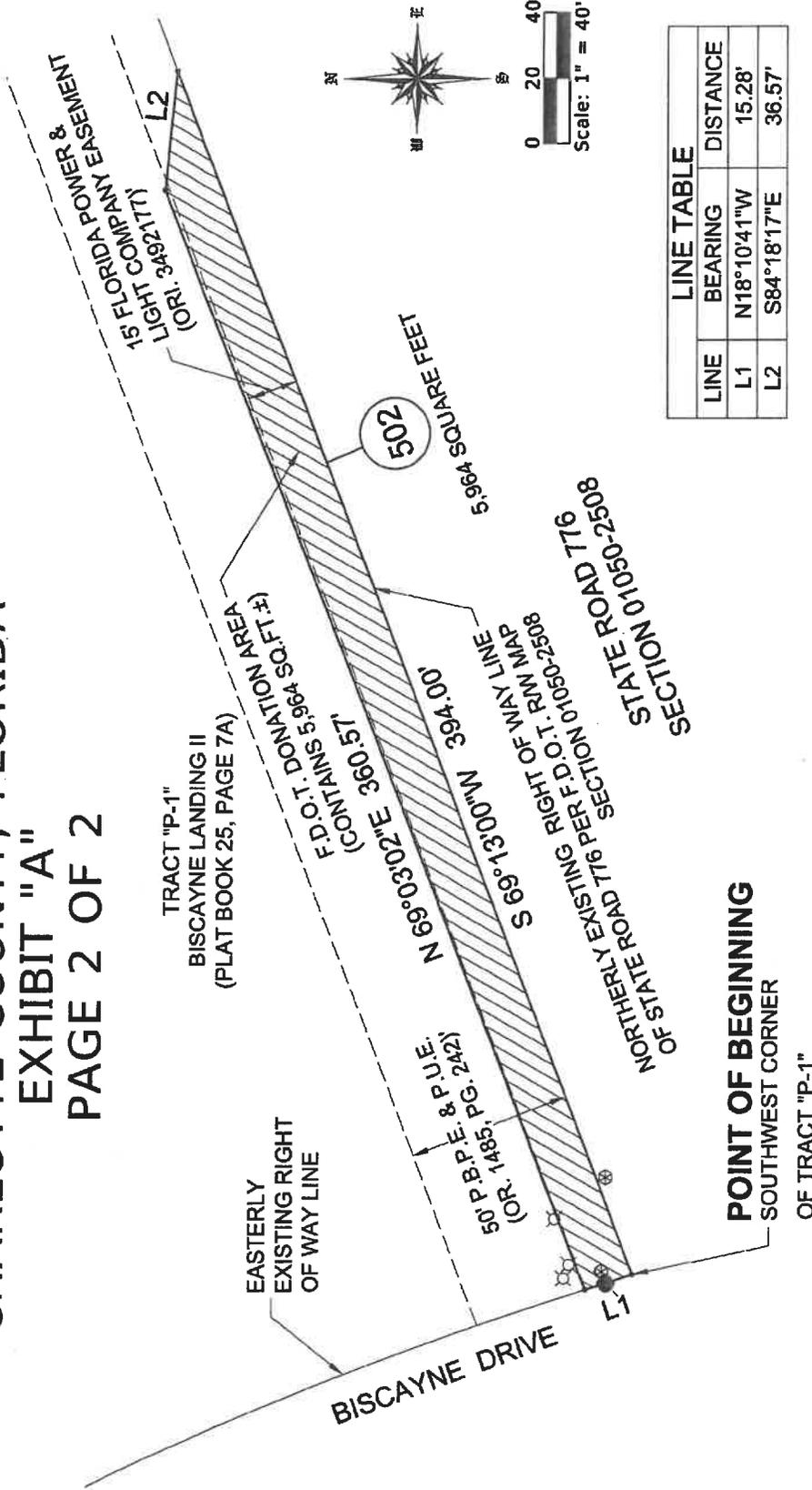
That portion of Tract "P-1", Biscayne Landing II, a subdivision lying in Section 15, Township 40 South, Range 21 East, as per plat thereof recorded in Plat Book 25, Page 7A, Public Records of Charlotte County, Florida.

Being more particularly described as follows:

BEGIN at the intersection of the easterly existing right of way line of Biscayne Drive (per Port Charlotte Subdivision Section One Hundred, as per plat thereof recorded in Plat Book 13, Page 7A, Public Records of Charlotte County, Florida) and the northerly existing right of way line of State Road 776 (per Section 01050-2508), also being the southwest corner of said Tract "P-1"; thence along the westerly line of said Tract "P-1" and the said easterly existing right of way line, North 18°10'41" West a distance of 15.28 feet; thence North 69°03'02" East a distance of 360.57 feet; thence South 84°18'17" East a distance of 36.57 feet to said northerly existing right of way line; thence along said northerly existing right of way line, South 69°13'00" West a distance of 394.00 feet to the POINT OF BEGINNING.

Containing 5,964 square feet more or less.

SECTION 15, TOWNSHIP 40 SOUTH, RANGE 21 EAST  
 CHARLOTTE COUNTY, FLORIDA  
 EXHIBIT "A"  
 PAGE 2 OF 2



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N18°10'41"W	15.28'
L2	S84°18'17"E	36.57'

FLORIDA DEPARTMENT OF TRANSPORTATION		STATE ROAD NO. 776		CHARLOTTE COUNTY	
PARCEL SKETCH - NOT A SURVEY		PREPARED BY:	DATE	DATA SOURCE:	
		FLORIDA DEPARTMENT OF TRANSPORTATION	11-06-2025	ATWELL SKETCH & DESCRIPTION	
		F.P. NO. 1938061	11-10-2025	SECTION 01050-2508	PAGE 4 OF 4 FOR PARCEL 502.1
REVISION	BY	DATE	CHECKED	MDM	

AFFIDAVIT  
(Corporation)

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, personally appeared \_\_\_\_\_  
who was sworn and says that the following information is true and correct according to Affiant's best knowledge  
and belief:

1. Affiant is the \_\_\_\_\_ of Biscayne Landings Homeowners Assoc., Inc., a Florida corporation (the "Corporation"). The Corporation is the record owner of property as described on Exhibit "A" and Exhibit "B" attached hereto.
2. No events or transactions (including proposed changes in any laws or regulations) have occurred and no information has come to the attention of Affiant (other than events or information relating to general economic conditions) that would reasonably be expected to prevent or impair the State of Florida Department of Transportation from using aforesaid property as Right of Way.
3. Affiant has not received any notice, oral or written, from any governmental entity or other third party relating to any violation of, or noncompliance with, any statute, law, ordinance, decree, order, rule or regulation relating to environmental matters with respect to aforesaid property.
4. Affiant has not used or permitted others to use the property in connection with the general disposal, storage, treatment or transportation of (i) hazardous substances, as defined under the Comprehensive Environmental Response, Compensation and Liability Act and its regulations or (ii) any waste, pollutant, hazardous substance, toxic substance, hazardous waste, special waste, petroleum-based substance or waste, products or by-product, the presence, use or removal of which is either regulated, controlled, limited or prohibited by local, state or federal environmental or pollution control laws, regulations or ordinances collectively referred to herein as "Hazardous Substances".
5. There are not now, and never have been, any Hazardous Substances or underground tanks located anywhere on aforesaid property.

FURTHER AFFIANT SAYETH NAUGHT. Home Depot USA, Inc. a Delaware Corporation

By: \_\_\_\_\_

Printed Name of Affiant \_\_\_\_\_

Title \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by \_\_\_\_\_ as \_\_\_\_\_ of Biscayne Homeowners Assoc.,  
Inc. a Florida corporation on behalf of the Corporation, who [ ] is personally known to me or who [ ] has  
produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Name

Notary Public in and for the county and state last aforesaid.

My commission Expires:

EXHIBIT "A"  
Page 1 of 2

F.P. NO. 1938061

Section 01050-2508

Parcel 502

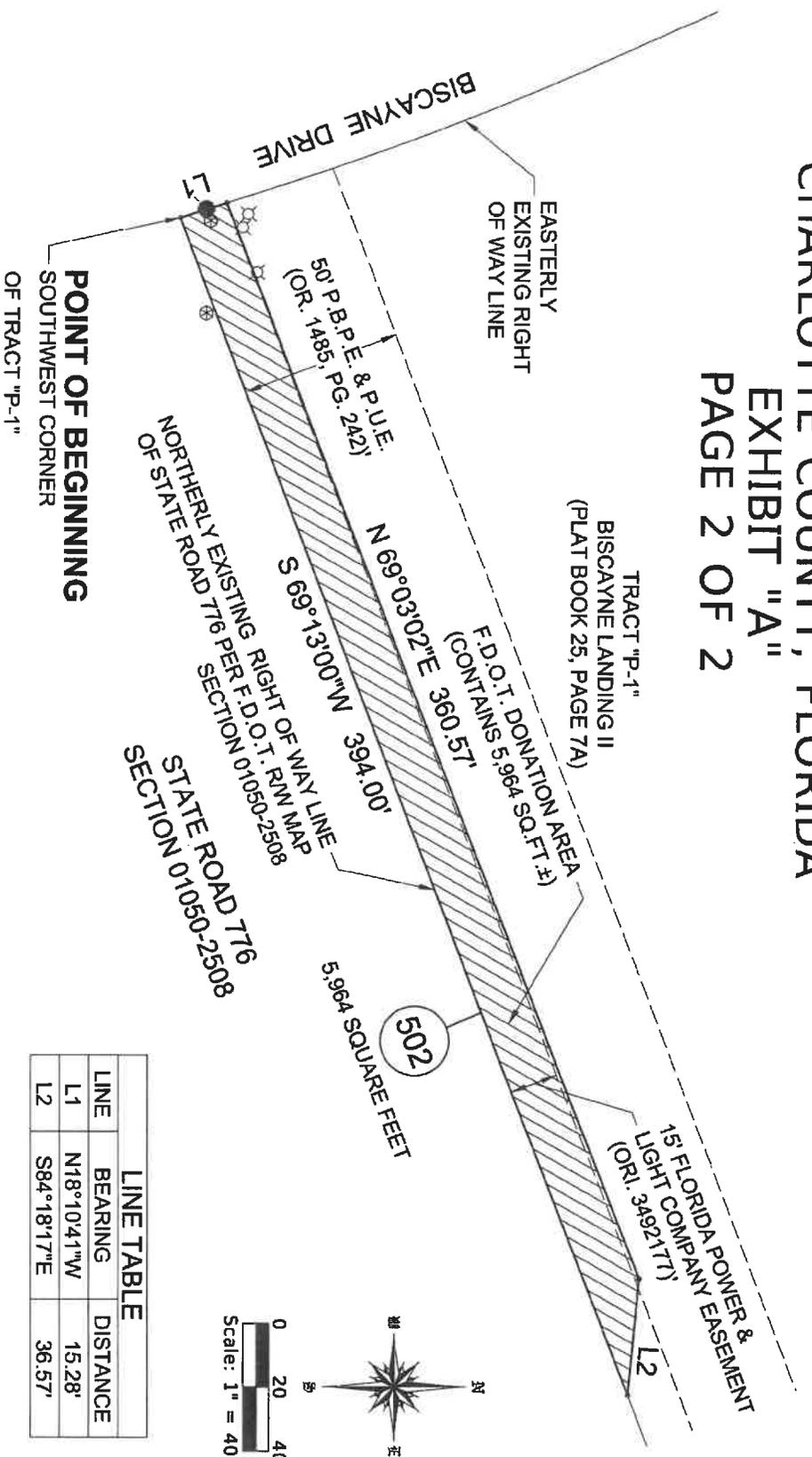
That portion of Tract "P-1", Biscayne Landing II, a subdivision lying in Section 15, Township 40 South, Range 21 East, as per plat thereof recorded in Plat Book 25, Page 7A, Public Records of Charlotte County, Florida.

Being more particularly described as follows:

BEGIN at the intersection of the easterly existing right of way line of Biscayne Drive (per Port Charlotte Subdivision Section One Hundred, as per plat thereof recorded in Plat Book 13, Page 7A, Public Records of Charlotte County, Florida) and the northerly existing right of way line of State Road 776 (per Section 01050-2508), also being the southwest corner of said Tract "P-1"; thence along the westerly line of said Tract "P-1" and the said easterly existing right of way line, North 18°10'41" West a distance of 15.28 feet; thence North 69°03'02" East a distance of 360.57 feet; thence South 84°18'17" East a distance of 36.57 feet to said northerly existing right of way line; thence along said northerly existing right of way line, South 69°13'00" West a distance of 394.00 feet to the POINT OF BEGINNING.

Containing 5,964 square feet more or less.

SECTION 15, TOWNSHIP 40 SOUTH, RANGE 21 EAST  
 CHARLOTTE COUNTY, FLORIDA  
 EXHIBIT "A"  
 PAGE 2 OF 2



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N18°10'41"W	15.28'
L2	S84°18'17"E	36.57'

FLORIDA DEPARTMENT OF TRANSPORTATION  
 PARCEL SKETCH - NOT A SURVEY

STATE ROAD NO. 776

CHARLOTTE COUNTY

REVISION	BY	DATE	CHECKED	DATE	PREPARED BY:	DATA SOURCE:
			DRAWN	11-05-2025	JAR	FLORIDA DEPARTMENT OF TRANSPORTATION
			CHECKED	11-10-2025	MDM	ATWELL SKETCH & DESCRIPTION

F.P. NO. 1938061 SECTION 01050-2508 PAGE 2 OF 4 FOR PARCEL 802.1

**RECORDING FEES** Biscayne Homeowners Assoc. Charlotte County  
 Item/Segment: 01050-2508

Parcel	# of pages	\$10.00 1st page \$ 8.50 other pages	Sub-Total	Doc Stamps	Total
502.1	4	1 @ \$10.00, 3 @ \$8.50	\$35.50	\$0.70	\$36.20
502.2	6	1 @ \$10.00, 5 @ \$8.50	\$52.50		\$52.50
502.3	6	1 @ \$10.00, 5 @ \$8.50	\$52.50		\$52.50
<b>502.4</b>	<b>6</b>	<b>1 @ \$10.00, 5 @ \$8.50</b>	<b>\$ 52.50</b>		<b>\$52.50</b>

Grand Total \$ 193.70